

~ PLYMOUTH BOARD OF SELECTMEN ~

TUESDAY, NOVEMBER 5, 2013

PLYMOUTH POLICE HEADQUARTERS, 20 LONG POND ROAD, 6:00 P.M. – EXECUTIVE SESSION
MAYFLOWER ROOM, TOWN HALL, 11 LINCOLN STREET, 7:00 P.M. – OPEN SESSION

The Selectmen held a meeting on Tuesday, November 5, 2013 at 6:00 p.m. at Plymouth Police Headquarters, 20 Long Pond Road. The open session portion of the meeting was convened at 7:00 p.m. in the Mayflower Room at Town Hall.

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

Melissa Arrighi, Town Manager
Michael Galla, Assistant Town Manager

CALL TO ORDER

Chairman Muratore called the meeting to order at 6:00 p.m. at the headquarters of the Plymouth Police Department, 20 Long Pond Road.

EXECUTIVE SESSION

The Selectmen voted to enter an Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 3, to discuss strategy with respect to litigation, as an open meeting on this matter may have had a detrimental effect on the negotiating position of the body. By roll call: Tavares – yes, Mahoney – yes, Brewster – yes, Provenzano – yes, and Muratore – yes.

Chairman Muratore noted that, following executive session, the Board would reconvene in open session at 7:00 p.m. at Town Hall (11 Lincoln Street).

RETURN TO OPEN SESSION

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

TOWN MANAGER'S REPORT

Carbon Monoxide Detector Event at Plymouth Council on Aging – Town Manager Melissa Arrighi reported that State Fire Marshal Stephen Coan and Plymouth Fire Chief G. Edward Bradley will join Senate President Therese Murray and State Representative Vinny deMacedo for the annual carbon monoxide alarm give-away event, to be held on November 6, 2013 at the Plymouth Council on Aging. Each year, she explained, Kidde (alarm manufacturer) donates free alarms to Plymouth residents, in remembrance of the tragic event that inspired Nicole's Law in 2005, which requires the installation of carbon monoxide alarms in nearly every Massachusetts home. Fire officials will be honoring the legislators for their key leadership. Ms. Arrighi noted that the event will begin at 10:00 a.m. at the Council on Aging, 44 Nook Road.

Recommendation on the Use of Certified Free Cash – Ms. Arrighi announced that she and the Town's Finance Director are offering the following recommendation with regard to the use of the Town's Certified Free Cash (certified at \$5,583,455.00), as detailed, below.

<u>Certification</u>	<u>\$ 5,583,455.00</u>
Capital – FATM 2013	\$(1,207,500.00)
Capital/Dept Equip – ATM /STM 2014	\$(2,400,000.00)
Nuclear Plant Mitigation Fund	\$(1,000,000.00)
Stabilization Fund	\$ (500,000.00)
Set Aside / Reserve	\$ 475,955.00

Ms. Arrighi indicated that she is recommending the use of \$3,607,500 for capital projects and equipment, while setting aside more resources towards the mitigation of the potential loss of tax payments from the Pilgrim Nuclear Power Station / Entergy. The Town's Stabilization Fund has a balance of approximately \$8.5 million, she said, and it is prudent to continue to set aside funds for stabilization, whenever possible. Ms. Arrighi explained that it is the Finance Director's goal to bring the Stabilization Fund to a \$10 million balance, at which point the investment earnings can be used towards capital projects and/or debt service for capital projects (while keeping the level of principal at \$10 million). The remaining \$475,955, she said, would be set aside to address any potential contract settlements or unforeseen expenses that could arise in the winter / spring.

Civil War Monument on the Training Green – Ms. Arrighi provided the Board with an update on the repair of the Civil War Monument on the Town's Training Green. To date, she reported, Frank Drollett of Colonial Stone has cleaned the monument; installed a drainage system of crushed stone; reset the granite frame work; re-graded the soil around the monument; and placed sod. Ms. Arrighi noted that Mr. Drollett has photographed the entire repair process and will provide the Town with before-and-after images of the monument.

PUBLIC COMMENT

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

PLYMOUTH REGIONAL ECONOMIC DEVELOPMENT FOUNDATION

Jack Meehl, chairman of the Plymouth Regional Economic Development Foundation (“the Foundation”), initiated a discussion with the Board regarding the function of the Foundation. Mr. Meehl was joined by fellow Foundation members Jeffrey Chute (vice chairman), Ed Santos (treasurer), and Tom Wallace (clerk). In addition to these members, he noted, the chairman of the Board of Selectmen, Town Manager, and Director of Planning & Development are all standing members of the Foundation.

Mr. Meehl provided some history on the Foundation, noting that the person serving as Plymouth’s Town Manager in 1999 approached the Plymouth Area Chamber of Commerce to discuss the potential benefits of privatizing the Town’s economic development initiatives. Following two years of study and discussion, the Foundation was established, supported jointly by the Chamber of Commerce, Plymouth Industrial Development Corporation (“PIDC”), and Town of Plymouth. Mr. Meehl indicated that, in 2005, the management of the Chamber of Commerce and the Foundation were merged into one position under the direction of Denis Hanks, with the Town and the Chamber of Commerce each providing funds towards the compensation of the position.

Mr. Meehl indicated that, as a result of Mr. Hanks’ recent decision to resign his position, the Chamber of Commerce has decided that it would like to exit from the Memorandum of Understanding (“MOU”) between the Foundation, Chamber, and the Town. The Chamber of Commerce, he said, would like to establish its own executive director position, which means that the Chamber would withdraw the \$34,000 that it provides, annually, towards the salary for the Foundation’s executive director. Mr. Meehl also pointed out that the PIDC no longer exists, so there is no supportive funding from that organization. Despite the loss of funding from the PIDC and Chamber, he said, it is important that the Foundation maintain the same salary and benefits for its future executive director, so that it can attract a qualified candidate to replace Mr. Hanks. As such, Mr. Meehl stated, the members of the Foundation would like to know how the Board of Selectmen wishes to proceed—i.e. replicating what has been done over the past 10 years, or embarking upon something different.

Selectman Tavares posed a number of questions to Mr. Meehl regarding the assets held by the Foundation; the expenses associated with the operation of the organization; the various operational reconfiguration scenarios that the Board of Selectmen could pursue; and the benefits and/or drawbacks of the Town taking sole responsibility for the funding of the Foundation. Selectman Tavares recommended that the members currently serving on the Foundation take the responsibility of developing an action plan for the future operation of the Foundation, e.g. budgets and funding sources, organizational goals, and operational structure. When complete, he said, the Foundation can present its findings to the Selectmen for consideration.

Mr. Meehl contended that the members of the Foundation should not be tasked with directing the Selectmen on how to proceed; rather, it should be the Selectmen who provide the advisement.

Chairman Muratore recommended that each member of the Board submit a list of his/her priorities for the Foundation to the Town Manager, after which representatives from the Board and Foundation can hold an internal meeting to discuss the future of the partnership.

Vice Chairman Brewster asked the Town Manager to share her thoughts on how the Town might proceed with the operations of the Foundation. Ms. Arrighi expressed her belief that the future MOU should be written in a more specific manner, to reflect the changing needs of the organization and the specific projects upon which the Foundation's paid director should focus. In order to fund the director's position, Ms. Arrighi explained, the 2014 Spring Town Meeting must approve an increase to the budget to cover the portion of the director's salary that was formerly funded by the Chamber of Commerce.

In response to an inquiry from Vice Chairman Brewster, Mr. Meehl discussed the positive affect that he believes the work of the Foundation has had upon the Town's economy, tax rate, and assessed values. The jobs and investments generated by the Tax Increment Finance ("TIF") agreements negotiated by the Foundation create a multiplier effect by which money is generated back into area businesses and as tax revenue, Mr. Meehl explained.

Selectman Tavares expressed his belief that the position of Economic Development Director for the Foundation should fall directly under the Town's executive branch, rather than under the direction of the Director of Planning & Development (as it currently stands).

**PUBLIC HEARING: NEW ANNUAL ALL ALCOHOL INNHOLDER LICENSE
MIRBEAU BOSTON-SOUTH, LLC D/B/A MIRBEAU INN & SPA, 3 VILLAGE GREEN NORTH**

Chairman Muratore opened a public hearing to consider the application for a new Annual All Alcohol Innholder Liquor License from Mirbeau Boston-South LLC d/b/a Mirbeau Inn & Spa, 3 Village Green North, Thomas Abbott named as Manager. Prior to commencing the hearing, 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 Robert Betters addressed the Board on behalf of Mirbeau Boston-South LLC. Joined by Gary Dower, one of Mirbeau's principals, Attorney Betters indicated that the company seeks an all-alcohol liquor license to compliment the hospitality services that it will provide at the planned boutique-style hotel, which is currently under construction and scheduled for opening in the spring of 2014. Attorney Betters pointed the Board's attention to a number of color design renderings and engineering plans he provided to illustrate the visual character and layout of the hotel.

Gary Dower, principal for Mirbeau Boston-South LLC, discussed the physical features of the property. There are several areas within the hotel complex where food and beverage service will be provided, he said, including a fine dining restaurant, a multi-purpose function room, an outdoor tent/garden function area, a spa “aqua terrace,” and a wine bar/bistro with self service wine sampling machines. In addition, Mr. Dower reported, each room will have small service bar, while suites will have a wet bar.

In response to an inquiry from Selectman Mahoney, Mr. Dower explained how the self-service wine machines will be operated in the hotel’s wine bar/bistro. In order to ensure that no one under the age of 21 is allowed access to the machines, Mr. Dower indicated, the customer must interface with the bartender, who holds the customer’s credit card and provides the customer with a key card to access the machine. The machines, he said, are programmed to permit a limited amount of access within a two-hour period of time, so that customers are not allowed to over-serve themselves.

Following some brief remaining questions posed to the license applicants, Chairman Muratore opened the hearing to public comment. Seeing none, he closed the hearing to await a motion of the Board.

On a motion by Vice Chairman Brewster, seconded by Selectman Provenzano, the Board voted to grant an Annual All Alcohol Innholder Liquor License to Mirbeau Boston-South LLC d/b/a Mirbeau Inn & Spa, 3 Village Green North, as requested in the license application. Voted 5-0-0, approved.

On a motion by Selectman Mahoney, seconded by Vice Chairman Brewster, the Board voted to grant the following licenses to Mirbeau Boston-South LLC d/b/a Mirbeau Inn & Spa, 3 Village Green North, in conjunction with the request for an Annual All Alcohol Innholder license. Voted 5-0-0, approved

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

PLYMOUTH COUNTY COMMISSIONERS: REGIONAL INITIATIVES

Chairman Muratore introduced a presentation from the Plymouth County Commissioners on a number of legislative and regionalization initiatives that the County has undertaken. Plymouth County Commissioner Sandra Wright and County Treasurer Tom O’Brien appeared on behalf of the County Commissioners. Commissioner Wright offered her regrets that Commissioners Dan Pallotta and Greg Hanley were unable to attend the meeting. Commissioner Greg Hanley had been present at the outset of the Selectmen’s meeting, she said, but scheduling conflicts required him to leave prior to the commencement of the presentation.

Commissioner Wright began the County's presentation with an explanation of the reasons behind the Commissioners' efforts to appear before the boards of selectmen of the County's various member communities. Many of the residents living within Plymouth County, she said, do not understand the County's purpose and function. Commissioner Wright explained that each member community pays an annual tax assessment to the County—in Fiscal Year FY2013, Plymouth's assessment was \$1,358,920.36—therefore, it is important that residents understand how their tax dollars are used. The County, she said, operates the Registry of Deeds; maintains three courthouses (Brockton Superior Court, Wareham District Court, and Hingham District Court); facilitates group purchasing of health insurance, fuel, and other supplies for participating member communities; processes parking tickets for several member communities; operates a co-operative "extension" service that offers educational resources and programs relating to agriculture; supports tourism promotion; maintains the County's historical records; and provides a number of public safety support services. Commissioner Wright stated that Plymouth County is a cost effective form of government that can provide better services at a better price.

County Treasurer Tom O'Brien resumed the presentation with information on the County's latest legislative initiatives and proposals for regionalized services. The County receives rent from the State for the use of the Brockton, Hingham, and Wareham courthouses, he explained, but the State typically pays the County in arrears—and, sometimes, late—so the Commissioners have sought the help of Plymouth County's legislators to enact legislation that would require the State to pay its rent, in-full and on-time. The Commissioners, he reported, are also pursuing legislation that will correct the allocation of the excise deeds tax, to ensure that the Plymouth County Registry of Deeds receives its original, rightful share of the County's deeds excise. Similarly, he said, the County has advocated for legislation that will require the State to pay the County its fair share of deed recording fees and liability for employee pensions. Treasurer O'Brien indicated that the County Commissioners hope to obtain the Selectmen's endorsement of the legislation related to the County's allocation of excise deeds.

Treasurer O'Brien turned the presentation to the concept of regionalization, which, he said, is a cost-effective means of providing services to a wider population at a better price. The County Commissioners, he reported, have established the Plymouth County Energy Collaborative to purchase energy in bulk, at reduced prices. Treasurer O'Brien acknowledged Plymouth's efforts to aggressively pursue bargain energy rates, but he encouraged the Town to consider joining the collaborative, in the event that the County could provide better pricing. In addition, he indicated, the County is pursuing a solid waste initiative, in an effort to help communities find a cost-effective solution to the hauling and disposal of municipal solid waste.

Treasurer O'Brien was pleased to report that Plymouth County's legislative delegation has helped to secure funding from the State for a salt water dredging program, from which the County can seek grants to provide this service for its coastal member communities. Plymouth's Harbormaster, Chad Hunter, he said, has taken a lead role in compiling information about the need for the dredging service and the benefit that it could bring to coastal communities. Treasurer O'Brien reminded the Board that the County also conducts the bulk purchasing of items such as police vehicles, fuel, road salt, etc., at a cost much

lower than what individual communities could obtain. If there are any ways that the County can help, he said, the Commissioners encourage Plymouth County's 27 member communities to bring forth such ideas.

Treasurer O'Brien responded to questions and comments from the Board of Selectmen regarding the County's proposals for regionalized services and legislation pertaining to excise proceeds. In response to an inquiry from Chairman Muratore regarding the potential for establishing a regionalized 9-1-1 emergency dispatch system, Treasurer O'Brien noted that the County was awarded a grant to investigate the feasibility and benefits of such a program. Though the County has encountered some resistance to the idea from some of its member communities, Treasurer O'Brien said, it would be willing to pursue such an initiative, if Plymouth can gain the support of its neighboring communities.

Chairman Muratore inquired about House Bill 2516, "An Act Relative to Deeds Excise Receipts." Treasurer O'Brien explained that State Representative Tom Calter is the lead sponsor on this legislation, which will require the State to allocate 42.5% of all deeds excise receipts to the county from which the receipts originate.

On a motion by Selectman Provenzano, seconded by Selectman Tavares, the Board voted to issue its support for House Bill 2516, "An Act Relative to Deeds Excise Receipts." Voted 5-0-0, approved.

Chairman Muratore asked the Town Manager if the Town's Energy Officer, Patrick Farah, could work with the County to determine if the Plymouth County Energy Collaborative would benefit Plymouth. Ms. Arrighi explained that Mr. Farah is working with the School Department on a number of energy-savings initiatives, one of which may be announced in the next coming weeks.

Chairman Muratore inquired whether the Town takes advantage of the County's bulk purchasing services. Ms. Arrighi indicated that the Town's Procurement Division is well aware of—and participates in—a number of bulk purchasing programs.

Chairman Muratore thanked Commissioner Wright and Treasurer O'Brien for their presentation, and he expressed his interest in working collaboratively with the County on services that will benefit the constituents of Plymouth and Plymouth County.

STUDENT PRESENTATION ON LIGHTS OF HOPE FUNDRAISER

Alex Moody, Joe Kearney, and Sam Letendre, students in Plymouth South High School's Marketing Program, appeared before the Board to provide information on the 2014 Lights of Hope fundraiser to benefit Cranberry Hospice.

Alex Moody led off the presentation, noting that the luminary event will take place in Brewster Gardens on the evening of Friday, December 6, 2013, in conjunction with the Kiwanis Club's Christmas in Historic Plymouth tree lighting event. The Marketing Team,

he explained, will sell the luminary bags for \$5.00 apiece from various locations, including the high school. Mr. Moody reiterated that all profits from the event will be donated to Cranberry Hospice, an organization that provides end-of-life care and support services for residents of Plymouth County and Cape Cod.

Joe Kearney and Sam Letendre provided additional details on the event, noting that, this year, the students will partner with Plimoth Plantation, which is holding its first “Old World Christmas” event at the Jenney Grist Mill on December 6th. Plimoth Plantation will sell the luminary bags at the Grist Mill and help to extend the luminaries along the path from the mill towards Brewster Gardens. The students intend to sell 500 luminary bags at \$5.00 each. Following the expense of the bags and tea lights, the students anticipate a profit of approximately \$2,334.00, to be donated entirely to Cranberry Hospice.

Chairman Muratore and members of the Board thanked the students for the presentation and commended their efforts to raise funds for charity. At the close of the presentation, Chairman Muratore called for a brief recess (8:35 p.m.).

COMMITTEE INTERVIEWS: STEPHENS FIELD PLANNING & DESIGN

Chairman Muratore reconvened the meeting at approximately 8:40 p.m. to consider the appointment of two neighborhood representatives to the Stephens Field Planning & Design Committee. One of the seats was reserved for a neighborhood designee of the Department of Marine & Environmental Affairs, he explained, while the other was advertised as open to any applicants living within a half-mile of the Stephens Field Recreation Area. Initially, he explained, the Board was scheduled to interview two applicants for the open neighborhood seat on the committee, but one of the applicants had withdrawn his name from consideration prior to the Selectmen’s meeting.

On a motion by Vice Chairman Brewster, seconded by Selectman Provenzano, the Board voted to appoint Elizabeth Hennessy of 27 Fremont Street as the neighborhood designee of the Department of Marine & Environmental Affairs on the Stephens Field Planning & Design Committee, for a term effective November 6, 2013 through June 30, 2014. Voted 5-0-0, approved.

On a motion by Vice Chairman Brewster, seconded by Selectman Mahoney, the Board voted to appoint Diane Harting of 8 Fremont Street to the second neighborhood representative seat on the Stephens Field Planning & Design Committee, for a term effective November 6, 2013 through June 30, 2014. Voted 5-0-0, approved.

OFFER OF LAND AT 95 WHITE HORSE ROAD/ST. CATHERINE’S PARK

The Board reprised its discussion from September 17, 2013 regarding a citizen’s offer to donate property at 95 White Horse Road in Manomet (the former site of St. Catherine’s chapel) to the Town for use as public parkland.

Jeffrey Metcalfe, architect, addressed the Board on behalf of the owner of 95 White Horse Road, to ascertain how the Town had chosen to proceed with the offer made by his client. At the September 17th meeting, he noted, the Board voted to allow the Town Manager the opportunity to work with local citizens and organizations to determine if there were any groups who would be willing to help fund the maintenance of the site, aptly named St. Catherine's Park. Mr. Metcalfe inquired whether any news or offers had come forth from the neighborhood/stakeholders meeting that the Town Manager convened in late September.

Selectman Provenzano noted that he participated in the September meeting with approximately 20 neighborhood residents/stakeholders, during which the group discussed whether there were citizens and/or an existing non-profit group that would be willing to help with maintenance of park. From that conversation, he reported, the Simes House Foundation has since expressed some interest in the property.

Mr. Metcalfe sought to address some concerns that were raised during the September 17th Selectmen's meeting regarding the safety of vehicular access to the recreation area. He affirmed that additional signage will be added to clarify the way by which vehicles should turn in and out of the park. Mr. Metcalfe then introduced Attorney Gregory Cogan, who serves as the property owner's representative.

Randy Parker, president of the Simes House Foundation, reported that his organization took a vote on October 30, 2013 to express interest in entering negotiations with the property owner, should the Town declare no interest in the property. Mr. Parker briefly discussed the reasons why he believes the care and preservation of St. Catherine's Park would fit into the mission of the Simes House Foundation.

Mr. Parker responded to questions from the Selectmen regarding the Simes House Foundation's interest in St. Catherine's Park. Though there are some deed restrictions on the property, he said, the property owner may be willing to consider the allowance of some time-limited parking at the site, so that residents outside of the neighborhood can visit the park. Mr. Parker pointed out that the property at 95 White Horse Road could yield five as-of-right residential units, based on current zoning bylaws; therefore, a Transfer of Development Rights ("TDR") could be exercised—and leveraged—to create capacity for a village service area in another section of Manomet that could accommodate such density

Chairman Muratore, Vice Chairman Brewster, and Selectman Provenzano each expressed interest in the proposal from the Simes House Foundation. Chairman Muratore sought to clarify that the Town has great interest in, and is very grateful for, the offer made by the property owner. The stumbling block with this matter, Chairman Muratore said, is the economic impact of assuming the perpetual care and maintenance of a first-class recreation area.

Chairman Muratore asked Attorney Cogan whether the property owner would have any interest in having a conversation with the Simes House Foundation. From the audience, Attorney Cogan affirmed that the property owner would be willing to discuss the proposal.

UPDATE FROM GREATER PLYMOUTH PERFORMING ARTS CENTER

Robert Hollis, President of the Greater Plymouth Performing Arts Center (“GPPAC”), provided the Board with an update on his organization’s progress on the transformation of 25½ Court Street into a versatile performing arts venue.

Since taking lease of the property from the Town in February of 2013, Mr. Hollis explained, GPPAC has successfully maintained and undertaken renovations upon the facility with zero operational income, due in great part to financial assistance from the local business community. Following the completion of necessary renovations and upgrades, he reported, the theater/venue is scheduled to open in February of 2014. The stage area at the former church has been reconstructed and enlarged, he indicated, and work is currently being done to install a fire suppression system throughout the facility and convert a former meeting room into a reception/bar area. Future alterations include the construction of handicapped-accessible entrances and restroom facilities. Mr. Hollis noted that GPPAC is actively pursuing donations for the purchase of a performance-grade sound system for the venue.

With regard to income and fundraising, Mr. Hollis reported that GPPAC has collected close to \$50,000 in donations from the local community. In addition, he said, several volunteers have donated their time to assist with fundraising and various improvement projects within the facility. Mr. Hollis was pleased to note that the Massachusetts Department of Travel & Tourism recently awarded GPPAC with a \$50,000 grant. Several tenants—including theater groups and musicians—are already lined up to occupy various spaces within the facility, he stated, which will generate steady source of monthly income for the theater.

At the close of the presentation, Chairman Muratore and members of the Board commended Mr. Hollis and the members of GPPAC for their work to establish a community-based performing arts center at 25 ½ Court Street.

LETTER OF SUPPORT / NON-OPPOSITION: MEDICAL MARIJUANA

Ms. Arrighi introduced a conversation on whether the Board would consider the issuance of a letter of support or non-opposition for those companies seeking to establish a medical marijuana dispensary in Plymouth. Three companies seeking licenses for dispensaries in Plymouth have reached out to, and met with, Town staff, in an effort to provide information on their proposals. These three companies, Ms. Arrighi said, are now seeking a letter of support or non-opposition from the Town, as part of the license application process with the Massachusetts Department of Public Health (“DPH”).

Ms. Arrighi offered her recommendation that the Town refrain from establishing a specific overlay district for such dispensaries, so as to not target one particular area of town; rather, she said, staff believes that it would be better to identify those areas within current zoning where such facilities would already be allowed. With regard to the requests for letters of

support, Ms. Arrighi advised the Board to consider offering a letter of non-opposition to the three requesting groups, so long as each respective can demonstrate compliance with all of the Town's zoning regulations.

Chairman Muratore invited representatives from each group to introduce themselves to the Board. Attorney Tracey Stockton appeared on behalf of Herbal Wellness Center / MedBox; Kevin O'Reilly and former Congressman William Delahunt appeared on behalf of Medical Marijuana of Massachusetts; and Patrik Jonsson appeared on behalf of Mass Organic Therapy. Each representative took the opportunity to briefly introduce their respective teams and provide basic information on their proposals.

Following some brief initial questions from the Board, Chairman Muratore opened the discussion to public comment.

Steve Lydon of Precinct 12 stated his belief that the proposed dispensaries—which are now allowed by State Law—will not offer anything much different or worse than what is currently available through standard pharmacies. As such, Mr. Lydon said, the Board should consider offering its support for the prospective applicants that have come forth.

Seeing no further comment, the members of the Board posed questions and offered comments on the requests for letters of support or non-opposition. It was determined during the conversation that, though not required as part of the DPH licensing guidelines, the issuance of a letter of support or non-opposition to a particular applicant could put that applicant at an advantage over other applicants in the license-grading process.

Vice Chairman Brewster stated her preference that the Board make no distinctions between the applicants—i.e. either voice its support or non-opposition for all three groups, or not at all—so that all applicants can compete within DPH's application process on a level playing field. Selectman Mahoney, Selectman Tavares, and Selectman Provenzano all agreed that the Board would need more specific information, if it is to make any distinguishing choices between each group.

Chairman Muratore commented that he would be comfortable issuing a letter of non-opposition to any of the applicants that have come before the Board and met the Town's zoning criteria. If the Board does not at least acknowledge those groups that have done their due diligence, he speculated, there would be no incentive for any remaining applicants who have not yet done so.

Chairman Muratore requested that each group (Herbal Wellness Center / MedBox, Medical Marijuana of Massachusetts, and Mass Organic Therapy) provide a complete presentation packet for the Board.

On a motion by Vice Chairman Brewster, seconded by Selectman Provenzano, the Board voted to table the discussion on whether the Board would issue letters of support for medical marijuana dispensary applicants until its meeting of November 12, 2013. Voted 5-0-0, approved.

LICENSES

ONE DAY ALL ALCOHOL LIQUOR LICENSE*

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

- ❖ **America's Hometown Thanksgiving Celebration** (10 Cordage Park Circle, Olly deMacedo) requested a One Day All Alcohol Liquor License for a VIP Reception and Concert Event to be held from 5:00 p.m. to 10:30 p.m. at Memorial Hall on November 22, 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.

TEMPORARY CLOSING

On a motion by Vice Chairman Brewster, seconded by Selectman Provenzano, the Board voted to allow the Temporary Closure of the following licensed establishment, for the term detailed below. Voted 5-0-0, approved.

- ❖ **14 Union Street Corp. d/b/a Union Fish** (14 Union Street, Christopher Tocchio, Manager) requested permission to close temporarily for maintenance and light renovations for the months of November 2013 through February 2014, reopening on or about March 1, 2014. They will remain open for functions and private events.

ADMINISTRATIVE NOTES

Meeting Minutes – The Board approved the minutes of the September 10, 2013 Selectmen's Meeting.

Increase to Spending Limit for Parking Revolving Fund – The Board approved an increase to the spending limit of the Parking Revolving Fund from \$1 to \$30,001 to pay GATRA for the invoice submitted for the Plymouth Transportation Project Design (as approved at Fall Town Meeting 2012). *[Note: The bill was just submitted, as work was delayed from the original arrangement.]*

Special Counsel for Community Preservation Committee – The Board approved the Community Preservation Committee's request to appoint Attorney Kathleen O'Donnell as Special Counsel for the purpose of meeting the Community Preservation Act statute requirement to file historic, housing, and conservation restrictions on CPA acquisitions, as well as the closing on the 366 Court Street (affordable housing) and the Carter's Bridge property (open space).

[Note: In conjunction with this request, Attorney O'Donnell will be required to work with staff and seek final approval from Town Counsel before restrictions are filed at the Plymouth County Registry of Deeds. The CPC will continue to work with Town Counsel on Town Meeting articles and related legal services. The CPC Administrative Fund will cover all costs associated with these activities.]

COMMITTEE LIAISON / DESIGNEE UPDATES

Insurance Advisory Committee – Selectman Tavares noted that he attended the latest meeting of the Insurance Advisory Committee, for which the Town Manager provided a response to a number of health insurance coverage-related questions from the committee.

Plans for YMCA Facility in Plymouth – Chairman Muratore reported that he attended a luncheon held by the Old Colony YMCA, at which it was noted that the Plymouth YMCA facility is scheduled to open in the Fall of 2014.

OLD BUSINESS / LETTERS / NEW BUSINESS

Meeting with Chairman of Nuclear Regulatory Commission – Selectman Tavares noted that he and Vice Chairman Brewster will attend a meeting on Friday, November 8, 2013 with Alison MacFarlane, the chairman of the United States Nuclear Regulatory Commission. He encouraged his colleagues on the Board to provide him and Vice Chairman Brewster with any questions or comments that they wish to have conveyed to Chairman MacFarlane, prior to the November 8th meeting.

Environmental Report on Well Site Behind Home Depot Plaza – Selectman Tavares referenced an environmental report that the Town recently received regarding the well site adjacent to the proposed retail development expansion behind Home Depot Plaza. This independent consulting report, he said, brought to light some concerns about the affect that development could have upon the quality of the well site. Selectman Tavares offered his recommendation that the Director of Public Works provide the Board with an official response to the report.

Plymouth Philharmonic Concert at Plymouth North High School – Selectman Tavares indicated that he attended the November 2, 2013 concert of the Plymouth Philharmonic, which was held in the Performing Arts Center of the new Plymouth North High School. It was a great pleasure, he said, to hear Plymouth's first-class orchestra perform in the high school's new first-class venue.

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 an appraisal

service has been selected by both parties (the Town and the property owner). The next step, he indicated, will be for both parties to meet and discuss the appraisal.

Veterans Day Parade – Chairman Muratore reminded the public to attend the Town’s annual Veterans Day Parade on Monday, November 11, 2013.

ADJOURNMENT OF MEETING

On a motion by Vice Chairman Brewster, seconded by Selectman Mahoney, the Board voted to adjourn its meeting at approximately 9:50 p.m. Voted 5-0-0, approved.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the November 5, 2013 meeting packet is on file and available for public review in the Board of Selectmen’s Office.