

~ PLYMOUTH BOARD OF SELECTMEN ~

TUESDAY, JANUARY 29, 2013

TOWN HALL MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, January 29, 2013 at 6:30 p.m. at Town Hall in the Mayflower Room.

Present: Mathew J. Muratore, Chairman
John T. Mahoney, Jr., Vice Chairman *[arrived 6:37 p.m.]*
Belinda A. Brewster
Kenneth A. Tavares

Melissa Arrighi, Town Manager

Absent: Selectman Sergio O. Harnais

CALL TO ORDER

Chairman Muratore called the meeting to order at 6:30 p.m.

EXECUTIVE SESSION

The Board voted to enter executive session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 3, to discuss strategy with respect to litigation, and 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, Brewster – yes, and Muratore – yes.

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

RETURN TO OPEN SESSION

Chairman Muratore reconvened the meeting in open session at 7:05 p.m. and led the Pledge of Allegiance.

TOWN MANAGER'S REPORT

FY2014 Budget Process – Town Manager Melissa Arrighi explained that, following the Selectmen's approval of the FY2014 Budget during the January 22, 2013 meeting, the

budget process now rests in the hands of the Advisory & Finance Committee (“FinComm”). The members of the FinComm, she explained, will split into subcommittees that will each review a particular area of the budget. As part of the budget review exercise, the subcommittees will meet with Department and Division Heads to discuss individual line items. Ms. Arrighi reported that, once the subcommittees have reported their findings and recommendations back to the full FinComm in early March, she will provide the Selectmen with an update and discuss whether any differing budgetary recommendations can be accommodated.

Tourism Promotion – Ms. Arrighi was pleased to announce that the Economic Development Foundation, in conjunction with the Plymouth Area Chamber of Commerce and the Town of Plymouth’s Department of Marine & Environmental Affairs, will attend the New England Fishing & Outdoor Expo in Worcester to promote Plymouth as a destination for hiking, biking, fishing, and other outdoor activities. The event, which is considered one of the largest recreational shows on the east coast, will take place from February 8-10, 2013. Ms. Arrighi noted that the Chamber/Foundation booth will be located alongside those of other Plymouth attractions and activities, such as the Captain John Boats.

Appointment of Conservation Planner – Ms. Arrighi reported her appointment of Richard Vacca as the Town’s new Conservation Planner, working under the Department of Planning & Development. Mr. Vacca’s first day with the Town, she stated, is Monday, February 4, 2013. Ms. Arrighi welcomed Mr. Vacca to Plymouth, noting her expectation that he will quickly become part of the Town Hall team.

COMMITTEE LIAISON / DESIGNEE UPDATES

Massachusetts Municipal Association Annual Trade Show – Selectman Tavares indicated that he had the opportunity to attend the Massachusetts Municipal Association’s annual conference and trade show, held in Boston on January 25, 2013. The sessions presented at the conference, he said, were extremely informative, covering topics ranging from the State’s FY2014 budget, Chapter 70 and 90 funding, and State Aid to unfunded mandates, payments for State-owned land, and the use of the Meals Tax as a local revenue-generating option. Selectman Tavares noted that, during the event, he and Roberta Kety (Plymouth’s Human Resources Director) had the opportunity to speak briefly with Governor Deval Patrick on a number of issues that are important to Plymouth.

400th Anniversary Committee / Plymouth 400, Inc. – Selectman Brewster reported that Plymouth 400, Inc. has advertised two positions related to preparations for the 400th Anniversary Celebration in 2020. One position is for a manager to handle the day-to-day operations of Plymouth 400, Inc., and the other is for a grant writer and fundraising coordinator. Selectman Brewster informed the Board that Plymouth 400, Inc. issued a Request for Proposals (“RFP”) for fundraising services, but all three respondents indicated that it is too early to begin the major fundraising effort for the event. As such, she said,

Plymouth 400, Inc. will continue to make progress with the two staff positions and identify the appropriate time to hire a fundraising firm in the future.

Retirement Board – Selectman Tavares noted that he met recently with the chairman of the Plymouth Retirement Board to receive an update on the Retirement System’s budget and the Town’s unfunded liabilities. Based on the information he received during this meeting, Selectman Tavares stated that Plymouth appears to be in a better financial position with regard to its unfunded liabilities than other communities.

PUBLIC COMMENT

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

PUBLIC HEARING: ALL ALCOHOL RESTAURANT LIQUOR LICENSE

MESORACA CORPORATION D/B/A ON THE ROCKS TAVERN, 42 COURT STREET

Chairman Muratore opened a public hearing to consider the application for a new Annual All Alcohol Restaurant Liquor License from Mesoraca Corporation d/b/a On the Rocks Tavern, 42 Court Street, Louis Rizzo 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.

Attorney Chris Maccaferri addressed the Board on behalf of On the Rocks Tavern owner, Louis Rizzo, to explain why Mesoraca Corporation was again appearing before the Board for approval of a liquor license. Attorney Maccaferri recounted that Mr. Rizzo came before the Board in July of 2012 to transfer the license for On the Rocks Tavern from the previous owner, Capitol Hospitality Group, to his company, Mesoraca Corporation. Due to an error, he said, the application for 2013 renewal of On the Rocks Tavern’s liquor license was not submitted by deadline, causing the license to expire at midnight on December 31, 2013. Attorney Maccaferri informed the Board that, though the Alcoholic Beverage Control Commission had already approved the transfer, the expiration of the license required that the corporation file with the Town, anew.

Seeing no questions from the Selectmen, Chairman Muratore opened the hearing to public comment. No citizens came forth, and, thus, Chairman Muratore closed the hearing to await a motion of the Board.

On a motion by Selectman Tavares, seconded by Selectman Brewster, the Board voted to grant an Annual All Alcohol Restaurant Liquor License to Mesoraca Corporation d/b/a On the Rocks Tavern, 42 Court Street, as requested in the license application. Voted 4-0-0, approved.

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted to grant the following licenses to Mesoraca Corporation d/b/a On the Rocks Tavern, 42 Court Street, as listed below (continued on Page 4). Voted 4-0-0, approved.

- Comprehensive Entertainment – Radio, TV, live entertainment
- Common Victualler
- Early Sunday Sales – 10:00 a.m.
- Extension of Hours – 1:00 a.m.

LICENSES

CHANGE OF MANAGER AND CHANGE OF D/B/A

On a motion by Vice Chairman Mahoney, seconded by Selectman Brewster, the Board granted the following Change of Manager and Change of D/B/A, as detailed, below. Voted 4-0-0, approved.

- ❖ **Sea Dog Plymouth LLC d/b/a Sea Dog Brew Pub**, 6 Town Wharf requested a Change of Manager from Peter Lucido to Gregory Mitchell, and a Change of D/B/A from Sea Dog Brew Pub to Nix's. Background check shows no basis for denying the requested Change of Manager.

ONE DAY ALL ALCOHOL LIQUOR LICENSE*

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board granted a One Day All Alcohol Liquor License to the following applicant, as detailed, below. Voted 4-0-0, approved.

- ❖ **Michael Ajemian** (18 Highland Place, Weymouth) requested a One Day All Alcohol Liquor License for a wedding to be held at Memorial Hall from 4:30 p.m. to 10:00 p.m. on February 2, 2013. Liquor liability insurance is in place.

*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

Article 15A / Establish Nuclear Plant Mitigation Fund – The Board voted to recommend Article 15A (Establish Nuclear Plant Mitigation Fund) to the 2013 Spring Annual Town Meeting.

Drainage Easement – The Board accepted a *Deed of Easement* from Hobbs Cove Limited Partnership for land identified as Lot 1A-C on Assessors Map 36 (Winding Way), for the purposes of drainage.

Sworn Weighers – The Board appointed the following employees of the T.L. Edwards, Inc. Plymouth facility as sworn weighers for 2013 (continued on Page 5):

- Angus R. Beaton 428 Winter Street, Hanson, MA 02341
- Christopher L. Edwards 173 East Spring Street, Avon, MA 02332
- Stephen L. Edwards 173 East Spring Street, Avon, MA 02332
- Katherine M. Januse 71 Southworth Street, Lakeville, MA 02347
- David M. Mascio 231 Long Pond Road, Plymouth, MA 02360

2013 SPRING TOWN MEETING ARTICLES

ARTICLE 11

To see if the Town will vote to raise and appropriate, borrow, or otherwise fund \$500,000 in improvements to Private Roads based on the special act was passed by State Legislators and signed by the Governor on June 13, 2012, or take any other action relative thereto.

ROADS ADVISORY COMMITTEE

Ms. Arrighi explained that the Town petitioned the State Legislature for authorization to make improvements on private (unaccepted) roads with public funds. Following approval of the Special Act by the State Legislature and Governor in June of 2012, she indicated, the Town now has the opportunity to raise and appropriate funds to conduct such work.

Sid Kashi, Town Engineer, resumed the presentation on Article 11, which seeks to appropriate \$500,000 for improvements to private roads. The Roads Advisory Committee recommends and sponsors this funding request, he said, which is proposed to be utilized in the following manner:

- \$275,000.00 – Paving
- \$75,000.00 – Gravel Road Upgrade
- \$50,000.00 – Pavement Management Program
- \$50,000.00 – Drainage
- \$50,000.00 – Design

Ms. Arrighi reminded the Board that the funding source for Article 11 is “raise and appropriate,” which will, hence, have an effect on the tax rate.

Ms. Arrighi and Mr. Kashi responded to questions and comments from the Board. Mr. Kashi referenced the guidelines proposed for the selection and prioritization of maintaining and repairing private roads, noting that the Roads Advisory will have some jurisdiction over the process. Ms. Arrighi explained that, legally speaking—and for liability reasons—objection by one abutter will be sufficient reason to stop any and all work on a particular private road.

Selectman Tavares made a motion to recommend Article 11 to the 2013 Spring Annual Town Meeting. Vice Chairman Mahoney seconded the motion.

Selectman Brewster inquired if the \$500,000 for Article 11 can be funded by Free Cash. Ms. Arrighi explained that the Board may want to consider the list of Capital Projects brought forth for consideration at the 2013 Town Meeting before reallocating Free Cash

towards Article 11. If, however, the Board finds that Article 11 is more of a priority, Ms. Arrighi said, Selectman Brewster's suggestion can be considered.

The Board voted 4-0-0 to recommend Article 11 to the 2013 Spring Annual Town Meeting. Following the vote, Selectman Brewster noted that she would like the Board to revisit the way by which Article 11 will be funded, once the list of Capital Projects has been reviewed.

ARTICLE 14

To see if the Town will vote to appropriate a sum of money from available funds as the State's share of the cost of work under G.L. c.90, §34 (2)(a) of the Massachusetts General Laws, or take any other action relative thereto.

BOARD OF SELECTMEN

Mr. Kashi indicated that Article 14 authorizes the Town to accept the funding provided annually by the State under M.G.L. Chapter 90 for the maintenance of public roads.

On a motion by Vice Chairman Mahoney, seconded by Selectman Brewster, the Board voted 4-0-0 to recommend Article 14 to the 2013 Spring Annual Town Meeting.

ARTICLE 25

To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase, or eminent domain, and upon such terms and conditions as it deems appropriate, such temporary and permanent easements for highway and utility purposes in lands along Samoset Street, North and South Park Avenues as are necessary to carry out the proposed reconstruction/improvement of Route 44 (Samoset Street) in accordance with the Right of Way plan prepared for such project, which plan has been placed on file with the Town Clerk, and further to raise and appropriate, transfer, or borrow a sum of money as may be required for the acquisition of the aforesaid interests in land, and further to transfer from the Cemetery Commissioners for cemetery purposes, to the Board of Selectmen for general municipal purposes, such portion of the Vine Hills Cemetery (Assessors Map 101, Lot 49) along Samoset Street as is needed for the relocation of utilities and other roadway purposes in conjunction with the aforesaid Samoset Street improvement project and is shown on the Right of Way plan, or take any other action relative thereto.

DEPARTMENT OF PUBLIC WORKS

Ms. Kashi explained that Article 25 is associated with the significant roadway improvement project planned for Samoset Street, North Park Avenue, and South Park Avenue. As part of the project, he explained, there are certain easements that must be granted, in order to allow work to be conducted outside of the Town's existing right-of-way. Mr. Kashi referenced the maps that were provided to the Board and provided a brief overview of the project.

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

On a motion by Selectman Tavares, seconded by Selectman Brewster, the Board voted to recommend Article 25 to the 2013 Spring Annual Town Meeting. Voted 4-0-0, approved

ARTICLE 30

To see if the Town will vote to amend Chapter 149 of the General Bylaws by adding a new section 149-3 as follows:

§ 149-3. Sewer Betterment Assessments

A. The Board of Selectmen, acting as sewer commissioners in accordance with G.L. c.83, §14, 15, and 23, may assess betterments upon benefitted properties for all, or such lesser portion as the Board shall determine, of the cost of constructing municipal sewer system facilities;

B. In fixing the amount of such betterments, the Board of Selectmen may, at their discretion, utilize the fixed uniform rate or the uniform unit rate method as set forth in G.L. c.83, §15.

C. Further in accordance with G.L. c.83, §15, the Selectmen may, in assessing such betterments, separate the costs of general benefit facilities, including but not limited to pumping stations, trunk and force mains, from that of special benefit facilities, including but not limited to sewer mains, serving adjacent properties, and may apportion an equitable portion of the costs of the general benefit facilities by the uniform unit method on all properties benefitted by such facilities;

D. The Selectmen may assess and collect estimated betterment assessments for the construction of sewer facilities in accordance with G.L. c.83, §15B.

or take any action relative thereto.

DEPARTMENT OF PUBLIC WORKS

Jonathan Beder, Director of Public Works, presented Article 30, which requests authorization to adopt the State statute that allows the institution of a Betterment Assessment Bylaw. The establishment of the bylaw, he explained, is related directly to the Town's plans to expand its sewer infrastructure. Mr. Beder noted that staff will work with Town Counsel to refine the language of Article 30 and determine the percentages that can be assessed. The actual methodology of assessment, he noted, will be determined by the Board at a later date.

Chairman Muratore opened the discussion to public comment.

Paul Hapgood posed questions to the DPW Director regarding the betterment process and those properties that may be exempt from the requirement. Mr. Beder responded that there are a number of types of properties that are exempt, such as churches, non-profits, and municipal properties. Again, Mr. Beder reiterated, Article 30 simply authorizes the Town to adopt the State statute that allows the institution of a Betterment Assessment Bylaw.

On a motion by Vice Chairman Mahoney, seconded by Selectman Tavares, the Board voted to recommend Article 30 to the 2013 Spring Annual Town Meeting. Voted 4-0-0, approved

ARTICLE 18

To see if the Town will vote to approve the Tax Increment Financing Agreement between the Town and Plymouth MA 2013, LLC, substantially in the form of (the "TIF Agreement"), pursuant to GL c. 40, §59, and to confirm the Board of Selectmen's selection of the location of the project as an Economic Opportunity Area ("Cordage Park Economic Opportunity Area #2"), and to authorize the Board of

Selectmen to submit an Economic Opportunity Area Application, Tax Increment Financing Plan, and Certified Project Application to the Massachusetts Economic Assistance Coordinating Council for approval, all relating to the project as described in the TIF Agreement to be located in the Cordage Park Economic Opportunity Area #2, and to take such other actions as may be necessary to obtain approval of the Certified Project Application, the Economic Opportunity Area, the Tax Increment Financing Plan and TIF Zone and to implement the TIF Agreement, or take any other action relative thereto.

BOARD OF SELECTMEN

Denis Hanks, Director of the Plymouth Area Chamber of Commerce and Plymouth Regional Economic Development Foundation, provided the Board with a presentation on Article 18, which proposes to grant a Tax Increment Financing (“TIF”) agreement to Summit Smith Healthcare Facilities. Summit Smith Healthcare Facilities, he explained, plans to construct a new medical office building on the site of the former Wal-Mart location at Cordage Park. Mr. Hanks offered further details on the company and the TIF agreement, noting that the project is expected to generate 200 new jobs.

Chairman Muratore opened the discussion to public comment. .

Everett Malaguti, Town Meeting Member from Precinct 1, had questions about the timing of the request for the TIF agreement and the provisions included therein, noting that he did not concur with the agreement in its current form. Mr. Hanks sought to answer Mr. Malaguti’s questions, noting that Summit Smith Healthcare Facilities made an official request for a TIF agreement in late October of 2012. The financing of this project is contingent upon the TIF agreement, Mr. Hanks indicated; if the agreement does not pass, it is not likely that the project will go forward.

Mr. Hanks responded to some brief questions from the Board regarding the TIF agreement and the safeguards that are in place to protect the Town’s interests.

On a motion by Selectman Tavares, seconded by Selectman Brewster, the Board voted to recommend Article 18 to the 2013 Spring Annual Town Meeting. Voted 4-0-0, approved

PUBLIC HEARING: ROADWAY LAYOUTS / ARTICLE 24

ARTICLE 24

To see if the Town will vote to authorize the Board of Selectmen to accept and allow as public ways the following streets or portions thereof as laid out by the Board of Selectmen and reported to the Town, and as shown on plans on file with the Town Clerk; to authorize the Board of Selectmen to acquire by gift, or eminent domain an easement or easements to use said ways for all purposes for which public ways are used in the Town of Plymouth, and all associated easements; and further, accept gifts for this purpose and any expenses related thereto; and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisition(s).

Ames Street
Brady Lane
Cherrywood Circle
Craig Street

McClellan Drive
Micajah Avenue
Monisa Kay Drive
Oriole Way

Trade Wind Lane
West Ridge Trail
Willow Street (portion of)
Windward Lane (continued, p. 9)

**East Wind Drive
Greenview Drive
Hill Dale Road
Jacob's Ladder Road**

**Sandpiper Lane
Savery Pond Road
Stetson Court
Stuart Avenue (portion of)**

**Spindrift Lane
Dover Circle
Nonantum Road (portion of)
Pawtuxet Road (portion of)**

DEPARTMENT OF PUBLIC WORKS

Chairman Muratore opened a public hearing to consider the layout of twenty-four (24) routes as Town ways, as listed in Article 24. Prior to commencing the hearing, Chairman Muratore affirmed that notice of the hearing was given to the public, in accordance with Massachusetts General Laws, and those wishing to be heard on the matter were encouraged to attend the hearing.

Mr. Kashi responded to some brief questions from the Board regarding the DPW's proposal to accept the proposed list of private roads as public ways, noting that the roadways were chosen by the DPW through an evaluative process. The Board, Mr. Kashi stated, must vote upon each of the roadways, individually.

Chairman Muratore opened the hearing to public comment.

Steve Lydon, Town Meeting Member from Precinct 12, offered his support for Article 24, mentioning that the formerly-private street on which he lives was one of the first to be accepted as a public way by the Town, some years back. Residents on these roads, he said, deserve to have the services that those on public roads receive.

Anthony DiLorenzo of Cedarville expressed happiness that the Town is continuing its efforts to accept private roads as public ways. He thanked the members of the Roads Advisory Committee for helping to spur the process along. Mr. DiLorenzo noted his concern, however, that the Town must receive 100% support from the property owners along the road (in order to move forth with acceptance), as one homeowner could disrupt the process for everyone else.

Mr. Kashi explained that, legally, any homeowner along a public way can challenge the acceptance of a private road as a public way. To avoid lengthy and expensive legal battles, he said, it is recommended that municipalities attain 100% approval from homeowners, prior to proceeding with acceptance procedures.

Robert Alford offered his support for Article 24 and noted his belief that 100% of the funds from automobile excise taxes should be applied to roadway improvements.

Following the closure of public comment, DPW Director Beder and Mr. Kashi responded to questions and comments from the Board regarding the process by which the Town accepts new roads and the number of roadways that are classified as private. Mr. Kashi reported that it would take over \$50 million to accept and upgrade the remainder of private roads in Plymouth to a standard level of quality.

Steve Dyer, vice chairman of the Roads Advisory Committee, encouraged the Board to support Article 24, noted that the Committee is also pleased to see that the Board has supported the allocation of funding for repairing private ways (Article 11).

On a motion by Vice Chairman Mahoney, seconded by Selectman Brewster, the Board voted 4-0-0 to approve the layout of Ames Street as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of Brady Lane as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Vice Chairman Mahoney, seconded by Selectman Brewster, the Board voted 4-0-0 to approve the layout of Cherrywood Circle as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Vice Chairman Mahoney, seconded by Selectman Brewster, the Board voted 4-0-0 to approve the layout of Craig Street as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Vice Chairman Mahoney, seconded by Selectman Brewster, the Board voted 4-0-0 to approve the layout of Dover Circle as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Vice Chairman Mahoney, seconded by Selectman Brewster, the Board voted 4-0-0 to approve the layout of East Wind Drive as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Vice Chairman Mahoney, seconded by Selectman Brewster, the Board voted 4-0-0 to approve the layout of Greenview Drive as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of Hill Dale Road as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of Jacob's Ladder as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of McLellan Drive as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Vice Chairman Mahoney, seconded by Selectman Brewster, the Board voted 4-0-0 to approve the layout of Micajah Avenue as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of Monisa Kay Drive as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of Nonantum Road (portion of) as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of Oriole Way as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of Pawtuxet Road (portion of) as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of Sandpiper Lane as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of Savery Pond Road as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of Spindrift Lane as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of Stetson Court as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of Stuart Avenue (portion of) as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of Trade Wind Lane as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of West Ridge Trail as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of Willow Street (portion of) as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

On a motion by Selectman Brewster, seconded by Vice Chairman Mahoney, the Board voted 4-0-0 to approve the layout of Windward Lane as a public way (Article 24 of the 2013 Spring Annual Town Meeting).

PUBLIC HEARING: CEMETERY SERVICE FEES & RATES

Ms. Arrighi noted that the Board had tabled its decision on the proposal to increase Cemetery fees from its meeting of January 22, 2013, in the interest of gathering further information and clarification.

Ted Bubbins, Cemetery Superintendent, provided the Board with an explanation of the reasoning behind the following list of proposed fee increases.

Department/Division	Service	Current Fee	Proposed FY14 Increased Fee
DPW / Cemetery	Single grave lot sale	\$600	\$700
DPW / Cemetery	Non-resident single grave fee	\$600	\$1,000
DPW / Cemetery	Headstone foundation	\$100/sqft	\$150/sqft
DPW / Cemetery	Pre-need cremation vouchers	0	\$250

Mr. Bubbins reported that the fee for a Single Grave Lot was last increased in 2007 from \$400 to the current fee of \$600 per lot. The Town of Plymouth has never assessed an additional fee to the purchase of a single grave lot by an out-of-town resident, he said, but based on his review of the policies associated with other communities, most include either a residency requirement or a higher fee for purchases of single grave lots. Mr. Bubbins provided the Board with a fee comparison amongst eight other similar communities, noting that Plymouth's fees generally fall in the middle. As cemetery space becomes scarce within Plymouth and in surrounding areas, he said, such increases appear to be warranted, and new revenue will certainly help to offset the costs associated with future expansion of Plymouth's cemeteries.

Mr. Bubbins responded to comments and questions from the Board regarding the proposed fees and the way by which such increases could help his Division to adequately maintain the Town's cemeteries. He explained that 50% of each lot sale is deposited into to the Perpetual Care Account, from which only the interest can be utilized for care. Mr. Bubbins noted that the Perpetual Care Account currently generates \$25,000 per year. Out of Plymouth's 32 official cemeteries, he reported, seven are still active, but each with only a dwindling supply of lots available for sale.

In response to an inquiry from Selectman Tavares, Mr. Bubbins spoke about his future plans to construct a niche wall (to accommodate cremations) in the Vine Hills Cemetery. Mr. Bubbins also noted that plans are in the works to design an expansion of the Parting Ways Cemetery within the next year.

Selectman Brewster made a motion to increase the Single Grave Lot Fee from the current rate of \$600 to a new rate of \$800. Vice Chairman Mahoney seconded the motion, and the Board voted 3-1-0 in favor. Selectman Tavares cast the opposing vote.

Selectman Brewster made a motion to approve the establishment of a Non-Resident Single Grave Lot Fee, as proposed by the Cemetery Superintendent. Vice Chairman Mahoney seconded the motion, and the Board voted 4-0-0 in favor.

Selectman Brewster made a motion to approve the increased fee for Headstone Foundations, as proposed by the Cemetery Superintendent. Vice Chairman Mahoney seconded the motion, and the Board voted 4-0-0 in favor.

In response to a question from Vice Chairman Mahoney, Mr. Bubbins explained that the proposal to offer pre-need Cremation Vouchers has the potential to generate a good deal of sales and provide the Town with up-front revenue from which interest can be generated. The practice of selling pre-need vouchers, he explained, is generally endorsed by the funeral home industry, as it provides families with the assurance of knowing that their loved one's wishes have been honored and prepared for, in advance.

Ms. Arrighi noted that, though she supports the concept of selling pre-need vouchers, she has some concerns about unlimited sales. Selectman Tavares offered his recommendation that the Board monitor the program and make adjustments as needed.

On a motion by Vice Chairman Mahoney, seconded by Selectman Brewster, the Board voted to approve the proposal to offer the sale of Pre-Need Cremation Vouchers, as presented by the Cemetery Superintendent. Voted 4-0-0, approved.

Selectman Brewster made a motion to adjust the percentage allocated from the sale of Single Grave Lots to the Perpetual Care Account, from the current 50% rate to a new rate of 62.5%.

Prior to a second of the motion, the Board began to discuss the proposal. Ms. Arrighi suggested that the Board hold its decision on Selectman Brewster's recommendation, to allow staff the time to research whether such a shift in allocation to the Perpetual Care Account is legal. As such, Selectman Brewster withdrew her motion to allow staff the opportunity to research the matter, further.

OLD BUSINESS / LETTERS / NEW BUSINESS

The members of the Board did not offer any discussion old business, letters, or new business during this particular meeting.

ADJOURNMENT OF MEETING

On a motion by Selectman Tavares, seconded by Selectman Brewster, the Board voted to adjourn its meeting at approximately 9:00 p.m. Voted 4-0-0, approved.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the January 29, 2013 meeting packet is on file and available for public review in the Board of Selectmen's office.