

MINUTES – SELECT BOARD MEETING

Thursday, July 7, 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 1:00 p.m. The vote was unanimous. Stephen Darcy announced that the meeting is being recorded by MCTV.

Land Acquisition Policy – Michael Maresco gave some details on the reason for this policy which would designate Town Counsel and the Town Administrator as final arbitrators for any land acquisition. James Kilcoyne said that according to the Board of Selectmen Policy Guide adopted in July 2021 “the Board shall not vote on a policy at the same meeting at which it is first introduced”. Stephen Darcy said that the current Select Board is not bound to any guidelines set by a previous Board. Mr. Kilcoyne said that the Board needs to take a formal vote to change any policies set forth by a previous Board. Mr. Darcy said that this is not a binding document. Michael Maresco noted that Town Counsel is aware of the vote on this policy and does not have any concerns about it. Mr. Darcy asked if Mr. Kilcoyne had any comments on the policy being discussed today. Mr. Kilcoyne asked if the affected Boards were notified of this discussion as required in Section III of the Board of Selectmen Policy Guide. Mr. Darcy reiterated that the current Board is not bound by these guidelines. Lynne Fidler said that she would like to move forward with the discussion on the Land Acquisition Policy and suggested that the Board discuss the Select Board Policy Guide at a future meeting. Ms. Fidler said that she had no issues with the Land Acquisition Policy. Bob Galvin said that this policy has been the unofficial procedure for the last 12-15 years and gave some details on past practices with regard to land acquisition. James Kilcoyne asked if he could comment on the Land Acquisition Policy. Stephen Darcy said that he already had an opportunity to comment and did not. Stephen Darcy moved, seconded by Lynne Fidler, to adopt an updated Land Acquisition Policy for the Town of Marshfield with the following changes to section 3:

- 3) Depending on the source of funds for the acquisition, the Open Space Committee, Board of Public Works, Community Preservation Committee (CPC) or Selectboard should authorize an appraisal and designate a primary contact for seller during negotiation process. ~~This can shall be the Town Administrator, the DPW Superintendent, or a person from either committee.~~ for anything other than water resource protection. If the proposed acquisition is strictly for water resource protection, the Board of Public Works may authorize an appraisal and designate a primary contact. ~~however, if Community Preservation Act funds will be used, the CPC, working with the Open Space Committee would be the decision-making authority.~~ The seller should be told that all communication goes through the primary contact. The primary contact will be responsible for completion of the following tasks:

The Vote was 2:0 with Mr. Kilcoyne abstaining. Mr. Kilcoyne asked that the record reflect that the Chair stifled a Select Board member from speaking on an agenda item. Mr. Darcy said that he did give Mr. Kilcoyne an opportunity to speak on the policy being discussed but he chose not to.

Applications for Temporary Common Victualler Licenses for Levitate Festival – Michael Maresco gave some details on these applications which came in this week. Mr. Maresco noted that the first two were dropped off by Levitate staff, but Mr. Roht brought in his own application and that vote should be contingent on approval of the event organizers. Stephen Darcy moved, seconded by James Kilcoyne, to approve the Common Victualler License for Rich Catrambone, JC’s Dairy for the Levitate Music Festival on July 8-10, 2022 from 12:30 p.m. until 9:30 p.m., pending approval from the Board of Health. The vote was unanimous. Stephen Darcy moved, seconded by James Kilcoyne, to approve the Common Victualler License for Jessica Cagle, Island Creek Oysters for the Levitate Music Festival on July 8-10, 2022 from 12:30 p.m. until 9:30 p.m., pending approval from the Board of Health. The vote was unanimous. Stephen Darcy moved, seconded by James Kilcoyne, to approve the Common Victualler License for Erich Roht, Erich’s Clam Shack for the Levitate Music Festival on July 8-10, 2022 from 12:30 p.m. until 9:30 p.m., pending approval from the Board of Health and the event organizers. The vote was unanimous.

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Application for Commercial Parking Permit for Levitate Music and Arts Festival –

Stephen Darcy asked about the sprinkler system on the Grace Ryder lawn. Michael Maresco said that that area is not used for parking. Stephen Darcy moved, seconded by James Kilcoyne, to approve the application for commercial parking permits from the Boys and Girls Club of Marshfield to park cars at the Levitate Festival on July 8-10, 2022 at the following locations: Grace Ryder Fields, South River School/Seth Ventress Building and the vacant lot across from the fairgrounds at 50 South River Street. The vote was unanimous.

Mr. Darcy moved, seconded by Mr. Kilcoyne, to adjourn the meeting at 1:25 p.m. There was no executive session held. The vote was unanimous.

Respectfully submitted,

Catherine Burke

The following documents and exhibits were presented at the meeting: applications for temporary common victualler licenses from JC's Dairy, island Creek Oysters and Erich's Clam Shack; letter and application for commercial parking permits from Boys & Girls Club of Marshfield; updated Land Acquisition Policy.