

~ PLYMOUTH BOARD OF SELECTMEN ~

TUESDAY, JULY 31, 2012

TOWN HALL MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, July 31, 2012 at 5:00 p.m. at Town Hall in the Mayflower Room.

Present: Mathew J. Muratore, Chairman
John T. Mahoney, Jr., Vice Chairman
Sergio O. Harnais
Belinda A. Brewster
Kenneth A. Tavares

Melissa Arrighi, Town Manager

EXECUTIVE SESSION

The Board voted at 5:00 p.m. to 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 (Pilgrim Nuclear Power Station and Town-owned property under lease agreement), as an open meeting on these matters may have a detrimental effect on the negotiating position of the body. By roll call: Tavares – yes, Mahoney – yes, Brewster – yes, and Harnais – yes. [Note: Chairman Muratore joined the executive session at 5:08 p.m.]

Vice Chairman Mahoney noted that, following executive session, the Board will reconvene in open session.

RETURN TO OPEN SESSION

Chairman Muratore reconvened the meeting in open session at 7:00 p.m. and led the Board in the Pledge of Allegiance.

TOWN MANAGER'S REPORT

Plymouth Education Foundation – Town Manager Melissa Arrighi announced that the Town is currently assisting Bob Betters, President of the Plymouth Education Foundation (“PEF”), and School Superintendent Gary Maestas with their plans to hold a 50-mile bike ride in Plymouth on October 14th to raise funds for the PEF. The preliminary route is still being prepared by Superintendent Maestas, she noted, but will likely include a link through the State Forest, for which the Town will need a permit from the State.

Affordable Housing Trust / Ryder House Project – Ms. Arrighi provided the Board with an update on the Affordable Housing Trust and the Ryder House project. In 2007, she explained, Town Meeting approved the creation of the Plymouth Affordable Housing Trust for the purpose of establishing a dedicated source of revenue to provide for the creation and preservation of affordable housing in the community for the benefit of low and moderate income households. Currently, the Trust’s sole source of funding is from the Community Preservation Act. Over the past five years, Ms. Arrighi reported, the Community Preservation Committee has supported the Trust by awarding (through the approval of Town Meeting) a total of \$750,000 to fund two loan programs, a First Time Home Buyers Program and the Local Affordable Rental Housing Development Program.

Ms. Arrighi announced that the Trustees of the Plymouth Affordable Housing Trust are proud to report that the construction on the Ryder House property has commenced and is expected to be completed by the end of October. The completed renovations, she said, will result in the creation of four rental units (2 one-bedroom rental units, 1 two-bedroom unit and 1 three-bedroom unit). All four units will be affordable, deed restricted in perpetuity, and count towards the Town’s subsidized housing inventory. This project was created through the Plymouth Affordable Housing Trust’s Local Affordable Rental Housing Loan Program. The Community Preservation Committee’s support of this loan program helped make the Ryder House project possible. The Planning Department, through its Office of Community Development, provides the necessary staff support for this program, which includes oversight of the construction loan, marketing, and the facilitation of the lottery for qualified tenants.

Healthy Communities Initiative – Ms. Arrighi reported that the Old Colony Planning Council (“OCPC”), as part of its ongoing Pedestrian and Bicycle Connectivity Study for the region, will be hosting a public input session at the Plymouth Public Library at 7 p.m. on Tuesday, July 31, 2012. During the public input session, OCPC will present a draft concept plan of bike and pedestrian trail links and how each will connect with other regional bike paths in the South Coast region. The Town is enthusiastic about the concepts being brought forth by OCPC, she said, because these plans directly correlate to the Healthy Communities Initiative that Plymouth has endorsed.

Tourism Symposium – Ms. Arrighi announced that the Massachusetts Office of Travel & Tourism has invited Plymouth to participate in the 2013 New England/Canada Cruise Symposium which will be held at Cruise Port Boston next May. The Historic Port of Plymouth Partnership—which includes the Plymouth Area Chamber of Commerce, Destination Plymouth, and the Plymouth Harbormaster’s Office—has been a focus of the Town’s economic development efforts for some time. Plymouth, she explained, would like to increase port activity in the areas of transient boaters, cruise ships, and other marine-related commercial activity. For example, she said, Denis Hanks of the Chamber of Commerce has initiated discussions with a small cruise line to discuss the inclusion of Plymouth Harbor within the ship’s list of destinations. Lobster port landings within Plymouth Harbor have increased the Town’s standings from #3 statewide to #2, and the aquaculture expansion effort is at the forefront of all seaside activities. To continue efforts to increase tourism via Plymouth Harbor, Ms. Arrighi said, the Plymouth Regional Economic Development Foundation and other agencies will participate in the symposium.

Repair of Headstones on Burial Hill – Ms. Arrighi thanked Frank Drollett of Colonial Stone for the repairs he made to the William and Mary Morey headstones on Burial Hill. The stones, she reported, had been knocked over, and Mr. Drollett restored them beautifully.

LICENSES

OUTDOOR AMPLIFIED MUSIC PERMIT (NEW)

On a motion by Selectman Harnais, seconded by Vice Chairman Mahoney, the Board voted to approve an Outdoor Amplified Music Permit for the following applicant. Voted 5-0-0, approved.

- ❖ **Indian Head Resort** (1929 State Road, Pamela Churchill) – for Karaoke on Saturdays from 6:00 p.m. to 8:00 p.m.

COMMON VICTUALLER (NEW)

On a motion by Vice Chairman Mahoney, seconded by Selectman Harnais, the Board voted to grant a Common Victualler License to the following applicant. Voted 5-0-0, approved.

- ❖ **The Pie Hole** (20 Court Street, Steven Delisle, Manager)

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

COMPREHENSIVE ENTERTAINMENT (NEW)

On a motion by Vice Chairman Mahoney, seconded by Selectman Harnais, the Board voted to grant a Comprehensive Entertainment Permit to the following applicant. Voted 5-0-0, approved.

- ❖ **The Pie Hole** (20 Court Street, Steven Delisle, Manager) – Applying for Groups 1 and 3 (Radio, Live Entertainment)

PEDI-CAB OPERATOR LICENSE (NEW)

On a motion by Selectman Harnais, seconded by Selectman Brewster, the Board voted to grant a Pedi-Cab Operator to the following applicant. Voted 5-0-0, approved.

- ❖ For **Plymouth Pedicab**:

- Lauren Poremski (21 Allison Circle, Plymouth)

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

VEHICLE FOR HIRE OPERATOR LICENSE (NEW)

On a motion by Selectman Harnais, seconded by Selectman Brewster, the Board voted to grant a Vehicle for Hire Operator license to the following applicant. Voted 5-0-0, approved.

❖ **For Plimoth Transportation Inc d/b/a Mayflower Taxi:**

- Michael Harrimon (160 Plymouth St., N. Carver)

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

ONE DAY ALL ALCOHOL LIQUOR LICENSE*

On a motion by Selectman Brewster, seconded by Selectman Harnais, the Board voted to approve a One Day All Alcohol Liquor License for the following applicant, as detailed, below. Voted 5-0-0, approved.

- ❖ **Kristine Duhamel / Eel River Beach Club** requested a One Day All Alcohol Liquor License for a social event to be held at the Eel River Beach Club from 7.00 p.m. to 10:00 p.m. on August 11, 2012. Liquor liability will be in place before this license is released.

On a motion by Selectman Harnais, seconded by Vice Chairman Mahoney, the Board voted to approve a One Day All Alcohol Liquor License for the following applicant, as detailed, below. Voted 5-0-0, approved.

- ❖ **Robert Eli Meyer / Rick Withington (Manager)** requested a One Day All Alcohol Liquor License for a family reunion to be held at 66 Forge Drive from 12.00 p.m. to 6:00 p.m. on August 4, 2012. Liquor liability will be in place before this license is released.

On a motion by Selectman Harnais, seconded by Vice Chairman Mahoney, the Board voted to approve a One Day All Alcohol Liquor License for the following applicant, as detailed, below. Voted 5-0-0, approved.

- ❖ **Denis Hanks / Plymouth Area Chamber of Commerce** requested a One Day All Alcohol Liquor License for a reception (for the Shichigahama delegation) to be held from 6:00 p.m. to 12:00 a.m. in the function hall at the Hampton Inn on Saturday, August 4, 2012. Liquor liability will be in place before this license is released.

*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.

CHANGE OF D/B/A (LIQUOR LICENSE)

On a motion by Selectman Harnais, seconded by Vice Chairman Mahoney, the Board

voted to approve a Change of D/B/A for the following holder of an Annual All Alcohol Liquor License. Voted 5-0-0, approved.

- ❖ **Plymouth Bay Management Group d/b/a Boston's of Plymouth** (21 South Park Avenue) requested a Change of D/B/A (Liquor License) from "Boston's of Plymouth" to "Park Place Tavern."

ADMINISTRATIVE NOTES

Meeting Minutes – The Board approved the minutes of the March 13, March 27, April 3, April 7, and April 9, 2012 Selectmen's meetings.

Policy on Web Advertisements – The Board approved the *Town of Plymouth Policy on Web Advertisements*.

Temporary License Agreement with NSTAR – The Board granted a temporary *License Agreement* to NSTAR Gas Company for the purpose of installing an underground gas line to provide transmission of natural gas to the Town's property on Obery Street. The temporary license may expire upon the anticipated passage of a permanent easement for this purpose at the Fall 2012 Town Meeting.

Authorization to Sign Airport Grant Assurances from 2007 – The Board approved the Airport Grant Assurances from 2007 and authorized Richard J. Quintal, Jr. to sign the paperwork, as he was Chairman of the Board of Selectmen at the time that the agreement was made.

Revival of Development Rights for Chilton Park Condominiums – The Board approved the *Consent of Unit Owner to Revival of Development Rights* pertaining to Chilton Park Village Condominiums, as recommended by the Town's Treasurer/Collector.

Order of Layout for Roads Accepted at 2012 Annual Town Meeting – The Board approved and executed an *Order of Layout* for each of the following roads accepted at the 2012 Annual Town Meeting:

- | | | |
|---------------------|--------------------|-------------------|
| ▪ Bournehurst Drive | ▪ Dorothy Road | ▪ Lee Drive |
| ▪ Cabot Circle | ▪ Great Wind Drive | ▪ Nixon Avenue |
| ▪ Carolyn Drive | ▪ Hallick Road | ▪ October Lane |
| ▪ Christopher Road | ▪ High Pine Drive | ▪ Sheridan Drive |
| ▪ Columbia Road | ▪ Howard Drive | ▪ Sherman Avenue |
| ▪ Cottontail Trail | ▪ Lauren Road | ▪ Woodvale Avenue |
| ▪ Davenport Road | ▪ Lawrence Road | |

Authorize Traffic Hearing Regarding Howland Street – The Board authorized the Engineering Department to conduct a Public Hearing regarding a proposal to implement one-way traffic on Howland Street and add additional parking, as supported by the Plymouth Growth & Development Corporation.

BOARD LIAISONS AND COMMITTEE UPDATES

Plymouth Redevelopment Authority / 1820 Courthouse Consortium – Selectman Brewster spoke about the recent meeting of the Plymouth Redevelopment Authority (“PRA”), noting that PRA Secretary Dean Rizzo announced his resignation from the 1820 Courthouse Consortium. The members of the PRA, she said, were receptive when she voiced her disappointment about their recent expansion of the Consortium. Selectman Brewster stated that the decision to add members to the Consortium flew in the face of what was explained to Town Meeting and the Community Preservation Committee, as the nine-member group had been formed in a balanced manner with a varied group of representatives. The expansion of the Consortium, she said, throws-off the established balance by having too many members appointed by the PRA. Both Selectman Brewster and Vice Chairman Mahoney asked the PRA to revisit its decision.

Official Visit from Shichigahama – Selectman Harnais announced that the official delegation from Shichigahama will arrive on the morning of Thursday, August 2, 2012. He thanked State Representative Calter, the members of the Distinguished Visitors Committee, and several local businesses—including Indian Pond Country Club and The Pinehills, in particular—for their generosity and assistance with developing a wonderful itinerary for the delegation. Selectman Harnais invited the public to attend the August 7th Selectmen’s meeting, at which the Shichigahama delegation will be formally introduced and invited to provide a presentation.

PUBLIC HEARING: CANCELLATION OF ANNUAL LIQUOR LICENSE

TIGER ENTERPRISES, INC. D/B/A CRAZY EDDIE’S AMERICAN BAR & GRILLE, TOWN WHARF

Chairman Muratore opened a public hearing to consider the cancellation of an Annual All Alcohol Restaurant Liquor License held by Tiger Enterprises, Inc. D/B/A Crazy Eddie’s American Bar & Grille, Town Wharf. Chairman Muratore read a description of the licensed premises and affirmed that notice of the hearing was given to the public in accordance with Chapter 138 of the Massachusetts General Laws.

No one appeared before the Board on behalf of Tiger Enterprises, Inc. Seeing no questions or discussion from the Board, Chairman Muratore opened the hearing to public comment. No citizens came forth to speak, and, thus, Chairman Muratore closed the hearing to await a motion of the Board.

On a motion by Selectman Harnais, seconded by Selectman Brewster, the Board voted to cancel the license previously granted to Tiger Enterprises, Inc. D/B/A Crazy Eddie’s American Bar & Grille, Town Wharf. Voted 5-0-0, approved.

PUBLIC HEARING: STORAGE OF FLAMMABLES/ COMBUSTIBLES

PLYMOUTH PUBLIC SCHOOL DEPT., INDIAN BROOK ELEMENTARY SCHOOL, 1181 STATE RD.

Chairman Muratore opened a public hearing to consider the application from the Plymouth

Public School Department for license of storage of 7,000 gallons of flammable and combustible liquid (6,000 gallons above ground, 1,000 gallons underground) at the location of Indian Brook Elementary School, 1181 State Road. Chairman Muratore affirmed that notice of the hearing was given to the public in accordance with Chapter 148 of the Massachusetts General Laws.

Arthur Montrond, Facilities Manager for the Plymouth Public Schools, appeared before the Board to answer any questions pertaining to the license application. Mr. Montrond provided a brief explanation of the request and the location of the storage. Ms. Arrighi noted that the Fire Department has reviewed and approved the School Department's request.

Seeing no questions or comments from his fellow Selectmen, Chairman Muratore opened the hearing to public comment. No citizens came forth to speak, and, thus, Chairman Muratore closed the hearing to await a motion of the Board.

On a motion by Vice Chairman Mahoney, seconded by Selectman Harnais, the Board voted to grant a license for the storage of 7,000 gallons of flammable and combustible liquid (6,000 gallons above ground, 1,000 gallons underground) at the location of Indian Brook Elementary School, 1181 State Road, to the Plymouth Public School Department. Voted 5-0-0, approved.

PUBLIC COMMENT

Chris Pratt of Plymouth Harbor Market Days ("PHMD") updated the Board on the success of the market at Stephen's Field and the 1820 Courthouse Green. Ms. Pratt reported that she and fellow market organizers are close to returning \$5,000 to the Town for use of these parcels for this purpose. The PHMD market, she said, partnered with the Christ Church Food Pantry and started a program where vendors leave fresh produce leftovers that are then delivered to families. In addition, PHMD has introduced "Community Shares," a re-use (i.e. "freecycling") program at the market, as well as an "ask-a-nutritionist" booth, in partnership with Jordan Hospital.

Gene Lane spoke about the recent joint meeting of the School Committee and Board of Selectmen at which the Town voted to move forward with the MSBA funding process for repairs or reconstruction of Plymouth South High School. Mr. Lane recalled the legal difficulties and overages when that school was built. He then spoke about the necessity of the Selectmen understanding how the overall budget is divided – 65% for school programs and 35% for Town services. Mr. Lane recommended that the Selectmen adopt an overall policy that does not allow that split to exceed the 65% threshold, and he cautioned the Board about exceeding that percentage and being able to successfully run town services.

JOINT MEETING: COMMUNITY PRESERVATION FUNDS & PROJECTS

The Selectmen held a joint meeting with members of the Finance & Advisory Committee

and Community Preservation Committee to discuss projects funded through the Town's Community Preservation Act.

Robert Nassau called the meeting of the Finance & Advisory Committee ("FinCom") to order. William Keohan called the meeting of the Community Preservation Committee ("CPC") to order.

Mr. Keohan provided a PowerPoint presentation with pictures of some of the historical preservation projects that the CPC has funded throughout the years. He then discussed the CPC process and the importance that applicants be judged fairly, without bias, noting that the committee must often meet in executive session to negotiate the terms of the funding agreement. Mr. Keohan stressed the necessity for the CPC to have independence, so that nothing has undue influence on their consideration of the applicants.

Mr. Nassau expressed concern about the FinCom or Selectmen being able to weigh-in on the prioritizing of applications so that the projects may coincide with the 400th commemoration. Mr. Keohan cautioned the Board and FinCom that the Community Preservation Act was established to provide for an application process that was not disproportionate. Mr. Keohan noted, however, that the CPC had recently included a question on the application that would ask how the project would compliment the 400th commemoration.

The Selectmen and FinCom discussed the importance of allowing a level of independence within the CPC process and that it was the responsibility of interested parties (e.g. 400th Committee and Town staff) to submit applications that were in line with 2020. They also encouraged the public and members of boards and committee to attend CPC meetings and provide comments.

Chairman Muratore thanked Mr. Keohan for the thorough presentation and for the blueprint of the Community Preservation application process.

FinCom member Charles Stevens commented that there are four new members of the Finance Committee and the submission deadline for backup materials for the CPC articles should really be moved up so that they could have more time to study the material.

OLD BUSINESS / LETTERS / NEW BUSINESS

Request for Litter Clean-Up on State Property – Selectman Tavares asked that the Town Manager contact the State to clean up the entrance to the Town.

Request for Update on Morton Park – Vice Chairman Mahoney asked the Town Manager for an update on the effectiveness of the changes that were made in the operations at Morton Park for the 2012 season.

Appeal of Beach Management Plan – Selectman Brewster noted that The Goldenrod Foundation has again filed an appeal of the Town’s Beach Management Plan in Suffolk Superior Court, once more compelling the Town to spend money to defend the plan.

ADJOURNMENT OF MEETING

On a motion by Selectman Tavares, seconded by Vice Chairman Mahoney, the Board voted to adjourn its meeting. Voted 5-0-0, approved.

Recorded by Melissa Arrighi, Town Manager

Formatted by Tiffany Park, Clerk to the Board of Selectmen

A copy of the July 17, 2012 meeting packet is on file and available for public review in the Board of Selectmen’s office.