

PLYMOUTH BOARD OF SELECTMEN

TUESDAY, JANUARY 25, 2011

TOWN HALL MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, January 25, 2011 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.
Mathew J. Muratore

Mark Stankiewicz, Town Manager
Melissa Arrighi, Assistant Town Manager

Absent: Selectman Sergio O. Harnais

CALL TO ORDER

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

Chairman Hallisey called for a moment of silence in memory and honor of David Furtado, who worked within Plymouth's Department of Public Works for 36 years. Mr. Furtado, Chairman Hallisey noted, retired from the Town of Plymouth as the Head Pumping Station Operator in the Water Division.

TOWN MANAGER'S REPORT

Massachusetts Municipal Association Annual Conference – Town Manager Mark Stankiewicz provided a brief report of the remarks made by Governor Deval Patrick at the Massachusetts Municipal Association's Annual Conference, held on Friday, January 14, 2011. The Governor, he said, focused much of his presentation on the budget and initiatives he has developed for 2012. Mr. Stankiewicz noted that the Finance Director has reviewed the Governor's budget; if passed by the House and Senate, as-is, he reported, the Finance Director is confident that the budget she has prepared for Plymouth will remain solid.

LICENSES

ONE DAY WINE AND MALT LIQUOR LICENSE

On a motion by Selectman Quintal, seconded by Vice Chairman Mahoney, the Board voted to approve the following One Day Wine & Malt licenses, as detailed. Voted 4-0-0, approved.

- ❖ **Our House Services** (Linda Ducrot, 40 Russell Street) requested five (5) One Day Wine & Malt licenses for dinners to be held from 6:00 to 11:00 p.m. on the following dates: January 29, and February 5, 12, 19, and 26, 2011. Liquor liability is in place.

COMMON VICTUALLER (NEW)

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve the following Common Victualler license, as detailed. Voted 3-0-1, approved, with an abstention from Selectman Quintal.

- ❖ **Plymouth Family Pizza, LLC d/b/a Family Pizza**, 4 Pilgrim Hill Road, Milton Mante, owner (formerly The Pizza Factory)

(Issuance of the above license is subject to approval from the Building and Health Departments.)

ADMINISTRATIVE NOTES

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve the following administrative notes, as detailed. Voted 4-0-0, approved.

Ballot Question and Summary – The Board approved the following question and summary and single statements for the Charter Change amendment going to the voters in Plymouth on the 2011 ballot:

The Question: Shall this Town approve the charter amendment proposed by the Town Meeting summarized below?

The Summary: The amendment revises Section 2-12-1 of the Town Charter, concerning the composition of the Advisory and Finance Committee. The amendment deletes the requirement that a member be appointed from each precinct of the Town, and inserts in its place a provision that limits to three the number of members that may be appointed from any single precinct.

Statements:

A “yes” vote would change the requirements applicable to appointment of members of the Advisory and Finance Committee, limiting to three the number of members that may be appointed from any precinct of the Town.

A “no” vote would make no change to the requirements applicable to appointment to the Advisory and Finance Committee.

Stipends for Elected Officials Committee – The Board appointed the following designees chosen to serve on the Stipends for Elected Officials Committee, for terms effective through April 1, 2011:

- Linda Benezra, for the Advisory & Finance Committee
- Patricia Whalen, for the Advisory & Finance Committee
- Keven Joyce, for the Committee of Precinct Chairs

- Richard Serkey, for the Committee of Precinct Chairs
- Thomas Kelley, for the Retirement Board
- Dale Webber, for the Insurance Advisory Committee

PUBLIC COMMENT

Chairman Hallisey opened the meeting to public comment. No citizens came forth.

PUBLIC HEARING: PEDICAB TRANSPORTATION SERVICES

Chairman Hallisey opened a public hearing to consider a proposal for the licensing of PediCabs in the Town of Plymouth, and to consider the application for a PediCab License from Plymouth PediCab.

Michael Tubin, owner of Plymouth PediCab, presented his proposal to establish a PediCab transportation service for the downtown and waterfront areas. PediCabs, he explained, are a three-wheeled vehicle consisting of a bicycle at the front and a 3-seat cab at the back, operated by a licensed driver. Mr. Tubin informed the Board that Plymouth PediCab will offer transportation service and historic tours for tips only (no fee). PediCab service would be ideal for Plymouth, he noted, by helping to facilitate waterfront visitors to the eclectic downtown shops and attractions. To that end, Mr. Tubin made note that his proposal has garnered support from the Plymouth Growth & Development Corporation and Plymouth Chamber of Commerce.

Members of the Board posed questions and offered comments regarding Mr. Tubin's proposal. Lisa Johnson, Administrative Assistant to the Town Manager and Board of Selectmen, was on-hand to answer licensing-related questions. Following a brief discussion during which the Board appeared favorable to the proposal, Mr. Tubin asked if the Board could conceptually approve the licensing of PediCabs, pending the finalization of regulations.

On a motion by Selectman Quintal, seconded by Selectman Muratore, the Board voted to approve the licensing of PediCabs, pending finalization of PediCab regulations. Voted 4-0-0, approved.

PUBLIC HEARING: TOWN MEETING ARTICLE 39 – ACCEPT ROADS

ARTICLE 39

To see if the Town will vote to accept and allow as public ways the following streets or portions thereof as laid out by the Board of Selectmen and reported to the Town, and as shown on plans on file with the Town Clerk; to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain an easement or easements to use said ways for all purposes for which public ways are used in the Town of Plymouth, and all associated easements; and further, to raise and appropriate, transfer from available funds, accept gifts or borrow a sum of money for this purpose and any expenses related thereto; and to authorize the Board

of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisition(s)

Anchor Drive	East Russell Mills Road	Juniper Street
Armstrong Road Extension	Eisenhower Way	Kennedy Parkway
Admiral Byrd Road	Filmore Street	Santo Street
Admiral Halsey Road	Fitzgerald Avenue	Spruce Street
Admiral Rickover Road	Haven Road	Truman Avenue
Beacon Street	Hoover Street	Unity Circle
Birchwood Avenue	Hughes Street	Victory Lane
Bonney Briar Drive	Independence Street	
Constitution Drive	Johnson Lane	

or take any other action relative thereto.

BOARD OF SELECTMEN

Chairman Hallisey opened a public hearing to consider the 2011 Street Layout Proposal and its corresponding warrant article (Article 39) for the 2011 Annual Town Meeting. Chairman Hallisey affirmed that public notice of the hearing was given and that those wishing to be heard on the matter were encouraged to attend.

Town Engineer Sid Kashi and Town Surveyor Russell Firth provided the Board with layout maps and a brief explanation of the process by which the list of roads for the 2011 Street Layout Proposal was determined. The Roads Advisory Committee, Mr. Kashi said, recommended three categories to be considered when selecting roads to be proposed for public acceptance:

1. Roads in good condition, constructed to the requirements of the Planning Board's Subdivision Rules & Regulations
2. Roads in fair condition that were created under earlier versions of the Planning Board's Subdivision Rules & Regulations
3. Gravel roads requiring full reconstruction that were created prior to Subdivision Rules & Regulations

Mr. Kashi responded to questions from the Board regarding the number of miles of roadway proposed for acceptance and the amount of Chapter 90 funds the Town would receive, if Town Meeting accepts the roads. The roads proposed within Article 39 will constitute approximately 6 miles, Mr. Kashi reported. The Town, he informed the Board, receives roughly \$5,000 in Chapter 90 funds per mile of publicly-accepted roadway. While \$5,000 per mile is generally insufficient, Mr. Kashi said, the important factor is that these roads, if accepted as public, will be eligible for future improvements, when sufficient funding is available.

Mr. Kashi went on to explain the formulation of the 2011 Street Layout Proposal, noting that he and his staff made a point to choose roads from various areas throughout the town, with a focus on roads that connect to others that were accepted during previous Town Meetings. The intent, he said, is to extend and connect all roads within those subdivisions that fall into the categories specified by the Roads Advisory Committee.

Mr. Stankiewicz sought inform those residents living on roads within the 2011 Street Layout Proposal that acceptance will not automatically be followed by improvement. The Town only receives about \$1 million in Chapter 90 funds per year for over 200 miles of roadway, he stated, and, thus, it is unlikely that the Town can make any major improvements to these roads until funding is available.

Seeing no further questions from the Board, Chairman Hallisey opened the hearing to public comment.

Barbara Beatty of Juniper Street inquired if there were any plans to pave Juniper Street, as she and her neighbors have petitioned the Town—twice—to pave the road. In response to Ms. Beatty's inquiry, Mr. Stankiewicz reiterated his comments that it will be some time before the Town will have the necessary funds to pave any of the roads on the 2011 Layout list.

No further citizens came forth to address the Board. Chairman Hallisey closed the hearing and brought the matter back to the Board for further discussion or a vote.

Selectman Quintal expressed his belief that Chapter 90 funding should only be used for roadway improvements, not snow & ice removal. Mr. Stankiewicz explained that Chapter 90 funds can only be used for expenses related to roadway construction: contractors, asphalt, design, drainage, and maintenance, etc. Roadway construction, Mr. Stankiewicz said, can cost as much as \$200 per foot—well beyond the amount given to the Town in Chapter 90 funds per mile of roadway.

At the close of discussion, Mr. Kashi noted that the Board must vote on the layout of each road proposed for public acceptance via Article 39 of the 2011 Annual Town Meeting.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Anchor Drive for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Armstrong Road Extension for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Admiral Byrd Road for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Admiral Halsey Road for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Admiral Rickover Road for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Beacon Street for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Birchwood Avenue for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Bonney Briar Drive for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Constitution Drive for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of East Russell Mills Road for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Eisenhower Way for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Filmore Street for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Fitzgerald Avenue for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Haven Road for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Hoover Street for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Hughes Street for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Independence Street for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Johnson Lane for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Juniper Street for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Kennedy Parkway for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Santo Street for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Spruce Street for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Truman Avenue for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Unity Circle for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve and recommend the layout of Victory Lane for consideration as a public way at the 2011 Annual Town Meeting (via Article 39), as presented by the DPW Engineering Department. Voted 4-0-0, approved.

TOWN MEETING ARTICLE 40

ARTICLE 40

To see if the Town will vote to authorize the Board of Selectmen to accept a perpetual easement for public way purposes over the property of Jonmat Realty Trust, Adel Nasr Trustee, located at 61 Commerce Way, Plymouth, MA and shown as Plymouth Assessor's Parcel No. 103-000-014K163 and further to accept and allow as a public way the following street or portions thereof as laid out by the Board of Selectmen and reported to the Town, and as shown on plans on file with the Town Clerk; to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain an easement to use said ways for all purposes for which public ways are used in the Town of Plymouth, and all associated easements; and further, to raise and appropriate, transfer from available funds, accept gifts or borrow a sum of money for this purpose and any expenses related thereto; and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition:

Commerce Way, Re-Establish, and alter a Portion Thereof;

or take any other action relative thereto

BOARD OF SELECTMEN

Mr. Kashi explained that the Nasr Jewelry Store has made improvements to Commerce Way that span onto its private property. As such, he said, Nasr Jewelry has offered to grant an easement over this portion of its property to the Town for highway purposes. Mr. Kashi noted that acceptance of the easement requires a vote of Town Meeting.

In response to a question from Selectman Muratore, Mr. Kashi reported that there is no cost to the Town associated with acceptance of the easement, as the roadway improvements were funded by the property owner.

On a motion by Selectman Quintal, seconded by Selectman Muratore, the Board voted to recommend Article 40 to the 2011 Spring Annual Town Meeting. Voted 4-0-0, approved.

PRESENTATION ON COMPRESSED WORK WEEK

Assistant Town Manager Melissa Arrighi provided a presentation to the Board on the one-year review of the compressed work week schedule that was implemented for Town Hall in January of 2010. Within her presentation, Ms Arrighi offered the following information:

When formulating the FY2010 budget, the Board of Selectmen and Advisory & Finance Committee encouraged Town Management to seek creative means to offset the budgetary challenges and shortfalls expected for FY2010. Following research conducted on other municipalities across the state and country, Management identified the four-day, compressed work schedule as a potential means of achieving savings while offering more convenient hours for residents to conduct business at Town Hall. By closing Town Hall for three consecutive days (Friday, Saturday, and Sunday) and extending business hours on those days and nights when Town Hall is already open for regular business and night meetings, it was anticipated that the Town could save nearly \$12,000 in lighting, heating, and cooling costs.

Management met with the Town's bargaining units to exchange ideas on different approaches to cost-saving measures, and, during those conversations, the compressed work schedule was discussed. The unions representing the majority of employees stationed at Town Hall (OPEIU and SEIU)—who had rejected a previous attempt by the Town to implement a four-day work schedule some years ago—looked favorably on the new proposal and agreed to changes in the way overtime is calculated.

With the potential for significant savings (in both energy usage and overtime costs) and the expansion of morning and evening hours for the convenience of the public, Management proposed the compressed schedule to the Selectmen in the Fall of 2009. After some deliberation, the Selectmen voted to implement the schedule as of January 1, 2010. Staff conducted outreach to the community via local news, the Town's website, and signage at Town Hall to notify residents of the change in hours from the previous schedule (8:00 a.m. to 4:30 p.m., Monday through Friday) to the new four-day schedule (7:30 a.m. to 5:00 p.m. on Mondays, Wednesdays and Thursdays, 7:30 a.m. to 7:00 p.m. on Tuesdays, and closed Fridays).

Ms. Arrighi noted that, when the Selectmen first voted to implement the new schedule for Town Hall, she promised to evaluate the results after one year and present her findings. Communities like Springfield, Taunton, Brookfield, and Falmouth are awaiting the results of our year-trial of the compressed work week, she said, as they, too, are contemplating such an initiative. Though monetary savings has been quantifiable, she explained, it has been a challenge to measure the public's response to the new hours. To that end, Ms. Arrighi invited staff from various departments within Town Hall to share anecdotal information on the response they have received from their respective customers.

Lyn Scolamiero (Health Department), Peggy Fitzgibbons (Building / Inspectional Services Department), Barry DeBlasio (Recreation Department), Roxanne Whitbeck (Veterans Services), Russ Firth (Engineering Department), and Pearl Sears (Clerks Office) shared what they have perceived as positive feedback from customers regarding the new Town Hall

schedule. The employees all noted that the majority of their customers seem to appreciate being able to conduct business with Town Hall earlier in the morning and later in the day, rather than taking time off from their own work schedules. Those whose departments provide field services, such as Engineering and Inspectional Services, explained that the extended hours (especially on Tuesday evenings) have been well-received by residents and contractors, providing them with an opportunity to schedule inspections during convenient times that were otherwise unavailable. Some of the staff members noted that they have made themselves personally available to customers during those circumstances when the Friday closing may have presented a hardship or significant delay. All agreed that the new schedule has promoted increased productivity, efficiency, and convenience for customers.

Chairman Hallisey opened the discussion to public comment. No citizens came forth.

Ms. Arrighi continued her presentation with data on the savings and efficiencies achieved through the change in Town Hall hours:

- \$15,000 in energy savings (\$3,000 over initial projections)
- \$8,500 in reduced overtime
- Reductions in compensatory time, use of sick time, and labor costs
- Reductions in fuel use, mileage, and wear & tear on Town vehicles

Ms. Arrighi made note that, during a time when the Town has not been able to afford the provision of cost-of-living adjustments for employees, the compressed, four-day schedule has improved morale by reducing employee commuting expenses and providing an alternative schedule that may improve the work/life balance.

The compressed schedule of hours at Town Hall, Ms. Arrighi explained, not only provides residents with expanded morning and evening hours to conduct Town business, but it has made staff more available during those times when residents may be more likely to visit Town Hall. For example, under the new schedule, lunch breaks have been reduced from one hour to one half-hour, translating to increased office coverage and availability of specialized staff.

Based on the savings achieved and the positive feedback received from customers and employees, Ms. Arrighi made a recommendation to continue the compressed, four-day schedule. Management, she noted, can continue to monitor savings and public response, in an effort to make improvements.

Members of the Board posed questions and shared comments on the compressed schedule.

Selectman Muratore expressed appreciation for the efforts made to improve convenience and service for customers while reducing expenditures, but he noted his desire to see the Town further capitalize on providing expanded hours at Town Hall. For example, he said, Management could consider keeping the current extended schedule, while adding limited hours on Fridays, Saturdays and/or Sundays.

Selectman Quintal noted that, when the proposal for the change in hours first came before the Board, he voted against it. Though there were initial complaints, he said, it appears that, over the course of the year, the public has adjusted to the new schedule. Considering the savings achieved in energy costs and overtime, Selectman Quintal stated that he would no longer object to the compressed work schedule. He did contend, however, that the Town Manager and Assistant Town Manager should be regularly available at Town Hall (or another Town facility) on Fridays.

Mr. Stankiewicz explained that both he and Ms. Arrighi are available to the Selectmen 24 hours a day, 7 days per week. As the Town Manager and Assistant Town Manager, he said, both he and Ms. Arrighi are often required to attend meetings and events that take place on nights, weekends, and holidays, outside of the usual weekday work schedule.

Vice Chairman Mahoney agreed with Selectman Muratore that, though the compressed work schedule appears to be working for employees and customers, the Town should strive further to meet customer demand by adding additional service hours on Fridays. With regard to Selectman Quintal's assertion that the Town Manager and Assistant Town Manager should be working at Town Hall on Fridays, Vice Chairman Mahoney sought to dispel the perception that Town Hall employees are no longer fulfilling their full-time weekly hours on the compressed, four-day schedule.

Chairman Hallisey reminded the Board that, like Selectman Quintal, he voted against the compressed work schedule, when it was first proposed. He acknowledged the savings achieved through the new schedule of hours but agreed with Selectman Muratore and Vice Chairman Mahoney that the addition of some sort of rotating, lightly-staffed schedule of Friday hours be considered, for the benefit of the public.

Ms. Arrighi noted that opening Town Hall on Fridays would result in the loss of the energy savings achieved by closing the building for three consecutive days within the compressed, four-day work schedule. Town Hall employees are still working their full-time hours within the four-day schedule, she said, and, thus, the addition of hours on a Friday will likely mean additional payroll or overtime expenses. Ms. Arrighi affirmed, however, that she would investigate the costs associated with re-opening on Fridays (while maintaining the current extended hours), as requested by Chairman Hallisey, Vice Chairman Mahoney, and Selectman Muratore.

Following some brief final comments from the Board, Selectman Quintal made a motion to maintain the current schedule of hours for Town Hall (7:30 a.m. to 5:00 p.m. on Mondays, Wednesdays and Thursdays, 7:30 a.m. to 7:00 p.m. on Tuesdays, and closed Fridays). There was no second to the motion.

Selectman Muratore made a motion to direct staff to investigate the proposal to add four hours—on another day (Friday, Saturday, or Sunday)—to the current schedule of operational hours at Town Hall, with a report due in 90 days. Vice Chairman Mahoney seconded the motion, and the Board voted 3-1-0 in favor. Selectman Quintal cast the opposing vote.

ANNUAL TOWN MEETING ARTICLES

ARTICLE 42

To see if the Town will vote to appropriate the sum of \$23,850.00 for the purpose of treating Billington Sea for an invasive weed problem, or take any other action relative thereto.

BY PETITION: Michael Leary, et al.

Michael Leary, representing the Billington Sea Association, presented a petitioned article to request that the Town provide a portion of the funding necessary to treat an invasive weed problem within Billington Sea.

Mr. Leary provided the Board with historic and scientific information on the aquatic characteristics of Billington Sea. In the 1960's, he reported, the pond entered a Eutrophic state, allowing algae to grow in abundance and prompting concerned residents to form the Billington Sea Association (in the 1970's). Years later (in 1990), the Town hired Gale Associates to study and provide a report on Billington Sea, at which point, it was determined that the best measure to remediate the invasive weed problem was to dredge the pond and cover the weeds with the dredged sand. While effective, he noted, the measure was deemed too expensive.

Mr. Leary discussed the efforts of the Billington Sea Association to monitor the water quality of the pond and identify the causes behind algae blooms. The Association, he said, has worked with nearby bog owners to reduce the flow of nutrients and compounds (which encourage algae growth) into the pond. As the water quality and clarity of the pond improves, however, sunlight penetrates further into the water, spurring the growth of aquatic flora.

In 2009, Mr. Leary reported, an exotic, non-indigenous aquatic weed named Fanwort was observed to be spreading in the west end of Billington Sea. The Association contacted environmental experts, who identified various methods of removing the Fanwort weed, including Sonar, a weed-specific treatment. The Town owns approximately 45% of the shoreline around the 294-acre pond and, thus, the Billington Sea Association is asking that the Town fund 45% of the cost associated with treating the Fanwort invasion (\$23,940, 45% of \$53,200). If left unchecked, Mr. Leary cautioned the Board, the weed will continue to spread, choking out fish and beneficial vegetation, and burgeoning to an even more expensive problem to remediate.

Following his presentation, Mr. Leary responded to questions and comments from the Board regarding the proposed project and its associated costs. Vice Chairman Mahoney inquired whether the Association had contacted David Gould, the Town's Environmental Manager, to work cooperatively upon securing grant funding for the undertaking (as opposed to an appropriation through Town Meeting). Mr. Leary explained that the Association is in regular contact with the staff members of the Environmental Management Division, who have recommended that the Association file for funding through the "319" Federal Grant Program. Even if the Association follows the 319 grant process and is fortunate enough to be granted funds, Mr. Leary said, the treatment will be delayed by at least two years—time during which the Fanwort will continue to proliferate and, thus, become more expensive to remove.

Mr. Leary explained that the treatment endorsed by the Billington Sea Association will eradicate approximately 90% of the Fanwort, in a weed-specific manner that will not be adversarial to beneficial aquatic vegetation. There is no guarantee, he said, that the problem will never return, but the Association has proven that it is committed to improving the quality of the pond, and residents will be expected to maintain their waterfront to prevent further large-scale spates of the weed. Mr. Leary reiterated that the best means of fully eradicating the weed is via dredging, but, based on expense, the Sonar treatment proposed by the Association is the most cost-effective option.

Selectman Muratore asked whether the Town or the Association would be the responsible party to file for a 319 Federal Grant to treat the weed problems in Billington Sea (if that route were pursued). Mr. Leary said that the Town would write the grant, with support from the Association. Mr. Stankiewicz sought to clarify for the Board that the proposal at-hand was a petitioned Town Meeting article for the allocation of funds—not the pursuit of grant funding.

Chairman Hallisey commended Mr. Leary and the Association for the work they have done to improve Billington Sea. The problems that have occurred within the pond, he said, can generally be traced to nearby agricultural operations, not the homeowners—who, ironically, are taking on the responsibility of finding solutions to the problem. Chairman Hallisey noted that he would abstain from the vote on Article 42, because he has a personal interest in the matter.

Seeing no further questions, Chairman Hallisey opened the discussion to public comment.

Kevin Leary, a member of the Billington Sea Association, reiterated Michael Leary's earlier warnings that, if not treated sooner than later, the treatment of the weed problem will grow more expensive as it grows more expansive. The Town, he explained, uses the east basin of the pond for Morton Park, and, thus, it has a vested interest in preventing the spread of invasive weeds.

Doug Gray of the Billington Sea Association expressed his belief that being proactive is always the best approach to pond and lake management, even if there is no true guarantee that a problem can be forever resolved. Aquatic ecosystems are naturally in a state of ongoing evolution, he said, and when one problem is fixed, another problem often arises. In the case of weed proliferation, however, waiting is not the answer, as the problem will only get worse—and thus more expensive to fix—if left unchecked. A good number of residents and visitors use the Town-owned frontage on Billington Sea, Mr. Gray explained, and, thus, the Town should consider sharing the responsibility of remediating the problem.

There were no further citizens wishing to speak to the Board on Article 42. Chairman Hallisey inquired if the weed treatment would qualify for Community Preservation Funds, because the former Crawley property (fronting Billington Sea) was attained through the Community Preservation Act. Michael Leary stated that members of the Association discussed the very same question with William Keohan (chairman of the Community Preservation Committee) and Scott McFaden (director of the Wildlands Trust), who indicated that there was not enough connection between the property and the problem to qualify for Community Preservation funds.

Vice Chairman Mahoney made a motion to recommend Article 42 to the 2011 Spring Annual Town Meeting. Selectman Muratore seconded the motion for discussion.

Selectman Muratore acknowledged the need for action to curb the weed problem in Billington Sea but noted his preference that grant funding be sought for such an undertaking. Selectman Quintal agreed with Selectman Muratore, and he asked if the Board could hear from Environmental Manager David Gould prior to making a decision on the article.

Vice Chairman Mahoney withdrew his motion, and Selectman Mahoney withdrew his second. Selectman Muratore then made a motion to table the decision on Article 42 to March 8, 2011, in order to obtain further information from DPW Environmental Manager David Gould. Voted 3-0-1, approved, with an abstention from Chairman Hallisey.

ARTICLE 43

To see if the Town will vote to amend the Town Bylaw, Chapter 30, Section 13, Open Fires, by appending the following: No open fires will be allowed unless the consent of the land owner is documented to the satisfaction of and without permit issues by the fire department. For the purpose of compliance with Massachusetts Air Pollution Control Regulations, 310 CMR 7.00, et. seq., smoke from cook or camp fires less than three feet (3') in diameter and three feet (3') in height and at a location greater than 75' from a dwelling, or within those devices set forth at Chapter 30, Section 12, shall not constitute a nuisance within the definition and meaning of said regulation, or take any other action relative thereto.

BY PETITION: Randolph Parker, Jr. et al.

Randy Parker explained that he chose to put forth Article 43 in response to a chronic problem in his neighborhood on Manomet beach, whereby one particular resident habitually prevents other residents from having a small cook fire or clambake on the beach by calling the Fire Department. The Fire Department, he said, must respond to and extinguish any cook fire that is claimed to be a nuisance, regardless of whether or not the claim is valid. Mr. Parker noted that, despite his effort to follow typical fire permitting procedures, the Fire Department will not issue permits for cook fires. While acknowledging the Fire Department's obligation to prevent fires and maintain clean air standards, he stated his belief that residents ought to have the right to hold reasonably-sized, permitted fires for cookouts and clambake events. The bylaw, Mr. Parker explained, is his attempt to restore the rights of property owners while providing a common sense approach to determining legitimate fire nuisances.

Selectman Muratore asked if Town Counsel has deemed Article 43 as compliant with State and Federal regulations. Ms. Arrighi explained that Town Counsel cannot be involved in the preparation and review of petitioned articles submitted by private citizens.

The Board posed additional questions to Mr. Parker and Plymouth's Fire Chief, G. Edward Bradley.

Chief Bradley explained that the Fire Department does not determine whether or not a fire is a nuisance—rather, the person to whom it is a nuisance does. The Constitution of the Commonwealth of Massachusetts guarantees every citizen the right to clean air, he reported, and the Police, Fire, and Health Departments all have the ability to enforce clean air

standards. Chief Bradley noted that the size of a fire makes no difference if it affects an individual's ability to breathe clearly.

Mr. Stankiewicz noted that the Town cannot implement a bylaw that is less stringent than State law, which supersedes local municipal law.

Chairman Hallisey inquired why the Fire Department issues burning permits but not cook fire permits. Chief Bradley explained that the Department of Environmental Protection determines those days and times during which open-air burning is allowed, based on air inversions and other weather conditions. Wood smoke is twelve times more carcinogenic than tobacco smoke, Chief Bradley noted, and, thus, people are likely to be more sensitive to it. The Fire Department, Chief Bradley said, has an obligation to respect the legitimate reasons why someone deems smoke a nuisance.

Selectman Quintal acknowledged Mr. Parker's efforts but noted that he would respect the opinion of the Fire Chief. Mr. Parker speculated if there might be some way in which a permit process could be established for small ceremonial fires.

The Board posed no further questions, and discussion came to a close. No motion was made on Article 43, and, thus, no action was taken.

SPECIAL ARTICLE 6

To see if the Town will vote in accordance with G.L. c.32, §101, as amended by sections 27 and 28 of Chapter 131 of the Acts of 2010, to approve the Plymouth Retirement Board's acceptance of an increase in the supplemental annual allowance provided to eligible widows of retirees from \$6,000 to \$9,000, or take any other action relative thereto.

SPECIAL ARTICLE 7

To see if the Town will vote in accordance with G.L. c.32, §103(h), as amended by section 19 of Chapter 188 of the Acts of 2010, to approve the Plymouth Retirement Board's increase in the maximum base amount on which the Cost of Living Adjustment (COLA) is calculated from \$12,000.00 to \$14,000.00 , or take any other action relative thereto.

RETIREMENT BOARD

Thomas Kelley, chairman of the Retirement Board, presented Special Town Meeting Articles 6 and 7. Special Article 6, he explained, increases the supplemental Retirement benefit provided to eligible widows of retired Town employees. Mr. Kelley noted that there are five individuals currently within the Town's Retirement system who would be affected by the proposed change.

On a motion by Selectman Quintal, seconded by Selectman Muratore, the Board voted to recommend Article 6 to the 2011 Spring Special Town Meeting. Voted 4-0-0, approved.

Mr. Kelley explained that Special Article 7 will allow the Retirement Board to increase the maximum base on which a retiree's Cost of Living Adjustment (COLA) is calculated. This equates to \$5 per month in a retiree's pay, Mr. Kelley noted.

Responding to a question posed by Selectman Muratore, Mr. Kelley explained that the Town budget will be unaffected by the increases proposed within Special Articles 6 and 7, as retirement benefits are paid from the Plymouth Retirement system.

On a motion by Vice Chairman Mahoney, seconded by Selectman Muratore, the Board voted to recommend Article 7 to the 2011 Spring Special Town Meeting. Voted 4-0-0, approved.

BOARD LIAISON / DESIGNEE UPDATES

Tidal Beaches Advisory Committee – Selectman Muratore noted that he attended a meeting of the Tidal Beaches Advisory Committee, held earlier during the evening, during which the committee discussed the maintenance plan for Plymouth Beach. The committee, he said, has requested that DPW Environmental staff members David Gould and/or Kerin McCall attend the next meeting, so that committee members can pose questions and discuss various beach matters with staff, directly.

Nuclear Matters Committee – Selectman Muratore reported that he attended the January 24th meeting of the Nuclear Matters Committee, during which Plymouth’s Emergency Management Director, Aaron Wallace, provided a presentation. Entergy officials, he said, informed the committee that recently-detected tritium levels in motioning wells at the Pilgrim Nuclear Power Station have been significantly reduced. Selectman Muratore noted that, though Entergy has not yet determined the source—or the solution—of the tritium levels found around the power station, Entergy continues to work closely with the Department of Environmental Protection to resolve the matter. Lastly, Selectman Muratore announced that the Atomic Safety Licensing Board will be holding a hearing on March 9, 2011 at the John Carver Inn in Plymouth

Insurance Advisory Committee – Selectman Quintal stated that he would like to hear the Insurance Advisory Committee’s (“IAC”) ideas on insurance savings for the Town. To that end, he made a motion to send a request to the IAC for their thoughts on Governor Patrick’s recent insurance recommendations and any ways to save money on Town insurance premiums. Selectman Muratore seconded the motion, and the Board voted 4-0-0 in favor.

Consolidation Committee – Selectman Muratore briefly reported on a handful of topics recently discussed by the Consolidation Committee: the consolidation of School and Town vehicle use, the consolidation of Town and School Information Technology functions, and the implementation of an employee recognition program.

Solid Waste Advisory Committee – Vice Chairman Mahoney informed the Board that the Solid Waste Advisory Committee (“SWAC”) is now meeting on Monday nights at Town Hall. Vice Chairman Mahoney inquired if an article would go forth to Town Meeting relative to the capping of the South Street Transfer Station. Mr. Stankiewicz explained that there was much to resolve with the County as to how it will share in the responsibility to cap the site. Vice Chairman Mahoney questioned whether it would be worthwhile to hold a joint meeting with the County Commissioners, but Mr. Stankiewicz recommended that it would be best to avoid discussing legal matters in a public forum.

OLD BUSINESS / LETTERS / NEW BUSINESS

Plymouth Education Foundation – Chairman Hallisey announced that the Plymouth Education Foundation will hold a black-tie-optional fundraising gala at The Pinehills Golf Club on February 12, 2011, and he encouraged the public to attend.

Regulations for Pawn Shops and Junk Dealers – Selectman Quintal was pleased to inform the Board that Police Chief Michael Botieri is working on a bylaw for Town Meeting that will improve licensing guidelines and operational regulations for pawn shops and junk dealers.

DPW / Mast Road – Selectman Quintal thanked the DPW for its response to some calls he received about an issue on Mast Road. The DPW, Police, and Fire Department, he said, have done a commendable job of meeting the challenges posed by a “rough winter.”

ADJOURNMENT OF MEETING

On a motion by Vice Chairman Mahoney, seconded by Selectman Muratore, the Board voted to adjourn its meeting at approximately 9:40 p.m. Voted 4-0-0, approved.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the January 25, 2011 meeting packet is on file and available for public review in the Board of Selectmen’s office.