

PLYMOUTH BOARD OF SELECTMEN

TUESDAY, DECEMBER 14, 2010

TOWN HALL MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, December 14, 2010 at 7:00 p.m. at Town Hall in the Mayflower Room.

Present: William P. Hallisey, Jr., Chairman
John T. Mahoney, Jr., Vice Chairman
Richard J. Quintal, Jr.
Sergio O. Harnais
Mathew J. Muratore

Mark Stankiewicz, Town Manager
Melissa Arrighi, Assistant Town Manager

CALL TO ORDER

Chairman Hallisey called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

SWEARING IN CEREMONY: FIRE DEPARTMENT PROMOTIONS

Fire Chief G. Edward Bradley introduced the swearing-in ceremony to recognize three newly-promoted members of the Fire Department:

Deputy Fire Chief Stanley E. Eldridge
Fire Captain Michael Roy
Battalion Chief Dean DelTorto

Chief Bradley provided information on the educational background and training of each officer, and Town Clerk Laurence Pizer led the officers through the oath of service. Chief Bradley facilitated the formal pinning ceremony, and the Board of Selectmen offered its congratulations to the newly-promoted officers.

TOWN MANAGER'S REPORT

Resignation of DPW Director – Town Manager Mark Stankiewicz announced the resignation of Hector Castro from his position as Director of Public Works for the Town of Plymouth. Mr. Castro, he said, has accepted a position in his home state of Florida and will leave his post in Plymouth at the end of December. Mr. Stankiewicz noted he will immediately begin work upon a transition plan and the recruitment of a new director for the Public Works Department.

Holmes Dam – Mr. Stankiewicz informed the Board that DPW Environmental Manager David Gould has reported the discovery of a deteriorated steel beam in the structure of the Holmes Dam spillway. To better view the damage and reduce pressure on the dam, he explained, Mr. Gould drew down the water level from Jenney Pond to the spillway. Mr. Stankiewicz noted that the Town’s Engineering Department will begin design on a new spillway, with the intention of using funds from the dam maintenance account.

Proposed Auto Dealerships – Town Manager Mark Stankiewicz gave a brief account of a meeting he held with the Town’s Planning Director, two Planning Board members, and representatives from Colony Place to discuss the potential for car dealerships for the retail development off Commerce Way. A petitioned article to change the Town’s zoning bylaw to allow dealerships in this area will be submitted for Town Meeting, he noted.

State Ethics Law Acknowledgement – Mr. Stankiewicz reminded all Town employees, elected officials, and appointed committee members that the State Ethics Commission requires annual acknowledgement of the “Summary of the Conflict of Interest Law.

LICENSES

On a motion by Selectman Quintal, seconded by Selectman Harnais, the Board voted to grant the following Vehicle for Hire-related articles, as detailed. Voted 5-0-0, approved.

VEHICLE FOR HIRE OPERATOR (NEW)

- ❖ For **Special Occasion Limo**, 2289 State Road
 - John Voutselas, 99 Early Red Circle
- ❖ For **Mayflower Taxi**, 166 Gunner’s Exchange Road
 - Thomas Holloway, 52 Liberty Street

Issuance of the above licenses is subject to review of the CORI background check and driving record.

VEHICLE FOR HIRE (RENEWAL)

- ❖ **Habilitation Assistance Corp.** (424 Court Street) requested the following new licenses/permits and renewals:
 - One Vehicle for Hire Business Permit – Taxi/Livery
 - Applying for 24 vehicles – 4 new, 20 renewals
All vehicles have been inspected by the Inspectional Services Dept.
 - Applying for one New Vehicle for Hire Operator License:
 - Paul Burkett, 28 Lakewood Drive

Issuance is subject to review of the CORI background check and driving record.

❖ **South Shore Taxi** (85 Sandwich Street) requested the following renewal licenses/permits:

- One Vehicle for Hire Business Permit – Taxi
- Applying for 1 vehicle–renewal
Vehicle has been inspected by the Inspectional Services Department
- Applying for one Vehicle for Hire Operator License:
 - Sadek Ghazzawi, 85 Sandwich StreetIssuance is subject to CORI background check and driving record.

PLEDGE OF LICENSE

On a motion by Selectman Quintal, seconded by Selectman Harnais, the Board voted to grant the following Pledge of License, as detailed. Voted 5-0-0, approved.

❖ **Roger’s Supermarket Inc. d/b/a Luke’s Liquors**, Roger Monast, Manager requested a Pledge of License to Rockland Trust

REQUEST FOR TEMPORARY CLOSURE

On a motion by Selectman Harnais, seconded by Selectman Quintal, the Board voted to approve the following Request for Temporary Closure, as detailed. Voted 5-0-0, approved.

❖ **14 Union Street Restaurant**, 14 Union Street requested permission to close January 1st, 2011 through March 31st, 2011 for maintenance and repairs.

2011 RENEWAL CERTIFICATION FOR ABCC

At the end of each calendar year, the ABCC requests a list of licenses disapproved or not submitted for 2011 renewal. The following establishments are not renewing for 2011:

- Of the Vine Inc., d/b/a The Vine, 47 Court Street
- GLBR Inc. d/b/a The Colonial Tavern, 39 Main Street
- Martha M. Stone d/b/a Martha’s Stone Soup at the Tavern, 517 Old Sandwich Road
- Enoteca Di Vino LLC d/b/a Enoteca D Vino, 39 Court Street
- Casa Brasil Bar and Grill Inc., 318 Court Street
- Weathervane Seafoods, 6 Town Wharf
- UR of Plymouth MA LLC, d/b/a Pizzeria Uno Chicago Grill, The Shops at 5

On a motion by Selectman Quintal, seconded by Selectman Harnais, the Board voted 5-0-0 to acknowledge the list of licenses not submitted for 2011 renewal.

(Licenses continued on next page)

VOTE TO SET SEASONAL POPULATION

At the end of each calendar year, the ABCC requests an estimate of Plymouth's Resident Seasonal Population. The Town Clerk currently estimates this number at 88,437.

On a motion by Selectman Quintal, seconded by Selectman Harnais, the Board voted 5-0-0 to set the Resident Seasonal Population at 88,437.

ADMINISTRATIVE NOTES

Meeting Minutes / November 9 – On a motion by Selectman Muratore, seconded by Selectman Quintal, the Board voted to approve the minutes of the November 9, 2010 Selectmen's meeting. Voted 4-0-1, approved, with an abstention from Chairman Hallisey, as he did not attend the November 9th meeting.

Meeting Minutes / November 16 – On a motion by Selectman Quintal, seconded by Selectman Muratore, the Board voted to approve the minutes of the November 16, 2010 Selectmen's meeting. Voted 4-0-1, approved, with an abstention from Selectman Harnais, as he did not attend the November 16th meeting.

Acceptance of Property on South Spooner Street – On a motion by Vice Chairman Mahoney, seconded by Selectman Harnais, the Board voted to approve and execute an *Acceptance of Deed* for property on South Spooner Street shown as Lot 3-8 on a plan entitled "Plan of Land in Plymouth, Massachusetts Owned by RL & L LLC 366 Court Street," as authorized by Article 16 of the April 2010 Annual Town Meeting. Voted 4-0-1, approved, with an abstention from Selectman Quintal.

PUBLIC COMMENT

Gerry Serrico of Precinct 3 commented that, though the Thanksgiving Day Parade and events were wonderful, travel along Stafford Street was nearly impossible due to the overflow of parking from the event. He suggested that the Board look into parking issues like these for events such as July 4th and Thanksgiving that draw a large number of visitors to downtown Plymouth. Mr. Serrico also noted that there was substantial back-up of water in the road on Water Street (at the bottom of North Street) that appears to be the result of a drainage issue.

Peter Blake of Plymouth's American Legion Post 40 addressed the Board to discuss the flooding damage caused to the Legion's facility on Federal Furnace Road after the significant rains of March 2010. The facility, he said, has been closed since March, due to the extent of the damage. Mr. Blake then talked about the numerous services the Legion provides to the community through collaborative and philanthropic activities.

Phillip Ryan, American Legion Post 40 chaplain, talked more extensively about the damage caused to the structure. The rains of March 2010, he explained, caused West Pond to rise

three-to-four feet, subsequently forcing four-to-six inches of water into the building that remained for three months until the pond level receded. Mr. Ryan reported that the Town deemed the building as a hazard, and, thus, the Legion formed a building committee and a fundraising committee to begin the work of preparing to construct a new facility.

Mr. Ryan informed that Board that, though the Legion has raised \$80,000 to date, nearly 25% of those funds have been expended on engineering and architectural costs. The Legion applied for grants from federal and state emergency management agencies (FEMA and MEMA) but did not meet the eligibility criteria, he noted. The Small Business Administration will loan the Legion \$875,000, Mr. Ryan said, but that money can only be used on the building itself—which does not include costly items like the reconstruction of the parking lot and septic system, estimated at \$350,000-400,000. As a registered non-profit organization, he stated, the Legion is respectfully requesting that the Town waive the estimated \$8,000 to \$10,000 in permit fees associated with the construction of the new facility.

Chairman Hallisey interjected at this time to note that the discussion on the Legion's request is scheduled later in the evening's agenda. He respectfully asked the representatives from the Legion to wait a short while until the Board could finish with the public comment segment of the meeting.

Ed Rehill addressed the Board about the assessment of his property on White Horse Beach. Mr. Rehill referenced a letter he delivered to the Selectmen's Office (in which he listed several questions pertaining to the assessment) and asked the Board to direct the Town's Assessor to respond to his inquiries. The assessments on his property and several of those in his area are "out-of-whack," he said, and no one in the Assessing Department appears capable of explaining why.

Selectman Quintal noted that the Town's Assessor was scheduled to make a presentation during the meeting, and, thus, he asked if Mr. Rehill could hold his questions until the Assessor could properly respond, at that time.

Seeing no further public comment, Chairman Hallisey decided to alter the schedule of agenda items to formally hear the American Legion's request, next.

DISCUSSION ON FEE WAIVER FOR AMERICAN LEGION FACILITY

Mr. Ryan reappeared before the Board to provide further information on the Legion's request (see "Public Comment," above). In response to inquiries from the Board, Mr. Ryan explained that the Legion did not have flood insurance, and he clarified that the Town's Building Inspector deemed the building uninhabitable—not condemned.

Both Selectman Quintal and Chairman Hallisey stated their support for waiving the permit fees associated with the construction of the Legion's new facility, based on the Legion's reputation as a charitable community organization and the fact that the structure was damaged

by a natural disaster. Selectman Muratore acknowledged the Legion's valued standing in the community but noted a policy adopted and modified by the Selectmen (during 1999-2003) which clearly states that the Board will not consider requests for the waiving of Town fees.

Discussion turned to the policy and whether the Board would consider modifying it. Selectman Muratore suggested deferring the Legion's permit fees until the Board could properly discuss and decide how it would proceed on the fee exemption policy. Vice Chairman Mahoney noted the number of residential homes damaged by the rains of March 2010 and questioned how the Board's decision could set a precedent that would force the Town to waive fees for any instances involving natural disasters. Selectman Harnais and Vice Chairman Mahoney both asked for a more definitive fee assessment on the Legion's construction project from the Inspectional Services Department.

Mr. Stankiewicz affirmed that the Town has the ability (at the Board's discretion) to issue the permits for the Legion project while deferring payment. The Town's inspectors, however, will still need to put in the hours and perform the work, he noted.

After some brief final discussion, Selectman Muratore made a motion to (a) defer payment on the permit fees associated with the American Legion Post 40 construction project for one year and (b) direct the Town Manager to present the Board with a draft revision of the fee exemption policy within 90 days. Vice Chairman Mahoney seconded the motion, and the Board voted 5-0-0 in favor.

PUBLIC HEARING: TRANSFER OF ALL ALCOHOL RESTAURANT LICENSE
FROM ROOBUMPER, LLC D/B/A ROOBAR, 10 CORDAGE PARK CIRCLE
TO BASK, INC. D/B/A ROOBAR, 10 CORDAGE PARK CIRCLE

Chairman Hallisey opened public hearing to consider the application for a Transfer of an All Alcohol Restaurant Liquor License from Roobumper, LLC d/b/a RooBar, 10 Cordage Park Circle, Ste. 253, Dana Heilman as Manager to Bask, Inc. d/b/a RooBar, 10 Cordage Park Circle, Ste. 253, Richard Krebs as Manager. Chairman Hallisey affirmed that notice of the hearing was given in accordance with Chapter 138 of the Massachusetts General Laws, to encourage those wishing to be heard on the matter to attend the meeting.

Attorney John Iata of the law firm Cassis & Cayer addressed the Board on behalf of Bask, Inc., noting that Richard Krebs (proposed license manager) and the owners of the company were present at the meeting to answer any questions on the license application. The transfer, Attorney Iata explained, is intended to be a "turnkey" transition from the previous owner to the new owner. Aside from some minor changes to the restaurant's schedule and décor, he explained, general operations and staff at the establishment will remain the same.

Seeing no questions from the Board, Chairman Hallisey opened the hearing to public comment on the license application. No citizens came forward. Chairman Hallisey then closed the hearing to await a motion of the Board.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to grant the Transfer of an All Alcohol Restaurant Liquor License from Roobumper, LLC d/b/a RooBar, 10 Cordage Park Circle, Ste. 253 to Bask, Inc. d/b/a RooBar, 10 Cordage Park Circle, Ste. 253, as detailed in the license application. Voted 5-0-0, approved.

LICENSES IN CONJUNCTION WITH A PUBLIC HEARING

On a motion by Selectman Quintal, seconded by Selectman Harnais, the Board voted to grant the following list of licenses to Bask, Inc. in conjunction with the request for a Transfer of an Annual All Alcohol Restaurant License. Voted 5-0-0, approved.

❖ **Bask Inc d/b/a Roobar**, 10 Cordage Park Circle, Richard Krebs, Manager

- Common Victualler
- Comprehensive Entertainment – Radio, TV, live entertainment
- Sunday Entertainment – Live entertainment

PUBLIC HEARING: TAX CLASSIFICATION

Anne Dunn, Director of Assessing, provided a presentation on the Town's Property Tax Classification during which she covered the following topics:

- An overview of key changes to the Town's tax rate and valuations between FY2010 and FY2011
- Data on property valuation based on the different property classes in Plymouth
- The percentages by which each class makes up the Town's total property valuations
- Residential and commercial data spanning back to FY2007, including average tax bills, average valuations, and the number of property parcels
- Classification considerations, including the Entergy agreement; the diversity of the tax base; the ability of the commercial base to absorb a shift to a split tax rate; and the long-term perspective on whether to maintain a split rate or fluctuate between single and split rates

Ms. Dunn explained that the purpose of the annual classification hearing is to adopt the Town's tax policy by allocating or classifying the tax levy among property types. In order for the Town to discuss and set the FY2011 tax rate, she said, the Board of Selectmen must first decide whether the Town will continue to maintain a single/unified tax rate or change to a multiple/split tax rate. A split tax rate, she explained, would set different rates between the property classes—essentially between residential and commercial properties—while the Town's current unified tax rate implements the same rate for all of the property classes.

Ms. Dunn discussed the changes in overall tax valuations in 2010 and displayed visual examples of homes that fell at various intervals of assessed value (including the "average" single family home). She displayed a graph illustrating the impact of shifting the tax burden from the average residential tax bill to the average commercial tax bill, noting that, in order to maintain the same average single family tax bill (i.e. no increase from 2010 to 2011), the

Town would need to shift 9% of the tax burden to the commercial sector. Ms. Dunn offered the Finance Department's recommendation that the Board maintain a single/unified tax rate, based on three factors:

- It is unlikely that the Town's commercial tax base could—in the midst of the current economic downturn—absorb a tax shift/increase of such magnitude required to provide any substantial relief to residential taxpayers
- One of the principles of shifting the tax burden is that it should be done with a long-term perspective; if the Town chooses to adopt a split rate, it should be part of a long-term financial plan and should not be changed.
- A shift to a split tax rate could trigger a clause contingency within the Entergy PILOT, potentially allowing Entergy to seek release from the agreement

At the close of the presentation, Chairman Hallisey opened the hearing to comment or questions from the Board. Discussion ensued amongst the Selectmen and Mr. Stankiewicz on the merits and/or drawbacks of the single, unified rate versus a split rate. Mr. Stankiewicz reminded the Board that the Selectmen do not set the tax rate; if the Board maintains the single, unified tax rate, the Finance Director and Assessor will determine the tax rate (\$12.42 per thousand, now; estimated at \$13.04 per thousand for FY2011) based on the budget approved by Town Meeting.

Chairman Hallisey expressed concern about the Town's ability to attract new business with a split tax rate. Selectman Harnais stated that he would support a split tax rate, if the Town's commercial base was large enough to absorb the shift without being unreasonably burdened. Selectman Muratore shared his observation that the unified rate appears to be the best choice, if the Town wants to attract business and create jobs. Vice Chairman Mahoney estimated that, though Plymouth has done well in expanding its commercial base in recent years (e.g. Colony Place and The Shops at 5), it would take the addition of twelve Wal-Marts (Plymouth's biggest retailer) to offset the recent increase in healthcare costs for Town employees and retirees.

Chairman Hallisey opened the discussion to public comment.

Richard Knox of Precinct 4 stated his belief that the Town should not do anything that would hurt business. The Town's Finance Director and Assessors do their job well and cannot be blamed for the tax rates, he noted. To keep tax rates in line, Mr. Knox said, Town Meeting members must resolve to be more informed in their decisions on budgetary matters.

Finance Director Lynne Barrett responded to questions from the Board on the effects that construction costs for the new Plymouth North High School ("PNHS") and Council on Aging ("COA") facilities will have on the tax rate in the coming years. Ms. Barrett also discussed the Town's favorable "AA" bond rating, as well as her plans to reduce the Town's long term debt to a manageable level of 5-7% of the Town's budget by FY2012.

Robert Alford of Precinct 7 distributed materials to the Selectmen in support of his position that the Town should transition to a split tax rate. Considering the economy and the number of layoffs and foreclosures affecting homeowners, Mr. Alford said, the Town should focus its

concern on its residents, who are the very patrons of the businesses that the Board seems so eager to protect. Mr. Alford expressed his discontent that the Payment-In-Lieu-of-Taxes (“PILOT”) agreement between the Town and Entergy (operators of the Pilgrim Nuclear Power Station) forces the Town to maintain a unified rate while not requiring sufficient tax revenue from what is the largest industrial facility in Plymouth. If the nuclear power station’s operating license is renewed, he said, the Town must remove the unified tax rate clause from the PILOT agreement and require more tax revenue to offset the dangers posed by the long term storage of nuclear waste.

Ed Rehill resumed his plea to the Board for clarification on the way the value of his property is assessed. Mr. Rehill stated that his concerns extend beyond his own property to those along the shoreline from Warren Avenue to Manomet Point. Based on his own extensive research, he said, the assessments in these areas appear to be inconsistent and arbitrary, and the Assessor’s office cannot answer his questions as to why.

Chairman Hallisey invited Ms. Dunn to speak on the matter. Ms. Dunn explained that Mr. Rehill has had the opportunity to speak with her—and the Town Manager, Assistant Town Manager, Finance Director, and Board of Assessors—several times to gather information on the way in which his property is assessed. Mr. Stankiewicz noted that Mr. Rehill has initiated the appeals process with the Town’s Board of Assessors and State Tax Appellate Board numerous times, only to find his appeal denied each time, with the exception of one instance.

Selectman Muratore explained to Mr. Rehill that the Board of Selectman has no jurisdiction over property assessments. Vice Chairman Mahoney asked Ms. Dunn to furnish the Town Manager with a copy of her response to Mr. Rehill’s inquiry. Mr. Stankiewicz described the assessment process as “complex” and noted that waterfront properties like Mr. Rehill’s may appear disparate with others simply on the defining oceanfront characteristic of their land. Ms. Barrett informed the Board that the Town follows all assessing guidelines set forth by the Massachusetts Department of Revenue (“DOR”). The Assessing Department, Ms. Barrett assured the Board, does not arbitrarily make up numbers and must submit regular reports on assessment data to DOR for annual certification.

Chairman Hallisey stated that the Board would take Mr. Rehill’s concerns under advisement, and he asked staff to assist him with any further information he might request on his property assessment. Chairman Hallisey then brought the Board’s attention back to the Tax Classification Hearing.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to retain a single, unified tax rate. Voted 5-0-0, approved.

MOORING UPDATE FROM THE HARBORMASTER

Plymouth’s Harbormaster, Chad Hunter, provided the Board with a presentation on his department’s efforts to clarify the mooring assignment / waiting list process and turn over unused moorings. There are more than 600 individuals signed-up on the Town’s mooring

waiting list, he said, thus warranting better monitoring and enforcement of the Town's mooring regulations.

Assistant Harbormaster Derryl Lawrence talked about the extensive tracking he conducted on mooring use during the 2010 boating season. Through the suspension of temporary mooring use, he explained, it was determined that approximately 80% of Town moorings are being used by the person to whom the mooring is assigned. Mr. Lawrence described the process by which all mooring holders were notified of the Harbormaster Department's intent to enforce compliance with mooring use policies. Those mooring holders who could not comply with mooring policies and regulations, he said, were instructed to contact the Harbormaster.

Mr. Lawrence explained that, by determining the number of unused moorings, the Harbormaster's Department could begin the process of assigning those on the waiting list to moorings compatible with their boat sizes. Seventy-two unused moorings were turned over and will be assigned to individuals on the waiting list, he noted; another fifty-eight may turn over if those particular mooring holders cannot comply with mooring regulations during the 2011 season.

Mr. Lawrence discussed the way by which the Harbormaster Department will compile and maintain the mooring waiting list. The list, he explained, is compiled by the date when the applicant files an application. Vessel type and size, he noted, is taken into account when re-assigning moorings, and, thus, those on the waiting list must be aware that moorings will not be assigned in exact numerical order.

Mr. Hunter used an overhead projection to illustrate where citizens can find the mooring waiting list on the Town's website. He noted that those on the mooring list will be asked to renew their interest each January, to ensure that the list contains only those individuals who have an active and serious interest in acquiring a mooring assignment.

Mr. Hunter informed the Board of his proposal to change the Town's mooring fees, and he displayed graphs and charts of Plymouth's boating-related revenues, as well as mooring fee amounts charged by other area towns. The Harbor Committee, he said, recommended a \$7 per-foot mooring fee (changed from the current \$6 per foot) and a \$10 annual fee for application to the mooring list, to cover the amount of work necessary to maintain the list. Compared to other coastal towns like Duxbury, Marshfield, Scituate, Hull, and Hingham, Mr. Hunter noted, Plymouth's current \$6 per-foot fee falls well within the average. A private marina, he said, would charge a good deal more for a boatslip than the Town charges for a mooring.

Mr. Hunter then talked about the way in which his department will approach the assignment of temporary moorings, during times when mooring holders do not have their boats in the water. The Town, he noted, cannot charge temporary rent on a mooring that is already assigned to a holder, but the Harbormaster Department is authorized to charge a Waterway Usage Fee. Mr. Hunter affirmed that temporary assignments will be determined by the order on the waiting list. During 2011, Mr. Hunter said, he and his department will continue to

track mooring use, turn over additional unused moorings, and assign temporary moorings to those on the waiting list.

Mr. Hunter responded to questions from the Selectmen about harbor-related revenues, the Harbor Committee, and the fee proposals made within the presentation. Much of the initial discussion amongst the Board centered around the maintenance of the mooring waiting list and the pros and cons of charging a waiting list fee. Mr. Hunter noted the extensive work that his staff must invest into monitoring mooring use and maintaining the waiting list. The fee, he said, would help to cover—but not exceed—the staff time necessary to perform such work.

Selectman Muratore advocated for a higher per-foot mooring fee and hypothesized that an annual waiting list fee might help to separate those who are serious about remaining on the waiting list from those who are not. Chairman Hallisey also advocated for a higher per-foot mooring fee but felt that an annual waiting list fee was inappropriate.

In response to questions from Chairman Hallisey, Mr. Hunter explained that Plymouth Harbor is governed by State and Federal regulations that prevent the Town from giving preference or discounted fees to Plymouth residents over non-residents (with regard to moorings). The Town currently has nine unassigned, transient moorings for which it can charge rent per night, for a three-night maximum, Mr. Hunter added. Chairman Hallisey encouraged Mr. Hunter to find areas for more transient moorings and promote them on the Town's website.

Selectman Harnais asked Mr. Hunter to discuss the Waterway Usage Fee. Mr. Hunter reported that the Waterway Usage Fee was established under the direction of former Harbormaster Joe Ritz, to offset the services and staff time necessary to respond to calls for assistance from boaters. When a boater leaves a private marina in Plymouth, Mr. Hunter explained, he or she will most likely call upon the Plymouth Harbormaster's Department for assistance. The Town, therefore, can charge this fee to private boatslip/mooring holders as well as to those who rent the transient moorings.

Selectman Quintal made a motion to approve a \$7 per-foot mooring fee for the 2011 boating season. Vice Chairman Mahoney seconded the motion.

Selectman Muratore voiced his opinion that the Town's moorings are clearly an issue of supply and demand, and he advocated for an \$8 per-foot mooring fee. Selectman Harnais agreed with Selectman Muratore on the per-foot mooring fee but noted that he only supported a one-time waiting list application fee.

Chairman Hallisey called for a vote on Selectman Quintal's motion. The Board voted 2-3-0, with Chairman Hallisey, Selectman Harnais, and Selectman Muratore casting the opposing votes.

Selectman Muratore made a motion to implement an \$8 per-foot mooring fee and a \$10 annual waiting list application fee. Selectman Harnais seconded the motion.

Chairman Hallisey initially opposed an annual waiting list application fee but acknowledged that a one-time filing fee at a higher amount might help to produce turnover on the waiting list. Selectman Muratore reiterated his earlier statement that an annual \$10 waiting list fee would separate those who are serious about remaining on the waiting list from those who are not, and he noted the administrative costs associated with the work of maintaining and updating the waiting list each year.

Mr. Hunter again stated that part of the intent behind his recommendation (and that of the Harbor Committee) to increase mooring fees and implement an annual waiting list was to produce unused mooring turnover and bring the waiting list down to a reasonable wait. Mr. Stankiewicz commented that, at a general mooring turnover rate of 20 moorings per year, it would take nearly 30 years for the 600th person on the current waiting list to obtain a mooring.

Following some brief remaining discussion on the proposed annual waiting list fee, the Board voted 4-1-0 in favor of Selectman Muratore's motion to implement an \$8 per-foot mooring fee and a \$10 annual waiting list application fee. Vice Chairman Mahoney cast the opposing vote.

DISCUSSION ON SISTER CITY RELATIONSHIPS

Selectman Harnais initiated a discussion on the creation of a Distinguished Visitors Committee to focus upon sister city relationships and visits from official delegations. He began by acknowledging and commending the dedicated work done by Margie Burgess and the School Department to continue Plymouth's 20-year sister city relationship with Shichigahama, Japan, where previous Boards of Selectmen may have fallen short. The amount of work that goes into maintaining these relationships, Selectman Harnais said, is more than one person can handle, and this proposed committee could prove useful to Plymouth's sister city relationships, student exchange program, and 400th Anniversary Celebration in 2020.

Selectman Harnais proposed a five member Distinguished Visitors Committee that would be subject to term limits and meet on an as-needed basis, consisting of:

- An appointee of the Board of Selectmen
- An appointee of the School Committee
- A member of Town Meeting
- A member of the Visitor Services Board ("VSB")
- A citizen-at-large, appointed by the Board of Selectmen

The Board discussed Selectman Harnais's proposal. Selectman Muratore recognized the intent behind Selectman Harnais's idea but expressed concern about the creation of yet another Town committee. Selectman Quintal expressed interest in the idea but noted his belief that the Selectmen must first sort out issues with the Visitor Services Board and the Distinguished Visitors Account. Vice Chairman Mahoney offered his support for the creation

of the committee, based on the work he believes is necessary to maintain sister city relationships.

Selectman Muratore made the suggestion that the idea be brought to the School Committee and Visitor Services Board, first, prior to a final decision by the Board. Selectman Harnais agreed, noting that the matter could be brought back before the Board in January.

Chairman Hallisey acknowledged School Committee member Margie Burgess and invited her to speak on the matter.

Ms. Burgess talked about the extensive work she has done on the student exchange program and sister city relationship with Shichigahama, Japan. The Selectmen did establish a committee, years ago, she reported, on which she, the Superintendent of Schools, and Dennis Smith from Entergy served. Ms. Burgess offered support for the creation of the committee but encouraged the Selectmen to appoint a serving member of the Board, not a citizen representative to serve in the Board's place. With regard to the 400th Anniversary Celebration in 2020, Ms. Burgess urged the Selectmen to ensure that the Emperor of Japan is invited.

A brief discussion ensued between Ms. Burgess and the Board about the mechanics of the student exchange program with Shichigahama, Japan and the process by which students are selected to participate. Discussion then turned to the allocation of funds for the Distinguished Visitors Account. At the close of the conversation, the Board thanked Ms. Burgess for her dedicated work and decided (by consensus) that Selectman Harnais would bring his proposal to the VSB and School Committee before final consideration by the Board of Selectmen.

DISCUSSION ON UNDERUTILIZED TOWN FACILITIES

Chairman Hallisey engaged the Board in a brief discussion about Town-owned property and facilities. He referenced a list provided by the Town Manager's Office of all Town-owned facilities and encouraged his fellow Selectmen to review the list and look for those properties that may be underutilized. There may be opportunity, Chairman Hallisey said, to sell or lease such properties—old pumping stations, vacant DPW facilities, unused parcels of surplus land—and use those revenues toward the expansion of other facilities.

Selectman Muratore noted that he would like to see what staff would recommend on this matter. Vice Chairman Mahoney noted that there may be some interest in the former Water Barn property on Long Pond Road.

The Board appeared, as a whole, to be amenable to Chairman Hallisey's request to investigate and identify those properties owned by the Town that may be underutilized.

OLD BUSINESS / LETTERS / NEW BUSINESS

Newfield Street – Chairman Hallisey inquired about an anonymous letter the Town Manager received pertaining to the condition of Newfield Street. Mr. Stankiewicz explained that a citizen wrote an anonymous letter about the uneven surface of the roadway along Newfield Street. The reason behind the patched surface, Mr. Stankiewicz explained, was that the Town's Water Department ran ahead of its work schedule on Newfield Street while the Highway Department was behind schedule and unable to properly close the trenches afterward. The DPW, Mr. Stankiewicz explained, will not be able to fully repair the interrupted sections of roadway surface until the spring, when asphalt plants are open and the previously-filled trenches have been adequately compacted.

DPW Reorganization Plan – Vice Chairman Mahoney inquired if DPW Director Hector Castro will present his DPW Reorganization Plan to the Selectmen during the December 28th meeting. Mr. Stankiewicz responded that Mr. Castro's recent decision to resign means that he will not be the person to implement such a plan. Vice Chairman Mahoney noted his belief that Mr. Castro's comments on the department will still be valuable to the Board. Mr. Stankiewicz affirmed that the presentation would remain on the schedule for December 28, 2010.

BOARD LIAISON / DESIGNEE UPDATES

Council on Aging – Selectman Muratore announced that the Council on Aging recently appointed a new Activities Coordinator. The accreditation process for the Senior Center is moving forward, he noted, and the Council is considering consultants to assist with the process. Selectman Muratore was also pleased to report that the Council recorded nearly 2,500 visitors to the Senior Center during the previous month.

Consolidation Committee – Selectman Harnais reported that the Consolidation Committee has produced some recommendations that will be shared with the Board, for review and consideration.

Plymouth County Advisory Board – Chairman Hallisey briefly discussed the recent budget meeting conducted by the Plymouth County Advisory Board, at which he noted he had the opportunity to speak to the Chairperson of the Kingston Board of Selectmen about re-opening a conversation on the stalled development projects proposed along the boundary between North Plymouth and Kingston (between Cherry Street and the Independence Mall, near Route 3 and the new Route 44).

Solid Waste Advisory Committee – Vice Chairman Mahoney noted that the Solid Waste Advisory Committee will meet on Wednesday, December 22, 2010 to discuss the continuation of the committee's business and plans to put forth a solid waste-related article for the Spring Annual Town Meeting.

Crosswalk Near Bartlett-Santos Funeral Home – Selectman Quintal inquired if staff had followed-up on a request he made for the replacement of a crosswalk that formerly existed near the Bartlett-Santos Funeral Home on Court Street. Ms. Arrighi noted that the request was forwarded to the Town’s Parking & Traffic Task Force for review.

Update from Environmental Management – Selectman Quintal requested the scheduling of an update from DPW Environmental Manager David Gould on Plymouth’s harbor and dam-related projects, including the bridge/culvert under Water Street. Vice Chairman Mahoney asked if Mr. Gould could also include an update on the South Street Transfer Station.

EXECUTIVE SESSION / ADJOURNMENT OF MEETING

On a motion by Selectman Muratore, seconded by Selectman Harnais, the Board voted to enter executive session at approximately 10:35 p.m. pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 3, to discuss strategy with respect to collective bargaining (DPW-AFSCME unit), as an open meeting on this matter may have a detrimental effect on the Town’s bargaining position. By roll call: Harnais – yes, Quintal – yes, Mahoney – yes, Muratore – yes, and Hallisey – yes.

Chairman Hallisey noted that the Board would not reconvene in open session following the conclusion of executive session.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the December 14, 2010 meeting packet is on file and available for public review in the Board of Selectmen’s office.