

# ~ PLYMOUTH BOARD OF SELECTMEN ~

**TUESDAY, JUNE 17, 2014**

TOWN HALL, MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, June 17, 2014 at 7:00 p.m. at Town Hall in the Mayflower Room.

Present: Kenneth A. Tavares, Chairman  
Anthony F. Provenzano Jr., Vice Chairman  
John T. Mahoney Jr.  
Mathew J. Muratore  
Sean P. Page

Melissa Arrighi, Town Manager  
Michael Galla, Assistant Town Manager

## **CALL TO ORDER**

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

Prior to commencing the evening's agenda, Chairman Tavares requested a moment of silence to acknowledge the recent passing of Plymouth residents James and Mary Crowley. Sadly, he explained, Mrs. Crowley passed away within a day of her husband's death. Chairman Tavares noted that Mr. Crowley served as a member of the School Committee, as a Town Meeting Representative, and as a member of several committees involved with the construction of Plymouth South High School.

## **TOWN MANAGER'S REPORT**

**Library Director / American Library Association** – Town Manager Melissa Arrighi was pleased to inform the Board that Dinah O'Brien, Plymouth's Director of Community Resources and Library Director, has been invited to speak at the American Library Association's June 2014 conference. Ms. Arrighi congratulated Ms. O'Brien on the prestigious invitation.

**Public Works Director / American Public Works Association** – Ms. Arrighi congratulated Plymouth's Public Works Director, Jonathan Beder, on the invitation he received to speak at the upcoming conference of the New England Chapter of the American Public Works Association.

**Completion of Animal Control Academy** – Ms. Arrighi reported that David Gould, Plymouth’s Director of Marine and Environmental Affairs, and Nathan Cristofori, Natural Resources Warden, recently completed a course of very thorough training at the Animal Control Academy. At the academy, she said, Mr. Gould and Mr. Cristofori learned animal capture techniques and the proper handling of animals and livestock.

**Library Service Recognition Event** – Ms. Arrighi informed the Board that she and Chairman Tavares attended the Plymouth Public Library’s recent Service Recognition event, at which employees who have provided more than ten years of service were honored. Ms. Arrighi noted that the Library’s Director, Dinah O’Brien, was recognized during the event for her 20 years of service with the library.

**National Anthem / Flag Day Event at Plymouth Public Library** – Ms. Arrighi was pleased to note that there were approximately 100 attendees at the June 14<sup>th</sup> Flag Day / National Anthem Sing-along event organized by Dottie Belanger at the Plymouth Public Library.

## **LICENSES**

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

On a motion by Selectman Mahoney, seconded by Selectman Muratore, 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.

- ❖ **Michelle Riley / MAR Promotions**, 117 Tall Oaks Drive, Unit J, Weymouth, Mass., requested a One Day Wine & Malt Liquor License for a mixed martial arts event to be held from 6:00 p.m. to 12:00 a.m. on June 21, 2014 at Memorial Hall. Liquor Liability Insurance will be in place before 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.

### **OUTDOOR AMPLIFIED MUSIC PERMIT**

On a motion by Selectman Muratore, seconded by Selectman Mahoney, the Board voted to grant an Outdoor Amplified Music Permit to the following applicant, for the events detailed, below. Voted 5-0-0, approved.

- ❖ **Hayley Sabella / Barn Show Music Series** requested an Outdoor Amplified Music Permit for the Barn Show Music Series at 127 Manomet Point Road, to be held from 6:30 p.m. to 9:00 p.m. on the following dates: June 20, July 18, August 9, August 31, and October 12, 2014. The Police Department and Building Department have been notified of these events.

## **VEHICLE FOR HIRE (VEHICLE)**

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

### **❖ For Cardinal Transportation d/b/a Pilgrim Taxi:**

Applying for one new Vehicle Permit - Livery

This brings the total number of vehicles in Cardinal Transportation's fleet to three (1 Taxi and 2 Livery). Issuance of above license is subject to the inspection of the vehicle and meter and receipt of all pertinent paperwork.

## **ADMINISTRATIVE NOTES**

**Meeting Minutes** – On a motion by Selectman Muratore, seconded by Vice Chairman Provenzano, the Board voted to approve the minutes of the May 6, 2014 Selectmen's meeting. Voted 4-0-1, approved, with an abstention from Selectman Page, who was not a member of the Board at the time of the May 6<sup>th</sup> meeting.

**Donation for Pedestrian Signs** – The Board voted to accept, with gratitude, a donation of \$221.80 from Paul Duseau for the purchase and installation of two pedestrian signs/poles that will identify the crosswalk on Taylor Avenue at Avenue A.

## **PUBLIC COMMENT**

Michael Tubin, Chairman of the Town's Historic District Commission, distributed information on a proposal to enact a Demolition Delay bylaw in the Town of Plymouth. The language of the bylaw, he explained, is provided by the Massachusetts Historic Commission as a tool for municipalities to delay the demolition of any significant, historic structural resource within its borders. While the bylaw may not be able to completely prevent the ultimate demolition of a historic structure, he said, the delay initiates a process during which better alternatives to demolition may be found. Mr. Tubin announced that the Historic District Commission will host a workshop on the bylaw at The Spire Center on the evening of June 26, 2014.

## **UPDATE ON THE JULY 4<sup>TH</sup> PARADE & FIREWORKS EVENTS**

Jeff Metcalfe appeared before the Board on behalf of July 4 Plymouth, Inc. to present a brief update on plans and fundraising activities for the July 4<sup>th</sup> parade & fireworks events. To date, he reported, July 4 Plymouth, Inc. is \$8,000.00 short of its fundraising goal of \$115,000. Mr. Metcalfe provided the addresses through which citizens and businesses can

make donations ([www.july4plymouth.com](http://www.july4plymouth.com) and P.O. Box 1776, Plymouth, MA 02362), and he provided his personal phone number for those who would like to volunteer (774-454-7316).

Jay Kimball of Woods Seafood presented a check to Mr. Metcalfe for \$1,200.00 for the July 4<sup>th</sup> parade & fireworks events. Mr. Kimball explained that he and his daughter have been looking at creative ways that their business could help local organizations, such as the Salvation Army and the July 4<sup>th</sup> events. By placing a donation jar at his restaurant, he said, Woods Seafood collected \$515 from his customers for the parade and fireworks, with the promise that the business would match up to \$500 of the money collected. Mr. Kimball encouraged other businesses to consider ways that they can work collaboratively with their customers to raise funds for the July 4<sup>th</sup> events. He recommended that July 4 Plymouth, Inc. provide jars with the July 4<sup>th</sup> logo to local businesses, to assist with collections for next year's events.

Mr. Metcalfe and the members of the Board thanked Mr. Kimball for his generous donation to the parade & fireworks events. Chairman Tavares noted that Mr. Kimball magnanimously provides meals to the crew on the fireworks barge, each year.

## **400<sup>TH</sup> ANNIVERSARY CELEBRATION / TRIP TO PLYMOUTH, U.K.**

Michele Pecoraro, Executive Director of Plymouth 400, Inc., provided a presentation to the Selectmen on a recent visit that she and several officials made to Plymouth, United Kingdom. Ms. Pecoraro was joined by those who traveled with her to Plymouth, U.K.: Brian McGuire, President of Plymouth 400, Inc.'s board of directors; Mark Carey, Executive Director of the Plymouth Area Chamber of Commerce; and Selectman Muratore.

Ms. Pecoraro's presentation covered the connections that the Town's delegation made with its Plymouth, U.K. counterparts and the shared opportunities through which both communities can maximize cultural, tourism, and economic initiatives, including:

- Joint airline and cruise partnerships / trans-Atlantic tourism itineraries
- Collaborative events and projects (e.g. the 400<sup>th</sup> Anniversary Celebration, traveling exhibits, a trans-Atlantic yacht race, a new replica of the *Mayflower*, etc.)
- Sharing of museum exhibits, artifacts, and collections
- Cultural arts / performance exchanges
- New business cultivation and entrepreneurial/enterprise opportunities
- Higher education exchange and scholarships between Plymouth (U.K.) University and Massachusetts-based educational institutions

All of these potential collaborations and initiatives will have a positive impact on each community's economy and tourism industry, Ms. Pecoraro explained, through the creation of jobs and the generation of more tourism dollars. The Town of Plymouth and the City

of Plymouth, U.K., she said, share a dual legacy that, when promoted cooperatively, will produce lasting cultural and economic benefits.

Following the close of Ms. Pecoraro's presentation, Selectman Muratore and Mr. Carey spoke briefly about their impressions of the trip and the opportunities for further collaboration between both communities.

Chairman Tavares thanked the group for their presentation and asked that Ms. Pecoraro continue to bring forth regular updates from Plymouth 400, Inc. on the planning of the 400th Anniversary Celebration.

## **DISCUSSION ON FISCAL YEAR 2015 COUNTY BUDGET**

Chairman Tavares reopened a conversation that the Board held during its June 10, 2014 meeting regarding the Fiscal Year 2015 County Budget. The Plymouth County Advisory Board ("PCAB") is scheduled to vote on the FY2015 County Budget during its meeting of June 19, 2014, he explained, and, as such, the Board should discuss the direction with which it wishes to provide him for the vote during the PCAB meeting. Chairman Tavares noted that, during the June 10<sup>th</sup> discussion, the Board decided that it wished to speak with a representative from the County, to assist with further information about the budget.

Chairman Tavares invited County Commissioner Dan Pallotta and Plymouth County Treasurer Tom O'Brien to join the Board at the fore of the meeting room. Chairman Tavares asked Commissioner Pallotta and Treasurer O'Brien to provide an overview of the most substantial changes between the FY2014 and FY2015 budgets, as well as the direction in which the County's budget and expenses are trending towards the future.

Commissioner Pallotta began by providing an overview of the services that the County provides for its member communities. One of the notable changes in the FY2015 County Budget, he reported, is the \$240,000 expense related to the Town's request that the County vacate its offices at 11 South Russell Street, so that the Town can move forth with the 1820 Courthouse / Municipal Center project. Commissioner Pallotta briefly explained how and why the County builds its budget differently than other governmental entities. He pointed out that Plymouth's contribution to the County Budget has notably increased in recent years because the Town is now exceeding the City of Brockton in valuation.

Country Treasurer Tom O'Brien talked about some of the initiatives—both legislative and project-based—that the County has undertaken to enhance and recover revenues, such as the plan to purchase County dredging equipment and the legislative proposal to recover the County's fair share of deeds excise fees and courthouse funding. Mr. O'Brien also made note of the expense that the County must incur to relocate from the Commissioners' Building at 11 South Russell Street (now owned by the Town) to new offices at 44 Obery Street.

On the subject of the Board's request that the County vacate the Commissioners' Building, Commissioner Pallotta assured the Selectmen that the County will vacate 11 South Russell Street, on-schedule.

Commissioner Pallotta and Treasurer O'Brien responded to the Board's specific questions regarding the FY2015 County Budget, on topics such as: deeds and excise revenues; collective bids for police vehicles; regional initiatives; the protection of Plymouth's historic documents; and the speculative completion of a regional emergency response training facility at the Plymouth County House of Correction.

Treasurer O'Brien spoke further about the County's legislative proposals to recoup the County's original share of deeds excise revenue and the County's plans to pursue regional projects involving renewable energy and solid waste initiatives. Regionalization, he said, is becoming an economy-of-scale trend across the country.

Commissioner Pallotta assured the Board that Plymouth's historic records are currently stored in a fire-protected vault, but he acknowledged that the records have not been touched, in some time. It is the Commissioners' plan, he said, to relocate the records to a climate controlled environment at its new facility on Obery Street, when such an environment can be constructed / installed.

Selectman Mahoney offered his recommendation that the Town assist in protecting and maintaining these records. Perhaps, he speculated, the Town can store the records within the new Town Hall facility proposed for the 1820 Courthouse site, once it is completed.

With regard to the completion of a regional emergency response training facility at the Plymouth County House of Correction, Commissioner Pallotta explained that, when the state took control of the correctional facility, they did not assume responsibility for the training facility. The facility will likely remain unfinished until the state's Division of Capital Asset Management and Maintenance ("DCAMM") determines that the training facility is a priority.

Chairman Tavares stated that the Town has made it known to the County that it will no longer be monitoring methane levels at the South Street Landfill, yet the County, he said, has not included funding for this expense in its budget. To that end, Chairman Tavares asked whether the Town should assume that the County will no longer monitor methane levels at the site (which is owned by the County). Commissioner Pallotta responded that the Massachusetts Department of Environmental Protection ("DEP") has not ordered the County to monitor the site, and the County does not believe that it will be responsible to continue the service.

Discussion then turned to Plymouth's plans to remediate the migration of solid waste from the South Street Landfill onto the Town's property at Plymouth Police Headquarters. Commissioner Pallotta asked to see the Town's engineering plans for the project. Chairman Tavares advised Commissioner Pallotta that a meeting between Town, County, and DEP officials will be arranged to discuss the remediation project at Plymouth Police Headquarters.

Following some brief remaining discussion, Chairman Tavares thanked Commissioner Pallotta and Treasurer O'Brien for their time and assistance with the Board's questions pertaining to the FY2015 County Budget.

Selectman Muratore recommended that the Board allow Chairman Tavares the opportunity to hear and discuss the FY2015 County Budget at the June 19<sup>th</sup> meeting of the Plymouth County Advisory Board, rather than locking him into a yes or no vote, prior to the meeting.

Vice Chairman Provenzano made a motion to direct Chairman Tavares to vote upon the Fiscal Year 2015 County Budget as he sees fit, using his own discretion, during the June 19, 2014 meeting of the Plymouth County Advisory Board. Selectman Muratore seconded the motion, and the Board voted 5-0-0 in favor.

## **COMMITTEE INTERVIEWS & APPOINTMENTS: CONTESTED SEATS**

Chairman Tavares indicated that the Board would hold interviews for committee positions for which the Town received more applications than available seats.

### **BUILDING COMMITTEE**

Chairman Tavares noted that the Board would consider the appointment of two (2) citizens-at-large to serve upon the Building Committee, for terms effective July 1, 2014 through June 30, 2017. There were three (3) applicants who applied for the two (2) available positions, he explained, but one of the applicants has since withdrawn his application (see below).

- Thomas Fugazzi                      24 Clifford Road                      Incumbent
- Merlin Ladd III                      138 Sandwich Street                      Incumbent
- Anthony Tassinari                      404 Sandwich Street                      New Applicant – **Withdrawn, 6/17**

On a motion by Selectman Muratore, seconded by Selectman Mahoney, the Board voted to re-appoint Thomas Fugazzi and Merlin Ladd III to the Building Committee, for terms effective July 1, 2014 through June 30, 2017. Voted 5-0-0, approved.

### **NUCLEAR MATTERS COMMITTEE**

Chairman Tavares stated that the Board would consider the appointment of two (2) citizens to the Nuclear Matters Committee, for terms effective July 1, 2014 through June 30, 2017. There were three (3) applicants:

- Jeff Berger                      13 Knoll Road                      Incumbent
- Richard Grassie                      22 Latham Wood                      Incumbent
- Heather Lightner                      54 Settlers Road                      New Applicant

Chairman Tavares invited each of the candidates to interview before the Board, during which time Mr. Berger, Mr. Grassie, and Ms. Lightner were given the opportunity to introduce themselves and to answer questions. Following the conclusion of the interview process, Chairman Tavares read the names of the applicants and asked the members of the Board to cast votes for the candidates they wished to appoint.

By majority vote (5-0-0), the Board re-appointed Jeff Berger and Richard Grassie to the Nuclear Matters Committee, for terms effective July 1, 2014 through June 30, 2017.

Following the vote to re-appoint Mr. Berger and Mr. Grassie, Selectman Muratore recommended that the members of the Board and the Nuclear Matters Committee consider expanding the committee from seven (7) to nine (9) members, to accommodate the interest that the Board has received from citizens who are willing to serve on the committee.

### **RETIREMENT BOARD**

Chairman Tavares indicated that the Board would consider the appointment of one (1) citizen-at-large to serve upon the Retirement Board, for a term effective July 1, 2014 through June 30, 2017. There were two (2) applicants who applied for the one (1) available position.

- Tom Baratka                      9 Ludlow Trail                      New Applicant – **Withdrawn, 6/17**
- Gerald Coughlin                10 Flint Locke Drive              Incumbent

Vice Chairman Provenzano explained that he encouraged the new applicant (Tom Baratka) to apply for the position, not realizing that the incumbent (Gerald Coughlin) had already reapplied to serve. As such, Vice Chairman Provenzano stated, the new applicant, Mr. Baratka, has since withdrawn his application.

Chairman Tavares acknowledged the incumbent applicant, Gerald Coughlin, and invited him to briefly discuss his experience in serving with the Retirement Board.

By majority vote (5-0-0), the Board re-appointed Gerald Coughlin to the Retirement Board, for a term effective July 1, 2014 through June 30, 2017.

### **SIMES HOUSE FOUNDATION**

Chairman Tavares noted that the Board would consider the appointment of one (1) citizen to serve as the Town's representative on the Simes House Foundation's board of directors, for a term effective July 1, 2014 through June 30, 2017. There were two (2) applicants:

- James Hoagland                54 Indian Avenue                New Applicant
- William Keohan                19 Fremont Street                New Applicant

Chairman Tavares invited each of the candidates to interview before the Board, during

which time Mr. Hoagland and Mr. Keohan were given the opportunity to introduce themselves and to answer questions. During the interview process, Chairman Tavares asked the Simes House Foundation's president, Randy Parker, to speak to the Board about the composition of the Foundation and the progress that the group has made on the restoration of the historic Simes House. Following the conclusion of the interview process, Chairman Tavares read the names of the applicants and asked each member of the Board to cast his vote for the candidate he wished to appoint.

By majority vote (5-0-0), the Board appointed William Keohan to serve as the Town's representative on Simes House Foundation's board of directors, for a term effective July 1, 2014 through June 30, 2017.

As a matter of clarification, Selectman Muratore noted that Mr. Hoagland's letter of interest to be considered as a candidate for the Simes House position was received after the posted deadline. Chairman Tavares informed Selectman Muratore that the Board voted during its June 10, 2014 meeting (during which Selectman Muratore was traveling with the official delegation to Plymouth, United Kingdom) to allow the late application.

### **ZONING BOARD OF APPEALS**

Chairman Tavares indicated that the Board would consider the appointment of two (2) citizens to the Zoning Board of Appeals, for terms effective July 1, 2014 through June 30, 2017. There were four (4) applicants:

- |                       |                       |               |
|-----------------------|-----------------------|---------------|
| ▪ Michael Main        | 28 Janet Street       | Incumbent     |
| ▪ David Peck          | 54 Spooner Street     | Incumbent     |
| ▪ Robert Reifeiss Jr. | 400 Billington Street | New Applicant |
| ▪ James Simpson       | 196 Black Cat Road    | New Applicant |

Chairman Tavares invited each of the candidates to interview before the Board, during which time Mr. Main, Mr. Peck, Mr. Reifeiss, and Mr. Simpson were given the opportunity to introduce themselves and to answer questions. Following the conclusion of the interview process, Chairman Tavares read the names of the applicants and asked the members of the Board to cast votes for the candidates they wished to appoint.

The Board cast the following votes for the candidates who applied to serve on the ZBA:

- |                       |         |                          |
|-----------------------|---------|--------------------------|
| ▪ Michael Main        | 3 votes | (Tavares, Mahoney, Page) |
| ▪ David Peck          | 5 votes | (Unanimous)              |
| ▪ Robert Reifeiss Jr. | 2 votes | (Provenzano, Muratore)   |
| ▪ James Simpson       | 0 votes |                          |

By majority vote, the Board re-appointed Michael Main and David Peck to serve on the Zoning Board of Appeals, for terms effective July 1, 2014 through June 30, 2017.

Chairman Tavares thanked all of the applicants for their willingness to serve, and he encouraged those who were not chosen to serve in these particular positions to consider future openings on the Town's various committees, boards and commissions.

## **COMMITTEE LIAISON / DESIGNEE UPDATES**

**Council on Aging** – Selectman Muratore was pleased to report that the formal, on-site accreditation process at the Council on Aging will begin on Thursday, June 19, 2014. It is the hope of the Council on Aging that the senior center will be granted accreditation in the next few weeks, he said.

**Nuclear Matters Committee** – Selectman Mahoney indicated that the Nuclear Matters Committee is working with Entergy to arrange a site visit at Pilgrim Nuclear Power Station on July 21, 2014, so that the committee members can tour the storage pad that is being constructed for the station's forthcoming Interim Spent Fuel Storage Installation ("ISFSI"). On another note, Selectman Mahoney requested an update on the citizens' appeal filed in Land Court of the permit granted to Entergy for the construction of the ISFSI.

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

**New Utility Poles on Summer Street** – Chairman Tavares noted that the Board had received a complaint regarding the new utility poles that NSTAR recently installed on Summer Street. The complaint, he said, outlined concerns about the way by which the larger size and new position of the poles may affect pedestrian passage along the narrow sections of the sidewalk. Tiffany Park, the Selectmen's Assistant, informed the Board that the Town's Engineering Department will conduct a review of the size and position of the new poles.

## **EXECUTIVE SESSION AND ADJOURNMENT OF MEETING**

On a motion by Vice Chairman Provenzano, seconded by Selectman Page, the Board voted at approximately 9:15 p.m. to enter an Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 3, to discuss strategy with respect to collective bargaining, as an open meeting on this matter may have a detrimental effect on the negotiating position of the body. By roll call: Muratore – yes, Mahoney – yes, Provenzano – yes, Page – yes, and Tavares – yes.

Chairman Tavares noted that, following executive session, the Board would not reconvene in open session.

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

*A copy of the June 17, 2014 meeting packet is on file and available for public review in the Board of Selectmen's Office.*