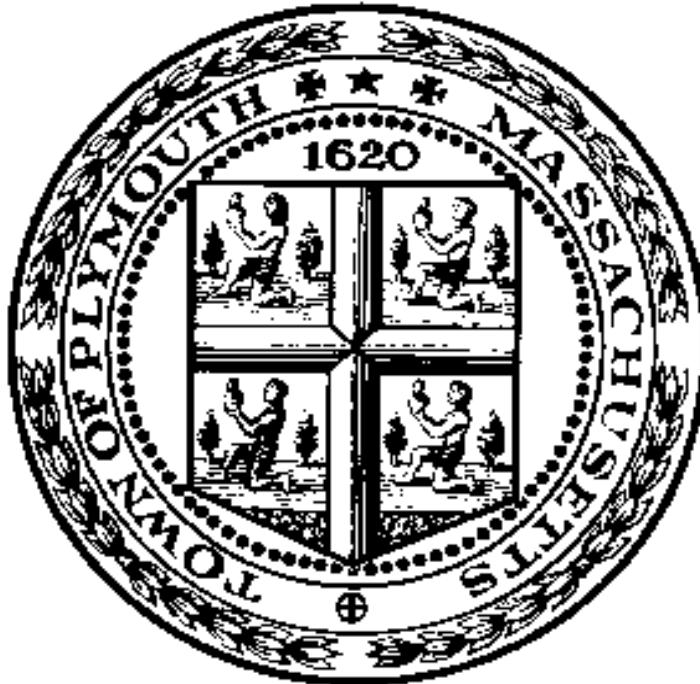


TOWN OF PLYMOUTH

REPORT
& RECOMMENDATIONS
OF THE
ADVISORY AND FINANCE
COMMITTEE



Presented at the
April 1, 2017

SPRING SPECIAL
TOWN MEETING

SPECIAL TOWN MEETING
April 1, 2017
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REPORT & RECOMMENDATIONS

REPORT & RECOMMENDATIONS OF THE ADVISORY & FINANCE COMMITTEE
Spring Special Town Meeting - April 1, 2017

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

RECOMMENDATIONS: The Advisory & Finance Committee divided the article into four separate components discussing and voting each individually:

A: 2/1/17 Memo from M. Brinkmann

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve this component of Article 1. This component involves housekeeping changes and updates to incorporate current practices to the Personnel Bylaw. The town's Personnel Bylaw governs all non-union employees.

B: 2/1/17 Memo from D. Brindisi

RECOMMENDATION: Approval (7-5-0). The Advisory & Finance Committee recommends Town Meeting approve this component of Article 1. This component adds two new sections to the Personnel Bylaw, one for Stipends and one for Licensure. Non-union positions in the Fire Department and Police Department would be eligible to receive stipends which are now offered to members of the public safety unions. These include supervision of specialty positions, emergency medical technician, medical technology, and fire technical certifications. Total estimated compensation for the proposed changes in FY2018 is \$11,850. Right now if a Fire Battalion Chief who receives all stipends seeks a promotion to Deputy Chief, that promotion may result in a loss of pay. This Personnel Bylaw change would allow stipends to be carried to Fire and Police administration, creating intradepartmental equity. The Licensure section gives the Town Manager the authority and flexibility to waive any licensure/certification or any other requirement found within a job description as he/she deems necessary and appropriate for the continuity of operations.

C: 2/3/17 Memo from D. Brindisi

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve this component of Article 1. This component amends the COBRA-Crossing Guard/Meter Enforcement Officer Collective Bargaining Agreement by adding a senior step to the Meter Enforcement Officer salary table. This would be a 2% increase once the employee is maxed out at step 5 and completes 10 years of service. There is one Meter Enforcement Officer remaining who works directly for the town. Total compensation for the proposed changes in FY2018 is \$645.

D: 1/19/17 Memo from M. Arrighi

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve this component of Article 1. This component adds two new sections to the Personnel Bylaw: one adds certain language derived from what is commonly known as the "Strong Chief Statutes" of Massachusetts' General Laws; whether or not Town Meeting votes to rescind the Town's acceptance of the "Strong Chief Statutes" (STM Articles 9 & 10), adding this language to the Personnel Bylaw is still appropriate in terms of clarifying the roles and responsibilities of the Police Chief and Fire Chief. The second addition inserts language relating to the disciplinary measures that would apply to all non-union employees. It includes language regarding removal of employee for just cause, responsibility for property, and authority to make rules and regulations for department. Currently there is no language in the Personnel Bylaw that addresses discipline. The new section mimics the existing discipline language in the OPEIU contract.

ARTICLE 2: To see if the Town will vote to transfer a sum of money to be added to funds already appropriated under Article 7 of the 2016 Spring Annual Town Meeting for the purpose of supplementing departmental expenses, or otherwise amend said vote, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 2. Town Meeting approval of this article will transfer \$70,000 from the FY2017 Budget for Member Benefits – Workers Compensation to cover an anticipated shortfall in the FY2017 Town Manager Department – Other Expenses, specifically for legal service costs associated with representing the Town in the sewer litigation.

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

BOARD OF SELECTMEN

RECOMMENDATION: No Motion No Action (Unanimous, 12-0-0).

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 of buildings 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 or professional consulting services, including any related costs and expenses, as follows:

A. Design, Permitting, Engineering and Construction of Water Main on Taylor Avenue.
Or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval \$2,200,000 (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 4. Approval of this article will fund the design, permitting, engineering and construction of the water main on Taylor Avenue. This work will be done prior to the full road reconstruction project scheduled this fall. The current water main is very old and there is concern about its ability to hold up during road construction and sustaining the area's water supply into the future. The proposed work will replace the 8" cast iron main with a 12" ductile iron main, including new services, hydrants, and gate valves from White Horse Road to Manomet Point Road. The objective is to complete as much of the work as possible before the busy summer season begins.

ARTICLE 5: To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with G.L. c. 44 § 20, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 10-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 5. The Municipal Modernization Act, effective November 7, 2016, changed the treatment of bond proceeds with respect to premiums received on bonds. Town Meeting approval of this article will allow the town to follow the amended statute on all previous authorizations where the long term borrowing has not been finalized so that any premiums received will be used to reduce the borrowing and pay for the project costs, basically grandfathering this process for all projects voted prior to November 2016.

ARTICLE 6: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to the following Stabilization Fund, as authorized by the provisions of G.L. c. 40, §5B as amended,

a. Nuclear Plant Mitigation Stabilization Fund

or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval \$1,000,000 (Unanimous, 10-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 6. Approval of this article will authorize the Town to transfer \$1,000,000 from free cash to the Nuclear Plant Mitigation Stabilization Fund. Funds are being set aside for future use as it relates to the Entergy Nuclear Power Plant and the effect that its closure will have on the town's budget, tax rate and economic development. The current balance of the Nuclear Plant Mitigation Stabilization Fund is \$3,739,246. As with all Stabilization Funds, a 2/3rds vote of Town Meeting would be required for withdrawals from the stabilization fund.

ARTICLE 7: To see if the Town will vote to establish a Pavement Management Plan Debt 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 a sum of money for the purpose of funding principal, interest and any other borrowing costs associated with the Pavement Management Plan submitted to the Capital Improvements Committee and funded by Town Meeting on an annual basis, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval \$1,019,741 (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 7. Approval of this article will create a Pavement Management Program Debt Stabilization Fund and transfer \$1,019,741 from free cash into the stabilization fund. This is the exact amount of the excess 2016 motor vehicle excise taxes (amount that was brought in over what was budgeted). The state requires that excess excise tax flow to free cash. Moving forward this stabilization fund can be funded annually in the same manner, with Town Meeting voting to transfer the excess Motor Vehicle Excise Taxes which flowed to free cash the previous year into the stabilization fund.

ARTICLE 8: To see if the Town will vote pursuant to the provisions of G.L. c.44, §53E½, as most recently amended, to amend the General Bylaws by inserting a new bylaw establishing and authorizing various revolving funds for use by certain town departments, boards, committees, agencies or officers, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, as on file with the Town Clerk or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 10-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 8. Approval of this article will amend the General Bylaws by adding Chapter 143 - Departmental Revolving Funds. This bylaw will authorize the town's revolving funds for FY2019 and beyond. G.L. Chapter 44 Section 53E½ was recently updated by the Municipal Modernization Act which requires that Revolving Funds be established by bylaw instead of an annual legislative body vote. Annual spending caps will still be voted at Town Meeting. Annual Town Meeting Article 3 is taking care of Revolving Funds for FY2018, as this amendment to our General Bylaws needs to go to through state approval.

ARTICLE 9: To see if the Town will vote to rescind the vote taken under Article 91 of the April 9, 1973 Annual Town Meeting accepting the provisions of General Laws Chapter 48, Section 42, commonly known as Strong Fire Chief statute, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (10-2-0). The Advisory & Finance Committee recommends Town Meeting approve Article 9. Approval of this article will rescind Plymouth's acceptance of the provisions of General Laws Chapter 48 Section 42, more commonly known as the Strong Fire Chief statute. A substantial portion of this law is obsolete so it makes sense to rescind. The town is pulling out the relevant language and adding it to the Personnel Bylaw in Special Town Meeting Article 1.

ARTICLE 10: To see if the Town will vote to rescind the vote taken under Article 82 of the April 6, 1971 Annual Town Meeting accepting the provisions of General Laws Chapter 41, Section 97A, commonly known as the Strong Police Chief statute, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (10-2-0). The Advisory & Finance Committee recommends Town Meeting approve Article 10. Approval of this article will rescind Plymouth's acceptance of the provisions of General Laws Chapter 41 Section 97A, more commonly known as the Strong Police Chief statute. A substantial portion of this law is obsolete so it makes sense to rescind. The town is pulling out the relevant language and adding it to the Personnel Bylaw in Special Town Meeting Article 1.

ARTICLE 11: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation providing that after the effective date of such legislation the positions of Fire Chief and Deputy Fire Chief shall not be subject to the Civil Service statute, all as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Board of Selectmen to approve such amendments:

AN ACT EXEMPTING CERTAIN POSITIONS IN THE FIRE DEPARTMENT OF THE TOWN OF PLYMOUTH FROM THE CIVIL SERVICE LAW

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same as follows:

Section 1. Notwithstanding any general or special law to the contrary, the positions of fire chief and deputy fire chief within the fire department of the town of Plymouth shall be exempt from chapter 31 of the General Laws.

Section 2. Section 1 shall not impair the civil service status of any person employed on a permanent basis as fire chief or deputy fire chief in the town of Plymouth on the effective date of this act.

Section 3. This act shall take effect upon its passage.

Or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Not Approve (5-7-0). The Advisory & Finance Committee recommends Town Meeting not approve Article 11. Approval of this article would remove the positions of Fire Chief and Deputy Fire Chief from Civil Service. Town Management, including the Fire Chief, believe removing these positions from Civil Service has merit, would improve efficiency, and help with succession planning. By law, Chief Bradley must retire by June 30, 2020, at the latest, and there are currently no candidates on the civil service list to replace him. Civil Service is not offering the Chief test this year or next year. Under Civil Service, if no candidates are on the list, then the town cannot make a permanent hire. The town would most likely have to find a retired Chief, with little or no knowledge about Plymouth, to come in on a temporary basis until someone from the list is hired permanently. If the Fire Chief and Deputy Chief positions are removed from Civil Service, the town would have the same flexibility as it currently has with hiring other Department Heads. Also with such hires, as a means of checks and balances, the Board of Selectmen have the ability to veto the hiring of any selected individual. Union representatives spoke about the history and strengths of Civil Service, particularly about its separation from political pressure, cronyism and nepotism. The Advisory & Finance Committee had a lot of questions and discussion about this topic. They saw merit with both sides of the argument and in the end voted by close margin not to support removal from Civil Service at this time. There was a certain level of discomfort in replacing Civil Service with a new system where the details have not yet been fully ironed out. Members of the Committee expressed hope that both sides could sit down together to devise a new system that could work for the town moving forward.

ARTICLE 12: To see if the Town will vote to transfer the care, custody, management and control of Lot 4 on Plymouth Assessors' Map 44 as on file with the Town Clerk, from the Town Treasurer for tax title purposes to the Board of Selectmen to sell or lease or transfer for a sum and upon conditions to be determined by the Board of Selectmen and pursuant to the requirements of G. L. c. 30B, and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to effectuate the vote taken hereunder; or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (11-1-0). The Advisory & Finance Committee recommends Town Meeting approve Article 12. Approval of this article will transfer a parcel from the care and custody of the Treasurer for tax title purposes to the Board of Selectmen to sell, lease or transfer the property. This 10 acre parcel, off Rocky Hill Road and Powerhouse Road (near the Entergy site), has been identified as a potential site for a sub-station and converter station for the Atlantic Link, a subsea 900 MW high voltage direct current HVDC line which will run from New Brunswick to Plymouth. The property would be transferred to a non-profit entity in exchange for a minimum of \$2.5 million per year in tax revenue (to be determined through a PILOT agreement) and funding to construct and maintain at least two multi-purpose fields at Forges Field or in another recreational area in Plymouth. If the benefits to the town are not met within a five year period, the parcel will be transferred back to the Board of Selectmen. The Advisory & Finance Committee is pleased to see this potential new revenue stream.

ARTICLE 13: To see what sum the Town will appropriate, in addition to the amount appropriated by vote taken under Article 1 of the June 26, 2006 Special Town Meeting, to pay additional costs of completing the Plymouth South High School construction project, including the payment of all costs incidental and related thereto, and further to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action thereto.

SCHOOL COMMITTEE

RECOMMENDATION: Approval \$3,100,000 (8-3-1). The Advisory & Finance Committee recommends Town Meeting approve Article 13. Approval of this article will allow additional borrowing of up to \$3.1 million to complete the Plymouth South High School project. Construction costs have escalated since this project was approved by ballot vote 11 years ago. This will fund the last items remaining on the list: synthetic turf baseball, softball, and soccer fields, as well as irrigation and lighting for those three fields. Fields will be built on the site of the existing school once it is demolished. The remaining contingency fee at the close of the school building project is estimated at \$1.5 to \$1.8 million which will be applied to the field project, leaving \$1.3 to \$1.6 million as the estimated balance for completion. The Advisory & Finance Committee agreed that equitable amenities should exist at both of the Town's high schools.

ARTICLE 14: Withdrawn

ARTICLE 15: To see if the Town will vote to rescind the vote taken under Article 10 of the 2010 Special Town Meeting that read as follows:

ARTICLE 10: To see if the Town will vote to transfer a parcel of land containing .170 acres more or less, shown on Assessor's Map 57, Lot 60A-8, identified as 217 Roxy Cahoon Road, from the Town Treasurer for the purpose of sale to the Board of Selectmen for the purpose of conveyance, and further to authorize the Board of Selectmen convey said parcel of land to the Plymouth Redevelopment Authority for the development of affordable housing thereon, and to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary or convenient on behalf of the Town of Plymouth to affect said conveyance, subject to such terms and conditions as the Board of Selectmen may determine appropriate, including the payment of nominal consideration, or take any other action relative thereto.

REDEVELOPMENT AUTHORITY

Or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 15. Approval of this article will rescind the vote taken under Article 10 of the 2010 Special Town Meeting thereby returning the custody and control of the parcel to the Treasurer. The Plymouth Redevelopment Authority decided against pursuing the redevelopment of the property based on its relatively small size so the property was never conveyed to them. This will allow the Treasurer to include this property in the next auction.

ARTICLE 16: To see if the Town will vote to rescind the vote taken under Article 14 of the 2010 Fall Annual Town Meeting that read as follows:

ARTICLE 14 To see if the Town will vote, pursuant to G.L. c.44B, to appropriate from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, the sum of \$66,000.00 as a grant to the Plymouth Redevelopment Authority for the renovation of 217 Roxy Cahoon Road, shown as Assessors Map 57, Lot 60a-008, for the purpose of support of community housing, and to authorize the Town Manager, in consultation with the Community Preservation Committee, to enter into a grant agreement with said Redevelopment Authority setting forth the terms and conditions upon which the funds may be expended, which agreement shall include a requirement that the creation and use of the affordable housing units shall be eligible for inclusion on the Subsidized Housing Inventory maintained by the Department of Housing and Community Development for the Town of Plymouth, and a requirement that the Redevelopment Authority grant to the Town an affordable housing restriction(s) in the property, and to authorize the Board of Selectmen to accept a affordable housing restriction(s) on said property, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

Or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 16. Approval of this article will rescind the vote taken under Article 14 of the 2010 Fall Town Meeting. Since the original appropriation was from FY2011 Community Preservation Fund Estimated Annual Revenues, the \$66,000 set aside for this specific project would return to the CPA undesignated fund balance at the end of the fiscal year. The funds can then be used toward a future project. As stated in the previous article, the Plymouth Redevelopment Authority decided not to move forward with renovations to this property.

ARTICLE 17: To see if the Town will vote to transfer a sum from available funds to pay for the snow and ice deficit remaining from FY2015, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 17. Approval of this article will transfer \$301,853.71 from free cash to pay the remaining FY2015 Snow & Ice deficit. After record-breaking storms in 2015, the state allowed the snow and ice deficit from that winter to be amortized over FY2016, FY2017 and FY2018. This transfer will pay off the remaining deficit one year early so none of it will carry over to FY2018.

ARTICLE 18: To see if the Town will vote to transfer from the Conservation Commission for conservation purposes to the Board of Selectmen for the purpose of conveyance the care, custody, management and control of a portion of a parcel of land located on the westerly side of Rocky Pond Road shown as Lot 4C on Assessors Map 91, as shown on a plan on file with the Town Clerk, and to authorize the Board of Selectmen to convey said portion of Lot 4C upon such terms and conditions deemed by the Board of Selectmen to be in the Town's best interest; and further to authorize the Board of Selectmen to submit a petition for special legislation to the General Court under the provisions of Article 97 of the Amendments to the Massachusetts Constitution authorizing the foregoing transfer, said transfer to become effective upon the enactment of said Article 97 legislation and upon a determination of the Conservation Commission that said portion of Lot 4C is no longer required for conservation purposes; and further to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain a portion of a parcel of land located on the westerly side of Rocky Pond Road shown as Lot 6-22 on Assessors Map 91, as shown on a plan on file with the Town Clerk, upon such terms and conditions as the Board of Selectmen shall deem to be in the best interest of the Town, said portion of Lot 6-22 to be held under the care, custody, management and control of the Conservation Commission in order to satisfy the Executive Office of Energy and Environmental Affairs' "no net loss policy" which states that the loss of Article 97 land shall be compensated for by the designation of other land of at least equal conservation value; and further to authorize the Board of Selectmen to enter into any and all agreements and execute any and all instruments as may be necessary to effectuate the purposes of this article; or take any other action relative thereto.

By Petition: Roy F. Geiger et al

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 18. Approval of this article will allow the town to swap an equal portion of land currently designated for conservation purposes from a town owned parcel (map 91, lot 4C), currently designated for conservation purposes, with that of an adjacent resident owned parcel (map 91, lot 6-22). A recent mortgage inspection disclosed for the first time that the resident's in-ground pool encroached onto the abutting town-owned property. The pool was installed in 2000 based on an incorrect plan designed and filed by the pool installer. An appraisal of the two parcels is required to affirm that the parcels have equal value and utility in accordance with the requirements of the project agreement for the town-owned conservation land. The land swap also will be subject to a two-thirds approval vote by both houses of the Massachusetts legislature.

ROLL CALL VOTING CHARTS

ADVISORY & FINANCE COMMITTEE - ROLL CALL VOTING CHART - SPECIAL TM ARTICLES

Y - For

N - Against

A - Abstain

X - Absent

Ch - Chair did not vote

ARTICLES

		Kevin Carty	Betty Cavacco	Robert Cote	Judith Fitzgerald	Harry Helm	Ethan Kusmin	Mike Lincoln	Peter Mador	Christopher Merrill	John Moody	Patrick O'Brien	Harry Salerno	Sheila Sheridan	Marc Sirrico	Scott Stephenson	VOTE TOTAL FOR-AGAINST-ABSTAIN
	Personnel Bylaw/CBA	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	Y	X	Y	Y		12 - 0 - 0
1	A-2/1 Memo-Brinkmann	Y	Y	Y	N	N	Y	Y	X	N	Ch	Y	Y	X	N	N	7 - 5 - 0
	B-2/1 Memo-Brindisi	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	Y	X	Y	Y	12 - 0 - 0
	C-2/3 Memo-Brindisi	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	Y	X	Y	Y	12 - 0 - 0
	D-1/19 Memo-Arrighi	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	Y	X	Y	Y	12 - 0 - 0
2	FY2017 Budget Amendments	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	Y	X	Y	Y	12 - 0 - 0
3	Unpaid Bills: No Motion No Action at this time	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	Y	X	Y	Y	12 - 0 - 0
4	Capital - Water Main on Taylor Avenue	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	Y	X	Y	Y	12 - 0 - 0
5	Bond Premiums	Y	X	Y	Y	Y	X	X	Y	Y	Ch	Y	Y	X	Y	Y	10 - 0 - 0
6	Stabilization Fund - Nuclear Mitigation	Y	X	Y	Y	Y	X	X	Y	Y	Ch	Y	Y	X	Y	Y	10 - 0 - 0
7	Stabilization Fund - Pavement Management	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	Y	X	Y	Y	12 - 0 - 0
8	Bylaw - Revolving Funds	Y	X	Y	Y	Y	X	X	Y	Y	Ch	Y	Y	X	Y	Y	10 - 0 - 0
9	Rescind Fire Chief Statute	N	Y	Y	Y	Y	Y	Y	X	Y	Ch	N	Y	X	Y	Y	10 - 2 - 0
10	Rescind Police Chief Statute	Y	N	Y	Y	Y	Y	Y	X	Y	Ch	N	Y	X	Y	Y	10 - 2 - 0
11	Rescind Civil Service - Fire Chief & Deputy Fire Chief	N	N	Y	N	N	Y	Y	X	N	Ch	N	Y	X	N	Y	5 - 7 - 0
12	Transfer Parcel - Map 44 Lot 4	Y	N	Y	Y	Y	Y	Y	X	Y	Ch	Y	Y	X	Y	Y	11 - 1 - 0
13	Plymouth South High School Construction Costs	Y	N	N	Y	N	Y	Y	X	Y	*N	Y	A	X	Y	Y	8 - 3 - 1
15	Rescind Article 10 of 2010 Special Town Meeting	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	Y	X	Y	Y	12 - 0 - 0
16	Rescind Article 14 of 2010 Fall Town Meeting	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	Y	X	Y	Y	12 - 0 - 0
17	Transfer - FY2015 Snow & Ice Deficit	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	Y	X	Y	Y	12 - 0 - 0
18	Petitioned - Parcel Portion Exchange	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	Y	X	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

DEPT	DEPARTMENT OR SPONSOR	PROJECT DESCRIPTION	COMPONENT COST	PROJECT COST	R A N K	TOWN MANAGER RECOMMENDED PROJECT FUNDING	FREE CASH	DEBT	TAX LEVY	OTHER
210 Police Dept	Active Shooter Response Protective Vest			\$ 27,000	1	\$ 27,000				
220 Fire Dept	SCBA Upgrades			\$ 167,000	2	\$ 167,000	27,000			
422 DPW Maintenance	Town Building Repair Program: Library Chillers, Duct, Insulation, Roof Insulation, Drains	\$1,004,746.00		\$ 5,237,116	3	\$ 1,098,246	93,500	842,077		162,659 Available bidg maint-library project funds
	Replace Boiler in Fire Station 2	\$27,500.00								
	Replace Boiler in Fire Station 1	\$66,000.00								
	Repairs to the Following Buildings per Facilities Assessment Report:									
	Hedges Pond Main Building	\$36,133.00								
	Cedarville Garage	\$43,308.00								
	Crematory	\$8,363.00								
	DPW Annex	\$308,960.00								
	Fire Station 1 - HQ	\$117,550.00								
	Fire Station 2 - W. Plymouth	\$111,013.00								
	Fire Station 3 - Pine Hills	\$57,745.00								
	Fire Station 4 - Bourne Rd	\$61,545.00								
	Fire Station 5 - Manomet	\$228,654.00								
	Fire Station 6 - Cedarville	\$131,809.00								
	Harbor Master Building	\$55,745.00								
	Highway Building	\$411,629.00								
	Little Red Schoolhouse	\$69,367.00								
	Library - Main Branch	\$884,870.00								
	Library - Manomet Branch	\$38,889.00								
	Manomet Youth Center	\$85,581.00								
	Memorial Hall	\$50,000.00								
	Police Station	\$132,008.00								
	Senior Center	\$65,247.00								
	Stephens Field Concession/Restroom Facility	\$18,150.00								
	Town Hall	\$577,879.00								
	Vine Hills Cemetery Office	\$160,827.00								
	Visitor Center	\$33,538.00								
300 School Dept	School Building Repair Program			\$ 1,461,368	4	\$ 556,600	556,600			
	Replace Floor Tiles	\$141,625.00								
	Repave Asphalt Areas and Create New Spaces	\$95,122.00								
	Replace Windows-1 Pod Per Year	\$59,740.00								
	Repave Asphalt Areas	\$16,789.00								
	Field Renovations	\$63,074.00								
	Repave Asphalt Areas	\$180,250.00								
	Replace Gym Floor	\$175,100.00								
	Resurface Gym Floor	\$37,080.00								
	Resurface Gym Floor	\$37,080.00								
	Resurface Gym Floor	\$37,080.00								
	Design and Create Additional Parking	\$51,500.00								
	Replace Ext Windows in Classrooms & Cafeteria	\$238,039.00								
	Repave Asphalt Areas	\$77,300.00								
	Carpet Replacement in Specified Areas	\$37,672.00								
	Add Additional Card Readers to Exterior Doors	\$23,577.00								
	Refurnish and Refinish Wood Floors	\$61,600.00								
	Replace IMC Carpet with Vinyl Tile	\$61,619.00								
	Replace Classroom Curtains with Vertical Blinds	\$15,493.00								
	Field Renovations	\$51,628.00								

DEPT	DEPARTMENT OR SPONSOR	PROJECT DESCRIPTION	COMPONENT COST	PROJECT COST	R A PROJECT FUNDING	TOWN MANAGER FREE CASH	DEBT	TAX LEVY	OTHER
122 Board of Selectmen Road Pavement Preservation*									
422 DPW-Maintenance	Town Fleet & Equipment Replacement Program		\$ 5,000,000	5	\$ 5,000,000				
425	FLT Fleet Fuel Efficiency Replacement Program		\$ 3,009,535	6	\$ 778,671				
425	FLT Replace 2005 Service Vehicle		\$110,109						
425	FLT Replace 2002 Facility Maintenance Work Truck		\$58,470						
420	HY Purchase New Snow Blower for Loader		\$62,420						
420	HY Replace 1999 6 Wheel Truck H37		\$181,500						
420	HY Replace 1995 Dump Truck H342		\$231,000						
420	HY Replace 1995 Dump Truck H330		\$101,930						
420	HY Replace 2000 6 Wheel Truck H32		\$264,000						
420	HY Replace Asphalt Roller		\$231,000						
420	HY Replace 1999 6 Wheel Truck H36		\$43,450						
420	HY Replace 1988 Holder Mower/Sidewalk Plow H332		\$264,000						
420	HY Purchase New Chipper		\$203,500						
420	HY Purchase New Hook Lift Leaf Vacuum		\$86,900						
420	HY Purchase New Compact Skidsteere Loader		\$44,000						
420	HY Replace 1995 Holder 325		\$36,300						
420	HY Replace 5 Ton Roller		\$198,000						
420	HY Purchase New Asphalt Roller		\$96,800						
420	HY Replace 1 Ton Dump Truck H302		\$43,450						
420	HY Replace 2002 Dump Truck H355		\$101,930						
420	HY Replace 2006 Dump Truck H346		\$101,930						
420	HY Replace 2006 Dump Truck H347		\$101,930						
420	HY Replace 2006 Dump Truck H348		\$101,930						
492	PK Replace 1996 Truck P61		\$32,667						
492	PK Replace 1999 Truck P25		\$99,677						
492	PK New Season Pickup Truck		\$32,667						
492	PK Replace 1997 Tractor		\$58,500						
2630 REC Purchase New Off-Road Vehicle for Morton Park									
300 School Dept	School Vehicle & Equipment Replacement Program		\$ 19,545						
DW Facilities	Replace 2009 SUV		\$ 36,000.00						
DW Facilities	Replace 1993 Aerial Lift Truck		\$ 86,469.00						
DW Facilities	Replace Two Diesel Busses		\$180,000.00						
427 Marine & Environ	Evaluating Inlet Stabilization at Ellisville Harbor		\$ 148,000	8	\$ 148,000				
220 Fire Dept	Refurbish Tower 1		\$ 340,162	9	\$ 340,162				
220 Fire Dept	New Station 7 in North Plymouth		\$ 7,000,000	10	\$ 300,000				
220 Fire Dept	Public Safety Radio System Upgrades		\$ 137,000	11	\$ 137,000				
138 Procur/Town Clerk	Municipal Document Management System - Phase 1		\$ 300,000	12					
210 Police Dept	Police Station Access Control System		\$ 108,280	13	\$ 108,280				
411 DPW-Engineering	Oberry Street Roadway Improvements		\$ 250,000	14	\$ 250,000				
492 DPW-Parks&For	Training Green Sidewalks		\$ 65,000	15					
411 DPW-Engineering	Bridge & Culvert Inspection		\$ 150,000	16	\$ 150,000				
492 DPW-Parks&For	Structural Inspection of Jenney & Billington Foot Bridges		\$ 28,000	17					
427 Marine & Environ	Holmes Dam Construction		\$ 159,297.78	18	\$ 159,297.78				
427 Marine & Environ	Great and Little Herring Ponds Water Quality Management Plan		\$ 71,205	19					
411 DPW-Engineering	Widging Well Mandomet Ave.		\$ 180,000	20					
490 DPW-Crematory	Rebuild Unit 2 Chamber		\$ 28,000	21	\$ 28,000				
175 Planning & Devel	GIS Flyover		\$ 125,000	22					
220 Fire Dept	Rehab Engine 6		\$ 27,400	23	\$ 27,400				
411 DPW-Engineering	Allerton Street Roadway Improvements		\$ 500,000	24					
300 School-West Elem	Roof Replacement		\$ 1,249,528	25					
421 DPW Admin	Town Square Public Improvements		\$ 1,000,000	26					
300 School-Indian Bkt	Roof Replacement		\$ 1,385,739	27					
491 DPW-Cemetery	Hearse House and Entry Renovations		\$ 600,000	28					
411 Engin/Roads Advis	Gravel Road Improvements**		\$ 1,000,000	29	\$ 1,000,000				
427 Marine & Environ	Town Wharf Way Bulkhead Work		\$ 100,000	30					

*ATM ARTICLE # 10

**ATM ARTICLE # 14

DEPT	DEPARTMENT OR SPONSOR	PROJECT DESCRIPTION	COMPONENT COST	PROJECT COST	R A N K	TOWN MANAGER RECOMMENDED PROJECT FUNDING	FREE CASH	DEBT	TAX LEVY	OTHER
491 DPW-Cemetery	Replace Water Line & Paving in Vine Hills Cemetery		\$ 26,250	31	26,250					26,250 Sale Of Lots / CPC
630 Recreation	Lights for Soccer Field 1 at Forges Field		\$ 240,000	32						
411 DPW-Engineering	Town Wide Signal Inspection		\$ 150,000	33						
492 DPW-Parks&Fore	Splash Pad Floor Replacement		\$ 136,000	34	136,000	136,000				
492 DPW-Parks&For	Veterans Park Design		\$ 45,000	35	45,000	45,000				
491 DPW-Cemetery	Replace Entrance Fencing in Oak Grove Cemetery		\$ 19,000	36	19,000					19,000 Sale Of Lots / CPC
491 DPW-Cemetery	Fence Replacement on Samoset St.		\$ 39,000	37	39,000					39,000 Sale Of Lots / CPC
610 Library	Replace Carpet in Mahomet		\$ 15,000	38						
421 DPW Admin	Water Street Promenade - North Phase		\$ 21,000,000	39						
220 Fire Dept	Replace and Equip Tanker 1		\$ 383,000	40						
220 Fire Dept	Replace Boat 5 - Mahomet		\$ 27,165	41						
427 Marine & Environ	Harbor Master Work Skiff		\$ 30,000	42	30,000					30,000 Waterways
630 Recreation	Court Repairs at Elmer Raymond and Briggs Fields		\$ 56,500	43						
220 Fire Dept	Replace and Equip Brush Breaker 171		\$ 439,000	44						
210 Police Dept	Replace Emergency Response Vehicle		\$ 92,660	45						
411 DPW-Engineering	Bartlett Rd. Bridge Design		\$ 200,000	46						
411 DPW-Engineering	Brook Road Bridge Design and Construction		\$ 1,000,000	47						
411 DPW-Engineering	Seven Hills Rd. Drainage Improvements		\$ 550,000	48						
300 School-11LincolnSt	Repairs and Renovations to 11 Lincoln St		\$ 900,585	49						
492 DPW-Parks&For	Design for Two Multi-Purpose Fields at Forges Field		\$ 150,000	50						
300 School-PSHS	Installation of Turf Fields		\$ 4,000,000	51						
TOTAL GENERAL FUND PROJECTS			\$ 59,656,559.78		10,873,375.78	\$ 3,479,082	\$ 5,842,077	\$ 1,000,000	\$552,216.78	****STM ARTICLE # 13
440 DPW-Sewer	Capacity Management, Operation & Maintenance (CMOM) Plan		\$ 500,000	1	300,000					
DPW-Sewer	Pipe Line and Pipe Point Repairs		\$ 500,000	2	500,000	500,000				300,000 Samoset Article
DPW-Sewer	Sewer System Upgrades		\$ 250,000	3						
DPW-Sewer	Replace 1997 Dump Truck S58		\$ 121,000	4						
TOTAL FOR SEWER			\$ 1,371,000		800,000	500,000	500,000	300,000	300,000	300,000
450 DPW-Water	Water System Expansion Design, Permitting and Engineering		\$ 1,600,000	1	1,600,000	1,600,000				
DPW-Water	Design, Permitting, Construction- Taylor Ave Water Main****		\$ 2,800,000	2	2,200,000	2,200,000				****STM ARTICLE # 4
DPW-Water	Water Infrastructure		\$ 500,000	3	250,000					250,000 Water Fund
DPW-Water	Replace 2001 6-Wheel Dump Truck		\$ 215,000	4						
TOTAL FOR WATER			\$ 5,115,000		4,050,000	3,800,000	3,800,000	250,000	250,000	Water Fund
482 Airport	Small Slide Sander		\$ 32,000	1	9,500					
Airport	Treatment Plant HVAC Electrical Panel		\$ 20,000	2	20,000					
TOTAL FOR AIRPORT			\$ 52,000		29,500					
TOTAL FOR ENTERPRISE FUNDS			\$ 6,538,000		4,879,500	\$ -	\$ 4,300,000	\$ -	\$ 579,500	\$1,131,716.78
TOTAL PROJECTS FOR FY18			\$ 66,194,559.78		15,752,875.78	\$ 3,479,082	\$ 10,142,077	\$ 1,000,000		

ARTICLE
SUPPORTING
DOCUMENTATION

ARTICLE 1:

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

RECOMMENDATIONS: The Advisory & Finance Committee divided the article into four separate components discussing and voting each individually:

A: 2/1/17 Memo from M. Brinkmann

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve this component of Article 1. This component involves housekeeping changes and updates to incorporate current practices to the Personnel Bylaw. The town's Personnel Bylaw governs all non-union employees.

B: 2/1/17 Memo from D. Brindisi

RECOMMENDATION: Approval (7-5-0). The Advisory & Finance Committee recommends Town Meeting approve this component of Article 1. This component adds two new sections to the Personnel Bylaw, one for Stipends and one for Licensure. Non-union positions in the Fire Department and Police Department would be eligible to receive stipends which are now offered to members of the public safety unions. These include supervision of specialty positions, emergency medical technician, medical technology, and fire technical certifications. Total estimated compensation for the proposed changes in FY2018 is \$11,850. Right now if a Fire Battalion Chief who receives all stipends seeks a promotion to Deputy Chief, that promotion may result in a loss of pay. This Personnel Bylaw change would allow stipends to be carried to Fire and Police administration, creating intradepartmental equity. The Licensure section gives the Town Manager the authority and flexibility to waive any licensure/certification or any other requirement found within a job description as he/she deems necessary and appropriate for the continuity of operations.

C: 2/3/17 Memo from D. Brindisi

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve this component of Article 1. This component amends the COBRA-Crossing Guard/Meter Enforcement Officer Collective Bargaining Agreement by adding a senior step to the Meter Enforcement Officer salary table. This would be a 2% increase once the employee is maxed out at step 5 and completes 10 years of service. There is one Meter Enforcement Officer remaining who works directly for the town. Total compensation for the proposed changes in FY2018 is \$645.

D: 1/19/17 Memo from M. Arrighi

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve this component of Article 1. This component adds two new sections to the Personnel Bylaw: one adds certain language derived from what is commonly known as the "Strong Chief Statutes" of Massachusetts' General Laws; whether or not Town Meeting votes to rescind the Town's acceptance of the "Strong Chief Statutes" (STM Articles 9 & 10), adding this language to the Personnel Bylaw is still appropriate in terms of clarifying the roles and responsibilities of the Police Chief and Fire Chief. The second addition inserts language relating to the disciplinary measures that would apply to all non-union employees. It includes language regarding removal of employee for just cause, responsibility for property, and authority to make rules and regulations for department. Currently there is no language in the Personnel Bylaw that addresses discipline. The new section mimics the existing discipline language in the OPEIU contract.

DATE: February 1, 2017

TO: Board of Selectmen
Advisory and Finance Committee

FROM: Marie Brinkmann, Director of Human Resources

RE: Article 1 Special Town Meeting

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

BOARD OF SELECTMEN

Human Resources recommends the following changes to the Personnel Bylaw:

- As a matter of “housekeeping”, remove the extra column headings “Words or Phrase and Definition” from Section 2, Definition of Bylaw Terms.
- As a matter of “housekeeping”, add the title to Section 3 “Authorization and Authority of the Town Manager
- Correct Section 5 Compensation Plan (d) to remove reference to Section 6 (c) which does not exist.
- Update Section 5 Compensation Plan (h) to be consistent with current practice that salary changes are made in either January or July, not upon 52 weeks from date of promotion.
- Update Section 5 Compensation Plan (k) to allow compensation for a full-time employee who temporarily serves in a higher position for at least two weeks to be compensated at the higher rate of pay retroactive to the date of appointment. This change would be consistent with the language in the OPEIU Collective Bargaining Agreement.
- As a matter of “housekeeping”, update Section 7 Schedule A: Classification of Positions to correct the following titles:
Section 7.2 Group: Executive Management – Non-Union
Section 7.3 Group: Administrative – Non-Union

Section 7.4 Group: Miscellaneous Schedule D – Non-Union

- Update Section 7 Schedule A: Classification of Positions Section 7.4 Group: Miscellaneous Schedule D – Non-Union to remove Seasonal Office Worker. This position is part of the SEIU Collective Bargaining Group
- Update Section 11 Definition of Work Week to remove Note B pertaining to a 4 day work week
- As a matter of “housekeeping” update Section 12 Paid Holidays (d) to properly refer to sub-section (b)
- Update Section 14 Deferred Compensation to remove the word “evenly”. Employees may contribute “uneven” amounts during the course of the year as long as they do not exceed the IRS maximum annual regular contribution
- Update Section 14 Deferred Compensation to remove language regarding participation in more than one plan. The Town of Plymouth offers only one Deferred Compensation plan to its employees
- Update Section 15 Earned Time to refer to the proper classification sections 7.1-7.3
- Update Section 16 Bereavement Leave to add language regarding “leave of one day for less than immediate family members”. This benefit is consistent with other bargaining groups in the Town including OPEIU, SEIU, DPW and Library
- Update Section 19 Physical Examination and Drug Screening to be consistent with the following current practices:
 1. require potential new hires to have a pre-employment drug test as well as a pre-employment physical
 2. the relevant job description is provided to the examining physician in order for the physician to determine if the candidate is physically qualified to perform the duties of the position, the Human Resource Director does not design or distribute a health questionnaire
 3. the report of the pre-employment physical is provided to the Retirement Board only for those employees eligible to participate in the Plymouth Retirement System
 4. remove language that candidates for part-time positions may provide a physician’s certificate of good health as the Town sends all candidates for permanent positions (full-time and part-time) for pre-employment physicals and drug tests
- Update Section 20 Physical Examination-Seasonal to include that the Human Resource Director may send a seasonal candidate to a pre-employment physical as circumstances may dictate
- Update Section 21 Job Postings to be consistent with the current practice of advertising an open position only if it remains unfilled after the internal posting
- As a matter of “housekeeping” update Table of Contents

**TOWN OF PLYMOUTH
11 Lincoln Street
Plymouth, MA 02360
(508) 747-1620**

**OFFICE OF TOWN MANAGER
MEMORANDUM**

To: Board of Selectmen
Advisory and Finance Committee Members

From: Derek S. Brindisi, Assistant Town Manager

Date: February 1st 2017

Re: **Special Town Meeting, Article 1**

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

The town Manager is proposing to add two new sections to the Personnel By-law.

1. STIPENDS

The Town Manager is proposing to add certain financial provisions within the Personnel By-law that recognizes and rewards the non-union positions in both the Fire Department and Police Department for having acquired the same level of credentials and education and for providing the same level of specialty supervision within the each respective Department. Through multiple sets of negotiations and collective bargaining agreements, the various public safety Unions were able to negotiate stipends for supervision of specialty positions, emergency medical technician, medical technology, and fire technical certifications. Bargaining unit members deemed these skill sets as an added service and benefit to the community for which they should be rightfully compensated for. The proposed By-law amendment, like the Collective Bargaining Agreements recognizes that this added service benefit extends beyond the rank and file and into the Police and Fire Department's Administration and too should be compensated for such service. The following stipends shall be recognized within the proposed By-law language below:

1. The Medical/Medical Technology Stipend: In recognition of the training and service provided by the members of the Police and Fire Department in connection with the operation of the semi-automatic defibrillator, Narcan and other medical services and devices the Police Chief & Captains and Fire Chief & Deputy Fire Chief shall receive a stipend of \$250.
2. Emergency Medical Technician (EMT) certification stipend of \$1,200 shall be awarded to the Fire Chief and Deputy Fire Chief on annual basis if achieved.

3. The Fire Chief and Deputy Fire Chief shall receive \$1,000 per certification annually, with a \$3,000 maximum accrual annually as outlined in Article XIX of the Collective Bargaining Agreement of the Firefighter's Union.
4. The Fire Chief and Deputy Fire Chief shall receive \$1,000 per certification annually, with a \$2,000 maximum accrual annually when Fire Inspector I or II and Fire Trainer I or II is achieved as outlined in the Fire MOU dated 10/18/2006.
5. The Police Department specialty stipend identifies the Supervisory positions (Detective, Training, Prosecution, Records, and Accreditation Supervisors) in which the Chief and Captains provide additional oversight, supervision and accountability to. Each non-union position would receive \$100 per month for providing the aforementioned supervision.
6. Total annual compensation for the proposed changes in FY 2018: \$11,850

Proposed Personnel By-Law by amendment:

SECTION 27 **STIPENDS**

- (a) **Non-union Police Officers, of any rank or grade, will be entitled to the same medical stipend benefit and specialty stipend benefit as the Superior Officers.**
- (b) **Non-union Fire Department Officers, of any rank or grade, will be entitled to the same benefits as outlined in Articles XIX and XIII of the Firefighters Collective Bargaining Agreement.**
- (c) **Non-union Fire Department Officers, of any rank or grade, will be entitled to the same benefits as outlined in the Fire MOU dated 10/18/2006.**

2. LICENSURE

The Town Manager is also proposing to add language to the Personnel By-law that provides flexibility to the Town Manager when considering certain licensure and/or certifications for non-union members. A classic example would be the ability to waive the driver's license requirement for personnel that would not ordinarily need a driver's license for employment purposes.

Proposed Personnel By-Law by amendment:

SECTION 28 **LICENSURE**

The Town Manager may waive any licensure/certification or any other requirement found within a job description as he/she deems necessary and appropriate for the continuity of operations.

Thank you for your consideration.

TOWN OF PLYMOUTH
11 Lincoln Street
Plymouth, MA 02360
(508) 747-1620

OFFICE OF TOWN MANAGER
MEMORANDUM

To: Board of Selectmen
Advisory and Finance Committee Members

From: Derek S. Brindisi, Assistant Town Manager

Date: February 3, 2017

Re: **MOA- Meter Enforcement Officer**

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.

Effective July 1 2016, the Town and COBRA have agreed to amend the Crossing Guard/Meter Enforcement Officer Collective Bargaining Agreement by adding the following:

Update APPENDIX A STEP INCREASES for METER ENFORCMENT OFFICERS:

4. SENIOR STEP 6- A 2% increase, once the employee has completed 10 years of service and is maxed out at Step 5.

This agreement will affect one individual at a total cost of \$645.00

Respectfully submitted.



MEMORANDUM

To: BOARD OF SELECTMEN
FINANCE AND ADVISORY COMMITTEE

FROM: MELISSA ARRIGHI, TOWN MANAGER

SUBJECT: ARTICLE 1 – AMEND THE PERSONNEL BYLAWS

DATE: JANUARY 19, 2017

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

I have outlined two sections below that I am recommending be added to the Personnel Bylaws that govern non-union employees.

The first section is language that was pulled from two outdated statutes adopted by the Town some years ago. Those two Massachusetts General Laws are commonly known as the “Strong Chiefs Statutes” and I have proposed their rescission in Articles 9 and 10 of this Town Meeting. Although the majority of the language in the statutes is no longer relevant or applicable to how we govern, there is a small portion that still has merit. I would recommend that we include it within the personnel bylaws that govern non-union employees to read as follows:

“Non Union employees, including Department Heads and Fire Chief and Police Chief may be removed for just cause after a hearing in front of the appointing authority”.

“The Fire Chief and Police Chief shall be in immediate control of all town property used by the department, and shall purchase, subject to approval, and keep in repair, all equipment and apparatus used by the Department”.

“The Fire Chief and Police Chief shall have full and absolute authority in the administration of the Department and shall make all rules and regulations for its operation.”

“The Fire Chief and Police Chief shall have and exercise all the power and discharge all the duties conferred or imposed by statute.”

“The Police Chief shall be in immediate control of all police officers whom s/he shall assign to their respective duties”.

This second section of the recommended Personnel Bylaw changes is the addition of language that provides for disciplinary measures. There is currently no language in the Personnel Bylaws that addresses this issue. We have mimicked the language in the OPEIU contract.

SECTION 29 **DISCIPLINE**

- a) If the Town has reason to reprimand an employee, it shall be done in a manner that will not embarrass the employee in the presence of other employees or the public.
- b) An employee, at his/her request, will be allowed to pick one additional Town official and/or have legal representation to be present at any investigatory interview, conference, hearing, or meeting that may reasonably be expected to result in a negative action against the employee.
- c) The Town will not suspend or dismiss an employee without just cause. Without limitation and only for illustrative purposes, just cause shall mean among other things: dishonesty (including dishonest falsifying of time records); insubordination; consumption or possession of alcoholic beverages and/or non-prescribed drugs on the employee's person or on Town property or in Town motor vehicles during working hours; damage or destruction of materials or equipment; unauthorized absence from work, except in emergencies; gambling while on duty; persistent or serious infraction of reasonable rules or instructions promulgated by the Town; failure to report any accident of which the employee is aware of or has knowledge of on the day on which it occurred; refusal to do reasonable work assigned; the use, receipt or obtaining of any benefit of this Bylaw contrary to the provisions of this Bylaw; or through any misrepresentation by the employee or any other person in connivance with the employee; or a violation of any State or Federal Statute or Regulation.

Thank you for your consideration on these amendments to the Personnel Bylaws.

ARTICLE 2:

ARTICLE 2: To see if the Town will vote to transfer a sum of money to be added to funds already appropriated under Article 7 of the 2016 Spring Annual Town Meeting for the purpose of supplementing departmental expenses, or otherwise amend said vote, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 2. Town Meeting approval of this article will transfer \$70,000 from the FY2017 Budget for Member Benefits – Workers Compensation to cover an anticipated shortfall in the FY2017 Town Manager Department – Other Expenses, specifically for legal service costs associated with representing the Town in the sewer litigation.

Town of Plymouth Finance Department

TO: Board of Selectmen
Advisory & Finance Committee
FROM: Lynne A. Barrett, Finance Director
RE: **Special Town Meeting Article 2: FY2017 Budget Amendment**
DATE: February 22, 2017

Below you will see a FY2017 budget line item that needs to be amended as well as the corresponding funding source:

Need:	Funding Source:
Town Manager Dept.	\$70,000
Other Expenses – Legal Services	
00101236-530500	
	<hr/>
	\$70,000
	<hr/>
	\$70,000

This budget amendment for legal services is needed for the costs associated with representing the Town in the sewer issue.

Thank you for your consideration in reviewing and recommending this article.

ARTICLE 3:

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

BOARD OF SELECTMEN

RECOMMENDATION: No Motion No Action (Unanimous, 12-0-0).

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 of buildings 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 or professional consulting services, including any related costs and expenses, as follows:

- A. Design, Permitting, Engineering and Construction of Water Main on Taylor Avenue.

Or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval \$2,200,000 (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 4. Approval of this article will fund the design, permitting, engineering and construction of the water main on Taylor Avenue. This work will be done prior to the full road reconstruction project scheduled this fall. The current water main is very old and there is concern about its ability to hold up during road construction and sustaining the area's water supply into the future. The proposed work will replace the 8" cast iron main with a 12" ductile iron main, including new services, hydrants, and gate valves from White Horse Road to Manomet Point Road. The objective is to complete as much of the work as possible before the busy summer season begins.



TOWN OF PLYMOUTH

DEPARTMENT OF PUBLIC WORKS

159 Camelot Drive
Plymouth, Massachusetts 02360

FAX: (508) 830-4165

MEMO

Date: February 10, 2017

To: Melissa Arrighi, Town Manager

cc: Board of Selectmen
Derek Brindisi, Asst. Town Manager
Rich Tierney, Water Supt.

From: Jonathan Beder, Director of Public Works

**Re: Taylor Avenue, Water Main Replacement
Special Town Meeting-Article 4, \$2.2M**

The DPW is requesting \$2.2M to replace the existing 1933 8-inch cast iron water main within Taylor Avenue prior to the full road reconstruction project now scheduled for the Fall of 2017. This request is being made through the Special Town Meeting in order to access funding now as opposed to July 1st. Our objective is to start the main replacement as soon as the weather turns to ensure completion by the Fall and to accelerate as much of the work before the busy summer season.

We are concerned with the current age and material type of the main and its ability to hold up during construction and sustain area water supply into the future. The proposed work will replace the 8-inch cast iron with a 12-inch ductile iron main, including new services, hydrants, and gate valves, from White Horse Road to Manomet Point Road, a distance of 5,500 feet.

This new water main layout has been coordinated with the new roadway design and is currently at 75% design. We have attached a copy of the engineers cost estimate which is at \$1.9M. Our request has been reduced from the original CIC request of \$2.8M but we are slightly higher than the latest engineers cost estimate to account for any changes in final design.

We respectfully request that Board of Selectmen acting in their capacity as Water Commissioners support this \$2.2M Article 9 request.

Taylor Avenue Water Main Replacement - 75% Submission (includes Engineering Services During Construction)

No.	Unit	Description	Estimated Quantity	Unit Price	Estimated Total Cost
1	LF	12-inch DI Water Main	5,517	\$ 110.00	\$ 606,870.00
2	LF	8-inch DI Water Main	820	\$ 90.00	\$ 73,800.00
3	LF	6-inch DI Water Main	215	\$ 80.00	\$ 17,200.00
4	EA	12" Insertion Valve	1	\$ 20,000.00	\$ 20,000.00
5	EA	8" Insertion Valve	3	\$ 12,000.00	\$ 36,000.00
6	EA	12-inch Gate Valve & Valve Box	31	\$ 2,000.00	\$ 62,000.00
7	EA	8-inch Gate Valve & Valve Box	12	\$ 1,500.00	\$ 18,000.00
8	EA	6-inch Gate Valve & Valve Box	10	\$ 1,200.00	\$ 12,000.00
9	LF	Polyethylene Pipe Encasement	6,500	\$ 3.00	\$ 19,500.00
10	EA	New Hydrants	10	\$ 4,000.00	\$ 40,000.00
11	EA	2" Corporation Stops	5	\$ 300.00	\$ 1,500.00
12	EA	1 1/2" Corporation Stops	-	\$ 250.00	\$ -
13	EA	1" Corporation Stops	138	\$ 200.00	\$ 27,600.00
14	EA	2" Curb Stops and Boxes	5	\$ 300.00	\$ 1,500.00
15	EA	1 1/2" Curb Stops and Boxes	-	\$ 250.00	\$ -
16	EA	1" Curb Stops and Boxes	138	\$ 200.00	\$ 27,600.00
17	LF	2" PE Service Pipe	100	\$ 30.00	\$ 3,000.00
18	LF	1 1/2" PE Service Pipe	-	\$ 25.00	\$ -
19	LF	1" PE Service Pipe	3,010	\$ 20.00	\$ 60,200.00
20	EA	Exercise Curb Stops	143	\$ 50.00	\$ 7,150.00
21	CY	Miscellaneous Concrete	200	\$ 100.00	\$ 20,000.00
22	CY	Boulder Excavation	100	\$ 175.00	\$ 17,500.00
23	CY	Rock Excavation	100	\$ 350.00	\$ 35,000.00
24	CY	Sand Borrow	1,074	\$ 25.00	\$ 26,838.89
25	CY	Crushed Stone	200	\$ 25.00	\$ 5,000.00
26	CY	Gravel Borrow	1,074	\$ 30.00	\$ 32,206.67
27	LF	Gravel Base for Pavement	4,831	\$ 8.00	\$ 38,648.00
28	CY	Ordinary Borrow	20	\$ 22.00	\$ 440.00
29	CY	Excavation of Unsuitable Materials	50	\$ 15.00	\$ 750.00
30	CY	Exploratory Excavation	200	\$ 50.00	\$ 10,000.00
31	LBS	Calcium Chloride	1,000	\$ 5.00	\$ 5,000.00
32	SY	Temporary Trench Pavement (2")	3,221	\$ 8.00	\$ 25,765.33
33	SY	Semi-Permanent Trench Pavement (3")	3,221	\$ 10.00	\$ 32,206.67
34	SY	Permanent Trench Pavement (5 1/2")	-	\$ 14.00	\$ -
35	SY	Mill by Cold Plane (1 1/2")	-	\$ 5.00	\$ -
36	SY	Overlay (1 1/2")	-	\$ 9.00	\$ -
37	SY	Repair Cem Conc. Sidewalk @ Hyd & Services	204	\$ 40.00	\$ 8,160.00
38	LF	Repair/Replace Granite Curb	459	\$ 20.00	\$ 9,180.00
39	SY	Restoration of Growth	1,250	\$ 20.00	\$ 25,000.00
40	LF	Straw Wattles and Silt Fence	2,000	\$ 9.00	\$ 18,000.00
41	LS	Miscellaneous Work and Clean Up	1	\$ 5,000.00	\$ 5,000.00
42	HR	Police Services	2,097	\$ 55.00	\$ 115,315.20
43	WEEKS	Portable Message Sign	8	\$ 700.00	\$ 5,600.00
44	LS	Mobilization/Demobilization	1	\$ 73,476.54	\$ 73,476.54

ESTIMATED CONSTRUCTION COST \$ 1,543,007.29

CONTINGENCY - 15% \$ 231,451.09

TOTAL \$ 1,774,458.39

SAY \$ 1,770,000.00

Engineering Services During Construction \$ 46,800.00

Resident Inspection (assumes 6 months) \$ 122,000.00

TOTAL \$ 168,800.00

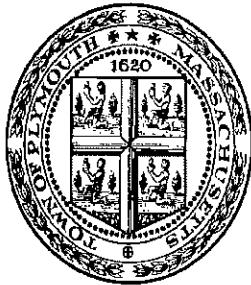
Total Construction & Engineering \$ 1,938,800.00

ARTICLE 5:

ARTICLE 5: To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with G.L. c. 44 § 20, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 10-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 5. The Municipal Modernization Act, effective November 7, 2016, changed the treatment of bond proceeds with respect to premiums received on bonds. Town Meeting approval of this article will allow the town to follow the amended statute on all previous authorizations where the long term borrowing has not been finalized so that any premiums received will be used to reduce the borrowing and pay for the project costs, basically grandfathering this process for all projects voted prior to November 2016.



TOWN OF PLYMOUTH
ACCOUNTING & FINANCE DEPARTMENT
11 LINCOLN STREET, PLYMOUTH, MA 02360
PHONE (508) 747-1620 EXTENSIONS 177
FAX (508) 830-4133

TO: ADVISORY & FINANCE COMMITTEE
BOARD OF SELECTMEN

FROM: LYNNE A. BARRETT
DEPARTMENT OF FINANCE

SUBJECT: STM ARTICLE 5 – PREMIUM ON DEBT FOR PREVIOUS
AUTHORIZATIONS

DATE: FEBRUARY 14, 2017

The Municipal Modernization Act effective 11/7/2016 changed the treatment of bond proceeds with respect to premiums received on bonds. Previous to that date they were general fund revenue unless it was debt exclusion. Debt exclusion borrowings have required the premium received to be used to reduce the borrowing and pay for project costs. In the past few years we have gone to town meeting to reduce the borrowing for PNHS and PSHS on at least 2 occasions.

The article presented below will allow the town to follow the amended statute on all previous authorizations that we have not finalized long term borrowing for so that any premiums received will be used to reduce the borrowing and pay for project costs. For example the borrowing that we will do this May of 2017 will be covered by this vote. This vote is basically grandfathering this process for all projects voted prior to 11/2016.

To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with G.L. c. 44 § 20, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

You will notice that all votes going forward to borrow money will include language for the premium received, if applicable.

Thank you for your consideration.

ARTICLE 6:

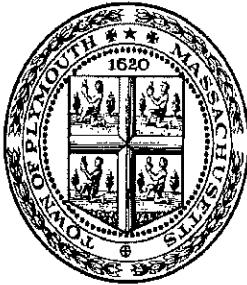
ARTICLE 6: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to the following Stabilization Fund, as authorized by the provisions of G.L. c. 40, §5B as amended,

a. Nuclear Plant Mitigation Stabilization Fund

or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval \$1,000,000 (Unanimous, 10-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 6. Approval of this article will authorize the Town to transfer \$1,000,000 from free cash to the Nuclear Plant Mitigation Stabilization Fund. Funds are being set aside for future use as it relates to the Entergy Nuclear Power Plant and the effect that its closure will have on the town's budget, tax rate and economic development. The current balance of the Nuclear Plant Mitigation Stabilization Fund is \$3,739,246. As with all Stabilization Funds, a 2/3rds vote of Town Meeting would be required for withdrawals from the stabilization fund.



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To: ADVISORY & FINANCE COMMITTEE
BOARD OF SELECTMEN

FROM: LYNNE A. BARRETT *Lynne*
DEPARTMENT OF FINANCE

SUBJECT: STM ARTICLE 6 – NUCLEAR PLANT MITIGATION STABILIZATION FUND

DATE: FEBRUARY 14, 2017

The Town has made a commitment to continually set aside available funds for the Nuclear Plant Mitigation fund; this is very important in light of Entergy's closure in May of 2019. These funds are being set aside for future use as it relates to the Entergy Nuclear Power Plant and the effect that plant would have on the Town's budget, Tax Rate and Economic Development.

Possible future effects could include the following but are not limited to:

1. Decreases in the tax payment from Entergy because of closure or discontinued operations or changes in their tax payment that were not planned or budgeted for.
2. Loss of funding from Entergy for the annual operations of the town's Emergency Management Operation or any other funding that they provide to the Town that we don't provide for ourselves.
3. Other costs associated with the Town's efforts to protect itself during the closing and decommissioning process.
4. Possible future use of the Entergy Site and / or economic development of the site and property surrounding it.

Keep note that any future spending from this account would require a 2/3rds vote of town meeting.

The recommendation is to transfer \$1,000,000 from Free Cash to the Nuclear Plant Mitigation Stabilization Fund. The current balance in this account is \$ 3,739,246.

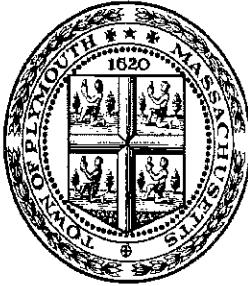
Thank you for your consideration.

ARTICLE 7:

ARTICLE 7: To see if the Town will vote to establish a Pavement Management Plan Debt 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 a sum of money for the purpose of funding principal, interest and any other borrowing costs associated with the Pavement Management Plan submitted to the Capital Improvements Committee and funded by Town Meeting on an annual basis, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval \$1,019,741 (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 7. Approval of this article will create a Pavement Management Program Debt Stabilization Fund and transfer \$1,019,741 from free cash into the stabilization fund. This is the exact amount of the excess 2016 motor vehicle excise taxes (amount that was brought in over what was budgeted). The state requires that excess excise tax flow to free cash. Moving forward this stabilization fund can be funded annually in the same manner, with Town Meeting voting to transfer the excess Motor Vehicle Excise Taxes which flowed to free cash the previous year into the stabilization fund.



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11 LINCOLN STREET, PLYMOUTH, MA 02360
PHONE (508) 747-1620 EXTENSIONS 177
FAX (508) 830-4133

TO: ADVISORY & FINANCE COMMITTEE
BOARD OF SELECTMEN

FROM: LYNNE A. BARRETT *Lynne A. Barrett*
DEPARTMENT OF FINANCE

SUBJECT: STM ARTICLE 7 – PAVEMENT MANAGEMENT PROGRAM DEBT
STABILIZATION FUND

DATE: FEBRUARY 10, 2017

Town Town's Pavement Management Program has been completed now for a few years and the Chapter 90 funds is nowhere enough to fund that program. Many people have wondered "Why don't we use the Motor Vehicle Excise Tax for Roads?"

I am recommending that we begin to fund a Pavement Management Program Debt Stabilization fund with excess Motor Vehicle Excise Taxes. On an annual basis we budget a certain amount of MVE for the normal operating budget and then at the end of the year we compare that to what we actually took in. The excess will flow to free cash. I propose that we begin by transferring the excess from 2016 of \$1,019,741 to this fund and annually we do the same; at the same time being a little bit more conservative on the estimates for the operating budget.

This fund would then be available to pay for the principal, interest and other borrowing costs associated with the Pavement Management program – Road Pavement Preservation projects submitted to capital; initially Article 10 of the Annual Town Meeting.

I am prepared to give you a presentation on this proposal at your next meeting.

If you have any questions please let me know and I appreciate your support.

Funding for Pavement Management Program

Lynne Barrett, Director of Finance
February 2017

Motor Vehicle Excise – DOR

- An excise is a tax upon an event or privilege.
- A motor vehicle and trailer excise is in lieu of a tangible personal property tax and is levied for the privilege of registration.
- M.G.L. Ch. 60A, which is the statutory basis for the excise, uses the motor vehicle itself as a means to measure this privilege.
- Revenue derived from the excise can be used by cities and towns for any lawful purpose.

Motor Vehicle Excise – DOR

- An excise in the amount of \$25 per thousand is assessed upon the value of the vehicle as determined in accordance with the depreciation schedule.
- Prior to 1981 the rate was \$66 per thousand. With the passage of Proposition 2 1/2 the rate was set at \$25 per thousand.
- The excise is based on the value of the motor vehicle as determined by the Commissioner of Revenue upon certain percentages of the manufacturer's list price in the year of manufacture.
- The excise valuation is not based on the actual purchase price or "book value" of the vehicle.

Motor Vehicle Excise – DOR

- The valuation for a particular vehicle starts with the manufacturer's suggested retail price rather than the actual sale price and then this value is multiplied by the percentage in the statutory depreciation schedule shown below:
 - In the year preceding the year of manufacture: 50%
 - In the year of manufacture: 90%
 - In the second year: 60%
 - In the third year: 40%
 - In the fourth year: 25%
 - In the fifth and succeeding years: 10%
- Average Vehicle Age from a 2013 Analysis DOR did is 10 to 11 Years

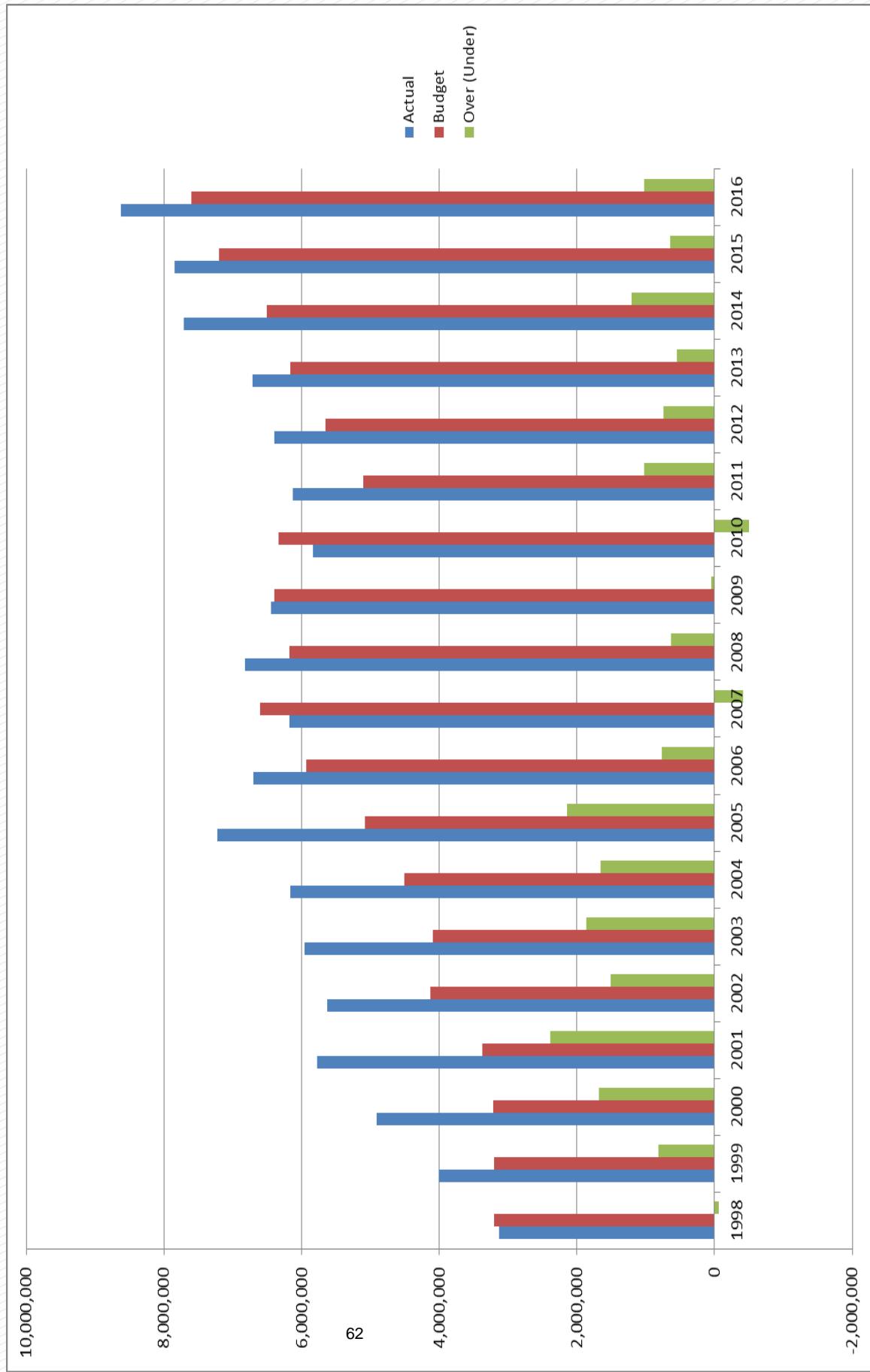
Motor Vehicle Excise in Plymouth

- Used as a Local Receipt for Budget Purposes
- Largest Local Receipt
- Is it used for “Roads”?
 - Highway Department 2017 \$1,906,990
 - Gravel Road Grading
 - Drainage Repairs / Catch Basin Cleaning / Street Sweeping
 - Asphalt Repairs / Patching
 - Traffic Signs / Signals
 - Roadside Brush Clearing / Litter & Waste Clean Up
 - Snow & Ice Operations 2017 \$535,000
 - Engineering Department 2017 \$566,198
 - Planning, Design, Contract Preparation, Cost Estimating, Construction Inspections, Surveying
 - Roadways, Sidewalks, Drainage, Traffic Signals, Bridges

Motor Vehicle Excise in Plymouth

- Debt Service Budget 2017 \$363,126
 - 8 Years of DPW – IMP \$10.4 Million
 - Standish Ave Roadway Improvements
 - Departmental Equipment for Engineering & Highway 2017 \$27,200
- Private Roads Article 2017 \$500,000
- Total Budget Dollars for 2017 \$3,898,514
- Projects funded from Free Cash for 2017 \$943,000
 - Taylor Ave Roadway Improvements, Water Street Storm Water, Town Center Sidewalks, Surveying Equipment

Motor Vehicle History in Plymouth – Budget versus Actual



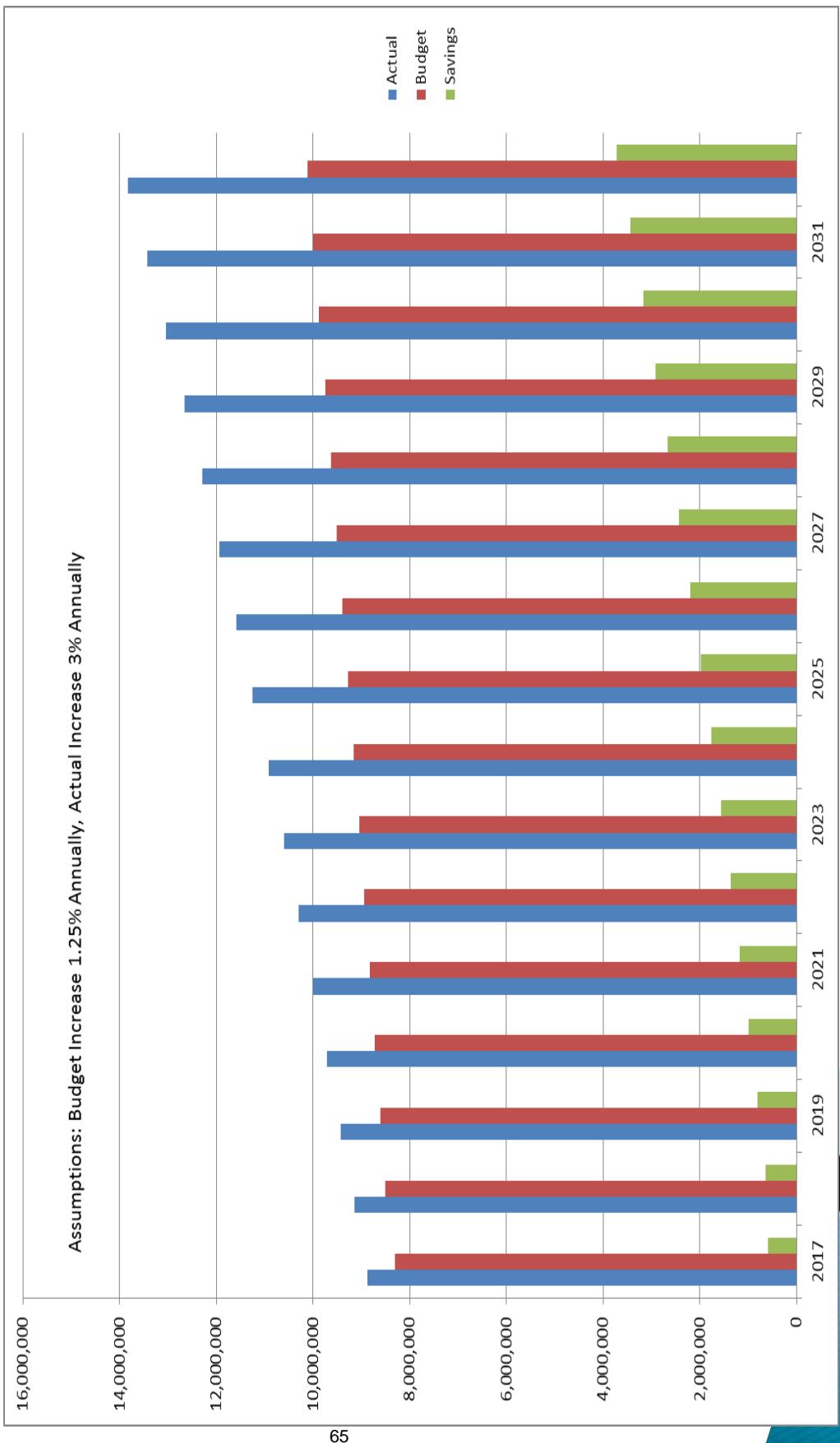
Pavement Management Program Debt Stabilization Fund

- Special Town Meeting Warrant Article to establish fund
 - *To see if the Town will vote to establish a Pavement Management Program Debt 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 principal, interest and any other borrowing costs associated with the Pavement Management Program submitted to the Capital Improvements Committee and funded by Town Meeting on an annual basis, or take any other action relative thereto. (draft warrant language)*
- Fund it by transferring the budget to actual coverage for MVE (flowed to free cash) 2016 of \$1,019,741

Pavement Management Program Debt Stabilization Fund

- On an annual basis estimate the MVE for the budget very conservatively leaving room for the actual to exceed the budget and let fall to free cash to be used for this annual appropriation to the special fund
- Other Available funds could also be appropriated to this fund when possible
- Begin the PMP program in Fiscal 2018 with the initial \$5 Million recommended in the capital plan
- Annually or Bi-Annually continue the program

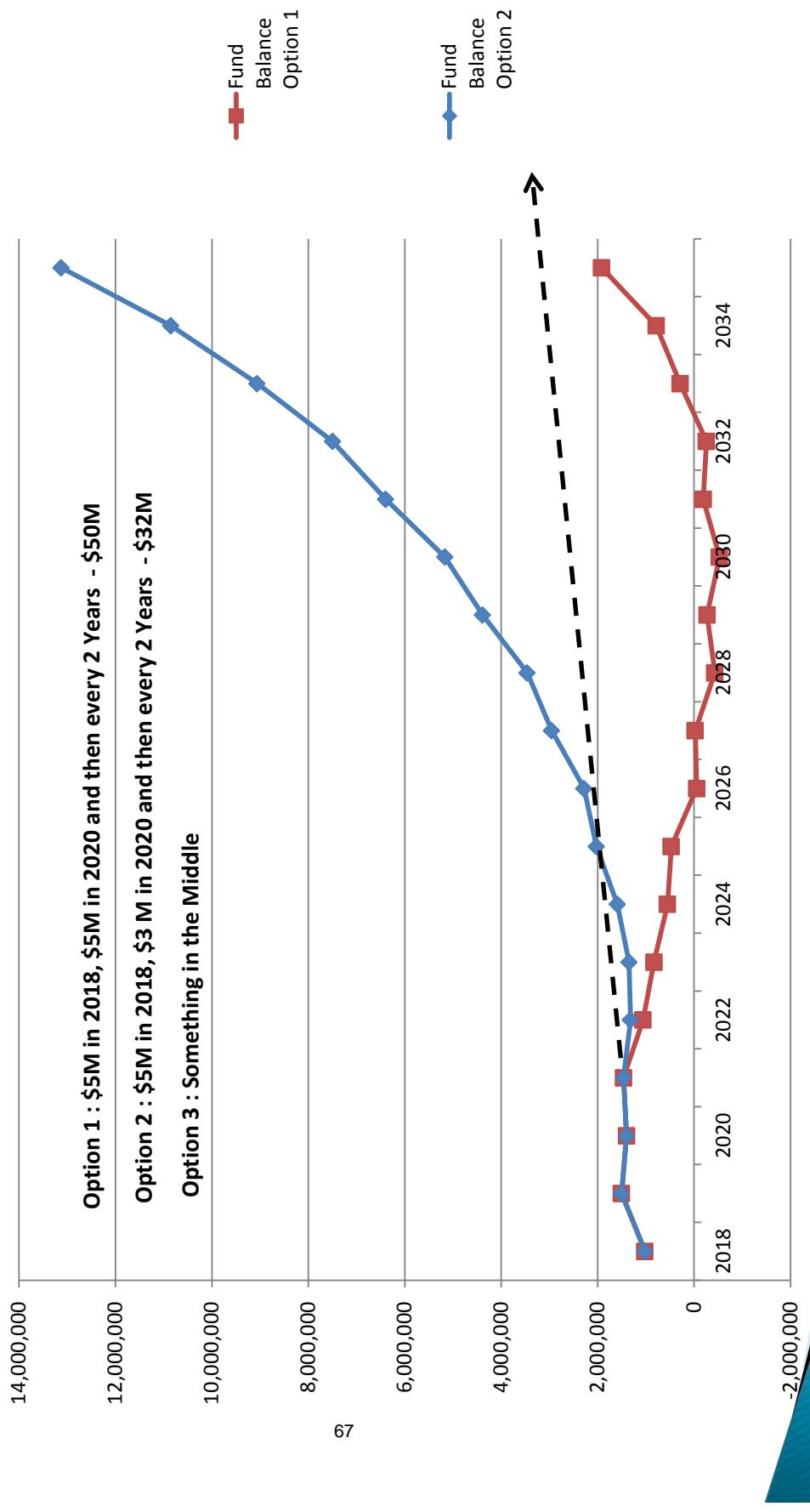
Motor Vehicle Excise Estimate in Future Budgets



Road Pavement Preservation Projects

- \$5 Million in Article 10 ATM Initially
- 70 / 30 Split between Public and Private Paved Roads
- MGL Chapter 44 Section 7(5) – Debt Amortization Period:
 - Pavement of Public Ways – 15 Years
 - Pavement of Private Ways – 5 Years
- Assumed Interest Rates & Borrowing Schedule
 - 2.0% Short Term
 - 4.0% Long Term
 - Stay on same Bond Market Schedule of every Odd Year
- Future Authorizations
 - Option 1 – \$5 Million every 2 years starting in 2020
 - Option 2 – \$3 Million every 2 years starting in 2020

Balancing the Pavement Management Program Debt Stabilization Fund with the Road Pavement Preservation Projects



Option 1 Schedule and Costs

Town Meeting Authorization	Spend Funds	Borrow	Term	Amount	P & I
Apr-17	FY 18, 19 & 20	May-19	2019 to 2033	\$5 Million	\$6.4 Million
Apr-20	FY 21 & 22	May-21	2022 to 2036	\$5 Million	\$6.4 Million
Apr-22	FY 23 & 24	May-23	2024 to 2038	\$5 Million	\$6.4 Million
Apr-24	FY 25 & 26	May-25	2026 to 2040	\$5 Million	\$6.4 Million
Apr-26	FY 27 & 28	May-27	2028 to 2042	\$5 Million	\$6.4 Million
Apr-28	FY 29 & 30	May-29	2030 to 2044	\$5 Million	\$6.4 Million
Apr-30	FY 31 to 32	May-31	2032 to 2046	\$5 Million	\$6.4 Million
Apr-32	FY 33 to 34	May-33	2034 to 2048	\$5 Million	\$6.4 Million
Apr-34	FY 35 to 36	May-35	2036 to 2050	\$5 Million	\$6.4 Million
Apr-36	FY 37 to 38	May-37	2038 to 2052	\$5 Million	\$6.4 Million
			Totals	\$50 Million	\$64 Million

Summary of Important Points

- Discipline Ourselves with the Annual Estimates of MVE for the Budget
 - More of a Reliance on Property Taxes and other Revenue for the Budget
- Motor Vehicle Excise is not Recession Proof
- Longer Lasting Vehicles Can Limit Growth of the Revenue
 - Time for a change in the Depreciation Schedule in the Statute
- Annual Observations of Actual Results will aid us in determining recommendations for funding Special Fund and level of Town Meeting Authorizations

ARTICLE 8:

ARTICLE 8: To see if the Town will vote pursuant to the provisions of G.L. c.44, §53E½, as most recently amended, to amend the General Bylaws by inserting a new bylaw establishing and authorizing various revolving funds for use by certain town departments, boards, committees, agencies or officers, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, as on file with the Town Clerk or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 10-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 8. Approval of this article will amend the General Bylaws by adding Chapter 143 - Departmental Revolving Funds. This bylaw will authorize the town's revolving funds for FY2019 and beyond. G.L. Chapter 44 Section 53E½ was recently updated by the Municipal Modernization Act which requires that Revolving Funds be established by bylaw instead of an annual legislative body vote. Annual spending caps will still be voted at Town Meeting. Annual Town Meeting Article 3 is taking care of Revolving Funds for FY2018, as this amendment to our General Bylaws needs to go to through state approval.

**Town of Plymouth
Finance Department**

TO: Board of Selectmen
Advisory & Finance Committee
FROM: Lynne A. Barrett, Finance Director
RE: **Special Town Meeting Article 8: General By-Law Amendment - Revolving Funds**
DATE: February 15, 2017

G.L. Chapter 44, Section 53E½ was recently updated by the Massachusetts Municipal Modernization Act to provide more flexibility by eliminating the departmental per fund and total fund caps, broadening the types of departmental receipts for which funds can be established, and providing for the **revolving funds to be established by bylaw** instead of an annual legislative body vote. Annual spending caps will still be voted at Town Meeting.

The proposed General By-Law Amendment is provided below.
Thank you for your consideration in reviewing this article.

General By-Laws

Chapter 143: DEPARTMENTAL REVOLVING FUNDS

1. Purpose. This by-law establishes and authorizes revolving funds or use by town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, § 53E½.
2. Expenditure Limitations. A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:
 - A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
 - B. No liability shall be incurred in excess of the available balance of the fund.
 - C. The total amount spent during a fiscal year shall not exceed the amount authorized by town meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Board of Selectmen and Finance Committee.
3. Interest. Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund.
4. Procedures and Reports. Except as provided in General Laws Chapter 44, § 53E½ and this by-law, the laws, charter provisions, by-laws, rules, regulations, policies or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this by-law. The town accountant shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the town accountant provides the department, board, committee, agency or officer on appropriations made for its use.

5. Authorized Revolving Funds. The Table establishes:

- A. Each revolving fund authorized for use by a town department, board, committee, agency or officer,
- B. The department head or agency head, board, committee, or officer authorized to spend from each fund.
- C. The fees, charges and other monies charged and received by this department, board committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the town accountant,
- D. The expenses of the program or activity for which each fund may be used,
- E. The fiscal years each fund shall operate under this by-law ordinance.

A Revolving Fund	B Department, Board, Committee, Agency or Officer Authorized to spend from Fund	C Fees, Charges or other Receipts Credited to Fund	D Program or Activity Expenses Payable from Fund	E Fiscal Years
Manomet Village Parking	Director of Planning & Development	Those identified as payments made in lieu of on-site parking.	As provided by Section 305.12 of the Zoning Bylaw, these five funds may be used within their respective village centers for parking related uses including land acquisition, facility construction, and the preparation of plans and specifications.	Fiscal Year 2019 and subsequent years
Cedarville Village Parking	Director of Planning & Development	Those identified as payments made in lieu of on-site parking.	As provided by Section 305.12 of the Zoning Bylaw, these five funds may be used within their respective village centers for parking related uses including land acquisition, facility construction, and the preparation of plans and specifications.	Fiscal Year 2019 and subsequent years
West Plymouth Village Parking	Director of Planning & Development	Those identified as payments made in lieu of on-site parking.	As provided by Section 305.12 of the Zoning Bylaw, these five funds may be used within their respective village centers for parking related uses including land acquisition, facility construction, and the preparation of plans and specifications.	Fiscal Year 2019 and subsequent years
No. Plymouth Village Parking	Director of Planning & Development	Those identified as payments made in lieu of on-site parking.	As provided by Section 305.12 of the Zoning Bylaw, these five funds may be used within their respective village centers for parking related uses including land acquisition, facility construction, and the preparation of plans and specifications.	Fiscal Year 2019 and subsequent years
Plymouth Center Village Parking	Director of Planning & Development	Those identified as payments made in lieu of on-site parking.	As provided by Section 305.12 of the Zoning Bylaw, these five funds may be used within their respective village centers for parking related uses including land acquisition, facility construction, and the preparation of plans and specifications.	Fiscal Year 2019 and subsequent years
Animal Shelter Adoption	Director of Marine & Environmental Affairs	Those identified as those arising from deposits/spaying & neutering.	In accordance with G.L c.140 §139A, all animals placed for adoption must be spayed or neutered. This fund provides for other expenditures as authorized by §139A as well as a refund of a \$30 deposit, when proof of spaying or neutering procedure is provided. To be used for the care, health & welfare of the animals, equipment, supplies & capital expenditures.	Fiscal Year 2019 and subsequent years
State Boat Ramp	Harbor Master	Those identified as relating to State Boat Ramp parking sticker receipts.	This fund shall be used salaries and benefits of full-time staff and part-time staff and other expenses for the purposes of managing, controlling and providing a higher level of public safety at the boat ramp.	Fiscal Year 2019 and subsequent years

A Revolving Fund	B Department, Board, Committee, Agency or Officer Authorized to spend from Fund	C Fees, Charges or other Receipts Credited to Fund	D Program or Activity Expenses Payable from Fund	E Fiscal Years
Recreation Fund	Recreation Director	Those identified as relating to recreational programs.	This fund shall be used for salaries and benefits of full-time staff, part-time and seasonal staff, as well as facility and capital expenses and other expenses related to recreation programs.	Fiscal Year 2019 and subsequent years
Vocational Technical Services Fund	School Department	Those identified as arising from the Vocational/Educational Studies Programs enumerated above	This fund shall be for the salaries, benefits & expenditures of the following programs: a) Automotive b) CAD/CAM c) Carpentry d) Child Care e) Computer Science f) Marine Technology g) Culinary Arts h) Distributive Education i) Design & Visual Communication j) Electronics k) Graphic Arts l) Metals/Welding m) Plumbing n) Cosmetology o) Electrical	Fiscal Year 2019 and subsequent years
Plymouth Beach Fund	Director of Marine & Environmental Affairs	Those identified as all non-resident parking receipts at Plymouth Beach, in addition to one-hundred percent (100%) of Plymouth 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
Cemetery Repair & Beautification Fund	Cemetery Superintendent	Those arising from foundation revenue.	This fund shall be used for capital expenses and other expenses incurred for beautifying, restoring, researching, and repairing town cemeteries.	Fiscal Year 2019 and subsequent years
Council On Aging Programs Fund	Director of Elder Affairs - COA	Those identified as relating to Council on Aging programs.	This fund shall be for contractual services and other expenses related to programs for senior citizens.	Fiscal Year 2019 and subsequent years
Council On Aging Meals on Wheels	Director of Elder Affairs - COA	Those identified as relating to donations for the Council on Aging Meals on Wheels program.	This fund shall be for payment to Old Colony Elder Services for meals.	Fiscal Year 2019 and subsequent years
Fire Safety and Prevention	Fire Chief	Those identified as relating to permits issued and inspections performed by the Plymouth Fire Department, Fire Prevention Division.	This fund shall be for salaries and benefits and to support the operational cost of services provided within the Fire Prevention Division including capital expenses and other expenses.	Fiscal Year 2019 and subsequent years
Fire Alarm Master Box Services	Fire Chief	Those identified as relating to fire alarm services performed by the Plymouth Fire Department, Fire Alarm Division.	This fund shall be for salaries, benefits, public safety equipment, materials, as well as capital expenses and other expenses used in accordance with Fire Alarm Services.	Fiscal Year 2019 and subsequent years

<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
Local Hazardous Materials Program	Fire Chief	Those identified as relating to fees collected by the Fire Department as a result of responding and mitigating hazardous materials incidents either in Plymouth or by mutual aid responses.	This fund shall be to replace, repair and/or purchase equipment and supplies used during hazardous materials incidents and to support the operational cost of services provided within the Fire Department Local Hazardous Materials Program.	Fiscal Year 2019 and subsequent years
Cedarville Community Center	Fire Chief	Those identified as fees collected from the hourly rental fees for the use of the Cedarville Community Center.	The funds will be used to pay for regular cleaning of the facility as well as to replace, repair, or purchase supplies used for the cleaning and up-keep of the Community Room.	Fiscal Year 2019 and subsequent years
Memorial Hall	Director of Community Resources	Those identified as relating to rental fees associated with Memorial Hall	This fund shall be for salaries and benefits of full-time staff and part-time staff, maintenance and operation of Memorial Hall including capital expenses and other expenses.	Fiscal Year 2019 and subsequent years
Compost Bins	Assistant DPW Director	Those identified as relating to the sale of compost bins.	This fund shall be for purchasing compost bins.	Fiscal Year 2019 and subsequent years
Hedges Pond	Recreation Director	Those identified as program fees from Recreation Dept. Day Program, daily-parking fees, special event & rental fees.	The funds will be used to cover Recreation Dept. seasonal salaries and operational expenses for the facility as well as capital expenses.	Fiscal Year 2019 and subsequent years
CPA Conservation Land	Director of Marine & Environmental Affairs	Those identified as fees from the harvest and/or lease of the Center Hill Cranberry Bog.	The funds will be used to for the care, maintenance, and necessary signage and other improvement of the land acquired with CPA funds.	Fiscal Year 2019 and subsequent years
School Custodial Details	School Department	Those received from fees from rental of school facilities.	This fund shall be for payment of Custodial Overtime Salaries for building use.	Fiscal Year 2019 and subsequent years
1820 Court House Maintenance Revolving Fund	Town Manager in consultation with the Community Preservation Committee	Those received from fees and other revenues, including lease proceeds, collected with respect to use of the 1820 Court House and Court House Green	The fund shall be for the maintenance of the 1820 Court House, façade, roof, cupola, courtroom and Vermont Marble Staircase.	Fiscal Year 2019 and subsequent years

ARTICLE 9:

ARTICLE 9: To see if the Town will vote to rescind the vote taken under Article 91 of the April 9, 1973 Annual Town Meeting accepting the provisions of General Laws Chapter 48, Section 42, commonly known as Strong Fire Chief statute, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (10-2-0). The Advisory & Finance Committee recommends Town Meeting approve Article 9. Approval of this article will rescind Plymouth's acceptance of the provisions of General Laws Chapter 48 Section 42, more commonly known as the Strong Fire Chief statute. A substantial portion of this law is obsolete so it makes sense to rescind. The town is pulling out the relevant language and adding it to the Personnel Bylaw in Special Town Meeting Article 1.

ARTICLE 10:

ARTICLE 10: To see if the Town will vote to rescind the vote taken under Article 82 of the April 6, 1971 Annual Town Meeting accepting the provisions of General Laws Chapter 41, Section 97A, commonly known as the Strong Police Chief statute, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (10-2-0). The Advisory & Finance Committee recommends Town Meeting approve Article 10. Approval of this article will rescind Plymouth's acceptance of the provisions of General Laws Chapter 41 Section 97A, more commonly known as the Strong Police Chief statute. A substantial portion of this law is obsolete so it makes sense to rescind. The town is pulling out the relevant language and adding it to the Personnel Bylaw in Special Town Meeting Article 1.

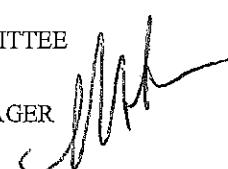
MEMORANDUM

TO: BOARD OF SELECTMEN
FINANCE AND ADVISORY COMMITTEE

FROM: MELISSA ARRIGHI, TOWN MANAGER

SUBJECT: ARTICLE 9 AND ARTICLE 10 – RESCIND STRONG CHIEFS STATUTE

DATE: JANUARY 19, 2017



*ARTICLE 9: Rescission of Chapter 48, Section 42 – commonly known as Strong Fire Chief
Towns accepting the provisions of this section and sections forty-three and forty-four, or which have
accepted corresponding provisions of earlier laws may establish a fire department to be under the control
of an officer to be known as the chief of the fire department. The chief shall be appointed by the
selectmen, and shall receive such salary as the selectmen may from time to time determine, not exceeding
in the aggregate the amount annually appropriated therefor. He may be removed for cause by the
selectmen at any time after a hearing. He shall have charge of extinguishing fires in the town and the
protection of life and property in case of fire. He shall purchase subject to the approval of the selectmen
and keep in repair all property and apparatus used for and by the fire department. He shall have and
exercise all the powers and discharge all the duties conferred or imposed by statute upon engineers in
towns except as herein provided, and shall appoint a deputy chief and such officers and firemen as he
may think necessary, and may remove the same at any time for cause and after a hearing. He shall have
full and absolute authority in the administration of the department, shall make all rules and regulations
for its operation, shall report to the selectmen from time to time as they may require, and shall annually
report to the town the condition of the department with his recommendations thereon; he shall fix the
compensation of the permanent and call members of the fire department subject to the approval of the
selectmen. In the expenditure of money the chief shall be subject to such further limitations as the town
may from time to time prescribe. The appointment of the chief of the fire department in any town or
district having a population of five thousand or less may be for a period of three years.*

*ARTICLE 10: Rescission of Chapter 41, Section 97A – commonly known as Strong Police Chief
Section 97A. In any town which accepts this section there shall be a police department established by the
selectmen, and such department shall be under the supervision of an officer to be known as the chief of
police. The selectmen of any such town shall appoint a chief of police and such other officers as they
deem necessary, and fix their compensation, not exceeding, in the aggregate, the annual appropriation
therefor. In any such town in which such appointments are not subject to chapter thirty-one, they shall be
made annually or for a term of years not exceeding three years, as the selectmen shall determine, and the*

selectmen may remove such chief or other officers for cause at any time after a hearing. The chief of police in any such town shall from time to time make suitable regulations governing the police department, and the officers thereof, subject to the approval of the selectmen; provided, that such regulations shall become effective without such approval upon the failure of the selectmen to take action thereon within thirty days after they have been submitted to them by the chief of police. The chief of police in any such town shall be in immediate control of all town property used by the department, and of the police officers, whom he shall assign to their respective duties and who shall obey his orders. Section ninety-seven shall not apply in any town which accepts the provisions of this section. Acceptance of the provisions of this section shall be by a vote at an annual town meeting.

As you will note when reading these sections of the law, a substantial portion of the language is obsolete, inconsistent with our Town Charter, and currently not observed. However, there is some language in these laws that is still relevant and should be added to the personnel bylaws. Therefore, I am proposing that the Town vote to rescind both laws above and then vote to support Article 1 that will add the relevant language from those laws to the Personnel Bylaws that govern these employees.

It seems apparent that continuing to keep laws on the books that are substantially obsolete, is not good practice. We would ask you to approve Articles 10 and 11 that rescind these two laws. Thank you for your consideration.

Related Note : Proposed Additions to Personnel Bylaws included in Article 1:

“Non Union employees, including Department Heads and Fire Chief and Police Chief may be removed for just cause after a hearing in front of the appointing authority”.

“The Fire Chief and Police Chief shall be in immediate control of all town property used by the department, and shall purchase, subject to approval, and keep in repair, all equipment and apparatus used by the Department”.

“The Fire Chief and Police Chief shall have full and absolute authority in the administration of the Department and shall make all rules and regulations for its operation.”

“The Fire Chief and Police Chief shall have and exercise all the power and discharge all the duties conferred or imposed by statute.”

“The Police Chief shall be in immediate control of all police officers whom s/he shall assign to their respective duties”.

ARTICLE 11:

ARTICLE 11: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation providing that after the effective date of such legislation the positions of Fire Chief and Deputy Fire Chief shall not be subject to the Civil Service statute, all as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Board of Selectmen to approve such amendments:

AN ACT EXEMPTING CERTAIN POSITIONS IN THE FIRE DEPARTMENT OF THE TOWN OF PLYMOUTH FROM THE CIVIL SERVICE LAW

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same as follows:

Section 1. Notwithstanding any general or special law to the contrary, the positions of fire chief and deputy fire chief within the fire department of the town of Plymouth shall be exempt from chapter 31 of the General Laws.

Section 2. Section 1 shall not impair the civil service status of any person employed on a permanent basis as fire chief or deputy fire chief in the town of Plymouth on the effective date of this act.

Section 3. This act shall take effect upon its passage.

Or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Not Approve (5-7-0). The Advisory & Finance Committee recommends Town Meeting not approve Article 11. Approval of this article would remove the positions of Fire Chief and Deputy Fire Chief from Civil Service. Town Management, including the Fire Chief, believe removing these positions from Civil Service has merit, would improve efficiency, and help with succession planning. By law, Chief Bradley must retire by June 30, 2020, at the latest, and there are currently no candidates on the civil service list to replace him. Civil Service is not offering the Chief test this year or next year. Under Civil Service, if no candidates are on the list, then the town cannot make a permanent hire. The town would most likely have to find a retired Chief, with little or no knowledge about Plymouth, to come in on a temporary basis until someone from the list is hired permanently. If the Fire Chief and Deputy Chief positions are removed from Civil Service, the town would have the same flexibility as it currently has with hiring other Department Heads. Also with such hires, as a means of checks and balances, the Board of Selectmen have the ability to veto the hiring of any selected individual. Union representatives spoke about the history and strengths of Civil Service, particularly about its separation from political pressure, cronyism and nepotism. The Advisory & Finance Committee had a lot of questions and discussion about this topic. They saw merit with both sides of the argument and in the end voted by close margin not to support removal from Civil Service at this time. There was a certain level of discomfort in replacing Civil Service with a new system where the details have not yet been fully ironed out. Members of the Committee expressed hope that both sides could sit down together to devise a new system that could work for the town moving forward.

MEMORANDUM

To: BOARD OF SELECTMEN
FINANCE AND ADVISORY COMMITTEE

FROM: MELISSA ARRIGHI, TOWN MANAGER

SUBJECT: ARTICLE 11 – RESCIND CIVIL SERVICE

DATE: JANUARY 19, 2017

At the last Town Meeting, we had reserved two separate articles to remove the Civil Service requirement for the positions of Fire Chief, Deputy Fire Chief, Police Chief and Police Captain. The passage of those articles and the elimination of civil service for those executive level positions had merit, would have improved efficiency, and helped with succession planning in both Departments. All those points remain as true today as they were then.

We openly presented these articles at public forums, including Selectmen's meeting, Advisory and Finance Committee, and Committee of Precinct Chairman. We followed the process exactly as we follow it for all articles, never deviating, so that we were as transparent as possible, thus providing an opportunity for everyone interested to educate themselves on the issue, participate in the debate, and form reasonable and informed opinions on the issue.

As you may recall, in the last couple of weeks before Town Meeting, we heard that some rank and file members of the Plymouth Fire and Police Departments strongly opposed those non-union positions being removed from civil service. Some even suggested that the elimination of civil service was a political grab to take control of the public safety departments. This took management by surprise as we had followed exact public process as mentioned earlier. However, since this unrest occurred in close proximity to Town Meeting, we believed that it would be supportive to staff and labor relations in general to withdraw the articles to provide any of these employees more time to digest the information and understand our reasons for promoting these articles.

Here we are, four months later, and all the reasons for eliminating civil service still remain. In particular, it is an immediate issue in the Fire Department. Therefore, we feel compelled to bring the issue back to Town Meeting, however, to do so in stages, addressing the immediate concern first. We are starting with the elimination of civil service for the Fire Department executive positions at this Town Meeting and plan to bring the Police Department executive positions

forward at a future Town Meeting (most likely Fall 2017). In response to some of the Unions comments from the Fall regarding the need to have plenty of time to compose a thoughtful response with opposing arguments, we notified them of our intentions in January 2017.

The elimination of civil service is long overdue. As you heard in the Fall, it has become increasingly more difficult for the Town to recruit and encourage those officers within the rank and file to seek career enhancing promotional opportunities. Additionally, the Fire Chief and I believe that rescinding Civil Service will provide the Town with greater flexibility in recruiting, hiring and maintaining the best and the brightest to serve this community. I have listed our challenges and opportunities below.

Fire Department Challenges

Plymouth Fire requested a Deputy Chiefs Exam and a Fire Chiefs Exam Fall of 2011; the exam was scheduled (with other communities statewide) in March 2012.

- March 2012 Deputy Chief and Fire Chief Exams, the exam is open to Battalion Chiefs and Deputy Fire Chiefs, not enough applicants signed up (need 4) Exam closed to Plymouth and automatically rescheduled for the following year open to the next lower rank.
- March 2013 Deputy Chief and Fire Chief Exams, automatically posted for Plymouth due to not enough applicants in 2012, the exam is open to Deputy Fire Chiefs, Battalion Chiefs, and Captains. Not enough applicants signed up (need 4) Exam closed to Plymouth and automatically rescheduled for the following year open to the next lower rank.
- March 2014 Deputy Chief and Fire Chief Exams, automatically posted for Plymouth due to not enough applicants in 2013, the exam is open to Deputy Fire Chiefs, Battalion Chiefs, Captains and Lieutenants. No one signed up for either Exam (need 4) Exam closed to Plymouth and automatically rescheduled for the following year open to the next lower rank.
- March 2015 Deputy Chief and Fire Chief Exams, automatically posted for Plymouth due to not enough applicants in 2014, the exam is open to Deputy Fire Chiefs, Battalion Chiefs, Captains and firefighters (anyone alive). No one signed up for either Exam (need 4) Exam closed to Plymouth for 2015 and in accordance with Civil Service Regulations (PAR) both the Deputy Fire Chief and Fire Chiefs exams are closed out and will not automatically be rescheduled.

Currently, both the Chief and Deputy Chief have enough time in service to retire (Deputy Young retired July 5, 2016), and there is no available list to fill the current vacancy. If there are further retirements and openings there are no lists to appoint a permanent Deputy Chief or Fire Chief. At our last Town Meeting, the Fire Department had tried for over four years to establish a Civil Service Promotional list for Fire Chief and Deputy Fire Chief, without any personnel signing up. Since that time, we have been able to schedule a Deputy Fire Chief's exam for May 2017, however, we do not believe it will result in an acceptable list (acceptable is at least three names on a list from the exam). In addition, Civil Service has indicated that they will not have a Fire Chief exam in 2017 or 2018 "since it creates a deficit for Civil Service so we are not able to offer it".

Benefits to the Town by removing Civil Service:

The benefits to the Town are numerous. The below benefits have been realized by the other 85% Fire Departments throughout the Commonwealth who have eliminated the Civil Service requirement for the Fire Chief.

- Removing the Chief from Civil Service allows for greater flexibility within the hiring and promotional process.
- The department can determine the expiration date of the hiring and promotional lists.
- The fire department can set minimum eligibility guidelines not allowed under Civil Service such as higher education levels.
- The town and the department can determine what hiring preferences they want to acknowledge (residency, military experience, Paramedic/EMT certifications, language proficiency, prior academy training)
- Instead of the candidate ratio of $(2N+1)$ departments would have a much larger candidate pool to select from.
- Ability to incorporate community and department specific criteria into promotional exams.
- Ability to offer promotional exams that more accurately gauge a candidate's suitability to become a supervisor.
- Attributes beyond test score, such as work product, contribution to the community and performance evaluations would factor into promotions.
- Ability to mandate a probationary period for promotions.
- There are many companies that provide promotional exams for police/fire departments.
- The exam score or rank does not have to be the determining factor for who the department interviews and promotes.
- Current employees retain their civil service status.
- Possible Promotion Criteria
- Job related experience.
- Performance evaluation.
- Supervisory evaluation of the employee's potential.
- Score on promotional exam.
- Sick leave record.
- Formal education.
- Training and education through career development.
- Disciplinary record.
- Attitude toward the department and police work.
- Work ethic and initiative.
- You broaden your promotional pool exponentially (100 applicants as compared to $2N+1$)
- The appointing authority can decide what's important for their community, rather than being dictated
- You raise the level and competitiveness of the entire promotional process; as a result, your personnel raise the level of "their game"

In closing, we are strongly recommending the passage of Article 11 that will rescind civil service at the Executive Level of the Fire Department. Thank you for your consideration.

Related Note: As part of the elimination of civil service for these executive Fire positions, I also want to honor my commitment from the September 6, 2016 Town Manager's Report to the Board of Selectmen. In that report, and at the meeting that evening, I indicated that these non-union positions did not have protections/recourse in the personnel bylaws that govern their jobs. I stated at the time that because there is no specific reference to discipline procedures in the personnel bylaws, the non-union employees are essentially employees at will. If they feel wrongfully aggrieved, their only option would be to file suit against the Town or appeal to the Selectmen for a veto (in some cases). I made a commitment to come up with "good cause" language to propose to the 2017 Spring Special Town Meeting as an addition to the personnel bylaws. This proposed language is reflected in Article 1 on this warrant and will help protect any new Chiefs and Deputy Chiefs, as well as other non-union employees, with a process for discipline. I also stated that if the elimination of civil service passed Town Meeting, I would propose that the Town rescind MGL Chapter 48, Section 42 and MGL Chapter 41, Section 97A. These two statutes (attached) provide for the "Strong Chiefs" language, however, the language of the law conflicts with our Town Charter in terms of the appointing authority and is outdated overall. The redeeming language from those statutes has also been proposed for addition to the personnel bylaws in Article 1.

ARTICLE 12:

ARTICLE 12: To see if the Town will vote to transfer the care, custody, management and control of Lot 4 on Plymouth Assessors' Map 44 as on file with the Town Clerk, from the Town Treasurer for tax title purposes to the Board of Selectmen to sell or lease or transfer for a sum and upon conditions to be determined by the Board of Selectmen and pursuant to the requirements of G. L. c. 30B, and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to effectuate the vote taken hereunder; or take any other action relative thereto.

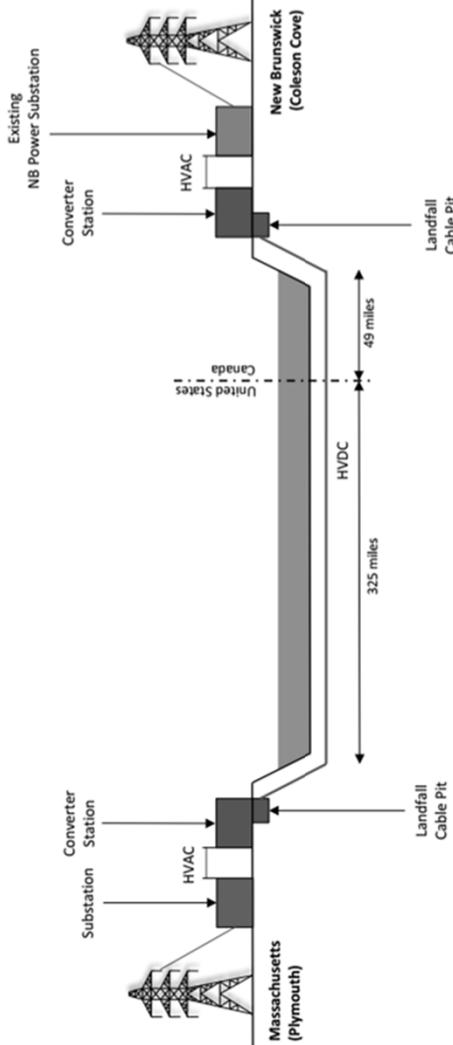
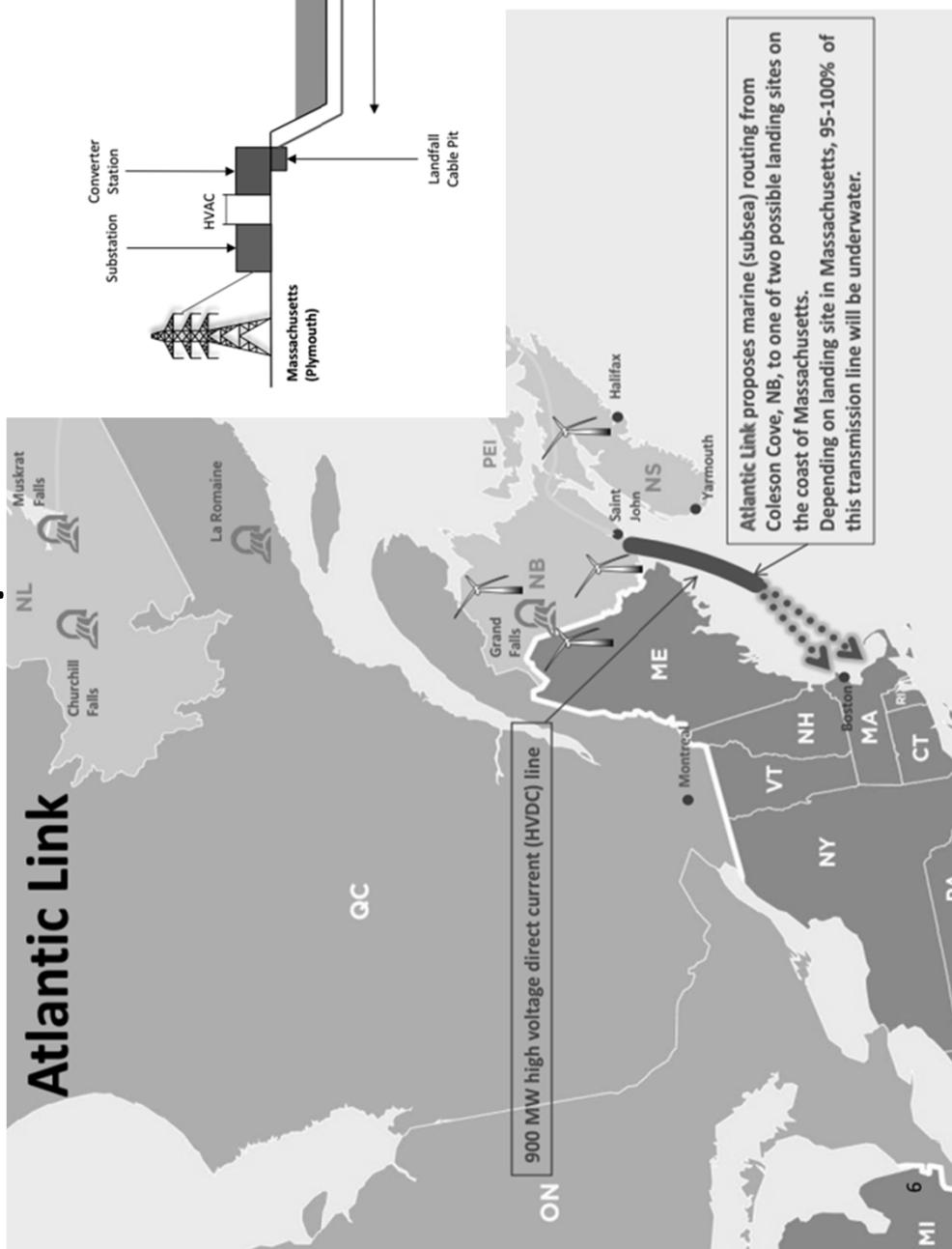
BOARD OF SELECTMEN

RECOMMENDATION: Approval (11-1-0). The Advisory & Finance Committee recommends Town Meeting approve Article 12. Approval of this article will transfer a parcel from the care and custody of the Treasurer for tax title purposes to the Board of Selectmen to sell, lease or transfer the property. This 10 acre parcel, off Rocky Hill Road and Powerhouse Road (near the Entergy site), has been identified as a potential site for a sub-station and converter station for the Atlantic Link, a subsea 900 MW high voltage direct current HVDC line which will run from New Brunswick to Plymouth. The property would be transferred to a non-profit entity in exchange for a minimum of \$2.5 million per year in tax revenue (to be determined through a PILOT agreement) and funding to construct and maintain at least two multi-purpose fields at Forges Field or in another recreational area in Plymouth. If the benefits to the town are not met within a five year period, the parcel will be transferred back to the Board of Selectmen. The Advisory & Finance Committee is pleased to see this potential new revenue stream.

Background

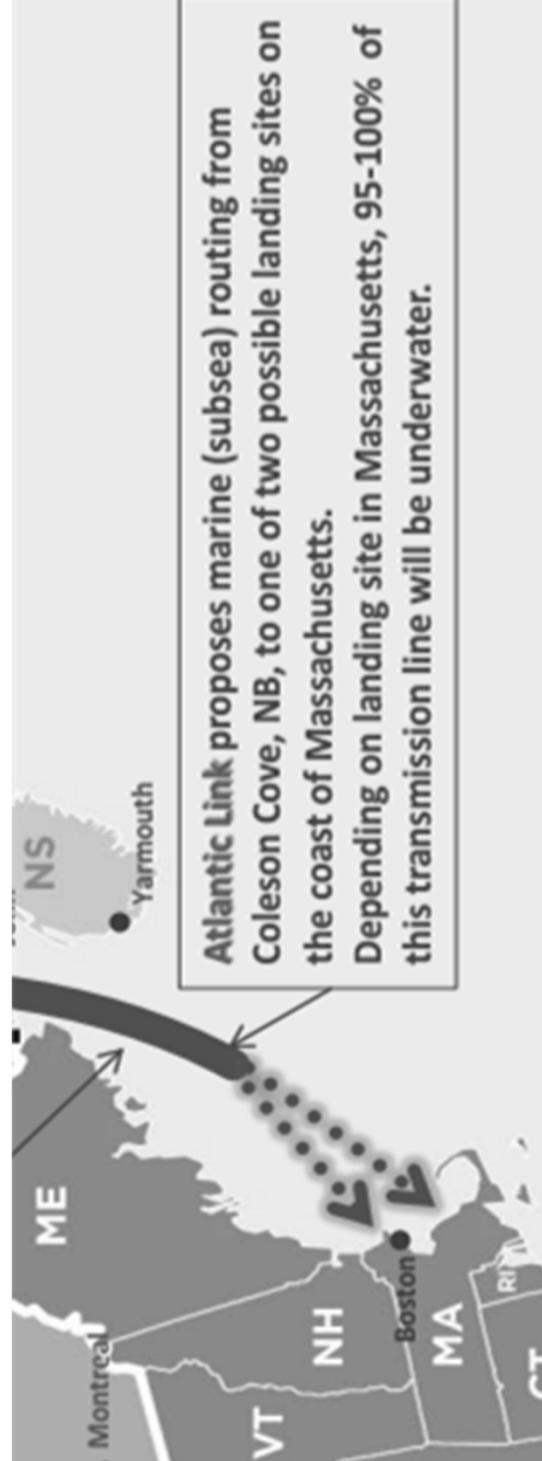
- In August 2016, the Commonwealth of Massachusetts enacted H.4568, *An Act to Promote Energy Diversity*, which authorized the procurement of approximately 1,200 MW annually of hydropower and on-shore wind, under contracts for up to 20 years. H.4568 also authorized a significant, separate procurement of off-shore wind that would be developed off the coast of Massachusetts.
- The legislation requires that a Request for Proposals process for the purchase of hydropower and on-shore wind be under way no later than April 1, 2017.

Reminder: Concept Overview



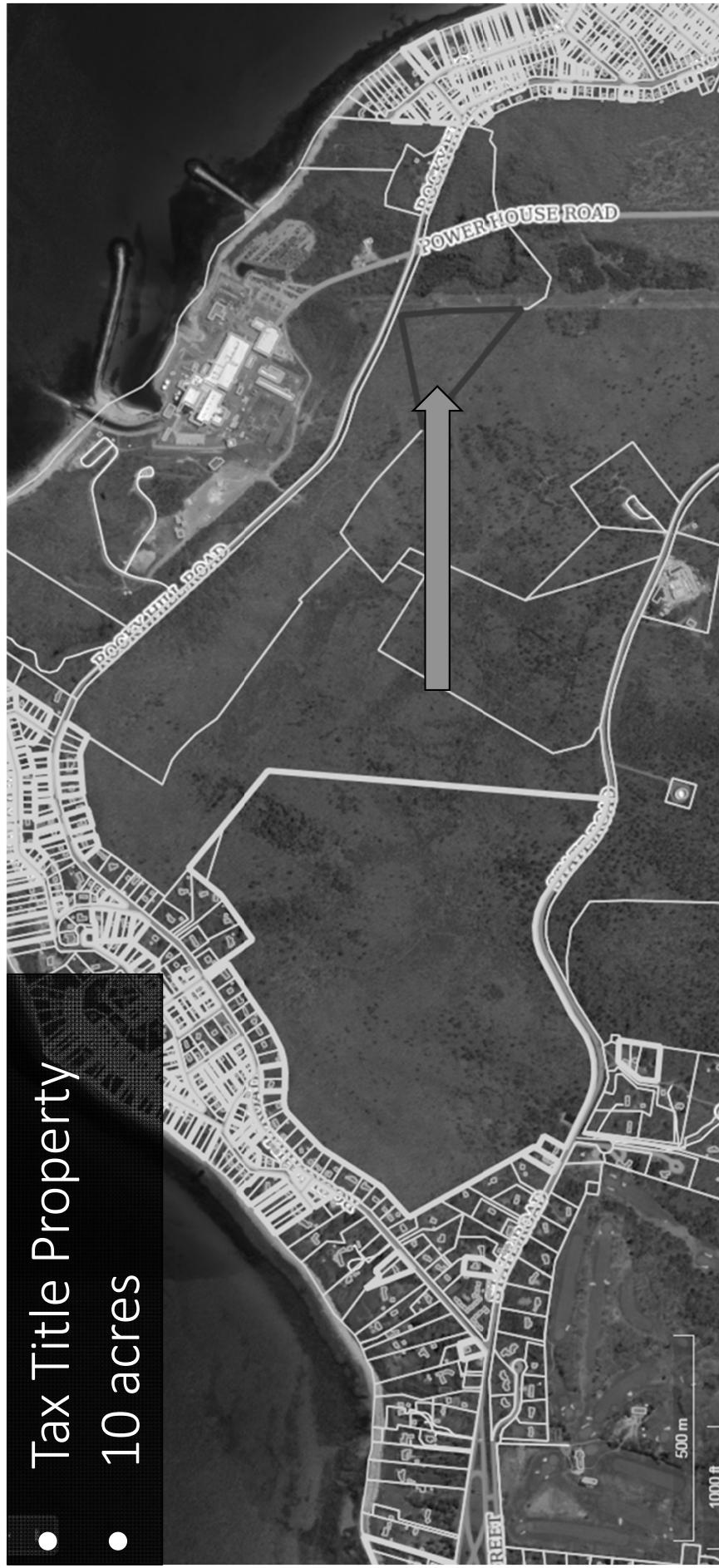
Site Control, by close of State RFP

- The bidder must demonstrate that it has control or an irrevocable option (conditioned only upon the payment of a reasonable amount) to acquire control over the site for its proposed generation project, including any rights necessary to access the project site.

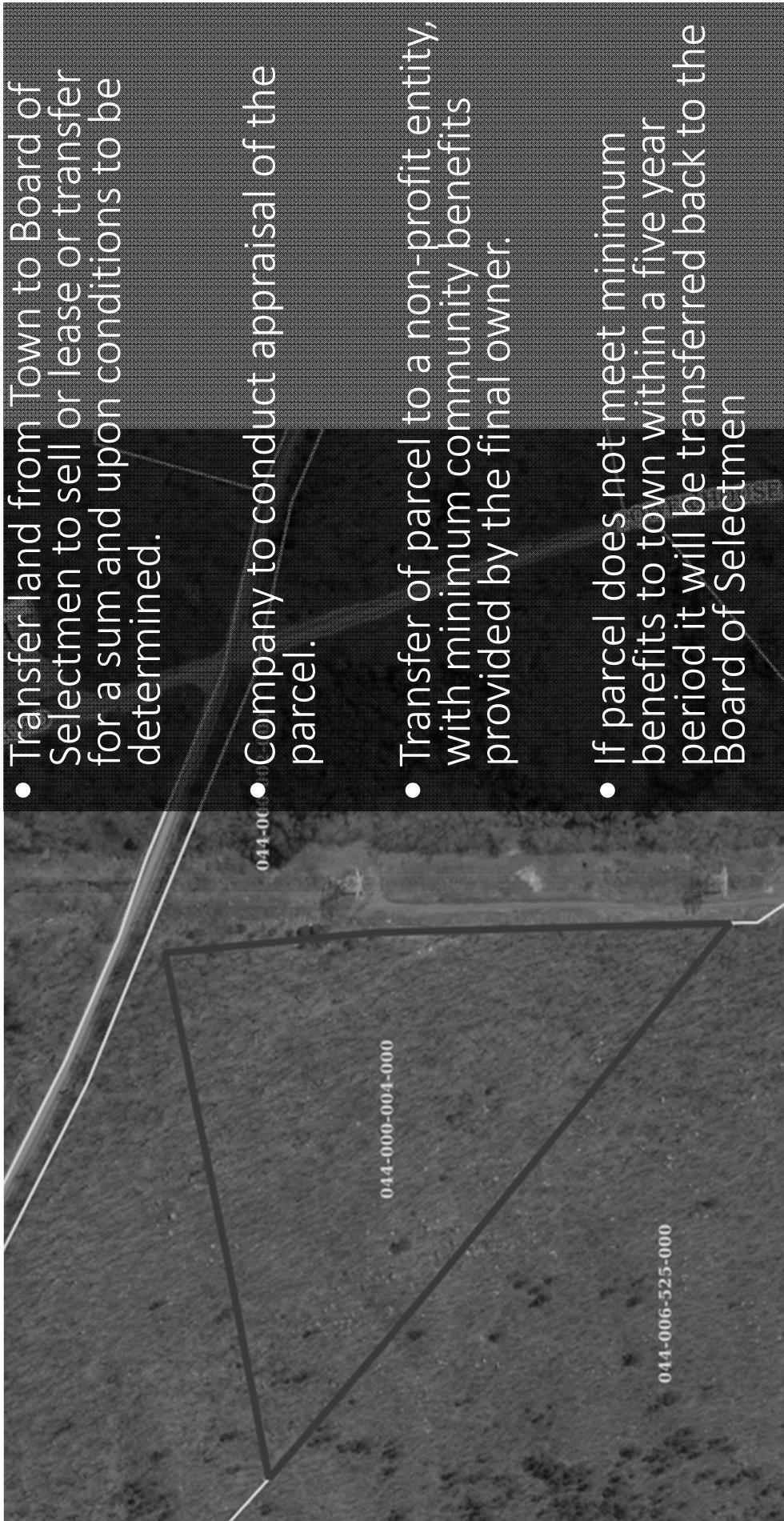


Site Specifics

- Tax Title Property
- 10 acres



Proposed Process



Benefits to the Town of Plymouth

- No less than \$2.5M/year in tax revenue, to be determined through a PILOT agreement
- Funding to construct and maintain at least two multi-purpose fields on the Forges Field property or in another recreational area within the Town of Plymouth
- Unless deemed a utility, easement agreements and payment to run cable along public roadways, if required

ARTICLE 13:

ARTICLE 13: To see what sum the Town will appropriate, in addition to the amount appropriated by vote taken under Article 1 of the June 26, 2006 Special Town Meeting, to pay additional costs of completing the Plymouth South High School construction project, including the payment of all costs incidental and related thereto, and further to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action thereto.

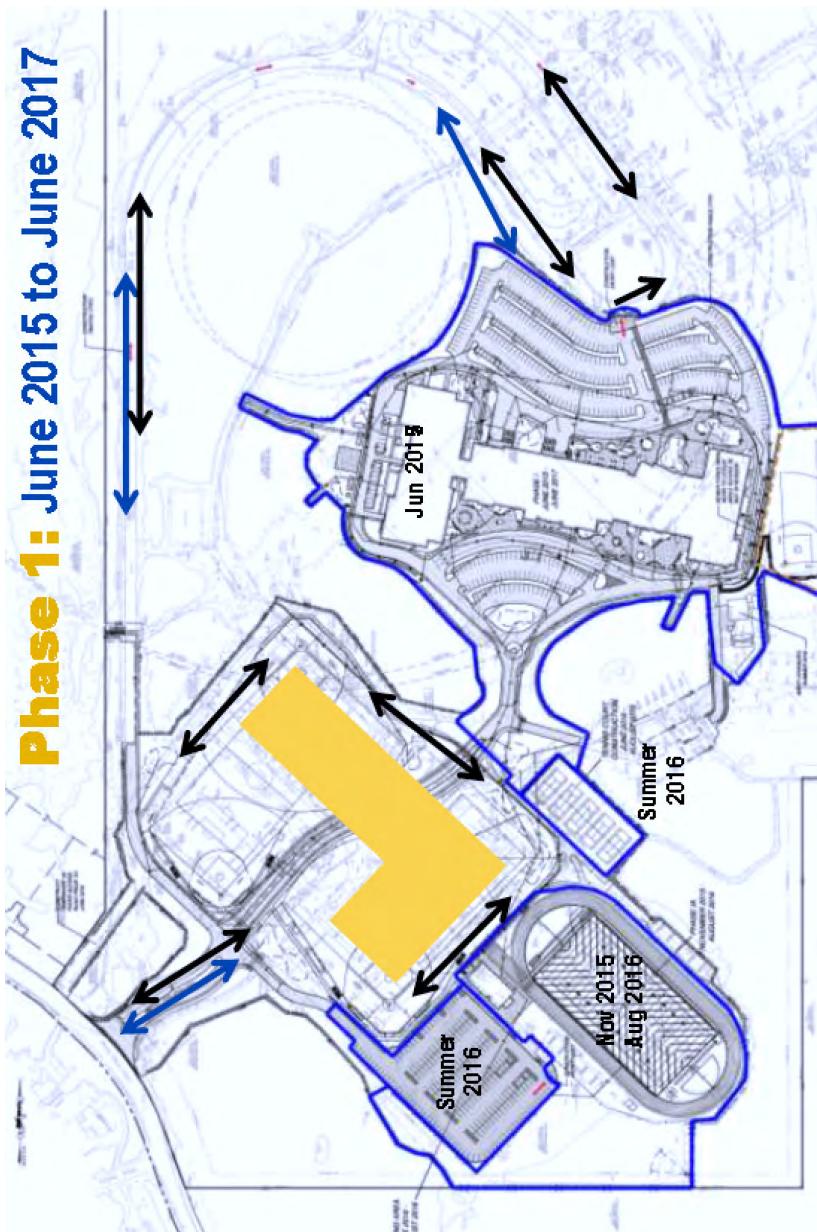
SCHOOL COMMITTEE

RECOMMENDATION: Approval \$3,100,000 (8-3-1). The Advisory & Finance Committee recommends Town Meeting approve Article 13. Approval of this article will allow additional borrowing of up to \$3.1 million to complete the Plymouth South High School project. Construction costs have escalated since this project was approved by ballot vote 11 years ago. This will fund the last items remaining on the list: synthetic turf baseball, softball, and soccer fields, as well as irrigation and lighting for those three fields. Fields will be built on the site of the existing school once it is demolished. The remaining contingency fee at the close of the school building project is estimated at \$1.5 to \$1.8 million which will be applied to the field project, leaving \$1.3 to \$1.6 million as the estimated balance for completion. The Advisory & Finance Committee agreed that equitable amenities should exist at both of the Town's high schools.



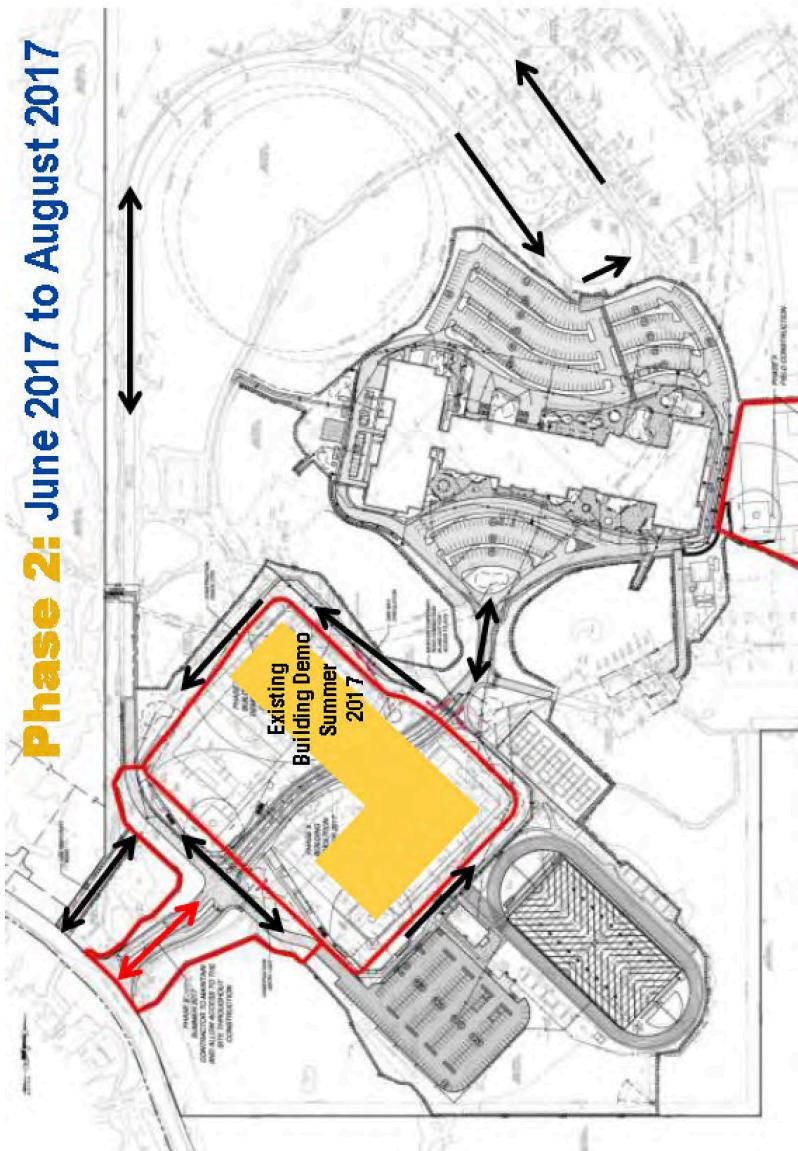
Plymouth Public Schools

*Plymouth South High School
Turf Fields and Lighting Update*



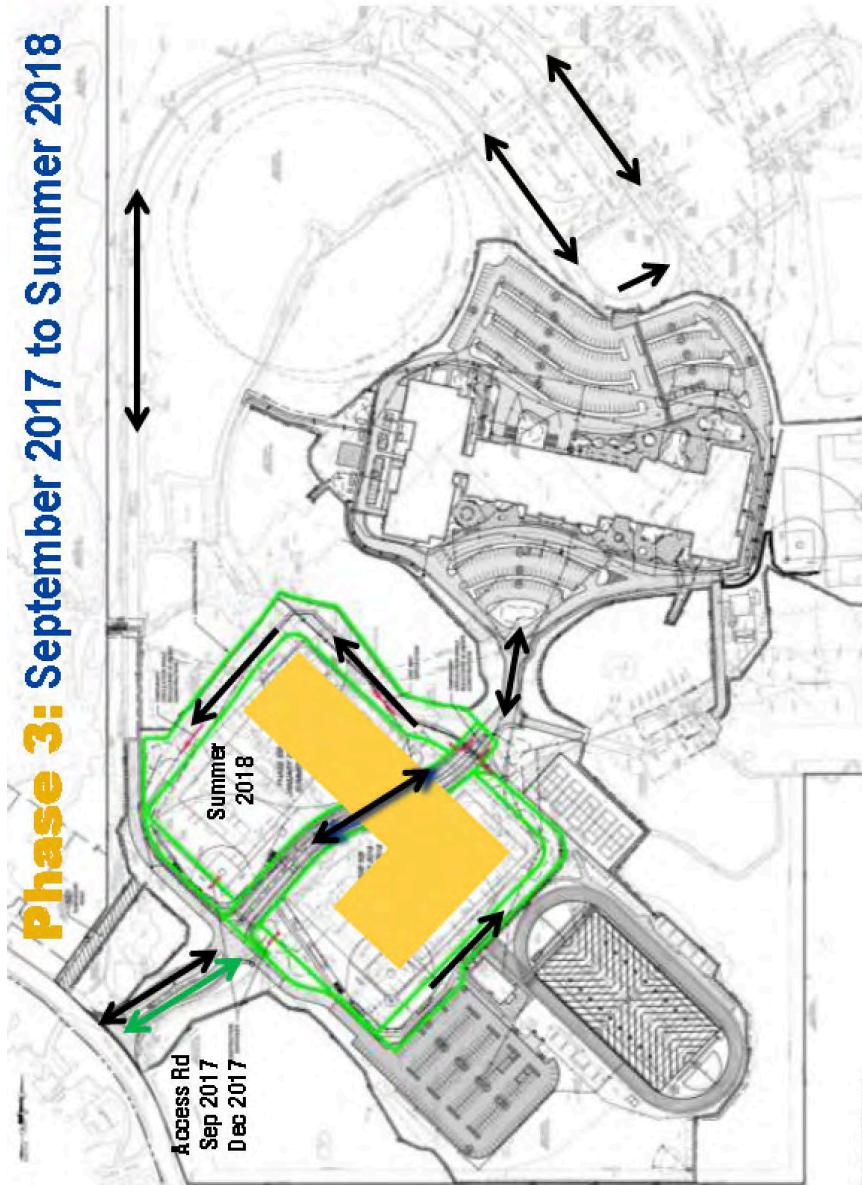
Progress on
Project
Phase 1

Phase 2: June 2017 to August 2017

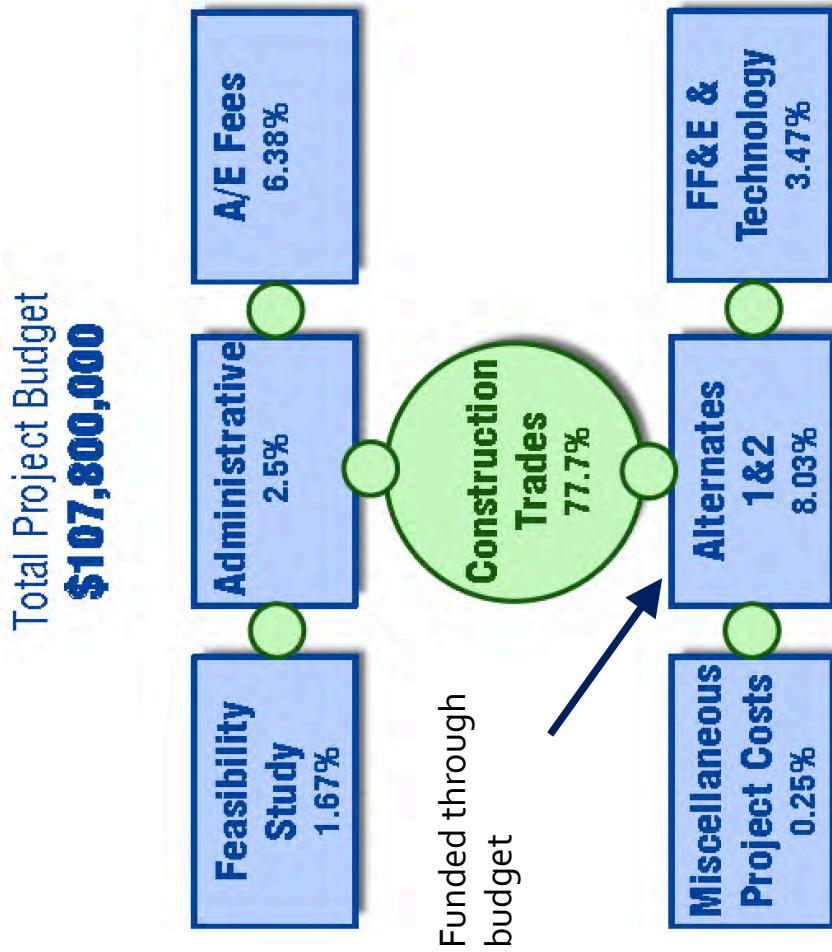


Progress on Project Phase 2

Phase 3: September 2017 to Summer 2018



Progress on
Project
Phase 3



Building Budget

Alternate #1: Wastewater Treatment Facility **Alternate #2:** Support, Storage & Restroom Facility **Alternate #3:**

Synthetic Turf Football Field & Polyurethane Track & Scoreboard **Alternate #4:** Synthetic Turf at Baseball, Softball, and Soccer & Irrigation **Alternate #5:** Athletic Site Lighting for Baseball, Softball, & Soccer fields

\$9,339,000

Estimated Cost for
Alternates 1-5
¹⁰²

- *MSBA allowed Plymouth to reduce the project contingency from *5% to 2 1/2% in 2015 due to our architect's good track record of keeping change orders under 1%. Alternates 1, 2 and 3 were done using the building project contingency*
- **Alternate #1: Wastewater Treatment Facility \$2,199,000 MSBA required the facility to exclude from base bid*
- **Alternate #2: Support, Storage & Restroom Facility \$1,462,000*
- *Alternate #3: Synthetic Turf Football Field & Polyurethane Track & Scoreboard \$1,680,000 Budget and contingency*
- *Total of Alternates 1, 2 and 3 \$5,341,000*

*Standard contingency requirement for MSBA contract

**Within Budget

MSBA Contingency Approval

103

- Alternate 4: Turf installation (including drainage) for multi purpose fields 2 and 3 **\$3,100,000**
 - Lighting for fields 2 and 3. **\$1,000,000** (to be funded through alternative source funding)
 - Total Coat for Alternates 4 and 5 **\$4,100,000**
- **Total cost to complete project: \$3,100,000**

Alternates
4 and 5

- Estimated contingency available at the close of the project. \$1.5 to 1.8 million
- Estimated balance for completion: \$ 1.5 to \$1.8million

- The school department is working on a plan to pay for Alternate 5 (lighting) that would lower the total exposure after contingency to approximately \$1,100,000

ARTICLE 15:

ARTICLE 15: To see if the Town will vote to rescind the vote taken under Article 10 of the 2010 Special Town Meeting that read as follows:

ARTICLE 10: To see if the Town will vote to transfer a parcel of land containing .170 acres more or less, shown on Assessor's Map 57, Lot 60A-8, identified as 217 Roxy Cahoon Road, from the Town Treasurer for the purpose of sale to the Board of Selectmen for the purpose of conveyance, and further to authorize the Board of Selectmen convey said parcel of land to the Plymouth Redevelopment Authority for the development of affordable housing thereon, and to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary or convenient on behalf of the Town of Plymouth to affect said conveyance, subject to such terms and conditions as the Board of Selectmen may determine appropriate, including the payment of nominal consideration, or take any other action relative thereto.

REDEVELOPMENT AUTHORITY

Or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 15. Approval of this article will rescind the vote taken under Article 10 of the 2010 Special Town Meeting thereby returning the custody and control of the parcel to the Treasurer. The Plymouth Redevelopment Authority decided against pursuing the redevelopment of the property based on its relatively small size so the property was never conveyed to them. This will allow the Treasurer to include this property in the next auction.

ARTICLE 16:

ARTICLE 16: To see if the Town will vote to rescind the vote taken under Article 14 of the 2010 Fall Annual Town Meeting that read as follows:

ARTICLE 14 To see if the Town will vote, pursuant to G.L. c.44B, to appropriate from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, the sum of \$66,000.00 as a grant to the Plymouth Redevelopment Authority for the renovation of 217 Roxy Cahoon Road, shown as Assessors Map 57, Lot 60a-008, for the purpose of support of community housing, and to authorize the Town Manager, in consultation with the Community Preservation Committee, to enter into a grant agreement with said Redevelopment Authority setting forth the terms and conditions upon which the funds may be expended, which agreement shall include a requirement that the creation and use of the affordable housing units shall be eligible for inclusion on the Subsidized Housing Inventory maintained by the Department of Housing and Community Development for the Town of Plymouth, and a requirement that the Redevelopment Authority grant to the Town an affordable housing restriction(s) in the property, and to authorize the Board of Selectmen to accept a affordable housing restriction(s) on said property, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

Or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 16. Approval of this article will rescind the vote taken under Article 14 of the 2010 Fall Town Meeting. Since the original appropriation was from FY2011 Community Preservation Fund Estimated Annual Revenues, the \$66,000 set aside for this specific project would return to the CPA undesignated fund balance at the end of the fiscal year. The funds can then be used toward a future project. As stated in the previous article, the Plymouth Redevelopment Authority decided not to move forward with renovations to this property.



TOWN OF PLYMOUTH

BOARD OF SELECTMEN / TOWN MANAGER
11 LINCOLN STREET, PLYMOUTH, MA 02360
PHONE (508) 747-1620 EXTENSIONS 106 AND 100
FAX (508) 830-4140

MEMORANDUM

To: BOARD OF SELECTMEN
ADVISORY & FINANCE COMMITTEE

FROM: TIFFANY PARK, ADMINISTRATIVE ASSISTANT
TOWN MANAGER'S OFFICE

SUBJECT: **SPECIAL TOWN MEETING ARTICLES 15 AND 16**
RESCIND VOTES OF 2010 SPECIAL & FALL TOWN MEETINGS

DATE: FEBRUARY 24, 2017

Several years ago, the Plymouth Redevelopment Authority ("PRA") expressed interest in redeveloping a parcel of tax title land at 217 Roxy Cahoon for an affordable housing project. At the 2010 Special Town Meeting, Town Meeting authorized the Selectmen to convey 217 Roxy Cahoon to the PRA. At the subsequent 2010 Fall Town Meeting, Town Meeting approved an appropriation of Community Preservation funds for the PRA's redevelopment of the property.

The PRA ultimately decided against pursuing the redevelopment of the property, based on its relatively small size. Therefore, the property was never conveyed to, or accepted by, the PRA. Because the property contains a dwelling, the Town has been, and continues to be, responsible for maintaining insurance on the property (via a special endorsement for foreclosed residential property).

Recently, the Town auctioned a number of tax title parcels, returning those properties to the tax rolls. The Treasurer/Collector's Office is currently working on another auction of tax title / foreclosed properties. In order to include the property at 217 Roxy Cahoon in the next auction, the property must be under the care and custody of the Town's Treasurer. (The disposition of tax title property at auction is a process available only to the Town's Treasurer, whereas the Selectmen may only dispose of real property via the provisions of G.L. c. 30B, sec. 16.)

Special Article 15

Because the 2010 vote transferred the custody of 217 Roxy Cahoon Road to the Selectmen for specific conveyance to the PRA, Counsel recommends the rescission of the 2010 vote, thereby returning the property to the care and custody of the Town Treasurer. This will make the property available for disposition at the next auction of foreclosed properties. In the event that another Town entity (such as the Affordable Housing Trust) decides it would like to pursue a project at the property, staff can prepare an article for the Fall Town Meeting to re-transfer the property to the Selectmen, for disposition. If, however, it is determined that there is no interest in utilizing the property for another purpose, the approval of Special Article 15 will give the Treasurer the ability to dispose of the property at auction, as soon as practicable.

Special Article 16

Along with the rescission of the 2010 vote to transfer the property to the Selectmen, Counsel recommends the rescission of the 2010 vote to appropriate Community Preservation funds for the PRA's defunct initiative, thereby making those funds available for other Community Preservation projects.

As such, staff recommends the approval of Special Town Meeting Articles 15 and 16, to undo actions which conveyed property and allocated CPA funds for a since-abandoned redevelopment project.

ARTICLE 17:

ARTICLE 17: To see if the Town will vote to transfer a sum from available funds to pay for the snow and ice deficit remaining from FY2015, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 17. Approval of this article will transfer \$301,853.71 from free cash to pay the remaining FY2015 Snow & Ice deficit. After record-breaking storms in 2015, the state allowed the snow and ice deficit from that winter to be amortized over FY2016, FY2017 and FY2018. This transfer will pay off the remaining deficit one year early so none of it will carry over to FY2018.

**Town of Plymouth
Finance Department**

TO: Board of Selectmen
 Advisory & Finance Committee
FROM: Lynne A. Barrett, Finance Director
RE: **Special Town Meeting Article 17: Transfer - FY2015 Snow & Ice Deficit**
DATE: February 23, 2017

After record-breaking winter storms in 2015, the state allowed towns to amortize its fiscal year 2015 snow and ice removal deficit over fiscal years 2016 through 2018.

I recommend that the town transfer \$301,853.71 from free cash to pay for the snow and ice deficit remaining from fiscal year 2015.

Net Deficit as of 6-30-16	\$ 543,812.70
Less MEMA Reimbursements Received in FY2017	- 241,958.99
Remaining Snow & Ice Deficit	<u>301,853.71</u>

The attached form shows the original deficit, amortization schedule, and history of the effect on the tax rate recap.

Thank you for your consideration in reviewing and recommending this article.

Snow and Ice Amortization Schedule
Chapter 10, Section 58 of the Acts of 2015

Plymouth

City / Town

Deficit as of 6-30-2015	\$ 1,699,545.66
Less FEMA Reimbursement (Est.)	
Net Deficit as of 6-30-2015	\$ 1,699,545.66

\$ 566,515.00

In FY2016, you must provide for a minimum of one-third
 (1/3) of the net total balance sheet deficit as of 6-30-2015.

We have adopted the following amortization schedule:

FY2016	\$ 566,515.22
FY2017	\$ 566,515.22
FY2018	\$ 566,515.22
Total	\$ 1,699,545.66

Amortization Tracking Schedule

General Fund - Balance Sheet Net Deficit as of 6-30	Less Reimbursements (Non FEMA)	Appropriations (Any Revenue Source)	Less	
			Other Amount Raised on Page 2	Amount Deferred
FY2016 \$ 1,699,545.66			\$ 566,515.22	\$ 1,133,030.44
FY2017 \$ 1,133,030.44	\$ 22,702.52		\$ 566,515.22	\$ 543,812.70
FY2018 \$ 543,812.70			\$ 543,812.70	\$ -

SECTION 58. Notwithstanding section 23 of chapter 59 of the General Laws, section 31D of chapter 44 of the General Laws or any other general or special law to the contrary, a city or town may amortize over fiscal years 2016 to 2018, inclusive, in equal installments or more rapidly, the amount of its fiscal year 2015 snow and ice removal deficit. The local appropriating authority as defined in section 21C of said chapter 59 shall adopt a deficit amortization schedule in accordance with the preceding sentence before setting the municipality's fiscal year 2016 tax rate. The commissioner of revenue may issue guidelines or instructions for reporting the amortization of deficits authorized by this section.

ARTICLE 18:

ARTICLE 18: To see if the Town will vote to transfer from the Conservation Commission for conservation purposes to the Board of Selectmen for the purpose of conveyance the care, custody, management and control of a portion of a parcel of land located on the westerly side of Rocky Pond Road shown as Lot 4C on Assessors Map 91, as shown on a plan on file with the Town Clerk, and to authorize the Board of Selectmen to convey said portion of Lot 4C upon such terms and conditions deemed by the Board of Selectmen to be in the Town's best interest; and further to authorize the Board of Selectmen to submit a petition for special legislation to the General Court under the provisions of Article 97 of the Amendments to the Massachusetts Constitution authorizing the foregoing transfer, said transfer to become effective upon the enactment of said Article 97 legislation and upon a determination of the Conservation Commission that said portion of Lot 4C is no longer required for conservation purposes; and further to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain a portion of a parcel of land located on the westerly side of Rocky Pond Road shown as Lot 6-22 on Assessors Map 91, as shown on a plan on file with the Town Clerk, upon such terms and conditions as the Board of Selectmen shall deem to be in the best interest of the Town, said portion of Lot 6-22 to be held under the care, custody, management and control of the Conservation Commission in order to satisfy the Executive Office of Energy and Environmental Affairs' "no net loss policy" which states that the loss of Article 97 land shall be compensated for by the designation of other land of at least equal conservation value; and further to authorize the Board of Selectmen to enter into any and all agreements and execute any and all instruments as may be necessary to effectuate the purposes of this article; or take any other action relative thereto.

By Petition: Roy F. Geiger et al

RECOMMENDATION: Approval (Unanimous, 12-0-0). The Advisory & Finance Committee recommends Town Meeting approve Article 18. Approval of this article will allow the town to swap an equal portion of land currently designated for conservation purposes from a town owned parcel (map 91, lot 4C), currently designated for conservation purposes, with that of an adjacent resident owned parcel (map 91, lot 6-22). A recent mortgage inspection disclosed for the first time that the resident's in-ground pool encroached onto the abutting town-owned property. The pool was installed in 2000 based on an incorrect plan designed and filed by the pool installer. An appraisal of the two parcels is required to affirm that the parcels have equal value and utility in accordance with the requirements of the project agreement for the town-owned conservation land. The land swap also will be subject to a two-thirds approval vote by both houses of the Massachusetts legislature.



MEMORANDUM

TO: Town Committees and Boards
FROM: Richard M. Serkey, Attorney for Roy F. Geiger, Jr. and Margaret W. Geiger ("Geiger")
RE: Article 29 of 2017 Spring Annual Town Meeting Warrant
DATE: January 19, 2017

Attached hereto please find the following Exhibits:

- A. Assessors Map 91:
 - a. Geiger owns Lot 6-22.
 - b. The Town owns Lot 4C.
- B. Assessors Data Sheet for the Geiger Lot and Deed for the Geiger Lot.
- C. Assessors Data Sheet for the Town Lot and Deed for the Town Lot.
- D. September 29, 2016 Mortgage Inspection Plan showing pool encroachment onto Town Lot.
- E. September 25, 2000 Zoning Permit for pool.
- F. October 12, 2016 Parcel Swap Plan
- G. November 4, 2016: Petition for insertion of Warrant Article to authorize the Board of Selectmen to convey the "Town to Geiger" Parcel to Geiger and to acquire the "Geiger to Town" Parcel from Geiger.

Factual Background: Geiger had his property under agreement to be sold in 2016. Just before the closing, a mortgage inspection plan done for the buyer (Exhibit D) disclosed for the first time that Geiger's in ground pool encroached onto abutting property owned by the Town. The pool had been installed in 2000 on the basis of an incorrect plan filed by the pool installer (Exhibit E). Geiger's purchase and sale agreement with the buyer had to be terminated. A proposed Parcel Swap Plan was prepared (Exhibit F), pursuant to which the Town would convey to Geiger a 4,025 sf parcel containing the fenced in pool area, and Geiger would convey to the Town a parcel of equal area at the rear of the Geiger Lot.

A

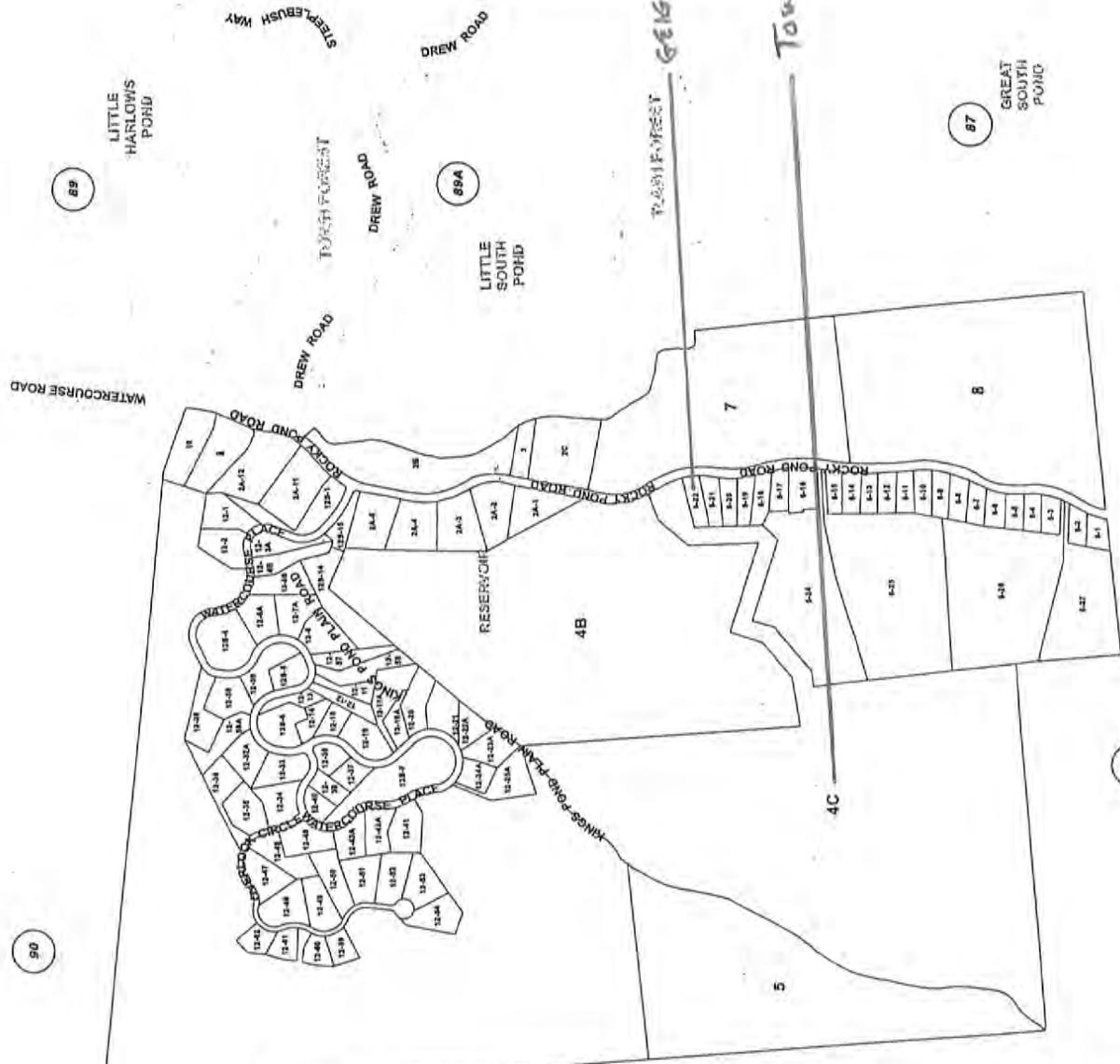
91

TOWN OF PLYMOUTH
ASSESSORS MAP

Map showing property boundaries and assessment information for the Town of Plymouth. Includes roads, ponds, and a legend.

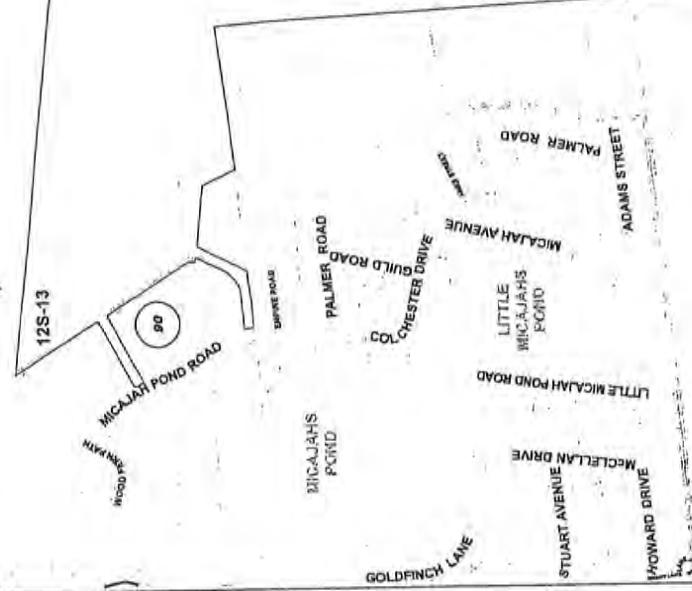
Scale: 0 200 400 600 800 1,000 1,200 1,400 Feet

92



73

723



B

Card 1 of 1

Location 107 ROCKY POND RD	Property Account Number 15190	Parcel ID 091-000-006-022
Old Parcel ID 1100 -G01 -091*0027*		

Current Property Mailing Address

Owner GEIGER ROY F GEIGER MARGARET W Address 107 ROCKY POND RD	City PLYMOUTH State MA Zip 02360 Zoning RR
--	---

Current Property Sales Information

Sale Date 1/1/1900 Sale Price 0	Legal Reference 3821/764 Grantor(Seller)
------------------------------------	---

Current Property Assessment

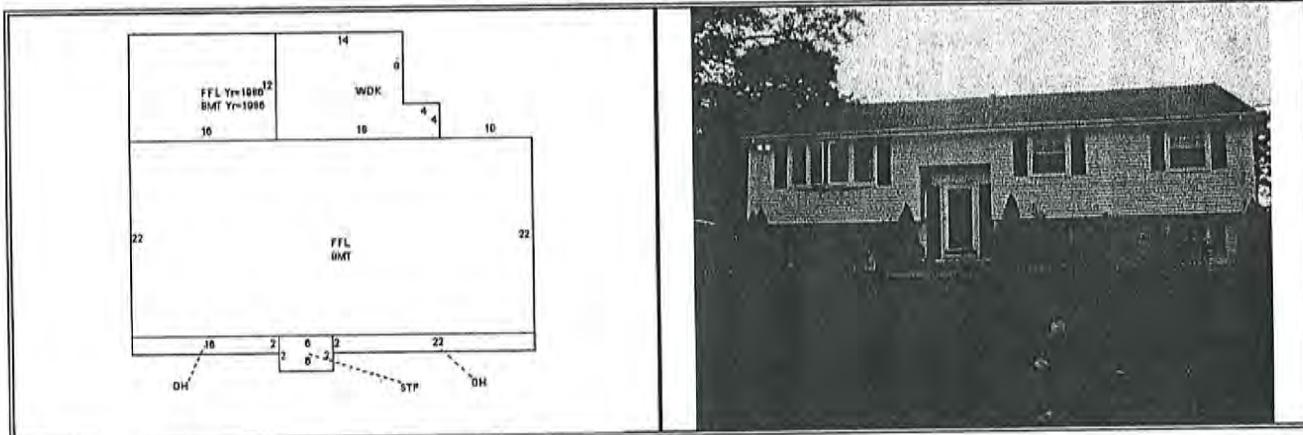
Year 2017	Card 1 Value
	Building Value 120,900
	Xtra Features Value 9,400
Land Area 0.549 acres	Land Value 140,800
	Total Value 271,100

Narrative Description

This property contains 0.549 acres of land mainly classified as ONE FAM with a(n) Raised Ranch style building, built about 1972 , having VINYL exterior and Asphalt roof cover, with 1 unit(s), 8 total room(s), 0 total bedroom(s), 1 total bath(s), 0 total half bath(s), 1 total 3/4 bath(s).

Legal Description

Property Images



C

Card 1 of 1

Location PINNACLE HILL	Property Account Number 15166	Parcel ID 091-000-004C-000
Old Parcel ID 9600 -G01 -091*0029*		

Current Property Mailing Address

Owner PLYMOUTH TOWN OF	City PLYMOUTH
	State MA
Address 11 LINCOLN ST	Zip 02360-3325
	Zoning RR

Current Property Sales Information

Sale Date 6/27/2000	Legal Reference 18639-141
Sale Price 500,000	Grantor(Seller) KAPELL, JEFFREY,

Current Property Assessment

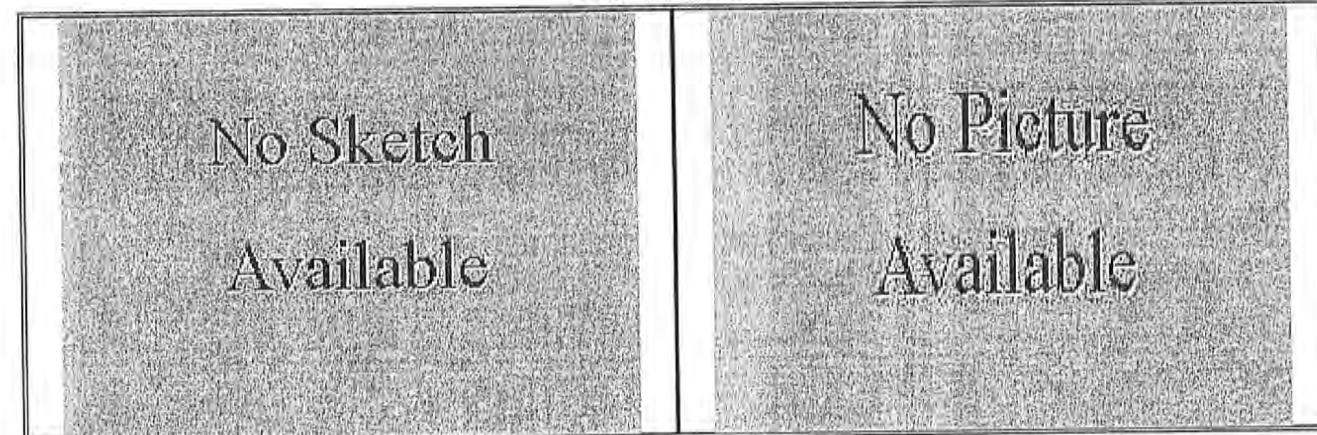
Card 1 Value	
Year 2016	Building Value 0
	Xtra Features Value 0
Land Area 67.199 acres	Land Value 1,285,900
	Total Value 1,285,900

Narrative Description

This property contains 67.199 acres of land mainly classified as Vacant with a(n) N/A style building, built about , having N/A exterior and N/A roof cover, with 0 unit(s), 0 total room(s), 0 total bedroom(s), 0 total bath(s), 0 total half bath(s), 0 total 3/4 bath(s).
--

Legal Description

Property Images



64034

C

DEED

We, JEFFREY H. KAPELL, of 420 Billington Street, Plymouth, MA 02360 and MARTHA STEARNS, f/k/a MARTHA S. KAPELL, of 12 Chilton Street, No. 2, Cambridge, MA 02138, in consideration of Five Hundred Thousand and 00/100 Dollars (\$500,000.00), grant to THE TOWN OF PLYMOUTH, a municipal body politic located in Plymouth County, Massachusetts, under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, as it may hereafter be amended and other Massachusetts Statutes relating to Conservation, to be managed and controlled by the Conservation Commission of the Town of Plymouth or its designated management agent, with quitclaim covenants:

A certain parcel of land situated on the westerly side of Rocky Pond Road, in Plymouth, Plymouth County, Massachusetts containing a total area of 67.2 acres, more or less, and shown as Proposed Lot 4C on Plan No. 657 of 1999 at the Plymouth County Registry of Deeds. Said land is a portion of the land described in deed recorded at Plymouth Deeds in Book 8101, Page 308.

Together with the benefit of easement recorded at Plymouth Deeds in Book 4203, Page 792.

The address of the subject premises is Lot 4C, Map 91, Rocky Pond Road, Plymouth, MA 02360.

Executed as a sealed instrument this 5th day of June, 2000.

Jeffrey H. Kapell
Jeffrey H. Kapell
Martha Stearns
Martha Stearns

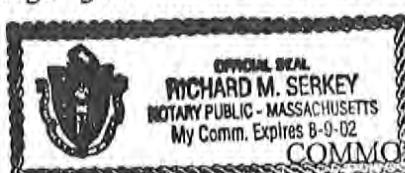
COMMONWEALTH OF MASSACHUSETTS

Received & Recorded
PLYMOUTH COUNTY
REGISTRY OF DEEDS
27 JUN 2000 09:28AM
RICHARD C. SEIBERT
REGISTER

June 16, 2000
Bk 18639 Pg 141-142

Plymouth, ss.

Then personally appeared the above-named JEFFREY H. KAPELL, and acknowledged the foregoing instrument to be his free act and deed, before me,



R.M. Serkey
Notary Public:

My commission expires: 8-9-02

Middlesex, ss.

June 15, 2000

Then personally appeared the above-named MARTHA STEARNS, and acknowledged the foregoing instrument to be her free act and deed, before me.

Lina Dell'Aria
Notary Public:
My commission expires: 7/29/05

LINA DELL'ARIA
NOTARY PUBLIC

My Commission Expires July 29, 2005

C

ACCEPTANCE OF DEED

The foregoing Deed from Jeffrey H. Kapell and Martha Stearns, is hereby accepted by the Town of Plymouth, acting by and through its Conservation Commission, pursuant to the authority given by G.L. c. 40 §8c and the vote under Article 21A of the Warrant for the Annual Town Meeting held April 1, 2000, and every other authority appertaining, this 5th day of June, 2000.

TOWN OF PLYMOUTH
CONSERVATION COMMISSION

Jeffrey Kapell

Michael A. Stabile

Linda K. W.

Theodore J. Jezz Michael Conrod

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

June 5, 2000

Then personally appeared the above named Karen Richcreek, member of the Conservation Commission as aforesaid, and acknowledged the foregoing as the free act and deed of the Town of Plymouth, before me.

Michelle A. Turner
Michelle A. Turner, Notary Public
My Commission Expires: July 26, 2002

88234/plym/0207

← END OF INSTRUMENT →

C

64035
 Received & Recorded
 PLYMOUTH COUNTY
 REGISTRY OF DEEDS
 27 JUN 2000 09:28AM
 RICHARD C. SEIBERT
 REGISTER
 Bk 18639 Pg 143-147

M.R. BOOK 18639
 PAGE 147

THE COMMONWEALTH OF MASSACHUSETTS
 EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
 DIVISION OF CONSERVATION SERVICES

SELF-HELP PROGRAM
 PROJECT AGREEMENT

Made this 20th day of April, between the **Town of Plymouth**, hereinafter referred to as the **PARTICIPANT**, and the Commonwealth of Massachusetts acting by and through the Secretary of the Executive Office of Environmental Affairs, hereinafter referred to as the **COMMONWEALTH**.

WHEREAS, the **PARTICIPANT** has established a Conservation Commission under Massachusetts General Laws Chapter 40, § 8C and has made application to the **COMMONWEALTH** for assistance under the Massachusetts Self-Help Program pursuant to Massachusetts General Laws Chapter 132A, § 11, as amended, for a project briefly described as follows: **Self-Help #3, West Plymouth Greenway**:

This project shall consist of the acquisition of 67+- acres of land in the town of Plymouth, MA, known as the

Kapell/Sterns Land, in fee simple, for conservation and passive recreation purposes, by the **Town of Plymouth**, hereinafter referred to as the **PROJECT**.

WHEREAS, the **COMMONWEALTH** has reviewed said application and found the **PROJECT** to be in conformance with the purposes of Massachusetts General Laws Chapter 132A, § 11, as amended, and the Self-Help Program policies and regulation, 301 CMR 5.00.

WHEREAS, the **COMMONWEALTH** has approved said application and has obligated certain funds in the amount of **Three hundred thousand dollars (\$300,000)** representing **60% of the approved total project cost**.

WITNESSETH:

1. The **COMMONWEALTH** and the **PARTICIPANT** mutually agree to perform this Agreement in accordance with the Massachusetts Self-Help Program, its policies and regulation 301 CMR 5.00, Massachusetts General Laws Chapter 132A, § 11, as amended, Massachusetts General Laws Chapter 40, § 8C, and St. 1996, Chapter 15.
2. The **PARTICIPANT** agrees to perform the **PROJECT** described previously by authorizing its **CONSERVATION COMMISSION** to manage, maintain, and operate the **PROJECT** in accordance with the terms, conditions and obligations contained in the **PARTICIPANT'S** application(s), as approved, including any promises, conditions, plans, specifications, estimates, procedures, project proposals, maps, and assurances made a part thereof, and furthermore, in accordance with any special terms and conditions attached to and incorporated in this Agreement. All Significant deviations from the **PROJECT** shall not be undertaken without advance approval by the **COMMONWEALTH**.
3. The **PARTICIPANT** agrees that the facilities of the **PROJECT** shall be open to the general public and shall not be limited to residents of the **PARTICIPANT**. The **PARTICIPANT** shall prominently display on the **PROJECT** a sign designated by the **COMMONWEALTH** indication the **PROJECT** received Self-Help funds.

4. The **PARTICIPANT** acknowledges Article 97 of the Massachusetts Constitution which states, in part, that: "Lands or easements taken or acquired for such park, recreation or conservation purposes shall not be used for other purposes or otherwise disposed of except by laws enacted by a two-thirds vote, taken by yeas and nays, of each branch of the General Court." The **PARTICIPANT** hereby agrees that any property or facilities comprising the **PROJECT** will not be used for purposes other than those stipulated herein or otherwise disposed of unless the **PARTICIPANT** receives the appropriate authorization from the General Court, the approval of the Secretary of Environmental Affairs, and any authorizations required by the provisions of Massachusetts General Laws Chapter 40, § 15A or St. 1996, Chapter 15.
5. The **PARTICIPANT** agrees that any property or facilities comprising the **PROJECT** shall be retained and used at all times for conservation purposes as stipulated herein. In the event that the property or facilities cease to be used for such purposes, all interest in the property or facilities shall revert to the Commonwealth pursuant to St. 1996, Chapter 15. The **PARTICIPANT** shall notify the Secretary in writing of any change in use or potential change in use of the property or facilities that is inconsistent with said conservation purposes. The **PARTICIPANT** shall have 90 days from the date written notice was received by the Secretary to present satisfactory evidence that the basis for reversion has been cured, in which case the property or facilities shall not revert. Upon receipt of written notice, the Secretary may review the circumstances of the property or facilities and determine that reversion of the property or facilities is not appropriate or essential to the protection of public open space in which case the provisions of paragraph 6 shall apply.
6. The **PARTICIPANT** further agrees that despite any such authorization and approval, in the event the property or facilities comprising the **PROJECT** are used for purposes other than those described herein, the **PARTICIPANT** shall provide other property and facilities of equal value and utility to be available to the general public for conservation and recreational purposes provided that the equal value and utility and the proposed use of said other property and facilities is specifically agreed to by the Secretary of Environmental Affairs.
7. Failure by the **PARTICIPANT** to comply with the terms and conditions of this Agreement or the policies or regulation of the Self-Help Program may, at the sole option of the **COMMONWEALTH**, suspend or terminate all obligations of the **COMMONWEALTH** hereunder.
8. **PARTICIPANT** and **COMMONWEALTH** acknowledge that the benefit desired by the **COMMONWEALTH** from the full compliance by the **PARTICIPANT** is the existence, protection, and the net increase of conservation land, and furthermore that such benefit exceeds to an immeasurable and unascertainable extent the dollar value of the funding provided by this Agreement, and, therefore, in recognition of said disparity, the **PARTICIPANT** agrees that payment of money damages by the **PARTICIPANT** to the **COMMONWEALTH** would be an inadequate remedy for a breach of this Agreement by the **PARTICIPANT**, and, therefore, the **COMMONWEALTH** may enforce the terms and conditions of this Agreement by requiring specific performance of the **PARTICIPANT'S** obligations.

9. The **PARTICIPANT** agrees to record a copy of this agreement at the appropriate Registry of Deeds at the same time the deed for the land comprising the **PROJECT** is recorded, and to provide proof of such recording to **COMMONWEALTH**.

COMMONWEALTH OF MASSACHUSETTS

BY Stephen B Barnard
for Bob Durand, Secretary
Executive Office of Environmental Affairs

DATE: 5/15/00

PARTICIPANT

BY Elean S Beck

Chief Executive Officer

CONSERVATION COMMISSION

BY Land Park
Theodore Lese
Michael Lomax
Richard A. White
Anna K.

DATE: 01 May 2000

Attached hereto evidence of authority to execute this contract on behalf of the **PARTICIPANT**. In the case of a municipality, a certified copy of the vote or votes of the governing body authorizing the **PROJECT**, appropriating municipal funds therefore, and authorizing execution of this Agreement by the Officer, Board, or Commission whose signature(s) appears above.

D

NEW ENGLAND LAND SURVEY
Professional Land Surveyors
710 MAIN STREET
N.Oxford, MA 01537
PHONE: (508) 987-0025
FAX: (508) 234-7723
REGISTRY PLYMOUTH

BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS WERE MADE OF THE FRONTRAGE AND BUILDING(S) SHOWN ON THIS MORTGAGE INSPECTION PLAN. IN OUR JUDGEMENT ALL VISIBLE EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING REQUIREMENTS REGARDING DWELLING STRUCTURES TO PROPERTY LINE OFFSETS (UNLESS OTHERWISE NOTED IN DRAWING BELOW). NOTE: NOT DEFINED ARE ABOVE GROUND POOLS, DRIVEWAYS, OR SHEDS WITH NO FOUNDATIONS, ETC. THIS IS A MORTGAGE INSPECTION PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO ERECT FENCES, OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS. LOCATION OF THE STRUCTURE(S) SHOWN HEREON IS EITHER IN COMPLIANCE WITH LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VII, CHAP. 40A, SEC. 7, UNLESS OTHERWISE NOTED. THIS CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY LOCATED IN RELATION TO THE PROPERTY LINES.

MORTGAGE INSPECTION PLAN

NAME NICOLE H GEARTY

LOCATION 107 ROCKY POND ROAD

PLYMOUTH, MA

SCALE 1"=50' DATE 9/29/2016

16MIP10748

CERTIFY TO: CAMBRIDGE MORTGAGE GROUP, LLC

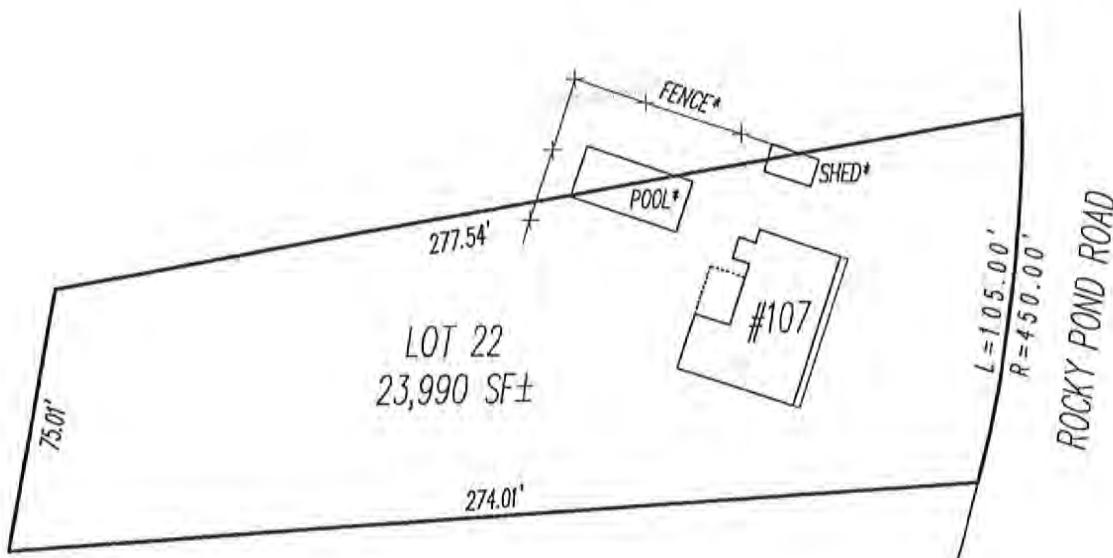
DEED REFERENCE: 3821/764

PLAN REFERENCE: 16/70

WE CERTIFY THAT THE BUILDING(S) ARE NOT WITHIN THE SPECIAL FLOOD HAZARD AREA. SEE FIRM:

25023C0366J DTD: 07/17/2012

FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. UNTIL DEFINITIVE PLANS ARE ISSUED BY HUD AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED, PRECISE ELEVATIONS CANNOT BE DETERMINED.



*POSSIBLE ENCROACHMENTS BY POOL AREA.

REQUESTED BY: TIMOTHY A SHERMAN
DRAWN BY: DLM
CHECKED BY: GES
FILE: 16MIP10748



E

RECEIVED

JUL 24 2000

Building Dept.
Plymouth, MA

TOWN OF PLYMOUTH
OFFICE OF THE BUILDING COMMISSIONER
#11 LINCOLN STREET, PLYMOUTH, MA 02360
(508) 830-4032 FAX # (508) 830-4062

FEE: \$20.00
CASH CHECK

ZONING PERMIT # 123 ZONING DISTRICT RR

ZONING PERMIT APPLICATION
(THIS IS NOT A BUILDING PERMIT)

1. LOCATION OF PROPERTY 107 ROCKY POND RD LOT 6-22 PLAT 91
2. PERMIT TO ERECT MOVE ALTER DEMOLISH OTHER
3. PRESENT USE BACK YARD
4. NEW PROPOSED USE: In-ground swimming pool
5. NEW BLDG. /ADDITION - HEIGHT SIZE
6. LIST EXISTING NO. & TYPE OF ROOMS
7. AREA OF LOT 21,312 S.F. NO. FT. FRONT 96 REAR 110 DEPTH 222
8. DESCRIPTION OF WORK TO BE DONE In stall 17x33 in ground
Swimming pool
9. REQUIRED SITE PLAN ON BACK SEPARATE (SEE DETAILS ON BACK)

IT IS UNDERSTOOD AND AGREED THAT THE ZONING PERMIT IS ISSUED IN
RELIANCE UPON THE INFORMATION SUBMITTED BY THE PETITIONER ON AND
WITH THIS APPLICATION. THEREFORE, IF ANY FALSE OR MISLEADING
INFORMATION IS FOUND TO EXIST THEREIN, THE ZONING PERMIT IS VOIDABLE
BY THE BUILDING OFFICIAL. ZONING PERMITS ARE GOOD FOR ONE YEAR
FROM THE DATE IT IS ISSUED.

NAME (PLEASE PRINT) Swim Sports, Inc S.J. Caramello, Pres
247 Columbia Rd Re. S. J. Caramello (Sje)
 MAILING ADDRESS SIGNATURE OF OWNER
HANOVER, MA 02339 Swim Sports, S. J. Caramello
 TOWN ZIP CODE SIGNATURE OF AGENT
781-826-8368
 PHONE

DO NOT WRITE BELOW THIS LINE

ZONING PERMIT APPROVED: 17x33-Inground swimming pool.

ZONING PERMIT UNAPPROVED:

7-25-2000
DATE ISSUED

Richard G. Manfredi
BUILDING OFFICIAL

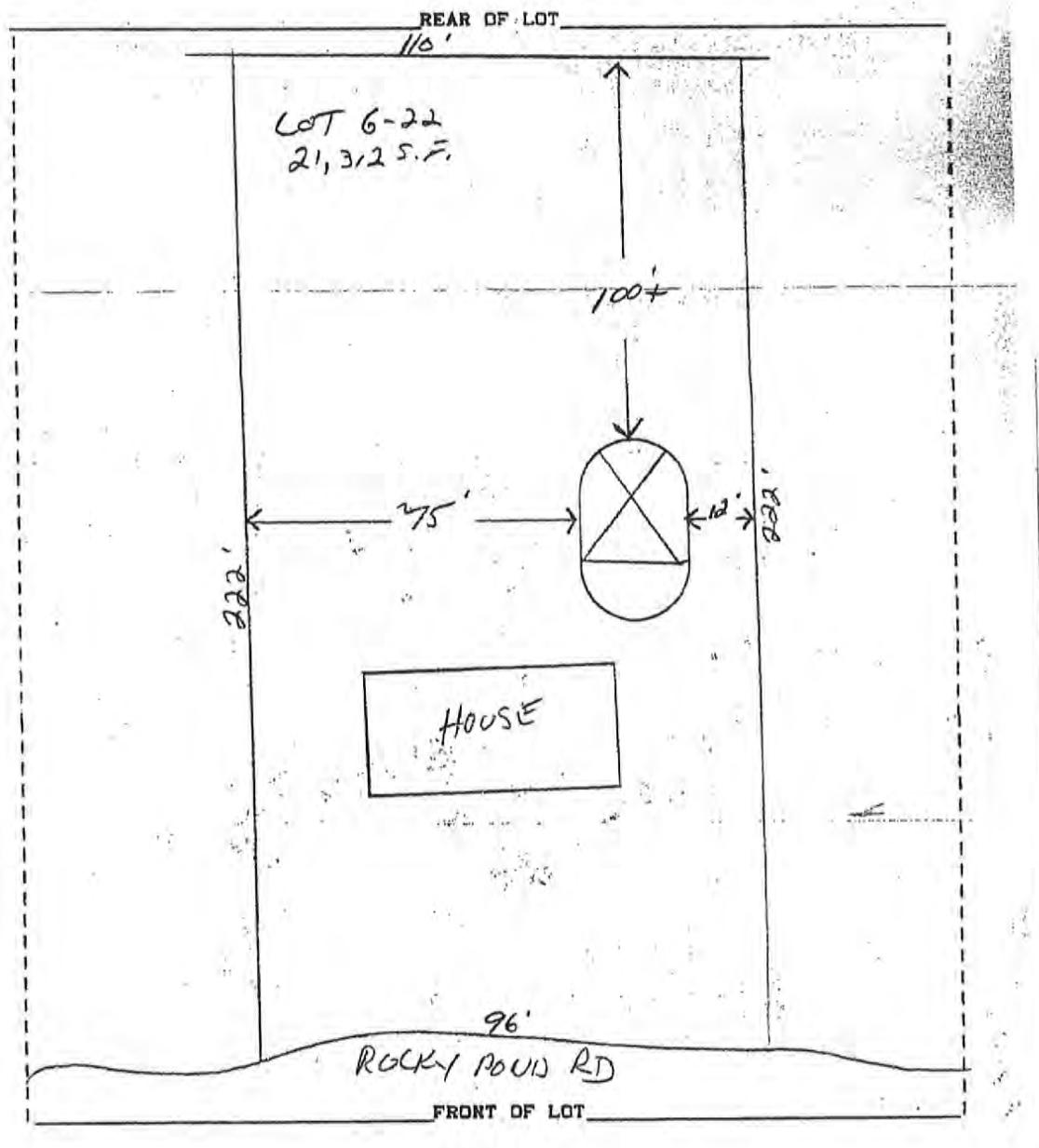
AN ENGINEERED SITE PLAN IS REQUIRED FOR ALL NEW SINGLE FAMILY OR TWO FAMILY DWELLINGS. THIS PLAN MUST BE STAMPED AND SIGNED BY A PROFESSIONAL LAND SURVEYOR.

FOR ALL OTHER TYPES OF CONSTRUCTION THE SITE PLAN MUST BE SUBMITTED SHOWING THE FOLLOWING;

1. ACTUAL SIZE AND SHAPE OF LOT.
2. EXACT SIZE AND SHAPE OF ALL EXISTING AND PROPOSED STRUCTURES.
3. DISTANCE FROM ALL LOT LINES FOR EXISTING AND PROPOSED STRUCTURES.

NOTES: DUE TO CERTAIN CIRCUMSTANCES A SURVEYED PLAN MAY ALSO BE REQUESTED FOR THE ABOVE CONSTRUCTION.

NO INSPECTIONS WILL BE MADE UNLESS THE LOT IS MARKED (LOT #) AND ALL LOT CORNERS AND PROPOSED STRUCTURES ARE STAKED.



F

ZONING REQUIREMENTS FOR ZONE RRP (OLD ZONING)

REQUiRED	
FRONT	20'
SIDE	10'
REAR	10'



ELAHERTY & STEFFANI INC

67 SAMOSET STREET
PLYMOUTH, MA 02350
(508) 747-2425

DATE: OCTOBER 12, 2016
SCALE: 1" = 30'
100' NO.

DNG NAME: 107 Rocky Pond

PLYMOUTH, MASS.

PREPARED FOR

ROY F. & MARGARET W. GEIGER
#107 ROCKY POND ROAD
PARCEL I.D.: 091-000-006-022

