

**ADVISORY AND FINANCE COMMITTEE
MEETING MINUTES
of
January 29, 2014**

A meeting of the Advisory & Finance Committee was held on Wednesday, January 29, 2014. The meeting was called to order by Chairman, John Moody at 7:00 p.m. and was conducted at the Plymouth Town Hall, in the Mayflower II Meeting Room, 11 Lincoln Street, Plymouth, Massachusetts.

PRESENT

Thirteen members of the Committee were present:

John Moody, Michael Hanlon, Linda Benezra, Robert Morgan, Michael Hourahan, Charles Stevens, Marc Sirrico, Richard Gladdys, Cornelius Bakker, Christopher Merrill, Nancy McSpadden, Michael Duffley, and Harry Salerno

ABSENT

There were two vacancies at the time of this meeting.

AGENDA ITEMS

Chapter 44, §31D - Snow & Ice Deficit Spending Request \$860,000

Dennis Westgate Assistant DPW Director presented a request for \$860,000 snow and ice deficit spending authorization.

Richard Gladdys inquired regarding the overtime line of \$167,000. Mr. Westgate indicated the overtime line item is strictly related to town personnel. Ms. McSpadden inquired about two men in a truck. Mr. Westgate said the requirement of two men in a truck was negotiated many years earlier and is required under the contract.

Michael Hanlon moved to approve as presented for \$860,000.

Cornelius Bakker, second. The motion carries unanimously.

ATM Article 11 – Amend General Bylaw, Sections 59-1 through 59-4 Eminent Domain

Melissa Arrighi, Town Manager presented ATM Article 11 to amend the General Bylaw, Sections 59-1 through 59-4 Eminent Domain. Ms. Arrighi indicated this amendment would improve efficiency when the Town formally accepts a public way. Sid Kashi, Town Engineer explained eminent domain takings and said the change would allow for a savings to the Town so that an appraiser would not be required. Richard Gladdys inquired about all eminent takings. Chairman Moody assisted in clarifying the changes in the bylaw amendments and indicated these changes specifically apply to road work.

Michael Hanlon moved to approve as presented.

Linda Benezra, second. The motion carries (11-1-0). Charles Stevens voting in opposition.

ATM Article 13 - Chapter 90 - Acceptance of State Highway Funds G.L. c.90, §34(2) (a)

Sid Kashi, Town Engineer presented ATM Article 13 - Chapter 90 - Acceptance of State Highway Funds. Mr. Kashi indicated this Annual article authorizes the Town to accept funding provided by the State under G.L., Chapter 90 for the maintenance of public roads. In the last round of yearly

appropriations the Town received \$1,499,142. The estimated amount for Fiscal Year 2015 is unknown at this time however; it is expected to be a similar amount.

Michael Hanlon inquired about specific roads that will benefit by the funds. Mr. Kashi said he has a preliminary list of streets which require road work however the list is subject to change depending on drainage, sewer lines or other matters that may cause delays.

Linda Benezra moved to approve as presented.

Robert Morgan, second. The motion carries unanimously.

ATM Article 22 – Accept/Allow Alterations to Samoset Street (Westerly to Court) South Park Ave, North Park Ave

Sid Kashi, Town Engineer presented ATM Article 22 – Accept/Allow Alterations to Samoset Street (Westerly to Court) South Park Ave, North Park Ave. Mr. Kashi indicated the proposed Samoset Street, North Park Avenue and South Park Avenue project consist of significant roadway and pedestrian improvements along Samoset Street, North Park Avenue and South Park Avenue. The construction project required obtaining certain property rights also known as temporary and permanent easements in properties abutting the roadways. In the 2013, town meeting took action which authorized the eminent domain takings for the easements. Mr. Kashi said this article allows the easements to become part of the layout.

Linda Benezra moved to approve as presented.

Michael Duffley, second. The motion carries unanimously.

ATM Article 23- Accept Perpetual Easements over properties located on Carver Road

Sid Kashi, Town Engineer presented ATM Article 23- Accept Perpetual Easements over properties located on Carver Road. Mr. Kashi indicated the owner of Cranberry Crescent has received Planning Board approval for a subdivision and is willing to grant the Town an easement for highway purposes on a portion of Carver Road.

This article seeks easements from abutting properties as well as Cranberry Crescent property to layout this portion of Carver Road.

Linda Benezra moved to approve as presented.

Cornelius Bakker, second. The motion carries unanimously.

ATM Article 24 - Accept Perpetual Easements over properties on Roxy Cahoon Rd & Valley Road

Sid Kashi, Town Engineer presented ATM Article 24 - Accept Perpetual Easements over properties located on Roxy Cahoon Road and Valley Road. Mr. Kashi indicated Valley Road and Roxy Cahoon Road are "Used and Maintained" gravel roads with no written layout. In addition, he added residents attended the Roads Advisory Committee meeting and raised several concerns about the road conditions such as child safety on school buses and damage sustained on their personal vehicles. The RAC requested that DPW start the public process for improving the roadways. The DPW started the public roadway improvement process by requesting that the residents sign a petition. In addition, a developer constructing a subdivision off of Roxy Cahoon Road has made a commitment to fund \$200,000 towards the construction of this roadway improvement project.

The DPW will anticipate funding the remainder cost of this project in the amount of \$250,000 which will come from chapter 90 highway funds.

The proposed work will require deeded easements over the proposed roadway right of way. The Town requested that the affected property owners donate the required easements. All property owners with an exception of two have granted easements to the Town and one property owner is opposed to paving the road.

Mr. Kashi indicated the design of the project has been completed and in order to carry out the project, the Town of Plymouth must acquire permanent easements for public way purposes from the two properties.

The Eminent Domain taking procedure is regulated by the Town of Plymouth "By-Laws" Article 11, and the Massachusetts General Laws (MGL) Chapter 79. This involves holding a Public Hearing, hiring an appraiser, completing an Appraisal Report, filing an Order of Taking at the Registry of Deeds and making Damage Awards to the affected parties. In anticipation of damage awards for easements being required, the Eminent Domain Hearing was held on Thursday, December 26, 2013. This Eminent Domain action is to be funded through State Aid/Chapter 90 appropriation. This Article has been placed in the 2014 ATM Warrant that asks Town Meeting to authorize the Board of Selectmen to carry out these tasks.

Christopher Merrill moved to approve as presented.

Michael Hanlon, second. The motion carries unanimously.

ATM Article 25 - Acquire permanent easements Roxy Cahoon Rd and Valley Rd.

Sid Kashi, Town Engineer presented ATM Article 25 - Acquire permanent easements Roxy Cahoon Road and Valley Road. Mr. Kashi indicated this article goes hand in hand with Article 24 and asks Town Meeting to authorize the Board of Selectmen to carry out these tasks.

Linda Benezra moved to approve as presented.

Michael Hourahan, second. The motion carries unanimously.

ATM Article 26 - Acquire permanent easements for highway purposes Nelson Street

Sid Kashi, Town Engineer presented ATM Article 26 - Acquire permanent easements for highway purposes Nelson Street. Mr. Kashi said the need for a sidewalk connecting Nelson Street and Water Street has been recognized for many years. The roadway layout narrows down to 25 feet in front of 32 Nelson Street.

The proposed sidewalk will connect the existing sidewalk on the easterly side of Water Street to the existing side of the northerly side of Nelson Street. The sidewalk construction would require permanent easement in front of 32 Nelson Street. The design of the project has been started and in order to carry out the project, the Town must acquire a permanent easement from one property for the sidewalk purposes and this easement will be obtained by the process of Eminent Domain.

Cornelius Bakker moved to approve as presented.

Linda Benezra, second. The motion carries (10-2-0). Christopher Merrill and Michael Hourahan voting in opposition.

ATM Article 27 -Appropriate \$500,000 Roads Advisory Committee

Sid Kashi, Town Engineer presented ATM Article 27 a request to appropriate \$500,000 as requested by the Roads Advisory Committee for private road improvements.

Linda Benezra inquired about how much road reconstruction could be done with the \$100,000 remaining in available funds. Mr. Kashi indicated approximately 1,000 feet of road way could be reconstructed.

Cornelius Bakker moved to approve as presented.

Michael Hourahan, second.

Discussion:

Michael Hanlon said he would not support the request for funding improvement of private ways and indicated his support of betterments.

Richard Gladdys expressed difficulty in supporting the funding of this article.

Linda Benezra said she is in support as this article is a result of a citizen initiative. However, she stated that she is a proponent of the betterment process.

The motion carries (11-1-0). Michael Hanlon voting in opposition.

The Committee recessed at 8:15 p.m.

The Committee reconvened at 8:21 p.m.

ATM Article 10 – 1820/1857 Court House – Government Center

Melissa Arrighi, Town Manager, Marc Garrett Chairman of the Planning Board and Donna Curtin, Executive Director of the Plymouth Antiquarian Society presented information regarding ATM Article 10 – 1820/1857 Court House – Government Center.

Charles Stevens inquired about several items such as the loss of Entergy revenue, need for a new the cost for the Schools to renovate the current town hall. In addition, he was concerned about an increase in staffing levels being covered in the operating budget, as the population in Commonwealth shrinks, how we can continue to show expanded growth in the Community. Mr. Stevens also stated that Town owned property sales have not been done well in the past, why should we expect to sell town owned property in the future and what additional town owned properties are for sale. Ms. Arrighi indicated there is a Nuclear Mitigation fund that has been established to help with the loss of Entergy and she said she would make sure that Mr. Stevens receives the requested information regarding growth in the community.

Christopher Merrill inquired about paying down principal of the court house debt if town owned properties are sold.

Nancy McSpadden inquired about the Community Preservation Committee funding and asked about an approximate number from selling other town owned properties. Ms. Arrighi said CPC would be contributing five million dollars towards the project.

Michael Hanlon spoke about the Meals Tax. Ms. Arrighi indicated as long as the petitioner has achieved the necessary number of signatures and they are able to be certified by the town clerk then the warrant article would move forward to this Spring Special Town meeting.

Michael Hourahan asked if there has been any study to show economically what the government center would bring to downtown area. Ms. Arrighi said they did not include the information nor does the town have qualified staff to conduct such a study.

Harry Salerno inquired about a 2005 master plan which concluded the site was not suitable for a government center and asked if Ms. Arrighi had reconciled with that 2005 master plan. Ms. Arrighi said the previous government center discussed in the 2005 master plan included the DPW and School department.

Nancy McSpadden inquired about the Meals Tax at an estimated \$1.3 million being earmarked for this project, how this would relieve burden on the taxpayers. Ms. Arrighi said they would need to do analysis on how this would impact the debt and burden on the taxpayers and asked that she be allowed to have the Finance Director do a complete analysis.

Michael Hanlon spoke of the 2005 master plan and said the town did not own the site at the time therefore it did not make sense to have a government center located at the court house site.

Larry Rosenblum said he is in agreement with essentially 95% of what has been presented this evening. However, he said the project doesn't go far enough and doesn't ask if this is the correct use for the court house, is there a better use for the court house. The best use for the court house is for use as a visitor center which would allow tourist to come from the waterfront up to the center. Mr. Rosenblum also said in the long term interest of the town, it would be better served if the town purchased or moved the residential homes that are surrounded by town owned property.

Theodor Bosen said he currently pays less in rent than he did 25 years earlier and believes this is a result of the foot traffic in the down town area now versus when the court house was in business which created much heavier traffic and more foot traffic in many of the shops in the down town area. Mr. Bosen suggested a living museum at the court house and suggested the town should capitalize on the history.

Richard Gladdys moved to approve as presented.

Linda Benezra, second.

Discussion:

Charles Stevens offered concerns with the amount of houses that could be listed for sale because the taxes are unsustainable.

Richard Gladdys said this is a good investment and will be viability back to the down town.

Marc Sirrico said he is concerned with the "tipping point" when have we done too much and expressed difficulty with voting without all the information available.

Robert Morgan said he is not in favor of the article and voted against the purchase of the court house in 2009 because he saw it as a "money pit" and reminded members that the meals tax was passed previously and then was overturned.

Nancy McSpadden expressed concerns with the cost and the burden to the taxpayers.

Michael Hanlon said he is in support of the article and discussed the history of the building since the town purchased the property and only when the discussion of a town hall was introduced was there consensus on what should be done with the property.

Linda Benezra also spoke in support of the article and added, "We are all about historic preservation and tourism, we can't always postpone things and I would encourage all members support the article.

Harry Salerno said he is in support of the article and added, "I have come full circle on the project".

Charles Stevens moved to postpone until February 12, 2014 to allow time for more definitive financial information and the meals tax information as well as other questions.

Marc Sirrico, second. The motion to postpone fails (3 -9-0). Marc Sirrico and Charles Stevens, Nancy McSpadden voting in favor.

The motion carries (7-5-0). Michael Hourahan, Nancy McSpadden, Marc Sirrico, Charles Stevens and Robert Morgan voting in opposition.

Public Comment

Paul Hapgood town meeting member spoke regarding betterments on roads and suggested town council explain the bylaw to the Committee.

Ken Tavares complimented the Advisory & Finance Committee and added, he was extremely impressed with the discussion and debate. Mr. Tavares said he spent time at the Massachusetts

municipal conference recently and met with his peers and said 176 communities currently have the local option meals tax.

Old/New/Other Business

Michael Hanlon spoke of receiving better budgets with respect to revolving funds and provided a sample of what has been suggested regarding the budgets.

John Moody spoke regarding budget reports and posed the question, "Is it the best way to proceed by reading reports on the evening of the budget presentation?" Christopher Merrill said the chairman should present the conclusions. Ms. Benezra agreed and said it is important to continue the format that was established and as long as the reports are forwarded early enough for members to review, it isn't necessary to read the entire report.

Charles Stevens spoke about scheduling and said it is a "monumental screw up" to have budget reports delivered during the school vacation week.

Michael Hanlon said a synopsis is what should be presented and simply hit the highlights.

ADJOURNMENT

Linda Benezra moved for adjournment.

Robert Morgan, second. The motion for adjournment carries unanimously.

The meeting adjourned at 10:45 p.m.

Respectfully submitted,


Pamela L. Borgatti