

PLYMOUTH SELECT BOARD

TUESDAY, JANUARY 9, 2024

GREAT HALL, TOWN HALL, 26 COURT STREET, PLYMOUTH, MA 5:00 P.M.

HYBRID PARTICIPATION IN-PERSON OR VIA ZOOM WEBINAR

5:00PM CALL TO ORDER

Chairman Richard Quintal called the meeting to order and asked Selectman Canty to read the following:

Pursuant to Chapter 2 of the Acts of 2023, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency, signed into law on March 29, 2023, this meeting will be conducted via remote means and in person.

Members of the public who wish to watch the meeting may do so in the following manner: tune into PACTV government cable access channels **Comcast Channel 9** or Verizon Channel 47 and watch the meeting as it is aired live, or watch the meeting live the PACTV website at <https://pactv.org>. Members of the public who wish to **PARTICIPATE** in the meeting may do so in the following manner:

In-Person: Great Hall located at the 2nd Floor, at Plymouth Town Hall, 26 Court Street, Plymouth MA

Remote: Click the following Zoom link to participate in the meeting remotely:
<https://pactv.zoom.us/j/91695140644?pwd=UGhFZVJmaHVwQmIxa0pVYjRDMllozZz09>

Webinar ID: 916-9514-0644

Passcode: 121500

Present: Richard Quintal Jr., Chairman
Kevin Canty, Vice Chairman
Charlie Bletzer, Selectman
John T. Mahoney, Selectman
Harry Helm, Selectman via ZOOM

Derek Brindisi, Town Manager
Brad Brothers, Assistant Town Manager
Michelle Bratti, Health and Human Services Commissioner
Kate McKay, General Counsel
Patricia Meachen, Treasurer/Collector
Patrick Farah, Planning & Development
Lynne Barrett, Finance Director
Chief Dana Flynn, Plymouth Police Department
Chad Hunter, Harbormaster

5:01PM EXECUTIVE SESSION

The Chairman asked Vice Chairman Canty to read the following two statements:

The Select Board will hold an Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21(a), clause 9, to meet or confer with a mediator, as defined in [section 23C of chapter 233](#), with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity,

provided that: (i) any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and (ii) no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session;

- Northern Construction

5:31PM EXECUTIVE SESSION

The Select Board will hold an Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21(a), clause 6, to consider the purchase, exchange, lease, or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

- American Cruise Lines (lease)

On a motion by Vice Chairman Canty and seconded by Selectman Bletzer, the Board voted to approve the motion to enter into Executive Session.

Voted 4/0 By Roll Call: Quintal – Yes, Canty – Yes, Mahoney-Yes, Bletzer- Yes

The Chairman stated that the Board would be returning to Open Session at the conclusion of the Executive Session.

6:00PM RETURN TO OPEN SESSION

The Chairman called the meeting to order. Selectman Helm joined the meeting via ZOOM.

6:01PM LICENSES AND ADMINISTRATIVE NOTES

The Chairman asked if there were any questions or comments from the Board about the licenses and administrative notes listed on the agenda. None were offered.

On a motion by Vice Chairman Canty and seconded by Selectman Mahoney, the Board voted to approve the licenses and Administrative Items 1,2,4, and 5 as a group.

Voted 5/0 By Roll Call: Quintal – Yes, Canty – Yes, Bletzer-Yes, Helm – Yes, Mahoney-Yes

Administrative Item #3 was deleted from the agenda and not voted on at this meeting

**6:10PM INTRODUCTION TO HHS DEPARTMENT AND OPIOID SETTLEMENT
DISBURSAL**

The Chairman invited Michelle Bratti, Health and Human Services (HHS) Commissioner for the Town to the podium. Ms. Bratti thanked the Board and the Town for establishing this critical function. Joining her were the senior HHS team - Dr. Emily Wilson, Assistant Commissioner and Mr. Jay Gardiner, HHS consultant. Ms. Bratti also introduced other senior members of her team from within her remit who were in the audience.

Ms. Bratti and her senior team proceeded with a detailed presentation on the scope of the newly formed function. Their slogan is “The Bridge to Health in Our Hometown” using an icon of a bridge over water as their logo. HHS is here to help Plymouth residents get the resources when they are in need.

Ms. Bratti explained HHS’ Mission Statement and then she and Dr. Wilson and Mr. Gardiner presented a detailed review of the various functions under HHS management (Center for Active Living (CAL), Public Health, Recreation and Veterans Services) was presented

The presentation then moved into an explanation of the 2024 Opioid Remediation Project and its objectives and current activities.

Ms. Bratti asked for questions from the floor and, with her team, responded to the satisfaction of the Board. Vice Chairman Canty expressed his complements and noted that, from his professional experience, the opioid program and its funds are key resources. He offered his help to liaise with the Drug Court which could be of use to the overall program. Selectman Bletzer offered additional comments of support and helping with partnerships.

6:33PM TAX TITLE PRESENTATION

Patricia Meachen, Treasurer/Collector, provided an overview of the Tax Title process in place and explained the applicable laws and Town procedures surrounding the collection/tax taking and foreclosure processes. The presentation was requested to correct misconceptions about the process and ensure that the public had a clear better understanding of how these matters are handled by the Town.

Ms. Meachen was asked questions by the Board and responded to their satisfaction. The Board thanked her for the information presented.

Mr. Brothers asked the Board for clarification on the practices in place regarding deed restrictions which had stood for over 30 years. No formal policy on this topic is in place.

The question posed to the Board was “Does the Board recommend continuing with the practice of restriction of future properties sold at auction or remove the restriction going forward?”. The Board asked several questions of Ms. Meachen and Mr. Brothers who responded to their satisfaction. Ms. Lynne Barrett, Finance Director, added further comments on the historical activity and restrictions on the funds generated from these sales.

After Board discussion, Vice Chairman Canty made a motion which was seconded by Selectman Mahoney to approve the motion to affirm current practices (no change).

Voted 4/1 By Roll Call: Quintal – Yes, Canty – Yes, Bletzer-No, Helm - Yes, Mahoney-Yes

7:03PM BOARD AND COMMITTEE BACKGROUND POLICY DISCUSSION

Kate McKay, Town General Counsel, made a presentation to the Board regarding options for implementing CORI procedures for appointed Board and Committee members. Ms. McKay explained each proposed option and various levels of CORI reviews (Levels 1,2, and Standard recommended) and then took questions from the Board. The Board asked questions about the proposed process and information handling procedures. Ms. McKay and the Town Manager responded to the Board’s questions to their satisfaction.

After Board discussion, Vice Chairman Canty made a motion which was seconded by Chairman Canty to approve the motion to require the Town to perform CORI checks on all applicants/appointments/reappointments to Board and Committee positions relating to the Select Board.

Voted 5/0 By Roll Call: Quintal – Yes, Canty – Yes, Bletzer-Yes, Helm - Yes, Mahoney-Yes

7:30PM ARTICLE 10 – PARCEL TRANSFER TO AFFORDABLE HOUSING TRUST
Plymouth Affordable Trust

Patrick Farah, Energy Officer – Planning Department, made a presentation on behalf of the Affordable Housing Trust to explain this Article. This Article is seeking to convey three properties which are foreclosed, and which have been deemed potentially useful for affordable housing. Mr. Farah explained the definition of affordable housing and what the status of same is in Plymouth today. He then described in detail each proposed location.

The Board asked a number of questions of Mr. Farah and Mr. Steven Michael Palmer, Chairman of the Plymouth Redevelopment Authority, regarding how these properties were identified and vetted and what was the potential planned use. The Board’s questions were answered to their satisfaction.

After the Board discussion, Selectman Mahoney made a motion which was seconded by Selectman Bletzer to approve recommendation of Article 10 to Town Meeting.

Voted 5/0 By Roll Call: Quintal – Yes, Canty – Yes, Bletzer-Yes, Helm - Yes, Mahoney-Yes

After the vote, Chairman Quintal asked the Town Manager if a process could be implemented to better identify parcels like these in a timelier manner for review. Mr. Brindisi noted that there are several active initiatives focused on this issue currently and he would report progress back to the Board at a later date.

7:48PM ARTICLE 11 - PARCEL TRANSFER TO CONSERVATION COMMISSION
Open Space Committee

Patrick Farah, Energy Officer – Planning Department, made a presentation on behalf of the Open Space Committee to explain this Article. This article is seeking to convey two tax title properties to the care and custody of the Plymouth Conservation Commission. Mr. Farah described the properties in detail.

The Board had several questions about the location and use of the identified properties. All questions were answered to their satisfaction.

After the Board discussion, Selectman Mahoney made a motion which was seconded by Vice Chairman Canty to approve recommendation of Article 11 to Town Meeting.

Voted 5/0 By Roll Call: Quintal – Yes, Canty – Yes, Bletzer-Yes, Helm - Yes, Mahoney-Yes

7:54PM FISCAL YEAR 2025 SELECT BOARD BUDGET

Mr. Brindisi, Town Manager, reminded the Board of the detailed budget presentation which was made on January 2nd and subsequent to this meeting, advised that he had been meeting with the Board Members and others to solicit comment and confirm understanding of the

budget specifics. After these discussions, the final budget number is \$301,551,299 and is incorporated into several Town Articles that will be presented in this cycle.

Mr. Brindisi asked the Board if there were any further questions. Vice Chairman Canty asked Mr. Brindisi to give a high level explanation of what the budget will provide and its associated costs. Mr. Brindisi responded that the budget reflects a total increase of approximately \$17,000,000 which includes \$2,700,000 for Town Operations, \$5,200,000 for School Operations, \$3,100,000 in Fixed Costs, \$2,000,000 Debt Reduction and \$1,500,000 for Infrastructure.

Vice Chairman Canty made comments about the management of the excess levy capacity and the reasons behind these additional investments in Town operations, facilities, staff, and functions. State aid numbers are still unknown. These are stated priorities of the Board focused on meeting the current and future needs of the Town. He noted that these increases will need to be explained to the citizens and committed to supporting that effort.

Selectman Mahoney offered further comments supporting the budget and critical of Prop 2 ½ and lack of maintenance of roads and facilities which ultimately costs the taxpayer more.

The Chairman offered additional comments focused on the need for increased commercial development to support the taxes needed and, going forward, changes are needed. He also wanted to acknowledge that the \$301MM number included cuts and the Board is sensitive to its fiscal responsibility.

Selectman Helm added his comments regarding concerns about the 6.9% overall increase in taxes to citizens. He was unsure that the School Budget was adequate for its purposes and the budget pushes the Town to a Prop 2 ½ override threshold which would be an extraordinary burden to taxpayers after other increases. He will not be supporting the budget as presented.

After the Board discussion, Vice Chairman Canty made a motion which was seconded by Selectman Bletzer to approve the 2025 Town Budget as presented and described.

Voted 4/1 By Roll Call: Quintal – Yes, Canty – Yes, Bletzer-Yes, Helm - No, Mahoney-Yes

7:57PM RECESS

8:04PM CALL BACK TO ORDER

The Chairman called the meeting back to order.

8:05PM ACL LICENSE AGREEMENT

Mr. Brindisi began his presentation by introducing Mr. Charles Robertson, President and CEO of ACL joining by ZOOM, and Chief Flynn and Harbormaster Hunter who were all here to participate in this discussion.

Mr. Brindisi then walked through his presentation which addressed perceived misinformation about the business negotiations over the past year and a half and then explained the financial and logistical terms of the contract in detail.

Mr. Brindisi invited the Harbormaster to approach the podium to talk about various mitigation strategies to ensure that the fishing industry would not be negatively impacted by

ACL. The Harbormaster presented a detailed plan which considered regulatory and environmental requirements, fuel deliveries, dockage access needs, winch usage, and pedestrian and tourist traffic management.

Mr. Brindisi thanked the Harbormaster for his comments. Continuing on, Mr. Brindisi shared the proposed cruise schedule for 2024 and noted that cruise ships coming to Plymouth Harbor has been a long term strategic goal for the harbor for a number of years. In summary, he is hopeful that the Town can work together with the fishing industry sharing the valuable pier resources available.

Selectman Mahoney offered further comments about a 2015 harbor study that was commissioned with UMass Boston which noted that the single greatest thing Plymouth could do for its future was dredge the harbor. This cruise initiative was not conceived with the intent of harming any one industry over another. It needs to be clearly understood that communication is of the greatest importance as this moves forward and as the activity of 2024 is evaluated. Selectman Bletzer echoed these comments emphasizing that the harbor is a shared resource for the whole time. Vice Chairman Canty reemphasized that the 2024 activity will be evaluated against expectations to consider if this is a reasonable construct for all constituents. He also emphasized that the more commercial value the harbor has, the more eligible Plymouth is for various funding sources for other projects. The Chairman offered his agreement with his colleagues' prior comments and note that cooperation by all parties is key to success.

After the Board discussion, Vice Chairman Canty made a motion which was seconded by Selectman Helm to approve the proposed ACL License Agreement subject to the inclusion of ACL's agreement to the remediation plans outlined by the Harbormaster.

Voted 5/0 By Roll Call: Quintal – Yes, Canty – Yes, Bletzer-Yes, Helm - Yes, Mahoney-Yes

8:37PM SPRING SPECIAL TOWN MEETING WARRANT ARTICLE DISCUSSION

The Chairman called for any items for discussion. Hearing none, the agenda moved forward.

8:39PM PUBLIC COMMENTS

Steve Lydon – expressed concerns about the governor's budget and its possible impacts on Plymouth and additional concerns about the need for increased tourism in Plymouth. He was pleased that the ACL agreement was going to proceed and thanked the Board for its efforts on this and the 2025 Budget.

Mark Zepetto – owns a business on the waterfront and was very pleased that the ACL agreement was moving forward. It's good for the waterfront and the Town and believes the Boad has been very accommodating of all points of view.

Garrett Holmes – is a commercial fisherman and new President of the Plymouth Lobstermen's Association. He read a letter from the Plymouth Lobstermen's Association into the record. He stated that May 1st until June 15th were the most critical dates in question and presented a hard copy of the letter to the Board members.

Robert Ward – is a long time fisherman who has been fishing here since 1995 and is an Executive with the Massachusetts Lobstermen's Association. He read a letter from the Massachusetts Lobstermen's Association into the record against the ACL agreement. He

expressed extreme concerns about the negative economic impact on the fishermen with the possible restrictions in the harbor.

Paul Quintal – representing himself personally, expressed concerns about the shared use of the wharf. He stated that the Town had issued a draft ACL contract in early Fall of 2022 which was the first the commercial fishermen had heard of the matter. At that time, the fishermen held several meetings with various interested parties and Town representatives in the first half of 2023 and it was agreed that the wharf would be a shared resource. The required wharf extension was to be funded by the Town which was rejected by the Pier Committee and the voters. After this time, the Town recanted its assurances to the fisherman. The fishermen, in fact, welcome ACL but need to protect their livelihoods. He asked that all parties give compromise a chance.

Tom O’Riley – is a commercial fisherman wishing to contradict emails as presented by the Town Manager. He refuted issues relating to the “bait” issue and discussions with other Town staff. He felt that security during the ACL visits was inadequate. He repeated that the pier extension was voted down by 2 separate bodies. He stated that he wanted to bring this back to the table as the dock facilities are not acceptable and the sharing with ACL is questionable. All the fishermen wanted was to talk, but no one would listen in his opinion.

Rick Vayo – via Zoom – stated that everyone has respect for the fishing industry, but Plymouth needs to recognize that it cannot survive and prosper without other dollars, and we have to find a way to share the harbor. In his experience, and from people he spoke with, he believes tourist dollars did come into Town during ACL visit. Plymouth needs to become more of a key destination for the South Shore.

9:32PM TOWN MANAGER’S REPORT

Chairman Quintal requested that the Town Manager make his report.

The Town Manager had the following topics to bring to the Board’s attention:

- The Governor will be making mid-year budget cuts the extent to which are to be determined but “earmarks” will be reduced. Revenues are falling short for the Commonwealth as a whole.
- Cabins at Hedges Pond will be demolished in mid-March.
- The last day of Early Voting is tomorrow at Town Hall.
- The pipe that was found at Stephens Field has been removed and project is moving forward again.
- Major storm is possible tonight and Town Manager will keep Board informed as/if required.

The Board had no questions or comments.

Selectman Helm exited the meeting at 9:32PM.

9:38PM SELECT BOARD OPEN DISCUSSION – NEW BUSINESS/LETTERS/OLD BUSINESS

The Chaiman asked for any updates from the Board on these matters and there were none offered.

9:40PM

ADJOURNMENT

On a motion by Vice Chairman Canty and seconded by Selectman Bletzer, the Board voted to adjourn the Open Session at 9:40pm

Voted 4/0 By Roll Call: Quintal – Yes, Canty – Yes, Bletzer-Yes, Mahoney-Yes

Recorded by:

Ginny Flynn
Administrative Assistant to the Town Manager & Select Board
January 18th 2024