

# PLYMOUTH SELECT BOARD

TUESDAY, MARCH 28, 2023

TOWN HALL, 26 COURT STREET, PLYMOUTH, MA – 4:30 PM

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## 4:30 P.M. EXECUTIVE SESSION

The Select Board will hold an Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21(a), clause 6, to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. Following Executive Session, the Board will reconvene in open session.

- 158 Center Hill Road

The Select Board will hold an Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21(a), clause 3, to discuss strategy with respect to potential litigation to protect the interests of the Town, where the Chair has determined that an open meeting may have a detrimental effect on the litigating position of the Town.

- Holtec International
- Public Employee Committee (PEC)

On a motion by Richard Quintal and seconded by Charlie Bletzer, the Board voted to enter into Executive Session at 4:30 p.m.

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

### 158 Center Hill Road (Lease)

In Attendance:

Betty Cavacco, Chairman

Richard Quintal Jr., Vice Chairman

John Mahoney Jr.

Harry Helm

Charlie Bletzer

Derek Brindisi

Brad Brothers

Anthony Senesi

Michael Bergeron

At request of Select Board, Attorney Bergeron, in-house counsel for Plymouth, provided overview of litigation brought against the town by Attorney Meg Sheehan, including total open meeting law complaints, appeals of the complaints to A.G. Office, 40A appeals filed with Plymouth Superior Court. Litigation brought by Attorney Sheehan against the town indicates an office address listed at town property of 158 Center Hill Road. Review of the lease between the town and lessee indicates Attorney Sheehan is not a lessee, nor approved as a sub-tenant – for which lessee had previously gone through the process of approving other subtenants. Documents in possession of Attorney Bergeron, for which he gave an oral presentation, were articles of organization for Save the Pine Barrens (SPB) (Attorney Sheehan's organization) dated March 5, 2021; OML Complaints filed by Attorney Sheehan, Superior Court filings filed by Attorney Sheehan, and all of which indicate an office address

for Attorney Sheehan at 158 Center Hill Road. Also discussed was an email from the vice-president of lessee to town manager on March 5, 2013, which indicated Attorney Sheehan/SPB had used the town facility for meetings, conferences, webinars, social gatherings.

After oral presentation, all board members had questions regarding Attorney Sheehan's use of the premises regarding the lease between the town and lessee at 158 Center Hill Road. Topics discussed relevant to the lease included term of the lease, renewal of the lease, approved subletting of the lease, default clause, and notice to lessee of potential default.

Attorney Bergeron indicates he would need additional time to review whether lessee is presently in default of lease.

On a motion by John Mahoney and seconded by Harry Helm, the Board voted to adjourn Executive Session at 5:58 p.m., and go back to Open Session. At the adjournment of Open Session the Board will continue in Executive Session.

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

On a motion by John Mahoney and seconded by Harry Helm, the Board voted to adjourn the Open Session at 7:48 p.m. and entered Executive Session, and will not return to Open Session, after the conclusion of Executive Session.

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

### **Public Employee Committee (PEC)**

In Attendance:

Betty Cavacco, Chairman

Richard Quintal Jr., Vice Chairman

John Mahoney Jr.

Harry Helm

Charlie Bletzer

Derek Brindisi

Brad Brothers

Lynne Barrett

Silvio Genao

Anthony Senesi

Mr. Brindisi said the Town's existing PEC Agreement is through the end of FY24. Mr. Brindisi said that the proposed PEC Agreement will begin at FY25. Mr. Brindisi said that there are significant cost saving measures for the Town, employees, and retirees.

Ms. Barrett described the FY24 cost savings of \$3.1 million, which includes an adoption of a PillarRx Coupon Program, and to convert the retirees to a Medicare Part D Prescription Drug Program. Ms. Barrett described the FY25 cost savings of \$476,000, and in FY26 a projected cost savings of \$1.7 million (all active employees convert to the premium contribution of 70% Town and 30% Employee).

On a motion by John Mahoney and seconded by Richard Quintal, the Board voted to approve and execute the proposed PEC Agreement.

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

Mr. Mahoney thanked Town staff, union representatives, PRIA, Ms. Cavacco, and Mr. Quintal for their productive negotiation efforts.

The proposed draft PEC Agreement with the Town was used at this executive session.

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**ADJOURNMENT OF EXECUTIVE SESSION**

On a motion by Richard Quintal and seconded by Harry Helm, the Board voted to adjourn Executive Session, and go back to Open Session at 8:01 p.m.

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

**Recorded by:** Anthony Senesi

*Assistant to the Select Board/Town Manager*