

# PLYMOUTH SELECT BOARD

TUESDAY, JUNE 7, 2022

GREAT HALL, 26 COURT STREET, PLYMOUTH, MA  
HYBRID REMOTE MEETING VIA ZOOM, PLYMOUTH, MA – 6:00 PM

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## 6:00PM - CALL TO ORDER

Betty Cavacco, Chairman of the Board, called the meeting to order at 6:00 p.m. and asked everyone to join the Board in the Pledge of Allegiance.

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

Present: Betty Cavacco, Chairman  
Richard Quintal, Vice Chairman  
Harry Helm  
Charlie Bletzer  
John Mahoney  
  
Derek Brindisi, Town Manager  
Brad Brothers, Assistant Town Manager

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## 6:00PM – MOMENT OF SILENCE – Uvalde, Texas

Before the meeting began Chairman Cavacco asked everyone to join the Board in a moment of silence for the victims of the school shooting in Uvalde, Texas.

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## 6:01PM – PUBLIC HEARING – Brewster Bar

Vice Chairman Quintal read the Public Hearing notice into the records as follows:

In accordance with Chapter 138 of the Massachusetts General Laws, as amended, notice is hereby given that a Public Hearing will be held at the Plymouth Town Hall, 26 Court Street, Plymouth, Massachusetts on Tuesday, June 7, 2022 at 6:00pm to consider the application for an All Alcohol Restaurant License from Legacy Hospitality LLC d/b/a Brewster Bar, 46 Court Street, Michael York, Manager. Description of premises will be as follows: 1800 square feet entry opens to seating area, followed by a bar, workspace, and back bar. Lounge area, two restrooms, and kitchen. Basement will be used for storage.

Michael York came up and said he and his wife immigrated from Australia and are setting up their home here in Plymouth and would like to start a premium-end cocktail bar and bring something different to Plymouth.

Michael York then said he has an extensive background with high-end liquor such as premium rum and neat whiskies. He said having spent so much time in Sydney with a sophisticated cocktail scene he thinks he can bring a little bit of that to Plymouth and respectfully asked for the Select Board's support. He said he would like to have a nice selection of whiskey, rum, gin, and tequila to name a few.

Selectman Bletzer asked what the menu would look like, to which Michael York said that is a work in progress but he is working with a chef. He said conceptually he would like to bring in a raw bar with oysters and shrimp and possibly lobster rolls.

Selectman Bletzer then asked if they were planning a seven-day operation, to which he said no because he is just starting out and has a young family so he said more than likely they will be open five to six days per week. He said we will more than likely be closed on a quiet day like a Monday or a Tuesday, but we will know more once we open.

On a motion by Charlie Bletzer and seconded by John Mahoney, the Board voted to approve an Annual All Alcohol Restaurant License for Legacy Hospitality LLC d/b/a Brewster Bar located at 46 Court Street. *Voted 5/0*

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**6:08PM – PUBLIC HEARING – Water/Sewer/Solid Waste Rates**

Water Rates

Jonathan Beder came up and thanked the Board for having him in tonight. He said it is good to be back in person after being remote for so long. He said he would like to start with the water rates. He said every year he works with the Finance Director and takes some time to go over capital and debt and try to come up with the new rates. He said we try to come up with a rate that will sustain the enterprise fund. He then began his presentation and said they are recommending no changes to the base rate, but they are looking to increase the four block rates. He then went over the increase to each of the blocks as follows:

1 <sup>st</sup> Step	0 – 1000 CF	Increase from \$1.70 to \$1.75
2 <sup>nd</sup> Step	1001 – 2250 CF	Increase from \$2.66 to \$2.74
3 <sup>rd</sup> Step	2251 – 4500 CF	Increase from \$2.69 to \$2.80
4 <sup>th</sup> Step	4501 + CF	Increase from \$3.50 to \$3.66

Jonathan Beder said these increases will generate enough income to fund the enterprise fund as needed with a small surplus left over in FY24. He said those are the water increased recommendations and he would be happy to answer any questions.

Selectman Helm asked him to explain why there is a need to have any increase in our water, to which Jonathan Beder said basically they are looking at capital needs and keeping retained earnings healthy in order to fund the operating budget.

Selectman Helm then asked what the capital projects that are planned for the near future, to which Jonathan Beder said there are potential valve interconnect in Manomet once the watermain update is complete as well as watermain projects and painting of the water tanks as well as inspections.

Selectman Helm then asked how this would contribute to whatever well issues we may have come up, to which Jonathan Beder said another big project that will eventually come before us is adding another well or possibly two new wells.

Chairman Cavacco asked where a new well might go, to which Jonathan Beder said that is the golden question but there are about a half dozen possible areas to research. Chairman Cavacco then said that we allow all of this development but they are not funding any wells so the residents are footing the bill so what can we do to stop this, to which Jonathan Beder said that is an ongoing discussion. He said we have not gotten any of these developers to contribute but we continue to try. He said one of the big issues is that the large 40B projects are not required to contribute anything yet.

Chairman Cavacco said she understands the 40B projects but then asked the Town Manager if there was any other way to get them to contribute because we can't keep building and expect our residents and taxpayers of Plymouth to foot the bill for new wells, to which Jonathan Beder said they are asking the more retail type developers like Amazon that aren't a 40B project to help upgrade the wells that we have and offset those costs. He said most of them have been pretty good with helping out with that.

Derek Brindisi said that is an interesting point that you brought up. He said in the past they have set up systems where developers would pay into an account for affordable housing. He said we could possibly look into a similar system where developers would pay into a different account that would help offset the cost of a new well and water and sewer. He said that is definitely something they can look at and work with our Planning Director.

Vice Chairman Quintal asked if the South Elementary School well is back online, to which Jonathan Beder said all of their wells are up and running despite the storms and power loss.

On a motion by Harry Helm and seconded by John Mahoney, the Board voted to approve the increase in the FY23 Water rates as recommended and presented by the Finance Director and the Director of Public Works. *Voted 5/0*

### Sewer Rates

Jonathan Beder then talked about the proposed sewer rates. He said we have 14,856 customers on the water side and 3,697 customers on the sewer side and both have grown which is a real good thing. He said the Town has done a really good job controlling the sewer rates since the sewer main break years ago. He said this year's increase in sewer was held down to only 2% which they are happy about. He then went over the rates as follows:

1 <sup>st</sup> Step	0 – 1000 CF	Increase from \$6.02 to \$6.14
2 <sup>nd</sup> Step	1001 – 2250 CF	Increase from \$9.54 to \$9.73
3 <sup>rd</sup> Step	2251 – 4500 CF	Increase from \$10.46 to \$10.67
4 <sup>th</sup> Step	4501 + CF	Increase from \$12.26 to \$12.51

Jonathan Beder said the retained earnings remain healthy, but the usage has been down since covid, but we maintained these minimal increases which is great news. He said these are their recommendations on the sewer side and he is happy to answer any questions.

Selectman Helm asked the Finance Director to explain the cost for borrowing for the sewer main repair, to which Lynne Barrett said initially they tried to work on a plan with the Massachusetts Clean Water Trust but we weren't sure when all of the debt was going to hit the sewer enterprise fund, but they worked with us over the years. She said they borrowed long-term for the new sewer force main and the redundant main which is incorporated in the sewer enterprise fund and is only paid for by the users of the sewer enterprise fund. She said it has never been crossed over to other taxpayers or non-users of the sewer system. She said as part of their recommendations in the fall they would like to appropriate \$300,000 of the retained earnings to help offset the increase in this rate.

Selectman Mahoney asked if the new long-term debt was twenty years, to which Lynne Barrett said the new long-term borrowing was for thirty years but they did that in two borrowings. She said the settlement with Veolia ended up paying off about half of the cost of the entire sewer force main repair and redundant project.

Selectman Mahoney asked how successful the sewer expansion went out on Route 44 and Samoset Street, to which Jonathan Beder said it took a while, but the majority of the users are happy. He said Town Meeting approved a bylaw that touches on betterments so that piece is done. He said they do plan on coming back to the Board to revise the Wastewater Master Plan because a number of things have changed over the years. He said the state requires us to have that document to prioritize where the town will focus on sewer extensions. He said all of this is an effort to increase flow to the wastewater treatment plant because we are only utilizing about half of the amount that we could be using. He said the more use we get then the more power we have to control the rates, so growth is very good.

Selectman Mahoney then asked about the redundant sewer pipe and asked how that has been working out, to which Jonathan Beder said they have been flushing those pipes routinely to make sure they are all open and clean and we do camera inspections as well and everything is operating perfectly to date.

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve the increase in the FY23 Sewer rates as recommended and presented by the Finance Director and the Director of Public Works. *Voted 5/0*

#### Solid Waste Rates

Jonathan Beder came back on and said the last rate to set is the rate for the Transfer Station operations. He then went over the recommended rate changes as follows:

1 Year Transfer Pass	Increase from \$180 to \$190
4 Month Transfer Pass	Increase from \$80 to \$85
1 Month Transfer Pass	\$30 with No Increase
Second Vehicle	\$10 with No Increase
Recycle Only	Increase \$40 to \$50
Trailers	\$10 with No Increase

Jonathan Beder said the trash disposal market, especially recycling, changes often so we felt that a ten dollar increase for both wasn't too bad considering the recent issues with recycling. He then said he would be happy to answer any questions from the Board.

Chairman Cavacco said she asks about this every year and every year it never changes but she still would like to ask this year. She then asked if there was any way to offer a reduced rate to our senior citizens, to which Jonathan Beder said he can give the Board the factual data and then you can decide if you would like to do that. He said in 2011 we really started looking at trash in Plymouth and started trying to be creative. He said if we provide a senior discount someone has to cover those costs. He said the other issue is we don't know how many senior citizens use the program so it is difficult to calculate how many households will have to make up that difference in cost. He said there is the possibility that the increase to non-senior citizen customers could be substantial.

Vice Chairman Quintal asked why we were going up on the recycling rate because he thought the town received revenue for that so we should promote it, to which Jonathan Beder said we use the bags to promote recycling. He said their tipping fee are just out of whack with the whole issue with China shutting down.

Jonathan Beder then said certain recycling material they make money on, but others cost us a great deal of money to get rid of. He said at the moment the majority of recycled materials cost us more money, so we need this increase to cover those costs.

Vice Chairman Quintal said he thinks it sends out a bad message because we try to get the community to recycle but the more it goes up then they will say why should they bother, to which Jonathan Beder said there are about a dozen private haulers in Plymouth and most of them charge a fee for recycling which is more than we are recommending here tonight.

Lynne Barrett said that our tonnages have gone down over the years because of the use of the orange bags so it has promoted recycling effectively. She said all of the revenue that we get from recycling goes into the solid waste enterprise fund and is used as a funding source to offset the increase in this rate. She said it is really important to keep the bags to encourage recycling and these proposed rates are necessary to keep this enterprise fund afloat.

Jonathan Beder said one other thing to keep in mind is we also operate the recycling station which has two attendants that operate the equipment and deliver to the recycling locations and the cost of fuel has gone up. He said this is just another piece that shows the costs.

Vice Chairman Quintal said if it were him, he would make recycling free that way everybody would be recycling, to which Jonathan Beder said the problem is recycling costs money so who would pay for that cost. He said recycling is not free to the town so why would we make it free to residents, to which Lynne Barrett said if we reduce the recycling to cost nothing then we would have to increase the solid waste rates to make up for that cost.

On a motion by Charlie Bletzer and seconded by John Mahoney, the Board voted to approve the increase in the FY23 Solid Waste rates as recommended and presented by the Finance Director and the Director of Public Works. *Voted 5/0*

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### **6:36PM – PUBLIC HEARING – Woodlot Discussion**

Chairman Cavacco said this Public Hearing will be more of a reaffirmation of the letter that the Select Board sent to the Massachusetts Gaming Commission a couple of weeks ago. She said that the Town Manager and herself met with Boston South and we received a letter from them. She then asked the Derek Brindisi to read the Select Board's letter to the Mass Gaming Commission into the records as follows: *Good Morning Ms., Lightbown, Please be advised that the Plymouth Select Board intends to ratify the vote of the non-binding referendum question from its Annual Town Election held on May 21, 2022 which asked Plymouth residents whether they support a thoroughbred horse racing facility in the Town of Plymouth. The results of such election determined that 88% of Plymouth voters are against such a project. To that end, its important for the Massachusetts Gaming Commission to know that it is the Plymouth Select Board's intention to take a final position at its next meeting, June 7, by opposing a thoroughbred horse racing facility here in Plymouth. An official letter will be forwarded to your office on June 8, 2022 confirming such action. Thank You, Betty Cavacco, Chairman, Plymouth Select Board.*

Selectman Helm then read a letter received today from Boston South into the records as follows: *Mr. Derek Brindisi, Town Manager, In response to your request on May 28, 2022 for an update on our intentions moving forward, I submit the following: Over the month of June Boston South will be working with the County to finalize our agreement and by June 23<sup>rd</sup> begin our site-specific due diligence process for 90 days thereafter.*

*This will be followed by a one-to-three-year due diligence period in which we will explore our main concept under the proposal, as well as many other options. We hope that during this time, the Select Board and community realize we are legally and morally bound to the commitment we have made to Plymouth County and each of its 27 communities. Exploring and considering all economic opportunities for this County asset, which will create long-term revenue streams to benefit the County and its citizens, remains our primary objective. We greatly appreciate the Select Board's letter of endorsement, (April 5, 2022: attached for reference), supporting this transparent and public process, as confirmed by the March 29, 2022 3:2 vote in the affirmative on the matter. We, at Boston South, have voluntarily agreed to, in advance of any action or mandate required by the Town or State, execute this process at our own expense and risk. We stand firm on our end of that commitment and hope the Select Board stands firm on theirs, as well. We hope this provides clarity as to our intentions, reaffirming our commitments and reacknowledges our responsibilities. We look forward to working with your office, the Select Board, and the Plymouth community once the process and initial due diligence has ended in late September of this year. Kindest regards, Loring Tripp, Director of Planning and Community Development, Boston South.*

Chairman Cavacco said she and the Town Manager had a meeting with Boston South about two weeks ago and we were told that Boston South was moving forward without a horse racing track and this letter that we received today is something different than what we were told. She then said she would like the Town Manager to draw up another letter to the Massachusetts Gaming Commission and State Delegation reaffirming what we were told during that meeting that they would be removing a horse racing track from their RFP.

Selectman Bletzer said we never endorsed a horse racing track so he thinks we should add to the letter and make it very clear to Boston South and to the State that Plymouth does not support gaming including but not limited to horse racing, sports wagering, and casino gaming in our town under any circumstances. He said this makes it very clear where we stand. He said we can save a lot of time here tonight if we agree to send this letter out tonight. He also wanted everyone to know that he does not regret supporting them doing their due diligence because that is our job and our duty to let them go forward and come back to us with a proposal. He said we will only support a proposal that residents will support.

Selectman Helm said he believes we should be specific about where we are opposing this racetrack and racino so that the Massachusetts Gaming Commission understand exactly what we are talking about, to which Derek Brindisi said we can certainly include the three parcel ID's and be very specific when drafting this letter.

Selectman Helm then said when looking at the letter they sent, and they mentioned doing their due diligence and he wanted residents to know that this is not over with. He said they stated in their letter where it says "we will explore our main concept under the proposal" which under their RFP horse racing was their main concept. He said he also thought it was interesting when they said they would explore and consider all economic opportunities for this County asset which will create long-term revenue streams to benefit the County and its citizens. He said that they stressed the County citizens and not particularly the citizens of Plymouth who are going to have to deal with this for the rest of our lives. He said he is insulted by this statement, and he will make it very clear for any of the members of Boston South how insulted he is by how they backtracked even further from their lack of commitment to the people of Plymouth.

Chairman Cavacco said one of the things that she wants to be clear is that this Board is going to follow the vote of the people as 88% of them said they do not want horse racing.

Chairman Cavacco said this Board will do everything we can to make sure there is no horse racing in Plymouth. She said she spoke with the State Representative today and he said it is nearly impossible, if the town has a vote that says no horse racing and the Select Board says there is no horse racing, for the horse racing to pass. She said that he also said the State would not go against what this town says so she is optimistic that we will prevail. She agrees that their letter was insulting but its even more insulting that she and the Town Manager were told there would be no horse racing during our meeting with Boston South.

Mark Pacheco came up and said he has a little bit of knowledge in the gaming system in Massachusetts and under the law, the County cannot be the host community and it actually has to be a town to host something like this. He said under that provision the Town has to vote but also the Select Board has to agree to enter into negotiations so he would suggest that the letter say you do not have the intention nor will you every have the intention of entering into negotiations on a host community agreement. He said if you do that then the Gaming Commission will simply say you can never get the license, to which Selectman Bletzer said the wording he got for the letter was from former Senate President, Therese Murray so he is confident that the letter they have drafted will be fine.

Frank Mand came up and said he thinks the action by the County have been scurrilous. He said when they talk about the County, they have been indifferent to the issues here in Plymouth including the rejection of this proposal by the Plymouth residents. He said he also thinks we should reach out to the other communities in Plymouth County and ask them to let the County know how they feel about this as well. He said what worries him the most is that people are going to waste their time fighting against something that never should have been considered in the first place, to which Chairman Cavacco said the process was considered but a horse racing track was never considered. She said the motion was clear and that is something that we do with everyone.

Ginny Davis came up and said we know that Wareham was approached under a different name other than Boston South and the Selectmen had voted in favor of the racetrack. She said they had a Town Meeting and they voted against it, so it went away. She said the same thing happened in Sturbridge and she then asked if there was a difference with those being town land and now this is County land, to which Selectman Helm said he thinks the County feels it makes if very different for them but whether it does or not is still unknown.

Pat McCarthy came up and wondered if the letter should include that 75% of this parcel is zoned residential because that might make a difference to the Gaming Commission, to which Chairman Cavacco said if the Town Manager thinks that is important, we will add it.

Vice Chairman Quintal said that he wanted to reiterate that the horse racetrack was not mentioned in the original letter that they sent. He said it was included in the proposal to the County, so it is a little confusing. He said although he does not support a racetrack he does support looking into economic development on that lot. He said he will continue to support that as long as the developer proves their due diligence. He said we need to change things in this town, or we will become a bedroom community, but if everyone is happy with that we can still head in that direction. He said no one likes to see those three-hundred-unit apartment complexes like behind Home Depot but that woodlot would bring two million dollars to the County if it were a 40B development. He said the first thing he said to the County is that they need to address the traffic which they know and is why they are going through this whole process. He said he still wants to keep his eye on the biotech industry, a convention center, or a minor league sports arena. He said when someone comes to town, we have to treat them with respect, and we have to listen to what they have to say.

Vice Chairman Quintal then said that economic development on Cherry Street over near the Amazon there is a big parcel over there. He said Roundtree Corporation which owns the Hyundai Dealership is trying to put up a five-million-dollar dealership and they were almost ready to walk away three weeks ago. He said he got phone calls from all kinds of developments around Plymouth with concerns about the hoops that they have to go through in order to build something in this community and this is what they are upset about. He said he isn't saying to develop the whole town, but something needs to be done to keep taxes lower for our residents. He said he feels that it is his job to bring ideas and present them when someone comes to the town with an idea for development. He said the last thing he wants to do is to agitate developers, so they do something we don't really want them to. He said he is always thinking to support what the people want but he is always cautiously thinking about economic development to try to keep the tax rate down.

On a motion by Harry Helm and seconded by John Mahoney, the Board voted to instruct the Town Manager to construct a letter and send it to the State Gaming Commission expressing the Select Board's total opposition to a thoroughbred racetrack located on the three lots known as the County Woodlot, the Silver Lot, and the Balboni Lot. The three lots are parcel 088-000-054-000 63 Camelot Drive. *Voted 5/0*

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#### **7:08PM – PUBLIC COMMENT**

Gerry Duncombe came up and said she lived at 10 Sever Street. She said she recently sent out an online petition and received 189 signatures from Plymouth residents and many of them about the park on Sever Street and surrounding Streets. She said the petition was strictly related to the fence around the park. She said this was not intended to ask about making the park a dog park at all, but we heard that the Parks Department was planning on removing the fence around the park because of problems with dogs. She said the petition did not suggest that the park be divided but personally she thinks that is a good solution. She then said the idea of taking the fence down is a bad idea. She said she does not have an issue with the dogs at the park, but others do, and she understands that. She said she hopes the town finds another location for a dog park but for now she hopes the town will either leave this park alone or divide it up so that the playground is separate from the dogs. She said they would also like to ask that the DPW return the gates and the gate latches that they removed and that they try to maintain the park as regularly as possible.

Steve Lydon came up and said he lives in South Plymouth and a number of years ago a development came in called Redbrook. He said they have done a great job and have stuck to almost everything that they were committed to do except for one intersection that has been in the planning stages for five years now. He said nothing has been done and it is a very dangerous intersection. He said it is the intersection of Halfway Pond Road and Long Pond Road. He said traffic backs up in the morning especially when school is in session. He said he doesn't know why this hasn't been addressed yet and then suggested holding back some of their lots until they do something about this intersection.

Kate Sekerak came up and said she lives at 26 Bradford Street and is a member of the Bradford Area Commission. She said they have been involved in the Safe Harbor Marina Plan to demolish and rebuild an historic waterfront building since December of last year. She said she would like it to be officially noted here that the neighborhood as well as Plymouth residents at large are not in support of Safe Harbor's current plans to build an enormous national brand design warehouse within the waterfront village.



Kate Sekerak then said despite numerous attempts to negotiate a common ground proposal that included preservation, and despite being instructed by several town boards to work with the community, Safe Harbor's attorney has shutdown all discussions and any efforts to preserve that historic site. She said they have been fully supportive of Safe Harbor's business needs and right to make their purchase a success, however, we intend to continue to fight this building plan with every opportunity and all available means necessary.

Kathie Khederian came up and said she lives at 16 Allerton Street. She said she has lived in her home for thirty-five years and she abuts the park. She said she has watched over the years how the population of children has diminished, and a large population of dogs grow. She said dogs visit the park at least twenty-five times per day which means a lot of dog waste. She said the park is not maintained and it seems to have become a dog park by eminent domain. She said she would like to see the park maintained as a children's park. She said it is not an appealing park to bring kids anymore and even her own grandchildren won't go.

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### **7:17PM – JULY 4<sup>TH</sup> UPDATE**

Matt Tavares came up and thanked the Board for allowing them to give this important update on the July 4<sup>th</sup> Celebrations in Plymouth. He said they are well on track to meet their goals on funding, and they are excited about that and thanked their sponsors. He then let everyone know that they do accept donations online at [july4plymouth.com](http://july4plymouth.com) and they also take donation by check as well. He then talked about the events saying that they will start off at 7:30am with their annual July 4<sup>th</sup> Road Race which is successful and gets larger and larger every year. He said then the Parade will start at 9:00am stepping off from Cordage Park. He said the Parade will go down Court Street, Main Street, Main Street Extension, and turning onto Water Street and continuing north on Water Street and ending at Plymouth Rock. He said there will be some food trucks located at Pilgrim Memorial Park throughout the day. He said around 9:00pm the Fireworks will begin, and they will also have the Plymouth Philharmonic Orchestra back this year which is exciting because they did not perform last year. He said due to covid the bands have diminished or gotten smaller and said if there were any local bands that would like to be in the Parade, please reach out to them at [jul4plymouth.com](http://jul4plymouth.com). He said we also have a great group of people putting together floats but we could always use more so if anyone wants to get involved, please let them know.

Ann Marie Winchester came up and thanked the Board for giving them some time tonight to give you an update. She said last year they made a minor adjustment to the time to start at 7:30am and they are going to keep that the same for this year as well. This makes it easier for people to get in and out of town if they are not staying for the parade. She said they expect between 800 and 1,000 runners again this year and the race will start and end at Stephen's Field and they are not allowing any parking at Stephen's Field either. She said the race will go into Sandwich Street to Main Street Extension and onto Court Street all the way up to the old Benny's Plaza. She said from there they will take a right onto Nelson Street onto Water Street then take a left on Union Street and head back to Stephen's Field. She then talked about the website [july4plymouth.com](http://july4plymouth.com) and said you can donate there and also see a list of their sponsors and individual donors. She said it also gives the full schedule of events and provides information on parking and road closures as well. She said all of that information is also on their Facebook page also and encouraged everyone to go "like" their page to stay up to date on everything that has to do with the July 4<sup>th</sup> celebrations.

Jeff Metcalfe came up and thanked the Board for the time to update the community on the July 4<sup>th</sup> Celebrations. He then showed a map of the parade set up area.

Jeff Metcalfe then said for the past several years they had set up in a parking lot in North Plymouth but this year they had to move because now there is a drive-in movie theater in that location. He said they are going back to Cordage Park where they were for several years. He said participants will come off Court Street into the Cordage Park entrance then go to the left around Mill Pond and continue around the building. He said if you are just dropping people off then turn around in the back parking lot to drop them off and simply exit the way you came in. He said if you are actually in the parade then you would go all the way around near the 1620 Winery and the side parking lot will be broken up into three divisions. He said you will be met by people at the corner of the side parking lot once you enter and they will direct you to the correct division and area that you need to be. He said the Plymouth Rotary Club as volunteered to help out with the line up area which we are grateful for. He said the Parade will kick off at 9:00am this year rather than 9:30am and it will be the same route that it has always been through the center of Town and ending on the waterfront. He said they are also excited to have another contract with Atlas Pyrotechnics this year. He said last year's fireworks were a little bit larger than they normally have been in the past so we will have three barges again this year rather than two barges. He said they are very excited because Atlas Pyrotechnics does a great job with these fireworks. He said they have worked real hard this year and he hopes everyone comes downtown and enjoys the celebration.

Selectman Mahoney asked if the expansion of fireworks would continue, to which Matt Tavares said yes, we will have three barges again this year. He said we can do more if we get more so if they can continue to raise the funds, they will continue into the future with the three barges for the fireworks display. He said they were lucky enough to have raised enough money for the third barge last year and again this year so that is their goal moving forward.

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### **7:30PM – 46 SANDWICH ROAD FUNDING**

Derek Brindisi, Town Manager, came on and said when the Board had originally discussed this acquisition it was suggested that maybe we could use CPC funds. He said the Community Preservation Committee is committed to supporting this purchase but not at the appropriation that we were originally seeking. They have said that they would be willing to pay up to \$600,000 to secure ten acres of that land. He said if we were to use the offered \$600,000 from CPC then we would have to borrow an additional \$800,000 along with using \$2,271,409 from free cash which is true for any funding scenario as recommended by the Finance Director. He said when we have to borrow it requires a 2/3rds vote of Town Meeting. He then said a second scenario would be to instead of using CPC funds we could borrow the entire \$1,400,000 and with this scenario the Board would have more flexibility with how they wanted to use this property because the CPC typically put conservation restriction on property that they purchase for open space. He said these are the two recommendations put forth this evening for you to discuss and vote on.

Chairman Cavacco asked if we would be able to use an ARPA Funds for this purchase, so we don't have to borrow, to which Derek Brindisi said we have about \$2,500,000 in ARPA Funds and the Board could discuss using these funds, but it would limit any other potential projects using those funds. He said there is another potential \$2,800,000 additional funds coming from ARPA but stressed that we have ten of millions of dollars of needs for this community, so he urged the Board to keep the community's needs in mind. Chairman Cavacco also said the Nuclear Mitigation Fund might be another option as well.

Selectman Mahoney asked to explain for the public what ARPA Funds are, to which Derek Brindisi said they are funds appropriated to help the nation recover from the pandemic. He said it is known as the American Rescue Plan Act.

Derek Brindisi said that there are specific uses for these funds such as for public health issues, public safety, and betterments. He said he feels this purchase would fall under the appropriate uses of ARPA Funds because of the potential building of a Fire Headquarters.

Chairman Cavacco asked if there were any projects planned for these ARPA Funds, to which Derek Brindisi said none of the funds have been appropriated yet but there are several potential projects. He said he went through and exercise with Town Departments to identify potential projects that we would consider using ARPA Funds for and bring to the Board for your authorization.

Selectman Mahoney asked what those potential projects were and how important are they to the community, to which Derek Brindisi said that the Department of Environmental Affairs recommended \$500,000 for the Jenny Pond Dam Project which would be a 25% match for a \$2,000,000 grant. He said the Veteran's Park Restoration Plan is projected to cost roughly \$1,000,000 and was recommended by the DPW Director. He said earlier we talked about the Allerton Street Park renovations and that would cost roughly \$300,000 to complete. He said there have also been conversations with the Sherriff's Department as well as Plymouth Police and Fire about moving towards a regional dispatch system and it is estimated to cost about \$2,000,000 in communications upgrades. He said there are also some other issues that need to be addressed at Memorial Hall as well costing about \$300,000 to design. He said these are just some of the projects that have been discussed which total about \$4,100,000 in all. He said there is also a request in to digitize all of our records at Town Hall. He said they have estimated that project to coast around \$5,000,000 to do that.

Selectman Mahoney asked if we knew when to hear about the potential additional \$2,800,000 in ARPA Funds, to which Lynne Barrett said that depends on the County Commissioners releasing anymore allotments of those funds.

Chairman Cavacco said both she and Selectman Bletzer were contacted by Police and Fire regarding concerns about the regionalized dispatch and she asked if the Town manager could set up a meeting with that group to discuss this, to which Derek Brindisi said sure.

Everett Malaguti came up and said that the Nuclear Mitigation Fund was established for mitigation as well as loss of money from the tax base due to the plant decommissioning. He said it was also floated around that it might be able to be used for purchasing parts of the property as it became available to the Town if wanted so this is definitely a possibility for the additional funding. He said if this won't work then you could look into using the funds from the excise tax and MOAs for cannabis sales.

Rich Serkey came up and said this is the first time he has heard about possibly using ARPA funds and asked someone to redefine what those funds can be used for and how the acquisition of this land would fit into that framework, to which Derek Brindisi said can be used to support public health and public safety. He said you can also use these funds in neighborhoods where there are inequities or on a lower social economics scale. He said it can also be used for infrastructure in three areas which are water, sewer, and broadband. He said because municipalities had such a substantial revenue loss during covid they allow cities and towns to replace that loss of revenue with ARPA dollars. He said if you replace your loss of revenue there is no specific purpose when you use that category.

Chairman Cavacco said that initially the ARPA Funds were under the control of the Town Manager and Finance Director but about a year ago the Board voted that the ARPA Funds would be under the control of the Select Board. She said it is a policy that says that ARPA Funds will not be spent without the approval of the Select Board.

Lynne Barrett came up and said that all of the information regarding ARPA Funds and what they can be used for as well as what they have been used for are on the website under the Finance Department's page.

Chairman Cavacco asked if we were to use the Nuclear Mitigation Funds would that require a 2/3rds vote of Town Meeting, to which Lynne Barrett said yes, it would.

Selectman Helm asked if we could use the cannabis funds as mentioned by Everett Malaguti, to which Lynne Barrett said those go into the general fund revenues and are not earmarked for any other specific use and it cannot be by law.

Chairman Cavacco said she thinks we should use ARPA Funds so that we do not have to borrow any money. She then said when we are able to get our excess properties out for sale that will go into our real estate account and would offset anything that we had to pay. She said if the Town Manager feels that we should borrow rather than use the ARPA Funds then we could certainly talk about that as well.

Derek Brindisi said that is really a philosophical question. He said the various projects that each department think are priorities have often been overlooked and ARPA Funds are an opportunity to get some of these projects underway in a timely fashion. He said the other side of that coin is if you decide to borrow then you would have to go to Town Meeting and try to get that 2/3rds vote which is a heavy lift given the fact that Advisory and Finance has voted against this particular acquisition. He said there are only so much money that we have to spend and it's important to prioritize how these dollars are spent.

Selectman Helm said if we use ARPA Funds to acquire this property and for whatever reason we cannot build the public safety facility there what would we do, to which Derek Brindisi said we would put it in a revenue replacement category rather than public safety.

Vice Chairman Quintal said he wanted to let Town Meeting Members know that are watching that he ran into Mr. Balboni who owns a fifty-acre parcel next to this property at 46 Sandwich Road and he told me to share with the Town that if they do not buy this property then his land will be going on the market right after Town Meeting. He said now we will be looking at seventy-six acres potentially being developed. He said he is the owner of Pioppi's Package Store and now it isn't just the potential of developing twenty-six acres in Chiltonville. He said he wanted to make sure everyone knew this.

Ashley Shaw came up and said she lives at 38 Newfield Street. She said she is the First Vice-Chair of Advisory and Finance and that she was speaking in the capacity of a citizen. She said she would urge the Board not to use ARPA Funds because she thinks that there are far more important uses for those funds that were already mentioned.

Pat McCarthy came back up and said she tries to follow all issues thoroughly coming up to Town Meeting and having watched and reviewed the information on this particular article she said she finds this discussion very confusing. She said the motions meeting is tomorrow morning at 8:00am and the still isn't a definitive plan yet. She said we have all gotten our books and had the opportunity to tour the property, so she thinks some of them have tried to prepare. She said whatever plan the Board comes up with she thinks they should attend all of the caucuses for each of the precincts to get the information out there.

Chairman Cavacco said the reason they decided to hold this Special Town Meeting was because we were using free cash and we never deviated from that. She said the only thing they are looking at now is what is the best avenue for the rest of the funds needed going forward. She said she hasn't even seen the caucus schedule, so she has no idea when and where each of the precincts are meeting. She said this Board is committed to attending all of the caucuses. She said they had two tours at 46 Sandwich Road, so they are trying to spread information. She said one of the things that we hear from our residents is that we are never proactive. She said this is the perfect example of being proactive with a strategic, solid plan moving forward. She said this is twenty-five acres of land that we will never have the opportunity to purchase in that area again. She said she understands that the Advisory and Finance Committee voted against this, and some Town Meeting Members have issues with this purchase but there has been a lot of misinformation going around out there and she said this land was never offered to the Town free of charge. She said it was offered to the Town for \$7,500,000 and not \$2,300,000 like she has seen posted out there. She said when you take all of the politics out of this equation that fact is that we have twenty-five acres in an area that the Fire Department approved as a good location for Station One Headquarters so it is simply that we either want it or we don't. She said to have this location and let it go she feels that it would be a really bad move to miss out on this opportunity.

Steve Lydon came up and said he doesn't know where this funding is coming from, but he does know that we need a new Fire Headquarters and Police Station. He said if we don't get this property for \$3,750,000 then we're going to have to go out and buy more acreage somewhere else for more money. He said to him acquiring this property makes sense as well as keeping the CPC out of this deal because if you have ten acres that cannot be used for anything then the value of the property goes way down. He said let's face it, the current Station One is junk and our employees should not be working in that building. He said he is on a fixed income, and he doesn't want to see his taxes go up, but we can't keep our heads in the sand and ignore the fact that our buildings are falling apart.

Ginny Davis came up and said she has given so much thought to this property at 46 Sandwich Road and how it will affect the neighborhood. She said personally, if she lived there, she would prefer over 55 housing with the ten acres in the back as conservation with trails. She said she feels that the impact of a Fire Station and Police Station would be far greater than that of a housing development because of lights and noise, to which Chairman Cavacco said that was a training center for the power plant and there were over 1,100 coming in and out of that building every year. She said it has the capacity, but she doesn't think there will be that many people coming and going from a police and fire station facility.

Selectman Bletzer said he has gotten more calls about this property in that area and everybody he has spoken to does not want anymore residential development. He then asked each of them if they would be in favor of a public safety facility at that location and every single one of them told him yes, they would prefer that over a residential development. He then said that he actually lives seven houses down from the West Plymouth Fire Station and said that they do not hear any sirens at night because they try to stay quiet for neighbors. He then said that he knows of two examples where the Town could have bought land, but Town Meeting missed the boat. He said one was where All-Town Fresh is saying we could have bought that for \$1,000,000 from the County but some people were against that. He said the Chairman at the time was Bill Hallisey who is a real estate expert and he said that would have been a great purchase for the Town, but we didn't purchase that then and it sold for \$1,300,000 just two months later so that was an opportunity missed. He said the other parcel was 1.9 acres at Nelson Park. He said it was turned down unfortunately, but we could have used that for parking and recreation.

Kathy Dunn came up and said she is a brand-new Town Meeting Member, and she came here tonight to try and find out where the funding would come from for 46 Sandwich Road which will be an important vote for her. She said she is coming away from this meeting completely confused. She said it would have been helpful if there was a chart or a presentation on the monitor for people to see the options. She then asked when she would be able to see the actual plan in writing, to which Chairman Cavacco said they will have all of that information published by Monday.

Derek Brindisi said the Motions Meeting is tomorrow so the motion will need to be set by then and he believes that Jeannette White send all of those motions to the Town Meeting Members after that. He said those motions should be out to all Town Meeting Members by the end of this week and it will be clear what the funding sources are for this article.

Selectman Mahoney said about seven years ago the Town acquired about two to three acres of land in North Plymouth and built the new North Plymouth Fire Station. He said he realizes it is not Fire Headquarters but asked how much land they would need from this parcel to build a Fire Headquarters. He said the CPC did a great job coming forward to help pay for this proposal and he finds it hard to believe that we would need more than ten acres for this public safety facility. He then talked about the amount of money that the Town could save if we used CPC funds and said we could potentially get the amount down to about \$500,000 to borrow which might be more palatable to Town Meeting. He said he feels that if you want this to be successful at Town Meeting then this needs to be part of the equation.

Derek Brindisi said they have a conceptual plan that was brought to the Advisory and Finance Committee a couple of weeks ago and he could try to call that up on the big screen if that would be helpful to everyone. He then went through some of the slides in the presentation giving an overview saying this property contains almost twenty-five acres and has a 30,000 square foot building which is fair condition. He said the property is assessed for \$3,467,700 and was appraised for \$4,350,000 and is available to purchase for \$3,750,000 from Rick Vayo. He then showed the proposed residential development if the Town does not buy this property. He said it includes sixty-four units 55 and over with ten acres of open space or they will develop all of the property with twenty-four single family homes. He then showed the proposed public safety facility if the Town were to acquire this property. He showed a rendition of what the Fire and Police Stations would look like also with about ten acres of open space. He said we need to realize that the population has grown by about 15% in the past ten years so that is significant growth, and the Police Headquarters is about thirty years old so there is a great need for updating. He said both the Police Chief and Fire Chief are concerned about outgrowing the current buildings they are in. He then said this would be a long-term investment into the Town of Plymouth's future for sure. He finally showed the funding mechanism option with using CPC Funds and without. He also said to keep in mind that there are several potential offsets to this borrowing. He said the Assistant Town Manager is working with our departments to identify parcels of land as well as buildings that the Town does not need or use in order to put them up for sale which would offset this borrowing. He said these properties include the current Police and Fire Headquarters as well as the old Water barn building and property located on Long Pond Road.

Chairman Cavacco said she would like to put forth a couple of options tonight for the funding source for this property. She said she personally thinks we should use ARPA Funds for this acquisition and not CPC Funds as those would be too restrictive, to which Vice Chairman Quintal agrees that we should not use any CPC Funds. He said just about every parcel of land that the Town owns has a restriction on it. He said nothing against the CPC, but he thinks the Town should acquire that property on its own for future use.

Vice Chairman Quintal said in a perfect world we would have had a little more time but at the moment time is of the essence. He said this is the exact reason why we called this Special Town Meeting. He said by letting this property go will be a big mistake for the Town, so he hopes Town Meeting agrees and passes this article. He said they have looked at land for a new cemetery and it is big money, so he thinks we won't find another deal like this out there in the future. He said we are making do with what land we have left in our cemeteries right now, but the time will come when we run out of space. He said this Town needs to layout a blueprint for what we want to do and what we are going to do in the future. He said this is exactly why he supports this article because it makes total sense to him. He said this community spent \$4,500,000 on the Simes House and he feels this is more important.

Selectman Bletzer came on and said he agrees with Vice Chairman Quintal. He said it is the future of Plymouth that we have to worry about, so he thinks we need to purchase this land and control 100% of it for future use. He said we have to do what is in the best interest for Plymouth so he thinks we should do this without CPC money.

Selectman Mahoney came back on and said if you look at the map that the Town Manager showed of the proposed Police and Fire Stations there is over ten acres of open space so he thinks we should not discount using CPC Funds. He also said that if the current Fire Station Headquarters is going to be relocated, he would like the current location to be mitigated and incorporated into the Stephen's Field Master Plan and Renovation Project.

Chairman Cavacco said she believes that our hands are tied with so many pieces of our property because of the restrictions. She said if the CPC said they would contribute a total of \$1,500,000 then that is another story but for \$600,000 and having a restriction on that ten acres would not be good. She said that could be a great location for a dog park or another playground or some other use for the residents of Plymouth. She said it is difficult for the Town to grow the way we want o when we have all of these restrictions on property.

Selectman Helm came on and said he did some calculations, and the CPC would be contributing \$600,000 towards this property and will have control over a third of the property without paying for a third of the property. He said that is something very important to point out at this moment.

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to purchase 46 Sandwich Road using \$2,271,409 in Free Cash, \$78,591 from Premium Debt Funds, and \$1,400,000 from the ARPA Funds. *Voted 5/0*

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### **8:45PM – ALLERTON STREET PARK**

Selectman Helm came on and gave a brief history of the dog park situation. He said we are in the process of impaneling a group to explore the concept of a dog park or dog parks in the Town of Plymouth. He said the previous attempt failed in West Plymouth so if anyone is interested in joining this group should contact Chris Badot in the Town Manager's Office. He said just send him your contact information and a short explanation about why you think you would be a good fit for this dog park group. He said this will be a slow process and could be a commitment for several years. He said a dog park is a very complicated endeavor and the goal of this Board is to get this done the right way this time so that we become the model that every other community looks towards.

Chairman Cavacco said there have been comments about dogs, kids, and fences being taken down, but she spoke with the Town Manager, and nobody is taking down any fences.

Selectman Mahoney asked what happened with the first group looking into creating a dog park in West Plymouth, to which Derek Brindisi said there was a group called the Friend of the Plymouth Dog Park that did most of the fundraising and they applied for a Stanton Foundation Grant to build this dog park, but the design of the dog park had issues, so the grant was denied. He said after that there was never a catalyst to get this project to continue to move forward.

Selectman Mahoney then asked about the ARPA Funds request earlier to refurbish the Allerton Street Park and asked what that was all about, to which Derek Brindisi said he reached out to our Parks Superintendent, Nick Faiella, and did a site visit and it was noticed that the park is worn out and needs some work. He said he asked Mr. Faiella what he thought it would cost to bring this park up to par and he estimated about \$300,000 which was based on other parks in Plymouth that have been restored. He said this would include landscaping as well as fencing and new playground equipment. He said they have not come to the Board yet to ask for this funding, but they are planning any mitigations for that park.

Selectman Bletzer said that we should be able to use CPC Funds for this park because that is exactly what those funds are for, to which Derek Brindisi said yes, we could absolutely use CPC funds, but the only difference is that we would have to go to Town Meeting in order to appropriate those funds where ARPA Funds we do not have to do that.

Karen Falcone came up and said she lives on Sever Street. She said she has talked to several of her neighbors of which some have kids, some have dogs, and some do not. She said they are all concerned about the removal of the gates. She said she came home on a beautiful Saturday afternoon and there was a group of thirteen-year-old boys running around riding their bikes and playing with squirt guns. She then asked who allowed those gates to be removed. She said when she called the town, she was told it is the parent's responsibility to watch their children. She said as a resident of that neighborhood she is petrified to drive by that area now since the gates have been removed. She said we need to rectify this right now to keep our kids and our dogs safe.

Derek Brindisi said that he has been to this park many times and he has had many conversations with the Animal Control Officers. He said the times that he has been there several dogs have been running around the park unleashed. He said the animal Control Officers have confronted many of the dog owners and it has been very confrontational. He said they have issues verbal warning and on one occasion had to issue a citation as well. He said one person actually would not give their name in order to issue a citation. He said in order to try to mitigate dogs running loose around the park and violating the Town's bylaws the Parks Department took the gates down so that dog owners wouldn't let their dogs run around loose. He said it was more of a response to irresponsible dog owners.

Lindsay Bascom came up and said she lives on Miller Drive. She said she is the mother of two young children and a realtor. She said she is also part of a small group of neighbors that meet up at the Allerton Street Park from 8:00am to 9:00am each morning for the past two and a half years to enjoy coffee and conversation while their dogs socialize with one another. She said this has led to complaints and several interactions with Animal Control Officer Anzalone and park visitors. These interactions have become increasingly personal in nature, increasingly tense, and increasingly unprofessional. She said things have gotten completely out of control for no reason. She said she hopes that through these discussions we may arrive at a place where all neighbors can enjoy fair and equitable access to the neighborhood park. She said she was asked by this group to be the speaker tonight, but she wanted to assure the Board that they are all equally as passionate about this issue.



Ashley Shaw came up and said she lives in this area and while Plymouth has made strides in making their parks inclusive to all people, but we have left out one group and that is people with children who elope. She said many of our parks in Plymouth are not fenced and the presence of dogs in a fenced in park creates an atmosphere where you would not want to bring your children to play among unleashed dogs. She said she is not against dogs and thinks that having certain hours to restrict this issue is a good idea. She said there are limited places where parents of children that flee without stopping can enjoy. She said she did meet with Nick Faiella, and he graciously took her input and is working to get Stephen's Field fully fenced in, but the Allerton Street Park was one of the only parks that was already fully fenced, and we can't use it because the gates have been removed. She said she feels that there needs to be immediate action taken to restore the fencing around this park. She said maybe they can divide the park into two separate areas for children and for dogs. She said there needs to be a resolution where people feel safe bringing their children to the park and where people are abiding by the bylaws set forth by the Town of Plymouth.

Heather Finlay came up and said she lives at 41 Samoset Street. She said she used to bring her children to this park and now bring her grandchildren and she does understand the concern about children and dogs playing in the same area but said that this dog group is at the park at 8:00am and there are never any children there at that time. She said she is not sure about other times of day but while they are there, she hasn't seen any children in the park. She said this is a very unused park and she feels that this has gotten way out of hand. She said that she wished that if a neighbor had an issue with their group, she wished they had come out and spoken with them rather than call the police because this has created so much hostility among everyone involved. She said their group is very respectful of the park and always clean up after themselves and doesn't understand what the issues are anymore. She said there are several other parks that have small dog groups that meet up and there aren't any issues there, so they don't understand what the issues are with this park.

Jim Emmett came up and said this group here tonight is the group that is there in the morning, but we are not here to call anyone out. He said this park is misused frequently and is now overrun by dogs. He said there is a leash law in place, and we all know that these dogs are off leash frequently if not most of the time. He said the grass has been destroyed by these unleashed animals. He said he has complained to Animal Control because barking dogs everyday at 8:00am has become a problem. He said this park has always been designated as a recreational area for children and the complaints have been going on for years about dogs. He said their neighbors complained for years and then gave up and stopped letting their children go to the park anymore because they were always getting hurt and jumped on by dogs. He said these people say that they clean up after their dogs, but you can pick up feces, but it never really goes away just like the urine. He said he has even seen dogs urinate on some of the playground equipment as well. He said there is a leash law, and it should be enforced. He said he has also witnessed some of the confrontations between Animal Control Officer's and the park visitors and he has heard Animal Control Officers called terrible names by park visitors, and some of them are sitting here tonight. He supports the removal of the gate because it curbs the dogs running loose. He said he has seen efforts by some of the people that are here tonight to put up temporary fencing when they come to the park. He said there are plenty of other parks that do not have any fencing and there are not any children dying in the streets, so he doesn't see the issue with keeping the gates out of this particular park in order to control the dogs running loose. He then asked the Board to support the Animal Control Officers, the leash law, and asked that the park be brought back to what it used to be which is a playground for children.

Jen Luzinski came up next and said that dogs have always been allowed at the Allerton Street Park as long as they are leashed. She said the off-leash issue didn't appear until the Animal Control Officer showed up because of other complaints such as noise complaints but there is no noise ordinance after 7:00am so that shouldn't be an issue.

John Finlay came up and said there are other parks in town that away from the street, but this seems to be common sense. This street is dangerous so taking those gates down was a huge mistake. He said if a five-year-old little kid wanders outside the gate and gets hit by a car you will lose your ARPA Funds because someone will have a lawsuit against the town.

Chairman Cavacco said she had already discussed playgrounds and fencing with Ashley Shaw, and we want our kids to be in a secure area, but she doesn't quite know the correct answer for this situation. She said we could add a fence to make two separate secure areas for children and for dogs. She then said one thing she always tells people is to never invite the government into your life because they have to follow the rules. She said if there is a leash law then we cannot turn a blind eye to that law. She said she understands this is emotional with your furry friends, but it is just as emotional for those with young children. She then said she has no problem putting the gates back up, but we need a solution for the dogs because she doesn't want to see neighbors fighting over something like this.

Derek Brindisi said first and foremost we have to enforce the laws and he has gone out to this park on several occasions and there have been dogs off leash when they should be leashed. He did say that the Animal Control Officer did say that things have gotten better with dogs being leashed but she wouldn't have to be there if everyone kept their dogs leashed. He said we will continue to enforce the law and issue citations until everyone starts following the rules. He said removing the gates was a hopeful mitigation strategy and the gate is at the far end of the park far away from the playground area, so it is not directly on the street. He said young children would have to travel a good fifty yards to get through the opening where the gate was. He said we would be happy to put the gates back as long as All of our residents would abide by the leash law and keep their dogs restrained.

Selectman Helm said we all make decisions that turn out to be incorrect and he thinks we should correct the mistakes that we have made. He said it is clear that most of these people on both sides do not like that the gates were removed so he would be in favor of putting the gates back on. He then said that there is a leash law and said if anyone wants to change that bylaw there is a procedure for submitting a citizen's petition and anyone is welcome to do that but for now all dogs need to remain leashed. He said until then, he suggests that we replace the gates and trust that everyone will keep their dogs leashed. He said like Ronald Reagan once said, we must trust but verify.

Derek Brindisi said it has been reported and verified by Park Staff that when the gate was taken down dog owners brought their own fencing in order to be able to let their dogs run loose and not run out through the gate opening. He said they will be happy to do what the Board would like them to do but he wanted everyone to know what has been occurring.

Karen Reid came up and said she lives at 9 Allerton Street. She wanted to make them aware that the gate that comes into the park near the playground is missing a latch and that gate swings back and forth and that is a danger to the kids, to which Derek Brindisi said they will absolutely have the Parks Department go out and repair that latch.

Chairman Cavacco said there has to be some sort of resolution but for now everyone has to keep their dogs leashed at all times. She said we can't turn a blind eye to the laws that we have nor can our staff, so she asked everyone to please follow the rules.

Jim Emmett came back up and said he respectfully disagrees with Selectman Helm because taking down that gate was a mitigating factor otherwise efforts wouldn't have been made to circumvent it. He said he also agreed with Derek Brindisi about the location of the gate. He said it is on the far side on the sever Street Extension which is a small dead-end street. He said there is not a lot of traffic at all near that gate and putting back the one mitigating factor seems like we would be going in the wrong direction.

Selectman Helm said this group has committed to leashing their dogs and we have to take them for their word, to which Jim Emmett said he is not addressing this specific group here tonight. He said there are other groups that come to the park from 8:00am to 8:00pm and bring their dogs as well.

Chairman Cavacco said when it comes to the safety of the children then she stands behind her decision to put the gate back where it was, and we can deal with the other issues as they arise by enforcing the leash law.

Carlos Mendes came up and said he lives at Allerton Street. He said this person calls the police four and five times just because people are in a public park with friends for just one hour. He said they also called Animal Control and the Gaming Commission who showed up armed. He then said he is the gentleman that didn't give the Animal Control Officer his name because if you read the police report it said when they arrived with the animal Control Officer every dog was on a leash. He said he has the right to bring his dog to that park while on a leash, so he doesn't understand why they wanted to give him a citation. He said if you want to talk about the laws then go to that park and look at the illegal parking. He said the gentleman that called the police allows his son to park there illegally.

Selectman Helm said he has been to that park many times and dogs have been off their leashes. He said it is against the law in Plymouth to have unleashed dogs. He said that is what we are addressing and what we are asking you to address tonight. He said this is an issue that goes on throughout the day because he has been there in the morning and the afternoon, so it is not just one specific group. He said we are attempting to come to a resolution on this while the Dog Park Committee sets plans for a place where you can bring your dogs off leash.

Selectman Mahoney said he supports putting the gate back up and enforcing the leash law throughout the day. He said he would also like a back history on what happened with the West Plymouth Dog Park Plans in the next Town Manager's Report. He said he agrees we need one or two good locations for one or two dog parks, but he would like to know if the West Plymouth location is still viable and if not, what happened.

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## **9:51PM – BEACH AND POND PARKING**

Chairman Cavacco said in the Board's packet there is a proposal from Pilgrim Security and Consulting LLC for helping our Police Department maintain order at some of our ponds and beaches. She said one of the reasons why we are moving forward with this is because our police force is down twenty-four officers at the moment, and they are being stretched thin. She said that we all know that White Horse Beach and some of ponds have been problematic with the lack of enforcement. She said this is exactly why we implemented our first parking sticker program down at White Horse Beach. She said Tim Norris is here from Pilgrim Security and he did put a proposal together and she said that after we have some discussion, she would like to move forward with putting this program into place so that they can start helping our Police Department out and begin doing all of the ticketing at some of our beaches and pond areas that have been problematic as far as parking goes.

Tim Norris came up and thanked the Board for having them in tonight. He said he submitted this proposal to assist with ticketing at White Horse Beach and some local ponds. He said currently we have been working with the town to provide some crossing guards at some of the schools in Plymouth. He thanked the Board for this opportunity.

Chairman Cavacco said that the proposal estimates for the summer months came out to \$31,932 which would relieve our police officers from ticketing and allow them to concentrate on public safety.

Selectman Bletzer said he knows you have done a lot of work for the Town and asked him to give a little background on his law enforcement experience, to which Tim Norris said he has been working in security for the last thirty years. He said he was also a probation officer and the acting Police Chief here in Plymouth for four years upon retirement. He said the last four years he has done work for the Town of Plymouth with crossing guards as well as helping out with the Covid Ambassadors during the height of the pandemic. He said his staff has a great history of working with the town which he feels is an asset.

Selectman Mahoney asked if this had to go out to bid or could we simply award this proposal to this company and he also asked about the need for collective bargaining, to which Derek Brindisi said anything less than \$50,000 requires we get three quotes so we would need to look at that moving forward. He then said as far as the unions go, we would certainly engage with the union president and the membership to talk about our need to hire an outside firm to do this work. He said given the fact that there is a lack of manpower on the police force he can't imagine that they will have a problem with this proposal.

Chairman Cavacco said she has already spoken with them, and they do not have a problem with this at all. She said they actually asked for the help last year, but we can certainly sit down and have a formal conversation with them before implementing this proposal.

Selectman Mahoney said besides the White Horse Beach area what are some of the other trouble spots, to which Chairman Cavacco said there is Fresh Pond, Morton Park, and White Island Pond to name a few. She said they created a Beach and Pond Committee to address and identify these trouble spots and we are using the White Horse Beach footprint to take a look at these other areas in town to address these issues.

Selectman Mahoney asked if anyone would be armed, to which Tim Norris said no one will be armed and that they would strictly be enforcing the parking rules. He also said he would follow whatever direction the Select Board gives them moving forward.

Derek Brindisi said another issue that we would have to look into is the funding because we do not have an appropriation right now for this service in the operating budget. He said this would need to go before the Advisory and Finance Committee and their next scheduled meeting is on July 13<sup>th</sup> to request a reserve fund transfer. He said we could potentially ask them to meet earlier as we would like to have this in place prior to the fourth of July, to which Ashley Shaw came up and said that June 15<sup>th</sup> is the next meeting for the Advisory and Finance Committee because they would like to meet one more time before the June 21<sup>st</sup> Special Town Meeting.

On a motion by Betty Cavacco and seconded by Harry Helm, the Board voted to direct the Town Manager to move forward with the process of acquiring two more bids from qualified companies for Security and Ticketing Services for the White Horse Beach Parking District as well as other various Beaches and Ponds in Plymouth. *Voted 5/0*

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## **10:02PM – TOWN MANAGER’S REPORT**

### Way Finding Initiative

Derek Brindisi, Town Manager, came on and said he meets every Tuesday morning with staff to try and get some updates on issues within our town. He said one of the issues are the Way Finding Signs that are old and outdated. He said they are starting to work on replacing many of the old worn signs with new ones mounted on granite slabs.

### Board of Health and Department Award

Derek Brindisi said that tomorrow morning the South Shore Community Partners in Prevention will be recognizing the Board of Health as a whole and Health Director Karen Keane for tireless work over the past two years keeping our community safe during the pandemic. He said they had to make a lot of difficult decisions despite the political and public pressure to do things differently.

### CAL Express

Derek Brindisi said that the Center for Active Living is having a ribbon cutting ceremony for their new CAL Express. He said the Senior Center received a \$5,000 grant from a private donor which was matched by another grant award. He said in conjunction with GATRA any senior can call the Cal Express phone number and reserve a ride to the Senior Center free of charge. He said a lot of our seniors were homebound during covid and isolated socially, so this is an effort to get them back out into the community.

### ARPA Award

Derek Brindisi said that on June 22<sup>nd</sup> the County will be giving the Town an additional \$2,250,000 and will be used for the Airport Wastewater Plant Upgrade. He said this was due to an application that was submitted by our Finance Director, Lynne Barrett, and our DPW Director, Jonathan Beder. He said there will be a press conference on June 22<sup>nd</sup> at 2:00pm and all are invited to attend along with our state and local delegation.

### FORWARD Act

Derek Brindisi said this FORWARD Act is state legislation and is approximately \$3.7 billion dollars which will help the state recover from the affects of covid. He said this will affect all 351 municipalities in Massachusetts and Plymouth will be getting about \$4.3 million dollars of these funds. He said some of the projects that will benefit form these funds will be improvements to the parking lot and stormwater system in Plymouth Harbor, land acquisition around Myles Standish State Forest, Jenny Grist Mill and Coastal Infrastructure Projects, and the Oak Street School Affordable Housing Project.

### Operational Updates

Derek Brindisi said so far this year at White Horse Beach there have been 110 parking citations and only one arrest, so we are off to a good start. He said the Police Chief said things are going well and with the new security company things will only get better. He then talked about the graffiti issues and said they have identified a teen that has admitted to tagging a number of our public spaces like the parking garage and the murals at Brewster Gardens. He said unfortunately there has been new graffiti found this week and they will continue to address this growing problem. He then said we have ten utility boxes that are set to be wrapped with artwork around town over the next month or so. He said Procurement is very busy with several open bids. He said some of the open bids are the Water Street Sewer Interceptor, Public Works Materials, Watermain Replacement on two Bridges, 0 Spooner Street, the Airport Wastewater Treatment Plant, the Manomet Pressure Zone Project, and the Fire Station 2 Phase 2 Construction Project.

Derek Brindisi said he has been doing a weekly show on PACtv called “This Week in Plymouth” and on yesterday’s show he was joined by Chairman Cavacco. He said they had a lively discussion about all of the things happening in town. He said if any other Board Members would like to join him on an episode there is always plenty to talk about. He then said that in future Select Board Meetings he will have the DPW Director come in and give and update on Brook Road and the Brook Road Bridge Project and the Building Commissioner to talk about inline permitting.

#### ARPA Fund Projects

Derek Brindisi said he met with Department Heads and compiled a list of projects that they would like to use ARPA Funds for which consist of the following:

- Jenny Pond Dam	\$500,000
- Veteran’s Park Renovations	\$1,000,000
- Allerton Street Park	\$300,000
- Dispatch Infrastructure	\$2,000,000
- Town Hall Data Link	\$100,000
- Memorial Hall Design Work	\$300,000
- Total	\$4,100,000

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### **10:11PM – NEW BUSINESS / LETTERS / OLD BUSINESS / OPEN DISCUSSION**

She said they are changing up the agenda a little bit. She said when the agenda is posted each agenda item will have a hyperlink and, in that hyperlink, will be all of the information needed for that specific agenda item with the exception of the Executive Session materials. She said this will be very transparent and everyone will get the same information that the Board gets at the same time. She said we are also going to try to post the agendas earlier than the 48-hour requirement.

Derek Brindisi said the goal is to not have to great the large PDF files for the packets and just use hyperlinks that will contain all of the backup information needed for each item. When the agenda is posted to the website then everyone in the community will see that backup materials if they wish to. He said there is some really nice software that he believes the School Department is using right now that will work nicely for this. He said there will be some training involved so it may take a little time before we have that up and running.

Selectman Mahoney said about two years ago we had a young woman in that was going to Bridgewater State University and was a Plymouth South High School graduate. He said she won a Division Three National Championship for Track. He said about a week ago she wrapped up her Track career at Bridgewater State University and she is the most decorated athlete in the history of the University. Her name is JC Andrews, and she won the All American six times during her career which is remarkable. He said she is a textbook example of what a student athlete is, and he wanted to give her a shoutout and congratulate her.

Selectman Mahoney then said that in fourteen days we will be having a Special Town Meeting and apparently it will be held entirely remote. He said currently Massachusetts has about 600 to 700 covid hospitalizations so if those numbers hold steady would it be realistic to say we will be back to in-person Town Meetings in October, to which Derek Brindisi said outside of pending legislation he would think yes, we would be back in-person. He said the Governor’s Order expires on July 15<sup>th</sup> and if that is not going to be extended then there would be no legal ability to conduct the Town Meeting virtually so we may not have a choice.

Derek Brindisi then said that Article 2 of the Special Town Meeting is a home-rule petition to create legislature allowing for a hybrid Town Meeting format. He said we would be able to decide to hold our Town Meeting in-person, virtually, or hybrid if this were to pass. He said this could take up to six to twelve months to pass so it probably wouldn't affect this October's Town Meeting directly, so we are trending towards an in-person meeting then.

Selectman Helm said that on several occasions the Town Moderator stated that he has the final say so is that the truth, to which Derek Brindisi said under the pre-covid statute the Town Moderator has the ability to delay Town Meeting under an emergency. He then said the Town Moderator can use covid as the emergency. He said under the home-rule petition if that passes then it would still be under the Town Moderator's power to decide what type of Town Meeting will be held after he came to the Select Board with his recommendation.

Chairman Cavacco said that the legislation regarding the Holtec PILOT was heard in the House of Representatives today and she was trying to get updates all day through our Representative Matt Muratore. She then read what his response was into the record as follows: *I just want to give you a heads up that the Revenue Committee is pulling out the home-rule favorably. H4768 and act providing certain payment in lieu of taxes agreement with the owners of Pilgrim Nuclear Power Plant in the Town of Plymouth, poll closes tomorrow at 4:00pm. If it comes out favorably tomorrow, then it moves on to the House Ways and Means Committee.* Chairman Cavacco said this is really great news and this has moved very quickly as well which is promising. She said that Representative Muratore was optimistic that this legislation would pass in the affirmative.

Vice Chairman Quintal said he is very interested in reaching out to Kate Sekerak and getting more information on the Bradford Street situation. He said he is also interested to see what everyone's concerns are and how the whole process has progressed working with the Planning Department and the developer.

Vice Chairman Quintal said he would also like to reach out to Birgitta Kuehn, the Chair of the Planning Board, to get an update on the Water Street Condos and talk about expanding the Historic District in this community. He said until we address this issue then this development will continue to happen. He said he would like to start there and report back to the Board with what transpired. He said it is time to start having these conversations because things like parking is never addressed with these projects. He said he sat on the Plymouth Growth and Development Committee with Selectman Bletzer, and they put these huge developments up without any parking. He said these developments should be mandated to have a plan for parking and to execute that plan. He said we need to look into what we can do to try and make changes with these issues.

Vice Chairman Quintal then said he sees Lea Filson is here in the audience and he would like to get her on an upcoming agenda to give an update on the Ride Circuit. He said it is such a great addition to Plymouth and is much needed so he would like to talk about it formerly and see what our options might be to expand on that service. He said there are still many residents that aren't aware of this free service so he would like to get the word out there

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### **10:23PM – PUBLIC COMMENT**

Steve Bullock came up and said he was informed tonight that he will be getting some answers on some questions that he asked three weeks ago which is great to hear. He said the last time he was in he talked about dockage and since then he went down to the harbor and found out that Charter Boat Row is not for fifteen-minute tie ups.

Steve Bullock then said the only area that has fifteen-minute tie ups is where the launch runs out of which is inadequate with the number of boats that are in Plymouth Harbor. He said we have about thirty feet of dock for fifteen-minute tie up and said we actually lost dockage to the Harbor Masters for their personal boats. He said they didn't have the funding to do what they wanted to do so they took dock space from us which is unacceptable.

Chairman Cavacco asked if he brought this to the attention of the harbor Committee, to which Steve Bullock said the Harbor Committee doesn't meet until after the Fourth of July but nothing gets done anyway. He said it has to happen right here at this meeting. He said you guys have to tell them what to do because they do whatever they want.

Chairman Cavacco told the Town Manager that she would like to have this conversation at an upcoming meeting. She also said she will bring this up to the Harbor Committee, to which Steve Bullock said that is great but they won't do anything until after the Fourth of July. He said there are so many visitors that would like to come to Plymouth, but the Town loses out on hundreds of thousands of dollars because there is no place to tie up.

Chairman Cavacco asked if he had a suggestion on where the tie ups could be, to which Steve Bullock said he thinks they should put the t-dock back in where the launch runs out of, to which Chairman Cavacco said she agrees. Steve Bullock said he knows several members of the Harbor Committee and removing that t-dock was not a decision made by them.

Chairman Cavacco said she will talk with the Town manager tomorrow and try to find out why this is happening in the harbor and get back to you when they find out. She said there was a certain configuration of docks where the launch is.

Derek Brindisi said we can certainly look into this. He said the last time there was a conversation about the layout of the harbor the Harbor Master said that the layout was approved by the Harbor Committee a few years ago so he would like to believe that the Harbor Committee had input on the layout of the dockage, but we will follow up with that and someone will get back to you with what we find out.

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## 10:30PM – LICENSES AND ADMINISTRATIVE NOTES

### LICENSES

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve a One Day Wine and Malt License for **Holy Ghost Society of Plymouth** for the Holy Ghost Festival being held on July 17, 2022 from 12:00pm to 6:00pm at their pavilion. *Voted 5/0*

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve a One Day Wine and Malt License for **Brews and Cips LLC** for a Private Event being held on June 10, 2022 from 5:00pm to 7:00pm at the Stonebridge Club in Pinehills. *Voted 5/0*

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve a One Day All Alcohol License for the **Plymouth Public Library Foundation** for a Dinner Event being held on August 28, 2022 from 3:00pm to 10:00pm at the Library. *Voted 5/0*

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve an Amplified Music Permit for **Holy Ghost Society of Plymouth** for a DJ for the Holy Ghost Festival being held on July 17, 2022 from 12:00pm to 6:00pm at their Pavilion. *Voted 5/0*



On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve an Amplified Music Permit for the **Plymouth Youth Soccer Association** for a Soccer Tournament being held on June 18, 2022 from 10:00am to 5:00pm at Forges Field. *Voted 5/0*

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board vote to approve a request for Temporary Outdoor Dining for **Lynruba Corporation d/b/a Sandy's** for four picnic tables on the right side of the building and tables between the restrooms and sea wall on the left side of the building. *Voted 5/0*

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve a New Vehicle for Hire Operator License for **Special Occasion Limousine**, Diane Dockery as Manager, for the following: *Voted 5/0*

- Lynn Walker, 44 Davis Street, Plymouth, MA

### ADMINISTRATIVE NOTES

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve the Open Meeting Minutes from the March 22, 2022 Select Board Meeting.  
*Voted 4/1 Cavacco-Yes, Quintal-Yes, Helm-Yes, Bletzer-Yes, Mahoney-Abstain*

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve the re-painting of the Pride Crosswalk on Water Street as previously voted. *Voted 5/0*

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve a Temporary Agreement between the Town of Plymouth and the Mayflower Meeting House for the use of about twenty-five square feet of property on Burial Hill in order to install a new transformer. *Voted 5/0*

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve and authorize the application for, and acceptance for, grant funds in the amount of \$197,340 through the Massachusetts Department of Transportation's Shared Streets & Spaces Grant Program for the implementation of traffic calming measures on Standish Avenue and Sandwich Street. *Voted 5/0*

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve and authorize the application for, and acceptance for, grant funds in the amount of \$48,500 through the Massachusetts Department of Transportation's Shared Streets & Spaces Grant Program for the purchase and installation of traffic calming and pedestrian safety equipment on multiple streets including Samoset Street and Clark Road. *Voted 5/0*

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve and authorize the application for, and acceptance for, grant funds in the amount of \$28,000 through the Massachusetts Department of Transportation's Shared Streets & Spaces Grant Program for the purchase and installation of traffic calming and pedestrian safety equipment on Summer Street. *Voted 5/0*

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve and authorize the application for, and acceptance for, grant funds in the amount of \$33,117 through the Massachusetts Interlocal Insurance Association's FLEX Rewards Grant Program for the purchase of safety and loss control equipment for multiple departments. *Voted 5/0*

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve and execute a five-year Host Community Agreement with Healing Gardens LLC for the operation of a licensed Marijuana Cultivation and Product Manufacturing Facility located at 19 Richards Road in Plymouth. *Voted 5/0*

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve and execute a five-year Host Community Agreement with Two Seven Plymouth, Inc for the operation of a licensed Marijuana Retail, Cultivation, and Product Manufacturing Facility located at 27 Robert J. Way in Plymouth contingent upon the finalization of a business agreement that will formally terminate any affiliation between Two Seven Plymouth, Inc and CannaVana, Inc. *Voted 5/0*

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to waive the fifteen-day veto period per Section 3-5-1 of the Town Charter and confirm Kelly McElreath as the New Town Clerk. *Voted 5/0*

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**10:31PM - COMMITTEE LIAISON / DESIGNEE UPDATES**

None

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**10:32PM - ADJOURNMENT**

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to adjourn the Open Session at 10:32pm.

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

**Recorded by:** Christopher Badot

*Administrative Assistant, Board of Selectmen*