

~ PLYMOUTH BOARD OF SELECTMEN ~

TUESDAY, JUNE 18, 2013

TOWN HALL, MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, June 18, 2013 at 7:00 p.m. at Town Hall in the Mayflower Room.

Present: Mathew J. Muratore, Chairman
Belinda A. Brewster, Vice Chairman
John T. Mahoney Jr.
Kenneth A. Tavares
Anthony F. Provenzano Jr.

Melissa Arrighi, Town Manager
Michael Galla, Assistant Town Manager

CALL TO ORDER

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

Prior to commencing the evening's agenda, Chairman Muratore held a moment of silence in honor and memory of retired Firefighter Jerry Vaughan, who served with the Plymouth Fire Department for over 30 years.

TOWN MANAGER'S REPORT

Solid Waste Options – Town Manager Melissa Arrighi provided the Board with a brief update on the sale of solid waste services (transfer station passes / curbside pickup). Ms. Arrighi encouraged residents to purchase their services prior to July 1st, noting that Town Hall will be open every Friday from 8:00 a.m. to 4:00 p.m. during the month of June for solid waste service sales, only. In addition, she thanked Town Meeting for approving the funds to hire seasonal staff for the exclusive purpose of facilitating the sales of solid waste services, as customers have responded positively to the additional assistance. Ms. Arrighi encouraged residents to visit the Town's website for more information on the Town's new transfer station and curbside pickup programs.

Chapter 61 Right-of-First-Refusal Procedures – Ms. Arrighi informed the Board that the internal procedures for administering the Chapter 61 right-of-first-refusal process will now be handled within the Town Manager's Office, in close collaboration with the Planning Department, which has overseen this process for years. Specifically, she said, Assistant Town Manager Michael Galla will oversee each step of the process when a

notice to convert or sell a parcel designated under M.G.L. Chapter 61 is received. As part of the formal procedures, a checklist will be established to coordinate the receipt of documents and correspondence amongst the various involved departments, committees, and relevant organizations. Ms. Arrighi noted that she and the Assistant Town Manager would return before the Board in the coming weeks with an official presentation on the new process.

1820 Courthouse Project – Ms. Arrighi reported that several members of the 1820 Courthouse Advisory Team will contribute interviews for a Public Service Announcement related to the proposal to establish a municipal center at the former courthouse location. The School Department has generously offered to put together the video, through the coordination of efforts by School Committee Chairman Dennis Begley. Ms. Arrighi announced that the Town has selected the architectural firm of Durkee, Brown, Viveiros & Werenfels of Providence, Rhode Island to conduct the feasibility study.

Update on Flooding on Hedge Road – Ms. Arrighi updated the Board on the Town’s efforts to address a recent flooding issue on Hedge Road, which was caused by the failure of a culvert at the intersection of Hedge Road and the (former) railway bed. The Massachusetts Bay Commuter Railroad (“MBCR”) has begun the work of replacing the culvert that supports the railway, she said, but it is unclear as to when the work will be complete. In the meantime, MBCR will use pumps to reduce the flooding caused by the failure of the culvert, while the Town’s Department of Public Works will continue to monitor the site.

Gift of Land at Site of Former St. Catherine’s Chapel in Manomet – Ms. Arrighi informed the Board that she and the Director of Public Works will meet with the attorney representing a property owner who has expressed interest in donating a 3-acre parcel of land to the Town. The property owner, she explained, seeks to donate the site of the former St. Catherine’s Chapel in Manomet for use as a public park. Ms. Arrighi noted that the property owner is currently in the process of transforming the property to a park area before gifting it to the Town.

Potential Development off Home Depot Drive Near Lout Pond Well Site – Ms. Arrighi indicated that the Town has received a request from Harald LLC, the owner of property located at the end of Home Depot Drive, to clear and grade portions of adjacent Town-owned lots, in preparation for future development. While the proposed development project is currently in the process of being reviewed by the Zoning Board of Appeals, she said, the owners of Harald LLC have requested a temporary license from the Board of Selectmen to begin grading work as soon as a special permit is granted. Ms. Arrighi recommended that the Board consider approving a two-year license agreement that will allow grading work (and the like) to be conducted on a segment of Town-owned land adjacent to the development site and within Zone 2 of the Lout Pond Well. Because of the environmental sensitivity associated with the site, she added, the Director of Public Works and the Director of Marine & Environmental Affairs will be responsible for working upon the details of the proposed license agreement.

COMMITTEE LIAISON / DESIGNEE UPDATES

Distinguished Visitors Committee – Selectman Tavares informed the Board that he met with the Distinguished Visitors Committee on June 12, 2013, during which the committee elected Mary Waltuch as its new chairperson. The committee, he said, discussed the process of planning ahead for official visits and decided that invitations for such visits should only come from the Board of Selectmen.

Jordan Hospital Cancer Survivors Day – Chairman Muratore noted that he and Selectman Tavares attended the Jordan Hospital Cancer Survivors Day event, held on June 13, 2013.

Building Committee – Chairman Muratore reported that the Building Committee is working upon obtaining more definitive answers and information from the Massachusetts School Building Authority (“MSBA”) regarding the feasibility study for Plymouth South High School.

Leadership Retreat – Chairman Muratore spoke briefly about the Leadership Retreat that was held on June 14, 2013 at the Center Hill Preserve for Town officials and elected and appointed leaders. He thanked those who attended and/or made presentations, noting that he has received a good deal of positive feed back from participants.

PUBLIC COMMENT

Chairman Muratore opened the meeting to public comment and reminded the audience that speakers should keep their comments to three minutes. During public comment, he said, the Board does not engage in discussion with the speaker regarding the topic brought forth. If a particular matter requires more time, Chairman Muratore recommended that citizens contact the Selectmen’s Office to request a scheduled discussion on an upcoming agenda.

David Tarantino spoke to the Board on behalf of Entergy / Pilgrim Nuclear Power Station, noting that his appearance was made in response to a recent request from the Town Manager for improved communication between the Town and Entergy. Mr. Tarantino introduced John Dent, the new Vice President of Pilgrim, and Steve Verocchi, the new General Manager of Operations for Pilgrim. Mr. Dent and Mr. Verocchi each took the opportunity to introduce themselves and provide a brief summary of their experience and qualifications.

Jerry Benezra reiterated his comments from the previous Selectmen’s meeting regarding the Chapter 61 process and the opportunity that he feels the Town recently missed with the Keese property on Little Herring Pond Road. Mr. Benezra questioned the Town’s handling of the opportunity to acquire this particular piece of property, which he said is environmentally sensitive. Plymouth’s legal counsel did not give Town staff and the Board the appropriate advice on which to make an informed decision, he speculated, and the property owner did not provide proper legal notice. Mr. Benezra offered his belief that the Board still has an opportunity to correct the mistake.

Kevin Doyle of Precinct 6 expressed his belief that the White Horse Beach Parking Committee engaged in a violation of the Open Meeting Law, based on a series of e-mails that he viewed. He questioned whether staff had properly advised the committee on the Open Meeting Law, and he expressed opposition to some of the committee's recommendations.

Eric Dykeman, an owner of property on Hedge Road, talked about the flooding that recently occurred at the end of the road following the failure of the railway culvert. The flooding was substantial, he said, leaving 4-6 inches in the basement of the condo units where he lives. Mr. Dykeman stated that he and his fellow condo association members will pursue damages with the Massachusetts Bay Commuter Railroad, but he noted that he has heard rumors that MBCR will try to hold the Town partially responsible for the incident. He thanked the Town for monitoring the situation and expressed his appreciation to Selectman Provenzano for visiting the site with him.

Christine Bostek, Vice Chair of White Horse Beach Parking Committee, refuted the claims made by Mr. Doyle that the committee violated the Open Meeting Law, noting that the public was informed during the committee's most recent meeting that a draft report would be sent via e-mail to the designated point-person on Town staff for review. Mr. Doyle was not at this meeting, she said, and, therefore, his understanding of the matter is incorrect.

JULY 4TH PARADE & FIREWORKS EVENTS

Ken Tavares and the members of July 4 Plymouth, Inc. provided the Board with an update on their progress in raising funds for the July 4th parade and fireworks events. Mr. Tavares stated that the organization is \$13,000 short of its goal of \$105,000. On the evening of July 3rd, he noted, the Plymouth Veterans Department is planning to host an event at Memorial Hall for the unveiling of a display of the uniforms of Plymouth's fallen soldiers.

Jeff Metcalfe reminded the public that the assembly of the parade will take place at a different location this year, in the parking lot on the border of Plymouth and Kingston where the Stop & Shop grocery store was formerly situated. Mr. Metcalfe displayed a map of the new location and illustrated the way by which the divisions will be assembled before the parade steps off at 9:30 a.m. The registration and lineup of the Independence Day 5k will take place on Hedge Road, he noted, with a starting time of 8:00 a.m. Mr. Metcalfe encouraged those who would like to assist with the various aspects of the parade to contact July 4 Plymouth, Inc. at www.july4plymouth.com.

Zelda MacGregor provided details on the organization's fundraiser that is scheduled for June 24, 2013 at the New World Tavern (56 Main Street). Tickets are \$50 apiece and can be purchased online through July 4 Plymouth's website and at the New World Tavern, she said. Ms. MacGregor stated that the event will include live music, raffles, food, and a beer tasting hosted by Mayflower Brewery.

Mr. Tavares reported that parade entries will be accepted until June 24th. Those who wish to apply may contact July 4 Plymouth, Inc, at (508) 591-3411. At the close of his remarks, Mr. Tavares encouraged citizens to consider making a donation, to ensure that both the parade and fireworks events are fully funded.

COMMITTEE APPOINTMENTS – UNCONTESTED SEATS

1749 COURTHOUSE COMMITTEE

On a motion by Selectman Tavares, seconded by Vice Chairman Brewster, the Board unanimously voted (5-0-0) to appoint the following citizen to the 1749 Courthouse Committee, for the term specified below.

| | | | |
|-------------------|-----------------|-----------|---------------------|
| Margaret Peterson | 41 Davis Street | Incumbent | Term exp. 6/30/2016 |
|-------------------|-----------------|-----------|---------------------|

1820 COURTHOUSE CONSORTIUM

On a motion by Selectman Tavares, seconded by Vice Chairman Brewster, the Board unanimously voted (5-0-0) to appoint the following citizens to the 1820 Courthouse Consortium, for the terms specified below.

| | | | |
|--------------|-------------------|-----------|---------------------|
| Karen Buechs | 146 Bartlett Road | Incumbent | Term exp. 6/30/2014 |
| Steven Lydon | 33 Leeward Way | Incumbent | Term exp. 6/30/2014 |
| John Moody | 47 Donna Drive | Incumbent | Term exp. 6/30/2014 |

400TH ANNIVERSARY COMMITTEE

On a motion by Selectman Tavares, seconded by Selectman Provenzano, the Board unanimously voted (5-0-0) to appoint the following citizen to the 400th Anniversary Committee, for the term specified below.

| | | | |
|---------------|----------------|-----------|---------------------|
| Robert Nassau | 40 Acorn Trail | Incumbent | Term exp. 6/30/2016 |
|---------------|----------------|-----------|---------------------|

BOARD OF HEALTH

On a motion by Selectman Mahoney, seconded by Vice Chairman Brewster, the Board unanimously voted (5-0-0) to appoint the following citizen to the Board of Health, for the term specified below.

| | | | |
|----------------------|-------------------|-----------|---------------------|
| Nancy O'Connor Gantz | 42 Abigail's Path | Incumbent | Term exp. 6/30/2016 |
|----------------------|-------------------|-----------|---------------------|

CABLE ADVISORY COMMITTEE

On a motion by Selectman Tavares, seconded by Vice Chairman Brewster, the Board unanimously voted (5-0-0) to appoint the following citizen to the Cable Advisory Committee, for the term specified below.

| | | | |
|-------------|---------------|-----------|---------------------|
| Jeff Berger | 13 Knoll Road | Incumbent | Term exp. 6/30/2016 |
|-------------|---------------|-----------|---------------------|

CEDARVILLE STEERING COMMITTEE

On a motion by Selectman Mahoney, seconded by Selectman Tavares, the Board unanimously voted (5-0-0) to appoint the following citizen to the Cedarville Steering Committee, for the term specified below.

| | | | |
|------------------|-----------------|-----------|---------------------|
| Claudette Thomas | 1636 State Road | Incumbent | Term exp. 6/30/2016 |
|------------------|-----------------|-----------|---------------------|

COUNCIL ON AGING

On a motion by Selectman Tavares, seconded by Selectman Mahoney, the Board unanimously voted (5-0-0) to appoint the following citizens to the Council on Aging, for the terms specified below.

| | | | |
|--------------------|---------------------|---------------|---------------------|
| Richard Caproni | 15 Dillingham Way | Incumbent | Term exp. 6/30/2016 |
| Byron Lafferty | 13 Brookside Avenue | New Applicant | Term exp. 6/30/2016 |
| Ms. Ronnie Lazarus | 249 Jordan Road | New Applicant | Term exp. 6/30/2014 |
| Anita M. Rocheteau | 1 Bettencourt Road | Incumbent | Term exp. 6/30/2016 |

CULTURAL COUNCIL

On a motion by Selectman Mahoney, seconded by Vice Chairman Brewster, the Board unanimously voted (5-0-0) to appoint the following citizens to the Cultural Council, for the terms specified below.

| | | | |
|------------------|-------------------------|---------------|---------------------|
| Cathy Baranofsky | 19 Rogers Street | Incumbent | Term exp. 6/30/2016 |
| Karen L. Fabian | 48 Edward Dr., Pembroke | New Applicant | Term exp. 6/30/2016 |
| Dale Frizzell | 21 Oak Street | New Applicant | Term exp. 6/30/2016 |
| Robert Hollis | 110 Fairview Lane | New Applicant | Term exp. 6/30/2016 |

ENERGY COMMITTEE

On a motion by Vice Chairman Brewster, seconded by Selectman Tavares, the Board unanimously voted (5-0-0) to appoint the following citizens to the Energy Committee, for the terms specified below.

[Continued, Page 7]

| | | | |
|--------------------|-----------------------------|---------------|---------------------|
| Bethany King | 43 Jacqueline Lane | New Applicant | Term exp. 6/30/2016 |
| Richard J. O’Hearn | 30 Pleasant Street | New Applicant | Term exp. 6/30/2016 |
| Michael Mulligan | 295 Head of the Bay, Bourne | New Applicant | Term exp. 6/30/2016 |

HARBOR COMMITTEE

On a motion by Selectman Provenzano, seconded by Selectman Tavares, the Board unanimously voted (5-0-0) to appoint the following citizens to the Harbor Committee, for the terms specified below.

| | | | |
|---------------|---------------------|---------------|---------------------|
| Perrin Hughes | 92 Peter Road | Incumbent | Term exp. 6/30/2016 |
| Todd M. Jesse | 27 Olmstead Terrace | New Applicant | Term exp. 6/30/2016 |
| | | Lobsterman | |

HISTORIC DISTRICT COMMISSION

On a motion by Selectman Mahoney, seconded by Selectman Provenzano, the Board unanimously voted (5-0-0) to appoint the following citizens to the Historic District Commission, for the terms specified below.

| | | | |
|------------------|-------------------------|------------------|---------------------|
| Samantha Nichols | P.O. Box 1034, Plymouth | Incumbent | Term exp. 6/30/2016 |
| | | Realtor Seat | |
| James Nihan | 96 Whitehorse Road | New Applicant | Term Exp. 6/30/2016 |
| | | Citizen-At-Large | |

MEMORIALS ADVISORY COMMITTEE

On a motion by Selectman Mahoney, seconded by Selectman Provenzano, the Board unanimously voted (5-0-0) to appoint the following citizens to the Memorials Advisory Committee, for the terms specified below.

| | | | |
|--------------------|--------------------|---------------------|---------------------|
| Nicole Kustanovitz | 10 Tall Pines Road | Incumbent | Term exp. 6/30/2016 |
| Roxanne Whitbeck | (Town of Plymouth) | Incumbent | Term exp. 6/30/2016 |
| | | Veterans Agent Seat | |

NATURAL RESOURCES & COASTAL BEACHES COMMITTEE

On a motion by Selectman Mahoney, seconded by Vice Chairman Brewster, the Board unanimously voted (5-0-0) to appoint the following citizens to the Natural Resources & Coastal Beaches Committee, for the terms specified below.

| | | | |
|--------------|----------------------|-----------------|---------------------|
| A. Lee Burns | 110 Treetop Way | Incumbent | Term exp. 6/30/2016 |
| Elise DeCola | 18 Harborlight Drive | Incumbent | Term exp. 6/30/2016 |
| | | Naturalist Seat | |

NORTH PLYMOUTH STEERING COMMITTEE

On a motion by Selectman Provenzano, seconded by Vice Chairman Brewster, the Board unanimously voted (5-0-0) to appoint the following citizen to the North Plymouth Steering Committee, for the term specified below.

Enzo Monti 268 Court Street Incumbent Term exp. 6/30/2016

NUCLEAR MATTERS COMMITTEE

On a motion by Selectman Tavares, seconded by Vice Chairman Brewster, the Board unanimously voted (5-0-0) to appoint the following citizen to the Nuclear Matters Committee, for the term specified below.

James P. Simpson 196 Black Cat Road Incumbent Term exp. 6/30/2016

ROADS ADVISORY COMMITTEE

On a motion by Vice Chairman Brewster, seconded by Selectman Provenzano, the Board unanimously voted (5-0-0) to appoint the following citizen to the Roads Advisory Committee, for the term specified below.

Zachary Basinski 803 Long Pond Road Incumbent Term exp. 6/30/2016
Experience Required seat

SAVE MONEY AND RECYCLE TRASH (“SMART”) COMMITTEE

On a motion by Vice Chairman Brewster, seconded by Selectman Mahoney, the Board unanimously voted (5-0-0) to appoint the following citizen to the Save Money and Recycle Trash (“SMART”) Committee, for the term specified below.

Patricia McCarthy 156 Long Pond Road New Applicant Term exp. 6/30/2016

VISITOR SERVICES BOARD

On a motion by Selectman Mahoney, seconded by Selectman Provenzano, the Board unanimously voted (5-0-0) to appoint the following citizen to the Visitor Services Board, for the term specified below.

Genevieve Jaeger 188 Court Street Incumbent Term exp. 6/30/2016

WHITE HORSE BEACH PARKING COMMITTEE

On a motion by Selectman Mahoney, seconded by Vice Chairman Brewster, the Board unanimously voted (5-0-0) to appoint the following citizens to the White Horse Beach Parking Committee, for the terms specified below. *[Continued, Page 9]*

| | | | |
|------------------|----------------------|-----------|---|
| Tim Bennett | 33 Arlington Road | Incumbent | Term exp. 9/30/2013 Priscilla Beach Association |
| Christine Bostek | 172 Taylor Avenue | Incumbent | Term exp. 9/30/2013 Sands of White Horse Beach Association |
| Cheryl Damiano | 21 Lisa Avenue | Incumbent | Term exp. 9/30/2013 Citizen-at-Large |
| Peter Denehy | 18 Hopkins Road | Designee | Term exp. 9/30/2013 Natural Resources & Coastal Beaches |
| Dawn Dillon | 79B Taylor Avenue | Incumbent | Term exp. 9/30/2013 East White Horse Beach Association |
| Linda Evans | 39 Elm Street | Designee | Term exp. 9/30/2013 Manomet Village Steering Committee |
| Peg O'Hearn | 42 Hilltop Avenue | Incumbent | Term exp. 9/30/2013 Manomet Heights Association |
| John Vacha | 12 Robbins Hill Road | Incumbent | Term exp. 9/30/2013 White Horse Beach Association |
| Jan Zabriskie | 4 Highland Terrace | Incumbent | Term exp. 9/30/2013 Ocean Point |

ZONING BOARD OF APPEALS

On a motion by Selectman Mahoney, seconded by Selectman Tavares, the Board unanimously voted (5-0-0) to appoint the following citizens to the Zoning Board of Appeals, for the terms specified below.

| | | | |
|-------------------|------------------------|------------------------|---------------------|
| William J. Keohan | 19 Fremont Street | Incumbent | Term exp. 6/30/2016 |
| Michael J. Leary | 42 Billington Sea Road | Incumbent Alternate | Term exp. 6/30/2016 |
| James P. Simpson | 196 Black Cat Road | Incumbent Alternate | Term exp. 6/30/2016 |

COMMITTEE INTERVIEWS & APPOINTMENTS – CONTESTED SEATS

AIRPORT COMMISSION

Chairman Muratore announced that the Board would consider the appointment of two (2) citizens to the Airport Commission, for terms effective July 1, 2013 through June 30, 2016. There were five (5) applicants:

- Anthony J. Caruso 6 Fulton Street Incumbent
- Thomas W. Hurley 109 North Triangle Drive New Applicant
- Dennis R. Smith 91 Bump Rock Road New Applicant [*Continued, p. 10*]

- Glen Taylor 125 South Meadow Road New Applicant
- Paul G. Worcester 14 Kates Glen Incumbent

Chairman Muratore invited each of the candidates, one-by-one, to interview before the Board. Candidates Anthony Caruso and Glen Taylor did not attend the interview session. Each of the other three applicants was given the opportunity to introduce himself and to answer questions posed by the Board.

Following the conclusion of the interview process, Chairman Muratore read the names of the applicants and asked the members of the Board to cast votes for the candidates they wished to appoint.

- Anthony J. Caruso 0 votes
- Thomas W. Hurley 2 votes (Mahoney and Tavares)
- Dennis R. Smith 3 votes (Muratore, Brewster, Provenzano)
- Glen Taylor 0 votes
- Paul G. Worcester 5 votes (Unanimous)

By majority vote, the Board appointed Paul G. Worcester and Dennis R. Smith to the Airport Commission, for terms effective July 1, 2013 through June 30, 2016.

COMMUNITY PRESERVATION COMMITTEE

Chairman Muratore reported that the Board would consider the appointment of one (1) citizen to the Community Preservation Committee, for a term effective July 1, 2013 through June 30, 2016. There were two (2) applicants:

- Christine K. Pratt 242 Court Street Incumbent
- Dean A. Rizzo 21 Fremont Street New Applicant

Chairman Muratore noted that Mr. Rizzo was unable to attend the interview session. Ms. Pratt was given the opportunity to introduce herself and to answer questions posed by the Board.

Following the conclusion of the interview process, Chairman Muratore read the names of the applicants and asked the members of the Board to cast votes for the candidates they wished to appoint.

- Christine K. Pratt 5 votes (Unanimous)
- Dean A. Rizzo 0 votes

By majority vote, the Board appointed Christine K. Pratt to the Community Preservation Committee, for a term effective July 1, 2013 through June 30, 2016.

CONSERVATION COMMISSION

Chairman Muratore indicated that the Board would appoint two (2) citizens to the Conservation Commission, for terms effective July 1, 2013 through June 30, 2016. There were three (3) applicants:

- | | | |
|---------------------|-----------------------|---------------|
| ▪ Frank P. Drollett | 33 High Pine Drive | New Applicant |
| ▪ John Scagliarini | 134 Warren Avenue | Incumbent |
| ▪ Evelyn D. Strawn | 147 College Pond Road | Incumbent |

Following the conclusion of the interview process, Chairman Muratore read the names of the applicants and asked the members of the Board to cast votes for the candidates they wished to appoint.

- | | |
|---------------------|---|
| ▪ Frank P. Drollett | 4 votes (Muratore, Brewster, Mahoney, Provenzano) |
| ▪ John Scagliarini | 1 vote (Tavares) |
| ▪ Evelyn D. Strawn | 5 votes (Unanimous) |

By vote of the majority, the Board appointed Frank P. Drollett and Evelyn D. Strawn to the Conservation Commission, for terms effective July 1, 2013 through June 30, 2016.

Chairman Muratore thanked all of the candidates who expressed interest in serving, and he encouraged those who were not chosen to consider applying for other Town committees.

LICENSES

ONE DAY ALL ALCOHOL LIQUOR LICENSE

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

- ❖ **Keerthi Sugumaran** requested a One Day All Alcohol Liquor License for a rehearsal dinner to be held at Memorial Hall from 6:00 p.m. to 9:30 p.m. on August 31, 2013.

VEHICLE FOR HIRE

On a motion by Selectman Mahoney, seconded by Selectman Provenzano, the Board voted to grant a Vehicle for Hire License to the following applicant, as detailed, below. Voted 5-0-0, approved.

- ❖ For **Patriot Taxi** (Samar Al Moussali, 18 Centennial Street, Plymouth):

- One Taxi : 2001 Ford Taurus

Vehicle and meter have been inspected.

COMPREHENSIVE ENTERTAINMENT

On a motion by Selectman Mahoney, seconded by Selectman Provenzano, the Board voted to grant a Comprehensive Entertainment License to the following applicant, as detailed, below. Voted 5-0-0, approved.

- ❖ **Shanty Rose, Inc. d/b/a Shanty Rose**, 16 Town Wharf, Plymouth
 - Applying for Radio, TV, Jukebox, Live Entertainment

PEDI-CAB OPERATOR

On a motion by Vice Chairman Brewster, seconded by Selectman Provenzano, the Board voted to grant a Pedi-Cab Operator License to the following individual. Voted 5-0-0, approved.

- ❖ For **Plymouth Pedi-Cab**:
 - Dave Wagner, 11 Penn Avenue, Falmouth

Issuance of the above license is subject to the completion of all necessary paperwork and review of the CORI background check.

OUTDOOR AMPLIFIED MUSIC

- ❖ **42 Degrees North**, 690 State Road, Plymouth
 - Applying to have music outdoors on Wednesdays through Saturdays from 6 p.m. to 10 p.m. and on Sundays from 4:00 – 8:00 p.m.

Selectman Tavares expressed concern about allowing outdoor amplified music in an area surrounded by residential properties, without first determining that neighbors have been consulted or notified.

Eric Hynes, manager at 42 Degrees North, asserted that his establishment is known as a restaurant, not a destination for loud music or bands. Mr. Hynes explained that he and the owner of the establishment would simply like to have one or two acoustic-style performers on the new outdoor patio to play music that will be compatible with the dining atmosphere. There will be no drums or full bands, he said, and the music will be “beach-y but upscale.” Mr. Hynes stated that a wall was specifically built at the back of the new patio to protect the few surrounding residences from noise, and amplifiers (during performances) will be positioned to face outward, towards the street.

Chairman Muratore asked Mr. Hynes if he would be willing to modify the hours requested on his permit from 10:00 p.m. to 9:00 p.m. Selectman Mahoney inquired if Mr. Hynes had conducted any outreach with the restaurant’s neighbors.

Mr. Hynes responded that dinner typically extends past 9:00 p.m. on Friday and Saturday evenings, so he would be hesitant to curtail the entertainment hours to that particular time. Mr. Hynes reported that, while he and the restaurant owner have not done any specific outreach with neighbors regarding the Outdoor Amplified Music Permit, there have been no noise complaints since the opening of the outdoor patio. Music on the patio would most often occur on Friday evenings, Saturday evenings, and Sunday afternoons, he noted.

Chairman Muratore opened the discussion to public comment.

Steve Lydon stated that he has visited the new patio at 42 Degrees North, noting his impression that the establishment presents itself more as a restaurant than a bar. Mr. Lydon expressed his belief that 10:00 p.m. is a reasonable time to which music can be played on the weekends. There is much more noise from music and motorcycles in the downtown, he added.

Selectman Provenzano made a motion to approve an Outdoor Amplified Music Permit for 42 Degrees North, from the hours of 6:00 p.m. to 9:00 p.m. on Wednesdays and Thursdays; 6:00 p.m. to 10:00 p.m. on Fridays and Saturdays; and 4:00 p.m. to 8:00 p.m. on Sundays. Selectman Mahoney seconded the motion.

Selectman Tavares stated that he would not vote to grant a license for outdoor entertainment without first providing the surrounding neighborhood with an opportunity to respond. Selectman Provenzano stated that he would be willing to approve the permit, but he noted that he would not hesitate to revoke the permit, should the Board receive any complaints.

The Board voted 4-1-0 in favor of Selectman Provenzano's motion to grant an Outdoor Amplified Music Permit to 42 Degrees North (690 State Road), from the hours of 6:00 p.m. to 9:00 p.m. on Wednesdays and Thursdays; 6:00 p.m. to 10:00 p.m. on Fridays and Saturdays; and 4:00 p.m. to 8:00 p.m. on Sundays. Selectman Tavares cast the opposing vote. Chairman Muratore advised Mr. Hynes to be mindful of the establishment's residential neighbors.

ADMINISTRATIVE NOTES

Meeting Minutes – The Board approved the minutes of the April 6, 2013 and April 16, 2013 Selectmen's meetings. *[Note: Selectman Provenzano abstained from voting upon the meeting minutes, as he was not a member of the Board at that time. Selectman Tavares abstained from voting upon the April 16, 2013 minutes, as he was unable to attend that particular meeting.]*

Stop Signs at Ship Pond and Old Sandwich Roads – The Board voted to amend the Town of Plymouth 1954 Traffic Rules & Orders to reflect the addition of a stop sign at the westbound approach of Ship Pond Road at Old Sandwich Road, as recommended by the Town's Parking & Traffic Task Force.

Appointment to Old Colony Elder Services Board of Directors – The Board re-appointed Conni DiLego as Plymouth’s representative on the Board of Directors of Old Colony Elder Services, for a one-year term effective July 1, 2013 through June 30, 2014.

Execution of Easements for Property on Off-Billington Street – The Board approved and executed the following documents related to the acquisition of a portion of property identified as Lot 129E on Assessors Map 27 (Off Billington Street), otherwise known as the Tong property, as authorized by Article 11 of the 2008 Fall Annual Town Meeting:

- *Grant of Easement* from Ellin L. Tong to the Town, acting by and through the Board of Selectmen
- *Acceptance of Easement*
- *Deed* from Ellin L. Tong to the Town, acting by and through its Conservation Commission of the property shown as New Lot 129E-1, Off Billington Street
- *Acceptance of Deed*

FY2015 BUDGET DISCUSSION

Ms. Arrighi introduced a discussion on the planning process for the Fiscal Year 2015 Budget. Robert Nassau, chairman of the Advisory & Finance, and Lynne Barrett, Finance Director, joined Ms. Arrighi for the presentation.

Ms. Arrighi brought the Board’s attention to a pie chart that she provided within the meeting packet, detailing the way by which the Town’s General Fund Budget is divided amongst the general expenditure categories. Eighty-percent of the Town and School budget is spent on salaries, she pointed out, while the other 20 percent is associated with expenses.

Ms. Barrett discussed the laws governing levy limits and the Town’s ability to increase the levy up to 2.5% more than the previous year (plus new growth and debt exclusions). She listed the levy limits from recent years, noting that a spike in 2012 was associated with the introduction of the debt service on the Plymouth North High School and Senior Center construction projects. Ms. Barrett also provided an explanation of the means by which new growth is calculated (via the number/amount of building permits, new construction, and assessed valuations) and included with the Town’s overall levy limit calculations. In order for the Town to maintain its current level of services and all contractual obligations, she said, the FY2015 Budget must be built on utilization of the full 2.5%, plus new growth and the other factors.

The Board posed questions and offered comments on the FY2015 Budget.

Selectman Tavares sought to educate the public on the way by which the Town’s budget is structured and the differing rules that govern the School Department’s portion of the overall budget. It is important, he said, for residents to understand that municipal services are provided through staffing and funding; if residents feel strongly about reducing the

budget, there are associated consequences with such reductions. Selectman Tavares explained that, with less and less assistance from the State and Federal government, the Town has been left on its own to balance taxes with services, contractual obligations, and legislative mandates.

Selectman Mahoney expressed his wish that the Department of Public Works be given the chance to demonstrate what it can accomplish with the recent additions to its staffing levels, without having the new staffing cut, again, in the FY2015 Budget. He noted that he would like to have more information on the School Department's budget, so that he can discern any trends related to the number of employees in the School Department, as compared with the Town. Selectman Mahoney advocated for the consistent contribution of funds to the Other Post Employment Benefits ("OPEB") and Pilgrim Nuclear Power Station stabilization funds.

Vice Chairman Brewster expressed concern with staff's estimation that taxes on the average family home will increase approximately \$250-300 each year. If the School Department receives 70-80% of the taxes collected by the Town, she said, this leaves the Selectmen with control over only 20-30% of the budget. Vice Chairman Brewster encouraged citizens to attend the Selectmen's meetings and let their voices be heard on the budget and the services that they feel are most important to preserve.

Chairman Muratore expressed his belief that the Town should build its budget from the ground-up every five years, as is common practice in the business sector. The town, he said, needs to look into the types of services that it can privatize or provide collectively, with other municipalities or regional governmental entities. Chairman Muratore inquired if the Town Manager could present differing budget scenarios, i.e. an overall 2% increase, 4% increase, etc., and how this would affect both the Town and School sides of the budget.

Ms. Arrighi stated that, if she were to run various budget scenarios by the Selectmen, she would need to know what specific services the Selectmen wish to fully maintain. For example, she said, the Town's Police and Fire departments compose the largest portion of the Town-side of the budget. Years ago, she noted, when the Town tried to close fire stations to save money, citizens were very upset. Ms. Arrighi gave a number of examples of areas where she could make cuts—reducing hours of operation at Town Hall, closing the Library one day per week, reducing hours of operation at the Senior Center—but she questioned whether there would be support for such measures.

Chairman Muratore disagreed that the Selectmen should provide specific areas where cuts should be made within the budget, noting his belief that the issuance of such specific directives could be considered micromanaging.

Vice Chairman Brewster expressed her belief that Town employee benefits should be modified to be consistent with that of the private sector. She stated that she would not advocate for any change to the benefits promised to employees who are close to retirement, but she encouraged the Board to consider making changes to the benefits provided to new employees. Private sector employees have experienced reductions in the benefits they receive in response to the current economy, she said, and many citizens in the private

sector feel that public sector employees should experience the same changes. Vice Chairman Brewster expressed concern that there are residents who may be forced to leave Plymouth, because they cannot afford the taxes here. If the Board is serious about making reductions to the budget, she explained, there must be an honest, serious discussion about employee benefits.

A brief discussion ensued regarding the general benefits that Town employees receive. Ms. Arrighi provided a number of examples where the Town successfully negotiated changes in benefits that have resulted in expense reductions, such as modifications to insurance co-pays, vacation time, and ancillary benefits within certain collective bargaining groups.

Discussion then turned to whether the Town Manager would develop various budget scenarios, reflecting budget increases at varying percentage levels. Some members expressed concern with the idea of directing the Town Manager to spend valuable time on multiple budget scenarios that the Board may not even consider.

Robert Nassau, chairman of the Advisory & Finance Committee, offered some comments on the FY2015 budget development process. He compared the way by which municipal budgets are often built, as opposed to the practices used within the private sector. Mr. Nassau expressed his belief that the Town must take a close look at service delivery and the use of online services, regardless of whether residents prefer this means of communication or not. He also highlighted the importance of long-range planning, such as the establishment of the OPEB account and plans for the 400th Anniversary Celebration, stating that there are instances when one has to spend money to make money.

At the close of discussion, the Board (by apparent consensus) directed the Town Manager and Finance Director to develop one budget scenario using the 2.5% levy limit, plus debt exclusions and new growth.

OLD BUSINESS / LETTERS / NEW BUSINESS

Speeding on Alden Street – Selectman Tavares noted that he received an additional call from a resident on Alden Street who is concerned with the speed at which vehicles are traveling down that road. He asked if the Town’s Parking & Traffic Task Force could look into the issue, again.

Chapter 61 Process – Selectman Mahoney requested a presentation on the legislation associated with the Chapter 61 right-of-first-refusal process, to prevent confusion when opportunities to acquire Chapter 61 properties arise.

Letter Regarding Public Parking and Access at Plymouth Beaches – Vice Chairman Brewster referenced a letter that the Board received from Patricia Conroy regarding the availability and condition of public parking at Plymouth Beach and White Horse Beach. In the letter, she said, Ms. Conroy states that residents of White Horse Beach have taken to

reserving parking spaces on public ways with cones and barrels. Vice Chairman Brewster inquired if the practice of reserving spaces was allowed.

Ms. Arrighi responded that this practice is not allowed, but attempts by the Town's Director of Inspectional Services to curb this issue have been unsuccessful, as the practice simply resumes as soon as Town officials leave the area. Chairman Muratore asked if the Police Department could be responsible for enforcing such matters, to which Ms. Arrighi stated that she would research the ability of the Police Department to conduct this type of enforcement.

Vice Chairman Brewster noted that, in the letter, Ms Conroy also states that the parking area at Plymouth Beach is riddled with potholes, while those areas that are better-graded have no stairway access to the beach. Ms. Arrighi responded that she would have to look into the budget for Plymouth Beach and determine what funds have been spent, to date, on grading in the parking lot area. With regard to additional stairway access along the seawall at Plymouth Beach, Ms. Arrighi explained, this type of expense would require approval from Town Meeting.

Communication with PGDC During Special Events – Vice Chairman Brewster referenced correspondence from Leighton Price, president of the Plymouth Growth & Development Corporation (“PGDC”), regarding the Town's Special Event Permit process. Mr. Price, she said, voiced concern about what he perceived as a lack of communication between the Town and the PGDC/ParkPlymouth on the recent Run for One 5k Race/Walk event, whereby race participants were informed that parking was free. Citations were issued, and the PGDC must now respond to numerous ticket appeals from event participants who were given misinformation by the Town.

Chairman Muratore stated that Town officials never discussed the provision of free parking during the event planning process, noting his belief that the Town would not make such a decision without first consulting the PGDC. Vice Chairman Brewster asked whether the Board would issue a formal response to the PGDC on this matter. Ms. Arrighi echoed Chairman Muratore's comments, noting that Town officials never informed the event volunteers that parking would be free. Chairman Muratore maintained that the Town would not make such a decision without first consulting the PGDC.

Maritime Day – Chairman Muratore reminded the public that Maritime Day—which includes the annual Blessing of the Fleet—will take place on Plymouth's waterfront on Saturday, June 22, 2013.

ADJOURNMENT OF MEETING

On a motion by Vice Chairman Brewster, seconded by Selectman Provenzano, the Board voted to adjourn its meeting at approximately 10:15 p.m. Voted 5-0-0, approved.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the June 18, 2013 meeting packet is on file and available for public review in the Board of Selectmen's Office.