

Board of Selectmen

Tuesday, July 21, 2015

Town Hall Mayflower Room, *7:00 PM*

7:00 p.m. Call to Order

Chairman Tavares opened the meeting at 7:00 P.M. and led the Pledge of Allegiance

Present:

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

Melissa Arrighi , Town Manager

7:05 p.m. Town Manager's Report

Ms. Arrighi reviews several items from her Town Manager's report:

1. Plymouth Animal Shelter Fund Raiser – Just a final reminder that on Saturday, August 1, 2015, volunteers are arranging for a fund raising event for the Plymouth Animal Shelter. This is a town service that is often underfunded and relies heavily on the kindness and generosity of residents and volunteers. I have agreed, with reservation, to participate in the dunk tank event as part of this fund raising effort. I would ask the Selectmen to help promote this event as its' success is an important part of the management of the facility and the care of the animals.
2. Council on Aging - After a long and arduous process, (not unlike the site accreditation process) three eligible staff members have successfully completed their MCOA certification. This award is another indication of the value our COA staff place on excellence in the services they perform on a daily basis. Last week, Director DiLego arranged for a presentation of the MCOA Certificates. We were pleased to welcome Barbara Farnsworth, Director of Elder Affairs in Hingham, past President of MCOA and current Committee Co-chair for MCOA state certification, to assist with that award presentation to staff members. Jennifer Young, Theresa Greer and Beth Hadfield.
3. Solid Waste Numbers (These are from last week and will be updated just prior to our meeting tomorrow night).
FY2015 curbside 4074
FY2016 curbside 4257 (183 more)
FY2015 transfer 3505
FY2016 transfer 2881 (624 less)
FY2015 combo 494
FY2016 combo 330 (164 less)

4. Morton Park

The two natural resource wardens, and Director of Marine and Environmental Affairs David Gould, successfully cleared Morton Park starting at 4 pm on Saturday and Sunday. The police arrived to provide assistance at 5:30 pm for those somewhat unruly patrons that would not leave. The Police Chief had met with the manager of Shaw's Supermarkets earlier in the week to obtain his assistance with preventing individuals from parking there and then walking to Morton Park. We will continue these procedures throughout the remainder of the summer.

5. MIIA

Through the efforts of Tiffany Park, Human Resource Director Cindy DePina, and the various Department Heads, the Town will realize a \$95,371 credit in MIIA rewards. This can be applied towards this year or next year's payment. This program gives credits to municipalities that take their loss prevention and training seriously and participate in the different programs offered by MIIA.

6. Cherry Sheet Estimates

Based on the budget signed by Governor Baker, the Division of Local Services has posted FY2016 cherry sheet estimates to their website. I will have an update for you tomorrow evening regarding how this compares with last year's numbers.

7. Fact Sheet on Proposed EPA (MS4) Stormwater Permit - Marine and Environmental Affairs - This is another unfunded mandate that is being updated and will have real impacts to the operating budget going forward. Please note the incremental costs on an annual basis. With the size of Plymouth and miles of roads we are going to be on the higher end of those costs. It will require better maintenance, stormwater improvements, disposal of existing and future catch basin and street sweepings and will affect our budget next year.

Chairman Tavares comments on the council on aging staff and how it fits in nicely with the national association they have. The books they had to put together were very detailed and a lot of work was put into this.

Chairman Tavares responds about the Morton park issues he has asked management for other recommendations to be made to the Board and looks to have them present at an upcoming Selectmen's meeting.

Regarding the housing authority letter that was sent, Chairman Tavares intends to request a meeting with the Housing Authority to get an update on this.

Selectman Malaguti addresses Ms. Arrighi: It is disturbing that 1,000 people had to be cleared out of Morton Park, what is the capacity of the park?

Ms. Arrighi: I'm not sure what the capacity of the park is but I can find out.

7:10 p.m. Public Comment

Everett Malaguti: Takes the podium to discuss what the time line in which DPW will be finished with the construction downtown, specifically on the water front where businesses are trying to operate. Secondly, for the recycling presentation I'm questioning why we would start charging for people to get rid of their yard waste when its free now.

Chairman Tavares states that we will be addressing the recycling at a later date, that presentation was just to put the Board on notice.

Selectman Malaguti states he met with PA Landers and Mr. Beder regarding the Samoset construction for an update and was not pleased with the update he received and he will be meeting with them again for a recent update.

7:15 p.m. Kogi Bar and Grill LLC d/b/a Public Hearing - Alteration of Premises

Thuyet Phan, Manager is requesting the following licenses in conjunction with their request for a new annual all alcohol restaurant license:

- Comprehensive Entertainment – Radio, TV, dancing
- Common Victualler
- Extension of Hours – 1:00 a.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.

Patricia Phan and Thuyet Phan take the podium to discuss what makes their restaurant unique.

Selectman Provenzano addresses Ms. Phan and asks her what her experience is in food and alcohol.

Ms. Phan responds that she has been a bartender and worked in catering.

Selectman Malaguti asks what building they are taking over. Ms. Phan responds

Chairman Tavares responds and asks what financial burden they have been placed on. Ms. Phan responds over \$200,000.

Selectman Page: With the approval of these licenses I recommend that you utilize the Town's services in order to be successful.

Extended Hours Vote: Moved by Selectman Provenzano, seconded by Selectman Page. Selectman Malaguti not in favor.

7:20 p.m. Shanty Rose Inc d/b/a Public Hearing - Alteration of premises

Chairman Tavares: We will take the administrative note for Reliable Fish Co. before having the Public Hearing.

Mr. Knox: Without the temporary license, we can't do anything else.

7:30 p.m. South Shore Community Action Council - Presentation

Patricia Daley and Frank Casey take the Podium: We are here before you tonight to ask for your support for an appropriation for services rendered. The big program at SSCAC is fuel assistance that fuels over 10,000 houses in Massachusetts. The food program is all locally supported and is supporting 37 pantries. We have reached out to Town's on occasion when we've needed support. We are looking for support from the Town that helps fill gaps when we have cutbacks.

Frank Casey: We've talked with Selectmen in other Towns and they had no idea who SSCAC was. We are asking for \$5,000.00 to support us. Our budget is being impacted just like everyone else.

Chairman Tavares: The Board did have the opportunity to review the detailed packets you gave us and it is our understanding that you are looking for the next fiscal year and are looking for a line item that would include \$5,000 for the SSCAC. We know you service a large number of families and we appreciate your headquarters being on Obrey St.

7:45 p.m. Community Compact Proposal - Presentation by Jessica Casey

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.

Jessica Casey takes the podium: I'm here to talk about the community compact and the 3 best practices that the Town would agree to committing too over the next 3 years. Ms. Casey's presentation can be found in the packet. We ask for the Board of Selectmen's support in these best practices. At the current time, there are already 6 cities that have entered into a community compact.

Selectman Mahoney: Who will be the liaison for this community compact?

Ms. Casey: One of the best practices would be through David Gould and two go through economic development. Communication with the state would go directly through the Town Manager's office.

Chairman Tavares: We would want to be updated frequently by the staff as the progress of this.

Selectman Mahoney: The Governor and Lt. Governor have both agreed to come and take a tour of the power plant. One size fits all doesn't work for all Town's and it certainly doesn't work for us.

Ms. Arrighi: We are looking at overall state laws and how they need to be adjusted for different communities. One of those is procurement law.

Selectman Provenzano: Can you enlighten the Board as to what brought you to these 3 best practices?

Ms. Casey: These 3 best practices cover broad categories. An important piece to note is that Plymouth is already doing many of the best practices.

Selectman Provenzano: I think that the work force best practice is one that Plymouth is definitely ready for.

8:00 p.m. Adopting Order of Taking Lunn's Way

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.

8:05 p.m. Administrative Notes and Licenses

Approve meeting minutes for June 2, 2015.

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

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

Approve meeting minutes for June 8, 2015.

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

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

Approve meeting minutes for June 16, 2015.

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

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

Approve meeting minutes for June 23, 2015.

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

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

One year license agreement - Reliable Fish Co.

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

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

Ms. Arrighi states that Shanty Rose would like to make an alteration of the premises to provide an outdoor seating area and they would be required to adhere to the Town's building code.

Selectman Mahoney: These safety bollards, are they permanent structures?

Richard Knox takes the podium: The safety bollards were an idea of Tiffany Park and Sid Kashi as a way of providing ensured safety. The design was approved by Sid and architects, they will be linked with chain and then we will make sure it look pretty with flower boxes. With the parking spaces being moved, we will be able to make this a safe area. We want to enhance the wharf area.

Selectman Mahoney: What is the time frame if approved for installation?

Mr. Knox: This gives us a year to make the alterations and we could take place immediately if given approval from the Board. We will then go to the ABCC and request to serve alcohol out on the patio. We've been using the picnic tables for the past 3 years under the assumption that we already could.

Ms. Arrighi: The license itself is temporary

Selectman Mahoney: Our primary concern if we put the bollards in is that it won't damage the underground tanks?

Selectman Malaguti: I have a problem with increasing the outdoor seating in that area. There is

no delineation in that area. Bollards would not stop a car from driving through that area and injuring someone. Would you really be able to police people from smoking? You're in and out and it would be hard to monitor smoking. I think this is an accident waiting to happen.

Mr. Knox: We said we would do anything in order to make this work. We first recommended a deck and we were told we couldn't do that. I thought the primary concern was the public safety. The Fire Chief has recommended that we don't allow smoking outside. We have agreed to that.

Selectman Malaguti: One discussion correlates with another. I drove through there tonight and I have a concern about the public safety.

Chairman Tavares: We are deciding right now about the license agreement of the lines.

Selectman Malaguti: I'm unsure about

Mr. Knox: It's my understanding that we got approval from the Town.

Mr. Milmore takes the podium and states that he has gotten recommendations from gas companies.

Chairman Tavares: Quotes David Gould's suggestions:

Selectman Malaguti: I don't want a liability for you or for the Town.

Selectman Provenzano: How many seats are you going to have outside? Mr. Milmore responds 16. We will have people serving food out there.

Selectman Provenzano: So staff will be constantly out there monitoring people who may be smoking or drinking out there?

Mr. Milmore: Yes.

Selectman Mahoney: Another important point is this is not exclusive of just you. One of our concerns is your record of compliance with the next 365 days.

Selectman Page: How many tables do you have now?

Mr. Milmore: We have four tables out there

Selectman Page: I see that two people are illegally parked. Looking at this satellite photo, I don't see where the added benefit of traffic and space would be brought to public safety.

Mr. Milmore: People like to sit outside and I'm trying to run a successful business.

Chairman Tavares: Do we have a decision from the Board? A vote is taken.

Friends of Manomet Youth Center Jeep Raffle- Memorial Hall July 25, 2015

A motion to Approve and the motion result was Passed.

CHANGE OF MANAGER (LIQUOR) - Plymouth Property LLC d/b/a British Beer

Company - Change of Manager from Timothy Goonan to Daniel Mahoney Jr.

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

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

One Day Wine and Malt Liquor License - New England Bartending Servcies - Comedy Show Memorial Hall June 24, 2015 7:30 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.

8:10 p.m. Committee Appointments

Paul Jacobs - Natural Resources and Coastal Beaches Committee

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, Malaguti.

8:15 p.m. Committee Liaison/Designee Updates

8:20 p.m. Old Business/Letters/New Business

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.

On a motion by Selectman Malaguti, seconded by Selectman Page the meeting adjourned at 8:31 p.m.

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