

2011 ANNUAL TOWN MEETING WARRANT  
Saturday, April 2, 2011

To the Town Clerk of the Town of Plymouth, Commonwealth of Massachusetts:

GREETINGS:

In the name of the Commonwealth, you are directed to notify and warn the Inhabitants of Plymouth qualified to consider and vote on articles at the Annual Business Meeting of the Town of Plymouth to meet at Plymouth North High School on Saturday, the Second Day of April, 2011, at 8:00AM to act on the following articles to wit:

ARTICLE 1: Withdrawn

ARTICLE 2: To hear the reports of the several Boards and Officers and Committees of the Town thereon.

BOARD OF SELECTMEN

ARTICLE 3: To see what action the Town will take under the provisions of G.L. c.44, §53E 1/2 regarding the establishment, annual re-authorization or renewal as the case may be of revolving funds, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 4: To see what action the Town will take pursuant to Chapter 173 of the General By-Laws regarding the formation, reformation, organization, continuation or discharge of existing Committees created by vote of Town Meeting, or take any other action relative thereto.  
BOARD OF SELECTMEN

ARTICLE 5: To see if the Town will vote to amend the Classification and Compensation Plans and the Personnel By-Law and Collective Bargaining Agreements contained therein, or take any other action relative thereto  
BOARD OF SELECTMEN

ARTICLE 6: To see what action the Town will take pursuant to G.L. c.41, §108 with regard to fixing the salaries of elected Town Officials, or take any other action relative thereto.  
BOARD OF SELECTMEN

ARTICLE 7A: To see what action the Town will take to provide a reserve fund and to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town, including water, sewer, solid waste and airport enterprises and debt and interest, for the ensuing twelve month period beginning July 1, 2011, or take any other action relative thereto.  
BOARD OF SELECTMEN

ARTICLE 7B: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the water enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2011, or take any other action relative thereto.  
BOARD OF SELECTMEN

ARTICLE 7C: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the sewer enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2011, or take any other action relative thereto.  
BOARD OF SELECTMEN

ARTICLE 7D: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the solid waste enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2011, or take any other action relative thereto.  
BOARD OF SELECTMEN

ARTICLE 7E: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the airport enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2011, or take any other action relative thereto.  
BOARD OF SELECTMEN

ARTICLE 8: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money for the repair and/or purchase and/or lease and/or replacement of departmental equipment for the various departments substantially as follows:

<b>Project</b>	<b>Department</b>	<b>Project Description</b>
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

or take any other action relative thereto.

**BOARD OF SELECTMEN**

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:

<b>Project Number</b>	<b>Department or Sponsor</b>	<b>Project Description</b>
A1	Town Clerk	Voting Equipment
A2	Fire Department	Replace Station 1 Generator
A3	Fire Department	Wireless Radio Boxes
A4	Police Department	Taser Program
A5	School	Upgrade Drinking Water Wells
A6	School	Multi-zone AC rooftop unit
A7	School	Replace truck, plow, and sander
A8	School	Replace truck and plow
A9	DPW Maintenance	Memorial Hall Moisture Study
A10	DPW Maintenance	Roof Repair at Fire Station One
A11	DPW Maintenance	Vehicle Ventilation System Upgrade
A12	DPW Maintenance	Replace 1997 Utility truck
A13	DPW Maintenance	Replace 1992 Dump truck
A14	DPW Maintenance	Replace 1993 Dump truck
A15	DPW Maintenance	Snow and Ice Equipment
A16	DPW Maintenance	Vehicle and Equipment Painting
A17	DPW Highway	MUTCD Traffic Signage Compliance
A18	DPW Engineering	Town Wide Drainage Installation
A19	DPW Cemetery	Design and Permit Parting Ways Cemetery
A20	DPW Utilities	Sewer System Upgrades
A21	DPW Utilities	Inside Painting of Cedarville Water Storage Tank
A22	DPW Utilities	Infrastructure Improvements
A23	Airport	Remove and Replace Underground Storage Tanks
A24	DPW Solid Waste	Compactor
A25	DPW Solid Waste	Three 50-yard open top containers
A26	DPW Solid Waste	40-yard self contained compactors
A27	DPW Solid Waste	Two 50-yard receivers
B1	DPW Environmental Management	South Street Landfill Closure & Transfer Station Renovations
B2	DPW Environmental Management	Water Street Culvert Design and Permitting
B3	DPW Environmental Management	Plymouth Long Beach Seawall Repair
B4	DPW Crematory	Permit and Install Third Retort

B5	Fire Department	Replace Engine One
B6	School Department	Indian Brook HVAC Replacement
B7	School Department	PSMS Repair Brick Veneer / Flashing

or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 10: To see if the Town will vote to raise and appropriate or transfer a sum of money to the Unemployment Compensation Fund, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 11: To see if the Town will vote to raise and appropriate or transfer a sum of money to fund a household hazardous waste collection day or other activity, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 12: To see if the Town will vote to appropriate from the Town Promotion Fund created pursuant to Chapter 4 of the Acts of 1993, a sum or sums of money for programs and projects that enhance the beautification, recreational resources, public safety, promotional and marketing activities, events, services and public improvements, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 13: To see if the Town will vote to appropriate a sum of money from 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, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 14: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to the Stabilization Fund, as authorized by the provisions of G.L. c.40, §5B as amended, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 15: Withdrawn

ARTICLE 16A: To see if the Town will vote, pursuant to G.L.c. 44B, to appropriate from the Community Preservation Fund estimated annual revenues, fund balance or reserves, the sum of \$1,500,000 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, 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, or open space restriction meeting the requirements of G.L. c.184, in said property, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 16B: Withdrawn

ARTICLE 16C: Withdrawn

ARTICLE 16D: To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2012 Community Preservation budget and to appropriate from the Community Preservation Fund a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2012, including debt service on previously approved projects and further to reserve for future appropriation amounts as recommended by the Community Preservation Committee: a sum of money for the acquisition, creation and preservation of open space excluding land for recreational use, a sum of money for acquisition, preservation, restoration and rehabilitation of historic resources, a sum of money for the acquisition, creation, preservation and support of community housing, and a sum of money for a Budgeted Reserve, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 17A: To see if the Town will vote to raise and appropriate or transfer a sum of money from available funds to fund a contract to assist the School Department in recovering Medicaid reimbursements, or taken any other actions relative thereto.

SCHOOL COMMITTEE/BOARD OF SELECTMEN

ARTICLE 17B: To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to fund the transportation costs of out of district Agricultural Vocational students, or any action relative thereto.

SCHOOL COMMITTEE/BOARD OF SELECTMEN

ARTICLE 18: Withdrawn

ARTICLE 19: Withdrawn

ARTICLE 20: To see if the Town will 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, or take any other action relative thereto.

CONSERVATION COMMISSION

ARTICLE 21: To see if the Town will vote to raise and appropriate, transfer, or borrow a sum of money for the purposes of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with the Board of Health and residential property owners; including without limitation all costs thereof as defined in G.L. c.29C, §1; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise, or take any other action relative thereto.

#### OFFICE OF COMMUNITY DEVELOPMENT

ARTICLE 22: Withdrawn

ARTICLE 23: Withdrawn

ARTICLE 24: Withdrawn

ARTICLE 25: Withdrawn

ARTICLE 26: Withdrawn

ARTICLE 27: To see if the Town will 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, or take any other action relative thereto.

#### BOARD OF SELECTMEN

ARTICLE 28: Withdrawn

ARTICLE 29: To see if the Town authorize the Board of Selectmen to petition the General Court for special legislation 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, transfer or borrow the sum of \$50,000, more or less, for the purpose of funding said OPEB, or take any other action relative thereto.

#### BOARD OF SELECTMEN

ARTICLE 30: Withdrawn

ARTICLE 31: Withdrawn

ARTICLE 32: Withdrawn

ARTICLE 33: To see if the Town will 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, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 34: To see if the Town will vote to amend the General By-Laws by adopting a new By-law, Chapter 115, entitled, “Armed Forces Memorial,” as follows: “There shall be established on Town-owned property a single memorial 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.”; and further, to raise and appropriate, transfer or borrow a sum of money for the design, purchase and installation of such memorial, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 35: Withdrawn

ARTICLE 36: Withdrawn

ARTICLE 37: Withdrawn

ARTICLE 38: Withdrawn

ARTICLE 39: To see if the Town will 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, purchase 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 raise and appropriate, transfer from available funds, accept gifts or borrow a sum of money 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)

East Russell Mills Road  
Armstrong Road Extension  
Admiral Byrd Road  
Admiral Halsey Road  
Admiral Rickover Road  
Haven Road  
Independence Street  
Unity Circle  
Juniper Street  
Spruce Street  
Victory Lane  
Bonney Briar Drive

Kennedy Parkway  
Truman Avenue  
Hoover Street  
Eisenhower Way  
Johnson Lane  
Fitzgerald Avenue  
Beacon Street  
Birchwood Avenue  
Hughes Street  
Filmore Street  
Santo Street  
Anchor Drive  
Constitution Drive

or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 40: To see if the Town will 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, purchase or eminent domain an easement to use said ways for all purposes for which public ways are used in the Town of Plymouth, and all associated easements; and further, to raise and appropriate, transfer from available funds, accept gifts or borrow a sum of money for this purpose and any expenses related thereto; and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition:

Commerce Way, Re-Establish, and alter a Portion Thereof;

or take any other action relative thereto

BOARD OF SELECTMEN

ARTICLE 41: To see if the Town will vote to (i) amend its Zoning Bylaw, Section 205-55 "Mixed Commerce (MC)", by modifying certain requirements, conditions and/or definitions therein, including but not limited to those pertaining to vehicular related uses, and/or (ii) amend its Zoning Bylaw, Section 205-22 "Street Classification and Related Standards" and the official Zoning Map of the Town of Plymouth by designating Commerce Way as a Major Street, as well as to amend associated sections, provisions, definitions, tables, charts and procedures pertaining thereto, or take any other action relative thereto.

BY PETITION: Robert C. Betters, et al.

ARTICLE 42: To see if the Town will vote to appropriate the sum of \$23,850.00 for the purpose of treating Billington Sea for a invasive weed problem, or take any other action relative thereto.

BY PETITION: Michael Leary, et al.

ARTICLE 43: To see if the Town will vote to amend the Town Bylaw, Chapter 30, Section 13, Open Fires, by appending the following: No open fires will be allowed unless the consent of the land owner is documented to the satisfaction of and without permit issues by the fire department. For the purpose of compliance with Massachusetts Air Pollution Control Regulations, 310 CMR 7.00, et. seq., 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 75' from a dwelling, or within those devices set forth at Chapter 30, Section 12, shall not constitute a nuisance within the definition and meaning of said regulation, or take any other action relative thereto.

BY PETITION: Randolph Parker, Jr. et al.

And you are hereby required to serve this warrant in the manner prescribed by vote of the Town by posting notice thereof seven days at least before such meeting in the Town Office Building and make return thereof with your doings thereon at the time and place above mentioned.

Given under our hands this \_\_\_\_ day of March 2011.

Approved as to Legal  
Form

BOARD OF SELECTMEN

\_\_\_\_\_  
Town Counsel

\_\_\_\_\_  
William P. Hallisey, Jr.  
Chairman

\_\_\_\_\_  
John T. Mahoney, Jr.  
Vice Chairman

\_\_\_\_\_  
Richard J. Quintal, Jr.

\_\_\_\_\_  
Sergio O. Harnais

\_\_\_\_\_  
Mathew J. Muratore

Plymouth, ss.

Pursuant to the foregoing Warrant, I have this day notified and warned the Inhabitants of Plymouth qualified to vote in elections and Town affairs to meet in Plymouth North High School on Saturday, the Second Day of April, 2011, at 8:00AM to conduct the Annual Business Meeting of the Town of Plymouth, by posting copies of this Warrant in the Town Office Building seven days at least before such meeting.

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Signature  
Town Clerk

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Date & Time  
Posted