

PLYMOUTH BOARD OF SELECTMEN

TUESDAY, DECEMBER 28, 2010

TOWN HALL MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, December 28, 2010 at 7:00 p.m. at Town Hall in the Mayflower Room.

Present: John T. Mahoney, Jr., Vice Chairman
Sergio O. Harnais
Mathew J. Muratore

Mark Stankiewicz, Town Manager
Melissa Arrighi, Assistant Town Manager

Absent: Chairman William P. Hallisey, Jr.
Selectman Richard J. Quintal, 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

Weather / Storm Impact – Town Manager Mark Stankiewicz provided the Board with a report on the recent snowstorm, during which several areas of town along the coastline experienced damage, including the seawall at Plymouth Beach (and the adjacent Bert's Landing Restaurant), Route 3A/Warren Avenue at Plymouth Beach, Water Street, and Taylor Avenue. Mr. Stankiewicz reported that Governor Patrick declared a Snow Emergency, through which the Town will seek reimbursement for damages to public property/structures (like the beach seawall). Plymouth's Emergency Management Division opened a "warming shelter" at Plymouth South Middle School from Sunday, December 26th through Monday, December 27th for residents experiencing extended power outages, he noted, but few took advantage of such services. Mr. Stankiewicz commended Police, Fire, DPW, and Emergency Management staff for their efforts throughout the duration of the storm.

Massachusetts Department of Fish & Game – Mr. Stankiewicz informed the Board that he met with Joan Pierce of the Massachusetts Department of Fish & Game ("Mass. DFG") to discuss a cooperative effort between Mass. DFG and the Town to clear titles for the parcels collectively known as the 1,000 Acres. Ms. Pierce, he said, noted that the site includes several hundred acres of sensitive wildlife habitats and endangered species, for which Mass. DFG would like to offer legal assistance on title clearing, to protect the acreage from future development. During the discussion, Mr. Stankiewicz reported, it was discussed that those areas deemed as sensitive and non-developable would be placed under conservation

restriction, while the Plymouth Economic Regional Development Foundation could continue with title research on the approximately 200-300 acres suitable for development.

Student Awareness of Fire Education (“SAFE”) – Mr. Stankiewicz congratulated Fire Chief G. Edward Bradley for securing \$7,815 in State funds for the 2011 Student Awareness of Fire Education (“SAFE”) program.

Beach Management Plan – Mr. Stankiewicz reported on the Recommended Final Decision handed down from the Massachusetts Department of Fish & Game in which it was determined that Plymouth’s Beach Management Plan did not result in the “take” of a State-listed endangered species. This was a favorable decision for the Town, he explained, thereby upholding the Town’s Management Plan against the legal challenges issued by the Goldenrod Foundation. Mr. Stankiewicz expressed his belief that the decision was a testament to the hard work and dedication of DPW Environmental Manager David Gould and Plymouth’s legal counsel.

Christmas Tree Disposal – Mr. Stankiewicz announced that the Town will again partner with Balboni’s Landscape & Supply for Christmas Tree disposal. Through this program, he explained, residents may drop off their trees at the Balboni Reprocessing Center at 135 Camelot Drive between December 27, 2010 and January 31, 2011. All trees must be cleared of decorations and proof of residency is required, he added.

Revenue Projections for FY2012 – Mr. Stankiewicz noted that he held several meetings to discuss the FY2012 budget with Department Heads and the Town’s Finance Director, Lynne Barrett. He referred the Board to the specific information provided in his written report and noted that it is unlikely that revenue projections will meet the requests issued by Department Heads.

LICENSES

VEHICLE FOR HIRE OPERATOR (NEW)

On a motion by Selectman Harnais, seconded by Selectman Muratore, the Board voted to approve the following Vehicle for Hire Operator License, as noted. Voted 3-0-0, approved.

❖ For **Total Traveler Transportation**, 844 Webster Street, Marshfield:

- Harold Mazzilli, 2 Duck Plain Road

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

KENO

On a motion by Selectman Harnais, seconded by Selectman Muratore, the Board voted to acknowledge that the Massachusetts State Lottery Commission will approve a Keno License for the establishment listed below. Voted 3-0-0, approved.

❖ **A.L. Prime Energy**, 724 State Road

ONE DAY WINE AND MALT LIQUOR LICENSE

On a motion by Selectman Muratore, seconded by Selectman Harnais, the Board voted to approve the following One Day Wine & Malt licenses, as detailed. Voted 3-0-0, approved.

- ❖ **Café Olio** (Stephen Conti, 3 Village Green North) requested eight (8) One Day Wine & Malt licenses for dining between 12:00 p.m. and 6:00 p.m. on the following dates: January 6, 7, 13, 14, 20, 21, 27, and 28, 2011. Liquor liability is in place.
- ❖ **Sylvia Muentes Lopez** (Hampton Inn and Suites, 10 Plaza Way) requested a One Day Wine & Malt license for a Chamber of Commerce Business After Hours event to be held from 5:00 p.m. to 8:00 p.m. on January 20, 2011. Liquor liability is in place.
- ❖ **Our House Services** (Linda Ducrot, 40 Russell Street) requested two (2) One Day Wine & Malt licenses for wine tasting dinners to be held from 6:00 p.m. to 11:00 p.m. on January 15 and 22, 2011. Liquor liability is in place.

FUEL STORAGE (CHANGE OF OWNERSHIP)

On a motion by Selectman Muratore, seconded by Selectman Harnais, the Board voted to approve a Fuel Storage Change of Ownership for the following location, which has storage tanks with a capacity of 30,500 gallons already in place and approved. Voted 3-0-0, approved.

- ❖ **724 State Road** – Currently licensed under CK Smith Co., Inc., transferring to 724 State Road, LLC.

VEHICLE FOR HIRE (RENEWAL)

On a motion by Selectman Harnais, seconded by Selectman Muratore, the Board voted to approve the following Vehicle for Hire license renewals, as noted. Voted 3-0-0, approved.

❖ **Patriot Transportation, 227 Standish Avenue:**

- One (1) Vehicle for Hire Business Permit – Taxi
- One (1) Vehicle – Renewal (Vehicle has been inspected by the Inspectional Services Department)
- Applying for one (1) Vehicle for Hire Operator License:

Michelle Cushman, 227 Standish Avenue, Plymouth, MA 02360

Issuance is subject to completion of the requisite CORI background check and driving record review.

ADMINISTRATIVE NOTES

Meeting Minutes – On a motion by Selectman Harnais, seconded by Selectman Muratore, the Board voted to approve the minutes of the November 30, 2010 Selectmen's meeting. Voted 3-0-0, approved.

Purchase & Sale for Property off Fuller Farm Road – The Board approved and executed a *Purchases & Sale* agreement for property off Fuller Farm Road shown as Parcel 25 on Assessor’s Map 88, as authorized by Article 16A of the 2010 Fall Annual Town Meeting.

Notice of Intent / 93 Ellisville Road – The Board granted permission to Ralph A. and Lynne E. Casale to file a Notice of Intent with the Conservation Commission regarding a proposal to fill and vegetate a collapsed coastal bank at 93 Ellisville Road.

[Note: The plan submitted proposes activity on a portion of Town-owned property, and the Conservation Commission will not review the Notice of Intent until all property owners within the project’s parameters have given their permission to file. The application will be subject to further review and subsequent permission/denial from both the Conservation Commission and the Board of Selectmen and/or Town Manager to conduct the proposed work – this is not an approval of the project. Approval of this administrative note simply gives the applicant permission to file the Notice of Intent with the Conservation Commission.]

Stop Sign at Pinewood and Carver Roads – The Board approved the installation of a stop sign on Pinewood Road, at its intersection with Carver Road, as recommended by the Town’s Parking & Traffic Task Force.

Stop Sign and Crosswalk at Resnik Road and Scobee Circle – The Board approved the installation of a stop sign and crosswalk at the intersection of Resnik Road and Scobee Circle, as recommended by the Town’s Parking & Traffic Task Force.

Street Sign at Knotty Pines Road – The Board approved the installation of a street sign for Knotty Pines Road, at its intersection with College Pond Road, as recommended by the Town’s Parking & Traffic Task Force.

Crosswalk at Rising Tide School and Boys & Girls Club – The Board approved the installation of a crosswalk on Resnik Road to connect the Rising Tide Charter School and the Boys & Girls Club, with the inclusion of crosswalk and School Zone signage, as recommended by the Town’s Parking & Traffic Task Force.

Handicapped Parking on Cherry Street Court – The Board approved the installation of one handicapped parking space at #2 Cherry Street Court, as recommended by the Town’s Parking & Traffic Task Force.

Crosswalk at 338 Court Street – The Board approved the installation of a crosswalk at 338 Court Street (near the Bartlett-Santos Funeral Home), contingent upon review by the Town’s Traffic Engineer and Parking & Traffic Task Force.

Wild Animal Permit – The Board granted a Wild Animal Permit pursuant to Chapter 23, Article IV of the Town of Plymouth Bylaws to Robert J. Ankstutus of 125G Taylor Avenue for his American Staffordshire Terrier (male, 1 year old).

Cultural Council Membership – The Board removed Victor Moulton and Mary Lou Navin from the Plymouth Cultural Council for extended, unexcused absence from meetings. The Cultural Council voted to request this action of the Board after several attempts to contact these members (to request improved attendance or official resignation) were unsuccessful.

PUBLIC COMMENT

Eugene Lane of Manomet spoke on the recent decision handed down by the Massachusetts Division of Fish & Game on Plymouth’s Beach Management Plan. Mr. Lane quoted the judge’s decision—which was favorable to the Town—and commended the work done by Plymouth’s Environmental Manager, David Gould, to defend the Management Plan and keep Long Beach open to the public. The Board, he said, should ask the State to cut off all public grant funding to the Goldenrod Foundation (the group that challenged Plymouth’s Beach Management Plan), if it continues to use those resources to effectively close the outer portions of the beach to the public in the name of protecting endangered shorebirds. Mr. Lane stated his belief that the Town should publicize the amount of taxpayer dollars spent to fight the legal challenges issued by the Goldenrod Foundation and its attorney, William Abbott.

Mr. Lane went on to claim that Mr. Abbott, along with Plymouth’s former DPW Director, George Crombie (who was the head of the Massachusetts Department of Environmental protection at the time), worked to stop the repair of the Long Beach revetment wall in the early 1990’s. Town Counsel, he noted, has determined that public funds cannot be expended on private ways; if Long Beach property owners continue to prevent the Town from repairing the protective revetment wall, he said, then the property owners can take responsibility for fixing their own road when damaged by the next major storm.

COMMITTEE APPOINTMENTS

Vice Chairman Mahoney read a list of Plymouth residents who responded to the most recent advertisement of openings on Town committees, noting that there were no contested seats (i.e. more than one applicant for the same seat). Vice Chairman Mahoney then offered each individual the opportunity to speak on behalf of their application. None chose to approach the podium from the audience to address the Board.

On a motion by Selectman Muratore, seconded by Selectman Harnais, the Board appointed the following citizens to Town committees, as detailed below. Voted 3-0-0, approved.

CAPITAL OUTLAY EXPENDITURE: 1 SEAT AVAILABLE, 1 APPLICANT

Michael Riordan	new applicant	Term expires June 30, 2013
-----------------	---------------	----------------------------

DESIGN REVIEW BOARD: 2 SEATS AVAILABLE, 1 APPLICANT

Michael Riordan	new applicant	Term expires June 30, 2013
	Citizen-at-large seat	

MANOMET VILLAGE STEERING: 1 SEAT AVAILABLE, 1 APPLICANT

John Patrick Minerella New applicant Term expires June 30, 2012

NO PLACE FOR HATE: 2 SEATS AVAILABLE, 1 APPLICANT

William D. Hunt New applicant No term limit

NUCLEAR MATTERS: 1 SEAT AVAILABLE, 1 APPLICANT

Roger Leonard New applicant Term expires June 30, 2013

ROADS ADVISORY: 2 SEATS AVAILABLE, 1 APPLICANT

Zachary L Basinski, P.E. New applicant Term Expires June 30, 2013
Experience Required seat

DPW REORGANIZATION PLAN

Mr. Stankiewicz provided the Board with copies of a reorganization plan for the Department of Public Works (DPW), submitted by outgoing DPW Director, Hector Castro. Mr. Castro, he explained, could not attend the meeting to present his plan, due to health issues. Mr. Stankiewicz offered to make a more formal presentation of the reorganization plan to the Board in the future, as Mr. Castro will be officially resigned from his position with the Town at the end of the week.

Mr. Stankiewicz responded to some brief questions from the Board pertaining to the contents of Mr. Castro's report. Vice Chairman Mahoney noted that, since the Board had just received the report, it would take some time to digest the information provided therein. Selectman Muratore inquired if Mr. Castro recommended the addition of any front-line positions, to alleviate short-staffing within certain divisions.

Mr. Stankiewicz explained that Mr. Castro focused the bulk of his report on the restructuring of responsibilities and operations within the DPW, rather than the specific number of positions assigned to each division. Mr. Castro recommended the reassignment of some divisions under others, he reported, e.g. consolidating the utilities divisions into one and placing solid waste operations under the Environmental Management Division. Mr. Stankiewicz also noted that Mr. Castro discussed the importance of delegating the management of day-to-day operations to the Assistant DPW Director, so that the DPW Director can focus on bigger-picture planning.

Seeing no further questions from the Board, Vice Chairman Mahoney opened the discussion to public comment.

Ric Cone of Precinct 3 stated that he was looking forward to hearing the presentation from Mr. Castro, who, in his opinion, did an admirable job during his tenure as DPW Director.

Mr. Cone advocated for the scheduling of a comprehensive presentation and public hearing on Mr. Castro's assessments and recommendations, before the search for a new director begins.

Vice Chairman Mahoney asked Mr. Stankiewicz if he could schedule such a presentation. Mr. Stankiewicz noted that it would be best to hold the presentation until after the January 11th joint meeting on the FY2012 budget.

BOARD LIAISON / DESIGNEE UPDATES

Solid Waste Advisory Committee – Vice Chairman Mahoney reported on the recent meeting of the Solid Waste Advisory Committee (“SWAC”), during which the committee discussed the impending termination date of its charge. The committee voted to request a one-year extension to complete its work, he said, to continue its involvement in such matters as the South Street Transfer Station capping and the SEMASS contract extension.

Selectman Harnais made a motion to extend the term of the Solid Waste Advisory Committee for one year. Selectman Muratore seconded the motion. A brief discussion ensued during which Selectman Muratore emphasized the need for a conclusive decision on the future of Plymouth's solid waste program. It would be optimal, Selectman Muratore said, for the Town to determine the best approach to recycling and (the potential for) curbside pickup services within one year.

Vice Chairman Mahoney expressed his belief that the decision should, ideally, be made within five months, before the Town moves forth with the capping of the South Street Transfer Station. Selectman Muratore asked Mr. Stankiewicz to investigate and collect bids on curbside pickup service, before plans to redesign the South Street Transfer Station are set in motion.

Following discussion, the Board voted 3-0-0 in favor of continuing the charge of the Solid Waste Advisory Committee for one year.

OLD BUSINESS / LETTERS / NEW BUSINESS

Emergency Response During Storm – Selectman Harnais commended Plymouth's Police, Fire, and DPW staff for their work during the recent snowstorm. Plymouth roads, he said, were maintained in good condition.

Consolidation Committee – Selectman Harnais asked Mr. Stankiewicz to review and respond to a letter from the Consolidation Committee, in which the committee outlined several of its recommendations. Selectman Harnais requested that Mr. Stankiewicz respond to the correspondence by the end of January.

ADJOURNMENT OF MEETING

On a motion by Selectman Harnais, seconded by Selectman Muratore, the Board voted to adjourn its meeting at approximately 7:35 p.m. Voted 3-0-0, approved.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A full copy of the December 28, 2010 meeting packet is on file and available for public review in the Board of Selectman's office.