

PLYMOUTH SELECT BOARD

TUESDAY, JANUARY 24, 2023

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

Richard Quintal Jr., Vice Chairman of the Board, called the meeting to order at 5:00 p.m. and asked Select Board Member, Harry Helm to read the opening statement.

In accordance with S2475, and pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted via remote means and in-person. Members of the public who wish [to watch the meeting may do so](#) in the following manner: tune into PACtv government cable access channels Comcast Channel 15 or Verizon Channel 47 and watch the meeting as it is aired live, or watch the meeting live the PACtv website at <https://pactv.org>. Members of the public who wish to PARTICIPATE in the meeting may do so in the following manner:

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

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

Present: Richard Quintal Jr., Vice Chairman
John Mahoney Jr.
Harry Helm
Charlie Bletzer

Derek Brindisi, Town Manager
Brad Brothers, Assistant Town Manager

PUBLIC COMMENTS

George McKay, Precinct 8, stated that the Select Board created a policy to set an early deadline for the submission of warrant articles. Mr. McKay said that the Select Board did not have any comments to the School Committee regarding not following a level service budget.

Katie Barnicle said that she is concerned with the estimate of costs of Allerton Street Park, and the feasibility of the project within the allocated budgeted amount. Ms. Barnicle said that the playground did not need to be demolished first at Allerton Street Park. Ms. Barnicle said that she is concerned with the ADA compliance of the playground and the potential chemicals in the rubber. Ms. Barnicle wants playground swings. Ms. Barnicle wants picnic tables and seating. Mr. Brindisi stated that he will meet with Ms. Barnicle to address her concerns.

LICENSES AND ADMINISTRATIVE NOTES

On a motion by John Mahoney and seconded by Charlie Bletzer, the Board voted to approve the Licenses and Permits,

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Bletzer-Yes, Quintal-Yes

LICENSES & PERMITS

1. The Board Gillis Restaurant Group, Inc., 6 Spring Lane, Brendan J Gillis, Manager is requesting a change of d/b/a from Lucioso's Pub to Gillis Family Tavern.
2. J James Auctioneers & Appraisers, Joshua Rioux, 190 Court Street is requesting a Special Auctioneer Permit for January 28, 2023, from 11:00 a.m. to 3:00 p.m.
3. South Shore Race Management, 124 Long Pond Road is requesting an Amplified Music Permit for the following dates and times for a DJ at a road race: May 7, 2023, from 8:30 a.m. to 10:30 a.m. November 23, 2023, from 7:00 a.m. to 9:00 a.m., December 1, 2023, from 5:00 p.m. to 8:00 p.m.

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

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Bletzer-Yes, Quintal-Yes

ADMINISTRATIVE NOTES

1. The Board will vote to recommend 2023 Annual Town Meeting Article 2, reports of Boards and Officers and Committees of the Town.
2. The Board will vote to recommend 2023 Annual Town Meeting Article 3, FY2024 Revolving Fund Spending Caps.
3. The Board will vote to recommend 2023 Annual Town Meeting Article 4, Town Meeting Committees.
4. The Board will vote to recommend 2023 Annual Town Meeting Article 6, Salaries of Elected Officials.
5. The Board will vote to recommend 2023 Annual Town Meeting Article 12, Chapter 90 Roads Program.
6. The Board will vote to authorize the Town Manager to execute a Residential Lease 29 Manomet Point Road, Unit 301.
7. The Board will vote to authorize the Town Manager to execute a Residential Lease 29 Manomet Point Road, Unit 302.
8. The Board will vote approve and execute a Purchase and Sale Agreement for the Town of Plymouth between the Roman Catholic Archbishop of Boston for the portion of the property, approximately 19,196 square feet of land, known and numbered as 811 State Road.
9. The Board will vote to approve and execute the Local Initiative Program for Local Action Units for Valle Redbrook LLC.
10. The Board will vote to approve and execute an amendment of the Lease Agreement between the Town of Plymouth and the lessor Lynruba, Corp. d/b/a Sandy's Restaurant for the purposes of exterior modifications of the property.
11. The Board will vote to approve and execute the updated 2023 Harbor Fee – Tender Fee from \$150.00 annually to \$250.00 annually, as recommended by the Harbor Committee, effective immediately.
12. The Board will vote to approve and execute the implementation of a \$5.00 fee for the replacement of regular beach and 4X4 beach stickers, as recommended by the Finance Director, effective immediately.

2023 ANNUAL TOWN MEETING WARRANT ARTICLES

Article 10 - Classification and Compensation Plan and Personnel Bylaw

Article 11 - Classification and Compensation Plan and Personnel Bylaw

Silvio Genao, Human Resources Director to describe Articles 10 & 11. Mr. Genao stated that the current arrangements for the Personnel Bylaw create logistical issues where certain management-related items, not requiring additional funding or appropriate have to wait until a future Town Meeting. Mr. Genao stated that this puts the Town at a disadvantage in the recruitment of seasonal employees. Mr. Genao stated that seasonal employees fall under the non-union personnel bylaw. Mr. Genao stated that with the ever-changing nature of personnel management laws, the current arrangements leave the Town in a liable position.

Mr. Genao stated that Article 11 is a change to the existing Personnel Bylaw that the Town would be requesting if Article 10 does not pass at Town Meeting. Mr. Genao describes the amendments stated in Article 11.

On a motion by John Mahoney and seconded by Charlie Bletzer, the Board voted to recommend Article 10 be brought forth to Annual Town Meeting.

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Bletzer-Yes, Quintal-Yes

On a motion by John Mahoney and seconded by Charlie Bletzer, the Board voted to recommend Article 11 be brought forth to Annual Town Meeting.

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Bletzer-Yes, Quintal-Yes

Kelly McElreath, Town Clerk described proposed Article 18 and Article 19.

Article 19 – Amend Chapter 173

Ms. McElreath stated that three amendments will change the bylaw to be reflective of current circumstances in the Town of Plymouth. Ms. McElreath stated that Article 19 would take out secret ballots being allowed, on the third Saturday in May for the Town Election, and increase the number of Town Meeting members representative of the number of precincts that the Town currently has.

On a motion by Charlie Bletzer and seconded by Harry Helm, the Board voted to recommend Article 19 be brought forth to Annual Town Meeting.

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Bletzer-Yes, Quintal-Yes

Article 18 - Amend Chapter 23, § 23-11 License Fees

Ms. McElreath stated that the amendment would change the deadline for dog owners to register their dogs by March 31, 2023, to avoid a \$15.00 late charge. Ms. McElreath stated that by doing so, the Town gets the majority of the dogs registered so that the Town has rabies shots up to date for public health situations. Ms. McElreath is looking to amend the general bylaw to add the late charge of \$15.00 after March 31, 2023

Ms. McElreath noted that in 2024, she anticipates amending the existing dog licensing bylaw further to make the process more efficient.

On a motion by Charlie Bletzer and seconded by John Mahoney, the Board voted to recommend Article 18 be brought forth to Annual Town Meeting.

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Bletzer-Yes, Quintal-Yes

Article 17 - Amend Chapter 1, § 1-4. Fine Schedule

Police Chief Dana Flynn described the proposed Article 17. Chief Flynn described that the request is to amend the Fine Schedule to increase fines for Police response to false alarms,

false arrests, and accidental burglar alarms. Chief Flynn stated that this will encourage alarm system owners to upgrade, service, or repair their systems to avoid faulty calls. Chief Flynn states that the current bylaw allows for three Police responses before being allowed to charge a \$25.00 fine, the fifth response is a \$50.00 fine, and the sixth (and subsequent) response is a \$75.00 fine. Chief Flynn stated that the proposed amendment would be to keep the first three responses free, increase the fourth response to \$50.00, increase the fourth response to \$125.00, and the sixth (and subsequent) response to \$200.00. Chief Flynn stated that the Department responded to 5,645 burglar alarms and 5,551 were deemed to be false.

On a motion by John Mahoney and seconded by Charlie Bletzer, the Board voted to recommend Article 17 be brought forth to Annual Town Meeting.

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Bletzer-Yes, Quintal-Yes

REVIEW TOWN FEE SCHEDULES

Inspectional Services – Effective February 1, 2023

Nick Mayo, Inspectional Services Director, stated that historically, the fees in the Department have been lower than in other communities.

On a motion by Harry Helm and seconded by John Mahoney, the Board voted to approve and adopt the Inspectional Services Town Fee Schedules as presented, effective February 1, 2023.

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Bletzer-Yes, Quintal-Yes

6:00 P.M. – PUBLIC HEARING: AQUACULTURE LICENSE TRANSFER

Chad Hunter, Harbormaster presented an Aquaculture License Transfer request. Mr. Hunter stated that Frank and Joanne Costa have had the site for 12-13 years, and are looking to transfer it to Mr. Nathan Palmer.

On a motion by Charlie Bletzer and seconded by Harry Helm, the Board voted to approve the Aquaculture License Transfer as presented.

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Bletzer-Yes, Quintal-Yes

REVIEW TOWN FEE SCHEDULES (CONTINUED)

Fire Department – Effective March 1, 2023

On a motion by Charlie Bletzer and seconded by Harry Helm, the Board voted to approve and adopt the Fire Department Town Fee Schedules, as presented effective March 1, 2023

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Bletzer-Yes, Quintal-Yes

Recreation Department – Effective July 1, 2023

On a motion by Charlie Bletzer and seconded by John Mahoney, the Board voted to approve and adopt the Recreation Department Town Fee Schedules, as presented effective July 1, 2023

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Bletzer-Yes, Quintal-Yes

MASS DEP PROPOSED DRAFT REGULATIONS – TITLE 5 & WATERSHED PERMITTING PRESENTATION

Karen Keane, Public Health Director gave a presentation regarding proposed draft regulations. Ms. Keane describes what a septic system is. Ms. Keane highlighted that the Town of Plymouth is Level 3. Level 1 and Level 2 areas must have more immediate remedies for nitrogen-reducing septic systems.

Ms. Keane stated that the proposed regulations would have to require property owners to update their existing septic systems to lower nitrogen emitting systems, or their municipal would have to connect the customers to a sewer system.

DISTRIBUTION OF PROPOSED TOWN CHARTER DISCUSSION

Mr. Brindisi asked the Board in what way they would like the Proposed Town Charter distributed. Mr. Brindisi described the myriad of ways the Charter could be delivered.

ELDERLY & DISABLED TAX ASSISTANCE COMMITTEE CHARGE

On a motion by Charlie Bletzer and seconded by John Mahoney, the Board voted to approve the Elderly & Disabled Tax Assistance Committee charge as presented.

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Bletzer-Yes, Quintal-Yes

MEETING AGENDA, AND MINUTES SUBMISSION PROCEDURES

On a motion by Charlie Bletzer and seconded by John Mahoney, the Board voted to approve and adopt the Meeting, Agenda, and Minutes Submission Procedures as presented.

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Bletzer-Yes, Quintal-Yes

ADJOURNMENT

On a motion by Charlie Bletzer and seconded by Harry Helm, the Board voted to adjourn the Open Session at 7:35 p.m.

Voted 4/0 By Roll Call: Mahoney-Yes, Helm-Yes, Bletzer-Yes, Quintal-Yes

Recorded by: Anthony Senesi

Assistant to the Select Board/Town Manager