

~ PLYMOUTH BOARD OF SELECTMEN ~

TUESDAY, JULY 1, 2014

TOWN HALL, MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, July 1, 2014 at 7:00 p.m. at Town Hall in the Mayflower Room.

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

 Melissa Arrighi, Town Manager
 Michael Galla, Assistant Town Manager

Absent: Selectman John T. Mahoney, Jr.

CALL TO ORDER

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

TOWN MANAGER'S REPORT

Event to Recognize “No Discharge Area” Designation – Town Manager Melissa Arrighi provided a report upon the event held on June 27, 2014 to announce the U.S. Environmental Protection Agency’s designation of Massachusetts Coastal Waters as a “No Discharge Area (NDA).” The event, she explained, represented a significant milestone in the state’s clean water efforts, which would not be possible without the efforts of Plymouth, Kingston, and Duxbury to become the first Massachusetts communities to achieve NDA status in 2006. Considering the significance of the designation, she said, Governor Patrick, Congressman Keating, Senate President Therese Murray and a number of other state and local officials participated in the event. Ms. Arrighi thanked David Gould, Director of Marine & Environmental Affairs, and Chad Hunter, Harbormaster, for their efforts to bring this prestigious distinction to Plymouth.

Construction Schedule on Water Street – Ms. Arrighi referenced information that she included in her report regarding the schedule of construction projects on Water Street, noting that she would distribute the information to the public, via the Town’s Facebook and Twitter pages.

Lifeguard Coverage at Plymouth Beaches – Ms. Arrighi announced that lifeguard coverage at the Town’s five beaches—Plymouth Beach, Morton Park, Fresh Pond, Hedges

Pond, and White Horse Beach (across from Hillside)—began on June 27, 2014. Coverage at these beaches, she noted, runs from 9:00 a.m. to 5:00 p.m. throughout the summer season, seven days per week, until the third week in August.

Water Street Promenade – Ms. Arrighi informed the Board that an internal working group has been assembled to participate in the development of design concepts for the Water Street Promenade Project. Because this project is an incredibly significant and sensitive undertaking, she explained, it will be important to include involvement from local stakeholders within the working group, as well as Town officials.

LICENSES

ONE DAY ALL ALCOHOL LIQUOR LICENSE*

On a motion by Selectman Page, seconded by Selectman Muratore, the Board voted to grant two (2) One Day All Alcohol Liquor Licenses to the following applicant, for the events detailed, below. Voted 4-0-0, approved.

- ❖ **Cheryl Soares / Plymouth 400, Inc.** (134 Court Street) requested two (2) One Day All Alcohol Liquor Licenses for the following events: a fundraiser to be held from 6:00 p.m. to 9:00 p.m. on July 10, 2014, and a fishing tournament to be held from 12:00 p.m. to 6:00 p.m. on July 13, 2014, both of which will be held on the boardwalk at Brewers Marina, 14 Union Street. Liquor liability is in place.

*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.

PEDI-CAB OPERATOR (NEW)

On a motion by Selectman Muratore, seconded by Vice Chairman Provenzano, the Board voted to grant a Pedi-Cab Operator License to each of the following applicants. Voted 4-0-0, approved.

❖ **For Plymouth Pedicab:**

- Evan Shockley (85 Partridge Trail, Bridgewater)
- Joseph Cannistraro (830 High Street, Bridgewater)

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

ADMINISTRATIVE NOTES

Meeting Minutes / May 16, 2014 – On a motion by Vice Chairman Provenzano, seconded by Selectman Page, the Board voted to approve the minutes of the May 16, 2014

Selectmen's meeting. Voted 3-0-1, approved, with an abstention from Selectman Muratore, as he was unable to attend the May 16, 2014 meeting.

Meeting Minutes / May 20, 2014 – On a motion by Selectman Muratore, seconded by Vice Chairman Provenzano, the Board voted to approve the minutes of the May 20, 2014 Selectmen's meeting. Voted 4-0-0, approved.

2014 State Primary Election Warrant – On a motion by Vice Chairman Provenzano, seconded by Selectman Page, the Board voted to approve the Election Warrant for the 2014 State Primary Election, to be held on September 9, 2014.

PUBLIC COMMENT

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

JULY 4TH UPDATE

Chairman Tavares relocated to the podium to provide an update from July 4 Plymouth, Inc. on plans for the July 4th parade and fireworks events. Mr. Tavares gave thanks to all of the businesses and individuals who generously helped July 4 Plymouth, Inc. get within \$3,000 of its fundraising goal, noting his confidence that the organization will be able to raise the last remaining funds and proceed with all of the planned festivities.

Mr. Tavares turned the Board's attention to the weather forecast for July 4th, which indicates a strong probability of rain. Only two times in the past 33 years, he noted, has the Town been forced to delay or reschedule the parade and fireworks events due to inclement weather. Plans remain in place to proceed with the parade and fireworks events, he said, unless the weather deteriorates to the point where it is unsafe. Mr. Tavares informed the Board and the public that a decision to cancel the parade will be made by 6:00 a.m. on July 4th. The information, he indicated, will be disseminated via WATD 95.9, the Old Colony Memorial's "Wicked Local Plymouth" website, and on the Town's website. If the barge carrying the fireworks display can safely travel to Plymouth, he explained, the fireworks will continue, as planned, but if the weather becomes severe, the display will be rescheduled to the evening of July 5, 2014.

Police Chief Michael Botieri spoke briefly about his department's ability to adjust for any changes to plans for the July 4th events. Logistically speaking, it would be best if both events can take place on the 4th, Chief Botieri explained, but if the weather becomes too inclement, the Police Department will do its best to accommodate a rescheduling of the fireworks to July 5th.

Anne Marie Winchester provided information on the Independence Day 5k run that will take place prior to—and in financial support of—the parade on July 4th. There are 600 participants registered for the event, she said, but further registrations have diminished in

recent days as the weather forecast for the 4th becomes more definitive. Ms. Winchester indicated that participants will be notified in the event that the weather becomes severe enough to pose a safety risk.

Julie O'Neil of July 4 Plymouth, Inc. issued a call for volunteers to assist with the facilitation of the parade and the collection of donations along the parade route. Ms. O'Neil cautioned parade attendees to make donations only to those volunteers wearing the official, red-colored t-shirts issued by July 4 Plymouth, Inc.

Mr. Tavares again reiterated the names of the media outlets and websites through which residents and visitors can obtain information regarding the schedule and/or possible cancellation of the parade and fireworks events. He acknowledged the various organizations and individuals that work collaboratively, each year, to provide these events, which have become important and beloved traditions in Plymouth. At the close of the presentation, Mr. Tavares wished everyone a safe and enjoyable 4th of July.

UPDATE FROM PLYMOUTH AIRPORT COMMISSION

Doug Crociati, Vice Chairman of the Plymouth Airport Commission, introduced a presentation for the Selectmen on a number of projects and events that are either underway, or will take place, at the Plymouth Municipal Airport. Joining Mr. Crociati for the presentation was Airport Manager Thomas Maher.

Mr. Crociati indicated that there are three main announcements regarding the Airport:

1. The New England / Northeast Regional Chapter of the Aircraft Owner and Pilots Association (“AOPA”) will hold one of its six regional fly-in events at Plymouth Municipal Airport on Saturday, July 12, 2014.
2. The Plymouth Municipal Airport will be awarded a grant from the Massachusetts Department of Transportation (“MassDOT”) for the replacement of the Airport’s administration/terminal building.
3. The Airport Commission is in the final phase of permitting the Master Plan-identified Runway Extension Project, which will balance the airport’s two runways to the same length.

Mr. Maher resumed the presentation with further details on each of the announcements made by Mr. Crociati regarding the Airport. The AOPA fly-in, Mr. Maher explained, is a significant event held for the organization’s international membership that will draw many people to—and provide a good deal of publicity for—Plymouth. During the event, he reported, approximately 350 aircraft will fly-in to Plymouth’s airport, requiring a great deal of coordination between local airports and regional/international airports such as Boston’s Logan Airport and Providence, Rhode Island’s T.F. Green Airport. The event, Mr. Maher affirmed, will proceed as planned, regardless of weather.

Mr. Maher informed the Board that Plymouth Municipal Airport has been selected by MassDOT's Aeronautics Division to receive funding for the replacement of its existing administration/terminal building during the state's Fiscal Year 2016. This project, he explained, is part of a five-year initiative to upgrade terminal buildings at a number of small airports across the state. Mr. Maher provided a description of the way by which the funding from MassDOT will be used to replace the Airport's existing building with a 5,500 square-foot modern, energy-efficient, and welcoming facility. Ninety-five percent of the cost of this project will be funded by MassDOT, he noted, while the remaining five percent will be funded from the Airport Enterprise Fund.

Lastly, Mr. Maher gave the Board a status update on the Master Plan-identified Runway Extension Project. He provided a brief history of the project, noting the work that was done by the Airport Advisory Group to develop a runway extension plan that would address the needs of airport users while recognizing the concerns of residents. Mr. Maher reviewed a timeline of the project and discussed the progress that has been made, thus far. With the assistance of an aerial map, Mr. Maher illustrated the crux of the runway project, explaining that the north/south runway will be extended to match the length of the east/west runway.

Following the presentation, Mr. Maher responded to some brief questions from the Board regarding the AOPA fly-in event and the plans for a new administration/terminal building. At the close of the discussion, Chairman Tavares thanked Mr. Maher and the members of the Airport Commission for their diligent and successful efforts to operate the Town's airport at a profit.

PUBLIC HEARING: OUTDOOR AMPLIFIED MUSIC PERMIT

SEA DOG PLYMOUTH, LLC D/B/A NIX'S, 6 TOWN WHARF

Chairman Tavares opened a public hearing to discuss the Outdoor Amplified Music Permit held by Sea Dog Plymouth, LLC d/b/a Nix's, 6 Town Wharf.

Town Manager Melissa Arrighi provided an introduction to the hearing. The Town's Fire Chief, Police Chief, and Director of Inspectional Services were present at the meeting, to answer any questions or speak on any matters relevant to their respective authorities.

The Board chose to schedule the hearing, Ms. Arrighi explained, as a result of complaints that were recently issued to the Town regarding the level of amplified music that has been emanating from Nix's front patio (located on the southwest side of the establishment, facing inland). Based on a review of the minutes from the Selectmen's meeting of July 2, 2013 (the date on which the Outdoor Amplified Music Permit was issued to Nix's), however, it was clear that the Selectmen were given the impression that outdoor entertainment at Nix's would be held only on the back patio (located on the northeast side of the establishment, facing the ocean). As a result of the complaints, as well as the indication that the intended scope of the permit was not being followed as it had been granted, the Town issued a letter to Sea Dog Plymouth, LLC/Nix's on June 19, 2014,

demanding that the business cease and desist all outdoor amplified music on the front patio, immediately.

Thus far, Ms. Arrighi indicated, Nix's has complied with the June 19th order, but the owners have since asked the Town to reconsider its prohibition of entertainment on the establishment's front patio. Ms. Arrighi noted that the Board has since received an additional wave of complaints regarding the noise level of entertainment at Nix's, and, thus, the Board decided to schedule a public hearing regarding the matter.

Chairman Tavares indicated that Selectman Muratore would abstain from participating in deliberations on this matter.

Police Chief Michael Botieri related some of his department's concerns regarding the operation of Nix's. To be fair, he acknowledged, the issues taking place at Nix's are not much different than those at most of Plymouth's eating and drinking establishments. The difference, he said, is that the owners/managers of Nix's have not been cooperative in reporting incidents to, and working with, the Police Department. Chief Botieri explained how, following a serious incident involving drugs at the establishment in January, he and Captain Rogers met with Nix's general manager to review and discuss best practices with regard to training for staff and reporting incidents to the Police. There has been such turnover in Nix's management, however, that the owners/managers of the establishment have never followed-up with the Police Department, following the aforementioned meeting.

Chief Botieri reported that he personally visited the wharf area during recent weekends, in response to the most recent complaints that have been issued about Nix's. During those visits, he indicated, he and his staff observed patrons accessing the back patio area from the alleyway between Nix's and Cabby Shack, as well as illegal vehicular parking within the access alleyway. While emergency egress to the alleyway may be allowed within Nix's occupancy permit, he noted, unchecked access in and out of the establishment into the alleyway creates an environment that is ripe for bad behavior.

Fire Chief G. Edward Bradley discussed his department's concerns about the occupancy load for the back patio area at Nix's, as well as the illegal parking of vehicles in the access alleyway between Nix's and Cabby Shack. On three separate occasions, he reported, Fire Department inspectors have informed the management of Nix's that neither employees nor patrons may park vehicles in the alleyway, yet subsequent violations of this order have been made by none other than Nix's employees. Additionally, he said, Nix's staff placed tiki torches on the back patio area, in close proximity to neighboring propane and diesel tanks serving businesses on Town Wharf. Chief Bradley stated that he found it disturbing that the owners/managers of Nix's would have such disregard for their patrons' safety.

Chief Bradley indicated that the Fire Department and Inspectional Services Department observed a number of code violations at Nix's during a joint inspection undertaken on Friday, June 27, 2014, identifying issues ranging from the establishment's fire protection system to the absence of documented crowd-control training for staff. During the actual inspection, he noted, a Nix's employee parked illegally in the access alleyway, despite the

Fire Department's repeated orders. Based on the number of current code violations and deficiencies at the establishment, Chief Bradley stated, he cannot renew Nix's annual inspection certificate, which is required by the state for all liquor licenses.

Paul McAuliffe, the Town's Director of Inspectional Services, noted that Nix's has addressed some of the issues that were identified during the recent inspection made by the Fire Department and Inspectional Services Department. There are outstanding issues, however, such as egress from the rear of the establishment and the function of the facility's emergency lights, exit lights, and sprinkler system, he noted.

Following the information provided by the Fire Chief, Police Chief, and Director of Inspectional Services, Chairman Tavares asked his fellow Selectmen if they had any questions. Seeing none, Chairman Tavares opened the hearing to public comment.

Demetri "James" Stavropoulos, owner of Anna's Harborside Grille, spoke of the issues that neighboring businesses have experienced as a result of Nix's management practices. Despite the otherwise good camaraderie of the businesses on Town Wharf, he said, Nix's management team appears to be unwilling to address such issues as fights spilling out from the establishment, patrons urinating outside of the building, and loud music emanating from its front patio area. Nix's, he said, appears to be promoting a nightclub atmosphere at its establishment that is incompatible with the family-oriented environment of the other businesses operating on Town Wharf. Mr. Stavropoulos insisted that he wishes to be supportive of his neighboring businesses, but the empty promises and blunt arrogance put forth by Nix's owners/managers have given him and other Town Wharf business owners no choice but to come forth and address these issues with the Town.

Colleen Villano, general manager of Cabby Shack, echoed many of the concerns brought forth by Mr. Stavropoulos. Nix's new patio is separated from Cabby's Shack's outdoor deck by the aforementioned access alleyway, Ms. Villano explained, where she and her staff have often observed patrons—as well as Nix's employees—loitering, drinking, and urinating, without restriction. The owners of Cabby Shack have typically been able to work with other Wharf establishments to address issues or disputes, she explained, but Nix's has thus far been uncooperative. Ms. Villano indicated that, following a number of incidents at Nix's—including a fight that spilled-out from the establishment on June 8, 2014—Cabby Shack has been forced to hire additional security personnel to protect its own patrons and staff members.

David Brown, owner of Plimoth Bay Café, spoke of how he and his wife recently chose to come out of retirement to operate the snack and ice cream shop on Town Wharf. Mr. Brown explained that his business does not serve alcoholic beverages or provide live entertainment; rather, it is intended to be a place where families can visit the wharf and enjoy a snack or ice cream at picnic tables overlooking the harbor. Despite forging a good working relationship with a majority of the business on Town Wharf, he stated, he and his wife have not had the same experience with the management of Nix's. Mr. Brown provided examples of how Nix's operating practices—from the allowance of excessively loud music on the patio areas to the lack of oversight of unruly patrons—have driven customers away from his business. Despite Nix's problematic relationship with its

neighboring business, Mr. Brown stated that he remains willing to work with Nix's new management team to promote a more welcoming atmosphere on Town Wharf.

Becky Archambeault, manager at Anna's Harborside Grille, spoke of incidents that she has witnessed where patrons at Nix's have urinated in the shrubs surrounding the patio at Anna's, in view of her patrons. During another incident, she explained, a fight between patrons at Nix's continued out onto the establishment's front patio, during which beer bottles were thrown and smashed onto the patio of Anna's Harborside Grille. Though every bar establishment has had its share of problem customers, Ms. Archambeault acknowledged, Nix's apparent ambivalence towards managing unruly patrons and loud entertainers has actually driven customers away from the neighboring establishment at which she is employed.

Seeing no further comment from the public, Chairman Tavares invited Nix's owners / managers to address the Board.

Attorney Steve Triffletti addressed the Board on behalf of Sea Dog Plymouth, LLC d/b/a Nix's. Attorney Triffletti sought to demonstrate the way by which Nix's owners/managers have endeavored to correct any issues or deficiencies at the establishment and comply with the Town's regulations, specifically addressing a number of the incidents raised during the discussion. The new manager at Nix's, he said, has been directed to set up a meeting with the Police Chief to follow-up on previous concerns related to the establishment.

With regard to entertainment, Attorney Triffletti indicated, Nix's has complied with the Town's order to cease all amplified music on its front patio, until the confusion is resolved over which areas of the establishment are allowed under the Outdoor Amplified Music Permit. Nix's staff, he said, attempted to coordinate the entertainment schedule for its front patio with the owners/managers of Anna's Harborside Grille—to prevent competing noise—but this attempt was unsuccessful.

Attorney Triffletti informed the Board that Nix's has hired an independent security company to address the issues raised regarding the management of patrons at the establishment. Had these issues been brought to his attention, he said, they would have been addressed immediately. It was initially understood, Attorney Triffletti stated, that there was designated parking for Nix's employees in the access alleyway—as there was existing signage in the lane that designated such parking—but management will meet with staff to ensure that they comply with the Fire Department's order that there be no parking in this area.

Based on information provided to him by his client, Attorney Triffletti informed the Board that all code compliance issues at the establishment have been resolved, as of this evening. He reiterated that all code compliance issues at Nix's could have been addressed, quickly, had the Town made him aware of the deficiencies.

Attorney Triffletti stated that Nix's wants to be a good neighbor and work cooperatively with the surrounding businesses in the area. Nix's owners/managers have discussed the need to be stricter with its entertainment vendors, he said, noting that management will

determine the type of entertainment and the level of amplification. In the case of the incident where vulgar language was amplified over the sound speakers at Nix's, Attorney Triffletti explained, a patron had taken hold of the entertainment vendor's microphone. It will be made very clear to all vendors in the future that such incidents will not be tolerated, he stated.

On behalf of Sea Dog Plymouth, LLC d/b/a Nix's, Attorney Triffletti asked the Board to consider giving the establishment the opportunity to address all of the matters that have been brought forth. He again reiterated that the owners/managers of Nix's would have addressed such issues, had they been made aware. Attorney Triffletti reported that Nix's is confident that its new general manager, John McKeon, the former owner/operator of Bert's Landing (restaurant), will work cooperatively with the Town and with neighboring businesses to resolve all concerns and complaints.

Specifically, Attorney Triffletti asked the Board consider a compromise to the issue surrounding entertainment on Nix's front patio. If amenable to the Board, he said, Nix's would be willing to work with the owners/managers of Anna's Harborside Grille on a non-competing schedule of entertainment. Nix's would also consider holding entertainment with no amplification on the front patio, he said, as the area is small enough. With regard to the back patio area, Attorney Triffletti indicated, management will be closely monitoring the level of amplification, based on the time of day and the size of the crowd.

Chairman Tavares asked if any additional representatives of Sea Dog Plymouth, LLC d/b/a Nix's wished to speak. No one came forth.

In response to a request from Chairman Tavares, Lisa Johnson, Administrative Assistant to the Town Manager, provided information on the assignment of a designated manager for Nix's liquor license. Ms. Johnson indicated that Gregory Mitchell is currently designated as the manager on Nix's liquor license, but an application (submitted by Nix's) for a new manager is currently pending at the state's Alcoholic Beverage Control Commission ("ABCC"). Based on the information provided by Mr. Triffletti, she speculated, it appears that the proposed new manager on the application pending with the ABCC is no longer with Nix's—yet no paperwork has been submitted by Nix's that would indicate the assignment of another manager.

Attorney Triffletti indicated that, when Mr. Mitchell (the former manager of Nix's) left employment with the establishment, another manager was slated to replace him. Nix's owners have since decided to hire Mr. McKeon as its manager, because of his restaurant experience and his local ties to the community.

Chairman Tavares underscored the severity of the complaints, allegations, and documented violations related to the management and operation of Nix's at 6 Town Wharf. Plymouth's waterfront, he said, is a widely popular area geared towards visitors and local families, alike. While it is understandable that the atmosphere along the waterfront changes slightly during the evening hours to accommodate restaurant and bar patrons, he explained, it is inexcusable that Nix's managers would allow such behavior and noise at their establishment to the point where it has driven away the customers of surrounding

businesses. Chairman Tavares also noted how distressing it was for him to hear the Fire Chief outline the number of safety violations at Nix's.

With regard to the specific matter at hand—Nix's Outdoor Amplified Music Permit—Chairman Tavares stated that there was no confusion regarding the Board's issuance of the permit. He read from the minutes of the July 2, 2013 Selectmen's meeting, which clearly indicate that the Selectmen were given the impression that outdoor entertainment at Nix's would be held only on the back patio; at no time during Nix's presentation to the Selectmen was the front patio mentioned. Chairman Tavares noted that the vote to issue the permit on July 2, 2013 was split amongst the members of the Board, 3-2, indicating that there were existing concerns about the allowance of entertainment on Nix's back patio.

Chairman Tavares opened the discussion to any remaining questions or concerns from the Board.

In response to an inquiry from Vice Chairman Provenzano, Attorney Triffletti determined that Nix's has been operated by four different managers over the course of the past year.

Vice Chairman Provenzano informed Attorney Triffletti that he has personally overheard entertainers use profanity over the microphone on the front patio at Nix's. He characterized such conduct as unacceptable, and he reminded Nix's owners/managers that it is a privilege to hold an Outdoor Amplified Music Permit from the Town.

Selectman Page noted that Attorney Triffletti answered many of his initial questions, and he stated that he was glad to see that Nix's had hired a new manager. He remained concerned, however, that all of the safety issues identified by Town officials be addressed, noting his disbelief that Nix's owners/managers could legitimately maintain that they were unaware of these issues and the concerns brought forth by neighboring businesses. Selectman Page expressed his sincere hope that Nix's would resolve all of the issues raised during the meeting, stating that he would hate to see the establishment lose its licensing due to an inability to properly manage its operations.

Chairman Tavares advised Attorney Triffletti and the owners/managers of Nix's to address all of the issues outlined by the Fire Chief and Director of Inspectional Services. The Board, he stated, will take immediate action if such deficiencies or violations remain unaddressed. Chairman Tavares reminded Nix's representatives that the Board has the ability to modify, suspend, or revoke the establishment's entertainment-related licenses.

At the close of the hearing, Vice Chairman Provenzano made a motion to (a) clarify that the Outdoor Amplified Music Permit originally issued to Sea Dog Plymouth, LLC d/b/a Nix's, 6 Town Wharf does not extend to the front patio area (located on the southwest side of the establishment, facing inland), and (b) clarify that the Outdoor Amplified Music Permit applies only to the rear patio area (located on the northeast side of the establishment, facing the ocean). Selectman Page seconded the motion, and the Board voted 3-0-1 in favor. Selectman Muratore abstained from participating in the vote.

On a motion by Selectman Page, seconded by Vice Chairman Provenzano, the Board voted to suspend the Outdoor Amplified Music Permit issued to Sea Dog Plymouth, LLC d/b/a Nix's, 6 Town Wharf for the rear patio area (located on the northeast side of the restaurant establishment, facing the ocean) for six weeks or until all safety issues, as identified by the Fire Chief, Police Chief, and Director of Inspectional Services, are resolved. Voted 3-0-1, approved, with Selectman Muratore abstaining from participation in the vote.

In response to an inquiry from Attorney Triffletti, Chairman Tavares confirmed that the Board's decisions applied specifically to entertainment within the outdoor patio areas, only, and, therefore, entertainment within the establishment will continue to be permitted. Attorney Triffletti asked if non-amplified music would be allowed on the patio areas. Chairman Tavares stated that the Board's decision applies to both amplified and non-amplified music/entertainment on the patio areas, and, therefore, neither amplified nor non-amplified music/entertainment will be allowed on the outdoor patio areas, under the terms issued within the Board's votes.

COMMITTEE LIAISON / DESIGNEE UPDATES

Council on Aging – Selectman Muratore was pleased to report that the Council on Aging has officially received accreditation status from the National Council of Senior Centers (“NCSC”). He thanked and congratulated Dinah O'Brien (Director of Community Resources), Conni DiLego (Director of the Council on Aging), and the Council on Aging's nine-member board of directors for their efforts to obtain this prestigious distinction for the benefit of Plymouth's seniors, noting that only five percent (5%) of the nation's seniors centers are accredited.

OLD BUSINESS / LETTERS / NEW BUSINESS

Committee of Precinct Chairs / Conflict of Interest Subcommittee – Chairman Tavares noted that the Committee of Precinct Chairs (“COPC”) wishes to form a subcommittee that will be charged with considering language for the Town's Charter that would address conflicts of interest for Town Meeting Representatives. Currently, he explained, the Town's Charter only allows the COPC to form subcommittees of its own members, but the COPC wishes to include citizens-at-large on this particular commission, in addition to Precinct Chairs. As such, Chairman Tavares indicated, the chairperson of the COPC, Christine Pratt, has asked the Board of Selectmen for permission to form the aforementioned subcommittee, with the inclusion of four citizen-at-large members.

Chairman Tavares put forth a motion to provide the Committee of Precinct Chairs (“COPC”) with the ability to form a Conflict of Interest Subcommittee, consisting of Precinct Chairs and four (4) citizens-at-large. Selectmen Muratore seconded the motion.

Selectman Muratore inquired whether the Selectmen would serve as the appointing authority for the four (4) citizens-at-large seats on the proposed subcommittee, or whether

the COPC would make the selection/appointments. Chairman Tavares indicated that the COPC would serve as the appointing authority for the Conflict of Interest Subcommittee.

The Board voted 4-0-0 in favor of the motion.

Plymouth Pilgrims Baseball Club – Vice Chairman Provenzano commended the Plymouth Pilgrims Baseball Club for their success during the 2014 baseball season. He encouraged residents to attend the Pilgrims’ games at Forges Field.

Condition of Municipal Buildings – Chairman Tavares provided some of his observations on the condition of the Town’s municipal buildings. The Town, he said, should not install extensive landscaping at its municipal facilities, if it cannot maintain such installations. Chairman Tavares noted that he would be meeting with the Town Manager to assess which facilities need the most attention.

Fire Department Retirement – Chairman Tavares offered his best wishes to Battalion Chief Anthony Thompson, who will be retiring from the Plymouth Fire Department, following 37½ years of service.

ADJOURNMENT OF MEETING

On a motion by Vice Chairman Provenzano, seconded by Selectman Page, the Board voted to adjourn its meeting at approximately 8:45 p.m. Voted 5-0-0, approved.

Recorded by Tiffany Park, Clerk to the Board of Selectmen

A copy of the July 1, 2014 meeting packet is on file and available for public review in the Board of Selectmen’s Office.