

# PLYMOUTH SELECT BOARD

THURSDAY, SEPTEMBER 8, 2022

GREAT HALL, TOWN HALL, 26 COURT STREET, PLYMOUTH, MA – 5:00 PM  
HYBRID PARTICIPATION IN-PERSON OR VIA ZOOM WEBINAR

---

## 5:00 PM - CALL TO ORDER

Betty Cavacco, Chairman of the Board, called the meeting to order at 5:00 p.m. She then called for an Executive Session.

In accordance with S2475, and pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted via remote means and in person. Members of the public who wish [to watch the meeting may do so](#) in the following manner: tune into PACtv government cable access channels Comcast Channel 15 or Verizon Channel 47 and watch the meeting as it is aired live, or watch the meeting live on 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  
John Mahoney Jr.  
Harry Helm  
Charlie Bletzer  
  
Derek Brindisi, Town Manager  
Brad Brothers, Assistant Town Manager

---

## 5:00 PM – EXECUTIVE SESSION

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

❖ Town Manager’s Contract Negotiations

---

## 6:00 PM – BACK TO OPEN SESSION

Chairman Cavacco called the meeting back to order in Open Session at 6:00 p.m.

---

## 6:00 PM – PUBLIC HEARING – SHIKKU HOT POT AND NOODLE BAR

- Early Sunday Sales (10:00 a.m.)
- Comprehensive Entertainment (Group 1 - Radio, TV)
- Common Victualler

Chairman Cavacco read the Public Hearing notice into the record 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 Plymouth Town Hall, 26 Court Street Plymouth, MA on Tuesday, August 16, 2022, at 6:00 p.m. to consider the issuance of an All Alcohol License for Shikku Corp d/b/a Shikku Hot Pot and Noodle Bar, 18 Court Street, Patricia Cho. Description of the premises will be as follows: 1100 square feet of the dining area which includes a commercial kitchen on the ground floor. There will be seating on the ground floor and additional seating on the lower level to accommodate larger groups. Part of the lower level will be used as a prep station and storage and there will be a restroom on the same floor for customers to use.

Ms. Cavacco noted that during the August 16, 2023 meeting, Shikku Hot Pot changed the layout of their restaurant, and the changes would have to be brought before the Board again to be approved.

On a motion by Charlie Bletzer and seconded by Harry Helm, the Board voted to approve Shikku Hot Pot and Noodle Bar All Alcohol License.

*Voted 4/0. Mr. Helm, Yes; Mr. Mahoney, Yes; Mr. Bletzer, Yes; Ms. Cavacco, Yes.*

---

## **LICENSES AND ADMINISTRATIVE NOTES**

On a motion by Mr. Helm and seconded by Mr. Bletzer, the Board voted to approve the Permits and Administrative Notes as a group.

*Voted 4/0. Mr. Helm, Yes; Mr. Mahoney, Yes; Mr. Bletzer, Yes; Ms. Cavacco, Yes.*

### Permits

**Mark Walter/Sun Multisport Events**, 54 Beechnut Road, is requesting an Amplified Music Permit for a triathlon on September 17, 2022, from 7:00 a.m. to 4:00 p.m. at College Pond on Lower College Pond Road in Myles Standish State Forest.

### ADMINISTRATIVE NOTES

1. The Board will vote to revoke the Policy on Town Website Advertisements.
2. The Board will vote to execute an Aquaculture License Agreement with Sean Withington of 1 Massasoit Street for the use of a 3.75-acre area within Plymouth Harbor for a term of ten (10) years commencing on January 1, 2023, and terminating on December 31, 2032.
3. The Board will vote to execute an Aquaculture License Agreement with John Reynolds of 4 Robinson Street for the transfer and use of a 2-acre area within Plymouth Harbor for the remainder of a ten (10) year term commencing on September 9, 2022, and terminating on April 26, 2029.
4. The Board will vote to execute an Aquaculture License Agreement with William Marani of 253 Standish Avenue for the use of a 1.432-acre area within Plymouth Harbor for a term of three (3) years commencing on September 9, 2022, and terminating on September 8, 2025.
5. The Board will vote to approve and affirm the decision of the Designated Dog Hearing Officer with regard to a Complaint of Dangerous or Nuisance Dogs filed

against the owner of a dog harbored at 112 Wareham Road as outlined in the Hearing Minutes and Decision.

6. The Board will vote to approve and affirm the decision of the Designated Dog Hearing Officer with regard to a Complaint of Dangerous or Nuisance Dogs filed against the owner of dogs harbored at 82 Lake Road as outlined in the Hearing Minutes and Decision.

---

## **PUBLIC COMMENTS**

Patricia McCarthy, Precinct 18, asked if she should speak during Public Comment, or when the Board discusses the 2022 Fall Town Meeting Articles. Ms. Cavacco requested that she speak during the Town Meeting Articles agenda item.

---

## **2022 FALL TOWN MEETING ARTICLES**

### Article 22 (Citizens Petition – Horse Racing)

The Article 22 petitioner was not present during that time.

On a motion by Mr. Mahoney and seconded by Mr. Bletzer, the Board voted to table Article 22 until the September 13, 2022 Board meeting.

*Voted 4/0. Mr. Helm, Yes; Mr. Mahoney, Yes; Mr. Bletzer, Yes; Ms. Cavacco, Yes.*

### Article 19 (Increased Parking Fines)

Mr. Brindisi described the Home Rule Petition to increase parking fines. Mr. Brindisi stated that the current statute does not allow parking fines to be increased by more than \$50.00. Mr. Brindisi requests that the Board allow the Town to increase parking fines up to \$150.00. Mr. Brindisi noted that concerns regarding overcrowding at recreation areas have drawn concern from nearby residents. Mr. Brindisi stated that the Advisory and Finance Committee did not vote to approve Article 19. Mr. Brindisi stated that if Town Meeting passes Article 19, the plan would be to create parking districts near the Morton Park and Fresh Pond areas. Mr. Brindisi stated that if the parking districts were approved, then beach stickers would be required for those areas. Mr. Brindisi stated that fines could apply up to \$150.00.

Ms. Cavacco stated that the increased parking fines would make it disadvantageous for people to carpool and pay the current fine rate. Mr. Bletzer stated that it is not a money grab, Article 19 is to deter illegal parking in residential neighborhoods.

Mr. Mahoney stated that Plymouth Growth & Development Corporation is a quasi-public entity that generates revenue and collects the revenue within the development zone. Mr. Brindisi stated that for anything beyond the development zone, PGDC processes the ticket, holds an appeal, and the Town pays PGDC a 25% fee based on the ticket price, and the remaining 75% goes into the General Fund.

Mr. Mahoney asked Mr. Brindisi if the Board has the final decision to approve any parking fine rate increases. Mr. Brindisi stated that is the case. Mr. Mahoney noted that residents may be concerned with the parking fine increase due to overall higher inflation. Ms. Cavacco stated that the current fine ceiling is \$50.00, and the Board would have to approve a fine increase once parking districts are created.

Ms. McCarthy stated that she was in support of the concept. Ms. McCarthy stated that she would recommend a town parking committee. Ms. McCarthy had logistic concerns regarding

what streets would be included within a proposed district. Ms. Cavacco stated that the White Horse Beach Parking District is a model template for new parking districts to be implemented.

On a motion by Mr. Bletzer and seconded by Mr. Helm, the Board voted to recommend Article 19 for the 2022 Fall Town Meeting.

*Voted 4/0. Mr. Helm, Yes; Mr. Mahoney, Yes; Mr. Bletzer, Yes; Ms. Cavacco, Yes.*

#### Article 21 (Home Rule Petition for Election in November)

Mr. Brindisi stated that Article 21 would take the Town Election in May and move it to November. Mr. Brindisi described the rationale for the article regarding increasing voter turnout in Town elections. Mr. Brindisi stated that larger communities have November local elections, which increase civic engagement. Ms. Cavacco stated that she was in support of Article 21 and has been in contact with the current Town Clerk. Ms. Cavacco stated that if Article 21 passed, it would not be implemented until 2025.

Kelly McElreath, Town Clerk, stated that there is precedent in other Towns to have Town Meeting members elected every two years. Mr. Helm asked if this would conflict with the Town's Charter.

William Abbott, Charter Commission Chair, stated that the proposed Town Charter will be on the May 2023 Town Election ballot. Mr. Abbott stated that he believes the proposed Charter and the Article could not coincide together. Mr. Abbott stated that he does not recommend Article 21 to the Board.

Lawrence Pizer, Former Town Clerk, Precinct 3 Member, and Charter Commission Vice Chairman stated that Article 21 is flawed. Mr. Pizer stated that in Representative Town Meeting towns under Massachusetts General Laws, Chapter 43A, Section 4 registered voters of each precinct shall elect town meeting members for a term of three years.

Mr. Brindisi noted that the Town of Saugus has a representative town meeting form of government and the Town of Saugus votes in November. Mr. Brindisi stated that Special Acts can be enacted if it is beyond the scope of a statute. Mr. Brindisi stated that Town Counsel vetted Article 21.

On a motion by Mr. Bletzer and seconded by Mr. Helm, the Board voted to withdraw Article 21 for the 2022 Fall Town Meeting.

*Voted 4/0. Mr. Helm, Yes; Mr. Mahoney, Yes; Mr. Bletzer, Yes; Ms. Cavacco, Yes.*

#### Article 15 (Establish Speed Limit)

Jonathan Beder, Director of the Department of Public Works described Article 15 which would give the Board the authority to implement a 25-mile-per-hour speed limit in thickly settled zones.

On a motion by Mr. Helm and seconded by Mr. Bletzer, the Board voted to recommend Article 19 for the 2022 Fall Town Meeting.

*Voted 4/0. Mr. Helm, Yes; Mr. Mahoney, Yes; Mr. Bletzer, Yes; Ms. Cavacco, Yes.*

#### Article 4 (Capital Recommendations)

Lynne Barrett, Finance Director stated that Article 4 includes any capital items and items that do not meet the threshold of the Town's Capital Improvement Bylaw. Ms. Barrett described three projects that do not fall under the purview of the Capital Improvements Committee.

Mr. Mahoney asked Mr. Beder to describe the larger capital improvement request, the Water Street Interceptor Project. Mr. Beder stated that the project will remove hydraulic constraints in the Manomet pressure zone, which has significant amounts of undersized piping. Mr. Beder stated that the undersized piping would be increased to 12-inch and 16-inch water main. Mr. Beder stated that the firm capacity issues that occur in the eastern pressure would be mitigated with the project. Mr. Beder stated that this project could go out to bid immediately after Town Meeting approval, with construction breaking ground in Spring 2023.

Mr. Mahoney asked if the same quality piping will be utilized for the project. Mr. Beder stated that everything is the same as the proposal, besides the additional costs of materials. Mr. Mahoney asked what the life expectancy of the pipes is. Mr. Beder said that the life expectancy of the proposed pipes will be over 100 years. Mr. Mahoney asked about the current constraints with the water system due to the ongoing drought. Mr. Beder stated that well levels are good considering the drought the Town is currently experiencing.

Ms. Barrett stated that the project in total is \$14 million, and \$3.8 million will be paid through the Economic Development Administration grant. Ms. Barrett said the rest would be borrowed under the Water Enterprise Fund, for over a 30-40 year period.

Mr. Mahoney asked Ms. Barrett to clarify how the Town will pay for the two fire trucks. Ms. Barrett stated that one is recommended to be paid by free cash and the other is recommended for borrowing. Ms. Barrett stated that the ladder truck is recommended for longer-term borrowing due to the life expectancy of the equipment.

David Gould, Director of Marine and Environmental Affairs described the Town Wharf Boat Ramp project. Mr. Gould stated that the boat ramp is located between the maritime building and the Lobster Hut restaurant. Mr. Gould stated that there is exposed rebar, and the grade of the ramp is narrow. Mr. Gould stated that the project is engineered and permitted. Mr. Gould stated that the project would dredge at the toe to extend and flatten the slope, replace the concrete ramp, and allow for additional piles and concrete floats. Mr. Gould stated that the Town requested \$1.0 million in funding for the project through the Seaport Council, Mr. Gould stated that the rest of the project would be funded under capital improvements funds.

On a motion by Mr. Mahoney and seconded by Mr. Bletzer, the Board voted to recommend Article 4 for the 2022 Fall Town Meeting.

*Voted 4/0. Mr. Helm, Yes; Mr. Mahoney, Yes; Mr. Bletzer, Yes; Ms. Cavacco, Yes.*

#### Article 3 (Unpaid Bills)

Ms. Barrett stated that there are seven invoices from various departments for various reasons. Ms. Barrett noted that this occurs every year.

On a motion by Mr. Helm and seconded by Mr. Bletzer, the Board voted to recommend Article 3 for the 2022 Fall Town Meeting.

*Voted 4/0. Mr. Helm, Yes; Mr. Mahoney, Yes; Mr. Bletzer, Yes; Ms. Cavacco, Yes.*

#### Article 6 (Elderly and Disabled Taxation Fund)

Mr. Brothers describes the formation of an Elderly and Disabled Taxation Fund. Mr. Brothers stated that a Committee needs to be formed to create thresholds and determines who would be recipient criteria and what would need to be submitted.

On a motion by Mr. Mahoney and seconded by Mr. Bletzer, the Board voted to recommend Article 6 for the 2022 Fall Town Meeting.

*Voted 4/0. Mr. Helm, Yes; Mr. Mahoney, Yes; Mr. Bletzer, Yes; Ms. Cavacco, Yes.*

#### **Article 7 (Withdrawn) (New Stabilization Fund – Opioid)**

#### **Article 20 (Withdrawn) (Parking Fine Fund)**

---

### **TOWN MANAGER’S REPORT**

#### State Election Update

Mr. Brindisi stated that the State Primary Election was successful.

#### Police Officer Recruiting Update

Mr. Brindisi was told by Representative Matthew Muratore that special legislation was passed for the Police Department to allow new Plymouth recruits to be up to 40 years old. Mr. Brindisi anticipates some of the open positions to be filled quickly because of the special legislation.

#### Graffiti

Mr. Brindisi has met with the Office of Community Development and has identified several property owners to work with to remove graffiti.

#### Formation of Downtown Merchants Association

Mr. Brindisi stated that the Plymouth Chamber of Commerce, Plymouth Foundation, and other business leaders have formed a Downtown Merchants Association.

#### 2022 Fall Town Meeting Location

Mr. Brindisi met with the Town Moderator to learn more about the Moderator’s plans for the 2022 Fall Town Meeting Location. Mr. Brindisi stated that the Moderator has plans to have up to five different rooms for Town Meeting, in which he plans to break out various Town Meeting members, staff, elected officials, and the general public. Mr. Brindisi stated that the Moderator may ask to be added to an upcoming Select Board agenda.

---

### **SELECT BOARD OPEN DISCUSSION**

Mr. Helm asked Ms. Cavacco to add an agenda item regarding the County Woodlot property.

---

### **ADJOURNMENT**

On a motion by Mr. Helm and seconded by Mr. Mahoney, the Board voted to adjourn the Open Session at 7:39 p.m.

*Voted 4/0. Mr. Helm, Yes; Mr. Mahoney, Yes; Mr. Bletzer, Yes; Ms. Cavacco, Yes.*

**Recorded by:** Anthony Senesi  
*Assistant to the Select Board/Town Manager*