

# ~ PLYMOUTH BOARD OF SELECTMEN ~

**TUESDAY, AUGUST 27, 2013**

TOWN HALL, MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, August 27, 2013 at 7:00 p.m. at Town Hall in the Mayflower Room.

Present: Belinda A. Brewster, Vice Chairman  
John T. Mahoney, Jr.  
Anthony F. Provenzano  
  
Michael Galla, Assistant Town Manager

Absent: Mathew J. Muratore, Chairman  
Kenneth A. Tavares, Selectman  
Melissa Arrighi, Town Manager

## **CALL TO ORDER**

Vice Chairman Brewster called the meeting to order at 7:05 p.m. and led the Pledge of Allegiance.

## **LITTLE LEAGUE PRESENTATION – PLYMOUTH 9’S BASEBALL**

Vice Chairman Brewster presented the players and coaching staff of the Plymouth Youth Baseball & Softball League Team (9-Year-Old Level) with a certificate honoring the team’s success in winning the Cal Ripken New England Regional Championship title.

Cabby Brini, Head Coach of the “Plymouth 9’s,” thanked the Selectmen, Police, and Fire Departments for organizing the brief motor parade that transported the players to the meeting. This is the first time that a Plymouth team has gone to a regional championship, he said, noting that the team finished the season with 42 wins and only two losses. Mr. Brini introduced the coaching staff and players of the Plymouth 9’s and praised the team’s remarkable accomplishments.

## **COMMITTEE LIAISON / DESIGNEE UPDATES**

There were no committee updates brought forth during this meeting.

## **PUBLIC COMMENT**

Karen Buechs, Town Meeting Member from Precinct 7, expressed concern about the amount of graffiti and litter in the downtown/waterfront district. Ms. Buechs cited a number of areas where the problem seems to be worsening, including Burial Hill, Brewster Gardens, School Street, and the Main/Court Street downtown area. While she acknowledged the difficulty of preventing every incident of graffiti and litter, she encouraged the Town to do better, perhaps through the assignment of more police patrols, the installation of security cameras, and/or the implementation and enforcement of stricter penalties. Ms. Buechs advised residents to be vigilant about reporting graffiti and litter, so that the Town can address it more rapidly.

Vice Chairman Brewster recommended that the Town Manager consider creating a task force to address graffiti and litter, comprised of representatives from the Police Department, Department of Public Works, and Town Manager's Office.

Assistant Town Manager Michael Galla stated that he would convey the aforementioned concerns and ideas about graffiti and litter to Town Manager Melissa Arrighi.

## **LICENSES**

### **ONE DAY ALL ALCOHOL LIQUOR LICENSE\***

On a motion by Selectman Mahoney, seconded by Selectman Provenzano, the Board voted to grant a One Day All Alcohol Liquor License to the following applicant, as detailed, below. Voted 3-0-0, approved.

- ❖ **Nicole Savini** (260 Foster Avenue, Marshfield) requested a One Day All Alcohol Liquor License for an annual art show to be held from 5:30 p.m. to 11:00 p.m. on September 21, 2013. Liquor liability will be in place before the license is released.

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

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

On a motion by Selectman Mahoney, seconded by Selectman Provenzano, the Board voted to grant a One Day Wine & Malt Liquor License to the following applicant, as detailed, below. Voted 3-0-0, approved.

- ❖ **Richard Anderson / The Plymouth Lions** (301 Court Street) requested a One Day Wine & Malt Liquor License for a two-day beer festival to be held on the Hedge House Lawn (126 Water Street) from 1:00 p.m. to 7:00 p.m. on September 7<sup>th</sup> and 8<sup>th</sup>, 2013.

On a motion by Selectman Mahoney, seconded by Selectman Provenzano, the Board voted to grant a One Day Wine & Malt Liquor License to the following applicant, as detailed, below. Voted 3-0-0, approved.

- ❖ **Joshua Rioux / J. James Auctioneers and Appraisers** (84 Court Street) requested a One Day Wine & Malt Liquor License for an antiques auction to be held from 4:00 p.m. to 10:00 p.m. at Memorial Hall on September 10<sup>th</sup>, 2013.

On a motion by Selectman Provenzano, seconded by Selectman Mahoney, the Board voted to grant a One Day Wine & Malt Liquor License to the following applicant, as detailed, below. Voted 3-0-0, approved.

- ❖ **Patrice Stutzenberger** (3 Bayview Avenue) requested a One Day Wine & Malt Liquor License for a comedy night fund raiser to be held at Live Life Believe Fitness Center (10 Cordage Park, #243) from 7:00 p.m. to 10:00 p.m. on September 7<sup>th</sup>, 2013. Liquor liability will be in place before the license is released.

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

### **COMMON VICTUALLER (NEW OWNER)**

On a motion by Selectman Provenzano, seconded by Selectman Mahoney, the Board voted to grant a Common Victualler License to the following applicant, as detailed, below. Voted 3-0-0, approved.

- ❖ **Stevie's Pizza**, 46 Main Street Extension, Leonardo Alves deLima (New Owner)

Issuance of the above license is subject to approval from Building and Health Departments

### **COMPREHENSIVE ENTERTAINMENT (NEW OWNER)**

On a motion by Selectman Provenzano, seconded by Selectman Mahoney, the Board voted to grant a Comprehensive Entertainment Permit to the following applicant, as detailed, below. Voted 3-0-0, approved.

- ❖ **Stevie's Pizza**, 46 Main Street Extension, Leonardo Alves deLima (New Owner)  
Applying for Jukebox, Radio, TV

### **SPECIAL AUCTIONEER PERMIT (NEW)**

On a motion by Selectman Mahoney, seconded by Selectman Provenzano, the Board voted 3-0-0 to grant a Special Auctioneer Permit to the following applicant, as detailed, below.

- ❖ **J. James Auctioneers and Appraisers** (84 Court Street, Joshua Rioux) requested a Special Auctioneer Permit for an antiques auction to be held from 4:00 p.m. to 10:00 p.m. at Memorial Hall on September 10<sup>th</sup>, 2013.

## **PEDICAB OPERATOR (NEW)**

On a motion by Selectman Provenzano, seconded by Selectman Mahoney, the Board voted to grant a Pedi-Cab Operator License to the following applicant, as detailed, below. Voted 3-0-0, approved.

### **❖ For Plymouth Pedicab:**

- Andrew Curran (1 Seaboard Circle, Scituate)

Issuance of above license is subject to review of the CORI Background Check.

## **ADMINISTRATIVE NOTES**

**Meeting Minutes** – The Board approved the minutes of the June 11, 2013 and June 18, 2013 Selectmen’s meeting.

**Naming as Enforcement Authority for Certain Town Bylaws** – At the request of Vice Chairman Brewster, David Gould, Director of Marine & Environmental Affairs, provided information on the request to name his department as an enforcing authority for certain Town bylaws. Mr. Gould explained that the requested administrative action would simply clarify the ability that his department already has, by addressing changes to positions and departmental changes that have taken place over the years. Now that the Town has established the position of Natural Resources Warden, he noted, this staff member will monitor graffiti and illegal dumping, and, thus, it would be prudent to provide such staff members with the ability to issue citations in certain circumstances.

In response to an inquiry from Selectman Mahoney, Mr. Gould indicated that the naming of his department as an enforcement authority within the bylaw on alcohol would allow his Natural Resources staff to address incidents of public drinking at Plymouth’s beaches and parks (e.g. Morton Park), when warranted. Mr. Gould pointed out that his department would serve as an enforcement authority on the specific bylaws requested, only in those areas over which his department has direct supervision.

Following the information provided by Mr. Gould, the Board designated the Department of Marine & Environmental Affairs as an enforcement authority in the following chapters of the Town of Plymouth By-Laws:

- Chapter 18           Alcohol
- Chapter 30           Beaches
- Chapter 77           Graffiti and Litter
- Chapter 81           Harbor
- Chapter 134          Ponds
- Chapter 157          Solid Waste
- Chapter 196          Wetlands Protection

**Deed of Easement for Drainage Purposes over Property off Beaver Dam Road** – The Board accepted a *Deed of Easement* through land owned by Pinehills LLC off Beaver Dam Road (in the vicinity of Bogside Drive), as shown on a plan entitled, “Proposed Drainage Easement through Land of Pinehills LLC,” dated July 16, 2013.

**Policy on Committee Appointments for Seats Requiring Specific Qualifications** – The Board considered a request to modify its general policy on committee appointments to allow the appointment of individuals to qualification-designated seats who do not possess those particular qualifications, in the event that the open position has been advertised and a candidate with those specific qualifications does not come forth. This change in procedure would only apply for committees that are not established by bylaw or statute.

Vice Chairman Brewster recommended that this matter be considered when all five members of the Board will be present. On a motion by Selectman Mahoney, seconded by Selectman Provenzano, the Board voted to table its decision on this particular administrative note until all five members of the Board are in attendance. Voted 3-0-0, approved.

## **COMMITTEE APPOINTMENTS**

Vice Chairman Brewster read a list of citizens who have applied to serve on the Town committees, boards, and commissions listed below. On a motion by Selectman Provenzano, seconded by Selectman Mahoney, the Board voted to appoint the following citizens, as detailed, below. Voted 3-0-0, approved.

### **400<sup>TH</sup> ANNIVERSARY COMMITTEE: 4 SEATS AVAILABLE, 3 APPLICANTS**

Michael Coleman	196 Court Street	Incumbent Pilgrim Society Designee	Term Exp. 6/30/2016
Sharl Heller	201 Center Hill Road	New Applicant	Term Exp. 6/30/2016
Douglas O’Roak	76 Dorothy Drive	New Applicant	Term Exp. 6/30/2016

### **HISTORIC DISTRICT COMMISSION: 1 SEAT AVAILABLE, 1 APPLICANT**

James W. Baker	231 Sandwich Street	Incumbent Registered Voter Seat	Term Exp. 6/30/2016
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### **NUCLEAR MATTERS COMMITTEE: 1 SEAT AVAILABLE, 1 APPLICANT**

Charles W. Adey	61 Flint Locke Drive	New Applicant	Term Exp. 6/30/2016
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### **WEST PLYMOUTH STEERING COMMITTEE: 1 SEAT AVAILABLE, 1 APPLICANT**

David S. Bond	27 Billington Sea Rd.	New Applicant	Term exp. 6/30/2016
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## **UPDATE FROM 1749 COURTHOUSE COMMITTEE**

Jessica Connelly, chairman of the 1749 Courthouse Committee, provided the Board with an update on the Town's 1749 Courthouse Museum. Ms. Connelly talked about the importance of the 1749 Courthouse as one of the Town's oldest and most important landmarks—a free-to-the-public museum that covers the full spectrum of the Town's history.

Ms. Connelly reported that the museum is open seasonally, with two staff members welcoming an average of 10,000-12,000 visitors per year. In addition, she said, the 1749 Courthouse Committee works to schedule interesting and informative programming at the museum, such as historical lectures, interpretive reenactments, and revolving exhibits.

Ms. Connelly explained that routine maintenance and improvements are crucially important to preserve the structure in a historically accurate manner. The most recent work to be done on the facility was some exterior painting work, she noted, done through the Department of Public Works. Ms. Connelly was pleased to report that the committee was recently awarded a grant through the Heritage Preservation Foundation for an architectural assessment of the 250+ year old structure, which is scheduled to take place in October 2013.

Ms. Connelly referenced a question that the Selectmen had previously posed as to whether the 1749 Courthouse should have its own maintenance line item. Maintenance, she indicated, is generally done by staff and committee members whenever possible, and, thus, an annual maintenance budget would ensure that issues at the courthouse are addressed on a consistent, yearly basis. One issue that persists at the facility is the upkeep of the museum's grounds and landscaping; currently, she said, there are vines growing through the basement windows.

If the committee were to issue a hypothetical wish list of maintenance needs, Ms. Connelly reported, the issues that are the most important would be:

- Landscaping
- Security upgrades
- Carpet replacement
- UV shades (to preserve the integrity of the museum's artifacts)
- Regular trash disposal service
- General carpentry needs

Ms. Connelly responded to questions and comments from the Board. Though she is not an architect, she said, the facility appears to be structurally sound, but any such concerns will be addressed when the architectural assessment takes place in October. The courthouse has not been given a maintenance line item, she noted, but funds are budgeted annually for two staff members and supplies. Ms. Connelly indicated that the museum can

track the number of visitors, but it does not currently distinguish whether the visitors are from Plymouth or from out-of-town.

Vice Chairman Brewster offered her recommendation that the museum collect donations from visitors. Dinah O'Brien, the Director of Community Resources (whose department supervises the operation of the 1749 Courthouse Museum), addressed the Board to explain that it is against policy for staff to collect donations at the museum. Vice Chairman Brewster stated her belief that such policy should be changed, as donations could assist with funding the expense of maintenance of the museum.

## **UPDATE FROM NATHAN HALE FOUNDATION**

Christopher Hart of the Nathan Hale Foundation (“NHF”) provided the Board with a PowerPoint presentation on the work that his organization does with local veterans. Mr. Hart was pleased to report that NHF is entering its 8<sup>th</sup> State contract, providing veterans from nine communities with free transportation to important appointments, as well as additional support services. NHF operates another outreach facility in Middleboro (in addition to its location in Plymouth), he said, and the number of veterans served through his organization has now reached 500.

In addition to transportation services, Mr. Hart indicated that NHF provides Post Traumatic Stress Disorder counseling, readjustment counseling, a cycling program, a clothing outlet, field trips, and a food pantry. Mr. Hart reported that NHF has outgrown its space, and, thus, he would like to construct a rehabilitation center, where all of the organization’s services can be provided under one roof.

Mr. Hart talked about the organization’s plans to construct an environmentally “green” facility in a relaxing, somewhat rural setting. It is NHF’s hope, he said, to remain at a location in Plymouth. To that end, Mr. Hart asked the Town for any assistance it could offer in helping him to identify potential sites that might be ideal for the establishment of NHF’s new facility.

Selectman Mahoney suggested that Mr. Hart work with the Town’s Planning staff to determine if there are any sites that would meet his criteria. Mr. Galla affirmed that he would facilitate a meeting between Mr. Hart and Town staff.

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

**Chapter 61 Lands / Notice of Intent to Convert** – Assistant Town Manager Mike Galla provided the Board with a brief update on the status of a 23.5-acre parcel of Chapter 61-designated land off Bourne Road, identified as Lots 10A and 11 on Assessor’s Map 129 (owned by The Garland Holding Company, LLC). Mr. Galla reported that the Town has received a completed appraisal from the professional hired by the property owner. Once

Town staff has had an opportunity to review the appraisal report, the Board will receive an update on potential subsequent action items.

## **EXECUTIVE SESSION AND ADJOURNMENT OF OPEN SESSION**

The Board voted at 8:20 p.m. to adjourn the public portion of the meeting and enter executive session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 6, to consider the purchase, exchange, lease, or value of real property, as an open meeting on this matter may have a detrimental effect on the negotiating position of the body. By roll call: Mahoney – yes, Provenzano – yes, and Brewster – yes.

Vice Chairman Brewster stated that the Board would not return to open session, following executive session.

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

*A copy of the August 27, 2013 meeting packet is on file and available for public review in the Board of Selectmen's Office.*