

PLYMOUTH BOARD OF SELECTMEN

TUESDAY, AUGUST 16, 2011

TOWN HALL MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, August 16, 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
Sergio O. Harnais
Belinda A. Brewster

Mark Stankiewicz, Town Manager
Melissa Arrighi, Assistant Town Manager

Absent: Selectman Mathew Muratore

CALL TO ORDER

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

RECOGNITION OF 2010-2011 PLYMOUTH NORTH BLUE EAGLES

On behalf of the Board of Selectmen, Chairman Hallisey congratulated the players, management, and coaching staff of the Plymouth North Blue Eagles Varsity Baseball Team on winning the 2011 Division 2 State Championship. The team, he said, ended a fantastic 2011 season with 22 wins and only 3 losses, in an exciting 3-1 championship win over the Town of Hudson. Chairman Hallisey noted that the Blue Eagles have reached the Division II championship finals three times in the past four years, winning the championship in 2008 and again in 2011, all under the leadership of Head Coach Dwayne Follette.

Chairman Hallisey listed the names of the players and coaching staff prior to presenting a Certificate of Appreciation to Mr. Follette. Mr. Follette thanked the Police and Fire Departments for coordinating the impromptu parade through town, when the players returned from the championship win. Following Mr. Follette's remarks, several members of the Blue Eagles team presented the Selectmen with championship t-shirts.

TOWN MANAGER'S REPORT

Plymouth Regional Economic Development Foundation – Town Manager Mark Stankiewicz reported that the Plymouth Regional Economic Development Foundation has retained FXM Associates to assist with the Town's application for up to \$12 million in funding from the Federal Economic Development Administration ("EDA"). Mr. Stankiewicz noted that Denis Hanks, Director of the Plymouth Area Chamber of Commerce, has

spearheaded the project, which is intended to help with the reconstruction of the Plymouth T-Wharf and Harbor Dredging projects. The completion of these projects, he said, will have a positive effect on tourism and local business on Plymouth's waterfront.

MassInfrastructure Grant – Mr. Stankiewicz informed the Board that DPW Director Jonathan Beder is working with consultants Camp, Dresser, & McKee to develop an application for funding from the MassInfrastructure program (previously the Public Works Economic Development, or "PWED," grant program) for assistance with several road, bridge, historic, and utility projects within the Town's historic district. The intent, he explained, is to complete these multiple projects in the years leading up to the Town's 400th anniversary.

Massachusetts Interlocal Insurance Association – Mr. Stankiewicz announced that the Town of Plymouth has received \$55,650 in reimbursements on its workers compensation and property casualty insurance costs. The credits, he said, were earned through participation in loss prevention and risk management activities that are part of an incentive program sponsored by the Town's insurance carrier, Massachusetts Interlocal Insurance Association ("MIIA").

Customer Service Training – Mr. Stankiewicz noted that the Plymouth Area Chamber of Commerce will be offering a series of workshops pertaining to customer service for municipalities. The four-session series, he said, will be presented through Massasoit Community College and will be held at the Chamber of Commerce's offices in Plymouth. Mr. Stankiewicz was pleased to note that the Chamber of Commerce has arranged for a group discount for the 10-15 Town of Plymouth employees who will attend the workshop series.

Nuclear Matters – Mr. Stankiewicz reported that a meeting was held on August 10, 2011 between representatives of the Board of Selectmen, Town Manager's Office, and Nuclear Matters Committee to discuss plans to rally with other communities that host nuclear power facilities on issues of common interest, such as the short and long-term storage of spent fuel rods. The group, he said, decided that it might be best to start with host communities within the New England area to work towards accessing the Federal Government's nuclear waste fund for on-site, dry cask storage of spent nuclear fuel.

Healthy Communities Initiative – Mr. Stankiewicz informed the Board that Jordan Hospital hosted a meeting on the Healthy Communities Initiative with several Town officials to discuss ways to transition the community to live healthier, more active lives. The next meeting to discuss the initiative will be held on September 21, 2011, he noted.

U.S. Senator Scott Brown – Mr. Stankiewicz noted that United States Senator Scott Brown will host the grand opening of his Plymouth Regional Office at 18 Main Street Extension on August 17, 2011.

Wastewater Management Plan – Mr. Stankiewicz announced that DPW Director Jonathan Beder has advertised a Request for Qualifications ("RFQ") to prepare a comprehensive wastewater plan for the Town of Plymouth. The plan, he said, will include measures to increase system flow, enhance expansion, and revise the Town's policies and procedures. Mr. Stankiewicz explained that, once a consulting firm is selected, the DPW will work with the Selectmen and Planning Department to develop a scope of work for implementation.

LICENSES

ONE DAY WINE & MALT LIQUOR LICENSE*

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

- ❖ **Plymouth Antiquarian Society, Inc. / Donna Curtin** requested a One Day Wine & Malt license for an event to be held on the grounds of the Hedge House (126 Water Street) from 5:00 p.m. to 8:30 p.m. on August 26, 2011. Liquor liability will be in place before the license is released.
- ❖ **Plymouth Lions / Richard Anderson** requested two (2) One Day Wine & Malt licenses for the Lions Club's annual Octoberfest fundraising event to be held on the grounds of the Hedge House (126 Water Street) from 1:00 p.m. to 7:00 p.m. on September 10 and 11, 2011. Liquor liability is in place.

*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.

PLEDGE OF STOCK

On a motion by Selectman Harnais, seconded by Vice Chairman Mahoney, the Board granted the following Pledge of Stock, as detailed. Voted 4-0-0, approved.

- ❖ **Roger's Supermarket Inc.** (Roger Monast, Manager, 736 State Road) requested permission to pledge stock to Rockland Trust Company.

VEHICLE FOR HIRE (CHANGE OF ADDRESS)

On a motion by Selectman Harnais, seconded by Vice Chairman Mahoney, the Board granted a change of address for the following Vehicle for Hire License, as detailed. Voted 4-0-0, approved.

- ❖ **Special Occasion Limousine, Inc.** (170 Court St., Tim and Diane Dockery, Owners)

Change of address from 2289 State Road to 170 Court Street

COMPREHENSIVE ENTERTAINMENT

On a motion by Selectman Harnais, seconded by Selectman Brewster, the Board granted the following Comprehensive Entertainment Permit, as detailed. Voted 4-0-0, approved.

- ❖ **Plymouth Automotive LLC d/b/a AutoFair Honda of Plymouth** (9 Long Pond Road, Geoff Ewell, Manager)

Applying for Radio and TV (showroom)

OUTDOOR AMPLIFIED MUSIC

On a motion by Selectman Harnais, seconded by Vice Chairman Mahoney, the Board granted the following Outdoor Amplified Music Permit, as detailed. Voted 4-0-0, approved.

- ❖ **Plymouth Automotive LLC d/b/a AutoFair Honda of Plymouth** (9 Long Pond Road, Geoff Ewell, Manager)

For background music on outdoor speakers (same as in indoor showroom)

VEHICLE FOR HIRE OPERATOR LICENSE (NEW)

On a motion by Selectman Harnais, seconded by Vice Chairman Mahoney, the Board granted the following Vehicle for Hire Operator License, as detailed. Voted 4-0-0, approved.

- ❖ For **Plimoth Transportation Inc. d/b/a Mayflower Transportation** (130 Camelot Drive, #19, Scott Vecchi, owner)

- Robert P. Higgins III (27 Milford Street, Plymouth)

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

PEDI-CAB OPERATOR LICENSE (NEW)

On a motion by Selectman Harnais, seconded by Vice Chairman Mahoney, the Board granted the following Pedi-Cab Operator License, as detailed. Voted 4-0-0, approved.

- ❖ For **Plymouth Pedicab** (4 Freedom Street, Mike Tubin, Owner)

- Theresa Manganello (95 Pleasant Street, Plympton)

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

ADMINISTRATIVE NOTES

Meeting Minutes – On a motion by Selectman Harnais, seconded by Vice Chairman Mahoney, the Board approved the minutes of the May 3, 2011 Selectmen’s meeting. Voted 3-0-1, approved, with an abstention from Selectman Brewster, who was not a member of the Board at the time of this meeting.

Wild Animal Permit – The Board granted a Wild Animal Permit pursuant to Chapter 23, Article IV of the Town of Plymouth Bylaws to Dale Bleicken of 93 Allerton Street for his Pit Bull Terrier (female, 1½ years old).

State Acquisition of Property off Cattle Pond Road – The Board (a) publicly announced that the Commonwealth of Massachusetts is considering the acquisition of 36.5 +/- acres of land in Plymouth shown as Lots 16, 17, and 25 on Assessors Map 110 (off Cattle Pond Road and Agawam Road) for the purpose of incorporation into the Myles Standish State Forest for

open space and passive recreation purposes; and (b) waived the 120-day notice period, so that the Commonwealth may proceed with such transaction.

Exclusive Vending Rights – The Board granted exclusive vending rights to the Department of Children and Families (“DCF”) for its 5k Walk/Run for Children event to be held at Nelson Park from 11:00 a.m. to 2:00 p.m. on September 17, 2011.

PUBLIC COMMENT

Robert DeMarzo expressed serious concern about an incident that occurred on Plymouth Long Beach. Mr. DeMarzo, who owns property on Long Beach, said that he was stunned to encounter armed representatives of the U.S. Department of Agriculture (“USDA”) who were on the beach to hunt foxes at 9:00 p.m. on June 30, 2011. The police looked into the matter, he said, and it was determined that the Goldenrod Foundation contacted the USDA to hunt the foxes, who are known to be predators of shorebirds. Mr. DeMarzo explained his outrage that the practice of predatory management would be conducted at night during the summer season on the beach, without notice to residents or the Town’s public safety officials. He asked the Town to investigate the matter further and ensure that such activities never occur again during the summer season when property owners and beachgoers could be harmed.

1820 COURTHOUSE PROJECT UPDATE

Dean Rizzo, Secretary of the Plymouth Redevelopment Authority (“PRA”) and Chairman of the 1820 Courthouse Consortium, provided an update to the Selectmen on the 1820 courthouse redevelopment project.

Mr. Rizzo outlined the accomplishments of the PRA and Consortium, thus far, noting numerous aesthetic and structural improvements that have been made to the courthouse roof, façade, and grounds. Recent landscaping clean-ups and repairs to the now-illuminated cupola have revealed the beauty and presence that the historic courthouse brings to the downtown area.

In addition to hands-on projects and repairs, Mr. Rizzo reported, the PRA and Consortium have held numerous public workshops to gather input from community stakeholders on various re-use and preservation options. A website and “friends” group have been established, he said, and outreach has been conducted with private and public sector groups as far as the National Park Service and as near as the Plymouth Growth & Development Corporation (“PGDC”) to determine whether the courthouse would be a viable site for such organizations or operations, i.e. offices for the National Park Service (in anticipation of the 400th anniversary event), and/or a PGDC-operated intermodal transportation hub on the courthouse property.

Mr. Rizzo talked about the various phases of the courthouse redevelopment, noting that the Historic Structures report represents the first phase of the project. The second phase, he said, will focus on re-use of the property. The PRA continues to seek grants to fund the endeavor,

he said, and the Friends of the 1820 Courthouse have filed with the state for official non-profit status. The Plymouth County Commissioners, he noted, have reimbursed the PRA for past-due insurance payments, and they have pledged to remain current on their payments going forth.

Mr. Rizzo responded to a number of questions from Vice Chairman Mahoney on the specific repairs undertaken on the courthouse, to-date, including expenses. From the remaining balance of \$225,000 (following the purchase of the property and those repairs that have been completed), Mr. Rizzo said, \$50,000 has been allocated for a fire alarm system, which will be designed and installed in the coming months. Mr. Rizzo provided a brief outline of the temporary repairs that will be made to the building to prepare it for winter, noting that painting, caulking, and Plexiglas covers will provide some protection until more permanent improvements can be made.

Mr. Rizzo introduced Charles Tseckares of CBT Architects, the consultants hired by the PRA to conduct the Historic Structures Report.

Mr. Tseckares, along with Andrea Gilmore (a preservation consultant), introduced a presentation on the nearly-complete Historic Structures Report (“HSR”). CBT’s objective, he said, was to determine how to best preserve and protect the historic 1820 Courthouse.

Ms. Gilmore offered a PowerPoint presentation on the HSR and explained the importance of having such a report as a guide for preservation and development of the 1820 Courthouse property. Ms. Gilmore displayed photographs, maps, and structural layouts of the courthouse and adjacent County Commissioners’ building from various time periods to illustrate the history of the structures and the changes to their defining architectural features.

Major additions were made to the courthouse in 1857, 1884, 1916, and 1962 that not only expanded the footprint of the building but changed its architectural style from Classical to Victorian, Ms. Gilmore said. During her study of the courthouse, she remarked, it was determined that the original structure built in 1820 exists, today, as the right-hand (northerly) section of the courthouse, following a radical alteration of the building in 1857. Ms. Gilmore stated that, though there is a good deal of restoration work to be done, the 1820 Courthouse is structurally sound, and, thus, is worthy of preservation as a historically important civic structure in the heart of the downtown area.

The Commissioners’ building, Ms. Gilmore explained, was built as the County prison in 1884 and was modified over time from a two-story structure to a three-story office building for the County’s administrators. The handsome, original façade of the building was altered significantly following the insertion of a third floor within the building, she noted. Ms. Gilmore pointed out that there are some notable structural issues within the Commissioners building that are visible from both the inside and outside of the facility.

Mr. Tseckares resumed the presentation with aerial maps of the Courthouse Corridor and photographs of other historical structures in the area, to illustrate the property’s important relationship and proximity to the downtown and waterfront districts. The loss of a historic structure like the 1820 Courthouse, he said, could be translated to the loss of a community’s

past. Mr. Tseckares reiterated Ms. Gilmore's comments about the condition of the Commissioners' building, noting that the Town may encounter future challenges in generating rental income if necessary structural repairs and layout modifications are not undertaken. Both structures, he said, will require a good deal of code compliance updates before they can truly be marketed for use.

Mr. Tseckares outlined the mission and goals of the 1820 Courthouse Consortium and discussed how the Consortium's objectives translate into CBT's work on the HSR. Phase 1 of the project, he said, relates to the preservation and rehabilitation of the 1820 Courthouse, while Phase 2 will focus on potential uses for (and possible redevelopment of) the 3-acre Courthouse Corridor. As part of the HSR, he explained, CBT investigated the feasibility and estimated costs of a number of interim and long term uses for the existing structures on the courthouse property:

Interim Uses

- Courthouse Option A – No changes
- Courthouse Option B – Selectively condition and insulate the 1820 and 1857 sections of the Courthouse; building vacant (two scenarios ranging from \$22,083 to \$65,110)
- Courthouse Option C – Selectively renovate to meet code for business use (three scenarios at estimated costs of \$1,475,411, \$1,566,085, and \$2,960,933, respectively)
- Commissioners' Building Option A – No changes; current tenant remains
- Commissioners' Building Option B – Selectively condition and insulate; building vacant (\$100,148)
- Commissioners' Building Option C – Continued business use, but with new tenant; installation of fire alarm (\$38,820)

Long Term Uses

- Courthouse Option A – Renovation for small visitors center and business use (\$5,712,972)
- Courthouse Option B – Renovation for large visitors center with selective demolition (\$3,937,532)
- Courthouse Option C – Renovation for residential use (\$6,107,911)
- Commissioners' Building Option A – Renovation for business use (\$3,049,520)
- Commissioners' Building Option C – renovation for residential use (\$3,473,460)

Mr. Tseckares again noted that the necessity for numerous code compliance updates within both buildings will ultimately hinder the economic viability of future development and occupancy. Even if the Town were to sell the building, he said, a private developer would not see a profitable return, based on the investments required to bring the buildings to code. If the Town were to use this project as a catalyst for further development and importance to community, however, a public/private partnership may be very successful, he noted. Mr. Tseckares referenced projects in other similar communities where the host municipality has

utilized public/private partnerships to successfully shepherd important historic preservation/development projects to completion, in accordance with the needs of its citizens. The Town, he commented, could choose to develop the Courthouse property on its own, or it can “mothball” it (Interim Option B for both the Courthouse and Commissioners’ building) and wait for a private developer to partner with the Town.

Following the completion of the presentation, Mr. Tseckares and Mr. Rizzo responded to questions from the Selectmen regarding the various options for interim and long term use of the Courthouse facilities. Mr. Rizzo explained that the 1820 Courthouse Consortium will review CBT’s report and formulate a recommendation on the direction the Town should take. Uses of the centrally-located courthouse property that will create social interaction, commerce, and foot traffic will ultimately benefit the downtown district more than residential use, Mr. Rizzo noted. Mr. Tseckares talked about the volatility of the economy and why “mothballing” the Courthouse might be a realistic option for the Town, while it awaits a viable development proposal. Ultimately, Mr. Tseckares said, it is up to the Town to evaluate the benefit of a long-term investment into the renovation and preservation of the 1820 Courthouse. Mr. Rizzo noted that CBT and the PRA would return before the Selectmen some time in September to present recommendations on the final, completed HSR.

Chairman Hallisey thanked Mr. Tseckares for the presentation and offered some of his observations on the Courthouse project. Though he acknowledged the importance of preserving the historic 1820 Courthouse, Chairman Hallisey expressed concern that the building is not yet occupied—and, thus, not generating revenue—as originally planned. The preservation and development of the Courthouse property will require an enormous investment from the community, he said, with no clear assurance of economic return.

BOARD LIAISON / DESIGNEE UPDATES

Solid Waste Advisory Committee – Vice Chairman Mahoney announced that the Solid Waste Advisory Committee will meet on August 22, 2011 to discuss the DPW Director’s report on solid waste options for the Town of Plymouth.

Planning / Economic Development – Chairman Hallisey noted that he has been working closely with Environmental Manager David Gould, nearby residents, and representatives of Colony Place on the Town Meeting article pertaining to the allowance of car dealerships near the Town’s well zone near the shopping area. Chairman Hallisey reported that he and Marc Garrett (chairman of the Planning Board) recently met with Herb Chambers, who is interested in locating one of his car dealerships at Colony Place. Concerns about the proximity of car dealerships to the Town’s well zone should be resolved prior to Fall Town meeting, he said.

OLD BUSINESS / LETTERS / NEW BUSINESS

The Selectmen did not offer any discussion on old business, letters, or new business.

ADJOURNMENT OF OPEN SESSION / EXECUTIVE SESSION

On a motion by Selectman Harnais, seconded by Vice Chairman Mahoney, the Board voted at 9:00 p.m. to adjourn the open session portion of the meeting and enter executive session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 6, to consider the purchase, exchange, lease, or value of real property, as an open meeting on this matter may have a detrimental effect on the Town's negotiating position. Chairman Hallisey noted that, following executive session, the Board would not reconvene in open session. By roll call: Harnais – yes, Mahoney – yes, Brewster – yes, and Hallisey – yes.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the August 16, 2011 meeting packet is on file and available for public review in the Board of Selectmen's office.