

MINUTES – SELECT BOARD MEETING

Monday, May 16, 2022

Selectmen's 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 unanimous. Stephen Darcy announced that the meeting is being recorded by MCTV.

Stephen Darcy announced that the Board of Public Works would be invited to future Select Board meetings to try to improve communication.

Emergency Borrowing for Plymouth Avenue Sewer Force Main Improvements – Lisa Clark appeared before the Board and gave some details on the sale of these BANs. Lynne Fidler read into the record the motion as follows: I, the Clerk of the Select Board of the Town of Marshfield, Massachusetts, certify that at a meeting of the board held May 16, 2022, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of \$2,000,000 3.00 percent General Obligation Bond Anticipation Notes (the "Notes") of the Town dated May 20, 2022, and payable July 22, 2022 to Piper Sandler & Co. at par and accrued interest, if any, plus a premium of \$2,660.00.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 6, 2022, and a final Official Statement dated May 12, 2022, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Notes (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

James Kilcoyne seconded the motion as read. The vote was unanimous.

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Town Administrator Report – Michael Maresco provided the Board with his brief as follows.
Week of May 2, 2022:

- Call in to WATD for preview of Select Board meeting
- Weekly meeting with PMA on police station and DPW projects
- Meeting with Nancy Bowers and Craig Jameson to finalize MOU with Boys & Girls Club for use of courts, summer concerts, and update on playground repairs
- Meeting with Danielle Kerrigan on personnel issues including benefit issues, personnel reviews, new employees and COVID policy regarding sick time
- Weekly OAC meeting on Police Station project
- Tour of potential project at Garretson Cranberry Farm with Bill Grafton
- Met with Anne Marie Sinnott regarding the drafting of the PILOT Agreement for the Fairgrounds solar carport project
- Bi-weekly meeting with Chief Simpson and Anne Bastille to review the Fire Department's overtime budget
- Meeting with Carin Paulette and Lisa Potts to review Memorial Day schedule
- Weekly meeting with Fred Russell to review ongoing projects
- Participated with Lt. Shaw in the Congressional Hearing at Plymouth Town Hall regarding Holtec and the closing of the Pilgrim Nuclear Power Plant
- Breakfast meeting with Chair Person Darcy to review some ongoing issues

Week of May 9, 2022:

- Weekly meeting with PMA on police station and DPW projects
- Meeting with Andrew Stewart and Danielle Kerrigan regarding some personnel issues
- Participated in NRC public hearing on regulations to allow more public input and greater control by the NRC over decommissioning activities at the nuclear power plant
- Meeting at Pratt Farm site regarding the final cleanup of this property, grading and removal of cement slab
- Participated in Mayflower Municipal Health Group meeting
- Met with Select Person Fidler to review some issues and logistics
- Weekly OAC meeting on Police station project
- Meeting with retired Chief Hocking and Todd Goodwin regarding clinic and testing
- Meeting with Lisa Clark on Munis Update for Select Board
- Meeting with Lisa Clark and Anne Bastille on OPEB
- Attended weekly DPW Building Committee Meeting
- Meeting with Jon Nash and Jay McGillis to discuss their request to use ARPA funds to make improvements in cyber security
- Walk through of Police Station project with PMA, Fred Russell and Tony Bullock
- Met with Andrew Stewart regarding launch of Flood Plain Permit system
- Signed Geo Thermal Study Proposal for Matt Parent for school complex
- Participated in the Cops for Kids with Cancer fundraiser at Haddad's
- Worked on MHP meeting information regarding foreclosures and housing symposium

Michael Maresco gave an update on the Vaccination Clinic and said that the Town Hall clinic is open on Tuesdays and Thursdays and has administered 772 vaccines with 65 appointments scheduled for tomorrow. PCR testing will also start tomorrow from 9:00 a.m. until 3:00 p.m. in the Town Hall parking lot.

Pole Hearing – Tracy's Pathe – Stephen Darcy read into the record the public notice regarding this hearing. Karen Johnson appeared before the Board to represent Eversource Energy at this hearing. Ms. Johnson gave some details on this petition for permission to install underground cable and conduit necessary to relocate the existing electric service for 2 Carolina Trail. Stephen Darcy moved, seconded by James Kilcoyne, to grant permission to Verizon New England Inc. and NSTAR Electric dba Eversource Energy to locate underground cables, conduits, manholes, including the necessary sustaining and protecting fixtures, in under along and across the public way Tracy's Pathe, in accordance with the plan filed with the Select Board dated April 16, 2022. The vote was unanimous.

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Corner Café – Application for Seasonal All Alcohol License – Stephen Darcy read into the record the public notice regarding this hearing. Attorney Mark Stiles appeared before the Board representing the applicants and gave some details on this application. Mr. Stiles noted that the Board previously approved an Annual Wine & Malt License and an Annual Entertainment License for this establishment. After a brief discussion, Stephen Darcy moved, seconded by James Kilcoyne, to approve the application for a new Seasonal All Alcohol License for Eastside Food Services Inc. dba the Corner Café, William E. Kerens III, Manager, contingent on approval by the Marshfield Board of Health, Police, Fire and Building Departments. The vote was unanimous.

Green Harbor Golf Club – Application for Alteration of Premises – Stephen Darcy read into the record the public notice regarding this hearing. Attorney Jeff DeLisi appeared before the Board with John Harrington from Green Harbor Golf Club. Mr. DeLisi gave some details on this application and the plans for the changes to the current license including the new driving range. Mr. DeLisi said that the Green Harbor Golf Club has held a liquor license for 50 years and has had no violations. Stephen Darcy said that some neighbors have voiced concerns about noise and asked what plans the club has for mitigation. Mr. DeLisi said that the driving range is oriented so that the open part is toward the golf course and they do not expect any concerns from abutters, but the Francis family is more than happy to meet with any neighbors if there are issues. Tom Alvey, 12 Fresh Brook Way, said that he can hear people talking at the golf course from his home, he has never complained because it ends at dusk but this is going to be continuing until 10:00 p.m. and that will be a big problem for neighbors. Sherry Costello, 9 Fresh Brook Way, said that the Green Harbor Golf Club has been a good neighbor and there have been no issues in the past and added that the renovations look great. Ms. Costello said that the public notice for the ZBA hearing only mentioned a driving range, it did not mention alcohol being served until 10:00 p.m. and she did not attend the ZBA hearing because she did not have any issues with the driving range itself. Ms. Costello spoke about the number of people that will be outside drinking until 10:00 p.m. in a residential area and asked about outside entertainment. John Harrington said that their intention is to carry on the tradition of a family friendly environment and they have no desire to create a night club atmosphere. Mr. Harrington said that they have always been very respectful of the neighbors and that will continue. Donna McGinn, 10 Fresh Brook Way, asked if it would be possible to hold all functions inside instead of outside. Stephen Darcy said that he would be happy to facilitate a meeting between the Green Harbor Golf Club and the abutters to go over any concerns and try to come up with mutually agreeable solutions. James Kilcoyne said that he understands both sides and hopes that they can work together. Lynne Fidler noted that a lot went into the ZBA decision and if the Building Commissioner says that they are in compliance then they are good to go; but, if there becomes an issue, modifications to the permit can be made. Stephen Darcy asked Michael Maresco to coordinate a meeting in the next couple of weeks. Stephen Darcy moved, seconded by James Kilcoyne, to approve the application for an alteration of premises for Manuel Francis and Son, Inc. dba Green Harbor Golf Club, Manuel Francis, Jr Manager to include clubhouse deck, outdoor patio driving range/lounge area consisting of 16 tee bays a maximum of six persons per tee bay, and beverage cart service on the entire golf course premises to be dispensed at three primary locations as follows: the intersection of holes 3, 6 and 7; the intersection of holes 11, 14 and 15; and the intersection of holes 13, 16 and 17, contingent on approval by the Marshfield Board of Health, Police, Fire and Building Departments. The vote was unanimous.

Right of Way Relocation Agreement – Attorney Steven Guard appeared before the Board and gave some details on the reasons for this request and the changes that would be made. James Kilcoyne asked if there are any Conservation issues. Mr. Guard said it is all uplands and drainage is very good so there are no issues. After a brief discussion, Stephen Darcy moved, seconded by James Kilcoyne, to approve the relocation of Right-of-Way as shown on Enterprise Park Modified Definitive Subdivision plan. The vote was unanimous.

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Site Plan for Signalized Intersection – Attorney Steven Guard provided the Board with a plan and gave some details on the proposal to relocate driveways in order to get approval from the State for a new traffic light at 985 Plain Street. Mr. Guard asked the Board to authorize him to file the plans in order to get the permitting process started. After some discussion, Stephen Darcy moved, seconded by James Kilcoyne, to authorize Attorney Steven Guard to file the site plan approval application for signalization at 985 Plain Street. The vote was unanimous.

Mountain Bike Race in Carolina Hill – Ned Bangs, Recreation Trails Committee and Jeff Wilson, New England Mountain Bike Association (NEMBA) appeared before the Board. Jeff Wilson gave some details on the mountain bike race that will be using existing trails. Mr. Wilson said that he does not expect a large crowd since this is the first event of its kind in this area. James Kilcoyne noted that this request is supported by the Conservation Commission and Recreation Trails Committee. Stephen Darcy moved, seconded by James Kilcoyne, to approve the request to hold the NEMBA Mountain Bike Race in Carolina Hill on October 2, 2022 from 10:00 a.m. until 2:30 p.m., pending signoff from the Marshfield Police and Fire Departments. The vote was unanimous.

Board and Committee Liaisons – Stephen Darcy read through his list of recommended Board Committee Liaisons for the Select Board as follows:

ADA Committee	Jim Kilcoyne
Advisory Board	Jim Kilcoyne
Agricultural Commission	Jim Kilcoyne
Airport Commission	Steve Darcy
Capital Budget Committee	Lynne Fidler
Community Preservation Committee	Steve Darcy
Conservation Commission	Steve Darcy
Council on Aging	Jim Kilcoyne
Cultural Council	Lynne Fidler
Energy Committee	Steve Darcy
Historical Commission	Lynne Fidler
Housing Partnership	Lynne Fidler
Library Trustees	Lynne Fidler
Open Space Committee	Steve Darcy
PPI Committee	Lynne Fidler
Recreation Commission	Jim Kilcoyne
Recreation Fields Committee	Jim Kilcoyne
Recreation Trails Committee	Jim Kilcoyne
Waterways Committee	Steve Darcy
Zoning Board of Appeals	Lynne Fidler

Stephen Darcy moved, seconded by James Kilcoyne, to accept these liaison assignments as listed. The vote was unanimous.

Camfam Pizzeria – Application for Annual Common Victualler License – Michael Maresco gave some details on this application and their plans for the former Riva Pizzeria. Stephen Darcy moved, seconded by James Kilcoyne, to approve the Common Victualler license for Heather Richards dba Camfam Pizzeria, 1849 Ocean Street Unit 5, pending positive recommendations from the Board of Health, Building Department and Collector's Office. The vote was unanimous.

Bungalow Kitchen & Catering – Application for Annual Common Victualler License – Ann-Marie Robicheau appeared remotely before the Board and gave some details on her plans for this new takeout and catering business. Stephen Darcy moved, seconded by James Kilcoyne, to approve the Common Victualler license for Ann-Marie Robicheau dba Bungalow Kitchen & Catering, 1899 Ocean Street Unit Q, pending positive recommendations from the Board of Health, Building Department and Collector's Office. The vote was unanimous.

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ARPA Funds for Cyber Security Upgrade – Jon Nash, IT Director, appeared before the Board and gave some details on this request to use ARPA funding to increase cyber security. Michael Maresco said that Jon Nash and his team do a great job with security and this funding will help them continue this initiative. Stephen Darcy moved, seconded by James Kilcoyne, to approve the IT Department’s request for NEU/ARPA funds in the amount of \$102,300 to fund cyber security upgrades that include 2-factor authentication, switch upgrades, high power work stations, user access switch upgrade and laptop and desk top replacements. The vote was unanimous.

Harbormaster Appointments – Chief Tavares appeared remotely before the Board and asked that they make these appointments conditional that they will have no power of arrest under Chapter 90B. Stephen Darcy moved, seconded by James Kilcoyne, to make Harbormaster appointments with no power to arrest as follows for the period from July 1, 2022 through June 30, 2023: 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, Matthew Murphy, Ean Scholz, Kyle Scholz, Michael Devine, Collin Costello, John Thompson, Jason Dernier, Brian Caswell, John Sylvester, Henry MacQuarrie and Christian Sheehey. The vote was unanimous.

Earth Removal Permit – Biagini, Inc. – Michael Maresco gave some details on this permit and said that Biagini Inc. has been in operation since 1950 and are in full compliance with the Earth Removal rules and regulations. Stephen Darcy moved, seconded by James Kilcoyne, to approve the Earth Removal Permit for Biagini, Inc. for lots B and C on Eames Way subject to the previous conditions approved by the Select Board on May 20, 2021. The vote was unanimous.

Changes to ZBA Membership – Stephen Darcy moved, seconded by James Kilcoyne, to appoint Christopher Belezos as a full member of the Zoning Board of Appeals to fill the unexpired vacancy caused by Lynne Fidler being elected to the Select Board. The vote was unanimous. Stephen Darcy moved, seconded by James Kilcoyne, to appoint Mark Corwin as an associate member of the Zoning Board of Appeals for a term that expires on June 30, 2023. The vote was unanimous.

New Appointment to Agricultural Commission – After a brief discussion, Stephen Darcy moved, seconded by James Kilcoyne, to appoint Delia Delongchamp to the Agricultural Commission for a term that expires on June 30, 2023. The vote was unanimous.

Request to Use Avon Street Beach Parking Lot – Michael Maresco gave some details on this request and disclosed for the record that he is a member of the Molly Fitzgerald Fund Board of Directors. Stephen Darcy moved, seconded by James Kilcoyne, to approve the request from the Molly Fitzgerald Memorial Fund for permission to use the Avon Street parking lot from 6:00 p.m. until 11:30 p.m. on June 17, 2022. The vote was unanimous.

Application for Annual Peddler’s License – Away Café LLC – Michael Maresco gave some details on this application. Stephen Darcy moved, seconded by James Kilcoyne, to approve the annual Peddler’s License for David Ericson, Away Café, LLC for a food truck to be operated at events in the Town of Marshfield with the permission of the event organizer. The vote was unanimous.

Application for Annual Peddler’s License – Nona’s Homemade – Stephen Darcy moved, seconded by James Kilcoyne, to approve the annual Peddler’s License for Kristen Donahue, Nona’s Homemade for a food truck to be operated at events in the Town of Marshfield with the permission of the event organizer. The vote was unanimous.

Application for Temporary Wine & Malt License – Stellwagen Beer Company – Stephen Darcy moved, seconded by James Kilcoyne, to approve the one day Wine & Malt license for Michael Snowdale, Stellwagen Beer Company, for an event at the Green Harbor Lobster Pound, 131 Beach Street on May 31, 2022 from 3:00 p.m. until 8:00 p.m.

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following the conditions and recommendations of the Marshfield Police Department. The vote was unanimous.

Request for Extension of Permit to Use Accessory Building – Michael Maresco gave some details on this request that was initially approved by the Select Board on January 3, 2022. Stephen Darcy moved, seconded by James Kilcoyne, to approve the extension of permit to use accessory building at 566 Careswell Street as temporary housing through December 31, 2022. The vote was unanimous.

Flood Plain Permitting Fee – Michael Maresco gave some details on this request and noted that the Select Board approved the permitting system at their meeting on March 14, but they voted not to charge a fee, this vote is to reconsider a fee for the permit. Mr. Maresco said that it is a significant permitting process and added that he feels \$50 is a reasonable fee. Stephen Darcy said that this streamlined permitting process will save residents time and money. James Kilcoyne said that he does not understand why this is on the agenda since the Board previously voted not to charge a fee for this permit. Mr. Kilcoyne said that this streamlined process actually makes less work for the Town employees and added that this is not a user fee, it is a general fund tax. Lynne Fidler said that she was surprised as a member of the public that the Select Board did not vote in favor of a fee for this permit and said that it should be treated just like any other permit. Stephen Darcy noted that the Chair sets the agenda and that is why this item was included. Stephen Darcy moved, seconded by Lynne Fidler, to charge a \$50 fee for Floodplain Permits effective on Monday, May 23, 2022. The vote was 2:1, with James Kilcoyne opposed.

Acceptance of Minutes – Stephen Darcy moved, seconded by James Kilcoyne, to accept the minutes of May 2, 2022 as written. The vote was unanimous.

The meeting was adjourned at 8:20 p.m. There was no executive session held.

Respectfully submitted,

Catherine Burke

The following documents and exhibits were presented at the meeting: public notice and petition for pole hearing; public notice, application and backup information for Corner Café application for Seasonal All Alcohol License; public notice, application and backup information for Green Harbor Golf Club application for alteration of premises; list of proposed Board/Committee liaisons; information on NEMBA mountain bike race; application for common victualler license Camfam Pizzeria; application for common victualler license Bungalow Kitchen & Catering; information on request for ARPA funding for cyber security upgrades; letter requesting relocation of right-of-way at Enterprise Park; vote of the Board for sale of bonds; letter from Harbormaster requesting annual appointments; letter from Biagini Inc. requesting renewal of earth removal permit and backup information; emails from ZBA requesting change to membership and application for appointment from Mark Corwin; application for appointment to Agricultural Commission from Delia Delongchamp and recommendation from Agricultural Commission; letter from Molly Fitzgerald Memorial Fund requesting permission to use Avon Street parking lot; application for annual peddlers licenses from Away Café LLC and Nona's Homemade; application for temporary wine & malt license from Stellwagen Beer Company and backup information; request for extension of temporary occupancy permit from Tina Prisco-Shea; request from Steven Guard for authority to file site plan approval application.