

PLYMOUTH SELECT BOARD

TUESDAY, APRIL 18, 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
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 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

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
 - 51 Main Street
-

6:00 P.M. BACK TO OPEN SESSION

PUBLIC COMMENTS

Nancy Carol, Plymouth resident, (dressed as a fish) invited the Board to the Annual Herring Run Festival, which is occurring on Saturday, April 22, 2023.

EDUCATION FOUNDATION FUNDRAISER

Dan Gorczyca, Vice President, of Plymouth Education Foundation, invited the Board to the 12th Annual Plymouth Education Foundation Gala, held on Saturday, April 29, 2023, at 6:00 p.m. at the Waverly Oaks Golf Course.

PROPOSED AMENDMENTS TO SHELLFISH REGULATIONS

Chad Hunter, Harbormaster presented the amendments to the Shellfish Regulations. Mr. Hunter stated that Section 3: Permits, has proposed language to include commercial shellfish, rather than prohibit commercial shellfish. Mr. Hunter stated that the language is open, to allow for other species that can be fished. Mr. Hunter stated that Section 7 is new, is associated with commercial harvesting, and gives the Board to authority to issue commercial licenses. Mr. Hunter noted that people are interested in harvesting razor clams. Mr. Hunter stated that moving forward commercial shellfish licenses would expire December 31 (end of the calendar year), and then can be renewed.

Ms. Cavacco said she would like language for the Board to consider the Harbor Committee's recommendations when the Board may consider the suspension or closure of the commercial shell fishery due to the concerns of diminished shellfish stocks.

On a motion by Harry Helm and seconded by Charlie Bletzer, the Board voted to approve the amendments to Shellfish Regulations, including an amendment by Ms. Cavacco that the Board would consider the Harbor Committee's recommendations when the Board may consider the suspension or closure of the commercial shell fishery due to the concern of diminished shellfish stock.

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

FIRE DEPARTMENT ANALYSIS

Fire Chief Neil Foley introduced the Comprehensive Fire Department Study, which was commissioned one year ago, to study all functions and aspects of the Fire Department. Chief Foley stated that the Center for Public Safety Management facilitated the study.

Chief Joseph Pozzo, of Volusia County, Florida, Principal Study Manager, gave the presentation of the Study. Chief Pozzo described that the Town has deployment deficiencies regarding engines and ladders. Chief Pozzo said that the Town has some deficiencies in training, however, Chief Pozzo stated that the Department is trained well overall. Chief Pozzo stated that there are deficiencies in recommended company personnel. Chief Pozzo said the Town has a highly rated communication center, however, there are issues with PSAPs and how 911 calls are deployed. Chief Pozzo stated that the Town has a good water system.

Chief Pozzo stated that the standard being compared to the Town's Fire Department is the National Fire Protection Association. Chief Pozzo stated that there are gaps concerning travel time, due to the large area of Plymouth, and where the Stations are located. Chief Pozzo stated that the average travel time in Plymouth is 6.3 minutes, compared to the standard 4.0 minutes. Chief Pozzo stated that personnel recommended that the Town issue more training for the personnel. Chief Pozzo noted that the Chief Master Mechanic does significant

maintenance in the Town, and that saves the Department a significant amount of money concerning repairs.

Chief Pozzo stated that the type of workload is not atypical compared to the standards, however, the Chief stated the amount of workload is significant in Plymouth. Chief Pozzo stated that there should be consideration to move Station 1 and Station 4, due to the workload and more recent development. Chief Pozzo described forty separate recommendations.

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

ADMINISTRATIVE NOTES

1. The Board will vote to appoint Michelle Bratti as the Board's representative to the Old Colony Elder Services Board of Directors, from July 1, 2023, through June 30, 2024.
2. The Board will vote to approve and execute the Aquaculture License Site Agreement for Beth Doyle, as presented in the Agenda Packet.
3. The Board will vote to approve and execute the renewal of the existing 2023 commercial mussel license to expire on December 31, 2023, for Domenic Santoro.
4. The Board will vote to approve and execute the renewal of the existing 2023 commercial mussel license to expire on December 31, 2023, for Jim Keding.
5. The Board will vote to approve and execute the renewal of the existing 2023 commercial mussel license to expire on December 31, 2023, for Lenny Michaud.
6. The Board will vote to approve and execute the renewal of the existing 2023 commercial mussel license to expire on December 31, 2023, for Jim Reynolds.
7. The Board will vote to approve and execute the renewal of the existing 2023 commercial mussel license to expire on December 31, 2023, for John Reynolds.
8. The Board will authorize the application for, and (if awarded) acceptance of, a grant in the amount of \$250,000 through the Massachusetts Municipal Fiber Grant Program, to be applied towards the expansion of the Town's municipal fiber optic network.

Licenses

1. Redbrook/AD Makepeace, 1 Greenside Way North, Jennifer Maynard is requesting One Day Wine & Malt License for May 7, 2023, from 10:00 a.m. to 4:00 p.m. for a resident event at The Barn at Redbrook, 37 Farm Road, outdoor space by cranberry bogs.
2. Black Lantern Tavern, 1 Greenside Way North, Suite 104, Sahin Gulsen is requesting a One Day Wine & Malt License for April 22, 2023, from 10:00 a.m. to 4:00 p.m. for a fundraiser on the Town Green Redbrook.
3. J James Auctioneers & Appraisers, 190 Court Street, Joshua J. Rioux, Owner, is requesting a Special Auctioneer license.
4. Rios Steakhouse LLC d/b/a Rios Steakhouse, 318 Court Street, Natalia Martins Gato, Manager is requesting a Pledge of License and Inventory to Eastern Bank.

5. Sam Diego's East Inc., 51 Main Street, Richard E Sorenson is requesting permission to close on April 30, 2023, to reorganize during the process of transferring the licenses due to staffing issues.
6. Peggy's Pawn Shop, 37 Court Street, Owner, John McCarthy is requesting a Pawn Broker License.
7. Best Buy Stores LP #385, 228 Colony Place, is requesting a Junk Dealer License.
8. Fresh Pick'D, 772 State Road, is requesting a Junk Dealer License.
9. Gamestop LLC, 165 Colony Place, is requesting a Junk Dealer License.
10. Main Street Jewelry Inc., 52 Main Street, is requesting a Junk Dealer License.
11. Paul Almedia 24 Hour Towing Inc., 10 Columbus Road, is requesting a Junk Collector's License.
12. Peggy's Collectibles, 37 Court Street, is requesting a Junk Collector's License.
13. Main Street Psychic, 5 Main Street, is requesting a Fortune Telling License.
14. Ellis Haven Campground, 531 Federal Furnace Road, 2 Pool Tables, is requesting a Billiards License.
15. See Plymouth, 4 North Street is requesting an Amplified Music Permit for May 5, 2023, and Fridays from June 2, 2023, to October 6, 2023.

PROPOSED AMENDMENTS TO MOORING WAITLIST ANNUAL RENEWAL REGULATIONS

Mr. Hunter stated that the Town has anywhere between 400 to 600 people on the waiting list for anywhere between 6-10 years, depending on the size of the boat they are requesting. Mr. Hunter stated that approximately 20 to 40 moorings are assigned by turnovers. Mr. Hunter says that roughly 70-90 people do not renew their applications. Mr. Hunter says that people can renew from January 1 – February 28. Mr. Hunter says that after February 28, the renewal period closes, and they are renewed from the list.

Mr. Hunter described the proposed amendments. Mr. Hunter stated that the first amendment is the application renewal period from January 1 – March 1. Mr. Hunter stated that from March 2 through March 15 there is a demand fee added, and a notice will be mailed or emailed to anyone that has not renewed by the March 1 deadline. Mr. Hunter stated that it is a requirement for applicants to update their contact information. Mr. Hunter stated that the proposed demand fee is \$200.00.

Ms. Cavacco disagrees with the demand fee of \$200.00, and how notifications are sent for renewal applicants. Mr. Hunter stated that the Town sends out an invoice on January 1. Mr. Helm stated that \$200.00 is too punitive. Mr. Bletzer asked how long a mooring can remain empty. Mr. Hunter stated that the Harbormaster allows for an inactive mooring for a year. Mr. Hunter stated that once the mooring is inactive for that year, the Harbormaster allows someone off the waiting list to use the mooring temporarily.

Mr. Mahoney asked if Mr. Hunter has investigated expanding moorings. Mr. Hunter stated that there is a minimal expansion in the number of moorings. Mr. Hunter stated that the demand fee goes directly into the general fund.

On a motion by Betty Cavacco and seconded by Charlie Bletzer, the Board voted to approve the Mooring Waitlist Annual Renewal Regulations, as presented with the amendment to add a \$100.00 demand fee and a \$20.00 renewal application fee.

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

TOWN MANAGER'S REPORT

Mr. Cody, the Town staff member, ran the Boston Marathon. Mr. Brindisi stated that the Board will receive an upcoming presentation regarding the roadway preservation plan. Mr. Brindisi stated that this Saturday and Sunday, at the DPW Facility at Camelot Drive, there will be a tree debris removal event. Mr. Brindisi stated that structural repairs of Town Wharf are currently being completed in the next week. Mr. Brindisi stated that the Stephens Field project will go out to bid in May. Mr. Brindisi stated that Mr. Gould will be providing a presentation in the future regarding the history of the project. Mr. Brindisi stated that the land acquisition Town Meeting warrant article for the land adjacent to the Manomet Fire Station has been completed. Mr. Brindisi stated that the Town of Plymouth redesigned website will be launched next Monday.

SELECT BOARD OPEN DISCUSSION

Mr. Mahoney asked that the Town Manager follow up with CPC regarding the status of projects that were approved at the 2022 Fall Town Meeting.

Mr. Helm stated that the Board received the language for the upcoming Annual Town Election sample ballot. Mr. Helm said that he is concerned about the language of the Proposed New Town Charter ballot question. Mr. Helm said he believes the Charter Commission's language is not objective, and therefore biased. Mr. Brindisi stated that he has met with the Town Counsel for the Charter Commission, regarding a few edits to the sample ballot. The Charter Commission Town Counsel stated that he would work with the Chair of the Charter Commission, Bill Abbott, to finalize the revisions and edits.

Steve Bolotin, Precinct 15, described his concerns with the sample ballot question language. Mr. Bolotin said that he believes the ballot question is unfair and biased and does not follow Massachusetts General Law. Mr. Bolotin said that he believes there is an error in the ballot question language, which he believes says that the Planning Board has the final decision on all bylaws.

ADJOURNMENT OF OPEN SESSION

On a motion by John Mahoney and seconded by Harry Helm, the Board voted to adjourn the Open Session at 8:12 p.m.

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

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