

BOARD OF SELECTMEN

MINUTES

June 24, 2020

Board met in session at 10:00 a.m. via ZOOM Conferencing:

Present / remote Dial-in number (US) (253) 215 8782
<https://zoom.us/j/7340680306> Meeting ID: 734 068 0306

Jackie Belf-Becker, Chair
David Depew
M. C. Moses Grader
Judith R. Jacobi
James E. Nye

Jason Silva, Town Administrator

The Chair called the meeting of Wednesday, June 24, 2020 to order. The following roll call was taken: Mr. Grader, present; Mrs. Jacobi, present; Mr. Depew, present; Mr. Nye, present; Mrs. Belf-Becker, present.

OUTDOOR SEATING. OUTDOOR SEATING. The following applications were reviewed by the Board for outdoor seating.

Maddie's Sail Loft. 15 State Street. Loretta Laing appeared before the Board seeking permission for outdoor seating. After review, motion made and seconded, pursuant to Executive Order COVID-19, No. 35, issued by Governor Baker on June 1, 2020, and notwithstanding the provisions of Chapter 40A of the General Laws, or any special permit, variance or other approvals thereunder, or any general or special law to the contrary, the Board of Selectmen for the Town of Marblehead approves the application for outdoor seating submitted by **Loretta Lang** for Maddie's Sail Loft, located at 15 State Street in Marblehead, Massachusetts, provided that the operation remains in substantial compliance with the documents, plans and statements contained within said application and submitted therewith, which documents are incorporated herein by reference. This approval is freely revocable upon the determination of the Health Department, Chief of Police, Board of Health, or their designees that the operation of the outdoor dining area is negatively impacting public health and safety. Further, this approval shall automatically be rescinded on November 1, 2020 or upon the rescission of Executive Order COVID-19, No. 35, whichever shall come first and is subject to final approval by the Town Administrator, Police and Fire and receipt of the required tent permit. Moved by Mrs. Jacobi, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mr. Nye, in favor; Mrs. Jacobi, in favor; Mr. Grader, in favor; Mr. Depew, in favor; Mrs. Belf-Becker, in favor.

Motion made and seconded, pursuant to Executive Order COVID-19, No. 35, issued by Governor Baker on June 1, 2020, and notwithstanding the provisions of Chapter 138 of the General Laws, or any or any general or special law or local bylaw, rule, regulation to the contrary, the Board of Selectmen, as the Local Licensing Authority pursuant to G.L. c. 138 for the Town of Marblehead shall permit the application for outdoor seating submitted by Loretta Lang for Maddie's Sail Loft located at 15 State Street in Marblehead, Massachusetts, provided that the operation remains in substantial compliance with the documents, plans and statements contained within said application and submitted therewith which documents are incorporated herein by reference. This approval is freely revocable upon the determination of the Health Department, Chief of Police, Board of Health, or their designees that the operation of the outdoor dining area is negatively impacting public health and safety. Further, this approval shall automatically be rescinded on November 1, 2020 or upon the rescission of Executive Order COVID-19, No. 35, whichever shall come first and is subject to final approval by the Town Administrator, Police and Fire. Moved by Mrs. Jacobi, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mr. Nye, in favor; Mrs. Jacobi, in favor; Mr. Grader, in favor; Mr. Depew, in favor; Mrs. Belf-Becker, in favor.

Dolphin Yacht Club. 17 Allerton Place. Ken Martin appeared before the Board seeking permission for outdoor seating. After review, motion made and seconded, pursuant to Executive Order COVID-19, No. 35, issued by Governor Baker on June 1, 2020, and notwithstanding the provisions of Chapter 40A of the General Laws, or any special permit, variance or other approvals thereunder, or any general or special law to the contrary, the Board of Selectmen for the Town of Marblehead approves the application for outdoor seating submitted by **Ken Martin** for Dolphin Yacht Club, located at 17 Allerton Place in Marblehead, Massachusetts, provided that the operation remains in substantial compliance with the documents, plans and statements contained within said application and submitted therewith, which documents are incorporated herein by reference. This approval is freely revocable upon the determination of the Health Department, Chief of Police, Board of Health, or their designees that the operation of the outdoor dining area is negatively impacting public health and safety. Further, this approval shall automatically be rescinded on November 1, 2020 or upon the rescission of Executive Order COVID-19, No. 35, whichever shall come first and is subject to final approval by the Town Administrator, Police and Fire. Moved by Mrs. Jacobi, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mr. Nye, in favor; Mrs. Jacobi, in favor; Mr. Grader, in favor; Mr. Depew, in favor; Mrs. Belf-Becker, in favor.

Motion made and seconded, pursuant to Executive Order COVID-19, No. 35, issued by Governor Baker on June 1, 2020, and notwithstanding the provisions of Chapter 138 of the General Laws, or any or any general or special law or local bylaw, rule, regulation to the contrary, the Board of Selectmen, as the Local Licensing Authority pursuant to G.L. c. 138 for the Town of Marblehead shall permit the application for outdoor seating submitted by Ken Martin for Dolphin Yacht Club located at 17 Allerton Place in Marblehead, Massachusetts, provided that the operation remains in substantial

compliance with the documents, plans and statements contained within said application and submitted therewith which documents are incorporated herein by reference. This approval is freely revocable upon the determination of the Health Department, Chief of Police, Board of Health, or their designees that the operation of the outdoor dining area is negatively impacting public health and safety. Further, this approval shall automatically be rescinded on November 1, 2020 or upon the rescission of Executive Order COVID-19, No. 35, whichever shall come first and is subject to final approval by the Town Administrator, Police and Fire. Moved by Mrs. Jacobi, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mr. Nye, in favor; Mrs. Jacobi, in favor; Mr. Grader, in favor; Mr. Depew, in favor; Mrs. Belf-Becker, in favor.

REAPPOINTMENT. Constable. Civil Service. Motion made and seconded to reappoint Julio Carrasquillo as Constable, to serve civil service, with a term to expire in June 2021 and subject to the proper bond on file with the Town Clerk. Moved by Mrs. Jacobi, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mr. Nye, in favor; Mrs. Jacobi, in favor; Mr. Grader, in favor; Mr. Depew, in favor; Mrs. Belf-Becker, in favor.

APPOINTMENT. Constable. Motion made and seconded to appoint Cindy Diaz as Constable, to serve civil service, with a term to expire in June 2021 and subject to the proper bond on file with the Town Clerk. Moved by Mrs. Jacobi, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mr. Nye, in favor; Mrs. Jacobi, in favor; Mr. Grader, in favor; Mr. Depew, in favor; Mrs. Belf-Becker, in favor.

HOLIDAY HOURS. In observance of July 4th Mary Alley and Abbot Hall will be open to the public as follows:

Week of June 29 – July 3, 2020

Monday, June 29, 2020	8:30 am – 4:30 pm
Tuesday, June 30, 2020	8:30 am – 4:30 pm
Wednesday, July 1, 2020	8:30 am – 5:30 pm
Thursday, July 2, 2020	8:30 am – 12:00 pm
Friday, July 3, 2020	CLOSED

CARETAKER. Fort Beach. Letter of Interest. A letter of interest was received from Toby Reiley as it relates to serving as Assistant Care Taker at Fort Beach.

CULTURAL COUNCIL. Letter of Interest. A letter of interest was received from Barbara Worthen as it relates to serving on the Cultural Council.

Motion made and seconded to adjourn at 10:40 a.m. Moved by Mrs. Jacobi, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mrs. Jacobi, in favor; Mr. Depew, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

Kyle A. Wiley
Administrative Aide