

~ PLYMOUTH BOARD OF SELECTMEN ~

TUESDAY, OCTOBER 21, 2014

TOWN HALL, MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, October 21, 2014 at 6:30 p.m. at Town Hall in the Mayflower Room.

Present: Kenneth A. Tavares, Chairman
 Anthony F. Provenzano Jr., Vice Chairman
 John T. Mahoney, Jr. *[arrived 6:50 p.m.]*
 Mathew J. Muratore
 Sean P. Page

 Melissa Arrighi, Town Manager
 Michael Galla, Assistant Town Manager

CALL TO ORDER

Chairman Tavares called the meeting to order at 6:50 p.m.

[Note: Selectman Mahoney arrived at this point during the meeting and joined the Board at 6:50 p.m.]

EXECUTIVE SESSION

On a motion by Vice Chairman Provenzano, seconded by Selectman Page, the Board voted at 6:50 p.m. to enter an executive session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, to conduct strategy sessions in preparation for contract negotiations with nonunion personnel, as an open meeting on this matter may have a detrimental effect on the negotiating position of the body. By roll call: Muratore – yes, Mahoney – yes, Provenzano – yes, Page – yes, and Tavares – yes.

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

RETURN TO OPEN SESSION

Chairman Tavares reconvened the meeting in open session at 7:08 p.m. and led the Pledge of Allegiance.

TOWN MANAGER'S REPORT

Ebola Virus / Health Department – Town Manager Melissa Arrighi informed the Board that the Town's Director of Health has been participating in state-wide health conferences regarding concerns about the Ebola virus. Based on a number of factors, she explained, an outbreak of Ebola in Massachusetts is deemed by health officials to be unlikely.

Fire Department / Overdose Response – Ms. Arrighi reported that the Plymouth Fire Department has administered 33 doses of Narcan since its implementation of the Opioid Overdose Administration Program in February 2014. Ms. Arrighi provided some basic demographic information related to those who have received doses of Narcan. From the 33 doses issued, she said, 19 patients responded with a positive outcome, while two patients expired, despite receiving care.

Plymouth Transportation Center – Ms. Arrighi indicated that the Town, the Plymouth Growth & Development Corporation ("PGDC"), and the Greater Attleboro-Taunton Regional Transit Authority ("GATRA") are working upon another cooperative Memorandum of Agreement for the next phase related to the Plymouth Transportation Center (parking garage) project. The Board, she said, will be given a draft of the agreement, once it is finalized in the coming weeks.

Veterans Day Parade – Ms. Arrighi announced that the 2014 Veterans Day Parade will step off from Hedge Road in North Plymouth at 9:00 a.m. on Tuesday, November 11, 2014. In the event that the weather is inclement, she said, ceremonies will be held in the Blue Room at Memorial Hall at 10:30 a.m.

LICENSES

ONE DAY WINE & MALT LIQUOR LICENSE

On a motion by Selectman Muratore, seconded by Selectman Mahoney, the Board voted to grant a One Day Wine & Malt Liquor License to the following applicant, for each of the two events detailed, below. Voted 5-0-0, approved.

- ❖ **Erik Christensen / Loretta LaRoche Productions** (50 Court Street) requested a One Day Wine & Malt Liquor License for a fundraiser to be held from 6:00 p.m. to 12:00 p.m. at Studio G, 50 Shops at 5 Way on November 8, 2014. Liquor liability insurance will be in place before the license is released.

- ❖ **Erik Christensen / Loretta LaRoche Productions** (50 Court Street) requested a One Day Wine & Malt Liquor License for a concert to be held at Studio G, 50 Shops at 5 Way from 8:00 p.m. to 12:00 p.m. on October 24, 2014. Liquor liability insurance will be in place before the license is released.

On a motion by Selectman Muratore, seconded by Selectman Page, 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.

- ❖ **Norm Laviolette / Rock Hard Productions** (216 Hanover Street, Boston) requested a One Day Wine & Malt Liquor License for a comedy show to be held from 7:00 p.m. to 11:30 p.m. on October 25, 2014 at Memorial Hall. Liquor liability insurance will be in place before the license is released.

VEHICLE FOR HIRE OPERATOR (NEW)

On a motion by Selectman Muratore, seconded by Selectman Page, the Board voted to grant a Vehicle for Hire Operator License to the following applicant. Voted 5-0-0, approved.

- ❖ For **Cardinal Transportation Inc., d/b/a Pilgrim Taxi:**

- Andrew Ramos, 123 Packard Street

Issuance of license is subject to a CORI and SORI background check.

COMMON VICTUALLER (NAME CHANGE)

On a motion by Selectman Page, seconded by Vice Chairman Provenzano, the Board voted to grant a Common Victualler License to the following applicant, as detailed, below. Voted 5-0-0, approved.

- ❖ **Gallery Grille & Pizza**, 179 Court Street, Unit 5, Hyekyung Kim, Owner (Formerly Plymouth Pizza Co.)

Issuance is subject to approval from the Building and Health Departments.

CHANGE OF HOURS (PACKAGE STORE LICENSE)

On a motion by Selectman Muratore, seconded by Vice Chairman Provenzano, the Board acknowledged the receipt of notices from the following holders of an All Alcohol Package Store License. Pursuant to new state regulations related to the sale of alcoholic beverages on Sundays, these establishments have requested a change in opening hours on Sundays from 12:00 p.m. to 10:00 a.m.*

- ❖ Plaza Package Store. (115 Samoset St.)
- ❖ South Street Package Store Inc. (164 South St.)
- ❖ Pioppi's Package Store Inc. (183 Court St.)
- ❖ Cumberland Farms of Massachusetts Inc. d/b/a Cumberland Farms #2296 (154 Samoset St.)
- ❖ Plymouth Liquor Mart, Inc. d/b/a Plymouth Liquor Mart (285 Court St.)

* Effective October 23, 2014, off-premises retail alcoholic beverage licensees will be permitted to sell alcoholic beverages beginning at 10:00 a.m. on Sundays. Under the law,

these licensees are entitled as a matter of right to open at 10:00 a.m. and, as such, these licensees do not need the approval of the Local Licensing Authorities, but establishments must notify the Local Licensing Authorities about the change of hours.

ADMINISTRATIVE NOTES

Meeting Minutes – On a motion by Selectman Muratore, seconded by Vice Chairman Provenzano, the Board approved the minutes of the July 22, 2014 Selectmen’s meeting. Voted 5-0-0, approved.

Meeting Minutes – On a motion by Selectman Page, seconded by Vice Chairman Provenzano, the Board approved the minutes of the August 5, 2014 Selectmen’s meeting.

Roadway Improvements on Unaccepted Ways – The Board authorized roadway improvements on the following unaccepted ways: George Street, Birch Street, & Queen Drive, as recommended by the Department of Public Works and Roads Advisory Committee.

Purchase & Sale Agreement / 30 Lake Road – The Board executed a *Purchase & Sale Agreement* for 27+/- acres of land situated at 30 Lake Road, identified as Lots 4-7 through 4-61; 4-66; 4-83 through 4-132; and 4-138 through 4-200 on Assessors Map 62, as proposed in Article 16C of the 2014 Fall Annual Town Meeting Warrant, pending the decision of the October 18, 2014 Fall Town Meeting.

Purchase & Sale Agreement / Bourne Road – The Board executed a *Purchase & Sale Agreement* for 98+/- acres of land situated off Bourne Road, identified as Lots 10A & 11 on Assessors Map 129, as proposed in Article 16D of the 2014 Fall Annual Town Meeting Warrant, pending the decision of the October 18, 2014 Fall Town Meeting.

Reduce Seats on Natural Resources & Coastal Beaches Committee – The Board eliminated two seats on the Natural Resources & Coastal Beaches Committee, specifically the seats designated for Priscila Beach and Manomet residents, reducing the membership on the committee from nine (9) to seven (7) members, as recommended by the membership of the Natural Resources & Coastal Beaches Committee.

PUBLIC COMMENT

Nancy Carroll, introducing herself as “The Litter Lady,” informed the Board and the public of the next biannual Town-wide litter cleanup, scheduled for Saturday, November 1st, 2014. This event, she said, will be the tenth community cleanup organized by the Network of Open Space Friends. Ms. Carroll discussed the ‘ripple-effect’ that litter has on a community’s environment, economy, and collective psychology, and, thus, she urged citizens to help stop litter before it occurs. Noting that she is partnering with Plymouth 400, Inc. to work on keeping Plymouth clean as the Town approaches its 400th Anniversary Celebration, Ms. Carroll encouraged citizens to participate in the November 1st cleanup.

Randy Parker introduced his sister, Ida Kay Miller, who recently finished a mystery novel that is set in Plymouth. Mr. Parker announced that all proceeds from the novel—in which the historic Simes House is featured as a central backdrop to the storyline—will be donated to the Simes House Foundation.

Ida Kay Miller spoke of the inspiration that the Simes House provided for her work of fiction, *Wicked Moon*, which she authored under her literary alias, Taylor Nash. Ms. Miller thanked the local citizens and business owners who lent their talents and/or location names to the story and the production of the book, and she invited the community to meet her at two scheduled book signings: one at the Plymouth Public Library on Saturday, October 25, 2014, and the other at the Simes House on Sunday, October 26, 2014.

Kevin Lynch of Precinct 13 spoke of his opposition to the Town's plans to demolish the County Commissioners' Building. Mr. Lynch referenced the Demolition Delay Bylaw that was recently approved at the Fall Annual Town Meeting, and he questioned whether the Board had honored the spirit—and process—of the bylaw when deciding that the Commissioner's building would be razed as part of the 1820 Courthouse / Town Hall Project. If the Town truly values its history and tourism industry, he said, the Board owes it to the community to apply the requirements of the Demolition Delay Bylaw to the 1820 Courthouse / Town Hall Project, the same as would be required of a private property owner.

PUBLIC HEARING: ALTERATION OF PREMISES (LIQUOR LICENSE)
SHANTY ROSE INC. D/B/A THE SHANTY ROSE, 16 TOWN WHARF

Chairman Tavares opened a public hearing to consider an application for an Alteration of Premises from Shanty Rose Inc. d/b/a The Shanty Rose, 16 Town Wharf, holder of an Annual All Alcohol Restaurant Liquor License. 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.

Richard Milmore addressed the Board on behalf of his application to expand the interior area of his restaurant, by incorporating a 12'x18' room (adjacent to his leased establishment) that had been previously occupied by another business. Mr. Milmore indicated that he would like to utilize the additional space as a game room for his patrons and as some additional storage space for his establishment.

Seeing no questions from the Selectmen, Chairman Tavares opened the hearing to public comment.

Steven Lydon of Precinct 12 spoke in favor of Mr. Milmore's request for an Alteration of Premises. The food at the Shanty Rose Restaurant is very good, Mr. Lydon said, but the

footprint of the establishment is very small; therefore any opportunity for Mr. Milmore to expand the restaurant, Mr. Lydon said, should be supported.

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

Selectman Page asked Mr. Milmore to describe the entrances and exits to the new room from his existing establishment. Vice Chairman Provenzano inquired if Mr. Milmore planned to add any seats in the new 12'x18' area. Mr. Milmore briefly discussed the layout and entrances to the room and indicated that he had no plans to add any seating; rather, he would shift his existing seating around.

On a motion by Selectman Page, seconded by Vice Chairman Provenzano, the Board voted to approve an Alteration of Premises for Shanty Rose Inc. d/b/a The Shanty Rose, 16 Town Wharf, holder of an Annual All Alcohol Restaurant Liquor License, as specified in the license application. Voted 5-0-0, approved.

COMMITTEE APPOINTMENTS – UNCONTESTED SEATS

Chairman Tavares indicated that the Board would consider the appointment of the several citizens to various Town boards and committees. He read the list of candidates and awaited a motion of the Board for each.

On a motion by Vice Chairman Provenzano, seconded by Selectman Mahoney, the Board voted to appoint the following citizen to the Distinguished Visitors Committee, for the term specified, below. Voted 5-0-0, approved.

David Harrington	150 Warren Avenue	New Designee Destination Plymouth	Term exp. 6/30/2017
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On a motion by Selectman Page, seconded by Selectman Muratore, the Board voted to appoint the following citizen to the Natural Resources & Coastal Beaches Committee, for the term specified, below. Voted 5-0-0, approved.

Stephanie Fugazzi	24 Clifford Road	Reassignment to Long Beach Resident Seat	Term exp. 6/30/2017
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On a motion by Selectman Muratore, seconded by Vice Chairman Provenzano, the Board voted to appoint the following citizen to the Roads Advisory Committee, for the term specified, below. Voted 5-0-0, approved.

Stephen P. Dyer	46 Melix Avenue	New Applicant Experience Required Seat	Term exp. 6/30/2015
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On a motion by Selectman Muratore, seconded by Selectman Mahoney, the Board voted to appoint the following citizen to the Stephens Field Planning & Design Committee, for the term specified, below. Voted 5-0-0, approved.

David Tarantino Jr. 8 Warren Avenue Incumbent Term exp. 6/30/2015
Citizen-At-Large

MEMORANDUM OF UNDERSTANDING WITH THE FOUNDATION

Chairman Tavares reported that he recently met with the members of the Plymouth Regional Economic Development Foundation to discuss the finalization of an updated Memorandum of Understanding (“MOU”) between the Town and the Foundation. At this most recent meeting of the Foundation, he explained, the organization elected new officers, adopted a bi-monthly meeting schedule (going forth), and voted to approve the new MOU. The next order of business for the Foundation, he said, will be to hire a new Economic Development Director for the Town. Chairman Tavares asked the Board to consider approving the new MOU, on the behalf of the Town.

Ms. Arrighi discussed the key components of the MOU, focusing on the changes to the arrangement between the Town and the Foundation relative to the structure of the Foundation’s board of directors and the supervision of the Economic Development Director position (formerly held by Denis Hanks). The Foundation, she explained, will now provide day-to-day oversight of the Economic Development Director, in consultation with the Town’s Director of Planning & Development.

On a motion by Selectman Muratore, seconded by Vice Chairman Provenzano, the Board voted to approve the new Memorandum of Understanding between the Town and the Plymouth Regional Economic Development Foundation. Voted 5-0-0, approved.

COMMITTEE LIAISON / DESIGNEE UPDATES

Old Colony YMCA Breakfast – Vice Chairman Provenzano reported that he and Selectman Muratore attended the Old Colony YMCA’s recent community breakfast, at which the organization’s executive director spoke of the YMCA’s plans to construct a new facility in the Redbrook development (formerly the “River Run” development). Vice Chairman Provenzano noted that he and Selectman Muratore asked the Old Colony YMCA’s director to provide a presentation on the project at an upcoming Selectmen’s meeting.

Nuclear Matters Committee – Selectman Mahoney informed the Board that the Nuclear Matters Committee has drafted an updated mission statement, for which the committee seeks the Board’s approval. Selectman Mahoney asked the Board to review the mission statement and provide any comments.

Spaghetti Dinner Fundraiser to Benefit the Manomet Youth Center – Selectman Muratore reminded the Board that the Manomet Youth Center Working Group has organized a spaghetti dinner to benefit the Manomet Youth Center. The event, he said, will be held on Thursday, October 23, 2014, at 5:00 p.m. at the John Alden Club. The Plymouth Rotary Club, Selectman Muratore noted, has made a donation of \$500 to the cause.

OLD BUSINESS / LETTERS / NEW BUSINESS

Plymouth Public Library Read-a-thon – Vice Chairman Provenzano encouraged residents to attend the Plymouth Public Library’s next Read-a-thon event, to be held on October 31, 2014.

Demolition Delay Bylaw / County Commissioners Building – In reference to statements made earlier in the meeting during public comment, the Board briefly discussed the Town’s plans to demolish the County Commissioners’ Building, as part of the 1820 Courthouse / Town Hall Project. Chairman Tavares and Vice Chairman Provenzano both indicated that the Town has followed all necessary procedures with both the Plymouth Historic District Commission and the Massachusetts Historic Commission. Vice Chairman Provenzano noted that, though the new Demolition Delay Bylaw has not yet gone into legal effect, the Town has approached the demolition of the Commissioners’ Building in very much the same spirit as is embodied within the bylaw.

ADJOURNMENT OF MEETING

On a motion by Vice Chairman Provenzano, seconded by Selectman Mahoney, the Board voted to adjourn its meeting at approximately 7:55 p.m. Voted 5-0-0, approved.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the October 21, 2014 meeting packet is on file and available for public review in the Board of Selectmen’s Office.