

2011 ANNUAL TOWN MEETING

Saturday, April 2, 2011

The Moderator opened the meeting at 8:00 AM at Plymouth North High School.

The color guard came from Highland Light Scottish Pipe Band, who led the Pledge of Allegiance. The National Anthem was sung by members of the Plymouth High Schools Vocal Point Ensemble under the direction of Jonathan Richter. The invocation was presented by Rev. Gary L. Marks, Pastor Emeritus of the Church of the Pilgrimage.

Senator Therese Murray delivered her State of the State message.

Upon notification by Town Clerk, Laurence Pizer, of the presence of a quorum, the Moderator called the meeting to order at 8:22 AM.

Representative Vinny deMacedo delivered his State of the State message.

Representative Thomas Calter delivered his State of the State message.

Theodore Bosen, Vice Chair of the Plymouth County Charter Review Commission, addressed Town Meeting.

William Hallissey, Jr. delivered his State of the Town Message.

Debra Betz delivered the State of the Plymouth Schools message.

Marc Garrett delivered the State of Plymouth Planning message.

William Driscoll delivered opening remarks for the Advisory and Finance Committee.

The Moderator noted that Brian Alosi was serving as Assistant Moderator.

The return of the warrant having been properly served, Town Meeting waived the reading of the return and of the warrant.

Mr. Driscoll moved that adjourned sessions of this Town Meeting be held on April 4, 5, 6 and 7, 2011 at 7:30 p.m. at Plymouth North High School

The motion PASSED.

Randy Parker moved that Article 16A & Article 16D be heard first, upon the completion of the Special Town Meeting.

The motion PASSED by more than two-thirds.

Kevin Leary moved to consider Article 42 after Articles 16A and 16D.

The motion PASSED by more than two-thirds.

Mr. Driscoll moved to adjourn the Annual Town Meeting until the conclusion of the Special Town Meeting. The motion PASSED at 9:20 AM.

Annual Town Meeting returned to order at 9:29 AM.

ARTICLE 16A: Mr. Driscoll moved that the Town vote, pursuant to G.L.c. 44B, to appropriate the sum of \$1,500,000 from the Community Preservation Fund; that to meet this appropriation transfer from historic preservation reserves the sum of \$430,059 and transfer from Community Preservation Fund FY2012 estimated revenues the sum of \$569,941, a total of \$1,000,000 for historic preservation, and transfer from Community Preservation Fund FY2012 estimated revenues the sum of \$200,000 for open space and transfer from Community Preservation Fund

FY2012 estimated revenues the sum of \$300,000 for affordable housing as a grant to the Simes House Foundation for: historic preservation, restoration, and rehabilitation of the Simes House, located at 29 Manomet Point Road, Plymouth MA, shown as Assessor Map 46, Lots H181-16A and H181-015 (“Simes House”); creation of two affordable housing units at the Simes House, which units shall be eligible for inclusion on the Town’s subsidized housing Inventory; and creation or preservation of open space for passive recreational use as a village green, public park, or common at the Simes House; including all costs related to the planning and design of such projects, and all other costs incidental and related thereto; and further to authorize the Town Manager to enter into such grant agreement upon such terms and conditions as the Town Manager shall deem appropriate, in consultation with the Community Preservation Committee, setting forth the conditions under which such funds may be expended, and further to authorize the Board of Selectmen to accept from the Simes House Foundation a historic preservation, affordable housing, and open space restriction meeting the requirements of G.L. c.184, in said property.

The Moderator called a recess at 10:02 AM.

The Moderator returned the meeting to order at 10:17 AM.

Barry Wood moved to fix the method of voting by roll call.

The motion PASSED.

The motion PASSED by roll call with 97 in favor and 11 in opposition.

ARTICLE 16B: There was no motion. Town Meeting took no action.

ARTICLE 16C: There was no motion. Town Meeting took no action.

ARTICLE 16D: Mr. Driscoll moved that the Town vote to appropriate from the Community Preservation Fund FY2012 estimated annual revenues the sum of \$88,137 to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2012;

and further,

to reserve for future appropriation from the Community Preservation Fund FY2012 estimated annual revenues the sum of \$220,341 for the acquisition, creation and preservation of open space excluding land for recreational use; \$220,341 for acquisition, preservation, restoration and rehabilitation of historic resources; and \$220,341 for the acquisition, creation, preservation and support of community housing.

and further,

To reserve for future appropriation from the Community Preservation Fund FY2012 estimated annual revenues the sum of \$384,312 for a FY2012 Budgeted Reserve.

The motion PASSED unanimously.

ARTICLE 42: Mr. Driscoll moved that the Town vote to appropriate the sum of \$23,850.00 for the purpose of treating Billington Sea for an invasive weed problem.

Mr. Caproni moved the previous question.

The motion PASSED.

The main motion PASSED on a negative roll call with 7 voting no and 2 abstaining.

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

ARTICLE 2: Mr. Driscoll moved that Town vote to receive the reports of the several Boards and Officers and Committees of the Town thereon.

The motion PASSED.

ARTICLE 3: Mr. Driscoll moved that the Town vote to establish revolving funds for certain Town Departments under the provisions of G.L. c.44, §53E ½ for the fiscal year beginning July 1, 2011, with specific receipts credited to each fund, the purposes for which each fund may be spent, and the maximum amount that may be spent from each fund for FY2012 as follows:

TOWN OF PLYMOUTH, MASSACHUSETTS				
Revolving Funds Chapter 44, Section 53E1/2				
Fiscal Year 2012 Revolving Fund Requests				
Spending Authority	Revolving Fund	Revenue Source	Use of Fund	FY2012 Authorized Spending Limit
Planning Board	Manomet Village Parking Plymouth Center Village Parking Cedarville Village Parking West Plymouth Village Parking No. Plymouth Village Parking	The departmental receipts credited to this fund shall be those identified as payments made in lieu of on-site parking.	As provided by Section 305.12 of the Zoning Bylaw, these five funds may be used within their respective village centers for parking related uses including land acquisition, facility construction, and the preparation of plans and specifications.	\$ 1
Police Chief	Animal Shelter Adoption	The departmental receipts credited to this fund shall be those identified as those arising from deposits/spaying & neutering.	In accordance with G.L. c.140 §139A, all animals placed for adoption must be spayed or neutered. This fund provides for other expenditures as authorized by §139A as well as a refund of a thirty-dollar deposit, when proof of the spaying or neutering procedure is provided.	\$ 10,000
Harbormaster	State Boat Ramp	The departmental receipts credited to this fund shall be those identified as relating to State Boat Ramp parking sticker receipts.	This fund shall be used for part-time salaries of staff and other expenses for the purposes of managing, controlling and providing a higher level of public safety at the boat ramp.	\$ 40,000
Recreation Director	Recreation Fund	The departmental receipts credited to this fund shall be those identified as relating to recreational programs.	This fund shall be used for salaries and benefits of full-time staff, part-time and seasonal staff, for recreational programs, salary, and benefits of the program coordinator as well as facility expenses and other expenses	\$ 400,000

			related to recreation programs.	
Town Manager	Cable Services Fund	The departmental receipts credited to this fund shall be those identified as arising from cable-related franchise fees.	This fund shall be for cable-related programs and purposes such as legal/consulting services associated with enforcement of the contracts and compliance issues. And any repairs or upgrades.	\$10,000
School	Vocational Technical Services Fund	The departmental receipts credited to this fund shall be those identified as arising from the Vocational/Educational Studies Programs enumerated above	This fund shall be for the salaries & expenditures of the following programs: a) Automotive b) CAD/CAM c) Carpentry d) Child Care e) Computer Science f) Cosmetology g) Culinary Arts h) Distributive Education i) Electrical j) Electronics k) Graphic Arts l) Metals/Welding m) Plumbing n) Marine Technology o) Design & Visual Communication	\$600,000
DPW Director	Plymouth Beach Fund	The departmental receipts credited to this fund shall be those identified as all non-resident parking receipts at Plymouth Beach, in addition to one-hundred percent (100%) of Plymouth Long Beach 4x4 sticker fees.	This fund shall be used for salaries and benefits of full time staff, part-time salaries of seasonal NRO's, police details and for the purposes of providing maintenance and public safety of Plymouth Long Beach and repairs to the seawall.	\$ 242,000
DPW Director	Cemetery Repair & Beautification Fund	The departmental receipts credited to this fund shall be those arising from foundation revenue.	This fund shall be used for beautifying, restoring, researching, and repairing town cemeteries.	\$ 8,000

Community Services Director	Council On Aging Programs Fund	The departmental receipts credited to this fund shall be those identified as relating to Council on Aging programs.	This fund shall be for contractual services and other expenses related to programs for senior citizens.	\$ 45,000
Community Services Director	Council On Aging Meals on Wheels	The departmental receipts credited to this fund shall be those identified as relating to donations for the Council on Aging Meals on Wheels program.	This fund shall be for payment to Old Colony Elder Services for meals.	\$ 20,000
Fire Chief	Fire Alarm Master Box Services	The departmental receipts credited to this fund shall be those identified as relating to fire alarm services performed by the Plymouth Fire Department, Fire Alarm Division.	This fund shall be for salaries, public safety equipment and materials used in accordance with Fire Alarm Services.	\$ 60,000
Fire Chief	Fire Safety and Prevention	The departmental receipts credited to this fund shall be those identified as relating to permits issued and inspections performed by the Plymouth Fire Department, Fire Prevention Division.	This fund shall be for salaries and benefits and to support the operational cost of services provided within the Fire Prevention Division.	\$100,000
Fire Chief	Local Hazardous Materials Program	The departmental receipts credited to this fund shall be those identified as relating to fees collected by the Fire Department as a result of responding and mitigating hazardous materials incidents either in Plymouth or by mutual aid responses.	This fund shall be to replace, repair and/or purchase equipment and supplies used during hazardous materials incidents and to support the operational cost of services provided within the Fire Department Local Hazardous Materials Program.	\$60,000

Fire Chief	Cedarville Community Center	The departmental receipts credited to this fund shall be those identified as fees collected from the hourly rental fees for the use of the Cedarville Community Center.	The funds will be used to pay for regular cleaning of the facility as well as to replace, repair, or purchase supplies used for the cleaning and up-keep of the Community Room.	\$ 12,000
DPW Director	Memorial Hall	The departmental receipts credited to this fund shall be those identified as relating to rental fees associated with Memorial Hall	This fund shall be for salaries, maintenance and operation of Memorial Hall.	\$100,000
DPW	Solid Waste Enterprise	The departmental receipts credited to this fund shall be those identified as relating to the sale of compost bins.	This fund shall be for purchasing compost bins.	\$6,500

The motion PASSED unanimously.

ARTICLE 4: Mr. Driscoll moved that the Town vote, pursuant to Chapter 173 of the General By-Laws, to authorize the 1749 Court House Committee, North Plymouth Steering Committee and the Plymouth Energy Committee to continue with a review in three years at the 2014 Annual Town Meeting.

The motion PASSED.

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

ARTICLE 6: Mr. Driscoll moved, pursuant to G.L. c.41, §108 that the Town vote to fix the salaries of elected Town Officials as follows:

Chairman, Board of Selectmen	\$ 2,000.00
Selectmen, Other (Each)	\$ 1,000.00
Moderator	\$ 300.00

The motion PASSED.

ARTICLE 7: GENERAL FUND OPERATING BUDGET

7A.1

Mr. Driscoll moved that the Town vote to transfer the sum of \$700,000 from the Stabilization Fund to the General Fund for the purpose of funding appropriations made under Article 7A.2, Long Term Debt, Item #43, as listed in the printed Report and Recommendations of the Advisory and Finance Committee.

The motion PASSED by more than two-thirds.

7A.2

Mr. Driscoll moved, as amended, that the Town vote to raise and appropriate \$155,923,874 for a total General Fund Operating Budget (Item #'s 1-44), to provide for a reserve fund and to defray the expenses of the Town, and for the purposes listed in the printed Report and Recommendations of the Advisory and Finance Committee, and to meet said appropriation transfer the sum of \$105,816 from the Title V Betterment Program, and transfer the sum of \$23,189 from the Recreation Revolving Fund, and transfer the sum of \$16,297 from the Plymouth Beach Revolving Fund, and transfer the sum of \$30,454 from Cemetery Perpetual Care, and transfer the sum of \$118,329 from Municipal Waterways, and transfer the sum of \$6,967 from Fire Safety & Prevention Revolving Fund, and transfer the sum of \$3,360 from Tech Studies Revolving Fund, and transfer the sum of \$1,000,000 from Free Cash, and transfer the sum of \$511,000 from Overlay Surplus and raise \$153,408,462 from the 2012 Tax Levy and the remaining to be funded in Articles 7A.1 above.

Summary of Vote for 7A.2	
Total General Fund Operating Budget (Item #'s 1-44)	\$ 155,923,874
Stabilization Fund for LT Debt (Art 7A.1)	\$ 700,000
Free Cash for Debt Service	\$ 1,000,000
Title V Betterment Program	\$ 105,816
Recreation Revolving Fund	\$ 23,189
Plymouth Beach Revolving Fund	\$ 16,297
Cemetery Perpetual Care	\$ 30,454
Municipal Waterways	\$ 118,329
Fire Safety & Prevention Revolving Fund	\$ 6,967
Tech Studies Revolving Fund	\$ 3,360
Overlay Surplus	\$ 511,000
Less Total Transfers	\$ 2,515,412
To be raised by the 2012 Tax Levy (General Fund revenues & other sources)	\$ 153,408,462

ARTICLE 7B: WATER ENTERPRISE FUND

Mr. Driscoll moved that the Town vote to appropriate \$2,998,893 from Water Enterprise Receipts to defray Water direct costs and that \$1,083,797 as appropriated under Article 7A.2, be used for Water indirect costs, all to fund the total costs of operations of the Water Enterprise as follows:

Personal Services (Item #52)	\$ 962,101
All Other Expenses (Item #53)	\$ 1,182,244
Debt Service (Item #54)	\$ 854,548
Appropriated for Direct Costs	\$ 2,998,893
Indirect Costs – Charged to Enterprise Fund From General Fund (Item #55)	\$ 1,083,797
Total Cost – Water	\$ 4,082,690

ARTICLE 7C: SEWER ENTERPRISE FUND

7C.1

Mr. Driscoll moved that the Town vote to appropriate \$4,369,505 for Sewer Direct Costs, to defray the costs \$3,979,505 will be raised from Sewer Enterprise Receipts and

\$390,000 will be raised by taxation as a subsidy to the Sewer Enterprise, and that \$330,871 as appropriated under Article 7A.2, be used for Sewer indirect costs.

Personal Services (Item #48)	\$ 313,954
All Other Expenses (Item #49)	\$ 1,829,297
Debt Service (Item #50)	\$ 2,226,254
Appropriated for Direct Costs	\$ 4,369,505
Indirect Costs – Charged to Enterprise Fund From General Fund (Item #51)	\$ 330,871
Total Cost – Sewer	\$ 4,700,376

ARTICLE 7D: SOLID WASTE ENTERPRISE FUND

Mr. Driscoll moved that the Town vote to appropriate \$1,375,623 from Solid Waste Enterprise Receipts to defray Solid Waste direct costs, and that \$259,209 appropriated under Article 7A.2, be used for Solid Waste indirect costs, all to fund the total costs of operations of the Solid Waste Enterprise as follows:

Personal Services (Item #56)	\$ 274,536
All Other Expenses (Item #57)	\$ 811,875
Debt Service (Item #58)	\$ 289,212
Appropriated for Direct Costs	\$1,375,623
Indirect Costs – Charged to Enterprise Fund From General Fund (Item #59)	\$ 259,209
Total Cost – Solid Waste	\$1,634,832

ARTICLE 7E: AIRPORT ENTERPRISE FUND

Mr. Driscoll moved that the Town vote to appropriate \$2,580,496 from Airport Enterprise Receipts to defray Airport direct costs, and that \$141,500, as appropriated under Article 7A.2 be used for Airport indirect costs, all to fund the total costs of operations of the Airport Enterprise as follows:

Personal Services (Item # 45)	\$ 415,851
All Other Expenses (Item #46)	\$2,164,645
Debt Service	\$ - 0 -
Appropriated for Direct Costs	\$2,580,496
Indirect Costs – Charged to Enterprise Fund From General Fund (Item #47)	\$ 141,500
Total Cost – Airport	\$2,721,996

FY2012 OPERATING BUDGETS		2012	2012
		Advisory & Finance Committee Recommended	Town Meeting Recommends
		Over/Under	Town Meeting Vote
		2012 to 2011	
ADMINISTRATIVE SERVICES			
Town Manager - Salary & Wages	\$ 420,762		\$ 420,762

Town Manager - Other Expenditures	\$ 468,525	\$ 468,525
Town Manager - Total Budget Request	\$ 889,287	- \$ 889,287
Human Resources - Salary & Wages	\$ 205,895	\$ 205,895
Human Resources - Other Expenditures	\$ 72,535	\$ 72,535
Human Resources - Total Budget Request	\$ 278,430	- \$ 278,430
Town Clerk - Salary & Wages	\$ 234,205	\$ 234,205
Town Clerk - Other Expenditures	\$ 225,785	\$ 225,785
Town Clerk - Total Budget Request	\$ 459,990	- \$ 459,990
Harbor Master - Salary & Wages	\$ 277,374	\$ 277,374
Harbor Master - Other Expenditures	\$ 23,640	\$ 23,640
Harbor Master - Total Budget Request	\$ 301,014	- \$ 301,014
Administrative Services Department Total	\$ 1,928,721	- \$ 1,928,721
FINANCE		
Town Moderator - Total Budget Request	\$ 300	\$ 300
Finance and Accounting - Salary & Wages	\$ 395,667	\$ 395,667
Finance and Accounting - Other Expenditures	\$ 138,000	\$ 138,000
Finance and Accounting - Total Budget Request	\$ 533,667	- \$ 533,667
Procurement - Salary & Wages	\$ 142,543	\$ 142,543
Procurement - Other Expenditures	\$ 321,642	\$ 321,642
Procurement - Total Budget Request	\$ 464,185	- \$ 464,185
Assessing - Salary & Wages	\$ 446,593	\$ 446,593
Assessing - Other Expenditures	\$ 10,515	\$ 10,515
Assessing - Total Budget Request	\$ 457,108	- \$ 457,108
Treasurer and Collector - Salary & Wages	\$ 461,032	\$ 461,032
Treasurer and Collector - Other Expenditures	\$ 17,715	\$ 17,715
Treasurer and Collector - Total Budget Request	\$ 478,747	- \$ 478,747
Information Technology - Salary & Wages	\$ 214,855	\$ 214,855
Information Technology - Other Expenditures	\$ 274,594	\$ 274,594
Information Technology - Total Budget Request	\$ 489,449	- \$ 489,449
Finance Department Total	\$ 2,423,456	- \$ 2,423,456
COMMUNITY RESOURCES		
Council On Aging - Salary & Wages	\$ 173,055	\$ 173,055
Council On Aging - Other Expenditures	\$ 107,711	\$ 107,711
Council On Aging - Total Budget Request	\$ 280,766	- \$ 280,766
Veterans Services - Salary & Wages	\$ 91,297	\$ 91,297
Veterans Services - Other Expenditures	\$ 850,530	\$ 850,530
Veterans Services - Total Budget Request	\$ 941,827	- \$ 941,827
Disabilities - Total Budget Request	\$ 300	\$ 300

Library - Salary & Wages	\$ 1,083,115	\$ 1,083,115
Library - Other Expenditures	\$ 424,730	\$ 424,730
Library - Total Budget Request	\$ 1,507,845	- \$ 1,507,845
1749 Court House - Salary & Wages	\$ 6,624	\$ 6,624
1749 Court House - Other Expenditures	\$ 675	\$ 675
1749 Court House - Total Budget Request	\$ 7,299	- \$ 7,299
Community Resources Department Total	\$ 2,738,037	- \$ 2,738,037
INSPECTIONAL SERVICES		
Building And Zoning - Salary & Wages	\$ 526,214	\$ 526,214
Building And Zoning - Other Expenditures	\$ 5,400	\$ 5,400
Building And Zoning - Total Budget Request	\$ 531,614	- \$ 531,614
Board Of Health - Salary & Wages	\$ 166,951	\$ 166,951
Board Of Health - Other Expenditures	\$ 64,615	\$ 64,615
Board Of Health - Total Budget Request	\$ 231,566	- \$ 231,566
Inspectional Services Department Total	\$ 763,180	- \$ 763,180
PLANNING & DEVELOPMENT		
Planning & Development - Salary & Wages	\$ 387,946	\$ 387,946
Planning & Development - Other Expenditures	\$ 93,589	\$ 93,589
Planning & Development - Total Budget Request	\$ 481,535	- \$ 481,535
Redevelopment Authority - Total Budget Request	\$ 21,340	\$ 21,340
Planning & Development Department Total	\$ 502,875	- \$ 502,875
PUBLIC SAFETY		
Police - Salary & Wages	\$ 8,255,812	\$ 8,255,812
Police - Other Expenditures	\$ 267,434	\$ 267,434
Police - Total Budget Request	\$ 8,523,246	- \$ 8,523,246
Fire - Salary & Wages	\$ 8,297,050	\$ 8,297,050
Fire - Other Expenditures	\$ 230,788	\$ 230,788
Fire - Total Budget Request	\$ 8,527,838	- \$ 8,527,838
Emergency Management - Total Budget Request	\$ 25,500	\$ 25,500
Parking Enforcement - Total Budget Request	\$ 62,348	\$ 62,348
Public Safety Department Total	\$ 17,138,932	- \$ 17,138,932
PUBLIC WORKS		
Dpw Engineering - Salary & Wages	\$ 524,286	\$ 524,286
Dpw Engineering - Other Expenditures	\$ 45,238	\$ 45,238
Dpw Engineering - Total Budget Request	\$ 569,524	- \$ 569,524
Dpw Highway - Salary & Wages	\$ 1,229,064	\$ 1,229,064
Dpw Highway - Other Expenditures	\$ 174,570	\$ 174,570

Dpw Highway - Total Budget Request	\$ 1,403,634	- \$ 1,403,634
Dpw Administration - Salary & Wages	\$ 641,415	\$ 641,415
Dpw Administration - Other Expenditures	\$ 6,875	\$ 6,875
Dpw Administration - Total Budget Request	\$ 648,290	- \$ 648,290
Building Maintenance - Salary & Wages	\$ 284,733	\$ 284,733
Building Maintenance - Other Expenditures	\$ 199,500	\$ 199,500
Building Maintenance - Total Budget Request	\$ 484,233	- \$ 484,233
Fleet Maintenance - Salary & Wages	\$ 256,436	\$ 256,436
Fleet Maintenance - Other Expenditures	\$ 245,320	\$ 245,320
Fleet Maintenance - Total Budget Request	\$ 501,756	- \$ 501,756
Environmental Management - Salary & Wages	\$ 159,430	\$ 159,430
Environmental Management - Other Expenditures	\$ 8,300	\$ 8,300
Environmental Management - Total Budget Request	\$ 167,730	- \$ 167,730
Crematory - Salary & Wages	\$ 112,032	\$ 112,032
Crematory - Other Expenditures	\$ 29,000	\$ 29,000
Crematory - Total Budget Request	\$ 141,032	- \$ 141,032
Cemetery - Salary & Wages	\$ 225,669	\$ 225,669
Cemetery - Other Expenditures	\$ 17,244	\$ 17,244
Cemetery - Total Budget Request	\$ 242,913	- \$ 242,913
Parks and Forestry - Salary & Wages	\$ 691,217	\$ 691,217
Parks and Forestry - Other Expenditures	\$ 158,219	\$ 158,219
Parks and Forestry - Total Budget Request	\$ 849,436	- \$ 849,436
Recreation - Salary & Wages	\$ 309,501	\$ 309,501
Recreation - Other Expenditures	\$ 16,295	\$ 16,295
Recreation - Total Budget Request	\$ 325,796	- \$ 325,796
Public Works Department Total	\$ 5,334,344	- \$ 5,334,344
TOTAL TOWN BUDGET	\$ 30,829,545	- \$ 30,829,545
FIXED COSTS		
Salary Reserve Account	\$ 10,000	\$ 10,000
Fuel and Utilities	\$ 1,729,800	\$ 1,729,800
Finance Committee Reserve Account	\$ 245,000	\$ 245,000
Tax Title Foreclosures	\$ 331,595	\$ 331,595
Snow & Ice Removal	\$ 410,000	\$ 410,000
Member Benefits	\$ 3,861,282	\$ 3,861,282
Pensions	\$ 7,902,283	\$ 7,902,283
Member Insurance	\$ 26,654,224	\$ 26,654,224
All Town Insurance	\$ 820,810	\$ 820,810
TOTAL FIXED COSTS BUDGET	\$ 41,964,994	- \$ 41,964,994
COMMUNITY DEBT		
Principal	\$ 5,277,183	\$ 5,277,183

Interest	\$ 1,543,825	\$ 1,543,825
Temporary Interest	\$ 1,029,250	\$ 1,029,250
Miscellaneous Interest	\$ 5,000	\$ 5,000
Bond Issuance	\$ 50,000	\$ 50,000
TOTAL DEBT BUDGET	\$ 7,905,258	- \$ 7,905,258
TOTAL TOWN BUDGET	\$ 80,699,797	- \$ 80,699,797
TOTAL SCHOOL DEPARTMENT	\$ 75,224,077	\$ 75,224,077
TOTAL GENERAL FUND	\$ 155,923,874	- \$ 155,923,874
ENTERPRISE FUNDS		
Airport Operating - Salary & Wages	\$ 415,851	\$ 415,851
Airport Operating - Other Expenditures	\$ 2,164,645	\$ 2,164,645
TOTAL AIRPORT OPERATING & DEBT	\$ 2,580,496	- \$ 2,580,496
Airport Indirect Cost - INDIRECT COST	\$ 141,500	\$ 141,500
Total Airport Budget	\$ 2,721,996	- \$ 2,721,996
Sewer Operating - Salary & Wages	\$ 313,954	\$ 313,954
Sewer Operating - Other Expenditures	\$ 1,829,297	\$ 1,829,297
Sewer Operating - Debt	\$ 2,226,254	\$ 2,226,254
TOTAL SEWER OPERATING & DEBT	\$ 4,369,505	- \$ 4,369,505
Sewer Indirect Cost - INDIRECT COST	\$ 330,871	\$ 330,871
Total Sewer Budget	\$ 4,700,376	- \$ 4,700,376
Water Operating - Salary & Wages	\$ 962,101	\$ 962,101
Water Operating - Other Expenditures	\$ 1,182,244	\$ 1,182,244
Water Operating - Debt	\$ 854,548	\$ 854,548
TOTAL WATER OPERATING & DEBT	\$ 2,998,893	- \$ 2,998,893
Water Indirect Cost - INDIRECT COST	\$ 1,083,797	\$ 1,083,797
Total Water Budget	\$ 4,082,690	- \$ 4,082,690
Solid Waste Operating - Salary & Wages	\$ 274,536	\$ 274,536
Solid Waste Operating - Other Expenditures	\$ 811,875	\$ 811,875
Solid Waste Operating - Debt	\$ 289,212	\$ 289,212
TOTAL SOLID WASTE OPERATING & DEBT	\$ 1,375,623	- \$ 1,375,623
Solid Waste Indirect Cost - INDIRECT COST	\$ 259,209	\$ 259,209
Total Solid Waste Budget	\$ 1,634,832	- \$ 1,634,832
TOTAL ENTERPRISE FUNDS	\$ 13,139,894	- \$ 13,139,894
TOTAL FY2012 BUDGET	\$ 169,063,768	- \$ 169,063,768

On Article 7, in its entirety, the motion PASSED unanimously.

ARTICLE 8: Mr. Driscoll moved that the Town vote to appropriate, the total sum of \$490,139.97 for the repair and/or purchase and/or lease and/or replacement of departmental equipment for the various departments as follows; and to meet this appropriation: transfer the sum of \$5,415 from Cemetery Perpetual Care, and transfer the sum of \$9,400 from Receipts

Reserved for Municipal Waterways Improvements and transfer the sum of \$11,440 from Solid Waste retained earnings and transfer the sum of \$463,884.97 from Free Cash, as follows:

Project	Department	Project Description
A	Police	Unmarked Cruiser
B	Police	Marked Pick-Up Truck
C	Police	Animal Control Officer Van
D	Police	Marked Cruisers
E	Fire	SCBA Bottle
F	Fire	Carbon Dioxide Fire Extinguishers
G	Fire	Cold Water/Ice Rescue Suits
H	Fire	Maintenance to Fire Stations
I	Fire	Computer and AVL
J	Fire	Rescue Boat, Trailer & Motor for Station 4
K	Emergency Management	EOC Warning and Communications
L	Emergency Management	Ludlum Personal Radiation Monitor
M	Emergency Management	Ludlum Response Kit
N	Emergency Management	Plymouth Certification
O	Harbor Master	Boat Crew Dry Suit
P	Harbor Master	Transient Mooring Maintenance
Q	DPW-Operations	Hwy- Tires for Load 319
R	DPW-Operations	Hwy – Tires for Loader 317
S	DPW-Operations	Hwy – Tires for Grader 321
T	DPW-Operations	Maint – Underground Storage Tank Comp.
U	DPW-Operations	Maint- Drill and Bits
V	DPW-Operations	Maint – Metal Chop Saw and Blade
W	DPW-Operations	Maint – Air Compressor
X	DPW-Operations	Maint – Vehicle Planning
Y	DPW-Operations	Maint – Paint Police Vehicles
Z	DPW-Operations	Maint – OTC Evap Leak Tester
AA	DPW-Operations	Maint – 25 Gallon Gas Caddy
BB	DPW-Operations	Solid Waste – Tires for Front End Loader
CC	DPW-Operations	Crematory – Hydraulic Lift Table
DD	DPW-Operations	Crematory – Processor
EE	DPW-Operations	Crematory – Thermo couplers
FF	DPW-Operations	Crematory – Sweep Out Brushes
GG	DPW-Operations	Crematory – 16’ Equipment Trailer
HH	DPW-Operations	Parks – 72” Hustler Mower
II	DPW-Operations	Parks – Door at Stephen’s Field Concession
JJ	DPW-Operations	Recreation - Fencing at White Horse Beach
KK	DPW-Operations	Recreation – Storage Shed and Pad
LL	DPW-Operations	Recreation – Swimming Markers
MM	DPW-Operations	Recreation – Lifeguard Stand
NN	DPW-Operations	Recreation – Portable Radios
OO	Library	Laminating Machine
PP	Library	Book Cart

The motion PASSED unanimously.

ARTICLE 9: Mr. Driscoll moved that the Town vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental buildings and/or equipment and/or capital

facilities for various departments of the Town and/or for feasibility and other types of studies as follows:

ITEM A-1

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$20,784 for the Town Clerk, to acquire voting equipment for new precincts, said funds to be expended under the supervision of the Town Manager.

ITEM A-2

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$74,000 for the Fire Department, to replace a Generator at Station 1, said funds to be expended under the supervision of the Town Manager.

ITEM A-3

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$23,000 and transfer from the Fire Alarm Revolving Fund the sum of \$35,000 for the Fire Department, for Wireless Radio Boxes, said funds to be expended under the supervision of the Town Manager.

ITEM A-4

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$154,586 for the Police Department, to implement a Taser Program, said funds to be expended under the supervision of the Town Manager.

Mr. Vandini moved that the police not demonstrate the Taser system.

The motion PASSED.

The Moderator called a lunch break at 12:05 PM.

The Moderator returned the meeting to order at 1:05 PM.

ITEM A-5

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$71,240, for the School Department, to upgrade Drinking Water Wells District Wide, said funds to be expended under the supervision of the School Committee

ITEM A-6

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$283,047 for the School Department, to replace a Multi-Zone 40-ton roof top air conditioning unit at Manomet Elementary School, said funds to be expended under the supervision of the School Committee

ITEM A-7

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$51,000, for the School Department, to replace truck #946 with a new truck, plow and sander, said funds to be expended under the supervision of the School Department.

ITEM A-8

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$41,000, for the School Department, to replace truck #949 with a new truck and plow, said funds to be expended under the supervision of the School Department.

ITEM A-9

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$20,000, for the DPW Maintenance Division, for a Moisture Study at Memorial Hall, said funds to be expended under the supervision of the Town Manager.

ITEM A-10

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$30,000, for the DPW Maintenance Division, to repair the roof of Fire Station 1, said funds to be expended under the supervision of the Town Manager.

ITEM A-11

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$49,237, for the DPW Maintenance Division, to upgrade the Vehicle Ventilation System, said funds to be expended under the supervision of the Town Manager.

ITEM A-12

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$35,000, for the DPW Maintenance Division, to replace a 1997 Utility Truck #H315, said funds to be expended under the supervision of the Town Manager.

ITEM A-13

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$197,000, for the DPW Highway Division, to replace a 1992 Dump Truck #H308, said funds to be expended under the supervision of the Town Manager.

ITEM A-14

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$197,000, for the DPW Maintenance Division, to replace a 1993 Dump Truck #H331, said funds to be expended under the supervision of the Town Manager.

ITEM A-15

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$20,000, for the DPW Maintenance Division, to purchase Snow & Ice Equipment, said funds to be expended under the supervision of the Town Manager.

ITEM A-16

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$40,000, for the DPW Highway Division, for Vehicle & Equipment Painting, said funds to be expended under the supervision of the Town Manager.

ITEM A-17

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$20,000, for the DPW Highway Division, for MUTCD Traffic Signage Compliance, said funds to be expended under the supervision of the Town Manager.

ITEM A-18

Mr. Driscoll moved that the Town vote to transfer from General Fund Free Cash the sum of \$100,000, for the DPW Engineering Division, for Town Wide Drainage Installation, said funds to be expended under the supervision of the Town Manager.

ITEM A-19

Mr. Driscoll moved that the Town vote to transfer from the Sale of Cemetery Lots the sum of \$75,000, for the DPW Cemetery Division, to Design and Permit Parting Ways Cemetery, said funds to be expended under the supervision of the Town Manager.

ITEM A-20

Mr. Driscoll moved that the Town vote to transfer from Sewer Enterprise Fund Free Cash the sum of \$250,000 for Sewer Enterprise, Sewer System Upgrades, said funds to be expended under the supervision of the Town Manager.

ITEM A-21

Mr. Driscoll moved that the Town vote to transfer from Water Enterprise Fund Free Cash the sum of \$450,000 for Water Enterprise, for Inside Painting of the Cedarville Water Storage Tank, said funds to be expended under the supervision of the Town Manager.

ITEM A-22

Mr. Driscoll moved that the Town vote to transfer from Water Enterprise Fund Free Cash the sum of \$219,071.09 and the transfer from Article 9B-5, North Plymouth Well, of the April 3, 1999 ATM the sum of \$2,068.91, and the transfer from Article 9B-5, Pump Station Generators, of the May 16, 2005 ATM the sum of \$4,783.35, and the transfer from Article 9B-6, Bradford Well, of the May 16, 2005 ATM the sum of \$3,469.04, and the transfer from Article 9B-17, Rehab Harrington Tank, of the May 20, 2006 ATM the sum of \$2,547.61, and the transfer from Article 9B-20, Test Well Program, of the May 20, 2006 ATM the sum of \$18,060.00 for Water Enterprise, for Infrastructure Improvements, said funds to be expended under the supervision of the Town Manager.

ITEM A-23

Mr. Driscoll moved that the Town vote to transfer from Airport Enterprise Fund Free Cash the sum of \$60,000 for Airport Enterprise, for the Remove and Replace Underground Storage Tanks, said funds to be expended under the supervision of the Airport Commission.

ITEM A-24

Mr. Driscoll moved that the Town vote to transfer from Solid Waste Enterprise Fund Free Cash the sum of \$28,952 for Solid Waste Enterprise, to replace a Solid Waste Compactor, said funds to be expended under the supervision of the Town Manager.

ITEM A-25

Mr. Driscoll moved that the Town vote to transfer from Solid Waste Enterprise Fund Free Cash the sum of \$17,100 for Solid Waste Enterprise, to replace three 50-Yard Open Top Containers, said funds to be expended under the supervision of the Town Manager.

ITEM A-26

Mr. Driscoll moved that the Town vote to transfer from Solid Waste Enterprise Fund Free Cash the sum of \$22,820 for Solid Waste Enterprise, to Purchase a 40-Yard Self-Contained Compactor, said funds to be expended under the supervision of the Town Manager.

ITEM A-27

Mr. Driscoll moved that the Town vote to transfer from Solid Waste Enterprise Fund Free Cash the sum of \$15,400 for Solid Waste Enterprise, for two 50-Yard Receivers, said funds to be expended under the supervision of the Town Manager.

The motion of Items A PASSED unanimously.

ITEM B-1

There was no motion. Town Meeting took no action..

ITEM B-2

Mr. Driscoll moved that \$250,000 is appropriated to pay costs of designing and permitting the Water Street Culvert project; and that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen, is authorized to borrow \$250,000 under G.L. c.44 or any other enabling authority; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project.

ITEM B-3

Mr. Driscoll moved that \$300,000 is appropriated to pay costs of repairing the Plymouth Long Beach Seawall; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$300,000 under G.L. c.44 or any other enabling authority; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project.

ITEM B-4

Mr. Driscoll moved that \$200,000 is appropriated to pay costs of permitting and installing a third retort at the Crematory; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$200,000 under G.L. c.44 or any other enabling authority; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project.

ITEM B-5

Mr. Driscoll moved that \$520,000 is appropriated to pay costs of purchasing and equipping a replacement fire engine for Engine One; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$520,000 under G.L. c.44 or any other enabling authority; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project.

ITEM B-6

Mr. Driscoll moved that \$6,500,000 is appropriated to pay costs of replacing the HVAC system at the Indian Brook Elementary School, including the payment of all costs incidental and related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$6,500,000 under G.L. c.44 or any other enabling authority; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project.

ITEM B-7

Mr. Driscoll moved that \$3,436,000 is appropriated to pay costs of repairing and replacing the brick veneer/flashing at the Plymouth South Middle School, including the payment of all costs incidental and related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$3,436,000 under G.L. c.44 or any other enabling authority; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project.

The motion on Items B PASSED unanimously.

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

ARTICLE 11: Mr. Driscoll moved that the Town vote to raise and appropriate the sum of \$50,000 to fund household hazardous waste collection days or any other related activity, said funds to be expended under the supervision of the Town Manager

The motion PASSED unanimously.

ARTICLE 12: Mr. Driscoll moved that the Town vote to transfer the sum of \$404,007 from the Hotel/Motel Tax Fund to fund the Town Promotion Fund pursuant to Chapter 4 of the Acts of

1993, in accordance with the memorandum located on page 137 of the Report & Recommendations of the Advisory & Finance Committee.

Salaries and Wages (Admin. Support).....	\$600
Contractual Services (Promotions and Info Center).....	\$201,791*
Public Improvements	\$41,270*
Event Funding Distinguished Visitors, Special Events, Exhibit Grants & Additional Marketing	\$160,946
Total	\$404,007

*Fixed costs

The motion PASSED unanimously.

ARTICLE 13: Mr. Driscoll moved that the Town vote to accept a sum of money that the State declares as available funds as the State's share of the cost of work under G.L. c.90, §34 (2)(a) of the Massachusetts General Laws, said funds to be expended under the supervision of the Town Manager.

The motion PASSED.

ARTICLE 14: There was no motion. Town Meeting took no action.

ARTICLE 15: There was no motion. Town Meeting took no action.

ARTICLE 17A: Mr. Driscoll moved that the Town vote to raise and appropriate the sum of \$268,350 to assist the School Department in recovering Medicaid reimbursements, said funds to be expended under the supervision of the School Committee.

The motion PASSED unanimously.

ARTICLE 17B: Mr. Driscoll moved that the Town vote to raise and appropriate the sum of \$67,211 to fund the transportation costs of out of district Agricultural Vocational students, said funds to be expended under the supervision of the School Committee.

The motion PASSED unanimously.

ARTICLE 18: There was no motion. Town Meeting took no action.

ARTICLE 19: There was no motion. Town Meeting took no action.

ARTICLE 20: Mr. Driscoll moved that the Town vote to accept for the Conservation Commission the provisions of G.L. c.39, §23D, which provide that a member of a board, committee, or commission holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to the member's absence from one session of such hearing, provided that certain conditions are met; and provided further that such acceptance shall be applicable to all adjudicatory hearings opened on or after the effective date of the vote taken hereunder.

The motion PASSED.

ARTICLE 21: Mr. Driscoll moved that \$400,000 is appropriated to pay costs of repairing, replacing and/or upgrading residential septic systems pursuant to agreements between the Board of Health and residential property owners, including without limitation, the payment of all costs thereof as defined in G.L. c. 29C, s. 1; and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$400,000 under G.L. c.44 or any other enabling authority, which amount may be borrowed through the Massachusetts Water

Pollution Abatement Trust or otherwise; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project.

The motion PASSED unanimously.

ARTICLE 22: There was no motion. Town Meeting took no action.

ARTICLE 23: There was no motion. Town Meeting took no action.

ARTICLE 24: There was no motion. Town Meeting took no action.

ARTICLE 25: There was no motion. Town Meeting took no action.

ARTICLE 26: There was no motion. Town Meeting took no action.

ARTICLE 27: Mr. Driscoll moved that the Town vote to accept G.L. c.40, §8G, which authorizes the Town to enter into an agreement with another city or town, or other cities or towns, to provide mutual aid programs for police departments.

The motion PASSED.

ARTICLE 28: There was no motion. Town Meeting took no action.

ARTICLE 29: Mr. Driscoll moved that the Town vote to authorize the Board of Selectmen to petition the General Court for special legislation, the text of which is on file with the Town Clerk, to establish an Other Post Employment Benefits Fund (“OPEB”) to provide for the Town’s unfunded actuarial liability of health care and other post employment benefits for its retirees, which fund shall be under the care and custody of the Town Treasurer, and be administered by the Plymouth Retirement Board; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of this petition; and further, to raise and appropriate the sum of \$50,000.

TOWN OF PLYMOUTH

11 Lincoln Street Plymouth, Massachusetts 02360

FAX: (508)830-4140

Board of Selectmen
Town Manager
(508) 747-1620 ext. 100

Human Resources (508) 747-1620 ext. 101

Date: February 8, 2011

To: Advisory and Finance Committee

From: Mark S. Stankiewicz, Town Manager

Re: Article 29 - Other Post Employment Benefits

Prior to the 2010 Annual Fall Town Meeting, a warrant article was submitted to adopt Massachusetts General Law (MGL) Chapter 32B, section 20 regarding the funding of Other Post Employment Benefits (OPEB) for retired municipal employees. Currently the town has an estimated \$379 million in OPEB outstanding liability. Under Chapter 32B the funding process would place care and custody of the funds under the Town Treasurer. The Retirement Board with the support of the Insurance Advisory Committee (IAC) proposed an alternative for adoption of special legislation. After further review and consultation with representatives of the Retirement Board, IAC and Advisory and Finance Committee it was determined that special state legislation would be more appropriate and the town's proposed article was withdrawn. Under the proposed special state legislation funds will be under the control of the Retirement Board rather than the Town Treasurer, allowing the Retirement Board ability to make more aggressive investments that have a potentially higher yield.

During the discussion on this article it was also noted the town will be simultaneously paying for retirees' health insurance within the general fund and contributing to OPEB. Those contributions will continue for many years and there will be a point whereby the funds under the Retirement Board could be made available to help offset retiree medical costs. The representative of the Retirement Board indicated they would be formulating policy to address this issue.

Based upon the unanimous consensus, I would recommend the Finance and Advisory Committee support Article 29 and that \$50,000 be raised and appropriated to initially fund OPEB.

The motion PASSED unanimously.

ARTICLE 30: There was no motion. Town Meeting took no action.

ARTICLE 31: There was no motion. Town Meeting took no action.

ARTICLE 32: There was no motion. Town Meeting took no action.

ARTICLE 33: Mr. Driscoll moved that the Town vote to amend the General Bylaws by amending Chapter 100, entitled, "Junk Dealers and Collectors", the text of which is on file with

the Town Clerk, for the purpose of imposing additional identification and reporting requirements, particularly with regard to dealers of precious metals.

Chapter 100

AMENDMENTS

JUNK DEALERS AND COLLECTORS

§ 100-1. License required.

§ 100-2. Shopkeepers.

§ 100-3. Minors.

§ 100-4. Junk collectors.

[HISTORY: Adopted by the Annual Town Meeting of the Town of Plymouth 4-16-1974 by Art. 58 as Art. 7 of the 1974 Bylaws. Amendments noted where applicable.]

GENERAL REFERENCES

Hawkers, peddlers and transient vendors -- See Ch. 85.

Solid waste -- See Ch. 157.

§ 100-1. License required.

All dealers in and keepers of shops for the purchase, sale or barter of junk, old or precious metals or secondhand articles in this town shall be licensed by the Selectmen. For the purpose of this bylaw, the term "precious metals" shall include any precious metal such as gold, silver or platinum without regard to the form or amount. (1)

§ 100-2. Shopkeepers.

A. Every keeper of a shop for the purchase, sale or barter of junk, old or precious metals or secondhand articles within this town shall keep a book in which shall be written at the time of every purchase of any such article a description thereof and the name, age and residence of the person from whom and the day and hour when such purchase was made, and such book shall at all times be open to the inspection of the Selectmen or any person by them authorized to make such inspection, and every keeper of such shop shall put in some suitable and conspicuous place on his or her shop a sign having his or her name and occupation legibly inscribed thereon in large letters.

B. Such shop and all articles of merchandise therein may at all times be examined by the Selectmen or by any person by them authorized to make such examination, and no article purchased or received by such shopkeeper shall be sold or altered until a period of at least thirty days has elapsed from the date of its purchase or receipt. (2) (3)

(4) C. The licensee shall cause to be delivered to the Plymouth Police Department on a weekly basis, a copy of all transactions recorded in their book. If, during the preceding week, such licensee has taken no articles for sale or liquidation, he/she shall make out and deliver to the Police Department a report of such fact.

(5) D. All shopkeepers shall produce a receipt identifying the business name, address, And license number. It shall contain an accurate and detailed description of all

items including but not limited to: all distinguishing marks, model names or numbers, serial numbers, etchings or engravings. Jewelry items shall include a complete description including the material, ring size, weight, chain length, shapes, karat weight and color.

- (6) E. All shopkeepers shall refrain from paying cash for precious metals and articles purchased that will be liquidated, melted down, or resold. The preferred method of payment should be a business check which can be traced back to the recipient.

§ 100-3. Minors.

No keeper of such shop shall directly or indirectly purchase or receive, by way of barter or exchange, any of the articles aforesaid of a minor knowing or having a reason to believe him or her to be such.

§ 100-4. Junk collectors.

- A. All junk collectors who collect, by purchase or otherwise, junk, old metals or secondhand articles from place to place in this town shall be licensed by the Selectmen.
- B. Whoever violates this section shall be liable to a penalty of \$100 for each offense. [Added 4-10-2001 by ATM Article 31] (7)

§ 100-5. Identification (8&9)

- A. For all jewelry transactions, the licensee shall take a color photograph of each individual item in as much detail possible. The licensee shall photograph, in color, any person selling articles and keep the photographs with said books as part of his records.
- B. The licensee shall obtain positive identification, make a color copy of, and record the full name, address, date of birth, and who shall be required to sign documentation avowing to the accuracy of the information listed, and ownership of said items being sold.

The motion PASSED.

ARTICLE 34: Mr. Driscoll moved that the Town vote to authorize the Memorials Advisory Committee to determine a suitable site for the future placement of a single war memorial on Town-owned property honoring residents of the Town of Plymouth who have given their lives while serving on active duty in the armed forces of the United States of America.

The motion PASSED.

ARTICLE 35: There was no motion. Town Meeting took no action.

ARTICLE 36: There was no motion. Town Meeting took no action.

ARTICLE 37: There was no motion. Town Meeting took no action.

ARTICLE 38: There was no motion. Town Meeting took no action.

ARTICLE 39: Mr. Driscoll moved that the Town vote to accept and allow as public ways 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, or eminent domain an easement or easements to use said ways for all purposes for which public ways are used in the Town of Plymouth, and all associated easements; and further, 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 said acquisition(s).

Admiral Byrd Road
Admiral Halsey Road
Admiral Rickover Road
Victory Lane
Bonney Briar Drive
Hughes Street
Filmore Street
Santo Street

Steve Lydon moved to amend the main motion by adding the following streets:

Haven Road
Independence Street
Unity Circle
Juniper Street
Spruce Street
Kennedy Parkway
Truman Avenue
Hoover Street
Eisenhower Way
Johnson Lane
Fitzgerald Avenue
Beacon Street
Birchwood Avenue
Anchor Drive
Constitution Drive

Mr. Buechs moved to add five minutes to Mr. Grandy's time.
The motion PASSED.

On the motion to amend, the motion PASSED.

On the main motion, the motion PASSED.

ARTICLE 40: Mr. Driscoll moved that the Town vote to authorize the Board of Selectmen to accept a perpetual easement for public way purposes over the property of Jonmat Realty Trust, Adel Nasr Trustee, located at 61 Commerce Way, Plymouth, MA and shown as Plymouth Assessor's Parcel No. 103-000-014K163 and further to accept and allow as a public way the following street 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 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 authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition:

Commerce Way, Re-Establish, and alter a Portion Thereof;
The motion PASSED.

ARTICLE 41: Mr. Driscoll moved that the Town vote to (i) amend its Zoning Bylaw, Section 205-55 “Mixed Commerce (MC)”, and (ii) amend its Zoning Bylaw, Section 205-22 “Street Classification and Related Standards” and the official Zoning Map of the Town of Plymouth in accordance with the “FINAL REPORT AND RECOMMENDATION OF THE PLANNING BOARD ON THE PETITION OF ROBERT C. BETTERS, ET AL TO AMEND THE MIXED COMMERCE (MC) SECTION OF THE ZONING BYLAW TO PERMIT AUTOMOBILE DEALERSHIPS”

2011

Annual Town Meeting
Article 41

FINAL REPORT AND RECOMMENDATION ON
THE PETITION OF ROBERT C. BETTERS, ET AL TO AMEND
THE MIXED COMMERCE (MC) SECTION OF THE ZONING BYLAW
TO PERMIT AUTOMOBILE DEALERSHIPS

DATE OF PUBLICATION OF PUBLIC HEARING:

January 5, 2011

January 12, 2011

DATE OF PUBLIC HEARING:

January 24, 2011

VOTE: On January 24, 2011, the Planning Board voted (4-0) **to support** the following amendment to Town Meeting:

PROPOSED AMENDMENT:

Amend the Zoning Bylaw, Section 205-22 “Street Classification and Related Standards” and the official Zoning Map of the Town of Plymouth by designating Commerce Way (entire length) as a Major Street.

To amend Section 205-55 (Mixed Commerce), Paragraph D(9), of the Plymouth Zoning Bylaw in the following manner (~~crossed out words~~ are deleted, proposed additions are underlined):

- (9) Vehicular-related uses, including new and used automobile sales by licensed new car franchised dealers and auto rentals provided that any outdoor service or repair areas shall be screened from public ways by walls, fences and/or evergreen vegetation and further provided that such use (a) be located on a lot that contains a minimum of three acres of land beyond the 400’ Area defined in subsection (c) below, (b) has a minimum of 400 feet of frontage, and (c) is not located within ~~a Primary Recharge Area to Existing or Proven Future Municipal Wells, including all Department of Environmental Protection approved Zone II areas shown on Zoning Map Nom 4, Aquifer Protection District~~ 400 feet of a street classified as a Major Street on or before [insert effective date of zoning amendment] (the “400’ Area”).

NEED AND JUSTIFICATION

Currently, automobile sales are only allowed in that portion of the Mixed Commerce Zoning District located outside the Aquifer Protection District (south of the Kingston Town line, east of Route 3 and west of Cherry Street). This petitioned article seeks to allow automobile sales by licensed new car franchised dealers in additional Mixed Commerce locations. Based on the language above, licensed new car franchised dealers would not be permitted within 400 feet of a Major Street, and consequently the petition also proposes to designate Commerce Way as a Major Street.

At the Spring 2010 Annual Town Meeting, the Town voted to allow new and used automobile sales by licensed new car franchised dealers in the Highway Commercial (HC) District, a similar zoning district, located off Long Pond Road.

The Planning Board supports this proposed amendment for the following reasons:

- The use is limited to licensed new car franchised dealers.
- Many of the uses associated with automobile dealerships (large parking areas, car washes, and service stations) can already occur within the district.
- The intent of the Mixed Commerce Zone and the Highway Commercial Zones (where automotive dealerships are allowed) are similar.
- The uses permitted in both zones are also similar.
- Automobile dealerships will still be subject to the requirements and limitations of the Aquifer Protection District.
- Automobile dealerships are subject to the Special Permit review and approval process.
- A 400 foot Commerce Way setback is included to minimize the visual impacts of automobile dealerships on Commerce Way (see map).

INTENT

The intent of this amendment is to designate new and used automobile sales as a special permit use in the Mixed Commerce District subject to more stringent environmental design conditions outlined in the Zoning Bylaw. To proceed, a super majority (4 of 5 members) of the Zoning Board of Appeals is needed.

TOWN OF PLYMOUTH

Marc Garrett, Chairman

Paul McAlduff

Larry Rosenblum

William Wennerberg

Tim Grandy

BEING A MAJORITY OF THE PLANNING BOARD

DATE SIGNED BY THE PLANNING BOARD:

DATE FILED WITH TOWN CLERK:

c:

Town Clerk
Board of Selectmen
Advisory and Finance Committee

Ron Reilly moved to amend by adding the following language:
For a special permit for a licensed new car franchise dealer under this section, the following provisions shall apply: (i) in lieu of the requirements of Section 205-21A(2)(a), a buffer strip of a minimum of 100 feet shall be reserved and screening adequate for the situation and characteristics of use shall be retained or provided for in the form of a planted earthen berm, thick plantings, walls, fences or any combination thereof, as required by the special permit granting authority, and (ii) if the proposed site is located in the Department of Environmental Protection approved Zone II area shown on Zoning Map 4, Aquifer Protection District, the applicant shall provide as part of its submission requirements and at its expense a peer review by a licensed engineering firm qualified in hydrology analysis to confirm that the facility is designed with the appropriate environmental safeguards.

Ms. Bartlett moved suspend Town Meeting rules to allow James McNeeley and Judith Barber to speak before the Planning Board presentation.
The motion PASSED.

Mr. Howe moved the previous question on the motion to amend.

The motion FAILED to reach two-thirds on a standing vote of 64 in favor and 36 in opposition.

Mr. Caproni moved the previous question on the motion to amend.
The motion PASSED by more than two-thirds.

On the motion to amend, the motion PASSED by more than two-thirds.

Mr. Caproni moved the previous question on the main motion.
The motion PASSED by more than two-thirds.

On the main motion, on a roll call the motion FAILED with 59 in favor, 43 opposed and 1 abstaining.

The Moderator called a recess at 3:05 PM.
The Moderator returned the meeting to order at 3:06 PM.

ARTICLE 43: J. Randolph Parker moves to amend General Bylaws, Chapter 30, Section 13, by adding “No open fires (fires not contained in grills, hibachis or similar devices) will be allowed on any public beach or park without permits from both the Park Division and Plymouth Fire Department. No open fires will be allowed on a private beach unless the consent of the land owner is documented to the satisfaction of and without permit issued by the fire department. For the purpose of interpreting Massachusetts Air Pollution Control Regulations, 310 CMR 7.00, et seq. in the Town of Plymouth, smoke from cook or camp fires less than three feet (3’) in diameter and three feet (3’) in height and at a location greater than 200 feet from a dwelling other than the maker’s own, or within those devices set forth at Chapter 30, Section 12, shall not be interpreted as a nuisance within the meaning of said regulation if investigating fire personnel determine at the source of the complaint that evidence of smoke and air pollution is non-existent.”

Mr. Vaz moved the previous question. The motion PASSED by more than two-thirds.
On the main motion, the motion PASSED on a negative roll call with 6 in opposition.

Janette Jaynes moved to reconsider the vote on Article 43. The motion FAILED with 29 in favor and 63 in opposition.

Mr. Driscoll moved to dissolve Annual Town Meeting. The motion PASSED at 3:26 PM.