

Board of Selectmen

Tuesday, August 18, 2015

Town Hall Mayflower Room, *6:30 PM*

6:30 p.m. Executive Session

The Selectmen will hold an Executive Session pursuant to M.G.L. Chapter 30A, Section 21, [Paragraph 6, to consider the purchase, exchange, lease, or value of real property](#), as an open meeting on these matters may have a detrimental effect on the negotiating position of the body. Following executive session, the Board will reconvene in open session.

7:00 p.m. Call to Order

Chairman Tavares opens the meeting at 7:19 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

TOWN MANAGER'S REPORT

August 12, 2015

Simes House

We have teamed with Tom Finnegan, our OPM at PSHS (and our OPM for Plymouth North High School). He is assisting in reviewing the costs associated with the work to be done at the Simes House in order to have accurate information for any CPA application.

In addition, the Asst. DPW Director is working on obtaining two quotes to run electricity to the building. We anticipate that process and the installation of the fire alarm system will be completed by the end of the month. I will pass along this information to the Simes House Foundation.

291 Court Street

At a recent Selectmen's meeting, North Plymouth resident Charlie Vandini spoke about the dilapidated building in the heart of that village center. Based on his request that the Selectmen resolve this blight on the neighborhood, Chairman Tavares asked for a report on the issue. In the Fall of 2013, the Town took an aggressive stand on reviewing the safety of this building. We sent in the Building Inspector and the Fire Chief, as well as the Fire Prevention and Code Enforcement Officers. Some immediate changes were required to be made, including updating fire extinguishers and replacement of exit signs. The electrical system and the water service was shut off and remains off to date. However, the fire load

was not overburdened and the inspection resulted in the conclusion that the building structure was fairly sound and not in danger of collapse or failing. Thus there was not sufficient violation to condemn the building. You will note in the reports attached that we did not move forward with posting on the front of the building that indicates it is unsafe for Firefighters to enter in the event of an emergency. We made that decision based on the fact that it would further blight the neighborhood. At that time, in September 2013, I personally spoke to Mr. Stein and pleaded with him to invest in the building. He was adamant in his refusal to do so. In speaking with the Chief, and based on the new building code that came out in January 2015, we do feel that another comprehensive inspection could be justified; particularly as the building has been open to the elements for two years now. We will make arrangements to do so over the next month.

Library

a. I would like to announce that Dinah O'Brien has officially decided to retire from the Town of Plymouth after 22 years of dedicated service. Dinah has been a wonderful contributor to the Town; she has always fulfilled her role with enthusiasm, professionalism, and a pride in her work that is to be admired and emulated. I believe we have all experienced her passion when she wants something for one of the divisions under that Department (the Library, Senior Center, Veteran's Services, Disabilities Commission, 1749 Courthouse). She is not easily denied! Her dedication to Plymouth and Community Resources has been unwavering and her historical knowledge and vast experience will be missed. She will stay for the remainder of the calendar year and I plan to work closely with her on some possible reorganization plans.

b. The main library will be closed from September 12th to September 20th for renovations of the circulation area and installation of new carpets. There will be extended hours at the Manomet Branch to accommodate customers. Manomet will be open late in the evening on Monday, Tuesday, Wednesday and Thursday evenings and open during the day on Tuesday and Friday. All this information is available on the website.

Excise Tax – First Student

Mr. Malaguti had asked last week if First Student busses were registered in Plymouth and paying excise taxes to the Town. First Student, the Company that has the school transportation contract, has approximately 75 busses registered here and they paid \$12,037.50 in excise taxes in 2015.

Selectman Malaguti: I'm not looking to make more work for you but the information that I'm getting is there are 50 busses parked on Natalie road. Over 40 busses are registered to the Town of Hanson and 2 are registered to Franklin. All I want to know is that the Town is getting what they should be getting.

Stephens Fields – Rentals

Mr. Malaguti had reported last week that he heard from a gentlemen who was upset that he rented Stephen's Field for a sports program and there were no restroom facilities available. In researching that issue, the Town has not rented Stephen's this summer for any events. In addition, all potential renters are told that the restroom building is closed until park renovations are completed, however, if they are still interested in renting, they are required to have a port-o-john delivered. Staff always provide all potential renters with full disclosure and description regarding the facility they are interested in renting. The last time it was

rented was in the late Spring to a league and they complied with the port-o-john requirement and there were no issues. For that reason, I am not sure if the gentleman that complained had accurate information or if he may have been at an impromptu event, rather than one with a special permit by the Town. I would be happy to speak with him if you provide me with his contact information.

South Street Parking Lot

I am pleased to report that this project supported by the Selectmen and Town Meeting will be complete in just a few more weeks. I would like to thank David Gould for overseeing the project and thank Jonathan Beder for providing staff assistance that helped us avoid further cost overruns. As an example, a DPW staff member will be working for approximately two days with a skid steer this week to loam and seed around the edges along the access road. After that, there will be final paving and painting the lines in the parking lot. The cleanup of this site is important to the environmental concerns and goals of the Town, and just as importantly, it protects our public safety officers from gas migration towards their work facility.

Chairman Tavares: There was a list on the Town Manager's report regarding ongoing projects and if you would like to add anything to that list, get that to the Town Manager and we will review that in the fall where we will spend time looking at the list.

Selectman Mahoney: Just a quick comment on South Street. I know the project was \$1.6, \$1.7 million dollars and may not seem like a lot compared to a new High School, but that was a big project and an important project. I'm glad that is off the check list and we can move forward.

Chairman Tavares: We would like to send our congratulations out to the 12 year olds that won the recent world series in Arkansas. The town was represented by 14 players along with managers and coaches. You made the Town very proud and we will be having them in soon. We also will be bringing in the group that went to Plymouth England in to make a presentation to the Board as well as the young group that went to Japan.

7:10 p.m. Public Comment

Mr. Betters takes the podium: We are currently in our annual fundraising for the Plymouth Education Foundation and would like to encourage the people watching to tonight to make a donation to the Plymouth Education Foundation. We currently have about \$240,000.00 in our endowment fund. Our most recent grant was a \$6,000.00 donation for the children to go to Japan. Our funds are being used for graduating seniors to Plymouth North and South. We encourage people to make donations. Chairman Tavares responds to Mr. Betters; You are doing great work and it is certainly appreciated in many areas thank you.

Everett Malaguti takes the podium: Regarding the construction down on Samoset St. On Friday we were instructed that the asphalt was going to be poured on Monday while we were closed. To our surprise, they were there today while we were opening up for business. This should not be happening to businesses during their open hours; I speak for all businesses down there. We are all frustrated. Chairman Tavares responds: This will be forwarded to the DPW department for review and you will receive a response from the Town Manager's

office.

7:15 p.m. Aquaculture Licenses

1. James Wright
2. Julie Archer

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.

The harbor master takes the podium Chad Hunter: Tonight we have Julie Archer and James Wright here if you have any questions for them, I do support both of these applications.

Mr. Wright takes the podium: I think the Town is extremely well represented by Mr. Hunter and David Gould.

7:20 p.m. Colony Place Presentation

Bob Betters takes the podium to represent Colony Place: The first issue is a proposed amendment to allow an apartment complex behind Colony place and the second is a proposed project in Kingston. Today I submitted a letter to the Town indicating we were requesting "No Action" on article 36. We still may come back to that project in the future. The materials we submitted showed higher taxes than stores and businesses and it had a low impact on schools. Colony place sees this as a natural adjunct to its current development and having apartments as part of the master plan creates the live/work/play design with the prime location.

Colony place currently has under agreement adjacent to route 44 under agreement that totals about 100 acres. This is a conceptual plan that shows the approximate scale of the property in question outlined in yellow. There is a possible mix of uses, this concept shows a wide array of uses (office, industrial, hotel, senior living hotel), primary access would be an extension of Colony Place to Kingston. In order to do this development, Colony place would require an easement with Kingston. Potential benefits: Tax benefits (1-2 million dollars) New jobs could be between 600 - 1200. One of the preliminary discussions we have had with Jonathan Beder is the potential to tie into municipal sewer in Plymouth. The next steps would be to work with Kingston on access and zoning and Plymouth and Kingston on availability, infrastructure, and options. We are in the preliminary stages and there are a number of issues that need to be vetted from both Kingston and Plymouth. This is for informational purposes to let you know this is an upcoming project and we will be coming back to update you once we get past the preliminary stages.

Selectman Mahoney: Since this is a preliminary discussion, 95% of this will be through Kingston the only access point will be through Plymouth? When you mention 1 million dollar of tax revenue that will fall in the Kingston line? In a quick synopsis what would be the benefit to the Town of Plymouth Mr. Betters responds: You will have the benefit of jobs, continued success of Colony Place, and also the potential of municipal sewer.

Selectman Mahoney: What are the gallon estimate? Mr. Betters responds 70,000 to 90,000 gallons a day. Right now its purely conceptual.

Selectman Page: Has there been any business interest in saying "yes I would like to get on Board" we already have a lot of empty businesses.

Don Smith takes the podium: It's way to early to talk about businesses. Kingston has not approved access yet. On the Colony Place side there are multiple people who have contacted us about apartments in Colony Place.

7:35 p.m. Reliable Fish/Shanty Rose - Presentation

Mr. Knox takes the podium: On July 21st when the vote was taken not to approve the swap of properties, it was recommended that we come up with something else so here we are to present. We have given you a rendering of what it would look like from different angles; especially for traffic purposes. The bollards are going to be 6ft tall and 3 feet into the ground and will be connected by steel pipe going across all 7 bollards. We will build around the bollards to make it look pretty, the steel structure underneath should be enough to handle normal traffic. We will be staking into the ground, cement buffers. You need to remember that the parking spaces are gone and the actual road is another 10 to 15 feet from the path the cars flow. I'm hoping that what we've done with this resubmission has answered the questions of the department heads.

Selectman Mahoney: What about the parking spaces? And this space would be non-smoking and no alcohol.

Mr. Knox: The parking spaces won't exist anymore they will just be open. We will be going to the ABCC to apply for a liquor license out there.

Mr. Lyden takes the podium: I've seen the changes and I think they are a big improvement over the old plans. The only questions I have is if someone stepped on gas instead of the breaks would your patrons be safe?

Mr. Knox: The bollards would handle easily normal traffic. Normal traffic in that area is 10 mph there is no physical way you could build up speed to do any damage. You really have to go 5 to 10 mph to go around. The bollards triple the strength.

Selectman Malaguti: Can you clarify the bumpers? How deep are you staking them in?

Mr. Knox: We have not encountered any problems and we will use certified workers.

Mr. Milmore: We've had Digsafe, Verizon, and Comcast come down and they all say its fine.

Mr. Kimble takes the podium: I believe the intention of this land swap is take 250 square foot of land and make it 450 sq ft to benefit the tenant which is a hell of a deal for the tenant. On a Sunday afternoon, someone put barrels up and blocked off that 250 square ft lot. The harbor master and police were called. We were able to work it out with our customers but it was a huge mess. If this is the way you get things done in this Town, it isn't fair. I understand the land swap and what he is trying to do but there is no reason why my business should have to be affected on a Sunday afternoon. I understand why the parking spaces should be eliminated but I don't like losing parking stalls 100ft from my business. 5 years ago I supported the application from Mr. Sacundo and supported a 19 seat restaurant. Those 19 seats are now up to 43. Do they have to go to the Board of Appeals when they decide to expand the seating or is that something the Board of Selectmen approve?

No action is being taken by the Board.

7:45 p.m. Licenses and Administrative Notes

One Day Wine and Malt Liquor License - Mar Promotions - 08/29/15 6:00 p.m. to 12:00 a.m. Memorial Hall

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.

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 - Laura Tonello - 09/05/15 3:30 p.m. to 11:00 p.m. Memorial Hall

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.

Vehicle for Hire Operator (New) - Pilgrim Taxi - One Vehicle for Hire Operator - Joshua Facchetti

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.

Vehicle for Hire Operator (New) - Special Occasion Limousine - Vehicle for Hire Operator - Edward Kusser

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.

Vehicle for Hire (New) - Plimoth Transportation d/b/a Mayflower Taxi - One New Vehicle-Taxi- TA19323

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.

Automatic Amusement (New) - Young America Club - Thomas Pinto - Adding 5th Machine

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.

Reappoint Robert A Tirrell - Constable for Town of Plymouth

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.

Approve meeting minutes for July 14, 2015

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.

Approve meeting minutes for July 21, 2015

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.

Approve meeting minutes for July 24, 2015

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.

Recommend Capital Fall Annual Town Meeting Article - 4F, 4G, 4H, 4I - DPW Equipment

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.

7:50 p.m. Committee Liaison/Designee Updates

A motion to Approve

Selectman Mahoney discusses his trip to Japan and how Japan was an amazing host city. They presented Selectman Mahoney with a statue made of Sand.

Chairman Tavares:

Selectman Provenzano: It is an extraordinary experience to travel to Japan.

Selectman Mahoney: They have a local power plant 450 mega watts,

7:55 p.m. Old Business/Letters/New Business

Chairman Tavares: On Monday I attended a meeting at the Plymouth Housing Authority. We are making some progress and certainly there is a commitment with everyone involved to continue to go to meetings. There are an additional 20 air conditioners that will be delivered. We need help getting them installed in the windows. We haven't gotten through this heat wave yet and I feel there were members of the authority who were listening and want to get these residents help.

Mr. Medcalf takes the podium: I just wanted to be here to give an update as to some of the positive things that are taking shape both at South Field and Castle Hill. I just want to say as a commissioner, I wasn't looking to become a member of the housing authority to make the residents life difficult. Our goal is to take care of the buildings and the residents that live there. It pains me to hear that the residents are scared to talk to members of the housing authority. No one will be evicted for having window units in their apartments. Our residents should be comfortable in their homes and also talking to us. South Field we have 5 building permits for wall sleeves, construction is going to take place into next week. I would like to thank those who donated the window AC's. The cost of the through wall air conditioners are about \$500.00 dollars. We have been told today that we will be getting a donation from Old Elder Committee for \$1,000.00. As far as Castle Hill goes there was a question regarding the electricity, we are currently going through a 2 phase project at this facility regarding electricity. We've had the staff go to the 15 residents and is working with each of the residents to sign a form so we know exactly what they have in their apartments.

The Housing Authority is made up of elected officials and we should make every effort to be as transparent as can be. Russell Shirley has asked some questions and we have since given him the answers. The first is putting meeting notes on the lobby and on the website and also adding a public comment at the beginning of the meeting. We have also discussed having coffee hour with two the Board member there talking to the residents.

I hope this lets you know where we are. Castle court will have 5 AC units installed soon.

Selectman Malaguti: What I hear is encouraging and progress. What we have said many times is we are here to help in any way that we can.

Selectman Provenzano: communication is the key and it seems as though there has been a breakthrough with an exchange of ideas. We are breaking through the walls of communication.

Chairman Tavares: On Sunday we had a long conversation, and I'm very happy to hear that we are making progress. I did receive a letter today that was probably written by your Attorney, I liked some of the things I read and others not so much. I'm encouraged by what we are seeing so far.

Steve Lyden: A lot has been accomplished, communication is a big thing and Monday we finally got some. The only communication I would like to see improved is with the employees and tenants.

Mr. Buechs takes the podium and gives his cell phone number. I am in the phone book as well. Anyone wanting to help I need to ensure that you can lift and carry the AC's. The police and fire chief were both contacted to get the word out. I would like to thank Chairman Tavares for all the work he has done to help with this project.

Selectman Malaguti: I attended my first Roads Advisory committee meeting and we will be getting a plow schedule together soon.

Regarding Everett Malaguti's comments , there appears to be furniture on the sidewalk.

On a motion by Selectman Malaguti, seconded by Selectman Provenzano the meeting is adjourned at 8:43 p.m.

Agenda Item

Tuesday, 8/18/2015

Executive Session

SUMMARY:

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BACKGROUND:

Agenda Item

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Call to Order

Agenda Item

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Town Manager's Report

Agenda Item

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Public Comment

Agenda Item

Tuesday, 8/18/2015

Aquaculture Licenses

SUMMARY:

1. James Wright
2. Julie Archer

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