

MINUTES – SELECTMEN’S MEETING

Monday October 2, 2017

Selectmen’s Hearing Room

Present: Michael G. Bradley, Chairman; James J. Fitzgerald; Joseph E. Kelleher; and Rocco J. Longo, Town Administrator

Mike Bradley opened the meeting at 7:00 p.m. Mr. Bradley moved, seconded by Mr. Fitzgerald, to go into Executive Session for the purpose of conducting contract negotiations with non-union personnel, and then return to open session. The vote was unanimous. Roll call vote: Mr. Fitzgerald – aye; Mr. Bradley – aye; Mr. Kelleher – aye.

Mr. Bradley moved, seconded by Mr. Fitzgerald, to close the executive session at 7:10 p.m. and return to open session. The vote was unanimous. Roll call vote: Mr. Fitzgerald – aye; Mr. Bradley – aye; Mr. Kelleher – aye.

Mr. Bradley announced that the meeting is being recorded by MCTV.

Approval and Acceptance of Town Administrator Contract – Jim Fitzgerald moved, seconded by Mike Bradley, to ratify the contract that was negotiated with Michael Maresco, Town Administrator. The vote was unanimous.

Green Harbor Village Association – One Day Wine and Malt License – Mike Bradley read through the application from the Green Harbor Village Association for a one day wine and malt license for their annual Harvestfest on October 14, 2017. Mr. Bradley noted that the association has provided proof of liquor liability insurance naming the Town of Marshfield as additional insured. Mike Bradley moved, seconded by Jim Fitzgerald, to grant this license. The vote was unanimous.

North River Arts Society – One Day All Alcohol License – Mike Bradley read through the application from the North River Arts Society for a one day all alcohol license for their “Brew-Ha-Ha” Halloween Art Reception on October 28, 2017. Mr. Bradley noted that the NRAS has provided proof of liquor liability insurance naming the Town of Marshfield as additional insured. Mike Bradley moved, seconded by Jim Fitzgerald, to grant this license. The vote was unanimous.

Appointment to Fill Vacancy on Housing Authority – Mike Bradley read the letter from Jennifer Russell, Executive Director of the Marshfield Housing Authority, requesting that Brittany Cavallo be appointed to fill the seat vacated by Jean McDonald in May 2017. Michael Bradley moved, seconded by Jim Fitzgerald, to appoint Brittany Cavallo to the Marshfield Housing Authority for a term that expires on April 28, 2018. The vote was unanimous.

Approval of Acceptance Deed – 74 Keene Road – Rocco Longo explained that this is the property for which the Town received a FEMA grant to purchase and demolish as it was deemed a repetitive loss. Mike Bradley moved, seconded by Jim Fitzgerald, to approve the deed under the applicable provisions of Massachusetts General Laws, as approved by Town Meeting vote on April 25, 2016. The vote was unanimous.

Mass Memories Road Show – Chris Woods and Regina Porter appeared before the Board to tell them about this event which is scheduled to take place at the Ventress Library on Saturday October 28, 2017 from 10:00 a.m. until 3:00 p.m. Ms. Porter and Ms. Woods explained the program and asked for the Board’s support. Mike Bradley said that they would make sure that the information is put on the Town’s website.

Seaweed Policy – Rocco Longo gave some background on the process to develop this draft policy. Bill Grafton, Conservation Administrator, appeared before the Board and gave some details on the process and the draft policy that was developed, which was modeled after Scituate’s seaweed policy. Mr. Grafton said that the Conservation Commission agrees with the policy but does not want to see any cleaning or beach management included. Mr. Grafton read through the list of beaches and gave details on the challenges related to each different beach environment.

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Mike Bradley asked why some beaches are not eligible for seaweed removal. Bill Grafton said that there are issues with natural rocky intertidal areas and wildlife habitats and also issues with access to some beaches.

Mike Bradley asked what beaches cannot be accessed by large equipment. Shawn Patterson, DPW Director of Operations, said that they cannot get equipment over the large rocks at Ocean Bluff and Brook Road. Bill Grafton noted that Ocean Bluff is also a natural habitat for a variety of species.

Jim Fitzgerald said that Michael Fay has been very concerned about the seaweed on Ocean Bluff and asked why the seaweed cannot be removed from this beach. Bill Grafton said that there are issues with access and ecological adverse impacts.

Jim Fitzgerald mentioned the cost to implement this policy and asked where this money would come from. Rocco Longo said the Board will have to consider increasing the cost of beach stickers in order to provide this service. Shawn Patterson said that they do have a tractor they could use but they would have to get new tires that would allow it to be used on the beach, this would save money over purchasing a new tractor but would still be a cost to the Town. Cindy Castro said that she would recommend increasing the cost of beach stickers by \$10 to cover the implementation of this policy. Tom Reynolds noted that some communities do seaweed removal daily while others do it only as needed, which obviously has an effect on cost.

Michael Fay, 169 Plymouth Avenue, appeared before the Board and provided them with some pictures of Ocean Bluff beach and some correspondence regarding the seaweed on that beach. Mr. Fay said that he was told by Mr. Grafton that the Town could not remove the seaweed, but citizens could do it themselves with hand tools. Mr. Fay disputed the statement that large equipment cannot access Ocean Bluff since the DPW has used large equipment in that area in the past. Cindy Castro said that there are some areas that have to be done with hand tools because machines cannot get into the tight spaces. Tom Reynolds said that they did have a piece of equipment on that beach to work on seawall revetment in 2016, but there is a big difference between that and being able to get a tractor in for seaweed removal. Mr. Fay said that the residents of Ocean Bluff are being discriminated against. Michael Bradley disputed the charge of discrimination.

Jim Fitzgerald said that all beaches are different and Ocean Bluff is not a swimming beach, the Town has limited resources and those resources have to be used on the areas that get the most use. After further discussion, Mike Bradley moved, seconded by Jim Fitzgerald, to adopt the Seaweed Removal Policy as written. The vote was unanimous.

Charter Review Committee – Bill Bowers called the meeting of the Charter Review Committee to order at 8:05 p.m. Don Gibson moved, seconded by Bruce Spitler, to accept the minutes of September 21, 2017 as written. The vote was unanimous.

Bill Bowers gave the Board of Selectmen a PowerPoint presentation outlining the work that they have done over the past 22 months. Don Gibson went through the charter article by article and described the changes that the committee is recommending.

Jim Fitzgerald asked about Article 2.3 which states that the town meeting warrant shall be published no later than two weeks prior to town meeting and noted that the bylaw says four weeks. Don Gibson said that they did not want to make any unnecessary changes, this language is in the current charter and they are not recommending any change.

Mike Bradley asked if the five-member Board of Selectmen is contingent on the elimination of the Board of Public Works. Don Gibson said that the Charter Review Committee did not vote on that, but it was the consensus of the committee that the two items should be linked.

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Joe Kelleher asked if the committee discussed how they would transition from a three-member Board of Selectmen to a five-member Board of Selectmen. Dan Burke said that he spoke with Michelle Tassinari of the Secretary of State’s office about the process and has asked for guidance from her.

Jim Fitzgerald said that he does not agree with the provisions in Article 4 that the Town Manager shall not have served in an elected office in Marshfield in the last 12 months. Mike Bradley agreed and asked the committee to reconsider this provision. Joe Kelleher agreed.

Mike Bradley said that he disagrees with the job description of the Town Manager and said that he feels that the Board of Selectmen should have authority over hiring and firing of department heads. Jim Fitzgerald said that he agrees that if the Board of Selectmen has veto power anyway, why not give them the authority to appoint and remove department heads. Joe Kelleher agreed and added that the two positions that he feels most strongly about are the Police Chief and Fire Chief.

Jim Fitzgerald asked about the legality of Article 4.1.1-H(3) regarding transferring funds. Bob Galvin said this is not a problem.

Jim Fitzgerald said that he doesn’t have an issue with Article 4.1.5B regarding the appointment of the Advisory Board, but he doesn’t see why it needs to be changed. Bill Bowers said that they followed Norwell’s format for this and felt that it provides a system of checks and balances and takes away the perception that the Board of Selectmen has control over Town Meeting. Bruce Spitler added that a lot of the towns they surveyed have the Town Moderator appoint the Advisory Board, but the committee felt that was too extreme and this process was a good compromise.

Jim Fitzgerald said that Article 5.6 is too limiting with regard to capital projects because there are times when projects are deferred from the spring to the fall to see if funding is available.

Mike Bradley asked why they did not include anything in the charter regarding an automatic recall for an elected official who is incapacitated and cannot perform their job. Jim Fitzgerald agreed that there should be a trigger so that no one has to go through the process of getting signatures for the recall of an elected official who is unable to fill out their term. Bob Galvin said that he does not know of any way to do this. Dan Burke said that he spoke to Michelle Tassinari about this and she is not aware of any city or town in the state having a provision for this.

Bruce Spitler elaborated on the proposed organization chart and how it differs from the current organization chart.

Michael Baird, Planning Board, asked who would be setting the goals and objectives for the department heads that are hired by the Town Manager under this proposal. Dan Burke said that the committee felt it made sense for professional staff to report to a professional manager, rather than to a volunteer board, but standards for the department would still be set by the elected or appointed board or committee.

Bill Bowers gave an overview of the next steps in the process, and said that they would like to have a Special Town Meeting to vote on the changes in January 2018. Mr. Bowers said that the committee will be holding three public forums on Thursday October 12 at 7:00 PM at the Martinson Auditorium, Tuesday October 24 at 3:30 PM at the Senior Center, and Thursday October 26 at 7:00 PM at St. Ann’s Parish Center.

Joe Kelleher asked who would moderate the Special Town Meeting. Don Gibson said that he would call the meeting to order and then step down and turn the meeting over to a temporary Town Moderator.

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The Board thanked the Charter Review Committee for all of their hard work and the time they put into this process.

Kevin Cantwell, George Street, said that having Special Town Meeting in January is a tough time of year and may be hard for many people to attend. Mr. Cantwell said that he feels that it should be in the spring.

Scott Borstel moved, seconded by Don Gibson, to adjourn the Charter Review Committee meeting at 9:35 PM. The vote was unanimous.

Town Administrator Report – Rocco Longo provided the Board with his weekly brief:

- May be ready to make recommendations for the finalists for the Town Accountant position to be interviewed next week, will let the Board know tomorrow if it is necessary to have a meeting next week.
- Deadline for applications for Building Commissioner and Facilities Manager positions is October 10, 2017.
- Free cash was certified.
- Starting to set up for the movie being filmed in Brant Rock, it may cause some inconvenience to neighbors and traffic concerns, but they are working closely with Marshfield Police, Fire and DPW.
- Have been making progress on the budgets, Patrick Dello Russo has been working with Department Heads.
- Attending a managers meeting on Friday.

Mike Bradley asked if the Board would like to continue the remaining two agenda items since it looks like they may be meeting next week.

After a brief discussion, Mike Bradley moved, seconded by Jim Fitzgerald, to continue the vote on Special Town Meeting warrant articles and the discussion regarding the Stabilization Fund Policy to the next meeting of the Board of Selectmen. The vote was unanimous.

The meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Catherine Burke

The following documents and exhibits were presented at the meeting: email from Chris Woods and flyer regarding Mass Memories Roadshow; draft seaweed policy and back-up information; pictures and correspondence regarding Ocean Bluff beach from Michael Fay; Draft charter and PowerPoint presentation from the Charter Review Committee; application for one day wine & malt license and accompanying information from the Green Harbor Village Association; application for one all alcohol license and accompanying information from North River Arts Society; application for appointment to Marshfield Housing Authority from Brittany Cavallo, letter from the Housing Authority recommending this appointment, and correspondence from Town Counsel regarding how this vacancy should be filled; settlement statement and deed for the purchase of 74 Keene Street and email from Town Counsel’s office regarding same.