

**2009 SPECIAL TOWN MEETING
MOTIONS
April 4, 2009**

The Moderator called the meeting to order at 9:18 AM. He noted that the return of service was properly made. With no objection, Town Meeting waived the reading of the return or of the warrant.

Mr. Driscoll moved to hear Article 13C after Article 7B.
The motion PASSED unanimously.

ARTICLE 1: There was no motion. Town Meeting took no action.

ARTICLE 2A: Mr. Driscoll **moved** that the town vote to transfer the sum of \$193,884, to be added to funds already appropriated under Article 7 of the 2008 Annual Town Meeting for the purpose of supplementing departmental expenses, as follows:

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Sources

Finance & Accounting

Salaries & Wages	37,266.00
	<u><u>\$ 37,266.00</u></u>

Fire Department

ATM 2008, Article 8, Item KK	5,000.00
Salaries & Wages	30,000.00
	<u><u>\$ 35,000.00</u></u>

DPW- Highway

Salaries & Wages	46,618.00
	<u><u>\$ 46,618.00</u></u>

Salary Reserve

Salary Reserve Fund Transfers	55,000.00
	<u><u>\$ 55,000.00</u></u>

Salary Reserve

Salary Reserve Fund Transfers	20,000.00
	<u><u>\$ 20,000.00</u></u>

TOTAL \$ 193,884.00

Uses

Finance & Accounting

Other Expenses	37,266.00
	<u><u>\$ 37,266.00</u></u>

Fire Department

Other Expenses	35,000.00
	<u><u>\$ 35,000.00</u></u>

DPW - Maintenance

Other Expenses	46,618.00
	<u><u>\$ 46,618.00</u></u>

Veterans' Services

Other Expenses	55,000.00
	<u><u>\$ 55,000.00</u></u>

Finance Committee Reserve Fund

FinCom Reserve Fund Transfers	20,000.00
	<u><u>\$ 20,000.00</u></u>

TOTAL \$ 193,884.00

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The motion PASSED unanimously.

ARTICLE 2B: There was no motion. Town Meeting took no action.

ARTICLE 2C: Mr. Driscoll **moved** that the town vote to transfer the sum of \$14,000, to be added to funds already appropriated under Article 7D (Airport Enterprise Fund) of the 2008 Annual Town Meeting, for the purpose of supplementing departmental expenses, as follows:

Sources

Airport

Other Expenses	14,000.00
TOTAL	\$ 14,000.00

Uses

Airport

Salaries & Wages	14,000.00
TOTAL	\$ 14,000.00

The motion PASSED unanimously.

ARTICLE 3: Mr. Driscoll **moved** that the Town vote to transfer the sum of \$3,819.27 to pay certain unpaid bills, as follows:

Sources

Town Manager

Legal Services - FY2009	3,819.27
TOTAL	\$ 3,819.27

Uses

Town Manager

Legal Services - FY08	888.00
Legal Services - FY08	1,284.02
Legal Services - FY07	1,647.25
TOTAL	\$ 3,819.27

The motion PASSED unanimously.

ARTICLE 4A: Mr. Driscoll **moved** that the town vote to transfer \$29,267.45 from receipts reserved for insurance recovery for repair of the Highway Department Street Sweeper, as follows:

A. Street Sweeper

Sources

Insurance Recovery Receipts Reserved	
DPW Highway - Insurance Proceeds	29,267.45
Total	\$ 29,267.45

Uses

DPW Highway	
DPW Highway - Street Sweeper Repairs	29,267.45
Total	\$ 29,267.45

The motion PASSED unanimously.

B. Gas Monitoring Network – Cedarville Landfill

ARTICLE 4B: Mr. Driscoll **moved** that the town vote to appropriate the sum of \$108,600 for the Gas Monitoring Network at the Cedarville Landfill for the DPW Solid Waste Department; that to meet this appropriation \$108,600 shall be transferred from the unexpended proceeds of an equal amount of bond anticipation notes dated May 15, 2008 issued under the vote of the Town passed June 9, 2007 (Article 9, Item B-3) for the Gas Monitoring Network at the Manomet Landfill for the DPW Solid Waste Department, which project has been completed; and that the Town Manager is authorized to take any other action necessary to carry out this project.

The motion PASSED unanimously.

ARTICLE 5: There was no motion. Town Meeting took no action.

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Quantum of Vote: Majority/Roll Call

Comment [LFG1]: Pursuant to G.L. c.44, §20, bond proceeds may be transferred for a new purpose, provided that the Town could borrow for the new purpose for an equal or greater period of time than that for which the money was originally borrowed.

Deleted: Mr. Driscoll moves that the town vote to appropriate the sum of \$108,600 for the Gas Monitoring Network at the Cedarville Landfill for the DPW Solid Waste Department; that to meet this appropriation \$108,600 shall be transferred from the unexpended proceeds of a borrowing

Deleted: an equal amount of bond anticipation notes dated May 15, 2008 issued under the vote of the Town passed

Deleted: authorized under June 9, 2007 (Article 9, Item B-3) for the Gas Monitoring Network at the Manomet Landfill for the DPW Solid Waste Department, which project is hereby completed; and that the Town Manager is authorized to take any other action necessary to carry out this project.¶

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ARTICLE 6: There was no motion. Town Meeting took no action.

ARTICLE 7A: Mr. Driscoll **moved** that the town vote to appropriate the sum of \$500,000 for the purposes of the acquisition of a 69.29 acre parcel, located on Billington Sea and Lout Pond of off Billington Street in Plymouth, Massachusetts, and shown as Assessors Map 98, Lots 104 and 105 for the purpose of open space, such land to be held by the Conservation Commission of the Town of Plymouth under the provisions of Chapter 40, Section 8C of the General Laws; that to meet this appropriation, the Treasurer with the approval of the Selectmen is authorized to borrow \$500,000 under Chapter 44, §7, of the General Laws or any other enabling authority; and to authorize the Board of Selectmen or Conservation Commission to acquire said land by purchase, gift, eminent or otherwise on such terms and conditions as they may determine, and further, to authorize the Conservation Commission to file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts under Chapter 132A, Section 11 of the General Laws, The Federal Land and Water Conservation Fund grant program and/or any others in any way connected with the scope of this project, provided that the amount of the authorized borrowing shall be reduced by the amount of any such grants and/or reimbursements received prior to the issuance of bonds or notes under this vote; and to authorize the Board of Selectmen and the Conservation Commission to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase.

The motion PASSED by more than 2/3 on a negative roll call.

ARTICLE 7B: Mr. Driscoll **moved** that the town vote to transfer from available Challenge Grant funds, the sum of \$250,000, for the acquisition of a parcel of land containing 69.29 acres more or less located on Billington Sea and Lout Pond off Billington Street in Plymouth, Massachusetts and shown on Assessors' Map 98, as Lots 104 and 105 for the purposes of wellhead protection and open space, such land to be held by the Conservation Commission, and to authorize the Board of Selectmen or Conservation Commission to acquire such land by purchase gift, eminent domain or otherwise, on such terms and conditions as they may determine, and to authorize the Board of Selectmen and the Conservation Commission to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Plymouth to affect said purchase.

The motion PASSED by more than 2/3 on a negative roll call.

ARTICLE 13C: Mr. Driscoll **moved** that the Town vote to authorize the Board of Selectmen or Conservation Commission to acquire by purchase, gift, eminent domain or otherwise, for open space purposes pursuant to G.L. c. 44B, the fee interest in a certain parcel of land containing 69.29 acres more or less located on Billington Sea and Lout Pond off Billington Street in Plymouth, Massachusetts and shown on Assessors' Map 98, Lots 104 and 105, on such terms and conditions as the Board of Selectmen or Conservation Commission deem appropriate, and to accept a deed to the Town of Plymouth, and as funding therefor, to transfer from the Community Preservation Fund Undesignated Fund Balance, the sum of \$650,000; and further, to authorize the Board of Selectmen to grant one or more conservation restrictions meeting the requirements of G.L. c.184, § 31.

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Comment [LFG2]: It appears that the authorization to acquire the land was inadvertently omitted, and we have inserted the same. Additionally, we have inserted text authorizing the Board or Commission to acquire the land using various mechanisms (i.e., gift, purchase, eminent domain or otherwise). We generally recommend including such language in a motion to allow the Town the greatest flexibility to facilitate the transaction. I have inserted this language in several motions.

I note that the motion does not reference the Federal Land and Water Conservation Fund Grant. Please ensure that the proposed motion and funding source meet the requirements of the grant. Is the grant, which I understand is intended to be one of the funding sources for this transaction, a reimbursement grant requiring the Town to borrow prior to receipt of the same? This motion should be reviewed and approved by bond counsel.

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Comment [LFG3]: We have reviewed this motion and approve it as to fo (... [3]

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Comment [LFG4]: We recommend inserting reference to the Conserv (... [4]

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The motion PASSED on a negative roll call.

ARTICLE 8: Mr. Driscoll ~~moved~~ that the town vote to amend the Town Bylaws, §14-6, Violations and Penalties, by deleting the first paragraph of that section and inserting in place thereof the following:

§ 14-6, Violations and Penalties per Calendar Year

A. The Police Chief or his designee shall provide the alarm user with written notice of a violation by regular mail. Fines shall be paid in accordance with applicable state and local laws. Fines for false alarm service shall be as follows

Offense	Fine
First 3	None
Fourth	\$25
Fifth	\$50
Subsequent	\$75

and further, to amend Chapter 1, Article II at §1-4 Fine Schedule by deleting the fines for violation of Section 14-6 and inserting in place thereof the following:

First 3:	None
Fourth:	\$25
Fifth	\$50
Subsequent	\$75

The motion PASSED unanimously.

ARTICLE 9: ~~Mr. Driscoll moved to appropriate the sum of \$500,000 for the purposes of rehabilitating and making certain improvements upon a certain parcel of land and the buildings thereon known as Nelson Memorial Park, consisting of 4 acres, more or less, to be managed and controlled by the Park Commission of Plymouth; that to meet this appropriation, the Treasurer with the approval of the Selectmen is authorized to borrow \$500,000 under Chapter 44, §7 of the General Laws or any other enabling authority; and further, to authorize the Park Commission to file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts under the PARC Act (Chapter 933 Acts of 1977, as amended) and/or any others in any way connected with the scope of this project, provided that the amount of the authorized borrowing shall be reduced by the amount of any such grants and/or reimbursements received prior to the issuance of bonds or notes under this vote; and to authorize the Board of Selectmen and Park Commission to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said renovation and improvements.~~

The motion PASSED by more than 2/3 on a negative roll call.

ARTICLE 10: ~~There was no motion. Town Meeting took no action.~~

ARTICLE 11: ~~There was no motion. Town Meeting took no action.~~

ARTICLE 12: Mr. Driscoll ~~moved~~ that the town vote to authorize the Board of Selectmen to grant to NSTAR Electric Company and Verizon New England, Inc., the perpetual non-exclusive right and easement for the purpose of locating, relocating, erecting, constructing, reconstructing,

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Comment [LFG5]: Please review the proposed motion to ensure that it meets all grant requirements. This motion should be reviewed and approved by bond counsel.

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Deleted: the town vote to borrow the sum of \$500,000, more or less, for the purposes of rehabilitating and making certain improvements upon a certain parcel of land and the buildings thereon known as Nelson Memorial Park, consisting of 4 acres, more or less, and to be managed and controlled by the Park Commission of Plymouth, and further, to authorize the Park Commission to file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the ... [6]

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installing, operating, maintaining, patrolling, inspecting, repairing, replacing, altering, changing the location of, extending or removing the utility equipment along, upon, under, across and over that portion of Town owned property located at 100 Samoset Street, more particularly described in deeds recorded with Plymouth County Registry of Deeds in Book 1793, Page 437 and in Book 2311, Page 406 and shown on Assessors' Map 101 as Parcels 48 and 49.

The motion PASSED.

ARTICLE 13A: Mr. Driscoll moved that the Town vote to amend the vote taken by the Town under Article 10 of the May 2006 Special Town Meeting by inserting at the conclusion of said vote, the following:

“and further that \$825,000 from Community Preservation Undesignated Fund balance shall be used to pay a like amount of principal on the outstanding bond anticipation notes of the Town for such project at the maturity of such notes on May 15, 2009.”

The motion PASSED unanimously.

ARTICLE 13B: Mr. Driscoll moved that the town vote to authorize the Board of Selectmen to acquire by purchase, for historic preservation purposes pursuant to G.L. c.44B, on such terms and conditions as the Board of Selectmen deems appropriate, and to accept a deed to the Town of Plymouth of a fee simple interest to the premises known as The 1820 Plymouth County Court House located at South Russell Street, Plymouth shown on Assessors' Map 19, Lot and Plat: 019-000-002-000, said land or interest to be managed by the Board of Selectmen and to authorize the Board of Selectmen to enter into a ground lease agreement with Plymouth Redevelopment Authority and to convey the buildings to Plymouth Redevelopment Authority for such consideration as the Board deems appropriate, which consideration may be nominal, or to fund a grant to the Plymouth Redevelopment Authority for its purchase of The 1820 Plymouth County Court House and the preservation of the façade and interior courtroom(s) pursuant to a grant agreement between the Board of Selectmen and the Plymouth Redevelopment Authority outlining the purposes and conditions upon which the funds may be expended and requiring the grant to the Town of a preservation restriction in such Court House, and further, to authorize the Board of Selectmen to enter into such grant agreement and to accept a historical preservation restriction meeting the requirements of G.L. c.184; and as funding therefor, to appropriate the sum of \$1,400,000 from the Community Preservation Fund, of which the sum of \$1,314,825 shall come from Community Preservation Fund Historic Reserve, and the sum of \$85,175 shall come from Community Preservation Fund Undesignated Fund Balance.

Mr. Keohane moved to postpone consideration of this article until consideration of all other articles of this Town Meeting.

The motion PASSED.

[See additional action as the last item of Special Town Meeting.]

ARTICLE 14: Mr. Driscoll moved that the town vote to amend the Town Bylaws by renaming Chapter 74 to Fire Department and adopting a new section, § 74-8, to be entitled, Specialized Fire Codes, that will establish the applicability in the Town of Plymouth of two specialized fire codes published by the National Fire Protection Association addressing fire protection and prevention, public safety and good order, as necessary to promote good fire prevention and life

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safety practices, and to reduce the risk and severity of fires, in order to protect lives and property, before, during and after any activities having to do with the motion picture and/or television industry and any other associated or related businesses, involving the production of live, filmed or other electronically recorded media, including theatrical and stage productions and shows, as follows:

Specialized Fire Codes

Section § 74-8,

The following specialized fire codes published by the National Fire Protection Association, as such codes may be amended from time to time, shall be applicable in the Town of Plymouth:

- NFPA 140 “Standard on Motion Picture and Television Production Studio Soundstages, Approved Production Facilities and Production Locations”, 2008 or most recent edition.
- NFPA 160 “Standard for the Use of Flame Effects Before an Audience” 2006 or most recent edition.

The motion PASSED unanimously.

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TOWN MEETING VOTE:¶

The Moderator called a recess at 9:45 AM.

The Moderator returned the meeting to order at 10 AM.

ARTICLE 15: Mr. Driscoll **moved** that the town vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee in its report entitled, “Town of Plymouth Proposed Charter Amendments Final Draft,” dated March 17, 2009, on file with the Town Clerk; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition.

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Sergio Harnais moved to fix the method of voting on the main motion by roll call.

The motion PASSED.

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TOWN MEETING VOTE:¶

Joyce Stewart moved to allow Rabbi Silverman to speak before Town Meeting Members.

The motion PASSED.

Susan Page moved to allow Michael Riordan to speak before Town Meeting Members.

The motion FAILED with 44 in favor and 62 in opposition.

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ARTICLE 15 AMENDMENT: Mr. Shields **moved** to amend the main motion authorizing the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as proposed by the Charter Review Committee in its report dated March 17, 2009, by amending Section 3-1(a) of the proposed Town Charter as follows:

Insert in the first line, after the words "Election and Term," the words ", Term Limits"; and

Insert, at the end of said section, the following:

No Mayor may serve more than two four-year terms. For purposes of this section, a "term" shall be defined to include a full four-year term, or, election under Section 3-11 to fill a vacancy of more than three years. Election under Section 3-11 of a new Mayor to fill a vacancy of less than three years shall not constitute a "term" for purposes of this section.

Sergio Harnais moved to extend Mr. Shields's time by two minutes. There was no objection.

Mr. Buechs moved to extend Mr. Shields's time by two minutes. The motion FAILED.

Mr. Howe moved the previous question on Mr. Shields's motion to amend.

On Mr. Shields's motion, the motion FAILED with 48 in favor and 57 in opposition.

ARTICLE 15 AMENDMENT: Mr. Meltzer moved to amend the main motion authorizing the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as proposed by the Charter Review Committee in its report dated March 17, 2009, by amending Section 3-4(a) as follows:

- (1) Delete the sentence, "The Mayor may remove or suspend the Town Administrator without any approval from the Council."; and
- (2) Insert, in place thereof, the following:

The Mayor may remove the Town Administrator. The removal shall become effective 15 days from the date of the first regularly scheduled Council meeting after notice of the removal is filed with the Town Clerk, unless the Council within said 15 days shall reject such appointment by a two-thirds vote of those Councilors present and voting.

Dr. Meltzer moved to extend his time by two minutes. The motion PASSED.

Mr. Howe moved the previous question on Dr. Meltzer's motion. The motion PASSED.

On Doctor Meltzer's motion, the motion PASSED.

ARTICLE 15 AMENDMENT: Mr. Lee moved to amend the main motion authorizing the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as proposed by the Charter Review Committee in its report dated March 17, 2009, by amending Section 8-3(b) of the proposed Town Charter as follows:

By inserting, after the first sentence in said section, the following sentence:

If two or more persons are to be elected to the same office, the several persons in number equal to twice the number so to be elected receiving at such preliminary election the highest number of votes for nomination for that office, shall be the sole candidates for that office whose names may be printed on the official ballot.

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TOWN MEETING VOTE:

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Deleted: ARTICLE 15: Mr. Feger moves to amend the main motion authorizing the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as proposed by the Charter Review Committee in its report dated March 17, 2009, by amending Section 2-1(b) of the proposed Town Charter as follows: ¶

¶ Insert, at the conclusion of said section, the following:¶

¶ The text of the amendment to the proposed Charter may take any of the following forms. I have grouped the alternate amendments into categories – no definition of term, and definition of term – and then provided alternates based upon the issues discussed above, as follows:¶

¶ No district Councilor may serve more than one consecutive terms, and no at-large Councilor may serve more than one consecutive terms. ¶

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TOWN MEETING VOTE:¶

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Ms. Franks moved to extend Lawrence Silverman's time by thirty seconds. The motion PASSED.

Mr. Luszczyk moved to extend his time by thirty seconds. The motion PASSED.

Mr. Howe moved the previous question on Mr. Lee's motion. The motion PASSED.

On Mr. Lee's motion, the motion FAILED.

The Moderator called a lunch recess at 12:00 Noon

The Moderator returned the meeting to order at 1:00 PM.

Mr. Howe moved the previous question on the main motion.

The motion FAILED to reach two-thirds with 74 in favor and 38 opposed.

Mr. Landers moved the previous question on the main motion.

The motion PASSED.

On the main motion, the motion FAILED with 40 in favor and 73 in opposition on a roll call vote.

ARTICLE 16: There was no motion. There was no action.

ARTICLE 17: Mr. Driscoll moved that the town vote to transfer the care, custody, management, and control of a portion of Assessors' Map 77A, Lot 7 from the Board of Selectmen or School Committee for the purposes for which it is currently held to the Board of Selectmen for Highway Purposes in conjunction with the Layout and Construction of Rock Studio Drive

The motion PASSED by greater than two-thirds.

ARTICLE 18: Mr. Driscoll moved that the town vote to accept and allow as a public way the following streets or portions thereof as laid out by the Board of Selectmen, and reported to the Town and as shown on plans on file with the Town Clerk; to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain an easement to use said ways for all purposes for which public ways are used in the Town of Plymouth, and all associated easements; and further, to accept gifts for this purpose and any expenses related thereto; and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition:

Rock Studio Drive
Campus Drive

The motion PASSED by more than two-thirds.

ARTICLE 19: Mr. Driscoll moved that the town vote to accept and allow the altered layout as a public way of Clark Road, as shown on a plan of land on file with the Town Clerk, in conjunction with the roundabout construction, and road widening of Clark Road; to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain an easement to use said way for all purposes for which public ways are used in the Town of Plymouth, and all associated

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¶
Section 3-1, by inserting the following language below paragraph a: ¶

¶
"b) Term Limits - Under no circumstance shall the mayor serve more than ¶
2 - 4 year terms whether consecutive or otherwise. In the event that ¶
the mayor is elected under Section 3-11 by Special Election during the ¶
first year of a mayoral term, the remaining term shall count as 1 full ¶
term. The new mayor under this circumstance is eligible to run for no ¶
more than 1 additional term. In ... [23]

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Comment [LFG10]: Further ... [25]

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easements; and further, to accept gifts for this purpose and any expenses related thereto; and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition.

The motion PASSED by more than two-thirds.

ARTICLE 20: Ms. Enos moved that the Town vote to revoke its acceptance of the Community Preservation Act, Mass. General Laws Ch. 44B, Sec. 3 through 7 inclusive, which was authorized by Town Meeting on October 25, 2001, and by ballot question of May 11, 2002.

Mr. Grandy moved the previous question. The motion PASSED.

On Article 20, the motion FAILED.

ARTICLE 21: Ms. Enos moved that the Town vote to amend its participation in the Community Preservation Act., Mass. General Laws Ch. 44B, Sec. 3 through 7 inclusive, authorized by Town Meeting on October 25, 2001, and ballot question of May 11, 2002, by reducing the surcharge to the minimum of .25%.

The motion FAILED.

Discussion returned to ARTICLE 13B.

Mark Landers moved to extend Mr. Rizzo's time by three minutes. The motion PASSED.

Mr. Ellis moved the previous question. The motion PASSED.

On the main motion, the motion PASSED on a roll call with 92 in favor 18 in opposition and two abstentions.

Mr. Driscoll moved to dissolve the Special Town Meeting at 2:36 P.M. The motion PASSED.

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Motions are subject to change due to last minute adjustments.

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to borrow available funds, including those received as a Federal Land and Water Conservation Fund Program (LWCF) grant, the sum of \$500,000, more or less, for the acquisition of a parcel of land containing 69.29 acres more or less located on Billington Sea and Lout Pond off Billington Street in Plymouth, Massachusetts, and shown on Assessors' Map 98, as Lots 104 and 105 for the purposes of open space, such land to be held by the Conservation Commission of the Town of Plymouth, and to authorize the Board of Selectmen or Conservation Commission to acquire such land by purchase on such terms and conditions as they may determine, and to authorize the Conservation Commission to file on behalf of the Town of Plymouth any and all applications deemed necessary for grants and or reimbursements from the Commonwealth of Massachusetts deemed necessary under Chapter 132A, Section 11 and or any others in any way connected with the scope of this article, and to authorize the Board of Selectmen and the Conservation Commission to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Plymouth to affect said purchase.

Page 3: [3] Comment [LFG3] Lauren Goldberg 3/27/2009 11:47:00 AM

We have reviewed this motion and approve it as to form with the recommended revision.

Page 3: [4] Comment [LFG4] Lauren Goldberg 4/4/2009 9:32:00 AM

We recommend inserting reference to the Conservation Commission to make this motion consistent with the others concerning this property. The goal is to preserve the greatest degree of flexibility to facilitate the transaction.

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Motions are subject to change due to last minute adjustments.

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the town vote to borrow the sum of \$500,000, more or less, for the purposes of rehabilitating and making certain improvements upon a certain parcel of land and the buildings thereon known as Nelson Memorial Park, consisting of 4 acres, more or less, and to be managed and controlled by the Park Commission of Plymouth, and further, to authorize the Park Commission to file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under the PARC Act (Chapter 933 Acts of 1977, as amended) and/or any others in any way connected with the scope of this Article, and to authorize the Board of Selectmen and Park Commission to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to affect said renovation and improvements.

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Quantum of Vote: 2/3rds / Roll Call

TOWN MEETING VOTE:

Page 4: [8] Comment [LFG6] Lauren Goldberg 3/27/2009 11:49:00 AM

We have reviewed this article and approve it as to form.

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to

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read as follows:

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“that the Town vote to authorize the Board of Selectmen to acquire by purchase, or otherwise for open space purposes pursuant to the Community Preservation Program and to accept the deed to the Town of Plymouth of a fee simple interest or less for 29.9 acres of land, more or less, in the Town of Plymouth located off Center Hill Road and shown on Assessors Map 52, Lots 10c, 10d, 10e and 21c, and further that said land be conveyed to the Town of Plymouth acting by and through its Conservation Commission under the provisions of G.L. c.44B and G.L. c.40, Section 8C, or any other general law or special law relative to such purpose, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; that \$4,000,000 is appropriated for such purpose; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$4,000,000 and issue bonds or notes therefore under Chapters 44 and 44B of the General Laws or any other enabling authority, provided that the amount of such authorized borrowing shall be reduced by the amount of any grants received for the project prior to the issuance of any bonds or notes hereunder; and that the Board of Selectmen is authorized to grant a perpetual conservation restriction pursuant to G.L. c.184 Sections 31-33 and to take any other action necessary to carry out the project;

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TOWN MEETING VOTE:

Page 5: [13] Comment [LFG8]	Lauren Goldberg	3/25/2009 6:04:00 PM
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We will look at this further.

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, estimated annual revenues, fund balance, or reserves the sum of \$1,400,000.00.

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Quantum of Vote: Majority/Roll Call
TOWN MEETING VOTE:

Page 5: [17] Comment [LFG9] Lauren Goldberg 3/27/2009 11:50:00 AM

We recommend inserting reference to the Conservation Commission to make this motion consistent with the others concerning this property. The goal is to preserve the greatest degree of flexibility to facilitate the transaction.

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ARTICLE 13C: Mr. Driscoll moves that the Town vote to authorize the Board of Selectmen or Conservation Commission [LFG1]to acquire by purchase, gift, eminent domain or otherwise, for open space purposes pursuant to G.L. c. 44B, the fee interest in a certain parcel of land containing 69.29 acres more or less located on Billington Sea and Lout Pond off Billington Street in Plymouth, Massachusetts and shown on Assessors' Map 98, Lots 104 and 105, on such terms and conditions as the Board of Selectmen or Conservation Commission deem appropriate, and to accept a deed to the Town of Plymouth, and as funding therefor, to transfer from the Community Preservation

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Undesignated Fund Balance, the

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estimated annual revenues, fund balance, or reserves, or otherwise fund, the

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of \$650,000; and further, to authorize the Board of Selectmen to grant one or more conservation restrictions meeting the requirements of G.L. c.184, § 31.

Quantum of Vote: Majority/Roll Call
TOWN MEETING VOTE:

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Mr. Sheilds moves to amend as follows:

Section 3-1, by inserting the following language below paragraph a:

"b) Term Limits - Under no circumstance shall the mayor serve more than 2 - 4 year terms whether consecutive or otherwise. In the event that the mayor is elected under Section 3-11 by Special Election during the first year of a mayoral term, the remaining term shall count as 1 full term. The new mayor under this circumstance is eligible to run for no more than 1 additional term. In the event that the mayor is elected under Section 3-11 by Special Election or Council Election during the last 3 years of a mayoral term, the remaining term shall not count as 1 full term. The mayor under this circumstance is eligible to run for no more than 2 additional terms."

As part of this proposed amendment, to Section 3-1, letter "b)" shall be changed to "c)", "c)" shall be changed to "d)" and "d)" shall be changed to "e)"

ARTICLE 15:

Mr. Meltzer moves to amend Chapter 3, Section 3-4A, Town Administrator, as follows:

The Town Administrator may not be removed by the mayor without a 60% vote by the town Council present and voting (a quorum of the Town Council present).

And Chapter 2, Section 2-1A and Section 2-1B as follows:

There shall be Town Council made up of one person from each of the Precincts duly constructed in the Town of Plymouth. All Town Councilors shall be elected for 3-year terms by voters from their respective precincts. Additional may come into the council, one per precinct, as the Town population increases and new precincts are added. At large may be elected if an odd number of is deemed necessary.

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Further review should be undertaken to determine who has custody of this property and for what purposes.		
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raise, appropriate, transfer from available funds,		
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