

MINUTES – SELECTMEN’S MEETING

Monday, March 25, 2019

Town Hall, Selectmen’s Hearing Room

Present: James J. Fitzgerald, Chairman; Joseph E. Kelleher; Michael G. Bradley; Michael A. Maresco, Town Administrator

Jim Fitzgerald opened the meeting at 7:00 p.m. and announced that the meeting is being recorded.

Swearing in of Captain Craig Robinson and Lt. Michael Marshall – Fire Chief William Hocking appeared before the Board and gave a brief overview of the structure of the Marshfield Fire Department and the process for selecting the candidates for promotion who are being sworn in tonight. Chief Hocking introduced Craig Robinson who is being promoted from Lieutenant to Captain and Michael Marshall who is being promoted from Firefighter to Lieutenant. Chief Hocking swore in Captain Robinson and Lt. Marshall.

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

- March 12th – met with representatives from Meridian regarding GIS mapping
- March 12th – met with Danielle Kerrigan regarding benefit plans
- March 12th – met with Treasurer/Collector regarding warrant articles
- March 12th – Skype meeting with HeatSmart and members of the Energy Committee regarding green energy
- March 13th – attended OSHA training regarding fall hazards
- March 14th – attended Safety Team meeting with MIIA
- March 14th – met with Bob Livermore, Architect, regarding Town Hall elevator project
- March 14th – weekly meeting with Fred Russell regarding ongoing projects
- March 18th – met with Bill Grafton and Bert O’Donnell regarding Mounce Farm
- March 18th – attended Advisory Board meeting
- March 19th – Department Head meeting
- March 19th – met with Harbormaster Mike Dimeo and the Town Administrator and Harbormaster from Scituate regarding North and South River dredging
- March 19th – met with representative from HeatSmart regarding green energy
- March 20th – conference call regarding Veterans Park dam and lagoon project
- March 20th – met with representative from the Pembroke Energy Committee regarding energy saving initiatives in Marshfield
- March 20th – met with Police Chief regarding town meeting article
- March 21st – Fiscal Team meeting
- March 21st – met with Tom Reynolds regarding town meeting articles
- March 21st – weekly meeting with Fred Russell regarding ongoing projects
- March 21st – attended Capital Project Building Committee meeting
- March 22nd – met with Bud Duksta regarding dock and float issues at Peter Igo Park
- March 22nd – met with Dan Gaulin and Jim Folkard regarding MHOP

Harbor Fire Bar & Grill – Application for Transfer of annual All Alcohol, Common Victualler and Entertainment Licenses – Jim Fitzgerald opened the hearing and read the public notice regarding this hearing into the record. Attorney Steve Guard appeared before the Board with Timothy Moll. Mr. Guard said that Compass Rose Restaurant LLC purchased the license from the DOR at auction. Timothy Moll gave some details on his background and experience. Jim Fitzgerald said that he has some concerns about Mr. Moll’s lack of experience in the restaurant business. Mr. Moll said that he has had oversight of a restaurant at the Plymouth Marina and is very familiar with restaurant operations. Steve Guard noted that they are in the process of searching for a more permanent Manager and will most likely be coming back with a Change of Manager application in the near future. Mike Bradley asked Mr. Moll how much time he plans to spend at the restaurant. Mr. Moll said that he will be there 50-60 hours per week. Jim Fitzgerald reiterated the importance of TIPs training and said that it should be done by the Marshfield Police Department. Mr. Moll said that he did his TIPs training online, but he will reach out to the Marshfield Police to schedule in person training for himself and his staff. Mr. Moll gave the Board some details on long term plans for the restaurant, including downsizing the space and changes to the menu. After a brief discussion, Jim Fitzgerald moved, seconded by Joe Kelleher, to transfer the annual all alcohol license to Compass Rose Restaurant LLC and approve the Change of Manager to Timothy A. Moll, contingent on Mr. Moll and all other staff who will be serving alcohol being TIPs trained by the Marshfield Police Department. The vote was unanimous.

MINUTES – SELECTMEN’S MEETING

Page 2 of 3

Monday, March 25, 2019

Jim Fitzgerald moved, seconded by Joe Kelleher, to grant an annual entertainment license to Compass Rose Restaurant LLC. The vote was unanimous. Jim Fitzgerald moved, seconded by Joe Kelleher, to grant an annual common victualler license to Compass Rose Restaurant LLC. The vote was unanimous.

Ronit Goldstein, Eversource – Ronit Goldstein, Community Relations and Economic Development representative for Eversource appeared before the Board and gave some details on her background. Ms. Goldstein gave a PowerPoint presentation on current projects including enhanced outage maps, system upgrades and vegetation management. Ms. Goldstein said that she is in the process of setting up a meeting with Marshfield’s Energy Committee regarding energy efficiency programs. The Board thanked Ms. Goldstein for the information and suggested that she come back in the fall for another update prior to the next winter season.

Application for Annual Common Victualler License – Eileen Price and Samuel Kauff appeared before the Board and gave some details on their background and plans for a coffee and sandwich shop at 563 Ocean Street. Jim Fitzgerald asked when they are planning to open. Mr. Kauff said that they hope to open by late May, but they are still working on plans for the space. Jim Fitzgerald moved, seconded by Joe Kelleher, to grant the annual common victualler license to Eileen Price and Samuel Kauff dba Mae’s contingent on approval by the Board of Health and Building Department. The vote was unanimous.

Garden Bros. Circus – Leonard LaForest from the Marshfield Fair appeared before the Board. Jim Fitzgerald said that he has some concerns about Garden Bros. organization, including reports of mistreatment of animals, that the company is disreputable and poor customer service. Mr. LaForest said that they do have elephants, but they have agreed to inspections by the Animal Control Officer and the State inspectors. Mr. Fitzgerald said that he is also concerned about the fact that this application was submitted so late, which made it difficult for the Board to do their due diligence prior to the vote and also he is concerned that they are already selling tickets to an event that has not been approved. Mr. LaForest said that he has told the applicant that if they come back next year the entertainment license will have to be approved by the Board of Selectmen before the Marshfield Fair will enter into a contract with them to use the fairgrounds and that a representative from Garden Bros. must be present at any Board of Selectmen meetings regarding future applications. Mike Bradley thanked Mr. LaForest for coming in but said that he agrees that next time there needs to be someone from Cole Bros. at the meeting. After some discussion, Jim Fitzgerald moved, seconded by Joe Kelleher, to grant the entertainment and common victualler licenses for this event contingent on the following conditions:

- 1) Police and Fire details must be paid for prior to the event with cash, money order or certified bank check.
- 2) Animal inspection by the Marshfield Animal Control Officer, prior to the event upon arrival at the fairgrounds.
- 3) In the future, application must include sign off on background checks of principals of the Garden Bros. organization.
- 4) In the future, tickets for the event should not be sold until the entertainment license has been approved by the Board of Selectmen.
- 5) Organizations need to be approved for an entertainment license from the Board of Selectmen at least 30 days prior to the event.
- 6) The Police and Fire Departments have the authority to pull the entertainment license at any time in the event of a serious public safety hazard.

The vote was unanimous.

Annual Peddlers Licenses – Jim Fitzgerald noted that these licenses will expire on December 31, 2019 and will be valid for the operation of food trucks at Stellwagen Brewery, as well as other locations such as the farmers market and events at the Marshfield fairgrounds, but will exclude the Brant Rock Esplanade and other locations where there are existing licensed food establishments. Jim Fitzgerald moved, seconded by Joe Kelleher, to grant annual peddler’s licenses to the Bacon Truck, Birds Nest Manicotti, Mom on the Go, Mama Deb, Da Bomb, Mangia and Oath Pizza contingent on receipt of application and fee, completion of CORI background check, and approval from the Board of Health. The vote was unanimous.

MINUTES – SELECTMEN’S MEETING

Page 3 of 3

Monday, March 25, 2019

Nomination of Inspector of Animals – Jim Fitzgerald noted that this is an annual appointment that will run from May 1, 2019 through April 30, 2020. After a brief discussion, Jim Fitzgerald moved, seconded by Joe Kelleher, to appoint Alyssa Ryan as the Animal Inspector. The vote was unanimous.

PizZings – Request to Extend Closure of Licensed Premise – Jim Fitzgerald read the letter from John Kesaris requesting permission to extend the temporary closure of the licensed premise at 1840 Ocean Street until June 11, 2019. Jim Fitzgerald noted that this restaurant has been closed for almost a year and that Mr. Kesaris continues to ask for extensions due to construction delays. Joe Kelleher agreed and said that the letter to Mr. Kesaris should state that this is the last extension the Selectmen will grant. Jim Fitzgerald moved, seconded by Joe Kelleher, to grant permission for this final extension of the closure of the licensed premise. The vote was unanimous.

Town Administrator Contract – Memorandum of Agreement – Jim Fitzgerald gave some details on the terms of the Memorandum of Agreement related to the Town Administrator’s contract which is effective through September 30, 2020. Jim Fitzgerald moved, seconded by Joe Kelleher, to approve this agreement. The vote was unanimous.

Ethics Disclosure – Richard Murphy – Jim Fitzgerald read through the Disclosure of Appearance of Conflict of Interest form submitted by Richard Murphy, member of the Zoning Board of Appeals. Bob Galvin stated that no action is needed by the Board of Selectmen.

Ethics Disclosures – Michael Maresco – Jim Fitzgerald read through the Disclosure of Appearance of Interest form submitted by Town Administrator Michael Maresco and said that the form will be kept on file. Jim Fitzgerald read through the “Disclosure by Non-elected Municipal Employee of Financial Interest and Determination by Appointing Authority” form submitted by Town Administrator Michael Maresco. Jim Fitzgerald moved, seconded by Joe Kelleher, to determine that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee. The vote was unanimous.

Acceptance of Minutes – Jim Fitzgerald moved, seconded by Joe Kelleher, to accept the minutes of March 11, 2019 as written. The vote was unanimous.

Executive Session – At 8:15 p.m. Mr. Fitzgerald moved, seconded by Mr. Kelleher, to go into Executive Session for the purpose of discussing potential litigation that if discussed in open session may have a detrimental effect on the litigation, not to return to open session. The vote was unanimous. Roll call vote: Mr. Kelleher – aye; Mr. Fitzgerald – aye; Mr. Bradley – aye.

Mr. Fitzgerald moved, seconded by Mr. Kelleher, to close the executive session at 9:15 p.m. and adjourn the meeting. The vote was unanimous. Roll call vote: Mr. Fitzgerald – aye; Mr. Kelleher – aye; Mr. Bradley – aye.

Respectfully submitted,

Catherine Burke

The following documents and exhibits were presented at the meeting: application and accompanying information for transfer of annual all alcohol restaurant license, common victualler license and entertainment license from Boston Bayou Marsh, LLC dba Harbor Fire Bar & Grill to Compass Rose Restaurant LLC; PowerPoint presentation from Ronit Goldstein; application for common victualler license from Eileen Price and Samuel Kauff; list of applicants for annual peddlers licenses; letter from MDAR and Nomination Form for Animal Inspector; letter from John Kesaris requesting permission for extension of closure of licensed premise; copy of Memorandum of Agreement for Town Administrator contract; copy of ethics disclosure from Richard Murphy; copy of ethics disclosure from Michael Maresco; application for entertainment and common victualler licenses and accompanying information regarding Garden Bros. Circus; list of applicants for seasonal all alcohol licenses.