ADVISORY AND FINANCE COMMITTEE
MEETING MINUTES
February 11, 2015

A meeting of the Advisory & Finance Committee was held on Wednesday, February 11, 2015. The meeting was called to order by Chairman John Moody at 7:00PM and was conducted in the Mayflower II Meeting Room at the Plymouth Town Hall, 11 Lincoln Street, Plymouth, Massachusetts.

PRESENT **Eleven members of the committee were present:**
Cornelius Bakker, Kevin Canty, Michael Hanlon, Shelagh Joyce, Ethan Kusmin, Kevin Lynch, Christopher Merrill, John Moody, Harry Salerno, Marc Sirrico, Charles Stevens

ABSENT **Four members of the committee were absent:**
Richard Gladdys, Harry Helm, Kevin Hennessey, Michael Hourahan

ADMINISTRATIVE COMMENTS:

Chairman John Moody made the following administrative comments:

- He reminded the committee to take action before the meeting if they feel an item on the agenda is a conflict of interest. He will send out guidance material for review.
- He asked committee members to review the list of Article 8 and Article 9 questions, see if they wanted to add any to the list, and if they did to email their questions to Kere Gillette ASAP.
- Budget Sub-Committee Reports are due next week so they can be distributed and then heard at the February 25th committee meeting.

AGENDA ITEMS

ANNUAL TOWN MEETING ARTICLE PRESENTATION

Article 22: Bylaw – Fingerprint Criminal History Check

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 6, Section 172 B ½, to adopt a new General By-law enabling the Police Department to conduct State and Federal Fingerprint Based Criminal History checks for individuals applying for the following licenses: Hawking and Peddling or other Door-to-Door Salespeople, Manager of Alcoholic Beverage License, Owner or Operator of Public Conveyance, Dealer of Second-hand Articles, Pawn Dealers, Hackney Drivers and Ice Cream Truck Vendors and to adopt appropriate policies and procedures to effectuate the purposes of this bylaw, a copy of which is on file in the Town Clerk's office, or take any other action relative thereto. BOARD OF SELECTMEN

Captain Rogers presented Article 22. This Article was heard in the Fall and then withdrawn right before Town Meeting because the town had not yet received FBI approval. Currently those applying for specific licenses listed in the Article language above, are CORI checked but that is limited to local infractions. This new bylaw would allow the town to obtain a full background record which includes any infractions out of state. The fingerprinting would be done at the Plymouth Police Station then sent to State Police then to the FBI to obtain the full record. The fee would be $100, $30 of which would go to the state and $70 would stay in Plymouth to help maintain the database and equipment.

Questions:

- If there is a hit on the record, will the applicant of an opportunity to explain the situation? (K Canty) Yes, absolutely. They will be allowed to explain and that will be part of the evaluation.
- Will the fingerprinting be solely used for acquisition of records and not used for open cases? (K Canty) In Plymouth it will solely be used for licensing but can not speak for the other organizations involved (State Police or FBI).
- Will the information be retained? (K Canty) Yes, it will be retained in a database.

- Is the $100 fee comparable to what other towns are charging? (C Merrill) Yes and the MA Secretary of Public Safety can update the fees parameters.
- Bylaw Section 72-1-F has curious wording that the Police Department "may not communicate any Massachusetts fingerprint-based criminal history record check results". Why does it say that? (M Hanlon) Not sure, the FBI report is all inclusive and will include Massachusetts offenses as well. I will have to look into it and provide you an answer later.
- Individuals are giving up so much of their privacy rights. Is there a reason that we need this? (C Bakker) In the past we had a door to door magazine salesman sexually assault an individual with intellectual disabilities. We need to protect our community and not put people in a position to victimize others. We need this new bylaw in place.
- In section 72-1-E, the last line regarding not denying an applicant a license based on information in the record "until the applicant has been afforded reasonable time to correct or complete the information". How long is that? (J Moody) A reasonable time frame which may vary based on the request of the applicant.
- Since they Board of Selectmen will administer this bylaw, maybe they will specify the time allowed? (J Moody) Yes, they will be able to set up that protocol.

Public Comment:
Randy Parker commented that school bus drivers are already fingerprinted, and he does not want the town to overdo it. Captain Rogers replied that school bus drivers are fingerprinted through the bus vendor so they are not included in these bylaws.

Christopher Merrill made a motion to recommend Article 22. Michael Hanlon, second. The motion carries unanimously (10-0-0).

Article 29: Elmer Raymond Play Area

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of $60,000 (Sixty Thousand Dollars) for the construction and/or purchase, and the installation and maintenance of a play area structure(s) for Elmer Raymond Play Area, or take any other action relative thereto.
BY PETITION: Anthony R. Schena, et al

Anthony Schena, petitioner, presented Article 29. He said he was shocked when he brought his children to the playground this summer to find it gone. He said in 2008 Parks Director, Ted Bubbins, identified that the playground would need to be replaced soon and placed it on the capital request list. It was on the list each year since, was ranked low by the Capital Improvements Committee (CIC) , and never received funding. In 2013 the equipment became a hazard and was removed. He has been working closely with Ted Bubbins and has his full support. The Cedarville Steering Committee is in full support of this article. The Board of Selectmen voted unanimously in support of this article. There are a lot of children that live in that area and a lot of families that come to that park for soccer games and baseball games, the playground is needed. The playground is basically a chained off litter box at this point. There was some talk that the town wanted the community to raise money to help defray the cost but there is no process in place for that and it is unfair to ask them to do so. They are willing to raise funds to help maintain the playground but do not want to delay the replacement by running fundraisers. If Town Meeting does not act on this article, there will be no playground for the summers of 2015 and 2016.

Questions:

- If $31,000 is given towards the equipment, can volunteers assemble the playground? (K Lynch) The community would be happy to do that if the town would allow it, but there are probably liability issues and union issues so the town may not allow it.

- If an item is ranked low by the CIC then one can place a an article on the warrant separately to seek funding. Won't that set a concerning precedent? (K Canty) There is a low chance of that happening, this is an unusual situation. 8 years is a long time for a community to wait for a new playground.
- What is unique about this project that it should be set above the others? (K Canty) Time, it is unfair to go two years without a playground at all. This process is exactly what our Charter wants. If an item is important and has large reach and community support, then it can move through the process.
- Are there any items on the CIC list that you would re-prioritize to come up with the funding for this project? (H Salerno) That is the job of the Town Manager and Board of Selectmen, to shuffle the list as they see fit.
- The quote provided is from October 2013, anything more recent? (S Joyce) That quote was for $52,000 so they added $8,000 to make the request $60,000 in case the price has increased and to cover the cost of mulch.
- Did any subdivisions in Cedarville sign a petition to show their support? (S Joyce) No, but through facebook and local sports organizations there was a lot of community support.

Christopher Merrill made a motion to recommend Article 29. Ethan Kusmin, second.

Discussion: Ethan Kusmin sat on the CIC and it is a tough process. Safety items tend to rank high on the list, new flashy items next and other items get pushed down in the ranking. This is the type of item that will never get ranked high through the CIC process. He will support this article and let Town Meeting decide.

Kevin Lynch made a motion to amend to alter the amount from $60,000 to $30,000.

Michael Hanlon asked Kevin Lynch to change the $30,000 to $33,000 to cover the cost of the equipment.

Kevin Lynch amended his motion to amend to alter the amount from $60,000 to $33,000. Michael Hanlon, second.

Discussion:

- Charles Stevens said he does not believe anyone other than an authorized installer can install the playground. He can not support this article and does not like the precedent it would create.
- Christopher Merrill said that the quote says the construction must be professionally inspected. He also said he does not understand why this committee highly scrutinizes the articles with lower financial implications and votes through the ones with much higher financial implications without much question.
- Michael Hanlon said that a town he lived in previously fundraised $60,000 to build a playground. He thinks that if we can buy the equipment for $33,000 and find volunteer labor to construct it, the amendment has validity.
- Marc Sirrico agrees with Christopher Merrill. He said last week this committee recommended the revolving fund article for $35 million without batting an eyelash. He said the reason the Recreation Department created its revolving fund is so the town could not defund programs for children through budget cuts. He absolutely is in favor of this article and thinks it is a shame these children have gone two years without a playground.
- Kevin Canty believes that as a petitioned article, it should be funded as presented or not funded as presented.
- Harry Salerno agrees that it is not fair to fund half the article so he is against the amended motion. While he believes it is dangerous to allow items to come off the CIC list and into a petitioned article on the warrant, it is legitimate. He will vote in favor of the article and allow Town Meeting to decide if they want to spend the money.

- Ethan Kusmin said that even with the amended motion, there will still be a cost for installation because there will be site work needed and machinery will be needed. He is in support of the full article.

Kevin Lynch withdrew his Motion to amend. Michael Hanlon withdrew his second.

Returning to the main motion to recommend Article 29, the motion carries (8-1-1). Charles Stevens, opposed. Shelagh Joyce, abstained.

Article 15: Private Roads

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise fund $500,000 in improvements to Private Roads including all costs necessary and related thereto, consistent with the provisions of Chapter 112 of the Acts of 2012 as signed by the Governor on June 13, 2012, or take any other action relative thereto. ROADS ADVISORY COMMITTEE

Article 15 was presented at the February 4, 2015 meeting but was postponed to this meeting so that members of the Roads Advisory Committee could attend and answer some questions. Committee members in attendance included: Chairman Steve Dyer, Board of Selectmen Designee Anthony Provenzano, and Planning Board Designee Tim Grandy. John Moody thanked them for attending. He said that this is the third year in a row that $500,000 was being requested to maintain and improve unaccepted roads and the committee is interested in hearing about the process of how they decide where to spend those funds. Anthony Provenzano stated that Plymouth has 497.1 miles of roadway, 152.2 miles of which are unaccepted. Two years ago a consulting engineer did a survey of all the roads and provided the length and condition of each road on an evaluation scale of 1-100. Also, the road projects are looked at by the Capital Improvements Committee and ranked by priority. Steve Dyer said that the first time they received the appropriation, they did not spend the funds immediately, they waited for the study and the ratings. Now with two years history they have a list of completed projects, a list of projects planned for the spring, and a list of future plans. Tim Grandy added that Beta Engineering also looked at other factors when rating the roads such as public safety, school bus and first responder access, etc.

Questions:

- Why not accept the 13.6 miles of roads in great condition immediately? (J Moody) The intention of the Roads Advisory Committee is to accept it if it is appropriate for that particular road. Some would never be accepted like cul-de-sac or dead end roads.
- Wouldn't it be wise to accept them to the Chapter 90 funding? (J Moody) Not always because there are other costs involved with town resources like engineering. Maybe we could look at capturing some roads as accepted in the planning process. Sid Kashi, Town Engineer, added that accepting roads takes a lot of time. His department has spent two months full time on that project alone. Some roads have waivers through the Planning Department to remain private so they can never become accepted. The road rating study needs to be cross referenced with the Planning Department list to see which of those roads have waivers.
- Is your intent to develop a clearly identified strategy for accepting roads moving forward and in what timeframe? (J Moody) Yes, our goal is to increase all to 68-70% to safe passage levels particularly for emergency response. We will receive our final report in March and need to time to sort and manipulate the data.
- So the report and not peer pressure will drive the strategy and prioritization? (S Joyce) Yes, the committee has seen everything from people trying to join the committee just to get their road accepted, the Beta report is needed and will be used. The report will not be the final word, we will have to revisit the other criteria but the report will provide the basis from where to start.
- Can the report be put on the town website? (S Joyce) That would be great, the public needs to see it.

- What is the difference between accepted and unaccepted? (K Lynch) Subdivision roads that have petitioned to be a public way through the town can become accepted. Roads that never get to that process because of legal issues, waivers, etc. remain unaccepted but still publicly used and maintained.
- What is RSR? (K Lynch) It is the ratings of the roadway conditions from 1 to 100, roads rated 90 or higher are deferred.
- The Advisory & Finance Committee has been consistent in its request for specifics about where the money will be spent. How will the $500,000 from this article be spent? (M Hanlon) We can't identify all the projects right now. We need to get the final report and manipulate the data. Some locations have already been prioritized and we know they will be on the list like the George Intersection.
- It would be valuable to communicate to the public where construction is taking place and what is on the list for the near future otherwise we are going to ask the same questions year after year. (J Moody) I agree. We hope to get it on the website so the public is aware. Braintree does this well. We will work to get that information out as soon as possible.

Charles Stevens made a motion to recommend Article 15. Cornelius Bakker, second. The motion carries unanimously (10-0-0).

Article 32: Zoning - Commerce Way

To see if the Town will vote to amend the Zoning Bylaw, Official Zoning Map of the Town of Plymouth, by changing the zoning designation of land on Commerce Way shown as Lots 44, 14K-39C and 14K-40B on Plymouth Assessors Map 103 from Light Industrial (LI) to Mixed Commerce (MC), as well as to amend associated sections, provisions, definitions, tables, charts and procedures pertaining thereto, or to take any other action relative thereto.
BY PETITION: Robert C. Betters, et al

Petitioner, Attorney Bob Betters, presented Article 32 on behalf of his client, Don Smith of Saxon Partners, owners of Colony Place. This article pertains to the 6.6 acre lot on Commerce Way that has been the Park and Ride lot. Saxon Partners was the winning bidder when MassDOT auctioned the property in November 2014. Saxon Partners would like to change the zoning from Light Industrial to Mixed Commerce. The adjacent lots on Commerce Way are both zoned Mixed Commerce as is Colony Place across the street. They would like to convert the lot to something complementary to Colony Place. The rationale for changing the zoning is that it would remove the potential for unattractive uses like industrial and manufacturing and allow retail. An industrial building like a concrete plant or salvage yard on that lot would be inappropriate for Commerce Way. Allowing Mixed Commerce would create a more attractive entrance to the Commerce Way retail and office area. By allowing road front retail, the assessment would be higher, creating more tax revenue for Plymouth.

The Selectmen supported this article unanimously, as did the West Plymouth and North Plymouth Steering Committees. The Planning Board voted unanimously against this article. They wanted to allow the possibility of light industrial and also wanted it as an option for remote parking for 2020.

Questions/Comments:

- Since the Planning Board does not support this article I would like to hear Mr. Hartmann's view on this Article. (J Moody) Lee Hartmann, Director of Planning and Development, said that the Planning staff has no objection. The biggest concern of the Planning Board was parking for 2020. Since then, the staff has had a discussion with Saxon Partners about the possibility of parking for 2020 at their properties and they are supportive and are sure they can work something out with the town. In light of this, the Chair of the Planning Board has put Article 32 back on the agenda, and Mr. Hartmann is optimistic there will be a positive vote.
- Does Saxon own the property now? (E Kusmin) They have not purchased it yet. They had the winning bid and are doing their due diligence.

- The site plan shows two curb cuts, are those the two in existence already? (M Hanlon) Yes.
- Has a traffic analysis been done? (C Merrill) The site plan shown is hypothetical, a possibility. Whatever they do will cause special permitting, and a traffic study will be part of that process.
- Has the Planning Board talked with Saxon Partners about the potential for 2020 parking? (K Lynch) That has been done at the staff level only.

Michael Hanlon made a motion to recommend Article 32. Christopher Merrill, second.

Comments/Questions:

- This is a great idea, is business friendly and will help the tax rate, all positive. Can you share the amount of the winning bid? (S Joyce) $1.8 million
- It will be great to see that lot used for something. (S Joyce)
- We need to do more to attract businesses to Plymouth. This is a step in the right direction. (K Canty)

The motion carries unanimously (10-0-0).

Article 30: Solar PILOT - Herring Pond Road

To see if the Town will vote, pursuant to the provisions of G.L. c.59, §38H, to authorize the Board of Selectmen and Board of Assessors to negotiate and enter into a payment in lieu of tax agreement with the lessee/operator of the solar photovoltaic energy generating facility to be developed on Lot 47B, Herring Pond Road, as shown on Plan No. '11-496 in Plan Book 56, Page 1084 at Plymouth Deeds, upon such terms and conditions as the Board of Selectmen and Assessors shall deem to be in the best interest of the Town, or take any other action relating thereto.
BY PETITION: Richard Serkey, et al

Petitioner, Attorney Richard Serkey, presented Article 30 on behalf of his client, Tom Melehan of Renewable Energy Development Partners (REDP). REDP has obtained permits from the town for the installation and operation of a 600kW solar facility on a 9.4 acre plot of land, 136R Herring Pond Road. The property is a spent gravel pit. REDP has received permission to interconnect the facility to the NSTAR grid. REDP is seeking to negotiate a 20-year PILOT agreement with the town. The hope is that on Town Meeting floor a motion can be made to accept the specifics of the agreement provided that is worked out in time. There were similar PILOT agreements approved at Town Meeting in the Fall 2013 as well as Fall 2014.

Question: Why are you proposing a 20 year and not a 25 year agreement? (E Kusmin) Thinks maybe a 25 year agreement will be negotiated.

Ethan Kusmin made a motion to recommend Article 30. Harry Salerno, second. The motion carries unanimously (9-0-1). Michael Hanlon, abstained.

Article 31: Land Swap - Herring Pond/Long Pond

To see if the Town will vote to authorize the Board of Selectmen to sell and convey a portion of the parcel of land located off the easterly side of Herring Pond Road shown as Lot 59A on Assessors Map 56 and, in exchange therefor, to purchase and acquire a parcel of land located off the southwesterly side of Long Pond Road shown as Lot 25 on Assessors Map 113, upon such terms and conditions as the Board of Selectmen shall deem to be in the best interest of the Town, or take any other action relating thereto.
BY PETITION: Richard Serkey, et al

Petitioner, Attorney Richard Serkey, presented Article 31 on behalf of his client, John McLaughlin Trustee of the Testamentary Trust (created by the will of Joseph G Callahan). They would like to swap an 8.25 acre parcel of land (appraised at $150,000) owned by Callahan located on the southwesterly side of Long Pond Road (Assessors Map 113, Lot 25) for a 6 acre portion (appraised at $105,000) of a 17.6 acre parcel owned by the Town of Plymouth off the easterly side of Herring Pond Road (Assessors Map 56, Lot 59A). They would like to

make the swap to obtain land contiguous to other land they own where they have permits to build a solar facility, and perhaps expand the facility in the future. The 6 acre portion was selected so that there is a 200 foot treed buffer of land to be retained by the Town, which will provide a significant buffer from any proposed future use to abutters (on Janebar Cir) or to Route 3. The Town owns this parcel off Herring Pond Road as a result of a tax title foreclosure and the lot is inaccessible. The land that the Town would get in the swap off Long Pond Road is located in the middle of a large undeveloped area and is adjacent to other lands owned by the Town or other conservation entities.

The Conservation Commission is in support of Article 31. The positive consensus of the Commission was unanimous. The land proposed to be swapped was of relatively high value from a conservation perspective. The 8 acre parcel has frontage on a small pond (Black Pond) and is located in proximity of a substantial parcel managed by Wildlands Trust, it is close to Natural Heritage and Endangered Species mapped habitat. If this Article is successful at Town Meeting, the Conservation Commission would accept the parcel under its care and custody once formally requested.

Questions:

- Who owns the other parcels near the Long Pond Road parcel? (K Lynch) The ones not labeled as town owned or conservation entity owned are private owned.
- Why are you only conveying that middle potion of the 17.6 acre parcel? (K Canty) Only the interior portion so there is a guaranteed buffer.
- Is there any road access to the 17.6 acre parcel? (C Merrill) It is land locked with no road access.
- Has there been any conversation with the abutters of the Long Pond Road parcel regarding it being conveyed to the town? (J Moody) Only had discussion with the abutter to the north who is supportive.

Ethan Kusmin made a motion to recommend Article 31. Harry Salerno, second. The motion carries unanimously (9-0-1). Michael Hanlon, abstained.

Christopher Merrill made a motion for a five minute recess. Harry Salerno, second. The motion carries unanimously (10-0-0).
The meeting was called back to order at 9:15PM by Chairman Moody.

Article 16A: Amend Vote of STM 2014 - Reduce Borrowing

To see if the Town will vote to amend the vote taken under Article 16A of the 2014 Spring Annual Town Meeting by reducing the $4,500.000 borrowing authorization approved there under for the restoration for 1820 Court House by the sum of $500,000 and further to transfer $500,000 for fiscal 2016 Community Preservation Act revenues for purposes of future restoration of said 1820 Court House, including construction, demolition, renovation, operation, and related costs, or take any other action relative thereto.
COMMUNITY PRESERVATION COMMITTEE

Community Preservation Committee Chair, Bill Keohan, presented Article 16A. 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 the renovation, preservation and rehabilitation of the 1820 Court House. At Fall TM 2015 the CPC made a similar recommendation to reduce the $500,000. The plan was to reduce the borrowing from $5 million to $4.5 Million. This Article will reduce the borrowing further to $4 million. The borrowing reduction strategy is a policy of the CPC. The plan is to build up a reserve fund to avoiding borrowing. This strategy will allow the CPC to avoid interest by paying for construction activities on the 1820 Court House with cash on hand.
The Community Preservation Committee voted unanimously in favor of Article 16A.

He also showed photos of historical items that have been removed from the Courthouse and Commissioner's Building, cataloged and stored that will be incorporated into the design.

Questions:

- Who are the major proponents of this project? (K Lynch) Since the county decided to no longer utilize this site 12 years ago there have been many proponents. Individuals, boards, committees, community wide discussions and Town Meeting all played a role.
- Assuming all of the CPC articles pass at Town Meeting, what will the balance be in the account? (M Sirrico) Approximately $500,000.
- Great presentation of the historical assets saved. Is it correct that the $5 million commitment from CPC for this project is to go towards the historical aspects? (J Moody) That is correct.

Charles Stevens made a motion to recommend Article 16A. Cornelius Bakker, second. The motion carries unanimously (10-0-0).

Article 16B: Stephens Field

To see if the Town will vote to appropriate $2,000,000.00 for the creation and/or restoration and rehabilitation of land for recreational use pursuant to the Community Preservation Act, which land is commonly known as Stephens Field, and is shown as Assessors Map 23, Lot 16b, 16c, 17c, 23, 24 and 26, and specifically for the creation and rebuilding Stephens Field as described in the Final Schematic Plan design by Ray Dunetz Landscape Architecture Dated August 2014 as voted and adopted by the Stephens Field Planning & Design Committee ("SFPDC") on October 8, 2014; and revisions to the Final Schematic Plan shall be presented to the Community Preservation Committee (CPC) for review and if the CPC determines that the revision is significant, the SFPDC will be requested to approve the revision and as funding therefor to appropriate said sum from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow pursuant to G.L. c.44B or any other enabling authority and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow said sum and issue notes and bonds therefor; and, in connection therewith, to authorize the Board of Selectmen to grant to a nonprofit or charitable corporation a restriction in said land meeting the requirements of G.L. c.184, §§31-33; provided however, that prior to expenditure of the funds appropriated hereunder, shall execute a mutually acceptable Grant Agreement between the Community Preservation Committee and the Town of Plymouth; or take any other action related thereto. COMMUNITY PRESERVATION COMMITTEE

Community Preservation Committee Chair, Bill Keohan, presented Article 16B. The intent of the CPC is to appropriate $2 million from the Community Preservation Fund to rebuild Stephens Field in accordance with the Final Schematic Plan design by Ray Dunetz Landscape Architecture dated August 2014 as voted and adopted by the Stephens Field Planning & Design Committee. Any revisions to the Final Schematic Plan shall be presented to the Community Preservation Committee (CPC) for review and if the CPC determines that the revision is significant, the SFPDC will be requested to approve the revision. The Community Preservation Committee voted unanimously in favor of Article 16B.

This was truly a community wide effort. This is a community and neighborhood park with connection to the water with a long history of community events. They held a series of public meetings and had a very active committee working on this project. The total estimated cost is $4 million. They hope to go to construction in two years. In the meantime the CPC will seek $500,000 grants. The Town has committed to taking on demolition, soil upgrades, and seawall revetment over the next couple of years.

Questions:

- $2 million from CPC, $1.5 million from town plus $500,000 grant equals $4 million. If we receive additional grants will that reduce the amount coming from CPC? (E Kusmin) Yes, that money could then be used for future projects?

- Will the town be bringing in soil? (M Hanlon) Yes. This site is a former dump and after testing there were some areas that needed mitigation. David Gould, Director of Marine & Environmental Affairs, recommends capping this area so there are no issues in the future.
- Will the park be locked at night? (S Joyce) No but it will be a dawn to dusk park. There will not be a cut through road anymore. It is and will be regularly patrolled.
- Are there enough parking spaces in the design? (S Joyce) Yes, they tried to maximize parking for both the park and as additional parking for events downtown.
- Are there plans for concessions? (S Joyce) The plan is to keep the building that is there now. They want to provide clean and safe bathrooms. Concessions can provide an economic benefit and the town can look at that possibility later.

Harry Salerno made a motion to recommend Article 16B. Kevin Canty, second. The motion carries unanimously (10-0-0).

Article 16C: Acquire 161 Taylor Ave

To see if the Town will vote to appropriate the sum of $200,000 for the acquisition, and to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise, for the acquisition of open space and to create, restore and/or rehabilitate land for recreational purposes pursuant to the Community Preservation Program, and to accept the deed to the Town of Plymouth, of a fee simple interest or less to 0.07 acres of land, more or less, in the Town of Plymouth located at 161Taylor Avenue, Plymouth, shown on Assessor's Map 45B as Lot 14-24, and further that said land shall be held under the care, custody, and control of the Conservation Commission, and to authorize appropriate Town officials enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; further to appropriate the sum of $30,000 for the removal of infrastructure, restoration and rehabilitation of land for recreational use, shown as Assessors Map 45B Lot 14-24, including all costs incidental and related thereto; and as funding therefor to appropriate the total sum of $230,000 from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow said total sum for such purposes pursuant to G.L. c.44B or any other enabling authority, and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow said sum and issue notes and bonds therefor; and further to authorize the Board of Selectmen to grant a conservation restriction in said property pursuant to G.L. c.44B, §12 and G.L. c.184, §§31-33; and shall execute a mutually acceptable Grant Agreement with the Community Preservation Committee and the Town of Plymouth; or take any other action related thereto. COMMUNITY PRESERVATION COMMITTEE

Community Preservation Committee Chair, Bill Keohan, presented Article 16C. The CPC believes that the acquisition of this property will allow the removal of failed septic systems and other infrastructure, which are harmful to Bartlett Brook and White Horse Beach. By controlling the property at Bartlett Brook Bridge, the Town can maximize future road and safety improvements at this location and protect adjacent properties from future damage. Town Meeting is asked to appropriate $230,000 from the Community Preservation Fund for the acquisition of 161 Taylor for open space recreational purposes under the Community Preservation Act, $200,000 for the acquisition of 161 Taylor Avenue and $30,000 for removal of the improvements and the septic system located on 161 Taylor Ave. The Community Preservation Committee voted unanimously in favor of Article 16C.

The two buildings on the property will be demolished. The site will be secured and gated. This will allow better emergency access to the beach as well as clear access to the brook for environmental protection. Also in the neighborhood now they are allowing 35 foot tall structures to be built which is detrimental to the neighborhood. This lot will not have any structures.

John Moody spoke about an email that was received from Christine Bostek, Founder & President Sands of White Horse Beach Association, on behalf of all the homeowners associations at White Horse Beach. Her email included the following points:

- There is also no added benefit to the town for vehicular or machine access to the beach before, during or after a storm event.
- There are 161 homes included in this specific Land Court property which have deeded rights that we feel will be trampled by the town purchase of 161 Taylor Avenue.
- We don't feel as though the town has considered the abutters or land court restrictions.
- In addition, there are no boundary markers present as to the exact location of the property.
- We would like to request that this matter be held until further information is gathered by the town and give the opportunity to the land court property abutters to discuss this further to eliminate any future discrepancies that would have an effect on all of Taylor Avenue.

John Moody said that the Advisory & Finance Committee needs to decide whether or not to refer this article to Town Meeting. The town can not acquire anything it does not have clear title to in advance of the acquisition. CPC will have the property properly surveyed and assessed and will have the property lines staked and conduct the title research.

Ethan Kusmin asked Randy Parker to comment on how his thoughts about the email in regards to Land Court. Mr. Parker said that he is a Precinct 7 Town Meeting Member from that area. He was originally hired by the seller to address conveyance of this property. There are two cesspools on the property which fail Title V automatically. One of the lots is a Land Court lot. He knows what the seller wanted for the property and knows the CPC is getting a great deal. It would be fantastic to easily access that brook to get sand out and put in filtration vents. Also to not have a 35 foot tall building on 4 foot piles at that location and have just sand instead is a huge plus. For emergency access to the beach purposes it is also great. This is a critical piece of land for the Town to obtain. He said he has no concern about conveyance issues. The corner of one of the buildings is on town land. Also, the seller thinks the town should own this property.

Questions:

- Is there a chance this site will be utilized for bathrooms or storage? (M Hanlon) No, not at all. 54 Taylor Ave is the site being used for bathrooms and beach storage.
- Will there be parking at this site? (S Joyce) No parking. The parcel will be fenced off and have a gate for emergency access. The Department of Marine & Environmental Affairs is putting together a master plan for White Horse Beach and this site will be part of that plan.

Kevin Lynch made a motion to recommend Article 16C. Michael Hanlon, second.

Charles Stevens made a motion to postpone Article 16C to March 4th, to hear other points of view from the other 160 lot owners. Kevin Lynch, second.

Discussion:

- This is a great opportunity for everyone that lives in that area. No building, no parking, just open space and a staging area to prevent properties from flooding. This is a win-win. (E Kusmin)
- The meeting was posted a long time ago and property owners had a chance to come tonight to voice their opinions. Where are they? (S Joyce)
- I believe the property owners have a right to be heard. (K Lynch)

- This email was sent at 4PM today which is very late. The statements made in the email are broad and vague. It does not provide a strong case to postpone. (K Canty)

Voting on the motion to postpone, the motion fails (2-8-0). Charles Stevens and Kevin Lynch, in favor.

Voting on the main motion to recommend Article 16C, the motion carries (9-1-0). Charles Stevens, opposed.

Bill Keohan announced that the Manomet Steering Committee will be discussing this article ,as well as plans for 54 Taylor Ave, at their meeting on February 26th at 7PM at the John Alden Club.

Article 16D: Acquire 161 Taylor Ave

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2016 Community Preservation Budget and to appropriate from the Community Preservation Fund a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2016, future appropriation amounts as recommended by the Community Preservation Committee: a sum of money for the acquisition, creation, and preservation of land for open space, and including restoration and rehabilitation of land for recreational use, a sum of money for acquisition, preservation, restoration and rehabilitation of historic resources, and a sum of money for the acquisition, creation, preservation and support of community housing, or take any other action relative thereto. COMMUNITY PRESERVATION COMMITTEE

Community Preservation Committee Chair, Bill Keohan, presented Article 16D. This is an administrative article which sets up the CPC finances for the year. The Community Preservation Committee recommends that 10% of the Fiscal Year 2016 estimated annual Community Preservation Fund revenues be set aside for each of the following purposes: a) community housing, b) historic resources and c) open space, including land for recreational use; and further, that 4% of the annual revenues in the Community Preservation Act Fund be appropriated for the purpose of funding the administrative and operating expenses of the Community Preservation Committee in Fiscal Year 2016 including legal and appraisal work, as well as signage for and improvement of safe access to, approved CPA projects. It should be noted that any unused portion of funds appropriated for the administrative purposes of the Committee reverts to the CPA unallocated balance at the end of each fiscal year. The Community Preservation Committee voted unanimously in favor of Art 16D.

Cornelius Bakker made a motion to recommend Article 16D. Harry Salerno, second. The motion carries unanimously (10-0-0)

SPECIAL TOWN MEETING: Article 12: Acquire Land off Old Sandwich Road - Hio Hill

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, for open space and recreational purposes pursuant to G.L. c.44B and to accept the deed to the Town of Plymouth, of a fee simple interest or less of land located off Old Sandwich Road in the Town of Plymouth comprised of 88 acres, more or less, shown on Assessors' Map 51 as Lot 5 and 6, said land to be held under the care, custody and control of the Conservation Commission, to appropriate $705,000 for the acquisition and other costs associated therewith from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow said total sum which shall be reduced by the amount of any grants received by the Town pursuant to G.L.c.44B, section 11 or G.L. c.44, section 7 or any other enabling authority; and further to authorize the Board of Selectmen to grant a conservation restriction in said property in accordance with G.L.c.44B, section 12 meeting the requirements of G.L. c. 184, sections 31-33; and to authorize appropriate Town officials to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; or take any other action relative thereto. COMMUNITY PRESERVATION

Note: Originally thought to be STM Article 16A, this is actually STM Article 12.
Community Preservation Committee Chair, Bill Keohan, presented STM Article 12. The Community Preservation Committee is recommending the purchase of the Hio Hill property for the purposes of passive recreational use and the protection of priority habitats of rare species. This property has an elevation of 270 feet and has a great view looking out to Cape Cod Bay. Acquisition of this property will enhance the conservation corridor along Old Sandwich Road from Ellisville Harbor to Myles Standish State Park. The property abuts four hundred acres of existing conservation land purchased with CPA funds. The land is near the Savery Pond Town Well, Zones 1 and 2. This purchase is in accord with the Town's 1998 ENSER plan, which calls for acquiring conservation land between the State Forest and Ellisville State Park on Cape Cod Bay. The Community Preservation Committee voted unanimously in favor of Article 12.

Michael Hanlon made a motion to approve ATM Article 12. Harry Salerno, second. The motion carries unanimously (9-0-1). Kevin Lynch, abstained.

PUBLIC COMMENT
Randy Parker commented that Hio Hill is truly a remarkable property with phenomenal views and the town would be lucky to own it.

OLD/NEW/OTHER BUSINESS
Charles Stevens reported from his budget sub-committee meeting that DPW is in the process of getting the town property inventory software done, it is still a work in process.

MINUTES
Harry Salerno made a motion to postpone the vote to approve the January 21, 2015 meeting minutes until the February 25, 2015 meeting. Kevin Canty, second. The motion carries unanimously (10-0-0).

ADJOURNMENT **Kevin Canty moved for adjournment. Harry Salerno, second.**
The motion for adjournment carries unanimously (10-0-0).
The meeting adjourned at 10:24PM.

Respectfully submitted,

Kere Gillette