

## **MINUTES – SELECT BOARD MEETING**

**Monday, November 21, 2022**

**Select Board Hearing Room, Town Hall**

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

Mr. Darcy moved, seconded by Mr. Kilcoyne, to open the meeting at 6:30 p.m. The vote was 3:0. Roll Call Vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

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

- Participated in Massachusetts Municipal Association briefing on immigrants at South Shore hotels
- Participated in Woods Hole Multi-Hazard Mitigation plan meeting
- Participated in the Marshfield Housing Partnership meeting
- Participated in the DPW bi-weekly construction meeting
- Participated in meeting with Laurie Solomon of the Chamber of Commerce, Lara Brait, Cindy Castro, and Lt. Sullivan on beach bus for summer of 2023
- Participated in the Ventress Memorial Library’s Trivia Night at Haddad’s
- Participated in opening of On Call Earthworks service bids for dog park
- Participated in walk through of asbestos contractors with Vertex and Fred Russell, Facility Director
- Lunch meeting with Bill Grafton on outgoing Conservation Administrator
- FY24 budget meeting with Anne Bastille and Lisa Clark
- Participated in Marshfield Conservation Commission workshop with Coastal Zone Management and Massachusetts DEP for coastal dune and coastal bank delineation
- Cemetery walk through at Marshfield Hills Cemetery to identify and photograph Revolutionary militia graves
- Participated in the Senior Center Craft Fair
- Participated in the bi-weekly PMA meeting for Police project and DPW project
- Follow up on FY24 budget meeting with Fire Department, Anne Bastille, and Lisa Clark
- Follow up on FY24 budget meeting with Police, Anne Bastille, and Lisa Clark
- Participated in Veteran event at Proprietors Green with Carin Paulette and Lisa Potts
- Meeting with Shannon Doherty for deposition preparation for Bergeron case
- Meeting with Marti Roderick and Assistant Collector to resolve tax issue from Rexhame Terrace case
- Participated in bi-weekly architect and contractor meeting regarding Police project
- Participated in meeting with Jonathan Grabowski of Marshfield Community Media on HD channel and fiber for library with IT staff
- Participated in bi-weekly architect and contractor meeting regarding DPW project
- Participated in School Department meeting regarding South Shore Vocational Technical High School
- Participated in Massachusetts Municipal Association workshop on updates on cannabis laws
- Chaired the Housing Symposium at Library Plaza to discuss with Agencies what types of affordable housing is needed in Marshfield. Income eligibility, rental costs, and why it is important to have affordable housing for local businesses was discussed
- Attended meeting with the Plymouth County Retirement Board with Lisa Clark, Treasurer, at Jones River Trading Post in Kingston
- Participated in the follow up FY24 budget meeting with Schools, Anne Bastille, and Lisa Clark to finalize school number
- Participated in the Veterans’ Day Parade
- Participated in Capital Budget meeting to review FY24 requests by department with Anne Bastille and Lisa Clark
- Participated in the Bergeron case deposition with lawyers from both sides of case
- Participated in conference call with Matt Parent on aggregate electric
- Met with Fire Chief Simpson on Marshfield Fire Department overtime with Anne Bastille

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- Participated in meeting with Craig Hannafin on Conservation Commission and process to move forward with acting position and for filling position of Conservation Administrator
- Participated in Massachusetts Municipal Association managers meeting at Amherst College
- Reached out to Stan Usovich at Verizon to get DPW pole installed for their project
- Participated in a meeting with Mike Seele regarding the Conservation Commission
- Conference call with Bill Bottiggi and Matt Parent to review info on aggregate electric

Michael Maresco gave an update on the Vaccination Clinic and said to date, 2,995 covid vaccinations and 472 flu shots have been administered at the clinic.

Eagle Scout Flag Disposal Project – Stephen Darcy gave some details on Eagle Scout Aiden Roberge’s donation of a flag disposal box to Town Hall. Stephen Darcy invited Carin Paulette to explain the project further. Carin Paulette explained that Aiden Roberge has donated four boxes to dispose of American flags properly to Town Hall, VFW, Elks, and DAV. Aiden Roberge thanked Select Board for allowing him to present his project. The Marshfield Department of Veterans Services presented Aiden Roberge with a certificate of appreciation. Stephen Darcy allowed for recess for group photo.

Executive Session – At 6:40 p.m. Mr. Darcy moved, seconded by Mr. Kilcoyne, to go into Executive Session to discuss strategy with respect to contract negotiations that if conducted in open session may have detrimental effect on the negotiating position of the Town, to return to open session following the Executive Session. The vote was unanimous. Roll Call Vote: Mr. Darcy – aye, Mr. Kilcoyne – aye, Ms. Fidler - aye.

Mr. Darcy moved, seconded by Mr. Kilcoyne, to close the executive session at 7:09 p.m. and return to open session. The vote was unanimous. Roll Call Vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

Dangerous Dog Hearing - Young – Stephen Darcy read into the record the public notice regarding this hearing and gave some details on the hearing process. All parties interested in speaking at this hearing were sworn in by Robert Galvin. Animal Control Officer Courtney Ellis appeared before the Board and gave a detailed timeline of incidents involving Mr. Young’s dog ‘Koda’. Officer Ellis advises that Ms. Young should consult a veterinary behaviorist/trainer to have the dog evaluated and gave her recommendations for controlling the dog. Paul Young appeared before the Board. Mr. Young gave some details on his knowledge of the incident, as he was not home during incident. Mr. Young states he has never had an incident with Koda before, in reference to past home visitors, vet visits, and for the dog quarantine. Mr. Young gave some details on safety precautions he previously had and will be taking, including fenced in backyard, ‘beware of dog’ signs, and dog never being loose outside of fence. Mr. Darcy asks Mr. Young if he will have a dog trainer/behavioral expert work with Koda. Mr. Young states Koda has been previously trained but he would be willing to get expert opinions on how to prevent any further incidents. Mr. Darcy asks Mr. Kilcoyne and Ms. Fidler if they have any questions. Ms. Fidler asks if Koda is crated when she is in the house. Mr. Young states they do have a crate, along with gates to keep the dog from going upstairs/downstairs and a fenced in backyard. Mr. Darcy asks if there are any other witness who would like to speak. Caitlin Beckman states she wants a proper investigation into the safety of the dog is conducted and any additional safety measures are put in place. Ms. Beckman gives details on her knowledge of the incident, as she was not present during incident. Mr. Darcy moved, seconded by Mr. Kilcoyne, to determine that the dog, Koda, is a dangerous dog. The vote was unanimous. Roll Call Vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye. Select Board discusses what guidelines would be put in place regarding secure confinement while on walks. Mr. Darcy moved, seconded by Mr. Kilcoyne, to order that the dog, Koda, be securely confined when indoors or confined to the fenced in yard while at the premises at 150 Arnold Road; and that when removed from the property, that Koda, be at all times securely and humanely muzzled and restrained with a leash, chain or other tethering device having a minimum tensile strength of 300 pounds and not exceeding 3 feet in length. Special care should be taken when Koda is in the presence of small children. The

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vote was unanimous. Roll Call Vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

Board of Assessors - Classification Hearing – Christopher Bitteker and Ann Marie Sinnott appeared before the Select Board. Ms. Sinnott gave some details on the impact of a split tax rate versus a single tax rate. Ms. Sinnott referred to the hand-outs given to the Board and noted that historically Marshfield maintains a single tax rate. Ms. Sinnott then explained the small commercial exemption and said that the Board of Assessors recommends not adopting this exemption for the reasons listed in the hand-out. Mr. Darcy moved, seconded by Mr. Kilcoyne, to approve a single tax rate and to reject small commercial exemption and the residential exception. The vote was unanimous. Roll Call vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

Pole Installation at 60 Regis Road – Stephen Darcy read into the record the public notice regarding this hearing. Mr. Darcy calls upon James Murphy, Verizon Representative. Mr. Murphy briefly explains the purpose of the installation of the pole. After a brief discussion, Stephen Darcy moved, seconded by James Kilcoyne, to approve the installation with Verizon and Eversource for one JO Pole 419/3½ on Regis Road. The vote was unanimous. Roll Call vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

Approval of Roderick Boundary Line Agreement - Robert Galvin, Esq., gave details of the Roderick family boundary line agreement. After a brief discussion, Stephen Darcy moved, seconded by James Kilcoyne to endorse the Roderick Boundary Line Agreement pursuant of Article 13 of October 19, 2020 Special Town meeting. The vote was unanimous. Roll Call vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

Appointment of a Local Historic District Study Committee of the Historical Commission – Michael Maresco gave some details of establishing a local Historic District Study Committee. Cindy Castro provides details on the benefits of establishing a local Historic District Study Committee. After a brief discussion, Stephen Darcy moved, seconded by James Kilcoyne for the Select Board to further study the request to establish a local Historic District Study Committee and for Michael Maresco to pull together information from other towns that have Local Historical Districts and Commissions and present back to the Select Board his findings. The vote was unanimous. Roll Call vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

New Appointment to Acting Conservation Administrator – Michael Maresco gave details regarding Michael Seele's qualification to fill role of Acting Conservation Administrator until a permanent administrator has been hired. Mr. Kilcoyne offered in discussion that the Town utilize the current consultant, Mr. Finn, as Acting Conservation Administrator until a new person may be identified or current Conservation Agent is promoted. Mr. Darcy and Ms. Fidler disagreed. After brief discussion, Stephen Darcy moved, seconded by James Kilcoyne to approve Michael Seele, Conservation Agent, as the Acting Conservation Administrator until a permanent administrator has been hired. The vote was unanimous. Roll Call vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

Award Contract to Ramco Survey Stakes Co. Inc. – Michael Maresco gave details regarding the contract for Mounce's Meadow parking improvements, Contract AC-2023-01. Ramco Survey Stakes Co., Inc. of West Bridgewater, MA was the lowest most qualified bidder for \$25,605. After brief discussion, Stephen Darcy moved, seconded by James Kilcoyne to award the contract for Mounce's Meadow parking improvements Contract AC-2023-01 to Ramco Survey Stakes Co., Inc. of West Bridgewater, MA in the amount of \$25,605. The vote was unanimous. Roll Call vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

South Shore Celebration of Lights – Common Victualler License – After a brief discussion, Stephen Darcy moved, seconded by James Kilcoyne, to approve a Common Victualler License for Fiesta Shows of Seabrook, NH, South Shore Celebration of Lights for the Marshfield Fairgrounds located at 140 Main Street from November 25, 2022 through December 30, 2022 with hours of operation from 5:00pm until 10:00pm daily,

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pending approval from the Building Department and property taxes have been paid. The vote was unanimous. Roll Call vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

Execution of Conflict Waiver for KP Law - After a brief discussion, Stephen Darcy moved, seconded by James Kilcoyne, to consent and approve to KP Law, P.C. representing the South Shore Regional Vocational School District as Special Counsel, as disclosed in a letter to the Town dated October 31, 2022, notwithstanding that KP Law, P.C. also serves as Special Counsel for the Town of Marshfield. The vote was unanimous. Roll Call vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

Request for Permission to Declare Furniture as Surplus – Stephen Darcy moved, seconded by James Kilcoyne, to approve the request from Cyndee Marcoux, Ventress Memorial Library Director, to surplus, withdraw, and destroy library materials, furniture, or fixtures at end of useful life. The vote was unanimous. Roll Call vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

Request for Permission to Waive Permitting Fee – Stephen Darcy moved, seconded by James Kilcoyne, to approve the request of the Building Commissioner, Andrew Stewart, on behalf of Paul Williams to waive the Building Permit Fee for the demolition of the second floor office space at Town Hall. The vote was unanimous. Roll Call vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

Request for Permission to Waive Permitting Fee - Stephen Darcy moved, seconded by James Kilcoyne, to approve the request of the Building Commissioner, Andrew Stewart, on behalf of John Duquette of Hunt Electric and Monique Pressey of ICCSI to waive the Electric Permit Fees for 93 Old Colony Lane plane charging station and 965 Plain Street data cabling wiring. The vote was unanimous. Roll Call vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

Request from Council on Aging to Raise Hourly Rate – After brief discussion, Stephen Darcy moved, seconded by James Kilcoyne, to approve the request of the Council on Aging to increase the hourly rate earned for the Property Tax Relief Work-Off Program from \$14.25 to \$15.00 per hour (minimum wage for 2023). The tax benefit would then go from \$1,425 gross earnings to \$1,500 which is the limit allowed by the state. The vote was unanimous. Roll Call vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

Permission to Accept Donation – Stephen Darcy read through the request from the Veterans Services Department to accept donation. Stephen Darcy moved, seconded by James Kilcoyne, to accept on behalf of the Veterans Services a donation in the amount of five hundred (\$500.00) from the Marshfield KWVA. The donation will be used to assist our veterans and their families in time of need. The vote was unanimous. Roll Call vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

Acceptance of Minutes – Stephen Darcy moved, seconded by James Kilcoyne, to accept the minutes of October 31, 2022 and November 14, 2022, as written. The vote was unanimous. Roll Call vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye.

Respectfully submitted,

Jenna Gillis

*The following documents and exhibits were presented at the meeting: Request for permission to accept donation to Veterans Services; Dog Hearing process guidelines; letter notifying Paul Young and Madeline Young of Dangerous Dog Hearing and accompanying documentation/exhibits; Classification hearing accompanying documents; Pole hearing petition; Application for Common Victualler License for South Shore Celebration of Lights; letter from KP Law, PC. requesting execution of conflict waiver; request of library furniture and books to be declared surplus; Request for permission to waive fees from Building Department; letter from Conservation Commission recommending that Michael Steele be appointed to Acting Conservation Administrator; Contract AC-2023-01 to award to Ramco Survey Stakes Co., Inc. and supporting documentation; Establishing Local Historic Districts accompanying documentation; letter from Carol Hamilton requesting increase of hourly rate; Roderick Boundary Line agreement and accompanying documentation*