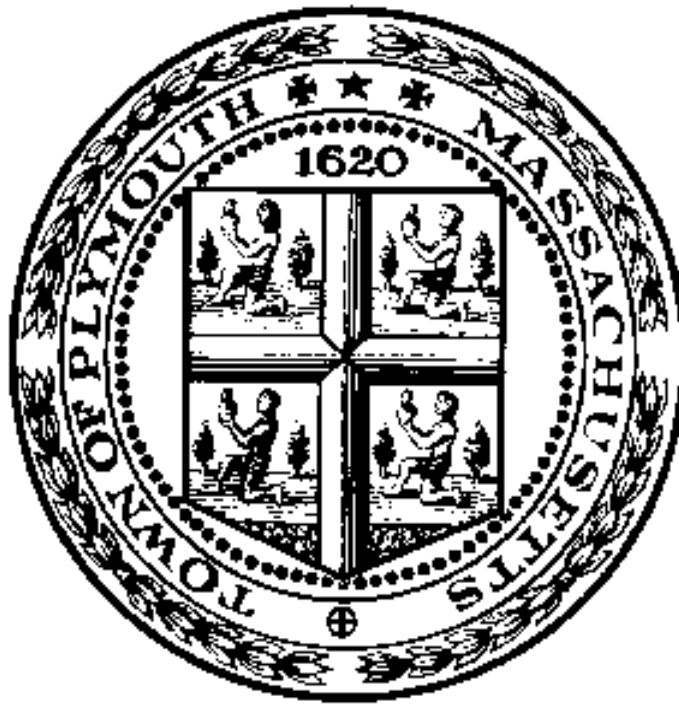


TOWN OF PLYMOUTH

MOTIONS AS VOTED



Presented at the
SPECIAL
TOWN MEETING
April 1, 2017

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ARTICLE 1:

MOTION 1

Mr. Moody moved that the Town vote to amend the Personnel By-Law in accordance with the memorandum dated February 1, 2017 from Marie Brinkmann, Director of Human Resources, located on pages 27-28 (labeled A); and amend the COBRA-Crossing Guard/Meter Enforcement Officer Collective Bargaining Agreement by adding a senior step for Meter Enforcement Officers per the memorandum dated February 3, 2017 from Derek Brindisi, Assistant Town Manager, located on page 31 (labeled C); and memorandum dated January 19, 2017 from Melissa Arrighi, Town Manager, located on pages 32-33 (labeled D), all found in the Special Town Meeting Report and Recommendations of the Advisory & Finance Committee.

MOTION TO AMEND

Mr. Webber, Precinct 3, moved to amend the motion by dividing into 3 separate motions, A, C and D.

Quantum of Vote: Majority

Town Meeting Vote: Carried

MOTION 1 (A)

Mr. Moody moved that the Town vote to amend the Personnel By-Law in accordance with the memorandum dated February 1, 2017 from Marie Brinkmann, Director of Human Resources, located on pages 27-28 (labeled A) of the Special Town Meeting Report and Recommendations of the Advisory & Finance Committee.

Quantum of Vote: Majority

Town Meeting Vote: Carried

MOTION 1 (C)

Mr. Moody moved that the Town vote to amend the COBRA-Crossing Guard/Meter Enforcement Officer Collective Bargaining Agreement by adding a senior step for Meter Enforcement Officers per the memorandum dated February 3, 2017 from Derek Brindisi, Assistant Town Manager, located on page 31 (labeled C) of the Special Town Meeting Report and Recommendations of the Advisory & Finance Committee.

Quantum of Vote: Majority

Town Meeting Vote: Carried unanimously

MOTION 1 (D)

Mr. Moody moved that the Town vote to amend the Personnel By-Law in accordance with the memorandum dated January 19, 2017 from Melissa Arrighi, Town Manager, located on pages 32-33 (labeled D) of the Special Town Meeting Report and Recommendations of the Advisory & Finance Committee.

Quantum of Vote: Majority

Town Meeting Vote: Carried

MOTION 2

Mr. Tavares moved that the Town vote to amend the Personnel By-Law in accordance with the memorandum dated March 29, 2017 from Derek Brindisi, Assistant Town Manager, located on pages 5-6 (labeled B) in the Supplement I to the Report and Recommendations of the Advisory & Finance Committee.

Quantum of Vote: Majority

Town Meeting Vote: Failed

ARTICLE 2:

Mr. Moody moved that the Town vote to transfer \$70,000 from the fiscal year 2017 budget for Member Benefits to the fiscal year 2017 budget for Town Manager Department – Other Expenses.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: Carried unanimously

ARTICLE 3: No Motion No Action

ARTICLE 4:

Mr. Moody moved that the Town appropriate the sum of \$2,200,000 to pay costs of the Taylor Avenue Water Main Project, and for the payment of all costs incidental or related thereto, including but not limited to Design, Permitting, Engineering and Construction, 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. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Quantum of Vote: 2/3rds / Roll Call

Town Meeting Vote: Carried unanimously

ARTICLE 5:

Mr. Moody moved that the Town votes 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 Chapter 44, Section 20 of the General Laws, 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 bonds 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.

Quantum of Vote: Majority

Town Meeting Vote: Carried unanimously

ARTICLE 6:

Mr. Moody moved that the Town vote to transfer from Free Cash the sum of \$1,000,000 to the Nuclear Plant Mitigation 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.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: Carried unanimously

ARTICLE 7:

Mr. Moody moved that the Town vote to establish a Pavement Management Plan Debt Stabilization Fund, as authorized by the provisions of G.L. c. 40 § 5B, which shall be under the care and custody of the Town Treasurer, and further to transfer from Free Cash the sum of \$1,019,741 into this fund, 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.

Quantum of Vote: 2/3rds / Roll Call

Town Meeting Vote: Carried unanimously

ARTICLE 8:

Mr. Moody moved that the Town vote to amend the General Bylaws by inserting a bylaw, Chapter 143: Departmental Revolving Funds, as found on pages 9-12 of Supplement I to the Special & Annual Town Meeting Report & Recommendations of the Advisory and Finance Committee.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: Carried unanimously

ARTICLE 9:

Mr. Moody moved that the Town vote to rescind the vote taken under Article 91 of the 1973 Annual Town Meeting which accepted the provisions of G.L. c. 48 Section 42, commonly known as the Strong Fire Chief Statute.

Quantum of Vote: Majority

Town Meeting Vote: Carried 78-37-4

ARTICLE 10:

Mr. Moody moved that the Town vote to rescind the vote taken under Article 82 of the 1971 Annual Town Meeting which accepted provisions of G.L. c. 41 Section 97A, commonly known as the Strong Police Chief Statute.

Quantum of Vote: Majority

Town Meeting Vote: Carried

ARTICLE 11:

Mr. Moody moved that the Town authorize the Board of Selectmen to petition the General Court for special legislation providing that after the effective date of such legislation the position of Fire Chief and Deputy Fire Chief shall not be subject to the Civil Service statute as found in the warrant language on page 81 of the Special Town Meeting Report & Recommendations of the Advisory & Finance Committee, 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 authorize the Board of Selectmen to approve such amendments.

Quantum of Vote: Majority

Town Meeting Vote: Failed 46-73-2

ARTICLE 12:

Mr. Moody moved that the Town vote to transfer the care, custody, management and control of Lot 4 on Plymouth Assessors' Map 44 from the Town Treasurer for the purpose of tax title 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.

Quantum of Vote: 2/3rds / Roll Call

Town Meeting Vote: Carried unanimously

ARTICLE 13:

Mr. Moody moved that the Town appropriate \$3,100,000, in addition to the amount appropriated 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, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town has been awarded a school construction grant from the Massachusetts School Building Authority ("MSBA"); that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town and further that any grant that the Town may receive from the MSBA for the project shall not exceed the lesser of (1) 53.37 percent (%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; 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, Section (1) or Chapter 70B of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and further that the premium received by the Town upon the sale of any bonds or notes hereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for the project shall be reduced by the amount of any such premium so applied.

MOTION TO AMEND

Mr. Costello, Precinct 10, moved to amend the motion by reducing the amount appropriated from \$3,100,000 to \$1,500,000.

Quantum of Vote: Majority

Town Meeting Vote: Failed 25-86-1

ARTICLE 13: As originally moved

Quantum of Vote: 2/3rds / Roll Call

Town Meeting Vote: Carried 101-14-2

ARTICLE 14: Withdrawn

ARTICLE 15:

Mr. Moody moved that the Town vote to rescind the vote taken under Article 10 of the 2010 Special Town Meeting which transferred 217 Roxy Cahoon Road from the Town Treasurer to the Board of Selectmen to convey to the Plymouth Redevelopment Authority for the development of affordable housing.

Quantum of Vote: Majority

Town Meeting Vote: Carried

ARTICLE 16:

Mr. Moody moved that the Town vote to rescind the vote taken under Article 14 of the 2010 Fall Town Meeting which appropriated \$66,000 of Community Preservation Funds to grant to the Plymouth Redevelopment Authority to renovate 217 Roxy Cahoon Road into affordable housing units.

Quantum of Vote: Majority

Town Meeting Vote: Carried

ARTICLE 17:

Mr. Moody moved that the Town transfer the sum of \$301,853.71 from Free Cash to pay the remaining fiscal year 2015 Snow & Ice deficit.

Quantum of Vote: Majority / Roll Call

Town Meeting Vote: Carried unanimously

ARTICLE 18:

Mr. Moody moved that the Town 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.

Quantum of Vote: 2/3rds

Town Meeting Vote: Carried