

PLYMOUTH BOARD OF SELECTMEN

TUESDAY, MAY 31, 2011

TOWN HALL MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, May 31, 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
Mathew J. Muratore
Belinda A. Brewster

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. Following the pledge, Chairman Hallisey read a brief letter from Yoshio Watanabe, Mayor of Shichigahama, Japan, in which Mayor Watanabe thanked Plymouth for its support and prayers as Shichigahama struggles to recover from the March 2011 earthquake and tsunami events.

TOWN MANAGER'S REPORT

Plymouth Regional Economic Development Foundation – Town Manager Mark Stankiewicz reported that he attended the Plymouth Regional Economic Development Foundation's recent annual meeting, held on May 17, 2011.

Covanta Partners Meeting – Mr. Stankiewicz provided the Board with a brief report on his trip to Morristown, New Jersey for the Covanta Partners' Conference, at which he and a number of representatives from other Massachusetts communities attended workshops and discussions on solid waste and energy resource-related topics. Covanta, Mr. Stankiewicz noted, is the owner of SEMASS, the waste-to energy plant with which the Town contracts for disposal of its solid waste.

Plymouth County Highway Association Legislative Breakfast – Mr. Stankiewicz informed the Board that he and the Town's DPW Director and Assistant DPW Director attended the Plymouth County Highway Association Legislative Breakfast, where Plymouth County's legislators spoke about the State's efforts to commit more funds to roadway and infrastructure projects.

Old Sandwich Road – Mr. Stankiewicz reported that a resident recently contacted his office to thank the DPW for patching a segment of Old Sandwich Road. The challenge with Old Sandwich Road, he explained, is that some residents want the road paved, while others want to maintain the road’s historic, natural character. Despite the dilemma posed by these competing interests, Mr. Stankiewicz said, the Town will continue to look at solutions for addressing roadway issues on Old Sandwich Road.

Restrooms at 1749 Courthouse – Mr. Stankiewicz announced that the Visitor Services Board approved a one-time funding request from the DPW for the cleaning of the public restrooms at the 1749 Courthouse. The restrooms will be open this week, he said, and will remain open through the fall. In the future, Mr. Stankiewicz indicated, the DPW will need to include the cost of cleaning the facilities in its annual budget.

Massachusetts Interlocal Insurance Association Seminar – Mr. Stankiewicz provided a brief account of the recent seminar he attended on “Inspiring Municipal Innovation,” which was sponsored by the Town’s insurance provider, Massachusetts Interlocal Insurance Association (“MIIA”). Participation in such trainings, he said, helps the Town to earn reductions in its insurance premiums.

League of Women Voters’ Forum on Solid Waste – Mr. Stankiewicz noted that he attended the May 25th forum on solid waste, “Talking Trash: The Burning Issue,” which was sponsored by the Plymouth Area League of Women Voters. Several speakers were featured at the forum, representing the State, another municipality, a recycling advocacy group, and a waste disposal company. The forum, he explained, focused on the current state and future of waste disposal in Massachusetts, including landfill capacity, recycling initiatives (i.e. Pay-As-You-Throw), and future technologies.

Emergency Operations Center Meet & Greet – Mr. Stankiewicz informed the Board that U.S. Nuclear Regulatory Commissioner William Magwood visited the Town’s current Emergency Operations facility on Obery Street, along with Town officials and representatives from Entergy. The meeting, he said, was quintessentially a ten-minute “meet & greet” with Commissioner Magwood and a brief opportunity to discuss important issues related to emergency operations and the Pilgrim Nuclear Power Station.

Entergy Communications Protocol – Mr. Stankiewicz explained that, given the recent departure of David Tarantino, former Government Relations Manager for Entergy, the Town held a meeting with Entergy officials to discuss the protocol by which the Town is notified of important events occurring at the power station. From the meeting, he said, it was agreed that Jack Alexander, Entergy’s Manager of Governmental Affairs, will contact the Town Manager and Emergency Management Director with any pertinent notifications regarding Pilgrim. Subsequently, the Town Manager will disseminate the information to the Board of Selectmen, Fire Chief, Police Chief, School Superintendent, chairman of the Nuclear Matters Committee, and other affected individuals.

Splash Pad at Nelson Park – Mr. Stankiewicz announced that the splash pad at the newly-renovated Nelson Park was officially opened for Memorial Day Weekend.

NRC Public Hearing at Hilton Garden Inn – Mr. Stankiewicz notified the Board and the public that the U.S. Nuclear Regulatory Commission (“NRC”) will hold a public hearing regarding the Pilgrim Nuclear Power Station at 6:00 p.m. at the Plymouth Hilton Garden Inn on Wednesday, June 1, 2011.

Eel River Headwaters Restoration Project – Mr. Stankiewicz reported that Coastal America Partnership will present the Town with an award for the Eel River Headwaters Restoration Project on June 17, 2011 at the Eel River Preserve, off Long Pond Road.

Guide to Veterans Benefits – Mr. Stankiewicz was pleased to announce that Plymouth Veterans Agent Roxanne Whitbeck participated in the production of an informational video entitled, “Guide to Veterans Benefits,” as part of a project facilitated by the office of U.S. Congressman William Keating.

Nuclear Forum in Duxbury – Mr. Stankiewicz noted that Duxbury’s Nuclear Advisory Committee will host an educational forum on June 15, 2011 at the Duxbury Senior Center, in response to concerns about the recent events at the Fukushima Power Station in Japan.

Southeastern Massachusetts Veterans Center for Business & Entrepreneurship – Mr. Stankiewicz informed the Board that the Plymouth Area Chamber of Commerce has announced the opening of the Southeastern Massachusetts Veterans Center for Business & Entrepreneurship, a program the Chamber has established to help veterans (and their family members) take advantage of existing career programs and business opportunities.

LICENSES

ONE DAY WINE & MALT LIQUOR LICENSE

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

- ❖ **Pilgrim Hall Museum / Pilgrim Society / Ann Berry** requested a One Day Wine & Malt License for an exhibit opening and reception to be held at Pilgrim Hall Museum (75 Court Street) from 5:00 p.m. to 7:00 p.m. on May 28th, 2011. Liquor liability insurance will be in place before the license is released.
- ❖ **Our House Services / Linda Ducrot** requested three (3) One Day Wine & Malt licenses for dinners to be held from 6:00 p.m. to 11:00 p.m. on June 11, 18, and 25, 2011. Liquor liability insurance will be in place before the licenses are released.

**NOTE: One day liquor licenses shall automatically cover the day before and the day after the event for the purpose of proper delivery, storage and disposal of alcoholic beverages purchased.

ONE DAY ALL ALCOHOL LIQUOR LICENSE

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board approved the following One Day All Alcohol Liquor License, as detailed. Voted 4-0-0, approved.

- ❖ **Pilgrim Hall Museum / Ann Berry** requested a One Day All Alcohol License for a summer clambake and auction fundraiser to be held in a tent in the backyard of 88 Warren Avenue (a private home) from 4:00 p.m. to 8:00 p.m. on June 18th, 2011.

**NOTE: One day liquor licenses shall automatically cover the day before and the day after the event for the purpose of proper delivery, storage and disposal of alcoholic beverages purchased.

PEDI-CAB OPERATOR LICENSE (NEW)

On a motion by Selectman Muratore, seconded by Selectman Brewster, the Board approved the following Pedi-Cab Operator License, as detailed. Voted 4-0-0, approved.

- ❖ **For Plymouth Pedicab** (4 Freedom Street, Michael Tubin, owner):

- Simon Ostrowski (55 Pond View Drive, Plymouth)

Issuance of the above license is subject to review of the requisite CORI background check.

AUTO DEALER CLASS II (NEW)

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board approved the following Class II Auto Dealer's License, as detailed. Voted 4-0-0, approved.

- ❖ **Richard Gravina d/b/a Northeast Traffic Control Services, Inc.** (38 Russell Street, Richard Gravina) – No display or storage of vehicles at this location

Issuance of the above license is subject to the submission of a surety bond.

OUTDOOR AMPLIFIED MUSIC

- ❖ **The Meta Comet** (John Ford, 58C Main Street) requested an Outdoor Amplified Music Permit for eclectic and acoustic music to be played on the establishment's outdoor deck.

Following a brief discussion, the Board determined that it needed further information prior to voting on this particular request. Chairman Hallisey asked that the license applicant be invited to appear at the June 7th meeting to field questions from the Board.

ADMINISTRATIVE NOTES

Year-End Transfers – The Board approved three (3) year-end transfers, as follows:

- \$6,100.00 Fire Department Vehicle Maintenance Supplies
- \$8,000.00 DPW Solid Waste Salaries
- \$23,000.00 DPW Solid Waste Overtime

Sworn Weighers – The Board appointed the following employees of the P.A. Landers, Inc. Plymouth facility as sworn weighers for 2011:

- Mike Archer 6 Castle Green #4, Marshfield, MA 02050
- Charles Campbell 26 Chamber Rock Road, Bournedale, MA 02532
- Jeff Cerrone 61A Stafford Street, Plymouth, MA 02360
- Robert Frade 96 Converse Road, Marion, MA 02378
- Daniel Hartnett 6 Lexington Circle, Canton, MA 02021
- Tom Jacobs 141 Monks Hill Road, Kingston, MA 02364
- Russell Jennison 25 Point Pleasant Circle, East Wareham, MA 02538
- John Kennedy 72 Anawon Drive, Halifax, MA 02338
- Charles D. Merritt, III 219 Spring Street, Hanover, MA 02339
- Kurt Metzger 1 Mayflower Court, Pembroke, MA 02359
- Alicia Muller 197 Copeland Street, West Bridgewater, MA 02379
- Jessica Muller 29 Woodland Road, West Bridgewater, MA 02379
- Clarke Phillips 55 Temple Road, Marshfield, MA 02050
- Lenny Russell 111 Edgewater Road, Hull, MA 02045
- Dennis Twofoot 6 Carolyn Drive, Plymouth, MA 02360

Collective Bargaining Agreements / Personnel Bylaw – The Board ratified the agreements reached during the collective bargaining process as listed on the signed Memorandum of Agreements as follows: SEIU, dated May 10, 2011; AFSCME – Dispatchers, dated May 16, 2011; AFSCME – DPW dated March 30, 2011; OPEIU Dated April 12, 2011; and Non-Union dated May 20, 2011.

Pedi-Cab Regulations – The Board amended the Town’s Pedi-cab Regulations by deleting the words “electrically powered” in Article III, Section 10: Pedicab Inspection Requirements, in order to enable Pedicab companies to install Electric Pedal Assists on the Pedi-Cabs.

Interagency Mutual Aid / Assistance Agreement – The Board approved the endorsement of the Chairman signing the Metropolitan Law Enforcement Council (Interagency Mutual Aid / Assistance Agreement) that will allow for mutual aid programs for police departments within the Metropolitan Law Enforcement Council.

PUBLIC COMMENT

Kim McDonough presented the Town with a donation of \$2,500 to be utilized towards public safety-related expenses for the July 4th parade and fireworks events. The funds, she reported, represent the proceeds raised during the May 20th comedy event at Memorial Hall featuring Boston comedian Lenny Clarke. Ms. McDonough offered thanks to all those who

assisted with and participated in the fundraiser but noted that, despite the amount of advertising done for the event, the final amount of money that was raised fell disappointingly short of her goal.

The Board thanked Ms. McDonough for her efforts and for the generous donation for July 4th.

Kevin Doyle of Precinct 6 thanked the Selectmen and the DPW for installing a new fence at White Horse Beach. Mr. Doyle also thanked the Police and Fire Chief for attending an initial meeting with White Horse Beach residents to begin the discussion about the annual July 3rd celebration in Manomet.

FOUNDATION REPORT

Denis Hanks provided the Board with a presentation on the annual report of the Plymouth Regional Economic Development Foundation (the Foundation”).

Mr. Hanks began the presentation with a brief history of the Foundation, a quasi-public entity that was established in 2001 to promote economic development in Plymouth. He reviewed a list of the Foundation’s membership and its many partners within the community, and he discussed the Foundation’s most recent activities to attract and retain local businesses. Mr. Hanks talked about the various partnerships and funding sources upon which the Foundation relies, and he provided an overview of the Tax Increment Financing (“TIF”) projects granted to local business since the establishment of the program.

Mr. Hanks explained that the Foundation, in partnership with the Plymouth Area Chamber of Commerce (“the Chamber”), has recently shifted its focus from attracting business to strengthening existing small businesses as a result of the current economic situation. In 2010 alone, he said, 1,200 small businesses participated in the Chamber’s grant writing workshops and marketing courses.

The Foundation, Mr. Hanks reported, keeps a very comprehensive, sophisticated, and up-to-date inventory of commercial real estate, in an effort to market local properties to prospective businesses via connections with local brokers. The Foundation also works with the Town Manager’s Office and DPW Director on state and federal infrastructure grants to assist with civic improvement projects such as Commerce Way, Cordage Park, the dredging of Plymouth Harbor, and enhancements to the Town’s historic district.

Mr. Hanks provided an overview of various initiatives undertaken by the Foundation to promote economic development in Plymouth, including:

- Film & Television Location Permitting & Assistance
- Guide to Special Events in Plymouth
- Enhancements to the www.plymouthbusiness.org Website
- Economic Development Bus Tour of Commercial Opportunities and Properties
- International Trade and Export Assistance with Shichigahama, Japan

Mr. Hanks went on to explain that the Foundation will be launching an aggressive marketing campaign to bring business and tourism to Plymouth, including the submission of a promotional film about Plymouth for in-air broadcast during 17,000 Jet Blue flights and 18,000 Continental flights. Mr. Hanks noted that, with assistance from the Town's Director of Planning & Development, he is also working to streamline Plymouth's permitting process for biotech industries.

In closing, Mr. Hanks stated that the Foundation's success is predicated on the Town's ability to create a business-friendly environment. Zoning and infrastructure, he said, are extremely important factors to Plymouth's commercial appeal.

Mr. Hanks fielded questions from the Selectmen with regard to the economy and the perception that Plymouth may not be business-friendly. Mr. Hanks noted that entrepreneurs find Plymouth desirable as a site, but he reiterated that most entrepreneurs and commercial developers would prefer that zoning and infrastructure (i.e. water, sewer, roads) be in place prior to establishing their businesses here. With regard to the economy, Mr. Hanks stated his observation that—though unpredictable—commerce appears to be slowly recovering as financing is becoming more available to small businesses.

Following the conclusion of the Board's discussion on the Foundation's annual report, Chairman Hallisey thanked Mr. Hanks for his detailed presentation.

MORATORIUM ON MEMORIALS

The Board held a discussion to consider lifting the one-year moratorium it imposed in January 2011 on the submission of memorial applications.

Terri Johnson, member of the Memorials Advisory Committee ("MAC"), reviewed the reasons behind the MAC's request for the moratorium, noting that the committee wished to have time to revise the Town's policy on memorials and application process. Ms. Johnson said that the committee felt it would be best to hold off on approving new requests until the changes could be finalized, hence the request for the moratorium. The committee also wanted the time to work upon an article for the Spring or Fall Town Meeting to establish a central memorial for Plymouth residents who lost their lives while in service to the nation.

Ms. Johnson explained that the MAC has received requests for more than one memorial for the same individual at various public locations within the Town. Ms. Johnson noted that, on behalf of the committee, she recorded an inventory of the number of existing memorials throughout the Town, from stone monuments to benches with memorial plaques. Because these memorials are located on Town property, she noted, the Town ultimately shoulders the cost of maintaining the memorial, which can become costly. The issue of memorials, Ms. Johnson said, is a delicate one—while the committee finds it difficult to deny such requests, the committee has an obligation to honor the memorials policy and prevent the over-proliferation of monuments throughout the Town's public spaces.

Ms. Johnson, along with MAC member and Plymouth Veterans Agent Roxanne Whitbeck,

fielded questions from the Selectmen regarding the updated memorials policy and application form on which the committee is working.

Ms. Johnson reported that the committee is researching the memorial policies of other communities, for the sake of comparison and new ideas. The committee, she noted, is considering the requirement that applicants provide a funding source for the future repair and cleaning of the proposed memorial, so that the burden does not fall upon the Town.

Ms. Whitbeck spoke about the committee's efforts to clarify the policy and application process, to eliminate any 'gray areas' and ensure that all applicable Town departments are properly notified of memorial projects that may fall within the purview of their responsibilities. Ms. Whitbeck echoed Ms. Johnson's comments that memorials involve very personal and emotional feelings, and, thus, the MAC wishes to give the process of developing a new policy and application the respect it deserves.

Chairman Hallisey opened the discussion to public comment.

Doug Gray explained that he submitted an application for a memorial on Town property after the moratorium had been imposed. The proposed memorial, he said, is "site specific" to Brewster Gardens and would honor the former Town employee who maintained that particular park for over twenty years. As the Town's former Parks Superintendent, Mr. Gray stated that he understands the need to create some sort of perpetual care requirement for the future maintenance of such memorials. Mr. Gray also acknowledged the challenge in choosing which memorials to allow within Plymouth's limited public areas but contended that there must be some means by which the Town's former employees can be honored for their civic contributions.

Ms. Whitbeck indicated that the application specifically denotes that memorials are to be considered for those who have made civic contributions, as opposed to those who have simply made monetary donations. Mr. Gray's application, she said, may very well be considered acceptable by the committee, but the committee simply needs time to finalize the policy so that it can be applied with consistency, henceforth.

The Board did not alter its decision of January 18, 2011 to impose a one-year moratorium on the submission of applications to name or place memorials on public property.

HORSE DRAWN CARRIAGE REGULATIONS

Assistant Town Manager Melissa Arrighi explained that the Town Manager's Office has proposed a number of updates to the Town's regulations regarding Horse Drawn Carriages. Ms. Arrighi briefly highlighted the changes made to the regulations, which were made on the recommendation of Police Chief Michael Botieri and Lisa Johnson, Administrative Assistant to the Town Manager (who facilitates all of the Selectmen's licenses).

Ms. Arrighi responded to questions from Selectman Muratore regarding the updated language proposed for the regulations and the accompanying fee assessed to applicants. Ms. Arrighi

explained that staff looks at the amount of time required to administer and maintain each type of license when determining the associated fee. Selectman Muratore stated his belief that horse drawn carriage companies should be allowed to include advertisements on their vehicles, just as taxis and pedi-cabs are allowed to do so.

Chairman Hallisey opened the discussion to public comment, but no citizens came forth to speak.

Vice Chairman Mahoney made a motion to approve the updated Horse Drawn Carriage Regulations, as recommended by staff, with the addition of the allowance of advertising. Selectman Muratore seconded the motion, and the Board voted 4-0-0 in favor.

SELECTMEN DESIGNEES ON TOWN COMMITTEES

The Board held a brief discussion on the Selectmen's assignments to Town Committees.

On a motion by Selectman Muratore, seconded by Selectman Brewster, the Board voted to appoint Selectman Brewster as the Selectmen's designee on the 400th Anniversary Committee and Industrial Land Study Committee. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to appoint Selectman Brewster as the Selectmen's liaison to the Tidal Beaches Advisory Committee. Voted 4-0-0, approved.

On a motion by Selectman Muratore, seconded by Selectman Brewster, the Board voted to appoint Vice Chairman Mahoney as the Selectmen's designee on the Community Preservation Committee. Voted 4-0-0, approved.

BOARD LIAISON / DESIGNEE UPDATES

Audit Committee – Vice Chairman Mahoney noted that the Audit Committee is scheduled to deliver its audit report to the Selectmen on June 7, 2011.

Industrial Land Study Committee – Chairman Hallisey reported that the Industrial Land Study Committee is working on a presentation to bring forth to the Selectmen in the coming months.

OLD BUSINESS / LETTERS / NEW BUSINESS

Training Green Monument / Civil War Anniversary – Vice Chairman Mahoney reported that, following the Memorial Day ceremonies at the Civil War monument on the Training Green, a resident noted that 2011 marks the 150th anniversary of the Civil War. Vice

Chairman Mahoney questioned whether the Town has any plans to commemorate the anniversary at the monument. Mr. Stankiewicz stated that he is unaware of any such events.

Chairman Hallisey mentioned that the monument is in need of repair. Mr. Stankiewicz indicated that the Town has brought forth an estimate of \$25,000 for the repair of the monument, but it has not yet been chosen as a priority project for Town Meeting.

ADJOURNMENT OF MEETING

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to adjourn its meeting at approximately 8:45 p.m. Voted 4-0-0, approved.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the May 31, 2011 meeting packet is on file and available for public review in the Board of Selectmen's office.