

PLYMOUTH SELECT BOARD

TUESDAY, MAY 2, 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

Betty Cavacco, 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_vk_Q9KtC8f1ydH61g

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

Derek Brindisi, Town Manager
Brad Brothers, Assistant Town Manager

5:00 P.M. EXECUTIVE SESSION

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.

- Sewer Interceptor Project

6:00 P.M. BACK TO OPEN SESSION

6:01 P.M. PUBLIC HEARING – NEW SEASONAL ALL ALCOHOL CLUB LICENSE

Eel River Beach Club, 110 Warren Avenue

On a motion by Richard Quintal and seconded by Charlie Bletzer, 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

6:02 P.M. PUBLIC HEARING – ALTERATION OF PREMISES

Ocho Café Tacos and Tequila, 275 Colony Place

On a motion by Charlie Bletzer and seconded by Harry Helm, 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

WATER STREET SEWER INTERCEPTOR PROJECT

Mr. Brindisi stated that Environmental Partners received a dewatering plan from Northern Construction Services.

Mr. Ziad Kary, Environmental Partners gave a presentation regarding the status of the Water Street Sewer Interceptor Project. Mr. Kary stated that the existing pipe was constructed in 1969, is intercoastal, and is not accessible for repairs if needed. Mr. Kary stated that Northern Construction Services was the awarded project bid. Mr. Kary said NCS began mobilizing for construction on the project on December 1, 2022. Mr. Kary said that NCS had to place sheet piles in place, along with dewatering wells to lower the groundwater table enough so that NCS can place the pipe into the ground. Mr. Kary stated that NCS stated that 350 feet of pipeline was in place, out of the 1,200 for the whole project. Mr. Kary stated that on March 6, 2023, there was a displacement of soil from the excavation that ended up in the harbor. Mr. Kary said that as a result of the displacement, movements, and settlements of sidewalks and adjacent properties occurred. Mr. Kary stated that the project is now on hold. Mr. Kary said, since March 7, 2023, supplemental piezometers and wells were in place to understand the impacts of groundwater. NCS submitted a revised dewatering plan on April 14, 2023, in which Environmental Partners needed more information. Mr. Kary stated that at 5:00 a.m. today, NCS drafted a revised dewatering plan. Mr. Kary stated that once, the plan is approved, Environmental Partners and the Town will hold an information session for abutters, business owners, and residents.

Joan Lyons, a business owner, said that she is concerned about when the project will resume. Mr. Brindisi stated that communication will be released as soon as possible as to when the project will resume.

Brenda Silvias, bed and breakfast owner said that she is concerned about giving her visitors enough notice concerning the heavy construction sounds.

Steve Lydon asked if the project costs would increase due to the delay. Mr. Brindisi stated that is a possibility, however, has not yet been finalized.

PUBLIC COMMENTS

Gilbert Freeman, Morton Park Neighbor, stated that he is concerned about the overall state of the Morton Park area, concerning invasive species, overall tree management, and wildfire hazards. Mr. Freeman stated that the Town should adequately invest in the natural resources of the Town.

Anne Dean, Morton Park visitor, said that she is concerned that Town staff does not count the number of vehicles leaving Morton Park, but only counts the number of cars that go into the Park. Ms. Dean stated that there could be additional parking spaces over the day if the Town kept track of the number of vehicles leaving the park.

Joanne Curran, Morton Park Neighbor, described several concerns regarding parking, illegal parking near Morton Park, erosion control, and the overall safety of Morton Park.

Irene Caldwell said that the public should be involved in the decision-making process when determining parking at Morton Park. Ms. Caldwell said that she would like the public to have access to all beaches and ponds in the Town.

Ruth Peroni, Morton Park Neighbor, said that she is concerned about the health of Morton Park, sanitation, and waste. Ms. Peroni said that she believes there are not enough portable bathrooms at Morton Park, and she believes there is a significant amount of trash left at the Park.

LICENSES AND ADMINISTRATIVE NOTES

On a motion by Charlie Bletzer and seconded by Harry Helm, 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 and execute a Purchase and Sales Agreement between the Town of Plymouth and the Rhode Island Boy Scouts for the purchase of land and structures known as Lots 9A, 20F-1, 20F-2, 20F-3, 22, 23-4, 24A, and 63-10 on Assessor's Plat 107.
2. The Board will vote to approve the Resident Beach Sticker Eligibility Policies for Parking and 4 x 4 Access as presented in their weekly packet.
3. The Board will vote to approve Voluntary Sign-Up Paperless E-Billing for Taxes in accordance with M.G.L. c. 60, Section 3B.
4. The Board will vote to approve a Tax Bill Insert regarding Elderly and Disabled Tax Assistance in accordance with M.G.L. c. 60, Section 3D.
5. The Board will vote to approve the layout and acceptance of Armstrong Road as a public way as well as the Town's title to drainage and utility easements.
6. The Board will vote to approve and execute the Election Warrant for the Town Election being held on May 20, 2023.
7. The Board will vote to approve and execute a License for the use of the Launch Shed located at 23 Town Wharf in Plymouth Harbor.

Licenses

1. Plymouth Lions Club, 8 Bay Colony Drive, Paul Miraglia is requesting a One Day Wine and Malt License for the Thirsty Pilgrim Oktoberfest being held on September 9, 2023 from 12:00pm to 7:00pm and September 10, 2023 from 12:00pm to 6:00pm. on the Hedge House Lawn.
2. Plymouth Lions Club, 8 Bay Colony Drive, Paul Miraglia is requesting an Amplified Music Permit for the Thirsty Pilgrim Oktoberfest being held on September 9, 2023 from 12:00pm to 7:00pm and September 10, 2023 from 12:00pm to 6:00pm. on the Hedge House Lawn.
3. Save Our Bay, 42 West Pond Road, Paul Quintal is requesting an Amplified Music Permit for a Band at a Rally being held on June 16, 2023 from 5:00pm to 8:00pm at the Town Wharf.

4. Plymouth Philharmonic Orchestra, 116 Court Street, Third Floor, is requesting an Amplified Music Permit for a Concert being held on July 4, 2023 from 7:30pm to 9:15pm at Pilgrim Memorial State Park.
5. Fragal Inc d/b/a Sandy's at Plymouth Beach, 132 Warren Avenue, Tara Frare, manager, is requesting the following Licenses in conjunction with their Liquor License, which was approved at the March 14, 2023 Select Board Meeting. - Comprehensive Entertainment – Group 1, 3 Radio and Live (from 5pm to 9pm) - Sunday Entertainment – Live (from 5pm to 9pm) - Outdoor Amplified Music – (from 5pm to 9pm)

COMMUNITY PRESERVATION COMMITTEE DISCUSSION

Mr. Mahoney said to Mr. Brindisi that the CPC wanted to know the status of ongoing projects that were funded by the CPC.

Mr. Serkey said that he believes the CPC wanted more descriptive information regarding the agenda topic at the Board meeting. Ms. Cavacco said that she was in discussions with Mr. Keohan about the agenda item. Ms. Cavacco stated that the purpose of the agenda item is to talk about how to form better communication with the Board, Town staff, and CPC.

Ms. Karen Buechs, CPC Member, stated that she had a meeting with the Town Manager recently regarding issues related to the CPC. Ms. Buechs said that the meeting was positive.

Ms. Cavacco said that she recommends that CPC, hire an administrative staff member, to focus on the day-to-day operations of the CPC. Ms. Cavacco said that she believes would open direct lines of communication with the Town and CPC.

Ms. Cavacco said that she would like the Town Manager and Mr. Keohan to meet monthly. Mr. Mahoney said that he would like to have full public meetings where everyone can hear the discussion, rather than a one-on-one meeting. Ms. Buechs said that both Ms. Cavacco and Mr. Mahoney offer good suggestions. Ms. Buechs said that Mr. Mahoney was obstructive in the meeting.

Virginia Davis, League of Women Voters, said that she attends CPC meetings, and at the most recent meeting Mr. Mahoney and Mr. Keohan were challenging each other in conversation. Ms. Davis said that two CPC members left the meeting while it was occurring.

On a motion by Charlie Bletzer and seconded by John Mahoney, the Board voted to request the Town Manager to determine a staff representative for the CPC.

Mr. Helm said that he does not feel comfortable with not knowing which staff representative would be in attendance. Mr. Brindisi stated that having CPC staff support was positively favored by the Department Heads, at their meeting this morning.

Ms. Patricia Adelman said that she believes that CPC is independent by State law, and she questioned how the Board can dictate what the CPC does. Mr. Mahoney said that CPC is a public committee, with a revenue stream of over \$4 million annually. Mr. Mahoney said that the CPC recommends funding and projects, the Town Meeting approves the projects, and then the Town Manager has to determine how to accomplish the projects. Mr. Mahoney said

that he believes it would be beneficial to the Town to have staff support at the CPC meetings, so that the Town is aware of future projects, and provide insight.

Mr. Steve Lydon, Visitor Services Board Chair, said that VSB is similar to CPC because VSB has paid staff support, with an operating budget.

Mr. Quintal said that he is in support of CPC having paid staff support for the Committee.

Mr. Brindisi said that there is no committee independent of the Town government. Mr. Brindisi said that there is a Community Preservation Coalition, that has resources for Massachusetts CPCs. Mr. Brindisi said that several CPCs in Massachusetts have paid staff.

Voted 3/2 By Roll Call: Mahoney-Yes, Cavacco-Yes, Helm-No, Quintal-No, Bletzer-Yes

MORTON PARK SUMMER RECOMMENDATIONS

Mr. Brindisi described the Morton Park Proposed Summer Plan. Mr. Brindisi said that a meeting occurred with the Town Manager, Police Department, Fire Department, Recreation Department, DPW, and Chair of the Natural Resources and Coastal Beaches Committee to determine the best possible solutions.

Mr. Brindisi noted that the Plan is a pilot. Mr. Brindisi said that the public can no longer access Morton Park on Saturdays, Sundays, and Holidays, from Morton Park Road and Summer Street. Mr. Brindisi stated that at that intersection, a Police Officer will be staged at the intersection to move vehicles down to Billington Road. Mr. Brindisi said that vehicles can access Morton Park down Billington Road. Mr. Brindisi said that there will be one way to enter the park and one way to leave the park. Mr. Brindisi recommended 125 vehicles are allowed to enter Morton Park. Mr. Brindisi said that additional signage along the adjacent road will include language such as “Resident Only”, “No Parking”, and “No Stopping or Standing”. Mr. Brindisi said that resident parking will be available.

Ms. Peroni asked how the Town will limit the use of Shaw’s Parking Lot. Mr. Brindisi said that the owner is aware and will limit parking access. Mr. Brindisi said that Shaw’s building will be renovated, and the property will be an active construction site.

Mr. Brindisi said that the Town will research an additional portable restroom, similar to the restroom placed at White Horse Beach.

Ms. Anne Slusser, Recreation Director stated that the rationale of increasing the number of cars to 125, was to reduce the number of vehicles outside of the park. Mr. Bletzer asked Ms. Slusser if the Town counts the number of cars leaving this Park. Ms. Slusser stated that the Morton Park Beach Plan states that vehicles will not be counted leaving the park. Ms. Slusser stated that she would investigate the feasibility of counting the number of cars leaving.

Ms. Anne Levenson thanked the Town for trying to resolve the concerns of the public. Mr. Warner asked what kind of enforcement is in place for regulations concerning “no parking” and “no standing”. Captain James LeBretton said that if anyone is concerned about enforcement, and sees something, they are asked to call the Town of Plymouth Police Department.

Ms. Irene Caldwell said that she is concerned about the public not being able to access Morton Park due to the proposed regulations.

On a motion by John Mahoney and seconded by Charlie Bletzer, the Board voted to approve the summer recommendations regarding Morton Park, presented by Town staff.

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

Ms. Cavacco called for a five-minute recess.

PROPOSED REORGANIZATION (PHASE 1)

Mr. Brindisi gave part one of the proposed reorganization plan. Mr. Brindisi said that under the Town Charter, it is the Town Manager's responsibility to propose reorganization plans, and the Board considers approving the plans. Mr. Brindisi said that the current structure has the Assistant Town Manager the reporting authority to Procurement, Town Clerk, and the Airport. Mr. Brindisi said that from his experience as the Assistant Town Manager, he felt that reporting structure was disjointed.

Mr. Brindisi recommended that the Airport be a part of the Department of Public Works, based on similar duties, and the same unions. Mr. Brindisi noted that the Town is working with the Airport Commission to delineate authority from the Town and the Commission, through an MOA in perpetuity, effective July 1, 2023.

Mr. Brindisi recommended that the Procurement Division will report to the Finance Director and be under the Finance Department. Mr. Brindisi said that Mr. Hartmann and Ms. Barrett have already implemented this change through operations. Mr. Brindisi said that the Grant Writer position would work in the Finance Department, as opposed to the Town Manager's Office.

Mr. Brindisi recommended that the Town Clerk position would be a Department Head position, directly supervised by the Town Manager.

Mr. Brindisi recommended that a Quality Council be officially formed. Mr. Brindisi said that the Quality Council's role is to focus on quality improvement and quality assurance. Mr. Brindisi said that if there is a concern or complaint, the Quality Council would investigate and make recommendations for improvements.

Mr. Mahoney said that he wants the MOA with the Airport Commission to be amicable for both the Town and the Commission. Mr. Brindisi said he agrees.

On a motion by Betty Cavacco and seconded by John Mahoney, the Board voted to approve the recommendations made by the Town Manager, for the Phase 1 Reorganization Plan, contingent upon the executed MOA between the Town and Airport Commission.

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

TOWN MANAGER'S REPORT

Mr. Brindisi said that Karen Keane, Public Health Director, and Barry Potvin, Board of Health Chair have been working with MassDPH regarding the Public Health Excellence grant. Mr. Brindisi said that the Town of Plymouth is now the lead agency for the shared

services grant between five communities. Mr. Brindisi said that there will be administrative funding that would be allocated to the Town.

Mr. Brindisi said that the Rail Trail Extension will be complete in a few weeks and will be open to the public by the Summer of 2023.

Mr. Brindisi said that he has received complaints regarding political signage, and complaints have been reviewed by the Inspectional Services Department. Mr. Brindisi said that Inspectional Services reviews the complaints to determine if they are on private property or Town property. Mr. Brindisi said that if it is determined to be on Town property, they are removed and given to the person/person(s) associated with the signage.

Mr. Brindisi said that Pilgrim Sands Hotel has been sold by a known entity in the Town of Plymouth.

Mr. Brindisi said that the Police Department received a \$21,000 critical incident stress management grant.

Mr. Brindisi said that the Town will be seeking \$831,000 in ARPA funds for a Police Department body-worn camera program. Mr. Brindisi said that this week, the Police Department will hold a NARCAN training at the Police Department headquarters.

Mr. Brindisi said that the Town will replace all swing sets at Fresh Pond.

Mr. Brindisi said that 60-70 employees in the DPW are now CPR certified and trained.

SELECT BOARD OPEN DISCUSSION

Mr. Helm announced that the Senior Issues Task Force has partnered with the Gerontology Institute at UMass Boston to conduct a community needs assessment. Mr. Helm said that the community needs assessment is needed to become designated an Age & Dementia Friendly Community. Mr. Helm said that the survey has been sent to some residents and is available on the Town of Plymouth's website.

Mr. Quintal asked for the status of the Route 80 cemetery. Mr. Quintal asked for lighting improvements in the Grist Mill parking lot.

ADJOURNMENT OF OPEN SESSION

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to adjourn the Open Session at 8:30 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