

PLYMOUTH SELECT BOARD

TUESDAY, MARCH 28, 2023

GREAT HALL, TOWN HALL, 26 COURT STREET, PLYMOUTH, MA – 4:30 PM
HYBRID PARTICIPATION IN-PERSON OR VIA ZOOM WEBINAR

4:30PM - CALL TO ORDER

Betty Cavacco, Chairman of the Board, called the meeting to order at 4:30 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 Jr., Vice Chairman
John Mahoney Jr.
Harry Helm
Charlie Bletzer

Derek Brindisi, Town Manager
Brad Brothers, Assistant Town Manager

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.

- 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)
-

6:00 P.M. BACK TO OPEN SESSION

FIRE DEPARTMENT BADGE PINNING CEREMONY

Fire Chief, Neil Foley presented badges to three Fire Fighters.

- Lieutenant Jason Hoffer

- Captain Keith MacDonald
- Captain Jason Pierce

PUBLIC COMMENTS

Catherine McKenna provided the Board with an update regarding the Jordan Hospital Polar Plunge.

Pat McCarthy provided the Board with an update regarding Mike Landers' upcoming fundraiser.

6:01 P.M. PUBLIC HEARING: FARMER BREWERY POURING PERMIT (NEW)

Dirty Water Distillery LLC d/b/a LlamaNama Beer Labs, 49 Cordage Park Circle, Bay 2, Petras Avizonis, Jr. Ph.D., Manager.

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

6:02 P.M. PUBLIC HEARING: FARMER DISTILLERY POURING PERMIT (NEW)

Dirty Water Distillery LLC d/b/a LlamaNama Beer Labs, 49 Cordage Park Circle, Bay 2, Petras Avizonis, Jr. Ph.D., Manager.

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

6:03 P.M. PUBLIC HEARING: ALTERATION OF PREMISES

Legacy Hospitality LLC d/b/a Brewster Bar, 46 Court Street, holder of an All-Alcohol Restaurant License, Michael York, Manager

On a motion by John Mahoney 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

6:04 P.M. PUBLIC HEARING: ALTERATION OF PREMISES

Marshland Group LLC d/b/a Marchland 3A, holder of an All-Alcohol Restaurant License, 986 State Road, Martin Finch, Manager

On a motion by Richard Quinatl 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

LICENSES AND ADMINISTRATIVE NOTES

On a motion by Harry Helm 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 KKaties Burger Bar located at 38 Main Street.
2. The Board will vote to approve an Outdoor Dining License for Martini's Bar & Grill located at 50 Court Street.
3. The Board will vote to approve an Outdoor Dining License for The Artisan Pig located at 66 Court Street.
4. The Board will vote to approve an Outdoor Dining License for Su Casa located at 30 Main Street.
5. The Board will accept a gift in the amount of \$9,206 from the Plymouth Growth & Development Corporation ("PGDC") towards the costs associated with the purchase and/or installation of two (2) Level 2 Electric Vehicle charging units, each with two charging ports, in the Cornish Public Parking Lot between Russell Street and South Russell Street.
6. The Board will authorize the application for, and (if awarded) acceptance of, a federal congressional earmark in the amount of \$2,600,000, to be used towards the construction of the Bartlett Road Culvert Replacement and Stormwater Management Improvement Project.
7. The Board will authorize the application for, and (if awarded) acceptance of, a grant in the amount of \$145,000 through the Massachusetts Division of Ecological Restoration's (DER) Culvert Replacement Municipal Assistance Program, to be used towards the design and permitting of the Beaver Dam Brook Culvert Replacement Project.

Licenses

1. Spectacle Management, 57 Bedford St., Suite 115, Lexington, Peter Lally is requesting One Day Wine and Malt License for May 5, 2023, May 12, 2023, and May 13, 2023, from 7:00 p.m. to 11:00 p.m. for concerts at Memorial Hall.
2. Brews and Cips, 72 Elliot Lane, Samantha Cipello is requesting a One Day Wine and Malt License for March 31, 2023, from 6:00 p.m. to 11:00 p.m. for a Mike Landers Fundraiser at Memorial Hall.
3. D.P.R.R. LLC d/b/a Pattie Shack, 315 Court Street, Alick DePaula, Owner, is requesting a new Common Victualler License. (Formerly Dinatali's Seafood)
4. Inebri-Art LLC, 17 Washington Street, Andy Driscoll is requesting an outdoor amplified music permit for 12:00 p.m. to 4:00 p.m. for a solo musician on the Town Hall green for Art on the Green for the following dates: April 1, 2023, May 6, 2023, June 3, 2023, July 1, 2023, August 5, 2023, September 2, 2023, October 7, 2023.
5. Plymouth Bay Cultural District, Spring Lane (Grist Mill), Robin Carver is requesting an outdoor amplified music permit for April 22, 2023, from 10:00 a.m. to 3:00 p.m. for a Herring Run Festival.
6. Faith Community Church, 29 Carver Road is requesting an outdoor amplified music permit for July 30, 2023, from 6:30 p.m. to 7:30 p.m. for a Prayer and Worship event at Pilgrim Memorial State Park.

APPLICATION FOR RENEW AMERICA'S SCHOOLS GRANT – PLYMOUTH SOUTH ELEMENTARY SCHOOL

Dr. Campbell, Superintendent of Schools, said that the proposed project would fit with the School District's overall goals and energy and sustainability. Christina Renaud, Facilities Director stated that the project includes repairing wall panels, replacing windows, and adding

a combination of window and roofing repairs. Ms. Renaud stated that the project would complete the required ADA upgrades, to bring the building up to code. Ms. Renaud stated that the HVAC system would be retrofitted with geothermal technology underneath the athletic field or parking lot. Ms. Renaud stated that the project would cost approximately \$22 million. Ms. Renaud stated that the grant award could be partial, close to \$500,000, or upwards of \$15 million. Ms. Renaud stated that this project would provide the option to provide a 24/7 emergency shelter in the building.

Tiffany Park, Grant Writer described the grant program for which the Town may apply for funding. Ms. Park stated that the grant is from the Renewing America's Schools Program that's funded through the Department of Energy. Ms. Park stated that the Department of Energy has responded to the Town, which she believes is a positive sign that they are interested in the project.

On a motion by Betty Cavacco and seconded by Harry Helm, the Board voted to approve the recommendation and support of the application for Renew America's Schools Grant for Plymouth South Elementary School

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

FISCAL YEAR 2024 TOWN BUDGET – RECOMMENDED BY ADVISORY & FINANCE

Mr. Brindisi stated that the Advisory & Finance Committee's recommendation is to allocate \$800,000 of salary reserve to the Schools, and \$60,000 to the Library.

On a motion by Harry Helm and seconded by Richard Quintal, the Board voted to approve the recommended FY24 Town Budget as recommended by the Advisory & Finance Committee.

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

10-YEAR CAPITAL IMPROVEMENT PLAN PRESENTATION

Ms. Barrett, Director of Finance stated that the Town's bylaw requires a 5-Year Capital Improvement Plan to be formed, however, the Town Manager believed that a 10-Year Capital Improvement Plan be formed. Ms. Barrett stated that there are approximately \$626 million of Capital Improvement projects that were requested in total by Department Heads. Ms. Barrett stated that is not possible in 10 years. Ms. Barrett noted that future projects include a new DPW Facility, new/remodeled Fire Stations, Police Department renovations, a new elementary school, Water Street Promenade, and Town Square for a total estimate of \$215 million. Ms. Barrett said that the School District informed her that construction for the elementary school is approximately 2027.

Ms. Barrett noted that the Town historically, has used free cash to fund Capital Improvement Projects. Ms. Barrett stated that free cash should not be used for reoccurring operation budget items, but rather for one-time capital expenditures. Ms. Barrett stated that the Town will be forming a free cash policy, to plan for future expenditures and savings. Ms. Barrett stated that enterprise retained earnings and betterments are possible funding sources. Ms. Barrett stated that the town will investigate any special stabilization funds. Ms. Barrett stated that the Town will continue to apply for grants. Ms. Barrett stated that the Town will revise a free cash

policy so that 5% of the annual budget will be derived from free cash. Ms. Barrett stated that the Town will reserve 10% of that free cash amount on an annual basis and will not be spent. Ms. Barrett stated that the excess motor vehicle excise will be put in the Pavement Management Special Purpose Stabilization Fund. Ms. Barrett stated that the Town plans to commit to increasing the General Purpose Stabilization Fund to a 5% amount of the Annual Budget. Ms. Barrett stated that the free cash amount, each year, over 10 years will be approximately \$8-11 million. Ms. Barrett stated that the Town has a Community Impact Fee Fund from the 3% that is charged on short-term rentals. Ms. Barrett stated that funds from the sale of real estate, and monies generated from Uber and Lyft rides can also be utilized for funding capital improvements.

Ms. Barrett stated that borrowing rates have increased in the past few months, however, they are close to the 10-year average and less than the 23-year average. Ms. Barrett stated that the Town has strong borrowing rates because the Town is a AA and an AA+. Ms. Barrett stated that during the time of low borrowing rates during the COVID-19 pandemic, the Town saved several millions of dollars by refinancing. Ms. Barrett stated that the Town is well within the normal debt limit, even including the funds outside of the Town's normal debt limit. Ms. Barrett stated that a significant amount of debt will be fully repaid in the coming years.

Mr. Mahoney noted that the Town Manager, brought forth capital improvement requests to CIC, which equaled the amount that was available to spend, rather than having the Committee rank the requests themselves. Mr. Brindisi stated that the Town will continue the process. Mr. Mahoney thanked Mr. Brindisi for devising a 10 Year Plan rather than a 5 Year Plan for capital improvements. Mr. Quintal stated that there could potentially be large acquisitions of land/property that the Town will have to consider purchasing, and the Town should be prepared for that in advance. Mr. Brindisi recommended to the Board that they should consider adding a future goal to invest in future funding sources for acquisitions of large amounts of land. Mr. Mahoney noted the Town should be prepared to acquire the 1,500 acres of land, as part of the decommissioning of the Nuclear Power Plant, and that the Town should invest in funding the acquisition in advance of the sale.

PROPOSED 2023 OUTDOOR DINING FEE SCHEDULE

The fee Per Restaurant Renewal is \$2,000

The fee Per New Restaurant is \$2,500

Mr. Brindisi stated that in a previous Board meeting, the Board requested that the Town Manager converse with the Downtown Waterfront Business Association and the Outdoor Dining Committee. Mr. Brindisi stated that the businesses that applied for outdoor dining are aware of the fee structure.

On a motion by John Mahoney and seconded by Harry Helm, the Board voted to approve and execute the 2023 Outdoor Dining Fee Structure as presented.

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

Mr. Brindisi stated that the set-up for outdoor dining parklets will begin on April 10, 2023.

TOWN MANAGER'S REPORT

Mr. Brindisi reminded the Board that the Vote by Mail Application deadline is May 15, 2023.

Mr. Brindisi stated that Ms. Barrett, and Ms. Dunn Director of Assessing, met with the Elderly and Disabled Tax Assistance Committee to form the regulations for the assistance program.

Mr. Brindisi stated that the Town Clerk is sending out notifications to all appointed and elected officials that Open Meeting Law training is required, along with acknowledging State ethics regulations.

Mr. Brindisi stated that PACTV has been working in the 1820 Courtroom to upgrade the audio and visual experience, to make the room more accessible.

Mr. Brindisi stated that nomination papers are due on March 31, 2023, at the Town Clerk's Office.

Mr. Brindisi stated that the Simes House RFP will be released on April 6, 2023. Mr. Brindisi stated that there will be a walk-through scheduled, for April 17, 2023. Mr. Brindisi stated that the RFPs are due April 28, 2023.

Mr. Brindisi stated that the Town has formed a graffiti task force, comprised of Park Plymouth, DPW, the Police Department, the Planning Department, etc.

Mr. Brindisi stated that the Board of Health will be holding an information session regarding the dangers of tritium in water.

Mr. Brindisi stated that on March 7, 2023, the Town was notified of settlement near the Water Street Sewer Interceptor Project construction. Mr. Brindisi stated that construction has halted, since March 7, 2023. Mr. Brindisi stated that Northern Construction Services has been tasked to form a new plan of action to continue construction. Mr. Brindisi stated that once a new plan of action has been submitted, Environmental Partners, the Town's engineering firm will review the plans. Mr. Brindisi stated that the plan will continue adding wells, to manage any additional water. Mr. Brindisi stated that the construction will resume on April 10, 2023. Mr. Brindisi stated that Northern Construction Services expected the project to be completed by May 31, 2023. Mr. Brindisi stated that they have until June 30, 2023, to complete the project for the Summer, and may have additional construction during the Fall of 2023.

SELECT BOARD OPEN DISCUSSION

Mr. Mahoney asked what the status is of the Water Conservation Committee's recommendations. Mr. Brindisi stated that the Town does not anticipate having a tiered rate system, for the upcoming rate set period. Mr. Brindisi stated that the DPW will begin an engineering hydraulic modeling study of the Town's water system.

Mr. Mahoney provided an update regarding an NDCAP meeting last night. Mr. Mahoney stated that Holtec honored a request to have Town officials present when water is sampled. Mr. Mahoney stated that David Gould will be attending the sampling the first or second week of April. Mr. Mahoney stated that the results will be released on May 22, 2023. Mr. Mahoney requested an increased security presence.

Ms. Cavacco requested that the Town Manager form a meeting with the CPC. Mr. Brindisi stated that the Town is applying to CPC to de-lead cabins at Hedges Pond.

Mr. Helm requested that the Town Manager follow up regarding the Water Conservation Committee recommendations, and add the recommendations as a future agenda item for the Board.

ADJOURNMENT OF OPEN SESSION

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 will return to 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

EXECUTIVE SESSION CONTINUED

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- Holtec International
- Public Employee Committee (PEC)

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