

**MINUTES –SELECTMEN’S MEETING
MONDAY, MARCH 19, 2018 AT 7:00 P.M.
MARSHFIELD TOWN HALL – SELECTMEN’S HEARING ROOM**

Present: Michael G. Bradley, Chairman; James J. Fitzgerald, Vice-Chair; Joseph E. Kelleher, Clerk and Michael A. Maresco, Town Administrator

Mr. Bradley opened the meeting at 7:00 p.m. with the Pledge of Allegiance and announced that the meeting was being recorded by MCTV and other media outlets.

Mr. Bradley announced that State Representative Jim Cantwell was present and asked him to appear before the Board. Mr. Cantwell thanked everyone for allowing him to serve as the state representative for Marshfield and Scituate. Mr. Cantwell gave an overview of his career having started as a member of the Board of Selectmen in Marshfield. Mr. Cantwell mentioned that he had been to the EOC today and noted how impressed he was with Artie Shaw, EOC Director; Police Chief Tavares and Fire Chief Hocking as well as the operations of the EOC. Mr. Cantwell noted that he has been a state representative for the past 9 years and helped with the Rout 139 expansion, the Maritime Center, Library Plaza expansion and seawall legislation. Mr. Cantwell also commented that Marshfield and Scituate are the 4th most productive fishing centers in the state. Mr. Cantwell also mentioned his work on opioid recovery and federal flood insurance issues. Mr. Cantwell announced that he was leaving as state representative to work for Senator Markey and he would continue to work on issues that affect Marshfield and Scituate. Mr. Cantwell noted that Gigi Mariachi will continue to work in his office at the state house until the end of this year and can be reached at (617) 722-2396. The Board thanked Mr. Cantwell for all his efforts and accomplishments and congratulated him on his new position with Senator Markey.

Town Administrator Report – Mr. Maresco gave an oral report on the following:

- We had another storm last week.
- Chronicle came to Town last week. They had interviewed 3 towns and picked Marshfield to do a story on seawall damage and seawall funding. They went to the EOC and met with EOC Director, DPW Superintendent, Police Chief and Harbormaster. They took a boat ride out to the narrows and the episode should air sometime later this month.
- Met with Patrick Dello Russo and Tom Reynolds to discuss seawall costs.
- Friday met with Fire Chief, Human Resource Director and Joe Kelleher regarding the Building Commissioner applications.

Approval of Final Hazard Mitigation Plan – Greg Guimond, Town Planner appeared before the Board. Mr. Bradley read through the Resolution to Adopt Marshfield Multi-Hazard Mitigation Plan. Mr. Kelleher moved, seconded by Mr. Fitzgerald to adopt the Marshfield Multi-Hazard Mitigation Plan. The vote was unanimous. Mr. Guimond asked about the Beach Management Plan approval and Mr. Bradley said that the Board would vote on their next agenda.

Revote Article 6 and 7 of the STM Warrant - Mr. Dello Russo appeared before the Board and read through the revised Articles 6 and 7 of the STM Warrant. Mr. Kelleher moved, seconded by Mr. Fitzgerald to approve Article 6 of the STM warrant. The vote was unanimous. Mr. Kelleher moved, seconded by Mr. Fitzgerald to approve Article 7 of the STM warrant. The vote was unanimous.

Jogi’s Liquors Violation Hearing - Mr. Bradley opened the hearing. Attorney DiNapoli and Attorney David Nagle appeared before the Board. Attorney DiNapoli explained that he had been appointed by Plymouth County Superior Court to receivership for the Jogi’s Liquors. Attorney Nagle commented that he was here tonight to represent Sajjan Enterprises, d.b.a. Jogi’s Liquors. Attorney Nagle explained that Jogi’s Liquors has been in business for 7 years and that there was litigation in January regarding a promissory note and that he was happy to report that settlement discussions have been taking place and they should have a resolution soon. Attorney Nagle indicated that he was hopeful that control will be turned back to his client in the near future as funds have been raised and that it should be 2 weeks or so that receivership will be dissolved. Attorney DiNapoli explained that he had come to Marshfield and met with the Chief of Police and gave him a copy of the receivership order. Attorney DiNapoli also mentioned that he had communication with the Sheriff’s Dept. as well as Attorney Robert Galvin. Attorney DiNapoli indicated that the store has been closed and that he has met with Mr. Sajjan and his

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attorney and they reviewed everything to hopefully return the store to Mr. Sajjan. Attorney DiNapoli explained that the case has to be presented to the Court. Mr. Bradley asked if 2 weeks would be enough time to get things settled. Attorney DiNapoli indicated that 3 weeks or more would be more reasonable. The Board discussed other dates and decided to continue to April 9th for the time being. Mr. Kelleher moved, seconded by Mr. Fitzgerald to postpone tonight’s hearing for Jogi’s Liquors to April 9, 2018. The vote was unanimous. Attorney DiNapoli indicated that he would reach out to Mr. Maresco if they need more time. Mr. Bradley closed the hearing.

PizZings – Pledge of License, Transfer of Stock, Alteration of Premises, Change of DBA – Mr. John Kesaris and attorney Greg DeMarkis appeared before the Board. Mr. Bradley opened the hearing and read the notice of the hearing for PizZings. Attorney DeMarkis had the copies of the abutter’s notifications for the file. Attorney DeMarkis explained that his client will be changing the concept for the restaurant by expanding the building to the right and into the patio. Attorney DeMarkis indicated that there will only be 5 tables outside. Attorney DeMarkis mentioned that his client is applying for an alteration of premises, a pledge of his license, change of d.b.a. from PizZings to The Marsh and that his client will now be the sole stockholder. Mr. Kesaris stated that he wants to change the layout, d.b.a. and concept. Mr. Kesaris said he will continue to operate the restaurant until he receives approval. Mr. Fitzgerald noted that the license does not belong to the restaurant and that it really belongs to the Town. Attorney Robert Galvin noted that if there is a default on the loan, the lender will come before the Board of Selectmen to secure a transfer of the license. Mr. Kesaris stated that he had sold his Abington restaurant. Mr. Kesaris also stated he felt the renovations would take about 3 months and will be closed during that time. Mr. Bradley noted that if it takes longer than 3 months, Mr. Kesaris will have to notify the Board. Attorney DeMarkis said they will start the renovations once everything is approved by the ABCC. Mr. Kelleher moved, seconded by Mr. Fitzgerald to approve the Pledge of License, Transfer of Stock, Alteration of Premises and change of d.b.a. from PizZings to The Marsh. The vote was unanimous.

Approval of Seasonal Liquor Licenses – The Board discussed the fact that these licenses need to be approved in the month of March contingent upon receipt of necessary paperwork, fee and clearance from the Collector’s office. Mr. Kelleher moved, seconded by Mr. Fitzgerald to approve the seasonal all alcohol package store license for Sajjan Enterprises, all alcohol package store license for Jayshama Corporation, Seasonal Restaurant All Alcohol License for the Point Restaurant and entertainment license for the Point Restaurant. The vote was unanimous.

Approval of Transformer Location License Agreement with Eversource – Mr. Maresco explained the agreement to the Board which had been approved by Town Counsel. Mr. Kelleher moved, seconded by Mr. Fitzgerald to approve the Transformer Location License Agreement with Eversource. The vote was unanimous.

Stellwagen Beer Company – Application for Farmer Series Pouring Permit – Mr. Michael Snowdale and Attorney Dale Malone appeared before the Board. Mr. Bradley opened the hearing. Attorney Robert Galvin explained that this is a new type of state license and that Mr. Snowdale has received his Farmer-Brewery License from the state. Mr. Snowdale indicated that his brewery is going to be a very small scale microbrewery and that they will be brewing on Enterprise Drive and that he would like to be able to serve on the premises. Mr. Snowdale mentioned that he would have 12 tap lines and they will rotate different types of beers. Mr. Kelleher asked when he planned to open and Mr. Snowdale stated it would be in about 2 to 3 months. The Board asked Mr. Snowdale about his hours and after some discussion Mr. Fitzgerald and Town Counsel stated that he would have to have set hours and that he can amend them later if he wants. Mr. Bradley asked about the TIPS training and Mr. Snowdale indicated that he had already met with the Police Chief and they will set up a time. The Board noted that Mr. Snowdale had also included an entertainment license with his application. Mr. Kelleher moved, seconded by Mr. Fitzgerald to approve the application for the Farmer’s Series Pouring Permit as well as the Entertainment License for Sellwagen Beer Company Wednesday through Sunday from 12:00 p.m. – 10:00 p.m. The vote was unanimous.

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Vote to Join Opioid Litigation – Attorney Bob Galvin appeared before the Board to talk about the possibility of the Town of Marshfield joining a class action law suit against the manufacturers of opioids. Attorney Galvin noted that already 70 communities have signed on. Mr. Bradley thought it was a great idea to join. Attorney Galvin said he should have a contract for the Board to sign in about one week and that the attorney who is in charge of the suit had a done another class action suit that the Town had joined that was very successful. Mr. Bradley indicated that the Board will put the contract on as an action item at their next meeting.

Recreational Marijuana Strategy – Attorney Galvin had information from the Mass Municipal Association as well as the Cannabis Control Commission regarding regulation of marijuana establishments. Attorney Galvin read through the Timeline. Attorney Galvin indicated that applications will start being accepted April 2, 2018. Attorney Galvin mentioned that the Town asked the voters if they wanted a ban and it did not pass, so now there is a proposed regulation on the Town Meeting warrant to designate Enterprise Drive as a site for marijuana sales. Attorney Galvin noted that if the Town doesn’t designate a certain area, then they could sell anywhere. Attorney Galvin explained the process for the applicant that would require a community outreach meeting with newspaper notice and abutter notification as well as filing the notice with the Town Clerk, the Planning Board and local licensing authority. Attorney Galvin also discussed the Host Community Agreement and the fact that the Town would be able to charge a 3% sales tax for gross sales for up to 5 years. Attorney Galvin also discussed the municipal licensing process. Mr. Fitzgerald asked if there would be a limit to the number of establishments and Attorney Galvin noted that they could put something in the bylaws and that it was something that could go to Town Meeting in the fall.

Execution of Purchase and Sale Agreement for Ferry Hill Property – Attorney Galvin explained that the P&S for the Ferry Hill property is contingent upon approval of the CPC for funding as well as Town Meeting. Attorney Galvin mentioned that the Town will have 60 days to determine if they want the property. Attorney Galvin indicated that the Town is doing testing for hazardous material. Attorney Galvin commented that the property could be used for open space and or recreation purposes and that they would be working on finalizing the document before Special Town Meeting. Mr. Bradley indicated that he had no concerns about the purpose for the property. Mr. Fitzgerald indicated that the Board had been discussing the property in Executive Session and the assessed value of the property. Mr. Fitzgerald also noted that they need to get an appraisal for the property. Mr. Bradley also mentioned that the Board did not leave the CPC out on purpose and that they are going to meet with them next Monday regarding the property. Mr. William Last Jr. of Indiana Street asked when they will have an appraisal and the Board told him they would have it after they sign the agreement. Mr. Tom Whelan of Old Main Street expressed concern about price of the property. Mr. Bradley noted his concern and stated he thought the property was worth it. Mr. Kevin Cantwell, Chairman of the CPC mentioned the fact that an application to the CPC will need to be filled out before they meet on April 11th. Mr. Maresco mentioned that the Board of Selectmen has invited the CPC to their meeting on the March 26th. Mr. Maresco also mentioned that he had met with Fred Russell, Facilities Manager and he is going to do a full review of the property expeditiously. Mr. Last inquired about operating costs for the camp that had been there and Mr. Fitzgerald noted that their costs could be different from the Town’s cost to operate. Mr. Whelan asked if the Recreation Department would be in charge of the camp and Mr. Fitzgerald said if there will be a camp on the property, the Recreation Department would run a summer camp.

Mr. Kelleher moved, seconded by Mr. Fitzgerald to sign the Purchase and Sale Agreement for the Ferry Hill property. The vote was unanimous.

New Appointment to ZBA – The Board decided to postpone the new appointment to the ZBA.

Acceptance of Minutes – Mr. Kelleher moved, seconded by Mr. Fitzgerald to approve the minutes of February 26, 2018 and March 5, 2018. The vote was unanimous.

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Mr. Maresco noted that the warrants for the Special and Annual Town Meetings are available here at the Town Hall.

Mr. Bradley motioned to adjourn the meeting at 8:20 p.m.

There was no Executive Session held.

Respectfully submitted,

Beverly Wiedemann

Documents and exhibits presented at this meeting were the following: copy of letter from Debra Sajjan’s attorney, copy of letter to Sajjans regarding violation hearing with copy of rules and regulations, letter from attorney John Mooradian regarding PizZings hearing along with application and all corresponding material required for changes, copy of letter to Heritage Bank and copy of application and all corresponding material required for a new Farmer Series Pouring Permit for Stellwagen Beer Company, copies of information regarding marijuana regulations from Town Counsel, copy of resolution for Hazard Mitigation Plan, copy of list of seasonal licenses for renewal, copy of application from Stephen Feeney for Zoning Board of Appeals, copy of email from DPW with copy of transformer location agreement from Eversource, copies of Articles 6 and 7 from the Special Town Meeting warrant, copy of P&S Agreement for Ferry Hill property and copies of minutes from February 26, 2018 and March 5, 2018.