

~ PLYMOUTH BOARD OF SELECTMEN ~

TUESDAY, MAY 14, 2013

TOWN HALL, MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, May 14, 2013 at 6:00 p.m. at Town Hall in the Mayflower Room.

Present: Mathew J. Muratore, re-elected as Chairman
Belinda A. Brewster, newly elected as Vice Chairman
John T. Mahoney Jr.
Kenneth A. Tavares
Anthony F. Provenzano Jr.

Melissa Arrighi, Town Manager

CALL TO ORDER

Chairman Muratore called the meeting to order at 6:05 p.m.

EXECUTIVE SESSION

The Selectmen voted to enter an 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 had a detrimental effect on the negotiating position of the body. By roll call: Tavares – yes, Mahoney – yes, Brewster – yes, Provenzano – yes, and Muratore – yes.

Chairman Muratore noted that, following executive session, the Board would reconvene in open session.

RETURN TO OPEN SESSION

Chairman Muratore reconvened the meeting in open session at 7:05 p.m. and led the Pledge of Allegiance.

SWEARING-IN CEREMONY: SELECTMEN

Town Clerk Laurence Pizer presided over the swearing-in ceremony for the recently-elected Selectmen, Mathew J. Muratore and Anthony F. Provenzano Jr.

Chairman Muratore and Selectman Provenzano each took the opportunity to thank their respective families and supporters and briefly discuss any goals they have identified for the next three years of their terms.

POST-ELECTION REORGANIZATION OF THE BOARD

Mr. Tavares nominated Mr. Muratore to serve as Chairman of the Board. Mr. Mahoney seconded the nomination, and the Board voted 4-0-1 in favor. Mr. Muratore abstained from casting a vote.

Mr. Mahoney nominated Mrs. Brewster to serve as Vice Chairman of the Board. Mr. Tavares seconded the motion, and the Board voted 4-0-1 in favor. Mrs. Brewster abstained from casting a vote.

TOWN MANAGER'S REPORT

Change of Polling Hours to Accommodate Firefighter Schedules – Town Manager Melissa Arrighi informed the Board that Plymouth's firefighters have reported difficulty in getting to the polls for elections during their 24-hour shifts. As such, she said, management is working with the Town Clerk to determine if Plymouth can alter its local election polling hours to 7:00 a.m.–7:00 p.m., from its current 8:00 a.m.–8:00 p.m. hours.

Town Clerk Laurence Pizer explained to the Board that, because local elections (held on Saturdays in Plymouth) typically have a different turnout than statewide or national elections, there would likely be little adverse effect if the polls were to open and close earlier. For statewide or national elections—which take place during the workweek—however, the polling hours must remain open until 8:00 p.m., to accommodate residents who commute from out-of-town jobs. Mr. Pizer encouraged residents to contact him if the proposal to alter the local polling hours will present a hardship.

New Solid Waste Program / Pay-As-You-Throw – Ms. Arrighi reminded the public that passes for the Town's new solid waste programs for FY2014 will be available for purchase in the coming week. Ms. Arrighi sought to remind the public that participating in the Town's solid waste program has never been mandatory; residents, she said, have always had the option to utilize private hauling services, if they so choose.

New England Collegiate Baseball League – Ms. Arrighi reported that she recently met with Dave Dittmann, president of the Plymouth Pilgrims Baseball Club, to discuss the club's plans for its first minor-league baseball season in Plymouth. Opening night festivities will take place on June 7, 2013 at Forges Field, she indicated.

Recreation Programs – Ms. Arrighi announced that Plymouth's Recreation Department has issued the 2013 Department Program Guide to residents. She encouraged residents to visit www.plymouthrec.com for more information on the Recreation Department's wonderful array of programs for adults and children.

Map and Walking Guide – Ms. Arrighi was pleased to report that the final version of Plymouth’s new *Map and Walking Guide* has been finalized by the Planning Department and submitted for printing. This comprehensive guide, she noted, outlines historic sites, monuments, attractions, museums, audio tours, parks, beaches, trail maps, and parking.

Election of Planning Director as President of Old Colony Planning Council – Ms. Arrighi was proud to report that the Town’s Director of Planning & Development, Lee Hartmann, was recently elected as the 16th president of the Old Colony Planning Council (“OCPC”). The Council, which has been in existence for 46 years, provides professional support in the areas of transportation, economic development, elderly services, and land use planning for its 16 member communities.

Town Manager Evaluation and Goals – Ms. Arrighi briefly discussed the results of the Board’s evaluation of her performance as Town Manager and outlined a list of goals she is pursuing on the Board’s behalf, including business-friendly permitting, the Multi-Modal Transportation Center, the 1,000 Acres site, the 1820 Courthouse, security in the Town’s public facilities, and the FY2015 budget development process.

COMMITTEE LIAISON / DESIGNEE UPDATES

Official Visit from Plymouth, UK – Vice Chairman Brewster reminded the Board and the public that an official delegation from Plymouth, United Kingdom, will be arriving in Plymouth on May 20, 2013 to resign the Twinning Agreement between both communities. A major focus of this visit, she noted, will be the discussion of plans to involve Plymouth’s “twin city” in the 400th Anniversary Celebration.

PUBLIC COMMENT

Mike Tubin of Plymouth Pedicab provided the Board with a brief update on the status of his pedi-cab business, noting that service will begin in the downtown/waterfront district on Memorial Day from Thursday through Sunday. Mr. Tubin informed the Board that he has recently opened a pedi-cab business in the City of Cambridge, where licensing is done by a staffed Licensing Commission. The efficient permitting system used by Cambridge, he said, has inspired him to ask if there is anything the Town of Plymouth can do to make its own licensing process more expedited. Mr. Tubin offered a suggestion that the Board of Selectmen designate a staff member in the Town Manager’s Office who could approve and issue licenses on the Board’s behalf.

Paul Hapgood inquired about the status of the 1,000 Acres site and noted his observation that Bourne Road must be widened and straightened south of the power lines if any development is to occur in that area.

Kevin Doyle of Precinct 6 said that many of his constituents have contacted him with questions about the new solid waste program. Several of the questions he has received, he

said, relate to the orange bags, the six-month wait for curbside service, and the ability for residents to have continued access to the compost pile and scrap metal container at the Manomet Transfer Station. Mr. Doyle asked if there is a specific telephone number at Town Hall via which residents can ask questions about the new program.

James Benedict, chairman of the Downtown Neighborhood Watch, noted that Chairman Muratore and Police Chief Michael Botieri attended a recent meeting of the Watch, during which the group discussed a myriad of issues in the downtown/waterfront district, ranging from drugs to the noise from bars/restaurants. Mr. Benedict invited residents and business owners to attend the next meeting of the Neighborhood Watch, which will be held on June 3, 2013 at 7:00 p.m. at the Plymouth Center for the Arts on North Street. For more information on the Neighborhood Watch, Mr. Benedict encouraged residents to contact him at jimbenedict67@gmail.com.

**PUBLIC HEARING: ALL ALCOHOL RESTAURANT LIQUOR LICENSE
NOSH FOOD GROUP D/B/A NOSH TAVERN, 15 MAIN STREET EXTENSION**

Chairman Muratore opened a public hearing to consider the application for a new Annual All Alcohol Restaurant Liquor License from Nosh Food Group d/b/a Nosh Tavern, 15 Main Street Extension, Michael Morway as Manager. Prior to commencing the hearing, Chairman Muratore read a description of the premises and affirmed that notice of the hearing was given to the public in accordance with Chapter 138 of the Massachusetts General Laws.

Michael Morway of Nosh Food Group announced his intention to open a restaurant at 15 Main Street Extension. A former chef for T-Bones Roadhouse, Whiskeys, and The Pourhouse, Mr. Morway described the proposed concept for Nosh Tavern as an “upscale diner,” where he and his staff will make everything fresh, from scratch, including the condiments.

In response to an inquiry from Selectman Tavares as to whether the establishment would be more of a restaurant than a bar, Mr. Morway indicated that his experience is as a chef, not as a bar or nightclub owner.

Vice Chairman Brewster noted that Mr. Morway requested permission to remain open until 1:00 a.m., in addition to a Comprehensive Entertainment Permit for radio and television. Mr. Morway responded that he hopes to serve food into the late hours of operation, and he is also considering the idea of opening for breakfast and lunch. With regard to entertainment, Mr. Morway confirmed that he does not intend to have live music at the establishment—only TV and radio.

Selectman Provenzano inquired whether any of the establishment’s on-site managers will be equity owners in the business. Mr. Morway answered that only he and his stepfather—who will help him manage the restaurant—have ownership in the business.

Chairman Muratore opened the hearing to public comment.

James Benedict of the Downtown Neighborhood Watch noted that he spoke with Mr. Morway prior to the meeting about his plans for the restaurant establishment. Mr. Benedict indicated that he supports the granting of a liquor license to Mr. Morway, but he expressed his concern about the number of televisions that will be installed in the bar area. So many restaurant owners have come before the Selectmen with the promise that their establishment will be a family-oriented eating establishment, he said, but the end result is quite the opposite.

No further citizens came forth to speak on the liquor license application. Chairman Muratore closed the hearing to await a motion of the Board.

Selectman Mahoney made a motion to grant an Annual All Alcohol Restaurant Liquor License to Nosh Food Group d/b/a Nosh Tavern, 15 Main Street Extension, as requested by the applicant. Selectman Provenzano seconded the motion.

Selectman Tavares noted the Board's efforts to improve the character of the downtown, and, thus, he advised the applicant to consider how the installation of televisions around the bar might impact the restaurant's overall environment.

At the close of discussion, the Board voted 5-0-0 in favor of Selectman Mahoney's motion to grant an Annual All Alcohol Restaurant Liquor License to Nosh Food Group d/b/a Nosh Tavern, 15 Main Street Extension, as requested by the applicant.

On a motion by Vice Chairman Brewster, seconded by Selectman Mahoney, the Board voted to grant the following licenses to Nosh Food Group, Inc. d/b/a Nosh Tavern, 15 Main Street Extension, in conjunction with the request for a new Annual All Alcohol Restaurant License:

- Common Victualler
- Comprehensive Entertainment – Radio, TV
- Extension of Hours – 1:00 a.m.
- Early Sunday Sales – 10:00 a.m.

Issuance of the above licenses is subject to approval from the Health and Building Depts.

LICENSES

ONE DAY WINE & MALT LIQUOR LICENSE

On a motion by Selectman Tavares, seconded by Selectman Mahoney, the Board voted to grant a One Day Wine & Malt Liquor License to the following applicant, as detailed, below. Voted 5-0-0, approved.

- ❖ **Catherine Baird / Fred Astaire Dance Studio** (10 Cordage Park Circle) requested a One Day Wine & Malt Liquor License for a studio showcase to be held from 5:30 p.m. to 9:30 p.m. on May 19, 2013. Liquor liability will be in place before this license is released.

On a motion by Selectman Tavares, seconded by Vice Chairman Brewster, the Board voted to grant a One Day Wine & Malt Liquor License to the following applicant, as detailed, below. Voted 5-0-0, approved.

- ❖ **Donna Curtin / Plymouth Antiquarian Society** (126 Water Street) requested a One Day Wine & Malt Liquor License for a reception to commemorate the reopening of the Hedge House garden, to be held in the garden on the grounds of the Hedge House at 126 Water Street from 4:30 p.m. to 7:00 p.m. on June 1, 2013. Liquor liability will be in place before this license is released.

PEDI-CAB BUSINESS (RENEWAL)

On a motion by Selectman Mahoney, seconded by Vice Chairman Brewster, the Board voted to renew the following Pedi-cab Business Licenses. Voted 5-0-0, approved.

- ❖ **Plymouth Pedicab** (Michael Tubin, Owner, 4 Freedom Street) requests renewal of the following permits:
 - One Pedi-cab Business License
 - Three Pedi-cab Vehicle Licenses
 - One Pedi-cab Operator License: Michael Tubin, 4 Freedom Street

Issuance of above licenses is subject to all requisite paperwork and CORI Background Check.

PEDI-CAB OPERATOR (NEW)

On a motion by Vice Chairman Brewster, seconded by Selectman Provenzano, the Board voted to grant a Pedi-cab Operator License to each of the following applicants. Voted 5-0-0, approved.

- ❖ **For Plymouth Pedicab** (4 Freedom Street, Michael Tubin, Owner):
 - Theresa Manganello, 95 Pleasant Street, Plympton
 - Patrick McPartlin, 21 Chowdermarch Street, Marshfield

Issuance of above licenses is subject to review of the requisite CORI Background Check.

ADMINISTRATIVE NOTES

Lease Agreement for 318 Ryder Way – The Board approved and executed a *Lease Agreement* between the Town of Plymouth (as Lessor) and John Scagliarini (as Lessee) pertaining to Town-owned property at 318 Ryder Way, reflecting a lease extension of five years starting May 1, 2012 and ending April 30, 2017, with a provision for automatic renewal for an additional five years, subject to terms and conditions and provided that all payments and taxes during the previous term were paid timely.

Notice of Intent for Eel River Pedestrian Bridge – The Board granted permission to Mark Flaherty, P.E. / Flaherty & Stefani, Inc. o/b/o Edward C. Roche, owner of 120 Warren Avenue, to file a Notice of Intent with the Conservation Commission regarding a proposal to construct a pedestrian bridge over eel River to Plymouth Long Beach from Lot 6 on Map 39, Parcel ID# 039-000-006-000.

[Note: The plan submitted proposes activity on a portion of Town-owned property, and the Conservation Commission will not review the Notice of Intent until all property owners within the project's parameters have given their permission to file. The application will be subject to further review and subsequent permission/denial from both the Conservation Commission and the Board of Selectmen and/or Town Manager to conduct the proposed work – this is not an approval of the project. Approval of this administrative note simply gives the applicant permission to file the Notice of Intent with the Conservation Commission.]

Revenue Idea Task Force – The Board established a temporary “Revenue Idea Task Force” to investigate new revenue streams and find creative methods to generate revenue, as proposed by the Town Manager’s Office.

UPDATE FROM SIMES HOUSE FOUNDATION

Randy Parker of the Simes House Foundation provided the Board with a presentation on his organization’s efforts to restore the historic Simes House at 29 Manomet Point Road.

Mr. Parker listed the four phases through which the Foundation will complete the restoration and described the organization’s progress on the first phase, to-date.

Phase 1 – Exterior Stabilization

Phase 2 – Interior Restoration and Adaptive Reconstruction

Phase 3 – Layout and Landscaping of the Commons; Exterior Outbuildings; Parking

Phase 4 – Acquisition of Surrounding Properties

Mr. Parker reported that the Simes House Foundation has enlisted the expertise of historians and architects to research the 1863 structure and complete a Historic Structures Report. Such research, he explained, has helped the Foundation determine those historic elements of the home that should be preserved.

Mr. Parker displayed photographs and renderings of the Simes House to illustrate the various elements that have thus far been completed, as well as those that are planned for the future. The majority of the home will be preserved in its original form, he explained, but modifications will be made to the rear and upper sections to create residential units and office space, and to provide adequate access to the three-story structure (i.e. the installation of an elevator lift).

With regard to the property at 29 Manomet Point Road, Mr. Parker showed conceptual drawings of the proposed green space (i.e. “Manomet Commons” area) and the way by

which original concepts on the property have evolved. For example, he said, initial plans for a gazebo on the commons area have been dismissed, in favor of an outdoor barn that is more compatible with the history of the property and could be utilized as an outdoor function space. Mr. Parker noted that the final, long-term phase of the Foundation’s plans will be to acquire the surrounding properties, to expand the commons.

Mr. Parker turned the presentation over to Simes House Foundation member Will Shain, who provided the Board with budgetary figures on the funds provided to the organization and the way by which some of the funds have been expended. The \$1.5 million in funds provided by the Community Preservation Act, he said, must be spent in the following manner: \$1 million for the historic preservation of the structure, \$300,000 for the affordable housing component of the restoration/adaptive reuse, and \$200,000 for the preservation of open space (the commons area). Mr. Shain listed the expenses related to the work that has been done thus far and outlined the remaining balances in each of the three category accounts (historic preservation, affordable housing, and open space). The Foundation, he was pleased to note, was recently awarded a \$50,000 grant from the Massachusetts Historic Commission for the preservation of the Simes House.

Architect Jeffrey Metcalfe displayed renderings of the proposed layout plans for each of the Simes House’s three floors. The layouts of the first and second floors within the front section of the house will be preserved in their original state, he said. Mr. Metcalfe illustrated the modifications that will be made to the back section of the second floor and the entire span of the third floor that will allow the Foundation to create office space (second floor) and residential space (third floor). A significant addition will be made to the rear of the building, he noted, but architectural details will be utilized to blend the appearance of the addition in a manner that is compatible with the character of the historic façade.

At the close of the presentation, Mr. Parker invited the Board and the public to attend a public meeting of the Simes House Foundation that will be held on the evening of Thursday, May 16, 2013.

Members of the Board thanked Mr. Parker and Mr. Shain for the work that the Foundation has done to preserve the Simes House and create a community-oriented public space for the residents of Plymouth.

COMMITTEE ASSIGNMENTS

The Board discussed assignments to Town and regional committees. By consensus, the members agreed upon the assignments listed below *[see chart, pages 8-9]*:

COMMITTEE	DESIGNEE
400 th Anniversary Committee (liaison—not voting member)	Belinda Brewster

Capital Outlay Expenditure Committee	Anthony Provenzano Jr.
Community Preservation Committee	John Mahoney Jr.
Council on Aging (liaison—not voting member)	Mathew Muratore
Distinguished Visitors Committee	Kenneth Tavares
Extended Building Committee (PNHS Project)	CHAIR, or designee
GATRA Advisory Board	CHAIR, or designee (staff)
Industrial / Commercial Land Study Committee	Mathew Muratore Belinda Brewster
Insurance Advisory Committee (liaison—not voting member)	Ken Tavares
MBTA Advisory Board	CHAIR, or designee (staff)
Metropolitan Planning Organization	Chair, or Designee (Lee Hartmann)
Nat. Resources / Coastal Beaches (liaison—not voting member)	John Mahoney Jr.
Nuclear Matters Committee (liaison—not voting member)	John Mahoney Jr.
Old Colony Elderly Services	Chair, or Designee (Conni DiLego)
Old Colony Metropolitan Planning Organization	Chair, or Designee (Lee Hartmann)
Old Colony Joint Transportation Committee	Chair, or Designee (Sid Kashi)
Plymouth Regional Economic Development Foundation	CHAIR, or designee
Plymouth County Advisory Board	CHAIR, or designee Alternate: Ken Tavares
Plymouth 400, Inc.	Belinda Brewster
Revenue Idea Task Force	Belinda Brewster
Roads Advisory Committee	Anthony Provenzano Jr.
South Shore Community Action Council	CHAIR, or designee (staff)

OLD BUSINESS / LETTERS / NEW BUSINESS

Flagpole at Memorial Hall – Selectman Tavares inquired about the status of the repair of the flagpole at Memorial Hall, noting his concern that the work be completed by Memorial Day. Ms. Arrighi reported that she spoke with a representative of the cell tower company that leases the flagpole, who assured her that a new flag will be installed by Memorial Day.

Update on July 4th Parade and Fireworks Events – Selectman Tavares noted that July 4 Plymouth, Inc. has secured two outstanding bands—one from Ohio and another from Pennsylvania—for the July 4th parade. The committee, he said, has had some success with fundraising but must raise an additional \$55,000 to ensure the production of both the parade and fireworks festivities. Selectman Tavares indicated that the members of July 4 Plymouth, Inc. will return before the Board during its next meeting with the latest update on fundraising achievements.

Maritime Day – Vice Chairman Brewster announced that the Harbor Committee is sponsoring this year’s Maritime Day festivities on the waterfront, to be held on June 22, 2013.

Request for Presentation from Retirement Board on Pensions – Vice Chairman Brewster asked whether Tom Kelley, chairman of the Plymouth Retirement Board, could provide the Selectmen with a presentation on pensions at some point during the summer months. Such information, she said, would be helpful to the Selectmen prior to the commencement of the FY2015 budget development process.

Plymouth County FY2014 Budget / County Commissioners’ Salary – Chairman Muratore asked his colleagues on the Board to provide him with comments related to the Plymouth County FY2014 Budget, so that he may bring those comments to the Plymouth County Advisory Board meeting scheduled for May 23, 2013.

Selectman Mahoney requested that Chairman Muratore make note of any items within the County’s budget that may be related to the South Street Transfer Station. Selectman Tavares made a request for information on the proposal within the budget to increase the County Commissioners’ stipends from \$7,500 to \$15,000.

Chairman Muratore allowed comment from a member of the audience on the subject of the County’s FY2014 Budget.

Bobbi Clark stated that, in 2009, when current County Commissioner Dan Pallotta served as the chairman of the Plymouth County Advisory Board (“PCAB”), Mr. Pallotta recommended a decrease in the pay that the Commissioners received at that time, from \$28,000, annually, to zero. The State would not allow the PCAB to take such a measure, she said, as County Commissioners must receive at least \$7,500 in stipend compensation. Ms. Clark pointed out that, despite Mr. Pallotta’s efforts to eliminate compensation for County Commissioners when he chaired the PCAB, he is now calling for an increase to his own pay as a Commissioner, from \$7,500 to \$15,000.

Selectman Mahoney made a motion to advise Chairman Muratore (as Plymouth’s representative on the Plymouth County Advisory Board) to vote against any increase in pay for the County Commissioners. Selectman Tavares seconded the motion.

Selectman Tavares offered his opinion that, at a time of such fiscal restrictions and challenges, this is not the time for the County’s elected officials to give themselves an increase. County government, rather, should be focusing upon proving its worth, he said. Selectman Tavares noted that Plymouth must consider how such County budget increases impact the Town, especially during a time when municipalities have had to make a number of uncomfortable budgetary cuts.

Selectman Mahoney agreed with Selectman Tavares, calling attention to the perceived irony that Mr. Pallotta would vote to reduce the Commissioners’ pay while serving as a member of the PCAB, but call for a 200% increase while serving as a Commissioner.

The Board voted 4-1-0 in favor of Selectman Mahoney's motion to advise Chairman Muratore (as Plymouth's representative on the Plymouth County Advisory Board) to vote against any increase in pay for the County Commissioners. Selectman Provenzano voted against the motion, noting that he was not comfortable with the idea of one group of government officials weighing-in upon a matter involving another.

Chairman Muratore explained that each municipality within Plymouth County has a rightful, weighted vote upon the County Budget. Plymouth represents the second largest voting block within the County, Chairman Muratore said, so it is important that the Town have an opinion upon the budget. Selectman Tavares added that each member community is assessed taxes for a portion of the County's budget, which is why each municipality is given the opportunity to vote upon how the budget is structured.

In consideration of such information, Selectman Provenzano changed his stance and voted in the affirmative. Thus, the Board voted unanimously in favor of Selectman Mahoney's motion to advise Chairman Muratore (as Plymouth's representative on the Plymouth County Advisory Board) to vote against any increase in pay for the County Commissioners.

ADJOURNMENT OF MEETING

On a motion by Selectman Mahoney, seconded by Vice Chairman Brewster, the Board voted to adjourn its meeting at approximately 8:50 p.m. Voted 5-0-0, approved.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the May 14, 2013 meeting packet is on file and available for public review in the Board of Selectmen's Office.