

~ PLYMOUTH BOARD OF SELECTMEN ~

THURSDAY, SEPTEMBER 11, 2014

TOWN HALL, MAYFLOWER ROOM

The Selectmen held a meeting on Thursday, September 11, 2014 at 7:00 p.m. at Town Hall in the Mayflower Room.

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

Chairman Tavares held a moment of reflection for the 13th anniversary of 9/11.

Selectmen Page explained that the flag displayed has the names of all the public service personnel who lost their lives on 9/11.

Up With People – Haley Lutz talked about the Up With People Event that is put on by over 100 students. It is a benefit concert to promote the common good of people.

TOWN MANAGER'S REPORT

Surplus Auction – The Town has scheduled a surplus auction for Saturday, October 4, 2014.

United Way Day of Caring - The United Way will host its Day of Caring in Plymouth on Friday September 12, 2014. The Kick-Off on Sept. 12th will be at 8AM on the Plymouth Waterfront on the state pier in front of the Mayflower II. The program will start promptly at 8:30 AM and we will take our annual group photo and then plan to send out volunteers at 9AM.

Economic Development Foundation – The Foundation is working out details on an MOU and the hiring of an economic development director. They are looking to have a director in place by the end of the fall.

Southeast Massachusetts Veterans' Service Association - Sept 3 – veterans officers mtg – amount of paperwork and beaurcacy required by the VSOs. Talk about personnel services with veterans.

South Shore Recycling Cooperative – The household hazardous waste collection for the residents of Plymouth will be on September 20th. This event will be located at the Plymouth Department of Public Works, 169 Camelot Drive.

9/11 memorial service – deputy young organized, great event. Great job by fire and police.

PGDC – transfer money for payment of citations and penalties collected outside of their areas. 75% will come from them. Check for 10k.

Xmas trees – two trees in downtown area gets donated. 20 – 40 ft. hoping for donations. Reach out to Ted Bubbins.

JM – How many back years? 3 year back pay. Some expense that we can earmark this for? General Fund revenue. Receipts vary but use more significant new revenue sources.

LICENSES

ONE DAY ALL ALCOHOL LICENSE*

On a motion by Selectman Provenzano, seconded by Selectman Page the Board voted to grant a One Day All Alcohol License to the following applicant, as detailed, below. Voted 5-0-0, approved.

- ❖ **Donna Curtin/Plymouth Antiquarian Society** (119 Sandwich St) requested a One Day All Alcohol License from 5:00 p.m. to 8:00 p.m. for The Old Fort House Flip Fest to be held at the Harlow Site at 119 Sandwich Street. 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.

ONE DAY WINE AND MALT LIQUOR LICENSE

On a motion by Selectman Muratore, seconded by Selectman Page, the Board voted to approve a One Day Wine and Malt Liquor License to the following applicant, as detailed, below. Voted 5-0-0, approved.

- ❖ **Rogers and Gray Insurance** (63 Smiths Lane, Kingston, MA) Lynn Mason-Small requested a One Day Wine and Malt Liquor License on September 12, 2014 from 5:00

p.m. to 8:00 p.m. for Up With People reception to be held at Memorial Hall. Liquor liability will be in place before the license is released.

- ❖ **Loretta LaRoche Productions**, (50 Court Street) Erik Christensen requested a One Day Wine and Malt Liquor License on September 20, 2014 from 6:00 p.m. to 11:00 p.m. for a music show to be held at Studio G, 50 Shops at 5 Way. Liquor liability will be in place before the license is released.
- ❖ **A Celtic Crossing** (311 Reedsdale Rd, Milton, MA) Pauline Wells requested a One Day Wine and Malt Liquor License on September 13, 2014 from 7:00 p.m. to 12:00 a.m. for a 9/11 celebration concert to be held at Memorial Hall. 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.

ADMINISTRATIVE NOTES

Grant Exclusive Vending Rights to Chamber of Commerce for Barktoberfest Event at Nelson Park

PUBLIC COMMENT

Walter Powell– General Society of Mayflower Descendants hosted their 40th General Congress and presented the Selectmen with a citation thanking the Town for their support to the Society.

PRESENTATION ON APPLICATION FOR CULTURAL DISTRICT STATUS FOR PLYMOUTH

Monica Mullin – Cultural District is a proposed district to be approved by the Massachusetts Cultural Council that will be from Village Landing to Town Green and along Main St., linking cultural, artistic and recreational areas. The district also includes the historic properties. An Identifiable district will attract more residents and visitors along with promote economic development. The Cultural District Committee asked the Selectmen to approve a resolution that will be submitted with the cultural district application. Currently, there are 26 cultural districts in the state.

Debrah Woodman - Plymouth Guild – Working with the Plymouth 400 Committee on the district to focus on arts and culture. This will be an Economic engine for tourism and the Committee is working on the name of the district.

Motion by Selectman Muratore and seconded by Selectman Page to create the cultural district for the Town of Plymouth.

2014 FALL TOWN MEETING ARTICLES

Article 1 – Classification/Compensation/Personnel/Collective Bargaining

Ms. Arrighi provided a presentation on the Joint Labor Management Committee (JLMC) and the awards that were received. Only public safety groups have the ability to file with the JLMC.

The Patrolmen received an increase in COLA and base pay. These increases are; 2% for FY13, 3% for FY14, 2.5% for FY15 and 1% on the last day of FY15. Night shift differential went from 3% to 4% as of January 1, 2015. The Patrolmen are also now allowed to participate in the ICMA deferred compensation plan offered by the Town. The Town will use a portion of certified free cash along with raise and appropriate to fund the changes.

The costs for these changes include \$87,655 prior to FY14, \$254,211 for FY14, \$561,751 for FY15 and the funds to pay for the 1% on the last day of FY15 have yet to be determined.

Language changes to the contract include; Patrolmen will not repay shift swaps within 60 days, Patrolmen will provide 3 days' notice for using vacation time, direct deposit and a Drug and Alcohol policy committee will be established between Management and Patrolmen.

For the Superior Officers, the pay is similar where it is 6.5% COLAs and 2% base equity adjustments. They also received an increase in specialty pay from \$300 a year to \$100 a month.

Language changes to the contract include; Shift swaps paid back within 60 days, 5 family sick days, Superiors will receive detail pay compensation for 8 hours after working 4 hours and participate in direct deposit.

Selectmen Muratore asked if the increase was about 3 million increase? It is roughly 3 million.

Selectmen Provenzano asked about retro payments to be paid with with free cash? Everything going forward the payment would come from the tax rate?

On a motion by Selectman Page, seconded by Selectman Mahoney, the Board voted to recommend Article 1 to the 2014 Fall Town Meeting. Voted 5-0-0, approved.

Article 2A – FY 2015 Budget Amendments – General Fund (Article 7A, 2014 Annual Town Mtg.)

Lynne Barrett – Director of Finance

Summation of recommended amendments to general fund voted at spring town meeting. This includes the increases for employees. 1.2 million for town salary reserve and 1.5 million for school. The costs addresses all other benefits for deferred comp and Medicare.

Other changes include Fire Dept overtime, Police Street Crimes Unit, DMEA natural resource officer and beach management plan for white horse beach, inspection services part time person and adjustments to health insurance due to movement of people and rate increases. Debt service is being decreased.

Net increase of 3.3 million.

On a motion by Selectman Muratore, seconded by Selectman Provenzano, the Board voted to recommend Article 2A to the 2014 Fall Town Meeting. Voted 4-0-0, approved. Abstain Selectman Page

Article 2B – FY 2015 Budget Amendments – Enterprise Funds (Article 7B-D, 2014 ATM)

Lynne Barrett – This article includes amendments to enterprise budgets.

Water – decrease in debt service

Sewer – reduce salaries with Veolia since leased employees took a new position.

Solid Waste – decreases to expenditure line item due to reduction in number of tons and increase in recycling..

Selectman Mahoney asked about the reduction in tonnage? Ms. Barrett explained that the recycling had increased.

Selectman Mahoney asked if there was a plateau on subscriptions? Ms. Barrett explained the town is about the same on subscriptions.

On a motion by Selectman Provenzano, seconded by Selectman Muratore, the Board voted to recommend Article 2B to the 2014 Fall Town Meeting. Voted 5-0-0, approved.

Article 3 – Unpaid Bills of Prior Fiscal Year

Lynne Barrett (Finance Director) – This is to clean up unpaid bills from prior fiscal year.

On a motion by Selectman Muratore, seconded by Selectman Page, the Board voted to recommend Article 3 to the 2014 Fall Town Meeting. Voted 5-0-0, approved.

Article 4 – Capital Projects: Construction/Repair/Purchase/Lease/Replacement of Buildings/Equipmt.

Ed Bradley (Fire Chief) – This article is for 410,000 to construct a communications tower. The Town was able to work with the Pinehills to swap a piece of land for another that is right next to the current tower. The current tower is 35 years old and an engineering study is found to be unsafe. Equipment is located currently on some commercial towers which is expensive. Parcel is 360 feet above sea level and the tower is not more than 150 ft.

Selectman Muratore asked if there were any grant opportunities? Chief Bradley stated there are some through homeland security but there is a land study required by the federal government which takes time and money.

On a motion by Selectman Page, seconded by Selectman Muratore, the Board voted to recommend Article 4 to the 2014 Fall Town Meeting. Voted 5-0-0, approved.

Article 6 – Establish Bylaw: Regulations on Bodywork Spas

Postponed for a week.

Article 23 – Accept M.G.L. Ch. 6, s. 172B: Allow Police to Conduct Background Checks & Prints

Mike Botieri (Police Chief) - Police department by statute can only do fingerprint searches for 3 reasons; Criminal Investigation, License to Carry Firearm, Police Employment. Statutes have changed allowing for local bylaws to be adopted allowing for fingerprint checks on certain vendors.

Selectman Mahoney asked when this went into effect and how many communities have adopted it? Chief Botieri stated the statute went in place on May 4, 2012 and about a dozen communities have adopted it.

On a motion by Selectman Muratore, seconded by Selectman Provenzano, the Board voted to recommend Article 23 to the 2014 Fall Town Meeting. Voted 5-0-0, approved.

Article 34 – Petition: Amend Charter – Publish Warrant in Newspaper 7-14 Days before Town Mtg.

Steve Striar – The purpose of this article requiring the Town to publish the warrant in the local paper is pretty straightforward. It will provide another method of disseminating important information concerning the operation of the town to the citizens of Plymouth. The current method of posting the warrant on the town website as well as in a handful of municipal buildings is a start. We should go further though to ensure this information is

available to everyone. Including those lacking the necessary technology or mobility to access the information from those sources. The longstanding requirement of publishing legal or other public notices in the paper is a good and necessary one and should be broadened to include the town warrant. While the cost to publish will vary depending on the number or articles and their length a full page legal add would currently cost approximately three thousand dollars.

Selectman Muratore asked if the Town was doing anything with the warrant through Social Media. Mr. Galla stated that we have not but we can easily can and we do put it on the town's website.

Selectman Mahoney asked how Mr. Striar arrived at \$3,000 for the cost and what is his motivation for this article? Mr. Striar responded that he contacted the Old Colony and he was disappointed with apathy in town and its better for the community to have as much information as possible.

Public Comment:

Robert Spencer – Lots of older people does not have computers and can't get to library. It should be published in the newspaper.

On a motion by Selectman Provenzano seconded by Selectman Mahoney, the Board voted to recommend Article 34 to the 2014 Fall Town Meeting. Discussion took place.

Selectman Muratore likes the idea of doing it but does not want to be tied into it forever. He feels that year to year would be better.
Voted 0-0-5, not approved.

Article 35 – Petition: Amend Charter – Indicate Incumbent Candidate's Years of Service on Ballot

Withdrawn, No Motion No Action

Article 10 – Appropriate/Borrow Funds for Legal Costs Associated with Entergy PILOT Agreement

Melissa Arrighi (Town Manager) – This article is to raise and appropriate \$400,000 for legal and appraisal costs for negotiations with Entergy on a new PILOT agreement. It is prudent for the Town to go into negotiations armed with as much information as possible. The firm has been invaluable over the years and really understands the nuclear industry. Negotiations will commence in January.

Chairman Tavares stated that Advisory and Finance approved this article unanimously.

Selectman Page asked what would happen if funding runs short or over? Ms. Arrighi explained that if short, funds will remain in the account until closed and if over would possible need an emergency transfer or request funds at town meeting.

On a motion by Selectman Provenzano, seconded by Selectman Mahoney, the Board voted to recommend Article 10 to the 2014 Fall Town Meeting. Voted 5-0-0, approved.

MASSWORKS APPLICATION FOR TRAFFIC IMPROVEMENTS AT CLARK & LONG POND ROADS

Tom Berkley from AD Makepeace discussed how they are looking at traffic mitigation for their Redbrook development. They are looking to apply for a MassWorks grant to construct a roundabout at the Route 3, Exit 3 interchange.

Steve Boudreau from Vanaesse and Associates presented the proposed roundabout.

Mr. Boudreau stated that the Project Costs would be:

Survey \$25,000
Engineering \$600,000
Construction \$6,000,000
Total 6.25 million

Schedule:

Design Feb 14 – April 15
Construction – 2015 Season

Chairman Tavares stated that the Board is concerned about traffic and safety and did submit the MassWorks application. This is extremely important because of influx in that area. No tax dollars will be required from Plymouth, the grant would be fully funded by the State.

Selectman Muratore asked if any land taking was needed? Yes, roundabout shifted to east which will require private land taking. There will be no permanent property effects at Long Pond Rd.

Selectman Mahoney asked when will tax revenue from Redbrook will hit? The Town should see tax revenue from the development at the end of 14 to early 15.

COMMITTEE LIAISON / DESIGNEE UPDATES

Selectman Muratore attended the Council on Aging monthly meeting and they voted to elect the existing board of directors.

Chairman Tavares met with the NRC and the report was encouraging. The nuclear plant is making necessary changes. Selectman Tarvares also met the new on site rep of NRC and discussed dry cask storage. Selectman Tavares recommend arranging a tour, BOS approves.

OLD BUSINESS / LETTERS / NEW BUSINESS

Chairman Tarvares would like to see the winter parking on Cordage Street submitted to the PTF.

Mr. Galla provided an update on Chapter 61 notices. Selectman Mahoney wants to see parking money earmarked for Chapter 61 appraisals.

The Board voted to go into executive session and will return for a public hearing at 9:30pm.

PUBLIC HEARING: TERMINATE LEASE AT 16 TOWN WHARF/RELIABLE FISH CO., INC.

CONTINUED FROM THE AUGUST 12, 2014 SELECTMEN'S MEETING

Chairman Tavares opened a public hearing to consider the termination of lease at 16 Town Wharf/ Reliable Fish Co., Inc. Prior to commencing the hearing, Chairman Tavares 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.

Liz Sullivan – This hearing was continued from April because the Town did not receive enough information about financing. Reliable Fish has secured financing and is asking the Board of Selectman to close the hearing and approve the consent agreement.

Selectman Muratore asked when will the funds be available? The Town will receive the funds tomorrow.

Selectman Mahoney asked if the payment of rears is contingent on the Selectmen terminating eviction? Yes

Selectman Mahoney asked if there were any additional amendments to the lease? Mr. Secundo has filed a 4th joint venture agreement for reconfiguration of wall space within the shanty rose building. This filing is with the Town Manager's office.

Selectman Provenzano asked if the building process is satisfied? Yes

Selectman Mahoney asked if there were two joint ventures only? Yes

On a motion by Selectman Muratore and seconded by Selectman Page to close the hearing and not move forward with termination of lease. Vote 5-0-0, approved.

On a motion by Selectman Muratore, seconded by Selectman Mahoney, the Board voted to approve and execute the consent agreement, Voted 5-0-0, approved.

ADJOURNMENT OF MEETING

On a motion by Selectman Mahoney, seconded by Selectman Provenzano the Board voted to adjourn its meeting at approximately 9:37 p.m. Voted 5-0-0, approved.

Recorded by Michael Galla, Assistant Town Manager

A copy of the September 11, 2014 meeting packet is on file and available for public review in the Board of Selectmen's Office.