

FALL ANNUAL TOWN MEETING WARRANT

Saturday, October 20, 2018

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

In the name of the Commonwealth, you are directed to notify and warn the Inhabitants of Plymouth, qualified to consider and vote on articles at the Fall Annual Town Meeting of the Town of Plymouth, to meet at Plymouth North High School at 41 Obery Street in Plymouth, MA on Saturday, the Twentieth Day of October, 2018, at 8:00 AM, to act on the following articles to wit:

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

BOARD OF SELECTMEN

ARTICLE 2A: To see if the Town will vote to amend the vote taken under Article 7A of the 2018 Annual Town Meeting warrant, and, as necessary, to raise, appropriate, transfer or borrow funds for the purpose of supplementing departmental expenses, and/or to reduce certain departmental expenses or otherwise amend said vote, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 2B: To see if the Town will vote to amend the votes taken under Article 7B, 7C, 7D and 7E of the 2018 Annual Town Meeting warrant, and, as necessary, to raise, appropriate, transfer or borrow funds for the purpose of supplementing enterprise departmental expenses, and/or to reduce certain departmental expenses or otherwise amend said vote, or take any other action relative thereto.

BOARD OF SELECTMEN

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

BOARD OF SELECTMEN

ARTICLE 4: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease and/or replacement of departmental buildings and/or equipment and/or capital facilities and/or for feasibility studies and other types of studies for the various departments of the Town, including authorizing lease/purchase agreements for terms of up to or in excess of three years, substantially as follows:

ITEM	DEPARTMENT	PROJECT DESCRIPTION
A	Sewer	Hedge Rd Pump Station

B	Marine and Environmental Affairs	Russell Pond Dam Engineering & Permitting
C	Airport	Airport Administration Building
D	Marine and Environmental Affairs	Mooring Plan
E	Marine and Environmental Affairs	Float System
F	Building Maintenance	Memorial Hall HVAC
G	Marine and Environmental Affairs	WS Parking Lot Contamination
H	Fire	New Engine 3
I	Solid Waste	Sticker Tracker - Transfer Station
J	Building Maintenance	COA HVAC
K	Intentionally Left Blank	
L	Marine and Environmental Affairs	Dredging Permitting/Sampling

or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 5: To see if the Town will vote to amend the votes taken under Article 9-Item C of the April 1, 2017 Annual Town Meeting, and Article 17 of the April 7, 2018 Special Town Meeting (Library project) to appropriate the additional amount of \$1,200,000 to pay costs of the design, preservation, rehabilitation, restoration, or reconstruction of the roof and HVAC system at the Main Library Branch, on Town-owned property shown as Lot 60C on Plymouth Assessors' Map 27, Parcel number 27-000-060C-000, including the costs for a Project Manager to oversee the project, and all costs incidental and related thereto, thereby increasing the total amount appropriated for such purposes from \$1,904,746 to \$3,104,746, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 6: To see if the Town will vote to amend the vote taken under Article 9-Item B4 of the April 2, 2016 Annual Town Meeting (Water Street Pump Station Upgrades) to appropriate the additional amount of \$1,500,000 to pay costs of the design, preservation, rehabilitation, restoration, reconstruction, and equipping of the Water Street Pump Station, on Town-owned property shown as Lot 1A on Plymouth Assessors' Map 14A, and all costs incidental and related thereto, thereby increasing the total amount appropriated for such purposes from \$6,000,000 to \$7,500,000; or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 7: To see if the Town will vote to amend the amount appropriated under Article 9 of the 2018 Spring Annual Town Meeting to pay costs of various capital projects, or otherwise amend said vote, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 8: To see if the Town will vote to approve a payment in lieu of taxes agreement between the Town and Entergy Nuclear Generation Company for the property known as the Pilgrim Nuclear Generation Station, as on file with the Town Clerk, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 9A: To see if the Town will vote to authorize the Board of Selectmen to grant to a third party in accordance with the provisions of G.L. c.44B, §12 and G.L. c. 184 Sections 31-33 a conservation restriction on a parcel of land off Boot Pond Road shown on Assessors Map 85 as Parcel 31 and containing 9.2 acres more or less as consideration for the release of one acre of land on Obery Street from the terms and provisions of the Conservation Restriction dated October 17, 2008 and recorded with Plymouth County Registry of Deeds in Book 36713, Page 87 and filed with Plymouth County Registry District of the Land Court as Document No. 644858, and further, if and as needed, to authorize the Board of Selectmen to file with General Court a petition for special legislation to effectuate this vote, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 9B: To see if the Town will vote to appropriate from the Community Preservation Fund the sum of \$1,400,000.00 as a grant to the Plymouth Housing Authority for the purpose of acquisition, creation, preservation and support of community housing, particularly 24 units of rental housing on property located at 550 – 558 State Road, and in connection therewith, to authorize the Board of Selectmen to acquire, pursuant to G.L. c. 44B Section 12 and G.L. c. 184 Sections 31-33, an affordable housing restriction in such property, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 9C: To see if the Town will vote to appropriate from the Community Preservation Fund the sum of \$170,000.00 as a grant to Habitat for Humanity for the creation of affordable housing, particularly for the construction of three units of deed restricted affordable housing on the property located at 865 Long Pond Road, and further to authorize the Board of Selectmen to acquire, pursuant to G.L. c. 44B, Section 12 and G.L. c. 184, Sections 31-33, an affordable housing restriction in such property or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 9D: To see if the Town will vote to appropriate from the Community Preservation Fund or borrow pursuant to G.L. c.44B, §11 or G.L. c.44 or any other enabling authority the sum of \$2,618,000.00 as a grant to the General Society of Mayflower Descendants for the restoration rehabilitation and preservation of the stone façade of the historic 1898 National Memorial Meeting House in Town Square, and to authorize the Board of Selectmen to accept an historic preservation restriction pursuant to G.L. c. 44B Section 12 and G.L. c. 184 Sections 31-33 in such property, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 9E: To see if the Town will vote to appropriate from the Community Preservation Fund the sum of \$380,000 for the restoration, rehabilitation and preservation of the historic 1749 Court House located in Town Square including but not limited to, preservation of the post and beam construction under the roof, upgrades to utilities in compliance with current building codes, and installation of historically appropriate roofing materials, and to establish a G.L. c.40, §3 revolving fund into which shall be credited receipts from lease or rental of the building to be expended for the upkeep and maintenance of such building; and further to accept the last clause of paragraph 2 of said G.L. c.40, §3 to allow for any balance in such fund to remain and be expended for facilities upkeep and maintenance, or take any other action relative thereto.
COMMUNITY PRESERVATION COMMITTEE

ARTICLE 9F: To see if the Town will vote to amend the vote taken under Article 16D of the Spring 2018 Annual Town Meeting by reducing the debt service budget of \$94,276 by \$24,642 to \$69,634, and by reducing accordingly the amount appropriated therefor, or take any other action relative thereto.
COMMUNITY PRESERVATION COMMITTEE

ARTICLE 10: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money for the purposes of constructing or reconstructing the surface of the playgrounds located at Nelson Memorial Park, Forges Field, and Elmer Raymond Jr. Park to bring such surfaces into accord with state and federal accessibility requirements, including demolition and site preparation and all incidental and related expenses, or take any other action relative thereto.
DISABILITIES COMMISSION

ARTICLE 11 : To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$200,000, for the purposes of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements between the Board of Health and residential property owners; including without limitation, the payment of all costs thereof as defined in G.L. c.21C, § 1; and to meet this appropriation the Treasurer with approval of the Board of Selectmen is authorized to borrow said sum pursuant to G.L. c.44, or any other enabling authority, which amount may be borrowed through the Massachusetts Clean Water Trust or otherwise; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project, or take any other action relative thereto.
BOARD OF SELECTMEN

ARTICLE 12: To see if the Town will vote to transfer from available funds a sum of money to the following Stabilization Fund, as authorized by the provisions of G.L. c. 40, §5B,

a. Pavement Management Plan Debt Stabilization Fund

or take any other action relative thereto.
BOARD OF SELECTMEN

ARTICLE 13: To see if the Town will vote to amend the General Bylaws, Chapter 143, Department Revolving Funds, specifically by rescinding the entire row in the chart under Section 1 establishing the G.L. c.44, §53E ½ School Custodial Details revolving fund, thereby

eliminating such fund, and further, to transfer any balance remaining in said fund to use of school property; c. 71, § 71E or take any other action relative thereto.

SCHOOL COMMITTEE

ARTICLE 14: To see if the Town will vote to transfer the care, custody, management and control of the land and building located on 10 Oak Street, Plymouth, commonly known as the Oak Street School, shown as Lots 41 and 42A on Plymouth Assessors' Map 15, from the School Committee for school purposes to the Board of Selectmen for general municipal purposes and for the purposes of conveyance, including leasing, and to authorize the Board of Selectmen to convey the same for such sum and upon such conditions determined by the Board of Selectmen to be in the best interests of the Town, and pursuant to the requirements of G. L. c. 30B, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 15: To see if the Town will vote to transfer the care, custody, management and control of the land and building located on 253 South Meadow Road, Plymouth, commonly known as the School Administration Building, shown as Lot 20-5 on Plymouth Assessors' Map 108, from the School Committee for school purposes to the Board of Selectmen for general municipal purposes and for the purposes of conveyance, and to authorize the Board of Selectmen to convey such land and building for such sum and upon such conditions determined by the Board of Selectmen to be in the best interests of the Town, and pursuant to the requirements of G. L. c. 30B, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 16: To see if the Town will vote to amend the General Bylaws, Ch. 149 – Sewers, as provided below, with strikethrough language to be deleted and bold underlined language to be inserted:

§ 149-2. Sewer Connections. [Adopted 10-26-2004 ATM by Art. 25]

A. SEWER CONNECTION REQUIRED

Owners of all properties used for human occupancy, employment, recreation or other purposes within an area of the Town in which there is now located or in the future may be located a common sewer, to be sewerred as identified in the final wastewater facilities plan dated June 16, 1997 provided that said common sewer is within 100-feet of the street front property line and abutting on any public or private way in which there is a common sewer, is hereby required at his/her expense, if there exists sufficient capacity within the Town's sewer system, to connect said building by sufficient drain to the common sewer as follows:

- (1) **For all new construction of residential, commercial, industrial, and/or mixed-use buildings. The owner of any occupied structure to be constructed shall, if there exists sufficient capacity within the Town's sewer system, connect said building by a sufficient drain to the common sewer;**

- (2) The owner of any occupied structure served by a Soil Absorption System (SAS) **requesting any change of use, or alteration to a structure that results in increased wastewater flow, including single-family dwellings.** ~~constructed prior to March 31, 1995, if there exists sufficient capacity within the Town's sewer system, may increase the sewer flow from such building only upon connecting such building by a sufficient drain to the common sewer;~~
- (3) The owner of any occupied structure, **excluding residential structures containing less than 3-dwelling units,** served by a Soil Absorption System (SAS) **shall be required to connect to the common sewer within 180-days of receiving official notice from the Department of Public Works** ~~constructed subsequent to March 31, 1995, if there exists sufficient capacity within the Town's sewer system, may increase the sewer flow from such building, provided that the Board of Health certifies that the SAS is sufficient to handle the existing sewer flow, and further provided that the increased flow is directed by a sufficient drain to the common sewer; and~~
- (4) The owner of any occupied structure served by a Soil Absorption System (SAS) determined by the Board of Health to be failing shall connect said building by a ~~sufficient drain to the common sewer.~~

Or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 17: Withdrawn

ARTICLE 18: To see if the Town will vote to amend the General Bylaws, Ch. 100 – Junk Dealers and Collectors, as provided below, with strikethrough language to be deleted and bold underlined language to be inserted:

§ 100-2. Shopkeepers.

- A.** Every keeper of a shop for the purchase, sale or barter of junk, old or precious metals or secondhand articles within this town shall keep a book in which shall be written at the time of every purchase of any such article a description thereof and the name, age and residence of the person from whom and the day and hour when such purchase was made, and such book shall at all times be open to the inspection of the Selectmen or any person by them authorized to make such inspection, and every keeper of such shop shall put in some suitable and conspicuous place on his or her shop a sign having his or her name and occupation legibly inscribed thereon in large letters.
- C.** The licensee shall cause to be delivered to the Plymouth Police Department on a weekly basis, a copy of all transactions recorded in their book **transmitted electronically through databases approved by the Chief of Police.** ~~If, during the preceding week, such licensee has taken no articles for sale or liquidation, he/she shall make out and deliver to the Police Department a report of such fact.~~
- [Added 4-2-2011 by ATM Article 33]

§ 100-5. Identification [Added 4-2-2011 by ATM Article 33]

- A. For all jewelry transactions, the licensee shall take a color photograph of each individual item in as much detail possible. **The licensee shall note any personal inscriptions, identification of weight or any other permanent markings.** The licensee shall photograph, in color, any person selling articles and keep the photographs with said books as part of his records.

Or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 19: To see if the Town will vote to accept MGL Chapter 200A, Section 9A—Disposition of Abandoned Funds, providing a statutory procedure for providing notice and disposing of abandoned funds in the custody of the Town, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 20: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter as recommended by the Charter Review Committee in its report entitled, “Town of Plymouth Proposed Charter Amendments 2018 Fall STM,” dated October, 2018, on file with the Town Clerk; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and authorizing the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition, or take any other action relative thereto.

CHARTER REVIEW COMMITTEE

ARTICLE 21: Withdrawn

ARTICLE 22: To see if the Town will vote to amend the Zoning Bylaw Section 207.11 Ground-Mounted Solar Photovoltaic Systems to apply the 5 acre limitation in subsection B(2) to land located only in any residential district as well as amend any other definitions, procedures, and provisions for said installations, or take any other action relative thereto.

PLANNING AND COMMUNITY DEVELOPMENT

ARTICLE 23: To see if the Town will vote to amend the Zoning Bylaw Section 201.3 Definitions, the Use Table and the Use Table Footnotes to allow dog kennels by special permit in the Rural Residential (RR) District and by-right in the Light Industrial (LI), Airport (AP), Highway Commercial (HC) and Mixed Commerce (MC) districts as well as amend any other definitions, procedures, and provisions for said installations, or take any other action relative thereto.

PLANNING AND COMMUNITY DEVELOPMENT

ARTICLE 24: To see if the Town will vote to amend its Zoning Bylaw, Section 206-1 – “Aquifer Protection District” as it relates to the delineation of the district, uses allowed, special

permit uses and prohibited uses or activities and to revise the Town’s Official Zoning Map to revise the boundaries of the Aquifer Protection District, or take any other action relative thereto.
PLANNING AND COMMUNITY DEVELOPMENT

ARTICLE 25: To see if the Town will vote to amend the Zoning Bylaw to create a Cedarville Village Enterprise District (CVED) that allows for a range of light industrial and commercial uses and to amend the Zoning Bylaw and Official Zoning Map #1 to designate of all or a portion of the Hedges Pond Road corridor including Lots 21, 22A, 22B, 23, 24, 25, 36A and 54-1 on Assessors’ Map 55 (also shown on a plan on file with the Town Clerk) within the Cedarville Village Enterprise District (CVED), as well as amend any other definitions, procedures, and provisions for said District, or take any other action relative thereto.
PLANNING AND COMMUNITY DEVELOPMENT

ARTICLE 26: To see if the Town will vote to transfer the care, custody, management and control of all or portions of Lots 22B, 23 and 24 on Assessors’ Map 55 from the Conservation Commission for open space/conservation purposes or from the board or officer with custody of the land for the purposes for which it is currently held to the Board of Selectmen for General Municipal purposes and for the purpose of conveyance on such terms and conditions and for such monetary considerations as the Selectman shall determine, and to authorize the Board of Selectmen to convey such land and to execute any and all instruments as may be necessary to effectuate the vote taken hereunder, or take any other action relative thereto.
PLANNING AND COMMUNITY DEVELOPMENT

ARTICLE 27: To see if the Town will vote to transfer the care, custody, management and control of the parcels listed below as on file with the Town Clerk, from the Town Treasurer for tax title purposes or from the Board of Selectmen for general municipal purposes to the Conservation Commission for conservation purposes pursuant to G.L. c. 40, section 8C; and further to authorize the Conservation Commission to execute any and all instruments as may be necessary to effectuate the vote taken hereunder, or take any other action relative thereto.

Parcel ID	Parcel ID	Parcel ID	Parcel ID
053-000-033-001	053-000-033-014	053-000-033-026	053-000-033-038
053-000-033-003	053-000-033-015	053-000-033-027	053-000-033-039
053-000-033-004	053-000-033-016	053-000-033-028	053-000-033-040
053-000-033-005	053-000-033-017	053-000-033-029	053-000-033-041
053-000-033-006	053-000-033-018	053-000-033-030	053-000-033-042
053-000-033-007	053-000-033-019	053-000-033-031	055-000-026-000
053-000-033-008	053-000-033-020	053-000-033-032	055-000-027-000
053-000-033-009	053-000-033-021	053-000-033-033	061-000-028-000
053-000-033-010	053-000-033-022	053-000-033-034	061-000-029-000
053-000-033-011	053-000-033-023	053-000-033-035	061-000-030-000
053-000-033-012	053-000-033-024	053-000-033-036	061-000-030-000
053-000-033-013	053-000-033-025	053-000-033-037	061-000-031-000
Portions of:	055-000-022B-000	055-000-023-000	055-000-024-000

PLANNING AND COMMUNITY DEVELOPMENT

ARTICLE 28: To see if the Town will vote to accept an easement on a structure, a water tank, and associated land area located at 7 River Run Way, Plymouth, Massachusetts, shown on Assessors Map 114 as Parcel 7-1 in order to install, access, maintain, repair, upgrade, inspect and operate public safety communications infrastructure, including antennae and related equipment, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 29: To see if the Town will vote to transfer the care, custody, management and control of the parcels listed below as on file with the Town Clerk, from the Town Treasurer for tax title purposes to a non-profit tribal council for the purpose of re-claiming ancient burial grounds, to reserve easement rights for drainage and public access to existing trails and to authorize the Board of Selectmen to execute any and all instruments as may be necessary to effectuate the vote taken hereunder, or take any other action relative thereto.

Parcel ID	Legal Reference	Lot Size	Foreclosure Date
055-000-013A-037	Bk: 24925, P: 273	+/- 5.7 Acres	4/28/2003

By Petition: Kathryn Hunt et al

ARTICLE 30: To see if the town will vote to amend Zoning Bylaw 205-27 (L) paragraph (2) to increase the buffer zone between Marijuana Establishments and schools in this manner: “(2) A minimum setback of 500 2500 feet is required from any public or private school (with Kindergarten through Grade 12 students).” Or take any other action relative thereto.

By Petition: Wynn Gerhard et al

ARTICLE 31: To see if the town will vote to amend Chapter 2 Section 7 of the Town Charter by adding the following section 7-2; **Residents of the Town of Plymouth shall have parity with representative town meeting members in the order of speaking at town meeting on any article in a warrant,** or take any other action relative thereto.

By Petition: Steven Striar et al

ARTICLE 32: To see if the Town will vote to amend Chapter 2 Section 7 by adding the following section 7-2; **Residents of the Town of Plymouth shall have parity with representative town meeting members in the order of speaking at town meeting on any article in a warrant,** or take any other action relative thereto.

By Petition: Steven Striar et al

ARTICLE 33: To see if the town will vote to amend Ch. 2 Sec. 4-5 of the Town Charter by adding the following to the end of the existing sentence; **not in conflict with specific provisions of this charter.**; The section, as amended would read; **The representative town meeting may adopt rules and regulations relating to its procedures and its methods of operation not in conflict with specific provisions of this charter.** Or take any other action relative thereto.

By Petition: Steven Striar et al

ARTICLE 34: To see if the Town will vote to install the following bylaw into the Plymouth Zoning Bylaws:

Workforce Housing District for the purpose of providing working class Plymouth citizens with affordable housing. This petition is based on Massachusetts Governor Charles Baker's \$1.8 billion bond for the purposes described above.

or take any other action relative thereto.

By Petition: Anatol Zukerman et al

ARTICLE 35: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for a White Horse Beach and Bartlett Pond Watershed Assessment Study, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 36: To see if the Town will vote to install the following bylaw into Plymouth Zoning Ordinance: Any residential or commercial entity of Plymouth shall have the right to install solar equipment on any part of their structures, or to rent or lease any part of such structures to installers of solar equipment for the purposes of collecting solar energy in accordance with the established bylaws and practice of the Town of Plymouth. Or to take any other action relative thereto.

By Petition: Anatol Zukerman et al

And you are hereby required to serve this warrant in the manner prescribed by vote of the Town by posting notice thereof seven days at least before such meeting in the Town Office Building and make return thereof with your doings thereon at the time and place above mentioned.

Given under our hands this _____th day of September 2018.

Approved as to Legal Form

Charles R. Reinh
Town Counsel

BOARD OF SELECTMEN

Kenneth A. Tavares
Kenneth A. Tavares, Chairman

Anthony Provenzano
Anthony Provenzano, Vice Chairman

Shelagh Joyce
Shelagh Joyce

John T. Mahoney, Jr.
John T. Mahoney, Jr.

Betty Cavaoco
Betty Cavaoco

Plymouth, ss.

Pursuant to the foregoing Warrant, I have this day notified and warned the Inhabitants of Plymouth qualified to vote in elections and Town affairs to meet at Plymouth North High School on Saturday, the Twentieth day of October, 2018, at 8:00 a.m. to conduct the Annual Business Meeting of the Town of Plymouth, by posting copies of this Warrant in the Town Office Building seven days at least before such meeting.

Laurence R. Pizer

September 26, 2018

Signature
Town Clerk

Date & Time
Posted