

**FALL ANNUAL TOWN MEETING WARRANT**  
**October 25, 2010**

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 a Fall Annual Town Meeting, to meet at Plymouth North High School on Monday, the Twenty-Fifth Day of October, 2010 at 7:30 PM, to act on the following articles to wit:

ARTICLE 1: 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 2A: To see if the Town will vote to amend the vote taken under Article 7A of the 2010 Annual Town Meeting warrant, and, as necessary, to raise, appropriate, transfer or borrow funds for the purpose of supplementing departmental expenses, and/or to reduce certain departmental expenses or otherwise amend said vote, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 2B: To see if the Town will vote to amend the vote taken under Article 7B, 7C, 7D and 7E of the 2010 Annual Town Meeting warrant, and, as necessary, to raise, appropriate, transfer or borrow funds for the purpose of supplementing enterprise departmental expenses, and/or to reduce certain departmental expenses or otherwise amend said vote, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 3: To see if the Town will vote to amend the vote taken under Article 10 of the 2010 Annual Town Meeting warrant by reducing the amount appropriated for the Town's Unemployment Compensation Fund, or otherwise amend said vote, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 4: 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 and/or for feasibility studies and other types of studies for the various departments of the Town substantially as follows:

- a. Withdrawn
- b. Withdrawn
- c. Withdrawn
- d. Oliver Neck Road Access

- e. Withdrawn
- f. Withdrawn
- g. Withdrawn
- h. Withdrawn
- i. Sewer Interceptor Project
- j. Airport Taxiway Relocation

Or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 5: Withdrawn

ARTICLE 6: Withdrawn

ARTICLE 7: 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 8: To see if the Town will vote to rescind the following unused borrowing authority:

AMOUNT	PURPOSE	AUTHORIZATION
\$190,300	Local Acquisitions for Natural Diversity (LAND) grant, for the acquisition of a parcel of land containing 36 acres more or less, located off of Long Pond and Boot Pond Roads in Plymouth, Massachusetts, and shown as Assessors Map 88, Lot 26H	Article 7 April 3, 2010 Special Town Meeting

or take any other action relative thereto

BOARD OF SELECTMEN

ARTICLE 9: To see if the Town will vote to transfer care, custody and control of the property located at South Russell Street, Plymouth, MA, shown as Assessors' Map 19, Lot and Plat: 019-000-002-000, commonly known as the 1820 Courthouse, from the Board of Selectmen for the purposes for which it is currently held to the Board of Selectmen for the same purposes, and also for the purpose of conveyance of an historic preservation restriction in said property to the Commonwealth of Massachusetts, acting by and through the Massachusetts Historical Commission, in accordance with G.L. c.44B, §12 and G.L. c.184, §§31-33 in order to meet the requirements of the Community Preservation Act and enable the Town and/or Redevelopment Authority to be eligible for grant funds from the Massachusetts Preservation Projects Fund for the preservation of the Courthouse building, or take any other action relative thereto.

PLYMOUTH REDEVELOPMENT AUTHORITY

ARTICLE 10: To see if the Town will vote to rescind the appropriation of \$46,000 from Community Preservation Fund FY2011 estimated annual revenues made under Article 16A of the April 3, 2010 Annual Town Meeting for the payment of debt service for the Center Hill Preserve acquisition, which acquisition was authorized under Article 9F of the October 2005 Fall Town Meeting and Article 10 of the May 2006 Special Town Meeting, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 11: To see if the Town will vote to rescind the appropriation of \$1,150,000 from Community Preservation Fund FY2011 estimated annual revenues made under Article 16B of the April 3, 2010 Annual Town Meeting warrant for the remaining balance owed for the for the Center Hill acquisition, which acquisition was authorized under Article 10 of the October 2005 Fall Town Meeting, or to take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 12: 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, or otherwise fund, the sum of \$75,000, to be expended by the Town Manager in consultation with the Community Preservation Committee, for the preparation of an Historic Structures Report for the preservation of the historic 1820 Plymouth County Court House, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 13: 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, or otherwise fund, a sum of money as a grant to the Plymouth Taskforce for the Homeless for the acquisition of the multi family residence located at 368-370 Court Street, Plymouth MA, shown as Assessors Map 1, Lot 3-2, for community housing purposes, and to authorize the Town Manager, in consultation with the Community Preservation Committee, to enter into a grant agreement with said Taskforce for the Homeless setting forth the terms and conditions upon which the funds may be expended, which agreement shall include a requirement that the creation and use of the affordable housing units shall be eligible for inclusion on the Subsidized Housing Inventory maintained by the Department of Housing and Community Development for the Town of Plymouth, and a requirement that the Taskforce for the Homeless grant to the Town an affordable housing restriction(s) in the property, and to authorize the Board of Selectmen to accept an affordable housing restriction(s) on said property, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 14 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 \$66,000.00 as a grant to the Plymouth Redevelopment Authority for the renovation of 217 Roxy Cahoon Road, shown as Assessors Map 57, Lot 60a-008, for the purpose of support of community housing, and to authorize the Town Manager, in consultation with the

Community Preservation Committee, to enter into a grant agreement with said Redevelopment Authority setting forth the terms and conditions upon which the funds may be expended, which agreement shall include a requirement that the creation and use of the affordable housing units shall be eligible for inclusion on the Subsidized Housing Inventory maintained by the Department of Housing and Community Development for the Town of Plymouth, and a requirement that the Redevelopment Authority grant to the Town an affordable housing restriction(s) in the property, and to authorize the Board of Selectmen to accept a affordable housing restriction(s) on said property, or take any other action relative thereto.

#### COMMUNITY PRESERVATION COMMITTEE

ARTICLE 15: 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, or otherwise fund, the sum of \$975,000.00 to be expended by the Town Manager, in consultation with the Community Preservation Committee, for the creation, restoration and rehabilitation of land acquired and held for open space and recreational use, in particular the creation of a Town Day Camp and Public Park at the Hedges Pond Recreational Area and Preserve in accordance with G.L. c.45, §14, including, but not limited to, implementation of the Weston and Sampson Master Plan for renovations of existing buildings, and creation of basket ball courts, tennis court, play ground areas, refurbished beach area, pavilion, picnic area and a baseball and multi-purpose playing field, including all expenses incidental and related thereto; and further that Board of Selectmen, Town Manager, Recreation Director, or other appropriate public officials of the Town of Plymouth shall be authorized to file on behalf of the Town of Plymouth any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts under the so-called PARC Act (Chapter 933 of the Acts of 1977, as amended) and/or any other grant programs in any way connected with the scope of this article, or take any other action relative thereto.

#### COMMUNITY PRESERVATION COMMITTEE

ARTICLE 16A: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase or otherwise for open space purposes pursuant to the Community Preservation Program and to accept the deed to the Town of Plymouth of a fee simple interest or less to 10.95 acres of land, more or less, in the Town of Plymouth located off of Drew Road shown on Assessors Map 88 as Lot 25 and further that said land shall be held under the care, custody, and control of the Conservation Commission, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; and as funding therefor to appropriate from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow the sum of \$200,000.00 pursuant to G.L. c.44B or any other enabling authority, and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow said sum and issue notes and bonds therefor; 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; or take any other action relative thereto.

#### COMMUNITY PRESERVATION COMMITTEE

ARTICLE 16B: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, or otherwise for open space purposes pursuant to the Community Preservation Program and to accept the deed to the Town of Plymouth of a Conservation Restriction on 40 acres of land, more or less, in the Town of Plymouth located off Russell Mills Road shown on Assessors Map 83 as Lot 19J and further that said interest in land shall be held under the care, custody, and control of the Conservation Commission, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; and as funding therefor to appropriate from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow the sum of \$169,000.00 pursuant to G.L. c.44B or any other enabling authority for the said purchase, and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow said sum and issue bonds and notes therefor; or take any other action relative thereto.  
COMMUNITY PRESERVATION COMMITTEE

ARTICLE 16C: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, or otherwise for open space purposes pursuant to the Community Preservation Program and to accept the deed to the Town of Plymouth of a fee simple interest or less to 18 acres of land, more or less, in the Town of Plymouth located off Center Hill Road shown on Assessors Map 52 as Lot 26-U, 27A, 9C and 9F and further that said land shall be held under the care, custody, and control of the Conservation Commission, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; and as funding therefor to appropriate from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow a sum of money pursuant to G.L. c.44B or any other enabling authority, and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow said sum and issue bonds and notes therefor; 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; or take any other action there on.  
COMMUNITY PRESERVATION COMMITTEE

ARTICLE 16D: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, or otherwise for open space purposes pursuant to the Community Preservation Program and to accept the deed to the Town of Plymouth of a fee simple interest or less to 23.4 acres of land, more or less, in the Town of Plymouth located off Quail Run Road shown on Assessors Map 61 as Lot 1, and further that said land shall be held under the care, custody, and control of the Conservation Commission, , and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; and as funding therefor to appropriate from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow the sum of \$100,000.00 pursuant to G.L. c.44B or any other enabling authority, and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow said sum and issue notes and bonds therefor; 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; or take any other action there on.  
COMMUNITY PRESERVATION COMMITTEE

ARTICLE 17: To see if the Town will vote to transfer a parcel of land with building thereon, shown on Assessor's Map 46, Lots H181-16A and H181-015, identified as 29 Manomet Point Road, from the Town Treasurer for the purpose of sale to the Board of Selectmen for the purpose of conveyance, and further to authorize the Board of Selectmen, to convey said parcel of land and building thereon, and to authorize the Board of Selectmen to enter into all agreements and to execute any and all instruments as may be necessary or convenient on behalf of the Town of Plymouth to affect said conveyance, subject to such terms and conditions as the Board of Selectmen deem appropriate, including payment of nominal consideration, or take any other action relative thereto.

#### PLANNING BOARD

ARTICLE 18: To see if the Town will vote to transfer the care, custody, management, and control of the property located on Taylor Avenue, Plymouth, MA, shown as Assessors Map 7A-2 on Plat 46, Parcel 046-000-007A-002, also known as the White Horse Beach property, from the Town Treasurer for purposes of sale at auction to the Board of Selectmen for general municipal purposes and highway purposes, or take any other action relative thereto.

#### BOARD OF SELECTMEN

ARTICLE 19: To see if the Town will vote to transfer the care, custody, management, and control of a Portion of Assessor's Plats 45C-000-151-000, 046-000-007A001, 046-000-007-087, 046-000-087C-000, 046-000-881-000, and 046-007-025-000, all as shown on a sketch plan dated September 30, 2010, on file with the Town Clerk, from the Board of Selectmen for General Municipal purposes to the Board of Selectmen for Highway purposes in conjunction with the reconstruction of Taylor Avenue; or take any other action relative thereto.

#### BOARD OF SELECTMEN

ARTICLE 20: 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 Augustino Diodato located at 1 Carver Road, Plymouth, MA and shown as Plymouth Assessor's Parcel No. 103-000-003-004, or take any other action relative thereto.

#### BOARD OF SELECTMEN

ARTICLE 21: 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 Augustino Diodato located at 1 Carver Road, Plymouth, MA and shown as Plymouth Assessor's Parcel No. 103-000-003-004; 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:

Carver Road, Re-Establish, and alter a Portion Thereof;  
or take any other action relative thereto  
BOARD OF SELECTMEN

ARTICLE 22: To see if the Town will vote 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 :

River Run Way, Entire Length thereof  
or take any other action relative thereto  
BOARD OF SELECTMEN

ARTICLE 23: To see if the Town will vote 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:

Cordage Park, Court Street to the Cul-de-sac;  
or take any other action relative thereto  
BOARD OF SELECTMEN

ARTICLE 24: To see if the Town will vote 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 25: Withdrawn

ARTICLE 26: Withdrawn

ARTICLE 27: To see if the Town will vote to amend Chapter 157 of the General Bylaws entitled "Solid Waste" by adding a new section, "Section III" on mandatory recycling and further by amending the Chapter 1 of the General Bylaws, Article II, §1-4, Fine Schedule, as on file with the Town Clerk's Office, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 28: To see if the Town will vote to authorize the Board of Selectmen to seek special legislation for the purpose of allowing the Town to assess fines for violations of the Graffiti Bylaw, provided, however, that the General Court to 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's objectives of this petition, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 29: Withdrawn

ARTICLE 30: Withdrawn

ARTICLE 31: To see if the Town will vote, pursuant to G.L. c.43B, §10, to amend the Town Charter, Chapter 2, Section 2-12-1, by striking out the words "at least one member" and inserting in place thereof the words "no more than three (3) members", or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

ARTICLE 32: Withdrawn

ARTICLE 33: Withdrawn

ARTICLE 34: To see if the Town will vote to authorize the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact legislation, the full text of which is on file with the Town Clerk, such legislation to provide that elected officials of the Town of Plymouth who receive a stipend shall not constitute employees for purposes of G.L. c. 32B and shall not be eligible for participation in the town's contributory medical, dental and life insurance plan. Elected officials, receiving a stipend, who elect to pay 100 percent of the cost of participation, shall be eligible to participate in the plan. This act shall take effect on its passage, or take any other action relative thereto.

BY PETITION: Linda Benezra, et al.

ARTICLE 35: To see if the Town will vote to exchange Parcel, Plat 94, Lot 1B, Town of Plymouth Assessor map, for a certain easement for municipal purposes, all as shown on a plan entitled, "proposed municipal easement at the Pine Hills, Plymouth, Massachusetts," dated December 4, 2009, or take any other action relative thereto.

BY PETITION: Richard F. Withington, et al.

ARTICLE 36: To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or other exchange certain parcels of land shown as Lots 155 and 156 on Assessors Map 37A and or convey by sale or exchange land shown as a portion of Lot O on Assessors Map 37A, all parcels located in an area generally known as "Plymouth Long Beach" and further that the Town be authorized to vote the transfer of the care, custody and control of a portion of Lot O on Assessors Map 37A, said parcel located in the area generally known as "Plymouth Long Beach" currently in the custody of the Board of Selectmen for general purposes to the Board of Selectmen for conveyance; and further that the Town authorize the Board of Selectmen to sell said property for a sum or convey said property by other exchange and upon conditions to be determined by the Board of Selectmen and pursuant to the requirements of M.G.L. c.30B, or take any other action relative thereto.  
BY PETITION: John H. Wyman, 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 October 2010.

Approved as to Legal  
Form

BOARD OF SELECTMEN

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

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

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

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

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

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

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 at Plymouth North High School on Monday, the Twenty-Fifth day of October, 2010, at 7:30PM 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	Date & Time
Town Clerk	Posted

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