

~ PLYMOUTH BOARD OF SELECTMEN ~

TUESDAY, MAY 22, 2012

TOWN HALL MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, May 22, 2012 at 7:00 p.m. at Town Hall in the Mayflower Room.

Present: Mathew J. Muratore, chairman
John T. Mahoney, Jr., vice chairman
Belinda A. Brewster
Kenneth A. Tavares

Melissa Arrighi, Town Manager

Absent: Sergio Harnais

CALL TO ORDER

Chairman Muratore called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Following the Pledge, Chairman Muratore called for a moment of silence in memory and honor of Lee Regan, a long-time and well-respected employee of the Plymouth Public Library who recently passed away.

TOWN MANAGER'S REPORT

Tree City USA – Town Manager Melissa Arrighi reported that, for the past 23 years, the Town of Plymouth has proudly participated in the Tree City USA program sponsored by the Arbor Day Foundation, the nation's largest non profit organization dedicated to planting trees. Plymouth meets all the standards to become a Tree City USA, which means that we are a town where planting and nurturing trees is a priority. Ms. Arrighi thanked Parks Superintendent Ted Bubbins and his staff for again earning this designation.

Household Hazardous Waste Collection – Ms. Arrighi announced that the South Shore Recycling Cooperative has released its Spring 2012 schedule for Household Hazardous Waste Collection. The event in Plymouth will be at 169 Camelot Drive on Saturday, June 2 starting at 9:00 a.m., and proof of residency is required.

Memorial Day Parade – Ms. Arrighi informed the Board that the Veterans' Services Office is busy planning the annual Memorial Day Parade for Monday, May 28, 2012. The parade will assemble downtown at Shirley Square at 9:00 a.m. and step off at 9:30 a.m. This year, in addition to honoring all our Veterans, we will be honoring the long and close relationship with the Royal Canadian Legion, Branch 120. The Parade Marshall will be

Dale Whitbeck. Following the event, the American Legion Post 40 will have a luncheon available for any military service members at their Post at 199 Federal Furnace Road.

DPW Day – Ms. Arrighi reminded the public that this Thursday, May 24, 2012 from 10:00 a.m. – 2:00 p.m. is the 7th Annual Department of Public Works Day at the Plymouth Public Library at 132 South Street. This has been a great event that really allows the public to learn about the Public Works Department, what they do, and the equipment that is needed and used to do these jobs. It is a community event for both children and adults. It is a free program and there is no registration – just show up, rain or shine.

Town-Wide Clean-Up – Ms. Arrighi expressed a heartfelt thanks to all of the groups that participated in last Saturday’s town-wide cleanup. The event, in its third year, appears as if it has become a very successful tradition in Plymouth. Ms. Arrighi offered thanks to Patrick Farah of the Planning Department and the Network of Open Space Friends.

Council on Aging Survey – Ms. Arrighi reported that the Council on Aging (“COA”) mailed out a community survey this week to 4500 randomly selected citizens of Plymouth over the age of 50. The COA is very hopeful and anticipates a great response from the mailing. The group from the COA Board and Department put enormous effort into the survey and feel certain that the information gleaned from this instrument will be helpful to all the departments in Town. The survey will be placed at the Town Hall as well as other areas in the community, but note that it is also accessible on SurveyMonkey through links which can be found on our Town website, on the COA website and on the website for the Friends of the COA, www.fpcoa.org. Anyone over the wisdom-filled age of 50 is most welcome to participate. We will be happy to share the results once all data has been tabulated.

LICENSES

PEDI CAB OPERATOR LICENSE (NEW)

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted to grant a Pedi-Cab Operator License to each of the following applicants, as listed, below. Voted 4-0-0, approved.

❖ For **Plymouth Pedicab**:

- Adrian V. Baird (109 Summer Street, Kingston)
- Michael A. Busa (33 Priscilla Mullens Way, Carver)
- John M. Wilson (2 Jay Road, Norwell)
- Ryan Taverna (21 Walnut Road, Norwell)

Issuance of above licenses is subject to the requisite CORI background check.

ONE DAY WINE & MALT LIQUOR LICENSE

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted to grant a One Day Wine & Malt License to the following applicants, as detailed below. Voted 4-0-0, approved.

- ❖ **Pinewoods Camp, Inc. / Judy Savage** requested a One Day Wine & Malt Liquor License for a fundraising dinner and auction to be held from 4:00 p.m. to 11:30 p.m. on June 9, 2012 on the grounds of the camp at 80 Cornish Field Road.

Liquor liability insurance will be in place before the license is released.

- ❖ **Setting the Space / Blair Hamaty** requested four (4) One Day Wine & Malt Liquor licenses for shopping events to be held from 11:00 a.m. to 8:00 p.m. at 2 Main Street on the following dates: June 2, 3, 9, and 10, 2012.

Liquor liability insurance will be in place before the licenses are 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.

COMMON VICTUALLER (NEW)

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted to grant a Common Victualler License to the following applicant, as detailed below. Voted 4-0-0, approved.

- ❖ **Asia Tasty**, 24 Main Street, Xing Chen, Owner/Manager
(formerly Sam's Teriyaki House)

Issuance of this license is subject to the completion of all necessary paperwork.

ADMINISTRATIVE NOTES

Chairman Muratore stated that Administrative Note # 3 had been postponed until mid-June, and Administrative Note # 5 had been withdrawn. The Board then voted on the remaining administrative notes.

License Agreement for Utility installation at 262 Billington Street – On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted to execute a *License Agreement* with NSTAR Electric Company and Verizon New England, Inc. for the installation and maintenance of electric transmission equipment that will service Town-owned property at 262 Billington Street (Lout Pond Well Pumping Station).

Addition to List of Surplus Town-Owned Properties – On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted to add a large trailer to the list of surplus Town-owned properties for disposal through public auction that was initially approved by the Board on May 15, 2012, in accordance with M.G.L. Chapter 30B.

Appointment to PGDC – On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted to appoint Richard Knox of 1 Blackmers Lane to the Plymouth Growth & Development Corporation, for a term effective May 23, 2012 through June 30, 2012 (remainder of vacated term). Please note that Mr. Knox was the only respondent to the advertised opening.

Charter Language Amendments – On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted to approve the following amendments to the bill submitted to the General Court (Article 12 of the April 7, 2012 Spring Town Meeting for special legislation to amend the Town Charter):

1. Change the word ‘amendment’ to the preamble to ‘addition’. This will add the preamble approved at the April 7, 2012 Town Meeting to the Plymouth Charter.
2. In section 2-11-3 of the charter, change the legal reference to the Open Meeting Law to the new chapter and section. It currently reflects the outdated Open Meeting Law references that have since been repealed.
3. In section 3-6-2, change the reference ‘Chapter 3-14-4’ to ‘Chapter 3, Section 14-4.’

[Note: These amendments are within the scope of the general public objectives of the petition and have been discussed with Paul Luszcz, Chairman of the Charter Committee)

Exclusive Vending Rights – On a motion by Selectman Tavares, seconded by Vice Chairman Mahoney, the Board voted to grant exclusive vending rights to the Plymouth Area Chamber of Commerce for the following permitted events:

- July 14, 2011 – Plymouth Maritime Day on the Town Pier
- August 25, 2011 – Downtown Plymouth Waterfront Festival along Water Street and in Brewster Gardens
- September 15, 2012 – Plymouth Oyster Festival at Nelson Park
- October 13, 2011 – Barktoberfest at Nelson Park

PUBLIC COMMENT

Selectman Tavares and Jeff Metcalfe spoke about the needs for the July 4th Committee and that the theme of the parade would be 'Imagine.' The parade would honor school staff and the Grand Marshall would be selected by the Plymouth Carver Teacher's Association from their ranks. Mr. Metcalfe then spoke specifically about the need for volunteers in different roles, such as carrying banners or being a costumed character.

Kevin Doyle informed the Selectmen of a very strong, putrid odor in the Manomet area. The residents are calling him complaining and he does not know what the source of the smell could be. He has spoken to town employees and they are looking into it but have not located the problem.

Ms. Arrighi responded that the Health Department employees, Environmental Management staff, and the Board of Health Chairman are all trying to figure out the situation and determine a way to rectify it. At this time, they are still perplexed on what the issue is.

PUBLIC HEARING: SEASONAL WINE & MALT LIQUOR LICENSE KEVIN'S CLUB HOUSE RESTAURANT, 265 SOUTH MEADOW ROAD

Chairman Muratore opened a public hearing to consider the application for a new Seasonal Wine & Malt Liquor License from Kevin's Club House Restaurant, 265 South Meadow Road, Kevin Aragon as Manager. Chairman Muratore 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.

Mr. Aragon spoke about his restaurant and the need to serve beer and wine in order to stay in business.

Seeing no questions from the Board, Chairman Muratore opened the hearing for public comment. There was none. The Hearing was closed.

On a motion by Selectman Tavares, seconded by Selectman Brewster, the Board voted to grant a new Seasonal Wine & Malt Liquor License to Kevin's Club House Restaurant, 265 South Meadow Road. Voted 4-0-0, approved.

VOLUNTEERISM AT PLYMOUTH ANIMAL SHELTER

Janet Baird of Helping Hands for the Plymouth Animal Shelter and Kathryn Leada of Papa's Pet Project briefly discussed volunteerism at the Shelter and the need for residents to participate. Both Ms. Baird and Ms. Leada encouraged citizens to contact their respective organizations to find out how they can become more involved.

WATER, SEWER, & SOLID WASTE RATES AND FEES

WATER RATES

DPW Director Jonathan Beder and Finance Director Lynne Barrett presented a summary of the proposed, recommended rates for the Water, Sewer, and Solid Waste enterprise funds for FY2013. Mr. Beder explained that he has been working in conjunction with the Finance Department to evaluate costs, consumption, and retained earnings in order to set rates for water, sewer and solid waste.

Mr. Beder and Ms. Barrett recommended a 1% increase for 0-3000 CF of use, 1% for 30001-9,000 CF of use, and 1% for 9,000+ CF. They are recommending no change in the semi-annual minimum charge.

On a motion by Vice Chairman Mahoney, seconded by Selectman Brewster, the Board approved the recommendation of staff. Voted 4-0-0, approved.

SEWER

Mr. Beder then discussed the sewer rates and the history of increases and users. They recommended an overall 11% increase (15% to each of the tiers of usage per CF). Selectman Brewster questioned the wisdom of recommending a rate increase when the number of users was still low compared to the capacity of the plant and that the Board had just approved an Interim Policy the week before that would encourage more users to tie in. Selectman Tavares also expressed his frustration that the limited sewer users kept picking up the burden of the Wastewater Treatment Plant costs and debt. He indicated that a 15% increase was not acceptable and asked staff to look at it further. Ms. Barrett stated that a reduction would result in a general fund subsidy, something that the Town had moved away from in FY13. Selectman Brewster stated that the 15% increase seemed like a 'worst case scenario' meaning that usage only goes up slightly and she would like to see a 'best case scenario' that would include possible future tie ins.

On a motion by Vice Chairman Mahoney, seconded by Selectman Brewster, the Board voted to table the issue for two weeks and have it brought back before them on June 5, 2012. Voted 4-0-0, approved.

SOLID WASTE

Mr. Beder went through the history of the solid waste transfer station services and costs, as well as the current retained earnings of \$192,988. He spoke about declining sales and the need to 'ramp up' fees for an inevitable increase in 2015 when tipping fees go up significantly. He recommended the following changes:

Regular Transfer Station from \$186 to \$195; Senior/Handicapped from \$141 to \$145; Annual Recycling Only from \$15 to \$10; Seasonal Pass from \$65 to \$70; and Monthly Passes remain at \$25. He also recommended an on-line purchasing initiative that provided for a \$5 and \$10 discount if bought prior to July 1, 2012.

Vice Chairman Mahoney made a motion to approve the recommendations. There was no second.

On a motion by Selectman Tavares, seconded by Selectman Brewster, the Board voted to level-fund the rates from FY12 and to allow the on-line purchasing initiative. Voted 4-0-0, approved.

CURBSIDE REQUEST FOR PROPOSALS – PROJECT UPDATE

Mr. Beder updated the Selectmen regarding Curbside Pickup proposal. The bids for curbside were submitted by these five companies: ABC Disposal, Capital Waste, Howland Disposal, Mike DelPrete & Sons, and Waste Management.

Mr. Beder reported that both the technical and price proposals have been opened and an initial review and ranking has been conducted. However, the review team consisting of himself, Pam Hagler, Lynne Barrett, Kerin McCall, and Dennis Westgate are still reviewing the price proposals. All companies have agreed to hold their prices for one year as an implementation would take more time than is available now. The next step is for this team to pick the most advantageous proposal and then recommend that to the Town Manager. After that is complete, the chosen company and staff will do public outreach and get buy-in from the community. At this time, they also intend to have curbside available but to also keep open one transfer station.

OLD BUSINESS / LETTERS / NEW BUSINESS

Letter to U.S. Nuclear Regulatory Commission – Selectman Brewster read the letter to the Nuclear Regulatory Commission from the Town Manager in response to the recent non-binding referendum question.

Downtown Neighborhood Watch – Selectman Brewster spoke about a meeting she attended with the Downtown Neighborhood Watch regarding their concerns over the noise and safety in the downtown, as well as lighting issues in parking areas. Chairman Muratore explained that he has invited in all the town's liquor license holders to talk about their responsibilities. Ms. Arrighi stated that she would provide the Board with a copy of the Amplified Music Policy.

Proposal to Create a Town Facebook Page – Selectman Brewster spoke about the possibility of creating a Town Facebook page with the five Selectmen and the Town Manager and Selectmen's Assistant as the administrators. Chairman Muratore offered

support for the idea, and Selectman Tavares and Vice Chairman Mahoney stated that they would want more information about a policy on it, guidelines, and how it would be monitored. Ms. Arrighi indicated that there were many projects on her plate at the time and if this was an important issue to the Selectmen, she would reprioritize to include looking into this issue. The Board agreed to place it on the back burner.

Nuclear Matters Committee – Chairman Muratore gave an update on the recent Nuclear Matters Committee and the presenter, Suzanne Condon, from the Department of Public Health who spoke about meteorological monitoring that would be laced at the Town Wharf, Commerce Way, and Gurnet Point.

Restrooms at 1749 Courthouse – Chairman Muratore informed the public that the 1749 Courthouse public bathrooms will be open again this year for the season.

Chamber of Commerce Trip to Plymouth and London, UK – Chairman Muratore reported that he would be traveling to Plymouth, England with the Chamber of Commerce group in October as a member of the Plymouth Regional Economic Development Foundation. He designated Selectman Brewster to go as the representative approved by the Distinguished Visitors Committee.

EXECUTIVE SESSION / ADJOURNMENT OF MEETING

At approximately 9:10 p.m., the Board of Selectmen voted to adjourn the open session portion of its meeting and enter Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 6, to consider the purchase, exchange, lease, or value of real property, as an open meeting on this matter may have a detrimental effect on the negotiating position of the body. By roll call: Tavares – yes, Mahoney – yes, Brewster – yes, and Muratore – yes.

Chairman Muratore stated that the Board would not reconvene in open session following executive session.

Recorded by Melissa Arrighi, Town Manager

Formatted by Tiffany Park, Assistant to the Board of Selectmen