

PLYMPTON BOARD OF SELECTMEN MEETING MINUTES

July 14, 2014

Present: Chairman Mark Russo, John Henry and Colleen Thompson, Clerk
The Board met in Executive Session at 5:30 PM #2 Continue Contract negotiation and ongoing legal issues.

The Regular Open Meeting began at 6:00 PM Mr. Russo opened the meeting by introducing the Board of Selectmen, Selectmen's Assistant, Lisa Krance and Town Coordinator, Dale Pleau.

Mr. Russo mentioned the meeting was being recorded by Comcast Cable.
Chairman Russo opened the meeting with the "Ground Rules" for meeting.

The Agenda was followed accordingly:

Vacation Policy:

At the last Selectmen's Meeting, the Town Treasurer, Ms. Morin and Town Coordinator requested that their FY14 vacation time be carried into the FY15 year.

Mr. Russo reported he asked for a review of Treasurer's and Coordinator's contracts and there was no provision made to "carry over" vacation time. Mr. Russo consulted with Mr. Freitas on this subject; Mr. Freitas remembers a "carry over" of vacation time, fifteen years ago and it was just the one time.

Mr. Russo made a proposal that the Town Treasurer and Town Coordinator be allowed to "carry over" the vacation time into FY15, however, the time must be used in FY15 and going forward, vacation time be used in the year it is earned. Mr. Russo stated he does not want to set precedence on matters relating to similar requests in the future.

Mr. Henry stated he is fine with the recommendation, however, the Board may ask Someone not to take a requested vacation time if the time is during a crucial period during that year.

Ms. Thompson commented that this will be something that can be addressed within the new proposed Personnel Procedure Manual.

VOTED: Motion made by Mr. Russo to allow both the Town Treasurer and Town Coordinator "carry over" their vacation time into FY15 Second Mr. Henry. 3/0

Comcast:

Mr. Russo reported that the Halifax Cable Advisory Board will meet Wednesday, July 16, 2014. Mr. Russo has contacted Attorney Epstein and discussed the initial conversation to begin contract negotiations with Mr. Buckley at Comcast.

Mr. Epstein will review the Halifax Cable contract with Comcast and use their contract as a template for Plympton. Mr. Russo relayed an email correspondence to Mr. Henry that hopefully, answered Mr. Henry's question pertaining to Selectmen having the authority to approve a surcharge fee to residents.

Mr. Henry read the email correspondence and will reframe the question he would like Mr. Epstein to answer.

Solar:

Mr. Russo reported that Representative from the Solar Company, Blue Wave Capital visited the Board's June 30, 2014 meeting, unexpectedly. The Town Meeting will vote on any Pilot Agreement that is ready at that time. The Representatives are aware of this fact. Mr. Henry added to the report that Blue Wave Capital intends to build with or without the Pilot Agreement. Mr. Pleau added that "after the fact" is o.k.

Mr. Henry asked Mr. Pleau to confirm requested information findings with Assistant Assessor, Ms. Stuart on the TJA Solar project of Mr. Andy Steinke, Developer and report back to Board.

Sakr law suit:

Mr. Henry reported on the most recent Summons delivered to Town Departments and Employees, served by the Deputy Sheriff on Thursday, July 10, 2014

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Mr. Henry stated that the legal costs are costing the Town \$3,000 to \$4,000 a year. Mr. Henry stated the Summons/legal claim by Ms. Sakr must stop. Mr. Henry has consulted Town Counsel on the possibility filing harassment charges against Ms. Sakr. Again, the time and cost involved to the Town will not prove to stop Ms. Sakr for continuing her claims against the Town/Departments. Mr. Henry went on to give some prior history of his assistance to Mr. Sakr. The property on Lake Street is a 40B property and was handled by Mayflower Bank. Mr. Henry communicated with the Bank, their Attorney and Engineer to resolve Ms. Sakr's concerns two years ago. Mr. Henry brought the Attorney and Engineer to Ms. Sakr's property to rectify the issues that were claimed against the Town. Ms. Sakr would not allow them on her property.

Selectmen and Town Coordinator priorities:

Mr. Henry requested a "working session" meeting for the Board of Selectmen, prior to the Common Meeting with Board/Committees/Department Heads scheduled for Monday, August 25, 2014 to discuss:

- Set priorities
- Department role in priorities
- Have Boards/Committees/Department Heads present their list of priorities prior the Common Meeting. These will be reviewed by Board and combined into the Agenda for the Common Meeting – Priority List
- Ask Boards/Committees/Department Heads for their needs
- Planning Board assistance

Mr. Russo stated he agrees with the priority list and planning for the year.

A working session for the Selectmen will be Thursday, July 24, 2014 at 10:00 am

Mr. Henry went on to say, there are crucial things that must be done this year; the Public Safety Building project and a Committee to carry on the recently completed Town Buildings Needs Study. Mr. Henry has spoken with the Fire Chief and Police Chief to involve them with the project. The Highway Surveyor and Town Coordinator will also be involved in the project. Mr. Russo stated he agrees and the Policy could be one or two years in the process.

By-laws update:

- Mr. Russo reported he has been collecting names of residents that are interested in being members of the Solar By-law review Committee – (JP) Jake Jacobson would like to be on this Committee
- There are two Conservation Commission Members interested in being on the Wetlands review Committee
- Master Plan is on the radar screen and costs will be considered
- Old Colony Planning Council could assist with the Master Plan
- State Legislature – working on Zoning to simplify – not sure if it will pass

Mr. Henry commented that there are misguided zoning issues. Solar sites located to Industrial Zone may not always be the solution. Some Industrial Zoned may abut a residential row of houses. More time will be needed to review and recommendations of findings made.

Planning Board Assistance:

- A key member of the Planning Board, Mr. O'Leary – no longer on Board
- Find out what type of assistance is needed for the Planning Board
- Land Use Workshop – Wednesday, July 23, 2014 at 7:00 PM

Policy and Procedures Manual:

- Board of Selectmen will produce Manual
- Include Wage & Personnel
- Dale Pleau has "outline" for Manual
- Amend current Policy now
- Cover basic definitions, recruitment, hiring, probation period, maternity leave, performance evaluations, include Wage & Personnel, Medical Leave, grievances, leaves of absence, distribution, CDL – alcohol/drug policy, Safety policy.

Mr. Pleau asked Board for their directive in moving forward with Manual.

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Ms. Thompson stated she does not have much more to add to Dale's outline.
Mr. Russo requested that the List of Benefits be prepared for new employees.
Much discussion ensued regarding cross referencing between current Wage and Personnel By-law and Town Counsel's review to amended procedures.

Policy and Procedures – handling complaints:

- Mr. Russo stated there are no new complaints pending
- There are wooden logs that were left on Lake Street – Ms. Thompson will follow up on this
- Mr. Henry as former Chairman, resolved most complaints by visiting site of complaint

Policy and Procedures – Town Counsel: Mr. Russo reminded Boards/Committee Members to consult Board of Selectmen for Boards approval before contacting Town Counsel – forms to contact Town Counsel are in BOS office. Questions to Town Counsel will be reviewed by the Board and framed in a time efficient manner.

Zoning violation Policy and Procedures:

Suggestions made by Mr. Henry:

- Zoning Enforcement Office – may have to contact Town Counsel immediately on time sensitive matters.
- When a Select Board Member is in violation in a ZEO matter.

Ongoing Zoning violations:

Mr. Henry reported he was called twice by ZEO regarding a matter – Town Counsel did not charge for calls. Mr. Henry gave a prior history of an ongoing Zoning violation matter with an original owner and sale of well water that was under Farm operation zoning.

The farmer sold the operation and it was zoned under Commercial Zoning; violation of hours/weekends/holidays – Current law suit pending between Town and Well water owner, Rocky Harvest, LLC.

Mr. Henry went on to mention Just Right Farm, at which point, Mr. Russo stated he will step away from the Selectmen's position and sit in the audience as a "citizen." Time: 6:57PM

Ms. Thompson asked Mr. Henry what was the normal procedure the ZEO uses when there is a Zoning violation. Discussion ensued regarding how the Zoning Enforcement Officer, Mr. Karling generally handles any Zoning Enforcement complaints. Mr. Henry stated the ZEO normally contacts the person/business in question. Mr. Russo stated that he never received any notification from the ZEO that Just Right Farm business was in violation. Mr. Russo suggested that the proposed General Policy and Procedures address a subject like this. Mr. Russo stated that he feels there has been an accusation made against Just Right Farm. Ms. Thompson recommended this be put on the Selectmen Meeting "Working Session" Agenda on July 24, 2014 for discussion. Ms. Thompson and Mr. Henry discussed a folder of information that Ms. Thompson was not privy to, she asked for more time to review the folder and stated she is uncomfortable with the decision to request Town Counsel draft a letter send a letter to Just Right Farm regarding any violations pertaining to operation of hours, until there is more time to review the material. Ms. Thompson stated have the ZEO contact the Russo's, Just Right Farm and proceed with the normal process. Mr. Henry stated that the ZEO requires the letter to be written by Town Counsel. At 7:10 PM Mr. Russo returned to the Selectmen's table.

Commercial trash Disposal at Transfer Station:

Mr. Henry gave a report on the Duxbury Transfer Station experience regarding the dumping of hazardous commercial waste. Plympton does not have a Commercial Trash permit. Discussion ensued regarding Plympton Transfer Station and definition of what commercial trash is; also discussed was: Violations, notifying Department of Environmental Protection, enforcement, penalties.

Common Meeting – Monday, August 25, 2014 at 7:00 PM "Save the Date"

All Boards/Committees, Department Heads and Employee personnel are invited to attend this meeting. More details to follow.

This ended the "ongoing discussions" item on Agenda.

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TOWN COORDINATOR REPORTS:

- Thursday – Plumbers will begin installation of ADA restroom in men's and women's bath room at Town House.
- Once water main at the Town House is turned off, the water at the Fire Station and trailer will be affected. They are on the same well supply system. The Library has a separate well supply system.
- Alarm system for Town House – next fall.
- State Bids under the 30B Law for sealed bids has increased to \$35,000 and will require three written sealed bids as well as three oral bids.
- Selectwoman Thompson and Mr. Pleau are working together on the Policy and Procedures Manual.
- A rebate and cost of unit to turn the heat off at night in the Town House will be researched.

ACTIONS & APPOINTMENTS: None

OLD BUSINESS: Revisit FY14 vacation time carried into FY15 – addressed earlier in meeting.

CORRESPONDENCE:

Filed in Selectmen Assistant's office unless noted otherwise:

Memo from Ms. Matheny, Building Department Administrative Assistant – relocate work station to former Selectmen's Room on main floor at Town House. The Board took Ms. Matheny's request under advisement. Mr. Pleau will have the office tested for air quality.

VTS Technology Conference - September 24, 2014 in Worcester.

Visiting Nurse Association of Cape Cod – Contract FY 2014

VOTED: Motion made by Mr. Russo to sign the Contract for FY 15 with the VNA of Cape Cod. Second Mr. Henry. 3/0 Copied – Plympton Board of Health.

Penney Engineering, Inc. – 266 Main St., (Former Plympton Country Store)

Town Clerk – Plympton Annual & Special Town Meeting Minutes of May 14, 2014

Suzzane T. Sakr – Summons – Served on July 10, 2014

Comcast news letter

MIIA – request verification of accuracy for Town Auto Fleet list and Special Property and Statement of values: (Police, Fire, Highway, COA and Dennett.)

Mass Municipal Association (MMA) dues - \$485.00

Mass Municipal **Management** Association (MMMA) dues - \$73.15

Comcast business - increased number of Internet plans

Plymouth Redevelopment Authority – Affordable Housing notice – Lobby

Plympton Planning Board – TJA Solar Site Plan Review dated July 07, 2014

Mass Interchange – Summer volume 2014

Plympton- Halifax Express newspapers

This concludes correspondence.

DATES:

Wednesday, July 23, 2014 at 7:00 p.m. Land Use training Seminar – Town Counsel

Next Board of Selectmen Meeting, Monday, July 28, 2014

MINUTES:

VOTED: Motion made by Ms. Thompson to accept the Meeting Minutes of June 16, 2014 as amended. Second Mr. Henry 3/0

VOTED: Motion made by Mr. Henry to accept the Executive Session Meeting Minutes of June 16, 2014 Second Mr. Russo 3/0

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VOTED: Motion made by Mr. Russo to accept the Executive Session Meeting Minutes of June 30, 2014 as amended. Second Ms. Thompson 2/0/1 (Mr. Henry – absent)

VOTED: Motion made by Ms. Thompson to accept the Regular Open Session Meeting Minutes of June 30, 2014 as amended. Second Mr. Russo. 2/0/1 (Mr. Henry – absent)

Mr. Henry took a moment to thank Plympton Police Officers' Cranshaw and Hoffman for their outstanding investigative work that led to the capture and return of stolen items to Plympton residents

Mr. Henry suggested that another policy be created to address the cash flow in the first quarter of any Fiscal Year for large invoice payments. Several Town Insurance invoices and School invoice payments need to be paid in the first quarter of the budget. Insurance Premiums, when paid in full receive a credit; however, the large payments may eventually create a possible cash flow issue in the first quarter of the budget.

VOTED: Motion made by Mr. Russo to adjourn the Meeting at 7:45 PM. Second Mr. Henry. 3/0

Respectfully submitted, Lisa Krance,
Board of Selectmen, Assistant

All Meeting Minutes are sent electronically to Town Clerk's Office and are posted on the Town website. A paper copy and electronic version is on file with the Selectmen's Office.

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