

# ~ PLYMOUTH BOARD OF SELECTMEN ~

**TUESDAY, APRIL 16, 2013**

TOWN HALL MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, April 16, 2013 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  
  
Melissa Arrighi, Town Manager

Absent: Kenneth A. Tavares

## **CALL TO ORDER**

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

Prior to commencing with the evening's agenda, Chairman Muratore took a moment to acknowledge the tragedy that occurred during the Boston Marathon on April 15, 2013. The attack, he said, was not only against the City of Boston and the United States; it was against the world, considering the number of nations represented at the event. At the close of his remarks, Chairman Muratore held a moment of silence to honor those who lost their lives or were injured during the attack, and he acknowledged the families who will live on with the memory of such a regretful event.

Chairman Muratore asked the Town Manager to discuss how the attack at the marathon had affected security measures at Pilgrim Nuclear Power Station. Ms. Arrighi explained that, following the event, she spoke with the Police Chief, and she was informed that the nuclear facility went into a state of heightened alert. Entergy (owner of Pilgrim) has maintained good communication with the Town since the attack, she noted, and the Town's Emergency Management Director will keep Town officials informed on any further changes.

## **SWEARING-IN CEREMONY: NEW POLICE OFFICERS**

Chairman Muratore noted that the swearing-in ceremony for new police officers (originally scheduled for this evening's agenda) had been postponed to a later date.

## **FISCAL YEAR 2012 AUDIT REPORT**

Finance Director Lynne Barrett introduced a presentation on the Fiscal Year 2012 Audit Report with introductions of those involved in preparing the report.

Jim Powers of the accounting firm Powers & Sullivan provided a review of the firm's findings for FY2012.

Mr. Powers utilized a PowerPoint presentation to discuss the three facets of the audit report: the Report on Federal Award Programs, the Basic Financial Statements, and the Management Letter. Mr. Powers reported that he found Plymouth's staff to be very professional and timely with all requested reports.

Mr. Powers explained that federal grants falling over a certain amount must be tracked and audited for compliance. Within his firm's research into the Town's financial operations, he said, it was determined that there was one minor compliance finding with one of the grants awarded to the School Department. Mr. Powers noted that he worked with School Department staff to remedy the issue and implement procedures that would prevent future problems.

With regard to the Basic Financial Statements report, Mr. Powers indicated, the annual audit reviews whether the Town is following governmental standards and whether the General Fund and Enterprise Funds and have sufficient reserves and are in strong financial condition. Mr. Powers discussed the ways by which communities achieve a higher bond rating, such as procedural benchmarks, and he talked about the various stabilization funds that the Town employs to balance fluctuating economic circumstances. One item that must be addressed, he reported, is the Town's Other Post Employment Benefits ("OPEB"), because the Town's long term liability is currently estimated at \$390 million. Though the liability is large, he noted, his auditing firm looks favorably on the fact that the Town is starting to set aside funds to address OPEB. Mr. Powers talked about pension plans and a number of regulatory changes for 2015 that will (1) require more detailed reporting and (2) affect the Town's OPEB liability report.

Mr. Powers discussed the purpose of the Management Letter, which is intended to be critical and identify deficiencies. Aside from some minor procedural issues, he said, the accounting firm found no significant weaknesses or deficiencies in the Town's financial operations. Mr. Powers noted that, of the eight issues identified in the Management Letter, four were from the previous year and four are from the current year. The Town's hiring of an Internal Auditor has had a dramatically positive effect upon this year's audit, he said, as it provides the Town with the ability to protect the integrity of its internal controls all year long, not just when the audit takes place at the end of the year. Mr. Powers outlined some of the older issues that his accounting firm identified within the audit, including dormant accounts and compensated absence accruals. Some of the new comments that were listed in the report, he said, related to deficiencies in reports for the Massachusetts School Building Authority, School custodial details and reimbursements, and some outstanding motor vehicle and boat excise taxes. Mr. Powers indicated that these are relatively minor and correctable issues.

At the close of the presentation, Chairman Muratore thanked Mr. Powers and his staff for their work on the audit, and he noted that he was happy to see the positive effect that the Internal Auditor position has had upon the Town's annual audit. Chairman Muratore asked the Town's Finance Director to identify the Town's financial rating. Ms. Barrett reported that Plymouth is rated at AA.

## **PUBLIC COMMENT**

Joann Corrigan of Priscilla Beach thanked the Selectmen for enacting a Pay-As-You-Throw program as part of the Town's new solid waste options. She asked a number of questions regarding the new programs that will be offered by the Town, noting that she prefers to remain using the transfer station drop-off program. Ms. Corrigan expressed some concerns regarding the decision to close the South Street and Cedarville transfer stations, noting her assessment that the Manomet Station might not be able to accommodate the number of residents who may continue to use drop-off services.

Ms. Arrighi indicated that the Department of Public Works will consider reopening the Cedarville Transfer Station, if traffic becomes too overwhelming at the Manomet station.

Steve Lydon made a request that the fence at the Manomet Transfer Station be altered to allow better sight lines for motorists to safely exit the station onto Beaver Dam Road.

## **LICENSES**

### **ONE DAY WINE & MALT LIQUOR LICENSE\***

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

- ❖ **Janette Jaynes / South Shore Young Professionals** (c/o 35 Knoll Road) requested a One Day Wine & Malt Liquor License for a networking event to be held from 5:00 p.m. to 9:00 p.m. at Pilgrim Hall (75 Court Street) on May 15, 2013.

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

- ❖ **Kimberly English / J. James Auctioneers & Appraisers** (84 Court Street) requested a One Day Wine & Malt Liquor License for an auction to be held from 5:00 p.m. to 9:00 p.m. at Memorial Hall on April 30, 2013.

\*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.

## **EARLY SUNDAY SALES**

On a motion by Selectman Harnais, seconded by Vice Chairman Mahoney, the Board voted to approve an Early Sunday Sales Permit for following applicant, as detailed, below. Voted 4-0-0, approved.

- ❖ **Pillory Pub, LLC** (72 Water Street) requested an Early Sunday Sales Permit for 10:00 a.m.

## **COMMON VICTUALLER (NEW)**

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

- ❖ **E&E Enterprises Inc d/b/a Subway** (367 Court Street), Calon Sweeney, Manager

Issuance of the above license is subject to approval from the Inspectional Services and Health Departments.

## **VEHICLE FOR HIRE**

On a motion by Selectman Brewster, seconded by Selectman Harnais, the Board voted to grant a Vehicle for Hire License to the following applicant, as detailed, below. Voted 4-0-0, approved.

- ❖ **Plimoth Transportation, Inc.** d/b/a Mayflower Taxi (130 Camelot Drive, Scott Vecchi, Owner) applied for one (1) new vehicle permit – Taxi. This brings the total number of vehicles to sixteen (16) – four (4) Taxi, twelve (12) Livery. The vehicle has been inspected by the Inspectional Services Department.

## **AWNING PERMIT**

On a motion by Selectman Brewster, seconded by Selectman Harnais, the Board voted to grant an Awning Permit to the following applicant, as detailed, below. Voted 4-0-0, approved.

- ❖ **John Alden Gift Shoppe and Laurie Jean & Co. Boutique** (78 Water Street) has submitted plans to install two (2) awnings. Approval is subject to the necessary permits being obtained from the Building Department. Historic District Commission approval has been obtained.

## **ADMINISTRATIVE NOTES**

**Meeting Minutes** – The Board approved the minutes of the February 12, 2013 meeting.

**Appointment to 1820 Courthouse Consortium** – The Board appointed Donna Fernandes of 142 Plymouth Street, Carver, as the cultural/tourism representative on the 1820 Courthouse Consortium, for a term effective April 17, 2013 through June 30, 2014. *[Note: Ms. Fernandes was the only respondent to this advertised opening.]*

**Appointment to Cultural Council** – The Board appointed Jonathan Scott of 92 Allerton Street to the Cultural Council, for a term effective April 17, 2013 through June 30, 2014. *[Note: Mr. Scott was the only respondent to this advertised opening.]*

**Appointment to Roads Advisory Committee** – The Board appointed Michael Brandon of 32 George Street to the Roads Advisory Committee, for a term effective April 17, 2013 through June 30, 2015. *[Note: Mr. Brandon was the only respondent to this advertised opening.]*

## **PUBLIC HEARING: TAXI FARE RATES**

Ms. Arrighi explained that the Board had tabled its decision on a proposal to increase taxi fare rates from its meeting of March 19, 2013. During the discussion on the matter, she noted, Selectman Tavares had requested more time for staff to conduct outreach with Plymouth's seniors and those who may use taxi services on a regular basis.

Selectman Brewster indicated that she performed some research on taxi services in the surrounding communities of Pembroke, Kingston, Duxbury, Carver, and Wareham. The Towns of Carver, Duxbury, and Kingston do not have any licensed taxi services, she said, and, thus, they rely on businesses operating out of Plymouth. There is one operator in Pembroke, Selectman Brewster reported, but Pembroke does not regulate rates. The Town of Wareham, she said, did not know how many licensed taxi services were operating from its boundaries. Selectman Brewster noted that she did not contact city governments for taxi information, as their policies and rates would likely vary significantly from those of towns.

Chairman Muratore inquired why the Town of Plymouth regulates taxi fares. Ms. Arrighi stated her understanding that the regulation of taxi fares is in the Town's bylaws.

Scott Vecchi, owner of Mayflower Transportation, spoke of his request that the Board raise the taxi rates from the current rate of \$3.50 to a new rate \$4.00 for the first mile. In addition, he asked the Board to consider raising the current rate for each mile thereafter from \$3.00 to a new rate of \$3.50, prorated at \$0.70 per 1/5 mile.

Mr. Vecchi noted that the Town has not raised its rates for at least five years. Selectman Brewster is correct, he said, that Plymouth taxi operations field calls for service from many of the surrounding communities. Taxis cannot charge for the mileage that it takes to get to the pickup destination, he reported, and the geographic area that his taxis must cover requires a significant amount of gas. Mr. Vecchi stated that a modest increase will help to mitigate gas prices and, thus, maintain a sustainable and successful business.

Chairman Muratore asked Mr. Vecchi if a \$0.25 increase would be suitable compromise (instead of the \$0.50 increase requested). Mr. Vecchi explained that, based on the way that the meters work within taxi vehicles, it is better to raise the per 1/5 mile charge in increments of \$0.10—hence, the reason why he recommended a new charge of \$0.70 per 1/5 mile from the current rate of \$0.60 per 1/5 mile.

Following some brief remaining questions for Mr. Vecchi, Chairman Muratore opened the discussion to public comment. No citizens came forth to address the Board.

Vice Chairman Mahoney made a motion to approve the rate increase presented by Mr. Vecchi. Selectman Harnais seconded the motion for discussion.

Both Vice Chairman Mahoney and Selectman Harnais expressed their opinions that the Board should refrain from regulating the rates charged by private businesses. Selectman Harnais stated his observation that Mr. Vecchi's request appears reasonable, considering the fluctuation in gas prices.

Selectman Brewster asked if the Board could consider removing the bylaw that requires the Town to set uniform taxi rates. Ms. Arrighi responded that she could research the removal of the bylaw, if the Board gave her such a directive.

At the close of discussion, the Board voted 3-1-0 in favor of the motion to increase taxi fare rates in the Town of Plymouth, as detailed, below. Selectman Brewster cast the lone vote in opposition.

- *The per mile fee shall be \$3.50 ~~\$3.00~~ with portions of a mile prorated at the rate of \$0.70 ~~\$0.60~~ per fifth of a mile.*
- *There shall be a \$4.00 ~~\$3.50~~ minimum fare (for the first mile or any portion thereof).*

On a motion by Selectman Brewster, seconded by Selectman Harnais, the Board voted to direct the Town Manager to investigate the removal of the bylaw that requires the Selectmen to set taxi fare rates for the Town of Plymouth. Voted 4-0-0, approved.

## **400<sup>TH</sup> ANNIVERSARY COMMITTEE / PLYMOUTH 400, INC.**

Kevin O'Reilly, chairman of Plymouth 400, Inc., provided a PowerPoint presentation on the joint activities of the non-profit and the Town's 400<sup>th</sup> Anniversary Committee. Richard J. Quintal, Jr., chairman of the 400<sup>th</sup> Anniversary Committee, joined Mr. O'Reilly for the presentation.

Mr. O'Reilly discussed a number of initiatives that Plymouth 400, Inc. and the 400<sup>th</sup> Anniversary Committee have pursued in an effort to plan and raise funds for the Town's 400<sup>th</sup> Anniversary Celebration in 2020. He reviewed Plymouth 400's mission statement

and listed the “key messages” and signature events planned for the celebration. Mr. O’Reilly was pleased to note that Plymouth 400 is well on its way to meeting the goal of the \$250,000 matching grant offered by the Commonwealth.

Mr. O’Reilly review the timeline for strategic planning that was developed in conjunction with his organization’s event planning consultant, Prosidy. He reported that the Chamber of Commerce has donated office space to Plymouth 400; a website has been developed; the state license plate drive has been initiated; and fundraising for the event is well underway. Staff has been hired, Mr. O’Reilly added, and the organization is not only on-schedule but ahead of schedule in its timetable of objectives.

In addition to providing a list of previous events and fundraisers held by Plymouth 400, Mr. O’Reilly talked about upcoming events, such as the second annual Bass & Blue fishing tournament on July 13<sup>th</sup> & 14<sup>th</sup> and the outdoor screening of the movie *Lincoln* at the Forefathers Monument on August 3<sup>rd</sup>. The Plymouth Public School System, he noted, is working on a program of activities and events involving the students that will graduate in 2020. Mr. O’Reilly went into further detail about the effort to gather applications for a 2020 commemorative license plate, noting that 576 requests have been made, to date.

Mr. O’Reilly discussed the traveling 2020 / Plymouth exhibit that Denis Hanks and the Chamber of Commerce are working upon that is intended to raise awareness, nationally, about the 400<sup>th</sup> Anniversary. A number of museums around the country have responded positively to the proposed idea, and, though the initiative will be expensive, the long-term result will be worth the effort, he said.

The Town’s visit to Plymouth, United Kingdom was very successful, Mr. O’Reilly reported, whereby the Town made great connections with its sister city’s tourism and business officials. If the planning of the 400<sup>th</sup> Anniversary is to be successful, Mr. O’Reilly said, it will require input and participation from a number of groups and communities.

Mr. Quintal noted that, as chairman of 400<sup>th</sup> Committee, he has engaged the assistance of Nicole Kustanovitz (of Suffolk University) to help the committee develop its goals, so that both groups—the Town committee and the non-profit (Plymouth 400)—are moving forth in a coordinated direction. The committee is currently in the process of reorganizing its subcommittees, he noted.

Historian Jim Baker, member of the 400<sup>th</sup> Anniversary Committee, read the committee’s detailed and eloquent vision statement, which distinguishes the roles between both groups.

Robert Nassau, vice chairman of 400<sup>th</sup> Committee, reported that he is heading the Infrastructure Subcommittee. Currently, he explained, the Town is working upon a number of initiatives that will have a positive effect upon the celebration, including plans to redesign Samoset Street—from Exit 6 to the Rotary on Water Street—as a “complete street.” In addition, Mr. Nassau reported, a MassWorks grant will fund the reconstruction of Water Street from Nelson Memorial Park to the rotary. Other projects that will require

funding, he said, are the relocation and replacement of sewer mains on Water Street; the restoration of Burial Hill; the redesign of Stephens Field; and the reuse or redevelopment of the 1820 Courthouse. All told, Mr. Nassau estimated, these projects represent almost \$12 million in infrastructural investments.

Mr. Quintal noted that the construction of a parking garage in the Memorial Hall parking lot will be an integral component of plans to host an international anniversary celebration. Another project that is worth mentioning, is the effort of Precinct 3 Town Meeting Representative Gerry Sirrico to restore the Civil War Monument on the Town's Training Green, for which the Plymouth Growth & Development Corporation recently pledged a significant donation. Security during the event will also be an important and significant cost factor to consider when planning for the event, Mr. Quintal said.

The Selectmen thanked the members of the Town's 400<sup>th</sup> Anniversary Committee and Plymouth 400, Inc. for the presentation and for their efforts. Chairman Muratore acknowledged Selectman Brewster for her work as the Board's liaison to the 400<sup>th</sup> groups.

## **TOWN MANAGER'S REPORT**

**1820 Courthouse** – Ms. Arrighi discussed the work that must be conducted, following Town Meeting's approval of \$75,000 for the feasibility study of transforming the Courthouse Corridor to a government center. The 1820 Advisory Team has met twice and has made great strides in its progress, finalizing the bid document and planning for a public outreach communication strategy. The advertisement for the bid will appear in the Central Register on April 24, 2013, Ms. Arrighi reported, and the bid documents will be available for distribution that week. A pre-bid hearing has been scheduled on site at the Courthouse on May 7<sup>th</sup> at 10:00 a.m., and the deadline for submissions is May 16<sup>th</sup>—with the hope of having a consulting firm on-board by the first week in June. The chosen consultant will be allotted approximately three months to conduct its work, she said, so that a final report can be presented to the Selectmen by September 10, 2013.

Ms. Arrighi acknowledged that this is an aggressive schedule, but it must be so, in order to meet the deadlines for Fall Town Meeting. The Advisory Team stands at-the-ready to help the feasibility process along, and staff will work upon a public relations strategy to get information out to Plymouth's local media outlets. Ms. Arrighi indicated that she has asked a number of Town committees—such as Building, Community Preservation, Planning, Advisory & Finance, etc.—to keep the 1820 Courthouse as a recurring item on their monthly agendas, and she is also enlisting the assistance of the Chamber of Commerce and the Plymouth Regional Economic Development Foundation.

**National Prescription Drug Take-Back Day** – Ms. Arrighi announced that the U.S. Dept. of Justice's Drug Enforcement Administration has scheduled another National Prescription Drug Take-Back Day for Saturday, April 27, 2013 from 10:00 a.m. – 2:00 p.m. at the Plymouth Police Station, 20 Long Pond Road. This event, she reported, is a good



opportunity for residents to turn-in their unused or expired medication and feel confident that it will be disposed of safely.

**Plymouth Public Library Corporation Golf Tournament** – Ms Arrighi announced that, on Friday, June 28, 2013, the Plymouth Public Library Corporation will host a Golf Tournament Fundraising Event at Southers Marsh Golf Club. Proceeds from this tournament, she explained, will help the Plymouth Public Library increase community awareness of Library services and provide supplemental programming for patrons of all ages. Those who are interested in participating should contact Anne Phelan at the Library Corporation’s office via (508) 830-4250, x216.

## **2013 SPRING ANNUAL TOWN MEETING FOLLOW-UP**

Ms. Arrighi listed a number of tasks and initiatives upon which staff must work, following the conclusion of the 2013 Spring Annual Town Meeting:

- 1820 Courthouse Feasibility Study
- Preparation for sale of new solid waste services (setting fees, ordering carts, developing routes, securing disposal tipping fee contract with SEMASS)
- Property acquisitions (Court Street/Taskforce for the Homeless, Plymouth Long Beach, 25½ Court Street/Performing Arts Center, and 54 Taylor Avenue)
- Stephens Field
- Upgrade to meeting rooms for PACTV
- Private roads (expenditures on non accepted ways, process of selecting roads, etc.)
- Article 8 equipment purchases
- Article 9 capital expenses
- Memorial Hall upgrades
- Burial Hill tree work

Chairman Muratore asked the members of the Board to raise any issues they felt should be discussed regarding Town Meeting.

Vice Chairman Mahoney offered his recommendation that the Town sponsor an article for the 2013 Fall Town Meeting to properly cap the South Street landfill, even if only within the area spanning onto Town property. He also asked Ms. Arrighi to plan for how the Town will determine when to reopen the Cedarville Transfer Station, if the Manomet Transfer Station cannot handle the traffic under the new solid waste program.

Chairman Muratore asked Vice Chairman Mahoney to allow him more time to work with the County on the capping of the South Street Landfill.

## **SOLID WASTE DISPOSAL CONTRACT OPTIONS**

Chairman Muratore asked Ms. Arrighi to reach out to the members of her Solid Waste

Advisory Committee to discuss the components of the solid waste disposal contract with SEMASS (owner and operator of the waste-to-energy facility in Rochester, Massachusetts). Ms. Arrighi explained that she has held some meetings with SEMASS to discuss disposal contract options, but noted that she has also met with the owner of ABC Disposal, who is interested in talking with the Town about providing “tipping” (a.k.a. disposal) services. Thus, the Town is entertaining conversations with both companies, and Town Counsel is assisting with the negotiation process.

## **COMMITTEE LIAISON / DESIGNEE UPDATES**

**“Bag It” Documentary Screening** – Selectman Brewster informed the Board that she attended a special screening of the documentary film, *Bag It: Is Your Life Too Plastic?* at Plimoth Cinema on April 11, 2013. The screening, she said, was hosted by the Open Space Committee, to inform citizens on plastic, its uses, its life cycle, and the way it infiltrates everyday life. Selectman Brewster pointed out that, according to the information provided in the film, the industry uses millions of barrels of oil each year to produce single-use plastic bags. The movie motivates viewers to consider how much plastic humans use and throw away, she said, and it provides information on ways by which we might reduce and reuse plastic. Selectman Brewster expressed her hope that Plymouth will increase its recycling efforts as part of the Town’s new solid waste program.

**Town Wide Clean Up on May 4<sup>th</sup>** – Selectman Brewster announced that the Network of Open Space Friends will be sponsoring another town-wide cleanup day on May 4, 2013. Those who would like to volunteer, she said, should contact Patrick Farah in the Planning Department at (508) 747-1620, ext. 204.

**Mirbeau Inn & Spa Groundbreaking Event** – Chairman Muratore noted that he attended the Mirbeau Inn & Spa Groundbreaking event on April 4, 2013. The project proponents reported that the facility should be up-and-running in about a year, he noted.

**Prevention of Underage Drinking** – Chairman Muratore encouraged residents to view his latest episode of “Today in Plymouth” on PACTV, during which he covers the important topic of underage drinking and driving. The episode features a music video called “Take My Keys,” he reported, which Plymouth parents (of high school students) were required to view at a mandatory School-sponsored event to discuss teen drinking.

## **OLD BUSINESS / LETTERS / NEW BUSINESS**

**Chapter 61 Land off Herring Pond Road / Keese Property** – Vice Chairman Mahoney requested an update on how the Town might improve the process of reviewing lands that are slated to be taken out of Chapter 61 designation. The Town made a colossal mistake, he said, when it missed the opportunity to act upon a parcel of open space (located off Herring Pond Road, owned by Kristine Keese) on which the Selectmen have a first right of refusal. Vice Chairman Mahoney stated his belief that the responsibility of notifying all

Town departments of Chapter 61 land opportunities should be reassigned to the Department of Marine & Environmental Affairs. When all five members of the Board are present at an upcoming meeting, he noted, he will make a motion to recommend such an administrative change.

Ms. Arrighi acknowledged that the Department of Marine & Environmental Affairs was inadvertently overlooked during the interdepartmental notification process for this particular property. In the future, she said, staff will ensure that the DMEA is directly involved in the review of all Chapter 61 opportunities.

## **ADJOURNMENT OF MEETING**

On a motion by Selectman Brewster, seconded by Selectman Harnais, the Board voted to adjourn its meeting at approximately 9:17 p.m. Voted 4-0-0, approved.

*Recorded by Tiffany Park, Clerk to the Board of Selectmen*

*A copy of the April 16, 2013 meeting packet is on file and available for public review in the Board of Selectmen's office.*