

Board of Selectmen

Tuesday, March 24, 2015

Town Hall Mayflower Room, *7:00 PM*

1. 5:30 Executive Session
p.m.

The Selectmen will hold an Executive Session pursuant to M.G.L. Chapter 30A, Section 21, Paragraph 3, to discuss strategy with respect to litigation, and 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.

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

Chairman Tavares returned to open session at 7:04 p.m. and led the Pledge of Allegiance.

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

Melissa Arrighi, Town Manager

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

Ms. Arrighi reported that the Old Colony Planning Council is conducting a regional visioning workshop at the Plymouth Library March 25, 2015 from 6:30 pm to 8:00 pm.

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

League of Women Voters hosted the Civic's Spelling Bee. Ms. Arrighi is excited to report Plymouth North High School was the winner of the Civic's Spelling Bee. Ms. Arrighi was the moderator at this event and she commented on what a great experience it was working with the kids.

The South Shore Recycling Cooperative Board requested a determination of the Member towns that have the lowest disposal rates per household served and the most improved disposal rates per household served from CY 2013 - 2014. Plymouth will be noted as one of the SSRC's top performers. Plymouth won in two categories.

The Senate President has invited each Senator to procure an item that represents their district. This item will be displayed in the locked glass cabinets in Senate Room 428 (the old document room). Senator deMacedo reached out to ask the Selectmen their thoughts on a suitable item/artifact to represent Plymouth. They suggested that the item not be too large (under 18 inches tall) and be artistic in nature. Some suggestions are Hedge brick from the demolition of 1860, something borrowed from 1749 Courthouse, or Bronze statue of the Forefather's

Monument. Ms. Arrighi asked Dinnah and she recommended a coil of rope or a piece of Plymouth rock from Antaquarium society.

The Town of Plymouth Department of Marine and Environmental Affairs invites the public to attend the Annual Plimoth Plantation Herring Run Festival on Saturday and Sunday, April 25-26th at the Plimoth Grist Mill at Jenney Park. In addition to the Herring Run Festival, there will be a simple event on that Saturday to officially give thanks for the completion of the Plymco Dam removal restoration project along the Historic Town Brook.

The Command Staff and uniformed members of the Plymouth Fire Department invite you to join with them on Friday, April 3 at 5:30 pm at Station #1 to celebrate the career of BC Kevin T. Murphy and wish him a long and healthy and happy retirement. Battalion Chief Murphy has served as a Fire Prevention Officer, Fire Investigator, and Shift Commander and proud member of the Plymouth Firefighter's Union Local #1768 International Association of Fire Fighters. He leaves the Department after 25 years of dedicated service.

Ms. Arrighi extended congratulations to a Town employee, Holly Ricardo, who will be retiring at the end of the month after 41 years of service. Ms. Ricardo began her career with the Town as a Clerk in the Building Department where she worked for 34 years before becoming the Town's Local Health Inspector in 2007. We wish Ms. Ricardo the best in her retirement and thank her for all of her hard work and dedication to the Town of Plymouth.

The updates on potholes will continue to be placed on the Town website, FB, and Twitter. DPW has had 3 asphalt crews out working on potholes and two graders out as often as possible to resolve the ever growing pothole problem.

Governor Charlie Baker has put together an Opioid and addiction task force consisting of many state and local leaders active in the field of recovery. The Plymouth Listening Tour on Thursday March 26, 2016 will be hosted by Mayor Carpenter and Sheriff McDonald at Memorial Hall from 4-6 p.m.

K&P has reported that the Suffolk Superior Court has issued a favorable decision in the Goldenrod Foundation cases. In the decision, the Court (Judge Jeffrey Locke presiding) denies Goldenrod's Motions in each of the cases and affirms the decisions by the Division of Fisheries and Wildlife (DFW) and the Department of Environmental Protection (DEP) to approve the Town's Beach Management Plan for Long Beach. The Court further declares in the Memorandum that the DFW 1993 Guidelines "are within DFW's statutory authority under [MESA] . . . and that neither DFW nor DEP erred in relying on the Guidelines" in their decisions.

Selectmen Mahoney stated that he keeps up with the progress of the Plymco Dam Removal and he would like to have a presentation brought before the Board after May 9, 2015 regarding the progress on the project.

4. **7:10 p.m.** Licenses and Administrative Notes
5. ONE DAY ALL ALCOHOL LIQUOR LICENSE
6. Loretta Laroche Productions (Memorial Hall) - April 3, 2015

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

7. Sodexo/Plimoth Planation (Craft Center) - April 23, 2015

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

8. SEASONAL LIQUOR AND MISC. RENEWALS

9. Pinewood Lodge, Inc. d/b/a Pinewood Lodge

Common Victualler's License & Comprehensive Entertainment Licenses, Groups I, II, III, IV

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

10. Sandy Pond Golf, Inc. d/b/a Atlantic Country Club

Common Vicuttaller's License, Comprehensive Entertainment, Group I, and Early Sunday Opening

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

11. Double C, Inc., d/b/a Campy's

Comprehensive Entertainment, Groups I, II, III, Sunday Entertainment (TV, dancing, live entertainment), Early Sunday Opening

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

12. Camp Bournedale Inc.

Common Victualler & Comprehensive Entertainment, Groups II and III

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

13. Kevin J Aragon d/b/a Kevin's Club House Restaurant

Common Victualler

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

14. Pillory Pub LLC

Common Victualler & Comprehensive Entertainment, Groups I and III

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

15. 2015 Seasonal Renewal Certification for ABCC

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

16. Administrative Notes

17. Approve Meeting Minutes - March 3, 2015

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

18. Approve Meeting Minutes - March 10, 2015

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

19. ORV Sticker Fee - No change for FY16

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

20. Habitat for Humanity - Veteran's Housing

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

21. 7:15 p.m. Public Comment

Robert Elfwood Precinct 7 came up to the podium to discuss potholes. He presented an article to the Board that was in the Globe the previous week. A van has been engineered to diagnose the roads themselves giving a break down of current potholes. The van cost \$25,000.00 which he feels is a reasonable price and it could be something for Town to look in to.

Joe Notini a resident of Manoment took the podium stating he attended the NRC meeting the previous week at the Radisson. He went into the meeting to determine whether or not the Pilgrim plant was safe. He isn't part of any groups, just a concerned citizen and has lived by the plant for 40 years. The NRC portion of the presentation was almost not understandable. The NRC eliminated the option for the average guy to ask a valid question. He stated technology that is 41 years old can not work successfully especially since the plant has one of the worst safety records in the country. He thanked Chairman Tavares for attending the meeting.

Chairman Tavares stated that all of the other Board members were busy that night, so he made an effort to attend the meeting.

Selectman Mahoney stated that he would have liked nothing better than to be at the NRC meeting.

Mr. Notini addressed the Board stating that he hopes that they keep an eye on the plant and address the safety issues.

Chairman Tavares responded that the plant is a concern to the Board and they will keep an eye on the progress.

A representative from BOJ construction took the podium to discuss doing construction on a Sunday March 29, 2015 and is requesting a waiver.

Chairman Tavares responded that Ms. Arrighi would look further into the request to work on Sunday.

Mr. Malaguti from precinct 1 took the podium regarding the Council on Aging heating/cooling functions. People would like to attend but they are being deterred due to the temperature in the room.

Mr. Malaguti questioned the final design of the new Town Hall being built and would like to see the new design before it's built.

22. 7:20 p.m. 2015 Annual Town Meeting Articles

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

Selectman Provenzano stated It has come to the Board's attention that there was a clerical error made within Article 9 item A-12 of the Annual Town Meeting Warrant. The item should read "Mail Machine w/Folder inserter. It still went through the correct process

Chairman Tavares makes a motion to approve the posting of a corrected page within the 2015 Annual Town Meeting Warrant to address a clerical error within Article 9, item A-12, as described by the Town Manager.

23. Article 30 – Solar PILOT Agreement Cedarville

A motion to Approve was made by Anthony Provenzano, Jr. and seconded by Sean Page,
Ayes: Page, Provenzano, Jr., Mahoney, Tavares.
Lynne Barrett took the podium to discuss the PILOT agreement in Cedarville.

Article 30 of the Annual Town Meeting isa petition article to negotiate a Solar PILOT for a solar facility to be built in Cedarville. A PILOT agreement can be beneficial to both the developer and the Town; by using this income approach to value the facility, a rate of \$13,000 per MWAC was the negotiated amount for the PILOT. The term of the agreement will be for 20 years and will include an escalator of 2.5%.

This agreement is just for the personal property; the land will be taxed separately.

Selectman Mahoney questions Ms. Barrett of the use \$166,000 over 20 years.

Ms. Barrett responds stating they have the financials on the agenda for the next few weeks.

Selectman Page asks the amount on the PILOT whether we based the price of the solar.

Ms. Barrett responds stating they have a consultant who assists them in determining the 13,000 per mega watt which is within the range of what they have negotiated.

Tom Melahan with Renewable Energy Partners takes the podium stating they have talked to the abutters regarding the traffic and construction that will have an impact on those who live in the area.

Selectman Mahoney questions whether or not the configuration of the triangle has been changed as he sees no change.

Mr. Serkey states that the configuration has indeed changed.

24. Article 31 - Land Swap Petitioned by: Renewable Energy Development Partners

A motion to Approve was made by John Mahoney and seconded by Anthony Provenzano, Jr., Mr. Serkey takes the podium to discuss the reconfigured parcel that has been changed to the shape of a triangle maximizing the buffers. The buffer has increased from Janebar Circle to Route 3.

Selectman Mahoney questions the length (200 ft) of the buffer which is answered by Mr. Melahan stating the buffer to Janebar circle is 300 ft and the buffer to the highway is 200 ft reducing the lot size.

Selectman Page asks about land values.

Mr. Serkey states the land the Town would be getting 150,000 according to its appraisal. Original acreage was 105,000. The unreduced area was 45,000 less than what the Town was getting. The acreage would be more than the value of a larger acreage.

25. 7:30 p.m. Committee Liaison/ Designee Updates

Selectman Provenzano stated that himself and Chairman Tavares attended the legislative breakfast at Council on Aging where they heard from the council on proposals to remedy some 9C cuts that were undertaken on the state level. They had good representation from our local delegation and it was a good event put on by Connie DiLego at the Council on Aging.

Chairman Tavares stated that there is a consensus amongst the legislators that the increase per senior that would be put in the state budget may pass this year which would be helpful.

Selectman Mahoney attended the Nuclear Matters Committee meeting and sat with Monica Mulinar who informed him the state delegation would be re-submitting funding request for T-Wharf, final request for the Plymco Dam, and Emergency Planning for Aaron Wallace. The Nuclear Matters Committee is putting the final touches on the Boards request for the 5 top issues with respect to the power plant in Manomet. They also shared a report regarding the Economic Impacts of the closure of Vermont Yankee.

Ms. Arrighi reports on a meeting coming up this week. Governor Charlie Baker has put together an Opioid and Addiction Task Force consisting of many state and local leaders active in the field of recovery. This working group will be conducting four listening sessions throughout the Commonwealth to gather feedback from the community and engage stakeholders to discuss ideas and determine what steps the government can take to address the opioid addiction, curb overdose deaths, and halt this epidemic. The working group plans to submit a statewide strategy to combat opioid addiction and curb overdose deaths to Governor Baker at the end of May. Mayor Bill Carpenter and Plymouth County Sherriff Joe McDonald are two members of the Task Force. As part of this effort, the Secretary of Health & Human Services, Marylou Sudders has scheduled four "Listening Tours" around the Commonwealth; March 10th Worcester, March 19th Greenfield, March 26th Plymouth and April 2nd Boston. The Plymouth Listening Tour on Thursday March 26th will be hosted by Mayor Carpenter and Sherriff McDonald at Memorial Hall from 4-6 p.m.

Chairman Tavares stated last Thursday he attended a meeting at Plymouth Plantation with 15 senators. The idea is to take senators out of there district to hear the issues of other districts and offer insight. A number of Plymouth tourism groups made very strong points about what the tourist dollars means to the area; Tax dollars are flowing directly to the state.

New Business

Selectman Page states that its been a cold winter and sports season is right around the corner; Forges field is still frozen. We still currently have a no fee waiver policy in place is there anything the schools can do to accommodate other sports teams that are in need of using the field? Ms. Arrighi responds that she will look into it.

Selectman Mahoney questions who makes the call whether or not the fields are safe for the kids to start using it on April 1st? Ms. Arrighi answers that Mr. Bubbins is person who makes that call. The trees are burial hill. Is there a time frame for getting those trees that were agreed too? Selectman Page responds that March 30, 2015 was the date that was originally proposed but with the extreme weather it will be later.

On a motion by Vice Chairman Provenzano, seconded by Selectman Page, the Board voted at 7:49 p.m. to enter an executive session pursuant to Massachusetts General Laws, Chapter 30A, Section 21 Paragraph 3, to discuss strategy with respect to litigation and collective bargaining, and 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. By roll call: Mahoney – yes, Provenzano – yes, Page - yes, and Tavares – yes.