

Board of Selectmen
Tuesday, October 27, 2015
Town Hall Mayflower Room, *7:00 PM*

7:00 p.m. Call to Order

Present: Kenneth A. Tavares, Chairman
 Anthony F. Provenzano Jr., Vice Chairman
 John T. Mahoney, Jr.
 Sean P. Page
 David F. Malaguti

Melissa Arrighi, Town Manager

Chairman Tavares calls the meeting to order at 7:00 p.m. and leads the pledge of allegiance. Selectman Page pays a tribute to the passing of Tony Colaruso a Plymouth Fire Fighter. Asset to Town ,outstanding husband, outstanding fire fighter. When we lose a brother it is felt by everyone, I could go on all night about the loss that has occurred.

A moment of silence is observed in honor of Mr. Colaruso...

On behalf of the Board we would like to extend congratulations to Sean Page as he welcomed a new baby boy Ryan Patrick Page.

7:05 p.m. Public Comment

John Judge takes the podium to discuss Eversource and the poles they intend to erect. The Pinehills was not present at this hearing, last Monday we met with an Eversource representative to see where exactly the poles were going to go. The Pinehills owns the property that the poles will be on. Erecting 22 new poles would greatly alter the right of way. Most of the poles don't reach the 12 foot minimum that the Town requires. The Pinehills is bringing this issue to the Boards attention to assess the situation.

Bill Keohan takes the podium and discusses the local cranberry bogs we have in Plymouth. We were able to harvest the cranberry's from the bogs. We are hoping that the funds from harvesting the cranberry, will fund improvements for conservation land.

Kevin Lynch takes the podium to discuss what the Town should be putting aside annually, 39 million dollars.

7:10 p.m. Aquaculture License

William Doyle

A motion to Approve was made by David Malaguti and seconded by John Mahoney, and the motion result was Passed.

Ayes: Page, Provenzano, Jr., Mahoney, Tavares, Malaguti

Chad Hunter takes the podium to discuss William Doyle's aquaculture license. The concerns that were brought up by Mr. Withington at the prior meeting have been addressed as the concern was regarding the health of the shellfish. Both the specialists that we consulted revealed that the site could be an issue for some diseases, such as Dermo. We had a meeting with Mr. Doyle and Mr. Leavitt and he referred us to the best practices for shellfish farming. We are trying to address Shawn's concern as to whether or not disease will occur; that is hard to predict.

Mr. Doyle takes the podium to read a letter which can be found in the weekly packet.

Mr. Whithington takes the podium and reads a letter which can be found in the weekly packet.

Chad Hunter takes the podium to discuss the options that are available to the Selectmen. We came up with extending the buffer zone from 75 feet to 200 feet with 3 acres of area.

Selectman Mahoney questions Mr. Hunter for clarification regarding the map that has been presented to the Board and the history on the 3 other areas close to Mr. Withington. Mr. Hunter responds that these were brought to the Board 5 years ago. Selectman Mahoney questions other areas on the map. Mr. Hunter explains what has already been approved by marine and fisheries. He is unsure as to whether or not it could be shifted.

Selectman Page: Why are the buffer zones 75ft for the other 3 sites but not for his? Is this only an instance of these two people not being happy? Mr. Hunter responds yes we went with 75ft because that's what we felt was fair at the time. Selectman Page: At any time Area A could infect Area B at any time? Mr. Hunter yes.

Selectman Provenzano: Mr. Whithington's concern is not proximity but density? Your recommendation is to maintain 75ft buffer is to make good neighbors and give people a little elbow room? Mr. Hunter: It's both proximity and density.

Selectman Malaguti: You have come up with what you feel is a compromise? What about a 150ft buffer instead of 75ft buffer? Mr. Hunter: Yes that could be something we could look into. We try to come up with some compromise talking with both. Selectman Malaguti: I'm in the spirit of compromise, let's throw this out there and see if they can come to a resolution.

Mr. Doyle: To the left of the blue square there is room so if the 150ft buffer is a compromise I would be fine with that but are you changing the buffer for everyone or just me?

Chairman Tavares: with the Board's permission I'm asking you both to go back and work this out and we will bring this back to the Board on November 17th.

Selectman Malaguti: 4 acres in total, the buffer was 75ft and would be doubled to 150ft. This is my thinking on the compromise.

Mr. Hunter: There is a limitation as to how long the Board has to respond and that is 60 days.

Returns at 8:44 p.m.

Mr. Hunter announces that a resolution has been made to 150ft.

Selectman Mahoney: So the compromise will leave the blue area at 3.5 acres?

Mr. Hunter: that is correct.

7:15 p.m. Morton Park - Discussion

A motion to Approve was made by John Mahoney and seconded by Anthony Provenzano, Jr., and the motion result was Passed.

Ayes: Page, Provenzano, Jr., Mahoney, Malaguti Nays: Tavares

Mr. David Gould takes the podium and gives a presentation on Morton Park that can be found in the weekly packet.

Mr. DeBlasio takes the podium to discuss what fees managing the park would take. Morton park is one of the only parks that still allow charcoal grills; we are looking to change this to propane grills only. We would also put an additional supervisor on Sunday to help cover the 10 hour shift. The utility vehicle will be a shared vehicle; we have two gates that would limit the access for parking. This would also help us move people out in the instance they shouldn't be at the park.

Mr. Bubbins takes the podium to discuss what his proposal would entail. My staff would utilize the utility vehicle as well. Parking improvements are a big thing as well. Est. total cost: \$35,000.00.

Mr. Gould: We would try this out in 2016 and see if this works, if not I will be coming back to the Board to propose a resident only park.

Selectman Page: My concern with reducing the number of vehicles is public safety is that people could just pack in a car. A head count would be much more effective than a vehicle count.

Mr. Gould: That would be hard to manage. It was relatively easy to monitor pilgrim hill road, if we do this and ignore this issue then we will still have a problem.

Mr. DeBlasio: That would make sense if we all the entry was from one spot. The first year will be tough but if we have a plan in place to remove illegally parked vehicles then it will send a strong message.

Mr. Bubbins: it would be difficult to enforce the walkins, when do we stop? It would be a whole other problem. I can maintain the parks but I cannot enforce walkins.

Mr. DeBlasio: I know wrist bands sound good but you would have to have residents wear them as well.

A woman comes to the podium to discuss how if we close off the areas it would just make it more difficult for those who live around there.

Mr. Rosenberg takes the podium to discuss the parking limitations which would just make people park in other places. Are you going to have officers outside the park to tell walkins not to go to the park because capacity has been met? Could we look at closing the park on July 4th to set a precedence for the beginning of the season?

Mr. Altimers takes the podium and voices his concerns about after labor day and how the port a potties were taken out of the park. I would like to see the port a potties put in there

earlier Mid- April and taken away Mid-November. The other issue is little pond road itself and the drainage.

Mr. Dykeman: What they are talking about is too expensive and too complicated. It seems to me that the problem is we have a population that wants to get there and the pond isn't big enough for that diameter of business. We are avoiding the big solution. Close the park and make it residents only.

Mr. Malaguti: Where exactly is the parking restrictions? Mr. Bubbins: 100 cars would include residents parking. Mr. Malaguti: A lot of my brainstorming is roughly similar to what the staff has proposed. I do think that what Selectman Page is talking about was brought up at our meeting; how do you control head counts? The wristbands could be something that is considered. The plan is a very good compromise to what the town wants and what the residents want.

Selectman Page: The utility vehicle is a great idea; does that amount include storage onsite? Mr. Bubbins: No it does not but I put it in my capital budget and we did have a neighbor say we could store the utility vehicle on his property.

Chairman Tavares: We have a few options in front of us and if you aren't ready to make a decision tonight we will need to be prepared to make one by November 17th.

Selectman Mahoney: I make a motion to approve the plan that staff has presented tonight, seconded by Selectman Provenzano.

Selectman Provenzano: I commend you all on these recommendations. If this plan doesn't work, I'm fully prepared to revisit this to make this resident only.

Selectman Page: I agree with Selectman Provenzano, my main concern is public safety.

Selectman Mahoney: This park is an investment and it is quality waterfront property. I just heard references especially for white horse beach, from a functionality stand point these places aren't where they need to be and we need to change that. I would have no problem with excess enforcement on July 4th.

Selectman Malaguti: I would still vote to close the park and make it residents only but I can see that is a losing motion. I will commend you for your efforts. I will be going along with the rest of the Board but I echo Selectman Mahoney and Selectman Page's on making it residents only if this plan doesn't work. I am really concerned about walkins.

Selectman Page: If there appears to be a power presence that is better than nothing at all.

Chairman Tavares: I would also like to commend the department heads as well for their hard work. But I do not agree with this plan due to the fact that you can't control the number of people.

7:45 p.m. Holmes Dam Update - David Gould

A motion to Approve was made by Sean Page and seconded by David Malaguti, and the motion result was Passed.

Ayes: Page, Provenzano, Jr., Mahoney, Tavares, Malaguti

David Gould takes the Podium to go over the Holmes Dam Update which can be found in the packet.

Selectman Mahoney addresses Mr. Gould regarding the skateboard park and if its cheaper to keep it there? Mr. Gould: If you can leave something there, it looks better. We are going to look at improving the skate park. Selectman Mahoney: I hope we can have a Dam Cam so we can see the progress of the construction. Mr. Gould: 2017 is the goal for this project.

Selectman Malaguti: Is the wall you're referring too also a retaining wall? Mr. Gould: It is. Which is another reason we would keep it. Selectman Malaguti: I will support this.

Selectman Provenzano: I'm in support as well and I think its important to have signs up and these dams weren't here for flood support they were here for historically. Mr. Gould: We will have signs up.

Selectman Page makes a motion to support the Holmes Dam Project, seconded by Selectman Malaguti. All Approve.

8:05 p.m. Licenses and Administrative Notes

One Day Wine and Malt Liquor License - Plymouth Philharmonic Orchestra - November 7, 2015 Plymouth Council on Aging- 4:45 p.m. to 11:30 p.m.

A motion to Approve was made by Sean Page and seconded by Anthony Provenzano, Jr.,and the motion result was Passed.

Ayes: Page, Provenzano, Jr., Mahoney, Tavares, Malaguti

One Day Wine and Malt Liquor License- Quietman Sports - Memorial Hall - November 28, 2015 from 3:00 p.m. to 11:00 p.m.

A motion to Approve was made by Sean Page and seconded by Anthony Provenzano, Jr.,and the motion result was Passed.

Ayes: Page, Provenzano, Jr., Mahoney, Tavares, Malaguti

One Day All Alcohol Liquor License - Plymouth Philharmonic Orchestra - Memorial Hall December 12, 2015 from 2:00 p.m. to 10:00 p.m.

A motion to Approve was made by David Malaguti and seconded by John Mahoney,and the motion result was Passed.

Ayes: Page, Provenzano, Jr., Mahoney, Tavares, Malaguti

One Day All Alcohol Liquor License - Plymouth Philharmonic Orchestra - Memorial Hall December 13, 2015 from 2:00 p.m. to 5:00 p.m.

A motion to Approve was made by Anthony Provenzano, Jr. and seconded by John Mahoney,and the motion result was Passed.

Ayes: Page, Provenzano, Jr., Mahoney, Tavares, Malaguti

One Day All Alcohol Liquor License - Plymouth Philharmonic Orchestra - Memorial Hall November 7, 2015 from 4:45 p.m. to 11:30 p.m.

A motion to Approve was made by David Malaguti and seconded by John Mahoney,and the motion result was Passed.

Ayes: Page, Provenzano, Jr., Mahoney, Tavares, Malaguti

One Day All Alcohol Liquor License - Plymouth Philharmonic Orchestra - Memorial Hall
April 2, 2016 from 7:00 p.m. to 10:00 p.m.

A motion to Approve was made by David Malaguti and seconded by Sean Page, and the motion result was Passed.

Ayes: Page, Provenzano, Jr., Mahoney, Tavares, Malaguti

One Day All Alcohol Liquor License - Loretta La Roche - Studio G - November 7, 2015
from 7:00 p.m. to 12:00 a.m.

A motion to Approve was made by John Mahoney and seconded by Sean Page, and the motion result was Passed.

Ayes: Page, Provenzano, Jr., Mahoney, Tavares, Malaguti

Approve Meeting Minutes for September 8, 2015

A motion to Approve was made by David Malaguti and seconded by John Mahoney, and the motion result was Passed.

Ayes: Page, Provenzano, Jr., Mahoney, Tavares, Malaguti

Approve Meeting Minutes for September 15, 2015

A motion to Approve was made by Anthony Provenzano, Jr. and seconded by Sean Page, and the motion result was Passed.

Ayes: Page, Provenzano, Jr., Mahoney, Tavares Abstain: Malaguti

Approve Meeting Minutes for September 22, 2015

A motion to Approve was made by John Mahoney and seconded by David Malaguti, and the motion result was Passed.

Ayes: Provenzano, Jr., Mahoney, Tavares, Malaguti Abstain: Page

A motion to Approve was made by Anthony Provenzano, Jr. and seconded by John Mahoney, and the motion result was Passed.

Ayes: Page, Provenzano, Jr., Mahoney, Tavares, Malaguti

Approve Meeting Minutes for September 29, 2015

A motion to Approve was made by Sean Page and seconded by John Mahoney, and the motion result was Passed.

Ayes: Page, Provenzano, Jr., Mahoney, Tavares, Malaguti

Policy on Licensing Footbridges on Town Property

A motion to Approve and the motion result was Passed.

Ms. Arrighi: You will receive some push back from groups, but we are tightening up on some of these easements.

Selectman Mahoney: Is this something that should have been an agenda item?

Ms. Arrighi: Typically these are administrative notes.

8:10 p.m. Committee Liaison/Designee Updates

Selectman Malaguti: We will be seeing some plow recommendations come our way in the next few weeks.

Chairman Tavares: We did have a second decommissioning meeting today and I am pleased to announce we have a face to face meeting with the federal delegation in Washington, D.C. next week. We are looking for federal dollars as we go along. We will be coming back to you to give assignments out to the Nuclear Matters Committee.

Selectman Malaguti: One of the things that was brought up at the NMC meeting there was mention of the RITF proposal to tax the storage of the dry cask. Has money been received by other communities who have done this? I think we need to have this question answered.

Chairman Tavares: We also talked about taxing fuel rods that are already there and there are bills pending regarding this in Massachusetts. There are options that are being considered or being put into place in putting addition rods into dry cask storage. there are many questions out there and we spent a good amount of time today talking about taking 9 million dollars we have to replace and what's the overall impact of loss of jobs. I think we are beginning to document them and the Town is going to be involved heavily at every point. We want to walk in every step with our state delegation; it will take us all of us at Town Meeting to roll up our sleeves and get to work.

Selectman Mahoney: I would like to thank Selectman Malaguti for going to the NMC for me. I went to the school committee meeting and it looks like the reduced rates for the fields have been approved and for the most part everyone is happy moving forward. There are not enough recreational fields in the community and in the Town there are fields that could be used for recreation such as Stephens field.

8:15 p.m. Old Business/Letters/New Business

Chairman Tavares brings back Mr. Judge to discuss the poles on the Pinehills Village District.

Selectman Malaguti questions Mr. Judge regarding the conduits. Mr. Judge responds that they have raised the question of doing underground conduits vs. above ground to Eversource. We would like to meet with Eversource to see if we can come to a resolution to run the line through another area.

Selectman Page: It was stated that you were willing to take the expense of doing some of this? Mr. Judge No that isn't what our intention is but we are open to other options. we at least want to sit down at the table with them and discuss options.

Selectman Provenzano: if there is an unused conduit I don't see why we wouldn't use it.

Selectman Mahoney: It's 2015 these things need to go underground.

Selectman Page make a motion to support the Pinehills to discuss the issues with Eversource, seconded by Selectman Provenzano.

Chairman Tavares asks the vote to take a formal vote regarding saquish head. The letter that the treasurer collector has given us gave us two options: no action, or vacate the foreclosure upon being made whole of all late taxes. We owe this to the people who have been foreclosed upon.

Selectman Malaguti: I have no interest in acquiring this property or having the town maintain this. I personally do not like the idea of taking the property and then re-selling it for a profit. I don't think this is something a government should do. However, I would be prepared to move that we vacate the foreclosure. This property has been in arrears 4 times, there are elderly people living in this community who still pay their taxes. These people need to keep current on what they owe, if they can't pay the taxes then sell it.

Selectman Malaguti makes a motion to vacate the property upon being made whole of taxes.

Selectman Page: I agree with Mr. Malaguti. It was never my intent to take someone's property and sell it for a profit. We have to look out for the well being of everyone, we can't allow people to not pay their taxes.

Selectman Provenzano: My concern is we've been down this road 4 times over the last 17 years. The procedure that led us to where we are today is when it went to landcourt in 2012. We only got to a foreclosure in June of this year. We are often asked on this Board to run this town like we do a business. But on some level we can't do that. I think this Board should be commended and assess a situation before taking a vote. I'm concerned with the fairness of people when people go on a 5 year plan to pay their taxes every 5 years.

Selectman Mahoney: I agree with Selectman Provenzano. You have to be consistent and treat everyone the same. We have taken 2 homes from a mother of 3 and a 77 year old veteran in 2012. They weren't given 4 chances. From what I understand they have an opportunity to go to landcourt and seek relief.

Selectman Malaguti: I wasn't here in 2012 so I don't know what was done but were those 2 people given the opportunity to make the Town whole of taxes? Selectman Mahoney: yes they were. Selectman Malaguti: And were they able to do that? Selectman Mahoney: One was and one wasn't.

Tom Fogherty: We have an opportunity to keep the seniors in their home. I'm here to advocate to return the property. One: It will allow them to regroup and sell the property and transfer to more affordable housing. It will provide you tax revenue. There is a rock solid plan in place and I can understand the frustration with the Board but as a long-term resident of Saquish I know these people very well. I know there have been other situations in the past, I know you want to be consistent. If you need detailed information I can provide that and the check can be provided to you first thing tomorrow.

Mark Conhen: I'm here for morale support, the check was held and they do have a plan. I don't see why the Town wouldn't say lets get our money. I can't see any reason why anyone on the Board would object to that.

Dave Boseworth: I have known the Costa's for over 50 years. I am also here that a motion be made to accept the money as offered in time with the demand and move forward. I'm not sure why Plymouth would want to get into the real-estate business. I won't go into great detail about their personal situation.

Mr. Alford: I've been a taxpayer in this town for 60 years. No one likes to see foreclosures but I question the purchase of the Simes House and just wanted to relate the importance of the taxes.

Chairman Tavares: The Board has considered this situation. Some of the correspondence

we've received has been insulting. This wasn't taken lightly by the Town and we will take this decision seriously.

Selectman Malaguti makes a motion to vacate the foreclosure of saquish head upon making the Town whole as determined by the treasurer, seconded by Selectman Provenzano. Mahoney - Opposed, Page - Approve, Provenzano - Approve, Malaguti - Approve, Tavares - Approve.

Selectman Provenzano: It's always good to have friends in a situation like this but I think some of the correspondence and phone calls we have received have been border line insulting. People are basing their comments on information they don't have. Our Administrative Assistant has bore the brunt of this.

Selectman Malaguti: I would like an update on 345 Sand. St. Ms. Arrighi states she will be looking into it.

On a vote by Selectman Malaguti, seconded by Selectmen Page a motion to adjourn the meeting at 9:42 p.m. is made. All approve.

Meeting minutes recorded by: Annikka Bernabe (Administrative Assistant to Board of Selectmen)