

# Board of Selectmen

Tuesday, March 3, 2015

Town Hall May Flower Room, \*6:00 PM\*

**1. 6:00** Executive Session  
**p.m.**

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.

On a motion by Selectman Mahoney, seconded by Selectman Provenzano, the Board voted to enter executive session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 6, to consider the purchase, exchange, lease, or value of real property, as an open meeting on this matter may have a detrimental effect on the negotiating position of the body. Following executive session, the Board will reconvene in open session. By roll call: Mahoney – yes, Provenzano – yes, Page – yes, and Tavares – yes.

**2. 7:00** Call to Order  
**p.m.**

Chairman Tavares returned to open session at 7:02 p.m. and led the Pledge of Allegiance.

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

Melissa Arrighi, Town Manager  
Michael Galla, Assistant Town Manager

Chairman Tavares presented the Commonwealth Award that the Town of Plymouth received from the Massachusetts Cultural Council at State House on Tuesday February 24, 2015. He thanked Brockton, Destination Plymouth, Plymouth Economic Foundation and Plymouth Chamber of Commerce for their support.

**3. 7:05** Town Manager's Report  
**p.m.**

Ms. Arrighi reported on several items from her Town Manager's Report.

She announced that Michael Galla has accepted a position in the private sector and will be leaving us in a few weeks. She thanked him for his service and wished him luck in his future endeavors.

Ms. Arrighi recognized Edward Bent, from the Public Works Department, who is retiring after 29 years of valuable service.

The Board echoed the same sentiment for both Mr. Galla and Mr. Bent who will both be missed.

Ms. Arrighi reported some changes on the Advisory of Finance committee FY16 budget: A \$30,000 reduction in band uniforms and supplies and a reduction \$3,000 in building services. An addition of \$5,000 has been recommended to the 1749 Court House salary and wages and an additional \$20,000 for pavement marking.

The Polar Plunge will not be held at Long Beach due to the damage that has been caused from the harsh winter the Town has encountered. A change of venue at Nelson Park has been discussed and the event should remain on schedule for March 7, 2015. Snow removal needs to be a priority for this event in order for it to be a success.

Report a Pothole and Comments for DPW will soon be available to send e-mails directly to DPW for appropriate action. The training for the new website will be available in early March and the intent is to go live shortly after.

The bids for 54 Taylor Ave Hazardous Material Removal and Building Demolition have been opened. DMEA has made a recommendation that the contract, both Hazardous Material Removal and Alternate for building Demolition, be awarded to Green Environmental Inc. The total contract price is \$27,425 and the original budget was \$30,000. The weather has pushed back the contract completion date to May 1, 2015.

**4. 7:10** Licenses and Administrative Notes  
**p.m.**

**5.** Licenses

**6.** One Day Wine and Liquor License - Dinah O'Brien/ Plymouth Public Library 3/7/15

A motion to Approve was made by Anthony Provenzano, Jr. and seconded by Sean Page,  
Ayes: Page, Provenzano, Jr., Mahoney, Tavares.

**7.** One Day Wine and Malt Liquor License - Bill Fuller/ Plymouth Recreation 3/14/15

A motion to Approve was made by John Mahoney and seconded by Anthony Provenzano, Jr.,  
Ayes: Page, Provenzano, Jr., Mahoney, Tavares.

**8.** One All Alcohol Liquor License- Erik Christensen/ Loretta LaRoche Productions 3/13/15

A motion to Approve was made by Anthony Provenzano, Jr. and seconded by Sean Page,  
Ayes: Page, Provenzano, Jr., Mahoney, Tavares.

**9.** One All Alcohol Liquor License- Erik Christensen/ Loretta LaRoche Productions 3/21/15

A motion to Approve was made by Anthony Provenzano, Jr. and seconded by Sean Page, Ayes: Page, Provenzano, Jr., Mahoney, Tavares.

**10.** Misc. Licenses in Conjunction with Public Hearing: Tavern on Wharf

Chairman Tavares announced that these license requests would be heard during Public Hearing.

**11.** Administrative Notes

A motion to Approve was made by Anthony Provenzano, Jr. and seconded by Sean Page, Ayes: Page, Provenzano, Jr., Mahoney, Tavares.

**12.** Approve Meeting Minutes - February 23, 2015

A motion to Approve was made by Anthony Provenzano, Jr. and seconded by Sean Page, Ayes: Page, Provenzano, Jr., Mahoney, Tavares.

**13. 7:15 p.m.** Public Hearing: New Annual All Alcohol Restaurant License  
Tavern on the Wharf

Mr. Triffletti took the podium to represent Paul Tupa, the new manager of Tavern on the Wharf (6 Town Wharf), as he is requesting several licenses be approved by the Board. Some background on Mr. Tupa was provided to demonstrate his experience in the hospitality business. Mr. Tupa is the owner operator of the Red Hat in Boston, a bar in Beacon Hill, and a partner in Menotomy Grill in Arlington.

Mr. Tupa joined Mr. Triffletti at the podium to express his intent to make Tavern on the Wharf a family place with a traditional tavern menu.

Chairman Tavares addressed Mr. Triffletti regarding any connection Mr. Tupa has or had to the previous establishment Nix's.

Mr. Triffletti stated clearly that the only connection between both establishments is using him as their attorney.

The Board members all expressed their concern that this new establishment not conduct themselves as Nix's and they will not hesitate to take action if problems arise.

Selectman Provenzano addressed the Entertainment License that is being requested by Mr. Tupa stating that he doesn't want the music to compete with the surrounding restaurants (East Bay and The Cabby Shack). The concern regarding the use of the front patio was addressed in conjunction with the music license. The Board does not want any music on the front patio.

Mr. Tupa and Mr. Triffletti stated that the front patio would not be used as they would like to keep that clear for pedestrian traffic. The music would only be on the back deck.

Selectman Mahoney added that they don't like seeing empty restaurants downtown and hopes that Mr. Tupa will make Tavern on the Wharf a priority even though his attention is required at several other establishments.

The Amplified Music Permit was approved by the Board with the stipulation that the music remain on the back deck.

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

On a motion by Selectman Mahoney, seconded by Selectman Page, the Board voted to approve the Common Victualler License, Comprehensive Entertainment License, Extension of Hours License, Early Sunday Sales License, Sunday Entertainment License. 4/0

On a motion by Selectman Mahoney, seconded by Selectman Provenzano the Board voted to approve the Amplified Music Permit for Tavern on the Wharf. 4/0

**14. 7:20**      Public Comment  
**p.m.**

Michelle Pecoraro takes the podium to announce the community meeting hosted by Plymouth 400 to discuss the plans and answer any questions regarding 2020. This is being held in conjunction with Chamber of Commerce and the Board 400 from 6:30 p.m. to 7:30 p.m. More information can be found on Facebook and Twitter #askplymouth400. It is the hopes to have one of these meetings quarterly.

Robert Spencer from Precinct One took the podium and brought up a concern regarding the late payment hike for excise bills from \$5.00 to \$30.00. His concern is the extra funds received from the Town won't be used properly.

**15. 7:25**      2015 Annual Town Meeting Articles  
**p.m.**

**16.**            Article 16A Community Preservation

A motion to Approve was made by Sean Page and seconded by Anthony Provenzano, Jr.,  
Ayes: Page, Provenzano, Jr., Mahoney, Tavares.

Mr. Keohan took the podium to show the Board a presentation on the progress being made at 1820 Court House. The Community Preservation Committee recommends the reduction of the original borrowing appropriation, under Article 16A from Spring Town Meeting 2014, for the 1820 Court House. The Committee intends to move available funds into an account to be utilized for renovation, preservation, and rehabilitation of the 1820 Court House. The intent of the Community Preservation Committee is to reduce borrowing an additional \$500,000 to \$4 million. They were able to remove several items from the location and incorporate it in the new Town Hall.

**17.**            Article 16B- Community Preservation

A motion to Approve was made by John Mahoney and seconded by Sean Page,  
Ayes: Page, Provenzano, Jr., Mahoney, Tavares.

Mr. Keohan showed the Board a presentation on the Final Schematic Plan designed by Ray Dunetz Landscape Architecture for Stephens Field. The plan is to keep the park very recreational making it accessible for people of all generations. The parking will also be increased at Stephens Field. The time frame of 24 months has been estimated for planning,

giving them time to obtain grants. The intent of the Community Preservation Committee is to appropriate \$2,000,000.00 from the Community Preservation Fund to rebuild Stephens Field in accordance with the Final Schematic Plan.

**18. Article 16C- Community Preservation**

A motion to Approve was made by John Mahoney and seconded by Sean Page,  
Ayes: Page, Provenzano, Jr., Mahoney, Tavares.

Bill Keohan addressed the advantages of the Town owning 161 Taylor Ave. It will be beneficial to the Town in order to remove failed septic systems and other harmful infrastructure. They will use \$30,000 to demolish the two current cottages. It is the hope that the Town could obtain this land as it will give them the ability to work quickly in case of emergency to protect the current properties and it's owners.

Bill Keohan addressed the benefits of the Town owning 161 Taylor Ave. Quick access for emergency officials to get down to the beach in case of emergency and the benefit of removing two septic tanks from further pollution to the ocean.

Christine Bostek, Founder and President of Sands of White Horse Beach Association, took the podium representing the abutters of the land and read a statement in opposition of the Town purchasing the property. She presented a list of conditions, stipulations, and restrictions that the residents of the area would like to see if Article 16C is passed.

Mr. Malaguti, of precinct one, stated that he is opposed to this article as it isn't necessary for the Town to own this piece of land in order to prevent possible flooding that could or could not happen.

Mr. Keohan took the podium again to address some of the concerns brought up in Ms. Bostek's statements. He stated that it is not the Town's intention to use this property as a gateway for public access and the main goal is to give quicker access for emergency vehicles.

Christine Bostek took the podium again to oppose Mr. Keohan's statements and has concerns regarding public access

Selectman Provenzano states that the Town owning the land is not going to open the gates to the public.

Selectman Mahoney engages Mr. Keohan and questions whether or not Mr. Jorge, the current owner of this property, was strong armed in any way in order to settle on this sale.

Mr. Keohan stated that Mr. Jorge was not persuaded in any way to sell to the Town and is doing so on his volition.

Selectman Mahoney stated that White Horse Beach needs a change and removing these two cottages means removing two septic tanks that pump into the ocean and contaminate the area.

Mr. Spencer, of Precinct one, took the podium stating he is not opposed to the purchase but hopes the Town will make an effort to work with the residents that live on White Horse Beach

**19. Article 16D- Community Preservation**

A motion to Approve was made by John Mahoney and seconded by Sean Page,  
Ayes: Page, Provenzano, Jr., Mahoney, Tavares.

CPC is requesting the acquisition of Black Cat Road to enhance the water quality of Town Brook. The water from this property runs to Billington Sea and down the Town Brook. The ponds in this location are vital to the area.

Selectman Provenzano questions whether or not the cranberry bog is currently active and if it isn't fruitful anymore?

Bill Keohan states that most bogs now are using newer technology and this particular bog is not, therefore is not producing as well. The Community Preservation Committee will not be taking title to the home and the owner wishes to sell the bog to take the activity off the water resources. The water from this property runs to Billington Sea and down the Town Brook.

**20. Article 16E- Community Preservation**

A motion to Approve was made by Anthony Provenzano, Jr. and seconded by Sean Page,  
Ayes: Page, Provenzano, Jr., Mahoney, Tavares.

Bill Keohan presented that The Community Preservation Committee has recommended that 10% of the Fiscal Year 2016 estimated annual Community Preservation Fund revenues be set aside for the following: a) community housing b) historic resources and c) open space, including land for recreational use. 4% of annual revenues in the Community Preservation Act Fund will be appropriated for administrative and operating expenses. Any unused portion of funds will revert to the CPA unallocated balance at the end of each fiscal year.

Selectman Page asks the approximate amount \$107,800

**21. 7:30 p.m. 2015 Annual Special Town Meeting Articles**

**22. Article 1 - Classification and Compensation Plans**

A motion to Approve was made by Sean Page and seconded by John Mahoney,  
Ayes: Page, Provenzano, Jr., Mahoney, Tavares.

Ms. Arrighi reported on Article 1 - Classification and Compensation Plans/Personnel Bylaws. With the recent changes to minimum wage and multi-year increases in the lower paid positions the compensation on certain recreation positions have caused the need to make changes in hourly rates.

Mr. Provenzano states that the Town is not required by law to follow the minimum wage law.

Ms. Arrighi states that raising the minimum wage makes the Town competitive.

**23. Article 8 - Water St. Bridge**

A motion to Approve was made by Anthony Provenzano, Jr. and seconded by John Mahoney, Ms. Arrighi reported on the proposed warrant article which will allow the Town to complete the required paperwork with the Commonwealth of Massachusetts related to the reconstruction of the Water Street Bridge. The Town would need to establish an easement at the state-owned Pilgrim Memorial State Park. The recently completed reconstruction on the bridge required work to be performed on the state property under Article 97. These structures will be maintained by the Town of Plymouth.

Selectman Page asks if there is any fee for the easement.

Ms. Arrighi stated there would be no Fee.

**24. Article 9 - Entergy PILOT**

A motion to Approve was made by Sean Page and seconded by Anthony Provenzano, Jr.,  
Ayes: Page, Provenzano, Jr., Mahoney, Tavares.

Ms. Arrighi reported the Town is currently working on negotiations with Entergy PILOT regarding a longer payment plan in lieu of tax agreement. The Town is looking to do an amendment to the last 3 year agreement for a 1 year roll over for fiscal year 2017 with a payment of 9.25 million to the Town. All terms and agreements will remain in place

**25. 7:45 p.m. Committee Liaison/ Designee Updates**

Selectman Provenzano noted that he was fortunate enough to attend the Ceremony at Tidmarsh Farms with Chairman Tavares where they had an educational meeting at the Water Restoration Project. \$750,000 has been put towards this project.

Chairman Tavares stated that the Town received special recognition regarding how proactive Plymouth has been regarding its' attention toward water restoration. Specifically commending David Gould.

Selectman Mahoney stated in a meeting he attended the previous week, at the County Commissioners office, it was voted unanimously that in 30 days 19 County employees will be laid off due to budget gaps they are facing. 15 of those employees being laid off will come from the Registry of Deeds.

Chairman Tavares stated the discussions with Congressman Keating's office has been made on the federal level regarding Senator Markey's bill. March 18, 2015 the NRC will release its' annual report.

Chairman Tavares recommends to the Board that the Mayflower rooms be renamed Alba Thompson. She was the first woman to be named Selectman in the Town of Plymouth.

Selectman Provenzano agrees that the room should be renamed.

**26. 7:50 Old Business/Letters/New Business  
p.m.**

On a motion by Selectman Provenzano seconded by Selectman Mahoney, The Board voted to adjourn its meeting at approximately 9:00 p.m. Voted 4-0 approved.

Recorded by Annikka Bernabe, Administrative Assistant to Board of Selectmen

A copy of the March 3, 2015 meeting packet is on file and available for public review in the Board of Selectmen's office.