

2013 ANNUAL TOWN MEETING, APRIL 6, 2013 and

2013 ANNUAL ELECTION, MAY 11, 2013

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

GREETINGS:

In the name of the Commonwealth, you are directed to notify and warn the inhabitants of Plymouth qualified to vote in elections, to meet in:

Precinct 1	Hedge School
Precinct 2	Cold Spring School
Precinct 3	Town Hall
Precinct 4	Plymouth North High School
Precinct 5	Plymouth Community Intermediate School
Precinct 6	Manomet Elementary School
Precinct 7	Indian Brook School
Precinct 8	Cedarville Fire Station
Precinct 9	South Elementary School
Precinct 10	Federal Furnace School
Precinct 11	Plymouth Airport
Precinct 12	Plymouth South High School
Precinct 13	West Elementary School
Precinct 14	Indian Brook School
Precinct 15	Stonebridge Club

in said Plymouth on Saturday, the Eleventh Day of May, 2013, between the hours of Eight O'Clock in the forenoon and Eight O'Clock in the afternoon, to cast a vote for the following Town Officers to act on the following articles to wit:

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

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

Further, and in the name of the Commonwealth, you are directed to notify and warn the Inhabitants of Plymouth qualified to consider and vote on articles at the Annual Business Meeting of the Town of Plymouth to meet at Plymouth North High School, on Saturday, the Sixth Day of April, 2013, at 8:00AM to act on the following articles to wit:

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

BOARD OF SELECTMEN

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

BOARD OF SELECTMEN

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

BOARD OF SELECTMEN

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

BOARD OF SELECTMEN

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

BOARD OF SELECTMEN

ARTICLE 7A: To see what action the Town will take to provide a reserve fund and to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town, including water, sewer, solid waste and airport enterprises and debt and interest, for the ensuing twelve month period beginning July 1, 2013, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 7B: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the water enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2013, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 7C: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the sewer enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2013, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 7D: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the solid waste enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2013, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 7E: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the airport enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2013, or take any other action relative thereto.

BOARD OF SELECTMEN

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

A	Information Tech.	Desktop Computers (*)
B	Information Tech.	Desktop Computers / SQL Server- Police (*)
C	Information Tech.	Fiber Repair (*)
D	Police	Respirator Cartridges for Gas Masks (*)
E	Police	Unmarked Cruiser (*)
F	Police	Marked Cruiser (*)
G	Police	Utility Vehicle (*)
H	Fire	Station Maintenance for all 7 Stations (*)
I	Fire	Self Contained Breathing Apparatus Cylinders (*)
J	Fire	Automatic External Defibrillator (*)
K	Fire	Turn Out Gear Replacement (*)
L	Fire	Portable Radios (*)
M	Fire	2 1/2" Fire Hose Supply Line (*)
N	Fire	4" Fire Hose Supply Line (*)
O	Emergency Mgt	Redundant Fire Dispatch Terminal at EOC
P	Harbor Master	Patrol Boat Outboard Engine (*)
Q	Harbor Master	2012 Port Security Grant Program 25% Match
R	Harbor Master	Tender Floats (*)
S	Harbor Master	Inflatable Boat
T	Harbor Master	Pond Boat Outboard Engine (*)
U	DPW-Operations	Highway - Vehicle and Equipment Painting & Repair
V	DPW-Operations	Highway - Snow & Ice Equip Ground Speed Control
W	DPW-Operations	Highway - Vehicle & Equipment Tires
X	DPW-Operations	Maint - Police Station Carpet (*)
Y	DPW-Operations	Maint - DPW Bldg Repairs (*)
Z	DPW-Operations	Fleet Maint - Crane for Service Truck
AA	DPW-Operations	Fleet Maint - Engine PTO Driven Comp Svc Truck
BB	Marine & Env. Affairs	ADA Compliant Beach Ramp (*)
CC	DPW-Utilities	Sewer - 4x4 1/2 Ton Pick-up
DD	DPW-Utilities	Water - 2WD Utility Body Diesel Pickup Truck (*)
EE	DPW-Utilities	Water - 4WD Extended Cab Pickup Truck (*)
FF	DPW-Operations	Crematory - Cremation Chamber Floor Replacement (*)

GG	DPW-Operations	Crematory - Exhaust Fan System
HH	DPW-Operations	Crematory - Cremation Chamber Floor & Roof (*)
II	DPW-Operations	Crematory - Emission Monitoring System (*)
JJ	DPW-Operations	Cemetery - Hurricane Blower
KK	DPW-Operations	Cemetery - 48" Mulching Mower (*)
LL	DPW-Operations	Cemetery - Weed Wacker (*)
MM	DPW-Grounds & Rec	Parks - 61" Scag Mower (*)
NN	DPW-Grounds & Rec	Parks - Landscape Trailer (*)
OO	DPW-Grounds & Rec	Parks - Forges Parking Lot Striping (*)
PP	DPW-Grounds & Rec	Parks - Man Rec Play Structures Replacement Parts (*)
QQ	DPW-Grounds & Rec	Parks - Fence Repair Program (*)
RR	DPW-Grounds & Rec	Parks - Turf Covers
SS	DPW-Grounds & Rec	Parks - Weed Whackers (*)
TT	DPW-Grounds & Rec	Recreation - 4WD Pickup Truck

or take any other action relative thereto.

#### BOARD OF SELECTMEN

ARTICLE 9: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental buildings and/or equipment and/or capital facilities for various departments of the Town and/or for feasibility and other types of studies as follows:

Project Number	Department or Sponsor	Project Description
A1	Fire Department	Repair/Refurbish Brush Trucks
A2	DPW –Maintenance Town Bldg Repair Program	Memorial Hall Repairs & Chair Reupholstering
A3	DPW –Maintenance Town Bldg Repair Program	Library Carpet Replacement
A4	School Bldg Repair Program Mt. Pleasant	Roof Repairs
A5	School Bldg Repair Program Hedge Elem.	Roof Repairs
A6	School Bldg Repair Program IBES & WES	Replace Floor Tile in Café, Art Room & Rec Hall
A7	School Bldg Repair Program South Elem.	Outside Doors
A8	School Bldg Repair Program IBES	Install Lockers
A9	School Bldg Repair Program PCIS	Replace Propane Gas-Fire Generator
A10	DPW Operation-Engineering	Samoset St. Roadway Improvements Easements
A11	DPW Operation-Engineering	Re-Striping of a Partial Section of Samoset St.
A12	DPW Operation-Engineering	Newfield St. Bridge Design
A13	DPW Operation-Engineering	Drainage Rehabilitation 2020 Town Center
A14	DPW Operations-Maintenance	Town Vehicle & Equipment Replacement Program
A15	Planning & Development	Zoning Bylaw Update
A16	DPW Grounds & Recreation-Cemetery	Burial Hill Renovation Plan
A17	Information Technology	Microsoft Office Pro Upgrade and Training
A18	Police Department	Mobile Data Terminal Replacement
A19	DPW Grounds & Recreation -Cemetery	Burial Hill Tree Work
A20	DPW Operations-Highway	Crushing Operation-Recycled Materials
A21	Police Department	Enforsys Police Server

A22	DPW Grounds & Recreation -Cemetery	Vine Hills Cemetery Road & Water Repair
A23	DPW Utilities Sewer Enterprise	Sewer System Upgrade
A24	DPW Utilities Water Enterprise	Generators for Water Building & Pine Hills Booster
A25	DPW Utilities Water Enterprise	New 10 Wheel Dump Truck
A26	DPW Utilities Water Enterprise	Water Infrastructure Improvements
A27	DPW Utilities Water Enterprise	Replace W41 2005 Ford F350 Truck
A28	DPW Operations Solid Waste Enterprise	Replace 2007 Roll-Off Truck
B1	Marine & Environmental	T-Wharf Construction
B2	Fire Department	Purchase and Equip New Engine 7
B3	Federal Furnace Elementary School	HVAC Replacement
B4	Fire Department	Purchase and Equip New Brush Breaker
B5	DPW Utilities Sewer Enterprise	Plan/Design Extension of Samoset St Sewer Corridor
B6	DPW Utilities Sewer Enterprise	Replace/Relocate Sewer Interceptor
B7	DPW Utilities Water Enterprise	Jacket Water Main Replacement

or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 10: To see if the Town will vote to authorize the Board of Selectmen to enter into a contract for the disposal of the Town's solid waste for a period not to exceed ten (10) years commencing on January 1, 2015, on such terms and conditions as the Board of Selectmen deem to be in the best interests of the Town, which contract may include a provision that the Town shall not be exempt from liability for the payment of contract sums in future fiscal years; or to take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 11: To see if the Town will vote to raise and appropriate, borrow, or otherwise fund \$500,000 in improvements to Private Roads based on the special act was passed by State Legislators and signed by the Governor on June 13, 2012, or take any other action relative thereto.

ROADS ADVISORY COMMITTEE

ARTICLE 12: WITHDRAWN

ARTICLE 13: To see if the Town will vote to appropriate from the Town Promotion Fund created pursuant to Chapter 4 of the Acts of 1993, a sum or sums of money for programs and projects that enhance the beautification, recreational resources, public safety, promotional and marketing activities, events, services and public improvements, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 14: To see if the Town will vote to appropriate a sum of money from available funds as the State's share of the cost of work under G.L. c.90, §34 (2)(a) of the Massachusetts General Laws, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 15: Withdrawn

ARTICLE 15A: To see if the Town will vote to establish a Nuclear Plant Mitigation Stabilization Fund, as authorized by the provisions of G.L. c.40, §5B which fund shall be under the care and custody of the Town Treasurer, and further, to raise and appropriate and/or transfer from available funds for the purpose of funding said Nuclear Plant Mitigation Fund, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 16A: Withdrawn

ARTICLE 16B: To see if the Town will vote to establish a revolving fund for the Department of Marine and Environmental Management under the provisions of G.L. c.44, 53E1/2 for the fiscal year beginning July 1, 2014, as specified below:

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

or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 16C: To see if the Town will vote to appropriate the sum of \$205,000 for the acquisition, and to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise, for the acquisition of open space and to create, restore and/or rehabilitate land for recreational purposes pursuant to the Community Preservation Program, and to accept the deed to the Town of Plymouth, of a fee simple interest or less to 0.14 acres of land, more or less, located at 54 Taylor Avenue, Plymouth, shown on Assessor's Map 46 as Lot 7A-3, and further that said land shall be held under the care, custody, and control of the Conservation Commission, 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; further to appropriate the sum of \$150,000 for the restoration and rehabilitation of land for recreational use by construction of a sanitation facility, first aid and life guard station building at White Horse Beach, shown as Assessors Map 46 Lot 7A-2, including all costs

incidental and related thereto; and as funding therefor to appropriate the total sum of \$355,000 from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow said total sum for such purposes pursuant to G.L. c.44B or any other enabling authority, and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow said sum and issue notes and bonds therefor; and further to authorize the Board of Selectmen to grant a conservation restriction in said property pursuant to G.L. c.44B, §12 and G.L. c.184, §§31-33; provided, however, that prior to the Town's expenditure of funds for the construction of such sanitation facility, first aid and life guard station the following steps shall be taken:

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

#### COMMUNITY PRESERVATION COMMITTEE

ARTICLE 16D: To see if the Town will vote to appropriate the sum of \$150,000 for the acquisition and authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, for open space and recreational use purposes pursuant to the Community Preservation Program and to accept the deed to the Town of Plymouth, of a fee simple interest or less to 0.23 acres of land, more or less, located at 308 Court Street, Plymouth, shown on Assessor's Map 5 as Lot 101A, and further that said land shall be held under the care, custody, and control of the Conservation Commission, and 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; and further in connection with such acquisition, to appropriate the sum of \$200,000 for the creation of a recreational pedestrian entrance to the property known as Veterans Park, from the abutting property at 308 Court Street, including all costs incidental and related thereto; and, as funding therefor to appropriate the total sum of \$350,000 from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow said total sum for such purposes pursuant to G.L. c.44B or any other enabling authority, and to authorize the Treasurer, with the approval of the Board of Selectmen to issue notes and bonds therefor; and further to authorize the Board of Selectmen to grant a conservation restriction in said property pursuant to G.L. c.44B, §12 and G.L. c.184, §§31-33; provided, however, that prior to the Town's expenditure of funds for the creation of the recreational pedestrian entrance, the following steps shall be taken:

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

#### COMMUNITY PRESERVATION COMMITTEE

ARTICLE 16E: To see if the Town will vote to appropriate \$190,000 for the creation and/or restoration and rehabilitation of land for recreational use pursuant to the Community

Preservation Program, which land is commonly known as Stephens Field, and is shown on Assessors Map 23, as Lots 16b, 16c, 17c, 23, 24 and 26, and specifically for the creation of a recreational development plan for such land, including but not limited to design and permitting costs; and as funding therefor to appropriate said sum from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow pursuant to G.L. c.44B or any other enabling authority and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow said sum and issue notes and bonds therefor; and, in connection therewith, to authorize the Board of Selectmen to grant to a nonprofit or charitable corporation a restriction in said land meeting the requirements of G.L. c.184, §§31-33; provided however, that prior to expenditure of the funds appropriated hereunder, the following steps shall be taken:

(1)The Board of Selectmen shall appoint a seven-member temporary committee to be known as the Stephens Field Planning & Design Committee consisting of three members appointed at large, one member from Precinct 3 and one member from Precinct 4, two members from the Friends of Stephens Field as set forth in detail in a December 5, 2012 memorandum to Town Manager and Director of the Department of Marine and Environmental Affairs concerning the Stephens Field CPA Application;

(2)The Department of Marine and Environmental Affairs shall consult with the Stephens Field Design & Planning Committee and the Committee shall hold at least one public meeting prior to recommending a designer;

(3)The Stephens Field Planning & Design Committee shall hold three public meetings for purposes of soliciting community input concerning the design; and

(4)The Stephens Field Planning & Design Committee shall approve the final design by majority vote;

or take any other action related thereto.

#### COMMUNITY PRESERVATION COMMITTEE

ARTICLE 16F: To see if the Town will vote to appropriate from the Community Preservation Fund Historical Reserve Fund, estimated annual revenues, undesignated fund balance, or reserves, borrow, or otherwise fund, the sum of \$550,000.00 for the preservation, rehabilitation and restoration of 1000 head stones at the Burial Hill Cemetery, which stones are identified in the Burial Hill Gravestone/Monument Conditions Assessment Report, prepared by Fanin & Lehner Preservation Consultants, dated December 2011, submitted in connection with the application for funding submitted to the Community Preservation Committee by the Department of Public Works on July 5, 2012; and further, in connection therewith, that the Board of Selectmen be authorized to grant to a non-profit or charitable corporation an historic preservation restriction meeting the requirements of G.L. c.184, §§31-33 on the Cemetery, shown on Assessors Map 19, as Lot 22 or take any other action relative thereto.

#### COMMUNITY PRESERVATION COMMITTEE

ARTICLE 16G: To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2014 Community Preservation Budget and to appropriate from the Community Preservation Fund a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2014, future appropriation amounts as recommended by the Community Preservation Committee: a sum of money for the acquisition, creation, and preservation of land for open space, and including restoration and rehabilitation of land for recreational use, a sum of money for acquisition, preservation, restoration and rehabilitation of historic resources, and a

sum of money for the acquisition, creation, preservation and support of community housing, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 17: Withdrawn

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

BOARD OF SELECTMEN

ARTICLE 19: Withdrawn

ARTICLE 20: To see if the Town will vote to amend general bylaw, Chapter 38, Capital Improvements”, as printed below and recommended by the Capital Outlay Expenditure Committee,

**Chapter 38**

**CAPITAL IMPROVEMENTS**

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

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

**§ 38-3. Annual report.**

**§ 38-4. Expenditures.**

**§ 38-5. Report to Town Meeting.**

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

**GENERAL REFERENCES**

Financial affairs -- See Ch. 71.

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

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

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

~~PLYMOUTH CODE~~ ~~§ 38-1~~

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

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

~~The Committee shall evaluate and review proposed capital projects and improvements involving~~

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

The projects to be undertaken in the next fiscal year shall be prioritized by the Committee. During its evaluation, the Committee shall consider the relative need, impact, timing, and cost of these expenditures ~~and the effect each will have on the financial position of the town.~~ Projects not funded in the next fiscal year will remain on the Five-Year Plan. The requestors shall also submit a 6-20 year plan of all capital

items with a \$2.5 million or higher cost. These short and long term projections will assist the Finance Director in fiscal planning.

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

**§ 38-3. Annual report.**

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

**§ 38-4. Expenditures.**

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

**§ 38-5. Report to Town Meeting.**

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

CAPITAL IMPROVEMENTS

§ 38-5

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

Or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 21: Withdrawn

ARTICLE 22: Withdrawn

ARTICLE 23: Withdrawn

ARTICLE 24: To see if the Town will vote to authorize the Board of Selectmen to accept and allow as public ways the following streets or portions thereof as laid out by the Board of Selectmen and reported to the Town, and as shown on plans on file with the Town Clerk; to authorize the Board of Selectmen to acquire by gift, or eminent domain an easement or easements to use said ways for all purposes for which public ways are used in the Town of Plymouth, and all associated easements; and further, accept gifts for this purpose and any expenses related thereto; and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisition(s).

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

#### DEPARTMENT OF PUBLIC WORKS

ARTICLE 25: To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase, or eminent domain, and upon such terms and conditions as it deems appropriate, such temporary and permanent easements for highway and utility purposes in lands along Samoset Street, North and South Park Avenues as are necessary to carry out the proposed reconstruction/improvement of Route 44 (Samoset Street) in accordance with the Right of Way plan prepared for such project, which plan has been placed on file with the Town Clerk, and further to raise and appropriate, transfer, or borrow a sum of money as may be required for the acquisition of the aforesaid interests in land, and further to transfer from the Cemetery Commissioners for cemetery purposes, to the Board of Selectmen for general municipal purposes, such portion of the Vine Hills Cemetery (Assessors Map 101, Lot 49) along Samoset Street as is needed for the relocation of utilities and other roadway purposes in conjunction with

the aforesaid Samoset Street improvement project and is shown on the Right of Way plan, or take any other action relative thereto.

DEPARTMENT OF PUBLIC WORKS

ARTICLE 26: To see if the Town will vote to amend the Zoning Bylaw and Official Zoning Map to create a Light Industrial Building Height Overlay District that allows building heights in excess of thirty-five (35) feet and to establish definitions, procedures and provisions for said district as well as amend associated definitions, procedures, and schedules, or take any other action relative thereto.

PLANNING BOARD

ARTICLE 27: To see if the Town will vote to amend the Zoning Bylaw, to create new sections for Site design standards and Site plan review by amending existing Sections 205-3 Definitions, 205-23 Off-street parking, 205-24 Off-street loading and 205-32 Site plan review as well as amend associated definitions, procedures, and schedules, or take any other action relative thereto.

PLANNING BOARD

ARTICLE 28: Withdrawn

ARTICLE 29: To see if the Town will vote to amend the Zoning Bylaw, Section 205-19 Signs, to allow Community Information Display Boards for kindergarten through twelfth grade schools (a Community Information Display Board is illuminated by internal Light Emitting Diodes (LED) and used as a community communication tool), as well as amend associated definitions, procedures, and schedules, or take any other action relative thereto.

PLANNING BOARD

ARTICLE 30: To see if the Town will vote to amend Chapter 149 of the General Bylaws by adding a new section 149-3 as follows:

§ 149-3. Sewer Betterment Assessments

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

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

or take any action relative thereto.

DEPARTMENT OF PUBLIC WORKS

ARTICLE 31: 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 a payment in lieu of tax agreement with the lessee/operator of the solar photovoltaic energy generating facility to be developed on Lot 57A and/or Lot 47B, Herring Pond Road, as shown as Plan No. '11-496 in Plan Book 56, Page 1084 at Plymouth Deeds, upon such terms and conditions as the Board of Selectmen and Assessors shall deem to be in the best interest of the Town, or taken any other action relative thereto.

BY PETITION: Richard Serkey, et al

And you are hereby required to serve this warrant in the manner prescribed by vote of the Town by posting notice thereof seven days at least before such meeting in the Town Hall, in the Town's Libraries and posted on the Town's website, and make return thereof with your doings thereon at the time and places above mentioned.

Given under our hands this \_\_\_\_ day of March 2013.

Approved as to Legal  
Form

BOARD OF SELECTMEN

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

\_\_\_\_\_  
Mathew J. Muratore, Chairman

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

\_\_\_\_\_  
Belinda A. Brewster

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

\_\_\_\_\_  
Kenneth A. Tavares

Plymouth, ss.

Pursuant to the foregoing Warrant, I have this day notified and warned the Inhabitants of Plymouth qualified to vote in elections and Town affairs to meet in Plymouth North High School on Saturday, the Sixth Day of April, 2013, at 8:00AM to conduct the Annual Business Meeting of the Town of Plymouth, by posting copies of this Warrant in the Town Hall in the town's libraries and posted on the town's website seven days at least before such meeting.

Pursuant to the foregoing Warrant, I have this day warned the Inhabitants of Plymouth qualified to vote in elections to meet in Precinct 1, Hedge School, Precinct 2, Cold Spring Elementary School, Precinct 3, Town Hall, Precinct 4, Plymouth North High School, Precinct 5, Plymouth Community Intermediate School, Precinct 6, Manomet Elementary School, Precinct 7, Indian Brook School, Precinct 8, Cedarville Fire Station, Precinct 9, South Elementary School, Precinct 10, Federal Furnace School, Precinct 11, Plymouth Airport, Precinct 12, Plymouth South High School, Precinct 13, West Elementary School, Precinct 14, Indian Brook School, and Precinct 15, Stonebridge Club in said Plymouth to cast their votes for Town Officers between the hours of Eight O'Clock in the forenoon and Eight O'Clock in the afternoon on Saturday, the Eleventh day of May, 2013, by posting copies of this Warrant in the Town Hall in the town's libraries and posted on the town's website, seven days at least before such meeting.

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Signature  
Town Clerk

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Date & Time  
Posted