

BOARD OF SELECTMEN

MINUTES

November 4, 2020

Board met in session at 11:30 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 Wednesday, November 4, 2020 to order. The following roll call was taken: Mr. Depew, present; Mr. Grader, present; Mr. Nye, present; Mrs. Belf-Becker, present.

Maria's Java Sun. 35 Atlantic Avenue. The Board reviewed the application from Maria Torres 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 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 approve the application for outdoor seating submitted by *Maria Torres, Maria's Java Sun, 35 Atlantic Avenue*, provided that the operation remains in substantial compliance with the documents, plans and statements on file with the Town, which documents are incorporated herein by reference and receipt of all required sign-offs related to the Common Victualler License. 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 and subject to any and all Executive Orders that may be issued by Governor Baker and is subject to Final approval by the Town Administrator, Police and Fire. Moved by Mr. Grader, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Nye, in favor; Mr. Depew, in favor; Mr. Belf-Becker, in favor.

CONTRACT. Road Way Maintenance. Motion made and seconded to award Option Year 3 of the Contract for the cleaning of stormwater catch basins dated October 15, 2018, to Road Way Maintenance Services Inc., Plymouth, MA, for the period of July 1, 2020 through June 30, 2021, for the line item amounts listed on Bid form in Contract Year Three Option and amend the awarding authority for the Town of Marblehead from the Water and Sewer Commission to the Board of Selectmen and authorize the Chair to

sign 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. Nye, in favor; Mr. Depew, in favor; Mr. Belf-Becker, in favor.

FORT SEWALL OVERSIGHT COMMITTEE. Letter of Support. Motion made and seconded to send a letter to the Massachusetts Cultural Council in support of the Fort Sewall Oversight Committee (FSOC) application for funding through the Mass Cultural Council Facilities Grant Program to support the renovation and restoration of Fort Sewall. Moved by Mr. Nye, seconded by Mr. Grader. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Nye, in favor; Mr. Depew, in favor; Mr. Belf-Becker, in favor.

PROCLAMATION. Motion made and seconded to prepare a proclamation in honor of a resident's one hundred and first birthday. Moved by Mr. Grader, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Nye, in favor; Mr. Depew, in favor; Mr. Belf-Becker, in favor.

Motion made and seconded to adjourn at 11:40 a.m. 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

Kyle A. Wiley
Administrative Aide