

~ PLYMOUTH BOARD OF SELECTMEN ~

TUESDAY, FEBRUARY 25, 2014

TOWN HALL, MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, February 25, 2014 at 6:00 p.m. at Town Hall in the Mayflower Room.

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

Melissa Arrighi, Town Manager
Michael Galla, Assistant 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 approximately 6:45 p.m.

TOWN MANAGER'S REPORT

Advisory & Finance Committee Recommendations on FY2015 Budget – Town Manager Melissa Arrighi referenced the information that she provided to the Board in her written report regarding the recommendations that were made by the Advisory & Finance Committee on the FY2015 budget during the committee's meeting of February 19, 2014. The changes supported and voted by the A&F Committee were: *[Continued, next page]*

- \$12,998 increase to the Building Department
- \$5,123 reduction from the Town Clerk's Office
- \$7,160 reduction to life insurance and disability insurance
- \$1,564 reduction to OPEB trust funding
- \$1,500 reduction to the Animal Shelter
- \$505,000 reduction to member insurance

Ms. Arrighi noted that she and the Town's Finance Director are recommending that the Selectmen vote to approve the FY2015 budget, as recommended by the Advisory & Finance Committee.

Harbor Health Services, Inc. – Ms. Arrighi mentioned that she recently met with the President and CEO of Harbor Health Services, Inc. (“HHSI”) to discuss the company's plans to open new health care facility at Cordage Park. HHSI, she explained, is committed to providing access to quality, comprehensive health care by reducing financial barriers and designing services and programs that strengthen the towns they serve.

Revenue Idea Task Force – Ms. Arrighi was pleased to note that the Revenue Idea Task Force, chaired by Linda Benezra of the Advisory & Finance Committee, is off to a great start upon their work to identify potential new revenue sources for the Town.

Stephens Field – Ms. Arrighi reported that the demolition of—and removal of hazardous material from—the former Department of Public Works barn (a.k.a. former A.K. Finney garage) adjacent to Stephens Field will begin within the coming weeks. During the demolition and excavation activities, she said, Town vehicles will be relocated into the parking area at Stephens Field.

At 7:00 p.m., following the Town Manager's Report, Chairman Muratore led the Pledge of Allegiance.

LICENSES

ONE DAY WINE & MALT LIQUOR LICENSE*

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, for the event detailed, below. Voted 5-0-0, approved.

- ❖ **Joshua Rioux / J James Auctioneers and Appraisers** (84 Court Street) requested a One Day Wine & Malt Liquor License for an auction event to be held from 12:00 p.m. to 10:00 p.m. at Memorial Hall on April 26, 2014. Liquor liability will be in place before the 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.

SPECIAL AUCTIONEER PERMIT (NEW)

On a motion by Selectman Tavares, seconded by Selectman Mahoney, the Board voted to grant a Special Auctioneer Permit to the following applicant, as detailed, below. Voted 5-0-0, approved.

- ❖ **Joshua Rioux / J James Auctioneers and Appraisers** (84 Court Street) requested a Special Auctioneer Permit for an auction event to be held from 11:00 a.m. to 10:00 p.m. at Memorial Hall on April 26, 2014.

COMMON VICTUALLER (NEW)

On a motion by Vice Chairman Brewster, seconded by Selectman Tavares, the Board voted to approve a Common Victualler License for the following establishment. Voted 5-0-0, approved.

- ❖ **Deb-Mab Inc., d/b/a Plymouth Bay Café**, 18 Town Wharf, David Brown, President

VEHICLE FOR HIRE BUSINESS PERMIT (CHANGE OF OFFICERS)

On a motion by Vice Chairman Brewster, seconded by Selectman Mahoney, the Board voted to approve a Change of Officers for the following Vehicle for Hire Business Permit, as detailed, below. Voted 5-0-0, approved.

- ❖ **Plimoth Transportation, Inc. d/b/a Mayflower Taxi**, 166 Gunner's Exchange Road
 - Malgorzata Vecchi is the new President, Treasurer, Secretary and Director.

VEHICLE FOR HIRE OPERATOR (NEW)

On a motion by Selectman Tavares, seconded by Selectman Mahoney, the Board voted to grant a Vehicle for Hire Operator License to each of the following applicants, as listed below. Voted 5-0-0, approved.

- ❖ **For Plimoth Transportation, Inc. d/b/a Mayflower Taxi:**
 - Malgorzata Vecchi 166 Gunners Exchange Road, Plymouth
- ❖ **For Special Occasion Limousine Inc.:**
 - Richard Abbott 20 Craig Street, Plymouth

Issuance of these licenses is subject to review of CORI background check and driving record

POLE PETITION

On a motion by Vice Chairman Brewster, seconded by Selectman Provenzano, the Board voted to approve the following NSTAR Pole Petition, as detailed, below (next page), with

conditions set forth by the Engineering Department and Town Manager. Voted 5-0-0, approved.

- ❖ **NSTAR Petition 1976388** – One petition covering the installation of one new pole on Old Sandwich Road in Plymouth. This pole installation is necessary to stabilize an existing pole 877/201 that services 123 Old Sandwich Road in Plymouth.

ADMINISTRATIVE NOTES

Meeting Minutes – The Board approved the minutes of the January 14, 2014, January 28, 2014, and January 31, 2014 Selectmen’s meetings. *[Note: Vice Chairman Brewster abstained from the vote on the January 31, 2014 minutes, as she was unable to attend this particular meeting.]*

2014 Annual and Special Town Meeting Warrants – The Board approved the warrants for the 2014 Spring Annual and Special Town Meetings.

COMMITTEE LIAISON / DESIGNEE UPDATES

Council on Aging – Chairman Muratore reported that the Council on Aging is currently drafting an updated set of operational bylaws. In addition, he said, the Council will be receiving news, soon, about the results of its application for accreditation status.

Meeting with Nuclear Regulatory Commission – Selectman Tavares noted that he and Vice Chairman Brewster recently met with the U.S. Nuclear Regulatory Commission’s new regional Branch Chief for Pilgrim Nuclear Power Station (“PNPS”). The hour-long meeting was very productive, he said, and it appears that the climate of communication between the NRC and the Town has changed, for the better.

Vice Chairman Brewster indicated that, during the meeting, the NRC’s representatives reported that their staff will be performing additional inspections at PNPS over the course of the summer, to more closely monitor the aging facility. The conversation, she said, allowed her and Selectman Tavares the opportunity the ability to be very forthright about the Town’s concerns regarding the spent fuel storage pool and the emergency evacuation zone. Vice Chairman Brewster informed the Board that the NRC has assigned a new inspector at PNPS, and it is holding weekly meetings with the Massachusetts Emergency Management Agency.

Meeting with Congressman Keating’s Office – Selectman Tavares reported that he and Vice Chairman Brewster met with the Michael Jackman from Congressman Keating’s Office, following their meeting with the Nuclear Regulatory Commission. Congressman Keating and Senator Markey, he indicated, will be working collaboratively on legislation that will allow access to funds that can be used for the decommissioning of nuclear power stations that are transitioning offline.

Nuclear Matters Committee – Selectman Mahoney reported that the Town’s Nuclear Matters Committee voted to reorganize during its February 24, 2014 meeting. Richard Rothstein now serves as the chairman of the committee, he said, and Robert Morgan will serve as vice chair.

OLD BUSINESS / LETTERS / NEW BUSINESS

Nomination of Duxbury Pier Light (“Bug Light”) to National Historic Register – Chairman Muratore referenced a letter that the Board received from the U.S. Coast Guard regarding the nomination of Duxbury Pier Light (known locally as “Bug Light”) to the National Register of Historic Places. On a motion by Vice Chairman Brewster, seconded by Selectman Provenzano, the Board voted to issue a letter to the U.S. Coast Guard in support of the nomination of Duxbury Pier Light to the National Register of Historic Places. Voted 5-0-0, approved.

The Residences at Breezy Hill – Chairman Muratore reminded the Board that the Planning Department seeks comments—if any—on a Village Open Space Permit for The Residences at Breezy Hill, proposed for property on Cherry Street. The members of the Board offered no comments on the permit application.

As the hour approached 7:00 p.m., Chairman Muratore led the Pledge of Allegiance.

Moment of Silence for Former Director of Public Works – Selectman Mahoney acknowledged the passing of George Crombie, who served as Plymouth’s Director of Public Works from 2004 to 2007. Mr. Crombie, he said, was instrumental in the restructuring of the Department of Public Works (“DPW”), the restoration of Brewster Gardens, and the development of the downtown/waterfront Public Space Action Plan. The Board held a moment of silence in honor of Mr. Crombie.

JOINT MEETING: OPTIONS FOR PSHS / FEASIBILITY SCHEMATIC

SCHOOL COMMITTEE

Dennis Begley, Chairman
Michelle Badger, Vice Chairman
Debra Betz
Kim Savery Hunt
James Sorenson

EXTENDED BUILDING COMMITTEE

David Peck, Chairman
Paul McAlduff, Vice Chairman
Mathew Muratore (Selectmen)
Melissa Arrighi (Town Manager)
Gary Maestas (Superintendent)
Lynne Barrett (Finance Director)
Tom Fugazzi
Merlin Ladd III
Christy Murphy

David Peck called a meeting of the Extended Building Committee to order at approximately 7:05 p.m. Dennis Begley could not call a meeting of the School Committee to order until 7:15 p.m., at which point a legal quorum was met.

Gary Maestas, Superintendent of Schools, introduced a joint meeting of the Selectmen, School Committee, and Extended Building Committee to discuss schematic options for the feasibility phase of the Plymouth South High School (“PSHS”) construction/reconstruction project. This evening’s presentation and discussion, he said, is intended to be purely informational. Superintendent Maestas noted that, though the Massachusetts School Building Authority (“MSBA”) is seeking a decision regarding the preferred schematic design for the project, this does not mean that the Town will definitively move forth with construction.

Superintendent Maestas introduced Scott Dunlap of Ai3 Architects and Ted Gentry of Ted Gentry & Associates, who serves as the Town’s Owner’s Project Manager on the PSHS project. Mr. Gentry distributed informational packets on the presentation to the Selectmen, School Committee, and Extended Building Committee.

Mr. Dunlap of Ai3 Architects provided a brief review of the MSBA’s project funding application process, noting that the “Preferred Schematic Design Study” is the second phase within the process (the first step being the preliminary design phase). There are two options that the Town can pursue with regard to PSHS, he said: new construction or renovation.

Mr. Dunlap summarized the information provided during the previous joint meeting of November 12, 2013, at which he and his colleagues from Ai3 reported upon the structural and physical deficiencies at PSHS and the reasons why it would be so expensive to renovate the school. In addition to the structural and physical issues within and without the facility, he said, there are a number of aging operational components that must be updated at PSHS, such as the heating and electrical systems. Mr. Dunlap explained that the school was modeled to serve as a vocational—not academic—high school, and its layout was based on outdated design principles.

If approved for funding from the MSBA, Mr. Dunlap indicated, the Town could expect to receive approximately 50% reimbursement for the renovation or reconstruction of PSHS. The MSBA, he indicated, has provided its feedback to the School Department and the design team that “Option 1 – New Construction” is a more viable choice over the cost-prohibitive alternative of renovating the deficient facility. Mr. Dunlap noted that, despite the MSBA’s observations on the costs of renovation, the MSBA has asked that the Town to develop two options for renovation and expansion, for the purpose of accurately determining comparative cost assumptions.

Mr. Dunlap listed three major reasons why the renovation of PSHS is a less viable option than reconstruction:

1. The condition of the existing building
2. The demolition that would be required in order to properly renovate the facility
3. The disruption that a long-term, phased renovation would cause for the students

Mr. Dunlap displayed aerial and layout maps of the existing building and grounds to illustrate the various approaches to the improvement of PSHS: Option 1 (New

Construction), Option 2A (Renovation), and Option 2B (Expansion/Addition). Mr. Dunlap provided cost comparisons between each option:

- Option 1 (New Construction): \$107 million
- Option 2A (Renovation): \$21 million
- Option 2B (Expansion/Addition) \$114 million

Mr. Dunlap offered a general explanation of the differences in cost between each option/scenario. Specifically, he talked about the difficulties of integrating vocational facilities with academic classrooms/areas within the layout of the current facility. Mr. Dunlap reviewed a conceptual design for a newly-constructed PSHS facility, where comprehensive academic and vocational areas would be adequately laid out and connected in a manner that is consistent with modern school design concepts and technological efficiencies. While merely conceptual at this point, he noted, a preliminary design layout is required by MSBA, to demonstrate that the Town and its design team have developed the details of a new construction option to a point where the project can be adequately evaluated.

Superintendent Maestas stated his recommendation that the Town identify Option 1 (New Construction) as its preferred schematic design for submittal to the MSBA, based on the disruption and displacement that a renovation would cause to PSHS's students.

Mr. Dunlap responded to questions from the Selectmen, School Committee, and Extended Building Committee regarding the three design scenarios and the costs and construction schedules associated with each. The construction of a completely new facility, in this particular case, is estimated to be less expensive than a renovation, he explained, because the renovation of an existing, occupied building that is both structurally deficient and functionally inefficient comes with many challenges. In addition, he noted, a renovation of this kind (estimated at four years) would take longer than the construction of a new facility (estimated at two years) therefore increasing the costs of labor for the project.

Superintendent Maestas discussed the way by which the MSBA determines the capacity of students for which the school facility should be designed. There are currently 1,200 students at PSHS, he reported, but MSBA requires that the building be constructed to accommodate the projected student enrollment at the time when the school is scheduled to open—which is estimated at 1,050 students. Superintendent Maestas noted that he and the Town's Planning Director, Lee Hartmann, spoke at length with MSBA officials to explain that there are a number of development projects in-the-works that will likely add more students to the estimated enrollment numbers, but until those projects are complete, the MSBA will not factor the projected population growth into its calculations. The MSBA will require, however, that a newly-constructed PSHS be designed to accommodate an addition.

Following some brief remaining questions from the groups participating in the joint session, Chairman Muratore opened the discussion to public comment.

Patricia McCarthy of Precinct 5 encouraged the members of the Board of Selectmen,

School Committee, and Extended Building Committee to pursue a new construction option for PSHS, to avoid causing disruption to the students. The quality of the Town's schools has an effect upon the entire community, she said, as evidenced by the voters' approval of the debt exclusion that encompassed projects at both Plymouth North and Plymouth South high schools.

Steve Lydon of Precinct 12 inquired if the MSBA would reimburse the Town at the same rate for renovation as it would for new construction. Superintendent Maestas responded that, if the project is approved, the MSBA will reimburse the Town at the same rate, regardless of which option is chosen.

Seeing no further public comment, Selectman Mahoney made a motion that, having met in open session in accordance with Open Meeting Laws and having received a report from the architects relative to the Feasibility Study Preferred Schematic Study and Report, the Board of Selectmen will approve and authorize the Owner's Project Manager to submit the Feasibility Study materials, noting a preferred option of new construction ("Option 1"), for the Plymouth South High School Building Project to the Massachusetts School Building Authority for review and evaluation. Selectman Provenzano seconded the motion, and the Board voted 5-0-0 in favor.

On a motion by James Sorenson, seconded by Michelle Badger, the School Committee voted that, having met in open session in accordance with Open Meeting Laws and having received a report from the architects relative to the Feasibility Study Preferred Schematic Study and Report, the School Committee will approve and authorize the Owner's Project Manager to submit the Feasibility Study materials, noting a preferred option of new construction ("Option 1"), for the Plymouth South High School Building Project to the Massachusetts School Building Authority for review and evaluation. Voted 5-0-0, approved.

On a motion by Paul McAlduff, seconded by Chairman Muratore, the Extended Building Committee voted that, having met in open session in accordance with Open Meeting Laws and having received a report from the architects relative to the Feasibility Study Preferred Schematic Study and Report, the Extended Building Committee will approve and authorize the Owner's Project Manager to submit the Feasibility Study materials, noting a preferred option of new construction ("Option 1"), for the Plymouth South High School Building Project to the Massachusetts School Building Authority for review and evaluation. Voted 9-0-0, approved.

Seeing no objection from their respective committee members, Mr. Begley and Mr. Peck adjourned the meetings of the School Committee and Extended Building Committee.

PUBLIC COMMENT

Plymouth resident Dave McGraw invited the Board of Selectmen to join him for a tour of Rising Tide Charter School. As the parent of a child who is enrolled in Rising Tide, Mr. McGraw indicated that he would like to see more collaboration between the Town and the

charter school. The school, which currently serves students in grades 5-11 from 19 surrounding towns, is producing great academic results amongst its 513 enrollees (80% of whom are from Plymouth). Mr. McGraw briefly discussed the approach that the school takes to provide and expand upon the strong skill base of its students. Rising Tide recently purchased its middle school facility and has plans for expansion, he reported, but the school does not have extracurricular amenities. As the school looks to expand its athletic and performing arts programs, Mr. McGraw explained, administration seeks to utilize such facilities, on a leased basis, from the Town. As such, Mr. McGraw invited the Board of Selectmen and Town Manager to attend a tour of Rising Tide Charter School on March 14, 2014.

2014 SPRING ANNUAL TOWN MEETING ARTICLES

SPECIAL ARTICLE 9

To see if the Town will vote to accept the provisions of M.G.L., Chapter 64L, Section 2 (a) authorizing the imposition of a local excise tax in the statutory amount of 0.75 percent on the sale of restaurant meals originating within the Town, and authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation to establish a “1820 Courthouse Fund.” The revenues from said tax shall be placed in the Fund, which shall be dedicated in its entirety to the construction, demolition, renovation, operation, and related costs, of the 1820 Courthouse and associated properties. Said local excise tax shall terminate on June 30, 2040 unless otherwise extended by a vote of Town Meeting or to take any other action relative thereto.

BY PETITION: Paul Withington, et al

Paul Withington, a voter of Precinct 4 and appointed member of the Community Preservation Committee and the Conservation Commission, presented his petitioned article to enact the Local Option Meals Tax as a source of revenue for the proposed 1820 Courthouse / Municipal Center project. Mr. Withington cited the way by which the State of New Hampshire has capitalized on revenue from out-of-state visitors—most of whom are from Massachusetts—through highway tolls, state-operated liquor stores, and a meals tax. Essentially, he said, New Hampshire collects millions of dollars in revenue from visitors that do not place the same demand upon tax-funded services as do its residents (i.e. schools, police & fire, infrastructure, etc.). Mr. Withington expressed his belief that, as Plymouth considers pursuing a major project that will improve the downtown and benefit the entire community, the Meals Tax is a low impact but high-yield means of funding such an initiative, without placing the burden on taxpayers.

Helen “Cookie” Zaniboni, resident of Precinct 2 and fellow petitioner of Special Article 9, spoke in favor of implementing the Meals Tax for the purpose of funding the 1820 Courthouse / Municipal Center project. Ms. Zaniboni, who noted that she was raised in a house on Russell Street near the historic Courthouse, praised the merits—but acknowledged the expense—of the project. As a senior on a fixed income, she and many residents who support the project would much rather keep the expense of the project off the tax rolls, she said. By enacting the Meals Tax, Ms. Zaniboni explained, the expense of the project can be largely offset by the hundreds of thousands of people who visit Plymouth each year.

Patricia McCarthy of Precinct 5 spoke in favor of Special Article 9. As a nine-year member of the Plymouth Center Steering Committee, Ms. McCarthy indicated that she worked on the Master Plan for the downtown village center. One of the goals in the Master Plan, she said, was to promote the interaction of citizens, tourists, and businesses in the downtown/waterfront district. Ms. McCarthy stated her belief that the annexation of a new Town Hall to the historic and centrally-located 1820 Courthouse will support the revitalization of the downtown and the goals identified in the Master Plan. The Meals Tax, she stated, is a cost-effective way of funding nearly the entire expense of project. Ms. McCarthy reported that 172 communities in Massachusetts have adopted the Meals Tax, including Weymouth (for public parks), Hingham (for special projects), and Kingston (for the configuration of its municipal transfer station).

Enzo Monti, life-long resident of North Plymouth and fellow petitioner of Special Article 9, stated his belief that the Meals Tax will have no adverse impact upon local restaurants. The (proposed) 0.75% local option increase to the existing 6.25% State Meals Tax is not significant enough to drive business elsewhere, he said, as evidenced by the number of communities that have successfully implemented the tax. Mr. Monti echoed Ms. Zaniboni's comments that there are many residents who support the project but who would rather have the expense funded through a dedicated, optional Meals Tax than on their residential property taxes. If the influx of visitors for the Town's 400th Anniversary is as significant as predicted, he added, the revenue collected through the Meals Tax could potentially pay-down the project sooner than planned.

Ms. Arrighi and the Town's Finance Director, Lynne Barrett, provided a brief presentation on the Meals Tax and the projected amount by which the tax could offset the expense of the 1820 Courthouse / Municipal Center project. The Local Option Meals Tax, Ms. Arrighi explained, is a tool that the Commonwealth has provided to cities and towns as an additional means of revenue. The Local Option, she reported, allows municipalities to collect an additional 0.75% over the existing 6.25% Meals Tax that is collected and retained by the state.

Ms. Barrett listed conservative projections on the amount of revenue that Plymouth could likely expect to collect each year through the Meals Tax (if approved), based on actual figures supplied to cities and towns by the Department of Revenue. Special Article 9, she explained, proposes to utilize the revenue collected from the Meals Tax solely for the 1820 Courthouse / Municipal Center project. Estimated at a cost of \$35 million, Ms. Barrett stated, the 1820 Courthouse / Municipal Center project would have a cumulative impact to the average taxpayer of \$1,800 (an average of \$72 per year over the 25-year lifespan of the debt service). If the Meals Tax is approved as a dedicated funding source for the project via Special Article 9, the impact of the project to the average taxpayer over the 25-year lifespan of the debt service would be \$200-370 (an average of \$15 per year). Ms. Barrett pointed out that, if the revenue collected through the Meals Tax is higher in actuality than her conservative projections, the aforementioned impact of the project on Plymouth's taxpayers will be lessened.

Ms. Barrett displayed graphs depicting the estimated impact of the 1820 Courthouse / Municipal Center project on the average taxpayer and the Town's debt service ratio, with

and without the Meals Tax. If the Meals Tax is enacted, she noted, the revenue from the tax would cover the initial first- and second-year expenses of the project, with no impact to the taxpayer. From there, she explained, the Town can apply borrowing strategies that will reduce debt on the project and maximize the actual revenues collected through the Meals Tax. Ms. Barrett reiterated that her projections and estimations represent a conservative, worst-case scenario; in the likelihood that the Town collects more money through the Meals Tax than projected, the impact to the taxpayer and the debt incurred on the project will be reduced.

Ms. Arrighi and Ms. Barrett responded to questions from the Board regarding the financial impact of the 1820 Courthouse / Municipal Center project, and the way by which the Meals Tax could offset the expense of the proposal. In response to an inquiry from Chairman Muratore, Ms. Arrighi noted that it may be best for the Moderator to structure Town Meeting in a way by which the Meals Tax (Article 9 of the Special Town Meeting) is heard before the 1820 Courthouse / Municipal Center project (Article 10 of the Annual Town Meeting), to avoid a situation whereby the Meals Tax is approved for the project, but the project, itself, is not approved. In such a situation, Ms. Arrighi said, the Town could legally go forth with collecting the Meals Tax revenue, but this would not honor the intent of the article.

Following some brief remaining discussion as to the order in which the Courthouse-related articles could be heard during Town Meeting, Chairman Muratore opened the discussion to public comment.

Robert Alford noted that the public has rejected Town Meeting's approval of the Local Option Meals Tax in the past, and, thus, the will of the voters should be considered. When asked by Chairman Muratore if he would rather have the 1820 Courthouse project funded through property taxes or the Meals Tax, Mr. Alford quipped that he would rather have the Selectmen consider a split tax rate that would shift the property tax burden to businesses, since the project will purportedly benefit downtown businesses.

Robert Spencer of Precinct 1 expressed concern that the Town might not collect as much money through the Meals Tax as it has projected, based on the seasonal nature of Plymouth's tourism influx. The Meals Tax, he said, may also discourage some residents from dining out, if the additional tax proves to be too expensive.

Everett Malaguti III of Precinct 1 questioned whether there was a means of determining what percentage of restaurant patrons are from out-of-town. In addition, he asked whether the sunset clause within Special Article 9 was legal. Mr. Malaguti stated that there may be those who simply do not want to pay for a project that they do not support, whether through property taxes or through the Meals Tax.

Donna Curtin of Precinct 3 expressed enthusiastic support for the institution of a Meals Tax to fund the cost of the 1820 Courthouse / Municipal Center project. This proposal, she said, does not place any mandate on residents, as it is a choice to dine out. The impact of the 0.75% Meals Tax on a ten dollar lunch is 7 cents, she indicated, which, in her opinion, will not discourage a person of average means like herself from dining out. Ms.

Curtin acknowledged that the voters have rejected the Meals Tax in the past, but, in those instances, the funding was not dedicated to a specific use as defined or worthy as the 1820 Courthouse / Municipal Center project. The Meals Tax, she said, is a low-impact means of funding a once-in-a-lifetime opportunity that will benefit Plymouth's residents, visitors, and businesses, alike. To those who object to a Meals Tax, Ms. Curtin offered her recommendation that the 0.75% charge be viewed not as a tax but as a small "tip" for the betterment of the community in which they live.

Steven Striar expressed opposition to the manner in which he believes the proposal has been forced upon Plymouth's taxpayers. The community, he said, should first decide whether the municipal center proposal is, in fact, the best use of the 1820 Courthouse site, before asking the voters to approve a Meals Tax funding mechanism.

Seeing no further public comment, Selectman Tavares made a motion to recommend Article 9 of the 2014 Special Town Meeting. Selectman Mahoney seconded the motion.

Vice Chairman Brewster sought to acknowledge the concerns raised by those who question the ability of Plymouth's taxpayers to shoulder the cost of the 1820 Courthouse / Municipal Center project, whether through property taxes or through a Meals Tax. If Town Meeting approves the project, she said, it is her hope that the Meals Tax is approved as the funding mechanism.

Selectman Provenzano noted the difficulty in considering the imposition of any new tax but acknowledged his observation that consumption taxes are typically the most palatable, especially in this case, where the majority of taxes collected will be from out-of-town visitors. Because the petitioner of Special Article 9 has assigned the sole use of the revenue collected through the Meals Tax to an initiative as significantly important as the 1820 Courthouse / Municipal Center proposal—and because there is a sunset clause assigned to the tax—he will support the recommendation of Article 9 to the Special Town Meeting.

Selectman Tavares pointed to the significant residential and commercial growth that Plymouth has experienced over the last 25-30 years as a major factor contributing to the need for a new Town Hall. The opportunity to unite a new municipal facility with the historic 1820 Courthouse has presented itself, he said, and Plymouth, as a destination, should take advantage of the Meals Tax as a means of capitalizing on a project that will not only satisfy the need for a new facility but will stand as a proud symbol of the community.

Selectman Mahoney described the Meals Tax proposal as a visionary means of funding a project of major significance that will serve as a central anchor of activity in the downtown, all without raising the taxes on Plymouth's residents and businesses. Plymouth's elected leaders, he said, have the responsibility to make such investments for the benefit of the community, and for that reason, he will support Special Article 9.

At the close of discussion, the Board voted 5-0-0 in favor of Selectman Tavares' motion to recommend Article 9 of the 2014 Special Town Meeting.

ARTICLE 32

To see if the Town will vote to limit storage of nuclear waste within the municipal boundaries to only that nuclear waste generated at the Pilgrim Nuclear Power Station, the storage of which complies with applicable Town by-laws. This Article is consistent with the U.S. Nuclear Regulatory Commission (NRC) rules in 10 Code of Federal Regulations, Section 72.212 which say that the NRC general license allowing Entergy Nuclear Generation Company to possess spent fuel at the site of the Pilgrim Nuclear Power Station is limited to such fuel generated at Pilgrim. This Article is intended to promote the most appropriate use of land throughout the Town in accordance with the comprehensive plan, to preserve and increase the Town’s amenities, including its unique visual quality and historic character, its recreational, aesthetic, ecological, and natural resource qualities, and its water quality and quantity, and to conserve the value of land and buildings, or to take any other action relative thereto.

BY PETITION: Heather Lightner, et al

Chairman Muratore sought to inform the public that Article 32 cannot be legally acted upon. Therefore, he said, the Moderator will not hear Article 32 on Town Meeting floor.

ARTICLE 33

To see if the Town will vote to urge all town officials to use their best efforts to ensure that nuclear waste is removed from wet pool storage at the Pilgrim Nuclear Power Station to dry cask storage as soon as technologically possible. This Article is intended to promote the most appropriate use of land throughout the Town in accordance with the comprehensive plan, to preserve and increase the Town’s amenities, including its unique visual quality and historic character, its recreational, aesthetic, ecological, and natural resource qualities, and its water quality and quantity, and to conserve the value of land and buildings, or to take any other action relative thereto.

BY PETITION: Heather Lightner, et al

Chairman Muratore indicated that, similar to Article 32, Article 33 cannot be legally acted upon. Therefore, he said, the Moderator will not hear Article 32 on Town Meeting floor.

In response to a request from the audience, Chairman Muratore allowed a question regarding Article 33. Meg Sheehan asked if the Board’s positive recommendations for Articles 32 and 33 (voted during the Selectmen’s meeting of January 28, 2014) still stand, despite the fact that the language for both articles has been ruled out of order. By a show of nods, the Board responded informally to Ms. Sheehan’s question in the affirmative.

ARTICLE 9 – CAPITAL PROJECTS: SOUTH STREET METHANE MITIGATION

B1	Town Manager	Police Station Methane Mitigation Project
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David Gould, Director of Marine & Environmental Affairs, provided the Board with a presentation on one of the items proposed within Article 9 of the 2014 Spring Annual Town Meeting. Item B1 of Article 9, Mr. Gould explained, represents a request for \$1,635,000 in funding to address methane migration from the former landfill site at the South Street Transfer Station.

Mr. Gould displayed aerial maps to illustrate the perimeter of the closed landfill and its proximity to the Plymouth Police Station. Following a Comprehensive Site Assessment, he

said, it has been determined that municipal solid waste (“MSW”) from the former landfill exists under a portion of the rear parking lot at the Police Department.

Mr. Gould provided a history of the South Street Landfill / Transfer Station site, which the Town has leased from Plymouth County since 1942. The land, he said, was used as an “open-burn” dump from 1942-1868, followed by use as a landfill for MSW from 1968-1973. Mr. Gould indicated that, in 1973, the landfill was “capped” according to the applicable regulations that were in effect at the time, and the Town’s Transfer Station was established on the capped site.

In July of 2001, Mr. Gould informed the Board, elevated concentrations of methane were detected within the Plymouth Police Station, triggering an Immediate Response Action Plan that led to the sealing of the station’s foundation and the installation of a passive landfill gas recovery system on the east side of the building. Methane, Mr. Gould explained, is an odorless, colorless, and flammable (in enclosed spaces) gas that is considered to be a contaminant of concern. Since the actions taken in 2001 to address the methane migration into the Police Station, there have been no detections of methane within the facility, but elevated concentrations have been identified in the catch basins of the Police Department’s rear parking lot and areas south of the Transfer Station during quarterly monitoring activities.

Mr. Gould provided a detailed description of the work that will be undertaken with the funding requested via Article 9 to address the gas migration issue through the proper excavation and re-capping of the landfill on the Town’s property (the Police Station / parking lot). The Massachusetts Department of Environmental Protection (“DEP”) has reviewed and issued its support for the Town’s proposed solution to the problem, he noted.

Mr. Gould responded to several technical questions from Selectman Mahoney about the mitigation project and the use of ground-penetrating radar to determine the areas where MSW exists or has migrated. Mr. Gould noted that the professional study performed on the site has indicated that the outer boundary of the MSW in the former landfill is further away from the Police Station than originally anticipated. While the mitigation project is expected to resolve the issues of methane migration on the Town’s property, Mr. Gould said, monitoring systems will remain in place to ensure that there is no threat to humans.

Chairman Muratore recognized the presence of Plymouth County Commissioners Dan Pallotta and Greg Hanley. Upon inquiry from Chairman Muratore, Commissioners Pallotta and Hanley indicated that they did not have any questions about the proposed project. Chairman Muratore then opened the discussion to public comment.

Keven Joyce, Town Meeting Representative from Precinct 15, made a recommendation that the Town consider the use of the Meals Tax to fund the \$1.6 million cost of the South Street Methane Mitigation Project.

Rich Rothstein questioned whether the Town has anticipated the potential for release of volatile organics during the course of the excavation work. Mr. Gould indicated that the Town and its hired professional engineers will monitor the project and ensure that all

construction safety precautions are utilized while work is underway around an actively used facility (the Police Station).

County Commissioner Dan Pallotta referenced a letter that the County received from the Town Manager and inquired about the Town's interest in utilizing County property for trommeling activities (separating excavated MSW from the soil) during the mitigation project. Commissioner Pallotta asked that the Town provide detailed notice of its plans, so that the County can consider whether it will allow the activity on its property. Mr. Gould ensured that he will provide the County with the details of the proposed activity, once the information has been finalized and is available.

Steve Lydon expressed concern about the \$1.6 million cost to the Town for the project, noting his observation that half of the MSW that has migrated from the landfill was likely generated by the County.

Robert Spencer stated that the work proposed by Mr. Gould must be done to protect the employees at the Police Station, but he offered his belief that the Town never should have built a facility adjacent to a former landfill.

At the close of discussion, Chairman Muratore indicated that the Board would vote on the South Street Methane Mitigation Project as part of Article 9 of the 2014 Annual Town Meeting.

ARTICLE 3

To see what action the Town will take under the provisions of G.L. c.44, §53E 1/2 regarding the establishment, annual re-authorization or renewal as the case may be of revolving funds, or take any other action relative thereto.

BOARD OF SELECTMEN

Finance Director Lynne Barrett informed the Board that Article 3 is the standard annual article through which the Town reauthorizes its revolving accounts. Ms. Barrett referenced the list of revolving accounts provided in the Selectmen's meeting packets, noting that all revolving accounts from the previous year are proposed for reauthorization, with the addition of one new account for custodial details. Ms. Barrett made mention of the Community Preservation Committee's request for a new revolving account associated with the 1820 Courthouse / Municipal Center Project (Article 16A), for which the Board has already given its recommendation..

On a motion by Selectman Tavares, seconded by Selectman Mahoney, the Board voted to recommend Article 3 of the 2014 Spring Annual Town Meeting. Voted 5-0-0, approved.

SPECIAL ARTICLE 1

To see if the Town will vote to amend the Classification and Compensation Plans and the Personnel By-Law and Collective Bargaining Agreements contained therein, or take any other action relative thereto.

BOARD OF SELECTMEN

Ms. Arrighi explained that Special Article 1 represents the Joint Labor Management Committee (“JLMC”) award related to the collective bargaining agreement for the Firefighters’ Union (IAFF Local 1768). The funding necessary to satisfy the award of the contract for the period of July 1, 2012 through June 30, 2015, she explained, will be included in the Finance Director’s recommended changes to Article 7A (FY2015 Budget).

Ms. Arrighi provided a brief presentation on the JLMC arbitration process that is made available to public safety-related collective bargaining units. She reviewed an outline of the negotiation process, noting that the length of time necessary to settle a contract can vary between each bargaining unit. If an impasse is reached during negotiations, Ms. Arrighi explained, all of the Town’s groups have the option of mediation, but the public safety groups (Police and Fire) have the option to enter the JLMC arbitration process.

Selectman Provenzano resumed the presentation with more specific information on the JLMC process, which, he said, is allowed under Chapter 589 of the Acts of 1987. He provided a review of the negotiations between the Town and the Firefighters’ union and listed the specific awards granted within the collective bargaining agreement by the JLMC panel. Several of the awards within the agreement related to Cost-of-Living-Adjustments (“COLA’s”) and salary step adjustments that would establish parity between Plymouth’s positions and similar positions in comparable communities.

Ms. Arrighi discussed the financial impact of the collective bargaining agreement awarded to the Firefighters’ union by the JLMC. While Special Article 1 is the vehicle through which the awarded collective bargaining contract will be approved by Town Meeting, she said, Special Article 1A will fund the contract changes for Fiscal Years 2013 (\$121,628) and 2014 (\$369,402). The changes needed for FY2015 (\$625,779) will be addressed within Article 7A of the Annual Town Meeting. Ms. Arrighi noted that money originally allocated for the Stabilization Fund will be utilized to fund Special Article 1A.

Selectman Provenzano discussed some of the other significant provisions awarded by the JLMC with regard to jury duty, required notice of sick time, and the circuit breaker provision related to the firefighters’ 24-hour shifts and the average use of sick time. The circuit breaker provision, he explained, was originally put in place to address the Town’s concern that the establishment of 24-hour shifts and the use of sick time could create shift management challenges. When the established limit on average sick time was exceeded by the department during the past year, Selectman Provenzano indicated, the Town notified the Firefighters union of the violation of the circuit breaker language and the resultant ability of the Town to retract the 24 hour shifts. The JLMC award, he said, maintains the 24-hour shifts and increases the per-firefighter sick-time average from 7.5 days to 8 days.

Ms. Arrighi indicated that the Cost-of-Living Adjustments awarded in the JLMC’s decision may affect negotiations with the Town’s other collective bargaining units, some of which have already settled for a lower COLA. Within the contracts that have already been bargained and settled, she explained, are ‘me-too’ clauses that reopen negotiations if another unit is awarded a higher COLA. The Board, she said, could sponsor an article during the Fall Town Meeting to award comparable COLA’s to the bargaining units that

have already settled. Ms. Arrighi offered her recommendation that the Board vote to approve Special Article 1, Special Article 1A, and Article 7A.

Chairman Muratore opened the discussion to public comment.

Richard Serkey of Precinct 2 expressed his opposition to funding the proposed articles related to the JLMC award. For too long, he said, Town Meeting has approved the Town's collective bargaining contracts without ever questioning the contents of such agreements. Mr. Serkey discussed his observations of the disparities between public sector salaries and benefits, as compared to those in the private sector. He highlighted some of the provisions awarded to the Firefighters' union within the JLMC decision and speculated whether such generous provisions exist in the private employment realm. Mr. Serkey questioned why the Firefighters' union would be opposed to random alcohol and drug testing, and he questioned, further, why the JLMC would uphold the firefighters' position on this matter. The financial impact of the JLMC's award is substantial, he noted; if municipalities do not lessen the disparity between public and private salaries and benefits, he said, many communities may be headed for financial ruin. Mr. Serkey encouraged the Town's elected leaders to send a message to the JLMC that Plymouth's pockets are not as deep as they might assume.

Cory Patterson argued that the dangerous work done by firefighters and police officers cannot be compared to that of private sector employees. The job requirements of firefighters and police officers, she said, require them to risk their lives. Ms. Patterson offered her estimation that any public safety employee who earns more than \$100,000 per is likely working much more than 40 hours per week.

On a motion by Vice Chairman Brewster, seconded by Selectman Provenzano, the Board voted to recommend Article 1 of the 2014 Special Town Meeting. Voted 5-0-0, approved.

SPECIAL ARTICLE 1A

To see if the Town will vote to transfer from Free Cash to Salary Reserve the sum of \$491,000 for the purpose of funding the Joint Labor Management Committee (JLMC-12-2380) award for the Firefighters (Local 1768, IAFF) for the previous fiscal year 2013 and current fiscal year 2014, or take any other action relative thereto.

BOARD OF SELECTMEN

[See discussion on Article 1, Pages 15-17.]

On a motion by Vice Chairman Brewster, seconded by Selectman Provenzano, the Board voted to recommend Article 1A of the 2014 Special Town Meeting. Voted 5-0-0, approved.

ARTICLES 7A - E

ARTICLE 7A: To see what action the Town will take to provide a reserve fund and to determine what sums of money the Town will raise and appropriate, including appropriations from available funds,

toward defraying charges and expenses of the Town, including debt and interest, for the ensuing twelve month period beginning July 1, 2014, or take any other action relative thereto.

ARTICLE 7B: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the water enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2014, or take any other action relative thereto.

ARTICLE 7C: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the sewer enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2014, or take any other action relative thereto.

ARTICLE 7D: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the solid waste enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2014, or take any other action relative thereto.

ARTICLE 7E: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the airport enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2014, or take any other action relative thereto.

BOARD OF SELECTMEN

Ms. Barrett informed the Board that Articles 7A-7E represent the Town’s FY2015 Budget. In consideration of the changes made by the Advisory & Finance Committee and the Board’s vote to recommend Articles 1 and 1A of the Special Town Meeting, Ms. Barrett provided her advisement that the Board vote to recommend the FY2015 Budget at \$186,265,779.

On a motion by Selectman Provenzano, seconded by Selectman Tavares, the Board voted to recommend Articles 7A-7E of the 2014 Spring Annual Town Meeting, as recommended by the Town’s Finance Director. Voted 5-0-0, approved.

ARTICLE 8

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the repair and/or purchase and/or lease and/or replacement of departmental equipment for the various departments substantially as follows:

A	Procurement	B&W and Color Digital Duplicator (*)
B	Information Tech.	Fiber Replacement at South Elementary School (*)
C	Town Clerk	Agenda Software
D	Police	Marked Cruisers (*)
E	Police	Marked Utilities (*)
F	Police	Marked K-9 (*)
G	Police	Marked 4x4 (*)
H	Fire	Station Maintenance for 7 Stations (*)
I	Fire	Self Contained Breathing Apparatus Cylinders (*)
J	Fire	Automatic External Defibrillator (*)
K	Fire	Portable Radios (*)
L	DPW-Operations	Engr - Autocad Training
M	DPW-Operations	Highway - Trenching Bucket for Mini-Excavator

N	DPW-Operations	Highway - Skid and Tank for Existing Vehicle
O	DPW-Operations	Highway - Steel Road Plates
P	DPW-Operations	Highway - HD Brush Mower
Q	DPW-Operations	Maint - HEPA Vacuum/Dust Collector
R	DPW-Operations	Maint - Pressure Washer (*)
S	DPW-Operations	Maint - Energy Efficient Replacement Light Bulbs
T	DPW-Operations	Maint - Police Shift Commander Office(*)
U	DPW-Operations	Maint - Police Carpet Repairs at Various Locations (*)
V	DPW-Operations	Fleet Maint - Hand Tools and Jack
W	DPW-Operations	Fleet Maint - Air Jack System
X	DPW-Operations	Fleet Maint - Fire Proof Cabinet
Y	DPW-Operations	Fleet Maint - Topside Creeper
Z	DPW-Operations	Fleet Maint - Vacuum Coolant Exchanger
AA	DPW-Operations	Fleet Maint - Smart Wash Brake Wash
BB	Marine & Env. Affairs	Access Floats II (*)
CC	Marine & Env. Affairs	Bullet Proof Vests (*)
DD	Marine & Env. Affairs	Online Mooring System
EE	Marine & Env. Affairs	Harbor Master Building Energy Efficiency Upgrades (*)
FF	DPW-Solid Waste	4 Yd. Rear Load Containers
GG	DPW-Solid Waste	8 Yd. Rear Load Containers
HH	DPW-Utilities	Sewer - Automatic Portable Sampler (*)
II	DPW-Utilities	Sewer - Underground Sewer Line Locator
JJ	DPW-Operations	Crematory - Electric Hydraulic Lift Table (*)
KK	DPW-Operations	Cemetery - 54" Rear Discharge Mower (*)
LL	DPW-Operations	Cemetery - Cab for Toro Utility Vehicle
MM	DPW-Operations	Cemetery - Replacement Parts (*)
NN	DPW-Operations	Cemetery - Weed Wackers (*)
OO	DPW-Grounds & Rec	Parks - 61" Rear Discharge Mower (*)
PP	DPW-Grounds & Rec	Parks - Splashpad Controller (*)
QQ	DPW-Grounds & Rec	Parks - Manomet Irrigation Repair (*)
RR	DPW-Grounds & Rec	Parks - 16' Landscape Trailer (*)
SS	DPW-Grounds & Rec	Parks - Manomet Irrigation Filter
TT	DPW-Grounds & Rec	Parks - Weed Wackers (*)
UU	DPW-Grounds & Rec	Parks - Bleacher Planks(*)
VV	DPW-Grounds & Rec	Parks - Park Bench & Receptacles (*)

or take any other action relative thereto.

BOARD OF SELECTMEN

Ms. Barrett informed the Board that Article 8 represents departmental requests for equipment, furnishings, and repairs that do not fall within capital outlay guidelines. The Town Manager, she said, has reduced the initial total of requests (\$885,261) to \$629,828. Ms. Barrett explained how Article 8 will be funded from retained earnings and Free Cash.

On a motion by Selectman Tavares, seconded by Selectman Mahoney, the Board voted to recommend Article 8 of the 2014 Spring Annual Town Meeting. Voted 5-0-0, approved.

ARTICLE 9

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of

departmental buildings and/or equipment and/or capital facilities for various departments of the Town and/or for feasibility and other types of studies as follows:

Project #	Department or Sponsor	Project Description
A1	Fire Department	Upgrade Scott Face Pieces per NFPA Regulations
A2	Fire Department	Replace Structural Firefighting Gear
A3	School Vehicle & Equipment	2 Athletic School Buses
A4	Fire and Police Departments	Public Safety Microwave Network
A5	Information Technology	Fiber for Emergency Operations Center
A6	Marine & Environmental Affairs	Repairs to Town Wharf
A7	School Bldg	Hedge Roof Repairs
A8	School Bldg	Mt. Pleasant Roof Repairs
A9	School Bldg	PSHS - Replace Exterior Doors
A10	School Bldg	Nathaniel Morton - Replace Windows
A11	School Bldg	Facility Services - Replace Windows
A12	School Bldg	Cold Spring - Replace Ceiling Tile
A13	DPW Operations - Maintenance	Fire Station 1 Drainage Project
A14	DPW Operations - Maintenance	Town Hall Repairs
A15	DPW Operations - Maintenance	Lube Pit Decommissioning & Lift Replacement
A16	DPW Operations - Maintenance	Replace 1998 Excavator
A17	DPW Operations - Maintenance	Replace H349 Vactor Truck
A18	DPW Operations - Maintenance	HY – Purchase Street Sweeper
A19	DPW Operations - Maintenance	HY – Purchase Compact Track Loader
A20	DPW Operations - Maintenance	MEA –Replace 1997 4WD Pickup Truck
A21	DPW Operations - Maintenance	MT - Underground Storage Tank Compliance and Upgrades
A22	DPW Operations - Maintenance	PK – Replace 1999 Dump Trunk
A24	Library	Climate Control Unit Bartlett History Room
A24	Fire Department	Rehab and Corrosion Repairs Engine 4
A25	Fire Department	Rehab and Repairs to Brush Breaker 179
A26	Fire Department	Remove and Replace Underground Tanks Station 5
A27	DPW - Engineering	Public Roads Pavement Preservation
A28	DPW - Grounds/Rec-Parks & Forestry	Resurface Nelson Park and Erosion Repairs
A29	Information Technology	Police Technology Upgrades
A30	DPW - Grounds/Rec-Parks & Forestry	Replace Wooden Foot Bridge at Brewster Garden
A31	DPW Utilities (Sewer)	Winter Street Pump Station Replacement
A32	DPW Utilities (Sewer)	Sewer System Upgrade
A33	DPW Utilities (Water)	Engr Study and Performance Testing New Wells
A34	DPW Utilities (Water)	Replace W47 2008 Ford F350
A35	DPW Utilities (Water)	SCADA System Upgrades
A36	DPW Utilities (Water)	Water Infrastructure Improvements
A37	DPW Utilities (Water)	Contaminated Soil Removal From 169 Camelot Dr.
A39	Airport	Aviation Fuel Farm
A40	DPW (Solid Waste)	Replace 2003 Front End Loader
B1	Town Manager	Police Station Methane Mitigation Project
B2	DPW Admin	Waterfront Promenade Design
B3	Marine & Environmental Affairs	Plymco Dam Removal Project
B4	DPW - Engineering	South St./Sandwich St. Signal Installation
B5	DPW Utilities (Sewer)	Warren Avenue Sewer Extension (Design)
B6	DPW Utilities (Water)	Samoset Tank Restoration

or take any other action relative thereto. BOARD OF SELECTMEN

Ms. Barrett reported that Article 9 represents the Town’s proposed capital outlay expenditures. Referencing the list of projects included within the article language (see

chart, above) and the Town Manager's ranking of projects in order of priority, Ms. Barrett provided a brief review of the sources that would be utilized to fund Article 9.

The Board posed questions and offered comments to Ms. Arrighi and Ms. Barrett regarding the projects proposed within Article 9. During the discussion, Vice Chairman Brewster expressed her opposition to the use of Certified Free Cash for other projects or expenses, noting her belief that Free Cash should be returned to the taxpayers in the form of a tax or budget reduction.

Ms. Barrett offered a brief explanation of the way by which Free Cash is used by municipalities to close the gap between local receipts and what must be raised in taxes. Free Cash, she explained, is not necessarily a product of over-budgeting; in some cases, Free Cash results from unanticipated savings and local receipts.

Following some remaining discussion on the use of Free Cash, Selectman Provenzano made a motion to recommend Article 9 of the 2014 Spring Annual Town Meeting. Selectman Mahoney seconded the motion, and the Board voted 4-1-0 in favor. Vice Chairman Brewster cast the opposing vote.

ARTICLE 14A

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to the following Stabilization Funds, as authorized by the provisions of G.L. c.40, §5B as amended,

- a. GENERAL STABILIZATION FUND**
- b. Airport Stabilization Fund**
- c. Nuclear Plant Mitigation Stabilization Fund**

or take any other action relative thereto.

BOARD OF SELECTMEN

Ms. Barrett asked that the Board make no motion / take no action on Article 14A.

ARTICLE 14B

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to the following Stabilization Funds, as authorized by the provisions of G.L. c.40, §5B as amended,

- a. General Stabilization Fund**
- b. AIRPORT STABILIZATION FUND**
- c. Nuclear Plant Mitigation Stabilization Fund**

or take any other action relative thereto.

BOARD OF SELECTMEN

Ms. Barrett explained that the Plymouth Municipal Airport's retained earnings are allocated into the Airport Stabilization Fund to address federal funding availability. She asked that the Board vote to recommend the transfer of approximately \$245,000 in retained earnings from the Airport Enterprise Fund to the Airport Stabilization Fund, noting that she would have to work with the Airport Manager to determine the exact amount.

On a motion by Selectman Tavares, seconded by Selectman Provenzano, the Board voted to recommend Article 14B of the 2014 Spring Annual Town Meeting, as recommended by the Town's Finance Director. Voted 5-0-0, approved.

ARTICLE 14C

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to the following Stabilization Funds, as authorized by the provisions of G.L. c.40, §5B as amended,

- a. General Stabilization Fund
- b. Airport Stabilization Fund
- c. NUCLEAR PLANT MITIGATION STABILIZATION FUND

or take any other action relative thereto.

BOARD OF SELECTMEN

Ms. Barrett presented an explanation of Article 14C, which seeks to set aside \$1,320,000 from the Town's Overlay Surplus to the Nuclear Plant Mitigation Stabilization Fund. This surplus, she indicated, is certified by the Board of Assessors as funds that are no longer needed for tax abatements and exemptions from prior years. The Nuclear Plant Mitigation Stabilization Fund, Ms. Barrett reported, is utilized to offset potential future decreases in tax payments or funding from Entergy / Pilgrim Nuclear Power Station.

On a motion by Selectman Mahoney, seconded by Selectman Provenzano, the Board voted to recommend Article 14C of the 2014 Spring Annual Town Meeting. Voted 5-0-0, approved.

SPECIAL ARTICLE 2

To see if the Town will vote to transfer a sum of money to be added to funds already appropriated under Article 7 of the 2013 Annual Town Meeting for the purpose of supplementing departmental expenses, or otherwise amend said vote, or take any other action relative thereto.

BOARD OF SELECTMEN

Ms. Barrett explained that there are two departmental requests within Special Article 2 to utilize unused funds for the purpose of supplementing departmental expenses. The first request, she said, comes from the Harbormaster's Office:

- Approve the transfer of \$5,400 from the Waterways Account to the Harbormaster Seasonal/Part-Time Personnel Line Item
- Approve the transfer of \$1,800 from the Waterways Account to Harbormaster Overtime Salary Line Item

On a motion by Selectman Provenzano, seconded by Selectman Tavares, the Board voted to recommend Article 2 of the 2014 Special Town Meeting (supplemental funds for the Harbormaster Department). Voted 5-0-0, approved.

Ms. Barrett indicated that the second supplemental request made within Special Article 2 will address a shortfall within the Member Benefits Budget (a.k.a. employee health insurance):

- Approve the transfer of \$203,000 from Free Cash to the Member Benefits Budget (Managed Blue, Employer Medicare, and Medicare Part B Reimbursement)

On a motion by Selectman Tavares, seconded by Selectman Mahoney, the Board voted to recommend Article 2 of the 2014 Special Town Meeting (supplemental funds for the Member Benefits Budget). Voted 5-0-0, approved.

SPECIAL ARTICLE 3

To see if the Town will vote to raise and appropriate or transfer a sum of money to pay certain unpaid bills of a prior fiscal year, or take any other action relative thereto.

BOARD OF SELECTMEN

Ms. Barrett reported that Special Article 3 will transfer \$3,000 to close out an unpaid bill from FY2011 from an appraisal that was performed for the Community Preservation Committee.

On a motion by Selectman Provenzano, seconded by Vice Chairman Brewster, the Board voted to recommend Article 3 of the 2014 Special Town Meeting. Voted 5-0-0, approved.

SPECIAL ARTICLE 4

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease of buildings and/or replacement of departmental buildings, and/or equipment and/or capital facilities for various departments of the Town and/or for feasibility and other types of studies or professional consulting services as follows:

or take any other action relative thereto.

BOARD OF SELECTMEN

Ms. Barrett asked that the Board make no motion / take no action on Special Article 4.

SPECIAL ARTICLE 5

To see if the Town will vote to transfer the amount of \$37,170.29 from the Receipts Reserved for Insurance Recovery over \$20,000 for payment of the unforeseen cost of repairing the South Middle School generator and repairs to Indian Brook Schools,

or take any other action relative thereto.

SCHOOL COMMITTEE

Ms. Barrett informed the Board that Special Article 5 is “housekeeping” in nature, as the Town must seek permission from Town Meeting to spend insurance claim recovery funds

over \$20,000. The funds sought via Special Article 5 relate to unforeseen repairs necessary at Plymouth South Middle School and Indian Brook Elementary School.

On a motion by Selectman Provenzano, seconded by Selectman Mahoney, the Board voted to recommend Article 5 of the 2014 Special Town Meeting. Voted 5-0-0, approved.

SPECIAL ARTICLE 6

To see if the Town will vote to authorize payment from free cash of certain capital projects that are complete and previously borrowed, or take any other action relative thereto.

BOARD OF SELECTMEN

Ms. Barrett indicated that Special Article 6 represents a request for \$9,908.82 in funds to close out the debt on three completed projects:

- West Elementary HVAC Phase II (Article 9-B2 of the 2011 Annual Town Meeting)
- PCIS Roof Repair (Article 9-B5 of the 2010 Annual Town Meeting)
- Purchase of Beach Property (Article 11 of the 2011 Fall Town Meeting)

On a motion by Selectman Tavares, seconded by Selectman Mahoney, the Board voted to recommend Article 6 of the 2014 Special Town Meeting. Voted 5-0-0, approved.

SPECIAL ARTICLE 7

To see if the Town will vote to rescind the following unused borrowing authority:

Article 9B3 2005 ATM West HVAC Phase I	\$1,500,000
Article 9B2 2011 ATM West HVAC Phase II	\$ 505,000
Article 9B5 2010 ATM PCIS Roof	\$4,360,000
Article 9B6 2011 ATM Indian Brook HVAC	\$ 900,000
Article 9B7 2011 ATM PSMA Brick Veneer Flashing	\$ 533,000
Article 11 FATM 2011 Purchase of Beach Property	\$ 762,000

or take any other action relative thereto.

BOARD OF SELECTMEN

Ms. Barrett explained that Special Article 7 asks Town Meeting to rescind borrowing authority that it had previously granted on a number of projects that were either completed under budget or for which grants were received. Ms. Barrett listed the projects for which the borrowing will be rescinded, totaling \$8.56 million.

On a motion by Vice Chairman Brewster, seconded by Selectman Provenzano, the Board voted to recommend Article 7 of the 2014 Special Town Meeting. Voted 5-0-0, approved.

SPECIAL ARTICLE 8

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for a special act exempting the 1820 Courthouse and Town Hall project from M.G.L. 30 B D.S.B., public

procurement process that will allow for a design build approach to this project, or take any other action relative thereto.

BOARD OF SELECTMEN

Ms. Arrighi asked that the Board make no motion / take no action on Special Article 8.

ADJOURNMENT OF MEETING

On a motion by Selectman Tavares, seconded by Selectman Mahoney, the Board voted to adjourn its meeting at approximately 10:30 p.m. Voted 5-0-0, approved.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the February 25, 2014 meeting packet is on file and available for public review in the Board of Selectmen's Office.