

SELECT BOARD MEETING
Monday, May 22, 2023
Select Board Chamber, Town Hall

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

James Kilcoyne moved, seconded by Lynne 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 Television.

Chairman's Comments – James Kilcoyne read a statement outlining his plans and objectives for his term as Chair of the Select Board.

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

- Organized move into new Select Board office suite
- Participated in the Levitate Music Festival meeting at the EOC in preparation for the event on July 7, 8 and 9
- Participated in the MMA's municipal energy webinar regarding preparing municipalities for compliance with 2035/2040
- Participated in the executive session on potential land purchase for the Fall town meeting
- Weekly meeting with Anne Bastille and Lisa Clark to review status of FY23 as we are in the last quarter of the fiscal year and a review and update on Munis
- Participated in solar meeting regarding installation of roof mounted solar units on schools across Town
- Organized meeting regarding priority habitat issue at Rexhame Beach with representatives from the Beach Department, Conservation Commission, Mass Division of Fisheries and Wildlife and Mass Audubon to discuss piping plover and dune protection
- Weekly meeting with Fred Russell to review ongoing projects and maintenance
- Meeting with Jack Griffin, Capital Budget Committee Chair, to review issues
- Met with Ned Bangs to review work of the Trails Committee and upcoming events
- Met with Craig Hannafin, Bert O'Donnell and Danielle Kerrigan to discuss the appointment of Liz Anoja as Conservation Agent and the process to fill the Administration Assistant position
- Met with Caitlyn Morey and Danielle Kerrigan to being preparation for DPW union negotiations
- Breakfast meeting with Stephen Darcy
- Monthly Department Head Meeting
- First DPW negotiation meeting for CBA with union rep, Attorney Morey, Tom Reynolds and Danielle Kerrigan
- Meeting with Dan Bowen, Tom Reynolds, Anne Bastille and Lisa Clark regarding potential budget shortfall and options to address for FY23 and FY24
- Meeting with Fire Chief to review some ongoing issues, investigations and Fire Department OT
- Meeting with Harbormaster Mike Dimeo to get an update on ice machine, dredging and summer staffing needs
- Attended MMA Public Safety Chief meeting to discuss ongoing issues, staffing, recruitment challenges etc.
- Meeting with Lynne Fidler to review some Town issues
- Participated in conference call with Attorney Galvin and law firm handling the PFAS case
- Coordinated and participated in DIRT meeting to discuss proposal by Nick Drosopoulos regarding a food truck park with yard games and entertainment in Brant Rock on weekends
- Met with Fred Russell regarding school roofs and proposal to install solar panels
- Participated in Veteran's Office unveiling of veteran memorial sign on Chandler Drive in memory of Viet Nam Veteran PFC James Mahler
- Participated in the Ventress Library strategic plan meeting to review survey results
- Met with Chief Tavares regarding beach safety plans for the summer

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Harbormaster Appointments – Harbormaster Michael DiMeo appeared before the Board and gave some details on these annual appointments of new and returning Assistant Harbormasters. James Kilcoyne moved, seconded by Lynne Fidler, to make Harbormaster appointments as follows for the period from July 1, 2023 through June 30, 2024: Michael DiMeo – Harbormaster and Shellfish Constable; Richard Rodwell – First Assistant Harbormaster and Assistant Shellfish Constable; Assistant Harbormasters: John Doyle, Christian Cataldo, Charles Mattar, Stephen Merrick, Daniel Kane, Kyle Scholz, Michael Devine, Collin Costello, John Thompson, Jason Dernier, John Sylvester, Henry MacQuarrie, Jadon Silva, Matthew Carver, Michael Maloney, Alexander English and Patrick Brown. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Pole Hearing – 2nd Road – James Kilcoyne read into the record the public notice regarding this hearing. James de Iturrondo from Pike Engineering appeared remotely before the Board and said that he is representing Verizon at this hearing. Mr. de Iturrondo gave some details on the reason for this request to relocate a pole. Chris Arnold appeared remotely and asked if the other pole is being replaced. Mr. de Iturrondo said that this petition deals specifically with the pole that is being moved, if the other pole is being replaced but not moved it does not require a pole hearing. After a brief discussion, James Kilcoyne moved, seconded by Lynne Fidler, to approve the request of Verizon New England and NSTAR Electric Company d/b/a Eversource Energy to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by petitioners, along and across 2nd Road to relocate one (1) pole, 356/3, on 2nd Road, six feet (6') west and eight feet (8) north where it will be replaced with a new 45' pole to provide power service to 2nd Road. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Select Board Policies & Procedures – James Kilcoyne said that former Chair Stephen Darcy had suggested that this policy guide be accepted by the Select Board each year so that current Boards are not working under guidelines that a previous Board adopted. After a brief discussion, James Kilcoyne moved, seconded by Lynne Fidler, to approve the Select Board Police & Procedure Guide as amended in July 2021. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Amendment to Annual Entertainment License – The Jetty – Tracy Vaughan appeared remotely before the Board and gave some details on the reason for this requested amendment to allow for outdoor entertainment to coincide with the Governor's orders allowing outdoor dining service through April 2024. Ms. Vaughan noted that they have also submitted letters of support from abutters. Lynne Fidler said that she is happy to see the Vaughan's working with their neighbors and said that she supports this application. James Kilcoyne noted that the Fire Chief has expressed concern about the outdoor fire pits and said that they would need to be approved by the Fire Department before being used. Lynne Fidler said that the site plan for this property has been superseded by the Governor's orders and asked if there are changes from what they were doing last year. Richard Vaughan appeared before the Board and said that they have removed the outdoor service bar that they had last year. Mr. Vaughan said that they used the outside fire pits last fall and would like to bring them back if they are approved by the Fire Department. Mr. Vaughan said that they had string lights hanging from poles to increase lighting in the outdoor area, they removed them due to complaints from one neighbor but now it is very dark, creating a safety concern for guests and staff. Mr. Vaughan said that they need a reasonable plan for lighting and times that the outdoor area can be used in order to make it work for outdoor dining and reiterated that they have the support of the majority of the neighbors. After a brief discussion, James Kilcoyne moved, seconded by Lynne Fidler, to approve the request of The Jetty, 278 Ocean Street, for an indoor and outdoor entertainment license to allow jukebox, dancing by patrons, live music, television, amplification system and recorded music. Outdoor area to accommodate up to 99 guests, with acoustical music and amplification on Fridays from 5:00-8:00 p.m., Saturdays from 3:00-6:00 p.m. and Sundays and Monday holidays from 11:00 a.m. until 6:00 p.m. Speakers to be pointed away from neighboring homes. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

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Liv Creative Licensing Agreement – Michael Maresco gave some details on the reason for this licensing agreement which would allow outside dining to extend on to 48 square feet of Town owned land. Mr. Maresco noted that the ZBA will be voting on this use at their meeting tomorrow and the Town Planner does not have any issues with this use of Town land. James Kilcoyne moved, seconded by Lynne Fidler, to approve the licensing agreement for KMO Restaurant Group Inc. dba Liv Creative Cuisine to use the requested Town land for additional outside seating. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Permission to Accept Donation – Recreation Trails Committee – Ned Bangs appeared before the Board and gave some details on these donations that will be used for maintenance of the trails. James Kilcoyne moved, seconded by Lynne Fidler, to approve the request for permission to accept a donation of \$100 from Rand Handy Oil Co. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye. James Kilcoyne moved, seconded by Lynne Fidler, to approve the request for permission to accept a donation of \$100 from Shore Pools and Services Inc. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Annual Renewal of Earth Removal Permit – Biagini Inc. – Michael Maresco gave some details on this annual renewal and noted that the applicant has submitted a certificate of insurance naming the Town as additionally insured, a pit load report and a letter from the Board of Health confirming measurement of groundwater. James Kilcoyne moved, seconded by Lynne Fidler, to approve the renewal of the Earth Removal Permit for Biagini Inc. at parcel F12-02-92 for the period from July 1, 2023 through June 30, 2024. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Application for Annual Peddlers License – Dairy Twist Shop – James Kilcoyne read through the application from Jonathan Hopfgarter. James Kilcoyne moved, seconded by Lynne Fidler, to approve the application for an annual peddler's license for Jonathan Hopfgarter, Dairy Twist Shop ice cream trailer to be used at Stellwagen Beer Co. and other events in Town with approval of the event organizer contingent on positive recommendations from the Police Department and Board of Health. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Application for Temporary Entertainment License – Magical Moon Foundation – James Kilcoyne read through the application from Donna Green. Michael Maresco said that the Building Commissioner has spoken to Ms. Green about some outstanding permitting issues and will be doing a site visit tomorrow to work with her on a prioritized list for bringing the barn up to code, in the meantime all events will be held outside. James Kilcoyne moved, seconded by Lynne Fidler, to approve a temporary outdoor entertainment license for Donna Green, Magical Moon Foundation for their fundraising events on Saturdays June 10, July 8, July 29, August 12, August 26, September 9, and October 14, 2023 from 7:00 p.m. until 9:00 p.m. contingent on positive recommendations from the Board of Health and Police Department. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Permission to Accept Donation – Veterans Services – James Kilcoyne moved, seconded by Lynne Fidler, to approve the request for permission to accept a donation of \$100 from Mr. and Mrs. Joseph Hanlon. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye. James Kilcoyne moved, seconded by Lynne Fidler, to approve the request for permission to accept a donation of \$100 from Mr. Jake Bonney. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Permission to Waive Fees – Building Department – James Kilcoyne read through the request from Andrew Stewart for permission to waive electrical permitting fees for Town Pier ice machine. James Kilcoyne moved, seconded by Lynne Fidler, to approve the request of the Building Department, on behalf of High Voltage Electric, to waive electrical permitting fees for the ice machine located at 100 Central Street, the Town Pier. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

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Permission to Waive Fees – Building Department – James Kilcoyne read through the request from Andrew Stewart for permission to waive permitting fees for the new school building at 255 Furnace Street. James Kilcoyne moved, seconded by Lynne Fidler, to approve the request of the Building Department on behalf of Paul Williams to waive all permitting fees related to the school building project at 255 Furnace Street. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Permission to Waive Fees – Building Department – James Kilcoyne read through the request from Andrew Stewart for permission to waive permitting fees for renovation of the first floor bathrooms at Town Hall. James Kilcoyne moved, seconded by Lynne Fidler, to approve the request of the Building Department on behalf of Paul Williams to waive all permitting fees related to the first floor bathroom renovations at Town Hall. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Permission to Waive Fees – Building Department – James Kilcoyne read through the request from Andrew Stewart for permission to waive electrical permitting fees for the dog park. James Kilcoyne moved, seconded by Lynne Fidler, to approve the request of the Building Department on behalf of High Voltage Electric to waive the electrical permitting fees related to the dog park project. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Application for Annual Peddlers License – Erich Roht/Roht Marine – James Kilcoyne moved, seconded by Lynne Fidler, to approve the application for an annual peddlers license for Erich Roht/Roht Marine for a food truck to operate at events in the Town of Marshfield with permission of the event operator, contingent on positive recommendations from the Police Department, Board of Health and Collector's Office. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Request for Permission to use Avon Street Beach Parking Lot – James Kilcoyne moved, seconded by Lynne Fidler, to approve the request from Doreen Corsano, Molly Fitzgerald Memorial Fund, to use the Avon Street parking lot on Friday June 16, 2023 from 6:00 p.m. until 11:30 p.m. for their annual sponsor and volunteer dinner. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Application for Temporary Entertainment License – MA Nursing and Landscape Association – James Kilcoyne read through the application from Rena Summer. James Kilcoyne moved, seconded by Lynne Fidler, to approve a temporary entertainment license for Rena Summer, MA Nursery and Landscape Association for a temporary entertainment license at the Marshfield Fairgrounds on July 27, 2023 from 12:00 p.m. until 4:00 p.m., contingent on positive recommendations from the Board of Health, Police, Fire and Building Departments. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

New Appointment to Energy Committee – James Kilcoyne moved, seconded by Lynne Fidler, to appoint Malcom Gale to the Energy Committee for the remainder of a three year term that expires on June 30, 2025. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

New Appointment to ADA Committee – James Kilcoyne moved, seconded by Lynne Fidler, to appoint Oliver Jack Cady to the ADA Committee for the remainder of a three year term that expires on June 30, 2025. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Reappointment to DPW Building Committee – James Kilcoyne read through the list of people being appointed and reappointed to the DPW Building Committee as follows:

Thomas Reynolds, DPW Superintendent
Diane Jordan, Board of Public Works
James Kent, DPW
Jim Jackson, DPW
Paul Frenchko, DPW

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Paul Duross, DPW
Michael Maresco, Town Administrator
Danielle Kerrigan, Human Resource Director
Fred Russell, Facilities Director
Tony Bullock, Assistant Facilities Director
John Viola, Capital Project Building Committee

Michael Maresco noted that with the recent election Diane Jordan will replace David Carriere on this committee and due to the death of a DPW employee, Paul Duross will replace that individual on this committee. Mr. Maresco said that these appointments are retroactive to February 2023. Lynne Fidler asked how often the committee meets. Michael Maresco said that they meet as needed, when they were in the midst of the building project they were meeting weekly, now it is every 2-3 weeks as needed to approve change orders etc. James Kilcoyne moved, seconded by Lynne Fidler, to reappoint the above listed people to the DPW Building Committee for a two year term from February 2023 through February 2025. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Reappointment to Police Station Building Committee – James Kilcoyne read through the list of people being reappointed to the Police Station Building Committee as follows:

Phil Tavares, Police Chief
Michael McDonough, MPD
Christopher Jones, MPD
Todd Goodwin, MPD and IT Director
Michael Maresco, Town Administrator
Danielle Kerrigan, Human Resource Director
Fred Russell, Facilities Director
Tony Bullock, Assistant Facilities Director
Harry Murphy, Capital Project Building Committee

James Kilcoyne moved, seconded by Lynne Fidler, to reappoint the above listed people to the Police Station Building Committee for a two year term from February 2023 through February 2025. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Representative on Plymouth County Advisory Board – Stephen Darcy said that he is currently serving in this role and would like to continue for another one year term. James Kilcoyne moved, seconded by Lynne Fidler, to appoint Stephen Darcy as the Town of Marshfield’s representative on the Plymouth County Advisory Board for the upcoming fiscal year from July 1, 2023 through June 30, 2024. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Request to Declare Fire Engine as Surplus for Auction – Michael Maresco gave some details on the reason for this request and said that the plan is to sell it on the government auction website. James Kilcoyne moved, seconded by Lynne Fidler, to declare the 2000 E-One Cyclone fire truck as surplus. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Request for Permission to Accept Donation – After a brief discussion, James Kilcoyne moved, seconded by Lynne Fidler, to accept the donation from JGS Construction LLC of a 6x8 shed valued at \$4,000.00 to be used at the Dog Park. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy – aye.

Board and Committee Liaisons – James Kilcoyne said that he would like to send a letter to Board and Committee Chairs letting them know who their Select Board liaison is and would ask liaisons to update the Select Board on what is happening with their Committees. Mr. Kilcoyne read through his list of recommended Board Committee Liaisons Select Board as follows:

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| ADA Committee | Stephen Darcy |
| Advisory Board | Lynne Fidler |
| Agricultural Commission | Stephen Darcy |

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| Airport Commission | Stephen Darcy |
| Capital Budget Committee | James Kilcoyne |
| Community Preservation Committee | James Kilcoyne |
| Conservation Commission | Lynne Fidler |
| Council on Aging | James Kilcoyne |
| Cultural Council | Lynne Fidler |
| Energy Committee | Lynne Fidler |
| Historical Commission | Lynne Fidler |
| Housing Partnership | Lynne Fidler |
| Library Trustees | Stephen Darcy |
| Open Space Committee | James Kilcoyne |
| PPI Committee | James Kilcoyne |
| Recreation Commission | Stephen Darcy |
| Recreation Field Committee | Stephen Darcy |
| Recreation Trails Committee | Stephen Darcy |
| Waterways Committee | James Kilcoyne |
| Zoning Board of Appeals | James Kilcoyne |

James Kilcoyne moved, seconded by Lynne Fidler, to accept these liaison assignments as listed. 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 May 9, 2023 as written. The vote was unanimous. Roll call vote: Mr. Kilcoyne – aye; Ms. Fidler – aye; Mr. Darcy -aye.

At 7:45 p.m. James Kilcoyne moved, seconded by Lynne Fidler, to adjourn the meeting. The vote was unanimous. Roll call vote: Mr. Darcy – aye; Mr. Kilcoyne – aye; Ms. Fidler – aye. There was no executive session held.

Respectfully submitted,

Catherine Burke

The following documents and exhibits were presented at the meeting: pole hearing petition and back up information; request for harbormaster and shellfish constable appointments; application for amendment to entertainment license from The Jetty LLC; application for renewal of earth removal permit from Biagini Inc. and backup information; application for annual peddlers license for Dairy Twist; application for temporary entertainment license for Magical Moon Farm & Foundation; requests for permission to accept donations from Veterans Services; request for permission to waive electrical permit fees from Building Department; request for permission to waive building permit fees from Building Department; request for permission to waive electrical permit fees for Dog Park; application for annual peddlers license from Erich Roht; request for permission to use Avon Street parking lot for Molly Fitzgerald Memorial Fund event; application for temporary entertainment license from Rena Sumner, MA Nursery and Landscape Association; application for appointment to Energy Committee from Malcolm Gale; application for appointment to ADA Committee from Oliver Jack Cady; list of names for reappointment to DPW Building Committee; list of names for reappointment to Police Station Building Committee; request for permission to declare Fire Truck as surplus for auction or destruction; request for permission to accept donation of a shed for the Dog Park; requests for permission to accept donations to the Recreation Trails Committee; list of recommended Select Board liaisons to Boards/Committees; Select Board motions.