

MINUTES – SELECTMEN’S MEETING

Monday, January 4, 2021

Remote Meeting

Participants: Michael G. Bradley; Christopher R. Rohland; Stephen R. Darcy; Michael A. Maresco, Town Administrator

Mr. Bradley moved, seconded by Mr. Darcy, to open the meeting at 6:15 p.m. The vote was unanimous. Roll Call vote: Mr. Bradley – aye; Mr. Rohland – aye; Mr. Darcy - aye.

Executive Session – At 6:15 p.m. Mr. Bradley moved, seconded by Mr. Rohland, to go into Executive Session for the purpose of discussing strategy in preparation for negotiations with non-union personnel pursuant to General Laws, c. 30A, §21(a)(2) that if discussed in open session may have a detrimental effect on the negotiating position of the Town, returning to open session. The vote was unanimous. Roll Call Vote: Mr. Bradley – aye; Mr. Rohland –aye; Mr. Darcy – aye.

Mr. Bradley moved, seconded by Mr. Rohland, to close the executive session at 6:45 p.m. and return to open session. The vote was unanimous. Roll Call Vote: Mr. Bradley – aye; Mr. Rohland –aye; Mr. Darcy – aye.

Mike Bradley announced that he is not seeking re-election at the end of his current term. Mr. Bradley thanked all of the past and present selectmen that he has served with, as well as the Fire Chief, Police Chief, School Committee and Town Administrator. Chris Rohland said that he admires Mr. Bradley’s commitment to public service and said that it has been a pleasure serving with him. Steve Darcy said that Mike Bradley has done great work during his tenure, including important personnel decisions and impressive capital building projects. Michael Maresco said that the Town is in a great position going forward thanks in large part to Mr. Bradley’s work.

227 Pudding Hill Lane – 61A Issue – Bob Galvin said that he received a call from Attorney Walter Sullivan regarding a parcel of land in private ownership that was at one point classified as forestry land but is no longer taxed as forestry land. Mr. Galvin said that a lien was created as a matter of law, but that lien should have been released when the Town began taxing as residential property. Mr. Galvin said that the land is in the process of being sold, and stated that in all likelihood he will recommend that the Board sign the 61A waiver but he is waiting for more information from Attorney Sullivan’s office. Mr. Galvin said that he would like to put this item on the next available agenda. Attorney Kayla McLeod and Attorney Mark Sullivan appeared before the Board and gave some details on the property and said that they will get the needed information to Attorney Galvin so this item can be placed on a future agenda.

Conservation Restriction – Main Street – Mr. Galvin gave some details on the property and said that the Massachusetts Audubon Society has agreed to hold this conservation restriction. Mr. Galvin recommended that the Board endorse this Conservation Restriction which was supported by Town Meeting. After a brief discussion, Mike Bradley moved, seconded by Chris Rohland, to grant this Conservation Restriction for Parcel #D18-02-06A to the Massachusetts Audubon Society. The vote was unanimous. Roll Call Vote: Mr. Bradley – aye; Mr. Rohland –aye; Mr. Darcy – aye.

Special Town Meeting Warrant – Mike Bradley read the public notice regarding opening and closing of the warrant for the Special Town Meeting scheduled for April 26, 2021. Mike Bradley moved, seconded by Chris Rohland, to open the special town meeting warrant on February 1, 2021 and close it on February 11, 2021. The vote was unanimous. Roll Call vote: Mr. Bradley – aye; Mr. Rohland – aye; Mr. Darcy - aye.

Permission to Accept Donation – Conservation Commission – Michael Maresco told the Board that the Conservation Commission is requesting permission to accept a donation of \$100. Mike Bradley moved, seconded by Chris Rohland, to accept this donation. The vote was unanimous. Roll Call vote: Mr. Bradley – aye; Mr. Rohland – aye; Mr. Darcy - aye.

Permission to Accept Donation – Veterans Services – Michael Maresco told the Board that Carin Paulette has requested permission to accept a \$500 donation to the Veterans Gift Account from Eugene Spriggs. Mike Bradley moved, seconded by Chris Rohland, to accept this donation. The vote was unanimous. Roll Call vote: Mr. Bradley – aye; Mr. Rohland – aye; Mr. Darcy - aye.

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Acceptance of Minutes – Mike Bradley moved, seconded by Chris Rohland, to accept the minutes of December 21, 2020 as written. The vote was unanimous. Roll Call Vote: Mr. Bradley – aye; Mr. Rohland – aye; Mr. Darcy – aye.

Town Administrator Report – Michael Maresco provided the Board with his brief as follows.
Week of December 21, 2020:

- Reclassification hearing on two employee positions, Payroll Clerk and Assistant Town Clerk
- Collective Bargaining with DPW Union with Labor Counsel and Human Resources
- Meeting with Treasurer O’Brien and Plymouth County Commissioners regarding Cares Act Funding
- Weekly COVID-19 Task Force meeting
- Phone conference with MIIA on legal case, Rowley vs. Town of Marshfield
- Finance Team Meeting
- Christmas Holiday

Week of December 28, 2020:

- Meeting with Interim Fire Chief Corbo
- Meeting with Deputy Fire Chief LaSelva
- Weekly COVID-19 Task Force Meeting
- Walk through of Parsonage Street site regarding Police project and demo of DPW barn
- Legal conference call with Attorney Galvin and School Administration, Fay-Martin vs. Town of Marshfield
- Meeting with Jeff Granatino, Tom Miller and Patrick Dello Russo regarding COVID-19 expenses
- Weekly meeting with Fred Russell for update on ongoing projects
- Meeting with Patrick Dello Russo on FY22 Budget Presentation
- Conference Call with DPH on process for vaccinating first responders, working with Duxbury, Pembroke and Hanover
- Phone call with Bill Grafton on issues at 82 Genevieve Lane

Earth Removal Permit – Frozen 4 Corporation – Attorney Steve Guard appeared before the Board and gave some details on this application for a permit to remove material from the site at 985 Plain Street in order to create additional parking in the rear of the building. Attorney Guard said that they will be removing about 10 trucks per day for about 10 days. Mr. Guard noted that they are also requesting a license to landscape a portion of the property in the front of the building that has been gifted to the Town, and said that both of these requests have been approved by the Planning Board and the Zoning Board of Appeals. Deb Keller from Merrill Engineering appeared before the Board and gave some details on the plans. Steve Guard said that top soil will not be leaving the Town of Marshfield. Steve Darcy read into the record the Public Notice regarding this hearing. Mike Bradley asked how many parking spaces will be added if this permit is granted. Ms. Keller said that it would create about 70-80 additional parking spaces. After a brief discussion Mike Bradley made the motion as follows:

I move that the Board of Selectmen find that the proposed operation, as conditioned, will not be injurious or dangerous to the public health; will not produce noise, dust or other effects observable from adjacent property in amounts seriously objectionable or detrimental to the normal use of the property; and will not have a material adverse effect on the water supply, health or safety of persons living in the neighborhood or on the use of or amenities of adjacent land.

- A. Removal operations shall not be conducted closer than 200 feet to a public street.
- B. All equipment for sorting, washing, crushing, grading, drying, processing and treating, or other operation machinery, shall not be used closer than 100 feet to any public street or to any adjoining lot line.
- C. Off-street parking as required in the Table of Off-Street Parking Regulations shall be provided.
- D. Any access to excavated areas or areas in the process of excavation will adequately be posted with "Keep Out – Danger" signs.
- E. Any work face or bank that slopes more than 30° downward adjacent to a public street will be adequately fenced at the top.

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- F. Adequate provision is to be made for drainage during and after the completion of operations.
- G. Lateral support shall be maintained for all adjacent properties.
- H. The use of explosives shall be done in accordance with the regulations for storage or handling of explosives as published by the Commonwealth of Massachusetts.
- I. All operations shall be conducted in such a manner so as to comply with the laws of the Commonwealth of Massachusetts regulating water pollution and air pollution.
- J. Prior to the issuance of any permit or commencement of work, the applicant shall submit to the Board current and complete information on the actual and proposed depth of excavation and the maximum groundwater elevation throughout the entire area proposed to be excavated. Groundwater monitoring wells shall be left in place during the period that the applicant holds a permit hereunder, and readings therefrom shall be taken during March of this year to confirm that excavation was restricted to those areas which are at elevations 10 feet or more above the maximum groundwater elevation as determined by the testing conducted under the provisions of this subsection.
- K. This permit expires one year from the date of approval.
- L. The applicant shall provide the Board of Selectmen with documentary evidence stamped by a registered professional engineer of the quantities of material excavated, the date of removal of such material, and the owner of the vehicle used to transport the material.
- M. All auto and truck access ways to all active and inactive mining operations for sand and gravel must have controlled access by lockable gates.
- N. Night operations shall not be permitted and hours shall be restricted from 9AM to 4PM, Monday to Friday.

Chris Rohland seconded the motion. The vote was unanimous. Roll Call vote: Mr. Bradley – aye; Mr. Rohland – aye; Mr. Darcy - aye.

Attorney Guard asked about the license to landscape the portion of land that will be gifted to the Town. Mike Bradley said that the land should be deeded to the Town prior to signing a license agreement. Mr. Bradley said that they will have Attorney Galvin draft the license agreement and vote on it at a future meeting.

Budget Presentation – Michael Maresco gave some details on the Budget process which started in September and noted that he will make the final presentation and turn the budget books over to the Advisory Board on January 25, 2021. Mr. Maresco gave a PowerPoint presentation including expected revenue, expenses, fixed costs, debt management, and departmental budgets. The Board thanked Mr. Maresco and Patrick Dello Russo for their work on this budget. Michael Maresco said that it is a team effort and the department heads have all been great about working within their budget. Patrick Dello Russo thanked the Board of Selectmen and School Administration for their support and cooperation.

Mr. Bradley moved, seconded by Mr. Rohland, to adjourn the meeting at 8:00 p.m. The vote was unanimous. Roll Call Vote: Mr. Bradley – aye; Mr. Rohland –aye; Mr. Darcy – aye.

Respectfully submitted,

Catherine Burke

The following documents and exhibits were presented at the meeting: application for earth removal permit from Frozen 4 Corporation and accompanying information; draft budget presentation; email regarding 61A issue at 227 Pudding Hill Lane; public notice regarding special town meeting warrant; email regarding donation of \$100 to Conservation Commission; email regarding \$500 donation to Veterans Gift Account; email regarding Conservation Restriction.