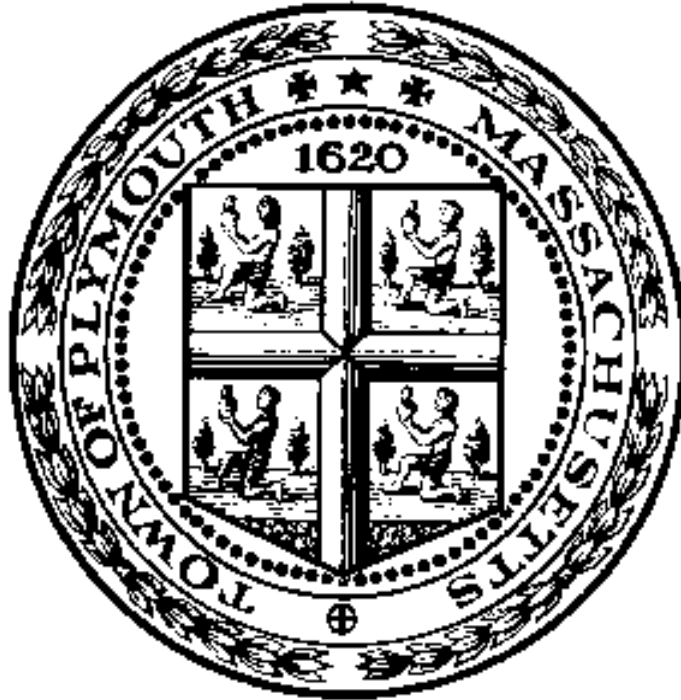


TOWN OF PLYMOUTH

ALL MOTIONS AS VOTED



TOWN MEETING

April 6, 2019

ANNUAL TOWN MEETING

MOTIONS

April 6, 2019

Waiving of Constable's Return of Service & Waiving of Reading of Warrant, if no objections

Mr. Salerno moved that adjourned sessions of this Town Meeting be held on April 8, 9 & 10, 2019 at 7:00PM at Plymouth North High School.

Quantum of Vote: Majority

Town Meeting Vote: 115-0-0, Motion Carried.

Mr. Babini, Precinct 15, moved to reduce the duration of the lunch break from 1 hour to 45 minutes.

Quantum of Vote: Majority

Town Meeting Vote: 114-0-0, Motion Carried.

ARTICLE 1: Mr. Salerno moved that the Town vote to increase the hourly rates of Miscellaneous D non-Union positions in accordance with the memorandum dated February 22, 2019 located on pages 33-37 in the Special Town Meeting Report and Recommendations of the Advisory & Finance Committee (as well as in Supplement I), amend the Fire Fighters (IAFF) Collective Bargaining Agreement in accordance with the memorandum dated March 6, 2019 located on pages 38-40 in the Special Town Meeting Report and Recommendations of the Advisory & Finance Committee (as well as in Supplement I), amend the following Collective Bargaining Agreements: COBRA – DPW in accordance with the Memorandum of Agreement dated March 19, 2019 located on pages 13-15 of Supplement I, SEIU Local 888 in accordance with the Memorandum of Agreement dated March 20, 2019 located on pages 16-20 of Supplement I, COBRA – Library in accordance with the Memorandum of Agreement dated March 18, 2019 located on pages 21-29 of Supplement I and to amend the Personnel Bylaws in accordance with the Agreement dated March 27, 2019 located on pages 30-33 of Supplement I.

Motion to Divide

Mr. Costello, Precinct 10, moved to divide the motion to vote Personnel Bylaw Item 6 separately.

Quantum of Vote: Majority

Town Meeting Vote: Motion Carried.

Personnel Bylaws Item #6

Quantum of Vote: Majority /Roll Call

Town Meeting Vote: 78-33-4, Motion Carried.

Motion to Reconsider Personnel Bylaws Item #6

Mr. Brady, Precinct 10, moved to reconsider Personnel Bylaw Item 6.

Quantum of Vote: Majority /Roll Call

Town Meeting Vote: 74-39-4, Motion Carried.

Article 1 Remaining Items:

Quantum of Vote: Majority

Town Meeting Vote: 104-10-4, Motion Carried.

ARTICLE 2: No Motion No Action.

ARTICLE 3:

Mr. Salerno moved that the Town vote to transfer the sum of \$5,781.92 from the FY2019 DPW Personal Services budget to pay certain unpaid bills from a prior fiscal year as follows:

VENDOR	DEPARTMENT	AMOUNT
Carver Police Dept	Details - DPW	\$413.60
Applus Technologies	Fleet Maintenance – DPW	\$1,341.00
3Phase Elevator Corp	Facilities Maint. -DPW	\$1,189.32
SJ Services, Inc.	Facilities Maint. – DPW	\$2,838.00
Total		\$5,781.92

Quantum of Vote: 9/10ths / Roll Call
Town Meeting Vote: Motion Carried, Unanimously.

ARTICLE 4:

A1 - Mr. Salerno moved that the Town vote to transfer \$354,500 from Free Cash for the Department of Marine & Environmental Affairs; \$340,000 for Rehabilitation of the Russell Pond Dam and \$14,500 for an Emergency Action Plan to satisfy the conditions of the DCR Notice of Noncompliance.

A-2 – Mr. Salerno moved that the Town vote to transfer \$20,000 from the Plymouth Long Beach Revolving Fund to purchase a used beach vehicle for the Department of Marine & Environmental Affairs.

Quantum of Vote: Majority / Roll Call
Town Meeting Vote: Motion Carried, Unanimously.

ARTICLE 5:

Mr. Salerno moved that the Town vote to authorize the Board of Selectmen to petition the General Court for special legislation, provided, however, that the General Court may make clerical and editorial changes of form only to the bill unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and to authorize the Board of Selectmen to approve such amendments which shall be within the scope of the general public objectives of the petition as follows:

An Act Authorizing the Town of Plymouth to Continue Employment of G. Edward Bradley

Section 1. Notwithstanding any general or special law to the contrary, G. Edward Bradley, a member of the fire department of the town of Plymouth, may continue to serve in such position until the age of 67, or until the date of his retirement, non-reappointment, or the date he is relieved of his duties by the town, whichever occurs first; provided, however, that he is mentally and physically capable of performing the duties of his office. Provided further, that the town may, at its own expense, require that G. Edward Bradley be examined by an impartial physician designated by the town to determine such capability; and provided further, that no deductions shall be made from the regular compensation of G. Edward Bradley pursuant to chapter 32 of the General Laws for any service subsequent to his reaching the age of 65 in connection with his service to the town for retirement or pension purposes, and, upon retirement, G. Edward Bradley shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired at age 65.

SECTION 2. This act shall take effect upon its passage.

Quantum of Vote: Majority / Roll Call
Town Meeting Vote: 87-29-4, Motion Carried.

ARTICLE 6: No Motion No Action

ARTICLE 7:

Mr. Salerno moved that the Town vote to accept the provisions of General Laws chapter 64G, section 3D (a) & (b), and the establishment a community impact fee on short term rentals at a rate of three percent.

Motion to Amend:

Keven Joyce, Precinct 15, moved to amend the main motion to have any and all proceeds from this approved Article 7 be applied to maintenance and repair of the Town Owned Buildings. This Motion if approved by Town Meeting will have a Sunset Clause of 5 years.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: 58-63-0, Motion Failed.

Article 7: As originally moved As amended

Acceptance of General Laws chapter 64G, section 3D (a) & (b) to be voted separately:

The Town vote to accept the provisions of General Laws chapter 64G, section 3D (a) as moved, or as moved and amended.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: 66-53-1, Motion Carried.

The Town vote to accept the provisions of General Laws chapter 64G, section 3D (b) as moved, or as moved and amended.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: 61-56-2, Motion Carried.

ARTICLE 8: No Motion No Action

ARTICLE 9:

Mr. Salerno moved that the Town vote to appropriate the sum of \$476,529 from the Community Preservation Fund; \$387,481 from the Fiscal 2019 Budgeted Reserve and \$89,048 from the Undesignated Fund Balance, for the design, acquisition and installation of ADA & AAB compliant recreational play equipment, site preparation and permitting at both Nelson Field, Map 12 Lot 57, and Elmer Raymond, Map 55 Lot 12A, playgrounds.

Quantum of Vote: Majority

Town Meeting Vote: Motion Carried.

ARTICLE 10:

Mr. Salerno moved that the Town vote to transfer the sum of \$250,000 from Free Cash and transfer \$171,941.17 from Article 10 - FATM 2014 – PILOT Appraisal and Legal, for a total sum of \$421,941.17 to the Nuclear Plant Mitigation Stabilization Fund, as authorized by the provisions of G.L. c. 40, §5B.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: 70-46-2, Motion Carried.

ARTICLE 11:

Mr. Salerno moved that the Town vote to approve the third amendment to the payment in lieu of taxes agreement between the Town and Entergy Nuclear Generation Company, dated January 15, 2019, for the property known as the Pilgrim Nuclear Generation Station, as on file with the Town Clerk and on pages 95 through 99 of the Spring Special Town Meeting *Report & Recommendations of the Advisory & Finance Committee*.

Quantum of Vote: Majority

Town Meeting Vote: Motion Carried, Unanimously.

ARTICLE 12:

Mr. Salerno moved that the Town vote to establish the Plymouth County Outreach Initiative Revolving Fund with an expenditure limit of \$100,000 and further to amend General Bylaws Chapter 143: Departmental Revolving Funds, particularly §143-5, by inserting a new row at the end of the table of authorized revolving funds as provided in the table below:

<u>A</u> Revolving Fund	<u>B</u> Department, Board, Committee, Agency, or Officer Authorized to spend from Fund	<u>C</u> Fees, Charges or other Receipts Credited to Fund	<u>D</u> Program or Activity Expenses Payable from Fund	<u>E</u> Fiscal Years
Plymouth County Outreach (PCO)	Chief of Police	Annual dues collected from PCO member departments, grants, gifts and donations.	PCO Initiative to assist those struggling with substance abuse disorders, mental health disorders, and/or behavioral Health disorders.	FY2020 and subsequent years.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: Motion Carried.

ARTICLE 13:

Mr. Salerno moved that the Town amends the vote under Article 9-Item B2 of the April 7th, 2018 Annual Town Meeting (Maritime Facility) and appropriates the additional sum of One Million Dollars (\$1,000,000), to pay costs of design, construction, and equipping of the Maritime Facility, located on Town-owned property shown as Lot 21A on Plymouth Assessors’ Map 14A, and for all incidental and related costs and expenses, thereby increasing the total amount appropriated for such purposes from \$3,500,000 to \$4,500,000, and that to meet this additional appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: 100-18-0, Motion Carried.

ARTICLE 14: Withdrawn.

ARTICLE 15:

Mr. Salerno moved that the Town vote to transfer the sum of \$185,000 from Sewer Retained Earnings for the management and oversight of the wastewater treatment plant and related facilities and infrastructure, including preparation of a Sewer Operations Request For Proposals for such services and all other incidental and related costs and expenses, and to authorize the Board of Selectmen to enter into a contract for such services for a period up to or in excess of three years on such terms as the Board determines to be in the best interest of the Town.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: 67-49-0, Motion Carried.

ARTICLE 16:

Mr. Salerno moved that the Town vote to vote to amend the General Bylaws by adding a new Ch. 159, Stormwater Pollution Abatement, as provided for on pages 173 through 178 of the Spring Special Town Meeting Report & Recommendations of the Advisory & Finance Committee.

Quantum of Vote: Majority

Town Meeting Vote: Motion Carried.

ARTICLE 17: Withdrawn.

ARTICLE 18: No Motion No Action

MOTION TO DISSOLVE

Mr. Salerno moved to dissolve this Plymouth Special Town Meeting.

Quantum of Vote: Majority

Town Meeting Vote: Motion Carried.

Mr. Salerno moved to reopen the Annual Town Meeting.

ARTICLE 1: Withdrawn.

ARTICLE 2:

Mr. Salerno moved that the Town vote to receive the reports of several Boards, Officers and Committees of the Town thereon.

Quantum of Vote: Majority

Town Meeting Vote: Motion Carried.

ARTICLE 3:

Mr. Salerno moved that the Town vote to establish the maximum amount that may be spent from each fund during fiscal year 2020 beginning on July 1, 2019 for the revolving funds established in town bylaws for certain departments, boards, committees, agencies or officers in accordance with G.L. c. 44, §53E ½ as follows:

Revolving Fund	Department, Board, Committee, Agency or Officer	FY2020 Spending Cap
Manomet Village Parking	Director of Planning & Development	\$ 1
Cedarville Village Parking	Director of Planning & Development	\$ 1
West Plymouth Village Parking	Director of Planning & Development	\$ 1
No. Plymouth Village Parking	Director of Planning & Development	\$ 1
Plymouth Center Village Parking	Director of Planning & Development	\$ 1
Animal Shelter Adoption	Director of Marine & Environmental Affairs	\$ 5,000
State Boat Ramp	Harbor Master	\$ 68,346
Recreation Fund	Recreation Director	\$ 490,000
Vocational Technical Services Fund	School Department	\$ 350,000
Plymouth Beach Fund	Director of Marine & Environmental Affairs	\$ 344,871
Cemetery Repair & Beautification Fund	Cemetery Superintendent	\$ 20,000
Council on Aging Programs Fund	Director of Elder Affairs	\$ 45,000
Council on Aging Meals on Wheels	Director of Elder Affairs	\$ 30,000
Fire Safety and Prevention	Fire Chief	\$ 150,000
Fire Alarm Master Box Services	Fire Chief	\$ 95,000
Local Hazardous Materials Program	Fire Chief	\$ 60,000
Cedarville Community Center	Fire Chief	\$ 12,000
Memorial Hall	Director of Community Resources	\$ 140,000
Compost Bins	Assistant DPW Director	\$ 5,160
Hedges Pond	Recreation Director	\$ 50,000

CPA Conservation Land	Director of Marine & Environmental Affairs	\$ 1,000
1820 Court House Maintenance	Town Manager in consultation with Community Preservation Committee	\$ 1
Shellfish Upweller	Harbor Master	\$ 10,000
Plymouth County Outreach (PCO)	Police Chief	\$ 100,000

Quantum of Vote: Majority

Town Meeting Vote: Motion Carried.

ARTICLE 4:

Mr. Salerno moved that the Town vote, pursuant to Chapter 173 of the General By-Laws, to authorize the Cedarville Steering Committee and the Plymouth Center Steering Committee to continue and review in three years at 2022 Annual Town Meeting.

Quantum of Vote: Majority

Town Meeting Vote: Motion Carried.

ARTICLE 5: No Motion No Action

ARTICLE 6:

Mr. Salerno moved that the Town vote, pursuant to G.L. c. 41, §108, to authorize the annual stipends/salaries of elected Town Officials as follows:

- Chairman of Board of Selectmen: \$4,500
- Selectmen: \$4,000 each
- Moderator: \$2,000

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: Motion Carried.

ARTICLE 7A:

Mr. Salerno moved that the Town vote Article 7A by Sub-Committee Report as follows:

Motion Sub-Committee Report A

Mr. Salerno moved that the Town vote to appropriate \$13,047,117 (Items 1-12) as detailed in the Advisory & Finance Sub-Committee Report A.

Motion to Amend Line Item 5 of Sub-Committee Report A:

Kathryn Holmes, Precinct 8, moved to decrease by \$72,523 the amount appropriated for Human Resources department - Personal Services, Line Item 5, for a total of \$245,872.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: 85-32-0, Motion Carried.

Motion to Amend Line Items 9 & 10 of Sub-Committee Report A:

Mr. Tavares moved to amend the motion made under Article 7A Sub-Committee Report A by Mr. Salerno as follows:

Decrease by \$52,818 the amount appropriated for Department of Inspectional Services - All Divisions – Personal Services, Line Item 9, for a total of \$973,173.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: 50-65-1, Motion Failed.

Decrease by \$30,000 the amount appropriated for Department of Inspectional Services - All Divisions – Other Expenses, Line Item 10, for a total of \$74,465.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: 58-55-3, Motion Carried.

Article 7A Sub-Committee Report A motion: As Originally Moved: \$13,047,117 As Amended: \$12,944,594

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: Motion Carried, Unanimously.

Motion Sub-Committee Report B

Mr. Salerno moved that the Town vote to appropriate \$74,625,371 (Items 13-25) as detailed in the Advisory & Finance Sub-Committee Report B.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: Motion Carried, Unanimously.

Motion Sub-Committee Report C

Mr. Salerno moved that the Town vote to appropriate \$26,881,303 (Items 26-36) as detailed in the Advisory & Finance Sub-Committee Report C.

Motion to Amend Line 34 of Sub-Committee Report C:

Alan Costello, Precinct 10, moved to decrease by \$34,000 the amount appropriated for Department of Marine & Environmental Affairs - All Divisions - Personal Services, Line Item 34.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: 29-87-2, Motion Failed.

Article 7A Sub-Committee Report C motion: As Originally Moved: \$26,881,303 As Amended: \$_____

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: Motion Carried.

Motion Sub-Committee Report D

Mr. Salerno moved that the Town vote to appropriate \$10,109,148 (Items 37-41) as detailed in the Advisory & Finance Sub-Committee Report D.

Motion to Amend Line Item 37 of Sub-Committee Report D:

Mr. Tavares moved to amend the motion made under Article 7A Sub-Committee Report D by Mr. Salerno as follows:

Decrease by \$55,689 the amount appropriated for Department of Public Works - All Divisions – Personal Services, Line Item 37, for a total of \$5,653,353.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: Motion Carried.

Motion to Amend Line Item 38 of Sub-Committee Report D:

Mr. Dale Webber, Precinct 3, moved to amend the motion made under Article 7A Sub-Committee Report D by Mr. Salerno as follows:

Decrease by \$55,000 the amount appropriated for Department of Public Works - All Divisions – All Other Expenses, Line Item 38, for a total of \$1,914,822.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: 66-51-0, Motion Carried.

Motion to Amend Line Item 38 of Sub-Committee Report D:

Mr. David Peck, Precinct 4, moved to amend the motion made under Article 7A Sub-Committee Report D by Mr. Salerno as follows:

Increase by \$50,000 the amount appropriated for Department of Public Works - All Divisions – All Other Expenses, Line Item 38, for a total of \$1,964,822.

