

FALL TOWN MEETING

OCTOBER 17, 2015

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REPORT & RECOMMENDATIONS

REPORT & RECOMMENDATIONS OF THE ADVISORY & FINANCE COMMITTEE
Fall Town Meeting – October 17, 2015

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

RECOMMENDATION: Approval (Unanimous, 9-0-1)

The Advisory & Finance Committee recommends Town Meeting approve Article 1. Recent changes to minimum wage laws required multi-year increases in some positions at both Fall 2014 and Spring 2015 Town Meeting. Upon additional review, there are still adjustments needed. Adjustments for all positions need to be carried through 2017 and further adjustments are needed to resolve compression, where supervisors are making almost the same wage as those they supervise. This article will bring all positions up to date and in compliance through 2017.

ARTICLE 2A: To see if the Town will vote to amend the vote taken under Article 7A of the 2015 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

RECOMMENDATION: Total Approval \$2,772,972

The Advisory & Finance Committee recommends Town Meeting approve Article 2A. The Committee reviewed and voted each request separately.

Salary Reserve: Approval \$1,710,000 (Unanimous, 10-0-1)

In anticipation of settling employee contracts, the Town Manager requests appropriating \$1,710,000 to the Salary Reserve account to fund wage adjustments for FY2016.

Debt: Approval \$1,062,972 (Unanimous, 11-0-0)

An increase of \$1,062,972 is needed to bring the Non-Enterprise Fund Budget for community debt in line with actual results. The budget voted in April at the Annual Town Meeting was based on estimates of cash flows last October 2014 for the various projects which required funding. The largest component of this adjustment is an updated cash flow on the Plymouth South High School and the amount of funds needed to meet project costs.

ARTICLE 2B: To see if the Town will vote to amend the vote taken under Article 7B, 7C, 7D and 7E of the 2015 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

Recommendation: Approval

The Advisory & Finance Committee recommends approval of Article 2B. The Committee reviewed and voted each of the four requests separately.

Solid Waste – Budget Decrease: Approval (\$133,140) (Unanimous, 10-0-1)

Solid Waste operating expenses are expected to be lower than originally budgeted due to significantly higher recycling and reduced tipping costs associated with lower than expected solid waste tonnage. The budget decreases are split between the transfer station and curbside programs, with a reduction of \$84,000 in the transfer station and \$49,140 for the curbside program.

Solid Waste – Subsidy: Approval \$200,000 (6-5-0)

Solid Waste revenue requires a subsidy to offset the shortfall created by lower transfer station fees than were anticipated when the budget was prepared.

Sewer: Approval (\$77,329) (Unanimous, 12-0-0)

Actual Sewer Enterprise Debt Service is lower than originally budgeted in October 2014 due to more favorable financing terms.

Water: Approval (\$10,371) (Unanimous, 12-0-0)

Actual Water Enterprise Debt Service is lower than originally budgeted in October 2014 due to more favorable financing terms.

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 buildings, and/or land, 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. North Plymouth land/building for Fire Station
- B. Police Study of Department
- C. Corrosion Repair/Repaint Engines
- D. Study of Personnel Salaries Town-wide
- E. Pressure Washer
- F. Tire Changer
- G. Tire Balancer
- H. Stick Welder
- I. Salt Shed Retrofit and Repairs
- J. Replacement of H33 (10 wheeler with wing)
- K. Emergency Operations Plan

or take any other action relative thereto.

BOARD OF SELECTMEN

4: RECOMMENDATION: Total Approval \$732,832

The Advisory & Finance Committee recommends Town Meeting approve Article 4, A-K.

4A: North Plymouth land/building for Fire Station

RECOMMENDATION: Approval \$25,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4A. Approval of this article, ranked #2 in priority for Fall by the Capital Improvements Committee, will authorize availability of funds for a deposit on a North Plymouth property for a replacement fire station. Because land availability in North Plymouth is limited, management does not want to miss an opportunity that may present itself and hope this deposit will encourage a seller to wait to close on the property until Town Meeting is able to approve the purchase.

4B: Police Study of Department

RECOMMENDATION: Approval \$40,000 (Unanimous, 13-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4B. Approval of this article will fund a study of the Police Department focusing on the key aspects that can influence a Police Officer's health and well-being, and correspondingly their attitudes toward their job, their colleagues, and the public at large. Management reports that increasing Injured on Duty claims, particularly in the area of psychological claims directly related to his/her work as a Police Officer, are alarming. Results of the study will enable management to better understand the underlying factors and provide the best and most effective means to maintain the physical and psychological well-being of Plymouth's Police Officers.

4C: Corrosion Repair/Repaint Engines

RECOMMENDATION: Approval \$30,532 (Unanimous, 10-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4C. Approval of this article will fund repair and repainting of three pumping fire engines which are showing advanced stages of exterior corrosion. \$20,403 is going to be covered by warranty, leaving \$30,532 for the Town to fund. The corrosion repairs are ranked #1 for Fall by the Capital Improvements Committee. In addition, repairs of two (2) intake valves, a pump pressure controller, and \$1,000 damage to Engine 5 (not covered by warranty) are required and are included in funding of this article.

4D: Study of Personnel Salaries Town-wide

RECOMMENDATION: Approval \$42,000 (12-1-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4D. Approval of this article will fund a study to evaluate salaries and benefits for both internal equity as well as comparison externally to similar communities. The Town is struggling with recruitment at all levels so this study is needed to see where adjustments to compensation and benefits may be needed to attract qualified applicants. The Town has not conducted a comprehensive study of this type since the 1970s.

4E: Pressure Washer

RECOMMENDATION: Approval \$5,300 (11-1-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4E. Approval of this article, which was inadvertently left off the Article 8 listing on the Spring 2015 Warrant, will fund the purchase of a hot water pressure washer. This will enable the Department of Public Works to properly wash all equipment throughout the year, but particularly important after snow and ice events.

4F: Tire Changer

RECOMMENDATION: Approval \$14,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4F. Approval of this article, which was inadvertently left off the Article 8 listing on the Spring 2015 Warrant, will fund replacement of a tire changer. The current equipment used by the Fleet Maintenance Division is at the end of its life cycle and is inadequate to service newer equipment since it can only handle rims up to 18 inches, requiring newer heavy duty trucks to be sent out for repair. The new tire changer would handle rims up to 24 inches.

4G: Tire Balancer

RECOMMENDATION: Approval \$11,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4G. Approval of this article, which was inadvertently left off the Article 8 listing on the Spring 2015 Warrant, will fund replacement of a tire balancer. Similar to the tire changer in Article 4F, the tire balancer is at the end of its life cycle and can only handle rims up to 18 inches. The new tire balancer would handle rims up to 24 inches.

4H: Stick Welder

RECOMMENDATION: Approval \$6,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4H. Approval of this article, which was inadvertently left off the Article 8 listing on the Spring 2015 Warrant, will fund replacement of a portable welder/generator currently on the service truck in Fleet Maintenance. The current unit is old and replacement parts are no longer available. The stick welder is portable and used frequently to repair equipment in the field.

4I: Salt Shed Retrofit and Repairs

RECOMMENDATION: Approval \$256,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4I. Approval of this article, ranked #5 in priority for Fall by the Capital Improvements Committee, will fund renovation of the Salt Shed at Camelot Drive. The current design does not allow for storage of sufficient road salt to meet the Town's needs. Retrofitting will move the entrance from the side of the building to the end, and expand the opposite end by 32 feet, increasing capacity to approximately 6,000 tons. A lean-to will also be added along the face of the building to shelter and store sanding equipment.

4J: Replacement of H33 (10 wheeler with wing)

RECOMMENDATION: Approval \$203,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4J. Approval of this article, ranked #6 in priority for Fall by the Capital Improvements Committee, will fund replacement of the 2001 H33 10-wheeler truck used by the Highway Division. A replacement vehicle has been on the capital request list for the past 3 years. In June 2014, this vehicle was involved in a major accident and the insurance company, after initially repairing the vehicle, has just recently declared it totaled. The insurance company will pay \$42,000 toward the \$245,000 replacement vehicle. This vehicle is the only one in the DPW equipped with a wing-plow and is crucial to maintaining Route 44 in West Plymouth during winter.

4K: Emergency Operations Plan

RECOMMENDATION: Approval \$100,000 (8-4-1)

The Advisory & Finance Committee recommends Town Meeting approve Article 4K. Approval of this article will fund the creation of a Comprehensive Emergency Operations Plan for the Town of Plymouth. By updating the plan to be consistent with the current rollout of the Federal Interagency Operations Plans and Presidential Policy Directive / PPD-8 National Preparedness Goals, the Town improves its ability to receive full reimbursement of costs incurred for recovery from federal- and/or State-declared emergencies and disasters. While the Committee recognizes the substantial cost of this plan update, and that no assurance exists that future reimbursement will justify the cost, it believes the Town does not want to be in the position of looking back and regretting not having made this update.

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$750,000 or any other sum, for the Town Wharf Project, the expenditure of which shall be contingent upon the Town being awarded a grant for the remaining funds necessary for the project, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval \$750,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 5. Approval of this article, ranked #3 in priority for Fall by the Capital Improvements Committee, will appropriate an additional \$750,000 to be raised by borrowing, to complete the T-Wharf replacement project. The total project cost is estimated at \$4 million and Town Meeting has previously appropriated \$1.25 million from the Waterways Fund. While the Town has a pending Mass Works grant requesting \$2.75 million to complete funding for this project, this appropriation would allow the Town to seek alternative funding through the Seaport Economics Council should the Mass Works grant not be awarded.

ARTICLE 7: To see if the Town will vote to amend Article 10 of the April 5, 2014 Annual Town Meeting to increase the appropriation from the sum of \$30,000,000 to \$32,776,000 to pay costs of the design, demolition, preservation, rehabilitation, restoration, reconstruction, equipment and furnishings and new construction of a new Municipal Center (Town Hall), including Town administrative offices, on town owned property located on Assessor's Map 19 as Lots 1,2,6 and 7, said amount to include funding the design and reconstruction of the parking areas surrounding that site, the services of a Project Manager to oversee the project, and all costs incidental and related thereto, and that to meet this appropriation, the Treasurer with the approval of the Selectmen, is authorized to borrow an additional \$2,776,000 or other sum under and pursuant to Chapter 44, Section 7(3) and Section 7 (3A) of the General Laws, or pursuant to any other enabling authority, and to issue bond or notes of the Town therefor, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval \$2,776,000 (Unanimous, 11-0-1)

The Advisory & Finance Committee recommends Town Meeting approve Article 7. Town Meeting approval of this article, ranked #4 in priority for Fall by the Capital Improvements Committee, will provide an additional \$2,776,000 to complete the Town Hall project. Demolition and clean up of the site came in just over \$1 million more than anticipated, due to large amounts of unexpected buried hazardous debris that had to be removed. In addition, construction costs have escalated faster than expected, when the project budget was estimated in 2013. And finally, additional costs have been incurred to preserve historic integrity of the site and for design changes such as the addition of public restrooms outside the building. The additional funds will be raised by increased borrowing.

ARTICLE 8: To see if the Town will vote to amend Art 4A of the October 2012 Fall Annual Town Meeting and raise and appropriate, transfer or borrow funds to increase the appropriation from the sum of \$325,000 to \$445,416 to pay for the construction of Airport Runway Improvements, or take any other action relative thereto.

AIRPORT COMMISSION

RECOMMENDATION: Approval \$120,416 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 8. Approval of this article, ranked #1 within the Airport Enterprise project requests by the Capital Improvements Committee, will appropriate an additional \$120,416 from a combination of Airport Retained Earnings and unspent airport project funds, to complete the airport runway improvement project. Total project funding includes 90% from the FAA, 6% from the State DOT, and 4% from the Town. Costs for this project are higher than originally estimated in 2012, due to increased construction costs and unanticipated environmental monitoring requirements imposed by both the Federal and State environmental agencies.

ARTICLE 9: To see if the Town will vote to appropriate the net premium paid to the Town upon the sale of bonds issued to pay costs of the North and South High School Projects, each of which are the subject of a Proposition 2½ debt exclusion, to pay costs of the South High School Project being financed by such bonds and to reduce the amount authorized to be borrowed for the South High School Project, but not yet issued by the Town, by the same amount, or to take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 9. Town Meeting approval of this article will allocate bond premium (savings from favorable financial terms) of \$1,448,510.66, received from portions of both the Plymouth North and Plymouth South High School projects, to pay project costs directly for the Plymouth South High School project. This will reduce the amount the Town has to borrow for the Plymouth South High School project. The Town received permission from the Massachusetts Department of Revenue to utilize this “alternative use method” because both projects were initially voted as one article and approved as one debt exclusion by the voters of Plymouth.

ARTICLE 11: To see if the Town will vote, pursuant to the provisions of G. L. c.59, §38H, to authorize the Board of Selectmen and Board of Assessors to negotiate and enter into an agreement for payments in lieu-of- taxes (“PILOT”), for a 1 MW –AC (more or less) solar photovoltaic energy generating facility for Renewable Energy Development Partners, LLC (or its affiliates, successors or assigns) to be located on property shown on Plymouth Assessor’s Map 56 Lot 57A , upon such terms and conditions as the Board of Selectmen and Board of Assessors shall deem to be in the best interest of the Town, or take any other action relating thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 11. Approval of this article will allow the Town to negotiate a PILOT agreement with Renewable Energy Development Partners. This is Phase II, which involves installation and operation of a 1MW-AC solar facility. Phase I was approved at the Spring 2015 Town Meeting. Phase III follows as Article 12. All three phases are situated on abutting parcels located off of Herring Pond Road.

ARTICLE 12: To see if the Town will vote, pursuant to the provisions of G. L. c.59, §38H, to authorize the Board of Selectmen and Board of Assessors to negotiate and enter into an agreement for payments in lieu-of- taxes (“PILOT”), for a 1 MW –AC (more or less) solar photovoltaic energy generating facility for Renewable Energy Development Partners, LLC (or its affiliates, successors or assigns) to be located on a portion of property currently shown on Plymouth Assessor’s Map 56 Lot 59A, and soon to be known as lot 59-2, as shown on Form A plan number 4526, dated April 15, 2015, upon such terms and conditions as the Board of Selectmen and Board of Assessors shall deem to be in the best interest of the Town, or take any other action relating thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 12. Approval of this article will allow the Town to negotiate a PILOT agreement with Renewable Energy Development Partners. This is Phase III, which involves installation and operation of a 1MW-AC solar facility. Phase I was approved at the Spring 2015 Town Meeting. Phase II is covered in Article 11. All three phases are situated on abutting parcels located off of Herring Pond Road.

ARTICLE 15: To see if the Town will vote to transfer the care, custody, management and control of the following parcels of land from the Town Treasurer for the purpose of sale at auction to the Conservation Commission, for conservation and open space purposes pursuant to G.L. c. 40, s.8C

<u>Parcel ID</u>	<u>Location</u>
<u>West Plymouth</u>	
106-000-001-310	Off Pimental Way (off S Meadow Rd)
106-000-006A-000	Off Pimental Way (off S Meadow Rd)

Manomet
045-000-036B-008 Bulrush Lane
Or take any other action relative thereto.

CONSERVATION COMMISSION

RECOMMENDATION: Approval (12-1-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 15. Town Meeting approval of this article will transfer the parcels from the Town Treasurer to the Conservation Commission for conservation and open space purposes. The three parcels were taken by the Town through a tax lien proceeding. The parcels comprise a total of nearly 18 acres.

ARTICLE 16A: To see if the Town will vote to appropriate \$3,420,477, for historic preservation, restoration, and rehabilitation of the Simes House, located at 29 Manomet Point Road, Plymouth, for the 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 as funding therefor to transfer from Community Preservation Fund Balance, or reserves, and/or borrow said total sum pursuant to G.L.c. 44, section 7 or any other enabling authority; to authorize the Board of Selectmen to petition the Massachusetts General Court for exemption from the provisions of G.L. c. 149 for the historic preservation, restoration and rehabilitation of the Simes House, 29 Manomet Point Road; and to authorize the Board of Selectmen to grant an affordable housing restriction to the Department of Housing and Community Development on said units in accordance with G.L. c.44B, Section 12, meeting the requirements of G.L. c.184, sections 31-33, and to authorize the Board of Selectmen in consultation with the Town Manager and the Community Preservation Committee, to enter into an agreement, license, and/or ground lease with a qualified organization to maintain, manage and cover all costs and expenses for the operation of the Simes House, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

RECOMMENDATION: Approval \$3,420,477 (8-2-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 16A. Approval of this Article will authorize the use of Community Preservation Act (CPA) funds to finish the Simes House project. The Community Preservation Committee (CPC) observes that the project is unique in that it combines in a single project all three CPA components: open space, affordable housing, and historic preservation. The CPC has made this project its number one priority. The CPC believes it is able to fund the Simes House effort without compromising on upcoming projects. The CPC also acknowledges that the village of Manomet has not received CPC investment comparable to that provided in other parts of town. The Advisory & Finance Committee agrees that this building is so unique and worth saving, not only for its irreplaceable historic features, its addition of affordable housing units and office space, but also because it offers Manomet a village green and common area where residents can come together for village events.

ARTICLE 16B: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, for open space and recreational purposes pursuant to G.L. c.44B and to accept the deed to the Town of Plymouth, of a fee simple interest or less of land located off Little Herring Pond Road in the Town of Plymouth comprised of 43.6 acres, more or less, shown on Assessors' Map 122, Lot 10P-1022B and Lot 1022A, and further that said land shall be held under the care, custody and control of the Conservation Commission; and as funding therefor to appropriate \$400,000 for the acquisition and other costs associated therewith from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow said total sum which shall be reduced by the amount of any grants received by the Town pursuant to G.L.c.44B, section 11 or G.L. c.44, section 7 or any other enabling authority; and further to authorize the Board of Selectmen to grant a conservation restriction in said property in accordance with G.L.c.44B, section 12 meeting the requirements of G.L. c. 184, sections 31-33; and to authorize appropriate Town officials to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

RECOMMENDATION: Approval \$400,000 (Unanimous, 10-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 16B. Approval of this article will appropriate \$400,000 from the Community Preservation Fund for open space and recreational purposes. These funds will be used to acquire 43.6 acres of open space land providing extensive frontage on Little Herring Pond and Triangle Pond and abutting existing open space at Pickerel Pond Preserve. Acquisition of this property will enhance the land conservation and protection in the Great Herring Pond water shed. It is also partially within several designated priority habitat areas of rare species. This land will be held in the care and control of the Conservation Commission.

ARTICLE 17: To see if the Town will vote to adopt a new General Bylaw, Section 173-13 Town Meeting Charter Conflict of Interest Procedure, as follows:

Section 173-13. Town Meeting Charter Conflict of Interest Procedure

- A. Notice of Conflict of Interest. Pursuant to Chapter 2, Section 2-10-1 of the Town Charter, the written notice to the Town Clerk of articles or budget line items on which a Town Meeting Member (“Member”) is prohibited from voting by Charter Section 2-10-1 or by Section 2-10-2, due to an interest identified therein, shall be made no later than 21 days prior to the first session of the town meeting the warrant for which contains the relevant article or line item, or, forthwith in advance of said meeting upon the Member’s first discovery of the interest giving rise to the prohibition, if the date of discovery of such a prohibited interest is later than 21 days in advance of the meeting.
- B. Publication of Notice of Conflict of Interest. The Town Clerk shall maintain a list of every Notice of Conflict of Interest received pursuant to Section A above. Said List will be made available at every session of town meeting. Said List to be published in the official minutes of town meeting.
- C. Challenge. In a case where no Notice of Conflict of Interest has been filed in advance of a meeting and where it appears to a Member that Charter Section 2-10-1 and/or 2-10-2 prohibits voting by another Member on a particular article or line item, the following procedure shall apply:
1. No later than 5 days in advance of the meeting, a member may file a challenge in writing with the Town Clerk prior to the session where the article or line item is scheduled to be voted, stating that a particular Member is prohibited by Charter Section 2-10-1 and/or Section 2-10-2 from voting on a particular article or line item. The Town Clerk shall forward forthwith a copy of the challenge to the subject of the challenge.
 2. The Town Clerk shall keep every Challenge received pursuant to Section C1 above. Said List shall be made available at every session of town meeting.
 3. There shall be no debate upon said challenge or the response of the Member to whom it is directed and deliberation and voting on the article or the line item shall thereafter proceed in the normal fashion.

COMMITTEE OF PRECINCT CHAIRS

RECOMMENDATION: Not Approved (2-7-1)

The Advisory & Finance Committee recommends Town Meeting NOT approve Article 17. Article 17 proposes adding a new General Bylaw, Town Meeting Charter Conflict of Interest Procedure. The committee believes this bylaw contains too many holes, such as not explaining the opportunity to respond to an accusation, the ability to withdraw an accusation, whether both the accusation and response are kept on file, among others. The general consensus was that this bylaw would change the tone of Town Meeting to a negative and accusatory tone. Instead, with the requirement of a roll call vote for every warrant article, as Article 20 proposes, and the use of electronic voting, every Town Meeting member’s vote on every article will be made public. This will permit residents to review the voting records of their representatives and to alter support based on that voting record at re-election time, if they so choose.

ARTICLE 18: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Delete in its entirety, Chapter 2, Section 10, 10-1, 10-2, and 10-3, of the Town Charter as follows:

~~Chapter 2: — Section 10 Conflict of Interest~~

~~2-10-1 Notwithstanding any general or special law to the contrary, any representative town meeting member who also holds a position of employment by the town shall be prohibited from voting on any town meeting article in which such employee, or such employee's department, has a financial interest. Such representative town meeting member shall notify the Town Clerk, in writing, prior to the representative town meeting session or during such session at such time as such member becomes so aware, as to any articles giving rise to such financial interest. This section shall apply to the annual budget article, or any later amendment thereto, as follows: The representative town meeting member is prohibited from voting on the budget line item for his or her department or agency, but shall not be prohibited from voting on any other line item, or from voting on the overall budget appropriation. 7~~

~~2-10-2 Notwithstanding any general or special law to the contrary, no representative town meeting member shall vote on any town meeting article in which an immediate family member, or any business or organization in which the representative town meeting member serves as an officer, director, partner, or employee, or has a financial interest.~~

~~For purposes of this section, "immediate family member" shall be defined as the representative town meeting member, his or her spouse and each of their parents, children, brothers, and sisters. Any such representative town meeting member shall notify the Town Clerk, in writing prior to the representative town meeting session, as to any articles giving rise to such financial interest.~~

~~2-10-3 For the purposes of Section 10 of Chapter 2 of this Charter, the "financial interest" of a representative town meeting member shall be determined pursuant to the interpretation of the term "financial interest" by the State Ethics Commission and applicable reported appellate court decisions, which are hereby incorporated by reference.~~

~~The "financial interest" of a department shall be defined as any particular warrant article and related motions or votes which specifically refer to said department.~~

~~Or take any other action relative thereto.~~

~~CHARTER REVIEW COMMITTEE~~

RECOMMENDATION: Not Approved (6-7-0)

The Advisory & Finance Committee recommends Town Meeting NOT approve Article 18. Article 18 proposes to delete the entire Conflict of Interest section from the Charter. The majority of the Committee believes the Conflict of Interest provision in the Charter should be retained. This provision, added to the Town's Charter in 1999, does not provide an enforcement mechanism but the Committee believes it is useful in establishing a behavioral expectation for Town Meeting members. Retaining this Charter provision demonstrates that Conflict of Interest is a subject of importance within Plymouth and worthy of thoughtful reflection by all participants in Town government.

ARTICLE 19: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition, Amend Chapter 3, Section 6, of the Town Charter as follows:

3-6-1 The Director of the Department of Public Works shall be appointed by the Town Manager. ~~and shall be a civil engineer or any other combination of experience and education including a Masters Degree in a related field.~~ The Director of the Department of Public Works shall be qualified by education and experience *including a Master's Degree in a related field* for the duties of the office, Or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

RECOMMENDATION: Approval (Unanimous, 13-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 19. Approval of this article will remove the requirement that the DPW Director be a Civil Engineer. While this requirement may have served the Town well in the past, the Town now has several engineers on staff to meet its needs and the requirement appears to be obsolete for a town the size of Plymouth. The change will allow the Town Manger to appoint an individual with management and/or project management experience that are of greater importance for this position as Plymouth grows.

ARTICLE 20: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Amend Chapter 2, Section 4-6, of the Town Charter as follows:

Chapter 2-4-6

~~Except in the case of a unanimous voice vote as declared by the Moderator, a-~~ A roll call vote shall be required for all final main motions *on every warrant article and on any matters* with respect to the following subject matters: adoption or amendment of zoning by-laws; adoption or amendment of general by-laws; and fiscal matters which are defined as any appropriation, borrowing, fund transfer, or the creation of or re-authorization of such enterprise or revolving funds as may be authorized by state law, provided, however, that in the event of a vote which the Moderator determines to be near unanimous, the Moderator may elect to take a roll call of only those voting in the minority,

Or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

RECOMMENDATION: Approval (Unanimous, 13-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 20. Approval of this article will require the use of roll call vote for every warrant article and additional subject matters as listed in the warrant article language. Since Town Meeting votes are recorded electronically, this requirement for roll call votes is readily implementable and would not affect the efficiency of Town Meeting proceedings. Roll call votes will bring greater transparency and accountability to Town Meeting actions, as the roll call votes become permanent public record.

ARTICLE 21: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Delete Chapter 3, Section 11, in its entirety, of the Town Charter as follows:

~~Section 11 Development and Industrial Commission 3-11-1 The Town Manager shall appoint a Development and Industrial Commission of nine (9) members for five year (5) overlapping terms. 3-11-2 The Commission shall exercise such powers and duties as prescribed by general law, this Charter, and town by laws. Section 12 Zoning Board of Appeals~~

Or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

RECOMMENDATION: Approval (Unanimous, 13-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 21.

Approval of this article removes the Development and Industrial Commission section of the Charter.

This should be done since the Development and Industrial Commission no longer exists.

ARTICLE 22: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Amend Chapter 5-1-1 of the Town Charter as follows: The regular election for all town offices shall be by official ballot held on the ~~second~~ **third** Saturday of May of each year.

Or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

RECOMMENDATION: Approval (12-1-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 22.

Approval of this article will move the Spring Town election from the second Saturday to the third Saturday of May. This avoids holding elections during Mother's Day weekend and may result in increased voter turnout.

ARTICLE 24: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Amend Chapter 3-12-1 by deleting the existing section and adding a new Chapter 3-12-1 as follows:

Section 3-12-1 Zoning Board of Appeals

(a) Composition, Term of Office. There shall be a zoning board of appeals composed of five members elected for terms of 5 years each with their terms consisting of 5 overlapping terms, such that one term expires each year. There may be 3 associate members of the zoning board of appeals appointed jointly by the Board of Selectmen and Zoning Board of Appeals. The terms for the three associate members shall be for 3 year overlapping terms, such that one term expires each year.

(b) Powers and Duties.

The Board of Appeals shall have and exercise all the powers granted to it by G.L. c. 40A, 40B, 41, and by this chapter. The Boards powers are as follows:

(1) To hear and decide applications for special permits. Unless otherwise specified in the Zoning Bylaw, the Board of Appeals shall serve as the special permit granting authority, to act in all matters in accordance with the provisions of G.L. c. 40A, Section 9 and the Zoning Bylaw.

(2) To hear and decide appeals or petitions for variances from the terms of the Zoning Bylaw, with respect to particular land and structures, to act in all matters in accordance with the provisions of G.L. c. 40A, Section 10 and the Zoning Bylaw. The Board of Appeals shall not grant use variances.

(3) To hear and decide appeals taken by any person aggrieved by reason of his or her inability to obtain a permit or enforcement action from any administrative officer under the provisions of G.L. c. 40A, Section 8 and 15.

(4) To hear and decide comprehensive permits for construction of low or moderate income housing by a public agency or limited dividend or nonprofit corporation, as set forth in G.L. c. 40B, Sections 20 to 23.

(c) Existing appointed members of the Zoning Board of Appeals as of the date of enactment of this section may serve out their term. Following the expiration of the terms of the existing appointed members, members of the Zoning Board of Appeals shall be elected.

In order to implement section (a) above, the Town Clerk shall be authorized to place on subsequent annual election ballots such full and partial terms as required to result in overlapping terms, with all subsequent terms for each position to be for 5 years. In the event that an appointed member shall vacate his or her office prior to the end of the appointed term, such vacancy shall be filled by the Board of Selectmen and Zoning Board of Appeals in accordance with G.L. c.41, Section 11.

Or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

RECOMMENDATION: TO BE DETERMINED

While the Advisory & Finance Committee voted 12-1-0 to recommend approval of the language originally submitted by the Charter Review Committee, the actual language proposed in Article 24 changed substantially as the final text of this report was being prepared for publication. The Advisory & Finance Committee will meet to review the revised language and vote a revised recommendation which will be reported in a supplement to this report.

ARTICLE 25: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Amend Chapter 4, Section 2, Simultaneous Elected Offices 4-2-1 [Amended by Chapter 336 of the Acts of 2012, Massachusetts General Court] No representative town meeting member, or elected town official representing the entire town, shall hold simultaneously any other elected town office other than member of a Charter Commission. Any person who holds multiple offices in violation of this section shall promptly inform the Town Clerk as to which office that person will vacate. *After Election and once sworn in* to any county, state or federal office other than county charter commission, ~~shall be the act of swearing in the person is deemed to~~ be an event disqualifying an elected town official including, but not limited to, representative town meeting member, from continuing in ~~an~~ *his or her* elected town office. Or take any other action relative thereto.
CHARTER REVIEW COMMITTEE

RECOMMENDATION: Approval (Unanimous, 13-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 25. Approval of this article amends Chapter 4-2-1 of the Charter pertaining to elected town officials not holding any other elected position simultaneously (except that of Charter Commission). This enables an elected town official to continue to conduct business until the swearing in date of their new position.

ARTICLE 26: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Amend Chapter 5-3-1 by adding language as follows:

Section 3 Time of Taking Office

5-3-1 Any person duly elected to any office or board shall take up the duties of the office immediately upon certification, provided that such person shall first have been sworn to the faithful performance of the duties of that office by the Town Clerk *within 30 days from Date of Election*, Or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

RECOMMENDATION: Approval (Unanimous, 13-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 26. Approval of this article amends Chapter 5-3-1 of the Charter, adding a time frame of 30 days to swear in newly elected officials.

ARTICLE 29: To see if the town will vote to accept the provisions of MGL Chapter 31, section 58A, providing as follows:

Notwithstanding the provisions of any general or special law to the contrary, in any city, town or district that accepts this section, no person shall be eligible to have his name certified for original appointment to the position of firefighter or police officer if such person has reached his thirty-second birthday on the date of the entrance examination. Any veteran shall be allowed to exceed the maximum age provision of this section by the number of years served on active military duty, but in no case shall said candidate for appointment be credited more than four years of active military duty.

or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (11-2-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 29. Approval of this article accepts the provisions of MGL Chapter 31, section 58A regarding age limits allowed under Civil Service for public safety officers (police and fire). This provision will limit applicants to 32 years of age or younger at the time of entrance examination with an exception of up to four additional years for active military service. The majority of the committee believes adoption of this provision may reduce risk of injury to employees, potentially limiting unnecessary liability to the town, and reduce turnover and new hire costs.

ARTICLE 30: To see if the Town will vote to petition for special legislation to rescind, as of 2026, Chapter 94: An Act Authorizing the Town of Plymouth To Lease Certain Land, under the Acts of 2001, approved September 27, 2001, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (12-1-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 30. Approval of this article will rescind Chapter 94 of the Acts of 2001. By rescinding this Special Act, the Town can ensure that it is receiving the best value for the use of publicly owned property on Plymouth's Long Beach. Current leases will be honored through their termination dates, which is why 2026 is the date of rescission.

ARTICLE 31: To see if the Town will vote to accept and allow the layout as a public way of 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; and further to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, upon such terms and conditions as it deems appropriate, such interests in land within said layout and abutting lands sufficient to use said way for all purposes for which public ways are used in the Town of Plymouth; and to raise and appropriate, transfer from available funds, 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 such acquisition:

Ship Pond Road

or take any other action relative thereto

PUBLIC WORKS – ENGINEERING DEPARTMENT

RECOMMENDATION: Approval (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 31. Approval of this article will accept the proposed new layout/realignment of a small portion of Ship Pond Road near the intersection with Long Pond Road. This project will be done in conjunction with AD Makepeace's construction of the intersection with Long Pond Road. AD Makepeace has agreed to provide the design, construction plans and drawings, coordinate with the Town on the construction and oversight of the project, and fund the roadway construction as part of its traffic mitigation measures for its Redbrook development.

ARTICLE 35: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase or otherwise, a perpetual non-exclusive easement from the Commonwealth of Massachusetts, Department of Conservation and Recreation for purposes of reconstructing and redesigning the sidewalk and layout area on Water Street, and for the purpose of maintaining and repairing and making certain improvements, including but not limited to widening sidewalks and improving pedestrian access and park aesthetics on Water Street, on such terms and conditions which the Board of Selectmen may determine; and further to authorize the Board of Selectmen to petition the Massachusetts General Court for approval of such change in use and conveyance of the easement area pursuant to the provisions of Article 97 of the Amendments to the Constitution of Massachusetts, or take any other action relative thereto.
PUBLIC WORKS

RECOMMENDATION: Approval (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 35. Approval of this article allows the Board of Selectmen to acquire an easement from the Commonwealth of Massachusetts to redesign and reconstruct sidewalks on Water Street between the Mayflower II and Plymouth Rock. The easement will enable the Town to improve pedestrian access and aesthetics in and around Pilgrim Memorial State Park. The sidewalk will be widened and will be shifted further away from the road allowing space for pavers and light posts between the sidewalk and road. Additionally, some benches and new surface areas will be added. This project is contingent upon receiving funding through a Mass Works Grant.

ARTICLE 36: To see if the Town will vote to amend its Zoning Bylaw, Section 205-55, Mixed Commerce (MC), by modifying and/or adding certain uses, requirements, conditions and/or definitions therein, including but not limited to those pertaining to multi-family use, as well as to amend associated sections, provisions, definitions, tables, charts and procedures pertaining thereto, or to take any other action relative thereto.
BY PETITION: Robert C. Betters, et al

RECOMMENDATION: No Motion No Action at the Request of the Petitioner

ROLL CALL VOTING CHARTS

ADVISORY & FINANCE COMMITTEE - ROLL CALL VOTING CHART

Y - For
N - Against
A - Abstain
X - Absent
Ch - Chair did not vote

ARTICLES

		Belinda Brewster	Kevin Carty	Betty Cavacco	Richard Gladdys	Harry Helm	Shelagh Joyce	Ethan Kusmin	Marcus McGraw	Patricia McPherson	Christopher Merrill	John Moody	Patrick O'Brien	Harry Salerno	Marc Sirrico	VOTE TOTAL FOR-AGAINST-ABSTAIN
1	Personnel Bylaw - Misc D Rates	Y	Y	Y	Y	Y	X	Y	Y	X	X	Ch	Y	Y	A	9 - 0 - 1
2A	Departmental Budgets - Salary Reserve	Y	Y	A	Y	X	Y	Y	Y	Y	Y	Ch	X	Y	Y	10 - 0 - 1
2A	Departmental Budgets - Debt	Y	Y	Y	Y	X	Y	Y	Y	Y	Y	Ch	X	Y	Y	11 - 0 - 0
2B	Enterprise Budgets - Solid Waste - Decrease	Y	Y	Y	Y	X	Y	Y	Y	Y	Y	Ch	X	Y	Y	11 - 0 - 0
2B	Enterprise Budgets - Solid Waste - Subsidy	N	Y	Y	N	X	N	Y	N	N	Y	Ch	X	Y	Y	6 - 5 - 0
2B	Enterprise Budgets - Sewer	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	X	Y	Y	12 - 0 - 0
2B	Enterprise Budgets - Water	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	X	Y	Y	12 - 0 - 0
4A	No Plymouth Fire Station	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Ch	Y	Y	Y	12 - 0 - 0
4B	Police Study of Department	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	Y	Y	Y	13 - 0 - 0
4C	Corrosion Repair Engines	Y	Y	Y	Y	Y	X	Y	Y	X	X	Ch	Y	Y	Y	10 - 0 - 0
4D	Study of Personnel Salaries & Benefits	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	Y	Y	N	12 - 1 - 0
4E	Pressure Washer	Y	Y	Y	Y	Y	X	Y	Y	Y	N	Ch	Y	Y	Y	11 - 1 - 0
4F	Tire Changer	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Ch	Y	Y	Y	12 - 0 - 0
4G	Tire Balancer	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Ch	Y	Y	Y	12 - 0 - 0
4H	Stick Welder	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Ch	Y	Y	Y	12 - 0 - 0
4I	Salt Shed Retrofit & Repairs	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Ch	Y	Y	Y	12 - 0 - 0
4J	Replacement of H33 (10 Wheeler with Wing)	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Ch	Y	Y	Y	12 - 0 - 0
4K	Emergency Operations Plan	N	Y	Y	N	Y	Y	Y	Y	A	N	Ch	Y	N	Y	8 - 4 - 1
5	Town Wharf Project	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Ch	Y	Y	Y	12 - 0 - 0
7	Town Hall Project	A	Y	Y	Y	Y	X	Y	Y	Y	Y	Ch	Y	Y	Y	11 - 0 - 1

ADVISORY & FINANCE COMMITTEE - ROLL CALL VOTING CHART

Y - For

N - Against

A - Abstain

X - Absent

Ch - Chair did not vote

ARTICLES

		Belinda Brewster	Kevin Canty	Betty Cavacco	Richard Gladdys	Harry Helm	Shelagh Joyce	Ethan Kusmin	Marcus McGraw	Patricia McPherson	Christopher Merrill	John Moody	Patrick O'Brien	Harry Salerno	Marc Sitrice	VOTE TOTAL FOR-AGAINST-ABSTAIN	
8	Airport Runway Project	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Ch	Y	Y	Y	12 - 0 - 0	
9	PSHS Premium Pay Down Authorization	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	X	Y	Y	12 - 0 - 0	
11	PILOT - Phase II	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	X	Y	Y	12 - 0 - 0	
12	PILOT - Phase III	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	X	Y	Y	12 - 0 - 0	
15	Transfer Properties to Conservation Comm	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Ch	Y	Y	Y	12 - 1 - 0	
16A	CPC - Simes House	N	Y	Y	Y	Y	X	Y	Y	X	X	Ch	N	Y	Y	8 - 2 - 0	
16B	CPC - Open Space	Y	Y	Y	Y	Y	X	Y	Y	X	X	Ch	Y	Y	Y	10 - 0 - 0	
17	Precinct Chairs - Conflict of Interest	Y	N	N	N	N	X	Y	A	X	X	Ch	N	N	N	2 - 7 - 1	
18	Charter Review - Conflict of Interest	N	Y	Y	Y	Y	N	N	N	N	N	Ch	Y	N	Y	6 - 7 - 0	
19	Charter Review - Director of DPW	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	Y	Y	Y	13 - 0 - 0	
20	Charter Review - Roll Call Vote	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	Y	Y	Y	13 - 0 - 0	
21	Charter Review - Development Commission	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	Y	Y	Y	13 - 0 - 0	
22	Charter Review - May Election	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Ch	Y	Y	Y	12 - 1 - 0	
24	Charter Review - Elect ZBA															TO BE DETERMINED	
25	Charter Review - Multiple Offices	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	Y	Y	Y	13 - 0 - 0	
26	Charter Review - Time Taking Office	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	Y	Y	Y	13 - 0 - 0	
29	Charter Review - Civil Service Age	Y	N	Y	Y	Y	Y	Y	N	Y	Y	*N	Y	Y	Y	11 - 2 - 0	
30	Rescind Chpt 94 of Acts of 2001: Leases	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	Y	Y	N	12 - 1 - 0	
31	Accept Layout - Portion of Ship Pond Road	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Ch	Y	Y	Y	12 - 0 - 0	
35	Easement - Water Street Promenade	Y	Y	Y	Y	Y	X	Y	Y	Y	Y	Ch	Y	Y	Y	12 - 0 - 0	

* The Chair may exercise the prerogative to vote on any business coming before the Committee, but the Chair's vote is counted only when it is necessary to break a tie.

**CAPITAL
IMPROVEMENTS
COMMITTEE
RECOMMENDATIONS**



TOWN OF PLYMOUTH

11 Lincoln Street
Plymouth, Massachusetts 02360

(508) 747-1620
FAX: (508) 830-4062

To: Town Meeting
FROM: John Moody, Chairman, Advisory & Finance Committee
DATE: September 21, 2015
RE: Capital Improvements Committee Recommendations
Articles 4, 5, 7, 8 & 16

The following information has been prepared to assist you in matching the recommendations of the Advisory & Finance Committee up to the Capital Improvements Committee (CIC) rankings and recommendations.

The FATM Rank identifies the order of the CIC rankings for the Fall Town Meeting articles and the FY2016 Rank identifies the CIC's placement of the articles within its FY2016 priorities, which includes the capital requests from the Spring Annual Town Meeting in April. Articles are listed by the CIC's FATM Rank.

Article	Description	Amount	FATM Rank	FY2016 Rank	AFC Recommends
4C	Fire Engine Corrosion Repairs	\$30,532	1	6	Approval (10-0-0)
4A	Land for North Plymouth Fire Station	\$25,000	2	9	Approval (12-0-0)
5	T-Wharf Construction	\$750,000	3	11	Approval (12-0-0)
7	Increase Appropriation for New Town Hall	\$2,776,000	4	12	Approval (11-0-1)
4I	Salt Shed Retrofit & Repairs	\$256,000	5	14	Approval (12-0-0)
4J	Replace 2001 Dump Truck H33	\$203,000	6	28	Approval (12-0-0)

Articles 4B, 4D and 4K are not included in the above ranking because the CIC does not rank non-capital expenses such as studies, reports and plans even though they may rise to the financial threshold. Articles 4E through 4H are not included in the ranking because they are departmental equipment requests omitted from Article 8 on the Spring 2015 Warrant.

While not part of the Capital Improvement Plan, the CIC also reviewed Community Preservation Committee articles 16A and 16B, voting to move both forward to Town Meeting and prioritizing Article 16B as having greater importance to the community than 16A.

Article	Description	Amount	CIC Rank	AFC Recommends
16B	Purchase Land off Little Herring Pond Rd	\$400,000	1	Approval (10-0-0)
16A	Simes House Phase 2 Restoration	\$3,420,477	2	Approval (8-2-0)





TOWN OF PLYMOUTH

11 Lincoln Street
Plymouth, Massachusetts 02360
FAX (508) 830-4062
(508) 747-1620

TO: Board of Selectmen
✓ Advisory and Finance Committee
Town Meeting

FROM: Pamela D. Hagler *pdh*

DATE: September 15, 2015

RE: Capital Improvements Committee Recommendation

As required by Bylaw 38, Capital Improvements, the Capital Improvements Committee met on September 14, 2015, to review the following articles for Town Meeting consideration:

- Article 4A - Land for North Plymouth Fire Station
- Article 4C - Fire Engine Corrosion Repairs
- Article 4I - Salt Shed Retrofit and Repairs
- Article 4J - Replace 10 Wheel Truck
- Article 5 - T-Wharf Construction
- Article 7 - Increase Appropriation for Town Hall
- Article 8 - Airport Runway Improvements

The requesting departments presented on the projects. Attached to this memo is the revised Capital Improvement Plan that incorporates these projects.

Although not part of the Capital Improvement Plan, other articles meeting the criteria of the Bylaw are evaluated. At this meeting, the request below from the Community Preservation Committee was presented:

- Article 16A CPC - Simes House Phase 2 Restoration
- Article 16B CPC - Purchase Land off Little Herring Pond Road

The Committee voted to move these articles forward for Town Meeting action, however, they prioritized Article 16B as having a higher importance to the community than Article 16A.



**TOWN OF PLYMOUTH - FALL ANNUAL TOWN MEETING REQUESTS INCORPORATED INTO THE
FY16 CAPITAL IMPROVEMENT PLAN BY CAPITAL IMPROVEMENTS COMMITTEE ON 9/14/15**

MOTION	DEPT ACCOUNT	DEPARTMENT OR SPONSOR	PROJECT DESCRIPTION	COMPONENT COST	PROJECT COST	RANK	TOWN MANAGER RECOMMENDED PROJECT FUNDING	TOWN MEETING RECOMMENDED PROJECT FUNDING	C/I C/FATM RANK
A1	155	Information Technology	Infrastructure Replacement		\$177,423.00	1	\$177,423.00	\$177,423.00	1
A2	210	Police Department	Network Video Server		\$57,862.00	2	\$57,862.00	\$57,862.00	2
A3	220	Fire Department	Replace Structural Firefighting Gear		\$78,400.00	3	\$78,400.00	\$78,400.00	3
A4	220	Fire and Police Departments	Public Safety Remote Receiver Site-North Radio Site		\$197,000.00	4	\$197,000.00	\$197,000.00	4
A5	155	Information Technology	Fire Server Replacement or Public Safety Technology		\$20,000.00	5	\$20,000.00	\$20,000.00	5
FATM	220	Fire Department	Art. 4C - Fire Engine Corrosion Repairs		\$30,532.00	6	\$30,532.00		6
A6	220	Fire Department	Replace and Equip Tanker 2		\$382,000.00	6	\$382,000.00	\$382,000.00	7
B1	411	DPW Operation-Engineering	School Street Retaining Wall		\$1,250,000.00	7	\$1,250,000.00	\$1,250,000.00	8
FATM	123/220	Town Manager/Fire Dept.	Art. 4A - Land for North Plymouth Fire Station		\$25,000.00	7	\$25,000.00		9
	427	Marine & Environmental	Plymco Dam Removal		\$1,906,036.00	8	\$1,906,036.00		10
FATM	427	Marine & Environmental	Art. 5 - T-Wharf Construction		\$750,000.00	8	\$750,000.00		11
FATM	123	Town Manager	Art. 7 - Increase Appropriation for New Town Hall		\$2,776,000.00	8	\$2,776,000.00		12
A8	411	DPW Operation-Engineering	StormwaterPhase II		\$250,000.00	9	\$125,000.00	\$125,000.00	13
FATM	421	DPW Administration	Art. 4I - Salt Shed Retrofit and Repairs		\$256,000.00	9	\$256,000.00		14
A9	411	DPW Operation-Engineering	Public Roads Pavement Preservation		\$500,000.00	10	\$250,000.00	\$250,000.00	15
A10	422	DPW Operations-Maintenance	Town Building Repair Program		\$1,770,407.00	11	\$250,000.00	\$250,000.00	16
			Priority 1:						
			Fire Station 1 - HQ	\$24,444.00					
			Fire Station 5 - Manomet	\$36,765.00					
			Library - Main Branch	\$162,669.00					
			Repairs to Various Buildings	\$39,816.00					
			Structural/Moisture Studies on Various Buildings	\$26,340.00					
				\$290,034.00	partially funded				
			Priority 2:						
			Vine Hills Cemetery Office	\$89,713.00					
			Library - Main Branch	\$201,845.00					
			Highway Building	\$126,049.00					
			Fire Station 6 - Cedarville	\$40,849.00					
			Town Hall	\$307,265.00					
			Manomet Youth Center	\$79,478.00					
			1748 Court House	\$34,732.00					
			Cedarville Garage	\$27,607.00					
			Memorial Hall	\$117,139.00					
			DPW Annex	\$236,980.00					
			Harbor Master Building	\$31,669.00					
			Senior Center	\$35,772.00					

TOWN OF PLYMOUTH - FALL ANNUAL TOWN MEETING REQUESTS INCORPORATED INTO THE
 FY16 CAPITAL IMPROVEMENT PLAN BY CAPITAL IMPROVEMENTS COMMITTEE ON 9/14/15

MOTION	DEPT ACCOUNT	DEPARTMENT OR SPONSOR	PROJECT DESCRIPTION	COMPONENT COST	PROJECT COST	R A N K	TOWN MANAGER RECOMMENDED PROJECT FUNDING	TOWN MEETING RECOMMENDED PROJECT FUNDING	CIC FATM RANK
			Fresh Pond Bath House	\$27,437.00					
			Fire Station 5 - Manomet	\$32,514.00					
			Fire Station 2 - W. Plymouth	\$18,840.00					
			Fire Station 1 - HQ	\$18,700.00					
			Repairs to Various Buildings	\$53,784.00					
				<u>\$1,480,373</u>					
	421	DPW Admin	Water Street Improvements - Phase II		\$2,500,000.00	12			17
A11	300	School Department PCIS	School Building Repair Program		\$2,122,131.00	13	\$200,000.00	\$200,000.00	18
		South	Replace Carpets with Tile in Houses	\$364,445.00	partially funded				
		Cold Spring	Replace Asphalt Areas	\$175,000.00					
		Indian Brook	Replace Floor Tile	\$125,000.00					
		Hedge	Repave Asphalt Areas	\$175,000.00					
		Manomet	Replace Gutters, Downspouts and Fascia Boards	\$90,598.00					
		West	Replace Gutters, Downspouts and Fascia Boards	\$30,000.00					
		PCIS	Replace Windows 1 Pod Per Year	\$25,000.00					
		Nathaniel Morton	Digitize Blake Planetarium	\$230,320.00					
		PCIS	Paint Exterior Trim	\$67,630.00					
		Manomet	Replace Lockers	\$159,423.00					
		PCIS	Replace Carpet	\$15,000.00					
		South	Replace Gym Floor	\$170,000.00					
		Indian Brook	Resurface Gymnasium Floor	\$40,000.00					
		Federal Furnace	Resurface Gym Floor	\$40,000.00					
		Hedge	Resurface Gym Floor	\$40,000.00					
		West	Field Renovations	\$69,200.00					
		Nathaniel Morton	Design and Create Additional Parking	\$50,000.00					
		Hedge	Repair Brick Veneer/Flashing	\$102,515.00					
		South	Paint Exterior Trim	\$93,000.00					
			Add New Parking Lot	\$60,000.00					
	411	DPW Operation-Engineering	Wicking Well on Manomet Ave.		\$180,000.00	14			19
A12	161	Town Clerk	Mail Machine w/Folder Inserter		\$42,388.00	15	\$42,388.00	\$42,388.00	20
	138	Procurement	Microfilming and Digitizing Records		\$50,000.00	16			21
	427	Marine & Environmental	Climate Change Grant Match		\$65,000.00	17			22
	220	Fire Department	Replace Thermal Imaging Cameras		\$100,800.00	18			23
	491	DPW Grounds & Recreation	Cemetery-Burial Hill Hearse House and Entrance Renovations		\$415,400.00	19			24
	300	School Department/Blgd Cmte FFES, IBES, SES, WES	Infrastructure Management Restore 4 Elementary School Roofs		\$1,700,000.00	20			25
	411	Engineering/Roads Advisory Cmte	Unaccepted Roads Improvement Program		\$500,000.00	21			26
	411	DPW Operation-Engineering	Allerton St. Improvements Including Sidewalks		\$500,000.00	22			27
FATM 2	420	DPW Operations-Maintenance	Art. 4J - Replace 2001 Dump Truck H33		\$245,000.00		\$245,000.00		28

**TOWN OF PLYMOUTH - FALL ANNUAL TOWN MEETING REQUESTS INCORPORATED INTO THE
FY16 CAPITAL IMPROVEMENT PLAN BY CAPITAL IMPROVEMENTS COMMITTEE ON 9/14/15**

MOTION	DEPT ACCOUNT	DEPARTMENT OR SPONSOR	PROJECT DESCRIPTION	COMPONENT COST	PROJECT COST	R A N K	TOWN MANAGER RECOMMENDED PROJECT FUNDING	TOWN MEETING RECOMMENDED PROJECT FUNDING	CIC FATM RANK
	220	Fire Department	Replace Fire Alarm Vehicle C14		\$30,950.00	35			41
	630	DPW Grounds & Recreation	Recreation-Central AC for Manomet Youth Center		\$50,000.00	36			42
	482	DPW Grounds & Recreation	Parks-Structural Inspection of Jenney & Billington Foot Bridges		\$18,500.00	37			43
	482	DPW Grounds & Recreation	Parks-Replace Sidewalks & Reset Stairs at the Training Green		\$55,000.00	38			44
	491	DPW Grounds & Recreation	Cemetery-Fence Replacement on Samoset Street		\$35,185.00	39			45
	411	DPW Operation-Engineering	Federal Furnace Elementary School Sidewalk Design & Construction		\$400,000.00	40			46
	411	DPW Operation-Engineering	West Plymouth Sidewalk Construction		\$600,000.00	41			47
	492	DPW Grounds & Recreation	Parks-Design for Bike Path Extension		\$24,000.00	42			48
	175	Planning & Development	GIS (Geographic Information Systems) Flyover		\$120,000.00	43			49
	492	DPW Grounds & Recreation	Parks-Replace Elmer Raymond Park Play Structure		\$54,487.00	44			50
			TOTAL GENERAL FUND PROJECTS		\$24,773,921.00		\$9,363,641.00	\$9,375,073.00	
C2	60-440	DPW Utilities (Sewer)	Water Street Pump Station Grit Removal Equipment		\$834,000.00	1			1
C3		DPW Utilities (Sewer)	Sewer System Upgrade		\$500,000.00	2	\$500,000.00	\$500,000.00	2
			Replace Utility Truck S51		\$90,000.00	3	\$90,000.00	\$90,000.00	3
			TOTAL FOR SEWER		\$1,424,000.00		\$590,000.00	\$590,000.00	
C4	61-450	DPW Utilities (Water)	MUNIS Utility Billing Software Module		\$41,000.00	1	\$41,000.00	\$41,000.00	1
C5		DPW Utilities (Water)	Meter Replacement		\$4,500,000.00	2	\$4,500,000.00	\$4,500,000.00	2
C6		DPW Utilities (Water)	Water Infrastructure		\$500,000.00	3	\$500,000.00	\$500,000.00	3
C7		DPW Utilities (Water)	Replace 2006 Sedan w/4WD Pickup Truck		\$30,000.00	4	\$30,000.00	\$30,000.00	4
C8		DPW Utilities (Water)	Steel Plates for Road Construction		\$15,000.00	5	\$15,000.00	\$15,000.00	5
			TOTAL FOR WATER		\$5,086,000.00		\$5,086,000.00	\$5,086,000.00	
FATM C8	65-482	Airport	Airport Runway Improvements		\$120,416.00	1	\$120,416.00	\$66,000.00	1
C10		Airport	Airport Runway 24 and 33 Emergency Stopways		\$66,000.00	2	\$66,000.00	\$66,000.00	2
C11		Airport	Purchase State Police Building		\$510,000.00	3	\$510,000.00	\$510,000.00	3
C12		Airport	Airport Administration Building - Design & Construction		\$3,900,000.00	4	\$3,900,000.00	\$195,000.00	4
			Remove and Replace Airport Signs on South Meadow Rd.		\$30,000.00	5	\$30,000.00	\$6,000.00	5
			TOTAL FOR AIRPORT		\$4,626,416.00		\$4,626,416.00	\$777,000.00	
C13	66-433E	DPW Operations (Solid Waste)	Replace 50 Yard Recycling Containers		\$50,820.00	1	\$50,820.00	\$50,820.00	1
C14		DPW Operations (Solid Waste)	Replace 50 Yard Open Top Containers		\$23,980.00	2	\$23,980.00	\$23,980.00	2
			TOTAL FOR SOLID WASTE		\$74,800.00		\$74,800.00	\$74,800.00	

TOWN OF PLYMOUTH - FALL ANNUAL TOWN MEETING REQUESTS INCORPORATED INTO THE
 FY16 CAPITAL IMPROVEMENT PLAN BY CAPITAL IMPROVEMENTS COMMITTEE ON 9/14/15

MOTION	DEPT ACCOUNT	DEPARTMENT OR SPONSOR	PROJECT DESCRIPTION	COMPONENT COST	PROJECT COST	R A N K	TOWN MANAGER RECOMMENDED PROJECT FUNDING	TOWN MEETING RECOMMENDED PROJECT FUNDING	CIC FATM RANK
			TOTAL FOR ENTERPRISE FUNDS		\$11,211,216.00		\$10,377,216.00	\$6,527,800.00	
			TOTAL PROJECTS FOR FY16		\$35,985,137.00		\$19,740,857.00	\$9,902,873.00	

**ARTICLE
SUPPORTING
DOCUMENTATION**

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

RECOMMENDATION: Approval (Unanimous, 9-0-1)

The Advisory & Finance Committee recommends Town Meeting approve Article 1. Recent changes to minimum wage laws required multi-year increases in some positions at both Fall 2014 and Spring 2015 Town Meeting. Upon additional review, there are still adjustments needed. Adjustments for all positions need to be carried through 2017 and further adjustments are needed to resolve compression, where supervisors are making almost the same wage as those they supervise. This article will bring all positions up to date and in compliance through 2017.



Memo

To: Board of Selectmen and Advisory and Finance Committee

From: Cindy M. DePina, Director of Human Resources

Date: 08/25/2015

Re: Article 1 – Classification and Compensation Plans/Personnel Bylaws

Article 1 – To see if the Town will vote to amend the Classification and Compensation Plans and the Personnel Bylaw and Collective Bargaining Agreements contained therein, or take any other action thereto.

Change the pay rates effective January 1, 2016 and then again January 1, 2017 in the Personnel Bylaws.

The Commonwealth of Massachusetts has changed the minimum wage effective January 1, 2016 and then another increase will occur on January 1, 2017. The current minimum wage in Massachusetts is \$9.00. On January 1, 2016 it will increase to \$10.00 per hour and on January 1, 2017 it will increase to \$11.00 per hour. Attached is the proposed pay scale for Misc. D employees, which includes changes for both the minimum wage impact and the impact of compression of wages for supervisors. The proposed changes would help prevent supervisors' wages from falling below the wage of an employee they are overseeing.



IMPORTANT CHANGES TO THE MASSACHUSETTS MINIMUM WAGE

In accordance with An Act Restoring the Minimum Wage and Providing Unemployment Insurance Reforms [Chapter 144 of the Acts of 2014](#)

Effective January 1, 2015

MINIMUM WAGE: \$9.00 PER HOUR

The minimum wage law applies to all employees except those being rehabilitated or trained in charitable, educational, or religious institutions; members of religious orders; agricultural, floricultural, and horticultural workers; those in professional service; and outside salespersons not reporting to or visiting their office daily. See [M.G.L. chapter 151, §§1 and 2](#). For further information regarding the Massachusetts state minimum wage, contact the Massachusetts Department of Labor Standards at (617) 626-6952 or visit www.mass.gov/dols.

In no case shall the Massachusetts minimum wage rate be less than \$0.50 higher than the effective federal minimum rate.

SERVICE RATE: \$3.00 PER HOUR

Wait staff, service employees and service bartenders may be paid the service rate if they regularly receive tips of more than \$20 a month, and if their average hourly tips, when added to the service rate, are equal to or exceed the basic minimum wage. See [M.G.L. chapter 151, §7](#).

AGRICULTURAL RATE: \$8.00 PER HOUR

Work on a farm and the growing and harvesting of agricultural, floricultural and horticultural commodities requires payment of no less than the above-listed rate per hour, except when such wage is paid to a child seventeen years of age or under, or to a parent, spouse, child or other member of the employer's immediate family. See [M.G.L. chapter 151, §2A](#).

Effective January 1, 2016:

- Minimum Wage shall be \$10.00 per hour
- Service Rate shall be \$3.35 per hour (provided service employee receives tips of more than \$20 per month and if his/her average hourly tips, when added to the service rate, equals \$10.00 per hour).

Effective January 1, 2017:

- Minimum Wage shall be \$11.00 per hour
- Service Rate shall be \$3.75 per hour (provided service employee receives tips of more than \$20 per month and if his/her average hourly tips, when added to the service rate, equals \$11.00 per hour).

PROPOSED MISC D RATES - Rev 9/11/15

JOB TITLE	2015 hourly rate	Proposed January 1, 2016	Proposed January 1, 2017
CENSUS TAKER	\$ 9.0000	\$ 10.0000	\$ 11.0000
ELECTION WORKER	\$ 9.0000	\$ 10.0000	\$ 11.0000
HARBORMASTER ASSISTANT	\$ 11.2200	\$ 12.2200	\$ 13.2200
	\$ 11.6688	\$ 12.6688	\$ 13.6688
	\$ 12.1380	\$ 13.1380	\$ 14.1380
	\$ 12.6174	\$ 13.6174	\$ 14.6174
INFORMATION AIDE 1749 CT HSE	\$ 9.0000	\$ 10.0000	\$ 11.0000
LIBRARY PAGE	\$ 9.6100	\$ 10.6100	\$ 11.6100
MATRON	\$ 9.5100	\$ 10.5100	\$ 11.5100
	\$ 10.0100	\$ 11.0100	\$ 12.0100
	\$ 10.5100	\$ 11.5100	\$ 12.5100
MUSEUM DIRECTOR	\$ 9.0000	\$ 10.0000	\$ 11.0000
NATURAL RESOURCE OFFICER	\$ 15.3000	\$ 16.3000	\$ 17.3000
NATURAL RESOURCE TECH & ASST	\$ 9.1800	\$ 10.1800	\$ 11.1800
	\$ 9.5064	\$ 10.5064	\$ 11.5064
	\$ 10.1082	\$ 11.1082	\$ 12.1082
	\$ 10.6896	\$ 11.6896	\$ 12.6896
PARK RANGER	\$ 9.9450	\$ 10.9450	\$ 11.9450
	\$ 10.4550	\$ 11.4450	\$ 12.4450
	\$ 10.9650	\$ 11.9450	\$ 12.9450
RECREATION BEACH & POND ATTNDS	\$ 9.0000	\$ 10.0000	\$ 11.0000
	\$ 10.0100	\$ 11.0100	\$ 12.0100
	\$ 10.5100	\$ 11.5100	\$ 12.5100
RECREATION INSTRUCTORS	\$ 9.0000	\$ 10.0000	\$ 11.0000
	\$ 9.5100	\$ 10.5100	\$ 11.5100
	\$ 10.0100	\$ 11.0100	\$ 12.0100
	\$ 10.5100	\$ 11.5100	\$ 12.5100
RECREATION SUPERVISOR B&P	\$ 11.2500	\$ 12.5000	\$ 13.5000
	\$ 12.0000	\$ 13.0000	\$ 14.0000
	\$ 12.5000	\$ 13.5000	\$ 14.5000
	\$ 13.5000	\$ 14.0000	\$ 15.0000
SEASONAL LABORER	\$ 9.0000	\$ 10.0000	\$ 11.0000
	\$ 9.3264	\$ 10.3264	\$ 11.3264
	\$ 9.9282	\$ 10.9282	\$ 11.9282
	\$ 10.5096	\$ 11.5096	\$ 12.5096

PROPOSED MISC D RATES - Rev 9/11/15

JOB TITLE	2015 hourly rate	Proposed January 1, 2016	Proposed January 1, 2017
SEASONAL OFFICE WORKER	\$ 10.9956	\$ 13.0000	\$ 15.0000
	\$ 11.7912	\$ 13.7912	\$ 15.7912
	\$ 12.4440	\$ 14.4440	\$ 16.4400
	\$ 13.0050	\$ 15.0050	\$ 17.0500
SEASONAL REPAIRMAN	\$ 9.0000	\$ 10.0000	\$ 11.0000
	\$ 9.3060	\$ 10.3060	\$ 11.3060
	\$ 9.8568	\$ 10.8568	\$ 11.8568
	\$ 10.1592	\$ 11.1592	\$ 12.1592
SPECIALTY SPORTS INSTRUCTOR	\$ 9.6900	\$ 10.6900	\$ 11.6900
	\$ 10.7100	\$ 11.7100	\$ 12.7100
	\$ 11.7300	\$ 12.7300	\$ 13.7300
	\$ 12.7500	\$ 13.7500	\$ 14.7500
SPORTS CLINIC ASSISTANT	\$ 9.0000	\$ 10.0000	\$ 11.0000
SURVEYING FIELD TECHNICIAN	\$ 10.2000	\$ 11.2000	\$ 12.2000
TOWN MEETING TELLER	\$ 9.0000	\$ 10.0000	\$ 11.0000
WATER SAFETY PROGRAM COORD	\$ 11.0000	\$ 13.0000	\$ 15.0000
	\$ 11.5000	\$ 13.5000	\$ 15.5000
	\$ 12.0000	\$ 14.0000	\$ 16.0000
	\$ 12.5000	\$ 14.5000	\$ 16.5000
YOUTH CENTER ATTENDANT	\$ 9.0000	\$ 10.0000	\$ 11.0000
	\$ 9.5100	\$ 10.5100	\$ 11.5100
	\$ 10.0100	\$ 11.0100	\$ 12.0100
	\$ 10.5100	\$ 11.5100	\$ 12.5100
ELECTION WARDEN	\$ 13.5500	\$ 14.5500	\$ 15.5500
SPORTS CLINIC DIRECTOR	\$ 27.2034	\$ 28.0000	\$ 29.0000
	\$ 30.6000	\$ 32.0000	\$ 33.0000
SPORTS OFFICIAL	\$ 13.7700	\$ 14.5000	\$ 14.5000
	\$ 18.3600	\$ 19.5000	\$ 19.5000
	\$ 25.5000	\$ 27.0000	\$ 28.0000

ARTICLE 2A:

ARTICLE 2A: To see if the Town will vote to amend the vote taken under Article 7A of the 2015 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

RECOMMENDATION: Total Approval \$2,772,972

The Advisory & Finance Committee recommends Town Meeting approve Article 2A. The Committee reviewed and voted each request separately.

Salary Reserve: Approval \$1,710,000 (Unanimous, 10-0-1)

In anticipation of settling employee contracts, the Town Manager requests appropriating \$1,710,000 to the Salary Reserve account to fund wage adjustments for FY2016.

Debt: Approval \$1,062,972 (Unanimous, 11-0-0)

An increase of \$1,062,972 is needed to bring the Non-Enterprise Fund Budget for community debt in line with actual results. The budget voted in April at the Annual Town Meeting was based on estimates of cash flows last October 2014 for the various projects which required funding. The largest component of this adjustment is an updated cash flow on the Plymouth South High School and the amount of funds needed to meet project costs.

Town of Plymouth
Finance Department

TO: Board of Selectmen
Advisory & Finance Committee

FROM: Lynne A. Barrett 
Director of Finance

RE: Article 2A – Supplemental Budget Request - Salary Reserve Set Aside

DATE: September 2, 2015

The Town Manager has requested that an amount be set aside in the Salary Reserve Line Item in the Fiscal 2016 budget for potential cost of living increases to Town and School collective bargaining agreements. The Town and School groups have been meeting and working on negotiations in hopes that a settlement will prevail in this fiscal year. To fund potential increases for fiscal 2016 an amount would need to be set aside from the fiscal 2016 Tax Rate set in December for later distribution by the Finance Director to the appropriate department budget. This would only happen after the agreements were properly approved by all required parties. The amount necessary would be a total of \$1,710,000.

Thank you for your consideration in this matter.

Town of Plymouth
Finance Department

TO: Board of Selectmen
Advisory & Finance Committee

FROM: Lynne A. Barrett 
Director of Finance

RE: Article 2A – Supplemental Budget Request – General Fund Debt Service
Adjustments

DATE: September 3, 2015

The Town issued a BOND and BAN in May 2015. The budget voted in April at the annual town meeting was based on estimates of cash flows last October 2014 for the various projects we needed funding for. The following adjustments are necessary to bring the Non-Enterprise Fund Budget in line with actual results:

Long Term Principal & Interest	Increase	\$1,190,545
Short Term Interest	Decrease	<u>\$ (127,573)</u>
Total Net Adjustment		\$1,062,972

The largest component of this adjustment was an updated cash flow on the Plymouth South High School and the amount of funds needed to meet project costs. Please see the attached sheet for detail of activity.

The funding source for this adjustment is made up of the following; fiscal 2016 property taxes of \$973,597, Meals Tax Fund of \$74,375 and Title V Betterment Fund of \$15,000.

Thank you for your consideration in this matter.

Long Term Principal and Interest

Purpose	BOND Issue	Actual Results Principal	Actual Actual Results Interest	Actual Total	Budgeted Principal	Budgeted Interest	Budgeted Total	Change Required at FATM
Plymouth South High School	24,755,000	995,000	936,948	1,931,948	400,000	399,983	799,983	1,131,965
Plymouth North High School	3,571,186	146,186	135,177	281,363	142,000	142,912	284,912	(3,549)
Total for Debt - Exclusion	28,326,186	1,141,186	1,072,125	2,213,311	542,000	542,895	1,084,895	1,128,416
PLYMCO DAM PROJECT	730,743	36,538		36,538			0	36,538
TITLE V 10	300,000	15,000		15,000	0		0	15,000
PSMS Brick Veneer Renovation	361,877	21,877	13,738	35,615	21,878	14,498	36,376	(761)
Police Station Mitigation	1,635,000	85,000	61,931	146,931	85,000	65,303	150,303	(3,372)
Fire Truck	560,000	60,000	22,027	82,027	60,000	22,418	82,418	(391)
Fire Equipment	405,000	45,000	15,930	60,930	45,000	16,204	61,204	(274)
Federal Furnace HVAC	5,770,000	310,000	219,456	529,456	310,000	231,973	541,973	(12,517)
Open Space Beach Purchase	305,000	20,000	11,551	31,551	0	0	0	31,551
Water Street Bridge	1,700,000	85,000	64,339	149,339	85,000	67,984	152,984	(3,645)
Other General Fund Projects	11,767,620	678,415	408,972	1,087,387	606,878	418,380	1,025,258	62,129
Total General Fund	40,093,806	1,819,601	1,481,097	3,300,698	1,148,878	961,275	2,110,153	1,190,545

Short Term Interest

Purpose	Authorized - 500050	BAN	Type	Actual Short Term Interest	Budgeted	Change Required at FATM
Waterfront Promenade Design	1,200,000.00	735,000.00	NEW \$	10,934.00	14,000.00	(3,066.00)
Traffic Signal Installation	350,000.00	10,000.00	NEW \$	149.00		149.00
Municipal Center Design & Construction	30,000,000.00	5,000,000.00	NEW \$	74,375.00	200,000.00	(125,625.00)
T-Wharf Construction	1,250,000.00	65,000.00	NEW \$	969.00	-	969.00
Total General Fund	32,800,000.00	5,810,000.00		86,427.00	214,000.00	(127,573.00)

ARTICLE 2B:

ARTICLE 2B: To see if the Town will vote to amend the vote taken under Article 7B, 7C, 7D and 7E of the 2015 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

Recommendation: Approval

The Advisory & Finance Committee recommends approval of Article 2B. The Committee reviewed and voted each of the four requests separately.

Solid Waste – Budget Decrease: Approval (\$133,140) (Unanimous, 10-0-1)

Solid Waste operating expenses are expected to be lower than originally budgeted due to significantly higher recycling and reduced tipping costs associated with lower than expected solid waste tonnage. The budget decreases are split between the transfer station and curbside programs, with a reduction of \$84,000 in the transfer station and \$49,140 for the curbside program.

Solid Waste – Subsidy: Approval \$200,000 (6-5-0)

Solid Waste revenue requires a subsidy to offset the shortfall created by lower transfer station fees than were anticipated when the budget was prepared.

Sewer: Approval (\$77,329) (Unanimous, 12-0-0)

Actual Sewer Enterprise Debt Service is lower than originally budgeted in October 2014 due to more favorable financing terms.

Water: Approval (\$10,371) (Unanimous, 12-0-0)

Actual Water Enterprise Debt Service is lower than originally budgeted in October 2014 due to more favorable financing terms.

Town of Plymouth
Finance Department

TO: Board of Selectmen
Advisory & Finance Committee

FROM: Lynne A. Barrett 
Director of Finance

RE: Article 2B – Supplemental Budget Request – Solid Waste Enterprise
Budget Adjustments

DATE: September 3, 2015

Based on participation rates that occurred this summer and a closer evaluation of the recycling rates as they pertain to tonnage cost and bag purchases the following adjustments are necessary to the Solid Waste Budget:

Solid Waste Operating – Expenditures	Decrease	\$(133,140)
--------------------------------------	----------	-------------

This decrease is made up of a decrease of \$84,000 to the Transfer Station Operation cost center and a decrease of \$49,140 to the Curbside Operation cost center.

Also, the funding of the overall Transfer Station Operation cost center requires a subsidy of \$200,000 due to the Board of Selectmen not implementing the recommended Transfer Station rates this past May for the sticker sales this summer. Staff recommended a rate of \$145 and the Board voted a rate of \$115. The participation for the Transfer station is estimated at 3,800 users versus 4,208 we had hoped from the prior year. The Curbside Operation cost center is supported by the rates recommended by staff.

I would recommend that the subsidy be voted from the special purpose stabilization fund that was created with a \$300,000 transfer from Solid Waste retained earnings prior to the implementation of the Pay-As-You-Throw programs.

Thank you for your consideration in this matter.

Town of Plymouth
Finance Department

TO: Board of Selectmen
Advisory & Finance Committee

FROM: Lynne A. Barrett 
Director of Finance

RE: Article 2B – Supplemental Budget Request – Water & Sewer Debt Service
Budgets

DATE: September 3, 2015

The Town issued a BOND and BAN in May 2015. The budget voted in April at the annual town meeting was based on estimates of cash flows last October 2014 for the various projects we needed funding for. The following adjustments are necessary to bring the Enterprise Fund Budget in line with actual results:

Sewer Enterprise Debt Service	Decrease	\$(77,329)
Water Enterprise Debt Service	Decrease	\$ (10,371)

See Detail of activity attached.

Thank you for your consideration in this matter.

Long Term Principal and Interest

Purpose	BOND Issue	Actual Results Principal	Actual Results Interest	Actual Actual Results Interest	Total	Budgeted Principal	Budgeted Interest	Total	Difference
Sewer Interceptor Project	1,549,800	79,800	58,728	138,528	79,800	62,014	141,814	(3,286)	
Water Main Replacement	2,652,137	137,137	100,451	237,588	140,000	110,017	250,017	(12,429)	

Short Term Interest

Purpose	Authorized - 500050	BAN	Type	Actual Short Term Interest	Budgeted	Change Required for FATM
Warren Ave Sewer Extension	190,000.00	100,000.00	NEW \$	1,488.00	3,800.00	(2,312.00)
Sewer Planning Samoset St Sewer Ext	700,000.00	530,000.00	RENEWAL \$	7,884.00	10,600.00	(2,716.00)
Samoset Sewer Construction	4,489,681.00	1,950,000.00	NEW \$	29,007.00	98,022.00	(69,015.00)
Total Sewer	5,379,681.00	2,580,000.00		38,379.00	112,422.00	(74,043.00)
Samoset Water Tank	700,000.00	139,000.00	NEW \$	2,058.00	-	2,058.00

ARTICLE 4:

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 buildings, and/or land, 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. North Plymouth land/building for Fire Station
- B. Police Study of Department
- C. Corrosion Repair/Repaint Engines
- D. Study of Personnel Salaries Town-wide
- E. Pressure Washer
- F. Tire Changer
- G. Tire Balancer
- H. Stick Welder
- I. Salt Shed Retrofit and Repairs
- J. Replacement of H33 (10 wheeler with wing)
- K. Emergency Operations Plan

or take any other action relative thereto.

BOARD OF SELECTMEN

4: RECOMMENDATION: Total Approval \$732,832

The Advisory & Finance Committee recommends Town Meeting approve Article 4, A-K.

4A: North Plymouth land/building for Fire Station

RECOMMENDATION: Approval \$25,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4A. Approval of this article, ranked #2 in priority for Fall by the Capital Improvements Committee, will authorize availability of funds for a deposit on a North Plymouth property for a replacement fire station. Because land availability in North Plymouth is limited, management does not want to miss an opportunity that may present itself and hope this deposit will encourage a seller to wait to close on the property until Town Meeting is able to approve the purchase.

4B: Police Study of Department

RECOMMENDATION: Approval \$40,000 (Unanimous, 13-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4B. Approval of this article will fund a study of the Police Department focusing on the key aspects that can influence a Police Officer's health and well-being, and correspondingly their attitudes toward their job, their colleagues, and the public at large. Management reports that increasing Injured on Duty claims, particularly in the area of psychological claims directly related to his/her work as a Police Officer, are alarming. Results of the study will enable management to better understand the underlying factors and provide the best and most effective means to maintain the physical and psychological well-being of Plymouth's Police Officers.

4C: Corrosion Repair/Repaint Engines

RECOMMENDATION: Approval \$30,532 (Unanimous, 10-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4C. Approval of this article will fund repair and repainting of three pumping fire engines which are showing advanced stages of exterior corrosion. \$20,403 is going to be covered by warranty, leaving \$30,532 for the Town to fund. The corrosion repairs are ranked #1 for Fall by the Capital Improvements Committee. In addition, repairs of two (2) intake valves, a pump pressure controller, and \$1,000 damage to Engine 5 (not covered by warranty) are required and are included in funding of this article.

4D: Study of Personnel Salaries Town-wide

RECOMMENDATION: Approval \$42,000 (12-1-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4D. Approval of this article will fund a study to evaluate salaries and benefits for both internal equity as well as comparison externally to similar communities. The Town is struggling with recruitment at all levels so this study is needed to see where adjustments to compensation and benefits may be needed to attract qualified applicants. The Town has not conducted a comprehensive study of this type since the 1970s.

4E: Pressure Washer

RECOMMENDATION: Approval \$5,300 (11-1-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4E. Approval of this article, which was inadvertently left off the Article 8 listing on the Spring 2015 Warrant, will fund the purchase of a hot water pressure washer. This will enable the Department of Public Works to properly wash all equipment throughout the year, but particularly important after snow and ice events.

4F: Tire Changer

RECOMMENDATION: Approval \$14,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4F. Approval of this article, which was inadvertently left off the Article 8 listing on the Spring 2015 Warrant, will fund replacement of a tire changer. The current equipment used by the Fleet Maintenance Division is at the end of its life cycle and is inadequate to service newer equipment since it can only handle rims up to 18 inches, requiring newer heavy duty trucks to be sent out for repair. The new tire changer would handle rims up to 24 inches.

4G: Tire Balancer

RECOMMENDATION: Approval \$11,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4G. Approval of this article, which was inadvertently left off the Article 8 listing on the Spring 2015 Warrant, will fund replacement of a tire balancer. Similar to the tire changer in Article 4F, the tire balancer is at the end of its life cycle and can only handle rims up to 18 inches. The new tire balancer would handle rims up to 24 inches.

4H: Stick Welder

RECOMMENDATION: Approval \$6,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4H. Approval of this article, which was inadvertently left off the Article 8 listing on the Spring 2015 Warrant, will fund replacement of a portable welder/generator currently on the service truck in Fleet Maintenance. The current unit is old and replacement parts are no longer available. The stick welder is portable and used frequently to repair equipment in the field.

4I: Salt Shed Retrofit and Repairs

RECOMMENDATION: Approval \$256,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4I. Approval of this article, ranked #5 in priority for Fall by the Capital Improvements Committee, will fund renovation of the Salt Shed at Camelot Drive. The current design does not allow for storage of sufficient road salt to meet the Town's needs. Retrofitting will move the entrance from the side of the building to the end, and expand the opposite end by 32 feet, increasing capacity to approximately 6,000 tons. A lean-to will also be added along the face of the building to shelter and store sanding equipment.

4J: Replacement of H33 (10 wheeler with wing)

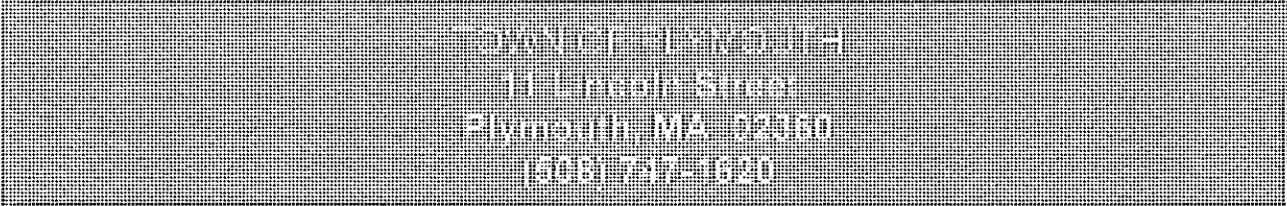
RECOMMENDATION: Approval \$203,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 4J. Approval of this article, ranked #6 in priority for Fall by the Capital Improvements Committee, will fund replacement of the 2001 H33 10-wheeler truck used by the Highway Division. A replacement vehicle has been on the capital request list for the past 3 years. In June 2014, this vehicle was involved in a major accident and the insurance company, after initially repairing the vehicle, has just recently declared it totaled. The insurance company will pay \$42,000 toward the \$245,000 replacement vehicle. This vehicle is the only one in the DPW equipped with a wing-plow and is crucial to maintaining Route 44 in West Plymouth during winter.

4K: Emergency Operations Plan

RECOMMENDATION: Approval \$100,000 (8-4-1)

The Advisory & Finance Committee recommends Town Meeting approve Article 4K. Approval of this article will fund the creation of a Comprehensive Emergency Operations Plan for the Town of Plymouth. By updating the plan to be consistent with the current rollout of the Federal Interagency Operations Plans and Presidential Policy Directive / PPD-8 National Preparedness Goals, the Town improves its ability to receive full reimbursement of costs incurred for recovery from federal- and/or State-declared emergencies and disasters. While the Committee recognizes the substantial cost of this plan update, and that no assurance exists that future reimbursement will justify the cost, it believes the Town does not want to be in the position of looking back and regretting not having made this update.



OFFICE OF TOWN MANAGER
MEMORANDUM

To: Board of Selectmen
Advisory and Finance Committee
Lynne Barrett, Director of Finance
Annikka Bernabe, Selectmen’s Office

From: Melissa G. Arrighi, Town Manager

Date: August 29, 2015

Re: Fall Town Meeting, Article 4A

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 buildings and/or land 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. North Plymouth land/building for Fire Station

For some years now, the Town of Plymouth has understood that the North Plymouth Fire Station is woefully inadequate. Some of the problems there include:

1. Age of Structure –The building was constructed in 1906 to house horse drawn steam engines. The building had a major rehab around 1974, that included removing the wooden apparatus floor (which had failed) and installing a concrete floor system as well as updates to the living quarters and heating plant. Currently the heating system is in need of replacement, there is no cooling system, and the electrical system is in poor condition and does not support the emergency generator in automatic mode. Crews must manually switch between street power and generator power during outages. The concrete apparatus floor has buckled in many areas creating a trip hazard and much of the reinforcement bar in the concrete is badly corroded thus weakening the floor structure. The slate roof system is original and loses heavy slate pieces due to rotting fasteners and roof sheathing.
2. Size – Not only is the lot size not very large, the station itself is small. The station has two bays that are inadequate to accommodate modern apparatus. The apparatus floor measures 31’ wide (2 bays, each 15 foot wide) x 50’ deep. As compared to other Plymouth Stations with apparatus bays between 18 and 19 feet wide by 50 foot deep. In addition, the apparatus bay door is 9’11” wide whereby other stations have doors that are between 12’-14’ wide. A pumper truck (engine) is 102 inches wide plus the mirrors – about 10’ wide in total. They have had to plane back the door casings to gain an extra 1”

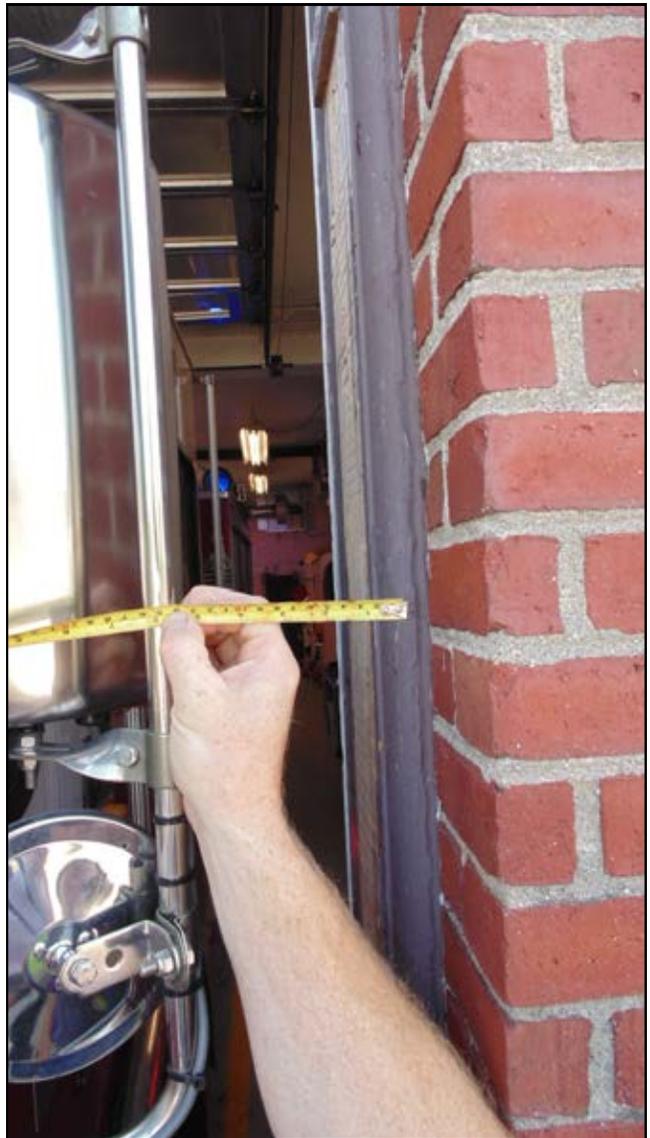
width to accommodate the mirrors. Our firefighters have barely any clearance on each side of the \$570,000 truck as they maneuver out in an emergency.

3. Special Equipment to accommodate size – A few years ago, the Town funded the replacement of Engine 7, located at North Plymouth. This apparatus required special manufacturing instructions to ensure the truck would fit in the station. The necessary width and height restrictions added to the cost of building the apparatus. In addition we removed trim boards and modified the entrance at the apparatus doors to widen the opening for the new apparatus. Even with the modifications and size restrictions of the apparatus, there are only 2 inches of clearance for the apparatus to exit and enter the building. When Engine 7 is out for service or maintenance, we are limited on replacement apparatus. Finally, most mutual aid crews cannot back apparatus into the building when they are called to cover the area.

In our opinion, the real difficulty will not be selling that location, it is finding another area in North Plymouth that can house a Fire Station. This area of Town is densely populated with closely constructed buildings. In 2015, North Plymouth accounts for approximate 1080 annual calls for service out of 7136 calls Town wide. These are counts of emergency responses only. The crews also respond to hundreds of other non-emergent calls for service annually. Station 7 has the largest number of mercantile inspections to perform on a twice yearly schedule as compared to the other station areas (412). The crews at Station 7 also perform over 150 yearly new and resale inspections of residential properties.

This article is certainly not ordinary for Plymouth. We are seeking Town Meeting approval to set aside \$25,000 so that if and when we can find a suitable location, the Town has the immediate ability (through Selectmen vote) to place a down payment and sign a P&S contingent upon further Town Meeting vote to fund the full purchase. This down payment will be refundable to protect for any loss of taxpayer dollars in the event that Town Meeting does not authorize the purchase. As the governance of Plymouth grows in complexity and needs, it is much more efficient to be able to react, rather than postpone decisions for six months while we wait for the next Town Meeting. However, we understand that Town Meeting action is and should be required to approve the final purchase. This article will give us the flexibility to react immediately when we believe we have found something suitable, and still provide for Town Meeting member input if that decision is not the location that our legislative branch supports.

Thank you for your consideration.



PLYMOUTH MUNICIPALITY
17 Lincoln Street
Plymouth, MA 01960
(508) 747-1410

OFFICE OF TOWN MANAGER

MEMORANDUM

To: Board of Selectmen
Advisory and Finance Committee
Lynne Barrett, Director of Finance
Annikka Bernabe, Selectmen's Office

From: Melissa G. Arrighi, Town Manager

Date: August 21, 2015

Re: Fall Town Meeting, Article 4B



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:

B. Police Study of Department
or take any other action relative thereto.

The Town of Plymouth recognizes that policing in Plymouth has changed over the years as the Town has grown, social media has exploded, the increased media involvement in police activities, the constant scrutiny and numerous lawsuits filed against the officers, and the statistics on types of crimes have evolved. The Police Chief has made operational adjustments, provided specialty training, hired the Street Crimes Unit, and expanded the Department's focus to manage these changes. However, we also understand that there are a number of departmental variables that can strongly influence our Plymouth Police Officers' attitudes, and consequently, their incident responses, and their coping capacity, both pre and post incident. The Police Chief and I have talked about this extensively as we think about the future and the best approaches to sustaining the Department's success in an ever changing public safety environment.

One of the recent recurring issues centers around the Injured on Duty claims by Plymouth Public Safety Officers. Increasing IOD claims, particularly in the area of psychological claims directly related to his/her work as a Plymouth Police Officer, are alarming. The processing of these psychological claims put a significant strain on the relationship between employee and manager

and the Union as the claims can be difficult to substantiate and are typically more complicated in nature than a physical injury sustained on the job. In addition, the claim itself often has a negative effect on the Officer's personal life, his/her job performance and attitude, and on the internal culture of the Department. Finally, increases in IOD claims and the potential for a resulting Disability Retirement, can also have a long-term fiscal impact on the pension system at large as these pensions are typically 72% of the employee's salary and are not taxable, regardless of their age or years of service to the Town.

The Town currently has a 111F budget of \$ 200,000 with an average of 12 public safety officials in this full pay but unable-to-work status. The Town also has a 100B budget of \$270,000 with an average of 60 public safety officials on that status. In the simplest terms, both 111F and 100B line items are funds raised from taxpayers that pay the medical bills for the work related injury these employees/retirees. For example, if it was a back injury, any doctor's appointment or procedure or surgery related to that injury, the costs are paid directly from these line items. These are in addition to the regular health insurance line item of approximately \$28M. In the past, these costs have predominantly (but not exclusively) been associated with a **physical** injury sustained in the line of duty. However, that is changing as recent claims have pointed directly to a mental health issue related to the work the officer does for the Town of Plymouth. We need to understand why this is happening and how we can reduce these statistics both for the safety and wellbeing of our Officers and for the short and long-term financial impacts to the taxpayer and employee.

Research has shown that the culture found in police departments has a direct effect on the behavior and health of the officers. It is time that the Town did a full study of the Plymouth Police Department focusing on the key aspects that can influence Plymouth Police Officers' health and well-being, and correspondingly their attitudes towards their job, their colleagues, and the public at large they are charged with serving:

- Stress Factors/Management
- Manpower/Staffing including O/T and Time Off
- Internal Culture/Attitudes among colleagues
- Physical Training and Well Being
- Psychological Education and Well Being

The Town wants to further identify and understand how these factors can be understood and improved upon to provide for the best and most effective means to maintain the physical and psychological well-being of our Plymouth Police Officers. The Town has a number of goals for this study:

1. Identify the specific Plymouth Police Department internal culture between fellow officers and provide recommendations on how that culture can be fostered to positively impact the legitimacy, effectiveness, conduct, and overall health of Plymouth Police Officers and their service to the public.
2. Identify and understand how other factors specific to the Plymouth Police Department, such as stress management and psychological and physical health evaluation and promotion can be productively managed. Make recommendations to help improve the well-being of the police officers with the goal of reducing the number of IOD claims related to these factors.
3. Identify and outline how staffing levels, overall manpower distribution, and vacation/sick time usage specific to the Plymouth Police Department can impact the well-being of the

Officers. Make recommendations on staffing plans that can promote a healthy work-life balance and reduce the number of IOD claims.

Based on the Massachusetts Municipal Personnel Association, the cost for such a study will average \$40,000 with a funding source of certified free cash.

Thank you for your consideration.



Town of Plymouth
Fire Department
114 Sandwich Street
Plymouth, Massachusetts 02360
508-830-4213

To: Kere Gillette, Budget Analyst
Advisory and Finance Committee

From: Chief Bradley

CC: Town Manager Melissa Arrighi
Finance Director Lynne Barrett

Date: September 4, 2015

RE: Article 4C
Fall Annual Town Meeting Request, Corrosion Repairs to Fire Apparatus

Three of the Town's pumping engines are showing advanced stages of exterior corrosion. These apparatus have aluminum bodies which have held up satisfactorily over the years, much better than the steel bodies used years ago and equally satisfactorily as the stainless steel bodies, which add significant weight and cost to the purchase of the vehicle.

The apparatus, Engine 2 and Engine 5, which went in service in October 2008, and Engine 1, which went in service November 2011, are in need of corrosion repairs and repainting.

Last year we began to notice exterior corrosion on both apparatus especially around door handles and window openings, the 2013 winter had been busy and weather was extreme during and after the blizzard that year.

This past winter we experienced extended extreme weather conditions and the accompanying workload demand. The department's apparatus spent long periods of time responding during the extreme weather on roadways that were at times not plowed or treated. The weather required DPW crews to treat the roadways daily with chemicals that contribute to the body corrosion issues.

This spring the exterior corrosion has accelerated dramatically and needs to be repaired to ensure that we obtain the maximum life from these apparatus.

E-One (the apparatus' manufacturer), has included a Ten Year Paint and Corrosion Warranty as part of their overall warranty coverage. This is a pro-rated warranty that offers 100% coverage up to 36 months, 50% coverage from 37 months to 84 months at which time the warranty coverage is reduced to 25%. The 25% coverage continues up to the 120 month mark.

We are within the 84 months if we act by November and will get 50% cost coverage for the repairs and repainting for Engine 2 and Engine 5, if we wait any longer the repairs will be more substantial and the warranty coverage will be reduced to 25%. We also qualify for 50% reimbursement of Engine 1 repairs.

At this time the estimated cost to make the corrosion repairs and repaint these apparatus is \$30,532.00 (our cost, after warranty reimbursement)

The total for all three (full price before warranty work) \$50,935.00 including replacement of two intake valves and pump pressure controller (not part of the apparatus and not covered by warranty) and \$1,000.00 damage to Engine 5 not covered by warranty.

Plymouth Engine 2, Station 2 West Plymouth Village

2008 E-One Typhoon Rescue Pumper

VIN# 4ENRAAA8281003907

53,504 road miles - 5,138 engine hours (215,796 equivalents)

Plymouth Engine 5, Station 5 Manomet

2008 E-One Typhoon Rescue Pumper

VIN # 4ENRAAA8481003908

44,263 road miles – 4,043 hours (169,806 equivalents)

Plymouth Engine 1, Headquarters Station

2011 E - One Cyclone II Rescue Pumper

35,958 road miles – 3,898 engine hours (163,716 equivalents)

VIN #4EN3AAA85B1006829



Town of Plymouth Human Resources Dept.

Memo

To: Board of Selectmen and Advisory and Finance Committee

From: Cindy M. DePina, Director of Human Resources

Date: 09/03/2015

Re: Article 4

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:

D. Study of Total Compensation/Benefits Town Wide

We are proposing a comprehensive study to evaluate salaries for internal equity, as well as, an external comparison of "peer" communities' salaries and other related benefits for all positions within the Town. We would like to review and evaluate that salary and benefits are at the proper level. We would like to ensure we can offer competitive compensation packages that attract and retain talent.

In a constantly changing economic climate, keeping the Town thriving requires staying in tune with the climate. Complete compensation survey analysis identifies incumbents who are paid significantly less than the market, providing an opportunity to make adjustments over time to bring those salaries up to a competitive level. It can also identify any areas where a position may be getting overpaid and allow to control costs and make any adjustments. There may also be positions that are being paid at the proper level and there would not be a need to make any changes. We also want to ensure that we are in line with our other compensation levels; such as vacation time, sick time, personal time, holidays, health insurance and the other various benefits.

The survey will be conducted by a third party, with no association to the Town. When the project is completed a comprehensive report will be available to review. The cost to complete this study will be approximately \$42,000.



TOWN OF PLYMOUTH

159 Camelot Drive
Plymouth, Massachusetts 02360

FAX: (508) 830-4165

Highway Division
(508) 830-4162 ext. 101

Maintenance Division
Solid Waste Division
(508) 830-4166 ext. 100

MEMO

Date: September 8, 2015

To: Advisory & Finance Committee

cc: Melissa Arrighi, Town Manager
Lynne Barrett, Finance Director
Dennis Westgate, Assistant DPW Director

From: Jonathan Beder, Director of Public Works

Re: **Fall 2015 ATM, DPW Capital Requests
Articles 4E, 4F, 4G, 4H**

These four items were submitted during last year's budget process as Article 8's. They were reviewed and approved by the Town Manager, Finance Director, and Board of Selectmen. They were recommended by the Advisory and Finance DPW Sub-Committee and approved by the full Committee. However, they were inadvertently missed on the Spring Annual Town Meeting Warrant and therefore could not be considered. Below is a recap of the descriptions, costs and needs for each item.

Article 4E-Pressure Washer \$5,300: Currently, the DPW is without a hot-water pressure washer. The current unit failed a year ago. Due to its age, it is incapable of being repaired. It is imperative that the DPW maintain a hot-water pressure washer for correctly washing our equipment especially after snow & ice events. Approval at the FATM will give us enough time to replace the failed unit prior to this up-coming winter season.

Article 4F/4G-Tire Changer \$14,000 / Tire Balancer \$11,000: The current tire changer and balancer are utilized daily by the Fleet Maintenance Division. These units are still in operation but at the end of their life cycle. In addition, neither of these units is capable of handling rims larger than 18 inches. All of our heavy duty fleet trucks purchased during past several years, come standard with 19.5 inch rims. The requested replacement equipment above is capable of handling up to 24 inch rims. Therefore, we will no longer need to outsource these repairs.

Article 4H-Stick Welder \$6,000: This request is to replace a portable welder/generator currently on the only service truck in Fleet Maintenance. The current unit is old, and requires the use of Ether to start it. Due to its age, parts are no longer available for this unit. The current unit was designed to be portable and used frequently for repairing equipment in the field. The proposed replacement unit is designed to do the same. The helmets for operating this equipment have already been purchased through a grant offered by MIIA, our insurance carrier.



TOWN OF PLYMOUTH

159 Camelot Drive
Plymouth, Massachusetts 02360

FAX: (508) 830-4165

Highway Division
(508) 830-4162 ext. 101

Maintenance Division
Solid Waste Division
(508) 830-4166 ext. 100

MEMO

Date: September 21, 2015

To: Advisory & Finance Committee

cc: Melissa Arrighi, Town Manager
Lynne Barrett, Finance Director
Dennis Westgate, Assistant DPW Director

From: Jonathan Beder, Director of Public Works

Re: **Fall 2015 ATM, DPW Capital Requests
Articles-4I & 4J**

The following items represent DPW requests needed to appear before the 2015 Fall Annual Town Meeting, and are as follows:

1. ARTICLE 4I-Salt Shed, entrance switch and addition (DPW Administration)
2. ARTICLE 4J-Replace 10 wheel truck - (DPW Highway)

1. **ARTICLE 4I-Salt Shed renovations:**
Estimated Cost-\$256,000.00

**based on pricing from Advanced Storage Technology, Inc.-original designer/manufacturer*

As you are aware, salt was unavailable to us many times during this past winter. Our suppliers could not keep up with demand and de-icing operations suffered. We need to keep enough salt on hand to stay ahead of the winter storms.

Our existing salt shed at Camelot Drive does not allow enough storage of road salt to adequately support the needs of this town. Our current 60'x104' shed has a side entrance (opening on the long wall), which drastically reduces our total storage of salt which we estimate at 2,000-2,500 tons. The current structure is in good condition and we would like to reconfigure the door to the southern end and expand the opposite end to the north by 32 feet. With an end entrance as opposite to the current side entrance, we will be able to build the salt pile from the back of the building to the front, and can take much more advantage of the vertical space throughout the building giving us much larger storage capacity-approximately 6,000 tons.

As part of this project, we also propose to construct an unenclosed lean to along the face of the building in order to shelter and store our sanders. The costs thresholds do not trigger an OPM, but do require us to hire a Clerk of the Works.

Estimated cost of \$256,000 includes a 15% contingency and 5% for a Clerk of the works

**2. ARTICLE 4J-Replace H33-10 wheel dump truck, DPW Highway Division:
Requested Appropriation-\$203,000.00**

H33 is a 2001 Volvo 10-wheeler utilized by the Highway Division. The vehicle is the only one in the DPW with a wing-plow and is crucial for maintaining the Rte44 plow route in West Plymouth. This vehicle has been on the replacement capital request for FY13, FY14, FY15, and Number 1 in FY16. In June of 2014, the vehicle was involved in a major accident involving a telephone pole. The amount of damage to the truck was so severe, it bordered the threshold for considering the vehicle totaled. However, MIIA originally decided to try to repair the vehicle. This would be no small task considering the entire cab needed to be replaced and due to the age of the truck, cabs of that design were no longer available. Therefore, the repair shop was tasked with modifying a new cab to fit the old truck. This took a great deal of time and with the additional repairs needed, the truck was not available to us for all of last winter.

MIIA has officially notified the town that the truck is a total loss. The actual cash value for the policy is \$42,500.00 minus our deductible of \$500.00 leaving us a cash payment towards the truck in the amount of \$42,000. Since the cost of the replacement truck is \$245,000, the payment will go directly to the awarded bid, leaving a requested appropriation amount of \$203,000.00.

Waiting for the ATM in the spring will eliminate the ability for the DPW to replace this truck in time for use during this upcoming winter.

Plymouth DPW
 Salt Shed Renovations-Entrance Switch & Addition
 Construction Cost Estimate
 Existing 60x104, increase to 60x136

<u>Description</u>	<u>Cost</u>
Close off existing side entrance with related roofing, crib wall, footings <ul style="list-style-type: none"> • Add 3-12' high crib wall sections including columns/braces/supports • Add girts and T-111 to enclose opening 	\$30,000.00
Demolish one end wall up to truss line	\$10,000.00
Add four 8' bays (approx. 32') to one end of Bldg. w/asphalt shingles <ul style="list-style-type: none"> • Includes new 60' end wall with 30x20 opening 	\$75,000.00
Overhead/pass doors	\$23,000.00
Stamped plans and specifications	\$10,000.00
Flooring (Concrete)	\$20,000.00
Unenclosed lean-to 120x15=1,800@(\$25/s.f.)	\$45,000.00
	Sub-total <u>\$213,000.00</u>
Clerk of the Works (5%)	\$11,000.00
Contingency %15 <ul style="list-style-type: none"> • Site prep, paving, electrical 	\$32,000.00
	Total \$256,000.00



CHASSIS SPECIFICATIONS SUMMARY

May 27, 2015

2016 MACK GU713

SNOW PLOW. On/Off Hwy
STRAIGHT TRUCK WITH TRAILER

Engine	MACK MP8-425M 425HP	Transmission	4500-RDS-6
		Clutch	OMIT CLUTCH
Front Axle	20,000# FXL20	Rear Axle	58,000# S582 Ratio 4.80
Suspension	20,000#	Suspension	58,000# SS582
Tires	Front: 315/80R22.5 Rear: 12R24.5	Wheels	22.5x9.0 ALUMINUM DISC 24.5x8.25 ALUMINUM DISC
Ratings	GVW: 77,280# GCW: 80,000#	Fuel Tanks	LH: 88gal
Fifth Wheel		Sleeper	

PRICING SUMMARY

	Total Price
SELLING PRICE (Excluding Taxes/Fees/Trade)	\$237,656.72
Surcharge	\$0.00
Net FRET or Canadian GST Taxes	\$0.00
Tire Tax Credit (Municipal Only)	(\$450.22)
Sales/Usage Taxes	\$0.00
License/Title/Etc.	
Misc Fees	
Trade	\$0.00
ACQUISITION COST (Include Trade if applies)	\$237,206.50
Less Down Payment	
BALANCE DUE Per Unit	\$237,206.50
PRICE (Total Order)	\$237,206.50
BALANCE DUE (Total Order)	\$237,206.50

VEH93 1%
 \$ $\frac{2372}{239,578}$

Total Quantity: 1 Estimated Total Weight: 20,413# Reference#: AGEY071016B

X _____
 Prepared For: Customer Signature Date
 TOWN OF PLYMOUTH
 11 LINCOLN STREET
 PLYMOUTH, MA 02360
 Phone: 508-830-4162
 Fax: --

X _____
 Presented By: Dealer Signature Date
 ROCKY LOOMIS
 Ballard Truck Center
 One Mack Drive
 Avon, MA 02322
 508-559-0771



TOWN OF PLYMOUTH

OFFICE OF EMERGENCY MANAGEMENT

2209 State Road
Plymouth, Massachusetts 02360

MEMO

Date: August 25, 2015

To: Board of Selectmen
Finance & Advisory Committee

Cc: Melissa Arrighi, Town Manager
Lynne Barrett, Finance Director

From: Aaron Wallace,  Emergency Management Director

Re: Fall 2015 ATM, Article 4K

Article 4K seeks to provide adequate planning funds to complete a Comprehensive Emergency Operations Plan for the Town of Plymouth. While the Office of Emergency Management coordinates disaster planning for town departments, each department and office within the town's executive is responsible for maintaining the ability to address functional emergency processes for their respective operations. FEMA Public Assistance requests for the latest disaster declaration associated with the severe winter storms of 2015 have identified areas of improvement in emergency response policies which should be developed and documented to be consistent with the current rollout of the Federal Interagency Operations Plans and Presidential Policy Directive / PPD-8 National Preparedness Goals.

Funding of this article at a proposed \$100,000 would expand the Town of Plymouth's plan from its current form into four comprehensive sections:

1. Section One: The Basic Plan will detail the emergency response policies and describes the response organization(s). The Basic Plan will outline all aspects of the authority of agencies and departments, planning assumptions, updated hazard & vulnerability assessment material, and emergency management roles and responsibilities.
2. Section Two: Emergency Support Functions will provide information about the Town department capabilities and describes how departments will carry out a specific function in any emergency situation. The Emergency Support Functions are plans organized around the performance of a broad task.
3. Section Three: Support Annexes will provide guidance and describe the functional process and administrative requirements necessary to ensure efficient and effective implementation of the Town of Plymouth' incident management

objectives. The following is a list of Support Annexes proposed for the Town of Plymouth's Emergency Operations Plan.

- Direction & Control
- Communications & Warning
- Evacuation
- Continuity of Operations

4. Section Four: The Incident Annexes will provide information about how the Town of Plymouth's departments will respond to specific situations. The following is a list of Incident Annexes proposed for the Town of Plymouth's Emergency Operations Plan:

- Debris Management
- Drought
- Severe Weather
- Earthquake
- Security & Protection

As you prepare the upcoming fiscal year budget, I ask that you weigh the considerable good adequate planning funding will provide the Town of Plymouth in its mission to protect its citizens and resources. Directing much needed resources to comprehensive planning will assist departments with their tasks in preparing, training for and executing emergency operations and recovery work.

ARTICLE 5:

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$750,000 or any other sum, for the Town Wharf Project, the expenditure of which shall be contingent upon the Town being awarded a grant for the remaining funds necessary for the project, or take any other action relative thereto.

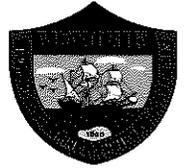
BOARD OF SELECTMEN

RECOMMENDATION: Approval \$750,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 5. Approval of this article, ranked #3 in priority for Fall by the Capital Improvements Committee, will appropriate an additional \$750,000 to be raised by borrowing, to complete the T-Wharf replacement project. The total project cost is estimated at \$4 million and Town Meeting has previously appropriated \$1.25 million from the Waterways Fund. While the Town has a pending Mass Works grant requesting \$2.75 million to complete funding for this project, this appropriation would allow the Town to seek alternative funding through the Seaport Economics Council should the Mass Works grant not be awarded.



Town of Plymouth, Massachusetts
Department of Marine and Environmental Affairs
11 Lincoln Street, Plymouth, MA 02360 | 508-747-1620



MEMO

To: Kere Gillette, Budget Analyst
Through: Melissa Arrighi, Town Manager
From: David Gould, Director of Marine and Environmental Affairs 
Re: Article 5/T-Wharf Capital Request
Date: August 25, 2015

The Department of Marine and Environmental Affairs (DMEA) respectfully requests capital funding in the amount of \$750,000 for the T-Wharf replacement project. The estimated cost of this project is \$4,000,000.

The Town has previously approved funding in the amount of \$1,250,000 from the Waterways Account for this project. In addition, the Town has worked with the Commonwealth over several years to secure the remaining funds for the project. This work has included applying for funds from the Environmental Bond Bill, Seaport Advisory Council and the general state budget. In 2014 state funds were appropriated for the project but were subsequently cut by former Governor Deval Patrick before leaving office.

The Town currently has a Mass Works grant application pending with the Commonwealth for \$2,750,000.00 to secure the remaining funds for this project. Should the grant application be unsuccessful approval of the funds from Town Meeting would allow the Town the ability to apply to the re-established Seaport Economics Council for funding. It is important to note that the re-established Seaport Council has lowered its awards making it more important than ever that municipalities can provide at least a 1:1 match going forward. Approval of this article would allow the Town to move forward in that direction.

C: Chad Hunter, Harbormaster
Pamela Hagler, Procurement Officer

ARTICLE 7:

ARTICLE 7: To see if the Town will vote to amend Article 10 of the April 5, 2014 Annual Town Meeting to increase the appropriation from the sum of \$30,000,000 to \$32,776,000 to pay costs of the design, demolition, preservation, rehabilitation, restoration, reconstruction, equipment and furnishings and new construction of a new Municipal Center (Town Hall), including Town administrative offices, on town owned property located on Assessor's Map 19 as Lots 1,2,6 and 7, said amount to include funding the design and reconstruction of the parking areas surrounding that site, the services of a Project Manager to oversee the project, and all costs incidental and related thereto, and that to meet this appropriation, the Treasurer with the approval of the Selectmen, is authorized to borrow an additional \$2,776,000 or other sum under and pursuant to Chapter 44, Section 7(3) and Section 7 (3A) of the General Laws, or pursuant to any other enabling authority, and to issue bond or notes of the Town therefor, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval \$2,776,000 (Unanimous, 11-0-1)

The Advisory & Finance Committee recommends Town Meeting approve Article 7. Town Meeting approval of this article, ranked #4 in priority for Fall by the Capital Improvements Committee, will provide an additional \$2,776,000 to complete the Town Hall project. Demolition and clean up of the site came in just over \$1 million more than anticipated, due to large amounts of unexpected buried hazardous debris that had to be removed. In addition, construction costs have escalated faster than expected, when the project budget was estimated in 2013. And finally, additional costs have been incurred to preserve historic integrity of the site and for design changes such as the addition of public restrooms outside the building. The additional funds will be raised by increased borrowing.

OFFICE OF TOWN MANAGER
MEMORANDUM

To: Board of Selectmen
Advisory and Finance Committee

From: Melissa G. Arrighi, Town Manager

Date: September 3, 2015

Re: Fall Town Meeting, Article 7

ARTICLE 7: To see if the Town will vote to amend Article 10 of the April 5, 2014 Annual Town Meeting to increase the appropriation from the sum of \$30,000,000 to \$32,776,000 to pay costs of the preservation, rehabilitation, restoration, reconstruction, equipment and furnishings and new construction of a new Municipal Center (Town Hall), including Town administrative offices, on town owned property located on Assessor's Map 19 as Lots 1,2,6 and 7, said amount to include funding the design and reconstruction of the parking areas surrounding that site, the services of a Project Manager to oversee the project; and all costs incidental and related thereto, and that to meet this appropriation, the Treasurer with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(3) and Section 7 (3A) of the General Laws, or pursuant to any other enabling authority, and to issue bond or notes of the Town therefor, or take any other action relative thereto.

BOARD OF SELECTMEN

The Town Manager and Building Committee are working on the new town hall project. As is evident, the demolition portion of the project is complete. However, during that process, the Owner's Project Manager (STV) and Page Construction (demolition contractor) came across a significant amount of buried hazardous debris. This debris was the buried Cornish- Burton School and contained asbestos pipes and contaminated soil. This material could never have been anticipated and was absolutely unforeseen. Although it is understood that the practice of burying demolished materials was acceptable and commonplace years ago, clearly it was our responsibility to clean this up properly. However, that responsibility came at a cost of over 1 million dollars. In addition, the Town is seeing an uptick in the costs of construction since our presentation in Spring 2014 when we submitted for 35 million.

Finally, the Town has incurred some additional costs with the changes in design of the new Town Hall and also in the costs to preserve some of the historical integrity of the site. Both of which were warranted and worthy of additional investment.

Please accept this as a very brief summary of the reasons why we are requesting an additional 2.776M for the project. We will be providing a comprehensive presentation at your meeting to justify the warrant article. Thank you.



PROPOSAL FOR
1820 COURTHOUSE GREEN
PLYMOUTH, MA.

ARTICLE 7 – REQUEST FOR ADDITIONAL 2.776M





Original Cost Estimate

COST ESTIMATE SUMMARY

Renovate 1820 Courthouse (\$345/sf)	\$ 4,220,000
New Addition (\$324/sf)	\$19,870,000
Optional Roof Terrace	\$ 255,000
Optional Green Roof	\$ 43,000
Site Development (Option A or B)	\$ 3,000,000
Soft Costs (28% of construction cost)	<u>\$ 7,668,000</u>
TOTAL (\$477/sf):	\$35,056,000

Current Cost Estimate

Phase I Demolition/Abatement Costs	\$ 1.314M
Phase II Construction Costs	<u>\$ 27.966M</u>
Total Estimated Construction Costs	\$ 29.280M
Soft Costs	\$ 6.345M
Construction Contingency	<u>\$ 2.151M</u>
Total Estimated Project Cost	\$37.776M

Budget as Presented at 2014 Town Meeting

Category	New Town Hall	New Public Restrooms	Total New Construction	Renovated 1820	Site Work	Grand Total
Square Footage	60,240	1,060	61,300	12,200	138,700	
Construction 2013 \$\$	\$15,872,865	\$279,435	\$16,152,300	\$3,452,000	\$2,453,992	\$22,058,292
Design Contingency @ 13.5%	\$2,142,837	\$37,724	\$2,180,561	\$457,390	\$325,154	\$2,963,833
Escalation @ 7%	\$1,261,099	\$22,201	\$1,283,300	\$273,657	\$194,540	\$1,751,498
Scope Contingency @ 5%	\$963,840	\$16,968	\$980,808	\$209,152	\$148,684	\$1,338,645
Construction Contingency @ 3%	\$578,304	\$10,181	\$588,485	\$125,491	\$89,211	\$803,187
Roof Terrace	\$255,000	\$0	\$255,000			\$255,000
Green Roof	\$43,000	\$0	\$43,000			\$43,000
Soft Costs @ 20%	\$4,223,389	\$73,302	\$4,296,691	\$903,538	\$642,316	\$5,842,545
Grand Total	\$25,340,334	\$439,810	\$25,780,144	\$5,421,229	\$3,853,897	\$35,056,000

Budget Updated to Estimate Costs of 5% Escalation to 2016

Category	New Public		Total New		Renovated		Site Work	Grand Total
	New Town Hall	Restrooms	Construction	1820	1820	138,700		
Square Footage	60,240	1,060	61,300	12,200	12,200	138,700		
Construction 2013 \$	\$15,872,865	\$279,435	\$16,152,300	\$3,452,000	\$3,452,000	\$2,453,992	\$22,058,292	
Design Contingency @ 13.5%	\$2,142,837	\$37,724	\$2,180,561	\$457,390	\$457,390	\$325,154	\$2,963,833	
Scope Contingency @ 5%	\$793,643	\$13,972	\$807,615	\$172,600	\$172,600	\$122,700	\$1,102,915	
Subtotal	\$18,809,345	\$331,130	\$19,140,476	\$4,081,990	\$4,081,990	\$2,901,846	\$26,125,040	
Escalation 2013 to 2015 @ 6.8%	\$1,279,035	\$22,517	\$1,301,552	\$277,575	\$277,575	\$197,325	\$1,776,503	
Subtotal	\$20,088,381	\$353,647	\$20,442,028	\$4,359,565	\$4,359,565	\$3,099,171	\$27,901,542	
Escalation 2015 to 2016 @ 5%	\$1,004,419	\$17,682	\$1,022,101	\$217,978	\$217,978	\$154,959	\$1,395,077	
Revised Estimated Construction	\$21,092,800	\$371,329	\$21,464,129	\$4,577,544	\$4,577,544	\$3,254,130	\$29,296,619	
Construction Contingency @ 3%	\$632,784	\$11,140	\$643,924	\$137,326	\$137,326	\$97,624	\$878,899	
Roof Terrace	\$255,000	\$0	\$255,000				\$255,000	
Green Roof	\$0	\$0	\$0				\$0	
Soft Costs @ 20% of Revised Total	\$4,218,560	\$74,266	\$4,292,826	\$915,509	\$915,509	\$650,826	\$5,859,324	
Grand Total	\$26,199,144	\$456,735	\$26,655,879	\$5,630,379	\$5,630,379	\$4,002,579	\$36,289,842	

Unforeseen – HazMat & Demo

- **Burton & Cornish School Soils** **\$710,000**
 - 2,504 Tons ACM-Disposal to Ohio (EPA Approved) \$430,000
 - 479 Tons ACM-Disposal to New York (EPA Approved) \$90,000
 - 87 Tons ACM-Disposal to New Hampshire (EPA Approved) \$16,000
 - 3,070 Tons Soil Replacement \$40,000
 - LSP & Monitoring Services (DEP Requirement) \$18,000
 - Additional Soft Costs \$56,000
 - Bonds/Insurance/OH&P/General Conditions \$60,000
- **DPW, Commissioner’s Bldg., 1820** **\$302,000**
- **Transite & ACM Utilities Piping** **\$ 18,000**
 - 20’ Transite Disposal \$2,600
 - ACM Steam Piping Disposal @ Roadway \$12,200
 - Additional Soft Costs \$3,200

Other Cost Adjustments

- Design Change and Additional Historic Costs-
\$600,000
- Interior to Exterior Restrooms - Important
- Historic preservation to restore alcove, save marble staircase, conduct in depth schematic analysis of Courtroom, structural issue

Design Change - Then



Bird's Eye View

Design Change - Mid



Design Change – Opening Summer 2017



Funding Source – Meals Tax

- Meals Tax Higher than Projected
- Growth in Community for restaurants anticipated
- Escalation of 3% may be conservative, expect that it could be higher
- Scope and method of funding has not changed
- Meals Tax

ARTICLE 8:

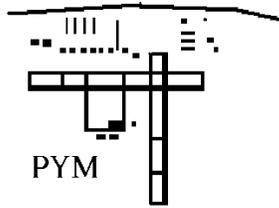
ARTICLE 8: To see if the Town will vote to amend Art 4A of the October 2012 Fall Annual Town Meeting and raise and appropriate, transfer or borrow funds to increase the appropriation from the sum of \$325,000 to \$445,416 to pay for the construction of Airport Runway Improvements, or take any other action relative thereto.

AIRPORT COMMISSION

RECOMMENDATION: Approval \$120,416 (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 8. Approval of this article, ranked #1 within the Airport Enterprise project requests by the Capital Improvements Committee, will appropriate an additional \$120,416 from a combination of Airport Retained Earnings and unspent airport project funds, to complete the airport runway improvement project. Total project funding includes 90% from the FAA, 6% from the State DOT, and 4% from the Town. Costs for this project are higher than originally estimated in 2012, due to increased construction costs and unanticipated environmental monitoring requirements imposed by both the Federal and State environmental agencies.

508- 746-2020



Plymouth Municipal Airport

To: Advisory and Finance
From: Thomas Maher, Airport Manager
RE: FATM Article 8 Airport request to adjust funding amount
Date: September 1, 2015

The Airport is requesting additional airport enterprise funding for the Art 4A Oct2012 FATM 65482395/530002 article. After the actual bids have been opened and the final State and Federal final permits requirements were added into the project, it has been determined that the total costs are higher than originally estimated.

The project is to balance the two runways to the same length and add two 300 foot emergency stopways. The low bid was a total of \$8,258,200, with 90% FAA funding (\$7,432,200) 6% State Mass DOT funding (\$496,492) and the balance from the airport enterprise funding. The Art 4A Oct2012 FATM 65482395/530002 article currently has a short fall of \$120,415.38. There are two primary reasons that we are looking for these addition funding: 1. due to the improved overall economy, the bidding environment has seen higher than our original 2012 estimate for the project. 2. there were unanticipated environmental monitoring requirements added by both the Federal and State environmental agencies. These requirements will require the airport to hire a wetland scientist to be on site for the entire project plus additional monitoring for 3 years after the project.

We are requesting \$120,415.38 of airport enterprise funding. At this point, the funding to come from:

Unexpended balances from previous projects:
\$5,869.22 balance fy14 closed projects
\$8,945.92 EA-phase II, completed 65482404
\$ 141.54 EA final permitting 65482404
\$14,956.68

Enterprise surplus (* this is anticipated to be certified by DOR this fall):

\$105,458.70 FY 15 surplus

When certified, we calculate that the Airport Enterprise should have a surplus of \$112,190.93 plus \$17,000 State reimbursement for a 2013 land project.

Total \$120,415.38

If you have any questions, please feel free to contact me at 508-746-2020.

Thomas Maher
Airport Manager

ARTICLE 9:

ARTICLE 9: To see if the Town will vote to appropriate the net premium paid to the Town upon the sale of bonds issued to pay costs of the North and South High School Projects, each of which are the subject of a Proposition 2½ debt exclusion, to pay costs of the South High School Project being financed by such bonds and to reduce the amount authorized to be borrowed for the South High School Project, but not yet issued by the Town, by the same amount, or to take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 9. Town Meeting approval of this article will allocate bond premium (savings from favorable financial terms) of \$1,448,510.66, received from portions of both the Plymouth North and Plymouth South High School projects, to pay project costs directly for the Plymouth South High School project. This will reduce the amount the Town has to borrow for the Plymouth South High School project. The Town received permission from the Massachusetts Department of Revenue to utilize this “alternative use method” because both projects were initially voted as one article and approved as one debt exclusion by the voters of Plymouth.

Town of Plymouth
Finance Department

TO: Board of Selectmen
Advisory & Finance Committee

FROM: Lynne A. Barrett 
Director of Finance

RE: Plymouth South High School Pay Down

DATE: September 2, 2015

Similar to what the Town did in the fall of 2013 with the Plymouth North Project, the town recently received a premium on long term bonds issued for a portion of the Plymouth South High School project and the final long term borrowing for the Plymouth North High School project. The net premium received was \$1,448,510.66 combined (see detail of borrowing activity and premium attached).

The Town has chosen to use the “*alternative use method*” and apply the premium to pay project costs directly for the Plymouth South High School project. This article will transfer those funds to the project and reduce the amount we would need to borrow. The Town received permission from the DOR to use both projects premium for the one project due to our initial vote as one article and one debt exclusion. Copy of the email from DOR is attached.

For further explanation of this process and about premiums in general I refer you to the City & Town – December 18, 2014 issue (attached) which describes what options are available to Towns when they receive premiums.

Thank you for your consideration in this matter.

Bond BAN Spreadsheet of Results
Bond Information - May 2015

Purpose	This Issue	Premium	Borrowing Costs	Net Premium
Plymouth South High School	24,755,000.00	1,338,648.99	74,786.00	1,263,862.99
Plymouth North High School	3,571,186.00	195,436.39	10,788.72	184,647.67
Total for Debt - Exclusion				\$ 1,448,510.66
PSMS Brick Veneer Renovation	361,877.00	27,006.48		
Police Station Mitigation	1,635,000.00	111,364.11		
Fire Truck	560,000.00	59,078.04		
Fire Equipment	405,000.00	42,797.14		
Federal Furnace HVAC	5,770,000.00	420,439.23		
Open Space Beach Purchase	305,000.00	20,420.04		
Water Street Bridge	1,700,000.00	114,952.30		
Total General Fund	10,736,877.00	796,057.34	32,436.62	\$ 763,620.72
Sewer Interceptor Project	1,549,800.00	106,755.98	4,682.01	\$ 102,073.97
Water Main Replacement	2,652,137.00	181,199.67	8,012.22	\$ 173,187.45
Grand Total	43,265,000.00	2,618,098.37	130,705.57	\$ 2,487,392.80

Lynne Barrett

From: Peter Frazier <Peter.Frazier@firstsw.com>
Sent: Thursday, July 16, 2015 12:49 PM
To: Lynne Barrett; Pamela Borgatti
Cc: Lisa Driscoll; Manley, Richard
Subject: Plymouth - Revised Sources and Uses - 2015 Bonds

Lynne and Pam,

The DOR has signed off on the plan to allocate the net exempt premium on the North High School (and South High School) Bonds to the South High School project. We will request the appropriate town meeting language from Bond Counsel.

Please call with any questions.

Peter

Peter Frazier
Senior Vice President
First Southwest

direct 617.619.4409 fax 617.619.4411
54 Canal Street, Suite 320, Boston, MA 02114

From: Arrigal III, William F. [<mailto:arrigal@dor.state.ma.us>]
Sent: Thursday, July 16, 2015 11:46 AM
To: Peter Frazier
Cc: Lisa Driscoll; Cole, Gerald H.; Curtis, Jared; Guilfoyle, Thomas J.; Rassias, Anthony A.
Subject: RE: Plymouth - Revised Sources and Uses - 2015 Bonds

Peter,

As long as the \$184,647.67 is rescinded from the remaining South High School project there should be no problem.

<http://www.mass.gov/dor/docs/dls/city-town/2014/ctown-dec18.pdf>

Please let me know if you have any questions

Bill

Bill Arrigal
Division of Local Services/MA DOR
Public Finance Section
P.O. Box 9569
Boston, MA 02114-9569

P: 617.626.2399 | F: 617.660.3977
E: arrigal@dor.state.ma.us | Web: www.mass.gov/dls

From: Peter Frazier [mailto:Peter.Frazier@firstsw.com]
Sent: Tuesday, July 14, 2015 3:48 PM
To: Arrigal III, William F.
Cc: Lisa Driscoll
Subject: Plymouth - Revised Sources and Uses - 2015 Bonds

Bill,

Attached is a statement of sources and uses in connection with the Town of Plymouth's recent bond issue. The Town authorized the North and South High Construction projects under a single town meeting borrowing vote and ballot question. The yellow highlighted areas show the net exempt premium that the Town would like to vote at town meeting to allocate to the South High School project and reduce the borrowing authority accordingly. After receiving the bids on the recent bond issue, the Town reduced the par amount of the South High School from \$26,000,000 to \$24,755,000 and will vote the difference (\$1,245,000), plus the additional \$18,862.99 net premium to fund South High School construction costs. The Town was not able to reduce the North High School par amount because the Town needed the total amount of principal borrowed to retire maturing bond anticipation notes. The North High School is now finished and completely financed. The Town would like to appropriate the \$184,647.67 net exempt premium on the North High School portion to pay additional costs of the South High School project which is only partially constructed and financed.

Please call at your convenience to discuss.

Peter

Peter Frazier
Senior Vice President
First Southwest

direct 617.619.4409 fax 617.619.4411
54 Canal Street, Suite 320, Boston, MA 02114

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A Publication of
the Massachusetts
Department of Revenue's
Division of Local Services

City & Town

Amy Pitter, Commissioner • Joseph McDermott, Interim Deputy Commissioner & Director of Municipal Affairs



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- [Ask DLS](#)
- [BLA's Grace Sandell Retiring from DLS](#)
- [Revised Forms of List for FY2016](#)

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Municipal Calendar

IGR's & Bulletins

Workshops, Seminars & Events

What's New

DOR 360



City & Town is published by the Massachusetts Department of Revenue's Division of Local Services (DLS) and is designed to address matters of interest to local officials.

Editor: Dan Bertrand

Editorial Board: Joe McDermott, Robert Bliss, Zack Blake, Tony Rassias, Tom Dawley, Linda Bradley and Patricia Hunt

Premium Information

Tony Rassias - Deputy Director of Accounts

The Bureau has received many questions regarding the proper application of premiums from borrowed funds. Certain rules have changed on the matter and they can be very confusing. Therefore, the Bureau of Accounts would like to offer the following FAQs.

The town borrowed funds and received a premium. Can the premium be used to reduce issuance costs?

Premiums received from the sale of bonds and notes by a city, town or district may be used to reduce issuance costs, such as bond insurance and underwriting, of their associated bonds and notes. Issuance costs are usually paid for from the bond proceeds first, if budgeted there, or if not, from the premium.

Must the premium be appropriated to offset the issuance costs?

No. The premium may be spent for this purpose without appropriation.

Can any remaining premium be reserved per the Uniform Massachusetts Accounting System (UMAS)?

It depends. Normally, the premium remaining after paying issuance costs, or net premium, is general revenue of the city, town or district. MGL c. 44 sect. 20.

For a city, town or tax rate setting district, if received prior to the

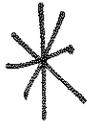
certification of the tax rate by the Bureau of Accounts, the net premium may be used as an estimated receipt for that fiscal year. If received prior to March 31 and not used as an estimated receipt, the net premium may become part of a request to update free cash. Otherwise, the net premium must close to the General Fund as of June 30.

However, if there is an enterprise fund or debt exclusion associated with the debt, there is a different approach.

What happens if there is an enterprise fund associated with the debt?

According to IGR 08-101 on enterprise funds, the net premium belongs to the enterprise fund.

If received prior to the certification of the tax rate by the Bureau of Accounts, the net premium may be used as estimated revenue of the enterprise fund. If received prior to March 31 and was not used as estimated revenue, the net premium may become part of a request to update retained earnings. Otherwise, the net premium must close to the enterprise fund balance as of June 30.



What happens if there is a debt exclusion associated with the debt?

When a debt exclusion has been voted, Bulletin 2013-01B details (a) the reservation requirement through maturity method or (b) an alternative use method for the net premium.

The reservation requirement through maturity method requires the net premium to be reserved and amortized over the life of the debt from which it was received. Because the debt exclusion must by law be the true interest cost, the amortized net premium must reduce excluded debt service annually.

The alternative use method allows a reserved premium to be appropriated to (1) pay project costs directly or (2) pay-down BANS for the project, so long as there is debt authorized that has not yet been issued. That unissued portion of the project's authorization must then be rescinded by the legislative body in the same amount as the net premium appropriated.

The provisions regarding the net premium as general revenue and the reservation requirement also apply to a regional school district. The regional school district then passes through the amortized net premium via the assessment. The alternative method is available to a regional

school district only if all members of the district have approved the debt exclusion on the project.

How is a reserved net premium reflected on the next Tax Rate Recap?

The reserved net premium must be applied annually to reduce the debt exclusion by a city or town in either one of two ways:

1. By appropriating the reserved amount to cover a portion of that fiscal year's debt service on the associated debt (the recommended practice) and reporting the action on page 4, column (d) of the Tax Rate Recap and on Schedule B-2. Schedule DE-1, then, will only show the balance being appropriated; or
2. By indicating the reserved amount on Schedule DE-1 as an adjustment to the current fiscal year's debt service appropriated (column H) and by including the same amount as a Miscellaneous Non-Recurring estimated receipt on page 3 of the Tax Rate Recap.

The net premium passed through by a regional school district to its applicable members should have already reduced the members' debt assessment and only the remainder need be appropriated by the city or town and shown on Schedule DE-1.

How is the alternative use method for premiums reported on the Tax Rate Recap?

For the alternative use method, report the appropriation of the premium on the Tax Rate Recap, page 4, column (d) of the Tax Rate Recap and on Schedule B-2. In addition, report the rescission of authorized debt as a negative amount on page 4, column, (g) of the Tax Rate Recap.

How can a reserved net premium be invested?

Treasurers should consult with bond counsel to ensure that the investment is consistent with federal arbitrage regulations on tax-exempt borrowings.

Why do the auditors amortize the net premium on the financial statements?

For purposes of your entity's audited financial statements only, Generally Accepted Accounting Principles (GAAP) apply de minimus

premiums to offset the interest expense in the year received, apply significant Bond Anticipation Note premiums to offset the interest expense in the year paid and amortize material bond premiums to offset the interest expense over the life of that bond.

There may be other scenarios not covered in this article. If so, contact your Bureau of Accounts field representative for more information. We hope you've found this helpful.

ARTICLE 11:

ARTICLE 11: To see if the Town will vote, pursuant to the provisions of G. L. c.59, §38H, to authorize the Board of Selectmen and Board of Assessors to negotiate and enter into an agreement for payments in lieu-of- taxes (“PILOT”), for a 1 MW –AC (more or less) solar photovoltaic energy generating facility for Renewable Energy Development Partners, LLC (or its affiliates, successors or assigns) to be located on property shown on Plymouth Assessor’s Map 56 Lot 57A , upon such terms and conditions as the Board of Selectmen and Board of Assessors shall deem to be in the best interest of the Town, or take any other action relating thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 11. Approval of this article will allow the Town to negotiate a PILOT agreement with Renewable Energy Development Partners. This is Phase II, which involves installation and operation of a 1MW-AC solar facility. Phase I was approved at the Spring 2015 Town Meeting. Phase III follows as Article 12. All three phases are situated on abutting parcels located off of Herring Pond Road.

Town of Plymouth
Finance Department

TO: Board of Selectmen and Advisory & Finance Committee
 FROM: Lynne A. Barrett, Director of Finance
 RE: **Article 11 – Solar PILOT**
Phase II – Assessor’s Map 56 Lot 57A
 DATE: September 9, 2015

Article 13 of the Spring 2013 Special Town Meeting authorized the Board of Selectmen to negotiate one or more agreements for payments-in-lieu-of-taxes (PILOT) pursuant to the provisions of M.G.L. Chapter 59, Section 38H(b), and Chapter 164, Section 1 for property relating to renewable energy generation facilities. The town has since entered into several PILOT agreements. Because of the state statute, communities are allowed to tax these facilities through a negotiated PILOT agreement.

This past summer Renewable Energy Development Partners, LLC submitted their required documentation to the Director of Assessing for review for a 1 MWAC Solar Photovoltaic facility to be located on Plymouth Assessor’s Map 56 Lot 57A. This is Phase II of III. Phase I was approved at the 2015 Spring Annual Town Meeting. Please refer to Exhibit A which shows all 3 phases on a locus map.

A PILOT agreement can be beneficial to both the developer and the Town; some of the advantages are but not limited to:

Developer	Town
1. Set stream of payments known at the beginning of the project for cost evaluation or financing.	1. Set stream of payments for tax billing purposes based on an initial evaluation of cost for appraisal versus on an annual basis. Lowers our transaction cost by avoiding a 3 year certification / valuation appraisal.
	2. Because the facility is considered personal property the town could not perfect a lien like we can with real estate if it went unpaid. We would seek remedy under a violation of the contract terms.
	3. Removes the risk of disagreement of the value and potential for requests for abatement.
	4. Negotiated PILOTS with solar developers prompt development of renewable energy in the Town of Plymouth.

By using the income approach to value a rate of \$13,000 per MWAC was the negotiated amount for the PILOT. The term of the agreement will be for 20 years and will include an annual escalator of 2.5%.

A vote of Town Meeting is required to adopt the PILOT agreement. Your consideration and endorsement of this PILOT is appreciated. Thank you for your attention.

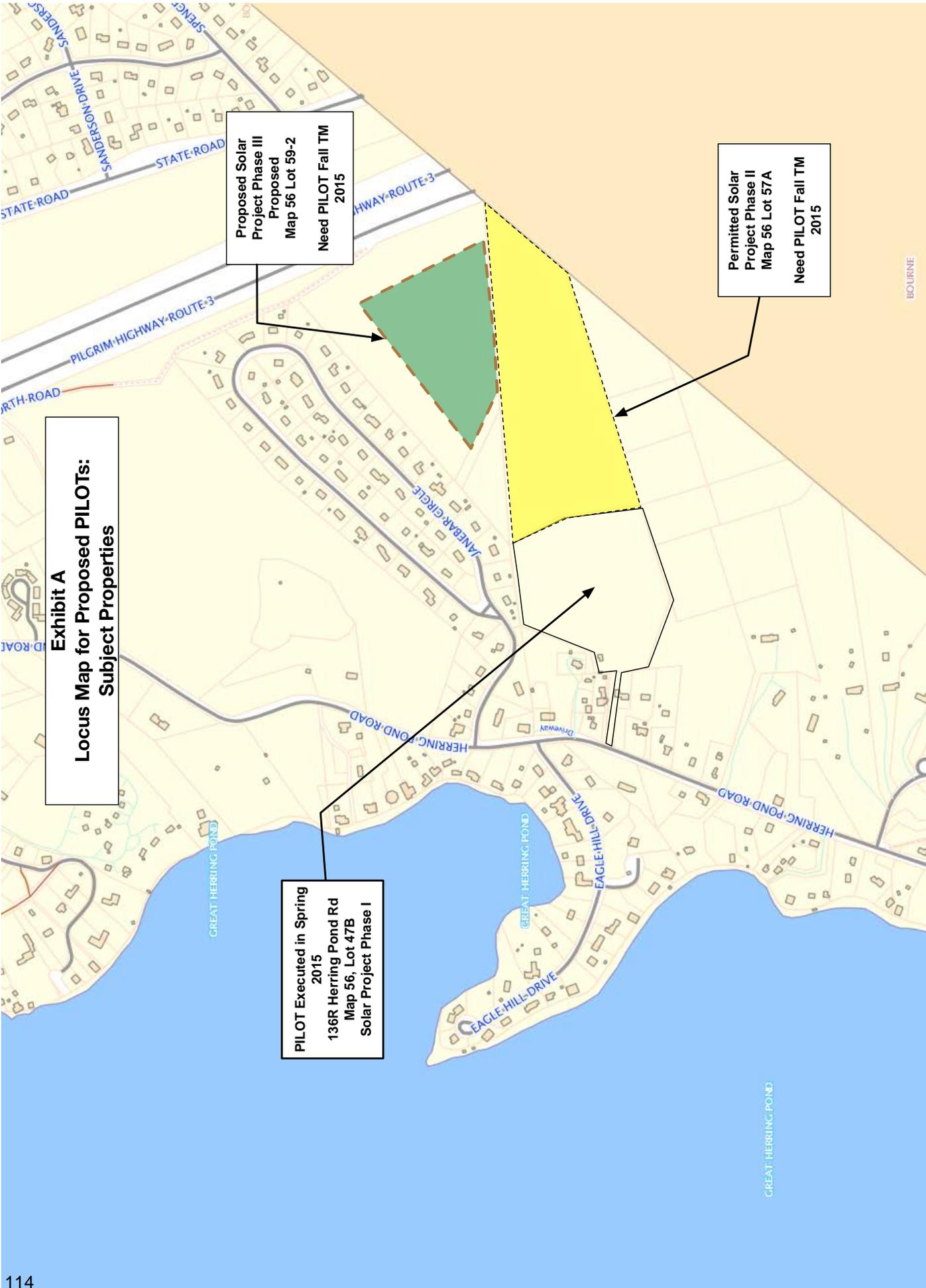


Exhibit A
Locus Map for Proposed PILOTs:
Subject Properties

Proposed Solar Project Phase III
Proposed
Map 56 Lot 59-2
Need PILOT Fall TM 2015

Permitted Solar Project Phase II
Map 56 Lot 57A
Need PILOT Fall TM 2015

PILOT Executed in Spring 2015
136R Herring Pond Rd
Map 56, Lot 47B
Solar Project Phase I

BOURNE

ARTICLE 12:

ARTICLE 12: To see if the Town will vote, pursuant to the provisions of G. L. c.59, §38H, to authorize the Board of Selectmen and Board of Assessors to negotiate and enter into an agreement for payments in lieu-of- taxes (“PILOT”), for a 1 MW –AC (more or less) solar photovoltaic energy generating facility for Renewable Energy Development Partners, LLC (or its affiliates, successors or assigns) to be located on a portion of property currently shown on Plymouth Assessor’s Map 56 Lot 59A, and soon to be known as lot 59-2, as shown on Form A plan number 4526, dated April 15, 2015, upon such terms and conditions as the Board of Selectmen and Board of Assessors shall deem to be in the best interest of the Town, or take any other action relating thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 12. Approval of this article will allow the Town to negotiate a PILOT agreement with Renewable Energy Development Partners. This is Phase III, which involves installation and operation of a 1MW-AC solar facility. Phase I was approved at the Spring 2015 Town Meeting. Phase II is covered in Article 11. All three phases are situated on abutting parcels located off of Herring Pond Road.

Town of Plymouth
Finance Department

TO: Board of Selectmen and Advisory & Finance Committee
 FROM: Lynne A. Barrett, Director of Finance
 RE: **Article 12 – Solar PILOT**
Phase III – Assessor’s Map 56 Lot 59A to be known as Lot 59-2
 DATE: September 9, 2015

Article 13 of the Spring 2013 Special Town Meeting authorized the Board of Selectmen to negotiate one or more agreements for payments-in-lieu-of-taxes (PILOT) pursuant to the provisions of M.G.L. Chapter 59, Section 38H(b), and Chapter 164, Section 1 for property relating to renewable energy generation facilities. The town has since entered into several PILOT agreements. Because of the state statute, communities are allowed to tax these facilities through a negotiated PILOT agreement.

This past summer Renewable Energy Development Partners, LLC submitted their required documentation to the Director of Assessing for review for a 1 MWAC Solar Photovoltaic facility to be located on Plymouth Assessor’s Map 56 Lot 59A, to be known as lot 59-2. This is Phase III of III. Phase I was approved at the 2015 Spring Annual Town Meeting. Please refer to Exhibit A which shows all 3 phases on a locus map.

A PILOT agreement can be beneficial to both the developer and the Town; some of the advantages are but not limited to:

Developer	Town
1. Set stream of payments known at the beginning of the project for cost evaluation or financing.	1. Set stream of payments for tax billing purposes based on an initial evaluation of cost for appraisal versus on an annual basis. Lowers our transaction cost by avoiding a 3 year certification / valuation appraisal.
	2. Because the facility is considered personal property the town could not perfect a lien like we can with real estate if it went unpaid. We would seek remedy under a violation of the contract terms.
	3. Removes the risk of disagreement of the value and potential for requests for abatement.
	4. Negotiated PILOTS with solar developers prompt development of renewable energy in the Town of Plymouth.

By using the income approach to value a rate of \$13,000 per MWAC was the negotiated amount for the PILOT. The term of the agreement will be for 20 years and will include an annual escalator of 2.5%.

A vote of Town Meeting is required to adopt the PILOT agreement. Your consideration and endorsement of this PILOT is appreciated. Thank you for your attention.

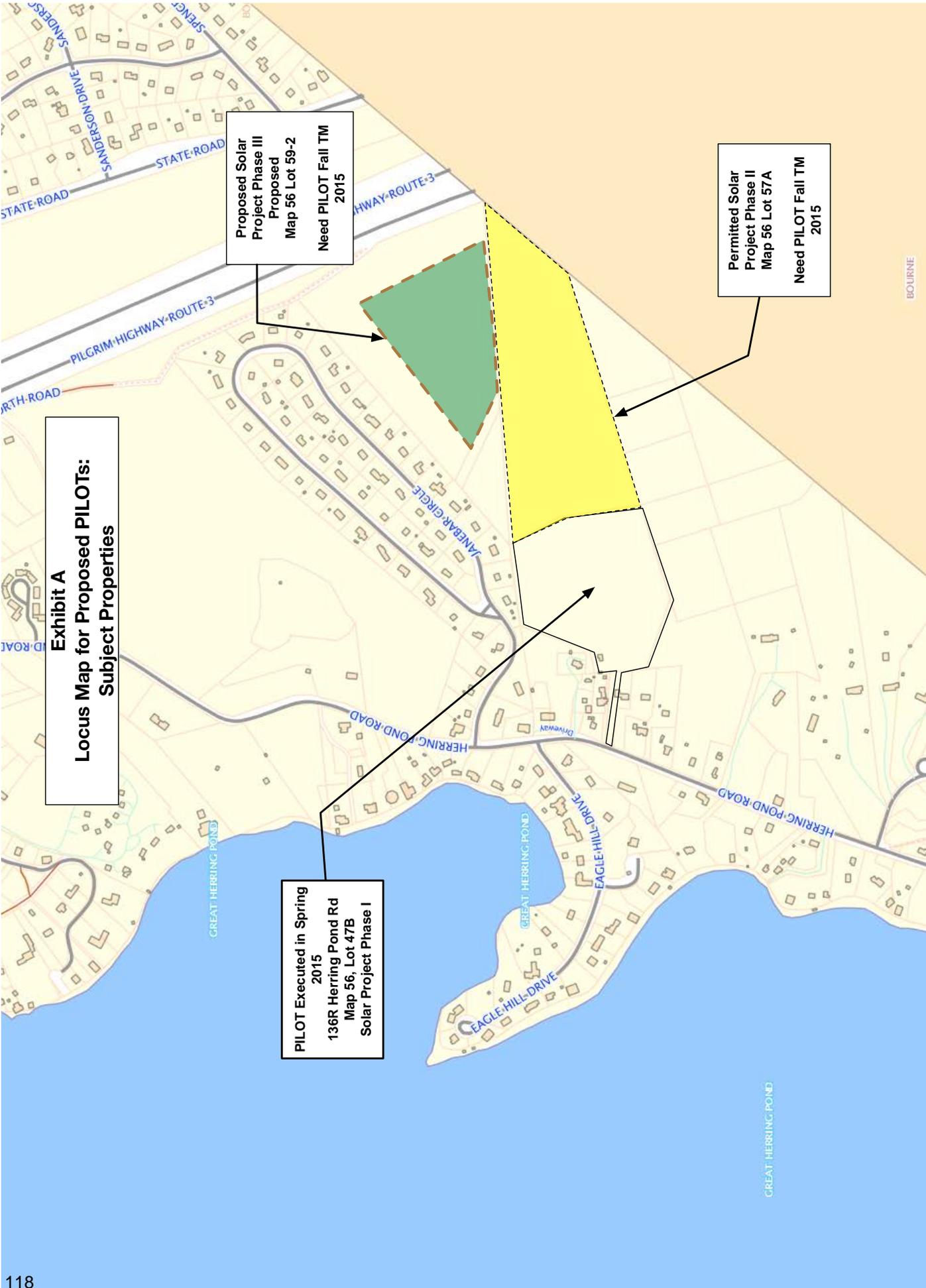


Exhibit A
Locus Map for Proposed PILOTS:
Subject Properties

Proposed Solar
 Project Phase III
 Proposed
 Map 56 Lot 59-2
 Need PILOT Fall TM
 2015

Permitted Solar
 Project Phase II
 Map 56 Lot 57A
 Need PILOT Fall TM
 2015

PILOT Executed in Spring
 2015
 136R Herring Pond Rd
 Map 56, Lot 47B
 Solar Project Phase I

ARTICLE 15:

ARTICLE 15: To see if the Town will vote to transfer the care, custody, management and control of the following parcels of land from the Town Treasurer for the purpose of sale at auction to the Conservation Commission for conservation and open space purposes pursuant to G.L. c. 40, s.8C

<u>Parcel ID</u>	<u>Location</u>
<u>West Plymouth</u>	
106-000-001-310	Off Pimental Way (off S Meadow Rd)
106-000-006A-000	Off Pimental Way (off S Meadow Rd)

Manomet

045-000-036B-008 Bulrush Lane
Or take any other action relative thereto.
CONSERVATION COMMISSION

RECOMMENDATION: Approval (12-1-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 15. Town Meeting approval of this article will transfer the parcels from the Town Treasurer to the Conservation Commission for conservation and open space purposes. The three parcels were taken by the Town through a tax lien proceeding. The parcels comprise a total of nearly 18 acres.

Memorandum

To: Advisory and Finance Committee

From: Evelyn Strawn, Chairperson – Conservation Commission
 Betsy Hall, Chairperson – Open Space Committee
 Richard J. Vacca, JD – Conservation Planner 

Date: September 14, 2015

Re: **ARTICLE 15**

The Conservation Commission, in cooperation with the Open Space Committee seeks to convey three parcels of Tax-Title/Foreclosed land to the Care and Custody of the Conservation Commission, including any easements (utility, drainage, et al.).

To see if the Town will vote to transfer the following parcels from the Town Treasurer to the Conservation Commission for the purpose of maintaining protected Open Space...or take any other action relative thereto.

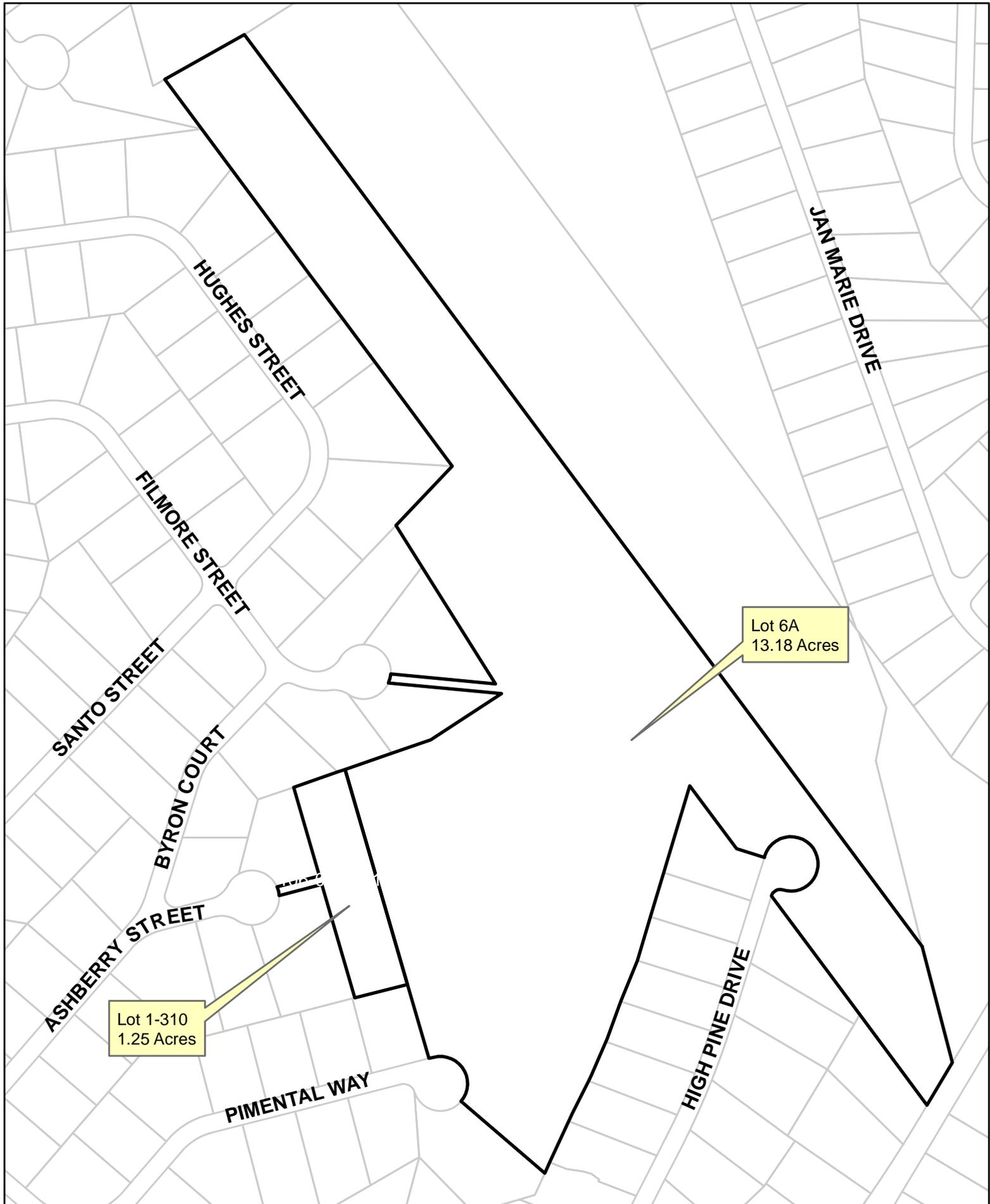
<u>Parcel ID</u>	<u>Size</u>	<u>Location</u>	<u>Yr. of Judgement</u>	<u>Assessment</u>
<u>WEST PLYMOUTH – 2 parcels</u>				
106-000-001-310	1.249 ac	Pimental Way	1980	\$148,800
106-000-006A-000	13.179 ac	Pimental Way	1999	\$128,000
<u>MANOMET – 1 parcel</u>				
045-000-036B-008	3.539 ac	12 Bulrush Lane	2004	\$ 39,800

All properties in Tax Title are vetted by the Assessor prior to being presented to the Open Space Committee or the Conservation Commission. Specifically, Engineering, Marine & Environmental Affairs (MEA), DPW, Planning and Conservation have the opportunity to review the list and provide written comments with respect to the use of the parcels and whether there is an interest in changing

the use. Planning and Conservation and MEA were in concurrence with designating these parcels as open space while Engineering and DPW expressed an interest in acquiring/maintaining the drainage easements on the West Plymouth parcels.

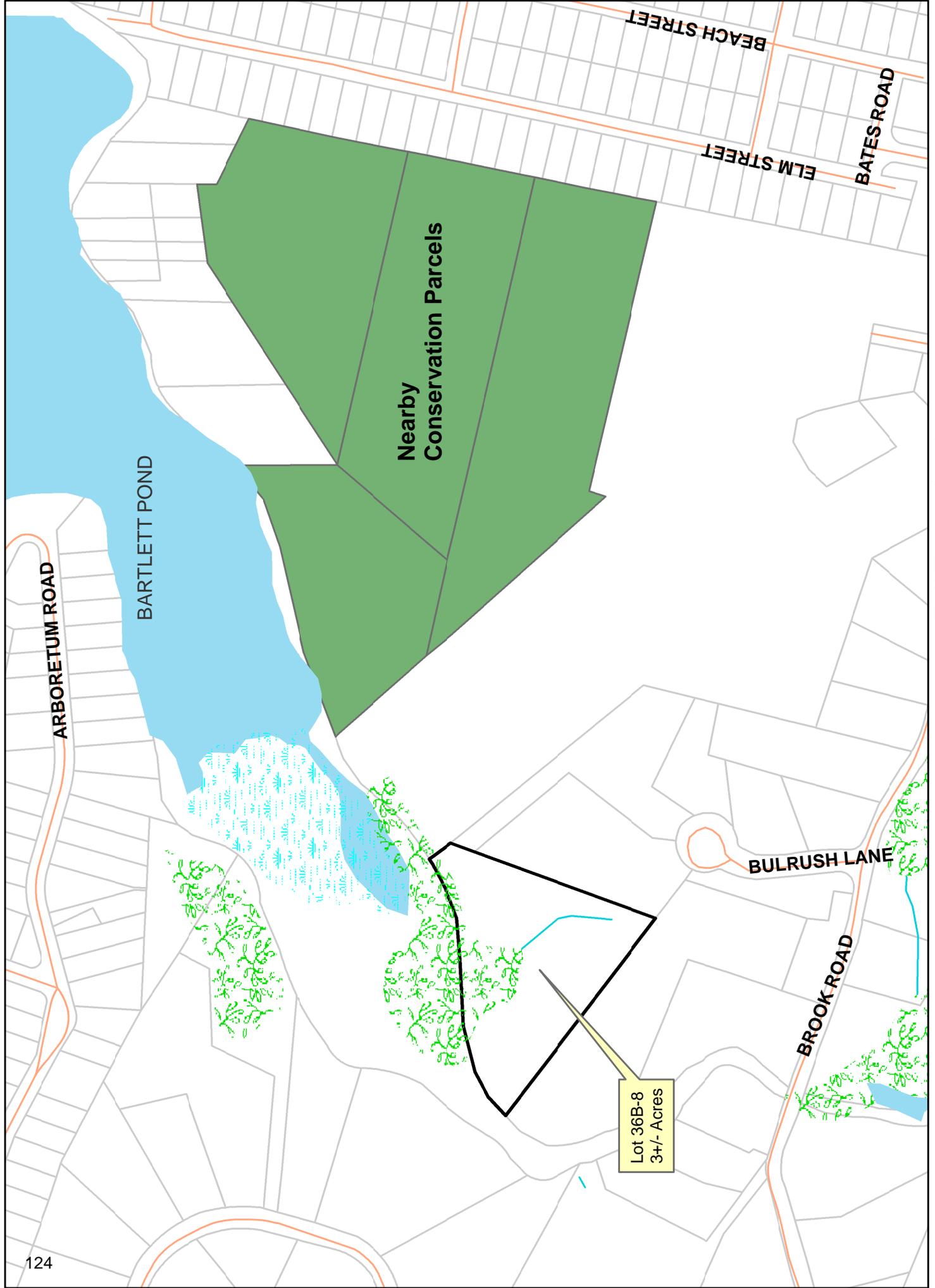
As part of the analysis, the assessed value of these properties was found to be approximately \$300,000.00, which results in taxes to the Town in the amount of approximately \$5,000 per year.

The parcels are not being considered for auction because Bulrush Lane and the larger of the two Pimental Way properties are designated as unbuildable (LUC-132). Both of the West Plymouth parcels are also encumbered by drain and utility easements which impact on the use(s) of the subject properties.

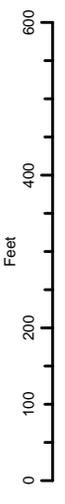


Fall Town Meeting 2015
Tax Title Lots: 106-000-001-310 & 106-000-006A-000





Fall Town Meeting 2015
Tax Title Lot: 045-000-036B-008



ARTICLE 16A:

ARTICLE 16A: To see if the Town will vote to appropriate \$3,420,477, for historic preservation, restoration, and rehabilitation of the Simes House, located at 29 Manomet Point Road, Plymouth, for the 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 as funding therefor to transfer from Community Preservation Fund Balance, or reserves, and/or borrow said total sum pursuant to G.L.c. 44, section 7 or any other enabling authority; to authorize the Board of Selectmen to petition the Massachusetts General Court for exemption from the provisions of G.L. c. 149 for the historic preservation, restoration and rehabilitation of the Simes House, 29 Manomet Point Road; and to authorize the Board of Selectmen to grant an affordable housing restriction to the Department of Housing and Community Development on said units in accordance with G.L. c.44B, Section 12, meeting the requirements of G.L. c.184, sections 31-33, and to authorize the Board of Selectmen in consultation with the Town Manager and the Community Preservation Committee, to enter into an agreement, license, and/or ground lease with a qualified organization to maintain, manage and cover all costs and expenses for the operation of the Simes House, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

RECOMMENDATION: Approval \$3,420,477 (8-2-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 16A. Approval of this Article will authorize the use of Community Preservation Act (CPA) funds to finish the Simes House project. The Community Preservation Committee (CPC) observes that the project is unique in that it combines in a single project all three CPA components: open space, affordable housing, and historic preservation. The CPC has made this project its number one priority. The CPC believes it is able to fund the Simes House effort without compromising on upcoming projects. The CPC also acknowledges that the village of Manomet has not received CPC investment comparable to that provided in other parts of town. The Advisory & Finance Committee agrees that this building is so unique and worth saving, not only for its irreplaceable historic features, its addition of affordable housing units and office space, but also because it offers Manomet a village green and common area where residents can come together for village events.



TOWN OF PLYMOUTH COMMUNITY PRESERVATION COMMITTEE

MEMO

TO: Town Meeting, Board of Selectmen, and the Advisory & Finance Committee
From: The Community Preservation Committee
Date: Friday August 14, 2015
Re: ANNUAL FALL TM 2015: CPA Article 16A

ARTICLE 16A: To see if the Town will vote to appropriate \$3,420,477 or any other sum, for historic preservation, restoration, and rehabilitation of the Simes House, located at 29 Manomet Point Road, Plymouth, MA, the creation of two affordable housing units at the Simes House which until shall be eligible for inclusion on the Town's subsidized housing inventory, 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; to determine whether this appropriation shall be raised by borrowing or otherwise; to authorize the Board of Selectmen to petition the state for special legislation that will exempt the Simes House, 29 Manomet Point Road, from MGL, Chapter 149; and to authorize the Town Manager and Board of Selectmen, in consultation with the Community Preservation Committee, to enter into a ground lease agreement to a qualified organization to maintain, manage and cover all costs for the Simes House; or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

CPC RECOMMENDATION: Approval (unanimous)

The Community Preservation Committee voted unanimously in favor of Article 16A at its meeting held Thursday, July 30, 2015

SUMMARY & INTENT:

The Community Preservation Committee's intention is to utilize the three allowances under the CPA, (Housing, Historical and Open Space/ Recreation) for the restoration, preservation and rehabilitation of the Simes House at 29 Point Road, Manomet MA. The project would include: historical building preservation, restoration and rehabilitation; creation of two affordable rental units; and the creation and preservation of open space for recreation for use as the Manomet Village Green public park or common. The first floor will be renovated to create three multi-purpose public meeting rooms with a commercial kitchen. The first floor will generate an income (renting for private events but free to Town sanctioned committees and boards) that will be dedicated to maintaining the building and grounds. The second floor will be renovated to create two rental spaces (preferably social services office units with shared conference facilities). The second floor income will be designated to maintaining the building and grounds. The third floor would be renovated to create two one-bedroom affordable rental apartments. Upon completion of the renovations the Town Manager and Board of Selectmen, in consultation with the Community Preservation Committee and Antiquarian Society, will consider entering into a ground lease agreement with a qualified organization to operate, care, maintain and make all improvements to the Simes House. The Board of Selectmen will appoint three members for three-year terms to represent Town interest in the investment in the Property. The organization would operate the property with a business plan to generate income through the rental units and rental fees of the multi-purpose space. The revenue would be required to be used to maintain the Simes House, surrounding grounds and pay for the House's maintenance, utilities cost and any capital improvements. Town sanctioned committees would not be charged a fee to meet or hold events at the Simes House, subject to availability.

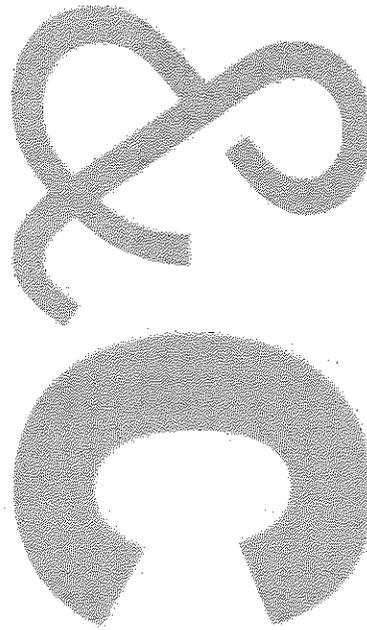
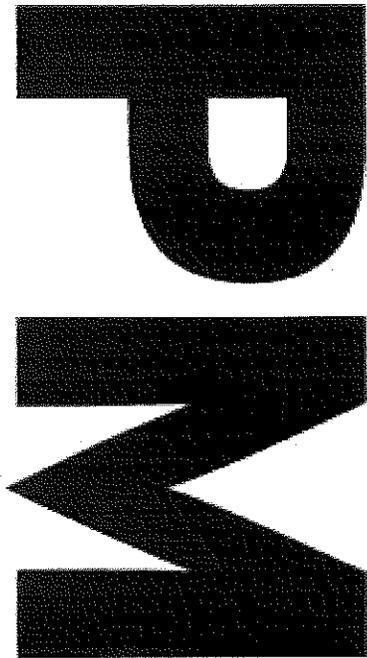
Rental Analysis Form

Property Address
29 Manomet Point Road

Unit Mix					
No of Units	Rooms	Beds	Baths	Monthly Rent	Yrly Rent
1 - Business	3	0	1	\$ 1,590.00	\$ 19,080.00
1 - Business	3	0	1	\$ 1,590.00	\$ 19,080.00
1 - 2 bedroom residential	4	2	1	\$ 960.00	\$ 11,520.00
1 - 1 bedroom residential	3	2	1	\$ 720.00	\$ 8,640.00
Community Room			2	\$ 50.00	\$ 600.00
Basement/Storage		0	0	\$ 50.00	\$ 600.00
Total Rental Income				\$ 4,960.00	\$ 59,520.00
Less Vacancy 10%				\$ 4,464.00	\$ 53,568.00

Annual Operating Expenses	
Real Estate Taxes	N/a
Insurance	\$ 4,500.00
electric	\$ 2,940.00
Water and Sewar	\$ 1,500.00
Snow removal	\$ 1,000.00
Trash removal	\$ 900.00
Landscaping (lawn & gardens)	Under All Business
Gas	n/a
Oil	\$ 2,849.76
Legal	Under All Business
Management Fees	n/a
Advertising	Under All Business
Repairs and Maintenance 10%	\$ 5,356.80
Other	
Total Annual Operating Expenses	\$ 19,046.56

Summary	
Total Annual Income (+)	\$ 53,568.00
Total Annual Operating Expense (-)	\$ 19,046.56
Total Annual debt Service (-)	\$ -
Cash Flow (=)	\$ 34,521.44



Concept Estimate

**Joseph Simes House
Phase 2 Renovation**

Plymouth, MA

PMC LLC
20 Downer Ave
Suite 1C
Hingham
MA 02043
(ph) 781-740-8007
(f) 781-740-1012

August 6, 2015

Simes House Renovation

DRAFT

Budget

8/12/2015

Potential Estimate 08/06/2015

(Based on Design Development Plans of the Simes Foundation w/Alternates not drawn and/or coordinated)

Building Area--GSF:

TOTAL

BUILDING TRADE COST

General Construction - Building Interior (No Exterior Scope of Work to Building)

Conveying Systems - Elevator

Fire Protection

Plumbing

HVAC

Electrical and Fire Alarm

BUILDING RENOVATIONS

SITWORK

\$1,939,033

\$548,219

SUBTOTAL

\$2,487,252

DESIGN AND PRICING CONTINGENCY at 10%

\$0.10

\$248,725

SUBTOTAL

\$2,735,977

GENERAL CONDITIONS @ 7.0%

\$191,518

BONDS @ 1.0%

\$27,360

INSURANCE @ 1.25%

\$34,200

ALL PERMITS - Waived By Town

NIC

BUILDER'S RISK INSURANCE @ 1.00%

\$27,360

OVERHEAD & PROFIT @ 5.0%

\$136,799

ESCALATION - Assumed 12 months @ 4.0%

\$109,439

TOTAL OF ALL CONSTRUCTION

\$3,262,653

TOTAL EST. GENERAL CONTRACTOR'S BID

Bidding Contingency

TOTAL ESTIMATED BID

Construction Contingency 7.5%

\$244,699

HAZARDOUS MATERIALS ABATEMENT Allowance

Allowance

\$50,000

LANDSCAPING Allowance

Allowance

\$75,000

INDIRECT EXPENSES, From Page 2

Design/OPM

\$538,125

TOTAL ESTIMATED PROJECT COST

\$4,170,477

TOTAL PROJECT BUDGET \$750,000

Difference Over / (Under) Budget \$3,420,477

Total Deducts Under Consideration

Total Adds Under Consideration

Resultant Difference Over / (Under) Budget \$3,420,477

Simes House Renovation

DRAFT

Budget

8/12/2015

Potential Estimate 08/06/2015

(Based on Design Development Plans of the Simes Foundation w/Alternates not drawn and/or coordinated)

INDIRECT EXPENSES

Total A/E Basic Services

A/E basic services - To Complete design of Alternates and CA	\$50,000
Furniture & equipment Consultant	NIC
Civil Engineering	\$50,000
Technology Consultant (infrastructure design)	NIC
Food Service Consultant - Allowance	Allowance \$25,000
Survey of existing site conditions (included in CE)	included
Geotechnical investigation	NIC
Wetlands Survey	NIC
Historic Commission approvals	NIC
Cost estimating	\$45,000
Printing bid documents	\$20,000
Estimating - 3 estimates, CM review	Included
Structural testing & inspections	\$20,000
CA services	Included
Hazmat analysis - See below	NIC

Subtotal \$210,000

Additional Services

Geoenvironmental investigation	NIC
Geotechnical monitoring of foundations	NIC
Geoenvironmental monitoring of earthwork	NIC
Materials testing, incl hazmat testing	\$7,500
Property survey	included
Independent structural review	\$5,000
Travel, postage and other reimbursable expenses	\$10,000

Subtotal \$22,500

Additional Services Contingency @ 25% \$5,625

Subtotal \$28,125

Total A/E Fees \$238,125

Other Costs

CM Services	
PM basic services	\$180,000
Clerk of the Works	\$120,000

Total Other Costs \$300,000

TOTAL INDIRECT SERVICES \$538,125



Joseph Simes House
Phase 2 Renovation
Plymouth, MA

06-Aug-15

Concept Estimate

MAIN CONSTRUCTION COST SUMMARY

	Construction Start	Gross Floor Area	\$/sf	Estimated Construction Cost
BUILDING RENOVATIONS		9,080	\$213.55	\$1,939,033
SITework				\$548,219
SUB-TOTAL		9,080	\$273.93	\$2,487,252
DESIGN AND PRICING CONTINGENCY	10%			\$248,725
SUB-TOTAL		9,080	\$301.32	\$2,735,977
GENERAL CONDITIONS	7%			\$191,518
BONDS	1.00%			\$27,360
INSURANCE	1.25%			\$34,200
PERMIT				NIC
OVERHEAD AND PROFIT	5%			\$136,799
ESCALATION - assumed 12 months	4.00%			\$109,439
TOTAL OF ALL CONSTRUCTION		9,080	\$356.31	\$3,235,293
ALTERNATES				
WORK TO FIRST FLOOR			DEDUCT	\$1,708,801
ADD STORM UNITS TO ALL WINDOWS			ADD	\$21,158

December 9, 2010

SIMES HOUSE HISTORY

The title search thus far shows Bartlett LaBaron conveying the property to Clark Johnson in 1797. The farm was conveyed from Clark Johnson to Jacob Johnson and back to Clark Johnson, who in 1857 conveyed the farm to Joseph Simes. Assessor records indicate that a dwelling, barn, live stock and carriages existed when Johnson owned the farm. Joseph Simes, primary residence elsewhere at the time, is first assessed in 1858 for essentially the same property owned by Johnson. In 1863 assessor records reflect a man of considerable means; dwelling worth \$900, barns at \$650, shed, corn crib and henery at \$125, twenty acres of mowing and tillage, and eighty acres of pasture. Belongings included four horses, two cows, two heifers, five swine, two top buggies, two carry alls, two horse carts and farm wagons. The records show Simes held stock shares in the Agricultural Branch, Boston & Lowell and Metropolitan Railroads, the Dwight and Lowell Manufacturing Companies, the Suffolk Five Insurance Company, the Lancaster and Lyman Mills, as well as State Bank and Granite Bank. In 1864 the dwelling assessment shows a dwelling worth \$9,000. Assuming a year's lag for assessment, the Simes house and farm as shown in the 1870 photograph by A. H. Locke appears to have been built in 1863.

Simes was originally from Portsmouth, NH, then Boston, then Manomet, descended from John Simes, who came to Portsmouth from England in 1736, where the family, of which one member has been a mayor of Portsmouth, has always carried a prominent position. In "The Symes Memorial" by Rev. J. Vinton, 1873, "Joseph Sims, a rich tea merchant, of Boston, married the daughter of a Plymouth man...., and "built a fine house in South Plymouth, six miles from the principal village...about 1850 or 1860." Joseph Simes in fact married Mary Johnson, niece of Clark Johnson. They had two children, Emma Cecilia from Mary, not Joseph and George, adopted, born Charles Page. George Simes married Charlotte Crewe-Read and took title to the farm in 1881. Josephine Simes was born to the couple on September 18, 1885. A plan of the Simes Farm was put to record in 1886. At this time the farm consisted of 79 acres, running from "Manomet House Road" easterly to the ocean.

The farm was conveyed to Edward J. Gladding then Frank W. Crocker in 1890. This deed description appears to be the last time the property conveyed as the farm in its entirety. A subdivision plan was drawn for the South Plymouth Land Company by C. H. Holmes in 1890, showing the Simes House on its own six acre lot. In 1892 Harriet E. Crocker conveyed to the South Plymouth Land Company. In 1893 an advertisement appeared in the Plymouth Directory, detailing the perfect sanitary conditions of a twenty room inn, situated on a bluff eighty feet above sea level, commanding a fine view of the ocean, embracing a quarter mile of sandy beach and having six nice bath houses, managed by Mrs. H. A. White. Transportation was most modern, with electric cars from depot to the Hotel Pilgrim and private carriage to the Simes House, "a resort where country and seashore are combined, one of the most attractive locations on the coast." William H. Hawley of Malden purchased the property in a series of transactions from 1900 to 1905. He conveyed the six acre Simes House lot to George B. Emmons in 1906.

Emmons conveyed the house to Abbie L. Punchard in 1907. It was a nursing home known as "Broadview", where Mrs. Wenona Osborne Pinkham of Boston addressed seventy-five people, including Manomet residents, summer visitors and "Plymouth people" on the necessity of equal suffrage, a natural thing for women to vote, as reported in the Old Colony Memorial, July 8, 1914. Punchard conveyed to George R. Barker in 1918, who conveyed to the Boston's Young Men's Christian Union in 1923. The Simes House was operated as a "girls' camp" for the under privileged from Boston, Roxbury and Dorchester. It was known as "Esta Naula" until 1939, when its name was changed to "Camp Bazely", reflecting a substantial donation by a Mr. Bazely. Caretakers for the property during the home's time under the BYMCU were Frank and Alice Bull. Their daughter recalls the Manomet Bluffs beach as their "swimming hole" and the barn being renovated into a recreation hall. She recounts a large garden, one horse and a cow remaining with the farm. The last vestige of the farm's pasture can still be seen behind 32-38 Strand Avenue. It was still mowed for hay up to 2002.

The Simes House was held by the BYMCU under "Permanent Trust" until 1954, when it was conveyed into A. Franklin and Agnes H. Trask, who divided the property into sixteen lots, two of those now comprising the acre remaining with the house. The title subsequent to Trask has yet to be sufficiently explored. In 1987 a lot line adjustment plan was done to eliminate a property line erroneously passing through the house. In 1994 the Public Archaeology Laboratory, Inc. was commissioned by the Massachusetts Historical Commission to conduct an historic study, who determined the locally rare Italianate Second Empire house as possessing sufficient integrity of location, design, materials, workmanship and feeling to be individually eligible for inclusion on the National Register of Historic Places. The Simes House was taken for taxes in 2009. In 2010 the Simes House Foundation was established to save the house and create a village common.

This story has yet to be concluded.

Draft, compiled by R. Parker



Credit to Lee Hartmann, Jim Baker, Will Shain, Veronica Cooper and the Public Archaeology Laboratory for the research reflected herein. This history is subject to revision and expansion as more research is gathered and analyzed. This is a draft document not necessarily entirely correct, but the best available at this time.

ARTICLE 16B:

ARTICLE 16B: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, for open space and recreational purposes pursuant to G.L. c.44B and to accept the deed to the Town of Plymouth, of a fee simple interest or less of land located off Little Herring Pond Road in the Town of Plymouth comprised of 43.6 acres, more or less, shown on Assessors' Map 122, Lot 10P-1022B and Lot 1022A, and further that said land shall be held under the care, custody and control of the Conservation Commission; and as funding therefor to appropriate \$400,000 for the acquisition and other costs associated therewith from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow said total sum which shall be reduced by the amount of any grants received by the Town pursuant to G.L.c.44B, section 11 or G.L. c.44, section 7 or any other enabling authority; and further to authorize the Board of Selectmen to grant a conservation restriction in said property in accordance with G.L.c.44B, section 12 meeting the requirements of G.L. c. 184, sections 31-33; and to authorize appropriate Town officials to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

RECOMMENDATION: Approval \$400,000 (Unanimous, 10-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 16B. Approval of this article will appropriate \$400,000 from the Community Preservation Fund for open space and recreational purposes. These funds will be used to acquire 43.6 acres of open space land providing extensive frontage on Little Herring Pond and Triangle Pond and abutting existing open space at Pickerel Pond Preserve. Acquisition of this property will enhance the land conservation and protection in the Great Herring Pond water shed. It is also partially within several designated priority habitat areas of rare species. This land will be held in the care and control of the Conservation Commission.



TOWN OF PLYMOUTH COMMUNITY PRESERVATION COMMITTEE

MEMO

TO: Town Meeting, Board of Selectmen, and the Advisory & Finance Committee
From: The Community Preservation Committee
Date: Friday, August 14, 2015
Re: ANNUAL FALL TM 2015: CPA Article 16B

ARTICLE 16B: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, for open space and recreational purposes pursuant to G.L. c.44B and to accept the deed to the Town of Plymouth, of a fee simple interest or less of land located off Little Herring Pond Road in the Town of Plymouth comprised of 43.6 acres, more or less, shown on Assessors' Map 122, Lot 10P-1022B and Lot 1022A, said land to be held under the care, custody and control of the Conservation Commission, to appropriate \$400,000 for the acquisition and other costs associated therewith from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow said total sum which shall be reduced by the amount of any grants received by the Town pursuant to G.L.c.44B, section 11 or G.L. c.44, section 7 or any other enabling authority; and further to authorize the Board of Selectmen to grant a conservation restriction in said property in accordance with G.L.c.44B, section 12 meeting the requirements of G.L. c. 184, sections 31-33; and to authorize appropriate Town officials to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; or take any other action relative thereto.

COMMUNITY PRESERVATION

CPC RECOMMENDATION: Approval (unanimous)

The Community Preservation Committee voted unanimously in favor of Article 16B at its meeting held Thursday, July 30, 2015

SUMMARY & INTENT:

The Community Preservation Committee is recommending the purchase of the property abutting west side of Little Herring Pond for the purposes of passive recreational use, the protection of priority habitats of rare species and the protection of the water quality of Little Herring, Carters Brook, Great Herring, Pickerel Pond and the Herring run accessing the Cape Cod Canal. Acquisition of this property will enhance the land conservation and water protection in the Great Herring Pond washer shed. The property provides extensive frontage on and extensive views of two ponds, Little Herring Pond and Triangle Pond, a county road layout accessible from Carters Bridge Road. The property also abuts existing open space at Pickerel Pond Preserve that is situated to the west. The Premises possesses considerable natural resource values. It is partially within several areas designated by the Natural Heritage and Endangered Species Program as important wildlife habitat, including Bio Map 2 "Core Habitat and critical Natural Landscape, and is entirely within Priority Habitats of Rare Species (Eastern Box Turtle, Eastern Pondmussel, Tidewater Mucket and Bridle Shiner. It has extensive frontage on Little Herring Pond a body of water containing "Anadromous Fish Presence" and known to support one of the region's premier herring runs.

**APPLICATION
to the
PLYMOUTH
COMMUNITY PRESERVATION
COMMITTEE**

FEBRUARY, 2015

PROJECT: TWIN PONDS PRESERVATION PROJECT

**LOCATION: PERSEVERANCE PATH/LITTLE
HERRING POND ROAD**

ACREAGE: Approximately 15.7 acres

CURRENT OWNERS:

SP REALTY INVESTMENT CO. LLC
(Assessors Map 122, Parcel 10P-1022B)

PROJECT SUMMARY:

The Wildlands Trust ("WLT") hereby submits an application to the Plymouth Community Preservation Committee, pursuant to the possibility of the Town acquiring a significant tract of open space situated between Little Herring and Triangle Ponds in Southeast Plymouth.

The Premises comprises approximately 15.7 acres of upland woodlands, extensive frontage on and extensive views of two ponds, Little Herring Pond and Triangle Pond, strikingly diverse topography, and access from Little Herring Pond Road, a county road layout accessible from Carters Bridge Road. It is proximate to an existing open space holding, the Wildlands Trust's Pickerel Pond Preserve that is situated to the west.

The Premises possesses considerable natural resource values. It is partially within several areas designated by the Commonwealth of Massachusetts Natural Heritage and Endangered Species Program ("NHESP") as important wildlife habitat, including Bio Map 2 "Core Habitat" and "Critical Natural Landscape", and is entirely within Priority Habitats of Rare Species "PH 1396" and "Estimated Habitats of Rare Wildlife". It has extensive frontage on Little Herring Pond, designated by NHESP as a water body containing "Anadromous Fish Presence" and known to support one of the region's premier herring runs.

The proposed acquisition meets several of the nine "Open Space Goals and Criteria" enumerated in Plymouth's Community Preservation Committee Application, and is consistent with several of the goals and objectives articulated in the current Town of Plymouth Open Space and Recreation Plan.

PROJECT HISTORY:

The current owner acquired the Premises in May 2005. Sometime later that year, the landowner negotiated an agreement with the Plymouth Planning Board that would allow for the construction of up to, but no more than, 10 single-family house lots under the Village Open Space Density by-law ("VOSD"). A copy of a plan depicting this potential subdivision is enclosed herewith as an attachment. Despite the referenced agreement, the landowner deferred further action toward permitting the VOSD project, at least in part due to the recession-induced decline of the real estate market.

In December 2014, a meeting was held to discuss the preparation of this application, and the scope of an appraisal. Attendees at the meeting included Attorney Robert Betters and Engineer Dennis DiPrete, representing the landowner; CPC Chair Bill Keohan and Environmental Technician Kim Tower, representing the Town of Plymouth; consultant Valerie Massard, working on behalf of the CPC; appraiser Eric Reenstierna; and Scott MacFaden, representing Wildlands Trust. All agreed on the goal of coordinating efforts toward submitting this application, obtaining an appraisal, and consummating an agreement that would allow the CPC to advance the proposed acquisition at the upcoming Plymouth Spring Town Meeting in April.

DEVELOPMENT POTENTIAL/PERMITTING STATUS:

The landowner and its representatives have been proceeding through the permitting process for the potential VOSD subdivision, and as of 12/31/14 one public hearing had been held on the project. The most recent meeting was scheduled for January 5, at which time the landowner's representatives were poised to request a continuance.

As regards environmental permitting, NHESP has reviewed the project, and its comment letter is included herewith in the attachments section. It is not known if the landowner and/or their representatives have at any time filed any documents with the Plymouth Conservation Commission.

APPRAISAL:

Cambridge-based appraiser Eric Reenstierna has been engaged by the landowner and the CPC to prepare an appraisal of the subject property. The anticipated delivery date for the appraisal was sometime in January.

ACQUISITION PLAN:

Assuming agreement is reached on a sales price, the project should be poised to advance to Spring Town Meeting for approval in April 2015. The Town could potentially close on the land within a month after Town Meeting, pending the satisfactory completion of standard due diligence.

LANDSCAPE FEATURES/NATURAL RESOURCES SUMMARY:

The Premises comprises a ridgeline that is the boundary between Little Herring and Triangle Ponds, and includes extensive frontage on both water bodies. The site's topography is quite variable. Slopes range between 3% all the way to 50%, with the highest elevation of approximately 90' found in the center of the property.

The Premises are almost entirely wooded. It is partially or entirely within multiple areas designated as ecologically significant by the Commonwealth of Massachusetts Natural Heritage and Endangered Species Program ("NHESP"), including:

- Partially within Bio Map 2 "Core Habitat" and "Critical Natural Landscape"
- Entirely within Priority Habitats of Rare Species "PH 1396" and "Estimated Habitats of Rare Wildlife"
- Species responsible for the above designations are the Eastern Box Turtle, Eastern Pondmussel, Tidewater Mucket, and Bridle Shiner
- Has frontage on Little Herring Pond, identified as including "Anadromous Fish Presence"

LANDSCAPE CONTEXT:

The Premises literally comprises most of the landscape boundary between Little Herring and Triangle Ponds. Wildlands Trust's Pickerel Pond Preserve is situated not far to the west. Single-family residential development lies to the north and southeast. The northern edge of Great Herring Pond is approximately 1/3 of a mile to the south.

IMPROVEMENTS/ACCESS:

The subject property includes no improvements. It is accessed from the south via Little Herring Pond Road, a Plymouth County Right of Way which at present is an unimproved narrow dirt road.

LONG-TERM MANAGEMENT PROGNOSIS:

The most likely users of the site will be residents of adjacent neighborhoods who live within walking distance, and who will enjoy passive recreational uses typical for such properties, including hiking and nature study. Uses such as these typically do not require much in the way of improvements, and therefore, it is not anticipated that the Town's acquisition of the Premises would impose any significant management or stewardship obligations.

There could be a significant, and possibly beneficial, caveat to the above. A portion of the site has apparently been used on an informal basis for launching kayaks and canoes on Little Herring Pond. It is not known as of the date of this application whether it would be feasible for the Town to improve this launch site should it acquire the property. However, given the relative paucity of quality access sites to many of Plymouth's great ponds, it is recommended that the Town at least evaluate the possibility of creating a formal launch site in the event it acquires the Premises.

OTHER:

The Town of Plymouth's assessors records indicate that the landowner also owns an adjacent 3.6-acre parcel. However, said parcel is not offered for sale at this time due to a title issue, and the actions that may be required to correct the title issue are not known. Should the Town acquire the larger parcel, consideration should be afforded to assessing the possibility of acquiring this smaller parcel, provided the title defects are correctable. It is known that local residents have been in the practice of storing kayaks and canoes on this smaller parcel.

ALIGNMENT WITH COMMUNITY PRESERVATION ACT GOALS FOR OPEN SPACE

GOAL 1: *Preserve Plymouth's Rural Character.* The Premises' wooded and undeveloped character provides an aesthetic counterpoint to adjacent residential development.

GOAL 2: *Protect rare, unique, and endangered plant and wildlife habitat.* The Premises lie partially or entirely within several NHESP-designated areas of ecological significance, including

Bio Map 2 "Core Habitat" and "Critical Natural Landscape", "Priority Habitats of Rare Species PH 1396" and "Estimated Habitats of Rare Wildlife", and have frontage on Little Herring Pond, identified by NHESP as including "Anadromous Fish Presence".

GOAL 5: *Balance open space with development demand to reduce service demands and tax burden on town.* The Town's acquisition of the Premises would preclude its conversion to a housing development, thereby obviating the need for large expenditures on road improvements, schools, and other infrastructural investments that would potentially strain town budgets.

GOAL 7: *Improve public access and trail linkages to existing conservation, recreational and other land uses.* The Premises includes woods roads that can easily transition to serving as walking paths. Also, as indicated elsewhere herein, a portion of the site has been used on an informal basis, but apparently without the landowner's permission, for kayak and canoe access to Little Herring Pond. The Town's acquisition of the Premises would secure public ownership of the site, and allow for the potential of establishing a formal access site to the pond.

OTHER SUPPORTING INFORMATION: The proposed acquisition would be consistent with several of the goals and objectives enumerated in the updated 2009 Town of Plymouth Open Space and Recreation Plan, including:

Section VIII, GOALS & OBJECTIVES, pp. 100-102:

Recreation

- *Goal: "Improve the availability and maintenance of recreation areas throughout Plymouth.* The Town's acquisition of the Premises would secure a site that is already used by local residents for a variety of passive recreational pursuits, including water access.

Maintenance of Biodiversity and Wildlife Habitat

- *Goal: "Maintain the biodiversity and wildlife habitat in Plymouth."*
- *Objective: "Work with non-profit conservation organizations to identify, protect, and manage lands of significant ecological habitat value, including an overall assessment of priority areas".* WLT, a nonprofit conservation organization, is helping to facilitate this project that will preserve wildlife habitat identified as significant by the Commonwealth of Massachusetts.

Scenic Views

- *Goal: "Maintain the existing scenic views in Plymouth that give Plymouth a distinctive sense of place."*
- *Objective: "Protect lands with distinctive landscapes".* The Premises includes the entirety of the landmass serving as the boundary between two ponds, and provides scenic views of both water bodies from its higher elevations.

**AN APPRAISAL REPORT
OF A 19.6-ACRE PARCEL OF VACANT LAND**

**LITTLE HERRING POND ROAD
PLYMOUTH, MASSACHUSETTS**

EFFECTIVE JANUARY 15, 2015

CLIENTS:

**TOWN OF PLYMOUTH
11 LINCOLN STREET
PLYMOUTH, MA 02360**

**ROBERT BETTERS, ESQ.
WITHINGTON & BETTERS
15 CASWELL LANE
PLYMOUTH, MA 02360**

APPRAISER:

ERIC T. REENSTIERNA, MAI

**OF
ERIC REENSTIERNA ASSOCIATES LLC**
Real Estate Appraisers and Consultants

ERIC REENSTIERNA ASSOCIATES LLC

Real Estate Appraisers and Consultants

24 Thorndike Street, Cambridge, MA 02141

617-577-0096

March 20, 2015

Mr. William Keohan
Town of Plymouth
Community Preservation Committee
11 Lincoln Street
Plymouth, MA 02360

Robert C. Betters, Esq.
Withington and Betters
15 Caswell Lane
Plymouth, MA 02360

Dear Messrs. Keohan and Betters,

In accordance with your request, I have made an analysis of a 19.6-acre parcel of vacant land at Little Herring Pond Road, Plymouth, Massachusetts, for the purpose of estimating the Market Value of the Fee Simple Estate in the property, "as is," as of January 15, 2015.

This letter is introductory to an Appraisal Report, intended to comply with the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation and the Code of Professional Ethics and the Standards of Professional Practice of the Appraisal Institute. The subject property, comparable market data, and analyses are described in full in the text and other explanatory materials that follow. Extraordinary assumptions, hypothetical conditions, and any instructions of the client are described in full, as well. The analysis presented here applies the Sales Comparison Approach to Value, using a Subdivision Approach method. This letter is part of the larger document and, to be properly understood, must remain attached.

On the basis of the analyses presented here, it is my opinion that the Market Value of the Fee Simple Estate in the subject property, "as is," expressed as cash to the seller in a hypothetical transfer, as of January 15, 2015 is Eight Hundred Thirty Thousand U.S. Dollars (\$830,000.).

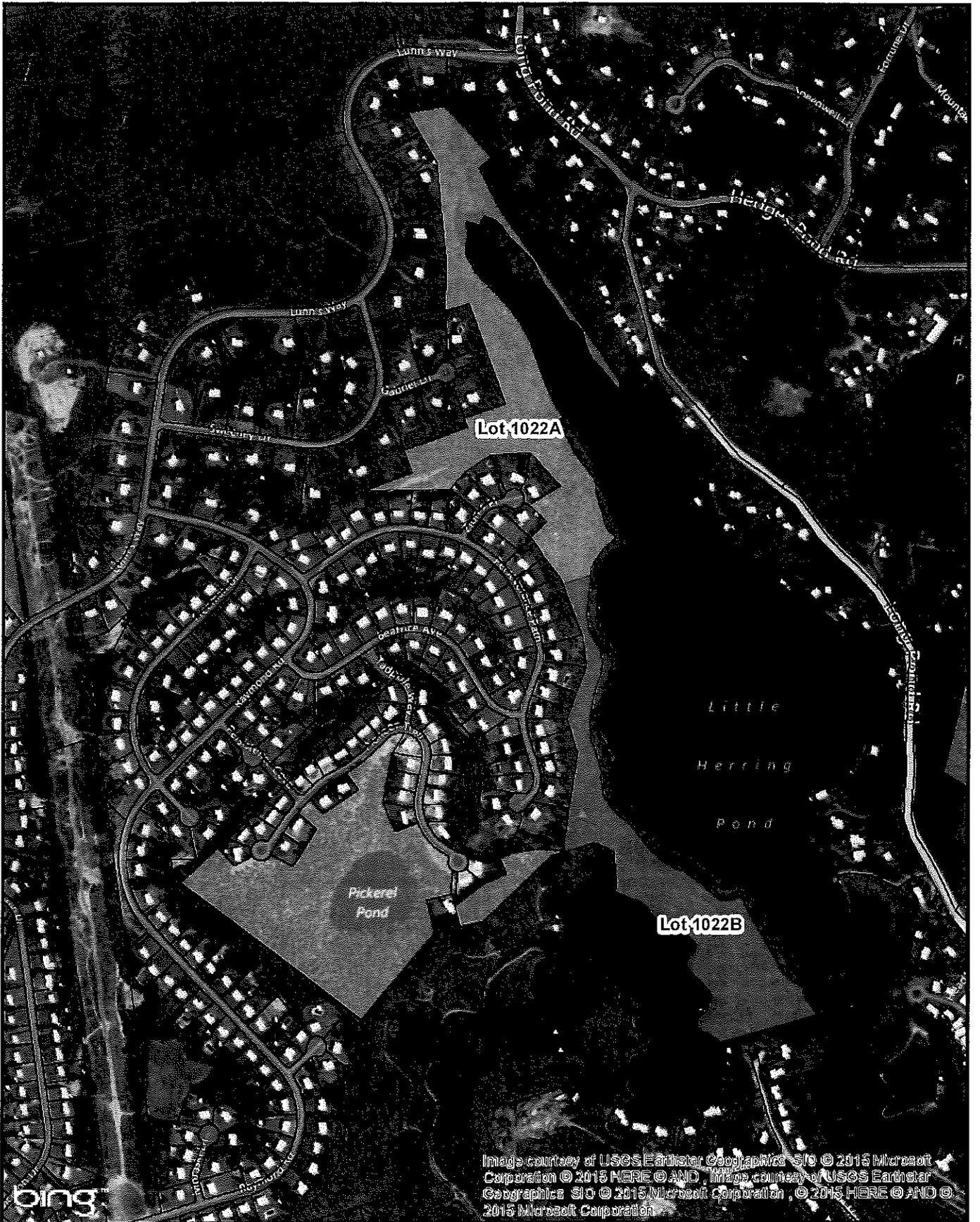
The estimated exposure time and marketing time are both twelve months.

If I may be of further service to you, please call me.

Sincerely,



Eric T. Reenstierna, MAI
Mass. Cert. General R.E. Appraiser #343



0 0.075 0.15 0.3 Miles



ARTICLE 17:

ARTICLE 17: To see if the Town will vote to adopt a new General Bylaw, Section 173-13 Town Meeting Charter Conflict of Interest Procedure, as follows:

Section 173-13. Town Meeting Charter Conflict of Interest Procedure

- A. Notice of Conflict of Interest. Pursuant to Chapter 2, Section 2-10-1 of the Town Charter, the written notice to the Town Clerk of articles or budget line items on which a Town Meeting Member (“Member”) is prohibited from voting by Charter Section 2-10-1 or by Section 2-10-2, due to an interest identified therein, shall be made no later than 21 days prior to the first session of the town meeting the warrant for which contains the relevant article or line item, or, forthwith in advance of said meeting upon the Member’s first discovery of the interest giving rise to the prohibition, if the date of discovery of such a prohibited interest is later than 21 days in advance of the meeting.
- B. Publication of Notice of Conflict of Interest. The Town Clerk shall maintain a list of every Notice of Conflict of Interest received pursuant to Section A above. Said List will be made available at every session of town meeting. Said List to be published in the official minutes of town meeting.
- C. Challenge. In a case where no Notice of Conflict of Interest has been filed in advance of a meeting and where it appears to a Member that Charter Section 2-10-1 and/or 2-10-2 prohibits voting by another Member on a particular article or line item, the following procedure shall apply:
1. No later than 5 days in advance of the meeting, a member may file a challenge in writing with the Town Clerk prior to the session where the article or line item is scheduled to be voted, stating that a particular Member is prohibited by Charter Section 2-10-1 and/or Section 2-10-2 from voting on a particular article or line item. The Town Clerk shall forward forthwith a copy of the challenge to the subject of the challenge.
 2. The Town Clerk shall keep every Challenge received pursuant to Section C1 above. Said List shall be made available at every session of town meeting.
 3. There shall be no debate upon said challenge or the response of the Member to whom it is directed and deliberation and voting on the article or the line item shall thereafter proceed in the normal fashion.

RECOMMENDATION: Not Approved (2-7-1)

The Advisory & Finance Committee recommends Town Meeting NOT approve Article 17. Article 17 proposes adding a new General Bylaw, Town Meeting Charter Conflict of Interest Procedure. The committee believes this bylaw contains too many holes, such as not explaining the opportunity to respond to an accusation, the ability to withdraw an accusation, whether both the accusation and response are kept on file, among others. The general consensus was that this bylaw would change the tone of Town Meeting to a negative and accusatory tone. Instead, with the requirement of a roll call vote for every warrant article, as Article 20 proposes, and the use of electronic voting, every Town Meeting member's vote on every article will be made public. This will permit residents to review the voting records of their representatives and to alter support based on that voting record at re-election time, if they so choose.

ARTICLE 17:

To see if the Town will vote to adopt a new General Bylaw, Section 173-13 Town Meeting Charter Conflict of Interest Procedure, as follows:

Section 173-13. Town Meeting Charter Conflict of Interest Procedure

- A. Notice of Conflict of Interest. Pursuant to Chapter 2, Section 2-10-1 of the Town Charter, the written notice to the Town Clerk of articles or budget line items on which a Town Meeting Member (“Member”) is prohibited from voting by Charter Section 2-10-1 or by Section 2-10-2, due to an interest identified therein, shall be made no later than 21 days prior to the first session of the town meeting the warrant for which contains the relevant article or line item, or, forthwith in advance of said meeting upon the Member’s first discovery of the interest giving rise to the prohibition, if the date of discovery of such a prohibited interest is later than 21 days in advance of the meeting.
- B. Publication of Notice of Conflict of Interest. The Town Clerk shall maintain a list of every Notice of Conflict of Interest received pursuant to Section A above. Said List will be made available at every session of town meeting. Said List to be published in the official minutes of town meeting.
- C. Challenge. In a case where no Notice of Conflict of Interest has been filed in advance of a meeting and where it appears to a Member that Charter Section 2-10-1 and/or 2-10-2 prohibits voting by another Member on a particular article or line item, the following procedure shall apply:
1. No later than 5 days in advance of the meeting, a member may file a challenge in writing with the Town Clerk prior to the session where the article or line item is scheduled to be voted, stating that a particular Member is prohibited by Charter Section 2-10-1 and/or Section 2-10-2 from voting on a particular article or line item. The Town Clerk shall forward forthwith a copy of the challenge to the subject of the challenge.
 2. The Town Clerk shall keep every Challenge received pursuant to Section C1 above. Said List shall be made available at every session of town meeting.
 3. There shall be no debate upon said challenge or the response of the Member to whom it is directed and deliberation and voting on the article or the line item shall thereafter proceed in the normal fashion.

COMMITTEE OF PRECINCT CHAIRS

ARTICLE 18:

ARTICLE 18: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Delete in its entirety, Chapter 2, Section 10, 10-1, 10-2, and 10-3, of the Town Charter as follows:

~~Chapter 2: Section 10 Conflict of Interest~~

~~2-10-1 Notwithstanding any general or special law to the contrary, any representative town meeting member who also holds a position of employment by the town shall be prohibited from voting on any town meeting article in which such employee, or such employee's department, has a financial interest. Such representative town meeting member shall notify the Town Clerk, in writing, prior to the representative town meeting session or during such session at such time as such member becomes so aware, as to any articles giving rise to such financial interest. This section shall apply to the annual budget article, or any later amendment thereto, as follows: The representative town meeting member is prohibited from voting on the budget line item for his or her department or agency, but shall not be prohibited from voting on any other line item, or from voting on the overall budget appropriation. 7~~

~~2-10-2 Notwithstanding any general or special law to the contrary, no representative town meeting member shall vote on any town meeting article in which an immediate family member, or any business or organization in which the representative town meeting member serves as an officer, director, partner, or employee, or has a financial interest.~~

~~For purposes of this section, "immediate family member" shall be defined as the representative town meeting member, his or her spouse and each of their parents, children, brothers, and sisters. Any such representative town meeting member shall notify the Town Clerk, in writing prior to the representative town meeting session, as to any articles giving rise to such financial interest.~~

~~2-10-3 For the purposes of Section 10 of Chapter 2 of this Charter, the "financial interest" of a representative town meeting member shall be determined pursuant to the interpretation of the term "financial interest" by the State Ethics Commission and applicable reported appellate court decisions, which are hereby incorporated by reference.~~

~~The "financial interest" of a department shall be defined as any particular warrant article and related motions or votes which specifically refer to said department.~~

~~Or take any other action relative thereto.~~

CHARTER REVIEW COMMITTEE

RECOMMENDATION: Not Approved (6-7-0)

The Advisory & Finance Committee recommends Town Meeting NOT approve Article 18. Article 18 proposes to delete the entire Conflict of Interest section from the Charter. The majority of the Committee believes the Conflict of Interest provision in the Charter should be retained. This provision, added to the Town's Charter in 1999, does not provide an enforcement mechanism but the Committee believes it is useful in establishing a behavioral expectation for Town Meeting members. Retaining this Charter provision demonstrates that Conflict of Interest is a subject of importance within Plymouth and worthy of thoughtful reflection by all participants in Town government.

ARTICLE 18:

To see if the Town will vote to delete in its entirety, Chapter 2, Section 10, 10-1, 10-2, and 10-3, of the Town Charter as follows:

Chapter 2: ~~Section 10 Conflict of Interest~~

~~2-10-1 Notwithstanding any general or special law to the contrary, any representative town meeting member who also holds a position of employment by the town shall be prohibited from voting on any town meeting article in which such employee, or such employee's department, has a financial interest. Such representative town meeting member shall notify the Town Clerk, in writing, prior to the representative town meeting session or during such session at such time as such member becomes so aware, as to any articles giving rise to such financial interest. This section shall apply to the annual budget article, or any later amendment thereto, as follows: The representative town meeting member is prohibited from voting on the budget line item for his or her department or agency, but shall not be prohibited from voting on any other line item, or from voting on the overall budget appropriation.~~

~~7~~

~~2-10-2 Notwithstanding any general or special law to the contrary, no representative town meeting member shall vote on any town meeting article in which an immediate family member, or any business or organization in which the representative town meeting member serves as an officer, director, partner, or employee, or has a financial interest. For purposes of this section, "immediate family member" shall be defined as the representative town meeting member, his or her spouse and each of their parents, children, brothers, and sisters. Any such representative town meeting member shall notify the Town Clerk, in writing prior to the representative town meeting session, as to any articles giving rise to such financial interest.~~

~~2-10-3 For the purposes of Section 10 of Chapter 2 of this Charter, the "financial interest" of a representative town meeting member shall be determined pursuant to the~~

Plymouth Charter Review Committee 2015

~~interpretation of the term "financial interest" by the State Ethics Commission and applicable reported appellate court decisions, which are hereby incorporated by reference. The "financial interest" of a department shall be defined as any particular warrant article and related motions or votes which specifically refer to said department.~~

The Committee voted 7-2 to recommend that town meeting delete the section in its entirety.

There is existing Massachusetts law governing the conduct of town meeting representatives with respect to conflict of interest.

The current charter sections appear redundant in relation to state law, questionable enforcement provisions, and confusing to many representatives.

The consensus among the seven committee members who voted to remove this section (from the Charter) is this matter belongs before town meeting, and the representatives should vote on this section.

The committee recommends a roll call vote, recorded and published.

CHARTER REVIEW COMMITTEE 2015

- Tom Baratka
- Tiffany Cessero
- Tim Grandy
- Karen Keane, Committee Clerk
- Mike Lincoln, Committee Chair
- Douglas O'Roak, Committee Vice Chair
- Anita M. Rocheteau
- Craig Sander
- Scott Stephenson

ARTICLE 19:

ARTICLE 19: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Amend Chapter 3, Section 6, of the Town Charter as follows:

3-6-1 The Director of the Department of Public Works shall be appointed by the Town Manager. ~~and shall be a civil engineer or any other combination of experience and education including a Masters Degree in a related field.~~ The Director of the Department of Public Works shall be qualified by education and experience *including a Master's Degree in a related field* for the duties of the office,

Or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

RECOMMENDATION: Approval (Unanimous, 13-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 19. Approval of this article will remove the requirement that the DPW Director be a Civil Engineer. While this requirement may have served the Town well in the past, the Town now has several engineers on staff to meet its needs and the requirement appears to be obsolete for a town the size of Plymouth. The change will allow the Town Manger to appoint an individual with management and/or project management experience that are of greater importance for this position as Plymouth grows.

ARTICLE 19:

To see if the Town will vote to amend Chapter 3, Section 6, of the Town Charter as follows:

3-6-1 The Director of the Department of Public Works shall be appointed by the Town Manager. ~~and shall be a civil engineer or any other combination of experience and education including a Masters Degree in a related field.~~ The Director of the Department of Public Works shall be qualified by education and experience *including a Master's Degree in a related field* for the duties of the office.

This may be an obsolete requirement, presently the town has several engineers on staff.

The change will allow the Town Manager to appoint an individual with management and or project management experience. A person with experience overseeing multiple projects and delivering them to completion.

CHARTER REVIEW COMMITTEE 2015

- Tom Baratka
- Tiffany Cessero
- Tim Grandy
- Karen Keane, Committee Clerk
- Mike Lincoln, Committee Chair
- Douglas O'Roak, Committee Vice Chair
- Anita M. Rocheteau
- Craig Sander
- Scott Stephenson

ARTICLE 20:

ARTICLE 20: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Amend Chapter 2, Section 4-6, of the Town Charter as follows:

Chapter 2-4-6

~~Except in the case of a unanimous voice vote as declared by the Moderator,~~ a. A roll call vote shall be required for all final main motions *on every warrant article and on any matters* with respect to the following subject matters: adoption or amendment of zoning by-laws; adoption or amendment of general by-laws; and fiscal matters which are defined as any appropriation, borrowing, fund transfer, or the creation of or re-authorization of such enterprise or revolving funds as may be authorized by state law, provided, however, that in the event of a vote which the Moderator determines to be near unanimous, the Moderator may elect to take a roll call of only those voting in the minority,
Or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

RECOMMENDATION: Approval (Unanimous, 13-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 20. Approval of this article will require the use of roll call vote for every warrant article and additional subject matters as listed in the warrant article language. Since Town Meeting votes are recorded electronically, this requirement for roll call votes is readily implementable and would not affect the efficiency of Town Meeting proceedings. Roll call votes will bring greater transparency and accountability to Town Meeting actions, as the roll call votes become permanent public record.

ARTICLE 20:

To see if the Town will vote to amend Chapter 2, Section 4-6, of the Town Charter as follows:

Chapter 2-4-6

~~Except in the case of a unanimous voice vote as declared by the Moderator, a.~~ A roll call vote shall be required for all final main motions *on every warrant article and on any* matters with respect to the following subject matters: adoption or amendment of zoning by-laws; adoption or amendment of general by-laws; and fiscal matters which are defined as any appropriation, borrowing, fund transfer, or the creation of or re-authorization of such enterprise or revolving funds as may be authorized by state law, provided, however, that in the event of a vote which the Moderator determines to be near unanimous, the Moderator may elect to take a roll call of only those voting in the minority.

The intent of this change is to simply require that a roll call vote be taken for every warrant article that comes before Town Meeting.

This article does not stipulate electronic voting, but as with recent Town Meetings, an electronic vote can be used as a roll call. However, if electronic voting becomes unavailable, this change will require a traditional roll call.

This article does not require roll call voting for any procedural votes, such as a motion to adjourn, a motion to take articles out of order, a motion to call the vote, a motion to extend time, a motion to amend, etc.

This change comes at the request of those who asked for more accountability from Town Meeting members, as the roll call votes will become a permanent record for how each member votes on each article and will be recorded in the minutes.

CHARTER REVIEW COMMITTEE 2015

- Tom Baratka
- Tiffany Cessero
- Tim Grandy
- Karen Keane, Committee Clerk
- Mike Lincoln, Committee Chair
- Douglas O'Roak, Committee Vice Chair
- Anita M. Rocheteau
- Craig Sander
- Scott Stephenson

ARTICLE 21:

ARTICLE 21: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Delete Chapter 3, Section 11, in its entirety, of the Town Charter as follows:

~~Section 11 Development and Industrial Commission 3-11-1 The Town Manager shall appoint a Development and Industrial Commission of nine (9) members for five year (5) overlapping terms. 3-11-2 The Commission shall exercise such powers and duties as prescribed by general law, this Charter, and town by laws. Section 12 Zoning Board of Appeals~~

Or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

RECOMMENDATION: Approval (Unanimous, 13-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 21. Approval of this article removes the Development and Industrial Commission section of the Charter. This should be done since the Development and Industrial Commission no longer exists.

ARTICLE 21:

To see if the Town will vote to delete Chapter 3, Section 11, in its entirety, of the Town Charter as follows:

~~Section 11 Development and Industrial Commission 3-11-1 The Town Manager shall appoint a Development and Industrial Commission of nine (9) members for five-year (5) overlapping terms. 3-11-2 The Commission shall exercise such powers and duties as prescribed by general law, this Charter, and town by laws. Section 12 Zoning Board of Appeals~~

The Development and Industrial Commission no longer exists. Therefore it should be removed from the Charter.

CHARTER REVIEW COMMITTEE 2015

- Tom Baratka
- Tiffany Cessero
- Tim Grandy
- Karen Keane, Committee Clerk
- Mike Lincoln, Committee Chair
- Douglas O'Roak, Committee Vice Chair
- Anita M. Rocheteau
- Craig Sander
- Scott Stephenson

ARTICLE 22:

ARTICLE 22: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Amend Chapter 5-1-1 of the Town Charter as follows: The regular election for all town offices shall be by official ballot held on the ~~second~~ **third** Saturday of May of each year.

Or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

RECOMMENDATION: Approval (12-1-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 22. Approval of this article will move the Spring Town election from the second Saturday to the third Saturday of May. This avoids holding elections during Mother's Day weekend and may result in increased voter turnout.

ARTICLE 22:

To see if the Town will vote to amend Chapter 5-1-1 of the Town Charter as follows: The regular election for all town offices shall be by official ballot held on the ~~second~~ *third* Saturday of May of each year.

Approval of this article will simply move the annual town election from the second to the third Saturday in May.

The intent of the article is to increase voter turnout by not conflicting with Mother's Day or Memorial Day weekends.

This change will continue to keep the election after Spring Town Meeting, but well before the start of the July 1 fiscal year.

CHARTER REVIEW COMMITTEE 2015

- Tom Baratka
- Tiffany Cessero
- Tim Grandy
- Karen Keane, Committee Clerk
- Mike Lincoln, Committee Chair
- Douglas O'Roak, Committee Vice Chair
- Anita M. Rocheteau
- Craig Sander
- Scott Stephenson

ARTICLE 24:

ARTICLE 24: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Amend Chapter 3-12-1 by deleting the existing section and adding a new Chapter 3-12-1 as follows:

Section 3-12-1 Zoning Board of Appeals

(a) Composition, Term of Office. There shall be a zoning board of appeals composed of five members elected for terms of 5 years each with their terms consisting of 5 overlapping terms, such that one term expires each year. There may be 3 associate members of the zoning board of appeals appointed jointly by the Board of Selectmen and Zoning Board of Appeals. The terms for the three associate members shall be for 3 year overlapping terms, such that one term expires each year.

(b) Powers and Duties.

The Board of Appeals shall have and exercise all the powers granted to it by G.L. c. 40A, 40B, 41, and by this chapter. The Boards powers are as follows:

(1) To hear and decide applications for special permits. Unless otherwise specified in the Zoning Bylaw, the Board of Appeals shall serve as the special permit granting authority, to act in all matters in accordance with the provisions of G.L. c. 40A, Section 9 and the Zoning Bylaw.

(2) To hear and decide appeals or petitions for variances from the terms of the Zoning Bylaw, with respect to particular land and structures, to act in all matters in accordance with the provisions of G.L. c. 40A, Section 10 and the Zoning Bylaw.

The Board of Appeals shall not grant use variances.

(3) To hear and decide appeals taken by any person aggrieved by reason of his or her inability to obtain a permit or enforcement action from any administrative officer under the provisions of G.L. c. 40A, Section 8 and 15.

(4) To hear and decide comprehensive permits for construction of low or moderate income housing by a public agency or limited dividend or nonprofit corporation, as set forth in G.L. c. 40B, Sections 20 to 23.

(c) Existing appointed members of the Zoning Board of Appeals as of the date of enactment of this section may serve out their term. Following the expiration of the terms of the existing appointed members, members of the Zoning Board of Appeals shall be elected.

In order to implement section (a) above, the Town Clerk shall be authorized to place on subsequent annual election ballots such full and partial terms as required to result in overlapping terms, with all subsequent terms for each position to be for 5 years. In the event that an appointed member shall vacate his or her office prior to the end of the appointed term, such vacancy shall be filled by the Board of Selectmen and Zoning Board of Appeals in accordance with G.L. c.41, Section 11. Or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

RECOMMENDATION: TO BE DETERMINED

While the Advisory & Finance Committee voted 12-1-0 to recommend approval of the language originally submitted by the Charter Review Committee, the actual language proposed in Article 24 changed substantially as the final text of this report was being prepared for publication. The Advisory & Finance Committee will meet to review the revised language and vote a revised recommendation which will be reported in a supplement to this report.

ARTICLE 24:

To see if the Town will vote to amend Chapter 3-12-1 as follows:

3-12-1 ~~The Board of Selectmen~~ Town of Plymouth shall ~~appoint~~ elect a Zoning Board of Appeals of five (5) members and two (2) associate members for three-year (3) overlapping terms.

The Zoning Board of Appeals is currently appointed by the Board of Selectmen. The Selectmen are more likely to appoint members to the Zoning Board who support the development preferences, of the current Board of Selectmen and who may have assisted them in the election process. (This does not suggest it happens with the current board but does give the appearance it can.), not the entire community at large. Therefore, if a majority of the Selectmen are pro development or anti- development it is likely that citizens appointed to the Zoning Board will have similar views of the current appointing authority.

In contrast, elected Zoning Board members will tend to have preferences that are consistent with a majority of over 60,000 Plymouth citizens, not just three members (number of votes currently needed for the Selectmen to appoint) of the Board of Selectmen. The current appointment system is flawed as there is no confirmation process through the legislative branch of our current system of government.

The advantage to an elected zoning board is that they would be loyal to the people. By being a member of an adjudicate board and one of the most important boards in the Town of Plymouth it is important they answer to the voting public not the appointing authority. A judiciary board has power, prestige and influence over the zoning bylaws. The zoning board should be elected and represent the people who are affected by their decisions, this would ensure the elected members ultimately answer to the people they serve and not the appointing authority. Elections of board members involve the people in the judicial form of our government as our founding fathers suggested. Through the election process, debates and discussion will help the public understand the judicial process. The election of the board would keep them honest, fair, impartial and only beholden to the people who elect them and not the appointing authority. The zoning board should have autonomy as it relates to important decisions affecting the residents of our entire community.

CHARTER REVIEW COMMITTEE 2015

- Tom Baratka
- Tiffany Cessero
- Tim Grandy
- Karen Keane, Committee Clerk
- Mike Lincoln, Committee Chair
- Douglas O’Roak, Committee Vice Chair
- Anita M. Rocheteau
- Craig Sander
- Scott Stephenson

ARTICLE 25:

ARTICLE 25: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Amend Chapter 4, Section 2, Simultaneous Elected Offices 4-2-1 [Amended by Chapter 336 of the Acts of 2012, Massachusetts General Court] No representative town meeting member, or elected town official representing the entire town, shall hold simultaneously any other elected town office other than member of a Charter Commission. Any person who holds multiple offices in violation of this section shall promptly inform the Town Clerk as to which office that person will vacate. *After Election and once sworn in* to any county, state or federal office other than county charter commission, ~~shall be the act of swearing in the person~~ *is deemed to be an event disqualifying an elected town official including, but not limited to, representative town meeting member, from continuing in an his or her* elected town office. Or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

RECOMMENDATION: Approval (Unanimous, 13-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 25. Approval of this article amends Chapter 4-2-1 of the Charter pertaining to elected town officials not holding any other elected position simultaneously (except that of Charter Commission). This enables an elected town official to continue to conduct business until the swearing in date of their new position.

ARTICLE 25:

To see if the Town will vote to amend Chapter 4-2-1 as follows: No representative town meeting member or elected town official representing the entire town shall hold simultaneously any other elected town office other than member of a charter commission. Any person who holds multiple offices in violation of this section shall promptly inform the town clerk as to which office that person will vacate. Election to any county, state or federal office other than county charter commission shall be an event disqualifying an elected town official, including, but not limited to, representative town meeting member, from continuing in an elected town *office beginning the day s/he is sworn in to the county, state, or federal office.*

The intent of this change is to avoid the situation when an elected town official, is elected to a state or federal office, as presently written that person is immediately ineligible to continue in their current role, despite the fact it can be many weeks before that person assumes their new office.

This change will allow the town to continue to conduct business until the swearing in date of the person in the newly elected position.

It can also allow the town time to implement the process to fill the soon to be vacated seat.

CHARTER REVIEW COMMITTEE 2015

- Tom Baratka
- Tiffany Cessero
- Tim Grandy
- Karen Keane, Committee Clerk
- Mike Lincoln, Committee Chair
- Douglas O'Roak, Committee Vice Chair
- Anita M. Rocheteau
- Craig Sander
- Scott Stephenson

ARTICLE 26:

ARTICLE 26: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee as follows; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition,

Amend Chapter 5-3-1 by adding language as follows:

Section 3 Time of Taking Office

5-3-1 Any person duly elected to any office or board shall take up the duties of the office immediately upon certification, provided that such person shall first have been sworn to the faithful performance of the duties of that office by the Town Clerk *within 30 days from Date of Election*,
Or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

RECOMMENDATION: Approval (Unanimous, 13-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 26. Approval of this article amends Chapter 5-3-1 of the Charter, adding a time frame of 30 days to swear in newly elected officials.

ARTICLE 26:

To see if the Town will vote to amend Chapter 5-3-1 by adding language as follows:

Section 3 Time of Taking Office

5-3-1 Any person duly elected to any office or board shall take up the duties of the office Immediately upon certification, provided that such person shall first have been sworn to the faithful performance of the duties of that office by the Town Clerk *within 30 days from Date of Election.*

Presently, the Town Clerk does not have a means to require newly elected person to appear to be sworn in. This change will allow the Town Clerk to communicate to a newly elected person the date upon which they must appear to be sworn in.

CHARTER REVIEW COMMITTEE 2015

- Tom Baratka
- Tiffany Cessero
- Tim Grandy
- Karen Keane, Committee Clerk
- Mike Lincoln, Committee Chair
- Douglas O'Roak, Committee Vice Chair
- Anita M. Rocheteau
- Craig Sander
- Scott Stephenson

ARTICLE 29:

ARTICLE 29: To see if the town will vote to accept the provisions of MGL Chapter 31, section 58A, providing as follows:

Notwithstanding the provisions of any general or special law to the contrary, in any city, town or district that accepts this section, no person shall be eligible to have his name certified for original appointment to the position of firefighter or police officer if such person has reached his thirty-second birthday on the date of the entrance examination. Any veteran shall be allowed to exceed the maximum age provision of this section by the number of years served on active military duty, but in no case shall said candidate for appointment be credited more than four years of active military duty. or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (11-2-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 29. Approval of this article accepts the provisions of MGL Chapter 31, section 58A regarding age limits allowed under Civil Service for public safety officers (police and fire). This provision will limit applicants to 32 years of age or younger at the time of entrance examination with an exception of up to four additional years for active military service. The majority of the committee believes adoption of this provision may reduce risk of injury to employees, potentially limiting unnecessary liability to the town, and reduce turnover and new hire costs.



Town of Plymouth Human Resources Dept.

Memo

To: Board of Selectmen and Advisory and Finance Committee

From: Cindy M. DePina, Director of Human Resources

Date: 08/25/2015

Re: Article 29 – Civil Service Age Limits

The Town is looking to adopt MGL Chapter 31, section 58A. Notwithstanding the provisions of any general or special law to the contrary, in any city, town or district that accepts this section, no person shall be eligible to have his name certified for original appointment to the position of firefighter or police officer if such person has reached his thirty-second birthday on the date of the entrance examination. Any veteran shall be allowed to exceed the maximum age provision of this section by the number of years served on active military duty, but in no case shall said candidate for appointment be credited more than four years of active military duty.

The Town is seeking the adoption of age limits allowed under Civil Service for our public safety officers (police and fire). Studies and statistics have shown that public safety officials are placed in high risk physical environments. There is a great deal of time, money and effort that goes into hiring and training police and fire. The cost and time have typically been spent with the norm being that it was for “career” police and fire, which are long term employees (25+ years). As we review all of our risk factors, including actual and potential exposure, we believe the adoption of this section of the law could potentially reduce the Town’s liability, new hire costs, turn over and injury to our employees.

I would ask that you vote in favor of article 29.

ARTICLE 30:

ARTICLE 30: To see if the Town will vote to petition for special legislation to rescind, as of 2026, Chapter 94: An Act Authorizing the Town of Plymouth To Lease Certain Land, under the Acts of 2001, approved September 27, 2001, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (12-1-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 30. Approval of this article will rescind Chapter 94 of the Acts of 2001. By rescinding this Special Act, the Town can ensure that it is receiving the best value for the use of publicly owned property on Plymouth's Long Beach. Current leases will be honored through their termination dates, which is why 2026 is the date of rescission.



TOWN OF PLYMOUTH

11 Lincoln Street
Plymouth, Massachusetts 02360

FAX: (508) 830-4140

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

Human Resources
(508) 747-1620 ext. 101

To: Board of Selectmen
Advisory and Finance Committee
Lynne Barrett, Director of Finance
Annikka Bernabe, Selectmen's Office

From: Melissa G. Arrighi, Town Manager

Date: August 21, 2015

Re: Fall Town Meeting, Article 30

ARTICLE 30: To see if the Town will vote to petition for special legislation to rescind, as of 2026, Chapter 94: An Act Authorizing the Town of Plymouth To Lease Certain Land, under the Acts of 2001, approved September 27, 2001, or take any other action relative thereto.

BOARD OF SELECTMEN

In February of 1999, the Board of Selectmen heard a warrant article which asked Town Meeting to petition the Massachusetts Legislature for a Special Act that would exempt the leasing of property on Plymouth Long Beach from Chapter 30B. The petition was presented by John Scagliarini, a residential lease tenant of Town-owned property on Long Beach. The article, as presented, would afford the proposed no-bid clause to those who were occupying Town-owned beach properties and their future successors. In addition, the proposed language would permit the Town to issue leases up to 20 years in length and allow further consecutive extensions of no less than 10 years in length.

At that time, the Board voted 4-1 to support Mr. Scagliarini's request, but they specifically did not take a vote to address or include the property leased to Sandra Cotti for the operation of a concession stand at Plymouth.

At a meeting some weeks later, Sandra Cotti and her husband, Robert Cotti, asked the Board to support the inclusion of their leased commercial property within the petitioned article, citing the 1993 Special Act that exempts the leasing of publicly-owned property on Town Wharf from Chapter 30B. The Board voted to 4-0 to include the property leased to the Cotti's within the article proposed by Mr. Scagliarini.

Town Meeting passed a modified version of the petitioned article at the 1999 Spring Annual Town Meeting. The Special Act was further modified by and approved by the Massachusetts Legislature in 2001 in the following form:

SECTION 1. The town of Plymouth, acting by and through its board of selectmen, may lease and extend existing leases for a certain parcel or parcels of land located on Plymouth Beach, also known as Long Beach, in the town of Plymouth to Sandra Cotti, President of Sandy's at the Beach, Inc., John Scagliarini, John J. Scagliarini, Jr., Sandra Sparks and Herta V. Sawyer Life Estate, the current tenants or occupants thereof, their successors and assigns who have made, or will make, improvements to the parcel or parcels, for periods not to exceed 20 years, with extensions for such consecutive 10 year terms as may be approved by the board of selectmen. The parcel or parcels may not be assigned to others, or sublet by any lessee or lessees, without the prior written approval of the board of selectmen. Any further disposition of the parcel or parcels, other than that authorized by this act, shall be subject to the provisions of chapter 30B of the General Laws and any other applicable law.

SECTION 2. As consideration for a lease authorized by this act, the lessee of the parcel shall pay to the town of Plymouth as annual rent a sum equal to the amount of taxes which would be due to the town if such parcel was held privately and assessed as land is currently assessed in the town of Plymouth in the area in which the parcel is located. The annual rent due to the town by the lessee shall be adjusted annually as the tax rate or assessment changes.

SECTION 3. This act shall take effect upon its passage. [Approved September 27, 2001.]

Section 1 of the Special Act outlines the no-bid and lease extension provisions. Section 2 restricts the annual rent for the properties to the amount of taxes that would be assessed on the property.

Over time, it has become apparent that the Special Act has significantly hampered the Town's ability obtain a fair market value for the leasing of publicly-owned property on Plymouth Long Beach. Leases in such long-term durations as ten and twenty year increments prevent the Town from reacting to changes—or challenges—that arise from changing markets and changing lease successors. Staff has been working in recent years to improve the Town's control over its leased properties and ensure that the taxpayers are receiving the best value for the use of these desirably-located properties. As such, staff has been working on an overall leasing policy that will govern the way by which we address the issuance, renewal, and transfer of Town leases and licenses.

A recent request to transfer a long term lease on Plymouth Long Beach to a new successor has brought these long-standing concerns about the Special Act to the forefront. Upon staff's recommendation and after much discussion, the Board has determined that the removal of the Special Act will support the aforementioned efforts to maximize both the financial and service-oriented values of Long Beach properties for the community. It should be noted that our recommendation to make the termination of the Act effective in 2026 is intended to honor the latest-expiring existing lease on Plymouth Long Beach.

Thank you for your consideration of Article 30. Please contact me with any questions you may have.

ARTICLE 31:

ARTICLE 31: To see if the Town will vote to accept and allow the layout as a public way of 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; and further to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, upon such terms and conditions as it deems appropriate, such interests in land within said layout and abutting lands sufficient to use said way for all purposes for which public ways are used in the Town of Plymouth; and to raise and appropriate, transfer from available funds, 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 such acquisition:

Ship Pond Road

or take any other action relative thereto

PUBLIC WORKS – ENGINEERING DEPARTMENT

RECOMMENDATION: Approval (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 31. Approval of this article will accept the proposed new layout/realignment of a small portion of Ship Pond Road near the intersection with Long Pond Road. This project will be done in conjunction with AD Makepeace's construction of the intersection with Long Pond Road. AD Makepeace has agreed to provide the design, construction plans and drawings, coordinate with the Town on the construction and oversight of the project, and fund the roadway construction as part of its traffic mitigation measures for its Redbrook development.

TOWN OF PLYMOUTH

Department of Public Works
11 Lincoln Street
Plymouth, Massachusetts 02360

MEMO

**To: ADVISORY AND FINANCE
COMMITTEE MEMBERS**

**From: SID KASHI, P.E. (S.K.)
TOWN ENGINEER**

Through: JONATHAN BEDER, DPW DIRECTOR

Cc: ROADS ADVISORY COMMITTEE

**Ref: 2015 FALL ANNUAL TOWN MEETING – ARTICLE 31 EXPLANATION
ROADWAY LAYOUT – SHIP POND ROAD (PORTION OF)**

Date: SEPTEMBER 8, 2015

Ship Pond Road is classified as used and maintained as a public way without an established layout. The proposed realignment of this portion of Ship Pond Road will relocate the travelled way onto land owned by Wildlands Trust, in conjunction with ADM's construction of the intersection with Long Pond Road. In order to support the project, ADM has agreed to provide the design, construction plans and drawings, as well as coordinate with the Town on the construction and oversight of the project. In addition, recognizing that there will be a need to fund the roadway construction in order to complete the project, ADM has agreed to fund the construction project as part of their traffic mitigation measures.

The design and engineering has been started, and it is anticipated that the construction will start in the Spring of 2016.

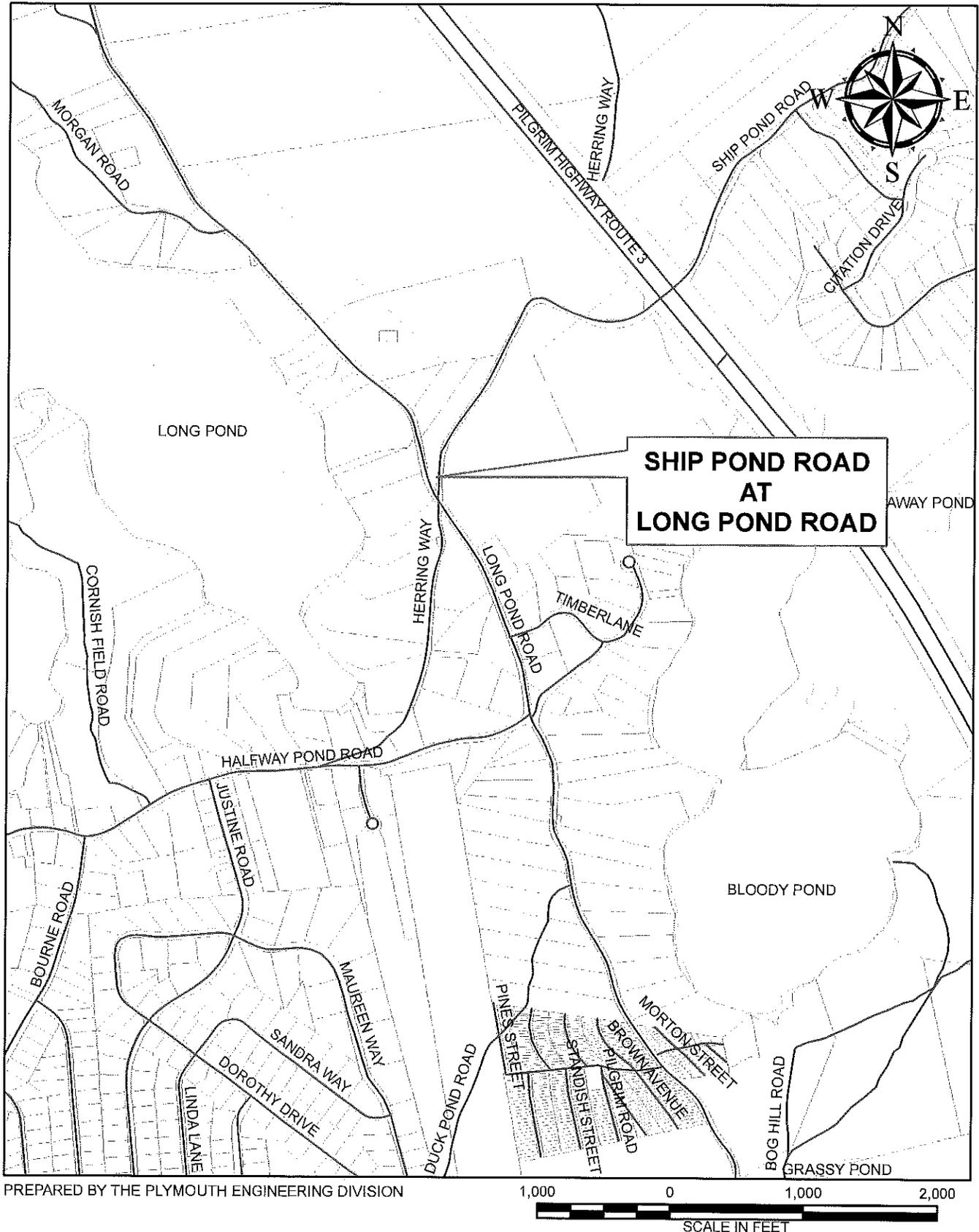
The DPW-Engineering Division recommends that the Advisory and Finance Committee Members vote to approve and support the Article as presented. Representatives of the Engineering Division will be available on September 16th to present the supporting documents, and answer any questions that you may have.

Enclosures: Locus Map
Layout plan of proposed realignment segment of Ship Pond Road

2015 ANNUAL TOWN MEETING LOCUS MAP

ARTICLE 31:
DPW ENGINEERING - SHIP POND ROAD at LONG POND ROAD

PLAT 68



PREPARED BY THE PLYMOUTH ENGINEERING DIVISION

1,000 0 1,000 2,000
SCALE IN FEET

ARTICLE 35:

ARTICLE 35: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase or otherwise, a perpetual non-exclusive easement from the Commonwealth of Massachusetts, Department of Conservation and Recreation for purposes of reconstructing and redesigning the sidewalk and layout area on Water Street, and for the purpose of maintaining and repairing and making certain improvements, including but not limited to widening sidewalks and improving pedestrian access and park aesthetics on Water Street, on such terms and conditions which the Board of Selectmen may determine; and further to authorize the Board of Selectmen to petition the Massachusetts General Court for approval of such change in use and conveyance of the easement area pursuant to the provisions of Article 97 of the Amendments to the Constitution of Massachusetts, or take any other action relative thereto.

PUBLIC WORKS

RECOMMENDATION: Approval (Unanimous, 12-0-0)

The Advisory & Finance Committee recommends Town Meeting approve Article 35. Approval of this article allows the Board of Selectmen to acquire an easement from the Commonwealth of Massachusetts to redesign and reconstruct sidewalks on Water Street between the Mayflower II and Plymouth Rock. The easement will enable the Town to improve pedestrian access and aesthetics in and around Pilgrim Memorial State Park. The sidewalk will be widened and will be shifted further away from the road allowing space for pavers and light posts between the sidewalk and road. Additionally, some benches and new surface areas will be added. This project is contingent upon receiving funding through a Mass Works Grant.



TOWN OF PLYMOUTH

159 Camelot Drive
Plymouth, Massachusetts 02360

FAX: (508) 830-4165

Highway Division
(508) 830-4162 ext. 101

Maintenance Division
Solid Waste Division
(508) 830-4166 ext. 100

MEMO

Date: September 3, 2015

To: Board of Selectmen
Advisory & Finance Committee

cc: Melissa Arrighi, Town Manager
Lynne Barrett, Finance Director
Sid Kashi, Town Engineer

From: Jonathan Beder  Director of Public Works

Re: **Fall 2015 ATM, Article 35**
Article 97, DCR Land off Water Street

In conjunction with our 2015 MassWorks Grant Application, the DPW is seeking to construct pedestrian improvements along a 1,840 linear foot portion of Water Street. Approximately 1,230 linear feet of the area associated with the MassWorks Grant Application lies adjacent to the Department of Conservation and Recreation Property (DCR)-/Pilgrim Memorial State Park.

Proposed improvements include the construction of wider sidewalks and street furnishings which would extend into portions of DCR property by three feet over an approximate 2,200 square foot area. The project also proposes the construction of improvements on an additional 4,800 square feet of DCR property to include seating, lighting, and new surface areas.

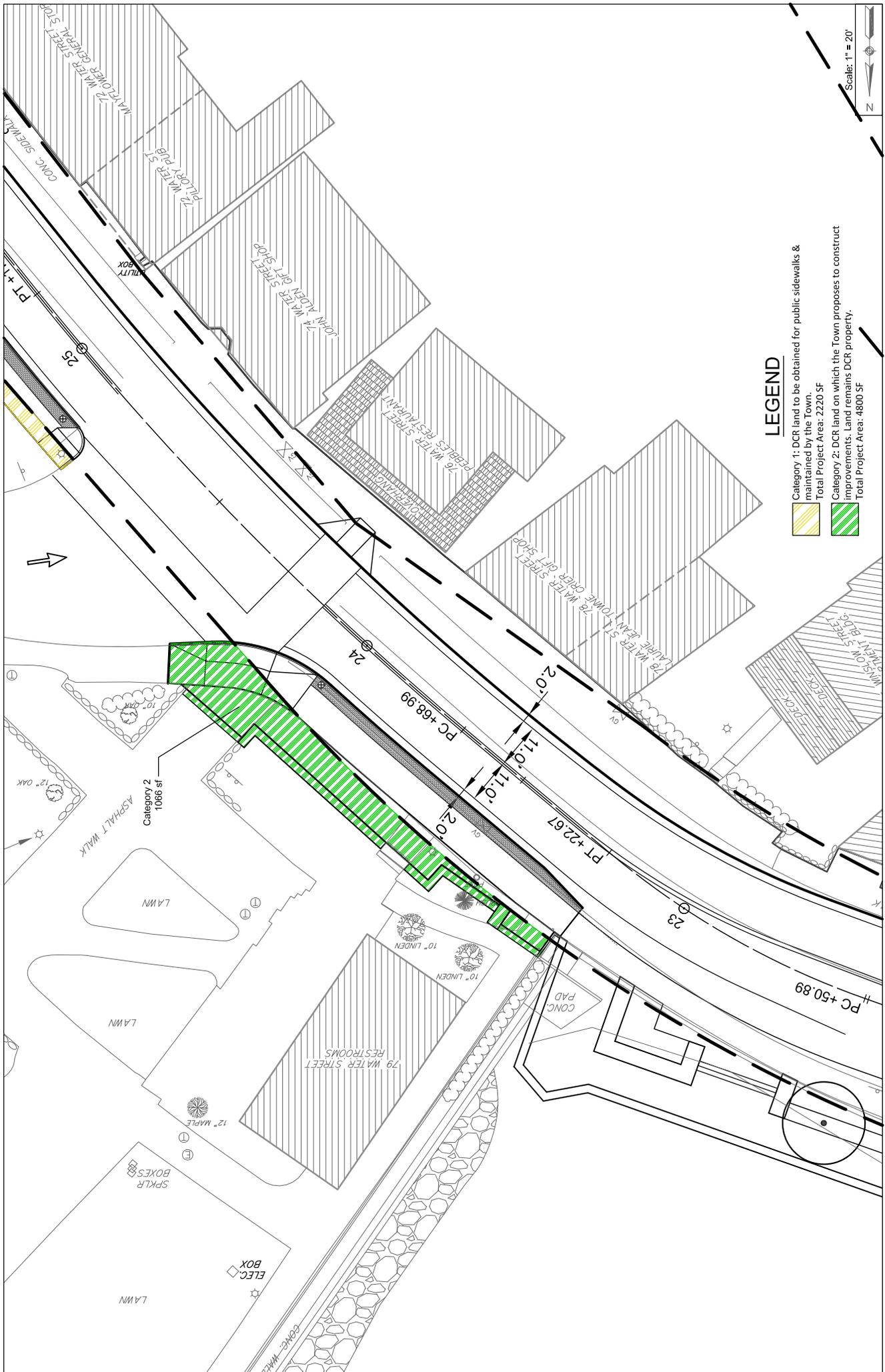
This project necessitates that a permanent easement be granted to the town by DCR. Lands under ownership and control of the Commonwealth (DCR) are required to follow a disposition - process referred to as Article 97-Land Disposition Policy. Article 35 in the FATM, will allow the town to engage and subsequently complete the required Article 97 process as required by the Massachusetts Constitution.

Should we receive funding through the MassWorks Grant; the DPW will oversee the construction and take over the maintenance of the new sidewalks. A plan showing the new sidewalk areas has been attached for your review.

The following is ARTICLE 35 as proposed:

ARTICLE 35: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase or otherwise, a perpetual non-exclusive easement from the Commonwealth of Massachusetts, Department of Conservation and Recreation for purposes of reconstructing and redesigning the sidewalk and layout area on Water Street, and for the purpose of maintaining and repairing and making certain improvements, including but not limited to widening sidewalks and improving pedestrian access and park aesthetics on Water Street, on such terms and conditions which the Board of Selectmen may determine; and further to authorize the Board of Selectmen to petition the Massachusetts General Court for approval of such change in use and conveyance of the easement area pursuant to the provisions of Article 97 of the Amendments to the Constitution of Massachusetts, or take any other action relative thereto.

DEPARTMENT OF PUBLIC WORKS



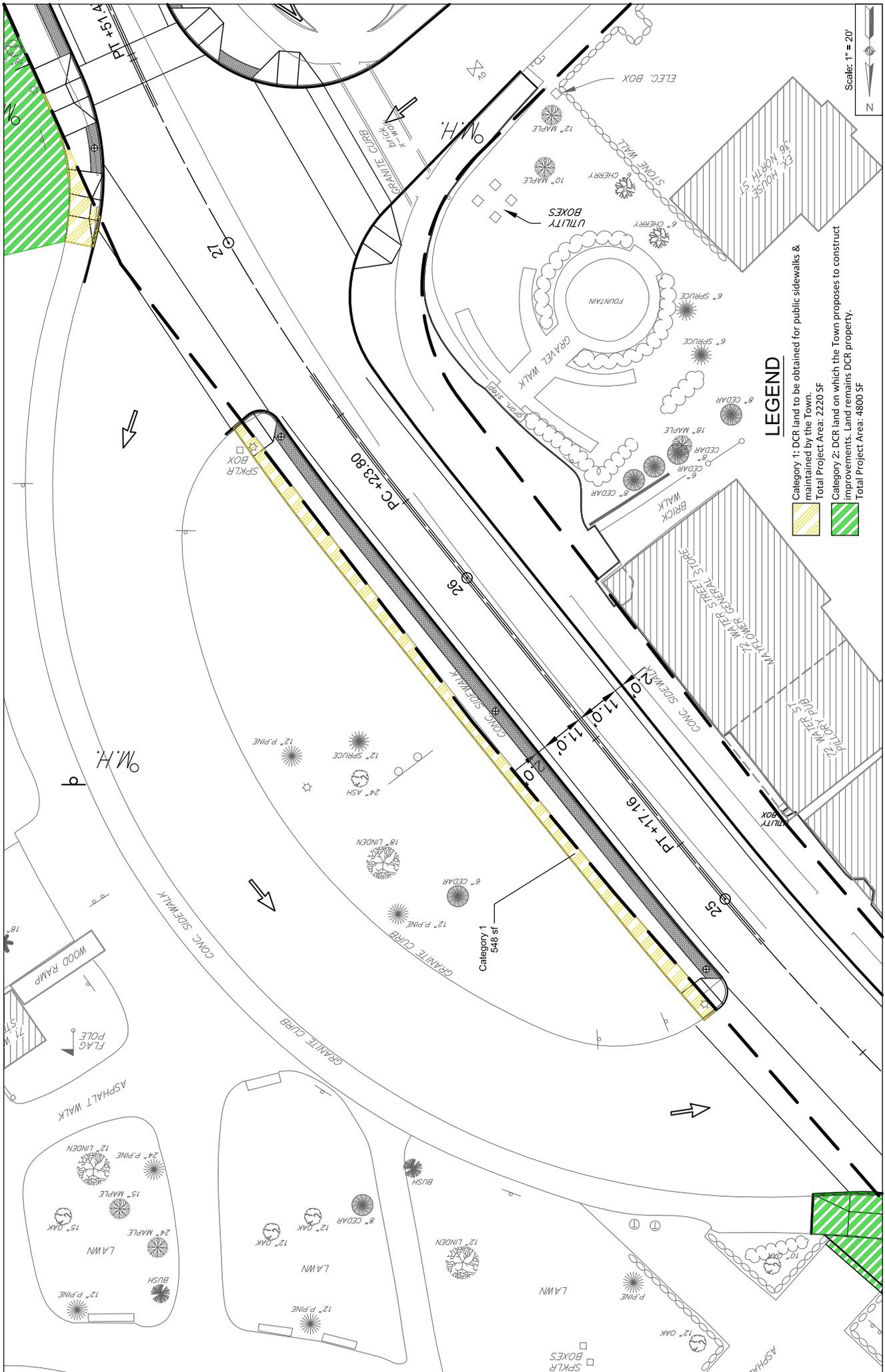
LEGEND

- Category 1: DCR land to be obtained for public sidewalks & maintained by the Town.
 - Category 2: DCR land on which the Town proposes to construct improvements. Land remains DCR property.
- Total Project Area: 2220 SF
 Total Project Area: 4800 SF



Scale: 1" = 20'





LEGEND

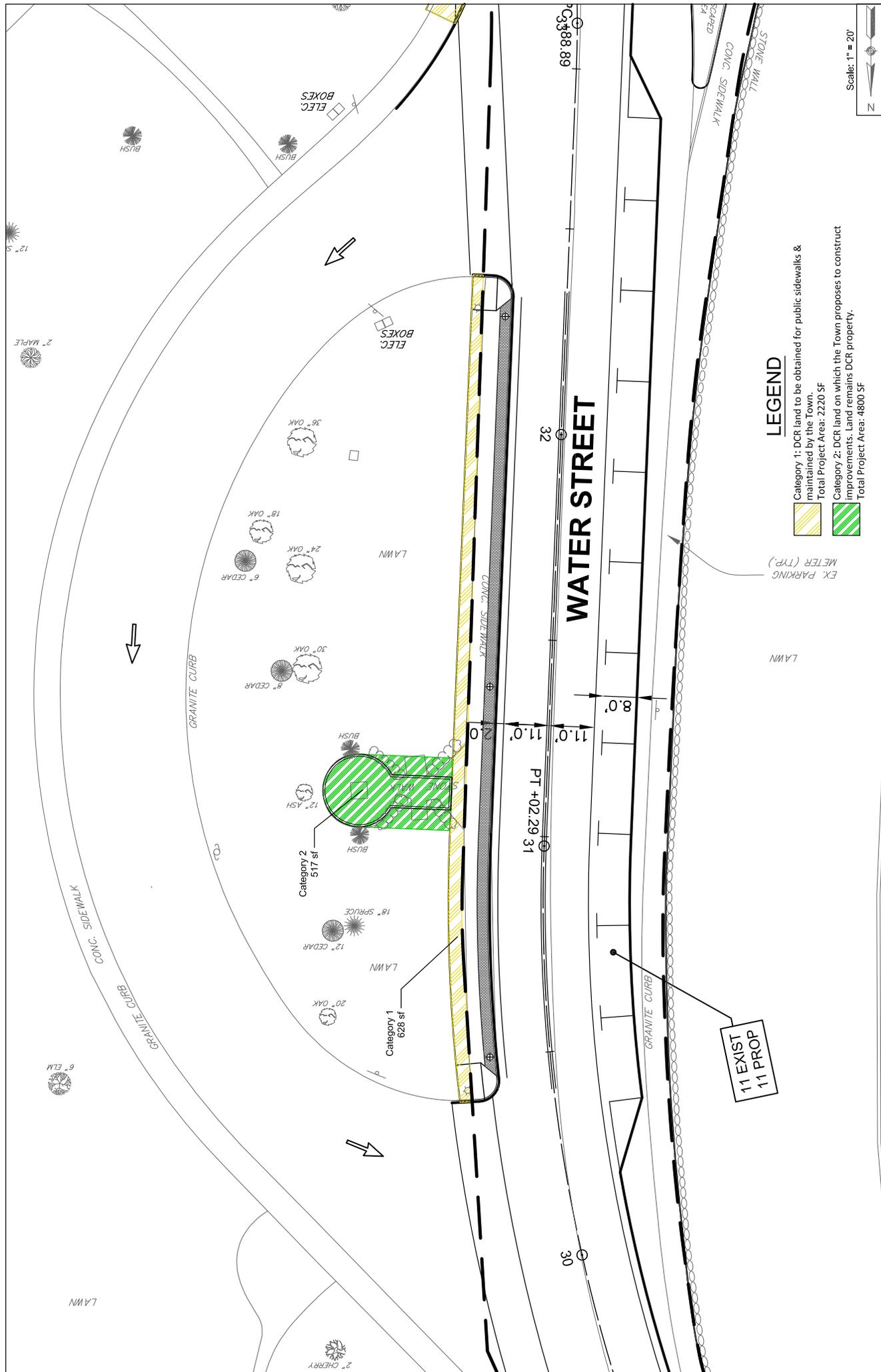
- Category 1: DCR land to be obtained for public sidewalks & maintained by the Town.
Total Project Area: 2220 SF
- Category 2: DCR land on which the Town proposes to construct improvements. Land remains DCR property.
Total Project Area: 4800 SF



Scale: 1" = 20'



N



LEGEND

- Category 1: DCR land to be obtained for public sidewalks & maintained by the Town.
- Category 2: DCR land on which the Town proposes to construct improvements. Land remains DCR property.
- Total Project Area: 2220 SF
- Total Project Area: 4800 SF



EX. PARKING
METER (TRP.)

11 EXIST
11 PROP

Scale: 1" = 20'



N

ARTICLE 36:

ARTICLE 36: To see if the Town will vote to amend its Zoning Bylaw, Section 205-55, Mixed Commerce (MC), by modifying and/or adding certain uses, requirements, conditions and/or definitions therein, including but not limited to those pertaining to multi-family use, as well as to amend associated sections, provisions, definitions, tables, charts and procedures pertaining thereto, or to take any other action relative thereto.

BY PETITION: Robert C. Betters, et al

RECOMMENDATION: No Motion No Action at the Request of the Petitioner