

**TOWN OF PLYMOUTH**  
26 Court Street  
Plymouth, Massachusetts 02360  
(508) 322-3139

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**Legislative Oversight Committee**  
**Meeting Minutes**

Meeting Date/Time: April 23, 2025, 6:00pm.

Location: Zoom

Attendance by Roll Call:

<b>Name</b>	<b>Present</b>	<b>Remote</b>	<b>Absent</b>	
<i>Alan Costello, Chair</i>		X		
<i>Pat Adelmann,</i>		X		
<i>Al DiNardo</i>		X		
<i>Anthony Mayo</i>			X	
<i>Tammy Berardi</i>			X	
<i>Bill Keohan</i>	X			
<i>George Brown</i>			X	
<i>Kevin Lynch</i>			X	
<i>Jaqui Perkins</i>			X	
<i>Everett Malaguti</i>	X			
<i>Kathryn Holmes</i>		X		Arrived at 7:02pm
<i>Kristin Ford LOC Coordinator</i>		X		

Guests: Derek Brindisi, Town Manager

**Call to Order**

Chair Costello called the meeting to order at 6:00pm and introduced members.

**Acceptance of Agenda**

Motion: by (Costello) to amend the agenda omitting 71 Hedges Pond Road seconded (Dinardo) and passed by roll call vote. (Adelmann recused and abstained)

**Meeting Minutes Discussion 6:17pm**

Motion by (Adelmann) to accept the minutes as written seconded by (Costello) and passed unanimously by roll call vote.

### **Discuss Proposed Recording Document – B Keohan**

Member Keohan explained his idea to create a spreadsheet starting with the most recent (April 2025) Town Meeting by logging in approved Town Meeting Articles and then following up with the applicants quarterly for updates. Coordinator Ford has agreed to meet with Keohan to begin the process. Members agreed with this concept.

### **Discuss Town Meeting Articles (Derek Brindisi, Town Manager) 6:30pm**

**Full Sail Article** – The properties have been purchased in a nontraditional fashion. The Article to purchase Full Sail went to Town Meeting for roughly 825K to acquire and improve the property for beach access and parking. A purchase and sales agreement was carried out and after the approval at the October Town Meeting A follow up meeting took place the following Tuesday (after Town Meeting) which included the owner of 5 parcels (Fucillo) stated he did not plan on selling the property to the Town. There was a dispute / debate with another resident (Mr. Adams) as to who owned certain parcels within the 6 parcels. Mr. Adams' parcel is the largest parcel abutting White Horse Road. Mr. Fucillo said during the meeting he planned to file adverse possession and until that was remedied, he did not want to talk with the Town. The Town took the advice of KP Law's real estate attorney who suggested the property be taken by eminent domain. The Town worked very closely with Mr. Adams and negotiated a price to acquire the single property by friendly eminent domain which protects Adam's from any adverse possession claim by Fucillo. Two public meetings were held by the Select Board. The first discussed the steps to take the properties by eminent domain. The second meeting included further discussion and a vote. The 6 parcels have been owned by the Town since the filing at the Registry of Deeds. A few improvements have taken place on the properties since the purchase. The hazardous materials have been removed from the building and at the May 8<sup>th</sup> Conservation Committee meeting David Gould, Director of Marine and Environmental, will be (hopefully) obtaining the permit to demolish the building which is likely to take place by Memorial Day assuming the permit is approved. Then no further improvements will be made to the property until after the summer is over. Gould will be spending time over the summer meeting with residents to create a plan/ design that is respectful to abutters. The larger White Horse Road parcel will be the parking lot.

Questions: Is there litigation still going on? Will the Town need to go come back to Town Meeting for more money? Answers: As far as litigation is concerned, no, currently not pending litigation. Mr. Fucillo has 3 years to file a complaint/claim for damages. The Town could be potentially liable for damages, but they are confident with the two appraisals obtained and the savings of roughly \$90K between the \$260K purchase vs the \$360K originally planned price for The Adams family parcel (which was a friendly taking) will cover any potential claims. The 90K difference could be used for damages potentially if a complaint is filed. So, hopefully, no. The Town will not need to go back to the Town Meeting for more funds. The Properties are Town owned in perpetuity since the day of filing the documents with the Registry of Deeds. The Fucillo purchase price was \$305K for his 5 parcels.

### **Airport Hanger Article 6:35pm**

Brindisi was not familiar with the Hanger Article with respect to the northeast corner of the property. Apparently, funds for improvements were appropriated and now the building is gone. Brindisi thought he would be speaking to the runway extension. Brindisi will be meeting tomorrow with the Airport Chairman and will ask about this. Chair Costello will be attending that meeting as well. Costello said there was an old hanger that had been disassembled and removed, and a concrete slab and new steel is in its place. After a phone call earlier in the day between the Airport Chairmen and Costello he learned a new building is being installed in its place. Chapter 90 Aviation authority is being managed by the Airport but what will be discussed at the 4/24/25 meeting are the Town responsibilities surrounding the Airport, any non-Aviation aspects that do not include aviation that would include the Town and Chapter 30B filing through Procurement.

### **Traffic Study Article 6:45pm**

October 2022 Fall Town Meeting 25MPH Article. Transportation Engineer, James Downy was promoted in 2023 to Assistant DPW Director and his former position has not been filled, unfortunately. Recently the Town Engineering position was filled after 3 years but what that did was create a Wastewater Engineer vacancy. The Engineering department has been significantly under resourced for the last three, which is why there has been a delay in implementing this 25mph new regulation. Downey plans to come to the Select Board and give a presentation on the 25mph zoning here in Town. Member Adelmann shared she received an email a month ago saying the project plan was 75% complete and she would like to know if the public will have input as to where the 25mph zones will be. Brindisi said all the information will be in Downy's presentation, but he believes the Law reads the Town will be a 25mph Community unless otherwise designated. State Roads will be restricted.

### **71 Hedges Pond Road**

Next Agenda: Cherry & Court Street Intersection

Comfort Station at White Horse Beach and Great Hall at Hedges Pond Recreation area.

Holmes would like to understand the process, what has been completed, and how she will find information moving forward. Chair Costello said we do have a plan to move forward. The goal is to get caught up and then maintain.

Everett Malaguti would like to know if he is still a member of the Committee. Chair Costello said yes.

### **Public Comment**

none

### **New Business**

none

**Old Business**

none

**Next Meeting:** May 21, 2025, 6pm

**Adjourn:** Motion to adjourn (Costello) at 7:15pm seconded and passed unanimously by roll call vote.