

PLYMOUTH BOARD OF SELECTMEN

TUESDAY, JULY 12, 2016

MAYFLOWER ROOM, TOWN HALL, 11 LINCOLN STREET, PLYMOUTH, MA – 6:30 PM

6:30PM - CALL TO ORDER

The Board of Selectmen will hold an Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 3; to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the chair so declares, and Paragraph 6; to consider the purchase, exchange, lease or value of real property, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the governmental body.

- ❖ Veolia
- ❖ Reliable Fish Company
- ❖ Pinehills (Chapter 61)

7:00PM - CALL TO ORDER

Ken Tavares, Chairman of the Board, called the meeting to order at 7:04 p.m. and led the Pledge of Allegiance.

Present: Kenneth A. Tavares, Chairman
 Anthony F. Provenzano Jr, Vice Chairman
 John Mahoney
 Sean Page
 Shelagh Joyce

 Melissa Arrighi, Town Manager
 Derek Brindisi, Assistant Town Manager

7:02PM – PUBLIC COMMENT

Elizabeth Dube came to the podium to speak to the Selectmen on behalf of the Library Staff. Ms. Dube read from a prepared speech which touched upon some of the issues that they have been trying to resolve with their contract negotiations. She began by stating the various accomplishments that the library and staff had made in the past year. She then went on to compare the Plymouth Library Staff's compensations to other local Towns and their Libraries. In closing, Ms. Dube asked the Selectmen for their support in coming to a fair resolution with their negotiations.

Douglas O'Roak, Vice Chairman of the Open Space Committee, came to the podium and asked the Board of Selectmen to consider the acquisition of the 40 acre property located at 353 Bourne Road. He said that the land was under Chapter 61. He urged the Board to take the time allowed to consider purchasing this to keep it as open space in order to protect wetlands and wildlife.

Steve Lydon came up and wanted to tell the Board that he thought the Selectmen and the Town should not consider the request of the Open Space Committee to acquire the property located on Bourne Road under Chapter 61 review.

7:05PM – PUBLIC HEARING – *Rapid Refill*

In accordance with Chapter 138 of the Massachusetts General Laws, as amended, notice is hereby given that a Public Hearing will be held at the Plymouth Town Hall, 11 Lincoln Street, Plymouth, Massachusetts, on Tuesday July 12, 2016 at 7:10pm to consider the application for a New Annual Wine and Malt Package Store License for MPG Corporation d/b/a Rapid Refill, 140 Samoset Street, Ben Bolen, Manager.

Description of premises will be as follows: The property contains 1,198 acres of land. The building has a convenience store and Burger King inside. There is one access on the North side of the building and one access on the East side of the building.

Morgan Jacobs spoke on behalf of Rapid Refill and asked if the Hearing could be continued the July 16, 2016 Selectmen's Meeting. The Board voted and approved. *Voted 5/0*

7:05PM – PUBLIC HEARING – *Pinehills Chapter 61 Land*

Melissa Arrighi, Town Manager, told the Board that the Town had this parcel of land appraised and that it was sent to the applicant and they were just waiting to hear back.

7:20PM - LICENSES AND ADMINISTRATIVE NOTES

LICENSES

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved a One Day All Alcohol Liquor License for **Claddagh Fund / Murphy's Boxing**, 14 Bowman Street, Dorchester, MA for a Charity Event being held on July 30, 2016 from 6:00pm to 12:00am at Memorial Hall. *Voted 5/0*

On a motion by John Mahoney and seconded by Anthony Provenzano Jr, the Board approved a PediCab Operator License for **Plymouth PediCab** for the following driver: Carmen Larson, 223B Cotuit Road, Marston Mills, Massachusetts. *Voted 5/0*

ADMINISTRATIVE NOTES

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board granted Exclusive Vendor Rights to **Cultural Survival** for an event known as Indigenous Art Bazaar being held on July 23rd and 24th, 2016 from 10:00am to 5:00pm at Pilgrim Memorial State Park. *Voted 5/0*

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved the Open Meeting Minutes from the **June 21, 2016** Selectmen's Meeting. *Voted 4/0 (Sean Page Abstained)*

On a motion by John Mahoney and seconded by Anthony Provenzano Jr, the Board approved the Open Meeting Minutes from the **June 28, 2016** Selectmen's Meeting. *Voted 5/0*

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board appointed **Pamela Lourenco** to the At-Large Seat on the Natural Resources and Coastal Beaches Committee. *Voted 5/0*

The Board, acting as **Water Commissioners**, authorized Mandatory Outdoor Watering Restrictions to ensure that our water system is capable of producing enough supply during the summer months.

The Board, acting as **Water Commissioners**, authorized the Town Manager to authorize an immediate Emergency Water Restriction should an unforeseen event or emergency situation develop relative to the Town's water supply.

On a motion by John Mahoney and seconded by Anthony Provenzano Jr, the Board approved and executed an **End of Year Transfer** of funds in the amount of \$110,000 to cover outstanding legal expenses incurred due to the catastrophic sewer main rupture. *Voted 5/0*

On a motion by Anthony Provenzano Jr and seconded by John Mahoney, the Board approved and executed an **End of Year Transfer** in the amount of \$25,000 to cover salary and wage expenses incurred due to the catastrophic sewer main rupture. *Voted 5/0*

The Board adopted and executed an **Order of Taking** for Camelot Drive as a Public Way which was voted on at the April 5, 2016 Spring Annual Town Meeting.

The Board adopted and executed an **Order of Taking** for Raymond Road as a Public Way which was voted on at the April 5, 2016 Spring Annual Town Meeting.

7:25pm – TOWN MANAGER'S REPORT

Melissa Arrighi, Town Manager, began her report by updating the Board as to how the July 4th weekend went around town and at the parks and beaches. She said at the request of the Board, certain key staff members met to go over plans for the July 4th weekend activities. Ms. Arrighi stated that between all of the departments including Fire, Police, Recreation, Department of Marine and Environmental, Parks and DPW, they were able to provide citizens with a safe, clean and enjoyable holiday weekend.

Ms. Arrighi wanted to make the Board aware that Natural Resources Warden, Nate Cristofori, was able to save a fawn that fell into a culvert and became trapped. Jim Loesher, Forrest Berradi, and Ted Hicks, the highway crew working near the Manomet Transfer Station, heard the baby deer crying and went to investigate and found the fawn. They then contacted the DMEA and Mr. Cristofori came to get the deer out and set him free. Ms. Arrighi wanted to thank everyone involved in this rescue effort.

Melissa Arrighi then went on to talk about the White Horse Beach Meeting and Mailing. She explained that several residents were irate stating that the meeting was illegal due to the lack of notice given. Upon investigation it was discovered that 32 certified letters were delivered with the green card removed and not signed by the recipients. Derek Brindisi, Assistant Town Manager, worked with the USPS to resolve the problem. They discovered that it was wrongdoing by a USPS employee. They refunded the Town \$207 and ensured us that it would never happen again. Ms. Arrighi finished by saying she was pleased with the USPS's response and was glad that we were able to partner with them to resolve this issue.

Ms. Arrighi told the Board that the Plymouth Police Department recently launched their Twitter Account and planned to use it to keep the general public and residents informed with real-time information. She stated that the tweets can also be found on the PPD's website.

Melissa Arrighi mentioned that this year's Massachusetts' Clerk Conference was held in Plymouth and was a great success. She said that Ken Tavares, Chairman of the Board, addressed the group of Town Clerks at a luncheon and we are receiving many thanks for his involvement.

Melissa Arrighi then made the Board aware that the Town is still working on the traffic issues on Samoset Street with the new signal at Standish Avenue. She said that our Town Engineer was working diligently with MassDOT to receive approval to put the signal on flash mode until we can retrofit signals and/or redesign the intersection in order to relieve the backup that it's been causing.

Next, Ms. Arrighi briefed the Board on a lawsuit that was between the Town of Plymouth and the Plymouth Housing Authority over the air conditioning issue from last year. She said the Town's Building Director found that putting AC units in a window did not violate building codes which the PHA disagreed with. Ms. Arrighi said that the case went before the State Building Code Appeals Board and they found the Building Director's interpretation of the local building codes were accurate and they found that there was no wrong-doing on the Town's part.

Lastly, Melissa Arrighi wanted to make everyone aware that the crane being used for the construction of the new Town Hall Building was being delivered the following week and that people should expect some traffic delays in and around that area as steel beams will be delivered over the next few months.

7:25pm - COMMITTEE LIAISON / DESIGNEE UPDATES

Ken Tavares, Chairman of the Board, said that he met with Atlas Fireworks regarding the mishap during the July 4th fireworks display when the barge caught fire. Mr. Tavares reiterated that it was an unfortunate accident and that Atlas Fireworks received a clean report after an OSHA investigation. He finished by saying that the July 4th Planning Committee intends to have Atlas Fireworks return next year.

Mr. Tavares went on to say that the Police Department, Fire Department, Division of Marine and Environmental, and the Department of Public Works did an incredible job preparing for the July 4th holiday weekend.

Chairman Tavares mentioned that he would like the Board to review the proposed Marijuana Act that would legalize marijuana in Massachusetts.

Chairman Tavares also asked the Town Manager to send a letter to the businesses downtown to be respectful to the residents in the area by minimizing music that is too loud.

John Mahoney, Selectman, said that he and Melissa Arrighi attended a meeting at the Moose Lodge regarding Fresh Pond. He said that they also visited Morton Park. Mr. Mahoney said even though there have been huge improvements at Morton Park, they hope that those problems won't get pushed to Fresh Pond.

Selectman Mahoney also discussed comments made by Ms. Dube regarding the underpaid library staff. He referenced the Dallas Police Chief saying that his Police Officers were underpaid. Mr. Mahoney stated that he does not want to see great Town employees leave Plymouth because the Town is not paying competitively.

7:30PM - OLD BUSINESS / LETTERS / NEW BUSINESS

7:35PM - ADJOURNMENT

On a motion by John Mahoney and seconded by Sean Page, the Board voted to adjourn the Open Session at 7:35pm and not reconvene in Executive Session. *Voted 4/0*
By Roll Call: Tavares-Yes, Provenzano-Yes, Mahoney-Yes, Page-Yes, Joyce-Yes

Recorded by: Christopher Badot
Administrative Assistant, Board of Selectmen