

SELECT BOARD MEETING
Monday, December 4, 2023
Select Board Chamber, Town Hall

Participants: James J. Kilcoyne; Lynne E. Fidler; Stephen R. Darcy; Michael A. Maresco, Town Administrator

Mr. Kilcoyne moved, seconded by Ms. Fidler, to open the meeting at 6:30 p.m. The vote was unanimous. Roll Call Vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye. Mr. Kilcoyne announced that the meeting is being recorded by Marshfield Community Media.

Town Administrator Report – Michael Maresco provided the Board with his brief as follows:

- Meeting with Shaun Strobel, Chief Tavares and Captain McDonough to review the Police Department budget
- Attended CRS/PPI meeting to review the updated material
- Participated in MMA legislative update regarding upcoming session in January 2024
- Chaired monthly Department Head meeting
- Had annual meeting with MIIA to review policies and coverage for the Town’s FY24 renewal process
- Met with Lt. Jones, Chief Tavares and Danielle Kerrigan regarding a change in a job description related to police facilities
- Met with Greg Morris regarding an issue with Conservation Commission
- Met with Craig Hannafin and Bill Finn regarding extension of Mr. Finn’s contract as Conservation Commission consultant
- Participated in a meeting with Governor Healey and Lt. Governor Driscoll on Coastal Resilience
- Participated in a Federal Funds Municipal Partnership meeting to deal with financial equity, climate changes, labor and environmental justice
- Annual Review with Todd Goodwin, Executive Director of the I/T Department
- Annual Review and three-year contract review with Chief Tavares
- Participated in the MMA and DLS forms of government seminar
- Met with Shaun Strobel to review FY23 close out, free cash certification, FY25 capital plan, FY24 budget and roll out of FY25 budget in January
- Attended the MHS super bowl game at Gillette Stadium with Select Person Fidler
- Weekly meeting with Fred Russell and Tony Bullock to review ongoing projects
- Working with Clifford & Kenny law firm regarding renewal of the Verizon Cable contract that will expire in March 2025
- Phone conversation with Michael Westort, Health Circle, regarding CCC being about a month behind on approvals
- Met with Sherry Costello regarding Christmas tree lighting on Town Green on December 8
- Attended the Plymouth County Police Chief Association Holiday Party
- Weekly call to WATD to discuss various issues and Select Board meeting agenda
- Met with Eric Kinsharf and Shaun Strobel for an update on FY23 close out, free cash and bank reconciliation
- Met with Lynne Fidler and Harry Klebanoff regarding hazard mitigation

Treasurer/Collector Update – Shaun Strobel appeared before the Board to give a financial update. Mr. Strobel said that they are getting ready for the 2023 close out and working on free cash certification and reconciliation, which were delayed with the challenges of the past year. Mr. Strobel said that the FY25 budget is in the works as well as the Capital Improvement Plan. Lynne Fidler asked about Munis. Shaun Strobel said that is on hold until some of the structural issues are resolved. The Board thanked Mr. Strobel for all of his work and for the update.

Classification Hearing – Anne Marie Sinnott appeared before the Board and gave some details on the process leading up to the Classification Hearing and the options for the Select Board to vote on. After a brief discussion, James Kilcoyne moved, seconded by Lynne Fidler, to continue to tax all classes at the same rate by adopting a factor of “1” and to reject the small commercial exemption and the residential exemption. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

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Annual Town Meeting Warrant – James Kilcoyne read the public notice regarding the opening and closing of the warrant for the April 22, 2024 Annual Town Meeting. James Kilcoyne moved, seconded by Lynne Fidler, to open the warrant for the Annual Town Meeting on Tuesday, January 2, 2024 (due to the holiday on Monday January 1, 2024) and close it on January 23, 2024 at 4:00 p.m. The vote was unanimous. Roll Call Vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Request for Permission to Accept Donations – James Kilcoyne moved, seconded by Lynne Fidler, to approve the request of the Veterans Agent for permission to accept the following donations to be used to provide assistance for health and welfare, morale and/or the financial needs of our veterans and their dependents:

- \$100 donation from Mr. & Mrs. Jonathan Rowell in memory of Justine Murray
- \$200 donation from Mr. & Mrs. Robert Arsenault
- \$50 donation from Ms. Sicard in memory of Justine Murray
- \$50 donation from Mr. & Mrs. Michael Cunningham in memory of Justine Murray
- \$40 donation from Mr. & Mrs. Joseph Henderson in memory of Justine Murray
- \$528 donation from Marshfield Youth Football
- \$200 donation from Mr. & Mrs. Edward Dwyer

The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Acceptance of Minutes – James Kilcoyne moved, seconded by Lynne Fidler, to accept the minutes of November 20, 2023 and November 30, 2023 as written. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy - aye.

Beach & Back 5k – James Kilcoyne gave some details on this road race scheduled for May 18, 2024. James Kilcoyne moved, seconded by Lynne Fidler, to approve the request from Anne Marie Winchester to hold the 3rd Annual Race Wire/Stack Sports Beach and Back 5k and half marathon on Saturday, May 18, 2024 beginning at 7:30 a.m., starting and ending in Brant Rock. The following public safety recommendations have been requested: MFD will require a two-person detail consisting of 2 EMTs who will follow the runners in the Community EMS vehicle. The MPD is requesting 7 detail officers and is requesting that local businesses be notified in advance regarding the race. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy - aye.

Facilities Update – Fred Russell appeared before the Board to give an update on ongoing facilities projects including demolition permit for 82 Wyoming Street, work at Daniel Webster Estate and RFQs for on call architect. Mr. Russell also updated the Board on the new Service Request program on the Town's website and gave a demonstration on how it works. After a brief discussion, the Board thanked Fred Russell for coming in and for his work on the Service Request program.

Morse Engineering Co., Inc. – 0 Main Street Appeal – Gregory Morse appeared before the Board and said that he does not feel that Celiberti Realty LLC, the owner of the property at 0 Main Street, has been treated fairly by the Conservation Commission. Mr. Morse gave some details on the history of this property owner's interactions with the Conservation Commission. Mr. Morse said that there is a conflict of interest with Beals and Thomas who were hired by the Conservation Commission to do a peer review, due to the fact that Beals and Thomas is also contracted to work with the applicant on another project. Craig Hannafin, Chair of the Conservation Commission, appeared before the Board and said that she is just learning of this conflict so she cannot address it. Ms. Hannafin reviewed the qualifications of Andrew Gorman and Stacy Miniham of Beals and Thomas who were hired to conduct the wetland delineation on this property.

James Kilcoyne said that it is his understanding that this is not a peer review but a new independent wetland delineation. Craig Hannafin said that is correct. James Kilcoyne asked if the Conservation Commission would want to look for a new consultant in light of the possible conflict of interest. Craig Hannafin said that she would like to speak to Beals and Thomas to find out if there is an actual conflict and if that is the case, they will look for

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another consultant. Mr. Morse said that he would like the Conservation Commission to follow their policy of getting three bids before hiring a consultant. Craig Hannafin said according to Town Counsel this is not a procurement that requires three bids.

Lynne Fidler told Mr. Morse that the Board does not appreciate receiving new information on such an important subject at the time of the meeting and agreed that this should go back to Conservation Commission to check on the appearance of a conflict of interest. James Kilcoyne moved, seconded by Lynne Fidler, to accept the qualifications of the specialists hired by the Conservation Commission and to remand the matter back to the Conservation Commission to determine whether or not there is in fact a conflict of interest. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Hazard Mitigation Plan – James Kilcoyne thanked everyone who has been involved in the process which will have a multi-year impact on our citizens with possible tax increases, increased regulatory burden and housing affordability impacts. Mr. Kilcoyne read a brief statement and said that policy oversight and public clarification is the role of the Select Board and his questions and comments are not meant as criticisms. Town Planner Gregory Guimond and Building Commissioner/Floodplain Administrator Andrew Stewart appeared before the Board along with Leslie Fields from the Woods Hole Group who appeared remotely. Mr. Guimond said that this is a final draft of the plan and the Select Board's vote is the final step in the process. Mr. Guimond noted that this is a policy document that will be reviewed every year by the CRS/PPI committee and modifications can be made. Mr. Guimond said that the average cost for flood insurance is \$1410 but because we have the 15% discount as a CRS community, the average cost in Marshfield is \$1226. Andrew Stewart noted that these numbers are for NFIP policies, not private insurance and said that there are currently 848 NFIP policy holders in Marshfield, they are trying to gather information on private insurance. Mr. Stewart said that private insurance is cheaper, but they will remove you from their policy after your first loss, essentially forcing you to switch to NFIP. Mr. Kilcoyne noted that the inland wetland zoning bylaw is not included in the plan and asked if Mr. Guimond and Mr. Stewart feel it should be added to the document in future years. Mr. Stewart said that it certainly could be added but he does not feel that it is necessary since most of those areas are wetlands and are covered under the wetlands protection bylaw. Mr. Kilcoyne said that Mitigation Action 1c is to "evaluate adaptation alternatives for low-lying roads and bridges throughout Town" and asked if private roads with public access are included. Mr. Guimond said that many different Town departments worked on this document and he cannot answer questions regarding specific roads. Mr. Kilcoyne said that the Town taking over responsibility for elevating private roads would set a precedent of maintaining these roads. Mr. Kilcoyne asked why the Wastewater Treatment Plan is listed as a priority. Mr. Guimond said that the WWTP is a very important part of the Town's infrastructure and it is partially in the floodplain. Mr. Guimond gave some details on how the cost of a project affects its level of priority. Mr. Kilcoyne asked why Bass Creek is not a higher priority. Andrew Stewart said that he has had a lot of conversations with residents in that area and also in the Ridge Road area which has a similar situation. Mr. Stewart said that over the years debris and vegetation have been accumulating in these ditches and according to DPW one of the roadblocks for cleaning this up has been that the previous Conservation Administrator told them that they need a Chapter 91 dredging license in order to clear those channels. Mr. Stewart said that he believes the DPW is working to approach Conservation as a storm water damage or vegetation management project rather than actual dredging. Mr. Kilcoyne said that mitigation action 4b is to "evaluate all zoning, bylaws, and codes as necessary to increase the resiliency of the built, natural, and landscaped environment to natural hazards. Strengthen existing Wetlands Protection Bylaw and Regulations, Zoning Bylaw, and Article XV (Floodplain Zoning) to streamline and gain consistency across town department codes". Mr. Kilcoyne said that it is a broad bucket to say we are going to redo all of our zoning bylaws and codes and regulatory bylaws. Andrew Stewart clarified that they are not proposing that they are going to rewrite the bylaws, they are just going to evaluate them and potentially make some revisions in order to achieve mitigation and resiliency goals. Mr. Guimond noted that if we make any changes to the Hazard Mitigation Plan now, it would have to go back to FEMA for a full review which could take

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four months and we need to get this plan into action as soon as possible. Mr. Guimond said that we could remove this item next year without FEMA review because we will already have the 5-year approval and yearly reviews are within our own jurisdiction. Mr. Kilcoyne said that mitigation action 8b is to “integrate municipal mitigation and adaptation projects into the Town’s capital budget” and asked about funding for DPW projects. Greg Guimond said that he would need a DPW person to answer that. James Kilcoyne said that the DPW needs to strengthen the funding for emergencies in their budget but the Select Board would need oversight on what defines an emergency.

Lynne Fidler said that the goal for tonight is to adopt this plan so that we can maintain our CRS rating with the understanding that this is a policy framework that can be modified over the next five years. Ms. Fidler suggested wrapping up the discussion and going to a vote. After further discussion, James Kilcoyne moved, seconded by Lynne Fidler, to adopt the 2023 Multi Hazard Mitigation Plan for the Town of Marshfield in an effort to reduce or eliminate the loss of life and property damage resulting from natural hazards such as floods, earthquakes and hurricanes through long-term strategies that include planning, policy changes, programs, projects and other activities. The vote was unanimous
Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Annual Renewal of Licenses for Restaurants and Clubs – Stephen Darcy read into the record the list of restaurants and clubs applying for renewal of their licenses as follows:
Aoyama Asian Bistro: Restaurant All Alcohol, Common Vic, Entertainment
Cask 'n Flagon: Restaurant All Alcohol, Common Vic, Entertainment
Disabled American Vets: Club All Alcohol, Common Vic, Entertainment
Don Bravo Mexican Grill: Restaurant Wine & Malt, Common Vic, Entertainment
Ember: Restaurant All Alcohol, Common Vic, Entertainment
Fairview Inn & Restaurant: Innholder All Alcohol, Common Vic, Entertainment, Innholder
Fetch BBQ & Catering Co: Restaurant Wine & Malt, Common Vic, Entertainment
Green Harbor Golf Club: Club All Alcohol, Common Vic, Entertainment
Green Harbor Yacht Club: Club All Alcohol, Common Vic, Entertainment
Haddad's Ocean Café: Restaurant All Alcohol, Common Vic, Entertainment
KKaties Burger Bar: Restaurant All Alcohol, Common Vic, Entertainment
Liv Creative Cuisine: Restaurant All Alcohol, Common Vic, Entertainment
Mamma Mia's Restaurant: Restaurant All Alcohol, Common Vic, Entertainment
Manny's Pizza of Marshfield: Restaurant Wine & Malt, Common Vic, Entertainment
Marshfield Country Club: Club All Alcohol, Common Vic, Entertainment
Marshfield Famous Pizza: Restaurant Wine & Malt, Common Vic
Marshfield Lodge of Elks 2494: Club All Alcohol, Common Vic, Entertainment
Marshfield VFW: Club All Alcohol, Common Vic, Entertainment
Marshfield Yacht Club: Club All Alcohol, Common Vic, Entertainment
Mia Regazza of Marshfield: Restaurant All Alcohol, Common Vic, Entertainment
Ming Dynasty: Restaurant All Alcohol, Common Vic, Entertainment
One 3 Nine Kitchen & Bar: Restaurant All Alcohol, Common Vic, Entertainment
Polcari's Bridgwaye Inn: Innholder All Alcohol, Common Vic, Entertainment, Innholder
Rafferty's Pub: Restaurant All Alcohol, Common Vic, Entertainment
Roht Marine: Restaurant All Alcohol, Common Vic, Entertainment
Sashimi Asian Cuisine: Restaurant All Alcohol, Common Vic, Entertainment
Station Eight: Restaurant All Alcohol, Common Vic, Entertainment
Stellwagen Beer Company: Farmer Brewery Pouring Permit, Common Vic, Entertainment
The Beachhouse B&G: Restaurant All Alcohol, Common Vic, Entertainment
The Corner Café: Restaurant Wine & Malt, Common Vic, Entertainment
The Marsh: Restaurant All Alcohol, Common Vic, Entertainment
The Roadhouse: Restaurant All Alcohol, Common Vic, Entertainment
Venus II Bros.: Restaurant All Alcohol, Common Vic, Entertainment

James Kilcoyne moved, seconded by Lynne Fidler, to approve the annual renewal of licenses listed above for 2024, pending sign off by Police and Fire, submittal of necessary forms and fees and payment of taxes. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

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Annual Renewal of Licenses for Package Stores – James Kilcoyne read into the record the list of package stores applying for renewal of their licenses as follows:

Hubbard's Cupboard: Package Wine & Malt
Marshfield Blanchards: Package All Alcohol
Green Harbor General Store: Package All Alcohol
Jackanson's: Package Wine & Malt
Marshfield Liquors: Package All Alcohol
Rexhame Package Store: Package All Alcohol
Ocean Bluff Packet: Package All Alcohol
North River Beverage: Package All Alcohol
A1 Quick Mart: Package Wine & Malt
Ocean Market & Liquor: Package Wine & Malt
Marshfield Hill General Store: Package Wine & Malt
Roche Bros. Supermarket: Package Wine & Malt

James Kilcoyne moved, seconded by Lynne Fidler, to approve the annual renewal of licenses listed above for 2024, pending sign off by Police and Fire, submittal of necessary forms and fees and payment of taxes. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Requests for Extension of Hours on New Years Eve – James Kilcoyne moved, seconded by Lynne Fidler, to approve an extension of hours for all restaurants to serve alcohol until 1:45 a.m. on New Years Eve contingent on receiving a written request prior to December 31, 2023. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Frozen Pilgrim Road Race – James Kilcoyne moved, seconded by Lynne Fidler, to approve the request from Anne Marie Winchester to hold the Frozen Pilgrim 1 mile, 3 mile and 5 mile road race to take place on Sunday, January 28, 2024 beginning at Marshfield High School at 10:00 a.m. to benefit the Kurt Glessler Foundation for Youth Achievement. The Police Department recommends a police detail for the 5k portion that crosses School Street and continues on Furnace Street. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy - aye.

St. Patrick's Day 5k – James Kilcoyne moved, seconded by Lynne Fidler, to approve the request of John Giberti to hold the 14th Annual St. Patrick's Day 5K in Brant Rock on March 16, 2024 beginning at 10:00 a.m. The race will benefit the Marshfield Education Foundation. The Police Department supports this request with the following public safety recommendations:

- Due to the large number of anticipated runners/walkers two detail officers will be posted at west end of the esplanade and one detail officer at the east end of the esplanade to ensure the safety of the runners at the beginning and end of the race
- In order to ease congestion and keep traffic flowing a cruiser with a detail officer will block vehicle traffic traveling east on Plymouth Avenue, a cruiser/motorcycle at Satucket Avenue and Webster Avenue to assist traffic exiting the Brant Rock neighborhood. A cruiser/motorcycle blocking west bound traffic west on Ocean Street. A roving cruiser/motorcycle to assist with other safety/police issues. Total of 8 detail officers
- Appropriate signage must be placed along route to guide runners and warn motorists of the event
- Race officials must be stationed along Plymouth Avenue ensuring runners/walkers are staying in the right-hand lane and not impeding traffic traveling west on Plymouth Avenue
- All walkers and runners will be off of Plymouth Avenue in a timely manner in order to comply with Federal MUTCD standards and MASS DOT policy for detours and road closures
- Traffic will only be discouraged and at no time will the area be detoured without the presence of a Police Officer

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- All participants and associated race equipment will be removed from the public ways after 60 minutes from the start of the race
- The Brant Rock Esplanade area will be detoured from 8:00 a.m. until 12:00 p.m.
- Marshfield Police will contact the Mass State Police Bomb Squad and request the dogs and technicians as we did last year to assist in ensuring safety of event
- Check with DPW to ensure streets are swept and coordinate for signage and saw horses

The Fire Department will require a three-person detail consisting of two EMTs and a Supervisor. The MFD Community EMS Vehicle will traverse the race route behind the runners and remain at the finish line until all runners have finished. The MFD will also have their ATV at the Start/Finish Line to coordinate any FD resources. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy - aye.

Executive Session – at 8:20 p.m. Mr. Kilcoyne moved, seconded by Ms. Fidler, to go into Executive Session to discuss strategy with respect to collective bargaining that if conducted in open session may have detrimental effect on the bargaining position of the Town, not to return to open session. The vote was unanimous. Roll Call Vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Mr. Kilcoyne moved, seconded by Ms. Fidler, to close the Executive Session at 8:30 p.m. and adjourn the meeting. The vote was unanimous. Roll Call Vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye. There were no votes taken in Executive Session.

Respectfully submitted,

Catherine Burke

The following documents and exhibits were presented at the meeting: letter and backup information from Anne Marie Sinnott regarding classification hearing; letter from Gregory Morse regarding appeal of Conservation Commission consultant selection for 0 Main Street; fee schedule and consultant qualifications from Beals and Thomas; summary of draft multi-hazard mitigation plan from Greg Guimond; notice of opening and closing of Annual Town Meeting warrant; list of annual license renewals for restaurants, clubs and package stores; request for extension of hours on New Years Eve; list of donations to Veterans Services; request to hold Beach and Back 5k on May 18, 2024; request to hold Frozen Pilgrim road race on January 28, 2024; request to hold St. Patrick's Day 5k on March 16, 2024