

ADVISORY AND FINANCE COMMITTEE
Minutes
August 23, 2023, Hybrid Meeting

PRESENT **15 members of the committee were present:** Gail Butler, Louis Cabana, Brian Dunn, Daniel Green, Bruce Howard, Joe Lalley, Timothy Lawlor, Steve Nearman, Lorenzo Pizarro, Christine Richards, Bethany Rogers, Ashley Shaw, Evelyn Strawn, Jim Young, and Robert Zupperoli.

ABSENT **0 members of the committee was absent:**

Call to Order - The meeting was called to order by Chairman Steve Nearman at 7:00 PM.

Announcements

- **Hybrid Meeting:** This meeting is likely to be conducted in a hybrid format, with some participants attending physically and others attending virtually via a video conference application.
- **Ways to Watch:** The meeting will be airing on Comcast 15, Verizon 47, or on PACTV's YouTube channel which can be viewed at pactv.org/stream.
- **Public Comment:** Any speaker giving public comment is allotted up to 5 minutes in which to speak. Public Comment can be made at the beginning or end of each meeting, or in regard to a particular agenda item the speaker wishes to be heard on
- **Zoom Login Information:** Anyone who wants to attend the meeting virtually, including members of the public who wish to give public comment, can use one of the following methods in which to do so:
 - **Join via Zoom application:** Download the Zoom meeting application on your device, press/click on "Join", then enter Meeting ID: **995 2986 0638**, and then the Meeting Password: **100131**, or
 - **Join via website** (requires microphone): Go to www.zoom.us, click "Join A Meeting" on the top righthand side, and enter the meeting ID: **995 2986 0638**, and then the meeting password **100131**, or
 - **Join via Telephone (voice only):** Dial **929-205-6099** and Enter Meeting ID: **995 2986 0638** and enter Meeting Password: **100131**

Public Comment - None

Minutes: Approve July 12, 2023, meeting minutes - Mr. Zupperoli motioned to approve the minutes as written. Mr. Young second. Motion carried unanimously (15-0-0).

Fall Town Meeting Articles

Article 13 Conveyance of Tax Title Property to Parks & Forestry - Open Space, Open Space Committee – Mr. Brian Harrington, Open Space Committee, briefed that they are requesting to transfer the care, custody, management, and control of the 4 listed parcels from the Town Treasurer to Parks & Forestry for open space and recreational purpose. Mr. Harrington advised that the parcels are largely contiguous with existing parks department land, largely forested for strategic wildlife habitat and passive recreation. Chairman Nearman asked for an explanation of how properties end up in tax title. Patrick Farah, Planning Dept, advised that properties end up in tax title when the owner of record stops paying taxes on their property. The Town does its due diligence to collect the taxes and after a long process it ends up in tax title. Ms. Richards asked if a title search has been done on these properties to determine if there are any restrictions on the properties. Mr. Farah advised that Town Counsel will review the properties and titles for restrictions. Ms. Richards suggested that the title examination be done when the property goes into tax title. Mr. Lalley asked if the Parks Dept. had done a site evaluation. Mr. Farah said that they had visited the site. Mr. Lalley made a motion to approve Article 13 to Town Meeting. Ms. Butler second the motion. Ms. Shaw is concerned that a title examination hasn't been done and for that reason she can't vote in favor. Ms. Strawn advised that the Committee has historically approved tax title transfers as requested whether a title examination has been done or will be

done. Mr. Farah didn't have the answer as to whether the title examination has been done and he will get the answer from the Town Treasurer. Ms. Butler would like more information also. Motion carried 10-4-1, Mr. Cabana abstained.

Article 14 Tax Title to Conservation Commission, Open Space Committee – Mr. Brian Harrington, Open Space Committee, advised that they are requesting to transfer the care, custody, management, and control of the two listed parcels from the Town Treasurer to Conservation Commission. Mr. Harrington advised that the parcels are contiguous with existing conservation land. Mr. Howard asked how much frontage was on Shallow Pond. Mr. Farah advised approx. 20 feet and goes to the Briggs estate. Mr. Green asked about the prior use of the land. Mr. Farah advised that he was unsure. Ms. Butler asked if there was a road. Mr. Farah advised there wasn't. Ms. Strawn motioned to approve. Ms. Shaw second the motion. Motion carried 12-2-1.

Article 15 Nip Ban Bylaw, Open Space Committee – Chairman Nearman noted that as a runner he sees the nips littered along the Plymouth roads.

Ms. Deb Iaquinto, Open Space Committee Member, introduced the article though their content expert, Ken Stone, would present the article. She noted for the record that he is not a member of the committee. Mr. Stone presented a PowerPoint presentation and emphasized that they are opposed to the container. The proposed bylaw would prohibit the sale of any bottle or container of alcohol that is 100 ml or less size by any establishment within the Town of Plymouth. He advised that over a 4-day period volunteers collected 14,000 littered nips. Nips are a major source of litter since they are too small to recycle and sorting equipment doesn't capture them. Mr. Stone advised that State legislature has continually failed to pass a deposit on nips to deter littering. Mr. Stone noted research demonstrating plastics in the environment are a risk to human health and wildlife, are not biodegradable, and leach toxins into the environment. Mr. Stone suggested that Nip Bans have proven effective in reducing nip littering in other towns and gave examples. Additionally, they feel nips encourage alcoholic abusive behavior. A nip ban is a harm reduction strategy to reduce alcohol-related health and safety risks and related expenses to town safety services. A nip ban will not be a "disaster" for liquor stores and Mr. Stone sited a few examples of towns and cities that have implemented the ban without store closures.

Ms. Shaw asked how much money this will save on DPW and Public Safety services. Mr. Stone doesn't know how much would be saved but if the Fire Dept. and ambulance call outs are reduced it has to have a savings. Ms. Shaw asked where the bylaw language came from and had Town Counsel reviewed it already. Mr. Stone advised that he used the language from other towns' bylaws that passed and yes, the language has been approved by Town Counsel. Ms. Shaw has concerns with the language and definitions and feels that it could have a more widespread impact than is intended and as written could ban shots. Mr. Stone advised that this language has been approved by the Attorney General's office for other towns and our Town Counsel. Ms. Shaw asked Mr. Stone to get the approved bylaw language from another Town's to the committee. He said he would.

Ms. Butler asked how many Massachusetts towns have passed nip bans and how many failed? Mr. Stone said 12 passed and 2 failed.

Mr. Howard favors the bylaw but is concerned about the enforcement. Mr. Stone indicated that the Liquor Licensing is responsible for enforcing the bylaw and nobody wants to lose their liquor license over nips.

Mr. Lawlor said the committee wants to get the most accurate information when considering articles. He asked Mr. Stone to clarify individual freedom to consume alcohol will not be restricted. Mr. Stone said that you won't be able get alcohol in a miniature or quarter pint size but you will be able to get it in all other way

care to. It's the balance between individual freedom and the greater good. Mr. Lawlor asked about the number of nips collected during the cleanup and if they were actually counted. Mr. Stone advised that they had counted them. Mr. Lawlor asked why there were illustrations from 3 towns that don't have nips bans. Mr. Stone advised that they were in the presentation to illustrate the litter problem with nips. Mr. Lawlor asked if the statements in the presentation were subjective. Mr. Stone said some are subjective but not many. Mr. Lawlor asked if a nip ban will stop litter. Mr. Stone replied no but it will reduce it. Mr. Lawlor asked if there was figure on the reduction to safety expenses. Mr. Stone said he did not have a figure.

Mr. Dunn asked if the nip ban results in an increase in purchase of the larger size bottles. Mr. Stone was unsure but the larger size bottles are recyclable.

Ms. Richards is opposed to the nip ban because she feels that the litter problem is more complex and she doesn't support targeting only one source of litter. She asked Mr. Stone why just nip bottles. Mr. Stone said it is because nips are a big single source of litter. He compared it to the ban on just plastic bags which has been successful in a short period of time. Additionally, she is opposed to limiting the consumer on the size they can buy. Ms. Richards feels littering is the problem.

Mr Pizarro asked if there was public comment from local purveyors. Mr. Stone replied, no. Mr Pizarro said 3 purveyors came to the Board Health meeting earlier in August and were against the ban saying it would ruin them and that they felt this ban will hurt them personally not just business wise. Mr. Pizarro feels that this ban is regressive from the standpoint that not everyone can afford the cost of larger sized bottles but they can afford the cost of the small nips. He supports the merits of the litter and plastics in our environment but not the items he mentioned.

Ms. Strawn has been involved for 13 years in the Town Wide Clean Up and they have only been auditing the nips for 2 years. She can vouch for the 14,000 nips counted because she was there and she hopes this ban will be approved.

Mr. Dunn advised that he doesn't support the ban because when other towns banned them the sales increased in neighboring towns.

Mr. Young is concerned that the bylaw doesn't say nips but says any alcohol 100 ml or less in size and that could be interpreted as other than nips.

Mr. Green feels that the ban will be a little nudge in the right direction and that could be good.

Ms. Rogers can't support for many reasons, the language, prohibitive nature of the ban, choosing which litter to ban.

Mr. Zupperoli feels that the committee supported the bag ban and the fur ban and should be consistent in what they support.

Ms. Shaw feels the definitions aren't clear enough for the intent of the bylaw.

Ms. Butler feels litter needs to be all or nothing. Its just another encroachment on the public and punishing citizens that want a smaller size. It's the littering that needs to be enforced.

Mr. Lawlor is opposed to the ban and read his various reasons, which were noted previously, to the committee and Mr. Stone.

Mr. Zupperoli motioned to recommend Article 15 to Town Meeting. Mr. Lalley second. The motion failed 7-8-0. Mr. Cabana, Mr. Green, Mr. Howard, Mr. Nearman, Mr. Pizarro, Ms. Strawn, and Mr. Zupperoli favored.

Article 18 Solar Pilot - 17 Plymouth St – Mr. Nearman advised that the committee is voting on the tax agreement only. He read a presentation from Ms. Lynne Barrett, Finance Director, who had a previous commitment. The agreement is for 17 Plymouth St for a 5-acre floating solar array on a 12-acre agricultural reservoir. Mr. Hartmann clarified the PILOT (payment in lieu of taxes) was on the equipment. Ms. Butler asked some questions that were outside the scope of the article and Mr. Hartmann advised that the project has already been approved and the committee is voting on the tax agreement only. Mr. Pizarro motioned to recommend Article 18 to Town Meeting. Mr. Lawlor second. Motion carried unanimously 15-0-0.

Article 19 Solar Pilot - Long Pond Park & Ride – Mr. Green asked how the Town could tax the State. Mr. Hartmann wondered the same thing when he read the article but he replied that if the State entered into and signed the PILOT agreement then it was appropriate. Mr. Howard motioned to recommend Article 19 to Town Meeting. Mr. Green second. Motion carried 14-0-1, Mr. Lalley abstained.

Article 8 Master Plan, Lee Hartmann, Planning & Development – Chairman Nearman advised that this request is for a comprehensive Town Plan. Steve Bolotin, Vice Chair, Planning Board, and Mr. Grandy Planning Chair, were in attendance. Mr. Bolotin advised that this article is for planning the future of Plymouth. The most important planning document is the Master Plan and the current plan was adopted in 2006. The Plymouth Planning Board, in conjunction with the Master Plan Task Group, has developed a scope of services for the next Plymouth Master Plan titled “Charting Plymouth’s Future Together”. They want the focuses on public input and implementation plan. The cost to the Town will be \$430,000 and another \$70,000 will come from the Commonwealth of Mass. This is a complex process that will take up to two years from hiring the consultants. Mr. Howard asked what will prevent the cost from increasing. Mr. Bolotin said that the consultants will know the budget and bid accordingly based on that. Ms. Richards asked if we are limiting ourselves by locking in \$500,000. Mr. Hartmann, Director of Planning, feels that the Town can attract qualified consultants at this price. Mr. Dunn motioned to approve Article 8 funding of \$430,000 to Town Meeting. Mr. Cabana second. Ms. Strawn noted that she was part of the task force and supports this project. Mr. Pizarro also was part of the task group and feels that the execution is important. Motion carries unanimously 15-0-0.

Old/New/Other Business – Chairman Nearman would like Ms. Richards to find out whether the tax title properties have had a title search. Ms. Richards would like to see registered/recorded plans submitted with the articles not Assessors plans in the future.

Public Comment - None

Adjournment - Ms. Butler motioned to adjourn. Mr. Zupperoli second. Motion carried unanimously 15-0-0. The meeting adjourned at 9:29 PM.

Submitted by
Jeanette White
Budget Analyst