

**MINUTES – SELECTMEN’S MEETING  
MONDAY, AUGUST 25, 2014 AT 7:30 P.M.  
MARSHFIELD TOWN HALL – SELECTMEN’S HEARING ROOM**

Present: John E. Hall, Chairman, Matthew J. McDonough, Vice-Chair, Stephen G. Robbins, Clerk, Rocco J. Longo, Town Administrator, Robert W. Galvin, Town Counsel, Philp J. Tavares, Police Chief, Bill Burger, Michael Egan and Arthur Shaw – Police Officers

Mr. Hall opened the meeting at 7:30 p.m. with the Pledge of Allegiance and announced that the meeting was being recorded by MCTV as well as local reporters and radio.

Town Administrator Report – Mr. Longo stated that he had been at a MIIA Board meeting down the Cape and that he has asked the Board to appoint Barbara Costa as Acting Finance Director while Marcia Bohinc is on vacation. Mr. Longo added that when Ms. Bohinc was hired they were aware that she already had this vacation planned and by appointing Ms. Costa it will allow them to keep the office going. Mr. Longo also stated that some progress has been made on the Fire Station and that it should be open by the end of September.

Ned Bangs – Outdoor Basketball Court Project - Ned Bangs appeared before the Board with Bob Ahearn to discuss the progress with the outdoor basketball courts. Mr. Bangs gave an update on the status of the courts and mentioned that Marshfield Youth Basketball has decided to give a nice donation toward the basketball courts. Mr. Bob Ahearn, President of Marshfield Youth Basketball stated that they voted to support a donation of \$4,000 for the backboards. Mr. Bangs mentioned that there will be a plaque inscription in honor of Jared Barrows and Manny Lopes; and that he has spoken with Tom Reynolds and the surface will be resealed. Mr. Bangs also indicated that he hoped to have a dedication ceremony on September 21, 2014. Mr. Bangs also mentioned that both the DPW and the School Committee have been very helpful with the project and that he would like the Board to accept the donation tonight. Mr. McDonough thanked Ned and mentioned that the new courts and fields all coincide with the new High School which is great. Mr. McDonough moved, seconded by Mr. Robbins to accept the donation of \$4,000 to the Recreation Department for the Backboards on the Basketball courts. The vote was unanimous.

Mr. Hall asked Mr. McDonough if he would take over with the next two items as he derives an income from these two events.

Carleton Chandler – Temporary Liquor License for Oktoberfest – Lenny LaForest and Jude David appeared before the Board. Mr. McDonough read through the application for a One Day Liquor License for October 24, and October 31 from 4:00 p.m. to 10:00 p.m. and October 25, and 26 and November 1 and November 2 from 11:00 a.m. – 10:00 p.m. Ms. David explained that there would be entertainment, food and rides. Ms. David indicated that they would like to have all the parking within the fairgrounds and that the entertainment would be strategically placed so as not to impact the neighbors. Mr. McDonough asked why there are so many dates and Mr. LaForest said that they planned it this way in case the weather doesn’t cooperate to help mitigate the losses. Mr. McDonough indicated that he had spoken with the Chamber of Commerce and they did not have any issues with it. Mr. Longo mentioned that they would need a certificate of insurance. Mr. McDonough moved, seconded by Mr. Robbins to approve the One Day Liquor License on the dates and times mentioned above contingent upon receiving a certificate of insurance. The vote was 2-0. Mr. Hall did not vote.

Fiesta Shows – Entertainment License for Oktoberfest – Mr. McDonough read through the entertainment license application for the Oktoberfest. Mr. McDonough moved, seconded by Mr. Robbins to approve the Entertainment License for October 24, 25, 26 and October 31, November 1 and November 2 with the approval of the Board of Health. The vote was 2-0. Mr. Hall did not vote.

North Community Church – Rib Cook-Off – Entertainment License for Rib Cook-Off - Mr. Hall read through the Entertainment Application for the North Community Church – Rib Cook-Off for September 13, 2014. Mr. McDonough moved, seconded by Mr. Robbins to approve the Entertainment Application from North Community Church with all approved permits. The vote was unanimous.

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MYBL & MYS – Commercial Parking Permit for Diva Dash 9/6/2014 – Brian Murphy appeared before the Board. Mr. Robbins said he received a call from Mr. Murphy and that they will not have people park on the infields at the Grace Ryder complex. Mr. McDonough moved, seconded by Mr. Robbins to approve Marshfield Youth Baseball and Marshfield Youth Soccer Commercial Parking Permit for September 6, 2014 at the Grace Ryder complex. The vote was unanimous.

Grad Nite Live, Inc. – Commercial Parking Permit for Diva Dash 9/6/2014 – Mr. Hall read through the Grad Nite Live, Inc. Commercial Parking Permit application at the location of 50 South River Street. Mr. McDonough moved, seconded by Mr. Robbins to approve Grad Nite Live, Inc. Commercial Parking Permit for September 6, 2014. The vote was unanimous.

Green Harbor Beach Association – Labor Day Events – Mr. Hall read the letter from Daniel Burns, President of the Green Harbor Beach Association regarding permission for their events on August 30 and August 31, 2014. Mr. McDonough moved, seconded by Mr. Robbins to approve the Labor Day Events for the Green Harbor Beach Association. The vote was unanimous.

Appointment of Barbara Costa as Acting Finance Director – Mr. Hall stated that Mr. Longo mentioned this item earlier in his Town Administrator Report. Mr. McDonough moved, seconded by Mr. Robbins to appoint Barbara Costa as the Acting Finance Director until Marcia Bohinc returns from vacation. The vote was unanimous.

Permission to Install a Memorial Bench at Tower Avenue Park – Mr. Ned Bangs appeared before the Board again. Mr. Hall read from the letter from Kevin Mulrey and Dave Evans requesting to install a Memorial Bench and Tree Planting for Philip Meech who passed away from cancer on June 12, 2014. Mr. McDonough extended condolences from the Board of Selectmen to the Meech family. Mr. Bangs indicated that this bench would closely resemble the one at Harbor Park and with the Board’s approval he will meet with Tom Reynolds to make sure everything is coordinated. Mr. McDonough moved, seconded by Mr. Robbins to approve the installation of a memorial bench at Tower Avenue Park with a shade tree. The vote was unanimous.

Boys & Girls Club – Charity Bike Ride and 5k Family Run/Walk – Mr. Hall read the letter from Kathleen Newcomb, Executive Director of the Boys & Girls Club of Marshfield. Mr. Hall suggested that they contact the Building Commissioner with regard to the permission for placement of signs. Mr. McDonough moved, seconded by Mr. Robbins to approve the 3<sup>rd</sup> Annual Boys & Girls Club charity bike ride and 5k Family Run/Walk on September 28, 2014. The vote was unanimous.

Thomas Jackson – Public Hearing to Consider Removal as a Constable – Mr. Hall asked for a two-minute recess for the stenographer hired by Attorney Dodd to set-up. Mr. Hall opened the hearing at 8:07 p.m. Mr. Hall read the notice of the public hearing that was sent to Thomas Jackson. Mr. McDonough moved, seconded by Mr. Robbins to open the public hearing on the matter of the Board of Selectmen’s Hearing to show cause why Thomas Jackson should not be removed. The vote was unanimous. Mr. Hall asked anyone who planned to give testimony to stand and he swore them in. Mr. Hall then read his statement with regard to the purpose of this hearing and mentioned that the proceedings were being recorded by a stenographer who is present at the request of Mr. Jackson. Mr. Hall then read the list of how the proceedings would be followed. Mr. Hall then asked Officer Gentry who was serving as Prosecutor to come forward. Officer Gentry called forward Gail Taylor. Officer Gentry asked Gail Taylor what had happened on August 7, 2014. Ms. Taylor explained that when she arrived at her office building at 844 Webster Street she saw a man speaking to her 22 year-old daughter Grace. Ms. Taylor said she approached the man and asked his name and he mumbled and said he was with the State Police and flipped open a badge quickly. He told Ms. Taylor and her daughter that he would pay them \$100 to drive someone to an appointment. He informed them that he was working with the State Police on a domestic abuse case and the person would not get in the car with a male. Ms. Taylor suggested he contact the Marshfield Police because she knows the Chief and they have

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female officers that could help but he told her it was a State Police matter and didn’t want to get the local police involved. Ms. Taylor said she asked his name two more times but she still didn’t hear correctly what he said. The man told her he had gone to their office building because he thought there was a cab company (Traveler Transportation) in the building but they were no longer there. Officer Gentry asked Ms. Taylor if the man she had the conversation with was in the hearing room tonight and Ms. Taylor said yes and pointed out Thomas Jackson. Ms. Taylor said that something didn’t seem right that someone who was a State Police officer would offer money to get a taxi ride for someone who is in a domestic abuse situation so she and her daughter went into their office and called the police. Attorney Dodd then examined Ms. Taylor. Officer Gentry then examined Officer Burger who gave his testimony of what occurred that day and of his interview with the Taylors and Lydia Froese who was the woman who needed the ride. Attorney Dodd also examined Officer Burger.

Attorney Galvin read through Exhibits 1 through 8. Attorney Dodd then examined Officer Eagan who gave testimony of his phone call with Mr. Jackson. Officer Gentry then examined Richard Tracey the dispatcher for Shamrock Cab Company who ended up giving Ms. Froese and her son a ride to her therapist’s office. Attorney Dodd also examined Richard Tracey. Attorney Dodd then asked Lydia Froese to come forward. Ms. Froese gave her name and address and stated that she was an attorney as well as a sales associate for Siemens and also a real estate broker. Ms. Froese stated that she had three sons and that the youngest was the son of her ex-boyfriend, Mike Shephard with whom she has been a victim of domestic abuse. Attorney Dodd then presented Exhibit 9 which was a blown up version of the retired State Police Badge that belonged to Thomas Jackson. Mr. Hall then asked Attorney Dodd and Officer Gentry to give their closing statements. Attorney Dodd said that Thomas Jackson offered to pay someone \$100 to give someone a ride and it was not against the law. Attorney Dodd said Mr. Jackson was desperate to give Lydia Froese a ride and he asked the Board to reinstate Thomas Jackson as a Constable. Officer Brian Gentry stated that public officials are held to a higher standard and that he represented himself as working as a police officer on a police matter and that it is a crime to refuse to assist a police officer upon request. Officer Gentry added that a Constable is supposed to be of good repute and character this was not the case. Officer Gentry stated that Mr. Jackson was working as Constable and tried to get someone to help him under a guise and this was gross misconduct and that he would ask the Chief for a recommendation. Chief Tavares stated that Mr. Jackson has never been a state police officer and that from 1970-1979 he was a Metropolitan Police officer and that he recommended Mr. Jackson be removed from Constable duty immediately. Mr. McDonough moved, seconded by Mr. Robbins to close the public portion of the hearing and deliberate. Mr. Hall mentioned that after listening to testimony he felt that Mr. Jackson did inappropriately identify himself as a State Police Officer and that he shouldn’t have jeopardized his career no matter what the circumstance and that if you identify yourself as a police officer when you are not, it is a crime. Mr. McDonough indicated that he found Ms. Taylor’s testimony to be very credible and mentioned that when you are not a police officer, you don’t show the badge. Mr. Robbins indicated that he agreed with Mr. Hall and Mr. McDonough. Mr. Hall stated that the first phone call should have been to the Marshfield Police Department and felt that there was good cause for removal as you can not represent yourself as a Police Officer and felt there was enough evidence for removal. Mr. McDonough moved, seconded by Mr. Robbins that there was good cause for removal of Thomas Jackson as a Constable for the Town of Marshfield. The vote was unanimous. Mr. McDonough moved, seconded by Mr. Robbins to send a written decision to Thomas Jackson to reflect the Decision of the Board and adjourn the public hearing. The vote was unanimous.

There was a professional stenographer present at this hearing taking the verbatim words of the hearing and our office will acquire a written recording.

At 9:50 p.m. Mr. Hall stated that there would be a two minute break.

The meeting resumed at 9:55 p.m.

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North River Arts Society – One Day Wine & Malt License – Mr. Hall read the application from the North River Arts Society regarding their Annual Member’s Show to be held on September 27, 2014. Mr. Hall indicated that they had their certificate of liability insurance and also a map of the area. Mr. McDonough moved, seconded by Mr. Robbins to approve the One Day Wine & Malt License for the North River Arts Society on September 2, 2014 from 7:00 – 10:00 p.m. The vote was unanimous.

New Appointment to the Recreation Trails Committee – Mr. Robbins stated that he had spoken to both Mr. Whidden and Mr. Garcia and that they were both good candidates but Mr. Whidden had previously been on a Bike Trail Committee in Town so he would be recommending Mr. Whidden. Mr. McDonough moved, seconded by Mr. Robbins to appoint Mr. Whidden to the Recreation Trails Committee. The vote was unanimous.

Acceptance of Minutes – Mr. McDonough moved, seconded by Mr. Robbins to approve the minutes of August 12, 2014. The vote was unanimous.

Mr. Hall motioned to adjourn the meeting at 10:00 p.m.

There was no Executive Session held.

Respectfully submitted,

Beverly Wiedemann

Documents and Exhibits presented at this meeting were the following: memo and information regarding the donation and plaque with regard to the outdoor basketball courts on Forest Street, e-mail from Jude David with copies of information regarding an Oktoberfest at the Fairgrounds with a copy of One Day Wine & Malt application from Carleton Chandler and a copy of Entertainment application from Fiesta Shows, copy of application for Entertainment License with copy of map, copy of Food Permit for North Community Church Rib Cook-off with corresponding e-mails from the Police, Fire and Board of Health, copy of application for parking permit with copy of map from MYBL and MYS for Diva Dash on 9/6/2014, copy of parking permit application from Grad Nite Live, Inc. for Diva Dash on 9/6/2014 and copy of e-mail from Safety Officer, copy of letter with schedule of events for Green Harbor Beach Association for Labor Day events, copy of e-mail from Rocco Longo to BOS recommending appointing Barbara Costa as Acting Finance Director, copy of letter from Kevin Mulroy and Dave Evans and memo from Ned Bangs requesting to install a memorial bench and tree at Tower Ave Park, copies of letters from Boys and Girls Club requesting permission to hold Bike Ride, 5K Family Run/Walk, map and request to place signs for September 28, 2014, copies of letters to Thomas Jackson, letter to Attorney Dodd, letters to Rocco Longo from Attorney Dodd, copies of Exhibits 1-9 and copies of police reports, copies of summons report, copies of police narratives, copy of letter from Thomas Jackson requesting a hearing held in Executive Session, copies of Thomas Jackson’s IDs and business card, copies of Thomas Jackson’s resume, copy of Mas Gen. Law Chapter 268, Section 33, copies of police logs from 3/29/2014 and 11/7/2012 regarding Thomas Jackson, copy of attendance list from public hearing on Thomas Jackson, copy of One Day Liquor License application with copy of map and certificate of insurance for North River Arts Society, copy of committee applications for Recreation Trails Committee from Roger Whidden and Michael Garcia and copy of minutes of August 12, 2014.