

Board of Selectmen

Tuesday, August 4, 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 opened the meeting at 6:45 P.M. and led the Pledge of Allegiance

Present:

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

Melissa Arrighi, Town Manager

Chairman Tavares states that two members of the Board are not present tonight. Selectman Malaguti is at home recovering from an illness and Selectman Mahoney is representing the Town of Plymouth in Japan.

7:05 p.m. Public Comment

Doug Orouke takes the podium - This last spring the free masons decided to do a fundraiser for Horizon for homeless children. We raised around \$3,000.00 for this good cause.

Meghan Shaffer takes the podium to discuss Horizon for Homeless Children. They work with 130 shelters around the state and bring volunteers in to play with the kids and give them the attention they wouldn't normally receive. The Plymouth Lodge Free Masons present a check to Horizon for Homeless children. The crowd applauds.

Mr. Bandini takes the podium - I live in North Plymouth and am here to ask you to help take over some of the burdens steins furniture.

7:15 p.m. Public Hearing: Change of Shareholders TGIF Restaurant

A motion to Approve and the motion result was Passed.

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

Mr. DeNapoli takes the podium to represent TGIF - on a local level everything will stay the same with TGIF restaurant.

7:20 p.m. Morton Park

Ms. Arrighi starts with her presentation on Morton Park - so far the park closing at 5 p.m. has been going well. Plymouth police department has been getting involved in helping with the closing of the park. It takes about 45 minutes to close the park but we feel that the 5 p.m. closing is working well. Some of the issues that has been a problem this season, has been a problem for years such as: defecating in the park, illegal fishing, leaving hot coals in the park, and drinking. The Town has adopted state regulations for the boat ramp and the presence of staff. Morton park was not meant to have this kind of traffic in the park and if it continues the Town is going to need to really consider what they are going to do. We need public bathrooms at the park, new life guard chairs, and we need storm water drains. The park closing at 5 has been successful but we need to do more. Years ago the Town replaced the septic system at the park but that's a minor step compared to putting in bathrooms.

Ms. Arrighi shows a slide shows of pictures - It appears that some of the people who go just really have no respect for the park. We need more management to assist with controlling the amount of people in there.

Chairman Tavares adds that he was able to go to Morton Park last Sunday and saw first hand just how crowded the park can get. In our tour of the park, I did ask Mr. Gould what his recommendation is? He stated that the park should be restricted to Plymouth residents only. We discussed how to get through the remainder of the season; the people were polite but the park is clearly overtaxed. Looking at two reports it shows the park is being used beyond what it was ever intended too. One of the swimming areas didn't have a life guard and that is a problem. I'm going to ask the Board if on September 15, 2015 we can hold a hearing on Morton Park. With your approval that hearing would be scheduled for September 15, 2015.

Mr. Freeman takes the podium - A resident of Morton Park and the pictures you showed are really clean compared to what we deal with. The park did close to vehicles at 12 but people still found ways to get in. The number of cars have been addressed but the number of people have not. The main area where everyone congregates is really overused.

Ms. Young takes the podium - We have been working very aggressively with the Town officials to get Morton Park cleaned up. There isn't any further erosion where the gate has been placed, but as Mr. Freeman referred to the problems still persist. The residents are getting frustrated and the friends of Morton park look forward to working with you on this.

Mr. Malaguti takes the podium - Based on the Selectmen's recommendation to have a public hearing to make Morton Park a Plymouth only park, on behalf of the committee I chair I advise the Selectmen to make a formal recommendation to our committee.

Chairman Tavares - Mr. Malaguti you may make a recommendation to the Board but we will have hold a hearing on September 15, 2015. I now call up the housing committee to take a seat.

7:40 p.m. Plymouth Housing Authority

Dede Riendeu - We would all like to thank you for inviting us here tonight as we update you on the status of the air conditioners. It has been stated that at one point the housing authority

has banned air conditioners and that just isn't true. Starting next week the housing authority will resume to install the window sleeves and we have also been informed that many of the local merchants have purchased air conditioners for the residents at South Field. But we ask in the future that the air conditioners be able to fit into the sleeves.

Mr. Blanchard - To update you on our application to the BBRS, we did manage to contact someone to confirm that they have received our application and the Board will be meeting a week from tonight and review the information and present it to the Board and anticipate a response a week after the meeting. We did have a visit from an inspector and they also stated that installation in the egress window is not allowed for safety reasons. South Field in particular has only one window and it is not allowed to have a window unit.

Mr. Gray - The housing authority is caught in a hard place. We have to adhere to the codes that are out there. We are doing our best to come up with alternative solutions to provide air conditioners for those who need or want it.

Mr. Muratore - Thank you for having me here tonight. Everyone working together has been great. This is a complicated issue because we have so many agencies involved but this comes down to common sense. It does appear that it does leave local authorities some room to wiggle. I've been working on this for sometime now and the more we can do to clarify the situation we would be happy too.

Chief Bradley - I've been following all the information and the law is black and white but it needs to be read in gray. You have to use some common sense, no one is going to be going out a 3rd story window.

Chairman Tavares: now that we've heard from various departments in the Town it is my understanding

Selectman Page: I understand your stand on egress, but all of these window units are being put in. I've said this before, as a fire fighter if we need to get out the window to rescue someone we will. The AC sleeves, if you are going to put them in it's a great idea but my concern is the building department. Make sure you follow the building codes.

Selectman Provenzano: Thank you for coming in and working through what is a difficult process. Health and safety are the primary concerns of this Board and everyone. It is not unreasonable to be concerned about access to the egress window. I would guess that people who are residents now are well into their 80's. It's imperative that we get these residents some relief not only for comfort but for health concerns. If you were to go along with the sleeves how long would it take to get this done?

Mr. Blanchard: It comes down to money. We are able to get a few of these windows done but if we do much more it would trigger public bidding statutes. I don't think we could install more than 10 to 15 before we would run into the public bidding process. In either case, it makes it difficult to get this done rapidly.

Selectman Provenzano: How would you prioritize? Mr. Blanchard responds that we had some residents who had notes from their doctor stating they needed AC in their bedrooms. As a clarification we did file a building permit, it has been approved.

Chairman Tavares: How many residents have called your offices and asked to have AC in their units?

Ms. Riendeau - I've received 5 letters.

Chairman Tavares: How do we identify those who are asking for it? What I think we've all learned is this situation is not going away; it's gotten worse. We need to come up with more than "we can only do 10 or 12 until the end of the year." We know we have air conditioners that are available, we have donated AC's but have no way of getting them to the people who need them. I find it hard to believe that between all our staff we can't get this issue solved. I have a question as regards to funds. I don't know what you have in discretionary funds but I think you need to look at spending this to get AC's maybe in a common area. There are so many people that are involved with this right now and the Board is getting concerned. We want to walk away tonight knowing we can make this happen and get relief to these people. I'm asking you what do you need from us to get this going? I have a gentleman that emailed me saying he has 11 air conditioners that he can get to the residents. What do you need from us to get started tomorrow?

Ms. Riendeau - Our resolution is to get the sleeves in. If we can be assured that the units can go into the sleeves. If we have a failed inspection by the State we will be denied capital funds.

Chairman Tavares: Who is in charge? Who is going to coordinate this? Somebody has to say I'm in charge of this and I'm going to see this through. This has become so disjointed and we are becoming ineffective. I appreciate the housing authority being here tonight but someone needs to set the direction and take charge.

Ms. Riendeau: I'm not sure, I don't know who is responsible for donating these Ac's.

Mr. Blanchard: Part of the problem is we don't know if the AC's donated are able to be put in the sleeves. No one consulted us, for all we know the units out there can't be installed.

Chairman Tavares: Can we expect that we can start this tomorrow?

Ms. Riendeau: We have a few in stock but it would be a few days before we can order more.

Selectman Page: Do you want this to happen?

Ms. Riendeau: Of course we do. Selectman Page: Then that should be your answer to the Chairman. The process is there and it just needs to happen.

Chairman Tavares: Are we in agreement that we can get this done?

Mr. Muratore: I think this a two prong approach. There is a short term solution that needs to happen now. There are a number of AC units in the windows, so if you look at it what can we do tomorrow? In my discussion with Mass housing there may be some grant money available to you.

Mr. Beuchs and Mr. Liden take the podium: I've walked the halls and went into the units and it is hot in there. I felt something had to be done and this is the solution I've come up with. What good are the sleeves if the residents can't afford the AC units? Unless you are installing AC the sleeves really aren't going to help them. You need to help these people

now. I feel as though this is the best way we can help our seniors.

Mr. Beuchs: I realize you guys are in a really tight spot but the health of our elderly should come first and foremost. The business community purchased window units for these residents, the stand alone units do not work. Those units we are purchasing are for windows only and cannot be installed in sleeves so we are doing something to give them relief now. In order to install sleeves you need a building permit and many other things. We bought units to bring relief now. Many business have donated units. All we want to do is have the co-operation of the Housing Authority. This is a temporary thing we are doing you won't be able to use these in the sleeves. We are hearing from everyone that we can come to a solution.

Chairman Tavares: We need you to take the lead and begin this process and not be concerned that you are standing alone. We realize that if you do something wrong everyone in the government leaves you but we are all standing behind you.

Mr. Muratore: I'm just going to talk as a person who has been dealing with the elderly since 1977 The fear that these residents have is real to them, that if they have an AC unit in their window they will be kicked out. We had a woman that came to our offices that was afraid that if they came to talk to you they will get in trouble. The residents need to feel comfortable to talk with you.

Chairman Tavares: What we want to do is open up the dialogue with you. You are a very quiet authority that has done great work over many years and we are letting you know what is being said. We want to help resolve some of these other problems. Tomorrow we look to work with you and have our Town Manager keep us informed.

Mr. St. Pier: Last week they promised that her AC could be installed in a sleeve and that it would be working last week. The AC was over heating, they put it back in the window then took it back out. Every AC that is in Southfield apartments now have to breath. Doreen doesn't have the money to go out and buy a sleeve AC unit. What are the residents supposed to do? Are there any answers here? Doreen is crying in the audience.

Mr. Blanchard: We experimented with this unit because it was one of the first one. We have a number of units with sleeves and some are happy portable AC units. My concern is we have it in writing that we can't allow window units in egress windows. The issue doesn't change.

Chairman Tavares: What will it take to get this done? Will it take ambulances lining up to assist residents with over-heating. If this was heating we would do something right away. AC is not a luxury anymore it is a need. These are the cases you have to take into consideration.

Ms. Riendeau: I agree with you. I will work with residents and look at the units that have been purchased and we will look at purchasing the appropriate units. We are not going into units and pulling the AC's out and have agreed to work with these individuals.

Chairman Tavares: We recognize what your authority is and by Friday please let us know what your progress is.

Connie DiLego takes the podium - Who is going to be responsible for purchasing the units for the sleeves? And there will be no retaliation for those who have window units?

Ms. Riendeau: There will be no retaliation until we put the sleeves in.

Ms. DiLego: These people have been suffering for months, I understand where your coming from. There are codes about air quality and AC quality. So yes you have a code that says you need egress but your codes also tell you that you have to keep your seniors safe. The humane thing is something has to be done now.

Mr. Muratore: I think the question is if you are able to get some grant money will you be able to buy air conditioners for those sleeves?

Ms. Riendeau: I think you would be able to answer that. Mr. Muratore responds: We would help you with the application process and certainly work with you.

Mr. Buechs: The donation is for instant relief for these residents and are AC's that can't be put into sleeves. It's \$5,000.00 that has already been spent. I've got window units and they are going into the windows and I hope you can help me install them.

Chairman Tavares thanks the Housing Authority for coming to the meeting and directs them to another room if anyone else in the audience has further questions/concerns for them. A 5 minute recess is called.

8:00 p.m. Appointment for Board of Voting Registrars

Republican Member - Gean C. Richards Term Ending March 31, 2018

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

8:05 p.m. Licenses and Administrative Notes

One Day Wine and Malt Liquor License - Vinny deMacedo, Ship Pond Road, from 4:00 p.m. to 10:00 p.m.

One Day Wine and Malt Liquor License- Shockyard Fitness & Social Club - 08/20/15 from 5:00 p.m. to 8:00 p.m. for a Chamber Networking Event

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., Tavares. Absent: Malaguti, Mahoney.

One Day All Alcohol Liquor License - Plymouth Guild Inc. - 09/25/15 from 6:00 p.m. to 11:30 p.m.

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., Tavares. Absent: Mahoney, Malaguti.

One Day All Alcohol Liquor License - Plymouth Guild Inc. - 10/17/15 from 6:00 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., Tavares. Absent: Mahoney, Malaguti.

POLE PETITION - NSTAR Petition 2052287

One petition covering the installation of five (5) pole relocations on So. Russell Street in Plymouth.

These pole relocations are necessary to accommodate the Town of Plymouth in reconstructing the existing sidewalks.

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., Tavares. Absent: Mahoney, Malaguti.

ADA Compliant

POLE PETITION - NSTAR Petition 2005278

One petition covering the installation of one (1) new pole on So. Russell Street in Plymouth. This pole location is necessary to upgrade the existing system for this area.

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., Tavares. Absent: Mahoney, Malaguti.

ADA compliant sidewalk

Exclusive Vending Rights- Plymouth Area Chamber of Commerce 08/29/15

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., Tavares. Absent: Mahoney, Malaguti.

Transfer of License Agreement - Private footbridge connecting 120 Warren Ave to Plymouth Long Beach (from Edward G. Roche to Cori A. Anderson)

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., Tavares. Absent: Malaguti, Mahoney.

MassWorks Infrastructure Grant Program Proposal

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., Tavares. Absent: Malaguti, Mahoney.

Jessica Casey takes the podium: I provided a briefing for you on the MassWorks infrastructure program. As the Town Manager has said, we want to take a different approach this year thinking short term and long term. Both thinking about our industry and tourism and we the briefing I've provided you shows you exactly what the States positions is.

Chairman Tavares: when we had the state folks down here, we talked about dividing this grant up because I know there is very strict criteria. I thought they recommended that we take the promenade as one application and cordage as one application. Shouldn't we be adhering to what they suggested?

Ms. Arrighi: We've learned in the past that its best to submit one application other wise we are just competing with ourselves.

Chairman Tavares: They talked about another mechanism for funding (Sea Port Bill)

Ms. Casey: This is a strategic process. The permitting plays a role. I think that the Town Manager is correct in stating we are competing with ourselves. If we submit one there is a connectivity piece. In talking with the state it's the shovel readiness of the project. To your comment on the Sea Port as funding for the T-wharf I wouldn't recommend we wait for

that.

Chairman Tavares: It worries me because the T-wharf is shovel ready and any delay to that puts our fleet at a disadvantage. I don't want to jeopardize that project. Water street promenade depends on a very large grant. I just don't want to see partial funding on the T-wharf.

Ms. Casey: For us they either fund it and we are able to build or they fund a certain amount.

Mr. Muratore: The way the Governor is working now is more bang for our buck. So it does make sense to put it all as one.

MBTA Commuter Rail Service - MassWorks Infrastructure Grant Program Proposal

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., Tavares. Absent: Mahoney, Malaguti.

Mr. Prone: I'm a life long south shore resident and I started supporting train service in the 1960's. I'm out to save train service and make it more usable. I was here two and a half years ago talking about the same issue. Cordage train station does not work, you have to reverse direction 3 times. If you take a look at the schedule its a loser from the get go. The way the services are set up now they are unusable. On July 7, 2013 we woke up and discovered that the weekend train service has been cut off. If you look at the schedules I've given you in your packet it is the best schedule you will ever get. If cordage was ever to get fully developed, then maybe a shuttle service would be good from Cordage to Halifax. If you decide that you are going to keep the status quo it is a recipe for failure. As far as economic development I know Jessica's heart is in the right place, but my life's work is trains.

Selectman Page: I appreciate everything you have given to us, but at this point we need to keep things the way they are for the better of Plymouth.

Approve permit for Dr. Andrew Vitz and Ian Davies to capture and band Semipalmated Sandpipers at Plymouth Long Beach

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., Tavares. Absent: Mahoney, Malaguti.

Ship Pond Road - Phase 1 Work

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., Tavares. Absent: Malaguti, Mahoney.

Ms. Arrighi: You have in your packets with recommendations from Planning Board and Mr. Beder. I think the two phases are important.

Mr. Dyer: The bean poles you see out there now are an improvement to make peace for ship pond road.

Mr. Hapgood: I saw a plan 4 weeks ago that there was a problem with drainage that hasn't been made public. It was supposed to be a roundabout but it's being made lights. We have

started a list of abutters and it's up to 1,000. It will probably be 10 years before make peace is occupied. Originally Route 3 is the primary unit to fix.

Selectman Provenzano: I guarantee you that nothing is done in secret and I welcome you to come to any of the meetings.

Mr. Hapgood: The public is confused.

Ms. Arrighi: Mr. Beder has had this on the pending board and will have a presentation for this soon. This has to go before public meetings first before it goes to the public.

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

Selectman Page: I am the newly appointed MBTA member and I will be attending the next meeting they have.

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

Chairman Tavares: At the Manomet Cemetery there is a large crack in the foundation. The Board will not be meeting next Tuesday. I also have asked Jessica to set up an appointment with GATRA. It is embarrassing that people are left stranded at the station.

On a motion by Selectman Page, Seconded by Selectman Provenzano the meeting was adjourned at 9:35 p.m.

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

Agenda Item

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Agenda Item

Tuesday, 8/4/2015

Call to Order

Agenda Item

Tuesday, 8/4/2015

Public Comment

Agenda Item

Tuesday, 8/4/2015

Public Hearing: Change of Shareholders TGIF Restaurant

Agenda Item

Tuesday, 8/4/2015

Morton Park

Agenda Item

Tuesday, 8/4/2015

Plymouth Housing Authority

Agenda Item

Tuesday, 8/4/2015

Appointment for Board of Voting Registrars

SUMMARY:

Republican Member - Gean C. Richards Term Ending March 31, 2018

BACKGROUND:

Agenda Item

Tuesday, 8/4/2015

Licenses and Administrative Notes

SUMMARY:

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SUMMARY:

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BACKGROUND:

Agenda Item

Tuesday, 8/4/2015

POLE PETITION - NSTAR Petition 2005278

SUMMARY:

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