

BOARD OF SELECTMEN

MINUTES

October 1, 2020

Board met in session at 9:00 a.m. via ZOOM Conferencing:

Jackie Belf-Becker, Chair

David Depew

M. C. Moses Grader

James E. Nye

Jason Silva, Town Administrator

The Chair called the meeting of Thursday, October 1, 2020 to order. The following roll call was taken: Mr. Depew, present; Mr. Nye, present; Mrs. Belf-Becker, present.

TOWER SCHOOL. Easement. Robert McCann, Esq., appeared before the Board representing the Tower School seeking to relocate the Drain and Utility Easement/Restriction Area on the Tower School Property. Motion made and seconded to accept and approve the relocation and expansion of the utility and drainage easement for the benefit of the Town and located on land off of Cornell Road owned by the Tower School as more fully set forth on the Easement and Plan as presented at this meeting, and further authorize the Chair to execute the same. Moved by Mr. Nye, seconded by Mr. Depew. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor

Mr. Grader joined the meeting.

COASTAL ZONE MANAGEMENT. Coastal Resiliency Grant. Update. Barbara Warren, Executive Director, Salem Sound Coastwatch, appeared before the Board to review with them the project goals, process, progress and next steps as it relates to the Coastal Zone Management Coastal Resilience Grant the Town received to fund the Marblehead Harbor Coastal Resiliency Project. Through this grant the Town and residents will better understand its climate vulnerabilities and future impacts, the importance of public/private partnerships in order to evaluate different climate resilient adaptative options and to make informed decisions and set priorities. Public forums were held in February and August, individuals as well as groups have been contacted to share their experiences and concerns and an online Community Survey is underway (until October 10, 2020). For more information and to take the online survey please visit the Town's website www.marblehead.org.

QUORUM. Special Town Meeting.

Motion made and seconded, pursuant to Chapter 92 of the Acts of 2020, section 7, that the Board of Selectmen approve a reduction in quorum for the Town of Marblehead

Special Town Meeting to be held on October 17, 2020, reducing the quorum requirement of the Special Town Meeting from three hundred to 30 persons. This reduction does not limit the number of residents that can attend, just the number of residents required to hold the meeting. Moved by Mr. Nye, seconded by Mr. Grader. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor

CONTRACT. Accessible Curb Cuts. Motion made and seconded to award the contract for *Accessible Curb Cuts* (base bid and add alternate one) to J. Marchese and Sons of Everett, MA in the amount of one hundred and twenty thousand and two hundred dollars (\$120,200.00) and authorize the Chair to sign the contract on behalf of the Board. Moved by Mr. Nye, seconded by Mr. Grader. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor

CONTRACT. Air Duct Cleaning. Abbot Public Library. Motion made and seconded to award a contract to **Peabody Air Duct** for the *Air Duct cleaning at Abbot Public Library* in the amount of thirty thousand dollars (\$30,000) and to authorize the Chair to sign on behalf of the Board. Moved by Mr. Grader, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor

CONTRACT. Abbot Hall Restoration Project. Amend. Motion made and seconded to amend the contract between the Town and Kronenberger and Sons for the *Abbot Hall Restoration Project* by increasing the contact amount by sixty-seven thousand three hundred and twenty-three (\$67,323.00) and authorize the Chair to sign on behalf of the Board. Moved by Mr. Nye, seconded by Mr. Depew. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor

CONTRACT. Abbot Hall OPM. Amend. Motion made and seconded to amend the contract between the Town and Vertex for *OPM services for Abbot Hall* by increasing the contact sum by an amount not to exceed thirty-seven thousand five hundred dollars (\$37,500.00) and authorize the Chair to sign on behalf of the Board. Moved by Mr. Grader, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor

CONTACT. Salem Coast Watch. Amend. Motion made and seconded to amend the contract between the Town and Salem Coast Watch by increasing the contract amount by ten thousand four hundred dollars (\$10,400.00) and authorize the Chair to sign on behalf of the Board. Moved by Mr. Nye, seconded by Mr. Depew. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor

POLICE. Indemnification. Motion made and seconded to approve the request from Chief Picariello to indemnify Patrolman Dimare for injuries sustained while on duty September 20, 2020. Moved by Mr. Nye, seconded by Mr. Grader. On a polled vote the

Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor

LICENSING. Outdoor Table Service. Extension of Time. The Board addressed extending outdoor table service to the previously approved businesses. Motion made and seconded, pursuant to Executive Order COVID-19, No. 35, issued by Governor Baker on June 1, 2020, and Order Making Certain Phase III Adjustments (also known as COVID-19 Order No. 50) issued September 10, 2020, which extends the period for outdoor table service by licensees 60 days past the end of the state of emergency, 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 shall issue an extension to the following previously approved Licensees for outdoor seating, provided that the operations remain in substantial compliance with the documents, plans and statements on file with the Town, 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 December 30, 2020 or upon the rescission of Executive Order COVID-19, No. 35 or No. 50, whichever shall come first and is subject to final approval by the Town Administrator, Police and Fire.

257 Washington Street, d/b/a The Barrelman
Caffe Italia, 10 School Street
Casa Mia, 261 Washington Street
DJ. Colbert Inc., d/b/a Shubie's, 16 Atlantic Avenue
Dolphin Yacht Club, 17 Allerton Place
Food at 5 LLC, d/b/a 5 Corners Kitchen, 2 School Street
Gerry #5 VFA, 210 Beacon Street
Eat Well Kitchen, 12 Atlantic Avenue
Harborlight Inn, 58 Washington Street
LaSirena Café, 146 Washington Street
Three Cod Tavern, 141 Pleasant Street
The Landing Restaurant, 81 Front Street
The Little Store, 9 Green Street
Maddies Sail Loft, 15 State Street
Tulamex Inc. d/b/a Casa Corona, 33 Smith Street

Moved by Mr. Grader, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor

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Beverage Policy the Board of Selectmen, as the Local Licensing Authority pursuant to G.L. c. 138 for the Town of Marblehead shall issue an extension to the following previously approved Licensees for outdoor seating provided that the operations remain in substantial compliance with the documents, plans and statements on file with the Town 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 December 30, 2020 or upon the rescission of Executive Order COVID-19, No. 35 or No. 50, whichever shall come first and is subject to final approval by the Town Administrator, Police and Fire.

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Moved by Mr. Grader, seconded by Mr. Depew. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor

PEACH HIGHLANDS. Sean McHugh appeared before the Board to talk about the modifications made on Peach Highlands regarding hill jumping. The Town has installed temporary jersey barriers and cones in an effort to reduce this practice. The Town Administrator, Chief of Police and DPW Director will continue to monitor the situation and make changes as needed.

Motion made and seconded to adjourn at 11:16 a.m. Moved by Mr. Nye, seconded by Mr. Grader. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor

Kyle A. Wiley
Administrative Aide