

PLYMOUTH BOARD OF SELECTMEN

TUESDAY, NOVEMBER 9, 2010

TOWN HALL MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, November 9, 2010 at 7:00 p.m. at Town Hall in the Mayflower Room.

Present: John T. Mahoney, Jr., Vice Chairman
Richard J. Quintal, Jr. [Arrived 8:00 p.m.]
Sergio O. Harnais
Mathew J. Muratore

Mark Stankiewicz, Town Manager
Melissa Arrighi, Assistant Town Manager

Absent: Chairman William P. Hallisey, Jr.

CALL TO ORDER

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

TOWN MANAGER'S REPORT

MUNIS Payroll System – Town Manager Mark Stankiewicz announced that, under the direction of Finance Director Lynne Barrett, the Town will be transitioning to the MUNIS software system for in-house processing of payroll. Mr. Stankiewicz provided some brief details on the software features and noted that the program should be online by January.

Deputy Chief Promotion – Mr. Stankiewicz was pleased to report that Battalion Chief Stanley Eldridge was recently promoted to Deputy Chief of the Plymouth Fire Department. The Fire Chief, he said, will schedule a formal pinning ceremony to recognize the promotion in the near future.

MBTA Rail Maintenance – Mr. Stankiewicz informed the Board and the public that the MBTA will be replacing railroad ties along the Plymouth branch of the Old Colony Commuter Rail Line, which will close two roadways for a duration of time during the month of November: Rope Ferry Road and Boundary Lane. The Town's Police and Fire departments, he said, are making arrangements for alternative access routes during the closure.

Entergy Security Drills – Mr. Stankiewicz noted that Entergy will conduct "force-on-force" drills at the Pilgrim Nuclear Power Station on Thursdays through December, during which the use of weaponry "blanks" may be heard in the surrounding area.

Governor Bradford Inn Liquor License Appeal – Mr. Stankiewicz reported that the Governor Bradford Inn has requested another postponement of its liquor license appeal before the Alcoholic Beverage Control Commission (“ABCC”).

Town Meeting – Mr. Stankiewicz provided a brief report on the Fall Town Meeting held Monday, October 25, and Tuesday, October 26, 2010, including a summary of some of the articles reviewed and the decisions made on major issues (such as the Simes House on Manomet Point Road, the 1820 Courthouse historical survey, and the funding of the delegation trip to Shichigahama, Japan, etc.). He thanked the Town Moderator, Advisory & Finance Committee, and Town Meeting members for their commitment and participation.

Health & Wellness Fair – Mr. Stankiewicz noted that the Town’s Wellness Committee recently held its annual Health & Wellness Fair for Town employees and retirees. The event, he said, was held at Memorial Hall and included health screenings, flu shots, health tips, and relaxation demonstrations. He thanked the members of the committee—Jennifer Cipriani, Jaelyn Gurney, Elizabeth Sullivan, Patrick Murphy, Michael Coville, Marie Brinkmann, and Roberta Kety—and the Town’s collaborative partners from Jordan Hospital for producing yet another successful fair.

Labor Relations Seminar – Mr. Stankiewicz informed the Board that he and the Town’s Human Resources Director, Roberta Kety, attended the Mass. Municipal Personnel Association’s annual Labor Relations Seminar to learn about recent legislation, legal decisions, and personnel trends in Massachusetts.

Long Beach Management Plan – Mr. Stankiewicz stated that the Mass. Executive Office of Energy & Environmental Affairs’ Department of Fish & Game has postponed the deadline for its final decision on Plymouth’s Long Beach Management Plan until December 29, 2010.

WBZ I-Team Report on Long Beach Management Plan – Mr. Stankiewicz announced that the WBZ TV Channel 4 News Station’s I-Team recently featured a report on the Goldenrod Foundation’s repeated challenges of the Town’s Long Beach Management Plan. The report, he said, is available for viewing on WBZ’s website.

Workers Compensation Seminar – Mr. Stankiewicz reported that he and the Town’s Human Resources Director attended a seminar on Workers Compensation sponsored by the Town’s insurance carrier, Mass. Interlocal Insurance Association (“MIIA”). The seminar, he said, was held at the Radisson-Plymouth and covered topics such as legislation, worker protection standards, and the federal Occupational Safety and Health Act (“OSHA”).

Plymouth North High School Topping Off Ceremony – Mr. Stankiewicz noted that he attended the ‘topping off’ ceremony hosted by the School Department on November 3rd to commemorate the placement of the final steel beam in the structure of the new Plymouth North High School facility.

Budget Workshop – Mr. Stankiewicz informed the Board that he held a workshop with the Town’s Department and Division Heads to prepare for the FY2012 municipal budget.

Discussed at the workshop, he said, was the need to build a level-funded budget on anticipated revenues—for which the Town’s Finance Director has projected a 3% cut.

“Taste of Plymouth” Fundraiser for Library – Mr. Stankiewicz was pleased to report that the Plymouth Public Library’s recent “Taste of Plymouth” fundraiser—featuring numerous local restaurants and wine retail distributors—was a sold-out success.

Veterans Day Parade – Mr. Stankiewicz reminded the public that the Veterans Day Parade will step off at 9:30 a.m. on Thursday, November 11, 2010.

LICENSES

VEHICLE FOR HIRE (RENEWAL)

On a motion by Selectman Harnais, seconded by Selectman Muratore, the Board voted to grant the following Vehicle for Hire licenses, as detailed below. Voted 3-0-0, approved.

❖ **Jason Sheets d/b/a Ace Transportation, 38 Liberty Street**

- One Vehicle for Hire Business Permit – Livery
- Applying for one (1) vehicle – Livery (vehicle has been inspected)
- Applying for renewal of one (1) Vehicle for Hire Operator License:
 - Jason Sheets, 38 Liberty Street, PlymouthIssuance is subject to review of CORI background check and driving record.

❖ **Total Travelers Transportation LLC, 844 Webster Street, Marshfield**

- One Vehicle for Hire Business Permit – Taxi
- Applying for one (1) vehicle – Taxi (vehicle has been inspected)
- Applying for renewal of two (2) Vehicle for Hire Operator Licenses:
 - R. Michael Anabel, 80 Pine Street
 - Gregory Barone, 18 Tremont StreetIssuance is subject to review of CORI background check and driving record.

❖ **Plimoth Transportation Inc. d/b/a Mayflower Taxi, 166 Gunners Exchange Road**

- One Vehicle for Hire Business Permit – Taxi/Livery
- Applying for five (5) vehicles – 2 Taxi/3 Livery (vehicles have been inspected)
- Applying for renewal of three (3) Vehicle for Hire Operator Licenses:
 - Scott Vecchi, 166 Gunners Exchange Road
 - Stephen Doherty, 190 Rocky Hill Road, Plymouth
 - Sean Wyman, 5 Hamilton Street, PlymouthIssuance is subject to review of CORI background check and driving record.

❖ **Steven Morris d/b/a Morris & Sons Coach and Cab, 193 Fairview Lane**

- One Vehicle for Hire Business Permit – Taxi
- Applying for one (1) vehicle – Taxi (vehicle has been inspected)
- Applying for one (1) Vehicle for Hire Operator License:
 - Steven Morris, 193 Fairview LaneIssuance is subject to review of CORI background check and driving record.

VEHICLE FOR HIRE OPERATOR (NEW)

On a motion by Selectman Harnais, seconded by Selectman Muratore, the Board voted to grant the following Vehicle for Hire Operator licenses, as detailed below. Voted 3-0-0, approved.

❖ For **Habilitation Assistance, 434 Court Street**

- Maurice Cruz, 395 Onset St., Onset
- Raffi Ardan, 142 Wayland Rd., Hyannis
- Alex Jenkins, 227 Long Pond Road

❖ For **Special Occasion Limousine, Inc., 2289 State Road**

- Lawrence Beuechs, 11 B Bittersweet Circle
- Steven Smith, 25 Roxy Cahoon Road
- Frederick McNamara, 2140 State Road
- Neal Ryan, 36 Jacqueline Lane
- Daniel Raymond, 38 Harbart Square, Whitman
- Ellen Ramsey, 178 Standish Road, Sagamore
- Jeffrey Tatro, 24 Manomet Beach Boulevard

Issuance of all the above licenses is subject to review of the CORI background check and driving record.

FUEL STORAGE (AMENDMENT)

On a motion by Selectman Muratore, seconded by Selectman Harnais, the Board voted to grant the following Fuel Storage license amendment, as detailed below. Voted 3-0-0, approved.

- ❖ **20 Holman Road / Frank Dunlap, Inc., owner** – This location had storage tanks with a capacity of 400,000 gallons already in place and approved. Applicant seeks to decrease the storage capacity to 205,605 gallons. The Conservation Department has reviewed the request and has no objections.

ADMINISTRATIVE NOTES

Exclusive Vending Rights / Thanksgiving Parade – The Board granted exclusive vending rights to the America’s Hometown Thanksgiving Celebration Committee for the parade event to be held on Saturday, November 20, 2010 in the downtown and waterfront districts.

Exclusive Vending Rights / Christmas in Historic Plymouth – The Board granted exclusive vending rights to the Kiwanis Club of Plymouth for the Christmas in Historic Plymouth event to be held on Friday, December 3, 2010 in the downtown district.

Deed of Easement at One Carver Road – The Board accepted a *Deed of Easement* from Augustino Diodato of 29 Braley Lane for highway purposes at property identified as Lot 3 on Assessor’s Map 103 (1 Carver Road). *Note: This administrative note relates to Article 20 of the 2010 Fall Annual Town Meeting.*

Wild Animal Permit – The Board granted a Wild Animal Permit pursuant to Chapter 23, Article IV of the Town of Plymouth Bylaws to Bernice and Eric Wipfler of 2034 State Road for their Staffordshire Terrier (female, 13 years old).

Acceptance of Donation – The Board accepted, with gratitude, a contribution of \$5,000 from the Plymouth Growth & Development Corporation toward the cost of billable services rendered by the Town in support of the 2010 America’s Hometown Thanksgiving Celebration Parade.

Committee Appointments – The Board made the following committee appointments, as detailed below. *Note: these applicants were the only citizens to respond to the recent advertisement of committee vacancies.*

▪ Gerry Ouellette	Cable Advisory	re-appointment	term exp. 6/30/13
▪ Michael “Buster” Main	Cable Advisory	new applicant	term exp. 6/30/12
▪ Nicole Rivers-Kustanovitz	Capital Outlay	re-appointment	term exp. 6/30/13
▪ David S. Bond	Cultural Council	new applicant	term exp. 6/30/13

Declination of Right of First Refusal – The Board voted to notify Pinehills LLC that the Town waives the 120-day timeline and will not exercise its right to purchase the property shown as a portion of Plat 78D; former Lot S-134, and further described as a 49,053 square foot parcel making up a portion of Apple Barrel Road shown on the plan entitled “Apple Barrel & Woodsong at Pinehills in Plymouth, Massachusetts Chapter 61 Release Plan,” under the provisions of M.G.L. Chapter 61, Sec. 8.

Grant Anticipation Note – The Board voted to approve the sale of a \$392,231 1.10 percent General Obligation Grant Anticipation Note (the "Note") of the Town dated November 10, 2010, and payable January 20, 2011, to Eastern Bank at par and accrued interest, if any, and

Further Voted: that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated October 21, 2010, and a final Official Statement dated October 28, 2010, each in such

form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted, and

Further Voted: that the consent to the financial advisor bidding for the Note, as executed prior to the bidding for the Note, is hereby confirmed.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a material events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note for the benefit of the holders of the Note from time to time, and

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

PUBLIC COMMENT

Charles Checkley reported with sadness that his good friend and fellow Plymouth resident, Frank Paoluccio, had passed away. Mr. Checkley informed the Board and the public of the services scheduled to honor Mr. Paoluccio on Friday, November 12, 2010 at the Davis Funeral Home in Manomet. Mr. Paoluccio, he said, was passionate and very involved in Town business, and many knew him from the local cable access show he hosted (with Mr. Checkley) on PACTV. Mr. Checkley explained that, for many years, Mr. Paoluccio advocated for the resurfacing of Nameloc Road, Florence Street, and Janet Street (not publicly-accepted roads), and he issued a request to the Board that the Town pave those streets, as a tribute to his friend.

Selectman Harnais noted that he would bring the request to the Roads Advisory Committee.

Art Hemmings of East Wind Drive in West Wind Shores expressed concern about the increase of traffic on Bourne Road, which he described as an old cranberry bog road that was merely paved to accommodate public use. Plymouth is no longer a town, he said, and with its geographic size and burgeoning population, it should be subdivided and addressed as such. Mr. Hemmings stated his belief that the DPW does not have enough staff to keep up with the workload, and he advocated for the shifting of funds from the School budget to the DPW budget, to bring staffing to an adequate level.

PROPOSAL FOR DOG CONTROL AND ENFORCEMENT ON LONG BEACH

Ashley McInerney of the Plymouth Beach for All Coalition (“PBAC”) presented a proposal to the Board for the enforcement of leash law and dog control on Plymouth Long Beach. The proposal, she explained, is made with the intention of providing an alternative to the

current ban of dogs imposed by the State's Division of Fisheries & Wildlife on the beach zone north of the "day parking area" from April 1st through September 30th.

Ms. McInerney noted that the proposal offered by the PBAC mirrors that of a Natural Heritage-approved program adopted by the Town of Duxbury as a substitute to a similar all-out dog ban at Duxbury beaches. The permit-based program, she said, would operate as follows:

Residents purchasing a beach sticker would have the ability to acquire a beach permit (for free or for a minimal fee) that would allow them to bring their leashed dog(s) onto the public areas of the beach. Only licensed dogs with an updated schedule of immunizations would be eligible for the permit/sticker. The permit/sticker would (a) include information (or a means of cross-referencing information) about the dog and the owner and (b) be on-hand at all times—either on the handler or on the dog—while the dog is on the beach. Staff at established checkpoints would check for the permits; those without the permit would be asked to leave the beach and return when properly permitted. In instances where residents with permits have violated the leash law or beach regulations, Town staff would reserve the right to issue a citation or confiscate/revoke the dog permit.

Ms. McInerney touted several benefits to the implementation of the dog permit program:

- Public health/safety – permits issued only to licensed and immunized dogs
- Education – beach rules & regulations distributed with permits
- Enforcement – ability for Town staff to enforce regulations and identify transgressors
- Fairness – dog owners who respect beach rules can return to the beach with their dogs

Many beachgoers understand the reasons why their dog(s) must remain leashed, Ms. McInerney said, but all have lost the ability to bring their dog to the beach due to the irresponsibility of some. If residents know that compliance with beach regulations is the key to regaining and maintaining the ability to bring their pets to the beach, she speculated, they may be more inspired to encourage their fellow beachgoers to demonstrate responsibility.

At the close of Ms. McInerney's presentation, members of the Board offered comments on the proposal. Selectman Harnais acknowledged the intent behind the proposal but expressed concern that the dog permit would be an added burden to residents; if the Town chooses to implement the program, he suggested, it should be done in conjunction with the dog licensing process, at no additional fee. Selectman Muratore posed several questions to Ms. McInerney regarding Duxbury's experience with the permitting program. Ms. McInerney noted that Duxbury's Harbormaster, the enforcing agent of the dog permit program, has described the program as a success thus far. Vice Chairman Mahoney invited Plymouth's Environmental Manager, David Gould, to speak on the proposal.

Mr. Gould talked about the dog ban regulations imposed by the State and the detailed documentation his Environmental Management staff must undertake to comply with the rules. Based on data reported by staff, he noted, there was a 29% increase in incidents where dogs were unleashed during the 2010 season (as compared to the 2009 season). Mr.

Gould stated that he supports making the public beach accessible to leashed dogs, but the decision, he reiterated, is up to the State.

Mr. Gould responded to several questions from the Board as to how the Town could demonstrate its efforts to effectively monitor and control dogs on Long Beach. While the implementation of the PBAC's proposal may be a good proactive step, he said, the State is unlikely to lift the dog ban unless the Town can demonstrate a dramatic reduction in the number of incidences of unleashed dogs on the beach. Mr. Gould explained the difficulties that he and his staff encounter when attempting to enforce beach regulations, noting that Plymouth's natural resource officers—unlike those of Duxbury and many communities on the Cape—do not have police powers that would allow them to demand identification from the owners of unleashed dogs. It may be helpful if a uniformed officer from the Police or Harbormaster department was charged with the enforcement of beach regulations, he noted, but without the cooperation of pet owners and the demonstration of regulatory compliance, the State is unlikely to rescind the ban.

Vice Chairman Mahoney opened the discussion to public comment.

Kevin Doyle, resident of Precinct 6 and owner of two dogs, noted his belief that pet owners must take full responsibility for leashing and cleaning up after their animals. He offered a suggestion that the Town simply revoke the beach permits of those who are unwilling to comply with beach regulations, rather than implement an additional permitting program.

Bob DeMarzo, member of Tidal Beaches Advisory Committee ("TBAC"), commended the members of the PBAC for their civil approach to advocating for the return of leashed dogs on Long Beach. He noted that his family has owned a home on the beach for many years, and over time, he has seen the Town's Beach Management Plan bring the return of a family environment from what used to be "the Wild West." Mr. DeMarzo voiced his support for the balanced use of the beach, where families can bring their pets but in a responsible manner. He reported that he witnessed positive results from the increase of educational outreach and the support of responsible pet owners during the past season, and he urged Town staff to do its best to continue identifying those pet owners who refuse to comply with the beach policies. In the meantime, Mr. DeMarzo said, the Long Beach Homeowners Association has formally asked the State to at least allow dogs on Ryder Way.

[Note: Selectman Quintal arrived to the meeting at this time – approximately 8:00 p.m.]

Stephanie Fugazzi, chairperson of the TBAC, informed the Board that the committee reviewed and debated PBAC's dog control proposal. Though some on the committee felt that the proposal would add yet another layer of regulation for residents, she said, the committee supported the proposal as a proactive measure toward convincing the State to lift the dog ban. Ms. Fugazzi expressed her opinion that it was unfair of the State to impose the dog ban without giving the Town ample time to educate residents—likely affecting the number of violations. She asked if Mr. Gould could differentiate (in his report to the State) the number of unleashed dog incidents occurring in the zone north of the day parking area from the zone south of the day parking area.

Ms. McInerney reiterated that one of the primary reasons behind the proposal of the permit program is to provide the Town's natural resources staff with the ability to identify an unleashed dog's handler, without having to demand identification or track the handler to a vehicle registration.

Gerald Ouellette of Manomet recommended that the Town print and distribute informational cards at the beach with information on beach regulations. It is frustrating, he said, that some dog owners do not leash and pick up after their pets.

Following the close of public comment, members of the Board posed some brief additional questions to Mr. Gould about the detailed beach report he will issue to the State in the coming weeks. Selectman Muratore made a motion to put forth the proposal—or some version of the proposal—for dog control on Long Beach offered by the Plymouth Beach for All Coalition to the State, to be submitted with Mr. Gould's beach report. Selectman Harnais seconded the motion.

Mr. Stankiewicz recommended that the Police Chief and Harbormaster be given the opportunity to review the proposal and ascertain how their departments would be involved in the enforcement of the policy, prior to submittal to the State. After some discussion, Selectman Muratore made a motion to withdraw his previous motion. Selectman Harnais seconded the motion, and the Board voted 3-0-1 in favor. Selectman Quintal abstained from the vote.

Selectman Muratore then made a motion to request that Mr. Gould petition the State on behalf of the Town to lift the dog ban in its entirety. Selectman Harnais seconded the motion, and the Board voted 3-1-0 in favor. Selectman Quintal cast the opposing vote.

Vice Chairman Mahoney noted the TBAC's proposal to allow leashed dogs on Ryder Way and questioned whether it would conflict with the Board's motion. Ms. Fugazzi explained that the TBAC submitted a recommendation to the Town to request modification of the State's dog ban to allow the walking of leashed dogs along Ryder Way north of the "Day Parking Area," as well as reduction to the duration of the seasonal ban—similar to the aforementioned request made to the State by the Long Beach Homeowners' Association. Mr. Gould recommended that the Board prioritize its requests. Ms. Arrighi contended that the Town might best approach the matter by asking for only its top priority—the outright retraction of the dog ban.

Following further deliberation amongst the Board, Selectman Muratore made a motion to authorize Mr. Gould to proceed with the Board's request for full retraction of the dog ban, contingent upon the results of the Environmental Management Division's final 2010 Dog Monitoring (beach) Report. Selectman Harnais seconded the motion, and the Board voted 3-1-0 in favor. Selectman Quintal cast the opposing vote.

NUCLEAR MATTERS COMMITTEE: REPORT & RECOMMENDATIONS

Following a brief recess, Vice Chairman Mahoney reconvened the meeting at approximately 8:30 p.m. to hear a presentation from the Town's Nuclear Matters Committee ("NMC").

Jeff Berger, chairman of the NMC, introduced the presentation and provided the Board with a brief update on the detection of unnatural levels of radioactive tritium on the property surrounding the Pilgrim Nuclear Power Station. Mr. Berger reported that Entergy Nuclear Corporation (owners of the Pilgrim Station) dug eighteen test wells where elevated and fluctuating levels of tritium have been observed. The NMC, he said, will remain in contact with officials from Entergy and the Massachusetts Department of Public Health (“DPH”), and any new information will be reported back to the Selectmen.

The committee’s presentation, Mr. Berger noted, is intended as a follow-up to a report the NMC provided to the Selectmen in January of 2006, within which the committee recommended against the relicensing of the Pilgrim Station. Since 2006, he said, the membership of the NMC and the Board of Selectmen has changed and, as such, the committee felt that it was time for a formal update. Mr. Berger recognized fellow NMC members Rich Grassie, Rich Rothstein, Paul Smith, James Simpson, and Francis Collins for the hundreds of hours they have invested into their work on the committee and the 2010 report of recommendations.

NMC member Rich Grassie led the PowerPoint presentation in which he covered the following topics related to Pilgrim Station. After review of each topic, Mr. Grassie offered recommendations from the NMC:

- Evacuation / Sheltering in the Event of an Emergency – Town and State officials must ensure that the evacuation/sheltering plan is reliable and realistic; public education is absolutely critical to the success of any evacuation plan.
- Meteorological Monitoring Around the Station – It is imperative that Entergy has the technical ability and state-of-the-art equipment to provide accurate, real-time meteorological and radiological monitoring within the Emergency Protection Zone (“EPZ”) to DPH and the Massachusetts Emergency Management Agency (“MEMA”).
- Storage of Spent Fuel / Dry Cask Storage – With no long-term, offsite storage options, Entergy’s proposed plans to relocate spent fuel from the nearly-full cooling pool to on-site dry cask storage poses risks; thus, the Town should be compensated for such risks.
- Risk Analysis / Insurance – The Town should examine its risk management responsibility to be sure that the Federal Price Anderson Act is adequate to meet Plymouth’s needs, in the event of a significant radioactive accident/event.
- Environmental Impact – Entergy currently complies with all Nuclear Regulatory Commission (“NRC”) and Environmental Protection Agency (“EPA”) regulations with regard to water and atmospheric vent discharges; thus, the NMC does not view this as a major concern.
- Health Impact – Though many Plymouth residents have long held concerns about the impact of radiation from Pilgrim Station on cancer rates, the pattern and distribution of elevated diseases does not appear to demonstrate a connection with radiation as the causative agent. The NMC awaits the results of a nationwide study commissioned by the Obama administration regarding the impact of nuclear power plants on public health.

- Taxation and Economics – Plymouth should protect itself against the risks associated with the extension of Pilgrim Station’s license through ongoing Payment-In-Lieu-of-Taxes (PILOT) negotiations; whether sold or decommissioned, the plant is a major revenue source for the Town, and the Town should ensure that monies set aside by Entergy for future decommissioning remain in place.
- Alarms and Warning Technology – The siren warning system currently in place for Pilgrim Station must be maintained, though not considered fully adequate or effective; the Town, therefore, should consider requiring Entergy to use Reverse-911 and Amber-Alert type systems to notify residents of a radiological emergency by phone, radio, computer, and cable television.
- Aging Components – An aging plant with aging components can yield and complicate catastrophic failures; aggressive NRC inspection and oversight of the plant’s components should be adequate to identify problems and facilitate solutions.
- Security – Pilgrim Station is an attractive target that is vulnerable to safety and security risks; though Entergy’s self-evaluated force-on-force drills are compliant with NRC regulations, the NMC questions the reality and effectiveness of internal, force-on-force drills as a means of measuring the adequacy of Pilgrim’s security.
- Communications – The NMC feels that communication between Entergy and the NMC has been both productive and optimal.

Mr. Grassie closed the presentation with the promise that NMC members remain committed to their assignment to nuclear matters affecting the Town. The NMC, he said, has identified in its report several critical issues that must be addressed and leveraged during negotiations between the Town and Entergy.

Following the presentation, members of the Board posed some brief questions to Mr. Grassie and the NMC. Selectman Muratore inquired about the funds—nearly \$20 billion—that the Federal government withheld for the creation of a centralized dry cask storage facility in a remote location. Mr. Berger explained that the \$20 billion was to be applied to the proposed storage facility at Yucca Mountain in Nevada. Because the government no longer plans to move forth with the Yucca Mountain project, Mr. Berger noted, Senate President Murray has contacted Attorney General Martha Coakley to begin the process of retrieving Massachusetts’ share of the funds. Mr. Grassie informed the Board that the responsibility for long-term storage of spent nuclear fuel now rests with power plant owners—and, by default, the communities that host them.

In response to a question from Vice Chairman Mahoney, NMC member Paul Smith provided further details on the connection between tritium and nuclear power facilities. Tritium, Mr. Smith said, is off-gassed as a by-product of energy production, and measurable amounts are typically found around plants like Pilgrim Station.

At the close of the discussion, Mr. Stankiewicz explained that the NMC’s recommendations will be considered in the course of license negotiations between the Town and Entergy. Mr. Grassie advised Mr. Stankiewicz and the Board to utilize the NMC’s collective expertise for any necessary research in the course of the negotiation process.

REQUEST FOR CHANGES TO SHERMAN MEMORIAL IN MANOMET

Kevin Thomas of the Sgt. Benjamin W. Sherman Memorial Square Committee addressed the Board to request permission to add a lighted flagpole beside the already-approved memorial stone honoring the late Sgt. Benjamin W. Sherman at the corner of State and Beaver Dam roads.

Mr. Thomas distributed an engineering map of the intersection and photographs of the memorial stone to the Board. Selectman Muratore applauded Mr. Thomas's efforts to coordinate the memorial for Mr. Sherman and inquired about the choice of location. Mr. Thomas explained that Mr. Sherman's family has resided on Beaver Dam Road since the 1800's, and, thus the well-traveled intersection of State and Beaver Dam Roads appeared to be the most logical and visible location. In response to another question from Selectman Muratore, Mr. Thomas stated that he consulted with the Town's Engineering Department to ensure that the stone was placed far enough back from the roadway (between the bus stop and control box) so that it will not interfere with any potential State plans to add a turning lane to the intersection.

Mr. Thomas informed the Board that he and fellow committee members wish to erect a 25-foot flagpole beside the memorial stone. To light the flag according to Town bylaws and with no overhead wires, he said, the committee will consult with NSTAR about installing a spotlight on a nearby pole. Mr. Thomas stated that, with the Board's permission, he could have the pole installed the next day.

Selectman Harnais acknowledged Mr. Thomas' desire to have the flagpole installed by Veterans Day but expressed concern as to whether the request for the flagpole had been fully vetted with the Manomet Village Steering Committee and the Town's Memorials Advisory Committee ("MAC"). Mr. Thomas responded that he was not required to appear before the Manomet Village Steering Committee and claimed that the minutes from his hearing before the MAC were inconsistent with what actually took place.

Selectman Muratore noted that the Selectmen did not have the minutes from the MAC meeting (at which Mr. Thomas made his presentation) when it made its decision to approve the Sherman memorial (on August 31, 2010) and, as such, he invited Nicole Rivers-Kustanovitz of the MAC to discuss what transpired during the review of the proposal.

Ms. Rivers-Kustanovitz stated that the proposal for a lighted flagpole was not brought forth before the MAC—nor were engineering plans submitted—when Mr. Thomas came before the committee with the memorial request. The MAC, she said, approved only the placement of a memorial stone with an engraved plaque honoring Mr. Sherman. If the memorial is to be modified from the original proposal, she said, process should be followed and plans should be submitted to the MAC for a recommendation. Ms. Rivers-Kustanovitz expressed concern that the Board would be bypassing due process (set forth in its own policy on memorials) if it was to approve the addition of a lighted flagpole to the memorial without a recommendation from the MAC.

Ms. Rivers-Kustanovitz went on to report that the MAC has discussed the idea of establishing a centralized memorial park, to alleviate potential conflicts or problems arising from requests to erect memorials on Town land. The committee, she said, tends to refrain from approving the placement or naming of more than one memorial per individual on public property. With regard to Mr. Thomas's questioning of the MAC's meeting minutes, Ms. Rivers-Kustanovitz noted that the Town's Veterans Agent was present at the meeting during which the Sherman memorial was presented.

Plymouth Veterans Agent Roxanne Whitbeck affirmed that she was present during Mr. Thomas's presentation before the MAC. From her recollection, she stated, the MAC heard only the request for the placement of the memorial stone and the naming of the square; but at no point did she recall discussion of a lighted flagpole. There are maintenance-related costs associated with the care of flags and lights that should be considered, Ms. Whitbeck said, and, though she looks favorably on the concept of a lighted flagpole at the memorial, due process should not be bypassed. Ms. Whitbeck mentioned that she took part in the discussion with the MAC on one centralized memorial location. Sadly, she said, the Town may need to set aside additional space and plan for the accommodation of future memorials, should the current war continue.

Mr. Thomas contended that the MAC discussed and approved the renaming of the intersection in honor of Mr. Sherman, in addition to the memorial stone. An engineering map, he asserted, was also presented to the committee. Mr. Thomas insisted that the Board should approve the addition of a lighted flagpole at the memorial site, based on the principle that the fallen soldier deserves it. The Sherman Memorial committee, he noted, can provide replacement flags and ensure that the light bill is paid (through donations).

Mr. Stankiewicz confirmed that the Board has the ability to set up a gift account through which donations can be made for the expense of replacement flags and the cost of electricity to light the flagpole.

Ms. Rivers-Kustanovitz responded to questions from Vice Chairman Mahoney with regard to the MAC and the Town's policy on memorials. The MAC, she informed the Board, is a three-person committee that meets on an as-needed basis to review requests to name or place monuments on public property. Ms. Rivers-Kustanovitz explained that the MAC has discussed the idea of a master plan and/or one centralized location (i.e. a memorial garden) for public memorials, out of concern for the diminishing amount of public space available to accommodate memorials to individuals. When possible, she said, the committee encourages memorials that honor groups, or memorials that honor a group in the name of an individual, e.g. the EMT memorial on the waterfront (the Jonathan Ouellette memorial which recognizes the service of all emergency medical technicians).

Given the electricity and replacement expenses related to Mr. Thomas's recent request to add a lighted flagpole to what the Selectmen have already approved for the Sherman memorial, Ms. Rivers-Kustanovitz said, the MAC would want to fully hear the proposal and base its decision on clear documentation. The committee, she noted, already allowed Mr. Thomas to bring his initial proposal before them earlier than the Town's memorials policy permits, to accommodate his wishes to have the memorial in place by Veterans Day.

Selectman Harnais offered support for some sort of master plan for memorials—similar to that mentioned by Ms. Rivers-Kustanovitz and the Town’s Veterans Agent—that would bring a unified vision to what could otherwise become a myriad of individual memorials scattered throughout town. A memorial square like that on the National Mall, he said, could acknowledge several conflicts and honor all those who gave their lives in sacrifice.

Mr. Thomas asserted that many communities allow individual memorials in addition to centralized memorials/monuments. All veterans should be honored, he said, and he asked the Board to allow his committee the ability to honor Mr. Sherman with a flagpole.

Vice Chairman Mahoney opened the discussion to public comment.

Kevin Doyle, member of the Manomet Village Steering Committee, theorized that his committee would have likely wanted to hear or discuss Mr. Thomas’s flagpole proposal. Mr. Doyle offered his belief that everyone who dies for their country deserves recognition but expressed concern about the proliferation of memorials that could potentially multiply throughout town. In his opinion, he said, the memorial stone and plaque (as approved by the Board) for Mr. Sherman is appropriate, but anything more than that could be too much, and the Town should take care to avoid setting the wrong precedent with this matter.

Seeing no further comment, the Board offered some final discussion on Mr. Thomas’s request to add the flagpole. Selectman Quintal stated that he has no qualm with the addition of the flagpole, as “the horse is already out of the barn” with regard to memorials honoring individuals (e.g. the Burgess and Rooney memorial clocks). Selectman Muratore emphasized the importance of process, noting the harsh response the Board has sometimes received in times where the community did not feel that due process was honored.

Selectman Muratore made a motion to redirect Mr. Thomas’ request to the Memorials Advisory Committee (“MAC”) for its review and recommendation. The motion, he said, is based on the need to follow process and is in no way related to the individual being honored.

Selectman Harnais seconded the motion, and the Board voted 3-1-0 in favor. Selectman Quintal cast the opposing vote.

BOARD LIAISON / DESIGNEE UPDATES

Roads Advisory Committee – Selectman Harnais reported that the Roads Advisory Committee recently began the process of reviewing options related to the solution of emergency response time to the Oliver Neck Road neighborhood. Residents from the Twin Lakes and Oliver Neck neighborhoods will be involved in the course of the committee’s review, he noted.

Solid Waste Advisory Committee – Vice Chairman Mahoney briefly talked about the defeat of the bylaw put forth by the Solid Waste Advisory Committee to Town Meeting for mandatory recycling. Selectman Quintal inquired if a term expiration date had been set for

the SWAC, or if there had been any formal discussion as to when its business will formally conclude. Vice Chairman Mahoney noted that this question was raised at the SWAC's recent meeting but did not provide information as to whether there was an outcome from the discussion.

400th Anniversary Committee – Vice Chairman Mahoney informed the Board that the 400th Anniversary Committee has not met since the logo unveiling but noted that he has invited 400th Committee chairman Rev. Peter Gomes to provide a presentation to the Board during an upcoming meeting.

OLD BUSINESS / LETTERS / NEW BUSINESS

Committee Resignations and Vacancies – Selectman Muratore asked if the Board acknowledges committee resignations via letter. Tiffany Park, the Selectmen's Assistant, affirmed that such letters are sent. Selectman Harnais inquired about the process of filling committee vacancies. Ms. Park explained that committee vacancies are advertised periodically in the local newspaper and on the Town's website.

County Property / Right of First Refusal – Vice Chairman Mahoney inquired about the notice the Town received that the County plans to sell or lease its "corner lot" property on Long Pond Road (near the Plymouth Police Station and South Street Transfer Station). Mr. Stankiewicz reported that he has plans to meet with the County to discuss the property, as well as issues related to the capping of the South Street Transfer Station.

Pawn Shop Regulations – Selectman Quintal asked if the Town Manager's Office could look into regulations governing pawn shops, to protect against the pawning of stolen items. The Town of Braintree, he mentioned, has regulations requiring the detailed documentation of pawned items and the identification of the person pawing the items.

Gifts from Shichigahama, Japan – Selectman Muratore made mention of the number of gifts and items brought back from the recent official visit to Shichigahama, Japan. These items, he said, will be stored in the new Plymouth North High School, once complete. Selectman Muratore noted that he will be collaborating with PACTV staff on a one-hour program detailing the delegation's experiences during the visit.

ADJOURNMENT OF MEETING

On a motion by Selectman Quintal, seconded by Selectman Harnais, the Board voted to adjourn its meeting at approximately 10:00 p.m. Voted 4-0-0, approved.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the November 9, 2010 meeting packet is on file and available for public review in the Board of Selectmen's office.