

## BOARD OF SELECTMEN

### MINUTES

July 8, 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/734 068 0306](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, July 8, 2020 to order. The following roll call was taken: Mr. Grader, present; Mr. Depew, present; Mr. Nye, present; Mrs. Jacobi, present; Mrs. Belf-Becker, present.

**OUTDOOR SEATING. Eat Well Kitchen. 12 Atlantic Avenue.** Susan Bergeron 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 **Susan Bergeron** for **EAT WELL KITCHEN** located at **12 Atlantic Avenue** 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 Dept., 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 Further, this approval shall automatically be rescinded on November 1, 2020 or upon the rescission of Executive Order COVID-19, No. 35, whichever shall come first and is subject to final approval by the Town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 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. Jacobi, in favor; Mrs. Belf-Becker, in favor.

**PUBLIC HEARING. All Alcoholic Beverage License. Transfer. Common Victualler License. JDHE LLC, 165 Pleasant Street.** Jose Luis Sanchez, applicant, and Emanuel Gonzalez, Counsel, appeared before the Board as it relates to the transfer of

the All Alcoholic Beverage License at 165 Pleasant Street. Tom Egan, Counsel for Rockett Management Co., current owner of the License, spoke in favor of the transfer. No one spoke opposed to the application. Motion made and seconded to approve the application for a Common Victualler License for JDHE LLC d/b/a Amores Tequila Bar, 165 Pleasant Street, Manager, Jose Luis Sanchez. Hours of operation Sunday through Saturday 9:00am – 12:00 midnight, seating capacity 162, and outdoor seating, not to exceed twenty (20) seats, subject to receipt of all applicable inspection sign offs and all fees paid and compliance with all COVID 19 safety guidelines as outlined by the State and the Town. Moved by Mrs. Jacobi, seconded by Mr. Nye. On a polled voted the Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Jacobi, in favor; Mrs. Belf-Becker, in favor. Motion made and seconded to approve the transfer of the All Alcoholic Beverage License from M/R Rockett Management Co. Inc., to JDHE LLC d/b/a Amores Tequila Bar, 165 Pleasant Street, Manager, Jose Luis Sanchez., seating capacity is 162 inside and outdoor seating, not to exceed twenty (20) seats, and compliance with all COVID 19 safety guidelines as outlined by the State and the Town. Hours of operation Sunday through Saturday 9:00 a.m. – 12:00 midnight subject to approval from the ABCC, CORI, manager is TIPS trained or equivalent and receipt of all applicable inspection sign offs and all fees paid. Moved by Mrs. Jacobi, seconded by Mr. Nye. On a polled voted the Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Jacobi, in favor; Mrs. Belf-Becker, in favor.

**SURPLUS. Fire Department. Fire Engine.** Motion made and seconded to approve the request from the Fire Chief to declare the following item surplus and no longer needed for municipal purpose and available for disposition in accordance with MGL Chapter 30B and the Town's policy on surplus equipment: 1996 Pierce Saber Fire Engine. Moved by Mr. Grader, seconded by Mr. Nye. On a polled voted the Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Jacobi, in favor; Mrs. Belf-Becker, in favor.

**CONTRACT. Fort Sewall Restoration. Amend.** Motion made and seconded to amend the contract for Fort Sewall Restoration Phase II with Sciaba Construction of Newton, MA and the Town by increasing the amount by an amount not to exceed four thousand five hundred and sixty-one & 80/100 dollars (\$4,561.80) and authorize the Chair to sign on behalf of the Board. Moved by Mrs. Jacobi, seconded by Mr. Grader. On a polled voted the Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Jacobi, in favor; Mrs. Belf-Becker, in favor.

**GARFIELD STREET.** The Board received correspondence from residents of Garfield Street seeking street repairs. The Town Administrator and DPW Director will review the request.

**PLEASANT STREET.** The Board received correspondence from residents from Pleasant Street regarding speed limits. The Town Administrator and Police Chief will review the request.

**ICE RINK COMMITTEE.** The Chair asked Mr. Nye and Mr. Depew to serve as the Selectmen’s representatives on the Ice Rink Committee.

The Town Administrator advised the Board that Standard & Poors has confirmed that the Town has once again received AAA bond rating.

Motion made and seconded to adjourn at 10:35 a.m. Moved by Mrs. Jacobi, seconded by Mr. Grader. On a polled voted the Board voted as follows: Mr. Grader, in favor; Mr. Depew, in favor; Mr. Nye, in favor; Mrs. Jacobi, in favor; Mrs. Belf-Becker, in favor.

Kyle A. Wiley  
Administrative Aide