

PLYMOUTH SELECT BOARD

TUESDAY, MARCH 14, 2023 AT 6:00 PM
VIRTUAL MEETING - PARTICIPATION ZOOM WEBINAR

6:00 PM - CALL TO ORDER

Betty Cavacco, Chairman of the Board, called the meeting to order at 6:00 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_vk_Q9KtC8f1vdH61g

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

Derek Brindisi, Town Manager
Brad Brothers, Assistant Town Manager

6:00 P.M. PUBLIC HEARING - FRAGAL INC D/B/A SANDY'S AT PLYMOUTH BEACH

132 Warren Ave, Tara Frare, Manager is requesting the following licenses in conjunction with their request for transfer of an Annual All Alcohol Restaurant License:

- Comprehensive Entertainment – Group 1, 3, Radio and Live Entertainment.
- Common Victauller
- Early Sunday Sales – 10:00 a.m.
- ~~Sunday Entertainment – Live Entertainment~~

Tom Rouke, Attorney, stated that he encourages the Board approve the Transfer of License.

On a motion by Charlie Bletzer and seconded by Richard Quintal, the Board voted to approve the request, as presented.

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

6:05 P.M. PUBLIC HEARING – AQUACULTURE LICENSE REQUEST

Jennifer Tarantino stated that this request would help further her business.

On a motion by John Mahoney and seconded by Charlie Bletzer, the Board voted to approve the request, by Jennifer Tarantino, as presented.

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

PUBLIC COMMENTS

Patricia Adelman, a Town Meeting member, said that during the PACTV Proposed Town Charter Forum, she heard a Town staff member make a political comment. Ms. Adelman believes Town officials should remain neutral.

Rick Vayo, asked to speak during a future agenda item regarding outdoor dining.

Irene Caldwell said that she is concerned about the public's ability to use public Town beaches and ponds. Ms. Caldwell requested that the Town provide transportation to Morton Park during the summer. Ms. Cavacco stated that GATRA buses do provide nearby transportation. Ms. Caldwell said that she believed the neighboring property owners near ponds and beaches should not dictate the use of natural resources for the public. Ms. Cavacco stated that Everett Malaguti is holding a Natural Resources and Coastal Beaches Committee meeting.

Richard Serkey, a Town Meeting member, spoke regarding the increasing number of graffiti in the Town. Mr. Serkey stated that he recommends that the Town reach out to the Schools to see if students would be interested in volunteering to remove graffiti. Mr. Brindisi stated that the Town has formed a graffiti task force to review the issues in Town.

LICENSES AND ADMINISTRATIVE NOTES

On a motion by Richard Quintal and seconded by Charlie Bletzer, the Board voted to approve Administrative Notes and Licenses as a group.

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

ADMINISTRATIVE NOTES

1. The Board will vote to approve an Outdoor Dining License for Brewster Bar located in Unit 2 at 46 Main Street.
2. The Board will vote to approve an Outdoor Dining License for Honey Baby located at 47 Court Street.
3. The Board will vote to approve an Outdoor Dining License for The Tasty located at 42 Court Street.
4. The Board will vote to approve an Outdoor Dining License for Uva Wine Bar located at 46 Court Street.
5. The Board will vote to approve an Outdoor Dining License for Mea Thai Cuisine located at 60 Court Street.
6. The Board will vote to approve an Outdoor Dining License for Food Court located at 39 Court Street.
7. The Board will vote to amend the appropriation increase of the FY24 State Police Hangar Insulation Replacement project from \$50,000 to \$75,000, utilizing funds from Airport Retained Earnings.
8. The Board will vote to reappoint Timothy Bennett to the Roads Advisory Committee, effective immediately, for a term to expire on June 30, 2024.
9. The Board will vote to reappoint Leighton A. Price to the Plymouth Growth and Development Committee, effective immediately, for a term to expire on December 3, 2027.

10. The Board will vote to appoint Joseph Cipollo to the Plymouth Growth and Development Committee, effective immediately, for a term to expire on March 14, 2028.
11. The Board will appoint Stephens L. Edwards, 173 East Spring Street, Avon, MA, as an official weigher for T.L Edwards Inc. Plymouth facility (226 Cherry Street).
12. The Board will appoint Katherine M. Januse, 911 Locust Street, Raynham, MA, 02767 as an official weigher for T.L. Edwards Inc. Plymouth facility (226 Cherry Street).
13. The Board will appoint James T. Januse, 74 Pleasant Street, Raynham, MA 02767 as an official weigher for T.L. Edwards Inc. Plymouth facility (226 Cherry Street).
14. The Board will appoint Charles J. Shinkle, 83 Redlands Road, East Falmouth, MA 02536 as an official weigher for T.L. Edwards Inc. Plymouth facility (226 Cherry Street).
15. The Board will approve and execute a License Agreement between the Town (as Licensor) and George W. McCarthy Jr. and Florence P. Larios, owners of 87 Ellisville Road (as Licensee), which shall authorize (1) regulated, temporary vehicular access over Landing Way and public coastal beach property located off Ellisville Road, and (2) the encroachment, construction, and maintenance of an erosion control revetment upon Town-owned coastal beach property identified as Lot 27A on Plymouth Assessor's Map 53.
16. The Board will approve and execute a License Agreement between the Town (as Licensor) and 93 Ellisville Nominee Trust, owner of 93 Ellisville Road (as Licensee), which shall authorize (1) regulated, temporary vehicular access over Landing Way and public coastal beach property located off Ellisville Road, and (2) the encroachment, construction, and maintenance of an erosion control revetment upon Town-owned coastal beach property identified as Lot 27A on Plymouth Assessor's Map 53.

Licenses

1. Second Wind Brewing Company, 7 Howland Street, Kenny Semcken is requesting one day wine and malt license for April 22, 2023, from 11:00 a.m. to 10:30 p.m. for an Earth Day Market Beer Garden in the parking lot of the brewery.
2. Second Wind Brewing Company, 7 Howland Street, Kenny Semcken is requesting one day wine and malt license for May 13, 2023, from 11:00 a.m. to 10:30 p.m. and May 14, 2023, from 11:00 a.m. to 8:30 p.m. for a 5th Anniversary Beer Garden in the parking lot of the brewery.
3. Spectacle Management, 57 Bedford St., Suite 115, Lexington, Peter Lally is requesting one day wine and malt license for April 7, 2023, and April 22, 2023, from 7:00 p.m. to 11:00 p.m. for concerts at Memorial Hall.
4. Mar Promotions, 10 Pimental Way, Michelle Polvere is requesting one day wine and malt license for March 18, 2023, from 11:00 a.m. to 4:00 p.m. for a Cage Titans fight at Memorial Hall.
5. Dillon's Pub Inc d/b/a Dillon's Local, 21 S Park Ave., Colin Dillon is requesting one day wine and malt license for March 17, 2023, March 18, 2023, and March 19, 2023, from 11:30 a.m. to 12:00 a.m. for St. Patrick's Day Weekend.
6. IBK Dining, LLC, 25 Summer Street, Christopher Eori is requesting to take over operations of the food and beverage service for Ankur Hospitality LLC d/b/a John Carver Inn & Spa. Ankur Hospitality LLC will continue to hold the liquor license.

7. Pillory Pub LLC, 72 Water Street, Daniel Cassinelli (Manager), Request renewal of the Seasonal All Alcohol Restaurant License and the following license in conjunction with their liquor renewal: Common Victualler's License, Comprehensive Entertainment, Groups I and III, Extension of Hours.
8. Pinewood Lodge, Inc. d/b/a Pinewood Lodge, 190 Pinewood Lodge, Albert Saunders (Manager), request renewal of the Seasonal All Alcohol Restaurant License and the following licenses in conjunction with their liquor renewal: Common Victualler's License, Comprehensive Entertainment Licenses, Groups I, II, III, IV
9. Sandy Pond Golf, Inc. d/b/a Atlantic Country Club, 450 Little Sandy Pond Road, Paul Whiting (Manager), request renewal of the Seasonal All Alcohol Restaurant License and the following licenses in conjunction with their liquor renewal: Common Victualler's License, Comprehensive Entertainment, Group I, Early Sunday Opening.
10. Double C, Inc., d/b/a Campy's, 531 Federal Furnace Road, Craig Carreau (Manager), request renewal of the Seasonal All Alcohol Club License and the following license in conjunction with their liquor renewal: Comprehensive Entertainment, Groups I, II, III, Sunday Entertainment (TV, dancing, live entertainment), Early Sunday Opening.
11. Kevin J Aragon d/b/a Kevin's Club House Restaurant, 265 South Meadow Road, Kevin Aragon (Manager), requested renewal of the Seasonal Wine and Malt License and the following licenses in conjunction with their liquor renewal: Common Victualler.
12. Stack Shack LLC d/b/a Stack Shack, 55 Loring Blvd., Joseph P Jannetty (Manager), request renewal of the Seasonal All Alcohol Restaurant License following licenses in conjunction with their liquor renewal: Early Sunday Sales – 10:00 a.m., Comprehensive Entertainment – Group 1, 3, Radio, Live Entertainment, Outdoor Amplified Music – for periodic entertainment no later than 10:00 p.m.

PROPOSED OUTDOOR DINING FEE SCHEDULE

Mr. Brothers proposed that the Board approved a fee of \$2,000 for businesses that have had parklets previously and \$2,500 for new businesses. Mr. Brother stated that in previous years, the ARPA funding source covered the balance between what the business owners paid and what was required to create the parklets. Mr. Helm asked the Board to table consideration of the fee schedule and the ARPA request until the Downtown Waterfront Merchants Association and the Outdoor Dining Committee review them.

Mr. Brothers stated that the Town needs to come up with a future solution to address not having ARPA funds to supplement the costs of the parklets in the future.

Mr. Vayo stated that he believes there was ample opportunity for the business owners to provide input for the fee schedules. Mr. Vayo believes that the business owners will have to pay for increased costs for parklets moving forward. Mr. Vayo recommends that the Board allocate an additional \$10,000 of ARPA funds to cover the cost of flower plants. Mr. Bletzer stated that he is in support of allocating additional funds for the maintenance of the parklets. Mr. Quintal stated that the COVID-19 State of Emergency is over and that the taxpayers should not have to supplement these additional costs. Ms. Cavacco stated that the Sherrif's Department has flowers that could be donated to the Town for beautifying the parklets.

On a motion by Harry Helm and seconded by John Mahoney, the Board voted to table the Outdoor Dining Fee Schedule until the Town met with organizations and committees.

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

AMERICAN RESCUE PLAN ACT REQUEST

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to allocate 10,000 ARPA funds for the maintenance of the parklets including the flowers and beautification of the parklets.

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

HEDGE ELEMENTARY SCHOOL – MSBA STATEMENT OF INTEREST

*Resolved: Having convened in an open meeting on March 14, 2023, prior to the SOI submission closing date, the Board of Selectmen of Plymouth, Massachusetts, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated April 13, 2023 for the **Hedge Elementary School** located at [258 Standish Ave, Plymouth, Massachusetts](#) which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future;*

5. Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility.

and

7. Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.
and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town to filing an application for funding with the Massachusetts School Building Authority.

On a motion by Betty Cavacco and seconded by Harry Helm, the Board voted to authorize the Hedge Elementary School MSBA Statement of Interest.

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

COLD SPRING ELEMENTARY SCHOOL – MSBA STATEMENT OF INTEREST

*Resolved: Having convened in an open meeting on March 14, 2023, prior to the SOI submission closing date, the Board of Selectmen of Plymouth, Massachusetts, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated April 13, 2023 for the **Cold Spring Elementary School** located at [25 Alden Street, Plymouth, Massachusetts](#) which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future;*

5. Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility.

and

7. Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.

and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town to filing an application for funding with the Massachusetts School Building Authority.

On a motion by Betty Cavacco and seconded by Harry Helm, the Board voted to authorize the Cold Spring Elementary School MSBA Statement of Interest.

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

PUBLIC HEARING BEACH STICKER PARK AREA FINES

Mr. Brothers stated that a Home Rule Petition was approved by the State Legislature on January 4, 2023. Mr. Brothers stated that the Home Rule Petition gives the Town the ability to charge up to \$150 if paid between 21 days, \$200 if paid between 22 and 42 days, and \$250 after 42 days if it is not paid.

Mr. Brothers that the Board approves the White Horse Beach Parking District parking fine of \$100 if paid within 21 days, \$125 if paid between 22 and 42 days, and on the 42 days the citation gets sent to the Registrar and will require a \$150 fine.

Ms. Cavacco read a letter from Alice Baker, a member of the White Horse Beach Parking Committee, which states that the current \$50 fine is insufficient and needs to be increased at the White Horse Beach Parking District.

Mr. Malaguti, Chair of the Natural Resources & Coastal Beach Committee stated that the Committee supports the increased fines as presented by Mr. Brothers.

Christine Bostek, Taylor Avenue, stated that she supports the increase in fines for the White Horse Beach Parking District.

Irene Caldwell said that she believes White Horse Beach has become a private beach with significant fines associated with parking.

On a motion by Charlie Bletzer and seconded by John Mahoney, the Board voted to authorize the proposed Parking Fine Schedule, for the White Horse Beach Parking District, as presented.

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

COMMUNITY PRESERVATION COMMITTEE PRESENTATION

- Hedges Pond Buildings
- Fishermen Shanties
- Comfort Station at Stephens Field

Mr. Bill Keohan, Community Preservation Committee stated that CPC has met to discuss the Hedges Pond buildings. Mr. Keohan stated that CPC voted to pursue a structural survey of the buildings at Hedges Pond.

Mr. Keohan stated that CPC issued funding for administrative emergency stabilization of the Fisherman Shanties, and the CPC would be interested in working with the Town on solutions to those properties. Mr. Keohan stated that in the early 2000s one of the Shanties was burned down. Mr. Keohan stated that CPC believes in a community preservation plan for the Shanties.

Mr. Keohan stated that the Comfort Station at Stephens Field was originally at Memorial Hall, before moving to Stephens Field. Mr. Keohan stated that the building is now a storage facility. Mr. Keohan stated that the Historic District Commission did not enact a demolition delay for the building. Mr. Keohan said that the Station is set to be demolished by the Town, in conjunction with the Stephens Field project. Mr. Keohan stated that the CPC recommended to the Board, A&F, and Town Meeting to preserve the comfort station, not the demolition of it.

Mr. Bletzer said that the Town needs to stop spending money on buildings that have no use and serve no historical purpose. Mr. Bletzer said that he would like the four Hedges Pond cabins to be a liability and safety hazard for children. Mr. Bletzer said that what would the Town do to manage the remodeled Great Hall at Hedges Pond. Mr. Bletzer said that he does not want the Town to manage another unused building.

Mr. Bletzer questioned the purpose of the refurbishment of the Fishermen Shanties. Mr. Keohan described the history of the buildings, that were once closer to the water, and then moved to their current location a century ago. Mr. Keohan said that the Shanties should be preserved because of the historical and cultural value of the Town. Mr. Bletzer said that he does not believe the Shanties are a good use of CPC funds.

Mr. Mahoney asked if the CPC once they recommend articles and are approved by Town Meeting, reverse the decision made by the Town Meeting. Mr. Brindisi stated that the CPC cannot unilaterally reverse a decision made by Town Meeting. Mr. Mahoney said that he is in full support of demolishing the four cabins at Hedges Pond, Mr. Mahoney said that he would like the Town to focus attention on the planning and future use of the Great Hall.

Ms. Cavacco said that she is in support of the Hedges Pond cabins being removed, however, she feels that the Great Hall should be preserved. Ms. Cavacco stated that the former Bert's property should be renovated or demolished. Mr. Keohan stated that he would reach out to the owners to determine if they would be interested in CPC funds. Ms. Cavacco asked Mr. Brindisi if the Town should reach out to the owners, instead of Mr. Keohan. Mr. Brindisi stated that the Town can reach out to the owners. Mr. Brindisi stated that he is working with the Inspectional Services Director to develop a nuisance bylaw to address properties.

Mr. Brindisi said that the Town has tested the four cabins at Hedges Pond, and they came back positive for lead, which is leeching into the soil. Mr. Brindisi stated that the Great Hall test results have not been returned. Mr. Brindisi stated that an additional cabin at Hedges Pond was moved closer to the water and has not been tested.

Ms. Cavacco believes the funds in the Distinguished Visitors account, which is roughly \$75,000 be fully expended for students to attend the trip at no cost. Ms. Cavacco said that Mr. Quintal will be the Select Board representative for the Shichigahama Exchange Trip in the Summer of 2023.

Mr. Loretz, Co-Chair of the Distinguished Visitors Committee stated that the DVC did not decide to expend the full amount in the account to budget enough funds for the 2024 trip to the United States.

TOWN MANAGER'S REPORT

Mr. Brindisi provided an update regarding Water Street Sewer Interceptor Project, he said that Northern Construction Services brought in experts that can use ground penetrating radar to determine if there are any potential depressions/sinkholes. Mr. Brindisi said that residents and businesses can go back into the buildings as of last Friday. Mr. Brindisi said that the construction has been paused. Mr. Brindisi stated that the Environmental Partners and Northern Construction Services are researching different methods to continue the project.

Mr. Brindisi, Town Staff, State Delegation, and MassDCR, are having a meeting regarding the feasibility for the Town to acquire the State Pier. Mr. Brindisi noted that was Mr. Mahoney's suggestion to pursue.

Mr. Brindisi stated that construction at Fire Station 2 is on time and budget and is anticipated to be complete by November 2023. Mr. Brindisi stated that Fire Station 5 bids have gone out, and the Town anticipates awarding in mid-April 2023.

Mr. Brindisi stated that the Police Department hired an additional clinical social worker to respond to behavioral health and crisis calls. Mr. Brindisi stated that the Town has two clinicians in total in the Police Department.

Mr. Brindisi stated that the Town is actively working on a Police Department firing range, which will be constructed by DPW staff.

Mr. Brindisi stated that Town Hall has two fully operational kiosk way-finders.

Mr. Brindisi stated that the Senior Task Force Committee is distributing a survey

SELECT BOARD OPEN DISCUSSION

None.

ADJOURNMENT OF OPEN SESSION

On a motion by Richard Quintal and seconded by Betty Cavacco, the Board voted to adjourn the Open Session at 8:49 p.m.

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

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