

**FALL ANNUAL TOWN MEETING WARRANT**

Saturday, October 16, 2021

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

GREETINGS:

In the name of the Commonwealth, you are directed to notify and warn the Inhabitants of Plymouth, qualified to consider and vote on articles at the Fall Annual Town Meeting of the Town of Plymouth, to meet virtually by remote participation, on Saturday, the Sixteenth Day of October, 2021, at 8:00 AM, with information necessary for the Moderator, Town Meeting members, Town officials and interested members of the public to access and witness the deliberations and actions taken at the Town Meeting remotely as follows:

Town Meeting members will be using telecast through Zoom Webinar videoconferencing platform for their deliberations and they will be using V-Voter to take actions.

Town Officials will provide information through the Zoom Webinar videoconferencing platform.

Interested members of the public will be able to view the meeting through PACTV, Channel 15 (Comcast) or Channel 47 (Verizon) or pactv.org/live. Individuals not otherwise lawfully entitled to speak will have the opportunity to speak through the Zoom Webinar videoconferencing platform with 48-hours advanced notice given to and permission granted by the Town Moderator.

Registered Town of Plymouth voters wishing to participate in the remote Fall Annual Town Meeting shall submit a request to participate in the Meeting to the Town Clerk not less than forty-eight (48) hours in advance of the Town Meeting scheduled for October 16, 2021 commencing at 8:00 AM. Upon receipt of the request and verification of the requester's voter registration status, the Town Clerk shall provide to the requester instructions for participating in the remote Town Meeting.

To act on the following articles to wit:

**ARTICLE 1:** To see if the Town will vote to amend the Classification and Compensation Plans and the Personnel By-Law and Collective Bargaining Agreements contained therein, or take any other action relative thereto.

**SELECT BOARD**

**ARTICLE 2A:** To see if the Town will vote to amend the vote taken under Article 7A of the 2021 Spring Annual Town Meeting, 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.

**SELECT BOARD**

ARTICLE 2B: To see if the Town will vote to amend the votes taken under Article 7B, 7C, 7D and 7E of the 2021 Spring Annual Town Meeting, 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.

SELECT BOARD

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer a sum of money to pay certain unpaid bills, including bills of a prior fiscal year, or take any other action relative thereto.

SELECT BOARD

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, including all other costs incidental and related thereto, including authorizing lease/purchase agreements for terms of up to or in excess of three years, substantially as follows:

ITEM	DEPARTMENT	PROJECT DESCRIPTION
A1	Police Dept.	TruNarc Handheld Narcotics Analyzer
A2	Police Dept.	Portable Radio Replacement - Cruisers
A3	School Dept.	Replace Tech Van 1
A4	School Dept.	Nathaniel Morton Roof Replacement
A5	DPW - Crematory	Rebuild Retort #1
A7	DPW - Cemetery	1-ton Pickup Truck
A8	DPW - Cemetery	Mini Excavator
A9	DPW - Cemetery	Heavy Duty Utility Cart
A10	Center for Active Living	Upgrade for Public Wi-Fi Access
A11	Marine & Environmental	Bartlett Road Bridge Engineering
B1	DPW - Engineering	Brook Rd. Bridge Design & Construction

or take any other action relative thereto.

SELECT BOARD

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money for the design, construction, equipping and furnishing of a renovated fire station #2 at Samoset Street, West Plymouth, shown at Assessor's Map 103 Lot 41A, including but not limited to site preparation, demolition, and all other costs incidental and related thereto; or to take any other action relative thereto.

SELECT BOARD

ARTICLE 6: Withdrawn

ARTICLE 7: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of conducting an eDNA study at Town Brook/Billington Sea, including all other costs incidental and related thereto, or take any other

action relative thereto.

**SELECT BOARD**

ARTICLE 8: To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, an amount of money to be expended under the direction of Building Committee for roof replacements at Federal Furnace Elementary School located at 860 Federal Furnace Road, Plymouth, Massachusetts, 02360; West Elementary School located at 170 Plympton Road, Plymouth, Massachusetts, 02360; and Indian Brook Elementary School located at 1181 State Road, Plymouth, Massachusetts, 02360 which proposed repair projects would materially extend the useful life of the schools and preserve an asset that otherwise is capable of supporting the required educational programs and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"). This phase of the project will execute the entire scope of the project including labor, material procurement, and project management in accordance with drawings, bid documents, project cost estimates, and project timelines. The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of fifty and fifty eight one hundredth percent (50.58 %) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA, or take any other action relative thereto.

**SCHOOL COMMITTEE**

ARTICLE 9A: To see if the Town will vote to rescind the vote taken under Article 16B of the April 2021 Annual Town Meeting, to revise the funding sources for the restoration of the historic National Memorial Pilgrim Meeting House or take any other action relative thereto.

**COMMUNITY PRESERVATION COMMITTEE**

ARTICLE 9B: To see if the Town will vote to amend the vote taken under Article 16F of the April 2021 Annual Town Meeting, and, as necessary, to appropriate from the Community Preservation Fund Fiscal Year 2022 estimated annual revenues or from available Community Preservation Reserves a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2022, and to set aside sums for future appropriation for purposes as recommended by the Community Preservation Committee, or take any other action relative thereto.

**COMMUNITY PRESERVATION COMMITTEE**

ARTICLE 9C: Withdrawn

ARTICLE 9D: Withdrawn

ARTICLE 9E: Withdrawn

ARTICLE 9F: Withdrawn

ARTICLE 9G: Withdrawn

ARTICLE 10: To see if the Town will vote to authorize the Select Board to accept temporary and permanent easements for access, construction, sewer, drainage, and utility purposes on, over, across, under and through portions of the properties located off Spring Lane, Plymouth, Massachusetts and known as Plymouth Assessor's Parcels 019-000-000C-005A and 019-000-000C-0005B and shown on a plan on file with the Town Clerk, and further to authorize the Select Board to acquire by gift, purchase, eminent domain, or otherwise, and upon such terms and conditions as it deems appropriate, such interests in said land sufficient to use said land for access, construction, sewer, drainage, and utility purposes, and to authorize the board or commission currently having care, custody, management and control of Plymouth Assessor's Parcel 018-000-043-000 to grant a temporary or permanent easement on a portion thereof for purposes of placement and use of a trash dumpster or receptacle including access thereto, or take any other action relative thereto.

SELECT BOARD

ARTICLE 11: To see if the Town will vote to authorize the Select Board to accept permanent easements for access and utility purposes on, over, across, under and through portions of the properties located off Herring Pond Road, Plymouth, Massachusetts and shown on Plymouth Assessor's Map 56, Lot 52-44, and Map 56, Lot 52-2, and on a plan on file with the Town Clerk, and further to authorize the Select Board to acquire by gift, purchase, eminent domain or otherwise, and upon such terms and conditions as it deems appropriate, such interests in said land sufficient to use said land for access and utility purposes, or take any other action relative thereto.

SELECT BOARD

ARTICLE 12: To see if the Town will vote to rescind the following amounts that have been authorized to be borrowed, but which are no longer needed for the purposes for which they were approved:

<u>Unissued Amount to be Rescinded</u>	Date of Approval	Warrant Article Number	Original Purpose
\$40,000	October 22, 2018	9D	National Memorial Meeting House
\$988,000	April 11, 2015	9B1	School Street Retaining Wall
\$72,000	April 8, 2019	9B2	Market Street Bridge Repair
\$155,077	April 1, 2017, April 7, 2018, October 22, 2018	9BC, 17, 5	Library Roof, Chillers, Ducts
\$5,000	April 2, 2016	9B2	Newfield Street Bridge
\$815,000	October 15, 2016	4E	Plymouth Beach Revetment Rehab
\$900,000	April 7, 2018	10	Hedge Road Fire Station
\$305,000	April 8, 2019	9B5	Cordage Gravity Interceptor Relocation

\$1,605,000	April 7, 2018	9B4	Forges Field Well/System Expansion
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Or take any other action relative thereto.

SELECT BOARD

ARTICLE 13: Withdrawn

ARTICLE 14: To see if the Town will vote to amend the General Bylaws, Chapter 143, Departmental Revolving Funds, by adding to Column "C" of the chart therein with respect to the Plymouth Beach Fund the underlined text and deleting the strikethrough text as follows:

<u>A</u> Revolving Fund	<u>B</u> Department, Board, Committee, Agency or Officer Authorized to spend from the 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 Beach Fund	Director of Marine & Environmental Affairs	Those identified as <u>seventy-five percent (75%)</u> of all non-resident parking receipts at Plymouth Beach, in addition to one-hundred percent (100%) of Plymouth Beach Long Beach 4x4 sticker fees.	This fund shall be used for salaries and benefits of full time staff, part-time salaries of seasonal NRO's, police details, and for capital expenses and other expenses incurred for the purposes of providing maintenance and public safety of Plymouth Long Beach and repairs to the seawall.	Fiscal Year 2019 and subsequent years

Or take any other action relative thereto.

SELECT BOARD

ARTICLE 15: To see if the Town will vote to accept the last paragraph of G.L. c. 40, sec. 5B which provides that, notwithstanding the provisions of G.L. c. 44, sec. 53 or any other general or special law to the contrary, a town that accepts this paragraph may dedicate, without further appropriation, all, or a percentage not less than 25 per cent, of a particular fee, charge or other receipt to any stabilization fund established pursuant to this section; provided, however, that the

receipt is not reserved by law for expenditure for a particular purpose; and further, that the Town dedicate 100 percent of the Extended Maintenance Fee assessed upon the issuance of street opening permits to the Pavement Management Stabilization Fund, such dedication to be effective as of Fiscal Year 2023; or take any other action relative thereto.

**SELECT BOARD**

ARTICLE 16: To see if the Town will vote pursuant to G.L. c.44, §53E ½ to establish a new revolving fund, to be known as the Little Red Schoolhouse Revolving Fund; 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 follows:

<b>Revolving Fund</b>	<b>Department, Board, Committee, Agency or Officer Authorized to spend from Fund</b>	<b>Fees, Charges or other Receipts Credited to Fund</b>	<b>Program or Activity Expenses, Payable from Fund</b>	<b>Fiscal Years</b>
Little Red Schoolhouse	Town Managers Office and/or Finance Office	Usage fee from building reservations	Maintenance, repairs, supplies, and/or improvements to the building	Fiscal Year 2022 and subsequent years

And further, to establish the fiscal year 2022 spending limit for this revolving fund at \$30,000.

Or take any other action relative thereto.

**SELECT BOARD**

ARTICLE 17: 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 999.6 Kilowatt DC (more or less) solar photovoltaic energy generating facility for Black Cat Solar 1, LLC (or its affiliates, successors or assigns) to be located on a eleven-acre parcel (more or less) off Black Cat and watercourse Roads, currently shown on Plymouth Assessor’s Map 90 Lot 35D, 43-1 and 43A, 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.

**SELECT BOARD**

**ARTICLE 18: Withdrawn**

ARTICLE 19: To see if the Town will vote to accept the provisions of G.L. c. 59, §5K, which authorizes the Select Board to establish a Senior Citizen Property Tax Work-Off Abatement Program whereby an individual over 60 years of age volunteers his or her services to the Town and earns a reduction in his or her property tax bill; and further, to accept the provisions of G.L. c. 59, §5N, which authorizes the Select Board to establish a Veteran Property Tax Work-Off Abatement Program whereby a veteran or spouse of a deceased or disabled veteran volunteers his or her services to the Town and earns a reduction in his or her property tax bill; said programs to be available as of July 1, 2022; or take any other action relative thereto.

**SELECT BOARD**

**ARTICLE 20: Withdrawn**

ARTICLE 21: To see if the Town will vote to accept the provisions of G.L. c. 59, §5, Clause Twenty-second H (inserted by Chapter 218 of the Acts of 2018 known as an Act Relative to Veterans' Benefits, Rights, Appreciation, Validation, and the Enforcement ("BRAVE Act")), signed into law August 28, 2018, which provides for a property tax exemption for real estate to the full amount of the taxable valuation of the real property of the surviving parents or guardians of soldiers and sailors, members of the National Guard and Veterans who: (i) during active duty service, suffered an injury or illness documented by the United States Department of Veteran Affairs or a branch of the armed forces that was a proximate cause of their death; or (ii) are missing in action with a presumptive finding of death as a result of active duty service as members of the Armed Forces of the United States; provided, however, that the real estate shall be occupied by the surviving parents or guardians as the surviving parents' or guardians' domicile; and provided further, that the surviving parents or guardians shall have been domiciled in the Commonwealth for the 5 consecutive years immediately before the date of filing for an exemption pursuant to this clause or the soldier or sailor, member of the National Guard or Veteran was domiciled in the Commonwealth for not less than 6 months before entering service. Surviving parents or guardians eligible for an exemption pursuant to this clause shall be eligible regardless of when the soldier, sailor, member of the National Guard or Veteran died or became missing in action with a presumptive finding of death; provided, however, that the exemption shall be available until such time as the surviving parents or guardians are deceased. No real estate shall be so exempt which has been conveyed to the surviving parents or guardians to evade taxation; or take any other action relative thereto.

**SELECT BOARD**

ARTICLE 22: To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation as follows:

Section 1. Notwithstanding section 58A of chapter 31 of the General Laws or any other general or special law to the contrary, no person shall be eligible to have his or her name certified for original appointment to the position of police officer in the Town of Plymouth if such person has reached his fortieth birthday on the date of the entrance examination

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

And to authorize the General Court to make clerical or editorial changes of form only to any bill so filed unless approved in advance by the Select Board, and to authorize the Select Board to approve such revisions as fall within the public purpose of this vote; or take any other action relative thereto.

**SELECT BOARD**

ARTICLE 23: To see if the Town will vote to adopt the provisions of G.L. c. 40, §8E, which provides for a Youth Commission for the purpose of carrying out programs which may be designed or established to meet the opportunities, challenges and problems of youth of the Town in conjunction with any similar or related programs of any agency of the Commonwealth or any agency of the federal government, or take any other action relative thereto.

**SELECT BOARD**

ARTICLE 24: Withdrawn

ARTICLE 25: To see if the Town will vote to amend the Town of Plymouth General Bylaws by deleting in its entirety Sections 51-2. Indecent Language and Section 51-3. Indecent marks; defacing property, as on file with the Town Clerk or take any other action relative thereto.

**SELECT BOARD**

ARTICLE 26: Withdrawn

ARTICLE 27: To see if the Town will vote to adopt the provisions of G.L. c.40, §8L – Municipal Agricultural Commission, as it applies to the expansion of duties and responsibilities of the Plymouth Agricultural Committee or take any other action relative thereto.

**PLANNING AND DEVELOPMENT**

ARTICLE 28: To see if the Town will vote to transfer the care, custody, management, and control of the parcels listed below as on file with the Town Clerk, from the Town Treasurer for tax title purposes to the Conservation Commission for conservation purposes pursuant to G.L. C. 40, §8C; and further to authorize the Conservation Commission to execute any and all instruments as may be necessary to effectuate the vote taken hereunder, or take any other action relative thereto.

Parcel ID	Location	Legal Reference	Recording Date
050-000-004H-000	Off Center Hill Road	Final Judgement: Bk. 16323, Pg. 90	June 23, 1998
050-000-004J-000	Off Center Hill Road	Final Judgement: Bk. 13685, Pg. 251	July 10, 1995

**CONSERVATION COMMISSION**

ARTICLE 29: To see if the Town will vote to amend the Zoning Bylaw Section 201.3 Definitions and to create a new section entitled Accessory Dwelling Units to allow studio and one bedroom accessory apartments by special permit, under certain conditions and subject to criteria, in all Residential and Mixed Use Zoning Districts as well as amend any other definitions, procedures, and provisions for said installations, or take any other action relative thereto. The full text of this amendment is on file at the Office of Planning and Development at Town Hall during normal business hours and is posted on the Town's website at (insert link).

**PLANNING BOARD**

ARTICLE 30: To see if the Town will vote to adopt the following bylaw to be inserted into the Plymouth Zoning Bylaws:

**§207-12. Mandatory Roof-Mounted Solar Photovoltaic Systems (MRMSPS).**

- A. Intent.** It is the intent of the Town of Plymouth to increase the production of solar energy within the boundaries of the Town.
- B. Means.** Any project of 10,000 s.f. or more or 10 or more residential units shall include a solar energy system equivalent to 50% of the roof area of buildings as well as 90% of uncovered area of parking structures in accordance with Massachusetts Solar Access law Chapter 184: Section 23C.
- C. Standards.** The following standards shall apply to all MRMSPS:
  - 1. Height: MRMSPS shall not exceed the height of the ridge of the roof.

2. Design: A MRMSPS shall be installed at 4 to 8 inches above the plane of the roof parallel to that plane.

**D. Information Required with Zoning Permit for all RMSPS:**

1. **Drawings.** A site Plan prepared by a registered Surveyor and a roof plan, elevations and sections prepared by a Registered Architect.
2. **Materials.** Manufacturer's specifications for a proposed MRMSPS shall be provided for all equipment and attendant facilities and include documentation of the major system components to be used, including panels, mounting system, rated name plate capacity, colors, inverter and interconnection details.
3. **Safety.** The MRMSPS Owner and Operator shall submit a copy of the project summary, electric schematic to the Building Commissioner, with a copy for review by the Fire Chief. Instructions to deenergize the system shall be made available to public safety personnel. The owner or operator shall identify a responsible person for public inquiries throughout the life of the MRMSPS.
4. **Compliance.** All MRMSPS shall be installed in compliance with the Massachusetts Building Code.
5. **Definitions**
  1. Solar Energy System: A device or structural design feature, a substantial purpose of which is to provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation, or water heating.
    - a. Solar Energy System, Active: A solar energy system whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.
    - b. Solar Energy System, Ground-Mounted/Canopy: An Active Solar Energy System that is structurally mounted to the ground and is not roof-mounted.
    - c. Solar Energy System, Roof-Mounted: An Active Solar Energy System that is structurally mounted to the roof of a building or structure.
  2. Solar-ready zone: The solar-ready zone area is 50% of the roof area that is either flat or oriented between 110 degrees and 270 degrees of true north, exclusive of mandatory access or set back areas as required by the MA Fire Code.

**(b) Requirements:**

Development requiring site plan review approval in all districts greater than or equal to ten thousand (10,000) gross square feet or containing ten (10) or more residential units shall include a solar energy system that is equivalent to a minimum of 50% of the roof area of all buildings. In cases where a site includes an uncovered parking structure the structure shall also have a solar energy system installed to cover a minimum of 90% of its top level.

**(c) Solar Energy System Assessment:**

A solar assessment shall be submitted and the assessment must include, at a minimum:

1. An analysis for solar energy system(s) for the site detailing layout and annual

production.

2. Include the maximum feasible solar zone area of all structures and potential ground-mounted canopies.
3. An initial solar energy system assessment shall be submitted with the required application for Site Plan Review.
4. A final solar installation plan must be reviewed and approved by the Department of Community Development and Planning, prior to the issuance of a Building Permit.

**(d) Exemptions:**

A project will not be required to install a solar energy system on the roof when there is no solar ready zone, or the solar-ready zone is shaded for more than 50 percent of daylight hours annually, or for building conversions with insufficient structural load capacity. Further, in the case of a mixed or ground mounted installation the requirement may be reduced or waived if the assessment determines there is not a viable location to meet the solar requirement.

**(e) Safety and Locations Guidelines:**

1. Emergency Access – Solar energy systems shall be located in such a manner as to ensure emergency access to the roof, provide pathways to specific areas of the roof, provide for smoke ventilation opportunities, and provide emergency egress from the roof, as required by the MA Fire Code, as updated.
2. Safety – No roof-mounted solar energy system shall be located in a manner that would cause the shedding of ice or snow from the roof into a porch, stairwell or pedestrian travel area.

**III. Proposed language to clarify solar canopy installation by adding the following notes in Section 5.04 – Dimensional Regulations.**

1. **Coverage:** Solar energy systems shall not be included in calculations for building coverage or impervious cover as identified in Section 5.04 – Table of Dimensional Regulations

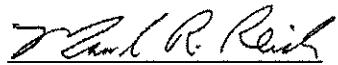
or to take any other action relative thereto.

BY PETITION: Anatol Zukerman, et al

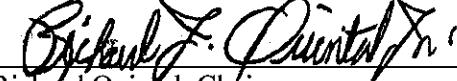
And you are hereby required to serve this warrant in the manner prescribed by vote of the Town by posting notice thereof fourteen (14) days at least before such meeting in the Town Hall, in the Town's Libraries and posted on the Town's website, and make return thereof with your doings thereon at the time and places above mentioned.

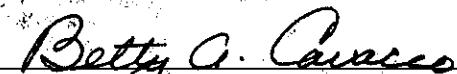
Given under our hands this 14 th day of September 2021.

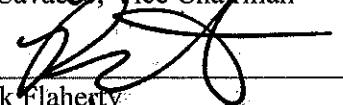
Approved as to Legal Form

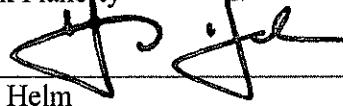
  
Mark R. Reich  
Town Counsel

BOARD OF SELECTMEN

  
Richard Quintal, Chairman

  
Betty Cavacco, Vice Chairman

  
Patrick Flaherty

  
Harry Helm

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 virtually by remote participation on Saturday, the Sixteenth day of October, 2021, at 8:00 a.m. to conduct the Annual Business Meeting of the Town of Plymouth, by posting copies of this Warrant in the Town Office Building seven days at least before such meeting.

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Signature  
Town Clerk

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Date & Time  
Posted