

# **SPECIAL TOWN MEETING**

**December 6, 2017**

The Moderator opened the meeting at 7:00 PM at Plymouth North High School. After receiving word from Town Clerk, Laurence Pizer that a quorum was present, the Moderator called the meeting to order at 7:00 PM.

The salute to the flag was led by Larry Curtin, Gerard Curtin, and Jake Parker of Manomet Troop 51, followed by the National Anthem performed by Nancy Davis. The invocation was offered by Rabbi Lawrence Silverman of Congregation Beth Jacob.

The Moderator noted that the return of the warrant of Annual Town Meeting showed that it was properly served. With no objection, Town Meeting waived the reading of the Constable's Return of Service and waived the reading of the warrant.

Mr. Salerno moved that an adjourned session of this Town Meeting be held on December 7, 2017 at 7:00PM at Plymouth North High School.

The motion PASSED on a roll call with 110 in favor, 6 in opposition, and 1 abstaining.

Mr. Nealey, Precinct 15, moved to fix the method of voting for Article 1-A by oral roll call vote.

The motion FAILED with 27 in favor and 95 opposed.

## **ARTICLE 1-A:**

Mr. Salerno moved that the Town vote to appropriate the sum of Fifteen Million Nine Hundred Fifty Thousand Dollars (\$15,950,000), to pay costs of the Water Street Promenade - Northern Section project, so-called, (the "Project") including but not limited to planning and design, roadway improvements, street lighting, stormwater management/drainage, promenades and plazas, protective railings, walls, seawalls, slope alterations, pile foundations, boardwalk and overlooks, intertidal plant and beach restoration, police details, construction phase services, and special amenities such as kiosks, graphic panels, pavilions, and sculptures, and for the payment of all costs incidental or related thereto, provided that no funds appropriated hereunder shall be expended until the Town shall have been awarded or received gifts or grants totaling no less than \$1,595,000 (10% of the amount appropriated), and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Board of Selectmen is authorized to contract for and expend any federal or state aid, or any other aid (including aid from the Plymouth Legacy initiative, so called) and to accept any gifts or donations for the Project that may be available for the Project, provided however, that the amount authorized to be borrowed shall be reduced by the amount of gift and grant payments received by the Town prior to the issuance of the bonds. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Mr. Neville moved to call the previous question.

Mr. Lynch moved to fix the method of voting by roll call. The motion FAILED.

On Mr. Neville's motion to call the previous question, the motion FAILED to reach two-thirds with 54 in favor, 68 in opposition, and 1 abstaining.

Mr. Parker moved to increase Mr. Price's speaking time by five minutes. The motion PASSED with 65 in favor, 54 in opposition, and 1 abstaining.

Mr. Steven Lydon moved the previous question. The motion PASSED.

On Article 1A, on a roll call, the motion FAILED to reach two-thirds with 35 in favor and 89 in opposition.

#### **ARTICLE 2:**

Mr. Salerno moved that (1) the Town authorize the Board of Selectmen to acquire, by gift, purchase, or eminent domain, and upon such terms and conditions as it deems appropriate, such temporary and permanent easements for highway, utility, and other purposes in lands along Obery Street as are needed to carry out the proposed reconstruction/improvement of said Obery Street (the "Project") in the locations more or less shown on the right-of-way plan prepared for such Project, which Plan has been placed on file with the Town Clerk; (2) transfer from the School Department for school purposes to the Board of Selectmen for general municipal purposes and to the School Department for school purposes, the care, custody and control of such portion of Assessors Map 27, Lots 51 and 54 along Obery Street (Plymouth North High School) as is needed to carry out the Project in the locations more or less depicted on the Plan; and (3) authorize the Board of Selectmen to petition the General Court, pursuant to the Home Rule Amendment of the Massachusetts Constitution, to enact legislation authorizing and directing the Division of Capital Asset Management and Maintenance, and/or other appropriate agency of the Commonwealth, to convey to the Town of Plymouth such perpetual and temporary easements for highway, utility, and other purposes in the Commonwealth's land abutting Obery Street as are needed to carry out the Project in the locations more or less depicted on the Plan, and further to seek such approval of the General Court as may be required, which may include approval under Article 97 of the Amendments to the Massachusetts Constitution, to acquire, release and convey such interests in land as are needed to carry out the Project in the locations more or less depicted on the Plan concerning that land on Obery Street owned by the Inhabitants of the County of Plymouth known as Assessors Map 26, Lot 44-5, and subject in part to a conservation restriction held by the Town of Plymouth and recorded with the Plymouth County Registry of Deeds in Book 36713, Page 87, notwithstanding the provisions of any applicable general or special law, including but not limited to G.L. c.30B, §16 and c.44B, provided that the General Court may vary the form and substance of the requested legislation within the scope of the general public objectives of this petition; and to authorize the Board of Selectmen to execute any documents or instruments necessary to effectuate the purposes of this article.

Mr. Caproni moved the previous question. The motion PASSED.

On Article 2, on a roll call the motion PASSED with 90 in favor and 33 in opposition.

**ARTICLE 3:** The Moderator ruled the article outside the authority of Town Meeting. There was no motion. Town Meeting took no action.

Mr. Salerno moved to dissolve the Special Town Meeting. The motion PASSED at 8:35 PM.