

PLYMOUTH SELECT BOARD

TUESDAY, MARCH 8, 2022

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

4:00PM - CALL TO ORDER

Richard Quintal, Chairman of the Board, called the meeting to order at 4:00 p.m. and asked Vice Chairman Cavacco to read the opening statement. He then called for an Executive Session.

In accordance with S2475, and pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted via remote means and in-person. 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 the PACtv website at <https://pactv.org>. Members of the public who wish to PARTICIPATE in the meeting may do so in the following manner:

Remote Participation: please go to the Town website under the Select Board page and click on the Zoom Webinar Registration box or simply click on the link below.

https://pactv.zoom.us/webinar/register/WN_-cge_yk_Q9KtC8f1ydH61g

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

Lee Hartmann, Acting Town Manager
Derek Brindisi, New Town Manager

4:00PM – EXECUTIVE SESSION

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, and the chair so declares. Following Executive Session, the Board will reconvene in open session.

❖ Collective Bargaining (Library, Dispatch)

The Select Board will hold an Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 6, to consider the purchase, exchange, lease or value of real property; if an open meeting may have a detrimental effect on the bargaining, negotiation, and the chair so declares. Following Executive Session, the Board will reconvene in open session.

6:00PM – BACK TO OPEN SESSION

6:00PM – STM ARTICLE 8 – Affordable Housing

David Golden, Program Director for the Plymouth Redevelopment Authority, came on and thanked the Board for having him in tonight to present this Special Town Meeting Article 8 which speaks to affordable housing. He said this proposal is to transfer tax-title property o\in Plymouth and place it under the care and custody of the Town of Plymouth to the Plymouth Redevelopment Authority. He said the property they are looking at is located at 31 Strand Avenue and consists of .25 acres. He said they are looking to build an affordable housing unit which would be a single-family residential unit. He said before coming to the Select Board they received unanimous support from the Advisory and Finance Committee. He said they also applied for a federal grant through the Department of Housing and Urban Development Choice Neighborhoods Implementation Grant Program and are awaiting a decision. He said they really want to make this a community-based project, so they engaged the folks at Plymouth South High School to incorporate the Technical Program Students into this project. He then showed a map and some pictures of the property and said the structure will be a moderate sized cape style home and will be sold at an affordable rate based on the market. He said he asks for the Board's support and said he will answer any questions.

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to recommend STM Article 8 (Affordable Housing Unit) to the April 2, 2022 Annual Spring Town Meeting. *Voted 5/0*

6:05PM – STM ARTICLE 2 – Budget Amendments

Lee Hartmann, Acting Town Manager, came on and said we have gone up to 18 Precincts because of the Census results and we have an election coming up with additional election workers, so they are requesting an increase in their budget. He said the Town Clerk's Office is requesting an increase of \$5,522 which includes election workers, custodians, ballot printing, and voting booths.

On a motion by Charlie Bletzer and seconded by Betty Cavacco, the Board voted to recommend STM Article 2 (Clerk's Budget Amendment) to the April 2, 2022 Annual Spring Town Meeting. *Voted 5/0*

6:07PM – STM ARTICLE 7 – Holtec PILOT

Lee Hartmann came back on and said now that the Power Plant is no longer producing power, we are no longer able to use our PILOT Agreement because it is a non-producing power plant. He said therefor they are seeking Special Legislation which requires a vote of Town Meeting to file Special Legislation with the State to give us the ability to negotiate a new PILOT Agreement with Holtec for the privilege of having us allow the storage of the spent fuel used at the power plant.

Vice Chairman Cavacco said this is very important for the Select Board to move forward. She said they spent a lot of time in discussions with their Special Town Counsel and we are hoping this passes the Town Meeting vote to give our residents a little relief on tax payments.

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to recommend STM Article 7 (Holtec PILOT Legislation) to the April 2, 2022 Annual Spring Town Meeting. *Voted 5/0*

6:09PM – STM ARTICLE 14 – Amend Airport Zoning Map

Lee Hartmann came on again and said he will explain the Article and said the attorney representing the petitioner is here and can speak as well. He said this is a petitioned article and then shared his screen to show a zoning map of the Plymouth Municipal Airport. He said this is across from Dorothy Road and Lawrence Road. He then said in 1972 the Town went for a town-wide rezoning that effected the entire community. He said one of the things they did was to create this airport district which include some of these privately owned properties as well as the property known as the Plymouth Municipal Airport. He said just before Town Meeting went to act on this rezoning the property owner across the street filed a sub-division plan that protected them from that zoning change. He said these five homes were built, and all but one are currently being lived in. He said in 1997 the church purchased the one closest to them which is the one that is the subject of this petitioned article and has been converted to an office used to run the church. He said now, the church no longer needed the office and sold it back as a single-family home and they since were denied zoning as a single-family home because it doesn't have protective rights anymore so it cannot be occupied as a home because it is in the airport district. He said this article is seeking to take these five homes and put them back into a residential zone. He said this generally would not be the type of zoning change that he would support by converting commercial property into residential property, but this is very different because we have five homes that already exist and have functioned as home for the past fifty years. He said it basically happened so long ago that no one really cared but now that someone is being denied zoning it has come to the forefront.

Bill Sims, attorney for the petitioner, came on and thanked Lee Hartmann for presenting the article. He then added that another one of these homeowners tried to do minor work on their home and get a building permit and they had to go through the Zoning Board of Appeals. He said none of these homes will have the protection of the residential zone and they would have to go through the same lengthy process. He said when the petitioner purchased this home, they did not get good information and it was an innocent oversight. He said this will increase their ability to live and to modify their homes and his client has spoken to all of the abutters. He then asked the Board to support this article.

On a motion by Harry Helm and seconded by Betty Cavacco, the Board voted to recommend STM Article 14 (Amendment to the Airport Zoning Map) to the April 2, 2022 Annual Spring Town Meeting. *Voted 5/0*

6:15PM – EVENT BANNER

Lee Hartmann, Acting Town Manager, came back on and said this has been an issue that came up a while ago and needs to be addressed. He said prior to covid we had Banner Poles that were located on Court Street just as you get to the Court Street, Samoset Street, South Park Avenue area and was used to advertise things like the Waterfront Festival, Fourth of July, and Thanksgiving. He said it was a way to communicate with people about different events or needs in the community. He said the poles were older and undersized and we were looking to replace them we learned that they could not go back at that location anymore because the pole on the west side sat right next to an electrical conduit box so it wouldn't be safe. He said with working with the Department of Public Works we came up with two other possible options and one would be right in front of Memorial Hall, and the other would be down by the Brewster Garden and KKatie's Burger area. He said all they are seeking tonight is to see if the Board has an issue with either of those two locations.

Lee Hartmann said if the Board does not like those locations, then there is additional funding through the Visitor Services Board to try to find another location and put these poles back up and back in use, which he thinks the community would really like to see.

Selectman Flaherty came on and said he would prefer the banner to be placed near Memorial Hall because it is closer to where the other one was and seems more centrally located.

Selectman Helm said he agrees with Selectman Flaherty and thinks that would be a better location. He then asked if they could get a better description of the location near KKatie's Burger Bar, to which Lee Hartmann said we really just have a general location so what we would have to do is come back to the Board for both locations once we get details.

Selectman Helm said just as a side note he thinks putting a banner that people will have to read at that intersection in front of KKatie's would be a bad idea because it is already a crazy intersection to maneuver under good circumstances.

Chairman Quintal said he agrees but said down near Memorial Hall we would have to be mindful of the church that is across the street. He said other than that he is good with either of the two proposed locations.

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to approve the location closer to Memorial Hall for the Event Banner Poles. *Voted 5/0*

6:21PM – TOWN MEETING UPDATE – Virtual / In-Person / Hybrid

Lee Hartmann came back on and said we have this posted on your Agenda for this week and will post it again for next week so we can continue the discussions as new information comes into the Board. He said tonight's update is that Town Counsel has checked with the Attorney General's Office and there is no new information, and their stance is still that a hybrid version would be too risky. He said that Representative Mathew Muratore has filed new legislation for a hybrid option, but he is not optimistic that anything will be ready for this upcoming Town Meeting but maybe for a future Town Meeting. He said where we stand now, the only option we have at the moment is to hold a virtual Town Meeting. He said he recommends that the Board vote to authorize an in-person option on April 16, 2022 in the event that Town Meeting votes not to proceed with the virtual option. He said this would be a stand-by option rather than having no options at all.

Selectman Helm said if this is not in place then what happens to the date that Town Meeting could be held, to which Lee Hartmann said if we only have the virtual option and Town Meeting votes not to proceed then Town Meeting would be canceled and we would have to re-open the warrant for both the Annual and Special Town Meeting and re-post the meeting all over again for some future date. He said with this vote to have an in-person option if Town Meeting votes not to proceed then we have an in-person date already set.

Selectman Helm would like to point out that we have been given two options, if Town Meeting voted no to the virtual Town Meeting, then this motion would move the Town Meeting to April 16, 2022. He also reminded everyone that the Town Moderator said if Town Meeting voted not to proceed virtually that he would continue Town Meeting for up to 30 days which he has the authority to do. He said the Moderator has done this in the past so he has to believe that he will do this again if the virtual Town Meeting option is voted down. He said having said that he isn't really sure where this vote will get us other than making us look happy in the moment, to which Lee Hartman said procedurally this is a much better option for Town Staff and planning purposes.

Selectman Flaherty said we are presupposing, and action being taken by the Moderator so there is value in putting this through, to which Lee Hartmann said this will also give people time to try to understand what the options and consequences are rather than coming up with a date that no one would be prepared for down the road.

Vice Chairman Cavacco asked if this motion passes would we have to go through and reprint all of the Town Meeting Books with the April 16th date, to which Lee Hartmann said no, we would just have to notify the Town Meeting Members of the new option should they vote no to continue the April 2, 2022 Town Meeting virtually.

Selectman Helm asked if this motion fails and Town Meeting votes to not proceed with the virtual Town Meeting and the Moderator continues Town Meeting for another 30 days would we have to start the process over again and re-post the warrant, to which Lee Hartmann said he is sure, but that but he thinks no, the Town Meeting would just be adjourned and continued to a future date set by the Moderator.

Derek Brindisi, the New incoming Town Manager, said if the Moderator postponed and continued Town Meeting to a future date due to and emergency such as covid, we would not have to repost anything, and he could just continue the Meeting to another date.

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to schedule an in-person Town Meeting for April 16, 2022 at 8:00am in the Plymouth North High School Auditorium in the event that Town Meeting votes not to continue virtually at the April 2, 2022 Virtual Town Meeting. *Voted 5/0*

6:30PM – TOWN MANAGER’S REPORT

Redistricting

Lee Hartmann, Acting Town Manager, came on and said he just received word from the Clerk’s Office that our precinct redistricting just got approved by the State. He said she is working with the State to get the coting locations set.

At-Home Covid Test Kits

Lee Hartmann said he wanted dot let people know that we still have plenty of At-Home Covid Test Kits available at Town Hall. He said we are also thinking of extending the availability to nursing homes and veteran services.

Road Hazard Reporting

Lee Hartmann said on the Town’s website there is a new reporting system for Road Hazards. He said you can simply click on the link and type in your location and what the issue is.

6:32PM – PUBLIC COMMENT

None

6:33PM – LICENSES AND ADMINISTRATIVE NOTES

On a motion by Betty Cavacco and seconded by Harry Helm, the Board voted to approve a Common Victualler License for **Gulsen Inc d/b/a Trailsend Bistro**, 1 Greenside Way North, Suite 103, Sahin Gulsen, Manager. *Voted 5/0*

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to approve a One Day Wine and Malt License for **Dillon's Local** for a Saint Patrick's Day Event being held on March 17, 2022 from 9:00am to 12:00am in the Parking Lot. *Voted 5/0*

ADMINISTRATIVE NOTES

On a motion by Betty Cavacco and seconded by Harry Helm, the Board voted to approve and execute the April 2, 2022 Special Town Meeting Warrant. *Voted 5/0*

On a motion by Betty Cavacco and seconded by Harry Helm, the Board voted to recommend Article 12 (Chapter 90 Roads Funds) to the April 2, 2022 Annual Spring Town Meeting. *Voted 5/0*

On a motion by Betty Cavacco and seconded by Harry Helm, the Board voted to recommend STM Article 3 (Unpaid Bills of Prior Year) to the April 2, 2022 Special Spring Town Meeting. *Voted 5/0*

On a motion by Betty Cavacco and seconded by Harry Helm, the Board voted to recommend STM Article 6 (Hedges Pond Road Solar PILOT) to the April 2, 2022 Special Spring Town Meeting. *Voted 5/0*

On a motion by Betty Cavacco and seconded by Harry Helm, the Board voted to recommend STM Article 12 (Pavement Management Fund) to the April 2, 2022 Special Spring Town Meeting. *Voted 5/0*

On a motion by Betty Cavacco and seconded by Harry Helm, the Board voted to recommend STM Article 13 (Building Capital Maintenance Fund) to the April 2, 2022 Special Spring Town Meeting. *Voted 5/0*

On a motion by Betty Cavacco and seconded by Harry Helm, the Board voted to appoint Megan Marble to the Building Committee for a term beginning immediately and terminating on June 30, 2024. *Voted 5/0*

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to recommend STM Article 1 (Collective Bargaining Agreements) to the April 2, 2022 Special Spring Town Meeting.

Voted 4/1 Quintal-Yes, Cavacco-Yes, Helm-Yes, Bletzer-Yes, Flaherty-No

Selectman Flaherty said he wanted to read something that he really weighed heavily on during this whole process. He said he wanted to have an opportunity to explain why he will be voting NO on this Administrative Note. He then read the following statement: To explain my position today I want to take a minute to quickly review how we got here. He said every time the campaign season comes along inevitably you hear how Plymouth is much like a \$256,000,000 business and you hear how the Town should be looking ahead and planning for the future. He said he absolutely was one of those people when he ran for this seat. He said in January of 2020 after going through his first budget cycle as a member of the Board he made a statement in Open Session. The Statement was how he was dismayed at how Plymouth's budget planning lacked forward-thinking forecasting to know how current decisions would affecting the future of Plymouth.

The last line of his statement on January 20, 2020 was “lets get onboard with a three-year vision of our Town’s financial position so we can make financially responsible decisions, take a long view of Plymouth’s future, get out of this one year at a time cycle, and stop planning to spend money that we may not have. After that immediately a motion was passed that through Town Management a three-year budget forecast would be created that included all Departments, debt forecasting, any other items obligated to be added or increased t the budget, and debt that falls off, so we know where that spending is. He said the bottom line is that we, as a Board, would have the baseline budget for the next three fiscal years once we factor in those obligations and corresponding revenue forecast. He said at that point we had an agreed upon plan of how the Select Board would approach financial planning. Shortly after, a financial model and tool was developed for Town Management to forecast future budgets based on dozens of variables down to the Department levels and it accounted for how much every expense would increase using historical averages over many years past including debt, capital expenditures, all revenue sources including state funds, local receipts, property taxes and estimated new growth. It also included the whole school budget as well. I thought this was a great step forward for the town to allow Select Board members to look ahead while planning for Plymouth’s financial future. The Select Board then after that voted for a new financial policy that was a simple policy. It was that we would always have the next three years budget projection available to see how the decisions we were making that day would affect the coming years. So now in January of this year we as a Board voted to approve this upcoming year’s budget after going through the complete vetting process. Since then, the Select Board has voted to add millions and millions of recurring dollars to that already approved operating budget. I had been requesting all throughout that process to be provided the forecast that shows how these budget increases affect Plymouth over the next three years, and it was eventually received last week a few hours before the Select Board meeting when we had to approve the final amended budget as a Board. So, it has been made clear to me that there is not an interest in the budget forecasting to see how the decisions we are making today will affect Plymouth in the future. But, before there is any attempt to make my statement a management verses employee debate, I have to say I completely agree that Plymouth needs to set wages to be an employer of choice attracting and retaining great staff. However, during this process without being able to say any future budget projections I could not responsibly vote to approve these agreement s which add recurring annual operating costs indefinitely. I felt like we were being asked to make an eight-figure operating budget decision in the blind and that is why I can’t support this article. Thank you.

Vie Chairman Cavacco said she appreciates Selectman Flaherty making his comment, but we do look to our Finance Director who has an incredible reputation. She said she answers all of our questions and gave us the confidence in moving forward as we have to do something with our employees and stop being the training ground for people to come in and then leave because that is costing us money. She said we always look to the Finance Director and her staff to give us guidance which she feels they have given us the guidance that we require, so she is comfortable with moving forward and voting in favor of our collective bargaining agreements.

Selectman Flaherty said the numbers that Lynne Barrett and her team do provide are always of the quality that we can count on, but the numbers that we were provided along the way were the cost estimates of the various items, but we didn’t see how it looked in the future which is where his concerns were.

Selectman Flaherty then said during this process he knows there was an incredible amount of work that was done in a short period of time but when we are being asked to vote on agreements and you hear things like “we hope this is right, we had to race to get this done” it doesn’t inspire confidence in him with the amount of time needed to properly vet this. He said that adds to his concerns and wanting to have a look at this with more time. He said it doesn’t mean that he doesn’t agree that this is the path to move forward, it just felt like what he wanted to have for a comfort level to see what this Board had voted on to see fulfilled and then make the decision.

Selectman Bletzer said he appreciates these comments but said he is proud of what they did. He said our public town employees were underpaid compared to other towns. He said we were a training ground and were losing people to other towns. He said we were looking at ways to retain our employees and one way to do that is to give them better wages and benefits and we’ve done that respectfully. He said the negotiations went well and he is proud of that. He said the next thing we need to focus on is economic development to bring in more revenue to the Town.

Vice Chairman Cavacco said she doesn’t want to argue but she just has to say that with all of the contract negotiations that we were in and all of our Executive Sessions she never heard from any staff members “that they hope this is right”. She understands the projections that you wanted but we can’t always project things.

Selectman Flaherty said he agrees completely that we should be an employer of choice, but he wanted to know if what we were voting on would affect other services in Town and possibly having to give something up. He then said his point was that we had an agreement to look at certain numbers and he asked for that for weeks and weeks and it never came until hours before the final vote. He said this is a very difficult thing for him to do because he is saying “no” to every Town employee, but he says there is a principle at stake. He said those numbers were so important to him that and the Town and it was a disservice to have not seen them in time and he has to stand for his principles and does not mean to embarrass anybody.

Chairman Quintal said he has done this job for many years and seen things come from different angles and he always respects the recommendation of the Finance Director and trusts her numbers. He said he took part in many of the negotiations with Schools, Dispatch, and Library and he saw the numbers that Lynne Barrett showed and there was no sign of an override. He said we knew that Holtec was taking \$7,000,000 worth of revenue but the Town still voted to build a \$45,000,000 Town Hall so different Boards look at things in different ways. He said he gets Selectman Flaherty’s point, but he doesn’t want the public or Town Meeting members to think there wasn’t any negotiations and thought put into this. He said we also need to look at new growth because we have been putting this on the backs of our employees for many years and we needed to change that. He said we have DPW dump truck drivers starting at \$15.75 per hour and then said he would pay people more to sit and peel potatoes. He said this is how far behind some of our positions are in our community. He said he was told by the Finance Director, the Humane Resources Director, and the Town Manager that we used the number from the compensation study that was done years ago, and this brings them a little closer to other towns. He said he voted for what he thought was right for our employees. He said our Dispatchers are working two and three consecutive shifts because we can’t keep people or fill the open jobs that we have posted because of the pay scale.

Selectman Flaherty said he wanted to emphasize how much he agrees with what you are saying about the Town staff, but we still didn't get that one piece which was the budget projections for the whole town. He said if we got that report maybe we could have afforded more raises as we don't know what the cap could have been because we didn't have a number or a goal post to reference.

Joe Hutchinson came on and said he is confused how this conversation went back and forth between things discussed in Executive Session and things discussed in Open Session. He said Selectman Flaherty mentioned a three-year plan for the budget and asked if it was a financial plan, to which Selectman Flaherty said it was a plan to look at the budget three years ahead when we are making decisions like this.

Joe Hutchinson said he never saw that model and he would love to see this. He said he would like to see Lynne Barrett to do a presentation on that model and discuss what this is all about before he votes at Town Meeting. He said he also wants to know if there is a policy for paying town employees because he had heard at one point that Plymouth offered wonderful benefits and lower salaries as a policy. He said he would like to know all of this before Town Meeting and also talk about free cash. He said this discussion has caused him to sit up and take notice, to which Chairman Quintal said he would speak with Lynne Barrett to see if she can do a presentation.

6:59PM - COMMITTEE LIAISON / DESIGNEE UPDATES

None

7:00PM - OLD BUSINESS / LETTERS / NEW BUSINESS

Chairman Quintal said he wanted to thank everyone that participated in the Polar Plunge this past Saturday. He said there were a lot of groups there such as our Police Department which were about twenty strong. He said both High Schools also participated.

Vice Chairman Cavacco said she sent out the Board's goals on what they have already accomplished and what they still wanted to work on. She said that it is that time again and we need to update our goals and said if someone needs another copy, she can send that out. She said one of her goals is the 311 programs for reporting issues in town including road issues.

Selectman Helm came on and said that we all received an email from Nicole O'Brien regarding Pride Month. He said the Plymouth Chapter had been interested in asking Plymouth last year to fly the pride flag at Town Hall during the month of June and it was too late last year, so they have now made that request to this Board and wanted to know if we needed to vote and make a motion on that action, to which Lee Hartmann said if they forward the email to Derek Brindisi and I and we can deal with this on an administrative level.

Vice Chairman Cavacco said that there have been discussions about green lighting through town, so she suggested making this an agenda item and set a policy on green lighting. She said if we are going to talk about it then let's make a point to put it on an upcoming agenda and discuss setting a policy, to which Chairman Quintal agreed. He said we can put it on a future agenda and maybe invite the Energy Committee. He said he knows they have tried in the past and ran into some roadblocks so he would like them to come in and discuss this plan.

Chairman Quintal then said he has also noticed that there have been a lot of streetlights out all over town. He said he used to call in the pole numbers but there seems to be too many at the moment, and he's never seen it like this. He then asked Derek Brindisi to get these items onto one of the upcoming agendas to which Derek Brindisi said he will ask the Energy Committee to join one of their meetings and then said he would address the streetlights.

7:07PM - ADJOURNMENT

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to adjourn the Open Session at 7:07pm.

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