

~ PLYMOUTH BOARD OF SELECTMEN ~

TUESDAY, JUNE 24, 2014

TOWN HALL, MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, June 24, 2014 at 7:00 p.m. at Town Hall in the Mayflower Room.

Present: Kenneth A. Tavares, Chairman
Anthony F. Provenzano Jr., Vice Chairman
John T. Mahoney, Jr.
Mathew J. Muratore [arrived 7:55 p.m.]
Sean P. Page

Melissa Arrighi, Town Manager
Michael Galla, Assistant Town Manager

CALL TO ORDER

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

TOWN MANAGER'S REPORT

1820 Court House / Municipal Center (Town Hall) Project – Town Manager Melissa Arrighi reported that the Designer Selection Board (“DSB”) recently interviewed eight potential candidates for Owners Project Manager (“OPM”) services for the 1820 Courthouse / Municipal Center (Town Hall) Project. From the pool of candidates, she indicated, the DSB ultimately selected STV Construction, Inc. of Boston, an award-winning professional firm with a strong background in engineering. Ms. Arrighi noted that she is currently working with the Town’s Procurement Officer to finalize a contract with STV Construction by June 27, 2014. In addition, she said, the Town will finalize its negotiations with the architectural firm of Durkee, Brown, Viveiros, and Werenfels for the final design of the 1820 Courthouse / Town Hall Project by the end of June.

Green Coastline Protection Grant – Ms. Arrighi informed the Board that Governor Patrick’s Administration recently announced \$1.3 million in funding to reduce risks associated with coastal storms, erosion, and sea level rise through the implementation of natural and nonstructural approaches called “green infrastructure.” Plymouth, she said, has been awarded a \$75,000 grant from this program to study a potential redesign of the Long Beach system using offshore berms, beach nourishment, and the possible realignment of the mouth of the Eel River. Ms. Arrighi noted that David Gould, the Town’s Director of Marine & Environmental Affairs, will manage this project.

Expedited Permitting – Ms. Arrighi apprised the Board of her staff’s continued efforts to expedite the Town’s permitting procedures, noting that she has arranged a meeting with the organizers of the annual Thanksgiving Parade to discuss potential improvements to the Special Event Permit process. In addition, she noted, staff will speak with the parade organizers about plans to replace the Water Street culvert, and how the project might affect the route of the parade, if the project is not completed, on-schedule.

LICENSES

PEDI-CAB OPERATOR (NEW)

On a motion by Vice Chairman Provenzano, seconded by Selectman Page, the Board voted to grant a Pedi-Cab Operator License to the following individual. Voted 4-0-0, approved.

❖ For Plymouth Pedicab:

- Peter Mador (737 Rocky Hill Road, Plymouth)

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

ADMINISTRATIVE NOTES

Meeting Minutes – On a motion by Vice Chairman Provenzano, seconded by Selectman Mahoney, the Board voted to approve the minutes of the May 13, 2014 Selectmen’s meeting. Voted 4-0-0, approved.

Declination of Right of First Refusal on Affordable Housing Unit – The Board voted to decline its right of first refusal in accordance with the *Memorandum of Understanding Agreement* with One Hillside Estates, LLC to purchase the affordable housing unit located at 7 Whispering Pines Drive.

Amendment to Pedi-Cab Regulations – The Board voted to amend the Town of Plymouth Pedi-Cab Regulations, Article IV, Section 2 (b) and (c) to read:

- “(b) be the bearer of a valid motor vehicle driver’s license*
- (c) provide a valid copy of the applicant’s driver’s license”*

PUBLIC COMMENT

Robert Hollis of the Greater Plymouth Performing Arts Center (“GPPAC”) was pleased to announce that his organization was recently granted a Cultural Facilities Grant in the amount of \$160,000. The grant, he explained, will be utilized to restore and preserve the Spire Performing Arts Center at 25½ Court Street, which is under the care and custody of

GPPAC. Mr. Hollis noted that he and the members of GPPAC intend to restore the exterior of the former house of worship to its original Victorian-era, polychromatic appearance.

Chairman Tavares congratulated Mr. Hollis and the members of GPPAC on their success in establishing The Spire as a distinguished performing arts venue. It is encouraging, he said, to see how Community Preservation dollars can be used to leverage other grant funds.

Everett Malaguti III shared his concerns about the condition of the structure at 291 Court Street in North Plymouth, locally known as the Stein Building. Mr. Malaguti offered his observation that the deteriorating structure is a fire hazard to neighboring buildings. The Town of Barnstable, he said, has a bylaw that provides the municipality the ability to address structures as these.

Chairman Tavares referred Mr. Malaguti's concerns to the Town Manager.

UPDATE ON THE JULY 4TH PARADE & FIREWORKS EVENTS

Jeff Metcalfe appeared before the Board on behalf of July 4 Plymouth, Inc. to present a brief update on plans and fundraising activities for the July 4th parade & fireworks events. The members of July 4 Plymouth, Inc. are confident that the parade and fireworks events can go forth, he said, based on the fact that the organization is only \$6,000.00 short of its fundraising goal of \$115,000. Mr. Metcalfe thanked the approximate 150 businesses and individuals that have contributed generously to the events, thus far, and he noted the contribution made by the Town's Visitor Services Board.

Mr. Metcalfe provided information on the various facets of the parade, including the Independence Day 5k that will kick off at 8:00 a.m. on the morning of July 4th. There are four bands and a number of floats and politicians scheduled to march, he said, and Senate President Therese Murray will serve as the parade's Grand Marshal. Mr. Metcalfe informed the Board and the public that the parade will line up at 8:00 a.m. and step off at 9:30 a.m. The concert on the waterfront will begin at 7:00 p.m., he said, and the fireworks display will begin at dusk (approximately 9:00-9:15 p.m.).

Mr. Metcalfe displayed a map of the location at which the parade will line-up, to illustrate the way by which July 4 Plymouth, Inc. would like traffic to flow to and through the site. Lastly, Mr. Metcalfe provided the addresses through which citizens and businesses can make donations (www.july4plymouth.com and P.O. Box 1776, Plymouth, MA 02362), and he provided his personal phone number for those who would like to volunteer (774-454-7316).

At the close of the presentation, Chairman Tavares joined Mr. Metcalfe at the podium to accept donations for the parade and fireworks events from three area businesses. Charlie Bletzer presented July 4 Plymouth, Inc. with a contribution of \$1,000 on behalf of East Bay Grille. Demetrius Stavropoulos presented a donation of \$1,000 from his restaurant,

Anna's Harborside Grille. Kevin Hynes, owner of 42 Degrees North, presented a check for \$5,000.

Chairman Tavares thanked Mr. Bletzer, Mr. Stavropoulos, and Mr. Hynes for their generosity. He also offered thanks to the members of the Town's Police, Fire, and Public Works departments for the work that they do to ensure that the events are successful and safe.

PUBLIC HEARING: STORAGE OF FLAMMABLES / COMBUSTIBLES

BCN REALTY LLC, 19 NATALIE WAY

Chairman Tavares opened a public hearing to consider the application from BCN Realty LLC for a license to store 6,565 gallons of flammable and combustible liquid (propane) at 19 Natalie Way. Prior to commencing the hearing, Chairman Tavares affirmed that notice of the hearing was given to the public in accordance with Chapter 148 of the Massachusetts General Laws.

Attorney Robert Betters and Bill Shaw, Project Engineer, appeared before the Board on behalf of BCN Realty LLC, the owner of 19 Natalie Way. Attorney Betters noted that 19 Natalie Way is the location of the First Student bus facility. The owner of the property, he explained, seeks permission to install an above-ground propane tank, which will provide the First Student bus company with a means of transitioning its diesel-powered fleet to a more environmentally-sensitive fuel source.

Town Manager Melissa Arrighi noted that, some years ago, the Town began an initiative to improve the protection of its water resources. During this initiative, she said, staff identified properties in close proximity to the Town's well zones at which large amounts of fuel was/is stored—one of which was the First Student bus facility at 19 Natalie Way. As such, she explained, staff began discussing solutions to address the safety of the storage tank on this particular site. Ms. Arrighi indicated that the idea of transitioning First Student's bus fleet from diesel to propane fuel would eliminate the need to store a liquid fuel source—which could contaminate the water supply, if the containment tank fails—so close to a Town well zone.

Chairman Tavares opened the hearing to public comment. No citizens came forth.

Fire Chief G. Edward Bradley touted the environmental benefits that will come from First Student's decision to transition its bus fleet from diesel to propane-fueled vehicles. Propane-fueled buses, he explained, provide a cleaner ride for students while producing cost savings for the bus company. Fire Chief Bradley noted that a number of school districts are transitioning their bus fleets to propane.

Seeing no further questions or comments, Chairman Tavares closed the hearing to await a motion of the Board.

On a motion by Vice Chairman Provenzano, seconded by Selectman Page, the Board voted to grant a license to BCN Realty LLC to store 6,565 gallons of flammable and combustible liquid (propane) at 19 Natalie Way. Voted 4-0-0, approved.

PUBLIC HEARING: ALL ALCOHOL RESTAURANT LIQUOR LICENSE

BS MANAGEMENT LLC D/B/A FOX & HOUND GRILL AND TAVERN, 63 LONG POND RD.

Chairman Tavares opened a public hearing to consider the application for a new Annual All Alcohol Restaurant Liquor License from BS Management LLC d/b/a Fox & Hound Grill and Tavern, 63 Long Pond Road, Barbara Ray as Manager. Prior to commencing the hearing, Chairman Tavares 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.

Steve Curran and Barbara Ray appeared on behalf of BS Management LLC. Mr. Curran informed the Board that his company currently operates the Fox & Hound Grill & Tavern in Quincy, Massachusetts, which has been operating successfully for ten years. The owners of 63 Long Pond Road, he said, approached him and Ms. Ray to consider opening another Fox & Hound location in Plymouth. Mr. Curran assured the Board that, for the Plymouth location, his plan is to mimic the upscale American comfort food theme of the Quincy location. In addition, Mr. Curran noted that he has never experienced any problems with the three liquor licenses that he has held during his 30 years of experience in the restaurant industry. Mr. Curran indicated that he and Ms. Ray intend to open the 88-seat proposed establishment on September 1, 2014, following some minor modifications to the layout of the facility.

Chairman Tavares opened the hearing to public comment. No citizens came forth. Seeing no further questions or comments, Chairman Tavares closed the hearing to await a motion of the Board.

On a motion by Selectman Page, seconded by Selectman Mahoney, the Board voted to grant an Annual All Alcohol Restaurant Liquor License to BS Management LLC d/b/a Fox & Hound Grill and Tavern, 63 Long Pond Road. Voted 4-0-0, approved.

On a motion by Vice Chairman Provenzano, seconded by Selectman Page, the Board voted to grant the following licenses to BS Management LLC d/b/a Fox & Hound Grill and Tavern, 63 Long Pond Road, in conjunction with approval of an Annual All Alcohol Restaurant Liquor License. Voted 4-0-0, approved.

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

COMMITTEE LIAISON / DESIGNEE UPDATES

Distinguished Visitors Committee – Vice Chairman Provenzano indicated that the Distinguished Visitors Committee has made progress on planning the itinerary for the forthcoming visit of an official delegation from Shichigahama, Japan. The delegation will arrive on July 24, 2014, he noted.

Plymouth County Advisory Board – Chairman Tavares reported that the Plymouth County Advisory Board approved the FY2015 County Budget, as it was presented, during the its June 19, 2014 meeting. There was much discussion on the County's proposal to initiate a County dredging program, he noted, and the County Commissioners have affirmed that they will vacate the County's administrative offices at 11 South Russell Street by the beginning of August.

Visit from Governor Patrick – Chairman Tavares announced that Governor Deval Patrick will visit Plymouth's waterfront on June 27, 2014 to announce the designation of Massachusetts' coastal waters as an official No Discharge Area (NDA).

OLD BUSINESS / LETTERS / NEW BUSINESS

Behind-the-Scenes Tour of Cole Bros. Circus Event at Airport – Chairman Tavares and Vice Chairman Provenzano discussed their impressions of a behind-the-scenes tour that they were provided of the Cole Bros. Circus event at the Plymouth Airport. The Kiwanis Club led the tour, as the sponsors of the fundraising event. Both Chairman Tavares and Vice Chairman Provenzano indicated that they learned much about the care of the animals traveling with the circus, and they had an opportunity to speak with the Town's inspectors about their observations of the annual fundraising event. Chairman Tavares indicated that the Kiwanis Club will likely submit a petition, asking Town Meeting to reconsider recent changes to the Town's bylaws that would prohibit such events.

EXECUTIVE SESSION / ADJOURNMENT OF MEETING

On a motion by Vice Chairman Provenzano, seconded by Selectman Page, the Board voted at approximately 7:50 p.m. to adjourn the open portion of its meeting and enter executive session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 3, to discuss strategy with respect to collective bargaining and litigation, as an open meeting on these matters may have a detrimental effect on the negotiating position of the body. By roll call: Mahoney – yes, Provenzano – yes, Page – yes, and Tavares – yes. Chairman Tavares noted that, following executive session, the Board would not reconvene in open session.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the June 24, 2014 meeting packet is on file and available for public review in the Board of Selectmen's Office.