

~ PLYMOUTH BOARD OF SELECTMEN ~

TUESDAY, DECEMBER 17, 2013

TOWN HALL, MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, December 17, 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

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.

[Note: the executive session that had been scheduled for 6:30 p.m. on the December 17, 2013 agenda was cancelled.]

TOWN MANAGER'S REPORT

Efforts to Address Homeless Population in Plymouth – Town Manager Melissa Arrighi informed the Board that Plymouth Police Chief Michael Botieri and Dinah O'Brien, Plymouth's Director of Community Resources, are working to set up a meeting with representatives from Father Bill's Place / Mainspring of Brockton, an organization that works with homeless individuals. Chief Botieri and Ms. O'Brien, she explained, would like to work with Father Bill's Place / Mainspring on establishing a structured program that would address the issue of homelessness in Plymouth.

Lease Agreement for 204 Long Pond Road – Ms. Arrighi announced that a bid response has been received for the lease of 204 Long Pond Road, the Town-owned property at which the southeastern offices of The Nature Conservancy had formerly been located. The Southeastern Massachusetts Pine Barrens Alliance ("SEMPBA"), she noted, was the only group to submit a bid on the lease of the property. SEMPBA, she explained, is a non-profit organization dedicated to the preservation of the globally rare "pine barren" ecosystems that exist in southeastern Massachusetts. Ms. Arrighi indicated that, following review of the bid proposal, she has awarded the lease for 204 Long Pond Road to SEMPBA. As lessee of the property, she said, SEMPBA will be responsible for making any necessary improvements to the property. Ms. Arrighi emphasized the benefits of

having the property occupied by a community-based organization that can work cooperatively with the Town and other conservation groups on the preservation of environmentally-sensitive habitats.

License Agreement with Plymouth Pilgrims Baseball Club – Ms. Arrighi reported that the Plymouth Baseball Corporation / Plymouth Pilgrims Baseball Club, a member of the New England Collegiate Baseball League (“NECBL”), has requested an extension of its license agreement with the Town. Following a successful first year in Plymouth, she explained, NECBL / Plymouth Pilgrims has made some requests for modification to the license extension for 2014, and, therefore, staff is working with the organization to reach an agreement that will be mutually beneficial and improve upon the operations of the previous season. Ms. Arrighi listed some of the improvements to the ball field at Forges Field for which NECBL / Plymouth Pilgrims will be responsible, as part of the (forthcoming) extended license agreement for the 2014 season.

Grant for Harbor Pump-Out Facility – Ms. Arrighi announced that the Town has received one of six Coastal Pollution Remediation grants issued by Governor Patrick’s Administration for the improvement of coastal water quality. The grant, she explained, will be applied to the cost of replacing the pump-out station at the Town Wharf, where commercial vessels can discharge sewage from their boats directly into the Town’s sewer system (rather than into the harbor). Ms. Arrighi reminded the Board that Town Meeting had already approved the full cost necessary to replace the pump-out station; following the receipt of these grant awards, the amount approved by Town Meeting will be reduced. Ms. Arrighi thanked Senate President Therese Murray for her assistance in securing this grant for the benefit of Plymouth and the quality of Plymouth Harbor.

Donations Needed at the Plymouth Animal Shelter – Ms. Arrighi informed the public that there is a significant need at the Plymouth Animal Shelter for cat food and cat litter. She encouraged those residents who might be interested in making a donation to contact staff at the shelter regarding the facility’s specific needs.

LICENSES

ONE DAY WINE AND MALT LIQUOR LICENSE*

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

- ❖ **Joshua Rioux / J. James Auctioneers** (84 Court Street) requested a One Day Wine & Malt Liquor License for an auction event to be held from 12:00 p.m. to 10:00 p.m. at Memorial Hall on January 21, 2014. Liquor liability insurance will be in place before the licenses are 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.

SPECIAL AUCTIONEER'S PERMIT

On a motion by Vice Chairman Brewster, seconded by Selectman Mahoney, the Board voted to grant a Special Auctioneer's Permit to the following applicant, as detailed, below. Voted 5-0-0, approved.

- ❖ **Joshua Rioux / J. James Auctioneers** (84 Court Street) requested a Special Auctioneer's Permit for an auction event to be held from 12:00 p.m. to 10:00 p.m. at Memorial Hall on January 21, 2014.

VEHICLE FOR HIRE OPERATOR (RENEWAL)

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

- ❖ **For Plimoth Transportation Inc d/b/a Mayflower Taxi:**

- Dan Knox 7 Prince Street, Plymouth
- Neal F. Ryan 36 Jacqueline Lane, Plymouth

Issuance is subject to review of the CORI background check and driving record.

ADMINISTRATIVE NOTES

Meeting Minutes – The Board approved the minutes of the October 29, 2013 Selectmen's meeting.

Endorsement of PGDC Intention to Purchase Waterfront Parking Lot – The Board granted its approval of the Plymouth Growth and Development Corporation's ("PGDC") plans to purchase a 1.34-acre parcel of land containing a 151-space parking lot from the Massachusetts Bay Transit Authority, situated near Water Street and identified as Lot 70-4 on Assessors Map 14, at a purchase price of \$475,000, in accordance with the PGDC's Community Reinvestment Policy.

Notice to County Regarding Monitoring of Landfill Site – On a motion by Selectman Mahoney, seconded by Selectman Provenzano, the Board unanimously voted to send the County and the Department of Environmental Protection an official notice that the Town of Plymouth will no longer be conducting landfill monitoring of the County's land on South Street (site of the closing Transfer Station) as of December 30, 2013, with the understanding that, in the spirit of cooperation and promoting positive and harmonious working relationship between the Town and County, the Town will offer to continue to perform the landfill monitoring on the County's property through June 30, 2014, if the County so requests in writing by January 1, 2014.

Assignment of Voting Delegate at MMA Conference – The Board voted to (a) sponsor Kenneth Tavares to attend the Massachusetts Municipal Association Annual Conference on behalf of the Town of Plymouth and (b) authorized the Chairman of the Board to execute a formal letter designating Selectman Tavares as the official voting delegate for the Town of Plymouth for the purpose of voting at the MMA Annual Business Meeting on January 25, 2014.

Amendment of Parking Restrictions for Waterfront Parking Lot – The Board voted to amend the *Town of Plymouth 1954 Traffic Rules and Orders*, as detailed, below:

1. The removal of the following sentence under Article V, Section 20. Bus Stops and Parking Areas:

No person shall park any vehicle other than a bus, shuttle or RV in the designated Municipal Bus/RV Only Parking Lot located adjacent to the Town Pump House.

2. The addition of the following sentence under Article V, Section 20. Bus Stops and Parking Areas:

No person shall park any vehicle other than a bus or shuttle in the designated Municipal Bus Only Parking Lot located adjacent to the Town Pump House between the hours of 7 a.m. and 7 p.m.

Assignment of Agreement for Property Off Carter’s Bridge Road – The Board authorized the Chairman to sign and execute an *Assignment Agreement* and *Assignment and Assumption of Purchase & Sale Agreement* between Jed Smith and the Town of Plymouth related to the acquisition of 5 acres of land, more or less, located off Carter’s Bridge Road, Plymouth, shown as Lot 15 on Assessors Map 59, as authorized by Article 16A of the 2013 Fall Annual Town Meeting.

Acceptance of Deed for Property Off Carter’s Bridge Road – The Board signed and executed an *Acceptance of Deed* for 5 acres of land, more or less, located off Carter’s Bridge Road, Plymouth, shown as Lot 15 on Assessors Map 59, as authorized by Article 16A of the 2013 Fall Annual Town Meeting.

PUBLIC COMMENT

Randy Parker of the Simes House Foundation displayed the 2013 Simes House holiday ornament, which, he said, is the third in a series of commemorative ornaments that his organization has issued to raise funds for the restoration of 29 Manomet Point Road. The year 2013, he said, marks the 150th (1863-2013) year since the construction of the Simes House, and, thus, the 2013 ornament was specially designed to reflect the anniversary. Mr. Parker provided information on the way by which residents may purchase an ornament from the Simes House Foundation.

PUBLIC HEARING: PROPERTY TAX CLASSIFICATION

Anne Dunn, Director of Assessing, introduced a public hearing on the allocation of the local property tax levy among the property classes for Fiscal Year 2014. Prior to commencing the presentation for the property tax classification hearing, Ms. Dunn introduced the members of Plymouth's Board of Assessors—Jim Sullivan, Donna Randles, Richard Finnegan, Katherine Rebell, and George Moody—who were in attendance at the meeting.

Ms. Dunn explained that the purpose of the annual classification hearing is to adopt the Town's tax policy by allocating or classifying the tax levy among property types. In order for the Town to discuss and set the FY2014 tax rate, she said, the Board of Selectmen must first decide whether the Town will continue to maintain a single/unified tax rate or change to a multiple/split tax rate. A split tax rate, she explained, would set different rates between the property classes—essentially between residential and commercial properties—while the Town's current unified tax rate implements the same rate for all of the property classes.

In addition, the Board may also consider the adoption of certain tax exemptions and discounts—such as open space discounts, residential exemptions, and small commercial exemptions—during the annual classification hearing. Ms. Dunn noted that, at this time, the Finance Department does not recommend that the Board adopt any of these potential exemptions and discounts.

Ms. Dunn covered the following topics within her presentation:

- An overview of key changes to the Town's tax rate and valuations between FY2013 and FY2014
- A comparison of tax rates and average assessed values between Plymouth and ten other nearby, similar communities
- Photographic examples of varying property valuations and the associated change in value for each example from FY2013 to FY2014
- Data on property valuation based on the different property classes in Plymouth, covering fiscal years 2010 through 2014
- The percentages by which each class makes up the Town's total property valuations
- Residential and commercial data spanning back to FY2010, including average tax bills, average valuations, and the number of parcels (commercial and residential)
- Graphs and charts illustrating the trends in average tax bills and a comparison of Plymouth's residential home values and commercial property values
- Classification considerations, including the diversity of the tax base; the ability of the commercial base to absorb a shift to a split tax rate; and the long-term perspective on whether to maintain a split rate or fluctuate between single and split rates

Ms. Dunn displayed several tables which illustrated the impact of shifting the tax burden from the average residential tax bill to the average commercial tax bill, noting that, in order to maintain the same average residential tax bill (i.e. no increase from 2013 to 2014), the Town would need to shift 17% of the tax burden to the commercial sector. As an example, Ms. Dunn explained, the Town would have to increase the average commercial bill by \$2,401.07, in order to prevent a \$212.89 increase to the tax bill on an average single family home.

At the close of the presentation, Ms. Dunn offered the Finance Department's recommendation that the Board maintain a single/unified tax rate. It is unlikely that the Town's commercial tax base could—in the midst of the current economic downturn—absorb a tax shift/increase of such magnitude required to provide any substantial relief to residential taxpayers.

Vice Chairman Brewster inquired whether the transition to a split tax rate would be less dramatic and burdensome to the commercial sector, if the Town had a larger commercial tax base to draw upon. Ms. Dunn affirmed that, if the Town had a larger commercial tax base, a shift of tax burden to the commercial base (to stabilize residential tax rates) would theoretically be less significant.

Chairman Muratore asked Ms. Dunn to explain how the Town of Barnstable has maintained such a low tax rate, compared to other nearby communities. Ms. Dunn indicated that Barnstable has high property values; has adopted a residential property exemption; and maintains a split tax rate between its commercial and residential tax bases.

Seeing no further questions from the Board, Chairman Muratore opened the hearing to public comment. No citizens came forth to speak. Thus, Chairman Muratore 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 maintain a single, unified tax rate for Fiscal Year 2014, as recommended by the Finance Department. Voted 5-0-0, approved.

Finance Director Lynne Barrett informed the Board that, as part of the annual tax classification hearing, the Board must also certify its excess levy capacity for FY2014. Ms. Barrett reported Plymouth's excess levy capacity for FY2014 as \$8,880,795.33

On a motion by Selectman Provenzano, seconded by Vice Chairman Brewster, the Board voted 5-0-0 in favor of certifying Plymouth's excess levy capacity for FY2014 at \$8,880,795.33.

DISCUSSION ON FY2015 BUDGET RECOMMENDATIONS

Chairman Muratore opened a discussion on the Town Manager's recommended FY2015 Budget. He referenced the notes that the Town Manager provided in her weekly report, in

which Ms. Arrighi responded to the questions and concerns raised during the Board's December 10th discussion on the budget.

Selectman Mahoney requested a summary of the School Department's budget presentation of December 16, 2013. In addition, he asked Ms. Arrighi if Superintendent Maestas had responded to his request for a report on the School Department's staffing levels.

Ms. Arrighi provided a brief recap of the December 16th presentation of the School Department's budget to the School Committee, noting that the presentation focused primarily on technical information from each of the individual schools. With regard to Selectman Mahoney's request for a report on the School Department's staffing levels, Ms. Arrighi surmised that Superintendent Maestas should be able to provide the information within a few days. The School Committee, she said, will meet again during the first week of January 2014 to vote upon a finalized budget.

Vice Chairman Brewster noted that, along with the Town Manager, she attended the School Committee's budget presentation of December 16, 2013. It was a very educational and enlightening experience, she said, to learn about the expenses that the School Department must incur as a result of a number of state and federal requirements.

The Board discussed the changes that they wished to make to the Town Manager's recommended FY2015 budget.

Selectman Mahoney stated his belief that the Town should have enough money set aside in the budget to conduct at least two appraisals for potential Chapter 61 properties. Additionally, he said, it is important to restore the funding necessary to fill the Economic Development Director position. Lastly, Selectman Mahoney expressed his belief that the funding for the 400th Anniversary Celebration should also be restored in the FY2015 budget.

Selectman Tavares agreed with Selectman Mahoney's recommendation to restore funding for Chapter 61 appraisals, the Economic Development Director's Position, and the 400th Anniversary Celebration. With specific regard to the Economic Development Director, Selectman Tavares talked about the advantages of having a staff member who is entirely devoted to the task of pursuing and promoting economic development for the Town of Plymouth. On a related note, Selectman Tavares stated that he has some concerns about the way that the Plymouth Regional Economic Development Foundation ("PREDF") is structured, as he believes that the Selectmen should have more seats upon the Foundation.

Selectman Provenzano echoed Selectman Tavares' comments about the Economic Development Director position and the way by which the Foundation is structured, noting that he would like the Board to also consider potential improvements to the chain of command between the Town, the Foundation, and the Economic Development Director. He advocated for the restoration of some—if not all—of the funding for the 400th Anniversary Celebration in the FY2015 budget, as the ability of Plymouth 400, Inc. will be significantly impaired, if the Town is not willing to invest in the event.

Vice Chairman Brewster agreed that the Town must be willing to invest in the 400th Anniversary Celebration, if it is to expect other organizations and donors to do so. In addition, she highlighted the importance of clearing the titles on the 1,000 Acres site, which, she said, is an important economic growth initiative for Plymouth. Vice Chairman Brewster encouraged the Board to consider the restoration of funding in the FY2015 Budget for the services of an energy consultant, as the resultant energy savings could far outweigh the initial expense for the consultant. Plymouth's new growth is not where it should be, she said, and, thus, the Town must fund those items in the budget that will support the Town's economic growth initiatives. Selectman Brewster stated her belief that the Board must be equally as diligent at growing Plymouth's revenues as it is about managing the Town's budgets.

Selectman Tavares expressed concern about the allocation of money for the clearing of titles on the 1,000 Acres site, without having a clear plan for what the site will become. Though he stated his belief that the title research must be done, Selectman Tavares offered his position that the Economic Development Director should be tasked with establishing a 'blueprint' for the future of the site, prior to the dedication of any funding for the necessary title research.

Selectman Provenzano advised the Board against waiting too long to fund the daunting and time-consuming work that will be required to clear the titles on the 1,000 Acre site. The longer the Town waits to begin this work, he said, the more expensive and more delayed the project will become.

Following some further discussion about the legal research associated with the 1,000 Acres site, Selectman Tavares and Selectman Provenzano noted that they would like to meet with Attorney Bob Betters (who has previously conducted some research on the 1,000 Acres site), to obtain a better understanding of what will be required to clear the site for future development.

Based on the comments offered by each member of the Board, Chairman Muratore sought to determine consensus on which items the Board wished to restore in the Town Manager's recommended FY2015 Budget. The Board discussed the restoration of the following items:

- Appraisals for Chapter 61 Properties \$10,000
- 400th Anniversary Celebration \$80,000
- Salary for Economic Development Director Position \$125,000
- Energy Initiatives \$30,000
- 1,000 Acres Title Research \$200,000

Following discussion amongst the Board, during which Ms. Arrighi, Ms. Barrett, and Lee Hartmann (Director of Planning & Development) responded to technical questions pertaining to each expense, Chairman Muratore determined that the Board wished to restore funding for the Energy Initiatives, 400th Anniversary Celebration, Economic

Development Director position, and appraisals for Chapter 61 properties. By apparent consensus, the Board agreed with Selectman Tavares that funds should not yet be allocated for the 1,000 Acres title research project until the Economic Development Director position is reestablished.

The Board then discussed the best ways to fund these restored items and debated whether it would be best to fund the items as separate warrant articles. Vice Chairman Brewster recommended that the items be funded through the Stabilization Fund, while Selectman Mahoney contended that the items should be funded through raising and appropriation. Ms. Arrighi and Ms. Barrett offered guidance on the ways by which the items could be funded, if restored into the budget.

At the close of discussion, Chairman Muratore inquired if there would be a motion on any of the items that had been discussed.

Vice Chairman Brewster made a motion to restore the following items in the Town Manager's recommended FY2015 budget and reduce the Stabilization Fund by the total amount needed to fund these items:

▪ Appraisals for Chapter 61 Properties	\$10,000
▪ 400 th Anniversary Celebration	\$80,000
▪ Salary for Economic Development Director Position	\$125,000
▪ <u>Energy Initiatives</u>	<u>\$30,000</u>
Total	\$245,000

Selectman Provenzano seconded the motion and the Board voted 4-1-0 in favor. Selectman Mahoney cast the opposing vote.

Selectman Provenzano made a motion to recommend the Town Manager's FY2015 budget, with the changes voted upon by the Board. Selectman Mahoney seconded the motion, and the Board voted 5-0-0 in favor.

Chairman Muratore closed the discussion on the FY2015 Budget with a recommendation that the Board consider meeting with the employee unions to discuss potential budgetary efficiencies. The employees that are doing the Town's work, he said, will have a perspective on the Town's operations that the Board will not, and, therefore, they may have some valuable ideas on how the Board might address the future of the Town and its budgets. By apparent consensus, the Board agreed with Chairman Muratore's idea to invite employee unions to a roundtable discussion on budget efficiencies.

Selectman Provenzano referenced a recommendation in the Town Manager's Report that the Board consider voting to support Massachusetts House Bill 1859, "An Act Promoting the Planning & Development of Sustainable Communities." This legislation, he said, will implement measures that will make local planning and permitting more prompt and predictable.

On a motion by Selectman Provenzano, seconded by Selectman Mahoney, the Board voted to issue a letter in support of Massachusetts House Bill 1859, “An Act Promoting the Planning & Development of Sustainable Communities.” Voted 5-0-0, approved.

COMMITTEE LIAISON / DESIGNEE UPDATES

Traffic Signal at Samoset Street and Plymouth Mobile Home Estates – Selectman Tavares noted that he participated in a recent meeting and site visit with Plymouth’s Director of Public Works, residents of Plymouth Mobile Home Estates, and representatives from the Old Colony Planning Council to discuss the signalization of the intersection of Pilgrim Trail and Samoset Street. In order to proceed with any improvements to this intersection, he explained, the Town must obtain permission from the Massachusetts Department of Transportation. Selectman Tavares noted that residents from Plymouth Mobile Home Estates were encouraged by the recent site visit/meeting.

400th Anniversary / Plymouth 400 Inc. – Vice Chairman Brewster displayed some of the 400th Anniversary commemorative items that are available through the Plymouth 400, Inc. website (www.plymouthma400.org), including sweatshirts, T-shirts, and hats. All of the items, she stated, are made in the United States and can be delivered in time for Christmas, if ordered in the next few days. Vice Chairman Brewster reminded the public to submit their orders for the 400th Anniversary commemorative license plate, as Plymouth 400, Inc. is nearing the Registry of Motor Vehicles’ required minimum of 1,500 orders.

Curbside Pick-Up Program – Selectman Provenzano noted that the bins for the Town’s forthcoming curbside program were recently delivered to participating households. Vice Chairman Brewster reminded curbside customers to look for the informational brochures that were included inside the bins.

Selectman Tavares inquired why those participating in the curbside program are required to use the orange bags. Ms. Arrighi explained that, when the Board was considering the transition to a curbside pick-up disposal system, the public asked that a Pay-As-You-Throw system be incorporated into the new program. The only way for the Town to equitably apply the program and promote recycling, Ms. Arrighi said, was to require that all customers—both curbside and transfer station—use the orange bags.

Student Participation in Plymouth Philharmonic Concert – Selectman Tavares noted that a group of 4th and 5th grade students from Federal Furnace Elementary School participated in the Plymouth Philharmonic Orchestra’s Holiday Pops Concert on December 14, 2013. It was a very proud moment to see Plymouth’s students sing with the orchestra, he said.

Extended Building Committee – Chairman Muratore reported that he and the Town Manager attended the December 12, 2013 meeting of the Extended Building Committee, at which the group was provided with a status update on the Plymouth North and Plymouth South High school building projects.

Council on Aging – Chairman Muratore informed the Board that he and Dinah O’Brien, Plymouth’s Director of Community Resources, attended the December 12, 2013 meeting of the Plymouth Council on Aging (“COA”), at which the COA reported upon its progress in obtaining accreditation status.

OLD BUSINESS / LETTERS / NEW BUSINESS

NRC Webinar on Independent Spent Fuel Storage Installation at Pilgrim – Vice Chairman Brewster reported that she participated in the United States Nuclear Regulatory Commission’s (“NRC”) recent webinar on the Independent Spent Fuel Storage Installation (“ISFSI”) at Pilgrim Nuclear Power Station. The webinar, she indicated, covered the basics of dry-cask storage and the need to establish ISFSI’s at the nation’s nuclear power facilities, to compensate for the absence of a centralized federal repository. Vice Chairman Brewster reported that the NRC provided general information on the way by which Entergy will transfer some of Pilgrim’s spent fuel into dry casks, noting the NRC’s affirmation during the webinar that only fuel generated at Pilgrim will be stored at the facility’s ISFSI. Participants in the webinar, she said, were given the opportunity to pose questions to NRC experts. Vice Chairman Brewster expressed her appreciation for the NRC’s apparent efforts to be more communicative with the Town, noting that the webinar was very informative.

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, following the selection of an appraisal service, the Town and the property owner have participated in meetings and site visits to observe the property and review all pertinent documents. Both parties, he indicated, have agreed to extend the Chapter 61 right-of-first-refusal process until January, to ensure that there is adequate time for the completion of the appraisal.

ADJOURNMENT OF MEETING

On a motion by Selectman Provenzano, seconded by Selectman Mahoney, the Board voted to adjourn its meeting at approximately 9:10 p.m. Voted 5-0-0, approved.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the December 17, 2013 meeting packet is on file and available for public review in the Board of Selectmen’s Office.