

~ PLYMOUTH BOARD OF SELECTMEN ~

TUESDAY, SEPTEMBER 4, 2012

TOWN HALL MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, September 4, 2012 at 7:00 p.m. at Town Hall in the Mayflower Room.

Present: Mathew J. Muratore, Chairman
John T. Mahoney, Jr., Vice Chairman
Sergio O. Harnais
Belinda A. Brewster
Kenneth A. Tavares

Melissa Arrighi, Town Manager

CALL TO ORDER

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

Chairman Muratore then held a moment of silence in honor and memory of retired Plymouth Firefighter Alan Canevazzi, who served the Town of Plymouth for more than 29 years, from his appointment in July of 1974 through his retirement in November 2003.

TOWN MANAGER'S REPORT

Presentation of New Town Flag – Town Manager Melissa Arrighi presented the Selectmen with a new Town of Plymouth flag, with the Town Seal illustrated accurately and in color. Ms. Arrighi thanked the Town's Procurement Officer, Pamela Hagler, for ordering the new and improved flag.

Household Hazardous Waste Pickup Days – Ms. Arrighi informed the Board and the public that four South Shore Recycling Cooperative member towns will each host a household hazardous waste collection this Fall. Residents of South Shore towns may attend any of the collection events at no charge. Ms. Arrighi indicated that collections will be held from 9:00 a.m. to 1:00 p.m. on the following dates:

- Whitman/Abington – September 22, 2012 – Whitman Highway Garage, 100 Essex Street
- Plymouth – September 29, 2012 – Plymouth DPW Barn, 169 Camelot Drive
- Weymouth – October 13, 2012 – Weymouth DPW Barn, 120 Winter Street
- Hanover/Norwell/Rockland – October 27, 2012 – Hanover Transfer Station, 550 Hanover St.

Ms. Arrighi instructed residents to contact the South Shore Recycling Cooperative at (781) 329-8318, or www.ssrcoop.info for more information.

Board of Selectmen's FY2013 Goals – Ms. Arrighi summarized a list of goals that the Selectmen established in August. The Board's goals, she indicated, included: a short and long term financial plan with Entergy; public works and economic development goals; and the establishment of a Natural Resource Department to address environmental needs in Plymouth, as well as oversight of our protected land and our lakes/ponds.

Recognition of Local Citizen – Ms. Arrighi was pleased to report that Evelyn Strawn, Chair and Co-Founder of the Plymouth Network of Open Space Friends, is scheduled to receive a Presidential Lifetime of Service Award on September 27, 2012 from Mayflower RSVP, Inc. Only 13 recipients, she said, have received this impressive national award for serving 4,000 (minimum) volunteer hours. Ms. Arrighi noted that Ms. Strawn also serves as the vice president and co-founder of the Friends of Myles Standish State Forest; the chairperson of the Plymouth Conservation Commission; a board member of the League of Women Voters; a member of the Plymouth/Jordan Hospital Healthy Communities Initiative; and as a former board member of the Trustees of the Pilgrim Society. Ms. Arrighi thanked Ms. Strawn for her service and congratulated her on receipt of the award.

BOARD LIAISON/DESIGNEE UPDATES

Tourism Cares for America – Selectman Brewster announced that Tourism Cares for America has identified Plimoth Plantation as one of its 2013 volunteer projects. Tourism Cares for America, she explained, is an organization that facilitates project funding and large-scale volunteer projects for nationally significant cultural and historic sites. Selectman Brewster noted that the organization could potentially assist other sites and projects while in Plymouth, based on the number of volunteers who sign up to participate in the 2013 event at the Plantation.

Council on Aging Golf Tournament – Chairman Muratore reminded the public that the Friends of the Council on Aging will host its annual golf tournament to benefit the Council on Aging at Souther's Marsh on September 10, 2012 (rescheduled from June 25, 2012).

Ribbon Cutting Ceremony at Plymouth North High School – Chairman Muratore announced that the School Department will host a formal ribbon-cutting ceremony at the new Plymouth North High School at 6:00 p.m. on Saturday, September 8, 2012.

PUBLIC COMMENT

Chairman Muratore opened the meeting to public comment. No citizens came forth.

LICENSES

(Continued on next page)

ONE DAY ALL ALCOHOL LIQUOR LICENSE*

On a motion by Selectman Harnais, seconded by Selectman Brewster, the Board voted to approve a One Day All Alcohol Liquor License for the following applicant, as detailed below. Voted 5-0-0, approved.

- ❖ **Janette Jaynes / South Shore Young Professionals** requested a One Day All Alcohol Liquor License for a business networking event to be held from 6:00 p.m. to 8:30 p.m. at the Plymouth Center for the Arts (11 North Street) on October 16, 2012. Liquor liability will be in place before the license is released.

*One day liquor licenses shall automatically cover the day before and the day after the event for the purpose of proper delivery, storage and disposal of alcoholic beverages purchased.

ADMINISTRATIVE NOTES

Meeting Minutes – The Board approved the meeting minutes of the May 8, 2012 Selectmen’s meeting.

Designee for Affordable Housing Trust – The Board appointed David Ward as the Plymouth Housing Authority’s designee to the Plymouth Affordable Housing Trust, for a term effective September 5, 2012 through May 10, 2014.

FALL TOWN MEETING ARTICLES

ARTICLE 4C

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental buildings and/or equipment and/or capital facilities and/or for feasibility studies and other types of studies for the various departments of the Town substantially as follows:

C. Fire Vehicles

or take any other action relative thereto.

BOARD OF SELECTMEN

Fire Chief G. Edward Bradley explained that Article 4C represents a request for authorization to use funds from the Fire Safety and Prevention Revolving Account for the replacement of two Fire Department vehicles. Previously, he said, the Fire Department relied upon used vehicles from the Police Department for management operations. Because the ‘hand-me-down’ program has been eliminated in favor of a right-size, fuel efficient purchase program, Chief Bradley indicated that the department needs to purchase two new vehicles for the Code Enforcement Division.

Chief Bradley reported that the two Ford Crown Victoria vehicles slated for replacement—both with mileage over 160,000—have experienced significant problems and are becoming

too costly to repair. Article 4C, he said, requests authorization to use \$67,000 from the Fire Safety and Prevention Revolving Account to replace both vehicles.

On a motion by Selectman Tavares, seconded by Selectman Harnais, the Board voted to recommend Article 4C to the 2012 Fall Annual Town Meeting. Voted 5-0-0, approved.

ARTICLE 4D

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental buildings and/or equipment and/or capital facilities and/or for feasibility studies and other types of studies for the various departments of the Town substantially as follows:

D. Fire Department Containment Unit

or take any other action relative thereto.

BOARD OF SELECTMEN

Chief Bradley informed the Board that the containment assembly for the air compressor system that fills the Fire Department's Self-Contained Breathing Apparatus containers must be upgraded to meet Occupational Safety and Health Administration ("OSHA") Standards. If the containment unit were to fail in the event of a pressure overload within the compressor, he explained, the unit could become extremely dangerous to staff. Chief Bradley indicated that the expense to upgrade the containment assembly will not exceed \$14,000.

On a motion by Selectman Tavares, seconded by Selectman Harnais, the Board voted to recommend Article 4D to the 2012 Fall Annual Town Meeting. Voted 5-0-0, approved.

ARTICLE 4E

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental buildings and/or equipment and/or capital facilities and/or for feasibility studies and other types of studies for the various departments of the Town substantially as follows:

E. Stormwater system improvements

or take any other action relative thereto.

BOARD OF SELECTMEN

David Gould, DPW Environmental Manager, presented information on Article 4E, which proposes to use \$25,000 from the Waterways Fund to improve the municipal stormwater system at Town Wharf. These improvements, he explained, will be conducted in conjunction with the underground storage tank removal project at Town Wharf. Mr. Gould briefly described the way by which the stormwater upgrades will prevent any runoff from the fueling station from entering the harbor. The Fire Chief and Harbormaster both support the improvements proposed within Article 4E, he noted.

In response to an inquiry from Vice Chairman Mahoney, Mr. Gould reported that the tank removal project should begin in November 2012. With regard to the T-Wharf

reconstruction and harbor-dredging projects, Mr. Gould explained, the Town still awaits the release of funding from the State.

On a motion by Selectman Harnais, seconded by Vice Chairman Mahoney, the Board voted to recommend Article 4E to the 2012 Fall Annual Town Meeting. Voted 5-0-0, approved.

ARTICLE 4F

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental buildings and/or equipment and/or capital facilities and/or for feasibility studies and other types of studies for the various departments of the Town substantially as follows:

**F. Engineering and permitting services
or take any other action relative thereto.**

BOARD OF SELECTMEN

Mr. Gould stated that Article 4F proposes to use \$5,195 from the Waterways Fund as a local match to a grant from the Massachusetts Seaport Council for engineering and permitting services related to the new floats and gangways planned for Town Wharf.

Vice Chairman Mahoney inquired as to how long the Town has been waiting for the release of funds from the State for the T-Wharf reconstruction project. Mr. Gould responded that the bond bills reserved for both the T-Wharf and harbor-dredging projects have been held for nearly four years. The Senate President's Office, Mr. Gould said, has diligently worked to secure these funds for Plymouth, but the economic downturn has delayed the release of all such bond bills.

On a motion by Vice Chairman Mahoney, seconded by Selectman Harnais, the Board voted to recommend Article 4F to the 2012 Fall Annual Town Meeting. Voted 5-0-0, approved.

ARTICLE 4G

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental buildings and/or equipment and/or capital facilities and/or for feasibility studies and other types of studies for the various departments of the Town substantially as follows:

**G. Drainage Improvement at Hedges Pond Recreation Area
or take any other action relative thereto.**

BOARD OF SELECTMEN

Ted Bubbins, DPW Parks and Tree Superintendent, presented Article 4G, which proposes to reallocate \$34,598 from the completed Fresh Pond Park project (approved under Article 9 of the 2009 Spring Annual Town Meeting) to the Hedges Pond Recreation Area, for the purpose of remediating drainage problems caused by construction and landscaping changes at the site.

Mr. Bubbins responded to a handful of inquiries from the Board about the Hedges Pond Recreation Area. The DPW, he said, is doing its best to prevent vandalism at the site during the off-season. In addition, Mr. Bubbins noted, the DPW is working with groups like Outward Bound on potential uses for the campsites at the Recreation Area.

On a motion by Selectman Harnais, seconded by Vice Chairman Mahoney, the Board voted to recommend Article 4G to the 2012 Fall Annual Town Meeting. Voted 5-0-0, approved.

ARTICLE 20

To see if the Town will vote to transfer the care, custody, management and control of the following parcels from the Town Treasurer for the purpose of sale at auction to the Conservation Commission for conservation purposes pursuant to G.L. c. 40, §8C:

Map	Lots	Road	Book/Page	Tax Title
82	55B	Off State Hwy Rte 3	39746/98	9539
85	31	Gunners Exchange Road	1687/531	434
87	34	Old Bog Road	40225/192	10826

Or take any other action relative thereto.

ENVIRONMENTAL MANAGEMENT

Mr. Gould informed the Board that Article 20 seeks to designate three (3) tax-title properties as protected conservation land within the Eel River Watershed. The Eel River Watershed, he explained, falls under the guidelines set forth in the Eel River Nutrient Management Plan, which is a requirement of the Wastewater Treatment Facility Groundwater Discharge Permit issued to the Town by the Massachusetts Department of Environmental Protection (“DEP”). Mr. Gould discussed the characteristics of each parcel and the relationship of each to the Nutrient Management Plan.

On a motion by Selectman Tavares, seconded by Selectman Harnais, the Board voted to recommend Article 20 to the 2012 Fall Annual Town Meeting. Voted 5-0-0, approved.

ARTICLE 3

To see if the Town will vote to raise and appropriate or transfer a sum of money to pay certain unpaid bills, including bills of a prior fiscal year, or take any other action relative thereto.

BOARD OF SELECTMEN

Ms. Arrighi explained that Article 3 will correct an oversight on an unpaid bill for auto parts purchased during the previous fiscal year.

On a motion by Selectman Harnais, seconded by Selectman Brewster, the Board voted to recommend Article 3 to the 2012 Fall Annual Town Meeting. Voted 5-0-0, approved.

ARTICLE 8

To see if the Town will vote to authorize the Board of Selectmen to convey, by sale, lease, or otherwise, to a for-profit organization, not for profit organization, development company, or other entity and upon such terms and conditions as the Board of Selectmen deems appropriate, all or portions of the property known as the 1820 Plymouth County Courthouse, the Commissioner's Building and the Old Police Station and the surrounding parcels shown on Town Assessor's Map 19 Lots 2, 6, 7, 23 24A, 24B and 25 and to convey said parcels and/or the buildings thereon to said entity for such consideration as the Board deems appropriate, which consideration may be nominal, and further, to authorize the Board of Selectmen to execute any and all instruments as may be necessary on behalf of the Town to effect said conveyance of the property and to grant and/or accept, as may be appropriate, a historical preservation restriction or restrictions in said properties meeting the requirements of G.L. c. 184; or to take any other action in relation thereto.

BOARD OF SELECTMEN

Ms. Arrighi informed the Board that Article 8 will authorize the Board of Selectmen to enter into a long term ground lease with a private entity for the 1820 Courthouse, County Commissioners' Building, former Town of Plymouth Police Station, and surrounding Town-owned parcels (located off South Russell Street). Currently, she said, the Plymouth Redevelopment Authority ("PRA") holds a long term ground lease for the Courthouse and Commissioners' Building, but, in recent months, the Town and the PRA have been working cooperatively on the formulation of a Request for Proposals ("RFP") for the private redevelopment of the Courthouse and adjoining 'corridor' properties.

In order to proceed with the RFP, Ms. Arrighi indicated, the Board must be given the ability to enter into a new ground lease. Ms. Arrighi reviewed the process of formulating the bid—which is intended to be released in January 2013—and discussed the way by which the Town will proceed, if Town Meeting approves Article 8.

Ms. Arrighi responded to questions from the Board about the RFP for the 1820 Courthouse and "Courthouse Corridor" properties. Once a draft of the RFP has been completed, she said, the Selectmen will be provided with a copy for their review.

Selectman Tavares insisted that the draft RFP be brought before the Board for a full discussion. Selectman Brewster noted her preference that the PRA provide the Town with assurance that they will relinquish their ground lease if an eligible bidder on the RFP is identified. Selectman Harnais noted that he does not need a full presentation on the RFP until it is in its final form.

On a motion by Selectman Tavares, seconded by Selectman Harnais, the Board voted to recommend Article 8 to the 2012 Fall Annual Town Meeting. Voted 5-0-0, approved.

ARTICLE 12

To see if the Town will vote to approve a 30-year Memorandum of Agreement with the Plymouth Growth & Development Corporation, with a negotiated PILOT Agreement for the parking garage location at the Memorial Hall Parking Lot. *[Final warrant language to be determined.]*

BOARD OF SELECTMEN

Ms. Arrighi presented Article 12, which proposes a 30-year Memorandum of Agreement (“MOA”) between the Town and the Plymouth Growth & Development Corporation (“PGDC”). The proposal to extend the MOA to 30 years, she said, is specifically related to the plans to construct a parking and transportation facility in the Memorial Hall parking lot. In order for the PGDC to bond the funds to construct the facility, the Town must be willing to extend its agreement with the PGDC.

Ms. Arrighi noted that the PGDC would prefer that the Town borrow the funds necessary to construct the parking/transportation facility. If the Town assents to this request, she said, Article 12 will not be necessary, as the PGDC will no longer need such a long term commitment from the Town in order to borrow the funds, itself. Ms. Arrighi pointed out, however, that she and the Town’s Finance Director do not recommend that the Town borrow the funds to construct the parking/transportation facility.

In response to questions from the Selectmen, Ms. Arrighi explained the reasons why she and the Finance Director have recommended that the PGDC bond the funds necessary to construct the parking/transportation facility. The PGDC, she said, operates as a separate entity and can manage the funding and construction of the facility on its own. If the PGDC were to default on the loan, the Town could be considered a party to it (because the facility would be situated on Town property), but, otherwise, the Town would have no liability for the debt on the parking/transportation facility. Ms. Arrighi noted that the Town already carries a great deal of debt on the new high school and senior center, and, therefore, it is in the best interest of the taxpayers to keep the Town’s debt below a certain level. There is language in the MOA, she indicated, that the structure would revert back to the Town if there were ever a problem (in which case, the Town would put the facility back out to bid to another operational organization). The Greater Attleboro-Taunton Transit Authority (“GATRA”) also has a stake in any default on the loan, she explained, because of the amount of funding that it will invest in the project.

Selectman Tavares had a number of concerns about the amount of control—and liability—that the Town will have within the parking/transportation facility project, considering the involvement of the GATRA and the amount of Federal grant funds that have been allocated for the initiative. Selectman Brewster acknowledged Selectman Tavares’ concerns but noted the significant savings that could be achieved if the Town were to borrow the funds. Selectman Harnais recommended that the Town protect itself within the MOA by requiring the PGDC to complete the project by a certain date, rather than giving out a 30-year agreement with no guarantee that the project will ever be completed.

On a motion by Selectman Tavares, seconded by Selectman Brewster, the Board voted to table its decision on Article 12 to the meeting of September 18, 2012. Voted 5-0-0, approved.

OLD BUSINESS / LETTERS / NEW BUSINESS

New England Collegiate Baseball League – Chairman Muratore noted correspondence that the Board received from the New England Collegiate Baseball League (“NECBL”), in

which the league stated that it would like to explore the possibility of Plymouth serving as a host community to a league expansion team.

Vice Chairman Mahoney explained that NECBL is a wooden bat league, similar to the Cape Cod Baseball League. Chairman Muratore asked the Town Manager to speak with the Town's Recreation Director and School Department about this opportunity.

ADJOURNMENT OF MEETING

On a motion by Selectman Tavares, seconded by Selectman Harnais, the Board voted to adjourn its meeting at approximately 8:00 p.m. Voted 5-0-0, approved.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the September 4, 2012 meeting packet is on file and available for public review in the Board of Selectmen's office.