

~ PLYMOUTH BOARD OF SELECTMEN ~

TUESDAY, JULY 22, 2014

TOWN HALL, MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, July 22, 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
 Sean P. Page

Melissa Arrighi, Town Manager

CALL TO ORDER

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

GREETING OF VISITORS FROM CENTO, ITALY

Vice Chairman Provenzano welcomed a delegation of officials from the Region of Emilia-Romagna, Italy, who made an official visit to Plymouth with the intent of forging connections with the descendants of those who emigrated from the villages of Cento and Renazzo in the 19th and 20th centuries. Vice Chairman Provenzano introduced Silvia Bartolini, Claudia Tassinari, Christa Collina, and Enrico Belgrado, who traveled to Plymouth as part of the official delegation.

Ms. Bartolini spoke about the considerable number of citizens from the neighboring communities of Cento and Renazzo who immigrated to Plymouth for employment opportunities at the Plymouth Cordage Company. Several descendants of these immigrants remain in Plymouth, she noted, who carry forth surnames that are distinctly familiar to Cento and Renazzo (Tassinari, Balboni, Giovanetti, etc.). Considering this shared history, Ms. Bartolini indicated, the Region of Emilia-Romagna would like to become involved in Plymouth's 400th Anniversary Celebration.

Claudia Tassinari thanked the Town of Plymouth for providing the group with a warm reception. She presented the Board with the flag of the Emilia-Romagna region and a copy of the book that details the story of emigration from the Cento / Renazzo area, entitled, *Nulla Osta Per Il Mondo: L'Emigrazione Da Renazzo*.

Chairman Tavares described how enjoyable it was for Plymouth to receive the visit from the Cento/Renazzo delegation. There is more to Plymouth's story than the Pilgrims, he explained, and this visit provided many established families in Plymouth with the opportunity to connect with, learn about, and take pride in their Italian heritage. On behalf of the Board, Chairman Tavares presented the delegation from Cento / Renazzo with the books, *Beyond Plymouth Rock, Volume I: The Ties That Bind* and *Volume II: A Welcoming Place*.

Vice Chairman Provenzano thanked the delegation from Cento / Renazzo for inspiring him to learn more about the history of immigration to Plymouth. He quoted the writings of William Bradford—which spoke of the difficulty and sadness of departing from one's homeland and family to forge a new life in a foreign land—to illustrate the hardship that many immigrants from Cento and Renazzo must have faced to realize new opportunities here in Plymouth. At the close of his remarks, Vice Chairman Provenzano presented the delegation from Cento / Renazzo with the official "Plymouth 2020" flag.

Chairman Tavares wished the delegation a safe journey home, with the promise that the Town will display the Emilia-Romagna flag proudly at its forthcoming new Town Offices.

TOWN MANAGER'S REPORT

Electronics and Appliance Recycling Event – Town Manager Melissa Arrighi informed the Board and the public that South Shore Recycling Cooperative will hold an electronics and appliance recycling event in Plymouth on Saturday, July 26, 2014. The event, she said, which will be held from 9:00 a.m. to 1:00 p.m. at Plymouth's Department of Public Works facility at 159 Camelot Drive, provides an opportunity for Plymouth residents to recycle items such as kitchen appliances, computers, televisions, printers, audio equipment, and cell phones, etc., at no charge.

Burial Hill Renovation Project – Ms. Arrighi provided an update on the Town's efforts to restore and preserve Burial Hill. At this time, she indicated, the design firm chosen by the Town has developed a comprehensive report on the existing conditions at the site, which outlines the projected costs associated with restoring the historic burying ground. Ms. Arrighi noted her goal of reconvening the internal working group assigned to Burial Hill in late August to review and prepare a final report.

Insurance Rewards Program – Ms. Arrighi was pleased to report that the Town has received \$89,957 back on its workers compensation and property casualty costs from its insurance provider, Massachusetts Interlocal Insurance Association ("MIIA"). The Town earned these credits, she explained, through MIIA's training programs that are intended to help staff perform better and prevent work-related injuries. The credits, Ms. Arrighi noted, will be applied to the Town's FY2015 insurance bill.

1820 Courthouse / Municipal Center Project – Ms. Arrighi briefed the Board on the progress of the 1820 Courthouse / Municipal Center Project, noting that a comprehensive hazardous materials assessment of the facilities on the property is currently underway.

Pertaining to another facet of the project, she added, Dinah O'Brien will work with a select team of volunteers to identify, document/record, and photograph any items within the buildings at the site that should be preserved, such as door handles, woodwork, artwork, lighting fixtures, and windows, etc. Lastly, Ms. Arrighi indicated that the Historic District Commission voted to approve the Town's application for a permit to demolish the County Commissioners' Building and the rear portion of the 1820 Courthouse.

White Horse Beach Sand Fence – Ms. Arrighi reported that, in response to a request from the Manomet Village Steering Committee, the Town will repair the sand fence along the dunes at White Horse Beach within the next two weeks (weather permitting).

Recreational Shellfishing Plan – Ms. Arrighi announced that David Gould (Director) and Chad Hunter (Harbormaster) of the Town's Department of Marine & Environmental Affairs are working with the Massachusetts Division of Marine Fisheries ("DMF") to establish boundaries for what will soon become open recreational shellfishing areas off of Plymouth Long Beach. Once sampling and site assessment work is complete, she indicated, the Town will work with DMF and Veolia (operators of the Town's Waste Water Treatment Facility) to draft a Memorandum of Understanding related to environmental regulations and protocols pertaining to Plymouth Harbor. Ms. Arrighi informed the Board that Mr. Gould and Mr. Hunter will bring a full presentation to the Board on their efforts to reopen Plymouth's shellfishing beds for the first time in decades.

LICENSES

ONE DAY ALL ALCOHOL LIQUOR LICENSE*

On a motion by Vice Chairman Provenzano, seconded by Selectman Page, the Board voted to grant a One Day All Alcohol Liquor License to the following applicant, for the event detailed, below. Voted 5-0-0, approved.

- ❖ **Anthony McSharry** (6 Leah Drive Rear, Rockland) requested a One Day All Alcohol Liquor License for a wedding to be held from 7:00 p.m. to 12:00 a.m. at Memorial Hall on September 16, 2014. Liquor liability insurance 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.

PEDI-CAB OPERATOR

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

- ❖ **For Plymouth Pedi-Cab:** Hubbard Jordan, 24 Tall Timbers Lane, Kingston

Approval subject to requisite review of CORI Background Check

ADMINISTRATIVE NOTES

Order of Taking for Valley Road and Roxy Cahoon Road – On a motion by Vice Chairman Provenzano, seconded by Selectman Muratore, the Board adopted an *Order of Taking* by the inhabitants of Plymouth of certain parcels of land on Valley Road and Roxy Cahoon Road, as presented and recommended by the Department of Public Works' Engineering Division. Voted 5-0-0, approved.

Award of Damages for Taking of Easements – On a motion by Vice Chairman Provenzano, seconded by Selectman Mahoney, the Board voted to award \$400.00 in damages to each of two property owners for the *Taking of Easements* over said property owners' land on Valley Road and Roxy Cahoon Road, as presented and recommended by the Department of Public Works' Engineering Division. Voted 5-0-0, approved.

PUBLIC COMMENT

Paul McAlduff, chairman of the Planning Board, provided information on an earth removal project that is underway in the Hedges Pond area. Mr. McAlduff explained that the project, which is visible just off of Route 3, is part of a cranberry bog project that is being carried out by P.A. Landers. The Planning Board is aware of this project and has conducted a visit of the site, he said, to ensure that the work is being conducted as anticipated.

Prendee Knight, co-chair of the Mayflower Village Tenants Association, informed the Board of concerns that she and her fellow neighbors have regarding the maintenance of the apartment complex. The owners of the complex, she reported, removed all of the screen doors from the residences. Since that time, Ms. Knight explained, tenants have been inundated with mosquitoes and other insects during the summer months, while, in the winter, snow blows through spaces around the door. Ms. Knight offered her understanding that the Plymouth Health Director's decision to allow The Simon Companies a variance to remove the doors is in direct violation of the State Sanitary Code.

Brooks Mostue supported the concerns and comments brought forth by Ms. Knight. As a registered architect, Mr. Mostue informed the Board that he has provided technical assistance to a number of tenant groups. There are only two sets of regulations from which no developer or landlord is exempt, he said: one is Americans with Disabilities Act, and the other is the Sanitary Code. Mr. Mostue stated his observation that the Town's Health Director based her decision to allow the removal of screen doors on the provision included in the State Sanitary Code for owner-occupied units, despite the fact that the apartment complex does not qualify as an owner-occupied unit.

Michael Kane of the Massachusetts Alliance of HUD Tenants thanked the Selectmen for their past support of the Mayflower Village Tenants Association, when the tenants sought to retain affordable rental rates. The cost of providing screen doors, he stated, should not be the reason why The Simon Companies is refusing to comply with the State Sanitary

Code. Mr. Kane explained that the letter of relief that was granted to The Simon Companies by the Town's Health Director does not comply with the Sanitary Code. The Simon Companies maintains that it will not replace the screen doors, he said, because of the unlikelihood that a replacement model (compatible with the complex's doors) will be available in the future. This excuse is unacceptable, he commented. Mr. Kane indicated that he and the Tenants Association would be willing to attend a follow-up meeting with Town staff or the Selectmen to address this issue.

Chairman Tavares indicated that the Town Manager would direct the information provided by the Mayflower Village Tenants Association to the appropriate department heads and request a follow-up report.

COMMITTEE APPOINTMENTS – UNCONTESTED SEATS

STEPHENS FIELD PLANNING & DESIGN: 1 SEAT AVAILABLE, 1 APPLICANT

On a motion by Selectman Muratore, seconded by Selectman Mahoney, the Board voted to reappoint the following citizen to serve on the Stephens Field Planning & Design Committee. Voted 5-0-0, approved.

Elizabeth Hennessy	27 Fremont Street	Incumbent	Term exp. 6/30/2015
		(Designee of Department of Marine & Environmental Affairs)	

COMMITTEE INTERVIEWS – CONTESTED SEATS

Chairman Tavares indicated that the Board would hold interviews for committee positions for which the Town received more applications than available seats.

BOARD OF HEALTH: 1 SEAT AVAILABLE, 3 APPLICANTS

Chairman Tavares explained that the Board would consider the appointment of one (1) citizen to serve upon the Board of Health, for a term effective July 23, 2014 through June 30, 2017. There were three (3) applicants for the one (1) available position:

- | | | |
|--------------------|------------------|---------------|
| ▪ Cathy Baranofsky | 33 Union Street | Incumbent |
| ▪ Carol Roupelian | 3 Winter Street | New Applicant |
| ▪ Steven Striar | 25 Steeple Chase | New Applicant |

Chairman Tavares invited each of the candidates to interview before the Board, during which time Ms. Roupelian and Mr. Striar were given the opportunity to introduce themselves and to answer questions. Ms. Baranofsky, the incumbent candidate, did not appear for the interview session.

At the close of the interviews, the Board voted upon the candidates. Ms. Baranofsky received three (3) votes; Ms. Roupenian received two (2) votes, and Mr. Striar received zero votes. By majority vote, the Board re-appointed Cathy Baranofsky to the Board of Health, for a term effective July 23, 2014 through June 30, 2017.

VISITOR SERVICES BOARD: 1 SEAT AVAILABLE, 2 APPLICANTS

Chairman Tavares noted that the Board would consider the appointment of one (1) citizen to the Visitor Services Board (citizen-at-large seat), for a term effective July 23, 2014 through June 30, 2017. There were two (2) applicants:

Ms. Dale Frizzell	21 Oak Street	New Applicant
Steven Striar	25 Steeple Chase	New Applicant

Chairman Tavares invited each of the candidates to interview before the Board, during which time it was indicated that Ms. Frizzell was unable to attend the meeting. Mr. Striar addressed the Board and answered questions about his interest in serving on the Visitor Services Board.

At the close of the interviews, the Board voted upon the candidates. Ms. Frizzell received four (4) votes, and Mr. Striar received one (1) vote. By majority vote, the Board appointed Ms. Dale Frizzell to the citizen-at-large seat on the Visitor Services Board, for a term effective July 23, 2014 through June 30, 2017.

DISCUSSION ON FIRE AND BUILDING CODE VIOLATIONS

RK RESTAURANT ASSOCIATES, INC. D/B/A T-BONES ROADHOUSE, 22 MAIN ST.

Chairman Tavares opened a discussion on a number of violations of Fire & Safety Code that were recently identified at T-Bones Roadhouse, 22 Main Street. G. Edward Bradley, Fire Chief, and Paul McAuliffe, Director of Inspectional Services, attended the meeting to provide information on the violations and the corrective actions that the Town will take to address the matter.

Fire Chief G. Edward Bradley described the violations that his staff identified at 22 Main Street, and he discussed the reasons why such violations should not be taken lightly. On July 8, 2014, he reported, firefighters responded to an alarm at T-Bones Roadhouse, where it was discovered that two electric-fired smoker ovens—located in the basement of the establishment—were causing the alarm to sound. Readings of deadly carbon-monoxide levels were detected upon entry to the basement, caused by the improper installation, insulation, and ventilation of the equipment. Upon discovery of this issue, Chief Bradley indicated, firefighters immediately evacuated the establishment.

Chief Bradley displayed pictures of the electric smoker ovens and the way by which they were installed in the basement. The equipment, he explained, was installed improperly and without a permit. One of the photos illustrated a smoke detector that was intentionally

covered, to prevent the alarm system from sounding. Chief Bradley expressed serious concern for what might have happened, had these violations not been discovered. The owners and operators of any establishment must consider the health and safety of their patrons and employees, he said, as well as that of neighboring businesses. Such disregard for safety code regulations, he explained, could have easily resulted in dire consequences, in a highly-frequented establishment that is situated in a densely-populated, historic downtown.

Chief Bradley informed the Board that he and the Director of Inspectional Services have ordered RK Restaurant Associates, Inc. d/b/a T-Bones Roadhouse to immediately cease and desist all use of the smoker ovens. Only until a Building Permit has been properly filed and obtained will the Town allow further use of such equipment, he noted.

Colin Wilcox, general manager of T-Bones Roadhouse, took responsibility for the infractions and made no objections to the information provided by the Fire Chief. It was his understanding, he said, that the smoker ovens were installed correctly. Mr. Wilcox stated that he was currently working on the reconfiguration of the equipment, as well as seeking bids for the proper installation of the ventilation system.

Selectman Muratore asked Mr. Wilcox to explain why he or a member of his staff would have made the decision to cover up a smoke detector. Mr. Wilcox indicated that humidity would often falsely trigger the alarm. The Fire Department, Mr. Wilcox noted, previously approved the removal of one of the establishment's detectors near a stairwell because of this humidity problem.

Chief Bradley advised Mr. Wilcox and all business owners in Plymouth to contact the Fire or Inspectional Services departments for professional assistance with any such questions or concerns related to fire or building safety. Such equipment should not be installed without proper permits, he stated. Chief Bradley noted that, in the case of the smoker ovens at T-Bones Roadhouse, his department was unaware of the equipment, because it was installed in the basement of the establishment, completely distinct from the kitchen area.

In response to questions from the Selectmen, Chief Bradley and Mr. McAuliffe provided general information on the smoker oven equipment and the way by which such equipment should be safely vented.

Selectman Page expressed disbelief that Mr. Wilcox could have been unaware that the equipment was installed unlawfully. Mr. Wilcox maintained that he thought the ovens were vented properly, consistent with another unit that had been approved by the Town.

Chief Bradley reiterated the serious danger to life and property that such reckless disregard for building and safety code may have caused. He acknowledged Mr. Wilcox's assurances that all equipment used within his establishment will be properly installed and permitted.

Chairman Tavares advised Mr. Wilcox that he had been officially warned to comply with the Town's building and safety codes. In addition, he issued the same warning to all

businesses within Plymouth that the Town has no tolerance for any disregard of safety regulations, noting that penalties will be issued to those who do not comply. Chairman Tavares thanked Mr. Wilcox for appearing before the Board to take responsibility for the violations and assure the Board that error will be corrected.

400TH ANNIVERSARY SOUVENIR ENVELOPE PROJECT

George McKay introduced a project that the Plymouth Rock Stamp Club has undertaken in collaboration with the United States Postal Service of Plymouth and Plymouth 400, Inc., to celebrate the Town's forthcoming 400th Anniversary. Mr. McKay was joined by Dennis Ferro, Plymouth Postmaster, Richard Anderson, president of the Plymouth Rock Stamp Club, Charlene Kelley, director of the 1749 Courthouse Museum, and Michele Pecoraro, executive director of Plymouth 400, Inc.

Mr. McKay provided an outline of the Stamp Club's "400th Souvenir Envelope Project," which will commemorate the 400th Anniversary with a series of four themed envelopes related to Plymouth's history. The project, he said, will be incorporated with Plymouth 400, Inc.'s Family Fun Day Event, which will be held at the National Monument to the Forefathers on August 2, 2014. Mr. McKay displayed images of the various, limited-edition envelope prototypes that will illustrate specific events or images associated with Plymouth's history. Individuals will also have the opportunity to create their own souvenir envelopes, he added.

During the Family Fun Day event, Mr. McKay indicated, the Plymouth Postmaster will set up an official "Postal Station" and utilize a unique, commemorative stamp to cancel the themed postage, creating a keepsake associated with Plymouth's 400th Anniversary. The Stamp Club, along with the USPS Plymouth branch and Plymouth 400, Inc., will create these souvenir envelopes each year until 2021, he noted.

Chairman Tavares thanked Mr. McKay and his collaborators for their work on the 400th Souvenir Envelope Project.

UPDATE ON STEPHENS FIELD REDESIGN PROJECT

Bill Keohan of the Stephens Field Planning & Design Committee ("SFPDC") offered a presentation on the Town's preliminary plans for the redesign of Stephens Field. Mr. Keohan was joined by fellow SFPDC members, Joan Bartlett and Ginny Davis.

Mr. Keohan began his presentation with an explanation of the significance of community input on a project such as the redesign of Stephens Field, considering the history of the park and its importance to Plymouth residents. He displayed an aerial map, illustrating the conceptual design that the members of the SFPDC have developed with the architect selected for the project. Mr. Keohan reviewed and explained the benefit of each feature of

the design plan, noting that the new park will retain—but reinvent—many of its current amenities (softball diamond, basketball court, tennis courts, bathrooms, and small watercraft launch), while adding new elements such as a pavilion, terrace, walking paths, and new pedestrian access points.

Mr. Keohan responded to questions and comments from the Board, pertaining to lighting, field layout, and access gates. With regard to a small, misshapen parcel extending westward from the park, Mr. Keohan explained, there is a small, Town-owned wetland area that is adjacent to—and thus, can serve as supplementary open space for—the park. In addition, Mr. Keohan said, this adjacent parcel provides extra area to shift some parking spaces behind the Fire Department’s headquarters, to allow another access point to Stephens Field.

Mr. Keohan indicated that the SFPDC will meet on August 6, 2014 to hear any final input from the community on the redesign plan for Stephens Field. The proposed timeline for the project, he said, envisions demolition work to begin in the fall of 2014, with construction taking place during the majority of 2015. Mr. Keohan expressed his hope that the cost of the project can be complimented by grants and the use of Community Preservation Funds.

Chairman Tavares thanked Mr Keohan and the members of the SFPDC for the update.

COMMITTEE LIAISON / DESIGNEE UPDATES

Visit to Plymouth Farmers Market – Selectman Muratore noted that he attended an event on July 17, 2014 at the Plymouth Farmers Market, at which a number of state commissioners toured the market. The commissioners, who visited the market as part of a yearlong series of tours to highlight local farmers markets, were very impressed with the Plymouth Farmers Market, he said. Selectman Muratore commended Lieza Dagher and the members of the Plymouth Farmers Market for their success in running a well-respected market at Plimoth Plantation.

Official Visit from Shichigahama, Japan – Vice Chairman Provenzano reminded the Board that an official delegation from Shichigahama, Japan will arrive in Plymouth on July 26, 2014. The Board, he said, will hold a special meeting at 10:00 a.m. on Monday, July 28, 2014 to officially welcome the delegation.

Eagle Scout Ceremony – Chairman Tavares informed the Board that he attended an Eagle Scout Court of Honor on July 20, 2014 to recognize the promotion of a local youth, Stewart Betz, to the rank of Eagle Scout. Mr. Betz, he explained, made a number of improvements to the playground area at Hedge Elementary School, as part of his Eagle Scout project.

OLD BUSINESS / LETTERS / NEW BUSINESS

Meeting with Long Beach Homeowners Association – Selectman Muratore reported that he and Selectman Mahoney attended a meeting of the Plymouth Long Beach Homeowners Association to discuss a matter related to beach parking for the homeowners' guests. Selectman Muratore noted that he would like the Natural Resources & Coastal Beaches Committee to discuss and provide a recommendation on this matter for next year's beach season.

Revenue Ideas for FY2016 Budget – Selectman Muratore asked if the Town Manager could issue a letter to each of the Town's committees, asking that they provide revenue enhancement ideas for the Revenue Idea Task Force to evaluate. With budget development season approaching, he said, the Town must utilize the expertise on its committees to the fullest.

Selectman Page, who serves as the Board's representative on the Revenue Idea Task Force, indicated that the Task Force is focusing on a number of revenue enhancement ideas that will be presented to the Selectmen, soon.

Chairman Tavares called for a brief recess to accommodate the press, prior to the Board entering executive session.

EXECUTIVE SESSION AND ADJOURNMENT OF MEETING

On a motion by Vice Chairman Provenzano, seconded by Selectman Page, the Board voted at 9:15 p.m. to close the open session portion of the meeting and enter an Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 1, to discuss the reputation, character, physical condition, or mental health of an individual (License Applicant). By roll call: Muratore – yes, 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 July 22, 2014 meeting packet is on file and available for public review in the Board of Selectmen's Office.