

PLYMOUTH SELECT BOARD

TUESDAY, JANUARY 11, 2022

REMOTE VIA ZOOM, PLYMOUTH, MA – 5:00 PM

5:30PM - CALL TO ORDER

Richard Quintal, Chairman of the Board, called the meeting to order at 5:30 p.m. and asked Vice Chairman Cavacco to read the following statement:

In accordance with S2475, and pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted via remote means. Members of the public who wish [to watch the meeting may do so](#) in the following manner: tune into PACtv government cable access channels Comcast Channel 15 or Verizon Channel 47 and watch the meeting as it is aired live, or watch the meeting live through PACtv's website at <https://pactv.org>. Members of the public who wish to PARTICIPATE in the meeting may do so in the following manner: contact the Select Board's Assistant, Chris Badot, [who is available prior to and throughout the meeting to provide public remote access](#), via the public call-in line, (508) 322-3383, or cbadot@plymouth-ma.gov. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, for reasons of economic hardship and despite best efforts, we will post on the Town's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

Present: Richard Quintal, Chairman
Betty Cavacco, Vice Chairman
Patrick Flaherty
Harry Helm
Charlie Bletzer

Lee Hartmann, Acting Town Manager

5:00PM EXECUTIVE SESSION

Executive Session: To review and approve Executive Session Minutes (Executive Sessions of August 3, 2021, October 19, 2021, November 4, 2021 and November 30, 2021) pursuant to Section 21(a)(7) of M.G.L. c. 30A. (See Section 22 of M.G.L. c. 30A requirements).

The Select Board will hold an Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 3, to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining, negotiation, or litigation position of the public body and the chair so declares. Following Executive Session, the Board will reconvene in open session.

❖ Non-Union Personnel – Collective Bargaining

6:14PM – BACK TO OPEN SESSION

Chairman Quintal called the meeting to order and said that the Select Board had been in Executive Session since 5:00pm and apologized for being a little bit late.

6:15PM – COVID UPDATE

Margaret Coe, Health Agent, came on and gave her covid update. She said some exciting news is that the Town will be ordering some at-home covid tests kits by end of day tomorrow. She said they should ship within ten days. She said as of January 5th all Massachusetts Counties were considered high risk for contracting covid. She said the Omicron variant is accounting for about 82% of all positive cases in New England. She said the Omicron variant is considered two to three times more transmissible and reproduces at a faster rate than the Delta variant, even though it has less severe symptoms. She said those that are unvaccinated make up about 70% of covid hospitalizations which is a pretty big number and stresses the importance of people getting vaccinated. She said they just got an update from Beth Israel Deaconess Hospital in Plymouth, and they currently have 140 covid patients and their ICU is full. She said as of January 6th the State started counting hospital numbers a little bit differently which means people that are in the hospital because of covid and not count people that are in for another reason and find out that they have covid. She said those incidental cases are not counted anymore. She said there will also be a new website that will keep track of all vaccinations that have been recorded. She said if you lost your card you can log into myvaxrecords.mass.gov and download that information right to your phone which will be a handy tool for some. She said Mass.gov also has something called Mass Notify and is a service that was developed in partnership with Google and Apple to help slow the spread of covid. She said where people are now using at-home test kits this is a place for people to record their information anonymously so that people around them will know that they may have been exposed to covid. She said on Mass.gov you can also find locations that are giving the vaccine and make appointments right through the website. She said test sites are still tricky to find but you can also do that within Mass.gov as well. She said testing wait times might be as much as a couple of days for an appointment and sit and wait for up to five hours. She said she also wanted to make people aware of the covid interactive data dashboard that is also on Mass.gov and shows you all of the data from daily numbers to monthly numbers as well as hospitalizations in your area.

Vice Chairman Cavacco said we received notice that the State was releasing test kits for all municipalities and asked if these kits would be free or are they something that will need to be paid for, to which Lee Hartmann said there are three categories. He said one is using the ARPA Funds to purchase 15,000 at-home test kits which is requested in your Administrative Notes tonight. He said the second is that we have been on touch with Emergency Management, and they are talking about ordering another 15,00 at-home test kits with the ARPA Funds as well. He said thirdly, the County has received 200,000 at-home test kits and they will be released to communities within the County on a per capita basis.

6:21PM – PLYMOUTH EDUCATION FOUNDATION – Update

Bob Betters came on and thanked the Board for the opportunity to be here tonight and give the Select Board and the public an update on the Plymouth Education Foundation's progress.

Bob Betters began by saying the Foundation had originally scheduled their Annual Gala for February 12th at Waverly Oaks but because of the pandemic they decided to postpone the Gala until the 9th of April. He said they would still like to extend a personal invitation to the Select Board to attend that Gala which is out 11th Annual Gala. He said it is their primary fundraiser for the Foundation. He said the Plymouth Education Foundation was originally established in 2008 and there were five founding members. He said they were Linda McAlduff, Lauren Bakken, Barry Haskell, Adel Manfredi, and me. He said they all had a commitment to public education. He said they obtained their non-profit from the IRS in 2009 and started fundraising in 2010. He said they are independent from the Town and the School Department and are a private non-profit organization that has a Board of Directors and are completely run by volunteers. He said the goals in their Charter are fourfold and are to encourage academic excellence, to promote community awareness of education and the foundation, to support lifelong learning, and to ensure perpetuity of the foundation by means of establishing an endowment. He said they wanted to pursue both an endowment and an immediate impact on the schools because we wanted the foundation to be perpetual. He said they have been very successful over the past ten years in doing just that. He said the foundation also provides scholarships and grants on an annual basis. He said currently, they provide over \$11,000 in scholarships to graduating seniors from Plymouth North and South. He said they also alternate \$1,000 per year between Plymouth North and Plymouth South for a scholarship which was established by Adel Manfredi's parents. He said they also have four Plymouth Education Foundation Scholarships each in the amount of \$2,500 shared between Plymouth North and Plymouth South. He said they also provide grants and have a grant application process in the spring and in the fall. He said teachers, educators, and administrators can apply for these grants that they review and hopefully approve as they deem necessary. He said they seek to enhance programs and educational opportunities that are not funded by tax-based revenues and are not part of the school budget. He said some of the grants that they provided over the years were for the robotics program, enhancements to the elementary school's playground, kids voting, edible gardens, parent's math night, and most recently the children's business fair. He said they also work with other non-profits and public organizations to provide grants to places like Plymouth Philharmonic, the Chamber of Commerce, and the Pilgrim Hall Museum. He said they also provided a grant to the Plymouth Public Library for the Literacy Program. He said since they started giving out scholarships and grants in 2010, they have provided almost \$200,000 to all of these causes over the years. He said they hope to increase that and have more funds available now that their endowment is well established. He also said that when Adel Manfredi passed away, they established the Adel Manfredi Excellence in Education Award which is given out at the Gala and this year's recipient is Gary Maestas. He said that gives the Board an overview and he appreciates the Board taking the time tonight to allow them to come in. He said on a personal note, he has retired from the practice of law after forty-four years and he extended his gratitude to the Board for the courtesy it has shown him over his years of practicing law.

Chairman Quintal thanked him on behalf of the Town of Plymouth. He said it was a pleasure for him to have served on the Plymouth Education Foundation Board of Directors. He then wished Bob Betters well in his retirement and said he has always had a great reputation in Plymouth. He then said if he can help him in any way, he would be happy to.

Bob Betters thanked him again and said once they finalize the plans for the Gala and as long as they can move forward during the pandemic he would like to come back and officially let the Board know and extend a formal invitation to each of the Select Board Members.

6:28PM – CLIMATE CHANGE ADDENDUM

Patrick Farah, Town Planner, came on and thanked everyone for being here tonight and allowing them to speak. He said he and Sharl Heller came before the Board back in March of 2021 with the first draft of the Climate Change Resiliency Plan which is a supplement to the Open Space and Recreation Plan. He said the State requires all municipalities to draft these plans every five to seven years depending on the criteria that is achieved. He said in the past most communities did not address climate change because the State never had any criteria for it. He said after we submitted our draft in 2017 it was discussed on the open space level why climate change wasn't part of the plan. He said over the past three years there was a working group comprised of members from the Open Space Committee and himself and they drafted the report and vetted it many times. He said they then submitted it back in March and the charge from the Select Board was to have the report sent out to several different groups, organizations, and committees and ask for comments. He said they did receive some responses which were included in your packet. He said they took those comments and incorporated it where applicable in the report and amended the entire document. He said they are asking for a letter of support and Sharl Heller and he are happy to answer any questions.

Chairman Quintal said he has a few questions but can hold off and talk to Patrick Farah later on in the week due to the late hour, to which Selectman Helm agreed and said he would also like to call in the morning and ask a few questions regarding the cost the Plymouth Beach seawall reconstruction.

Vice Chairman Cavacco asked that when these questions are all answered that they provide all of that information to the other Board members, so we know what it's all about.

On a motion by Harry Helm and seconded by Betty Cavacco, the Board voted to endorse and support the Climate Change Addendum as presented. *Voted 5/0*

6:35PM – JOINT BUDGET MEETING – School Committee and Finance Committee

Chairman Quintal welcomed both Kim Savery and Kevin Canty as well as the School Committee and the Finance Committee. Kim Savery then said it is 6:35pm and she calls the School Committee Joint Meeting to Order. Kevin Canty said it is 6:35pm and with a quorum present he called the Finance Committee Joint Meeting to order as well.

Lynne Barrett, Finance Director, said it's that time of year where we put together the Select Board's recommended budget and hand it off to the Advisory and Finance Committee for review with their sub-committee meetings and different departments to go over everything. She said we started this process in late September and asked for a level service budget from all departments. Some had concerns where they felt the need to add to the budget so those were requested and reviewed thoroughly, and we updated the budget projection tool and looked at our projected revenues to see how they would affect this year's budget. She said ultimately it was determined that we had to reduce the budget by about 1.4 million dollars. She said she has also been working on health insurance and met with our consultants to go over some numbers. She said they were waiting for some final numbers from the Retirement Board for the pension assessments as well. She said they increase some items and decreased others, but the budget is basically the same total as before. She said the total budget including the general fund and enterprise funds is \$272,334,007 overall. She said this also includes the School Department's budget also. She said that the budget books could be ready as early as tomorrow for Advisory and Finance.

Lynne Barrett said every business has been affected by covid and the Town of Plymouth is not excluded from that so we've had some vacancies and interruptions in some services but said they will let everyone know when the budget books are ready to be picked up. She also said she can go over the budget in full detail at an upcoming Finance Committee meeting if you would like her to. She said Kevin Canty can schedule that with her at any time. She then said that she is willing to answer questions of there are any.

Chris Campbell, Superintendent of Schools, came on and thanked the Board for having them in tonight. He then began a brief overview of their FY23 budget. He said this budget was presented and fully supported by the School Committee back in December. He went over the budget process as well as some of their concerns for this year such as ESSER Funding. He said they built a level service needs-based budget which reflects all contractual obligations. He said last year they were asked to reduce their budget by 1% and this year they reduced it by .7% overall. He then went over enrollment numbers as well for each of the schools and talked about how that effected the budget. He said that the cost of goods and service rose significantly and that the budget reflects a 2% COLA and step increases. He then talked about some of the cost such as transportation which was about \$19,900 per student. Chris Campbell then talked briefly about special education which many are still closed due to covid. He said their budget totals \$109,341,203 overall which 78.8% consists of salaries. He also mentioned the Chapter 70 Aid which they are hoping for an increase this year. The full presentation can be found filed with the Select Board minutes and packet on file.

Vice Chairman Cavacco said that she received Kim Savery's schedule and will talk to Chairman Quintal about getting together to discuss consolidation. She said this will be the fifth year that we are attempting to talk about the possibility of consolidation some services with the Town and Schools.

Kim Savery then said it was 7:05pm and called the School Committee meeting adjourned, to which Kevin Canty did the same for the Finance Committee.

7:07PM – OUTDOOR DINING

Selectman Helm began by saying after the presentation by the Chairman of the Outdoor Dining Group they will be asking the Select Board to approve the Outdoor Dining Plan. He then gave a brief background of how they got to where they are at this point. He then thanked all of the members of the Outdoor Dining Working Group which included residents, restaurant and store owners, tourism, Chamber of Commerce, and Town Officials. He said it was an all-hands-on-deck effort and commended them for the plan.

Rick Vayo, Chairman of the Outdoor Dining Working Group, came on and thanked Selectman Helm for pulling this group together and then he began the presentation. He began by saying that covid affected all businesses but mostly restaurants and it was quickly apparent that there was a need for outdoor dining. He said they are hoping this opportunity will benefit Plymouth and lift us to a different level. He said there were several challenges such as conformity and accessibility. He said the Working Group addressed any and all issues such as these when designing this plan. He said they came up with a set of guidelines and regulation to hopefully mitigate these issues. He said they are hoping to promote and enhance the outdoor dining in Plymouth with things such as uniform barricades and flowering plants. He said there will be facades will be on all four sides and will match between restaurants.

Rick Vayo then said they also developed a set of strict rules that would need to be followed and if not then a fine would be incurred. He then listed the rules as follows:

The following rules apply to all outdoor dining within public sidewalks and/or parklets

- Seasonal outdoor dining is allowed from 4/1/22 through 11/1/22.
- Leased sidewalks and/or parklets are only to be used for sit-down outdoor dining. Space cannot be used for stand-up consumption, waiting lines or other activities.
- A maximum of 29 additional restaurant seats may be added.
- Leased sidewalks and/or parklets must be set-up and used whenever the restaurant is open.
- A five-foot (5') aisle along the sidewalk must be maintained at all times. Aisle is to be a clear five (5') walkway at sidewalk level through eight feet high. No obstructions including, but not limited to umbrellas, lights, tables, chairs, heaters, etc. are allowed. Path is to follow the straightest line possible and may not "zig zag" through restaurant seating.
- Equipment allowed within the sidewalks and/or parklets is limited to tables, chairs, umbrellas and heaters/fuel source. No other apparatus or accessories are allowed.
- Lights are allowed but must be white/clear and meet all applicable electrical codes.
- Floor coverings on the platforms are allowed but must be secure as to not create trip hazards, allow for drainage through the platform and not extend to the sidewalk.
- No storage of any equipment or material is allowed on the sidewalks and/or parklets.
- No trash receptacles are allowed on sidewalks and/or parklets.
- No food preparation is allowed on the sidewalks and/or parklets.
- No banners, signs or advertisements may be displayed on barricades or in any area of the sidewalks and/or parklets.
- No additional décor of any type (including additional plants or flowers) is allowed on or around the barriers/fencing.
- The restaurant pest management plan must include the outdoor dining area.
- Liability insurance is required and must include the outdoor dining area and serving paths. A certificate must be supplied to the town with application.

Failure to adhere to All of the above policies will result in the following actions:

- First violation: Warning
- Second violation: \$1,000.00 fine and an additional \$200.00/day until violation is corrected.
- Third violation: Outdoor dining lease/license is terminated and may not be reapplied for until the following season (if applicable), barricades are removed

Rick Vayo then went through the presentation and showed renditions of what the parklets and barriers would look like with decorative flowering plants. He said it will improve the overall appearance and enhance local and regional dining in and around the downtown area.

Selectman Helm came back on and talked about the parklets saying that they are designed to bring the area level with the sidewalk which helps with ADA compliance and also adds to the stability of the barricades. He said the season will run from April 1st through November 1st which eliminates the need for anything other than the parklet and barricades other than possibly some space heaters for those that choose to use them. He said also for ADA Compliance there will be a five-foot aisle along the sidewalks which must be maintained at all times. He said there is also that five-foot area must also be clear at height of eight feet as well. He said if there are umbrellas then they would have to be at least eight feet high, and no other obstructions are allowed in that five-foot area such as lights and heaters. He said also any additional décor will not be allowed. He then talked about violations and referred people to the list above and said hopefully this will keep everyone in compliance.

Lee Hartmann talked about the funding mechanism. He thanked Tiffany Park for working hard on the licensing agreements with Town Counsel. He said they also worked closely with DPW, public safety, and Park Plymouth to make sure all of this would be acceptable. He then talked about the fee saying that this would hopefully deter people from setting up the space and not using like has happened in the past. He also said that if they do see that an establishment is not using their space enough, we will address it and possibly revoke the license agreement. He said lastly, they were able to work through the funding and use ARPA Funds to pay for the parklets and decorative enclosures of each space. He said there is an \$80,000 request under your administrative notes this evening. He said this is a creative way to fund this without placing the burden on taxpayers.

Selectman Bletzer came on and asked if there was a fee for the parking spaces from Park Plymouth to which Rick Vayo said Park Plymouth waived all fees for the parking spaces.

Selectman Bletzer asked if this was a permanent program, to which Rick Vayo said their goal tonight was to have this approved for 2022 and become permanent for future years with possible changes and adjustments where needed.

Selectman Bletzer said his concern is that our parking situation is not getting any better so losing these parking spaces is a big deal. He said this is a great idea right now to help out these businesses but someday the pandemic will be gone, and things will be back to normal. He said he is concerned about giving all of these parking spaces away. He said what he saw last year that really bothered him was some businesses took up these parking spaces and didn't really use them enough to make it worthwhile. He then asked if there would be a policy dictating how many days per week a business would have to use these spaces. He also asked if there would be a fee for the sewer where they are adding seats.

Rick Vayo said yes, there are stipulations regarding the use of the parking spaces. He said aside from inclement weather, if a restaurant is open then they need to be using their outdoor dining space as well, so not using the space would be a violation of the license agreement. He said there was a lot of discussion regarding the parking spaces and if this is successful then maybe we can adjust the fees to cover the loss of that income for Park Plymouth. He said Park Plymouth realized that there is still a need for this with the pandemic still being an issue but moving forward we could look at the fees. He said also, they limited the number of seats so there would not be any more strain on the sewer. He said DPW said they would get additional revenues simply by the increased use of water.

Selectman Bletzer said he is all for helping these restaurants, but he feels strongly that they have to use those spaces. He said it concerned him because he would drive downtown and see many outside dining areas were closed to which Rick Vayo said yes, he agrees. He said not does he want to see restaurants open more but all other businesses as well.

Selectman Bletzer said he want to keep a close eye on the businesses that lease the parking spots because if they are only open two or three days a week, we need to take those parking spaces back, to which Rick Vayo agreed. He said that Tatum Stewart who is on the PGDC is also part of the Outdoor Dining Working Group and is adamant about making sure these businesses are using their parking spaces to the full extent that they are able to. He said the mentality has to change downtown about being open for business and he applauds all of the businesses that are open all of the time.

Selectman Bletzer said the plan looks great and he loves the consistency with the barriers and the flowers which is what he always wanted for outdoor dining. He said another concern he had was driving downtown it looked like third-world country. He said some spaces looked terrible and some even had big advertising banners hanging off the barriers.

On a motion by Charlie Bletzer and seconded by Betty Cavacco, the Board voted to approve the Outdoor Dining Plan as presented by the Outdoor Dining Working Group. *Voted 5/0*

Chairman Quintal thanked Rick Vayo, Selectman Helm, and the entire Outdoor Dining Working Group for their hard work and for coming up with a great plan.

7:35PM – TOWN MANAGER SEARCH

Bernie Lynch from Paradigm came on and thanked the Board for having him in tonight. He said when they et last week the Screening Committee came in with two candidates that they felt were more than qualified, but they would have liked to have had more than just the two candidates. He said the decision was made to see if we could go out and find some other potential candidates which is what he has done over the last week or so. He said he has three very qualified candidates to present to the Board in preparation for their interviews next week. He then listed the candidates as follows:

Bernie Lynch said the first candidate is Derek Brindisi who is currently the Town Manager for the Town of Upton which is in the middle of the State. He said Derek has been there for about four years and we have received very good feedback from people that we have spoken to. He said he also served as the Assistant Town Manager here in Plymouth for about two years before going to Upton. He said prior to that he was the Director of Administration and Health for the City of Worcester for about eight years. He said he is also actively serving in the United States Air Force National Guard. He also has a bachelor's degree from Worcester State College and a master's degree in public administration from Clark University. He said he would be a good fit because he knows Plymouth and has worked in large communities.

Bernie Lynch said the second candidate is Jennifer Callahan who is the current Town Manager for the Town of Oxford. He said she has served there for about three years, and it has been a challenging community with a number of economic development issues that she has tackled. He said prior to that she served as the Town Administrator for Millville for close to two years. She was also a Selectman for the Town of Sutton as well as the School Committee. She was also a State Representative for eight years. She said now she is ready to take all of her experience and use it to her best ability for the Town of Plymouth which she is very interested in learning about.

Bernie Lynch said the third and final candidate is Jennifer Phillips who is currently out in Washington State and was the City Manager for Bothell, Washington for about four years. He said she left there in 2021 after working through many issues due to the pandemic. She said she inherited a very severe financial crisis but got great reviews from the city council and staff. He said she is a professional municipal manager and was the City Manager for St. Helena, California before that. She was also the Assistant City Manager for Santa Rosa, California, Santa Monica, California, and Fullerton, California as well. He said she comes highly credentialed in municipal management and has a master's degree in public administration and a bachelor's degree in science.

Bernie Lynch said that he feels the Board has three excellent candidates in their experience working with a variety of communities. He said he thinks that any of these candidates would be successful here in the Town of Plymouth.

Vice Chairman Cavacco asked Bernie Lynch to explain the process for the general public, to which Bernie Lynch said the first thing we should do is set dates for the interviews and possibly have a fallback date just in case any of the candidates has a conflict with time. He then said that the process would be that the Board would meet with each of the three candidates for approximately one hour beginning at 5:00pm which might mitigate any scheduling issues. He said they would come in alphabetical order to be fair, and he could present some drafted questions as well as questions that the Board may have.

Selectman Bletzer asked if it would make sense to do these interviews on a separate night, so we don't interfere with our regular business because he does not want to rush the meetings, to which Chairman Quintal agreed. He said if we start the meeting at 4:00pm then we will have no problem getting through the interviews and still have time for other business.

Selectman Bletzer asked once we vote on and select one of the candidates do, we then negotiate the contract, to which Bernie Lynch said yes, some Boards make the decision the night of the interviews and some meet on a separate night to vote. He then said that the contract negotiations would be in Executive Session.

Chairman Quintal asked how long of a notice would a position like this give, to which Bernie Lynch said typically the notice is between 30 to 60 days' notice.

Selectman Flaherty said that the screening committee only vetted two of the candidates and then asked if they would be involved past this point, to which Bernie Lynch said no, and added that it is not unusual for candidates to be presented to the Board and not to the screening committee.

Selectman Flaherty then wanted to make sure the other candidates did not already go through the screening committee, to which Bernie Lynch said no, they are totally new recruits.

Selectman Flaherty asked if the new recruits were to go through the screening committee does he think that they would have been chosen as one of the top three finalists, to which Bernie Lynch said yes, he feels absolutely confident with that. He said they have clean backgrounds and have experience as Town Managers or City Managers.

Chairman Quintal said he was very disappointed about what was posted on social media regarding an individual that had applied. He said he is concerned about how this information got out there into the public. He said he is also bothered by the two emails that the Board received talking about one of the candidates before it was even made public. He said he isn't blaming it on anyone in particular, but he wanted everyone to know how disappointed he is.

Bernie Lynch said he did not see that on social media even though he tries to track things like that. He said one of the pieces of advice that they give to every screening committee, every Select Board, and every community is that this is a confidential process, and it should remain that way. He said people's careers and reputations are at stake here and it's important that this information remains confidential. He said no names have been released until tonight and he has been surprised himself here in Plymouth with the degree at which the confidentiality has been violated. He said he will agree with Chairman Quintal on that.

Selectman Bletzer said he actually responded to one of those Facebook bullies and said it was funny that they knew the candidate and the Select Board doesn't even know it. He then said that he explained the process and how 25 candidates were vetted by the Screening Committee and then they would present the top three to the Select Board for consideration. He then said he wanted to make it very clear that the Board's vote will not be influenced by the Facebook bullies out there. He then said when the candidate we are talking about withdrew he was not surprised at all. He said that he will vote for the best candidate that we think will serve the Town of Plymouth best.

Bernie Lynch then said if the Board members have any questions about these three candidates over the next week, they can look at the information that they provided. He said they include comments from their references so you can all get a sense of who they are. He said he would also be happy to answer any questions if they wanted to give him a call.

Selectman Bletzer said he got a lot of information from google searches, to which Bernie Lynch warned him that sometimes that can be like getting information from Facebook. He said the Select Board should realize that reports like that can be taken out of context.

Chairman Quintal said once the Board members have a set of questions for the interviews to run them by Bernie Lynch to make sure they are all within the law because some things you can't ask certain people, to which Bernie Lynch agreed.

Lee Hartmann asked if he had any advice for the Board about reaching out to people who are not on the reference list such as people in the communities where they worked, to which Bernie Lynch said the Board can certainly do that but the only caution he would suggest taking is to always take everything with a grain of salt depending on who you speak with. He said you can get varying opinions based on one person being disgruntled about a personal matter or decision that the person made recently, and they are still angry. He said you want to make sure you get a balance regarding information on these candidates. He said we also use google but then verify all of the information we do get.

On a motion by Betty Cavacco and seconded by Harry Helm, the Board voted to accept the three Town Manager Applicants as presented by Paradigm. *Voted 5/0*

8:12PM – RECESS

8:18PM – NON-BINDING BALLOT QUESTIONS

Vice Chairman Cavacco said we had talked about this previously and said this isn't the time for a referendum on what type of government people want which will occur when the Charter Commission has completed their task. She said it is the time to let the Charter Commission know what type of government the people that we represent want to be able to consider. She said this will give the Charter Commission ideas on what people really want.

Vice Chairman Cavacco said the three questions that she is proposing will put that to rest and give the Charter Commission some valuable information. She said this will give them an idea of what direction residents would like to go in. She then read the three questions as follows:

- *Should the Charter Commission offer the voters of Plymouth a choice of government which includes a Representative Town Meeting/Town Manager form of government?*
- *Should the Charter Commission offer the voters of Plymouth a choice of government which includes a Town Council/Town Manager form of government?*
- *Should the Charter Commission offer the voters of Plymouth a choice of government which includes a Mayor/City Council form of government?*

She said she would like to put all three on next May's ballot so the residents can vote for one, two, or all three if they would like. She said this would show the Charter Commission that the residents would like options to consider and what they would be.

Selectman Bletzer said that the people have already voted that they would like change because they voted for the Charter Commission. He said he is all for this non-binding referendum as it would be helpful to the Charter Commission. He said everyone that he has spoken with would like a change in our form of government so he will support this.

Martha Vautrain came on and said The Board of the League of Women Voters of the Plymouth Area questions the wisdom and timing of the Select Board's move to put one or more non-binding questions on the May ballot. She said we believe that it would be best for Plymouth to allow the Charter Commission to complete its responsibilities and bring its recommendations regarding a new or revised charter for Plymouth to the voters.

She said charter change in MA is fully defined by state statutes. No role is included for a Select Board (SB), nor does our Plymouth Town Charter define any role for the SB in charter change. In May 2021, Plymouth voters elected a nine-member Charter Commission to (1) examine the current Charter and alternate forms of town/city government, (2) propose a new charter to the voters, and (3) bring its recommendations to the voters.

She then said this Commission has been meeting publicly on a twice monthly schedule since then and has heard from a large number current and former town officials (including members of the SB), officials from other towns, as well as interested citizens. These individuals have made many suggestions for improvements ranging from clarification of duties to a complete change in the form of government. Commissioners have also examined the charters of other Massachusetts municipalities. During the 15 meetings to date Commissioners have had substantial discussion and respectful debate about the strengths and weaknesses of Plymouth's and other towns and cities' charters, searching for ideas that would improve Plymouth's governance.

She said the League is concerned that including non-binding questions on this spring's ballot could confuse the voters when the proposed charter is put to the voters presumably in the spring of 2023. Furthermore, the non-binding questions appear to undermine the efforts of the elected Charter Commission. A member of the SB has also spoken to the Charter Commission of wanting two or more alternative charters presented to the voters. This may sound like a reasonable proposal, BUT a charter has to get approval from a majority of the voters, and that becomes less likely as more options are put on the ballot.

She said years ago, a Plymouth Charter Commission did put two charter choices on the ballot, and neither got a majority of votes. Is that the result that Plymouth voters want?

Board of the League of Women Voters of the Plymouth Area,

- Henrietta Cosentino
- Deborah Etzel
- Vedna Heywood
- Lyle Lawrence
- Mary LeSueur
- Lois Post
- Judy Savage
- Martha Vautrain
- Yaxsarie Velázquez

Selectman Bletzer then asked how putting information on the ballot hurt anything or the Charter Commission. He said he doesn't understand that train of thought. He said there were two slates that had political agendas and did a couple of mailings. He said one slate was for a Town Meeting Representative form of government and the other slate was for a mayoral form of government. He then said that six out of the nine Charter Commission Members are pro Town Meeting, so he still isn't confident that they are going to look hard at making changes because two of them said publicly that they wouldn't change their votes on this. He said he is in favor of putting these questions on the ballot in May.

Pat Adelman came on next and said she thinks they should let the Charter Commission do their job. She said a ballot question initiated by the Select Board gives the appearance that you are interfering with the process.

Kevin Lynch came on and said he appreciates the sentiment but thinks it might be premature to pigeonhole the three different types of government. He said he thinks the Plymouth Charter Commission should have a plan for an alternative form of government for the residents to vote on. He said he has attended some of the charter Commission's meetings and he feels they have only one plan to tweak the town government. He said he agrees with Vice Chairman Cavacco's sentiment but thinks it is a little premature.

Vice Chairman Cavacco said this has nothing to do with the Select Board trying to be involved in the decision-making process. She said presenting the residents with only one option is not democracy but a dictatorship. She said it is only by offering people a choice that we can ensure the various forms of government are discussed and fully vetted by those tasked with making these decisions, which are the voters. She said this has nothing to do with the Select Board wanting to take control of anything, it has to do with offering Plymouth voters a choice because it is their decision. She said she understands the Charter Commission and respects the work that they are doing, but she is perplexed why this has become such an issue with certain residents and organizations.

Rich Serkey came on and said he is equally as vigorous in opposing this motion. He said he believes that the maker of this motion is disappointed at the composition of the Charter Commission. He said the Charter Commission was composed of people that were elected by the registered voters in the Town of Plymouth. He said the effort to put even a non-binding question on the ballot is a way of expressing displeasure with the makeup of the Charter Commission. He said if people want to make their views known to the Charter Commission, then they can attend the Charter Commission meetings and let themselves be heard. He said the time passed for a non-binding ballot question when the Charter Commission was formed.

Selectman Flaherty said that the idea of getting a pulse on what the community wants is not a bad idea, but what he finds problematic is putting the specific types of government in the questions. He said although they are non-binding it will still interfere with the process. He said if he had to recommend a question to be on the ballot it would be “would residents be open to another form of government besides town meeting”. He said that opens the door to get the same information as the other three questions. He said each of the forms of government are so complex he thinks it would be problematic to ask all of those questions. He said he doesn't think we should put any question on the ballot but if we do, he thinks it should be a much broader question and less specific.

Selectman Helm came on and said when he ran for Selectman, he told everyone that he would respect the will of the voters in regard to supporting a Charter Commission. He said back in May we voted for a Charter Commission and its members. He said he believes that the philosophies of government of all candidates relative to Plymouth becoming a city or a city form of government were well known to the voters. He said the candidates were clear about their views on this. He said only 10% of the voters came forth but it was not a secret that the Charter Commission and its members were on the ballot. He said he thinks that this proposal effectively acts as a redo for those who did not vote in May so he can't support this.

Robert Zupperoli came on and said he would like to echo what others have said. He said he thinks a non-binding question, no matter how it is worded, it becomes a binding question and ties the hands of the Charter Commission. He said they were elected to do some difficult independent work. He said he feels that they need to be allowed to do that work and to do it without any influence at all. He said the Charter Commission meetings are open to the public and anyone can attend those meetings and let their views be known.

Vice Chairman Cavacco said 78% of the voters voted for a Charter Commission and that means a change. She said non-binding is just that. She said the Charter Commission can take that non-binding information and decide which way they want to go with it.

Joe Hutchinson came on and said building a Charter and a Charter Commission demands attention and focus, as it is complicated work, and this proposal makes it seem like it is a simple task. He said this idea is not doing voters a favor because it is forcing them to choose between multiple complicated charters, each of which balances the important roles, rules, and legalities needed to run a municipality. He said everyone is in favor of choice and the voters had a choice between the 21 Charter Commission candidates and they chose the current 9 members to sort through the issues and variables and he urges the Select Board to allow the Charter Commission to do that.

Vice Chairman Cavacco said no one is stopping the Charter Commission from doing their job. She said with that, she would like to make a motion.

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to put three non-binding questions as presented on the May 2022 Ballot.

Voted 3/2 Quintal-Yes, Cavacco-Yes, Bletzer-Yes, Flaherty-No, Helm-No

8:48PM – TOWN MANAGER'S REPORT

Covid Update

Lee Hartmann, Acting Town Manager, said that we have seen covid on the town level and every department has reduced staff due to the virus. He said despite that it is not affecting our ability to deliver services on a normal basis.

Firewise Signs

Lee Hartmann said there was a request last week for Firewise signs to be installed and we have talked with DPW about that request. He said they have been working on this and making arrangements to put these signs up very soon.

8:49PM – PUBLIC COMMENT

Rich Serkey came on and said he wanted to speak about the Executive Session Minutes from August 3, 2021, October 19, 2021, November 4, 2021, and November 30, 2021 pertaining to the former Town Manager's contract. He said on December 28th he was advised by the Board's Office that these minutes would be reviewed and approved at your January 4, 2022 Select Board meeting. He said the agenda for that meeting called for an Executive Session to review and approve those minutes. He said he was also advised that upon approval those minutes would be sent to him forth with. He said on January 5, 2022 he received a letter from the Chairman stating that the Board met in Executive Session and approved the release of the minutes and that they were referred to the Special Town Council who he presumes was at that January 4, 2022 Executive Session meeting to make redactions. He said it was expected that those minutes would be sent to hm by the end of that week but said he did not receive them. He then said the agenda for tonight's meeting called for an Executive Session for the same reason. He then asked if all of these minutes were in fact reviewed and approved at the January 4, 2022 meeting? He said if so, why hasn't he and the other 40 co-complainants received these minutes, and why were they not notified otherwise?

8:52PM – LICENSES AND ADMINISTRATIVE NOTES

On a motion by Betty Cavacco and seconded by Patrick Flaherty, the Board voted to approve a Vehicle for Hire Operator License Renewal for Special Occasion Limousine for Patricia Carter, 4C Marc Drive in Plymouth. *Voted 5/0*

ADMINISTRATIVE NOTES

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to approve the Open Meeting Minutes from the December 14, 2021 Select Board Meeting. *Voted 5/0*

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to approve the Open Meeting Minutes from the December 28, 2021 Select Board Meeting. *Voted 5/0*

1. On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to grant its permission to White Horse Beach Irrevocable Trust, owner of 59 Taylor Avenue, to file a Notice of Intent ("NOI") with the Plymouth Conservation Commission, which proposes the construction of erosion control measures that span onto a portion of Town-owned land located off Taylor Avenue, identified as Parcel ID 046-000-088I-000.

Note: Because the submitted plan proposes activity on Town-owned property, the Conservation Commission will not review the Notice of Intent ("NOI") until all property owners within the project's parameters have given their permission to file.

The application will be subject to further review and subsequent permission/denial from both the Conservation Commission and the Select Board to conduct the proposed work. Permission to file a Notice of Intent is not an approval of the project and, thus, it should not be construed as granting any rights or permission to the applicant to proceed with the proposed project. Approval of this administrative note simply gives the applicant permission to file the Notice of Intent with the Conservation Commission.

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to approve the use of ARPA Funds in the amount of \$80,000 to be used for the Outdoor Dining Program. *Voted 5/0*

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to approve the use of ARPA Funds in the amount of \$153,200 to be used for the purchase of At-Home Covid Test Kits. *Voted 5/0*

8:54PM - COMMITTEE LIAISON / DESIGNEE UPDATES

Vice Chairman Cavacco said the Board had talked about and voted on the mussel dredging based on the advice from the Harbor Committee. She said there was some additional information needed before presenting this to the Board to extend the mussel dredging license. She said Dan McKiernan, Director of Marine and Fisheries, sent out an email to the Harbor Committee stating that the information that was provided by our staff did not change his opinion on mussel dredging in Plymouth. She then said she is concerned because we are coming up on the end of the six-month licenses, to which Chris Badot said he had reached out to Chad Hunter and David Gould and said he should hear back from them in the morning. Vice Chairman Cavacco then asked if she could make a motion to extend that mussel dredging license for another month so it will give the Harbor Committee time to take this up, to which Chairman Quintal said yes.

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to extend the current Mussel Dredging License for thirty more days. *Voted 5/0*

8:57PM - OLD BUSINESS / LETTERS / NEW BUSINESS

Vice Chairman Cavacco wanted to let everyone know that the Community Skating Rink is set up at Brigg's Field and will be filled tomorrow. She said they are hoping to have ice by this weekend. She said we have 200 pairs of skates that were donated, and Mike Freeland built a dozen 12-foot benches and Kevin Hennessey built cubbies for the skates.

Selectman Helm said that a suggestion was made to him those larger presentations such as the Climate Change Addendum be posted to the News and Announcement section of Town Website so residents can review them, to which Chris Badot said he would look into.

Selectman Helm then said that Massachusetts has passed a spending bill which distributes nearly \$4 billion dollars in covid relief money from the federal government as well as surplus tax funds. He said according to the Patriot Ledger the Town of Plymouth received nothing. He said the Spire Center and the Pilgrim Hall Museum each received \$75,000 of those funds. He said he would like to have an agenda item at an upcoming meeting so we can discuss this.

Selectman Helm then said that he would also like to make sure that our State Representatives are aware of this and can join our meeting to tell us exactly what happened. He said maybe there is money, and we just don't know about it and if there was money it is incumbent upon this Board to investigate why Plymouth did not receive any of those funds.

Selectman Bletzer asked if there was a grant process, to which Selectman Helm said he has no idea but would certainly like to find out the details. He said this was House Bill 4269 and he would like our Representatives to explain this to the Board.

Vice Chairman Cavacco said that one of our State Representatives is watching and messaged her that the money is not spent yet, and all of this will be grant money to apply for, to which Selectman Bletzer said we should have Tiffany Park, the new Grant Writer, contact the State to see what this whole process looks like.

Selectman Helm said that according to the Patriot Ledger there was \$8.7 million dollars have been given out to South Shore towns directed at infrastructure projects. He said he would love to have this discussed at a future meeting.

Vice Chairman Cavacco said we always talk about communication with our residents. She said she surfs social media quite a bit and thinks that we should use social media more and more, especially with the DPW projects. She said they have so much going on and so much information to get out there that they should be able to make their own posts. She said the DPW Director would like to do that as well and would like to make that happen. She said she would actually like to see this in every Town department.

9:10PM - ADJOURNMENT

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to adjourn the Open Session at 9:10pm.

Voted 5/0 By Roll Call: Quintal-Yes, Cavacco-Yes, Flaherty-Yes, Helm-Yes, Bletzer-Yes

Recorded by: Christopher Badot

Administrative Assistant, Board of Selectmen