

~ PLYMOUTH BOARD OF SELECTMEN ~

TUESDAY, MARCH 5, 2013

TOWN HALL, MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, March 5, 2013 at 6:30 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

CALL TO ORDER

Chairman Muratore called the meeting to order at 6:35 p.m. and led the Pledge of Allegiance.

TOWN MANAGER'S REPORT

Guiding Principles – Town Manager Melissa Arrighi reported that, on Saturday, June 30, 2012, the Selectmen, along with members of the School Committee, the Advisory & Finance Committee, the Committee of Precinct Chairs, and the Planning Board attended an executive team building retreat at the Town's Center Hill Preserve facility. The subject of the retreat was "It Can Be Done," she said, and it was designed to reaffirm the Executive Branch's commitment to working together; understanding committee and board roles in Town governance; and working to advocate for a team approach to better serve the residents.

During this team-building retreat, Ms. Arrighi noted, the group discussed the establishment of a set of "Guiding Principles" which would serve as Plymouth's governmental values for civil discourse and debate, collaborative efforts on decision-making, and the sharing of ideas, opinions, and research. The Guiding Principles, she explained, will outline what is expected from employees, members of all boards and committees, Town Meeting members, as well as any others involved in the Town's governance

Ms. Arrighi indicated that the Selectmen will have an opportunity to review and comment upon the Guiding Principles, prior to officially instituting the principles at a future meeting.

COMMITTEE LIAISON / DESIGNEE UPDATES

There were no committee liaison / designee updates for the March 5, 2013 meeting.

PUBLIC COMMENT

Genevieve Byrne issued concerns to the Selectmen regarding large-scale construction work that appears to be underway at the Pilgrim Nuclear Power Station. Ms. Byrne stated that Entergy (owner of Pilgrim) appears to have begun construction on a high-level nuclear waste storage facility at the site. It is her understanding, she said, that Entergy is presenting the storage facility as an accessory use to the power station, which would circumvent the applicability of the Town's special permit process. Ms. Byrne commented that projects as diverse as residential storage sheds to meteorological towers have required special permits from the Town of Plymouth, and, thus, she questioned why a storage facility that will house 200-ton casks containing high-level radioactive waste would not require a special permit. Citizens, she said, must be given the opportunity to comment on a project that will remain in the community longer than the nuclear power plant, itself.

Attorney Meg Sheehan of EcoLaw echoed the comments of the previous speaker, stating that Entergy appears to be taking a piecemeal approach to the permitting of this project, to avoid the special permit process. Attorney Sheehan insisted that the requirements of the special permit process should be upheld, so that citizens are given their rightful opportunity to comment on a project that holds such significance to the health and safety of the community.

LICENSES

VEHICLE FOR HIRE OPERATOR LICENSE (NEW)

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

❖ To Operate for **Plimoth Transportation, Inc. d/b/a Mayflower Taxi:**

- Jeffrey Wagner (68R Warren Avenue, Plymouth)

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

ADMINISTRATIVE NOTES

Spring Town Meeting and Special Town Meeting Warrants – The Board approved and signed the warrants for the 2013 Spring Annual and Special Town Warrants.

Purchase & Sale / 314 Ryder Way – The Board approved and executed a *Purchase & Sale Agreement* for 0.230+/- acres of property identified as Parcels 157 and 158A on Map 37A, 314 Ryder Way, in preparation for Article 7 of the 2013 Special Town Meeting.

Street Layouts – The Board approved the layouts for the following twenty-four (24) roadways, in preparation for Article 24 of the 2013 Spring Annual Town Meeting.

Ames Street	McClellan Drive	Trade Wind Lane
Brady Lane	Micajah Avenue	West Ridge Trial
Cherrywood Circle	Monisa Kay Drive	Willow Street (portion of)
Craig Street	Oriole Way	Windward Lane
East Wind Drive	Sandpiper Lane	Spindrift Lane
Greenview Drive	Savery Pond Road	Dover Circle
Hill Dale Road	Stetson Court	Nonantum Road (portion of)
Jacob’s Ladder Road	Stuart Avenue (portion of)	Pawtuxet Road (portion of)

AFFORDABLE HOUSING AT MAYFLOWER VILLAGE/PONTUS MEADOW

Betty Shippee, co-chair of the Mayflower Village Tenants’ Association, addressed the Board regarding the potential loss of affordable housing units at the Mayflower Village / Pontus Meadow housing complex. Ms. Shippee was accompanied by representatives from the Mass. Alliance for HUD Tenants, who have joined with the Tenants’ Association to convince The Simon Companies (owner of the complex) to abandon its plans to eliminate the long-term project-based affordable housing restrictions on the rental units within the development.

The Simon Companies, Ms. Shippee explained, has held a Department of Housing and Urban Development (“HUD”) subsidy contract for 40 years that will mature on April 1, 2013. The Company, she reported, has notified tenants that they will not renew the project-based affordable housing contract on the complex, in favor of converting the apartment units to market-rate housing. Ms. Shippee indicated that, following the April 1 mortgage maturity date, the law requires that The Simon Companies provide those tenants who are not assisted by Section 8 with “Enhanced Vouchers.” Enhanced Vouchers protect income eligible tenants from rent increases greater than 30% of the tenant’s adjusted household income.

Ms. Shippee explained that she is an actively-working single parent who has lived in the Mayflower Village housing complex for 23 years. A recent news article in the *Old Colony Memorial*, she said, insinuated that there are residents living within the complex’s subsidized apartment units with incomes beyond the maximum allowed for affordable housing, but this is simply not true. When a current resident finds that he/she can no longer afford to live within the apartment complex and vacates the unit, the unit will be permanently removed from the Town’s affordable housing stock.

Ms. Shippee asked the Selectmen to join with the Tenants’ Association in urging The Simon Companies to keep Mayflower Village affordable. Additionally, she said, the Tenants’ Association requests that the Selectmen encourage Plymouth’s State legislators to

support the Enabling Act to Save Affordable Housing, which will give cities and towns the ability to retain affordable housing units that are slated for expiration. Lastly, Ms. Shippee notified the Board, the Tenants' Association would like the Selectmen to compel the Plymouth Housing Authority to be responsive to the Association's request for assistance with the voucher program.

Selectman Tavares acknowledged Ms. Shippee's arguments and spoke to the importance of maintaining the Town's stock of affordable housing. He asked that the Town Manager look into the requests made by the Tenants' Association, and he stated that he would be willing to make a motion to support the efforts of the association, barring any obstacles that would prevent the Board from becoming involved. Selectman Tavares also recommended that the Town Manager contact the Plymouth Housing Authority to ensure that it is adequately responding to the Association's requests for assistance.

Lee Hartmann, Director of Planning & Development, explained that affordable housing voucher programs are facilitated by the local Housing Authority. Mr. Hartmann recommended that he and the Town Manager be given the opportunity to speak with the director of the Housing Authority, before the Board votes to take any official stand on the requests brought forth by the Tenants' Association.

Warren Lizio, regional manager for The Simon Companies, sought to clarify and counter some of the information provided by Ms. Shippee. Current residents will be given the opportunity to take the Enhanced Vouchers for their affordable housing units with them, should they choose to leave Mayflower Village. Mr. Lizio explained that Mayflower Village is comprised of two entities, Mayflower Village and Pontus Meadow. Aside from the HUD units that are scheduled to expire, there are twelve Section 8 units that will remain for some time until The Simon Companies chooses to convert those apartments to conventional, market-rate residences.

The Board posed questions to Ms. Shippee, Mr. Lizio, and Michael Kane, the executive director of the Mass. Alliance of HUD tenants, in an effort to sort through the complex information related to affordable housing restrictions and the various voucher programs.

Mr. Kane provided information on the assistance and advocacy that the Alliance provides to tenants of HUD-restricted housing units. Several units within the Mayflower Village complex have already been converted to market rate units, he said, compelling many residents to move elsewhere. Mr. Kane indicated that the Tenants' Association is asking for the Town's help in persuading The Simon Companies to retain the remaining affordable housing units within the complex. HUD, he noted, will pay The Simon Companies the difference between the tenant's reduced rent and the market rate, so there is no cost or loss to the owner to maintain these units as affordable. Mr. Kane talked about the loss of 753 affordable units across the State since 2006, due to the expiration of impermanent HUD contracts. Though it is too late for The Simon Companies to extend or renew its contract with HUD, he reported, the Company could choose to file for Project-Based Vouchers—as opposed to Enhanced Vouchers—that will remain with the unit, not the tenant. With Enhanced Vouchers, the unit loses its affordable status, once the tenant moves out.

Mr. Hartmann pointed out that, though many of the affordable housing agreements established in the 60's and 70's were temporary, the Town of Plymouth has made great strides in recent years by ensuring that all new affordable housing projects are deed-restricted and legally classified as affordable in perpetuity.

The Board discussed Ms. Shippee's requests and the information provided during the discussion. Chairman Muratore supported Mr. Hartmann's recommendation that staff be given the opportunity to speak with the director of the Housing Authority, before the Board votes to take any official stand on the matter. Both Chairman Muratore and Selectman Tavares expressed concern for the fast-approaching April 1st deadline, and, thus, it was decided (by apparent consensus) that the Board would wait for a response from staff prior to considering action during the March 19th meeting.

OLD BUSINESS / LETTERS / NEW BUSINESS

Letter of Support for GPPAC – On a motion by Selectman Tavares, seconded by Selectman Harnais, the Board voted (5-0-0) to authorize the Chairman to sign a letter of support for the efforts of the Greater Plymouth Performing Arts Center (“GPPAC”) to seek grant funding for the preservation and rehabilitation project at 25½ Court Street.

JOINT MEETING: DISCUSSION ON 1820 COURTHOUSE

PLYMOUTH REDEVELOPMENT AUTHORITY

Robert Wollner, Chairman
Steven Grattan, Vice Chairman
Chet Bagni, Treasurer
Dean Rizzo, Secretary

SCHOOL COMMITTEE

Dennis Begley, Chairman
Michelle Badger, Vice Chairman
Mary Waltuch, Secretary
Deb Betz
Robert Bielen
Margie Burgess
Gary Maestas, Superintendent of Schools

BUILDING COMMITTEE

David Peck, Chairman
Paul McAlduff, Vice Chairman
Robert Bielan
Margie Burgess
Merlin Ladd III

PLANNING BOARD

Marc Garrett, Chairman
Paul McAlduff, Clerk
Tim Grandy
Ken Buechs (Planning Alternate)

ADVISORY & FINANCE COMMITTEE

John Moody, 1st Vice Chairman
James Ahern
Linda Benezra
Michael Duffley
Richard Gladdys
Michael Hanlon
Elaine Murray
Marc Sirrico
Charles Stevens
Jim Sweeney

COMMUNITY PRESERVATION COMM.

William Keohan, Chairman
John Mahoney
Paul McAlduff

Chairman Muratore welcomed the members of the Plymouth Redevelopment Authority, School Committee, Planning Board, Advisory & Finance Committee, Building Committee, and Community Preservation Committee to what could be viewed as a historic joint meeting of several of the Town's boards and commissions to discuss the future of the 1820 Courthouse.

John Moody indicated that the Advisory & Finance Committee was already in session. Dennis Begley called a meeting of the School Committee to order at 7:24 p.m. Robert Wollner called a meeting of the Plymouth Redevelopment Authority to order at 7:25 p.m. Marc Garrett called a meeting of the Planning Board to order at 7:25 p.m., and David Peck called a meeting of the Building Committee to order at 7:25 p.m. William Keohan, Vice Chairman Mahoney, and Paul McAlduff were the only representatives present from the Community Preservation Committee.

Ms. Arrighi provided an introduction to the discussion on the best future uses of the 1820 Courthouse (also referred to as the 1820/57 Courthouse, reflecting the two construction phases of the most historic section of the building). For decades, she explained, the concept of relocating the Town's government center / municipal complex to this central, downtown location has existed. As a result of the consistent and expressed desire from many citizens that the 1820 Courthouse remain public in some fashion, Ms. Arrighi indicated, the Board of Selectmen has called this meeting to truly explore the idea as a real option for Plymouth. In addition, she noted, the School Department has operated its administrative offices in a facility and location that may no longer be suitable, and, thus, the School Department is very interested in identifying a more central location in the downtown area.

Ms. Arrighi stated that the focus of the discussion would center upon the concept of (a) transforming the 1820 Courthouse and/or Courthouse Corridor into a municipal complex and (b) relocating the School Administration to the existing Town Hall facility or other centralized location. The central questions within the discussion will be:

- Do Town officials believe the idea is advantageous to the citizens of Plymouth and the businesses and residents of the downtown district?
- If the answer to that is 'yes', do officials believe that the community at large is willing politically, conceptually, financially, and at this point, emotionally, to commit to such a project and proceed rapidly?

If there appears to be buy-in and support for this concept, Ms. Arrighi explained, the Town would begin to apply for Community Preservation Act funding and request funds for a feasibility study on the Fall Town Meeting Warrant.

Chairman Muratore explained that, during the process of seeking viable reuses for the 1820 Courthouse, it has become clear to him that there is a spirit of resolve in the Town of Plymouth to keep the Courthouse in public service to the community. Knowing that the community is growing, he said, Town functions may be outgrowing Town Hall. For example, he noted, many who visit Town Hall know how difficult it is to find parking, and

this is not good customer service. Based on the number of people who have come forth to support the idea of relocating Town Hall to the 1820 Courthouse, Chairman Muratore stated, it is time to seriously consider this idea.

Mr. Wollner announced that the Plymouth Redevelopment Authority (“PRA”) voted to support the concept of situating a government complex at the 1820 Courthouse site.

Dean Rizzo, Secretary of the PRA, indicated that the PRA’s vision for the 1820 Courthouse has always been to maintain the front, historic portion of the 1820 Courthouse for some sort of public use. He asked the Town, however, to not lose sight of the potential opportunities for private redevelopment of the Courthouse Corridor. Mr. Rizzo noted that the Town must also consider the owners of private homes within the corridor and the importance of access to Burial Hill when devising a future use for the 1820 Courthouse properties.

Mr. Begley notified the joint session that the School Committee will cooperate with any plans for the relocation of Town offices to the 1820 Courthouse that develop, as the Committee is open to the idea of moving School Administration offices closer to the center of town.

Mr. Moody stated that the Advisory & Finance committee took an informal vote in support of the general concept brought forth by the Selectmen. The consensus amongst the committee, he said, was that the reuse of the 1820 Courthouse as a municipal complex is a worthy idea. Mr. Moody noted that there was some concern expressed by the members of the committee as to how such an undertaking would be funded, but, in general, the committee felt that the concept is viable.

Richard Gladdys of the Advisory & Finance Committee expressed enthusiastic support for the concept, and he recounted the story of his first visit to Plymouth, when he incorrectly assumed that the 1820 Courthouse building was Plymouth’s Town Hall, based on its central downtown location and stately, municipal appearance.

Charles “Chip” Stevens of the Advisory & Finance Committee advocated for keeping the Town and School administration offices ‘under the roof’ of one shared facility, if both facilities are to be moved to the 1820 Courthouse site.

Mr. Garrett reported that the Planning Board has not yet formally discussed the topic of reusing the 1820 Courthouse site as a governmental center. The Planning Board has, however, held past discussions about the future of the Courthouse and its presence as a central architectural figure within the community. Mr. Garrett stated his belief that, regardless of the outcome, the Town must explore all potential uses—including the concept of a municipal complex—if it is to truly find the most beneficial reuse for the 1820 Courthouse.

Tim Grandy, member of the Planning Board and the 1820 Courthouse Consortium, endorsed the idea of considering the relocation of Town Hall to the 1820 Courthouse facility, but stated that the Town owes Plymouth’s residents an expeditious review process.

Paul McAlduff, member of the Planning Board and Building Committee, recognized the merits of considering an alternate location for Town Hall, based on current office and meeting space needs and a significant parking shortage. He did note, however, that most of the citizens with whom he discussed the concept of relocating Town Hall to the 1820 Courthouse did not support the idea, based on the anticipated expense of such an endeavor.

David Peck, chairman of the Building Committee, explained that he and his colleagues have not held a formal discussion on the proposed concept. He emphasized the importance of focusing on the short-term preservation measures that can be taken to ensure that the 1820 Courthouse does not experience further decay, regardless of its eventual future use. Mr. Peck stated his individual support for pursuing a feasibility study, to determine if, in fact, the consolidation of municipal functions at the 1820 Courthouse site is the best use for the property.

William Keohan of the Community Preservation Committee (“CPC”) noted that his committee cannot formally comment on any projects without first receiving an application for Community Preservation Act funds. Mr. Keohan noted that an informal survey of his committee members indicated that most were open to the idea, conceptually. When the CPC voted to fund the purchase of the 1820 Courthouse in 2009, he said, the committee’s favorable recommendation was focused upon the restoration and preservation of the building, with a concern for maintaining some public use or control of the historic structure.

Selectman Harnais stated his belief that the concept of relocating Town services to the 1820 Courthouse is intriguing, especially if it will help revitalize the downtown and bring the School Administration’s offices to a more centrally-accessible location within town.

Selectman Brewster cited the Historical Structures Report (“HSV”) and Urban Land Institute (“ULI”) studies that were conducted on the 1820 Courthouse and conceptual Courthouse Corridor. The HSV indicated that retail and office space were not viable uses for the site, she noted, while the ULI panel’s recommendation that the properties within the corridor be converted to residential housing units was not met with much support. Selectman Brewster anticipated that the concept of relocating Town services to the 1820 Courthouse may not be supported, town-wide, but she noted her belief that this initiative may be the one successful solution to revitalizing the downtown. She stated her support for exploring the idea, so long as the Town moves forth quickly on a feasibility study and pursues the concept with the taxpayers in mind.

Vice Chairman Mahoney noted that the concept of moving Town Hall to the 1820 Courthouse has been endorsed by two long-time, prominent Plymouth citizens—Enzo Monti and the late Rev. Peter Gomes. The idea may be more sentimental than viable, he said, but a feasibility study is worth the effort, even if the Town continues to explore other opportunities for redevelopment, simultaneously.

Selectman Tavares talked about the various phases of growth through which Plymouth has transitioned, from its historical roots as the shire town of the Old Colony, to the industrial

era led by manufacturing entities such the Cordage Rope Factory, to the arrival of the nuclear power station and the explosive residential growth of the 60's and 70's. The Town is now entering a whole new era as an established, historic community with tourism as its major industry, he explained, and this is why it is so important to contemplate upon what the community wants the Town to be in the next 50 years. Selectman Tavares expressed his belief that a considerable number of citizens in the community may be willing to explore the opportunity to centralize Town services at the 1820 Courthouse site and bring vitality back to the downtown.

Seeing no further comment from the members of the assembled boards and committees, Chairman Muratore opened the discussion to public comment.

Steve Lydon, Town Meeting Member from Precinct 12, identified the potential benefits and drawbacks of relocating the Town's municipal services to the 1820 Courthouse, citing the relative scale and deteriorating condition of the existing facility while noting the potential for bringing much-needed foot traffic back to the downtown. With four years in the process already gone (since the purchase of the Courthouse in 2009) and 2020 approaching quickly, Mr. Lydon said, whatever the Town chooses to pursue must be pursued quickly.

Ginny Davis, resident of Precinct 4, recalled the days of her childhood as a resident of downtown Plymouth when Main Street was alive with business and activity. When the Courthouse and Registry of Deeds relocated to Obery Street, she said, the downtown clearly began to suffer. Ms. Davis stated her belief that the relocation of Town Hall to the former Courthouse location will inevitably bring customers back to the downtown, and, thus, she expressed enthusiastic support for the proposed concept.

Donna Curtin, executive director of the Plymouth Antiquarian Society and resident of Plymouth, agreed with Ms. Davis that the concept of reinvigorating the 1820 Courthouse with another civic use makes complete sense. As someone who has worked in the non-profit field where there is a lack of private resources to tackle certain projects, the Town has a tremendous advantage that a private developer does not have, which is longevity. The Town is not going out of business, and, therefore, it can afford to make a long-term investment into a magnificent property that serves as an architectural beacon within Plymouth's historic downtown.

Deb Betz of the School Committee noted that Plymouth's parents continue to demand more access to full-day kindergarten. If the Town and School administration offices were to be moved to the 1820 Courthouse, she said, the School could operate a full-day kindergarten program at the current Town Hall facility. Ms. Betz stated her presumption that the idea of relocating the School Administration offices closer to Town, combined with the addition of more full-day kindergarten services, could potentially be well-received by the public.

Chairman Muratore asked those committees that had not yet taken an official position on the proposed concept to (a) consider taking a vote on the matter or (b) schedule a discussion at an upcoming meeting.

Margie Burgess made a motion that the School Committee support the concept of transforming the 1820 Courthouse and/or Courthouse Corridor into a centralized municipal complex. Michelle Badger seconded the vote, and the School Committee voted unanimously in favor.

On a motion by Michael Duffley, seconded by Charles Stevens, the Advisory & Finance Committee voted unanimously to support the concept of transforming the 1820 Courthouse and/or Courthouse Corridor into a centralized municipal complex.

Selectman Harnais made a motion that the Board of Selectmen support the concept of transforming the 1820 Courthouse and/or Courthouse Corridor into a centralized municipal complex. Selectman Tavares seconded the motion, and the Board voted 5-0-0 in favor.

Chairman Muratore initiated discussion on the next steps in the process of pursuing the municipal complex proposal.

Ms. Arrighi explained that she would put together an advisory team to draft an application for Community Preservation Act funds and conduct outreach on the proposed initiative. Ms. Arrighi indicated that she would work with the Finance Director to identify funding sources and potential warrant articles for the Fall Town Meeting. The Building Committee and advisory team, she said, will be called upon to assist with reviewing the feasibility study.

In response to an inquiry from Chairman Muratore, Mr. Rizzo briefly discussed the PRA's efforts to secure the 1820 Courthouse in its present condition. Currently, he said, a bid has gone out for the installation of a new fire alarm system to protect the facility. The PRA, Mr. Rizzo noted, is discussing whether to leave the building unheated throughout the year, as this may be the best method of preserving the interior.

Discussion turned to the process of procuring a feasibility study on whether the transformation of the 1820 Courthouse and/or Courthouse Corridor into a centralized municipal complex is viable. Ms. Arrighi expressed concern that there would not be enough time to include the feasibility study on the Spring Town Meeting warrant.

Finance Director Lynne Barrett noted that, with the warrant for Spring Town Meeting not yet signed by the Selectmen, there was, in fact, still time to add an article to fund the study through Special Town Meeting Article 4B. The feasibility study, she explained, could replace the \$20,000 request for the development of a Request for Proposals ("RFP") on the redevelopment of the 1820 Courthouse and Courthouse Corridor. Ms. Barrett indicated that the Capital Outlay Committee could review the article at its meeting on March 11, 2013, while the Advisory & Finance Committee could provide a recommendation on the article while still in session, following the Selectmen's meeting.

The Board discussed whether to add the feasibility study to the Spring Special Town Meeting warrant. During the discussion, Mr. Peck of the Building Committee estimated that \$75,000 may be adequate for covering the expense of the study.

Vice Chairman Mahoney made a motion to rescind the \$20,000 requested for the Courthouse RFP in Article 4B of the Special Town Meeting. Selectman Tavares seconded the motion. Following some brief discussion, the Board voted 5-0-0 in favor.

Selectman Tavares made a motion to recommend a request, via Article 4B of the Special Town Meeting, for no more than \$75,000 for a feasibility study on the concept of transforming the 1820 Courthouse and/or Courthouse Corridor into a centralized municipal complex. Vice Chairman Mahoney seconded the motion, and the Board voted unanimously (5-0-0) in favor.

Mr. Moody stated that the Advisory & Finance Committee would remain in session to discuss the newly-revised Article 4B of the Special Town Meeting.

The School Committee, Planning Board, Plymouth Redevelopment Authority, and Building Committee each voted to adjourn their respective meetings.

ADJOURNMENT OF MEETING

On a motion by Selectman Harnais, seconded by Selectman Brewster, the Board voted to adjourn its meeting at approximately 8:45 p.m. Voted 5-0-0, approved.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the March 5, 2013 meeting packet is on file and available for public review in the Board of Selectmen's office.