

~ PLYMOUTH BOARD OF SELECTMEN ~

TUESDAY, JANUARY 28, 2014

TOWN HALL, MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, January 28, 2014 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 7:05 p.m. and led the Pledge of Allegiance.

TOWN MANAGER'S REPORT

Town Manager Melissa Arrighi reported that she has listed some library statistics in her Town Manager report.

The bid for state pier going will be finalized soon and the Town has been in touch with the state about placing something in bid for cruise ships.

The Town is making reductions in insurance costs which involve increasing some deductibles through MIIA.

Old Colony Planning Council is performing a road safety audit on Water Street by Nelson Park.

COMMITTEE LIAISON / DESIGNEE UPDATES

Selectman Tavares stated that he and Selectman Brewster met with Michael Jackman from Congressman Keating's office concerning the nuclear power plant.

Selectman Tavares attended the Mass Municipal conference in Boston. He felt that his was one of the best conferences MMA has put together. He requested to provide a full presentation and the next Board of Selectmen meeting.

LICENSES

ONE DAY WINE AND MALT LIQUOR LICENSE*

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

- ❖ **Patrick Browne / Pilgrim Hall Museum** (75 Court Street) requested a One Day Wine & Malt Liquor License from 5:00 p.m. to 7:00 p.m. for a reception on February 8, 2014 to be held at Pilgrim Hall Museum. 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.

NEW OFFICER/DIRECTOR

On a motion by Selectman Provenzano, seconded by Selectman Mahoney, the Board voted to approve a New Officer / Director for the following holder of a liquor license. Voted 5-0-0, approved.

- ❖ **Plymouth Yacht Club Company**, 34 Union Street, is requesting a change of officers. List is attached.

POLE PETITION

On a motion by Selectman Tavares, seconded by Selectman Brewster, the Board voted to approve the following Pole Petition, as detailed, below. Voted 5-0-0, approved.

- ❖ **NSTAR Petition 1935513**

One petition covering various pole relocations of existing poles and additional new pole locations on Samoset Street, Allerton Street, Standish Avenue, Oak Street, South Park Avenue, North Park Avenue and Royal Street in Plymouth. This construction is necessary to accommodate the reconstruction of Samoset Street.

On a motion by Selectman Tavares, seconded by Selectman Brewster, the Board voted to approve the following Pole Petition, as detailed, below. Voted 5-0-0, approved.

Elimination of Defunct Committees & Regional Committee Positions – The Board dissolved and/or eliminated the following committees and regional committee positions, due to the fact that these committees/positions are now defunct:

- Buzzards Bay Action Committee (defunct regional committee on which Town had designee)
- Casino Consortium (defunct regional committee on which Town had designee)
- Facility Master Plan Committee (Town committee – charge completed)

PUBLIC COMMENT

Paul McAlduff – There is a desperate need for blood and there are six donation sites during the month of February. He challenged the BOS to see who can donate the most blood. Mr. McAlduff also recently went to Springfield for a train show. The Room was \$99 with state room tax, city tax, city assessment, civic center fund that amounted to \$12 in taxes for 100 dollar room. He thinks the Town could do a downtown improvement tax.

Bob Betters – Plymouth Education Foundation. Invitation to 4th Annual Gala on February 8th. The 2014 Adele A. Manfredi Excellence in Education Award will be presented to Dinah O’Brien. The Foundation put \$80,000 into the endowment fund this year.

Ken Tavares – Morning of January 20th the Town did not observe the MLK holiday. Would like the Town Manager’s office to contact the people that organize the events for MLK holiday.

PUBLIC HEARING: ALL ALCOHOL RESTAURANT LIQUOR LICENSE

P & JV OF SOUTH PLYMOUTH D/B/A MAMMA MIA’S RESTAURANTS, 3 VILLAGE GREEN N.

Chairman Muratore opened a public hearing to consider the application for a new Annual All Alcohol Restaurant Liquor License from P & JV of South Plymouth d/b/a Mamma Mia’s Restaurants, 3 Village Green North, Salvatore Viscariello 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.

Sam Viscarello of Mamma Mia’s, the location in the Pinehills used to be Café Olio and would like an all alcohol license. There will be 80 seats in the new location with take out and outside patio.

On a motion by Selectman Tavares, seconded by Selectman Brewster, the Board voted to grant a new Annual All Alcohol Restaurant Liquor License to P & JV of South Plymouth d/b/a Mamma Mia’s Restaurants, 3 Village Green North, as requested in the license application. Voted 5-0-0, approved.

On a motion by Selectman Tavares, seconded by Selectman Brewster, the Board voted to grant the following licenses to P & JV of South Plymouth d/b/a Mamma Mia's Restaurants, 3 Village Green North, in conjunction with the request for an Annual All Alcohol Restaurant Liquor License. Voted 5-0-0, approved.

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

PUBLIC HEARING: WINE & MALT GENERAL ON-PREMISE LICENSE
GREATER PLYMOUTH PERFORMING ARTS CENTER, 25½ COURT STREET

Chairman Muratore opened a public hearing to consider the application for a new Annual Wine & Malt General On-Premise Liquor License from Greater Plymouth Performing Arts Center, 25½ Court Street, Robert Hollis 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.

Robert Hollis – President – Drinks are served at intermission or before they go into the show. Selectman Mahoney asked about any history in dealing with alcohol? Mr. Hollis responded that he works in insurance and understands the regulations and has experienced people who can handle alcohol. Selectman Mahoney asked about a potential site visit? Mr. Hollis responded yes possibly in a month and will work with Melissa to do so.

On a motion by Selectman Brewster, seconded by Selectman Tavares, the Board voted to grant a new Annual Wine & Malt General On-Premise Liquor License to Greater Plymouth Performing Arts Center, 25½ Court Street, as requested in the license application. Voted 5-0-0, approved.

On a motion by Selectman Brewster, seconded by Selectman Tavares, the Board voted to grant the following licenses to the Greater Plymouth Performing Arts Center, 25½ Court Street, in conjunction with the request for an Annual Wine & Malt General On-Premise Liquor License. Voted 5-0-0, approved.

- Comprehensive Entertainment – live entertainment, plays

PUBLIC HEARING: ALL ALCOHOL INNHOLDER LIQUOR LICENSE
MIRBEAU BOSTON-SOUTH LLC D/B/A MIRBEAU INN & SPA, 35 LANDMARK DRIVE

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, 35 Landmark Drive, Natalie M. Ward, 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.

Melissa Arrighi–ABC needed a clarification on the change of address and there is a change of manager.

On a motion by Selectman Tavares, seconded by Selectman Brewster, the Board voted to grant a new Annual All Alcohol Innholder Liquor License to Mirbeau Boston-South LLC d/b/a Mirbeau Inn & Spa, 35 Landmark Drive, as requested in the license application. Voted 5-0-0, approved.

On a motion by Selectman Tavares, seconded by Selectman Brewster, the Board voted to grant the following licenses to Mirbeau Boston-South LLC d/b/a Mirbeau Inn & Spa, 35 Landmark Drive, in conjunction with the request for an Annual All Alcohol Innholder Liquor 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.

2014 SPRING ANNUAL TOWN MEETING ARTICLES

Article 16A – Community Preservation: Restoration of 1820 Courthouse

Bill Keohan – Article 16A is a recommendation for 5 million to be set aside for the rehabilitation and restoration of the 1820 courthouse with an adaptive reuse for a government center. This helps to avoid borrowing and allows the Finance Dept to explore options for funding. This article is contingent on Article 10. CPC did not want to invest a lot of money in a bldg without an adaptive reuse.

Intent would be to bank historical CPA funds to help pay for the 5 million. CPC would like to have as much cash on hand as possible to potentially not have to borrow.

Public Comment:

Robert Alford – Precinct 7 – Concerned about where the tax money is going. He does not feel the right decision was to buy the property. Approval would be for money that the Town does not have. Thinks the new town hall should be something like the new courthouse on Obery Street. Money should be spent on infrastructure.

Ted Bosen – law office at 1 Court Street. Rent is less now than before which means that there are a lot of commercial magnets that have left.

On a motion by Selectman Tavares, seconded by Selectman Mahoney, the Board voted to recommend Article 16A to the 2014 Spring Annual Town Meeting. Voted 5-0-0, approved.

Article 16B – Community Preservation: Revolving Fund – 1820 Courthouse Maintenance

Bill Keohan - Funds from renting the courthouse or the green would be included in this revolving fund to help maintain the building.

On a motion by Selectman Mahoney, seconded by Selectman Tavares, the Board voted to recommend Article 16B to the 2014 Spring Annual Town Meeting. Voted 5-0-0, approved.

Article 16C – Community Preservation: Annual Budget

On a motion by Selectman Tavares, seconded by Selectman Mahoney, the Board voted to recommend Article 16C to the 2014 Spring Annual Town Meeting. Voted 5-0-0, approved.

Article 28 – Inter-Municipal Agreement with South Shore Recycling Cooperative

This is a continuation of an existing municipal agreement between the Town and South Shore Recycling Cooperative

On a motion by Selectman Tavares, seconded by Selectman Mahoney, the Board voted to recommend Article 28 to the 2014 Spring Annual Town Meeting. Voted 5-0-0, approved.

Article 30 – Plymouth Harbor Committee: Request for Addition of Aquaculture Seat

Chad Hunter – With the development of aquaculture, the committee feels this is an important addition.

On a motion by Selectman Brewster, seconded by Selectman Tavares, the Board voted to recommend Article 30 to the 2014 Spring Annual Town Meeting. Voted 5-0-0, approved.

Article 31 – Plymouth Harbor Committee: Modify Qualifications for Boat Yard Seat

Chad Hunter – Only 2 boat yards in Plymouth and it is important to have somebody representing a boat yard. The committee feels that if the Board of Selectmen can not find a representative of a boat yard then they should have the option to appoint a member at large. This amendment will be presented to the Harbor Committee

On a motion by Selectman Brewster, seconded by Selectman Tavares, the Board voted to recommend Article 31 to the 2014 Spring Annual Town Meeting with the proposed

amendment of appointing a member at large if a boat owner representative is not interested. Voted 5-0-0, approved.

Article 32 – By Petition: Limit the Storage of Nuclear Waste (Heather Lightner, et al)

Heather Lightner – Wants to see a commitment from Entergy to only store spent fuel from Pilgrim operations. There has been no written promise from Entergy to do this. The NRC has a regulation requiring that only spent fuel stored at Pilgrim will be from Pilgrim operations but the NRC has been known for changing their mind.

On a motion by Selectman Brewster, seconded by Selectman Provenzano, the Board voted to recommend Article 32 to the 2014 Spring Annual Town Meeting. Voted 5-0-0, approved.

Article 33 – By Petition: Remove Nuclear Waste from Pool Storage (H. Lightner, et al)

Heather Lightner – Spent fuel should go from wet pool storage to dry cask as soon as technically possible. After five years out of reactor, the spent fuel should be moved to dry cask storage.

On a motion by Selectman Brewster, seconded by Selectman Tavares, the Board voted to recommend Article 33 to the 2014 Spring Annual Town Meeting. Voted 4-1-0, approved. Selectman Provenzano opposed.

Article 4 – Town Committees: Form/Reform/Re-Organize/Continue/Discharge

Michael Galla – This is a standard article which deals with the formation of Town Meeting Committees

On a motion by Selectman Tavares, seconded by Selectman Mahoney, the Board voted to recommend Article 4 to the 2014 Spring Annual Town Meeting. Voted 5-0-0, approved.

IDEAS TO IMPROVE MBTA COMMUTER RAIL SERVICE TO PLYMOUTH

Richard Prone - Wants Plymouth on board with his idea. Rail service does not work if it has to serve both Kingston and Plymouth. There is a chance of getting service back in spring or summer if the town would agree to an experiment. Mr. Prone feels all the trains should arrive and depart Kingston with a GATRA bus to Plymouth and rename the station Kingston/Plymouth. Other towns have written to the MassDOT board of directors expressing their wish to have commuter rail weekend and holiday service restored. MassDOT is agreeable to having a trial period of all trains leaving Kingston. The key would be to get a hold of GATRA for the bus or the Trolleys.

Selectman Tavares – There should be discussions with the Cordage Center because their memo talks about continuing weekend service to the Plymouth station.

Public Comment:

Kevin Joyce – Does not want to see the Plymouth station closed. GATRA busses already go to Kingston. Feels there could be a possibility of alternating weekend schedules with one going to Kingston and one going to Plymouth.

OLD BUSINESS / LETTERS / NEW BUSINESS

None.

ADJOURNMENT OF MEETING

On a motion by Selectman Tavares, seconded by Selectman Mahoney, the Board voted to adjourn its meeting at approximately 9:07 p.m. Voted 5-0-0, approved.

Recorded by Michael Galla, Assistant Town Manager

A copy of the January 28, 2014 meeting packet is on file and available for public review in the Board of Selectmen's Office.