

**ANNUAL TOWN MEETING**  
**Saturday, April 6, 2013**

The Moderator opened the Annual Town Meeting at Plymouth North High School at 8:00 AM on April 6, 2013. The salute to the flag was led by Plymouth County Sheriff's Department Honor Guard and the pledge by Plymouth County Sheriff Joseph McDonald. The national anthem was performed by Lilly Alvarez. The invocation was offered by Dr. Helen Nablo, Pastor of the Church of the Pilgrimage. The Moderator noted the presence of a quorum and called the meeting to order at 8:09 AM.

Senator Therese Murray presented her state of the state message.

Representative Vinny deMacedo presented his state of the state message.

Representative Thomas Calter presented his state of the state message.

Representative Randy Hunt presented his state of the state message.

Mathew Murator, Chair of the Board of Selectmen, presented his state of the town message.

Dennis Begley, Chair of the Plymouth School Committee, presented his state of the schools message.

Marc Garrett, Chair of the Planning Board, presented his state of planning message.

John Moody, Acting Chair of the Advisory and Finance Committee, made a presentation.

The Moderator noted that the return of the warrant of Annual Town Meeting shows that it has been properly served. With no objection, Town Meeting waived the reading of the Constable's Return of Service and waived the reading of the warrant.

Mr. Moody moved that adjourned sessions of this Town Meeting be held on April 8, and 9, 2013 at 7:00 p.m. at Plymouth North High School  
The motion PASSED.

Mr. Moody moved to change the order of articles and to take Article 7A-7E first.  
The motion PASSED unanimously.

**ARTICLE 7A:**

Mr. Moody moved, that the Town vote to raise and appropriate \$167,628,212 for a total General Fund Operating Budget (Item #'s 1-49), 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 \$147,859 from the Title V Betterment Program, and transfer the sum of \$40,233 from the Recreation Revolving Fund, and transfer the sum of \$16,375 from the Plymouth Beach Revolving Fund, and transfer the sum of \$34,001 from Cemetery Perpetual Care, and transfer the sum of \$127,784 from Municipal Waterways, and transfer the sum of \$6,524 from State Boat Ramp Revolving Fund, and transfer the sum of \$7,106 from Fire Safety & Prevention Revolving Fund, and transfer the sum of \$8,838 from Fire Alarm Maintenance Revolving Fund, and transfer the sum of \$7,661 from Memorial Hall Revolving Fund and transfer the sum of \$226,739 from Premium from Debt Exclusion and raise \$167,005,092 from the 2014 Tax Levy.

<b>Summary of Vote for 7A</b>	
Total General Fund Operating Budget (Item #'s 1-49)	\$ 167,628,212
Stabilization Fund for LT Debt (Art 7A.1)	\$0.00
Free Cash for Debt Service	\$0.00

Title V Betterment Program	\$147,859
Recreation Revolving Fund	\$40,233
Plymouth Beach Revolving Fund	\$16,375
Cemetery Perpetual Care	\$34,001
Municipal Waterways	\$127,784
State Boat Ramp Revolving Fund	\$6,524
Fire Safety & Prevention Revolving Fund	\$7,106
Fire Alarm Maintenance Revolving Fund	\$8,838
Memorial Hall Revolving Fund	\$7,661
Overlay Surplus	\$0.00
Premium for Debt Exclusion	\$226,739
Less Total Transfers	\$623,120
To be raised by the 2014 Tax Levy (General Fund revenues & other sources)	\$167,005,092

**ARTICLE 7B: WATER ENTERPRISE FUND**

Mr. Moody moved that the Town vote to appropriate \$3,052,374 from Water Enterprise Receipts to defray Water direct costs and that \$1,152,634 as appropriated under Article 7A, be used for Water indirect costs, all to fund the total costs of operations of the Water Enterprise as follows:

Personal Services (Item #55)	\$ 963,866
All Other Expenses (Item #56)	\$1,221,381
Debt Service (Item #57)	\$867,127
Appropriated for Direct Costs	\$ 3,052,374
Indirect Costs – Charged to Enterprise Fund From General Fund	\$ 1,152,634
Total Cost – Water	\$4,205,008

**ARTICLE 7C: SEWER ENTERPRISE FUND**

Mr. Moody moved that the Town vote to appropriate \$4,495,512 from Sewer Enterprise Receipts to defray Sewer direct costs, and that \$306,467 appropriated under Article 7A, be used for Sewer indirect costs, all to fund the total costs of operations of the Sewer Enterprise as follows:

Personal Services (Item #52)	\$324,083
All Other Expenses (Item #53)	\$1,934,881
Debt Service (Item #54)	\$2,236,548
Appropriated for Direct Costs	\$4,495,512
Indirect Costs – Charged to Enterprise Fund From General Fund	\$306,467
Total Cost – Sewer	\$4,801,979

The Moderator call a recess at 9:54 AM.

The Moderator returned the meeting to order at 10:09 AM.

**ARTICLE 7D: SOLID WASTE ENTERPRISE FUND**

Mr. Moody moved that the Town vote to appropriate \$2,346,523 from Solid Waste Enterprise Receipts to defray Solid Waste direct costs, and that \$306,503 appropriated under Article 7A, 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 #58)	\$357,343
All Other Expenses (Item #59)	\$1,772,193
Debt Service (Item #60)	\$51,073
Reserve Fund (Item #61)	\$165,914
Appropriated for Direct Costs	\$2,346,523
Indirect Costs – Charged to Enterprise Fund From General Fund	\$306,503
Total Cost – Solid Waste	\$2,653,026

**ARTICLE 7E: AIRPORT ENTERPRISE FUND**

Mr. Moody moved that the Town vote to appropriate \$2,698,315 from Airport Enterprise Receipts to defray Airport direct costs, and that \$179,979, as appropriated under Article 7A be used for Airport indirect costs, all to fund the total costs of operations of the Airport Enterprise as follows:

Personal Services (Item # 50)	\$ 448,695
All Other Expenses (Item #51)	\$ 2,249,620
Debt Service	\$ 0.00
Appropriated for Direct Costs	\$ 2,698,315
Indirect Costs – Charged to Enterprise Fund From General Fund (Item #)	\$ 179,979
Total Cost – Airport	\$ 2,878,294

FY2014 OPERATING BUDGETS ARTICLE 7A, 7B, 7C & 7E	2014 Advisory & Finance Committee Recommendation	2014 Town Meeting Changes	2014 As Voted Town Meeting Recommendation
<b>ADMINISTRATIVE SERVICES</b>			
Town Manager - Salary & Wages	\$ 459,691		\$ 459,691
Town Manager - Other Expenditures	\$ 419,700		\$ 419,700
<b>Town Manager - Total Budget Request</b>	<b>\$ 879,391</b>	<b>-</b>	<b>\$ 879,391</b>
Human Resources - Salary & Wages	\$ 207,058		\$ 207,058
Human Resources - Other Expenditures	\$ 73,385		\$ 73,385
<b>Human Resources - Total Budget Request</b>	<b>\$ 280,443</b>	<b>-</b>	<b>\$ 280,443</b>
Town Clerk - Salary & Wages	\$ 252,162		\$ 252,162
Town Clerk - Other Expenditures	\$ 221,193		\$ 221,193
<b>Town Clerk - Total Budget Request</b>	<b>\$ 473,355</b>	<b>-</b>	<b>\$ 473,355</b>
			-
<b>Administrative Services Department Total</b>	<b>\$ 1,633,189</b>	<b>-</b>	<b>\$ 1,633,189</b>
			-
<b>FINANCE</b>			
<b>All Divisions</b>			
Personal Services	\$ 1,785,672		\$ 1,785,672

All Other Expenses	\$ 832,127		\$ 832,127
			-
<b>Finance Department Total</b>	<b>\$ 2,617,799</b>		<b>- \$ 2,617,799</b>
<b>COMMUNITY RESOURCES</b>			
Council On Aging - Salary & Wages	\$ 277,928		\$ 277,928
Council On Aging - Other Expenditures	\$ 23,100		\$ 23,100
<b>Council On Aging - Total Budget Request</b>	<b>\$ 301,028</b>		<b>- \$ 301,028</b>
			-
Veterans Services - Salary & Wages	\$ 98,013		\$ 98,013
Veterans Services - Other Expenditures	\$ 859,770		\$ 859,770
<b>Veterans Services - Total Budget Request</b>	<b>\$ 957,783</b>		<b>- \$ 957,783</b>
			-
<b>Disabilities - Total Budget Request</b>	<b>\$ 200</b>		<b>\$ 200</b>
			-
Library - Salary & Wages	\$ 1,128,627		\$ 1,128,627
Library - Other Expenditures	\$ 432,187		\$ 432,187
<b>Library - Total Budget Request</b>	<b>\$ 1,560,814</b>		<b>- \$ 1,560,814</b>
			-
1749 Court House - Salary & Wages	\$ 6,748		\$ 6,748
1749 Court House - Other Expenditures	\$ 675		\$ 675
<b>1749 Court House - Total Budget Request</b>	<b>\$ 7,423</b>		<b>- \$ 7,423</b>
			-
<b>Community Resources Department Total</b>	<b>\$ 2,827,248</b>		<b>- \$ 2,827,248</b>
			-
<b>INSPECTIONAL SERVICES</b>			
<b>All Divisions</b>			
Personal Services	\$ 744,037		\$ 744,037
All Other Expenses	\$ 59,800		\$ 59,800
			-
<b>Inspectional Services Department Total</b>	<b>\$ 803,837</b>		<b>- \$ 803,837</b>
			-
<b>PLANNING &amp; DEVELOPMENT</b>			
Planning & Development - Salary & Wages	\$ 416,455		\$ 416,455
Planning & Development - Other Expenditures	\$ 173,710		\$ 173,710
<b>Planning &amp; Development - Total Budget Request</b>	<b>\$ 590,165</b>		<b>- \$ 590,165</b>
			-
<b>Redevelopment Authority - Total Budget Request</b>	<b>\$ 26,340</b>		<b>\$ 26,340</b>
			-

<b>Planning &amp; Development Department Total</b>	<b>\$ 616,505</b>	<b>-</b>	<b>\$ 616,505</b>
			-
<b>PUBLIC SAFETY</b>			
Police - Salary & Wages	\$ 8,607,670		\$ 8,607,670
Police - Other Expenditures	\$ 333,617		\$ 333,617
<b>Police - Total Budget Request</b>	<b>\$ 8,941,287</b>	<b>-</b>	<b>\$ 8,941,287</b>
			-
Fire - Salary & Wages	\$ 8,873,428		\$ 8,873,428
Fire - Other Expenditures	\$ 237,198		\$ 237,198
<b>Fire - Total Budget Request</b>	<b>\$ 9,110,626</b>	<b>-</b>	<b>\$ 9,110,626</b>
			-
<b>Emergency Management - Total Budget Request</b>	<b>\$ 19,900</b>		<b>\$ 19,900</b>
			-
<b>Parking Enforcement - Total Budget Request</b>	<b>\$ 31,204</b>		<b>\$ 31,204</b>
			-
<b>Public Safety Department Total</b>	<b>\$ 18,103,017</b>	<b>-</b>	<b>\$ 18,103,017</b>
			-
<b>MARINE &amp; ENVIRONMENTAL AFFAIRS</b>			
<b>All Divisions</b>			
Personal Services	\$ 650,834	-	\$ 650,834
All Other Expenses	\$ 140,125	-	\$ 140,125
<b>Marine &amp; Environmental Affairs</b>	<b>\$ 790,959</b>	<b>-</b>	<b>\$ 790,959</b>
			-
<b>PUBLIC WORKS</b>			
<b>All Divisions</b>			
Personal Services	\$ 4,554,896		\$ 4,554,896
All Other Expenses	\$ 909,833		\$ 909,833
<b>Public Works Department Total</b>	<b>\$ 5,464,729</b>	<b>-</b>	<b>\$ 5,464,729</b>
			-
<b>TOTAL TOWN BUDGET</b>	<b>\$ 32,857,283</b>	<b>-</b>	<b>\$ 32,857,283</b>
			-
<b>FIXED COSTS</b>			
Salary Reserve Account	\$ 392,945		\$ 392,945
Fuel and Utilities	\$ 1,761,700		\$ 1,761,700
Finance Committee Reserve Account	\$ 130,000		\$ 130,000
Tax Title Foreclosures	\$ 306,025		\$ 306,025

Medicaid Program - Personal Services	\$ 157,689		\$ 157,689
Medicaid Program - All Other Expenses	\$ 43,500		\$ 43,500
Out of District Transportations	\$ 62,977		\$ 62,977
School Disposal Costs	\$ 17,000		\$ 17,000
Snow & Ice Removal	\$ 460,000		\$ 460,000
Member Benefits	\$ 4,392,758		\$ 4,392,758
Pensions	\$ 9,086,570		\$ 9,086,570
Unemployment Compensation	\$ 100,000		\$ 100,000
Member Insurance	\$ 26,154,367		\$ 26,154,367
OPEB Trust Funding	\$ 146,564		\$ 146,564
All Town Insurance	\$ 820,810		\$ 820,810
<b>TOTAL FIXED COSTS BUDGET</b>	<b>\$ 44,032,905</b>	<b>-</b>	<b>\$ 44,032,905</b>
<b>COMMUNITY DEBT NON-ENTERPRISE</b>			
<b>TOTAL DEBT BUDGET</b>	<b>\$ 11,391,936</b>	<b>-</b>	<b>\$ 11,391,936</b>
<b>TOTAL SCHOOL BUDGET</b>			
	<b>\$ 79,346,088</b>		<b>\$ 79,346,088</b>
<b>TOTAL TOWN &amp; SCHOOL BUDGET</b>			
	<b>\$ 112,203,371</b>	<b>-</b>	<b>\$ 112,203,371</b>
<b>TOTAL GENERAL FUND BUDGET</b>			
	<b>\$ 167,628,212</b>	<b>-</b>	<b>\$ 167,628,212</b>
<b>ENTERPRISE FUNDS</b>			
Airport Operating - Salary & Wages	\$ 448,695		\$ 448,695
Airport Operating - Other Expenditures	\$ 2,249,620		\$ 2,249,620
<b>Total Airport Budget</b>	<b>\$ 2,698,315</b>	<b>-</b>	<b>\$ 2,698,315</b>
Sewer Operating - Salary & Wages	\$ 324,083		\$ 324,083
Sewer Operating - Other Expenditures	\$ 1,934,881		\$ 1,934,881
Sewer Operating - Debt	\$ 2,236,548		\$ 2,236,548
<b>Total Sewer Budget</b>	<b>\$ 4,495,512</b>	<b>-</b>	<b>\$ 4,495,512</b>
Water Operating - Salary & Wages	\$ 963,866		\$ 963,866
Water Operating - Other Expenditures	\$		\$

	1,221,381		1,221,381
Water Operating - Debt	\$ 867,127		\$ 867,127
<b>Total Water Budget</b>	<b>\$ 3,052,374</b>	<b>-</b>	<b>- \$ 3,052,374</b>
Solid Waste Operating - Salary & Wages	\$ 357,343		\$ 357,343
Solid Waste Operating - Other Expenditures	\$ 1,772,193		\$ 1,772,193
Solid Waste Operating - Debt	\$ 51,073		\$ 51,073
Solid Waste Operating - Reserve Fund	\$ 165,914		\$ 165,914
<b>Total Solid Waste Budget</b>	<b>\$ 2,346,523</b>	<b>-</b>	<b>- \$ 2,346,523</b>
			-
<b>TOTAL ENTERPRISE FUNDS</b>	<b>\$ 12,592,724</b>	<b>-</b>	<b>- \$ 12,592,724</b>
			-
<b>TOTAL FY2014 BUDGET</b>	<b>\$ 180,220,936</b>	<b>-</b>	<b>- \$ 180,220,936</b>

On a motion to approve Article 7 A, B, C, and E. The motion PASSED.

On a motion to approve Article 7E, the motion PASSED unanimously

Mr. Moody moved to adjourn Annual Town Meeting until the conclusion of the Special Town Meeting.

The motion PASSED at 10:13 AM.

The Moderator returned the Annual Town Meeting to order at 10:20 AM.

Mr. Shirley moved to reconsider Article 7D.

The motion PASSED.

Ms. Hall moved the previous question.

The motion FAILED with 55 in favor and 62 in opposition.

Motion for the previous question.

The Motion PASSED.

Mr. Kelley moved to amend Article 7D by lowering the total to \$1,060,622.

The motion FAILED.

Ms. Jaynes moved to fix the method of voting by roll call.

The motion PASSED.

Ms. Jaynes moved the previous question on the main motion.

The motion PASSED by more than two-thirds.

The motion PASSED on a roll call vote with 80 in favor and 39 in opposition.

Mr. Moody moved to adjourn Annual Town Meeting until the conclusion of the Special Town Meeting.

The motion PASSED at 11:10 AM.

The Moderator returned the meeting to order at 1:39 PM.

**ARTICLE 1:** To choose all necessary Town Officers, the following to be voted for all on one ballot, viz.:

Two Selectmen for three years; Two members of the Plymouth School Committee for three years; One Moderator for three years; One member of the Planning Board for five years; One member of the Redevelopment Authority for five years and also a total of Forty-seven (47) Town Meeting Members, three members from each precinct for three years, One member from Precinct 4 for two years, and one member from Precinct 4 for one year.

Election to be held on Saturday, May 11, 2013

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

The motion PASSED.

**ARTICLE 3:** Mr. Moody moved that 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, 2013, 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 FY2014 as follows:

<b>TOWN OF PLYMOUTH, MASSACHUSETTS</b>				
<b>Revolving Funds Chapter 44, Section 53E ½</b>				
<b>Fiscal Year 2014 Revolving Fund Requests</b>				
<b>Spending Authority</b>	<b>Revolving Fund</b>	<b>Revenue Source</b>	<b>Use of Fund</b>	<b>FY2014 Authorized Spending Limit</b>
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

Director of Marine and Environmental Affairs	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. To be used for the care, health & welfare of the animals and equipment and supplies	<b>\$ 10,000</b>
Director of Marine and Environmental Affairs	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 salaries and benefits of full-time staff and part-time staff and other expenses for the purposes of managing, controlling and providing a higher level of public safety at the boat ramp.	<b>\$ 55,000</b>
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 related to recreation programs.	<b>\$ 420,000</b>
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.	<b>\$38,000</b>
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, benefits & 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	<b>\$650,000</b>

			j) Electronics k) Graphic Arts l) Metals/Welding m) Plumbing n) Marine Technology o) Design & Visual Communication	
Director of Marine and Environmental Affairs	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.	<b>\$ 237,000</b>
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.	<b>\$ 10,000</b>
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.	<b>\$ 45,000</b>
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.	<b>\$ 30,000</b>
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, benefits, public safety equipment and materials used in accordance with Fire Alarm Services.	<b>\$ 65,000</b>

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.	<b>\$125,000</b>
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.	<b>\$60,000</b>
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.	<b>\$ 12,000</b>
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 and benefits of full-time staff and part-time staff maintenance and operation of Memorial Hall.	<b>\$117,000</b>
DPW Director	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.	<b>\$3,600</b>

Recreation Director and Park Superintendent	Hedges Pond	The departmental receipts credited to this fund shall be those identified as program fees from Recreation Dept. Day Program, daily-parking fees, special event, and rental fees.	The funds will be used to cover Recreation Dept. seasonal salaries and operational expenses for the facility. Excess funds will be used for future capital improvements.	<b>\$30,000</b>
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The motion PASSED.

**ARTICLE 4:** Mr. Moody moved that the Town vote, pursuant to Chapter 173 of the General By-Laws, to authorize the Plymouth Center Steering Committee, and the Cedarville Steering Committee to continue for review in three years at 2016 Annual Town Meeting

The motion PASSED.

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

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

	Stipend Without Health Insurance	Stipend With Health Insurance
Board of Selectmen		
Chairman	\$ 4,500	\$ 2,000
Other (s)	\$ 4,000	\$ 1,000
Moderator	\$ 2,000	\$ 300

The motion PASSED.

**ARTICLE 8:** Mr. Moody moved that the Town vote to appropriate, the total sum of \$907,494 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 \$14,000 from Cemetery Perpetual Care, and transfer the sum of \$69,500 from Receipts Reserved for Municipal Waterways Improvements and transfer the sum of \$29,500 from Sewer Enterprise retained earnings and transfer the sum of \$70,739 from Water Enterprise retained earnings and transfer the sum of \$723,755 from Free Cash, as follows:

A	Information Tech.	Desktop Computers (*)
B	Information Tech.	Desktop Computers / SQL Server- Police (*)
C	Information Tech.	Fiber Repair (*)
D	Police	Respirator Cartridges for Gas Masks (*)
E	Police	Unmarked Cruiser (*)
F	Police	Marked Cruiser (*)
G	Police	Utility Vehicle (*)
H	Fire	Station Maintenance for all 7 Stations (*)
I	Fire	Self Contained Breathing Apparatus Cylinders (*)

J	Fire	Automatic External Defibrillator (*)
K	Fire	Turn Out Gear Replacement (*)
L	Fire	Portable Radios (*)
M	Fire	2 1/2" Fire Hose Supply Line (*)
N	Fire	4" Fire Hose Supply Line (*)
O	Emergency Mgt	Redundant Fire Dispatch Terminal at EOC
P	Harbor Master	Patrol Boat Outboard Engine (*)
Q	Harbor Master	2012 Port Security Grant Program 25% Match
R	Harbor Master	Tender Floats (*)
S	Harbor Master	Inflatable Boat
T	Harbor Master	Pond Boat Outboard Engine (*)
U	DPW-Operations	Highway - Vehicle and Equipment Painting & Repair
V	DPW-Operations	Highway - Snow & Ice Equip Ground Speed Control
W	DPW-Operations	Highway - Vehicle & Equipment Tires
X	DPW-Operations	Maint - Police Station Carpet (*)
Y	DPW-Operations	Maint - DPW Bldg Repairs (*)
Z	DPW-Operations	Fleet Maint - Crane for Service Truck
AA	DPW-Operations	Fleet Maint - Engine PTO Driven Comp Svc Truck
BB	Marine & Env. Affairs	ADA Compliant Beach Ramp (*)
CC	DPW-Utilities	Sewer - 4x4 1/2 Ton Pick-up
DD	DPW-Utilities	Water - 2WD Utility Body Diesel Pickup Truck (*)
EE	DPW-Utilities	Water - 4WD Extended Cab Pickup Truck (*)
FF	DPW-Operations	Crematory - Cremation Chamber Floor Replacement (*)
GG	DPW-Operations	Crematory - Exhaust Fan System
HH	DPW-Operations	Crematory - Cremation Chamber Floor & Roof (*)
II	DPW-Operations	Crematory - Emission Monitoring System (*)
JJ	DPW-Operations	Cemetery - Hurricane Blower
KK	DPW-Operations	Cemetery - 48" Mulching Mower (*)
LL	DPW-Operations	Cemetery - Weed Wacker (*)
MM	DPW-Grounds & Rec	Parks - 61" Scag Mower (*)
NN	DPW-Grounds & Rec	Parks - Landscape Trailer (*)
OO	DPW-Grounds & Rec	Parks - Forges Parking Lot Striping (*)
PP	DPW-Grounds & Rec	Parks - Man Rec Play Structures Replacement Parts (*)
QQ	DPW-Grounds & Rec	Parks - Fence Repair Program (*)
RR	DPW-Grounds & Rec	Parks - Turf Covers
SS	DPW-Grounds & Rec	Parks - Weed Whackers (*)
TT	DPW-Grounds & Rec	Recreation - 4WD Pickup Truck

The motion PASSED unanimously.

**ARTICLE 9:** To see if the Town will 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. Moody moved that the Town vote to transfer from the 2012 Annual Town Meeting Article 9A-13 the sum of \$25,000 and Article 9A-14 the sum of \$55,000 and transfer from General Fund Free Cash the sum of \$11,640 for the Fire Department to Repair/Refurbish Brush Trucks, said funds to be expended under the supervision of the Town Manager.

**ITEM A-2**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$137,925 and transfer \$45,975 from the Memorial Hall Revolving Fund, for the DPW Maintenance Division Town Building Repair Program to Repair & Reupholstering Chairs at Memorial Hall, said funds to be expended under the supervision of the Town Manager.

**ITEM A-3**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$140,400 for the DPW Maintenance Division Town Building Repair Program to Replace Carpeting at the Library, said funds to be expended under the supervision of the Town Manager.

**ITEM A-4**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$57,200 for the School Department – School Building Repair Program to make Roof Repairs at the Mount Pleasant School, said funds to be expended under the supervision of the School Committee.

**ITEM A-5**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$79,525 for the School Department – School Building Repair Program to make Roof Repairs at Hedge Elementary School, said funds to be expended under the supervision of the School Committee.

**ITEM A-6**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$150,000 for the School Department – School Building Repair Program to Replace Tile Floors in the Café, Art Rooms and Rec. Hall at Indian Brook Elementary School and West Elementary School, said funds to be expended under the supervision of the School Committee.

**ITEM A-7**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$85,544 for the School Department – School Building Repair Program to Replace Outside Doors at South Elementary School, said funds to be expended under the supervision of the School Committee.

**ITEM A-8**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$52,000 for the School Department – School Building Repair Program to Install

Lockers at Indian Brook Elementary School, said funds to be expended under the supervision of the School Committee.

**ITEM A-9**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$126,000 for the School Department – School Building Repair Program to Replace the Generator at the Plymouth Community Intermediate School, said funds to be expended under the supervision of the School Committee.

**ITEM A-10**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$100,000 for the DPW Engineering Division for Roadway Improvements and Easements along Samoset Street, said funds to be expended under the supervision of the Town Manager.

**ITEM A-11**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$100,000 for the DPW Engineering Division for Re-Striping of a Partial Section of Samoset Street, said funds to be expended under the supervision of the Town Manager.

**ITEM A-12**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$300,000 for the DPW Engineering Division for Newfield Street Bridge Design, said funds to be expended under the supervision of the Town Manager.

**ITEM A-13**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$250,000 for the DPW Engineering Division for Drainage Rehabilitation 2020 Town Center, said funds to be expended under the supervision of the Town Manager.

**ITEM A-14**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$575,000 for the DPW –Maintenance Division Town Vehicle & Equipment Replacement Program for Replacement of Vehicles, said funds to be expended under the supervision of the Town Manager.

**ITEM A-15**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$80,000 for Planning & Development for a Zoning Bylaw Update, said funds to be expended under the supervision of the Town Manager.

**ITEM A-16**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$110,000, for the DPW Grounds & Recreation-Cemetery Division for the Burial Hill Renovation Plan, said funds to be expended under the supervision of the Town Manager.

**ITEM A-17**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$84,282 for the Information Technology Division for Microsoft Office Pro Upgrade and Training, said funds to be expended under the supervision of the Town Manager.

**ITEM A-18**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$193,939 for the Police Department for the Replacement of Mobile Data Terminals, said funds to be expended under the supervision of the Town Manager.

**ITEM A-19**

Mr. Moody moved that the Town vote to transfer from Cemetery Beautification Fund the sum of \$60,000 for the DPW Grounds & Recreation-Cemetery Division for Burial Hill Renovation Tree Work, said funds to be expended under the supervision of the Town Manager.

**ITEM A-20**

Mr. Moody moved that the Town vote to transfer from General Fund Free Cash the sum of \$23,595 for the DPW-Highway Division for the Crushing Operation for Recycled Materials, said funds to be expended under the supervision of the Town Manager.

**ITEM A-21**

Mr. Moody moved that the Town vote to transfer from 2012 Annual Town Meeting, Article 9A-2, the sum of \$20,000 for the Police Department for an Enforsys Police Server, said funds to be expended under the supervision of the Town Manager.

**ITEM A-22**

Mr. Moody moved that the Town vote to transfer from Sale of Lots Trust the sum of \$80,000 for the DPW Grounds & Recreation –Cemetery Division for Vine Hills Cemetery Road & Water Repairs, said funds to be expended under the supervision of the Town Manager.

**ITEM A-23**

Mr. Moody moved that the Town vote to transfer from Sewer Enterprise Retained Earnings the sum of \$100,000 for the Sewer Enterprise Division for Sewer System Upgrades, said funds to be expended under the supervision of the Town Manager.

**ITEM A-24**

Mr. Moody moved that the Town vote to transfer from Water Enterprise Retained Earnings the sum of \$420,000 for the Water Enterprise Division for Generators for Water Building & Pine Hills Booster Station, said funds to be expended under the supervision of the Town Manager.

**ITEM A-25**

Mr. Moody moved that the Town vote to transfer from Water Enterprise Retained Earnings the sum of \$200,000 for the Water Enterprise Division for a New 10 Wheel Dump Truck, said funds to be expended under the supervision of the Town Manager.

**ITEM A-26**

Mr. Moody moved that the Town vote to transfer from Water Enterprise Retained Earnings the sum of \$150,000 for the Water Enterprise Division for Water Infrastructure Improvements, said funds to be expended under the supervision of the Town Manager.

**ITEM A-27**

Mr. Moody moved that the Town vote to transfer from Water Enterprise Retained Earnings the sum of \$68,600 for the Water Enterprise Division to Replace a W41 2005 Ford F350 Truck, said funds to be expended under the supervision of the Town Manager.

**ITEM A-28**

Mr. Moody moved that the Town vote to transfer from Solid Waste Enterprise Retained Earnings the sum of \$201,300 for the Solid Waste Enterprise Division to Replace 2007 Roll-Off Truck, said funds to be expended under the supervision of the Town Manager.

On Article 9, A Group, the motion PASSED unanimously.

**ITEM B-1**

Mr. Moody moved that \$1,250,000 is appropriated to pay costs of T-Wharf Construction; and that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen, is authorized to borrow \$1,250,000 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, said funds to be expended under the supervision of the Town Manager.

**ITEM B-2**

Mr. Moody moved that \$560,000 is appropriated to pay costs of purchasing and equipping a new Fire Engine Number 7; and that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen, is authorized to borrow \$560,000 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, said funds to be expended under the supervision of the Town Manager.

**ITEM B-3**

Mr. Moody moved that \$7,150,000 is appropriated to pay costs of HVAC replacement at the Federal Furnace Elementary School; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$7,150,000 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, said funds to be expended under the supervision of the Town Manager.

**ITEM B-4**

Mr. Moody moved that \$405,000 is appropriated to pay costs of purchasing and equipping a new Brush Breaker Truck; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$405,000 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. Moody moved that \$700,000 is appropriated to pay costs of planning and designing an extension of the Samoset Street Sewer Corridor; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$700,000 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, said funds to be expended under the supervision of the Town Manager.

**ITEM B-6**

Mr. Moody moved that \$1,549,800 is appropriated to pay costs of replacing/relocating a sewer interceptor; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$1,549,800 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, said funds to be expended under the supervision of the Town Manager.

**ITEM B-7**

Mr. Moody moved that \$2,750,000 is appropriated to pay costs of Jacket Water Main Replacement; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$2,750,000 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, said funds to be expended under the supervision of the Town Manager.

On Article 9, B Group, the motion PASSED unanimously.

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

**ARTICLE 11:** Steven Lydon moved that the Town vote to raise and appropriate the sum of \$500,000 for improvements to Private Roads based on the special act passed by State Legislators and signed by the Governor on June 13, 2012.

Mr. Malaguti moved to amend Article 11 by reducing the appropriation to \$170,000.  
Mr. Malaguti withdrew his motion to amend.

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

On the main motion, the motion PASSED on a negative roll call with 10 in opposition.

**ARTICLE 12:** There was no motion. Town Meeting took no action.

**ARTICLE 13:** Mr. Moody moved that the Town vote to transfer the sum of \$472,626 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 159 in the printed Report & Recommendations of the Advisory & Finance Committee.

The motion PASSED unanimously.

**ARTICLE 14:** Mr. Moody 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 15:** There was no motion. Town Meeting took no action.

**ARTICLE 15A:** Mr. Moody moved that the Town vote to establish a Nuclear Plant Mitigation Stabilization Fund and to transfer the sum of \$1,000,000 from General Fund

Free Cash to the Nuclear Plant Mitigation Stabilization Fund, as authorized by the provisions of G.L. c.40, §5B as amended.

The motion PASSED on a negative roll call with 4 in opposition.

Ms. Jaynes moved to adjourn to 7:00 PM on Monday, April 8, 2013 at Plymouth North High School.

The motion PASSED at 2:41 PM.

Annual Town Meeting  
April 6, 2013  
Adjourned Session of April 8, 2013

The Moderator opened the meeting at 7:00 PM.  
Upon word from Town Clerk Laurence Pizer that a quorum was present, the Moderator called the meeting to order at 7:02 PM.

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

**ARTICLE 16B:** Mr. Moody moved that 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, 2013, 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 FY2014 as follows:

TOWN OF PLYMOUTH, MASSACHUSETTS				
Spring Town Meeting 2013				
Revolving Funds Chapter 44, Section 53E1/2- CPA Conservation Land Revolving Fund				
Fiscal Year 2014 Revolving Fund Request				
Spending Authority Director of Department of Marine and Environmental Management in consultation with the Community Preservation Committee	Revolving Fund: CPA Conservation Land Revolving	Revenue Source: Fees and other revenues, including lease proceeds, collected with respect to use of lands acquired with CPA funds	Use of Fund: For improving access, maintenance, acquiring and installing signage on, and capital improvements to conservation land acquired with CPA funds.	FY2014 Authorized Spending Limit: \$40,000.

The motion PASSED unanimously.

**ARTICLE 16C:** Mr. Moody moved that the Town vote to authorize the Board of Selectmen to acquire by purchase for open space and to create, restore and/or rehabilitate land located at 54 Taylor Avenue, Plymouth, shown on Assessor's Map 46 as Lot 7A-3 containing 0.14 acres of land more or less, for recreational purposes pursuant to the Community Preservation Program, and to accept the deed to the Town of Plymouth, of a fee simple interest or less in said land, and further that said land shall be held under the care, custody, and control of the Board of Selectmen as Park Commissioners and to

authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; and further to authorize the Board of Selectmen to restore and rehabilitate for recreational use by construction of a sanitation facility, first aid and life guard station building at White Horse Beach, shown as Assessors Map 46 Lot 7A-2; and as funding therefor pursuant to G.L. c. 44B, to transfer from the Community Preservation Fund FY2014 estimated revenues the total sum of \$355,000 of which \$205,000 is to be allocated for the acquisition of the Taylor Avenue property and \$150,000 is to be allocated for the construction of the sanitation facility, first aid and life guard station building, including all costs incidental and related thereto; and further to authorize the Board of Selectmen to grant a conservation restriction in said property pursuant to G.L. c.44B, §12 and G.L. c.184, §§31-33; provided, however, that prior to the Town's expenditure of funds for the construction of such sanitation facility, first aid and life guard station the following steps shall be taken:

- (1)The Public Works Department shall consult with the Manomet Steering Committee and the Steering Committee shall hold at least one public meeting prior to recommending a designer;
- (2)The Manomet Steering Committee shall hold two public meetings for purposes of soliciting community input concerning the design; and
- (3)The Manomet Steering Committee shall approve the final design by majority vote.

The motion PASSED unanimously.

**ARTICLE 16D:** Mr. Moody moved that the Town vote to authorize the Board of Selectmen to to acquire by purchase, for open space and recreational use purposes pursuant to the Community Preservation Program and to accept the deed to the Town of Plymouth, of a fee simple interest or less to 0.23 acres of land, more or less, located at 308 Court Street, Plymouth, shown on Assessor's Map 5 as Lot 101A, and further that said land shall be held under the care, custody, and control of the Board of Selectmen , and authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; and further in connection with such acquisition, to authorize the creation of a recreational pedestrian entrance to the property known as Veterans Park, from the abutting property at 308 Court Street, including all costs incidental and related thereto; and, as funding therefor to transfer the total sum of \$350,000 from the Community Preservation Fund FY2014 estimated revenues, of which \$150,000 is to be allocated for the acquisition of the 308 Court Street property and \$200,000 is to be allocated for the creation of the recreational pedestrian entrance; and further to authorize the Board of Selectmen to grant a conservation restriction in said property pursuant to G.L. c.44B, §12 and G.L. c.184, §§31-33; provided, however, that prior to the Town's expenditure of funds for the creation of the recreational pedestrian entrance, the following steps shall be taken:

- (1)The Department of Public Works shall consult with the North Plymouth Steering Committee concerning the selection of a designer, and the Steering Committee shall hold at least one public meeting prior to recommending a designer;
- (2)The Steering Committee shall hold two public meetings for purposes of soliciting community input concerning the design; and
- (3)The Steering Committee shall approve the final design by majority vote.

The motion PASSED unanimously.

**ARTICLE 16E:** Mr. Moody moves that the Town vote pursuant to G.L. c. 44B, to transfer from Community Preservation Fund FY2014 estimated revenues the sum of \$190,000 for the creation and/or restoration and rehabilitation of land for recreational use pursuant to the Community Preservation Program, which land is commonly known as Stephens Field, and is shown on Assessors Map 23, as Lots 16b, 16c, 17c, 23, 24 and 26, and specifically for the creation of a recreational development plan for such land, including but not limited to design and permitting costs; and, in connection therewith, to authorize the Board of Selectmen to grant to a nonprofit or charitable corporation a restriction in said land meeting the requirements of G.L. c.184, §§31-33; provided however, that prior to expenditure of the funds appropriated hereunder, the following steps shall be taken:

(1) The Board of Selectmen shall establish a temporary committee to be known as the Stephens Field Planning & Design Committee consisting of two members appointed at large by the Board of Selectmen; the remaining members will be appointed by each of the following committees: one Town Meeting Member from Precinct 3 and one from Precinct 4, one member from the Open Space Committee, one member from the Friends of Stephens Field, one member appointed by the Department of Recreation, the Committee to be required to work with the Department of Marine and Environmental Affairs concerning the design and final plan for Stephens Field.

(2) The Stephens Field Planning & Design Committee, in coordination with the Department of Marine and Environmental Affairs and the Department of Parks and Recreation, which will hold three public meetings for purposes of soliciting community input concerning the design; and

(3) The Stephens Field Design & Planning Committee in coordination with the Department of Marine and Environmental Affairs and the Department of Parks and Recreation will hold at least one public meeting prior to recommending a designer; and

(4) The Department of Marine and Environmental Affairs and The Department of Parks and Recreation will be required to get a majority vote from The Stephens Field Planning & Design Committee on the final design, designer firm and final plan.

The motion PASSED unanimously.

**ARTICLE 16F:** Mr. Moody moved that the Town vote pursuant to G.L. 44B to transfer from from the Community Preservation Fund FY2014 estimated revenues, the sum of \$550,000.00 for the preservation, rehabilitation and restoration of 1000 head stones at the Burial Hill Cemetery, which stones are identified in the Burial Hill Gravestone/Monument Conditions Assessment Report, prepared by Fanin & Lehner Preservation Consultants, dated December 2011, submitted in connection with the application for funding submitted to the Community Preservation Committee by the Department of Public Works on July 5, 2012; and further, in connection therewith, that the Board of Selectmen be authorized to grant to a non-profit or charitable corporation an historic preservation restriction meeting the requirements of G.L. c.184, §§31-33 on the Cemetery, shown on Assessors Map 19, as Lot 22.

The motion PASSED unanimously.

**ARTICLE 16G:** Mr. Moody moved that the Town vote to appropriate from the Community Preservation Fund FY2014 estimated annual revenues the sum of \$95,604 to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2014;

and further,

to reserve for future appropriation from the Community Preservation Fund FY2014 estimated annual revenues the sum of \$239,000 for the acquisition, creation and preservation of open space excluding land for recreational use; \$239,000 for acquisition, preservation, restoration and rehabilitation of historic resources; and \$239,000 for the acquisition, creation, preservation and support of community housing.

and further,

to transfer from the Community Preservation Fund FY2014 estimated annual revenues the sum of \$132,458 to a FY2014 Budgeted Reserve.

The motion PASSED unanimously.

**ARTICLE 17:** There was no motion. Town Meeting took no action.

**ARTICLE 18A:** Mr. Moody moved that the Town vote to approve the Tax Increment Financing Agreement between the Town and Plymouth MA 2013, LLC, substantially in the form of (the “TIF Agreement”), pursuant to GL c. 40, §59, and to confirm the Board of Selectmen’s selection of the location of the project as an Economic Opportunity Area (“Cordage Park Economic Opportunity Area #2”), and to authorize the Board of Selectmen to submit an Economic Opportunity Area Application, Tax Increment Financing Plan, and Certified Project Application to the Massachusetts Economic Assistance Coordinating Council for approval, all relating to the project as described in the TIF Agreement to be located in the Cordage Park Economic Opportunity Area #2, and to take such other actions as may be necessary to obtain approval of the Certified Project Application, the Economic Opportunity Area, the Tax Increment Financing Plan and TIF Zone and to implement the TIF Agreement.

The motion PASSED.

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

**ARTICLE 20:** Mr. Moody moved that the Town vote to amend general bylaw, Chapter 38, Capital Improvements”, as follows:

**Chapter 38  
CAPITAL IMPROVEMENTS**

**§ 38-1. Capital Outlay Expenditure Committee.**

**§ 38-2. Capital improvement program.**

**§ 38-3. Annual report.**

**§ 38-4. Expenditures.**

**§ 38-5. Report to Town Meeting.**

**[HISTORY: Adopted by the Annual Town Meeting of the Town of Plymouth 4-16-1974 by Art. 58 as Art. 3 of the 1974 Bylaws; amended in its entirety by the Annual Town Meeting 4-12-1995 by Art. 38. Subsequent amendments noted where applicable.]**

GENERAL REFERENCES

Financial affairs -- See Ch. 71.

**§ 38-1. Capital Outlay Expenditure Committee.**

- A. The town shall establish a committee to be known as the "Capital ~~Outlay Expenditure~~ **Improvements** Committee" to assist and advise the ~~Finance Director in preparing, and the Town Manager in presenting,~~ a five-year capital improvements program as set forth in ~~Sections 6-2-4e and 3-5-1h of the~~ Plymouth Home Rule Charter.
  
- B. Said Committee shall be composed of seven citizens of the town. The Committee shall consist of one member appointed annually by the Chairperson of the Board of Selectmen either from among the members of the Board of Selectmen or as their designee, one member who shall be appointed annually as a representative of the Advisory and Finance Committee by its Chairperson, one member who shall be appointed annually as a representative of the Plymouth School Committee by its Chairperson and three at-large members who do not hold ~~appointive or~~ elective positions in the town, two of whom shall be appointed by the Board of Selectmen and one of whom shall be appointed by the Town Meeting Moderator. A fourth at-large member shall be a Town Meeting member appointed annually by the Moderator. ~~That appointment shall be exempt from the elective or appointive exclusion.~~ At-large members shall be from different precincts **and their terms of office shall be four years. The Committee shall choose its own officers. [Amended 11-15-1995 STM by Art. 12]**

~~The term of office for at large members shall be for four years. The current at large member's term expiring in June of 1996 shall be appointed by the Moderator for four years. One of the two at large members' terms expiring in June of 1997 shall be appointed by the Board of Selectmen for a four year term, and the second at large member's term expiring in June of 1997 shall be~~

PLYMOUTH CODE § 38-1

~~appointed by the Moderator for a term of two years. The at large member's term expiring in June of 1998 shall be appointed by the Board of Selectmen for a term of four years. Commencing with the term expiring in June of 1999, the appointing authority will rotate between the Moderator and the Selectmen annually, with the Moderator appointments made in odd years and the Selectmen appointments made in even years. Vacancies shall be filled by the original appointing authority. The Committee shall choose its own officers.~~

**§ 38-2. Capital improvement program.**

~~The Committee shall evaluate and review proposed capital projects and improvements involving~~  
**Capital projects and improvements involving** major nonrecurring tangible assets and projects which are purchased or undertaken at intervals of not less than five years, have a useful life of at least five years, and cost over \$15,000 ~~\$50,000~~ **\$15,000 shall be submitted by . [Amended 10-24-2011 ATM by Art. 27]** ~~All departments heads, boards, commissions, and committees, and petitioners to the Committee for evaluation and review. Information concerning all anticipated capital projects requiring Town Meeting appropriation during the ensuing five years will be submitted to the Procurement Officer by November 1 of each year on forms provided. shall, by October 1 of each year, forward to the Finance Director, on forms provided,~~

~~information concerning all anticipated capital projects requiring Town Meeting appropriation during the ensuing five years.~~

**The projects to be undertaken in the next fiscal year shall be prioritized by the Committee.** During its evaluation, the Committee shall consider the relative need, impact, timing, and cost of these expenditures ~~and the effect each will have on the financial position of the town.~~ **Projects not funded in the next fiscal year will remain on the Five-Year Plan. The requestors shall also submit a 6-20 year plan of all capital items with a \$2.5 million or higher cost. These short and long term projections will assist the Finance Director in fiscal planning.**

**All asset or project requests shall be submitted by November 1 for the Annual Town Meeting. Any emergencies that require Town Meeting appropriation at other times of year shall be processed in the same manner. Although demand and/or financing availability may cause these requests to have a more immediate need, the requests shall be evaluated in relation to the existing fiscal year Capital Improvement Plan.**

### **§ 38-3. Annual report.**

**The Committee shall rank all requests for assets and projects and prepare a prioritized Capital Improvement Plan for the next fiscal year.** ~~The Committee shall assist the Finance Director in preparing an annual report recommending a prioritized capital improvement budget for the next fiscal year and a capital improvement plan listing capital project requests for the following four fiscal years.~~ The report shall be submitted to the Town Manager for **funding** consideration, approval, and recommendation as required by the Plymouth Home Rule Charter, ~~Section 6-2-4e.~~ The Town Manager shall submit the recommended capital improvement report to the Board of Selectmen for its consideration in accordance with ~~Section 3-5-1h~~ of the Plymouth Home Rule Charter. **The recommended Capital Improvement Plan shall be presented in a single article separately listing the projects to be undertaken.**

### **§ 38-4. Expenditures.**

After its adoption, the capital improvement budget shall permit the expenditure of sums from departmental budgets on projects included therein for surveys, architectural or engineering advice, options or appraisals, but no such expenditure shall be incurred on projects which have not been so approved through the appropriation of sums in the current year or in prior years or for preliminary planning for projects to be undertaken more than five years in the future.

### **§ 38-5. Report to Town Meeting.**

No appropriation shall be voted for a capital improvement ~~requested by a department, board or committee~~ unless the proposed capital improvement is considered in the Committee's annual report or unless the Committee shall first have submitted a special report to the Town Meeting. The Committee's report and the Selectmen's recommended capital improvement budget shall be published and made available in a manner consistent with the distribution of the operating budget.

## CAPITAL IMPROVEMENTS

§ 38-5

~~The capital improvement budget shall be presented in a single article separately listing the projects to be undertaken.~~

The motion PASSED.

**ARTICLE 21:** There was no motion. Town Meeting took no action.

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

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

**ARTICLE 24:** Mr. Moody moved that the Town vote to authorize the Board of Selectmen 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, 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 said acquisition(s).

Ames Street	Brady Lane
Cherrywood Circle	Craig Street
East Wind Drive	Greenview Drive
Hill Dale Road	Jacob's Ladder Road
McClellan Drive	Micajah Avenue
Monisa Kay Drive	Oriole Way
Sandpiper Lane	Savery Pond Road
Stetson Court	Stuart Avenue (portion of)
Trade Wind Lane	West Ridge Trail
Willow Street (portion of)	Windward Lane
Spindrift Lane	Dover Circle
Nonantum Road (portion of)	Pawtuxet Road (portion of)

The motion PASSED.

**ARTICLE 25:** Mr. Moody moved that the Town vote to authorize the Board of Selectmen to acquire, by gift or eminent domain, and upon such terms and conditions as it deems appropriate, such temporary and permanent easements for highway and utility purposes in lands along Samoset Street, North and South Park Avenues as are necessary to carry out the proposed Route 44 (Samoset Street) reconstruction/improvement, as shown on the Right of Way plan on file with the Town Clerk, including that portion of the Vine Hills Cemetery (Assessors Map 101, Lot 49) along Samoset Street shown on said plan, and further to change the purpose for which said portion of the Vine Hills Cemetery land is held from being held for cemetery purposes to being held for cemetery and general municipal purposes.

The motion PASSED by more than two-thirds.

**ARTICLE 26:** Mr. Moody moved that the Town vote to amend the Zoning Bylaw and Official Zoning Map to create a Light Industrial Building Height Overlay District that allows building heights in accordance with the "FINAL REPORT AND RECOMMENDATION OF THE PLANNING BOARD TO SEE IF THE TOWN WILL VOTE TO AMEND ITS ZONING BYLAW AND OFFICIAL ZONING MAP TO CREATE A LIGHT INDUSTRIAL BUILDING HEIGHT OVERLAY DISTRICT THAT ALLOWS BUILDING HEIGHTS IN EXCESS OF THIRTY-FIVE (35) FEET"

TO SEE IF THE TOWN WILL VOTE TO AMEND ITS ZONING BYLAW AND OFFICIAL ZONING MAP TO CREATE A LIGHT INDUSTRIAL BUILDING HEIGHT OVERLAY DISTRICT THAT  
ALLOWS BUILDING HEIGHTS  
IN EXCESS OF THIRTY-FIVE (35) FEET

DATE OF PUBLICATION OF PUBLIC HEARING: November 28, 2012

December 5, 2012

DATE OF PUBLIC HEARING: December 17, 2012

January 7, 2013

VOTE: On January 7, 2013, the Planning Board voted (3-1) **to support** the following amendment to Town Meeting:

PROPOSED AMENDMENT:

Underlined words added

**§ 205-17.Lot regulations. [Amended 4-7-12 ATM by Art. 31]**

**I. Height.**

(3) Notwithstanding Section 205-17(2)(a and b), to encourage economic development and structured parking, structures may be built, constructed, erected, or expanded by right to a height not to exceed 75 feet within the Light Industrial Building Height Overlay District as delineated on the Official Zoning Map, following a determination by the Planning Board in accordance with the procedures referenced in § 205-5B, Procedures for Zoning Permits, that the building and site plans comply with the following standards:

- (a) All rooftop mechanical devices (except for solar panels) are screened from view of travelled ways;
- (b) The building design complies with the intent of the Massachusetts Energy Stretch Code (780 CMR: Appendix 155 AA) as amended; and
- (c) The site is designed as a unified complex that includes adequate provisions for benches, tables, walking and cycling trails to serve the site's tenants and customers.

NEED AND JUSTIFICATION

In 2010, the Board of Selectmen and Planning Board established the Industrial/Commercial/Office Land Study Committee. The Industrial/Commercial/Office Land Study Committee was charged with developing recommendations and strategies that support industrial and commercial development throughout the community. The charge included recommending land use, zoning and policy modifications that encourage commercial and industrial development. The committee consisted of a cross-section of citizens including a representative of the Open Space Committee. The committee met with a number of professionals including environmental professionals.

The committee identified allowing increased heights in Plymouth's industrial parks as a high priority. Increasing building heights was viewed as a better alternative to enlarging our industrial zones or creating new industrial zones.

Furthermore, the amendment includes an additional safeguard requiring that the Planning Board first find that:

- 1. All rooftop mechanical devices are screened from view of travelled ways;
- 2. The building design complies with the intent of the Massachusetts Energy Stretch Code; and
- 3. The site is designed as a unified complex that includes adequate provisions for benches, tables, walking and cycling trails to serve the site's tenants and customers.

This article is supported by the:

- ✓ Industrial/ Commercial/Office Land Study Committee
- ✓ Director of Planning & Development
- ✓ Town Manager
- ✓ Planning Board
- ✓ Plymouth Economic Development Foundation

The Fire Chief and Director of Public Works have no objections to this amendment.

INTENT

The intent of this amendment is to:

- ✓ Maximize high quality development in areas already zoned and developed for such uses;
- ✓ Encourage commercial development that offsets the residential tax burden; and
- ✓ Provide quality jobs for residents.

TOWN OF PLYMOUTH

\_\_\_\_\_  
Marc Garrett, Chairman

\_\_\_\_\_  
Paul McAlduff

\_\_\_\_\_  
Malcolm MacGregor

\_\_\_\_\_  
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

Mr. Parker moved to amend the main motion by replacing the Planning Board language, as follows:

**I. Height.**

(3) Notwithstanding Section 205-17(2)(a and b), to encourage economic development and structured parking, structures may be built, constructed, erected, or expanded by right to a height not to exceed 75 feet within the Light Industrial Building Height Overlay District as delineated on the Official Zoning Map, following a determination by the Planning Board in accordance with the procedures referenced in § 205-5B, Procedures for Zoning Permits, that the building and site plans comply with the following standards:

- (a) All rooftop mechanical devices (except for solar panels) are screened from view of travelled ways;
- (b) ~~The building design complies with the intent of the Massachusetts Energy Stretch Code (780 CMR: Appendix 155 AA) as amended;~~ and
- (b) The site is designed as a unified complex that includes adequate provisions for benches, tables, walking and cycling trails to serve the site’s tenants and customers.

Ms. Hooker moved the previous question.

The motion PASSED.

On Mr. Parker’s motion to amend.  
The motion PASSED.

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

On the main motion on a roll call, the motion FAILED to reach two-thirds with 63 in favor, 55 in opposition, and 1 abstaining.

**ARTICLE 27:** There was no motion. Town Meeting took no action.

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

**ARTICLE 29:** Mr. Moody moved that the Town vote to amend the Zoning Bylaw, Section 205-19 Signs, to allow Community Information Display Boards for kindergarten through twelfth grade schools in accordance with the “FINAL REPORT AND RECOMMENDATION OF THE PLANNING BOARD TO SEE IF THE TOWN WILL VOTE TO AMEND ITS ZONING BYLAW, SECTION 205-19 SIGNS, TO ALLOW SCHOOL INFORMATION DISPLAY BOARDS FOR ACTIVE KINDERGARTEN THROUGH TWELFTH GRADE SCHOOLS”

2013

Annual Town Meeting

Article 29

FINAL REPORT AND RECOMMENDATION OF  
THE PLANNING BOARD TO SEE IF THE TOWN  
WILL VOTE TO AMEND ITS ZONING BYLAW, SECTION 205-19 SIGNS,  
TO ALLOW SCHOOL INFORMATION DISPLAY BOARDS FOR ACTIVE KINDERGARTEN  
THROUGH TWELFTH GRADE SCHOOLS

DATE OF PUBLICATION OF PUBLIC HEARING: December 19, 2012

December 26, 2012

DATE OF PUBLIC HEARING: January 7, 2013

VOTE: On January 7, 2013, the Planning Board voted (4-0) **to support** the following amendment to Town Meeting:

PROPOSED AMENDMENT:  
Underlined words added

**§ 205-19.Signs.** [Amended 4-21-1974 ATM by Art. 65; 4-17-1975 ATM by Art. 68; 4-10-1976 ATM by Art. 56; 4-24-1979 ATM by Art. 66; 4-20-1982 STM by Art. 44; 4-2-1983 ATM by Art. 29; 4-5-1989 ATM by Art. 31; by 10-26-2004 FTM by Article 21;]

B. **Definition.** As used herein, the following words and terms shall have the following meanings. For the convenience of the reader, other terms have been defined in

other parts of this section to which they specifically apply but shall not be deemed less valid by reason of their omission from this subsection [see the definition of "size" in Subsection C(1)(b)].

SCHOOL INFORMATION DISPLAY BOARD– A device illuminated by internal Light Emitting Diodes (LED) and used as a community communication tool.

**G. Special regulations.**

- (1) **Filling station.** Gasoline filling stations and garages may divide the one architectural sign affixed to the front wall of the building to which they are entitled as hereinabove provided into separate signs affixed to and parallel to such wall and indicating the separate operations or departments of the business. In addition, one sign standing or otherwise indicating the company whose gasoline is being sold and the price of gasoline being sold may be erected of such type, in such location, and in such manner as is otherwise permitted. The standard type of gasoline pump bearing thereon in usual size and form the name of the type of gasoline and the price thereof shall not be deemed to be in violation of this bylaw. Temporary or moveable signs of any and every type are specifically prohibited.
- (2) **Uses or activities above first floor.** Such uses or establishments may display architectural and/or hanging architectural signs as permitted under this bylaw for first floor tenants provided that this sign or signs and the signs otherwise permitted for the first floor establishments do not in combination exceed the dimensional limits for placement of signs for the first floor establishments.
- (3) **Iconographic signs.** An iconographic sign may be erected in lieu of a sign otherwise permitted by this bylaw if it meets the dimensional regulations for the sign for which it is being substituted.
- (4) **School Information Display Boards.** School Information Display Boards are allowed for active kindergarten through twelfth grade schools provided such boards:
  - (i) Do not exceed 24 square feet in size;
  - (ii) Are located adjacent to the school's primary entrances; and
  - (iii) Do not obstruct vehicular sight-lines.

NEED AND JUSTIFICATION

Nationally, school information display boards have become a common tool for conveying information related to various school activities and events. The Plymouth School Department would like to activate the display board located at Plymouth North High School and possibly install similar boards at other schools.

This amendment limits the location of display boards to active K through 12 schools. Display boards will continue to be prohibited for all other uses.

The board can only be illuminated by Light Emitting Diodes (LEDs).

INTENT

The intent of this amendment is to allow for the installation of information display boards for each school located in Plymouth.

TOWN OF PLYMOUTH

\_\_\_\_\_  
Marc Garrett, Chairman

\_\_\_\_\_  
Paul McAlduff

\_\_\_\_\_  
Malcolm MacGregor

\_\_\_\_\_  
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

Mr. Abbott moves to amend the main motion by adding the following:  
Section 205-19 G. (4) (iv): “are located within the Obery Street Overlay District.”

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

On the motion to amend, the motion PASSED on a counted vote with 57 in favor and 53 opposed.

Mr. Howe moved the previous question on the motion.  
The motion PASSED.

On the main motion, the motion PASSED by more than two-thirds on a negative roll call with 13 in opposition.

**ARTICLE 30:** Mr. Moody moved that the Town vote to amend Chapter 149 of the General Bylaws by adding a new section 149-3 as follows:

§ 149-3. Sewer Betterment Assessments

- A. The Board of Selectmen, acting as sewer commissioners in accordance with G.L. c.83, §14, 15, and 23, may assess betterments upon benefitted properties for all, or such lesser portion as the Board shall determine, of the cost of constructing municipal sewer system facilities;
- B. In fixing the amount of such betterments, the Board of Selectmen may, at their discretion, utilize the fixed uniform rate or the uniform unit rate method as set forth in G.L. c.83, §15.
- C. Further in accordance with G.L. c.83, §15, the Selectmen may, in assessing such betterments, separate the costs of general benefit facilities, including but not limited to pumping stations, trunk and force mains, from that of special benefit facilities, including but not limited to sewer mains, serving adjacent properties,

and may apportion an equitable portion of the costs of the general benefit facilities by the uniform unit method on all properties benefitted by such facilities;

- D. The Selectmen may assess and collect estimated betterment assessments for the construction of sewer facilities in accordance with G.L. c.83, §15B.

The motion PASSED.

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

Mr. Moody moved to dissolve this Town Meeting.

The motion PASSED at 8:49 PM.