

TOWN OF PLYMPTON



ANNUAL REPORT

2004

PHOTO TAKEN BY STEVEN ZIGLAR

TOWN OF PLYMPTON



ANNUAL REPORT
OF THE TOWN OFFICERS
AND COMMITTEES
FOR THE YEAR ENDING
DECEMBER 31, 2004

In Memoriam



Leslie W. A. Parker

1909 - 1995

Highway Surveyor

1949-1976

Leslie Parker was born in 1909 in Plympton, Ma. and maintained his residence there until his death in 1995. He and his wife, Hazel raised 6 children, Lillian, Phyllis, Hazel, Warren, Joan and Judy. He was a member of the Plympton Congregational Church and served as a deacon for many years. He started his own trucking business in 1949 and in 1953 purchased and he and his wife, operated the Country Store "the only store in the town". He was an avid horseman and raised both horses and trotting and pacing ponies. Upon retirement he purchased a winter home in Dade City, Fl. and continued his pony racing until age 82. He wintered in Fl. from 1976 through 1993, when failing health returned him to Plympton full time. He and his wife did a lot of traveling, sight seeing and spent a lot of time with their children and grandchildren. Leslie was very proud of his roots in Plympton and took much pride in his work and giving to the community and its people.

**TOWN OF PLYMPTON
INCORPORATED JUNE 4, 1707**

ANNUAL TOWN MEETING - the Wednesday preceding the Town Election at the Dennett Elementary School at 7:00 PM. The 2005 Annual Town Meeting will be held at 7:00 p.m., Wednesday, May 18, 2005 at the Dennett Elementary School.

TOWN ELECTION - the third Saturday in May at the Town House from 7:00 AM until 8:00 PM. The polls will be open for the 2005 Election of Officers from 7:00 AM to 8:00 PM., Saturday, May 21, 2005 at the Plympton Town House.

SPECIAL TOWN MEETINGS - at the call of the Board of Selectmen, or on the petition of at least 200 registered voters.

2000 FEDERAL CENSUS

2,637

2004 CENSUS

2,903

REGISTERED VOTERS

1,896

TENTH CONGRESSIONAL DISTRICT

William Delahunt

U.S. SENATORS

Edward M. Kennedy

John F. Kerry

PLYMOUTH & BARNSTABLE DISTRICT

Therese Murray, Plymouth - *Senator*

TWELFTH PLYMOUTH DISTRICT

Thomas O'Brien, - *Representative*

MEETINGS OF BOARDS AND COMMITTEES

All meetings are open to the public and held in the
Town House unless indicated otherwise.

Board/Committee	Day	Time
Bd. of Selectmen	Mon.	7:00 pm
Bd. of Assessors	Mon.	7:00 pm
Bd. of Health	Mon.	7:30 pm
Bd. of Appeals	By Request	
Planning Board	1 st Tues. & 3 rd Mon.	7:30 pm
Conservation Com.	1 st and 3 rd Mon.	7:30 pm
Historical Com.	2 nd Mon.	7:30 pm
Library Trustees	2 nd Sat.—Library	8:30 am
Finance Committee	By Appointment	
Council on Aging	2 nd Mon.	1:00 pm
Building Inspector	Mon.	7:00 pm
Wiring Inspector	Mon	7:00 pm
School Committee	3 rd Mon.—Dennett	4:30 pm
Veteran's Agent	By Appointment	

**PLYMPTON TOWN OFFICERS
2004**

MODERATOR

William Slater (2007)

TOWN CLERK

Nancy J. Butler (2006)

SELECTMEN

Joseph A. Freitas (2005)

Christine M. Joy (2006)

Robert H. Vautrinot (2007)

TREASURER

Jeanne M. Sullivan (2006)

TAX COLLECTOR

Carolyn A. Northon (2007)

HIGHWAY SURVEYOR

James M. Mulcahy (2006)

ASSESSORS

George Thompson (2005)

Jocelyn Anderson (2006)

David Batchelder (2007)

SCHOOL COMMITTEE

Lisa Hart (2005)

K. Scott Merrill (2005)

Susan Ossoff (2006)

Maureen Springer (2006)

Patricia Killeen (2007)

TRUSTEES OF THE PUBLIC LIBRARY

Geraldine Carter (2005)
Brenda Traynor (2005)
Kristine Boyles (2006)
Gail Mattern (2006)
Susan Wallis (2007)
Lisa Hart (2007)

FINANCE COMMITTEE

Stephen Lee (2005)
John Traynor (2005)
David Pecinovsky (2006)
Jacquelynn Norrie (2007)
Richard Springer (2007)

PLANNING BOARD

Ken Thompson (2005)
John O'Leary (2006)
Ann Sobolewski (2007)
Don Matattal (2008)
John Rantuccio (2009)

BOARD OF HEALTH

Abdu Nessralla, Jr. (2005)
Dana Fowler (2006)
Scott Varley (2007)

TREE WARDEN

William Hayes (2006)

SILVER LAKE REGIONAL SCHOOL COMMITTEE

Thomas Cambria (2005)
Maureen Springer (2006)

CONSTABLES

Dennis E. Reddy, III (2005)
Dana Fowler (2005)

2003-2004 PLYMPTON APPOINTED OFFICERS

Agricultural Commission – Emily Ballerino (2007), Paul Harju (2007), Keith Harlfinger (2006), John Ruprecht (2006), Linda Schauwecker (2005), Patricia Pina (2005)

Animal Inspector & Dog Officer – Frank Bush (2005)

Building Commissioner - Jeff Richards (2005)

Burial Agent - James Mulcahy (2005)

Chief of Fire Department – David L. Rich (2005)

Forest Fire Warden – David L. Rich (2005)

Chief of Police – Matthew Clancy (2005)

Full-time Police - Robert J. Costa, Jr., Joseph W. Stewart, Stephen M. Teri, Michael Pinnetti, Patrick Dillon

Part-time Police - Dennis E. Reddy, III, Thomas Hunt (2005), Marks Brenner (2005), Ronald Clark (2005), Dana Fowler (2005)

Police Matrons (annual appointments) - Carolyn A. Northon, Suzanne Moulton, Tami Rice

Special Police Officers (annual appointments) – Robert Akin, Paul Harkins, Suzanne Moulton, Scott Peterson, Tami Rice, Christopher Saucier, Dana Smith, Wayne Sjostedt, Barry Vinton

Civil Defense Committee – Chief David Rich, Chief Matthew Clancy, James Mulcahy

Conservation Commission –Tim Dempsey (2007), Greg Fairbanks (2007), Jeff Smith (2007), Chris Lawrence (2006), Ed Yurewicz (2006), Norman Ferguson (2005), Raymond Reid II (2005)

Council on Aging - Dorothy Cushman (2006), Shirley Martin (2006), Anna Donovan (2005), Sandra Henry (2004), Helvi Lehto (2004), Associates - Emelia Kirkland, Edwina Wood, Anne Freitas

Cultural Council - Susan Ferguson (2007), Jeanne Black (2006), Margaret Kent (2006), Jane Schultz (2006) Fran Lungren (2004)

Director of Veteran's Services & Veteran's Burial Agent – Robert Karling (2005)

Election Officials (annual appointments) Warden: Jeraldine Batchelder, Clerk: Tara Wick; Inspectors: Patricia Harlfinger, Patricia Leslie, Elaine McKeown, Jean Reynolds; Patricia Kaufman-Vaughan; Tellers: Joyce Barros, Debra Batson, Cynthia Bloomquist, Mildred Collins, Lee Cook, Georgianne Doucette, Suzan Duggan, Grace Heinonen, Robert Jacobson, Frances Lundgren, Helen Reynolds, Robert Reynolds, Timothy Snow, Marilyn Thompson, Sandra Zentz

Gypsy Moth Superintendent – William Hayes. (2005)

Historic District Commission – Jonathan Shaw (2007), Brian Wick (2007), Carol Quindley (2006), Stuart Chase (2006), Alfred Norton (2005), Charles C. Nickerson (2005), Marylouise Sayles (2004)

Historical Commission – Walter Peterson (2007), Jon Wilhelmsen (2007), Dorran Prescott (2006), Deborah West (2006), Maxwell West (2006), Jonathan Shaw (2005), Tara Wick (2004)

Inspector of Wiring – Robert Karling (2005); Deputy – Scott Varley (2005)

Local Inspector - Fred Svenson (2005), Robert Jacobson (2005)

Jason Park Study and Development Committee – Gregory Fairbanks (2006), Joseph Freitas (2005), David Whiting (2005), Richard Burnet (2004)

Long Range Planning Task Force - Jeanne Crockett, Dot Cushman, Jim Mulcahy, Jack O'Leary, Kevin Rafferty, John Rantuccio, Anne Sobolewski, Richard Springer, Fred Svenson, Rob Vautrinot, Alan Wheelock, Jon Wilhelmsen, Brian Wick

Open Space Committee – Donna Crane (2007), Kevin Rafferty (2005), Hunt (2005), Robert Hunt (2005)

Plumbing & Gas Inspector - Robert Woodbury (2005); Deputy Robert Woodbury Jr. (2005)

Recreation Commission - Andrew Karparis (2007), Dan Shannon (2007), Bernie Wilder (2007), Adam Bailey (2006), Dennis Dries (2005)

Registrars of Voters - Anna Donovan (2004), Shirley Martin (2005), Frank Young (2006)

School Building Committee – Susan Earle, Richard Springer, Jeanne Black, Susan Ossoff, Henry Nover

Superintendent of Insect Pest Control – William Hayes (2004)

Town Accountant – Barbara Gomez (2005)

Town Counsel - Kopelman and Paige, P.C.

Town House Building Committee – Fred Svenson, Robert Karling, Christine Joy

Wage & Personnel Board – Diane Coyne (2005), Irving Butler (2006), Marilyn Thompson (2007)

Web Site Design and Maintenance Committee

Jon Wilhelmsen (2007), Maxwell West (2006), Debbie Anderson (2006), Carolyn DeCristofano (2006), Robert Green (2006), Steven Ziglar (2006), Christine Joy (2005), David Proudman (2005), Brian Wick (2005)

Zoning Board of Appeals –Stephen Mattern (2007), William McClellan (2006), Scott Sauchuk (2005); alternate – Edward Murray (2005)

REPORT OF THE BOARD OF SELECTMEN

This past year has been fiscally challenging for your local officials' as our budgets were level funded and/or reduced for the second straight year. Departmental "belts were tightened", the heat was turned back (everyone bundled up), and significant time was spent planning for and tracking expenditures to ensure we stay within the budgets you voted at Town Meeting.

The legislature provided much needed fiscal flexibility with the Municipal Relief Act of 2003. This act allowed the Selectmen to transfer a maximum of 3% of a department's budget, with approval of the department head, to another budget line in order to pay bills the last month of the fiscal year. Your department heads pulled together and through a "team effort" we were able to pay all outstanding bills, ending fiscal year 2004 with a clean slate.

Plympton residents supported three debt exclusions for elementary, junior, and high school renovation/addition projects. We are now feeling the effect of these votes in our wallets. This Board is cognizant of the fact that many of our residents are struggling to make ends meet. We hear your pleas and are committed to avoiding a prop 2-½ override to fund operating budgets and have made fiscal responsibility our highest priority.

With the hope of groundbreaking on our long awaited industrial park this summer, desperately needed tax relief is on the horizon. Your board fully supports the development of our industrial park and is doing what we can to help expedite the process.

We set tangible goals for 2004 to assist us in providing more focused leadership. Many of our goals reflect our commitment to frugal budget management. Our goals are as follows:

- Periodic review of all department budgets/expenditures
- Improve communication/coordination between boards
- Continue to look for opportunities to save money
 - Transfer station
 - Network the BOH high speed connection
 - Bidding insurance

- Participate in County Oil bid
- Improve control of Town Counsel expenses
- Use Plymouth CC to print Town Report
- Provide training for Town boards through utilization of free seminars provided by Kopelman & Paige
- Formalize application process for appointed/clerical positions. Continue to promote openings on boards and commissions through media and website.
- Sign for Town House

Some of the cost savings achieved through are goals were substantial, such as networking the Board of Health high speed connection to save each department the monthly dial up fees and reduced fuel costs through participation in the county oil bid. MIIA was chosen to provide the Town's property and casualty insurance coverage for \$5,000 less than our previous insurance carrier. Unfortunately, during this process we determined Town property--buildings and contents, were significantly undervalued, so the savings dissipated once the proper coverage was secured. To better control Town Counsel expenses we adopted a stringent policy for contacting counsel, also the Town's insurance carrier has provided counsel for three lawsuits against the Town at a cost of \$5,000 (our deductible) per lawsuit which has kept our legal expenses under budget thus far. We plan to shop around to find the least expensive means of printing this report, possibly a high school print shop or through Plymouth County Correctional facility.

We continue to attempt to work with the Board of Health to try to find ways to reduce costs at the transfer station and are working with the Silver Lake Regional High School Voc Ed department to design and create a Town sign to promote town and community events.

We welcomed Rob Vautrinot to the Board last May to fill the seat vacated by Selectmen Rick Springer. Rob grew up in Plympton and recently moved back with his wife and four children. We look forward to working with Rob on the issues facing our community.

Rick Springer wasn't ready to retire from public service and was elected to the Finance Committee last May. Rick made many important contributions to our board—we thank him for his commitment to Plympton and know he will do the same as a member of our Finance Committee.

Thank you to John Klepper, who assisted us in the daunting task of comparing "apples to apples" in our analysis of the insurance bids. Thank you to the many volunteers who serve on Town boards and committees. Without your service, town government would cease to exist. Your time and dedication is appreciated.

It is both a privilege and honor to represent the good people of Plympton and we are truly grateful for this opportunity. Together, we will meet today's challenges and plan for Plympton's future.

Respectfully submitted,

Christine Joy Chairman

Joseph Freitas

Robert Vautrinot

SELECTMEN'S EXPENSE

Appropriated	15,399.01
Expended:	<u>15,394.56</u>
Returned to Treasurer 6/30/04	\$4.45
TOWN HOUSE	
Appropriated	26,979.00
Expended:	<u>26,979.00</u>
BLANKET INSURANCE	
Appropriated	50,000.00
Expended:	<u>50,000.00</u>
STREET LIGHTS	
Appropriated	5,487.00
Expended	<u>5,487.00</u>
TOWN COUNSEL	
Appropriated	30000.00
Transfer	27,522.66
Expended	<u>57,522.66</u>
MEMORIAL DAY	
Appropriated	412.00
Expended	<u>412.00</u>

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

SS.

To either of the Constables of the Town of **PLYMPTON**

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Elections to vote at:

PLYMPTON TOWN HOUSE

5 PALMER ROAD

on **TUESDAY, THE SECOND DAY OF MARCH, 2004**, from 7:00 A.M TO 8:00 P.M. for the following purpose:

To cast their votes in the Presidential Primary for the candidates of political parties for the following offices:

PRESIDENTIAL PREFERENCE FOR THE COMMONWEALTH
STATE COMMITTEE MAN PLYMOUTH BARNSTABLE DISTRICT
STATE COMMITTEE WOMAN.PLYMOUTH BARNSTABLE DISTRICT

TOWN CLERK.TOWN OF PLYMPTON

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 17th day of FEBRUARY 2004

Christine M. Joy Joseph A. Freitas Richard L. Springer
(signed)
Selectmen of Plympton

You are directed to post five (5) copies of this warrant, one at each of the public bulletin boards at the Plympton Town House, Plympton Public Library, Dennett Elementary School, Plympton Pizza, Plympton Post Office, hereof, fail not and make due return of your doings thereon at the place of said meeting.
I have posted five (5) copies as directed.

Constable: Dana L. Fowler Date: 2/24/04

A true copy,
ATTEST:
Nancy J. Butler, CMC/CMMC
Town Clerk

**PRESIDENTIAL PRIMARY
TUESDAY, MARCH 2, 2004**

The polls opened at 7:00 a.m. at the Plympton Town House. All Election Officials were sworn in by the Town Clerk including, Warden: Lenore S. Swanson, Clerk: Patricia Kaufman-Vaughan, Tellers: Jeraldine Batchelder, Patricia Harlfinger, Patricia Leslie, Elaine McKeown.

The Town Clerk, Election Officials and the Police officer inspected the ballot box.

TOTAL REGISTERED VOTERS: 1881
TOTAL VOTES CAST: 237

TOTAL DEMOCRATIC VOTES CAST: 201

PRESIDENTIAL PREFERENCE

Richard Gephart	1
Joseph Lieberman	1
Wesley K. Clark	1
Howard Dean	5
Carol Moseley Braun	0
John Edwards	59
Dennis J. Kucinich	1
John F. Kerry	130
Lyndon H. LaRouche, Jr	0
Al Sharpton	1
Hillary Clinton	1

No Preference	1
STATE COM. MAN PLYMOUTH & BARNSTABLE DIST.	
Philip F. Mackey, Jr	130
Blanks	71
STATE COM. WOMAN PLYMOUTH & BARNSTABLE DIST.	
All Others	1
Blanks	200
TOWN COMMITTEE	
Patrick Yaka	1
Elaine McKeown	2
Deb West	1
Max West	1
Suzanne Smith	1
Bob Smith	1
Jean Crockett	1
Steve Ziglar	1
TOTAL GREEN-RAINBOW PARTY VOTES CAST: 1	
PRESIDENTIAL PREFERENCE	
No Preference	1
STATE COM. MAN PLYMOUTH & BARNSTABLE DIST.	
Blank	1
STATE COM. WOMAN PLYMOUTH & BARNSTABLE DIST.	
Blank	1
TOWN COMMITTEE	
Blank	10
TOTAL LIBERTARIAN PARTY VOTES CAST: 2	
PRESIDENTIAL PREFERENCE	
Jeffrey Diket	0
Ruben Perez	0
Aaron Russo	0
Michael Badnarik	0
Gary Nolan	2
No Preference	0
STATE COM. MAN PLYMOUTH & BARNSTABLE DIST.	
Blank	2
STATE COM. WOMAN PLYMOUTH & BARNSTABLE DIST.	
Blank	2
TOWN COMMITTEE	

Blank	6
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TOTAL REPUBLICAN VOTES CAST: 33

PRESIDENTIAL PREFERENCE

George W. Bush	29
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No Preference	4
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STATE COM. MAN PLYMOUTH & BARNSTABLE DIST.

Christopher L. Fava	28
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Blanks	5
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STATE COM. WOMAN PLYMOUTH & BARNSTABLE DIST.

Kathleen G. McGilvray	30
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Barbara A. McCoy	0
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Blanks	3
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TOWN COMMITTEE

Edwards	1
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Blanks	1154
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The polls closed at 8:00 PM. The Police Officer and the Town Clerk checked the ballot box. No ballots were left inside. Total number of ballots cast was 237.

Respectfully submitted,

Nancy J. Butler, CMC/CMMC

Town Clerk

A true copy,

ATTEST:

Nancy J. Butler, CMC/CMMC

Town Clerk

PLYMPTON ANNUAL TOWN MEETING WARRANT
Commonwealth of Massachusetts
May 12, 2004

PLYMOUTH, ss.

To the Constable or officer of the Town of Plympton, in the County of Plymouth:

GREETING:

In the name of the Commonwealth of Massachusetts you are directed to notify and warn the inhabitants of the Town of Plympton qualified to vote in elections and town affairs to meet at

The Dennett Elementary School in said Plympton
Wednesday, May 12, 2004 at 7:00 P.M.

for the transaction of any business that may legally come before said meeting and then and there to vote on the following articles:

Article 1. To hear reports of the town officers and act thereon and to receive and act upon reports of any committees and give authority or instructions, or take any action relative thereto.

Board of Selectmen

Article 2. To see if the Town of Plympton will vote to authorize the Town Treasurer to enter into Compensating Balance agreements for FY 2005 as permitted by and in accordance with General Laws ch. 44 § 53F, or take any other action relative thereto.

Treasurer

Article 3. To see if the Town will vote to amend the Wage & Personnel Classification Plan effective July 1, 2004 and to pay as wages the following sums, or take any other action relative thereto:

WAGE RECOMMENDATIONS FOR FISCAL 2004-2005

A. Firefighters

(Part Time)	SALARY RANGE		PREMIUM	
**Deputy Chief	\$12.97	- \$13.59	\$19.45	- \$20.39
**Captain	\$12.84	- \$13.46	\$19.25	- \$20.20
*Lieutenant	\$12.72	- \$13.33	\$19.08	- \$20.00
*First year	\$11.22	- \$11.81	\$16.82	- \$17.74
*Second year	\$11.61	- \$12.23	\$17.40	- \$18.32
*Third year	\$12.60	- \$13.20	\$18.88	- \$19.81
Certified EMT	\$13.99	- \$14.60	\$20.97	- \$21.93
EMT Standby	\$18.00 per 12 hour shift			

* Premium rate will be paid for the first three (3) hours of call out duty

** Supervisor's recommendation and Wage & Personnel Board approval

B. Highway Labor

Working Foreman	\$15.24	- \$16.74
Truck Driver/Laborer	\$14.57	- \$15.18
Laborer	\$11.88	- \$12.47
C. Town Labor		
Laborer	\$11.88	- \$12.47
Sr. Disposal Attendant	\$13.73	- \$14.35
Disposal Attendant	\$12.24	- \$12.84
D. Clerical		
Junior Clerk - 1 year	\$ 7.78	- \$ 8.39
Senior Clerk- 2 years	\$ 9.96	- \$10.58
E. Accounting/ Assessor		
Jr. Accounting Clerk	\$10.36	- \$10.97
Sr. Accounting Clerk – 1 yr	\$11.52	- \$12.12
Sr. Accounting Clerk - 3 yrs.	\$13.16	- \$13.75
Sr. Accounting Clerk - 5 yrs.	\$14.35	- \$14.90
Asst. to Collector/Treasurer	\$15.01	- \$16.79
F. Selectmen's Office		
Junior Secretary - 1 year	\$ 9.96	- \$10.58
Senior Secretary - 2 years	\$11.63	- \$12.25
Senior Secretary - 5 years	\$12.76	- \$13.37
Assistant to Board	\$15.01	- \$16.79
G. Library		
Director	\$16.71	- \$18.38
Senior Library Technician	\$12.63	- \$14.82
Library Technician	\$12.05	- \$13.26
Circulation Clerk	\$ 9.89	- \$11.08
Library Clerk	\$ 8.24	- \$ 9.79
H. Salaried Employees		
Fire Chief	\$43,126.49	- \$55,543.47
Police Chief	\$43,126.49	- \$55,543.47
Police Matron	\$10 per hour	
Special Police Officer	\$12.00 per hour	
Librarian	\$24,638.73	- \$27,406.86
Asst. Assessor - 1 year	\$20,383.85	- \$22,501.69
Asst. Assessor - 3 years	\$23,170.06	- \$25,397.95
Asst. Assessor - 5 years	\$25,693.94	- \$29,705.20
Veteran's Agent	\$ 2,685.24	- \$ 2,712.74

Wage & Personnel Board

Article 4. To see if the Town will fix the compensation of elected officers and to see what sums of money the Town will raise and appropriate including appropriations from available funds or borrow to defray charges and expenses of the Town including debt and interest for the ensuing year or take any other action relative thereto.

Board of Selectmen

Article 5. To see if the Town will vote to establish an Agricultural Commission to represent the Plympton Farming Community. Said Commission shall serve as facilitators for encouraging the pursuit of agriculture in Plympton, and shall promote agricultural-based economic opportunities in the Town. The Commission will consist of seven members from the active farming community of Plympton holding a farm under Chapter 61A and or Commonwealth of Massachusetts farm plate's registration with the Registry of Motor vehicles can be appointed by the Board of Selectmen. The Commission will consist of a minimum of four members who are primarily engaged in farming and another three members who are interested in farming. Three members for a term of three years, two members for a term of two years, and three thereafter, and two members for a one-year term, and three years thereafter. Up to five alternates may also be appointed by the Board of Selectmen, each for one-year terms, and/or take any take any other action relative thereto. The appointing authority shall fill a vacancy based on the unexpired term of the vacancy in order to maintain the cycle of appointments, based on the recommendations of the Commission.

1. Appointing Authority: Board of Selectmen
 2. Establish number of members of Commission: 7 (Seven)
 3. Establish terms of office: See above
- Establish whether members must be town residents: Yes, must be town resident. Method of filling vacancies: See above
Purpose of Commission: To represent the Plympton farming community. Goal of Commission: Shall serve as facilitators for encouraging the pursuit of agriculture in Plympton and promote agricultural-based economic opportunities in Town

Sponsored by: Patricia Renee Pina and Plympton Farmers

Article 6. To see if the Town will vote to establish an Agricultural Commission to represent the Plympton farming community. The agricultural commission shall serve to preserve and promote agricultural-based economic opportunities in Plympton. The commission shall act as advocates, educators, mediators, and/or negotiators on issues related to farming, shall work for the preservation of agricultural lands, and shall pursue initiatives appropriate to creating a sustainable agricultural community. The commission will consist of seven members from the active farming community of Plympton, appointed by the Board of Selectmen. Members will be appointed as follows: three for a term of three years; two members for a term of two years, and three thereafter; and two members for a one year term, and three thereafter; two alternates will also be appointed by the Board of Selectmen, each for a one-year term, and /or take any other action relative thereto.

Board of Selectmen

Article 7. To see if the Town will vote to transfer from stabilization or borrowing under M.G.L. Ch 44§7.6 or any other lawful authority the sum of fifty thousand dollars (\$50,000) for the repair of town roads or take any other action relative thereto.

Board of Selectmen

Article 8. To see if the Town will vote to transfer from stabilization or borrowing under M.G.L. Ch 44§7.5 or any other lawful authority the sum of nine thousand dollars (\$9,000) for the repair of Ring Road or take any other action relative thereto.

Board of Selectmen

Article 9. To see if the town will vote to transfer from stabilization or borrowing under M.G.L. Ch 44§7.9 or any other lawful authority the sum of thirty thousand dollars (\$30,000) to purchase a dump truck to replace a 1994 F350 one ton dump truck.

Board of Selectmen

Article 10. To see if the Town will vote to transfer from stabilization or borrowing under any lawful authority the sum of six thousand dollars (\$6,000) to purchase a grass mower or take any other action relative thereto.

Board of Selectmen

Article 11. To see if the Town will vote to transfer from stabilization or borrowing under M.G.L. Ch 44 §7.3a or any other lawful authority the sum of seventeen thousand dollars (\$17,000) to be placed in the Town Buildings Maintenance Account for repairs to the Fire Station, including but not limited to replacement of the overhead doors, siding and trim boards or take any other action in relation thereto.

Board of Selectmen

Article 12. To see if the town will vote to borrow, in anticipation of reimbursement, the sum of \$81,851.86, as the State's share of the cost of work under Chapter 90 § 34-2A of the general laws of take any other action relative thereto.

Highway Surveyor

Article 13. To see if the town will vote to raise, appropriate or transfer from available funds the sum of \$5,500 for the first of five annual payments on a lease for a four-wheel drive utility vehicle for the police department or take any other action relative thereto.

Chief of Police

Article 14. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$20,518 to make the third of three (3) lease payments for two (2) patrol cars leased in FY'03 or take any other action relative thereto.

Board of Selectmen

Article 15. To see if the Town will vote to transfer \$55,750 from the Receipts Reserved Account to budget line 63, Fire EMS, or take any other action relative thereto.

Fire Chief

Article 16. To see if the Town will vote to raise and appropriate or transfer from available funds and to authorize the Fire Chief to enter into a lease purchase agreement not to exceed ten (10) years, to purchase and equip a four door pumping fire truck to replace the 1971 brush breaker; said purchase not to exceed \$230,000 with the first payment of \$28,100 (first of ten payments) not due before July 1, 2004 or take any other action relative thereto.

Fire Chief

Article 17. To see if the Town will vote to raise and appropriate or transfer from free cash or stabilization a sum of \$7,000 to have an evaluation done on the assets of the Town of Plympton per the GASB regulations or take any other action relative thereto.

Town Accountant and Board of Selectmen

Article 18. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$16,500.00 to conduct a financial audit of Fiscal 2004 or take any other action relative thereto.

Treasurer and Town Accountant

Article 19. To see if the Town will vote to accept the provisions of MGL ch. 40 § 21D or take any other action relative thereto.

Chapter 40: Section 21D Noncriminal disposition of ordinance, by-law, rule or regulation violations

Section 21D. Any city or town may by ordinance or by-law not inconsistent with this section provide for non-criminal disposition of violations of any ordinance or by-law or any rule or regulation of any municipal officer, board or department the violation of which is subject to a specific penalty.

Any such ordinance or by-law shall provide that any person taking cognizance of a violation of a specific ordinance, by-law, rule or regulation which he is empowered to enforce, hereinafter referred to as the enforcing person, as an alternative to initiating criminal proceedings shall, or, if so provided in such ordinance or by-law, may, give to the offender a written notice to appear before the clerk of the district court having jurisdiction thereof at any time during office hours, not later than twenty-one days after the date of such notice. Such notice shall be in triplicate and shall contain the name and address, if known, of the offender, the specific offense charged, and the time and place for his required appearance. Such notice shall be signed by the enforcing person, and shall be signed by the offender whenever practicable in acknowledgment that such notice has been received.

The enforcing person shall, if possible, deliver to the offender a copy of said notice at the time and place of the violation. If it is not possible to deliver a copy of said notice to the offender at the time and place of the violation, said copy shall be mailed or delivered by the enforcing person, or by his commanding officer or the head of his department or by any person authorized by such commanding officer, department or head to the offender's last known address, within fifteen days after said violation. Such notice as so mailed shall be deemed a sufficient notice, and a certificate of the person so mailing such

notice that it has been mailed in accordance with this section shall be prima facie evidence thereof.

At or before the completion of each tour of duty, or at the beginning of the first subsequent tour of duty, the enforcing person shall give to his commanding officer or department head those copies of each notice of such a violation he has taken cognizance of during such tour which have not already been delivered or mailed by him as aforesaid. Said commanding officer or department head shall retain and safely preserve one copy and shall, at a time not later than the next court day after such delivery or mailing, deliver the other copy to the clerk of the court before which the offender has been notified to appear. The clerk of each district court and of the Boston municipal court shall maintain a separate docket of such notices to appear.

Any person notified to appear before the clerk of a district court as hereinbefore provided may so appear and confess the offense charged, either personally or through a duly authorized agent or by mailing to the city or town clerk of the municipality within which the violation occurred together with the notice such specific sum of money not exceeding three hundred dollars as the town shall fix as penalty for violation of the ordinance, by-law, rule or regulation. Such payment shall if mailed be made only by postal note, money order or check. Upon receipt of such notice, the city or town clerk shall forthwith notify the district court clerk of such payment and the receipt by the district court clerk of such notification shall operate as a final disposition of the case. An appearance under this paragraph shall not be deemed to be a criminal proceeding. No person so notified to appear before the clerk of a district court shall be required to report to any probation officer, and no record of the case shall be entered in any probation records.

If any person so notified to appear desires to contest the violation alleged in the notice to appear and also to avail himself of the procedure established pursuant to this section, he may, within twenty-one days after the date of the notice, request a hearing in writing. Such hearing shall be held before a district court judge, clerk, or assistant clerk, as the court shall direct, and if the judge, clerk, or assistant clerk shall, after hearing, find that the violation occurred and that it was committed by the person so notified to appear, the person so notified shall be permitted to dispose of the case by paying the specific sum of money fixed as a penalty as aforesaid, or such lesser amount as the judge, clerk or assistant clerk shall order, which payment shall operate as a final disposition of the case. If the judge, clerk, or assistant clerk shall, after hearing, find that violation alleged did not occur or was not committed by the person notified to appear, that finding shall be entered in the docket, which shall operate as a final disposition of the case. Proceedings held pursuant to this paragraph shall not be deemed to be criminal proceedings. No person disposing of a case by payment of such a penalty shall be required to report to any probation office as a result of such violation, nor shall any record of the case be entered in the probation records.

If any person so notified to appear before the clerk of a district court fails to pay the fine provided hereunder within the time specified or, having appeared, does not confess the offense before the clerk or pay the sum of money fixed as a penalty after a hearing and finding as provided in the preceding paragraph, the

clerk shall notify the enforcing person who issued the original notice, who shall determine whether to apply for the issuance of a complaint for the violation of the appropriate ordinance, by-law, rule or regulation.

As used in this section the term "district court" shall include, within the limits of their jurisdiction, the municipal court of the city of Boston and the divisions of the housing court department of the trial court.

The notice to appear provided for herein shall be printed in such form as the chief justice of the municipal court of the city of Boston shall prescribe for said court, and as the chief justice of the district courts shall prescribe for the district courts. Said notice may also include notice of violations pursuant to section eleven C of chapter eighty-five, section eighteen A of chapter ninety, section one hundred and seventy-three A of chapter one hundred and forty and section sixteen A of chapter two hundred and seventy. Any fines imposed under the provisions of this section shall enure to the city or town for such use as said city or town may direct. This procedure shall not be used for the enforcement of municipal traffic rules and regulations. Chapter ninety C shall be the exclusive method of enforcement of municipal traffic rules and regulations.

Board of Selectmen

Article 20. To see if the Town will vote to amend the Town of Plympton Municipal By-laws to add Article XXII "Penalty and Enforcement".

22.1 Criminal Complaint. Whoever violates any provision of these bylaws may be penalized by indictment or on complaint brought in the District Court. Except as may be otherwise provided by law, and as the District Court may see fit to impose, the maximum penalty for each violation, or offense, shall be \$100.00.

22.2 Non-criminal Disposition.

22.2.1. Alternative methods of enforcement. Any duly adopted bylaw of the Town of Plympton, or Rule or Regulation of its boards, commissions, and committees and officers, the violation of which is subject to a specific penalty, may at the discretion of the town employee who is the appropriate enforcing person, be enforced by the method provided in M.G.L c.40§21D. Each day on which any violation exists shall be deemed to be a separate offense.

22.2.2 Enforcing person "Enforcing person", as used in this chapter shall mean any Selectmen or any police official of the Town of Plympton with respect to any offense, and the Conservation Commission and their designees, the Board of Health and their designees, and the Zoning Enforcement Officer and such other officials as the Board of Selectmen may from time to time designate, each with respect to violation of bylaws and rules and regulations within their respective jurisdictions. If more than one officials has jurisdiction in a given case, any such official may be an enforcing person with respect thereto.

Board of Selectmen

Article 21. To see if the Town will vote to accept the provisions of M.G.L. Ch.40, §8G, which authorizes the Town to enter into an agreement with

another city or town, or other cities or towns, to provide mutual aid programs for police departments, or take any other action in relation thereto.

Chief of Police

Article 22. To see if the Town will vote to create the position of police sergeant or take any other action relative thereto.

Chief of Police

Article 23. To see if the Town will vote to create an auxiliary police force under the Civil Defense Act of 1950, c639 s11 (a) or take any action relative thereto.

Chief of Police

Article 24. To see if the Town will vote to adopt the following municipal bylaws and provide for a specific fine for violations thereof so as to permit such bylaw to be enforced using non-criminal disposition.

BURGLAR ALARMS

Caretakers:

The owner of a dwelling house which is equipped with a burglar alarm system shall be required to provide the police department with alternate phone numbers to include work and cellular phone numbers, if applicable for the purpose of contacting the owner in the event of an alarm activation at the dwelling while the owner is away. Additionally, the owner of a dwelling and the owners of any businesses equipped with an alarm system shall provide the names and phone numbers of a minimum of two persons whom have access to the residence or business and have the ability to shut off or reset the alarm system on the demand of the police department. In the case of a dwelling house caretakers should not be a resident of the dwelling house in question. Caretakers shall be available to respond to the dwelling house or business in a reasonable period of time when summoned by the police. The owner of a dwelling house or business which is equipped with a burglar alarm system shall be required to ensure that information provided to the police departments is up to date and accurate.

Penalties; Non-Compliance:

Whoever violates this section of the bylaw shall be subject to a fine of \$50.

False Alarms:

The Plympton Police will respond to all reported burglar alarms. In the event of a false alarm, the police department will make a notation in the log. After the police have logged three (3) false alarms in a calendar year at the same location the owner shall be subject to a fine.

Penalties; Non-Compliance:

Whoever violates this section of the bylaw shall be subject to a fine of \$100 for each additional false alarm.

ORDERLY CONDUCT

Prohibited Acts:

A person shall be guilty of violation of the orderly conduct by-law if he or she willfully does any of the following acts in a public place. For the purpose of this by-law public place shall be defined as any place, structure or building to which the general public has access to resort to for business, entertainment or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. It shall also include all public ways and public buildings, public grounds and public parks.

Commits an act in a violent and tumultuous manner toward another whereby that other is placed in danger or fear of personal injury.

Commits an act in a violent and tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged.

Causes, provokes or engages in any fight, brawl or riotous conduct so as to endanger the health and or property of another.

Obstructs, either singly or together with other persons, the flow of vehicular or pedestrian traffic and refuses to clear such public way or public place when ordered to do so by the police.

Possesses or knowingly transports alcoholic beverages on any way before he or she has reached the age determined by the General Court of the Commonwealth as being the lawful age for the consumption of alcohol.

Drinks or consumes any alcoholic beverages or possesses any open container thereof in the immediate place where he or she is located in any vehicle upon a public way or while upon a public way or sidewalk or while on any public area or in any public places not duly licensed for such purposes by the Town of Plympton.

Maliciously or without good cause interrupts, harasses or molests the speaker or speakers at any lawful assembly, meeting or gathering, or impairs the lawful rights of others to participate in such assembly, meeting or gathering when such conduct is calculated or likely to provoke disorderly conduct and procedure of the same or cause turmoil or disturbance at same, after being warned to refrain from such conduct by a person in charge of the assembly, meeting or gathering.

Prowls or wanders in or upon private property of another, or without good reason or visible or lawful business with the owner or occupant thereof, peeks, peeps, or peers in any door or window of any building or structure thereon.

Penalties; Non-Criminal Dispositions:

Any person who violates any prohibited acts herein shall be fined \$100 for a first offense and shall be fined \$250 for each subsequent offense. A police officer may issue a non-criminal bylaw citation for such violations or may arrest

without a warrant any person found in violation of any prohibited acts in this bylaw.

TRAFFIC SAFETY

Prohibited Acts:

A person shall be guilty of a by-law traffic safety violation when they have operated a vehicle in one of the below listed prohibited manners.

Operates a motor vehicle on any public way recklessly in a manner which endangers the public or which is likely to cause the destruction or damage to the personal property of another.

Operates a motor vehicle on a public way greater than the posted speed limit or at a speed greater than reasonable for the road conditions.

Trespasses on the private property of another or on public grounds where prohibited while operating a vehicle, motor vehicle, or recreational vehicle.

Penalties; Non-Criminal Dispositions:

Whoever violates this section of the bylaw shall be subject to the following fines:

Violation of Subsection One (1) - \$150

Violation of Subsection Two (2) - \$50

Violation of Subsection Three (3) - \$150

A police officer may issue a non-criminal by-law citation for such violations or may arrest without a warrant any person found in violation of subsection three (3) of the prohibited acts in this by-law.

Chief of Police

Article 25. To see if the Town will vote to accept MGL ch. 40 § 22F, or take any other action relative thereto. Chapter 40: Section 22F License fees; service charges; acceptance of section

Section 22F. Any municipal board or officer empowered to issue a license, permit, certificate, or to render a service or perform work for a person or class of persons, may, from time to time, fix regulations wherein the entire proceeds of the fee remain with such issuing city or town, and may fix reasonable charges to be paid for any services rendered or work performed by the city or town or any department thereof, for any person or class of persons; provided, however, that in the case of a board or officer appointed by an elected board, the fixing of such fee shall be subject to the review and approval of such elected board.

A fee or charge imposed pursuant to this section shall supersede fees or charges already in effect, or any limitations on amounts placed thereon for the same service, work, license, permit or certificate; provided, however, that this

section shall not supersede the provisions of sections 31 to 77, inclusive, of chapter 6A, chapter 80, chapter 83, chapter 138, sections 121 to 131N, inclusive, of chapter 140 or section 10A of chapter 148. The provisions of this section shall not apply to any certificate, service or work required by chapters fifty to fifty-six, inclusive, or by chapter sixty-six. The fee or charge being collected immediately prior to acceptance of this section for any license, permit, certificate service or work will be utilized until a new fee or charge is fixed under this section. The provisions of this section may be accepted in a city by a vote of the city council, with the approval of the mayor if so required by law, and in a town by vote of the town meeting, or by vote of the town council in towns with no town meeting.

Town Clerk

Article 26. To see if the Town will vote to accept Lemuel Cobb Road, Marie Elaine Drive, Thomas Blanchard Drive, as Town ways and to authorize the Selectmen to acquire the easements in the ways by gift, by purchase not to exceed \$1.00 or by eminent domain for \$1.00 or take any other action relative thereto.

Board of Selectmen

Article 27. To see if the Town will vote to amend the Wage and Personnel bylaws by deleting Section 2B as it stands now and substituting now, therefore, the following:

Section 2B. "There shall be a Wage and Personnel Board consisting of *three* (3) *members*, who shall not be employed or elected officials of the Town, responsible for the administration and maintenance of the Classification and Compensation Plans. The membership of the Personnel Board shall be appointed by a committee composed of the Moderator, a member of the Finance Committee and a member of the Board of Selectmen. Committee members to be designated by the respective boards were applicable. Each Wage and Personnel member shall serve for a term of three (3) years. Vacancies shall be filled for the remainder of the unexpired term.

Board of Selectmen

Article 28. To see if the Town will vote to amend Section 2.2 of the Zoning Bylaw by striking out the text in its entirety and replacing it with the following language:

Penalties

Penalties. The penalty for violation of any provision of this Bylaw, of any of the conditions under which a permit is issued, or of any decision rendered by the Board of Appeals, any special permit granting authority, or the site plan approval board shall be three hundred dollars (\$300 00) for each offense. Each day that each violation continues shall constitute a separate offense.

Planning Board

Article 29. To see if the Town will vote to amend the Zoning Bylaw Section 5.6- Lot Area - of the Zoning and Municipal Bylaws to add the following language:

"5.6.1 Minimum Contiguous Upland Requirement: At least 85% of the minimum lot size required shall be contiguous upland [i.e., not a (l) bank, bog, dune, marsh, swamp, or wet meadow under the Massachusetts General Laws, Chapter 131, Section 40; river front area under the Massachusetts Rivers Protection Act" or take any other action relative thereto.

Planning Board

Article 30. To see if the Town will vote to amend the Zoning Bylaw Section 5.8- Retreat Lots number 1. to add the following language:

"(1a) Minimum Contiguous Upland Requirement: At least 85% of the minimum lot size required shall be contiguous upland [i.e., not a (l) bank, bog, dune, marsh, swamp, or wet meadow under the Massachusetts General Laws, Chapter 131, Section 40; river front area under the Massachusetts Rivers Protection Act" or take any other action relative thereto.

Planning Board

Article 31. To see if the Town will vote to amend Section 6.7.2 of the Zoning Bylaw, by striking out the first sentence of the Section ("The applicant shall file five (5) copies (or more as required) of the site plan with the Town Clerk, who shall note the date of filing and transmit the materials to the Planning Board.") and replacing it with the following language:

"Applicants for site plan approval shall submit six (6) copies (or more as required) of the site plan to the Planning Board, at a regularly scheduled Planning Board meeting. The Planning Board shall note the date of filing on each plan and shall forthwith transmit one (1) copy of the plans to the Town Clerk."

Planning Board

Article 32. To see if the Town will vote to amend Section 6.7.5 of the Zoning Bylaw, by striking out the title "Application Fee" and replacing it with the title "Fees;" and to add the sentence "The Planning Board may adopt reasonable administrative fees and technical review fees for site plan review," at the conclusion of the existing sentence.

Planning Board

Article 33. To see if the Town will vote to add a new section, Section 6.7.8 to the Zoning Bylaw, to consist of the following language:

"Regulations. The Planning Board may adopt and from time to time amend reasonable regulations for the administration of these Site Plan guidelines."

Planning Board

Article 34. To see if the Town will vote to add a new section, Section 6.7.9 to the Zoning Bylaw, to consist of the following language:

"Lapse. Site plan approval shall lapse after two (2) years from the grant thereof if a substantial use thereof has not sooner commenced. Such approval may be extended in writing by the Planning Board upon written request of the applicant."

Planning Board

Article 35. To see if the Town will vote to accept Cushman's Landing as a public way, in accordance with the Street Acceptance Plan of Cushman's Landing in Plympton, Mass., Prepared for Michael R. McCaffrey Scale 1"=40", dated February 10, 2003 by Vautrinot Land Surveying, Inc., Engineers and Land Surveyors, P.O. Box 144, Plympton, MA, (781) 585-5505, (781) 585-5520, (fax), which plan is on file at the Town Clerk's office, or take any other action.

Planning Board

Article 36. "To see if the Town will approve by a vote in Town Meeting a wetlands bylaw promulgated by the Plympton Conservation Commission under the Home Rule authority of this municipality to provide the Conservation Commission with the authority to protect additional resource areas, for additional values, with additional standards and procedures stricter than those of the Wetlands Protection Act (G.L. Ch. 131 §40) and Regulations thereunder (310 CMR 10.00), subject, however, to the rights and benefits accorded to agricultural uses and structures of all kinds under the laws of the Commonwealth."

TOWN OF PLYMPTON WETLANDS BYLAW

I. Purpose

The purpose of this bylaw is to protect the wetlands, water resources, and adjoining land areas in the Town of Plympton by controlling activities deemed by the Conservation Commission likely to have a significant or cumulative effect upon resource area values, including but not limited to the following: public or private water supply, groundwater, hydrological functions, flood control, erosion and sedimentation control, storm damage prevention including coastal storm flowage, water quality, water pollution control, fisheries, wildlife habitat, natural communities, species of special concern and their habitats including rare, threatened, or endangered species, agriculture, aquaculture, and recreation values, deemed important to the community (collectively, the "resource area values protected by this bylaw"). This bylaw is intended to utilize the Home Rule authority of this municipality to protect additional resource areas, for additional values, with additional standards and procedures stricter than those of the Wetlands Protection Act (G.L. Ch. 131 §40) and Regulations thereunder (310 CMR 10.00), subject, however, to the rights and benefits accorded to agricultural uses and structures of all kinds under the laws of the Commonwealth.

II. Jurisdiction

Except as permitted by the Conservation Commission or as provided in this bylaw, no person shall commence to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter or pollute directly or indirectly the following resource areas: any freshwater bordering or isolated wetlands; marshes; wet meadows; bogs; swamps; vernal pools; banks; reservoirs; lakes; ponds of any size; rivers; streams; creeks; beaches; dunes; estuaries; the ocean; lands under water bodies; lands subject to flooding or inundation by groundwater or surface water; lands subject to tidal action, coastal storm flowage, or flooding;

and lands abutting any of the aforesaid resource areas as set out in §VII (collectively the "resource areas protected by this bylaw"). Said resource areas shall be protected whether or not they border surface waters. The Commission may impose conditions or deny activities which are located outside resource areas or the applicable buffer zone if such activity, in the sole discretion of the Commission, is more likely than not to alter resource areas.

III. Exemptions and Exceptions

The application and permit required by this bylaw shall not be required for work performed for normal maintenance or improvement of land in agricultural use as defined by the Wetlands Protection Act Regulations at 310 CMR 10.04.

The application and permit required by this bylaw shall not be required for emergency projects necessary for the protection of the health and safety of the public, provided that the work is to be performed by or has been ordered to be performed by an agency of the Commonwealth or a political subdivision thereof; provided that advance notice, oral or written, has been given to the Commission prior to commencement of work or within 24 hours after commencement; provided that the Commission or its agent certifies the work as an emergency project; provided that the work is performed only for the time and place certified by the Commission for the limited purposes necessary to abate the emergency; and provided that within 21 days of commencement of an emergency project a permit application shall be filed with the Commission for review as provided by this bylaw. Upon failure to meet these and other requirements of the Commission, the Commission may, after notice and a public hearing, revoke or modify an emergency project approval and order restoration and mitigation measures.

Other than stated in this section, the exceptions provided in the Wetlands Protection Act (G.L. Ch. 131 §40) and Regulations (310 CMR 10.00) shall not apply under this bylaw.

IV. Applications and Fees

Written application shall be filed with the Conservation Commission to perform activities affecting resource areas protected by this bylaw. The permit application shall include such information and plans as are deemed necessary by the Commission to describe proposed activities and their effects on the resource areas protected by this bylaw. No activities shall commence without receiving and complying with a permit issued pursuant to this bylaw.

The Commission in an appropriate case may accept as the application and plans under this bylaw any application and plans filed under the Wetlands Protection Act (G.L. Ch. 131 §40) and Regulations (310 CMR 10.00).

Any person desiring to know whether or not a proposed activity or an area is subject to this bylaw may request in writing a determination from the Commission. Such a Request for Determination (RFD) shall include information and plans as are deemed necessary by the Commission.

At the time of an application, the applicant shall pay a filing fee to the Plympton Conservation Commission equal to the total filing fee required under G.L. c. 131, § 40, which shall be deposited into the Conservation Commission Revolving Fund, established pursuant to GL. C. 40, §21D. Such fees shall be used exclusively for functions supporting Conservation Commission business. The Plympton Conservation Commission Filing Fee is in addition to that required by the Wetlands Protection Act and Regulations.

Upon receipt of an application, or at any point during the hearing process, the Commission is authorized to require an applicant to pay a fee for the reasonable costs and expenses borne by the Commission for specific expert engineering and other consultant services deemed necessary by the Commission to come to a final decision on the application. This fee is called the "consultant fee." The specific consultant services may include, but are not limited to, performing or verifying the accuracy of resource area survey and delineation; analyzing resource area functions and values, including wildlife habitat evaluations, hydrogeologic and drainage analysis; and researching environmental or land use law.

As provided by GL Ch. 44 § 53G, the Town of Plympton Conservation Commission has promulgated rules for imposing such consultant fees. These rules, The Plympton Conservation Commission Rules for Hiring Outside Consultants Under G.L. c. 44, § 53G, is attached and incorporated herein. Failure by the applicant to pay the consultant fee specified by the Commission within ten (10) business days of the request for payment shall be cause for the Commission to deny the permit application.

V. Notice and Hearings

Any person filing a permit or other application or RFD with the Conservation Commission at the same time shall give written notice thereof, by certified mail (return receipt requested) or hand delivered, to all abutters at their mailing addresses shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality or across a body of water. The notice to abutters shall have enclosed a copy of the application or request, with plans, or shall state where copies may be examined and obtained by abutters. An affidavit of the person providing such notice, with a copy of the notice mailed or delivered, shall be filed with the Commission.

The Commission shall conduct a public hearing on any permit application, Abbreviated Notice of Resource Area Delineation (ANORAD) or RFD, with written notice given at the expense of the applicant, at least five business days prior to the hearing, in a newspaper of general circulation in the municipality.

The Commission shall commence the public hearing within 21 days from receipt of a completed permit application, ANORAD or RFD unless an extension is authorized in writing by the applicant. The Commission shall have

authority to continue the hearing to a specific date announced at the hearing, for reasons stated at the hearing, which may include the need for additional information from the applicant or others deemed necessary by the Commission in its discretion, based on comments and recommendations of the boards and officials listed in §VI.

The Commission shall issue its permit, other order or determination in writing within 21 days of the close of the public hearing thereon unless an extension is authorized in writing by the applicant.

The Commission in an appropriate case may combine its hearing under this bylaw with the hearing conducted under the Wetlands Protection Act (G.L. Ch.131 §40) and Regulations (310 CMR 10.00).

VI. Coordination with Other Boards

Any person filing a permit application or RFD with the Conservation Commission shall provide a copy thereof at the same time, by certified mail (return receipt requested) or hand delivery, to the selectboard, planning board, board of appeals, board of health, town engineer, and building inspector. A copy shall be provided in the same manner to the Conservation Commission of the adjoining municipality, if the application or RFD pertains to property within 300 feet of that municipality. An affidavit of the person providing notice, with a copy of the notice mailed or delivered, shall be filed with the Commission. The Commission shall not take final action until the boards and officials have had 14 days from receipt of notice to file written comments and recommendations with the Commission, which the Commission shall take into account but which shall not be binding on the Commission. The applicant shall have the right to receive any comments and recommendations, and to respond to them at a hearing of the Commission, prior to final action.

VII. Permits and Conditions

If the Conservation Commission, after a public hearing, determines that the activities which are subject to the permit application or the land and water uses which will result therefrom, are likely to have a significant individual or cumulative effect upon the resource area values protected by this bylaw, the Commission, within 21 days of the close of the hearing, shall issue or deny a permit for the activities requested. If it issues a permit, the Commission shall impose conditions that the Commission deems necessary or desirable to protect those values, and all activities shall be done in accordance with those conditions. The Commission shall take into account the cumulative adverse effects of loss, degradation, isolation, and replication of protected resource areas throughout the community and the watershed, resulting from past activities, permitted and exempt, and foreseeable future activities.

Where no conditions are adequate to protect those resource values, the Commission is empowered to deny a permit for failure to meet the requirements of this bylaw. It may also deny a permit: for failure to submit necessary information and plans requested by the Commission; for failure to meet the design specifications, performance standards, and other requirements

in regulations of the Commission; or for failure to avoid or prevent unacceptable significant or cumulative effects upon the resource area values protected by this bylaw. Due consideration shall be given to any demonstrated hardship on the applicant by reason of denial, as presented at the public hearing.

Lands within 200 feet of rivers, ponds and lakes, and lands within 100 feet of other resource areas, are presumed important to the protection of these resources because activities undertaken in close proximity to resource areas have a high likelihood of adverse impact upon the wetland or other resource, either immediately, as a consequence of construction, or over time, as a consequence of daily operation or existence of the activities. These adverse impacts from construction and use can include, without limitation, erosion, siltation, loss of groundwater recharge, poor water quality, and loss of wildlife habitat. The Commission may therefore establish performance standards for protection of such lands including without limitation, strips of continuous, undisturbed soils or vegetative cover within the 200-foot or 100-foot area ("buffer zones"), or other form of work limit or setback to buildings, roads, landscaping and other features, unless the applicant convinces the Commission that the area or part of it may be disturbed without harm to the values protected by the bylaw. The specific size and type of protected area may be established by regulations of the Commission.

In the review of areas within 200 feet of rivers, ponds and lakes, no permit issued hereunder shall permit any activities unless the applicant, in addition to meeting the otherwise applicable requirements of this bylaw, has proved by a preponderance of the evidence that (1) there is no practicable alternative to the proposed project with less adverse effect, and that (2) such activities, including proposed mitigation measures, will have no significant adverse impact on the areas or values protected by this bylaw. The Commission shall regard as practicable an alternative which is reasonably available and capable of being done after taking into consideration the proposed property use, overall project purpose (e.g., residential, institutional, commercial, or industrial purpose), logistics, existing technology, costs of the alternatives, and overall project costs.

To prevent wetlands loss, the Commission shall require applicants to avoid wetlands alteration wherever feasible; shall minimize wetlands alteration; and, where alteration is unavoidable, shall require fully functional mitigation. The Commission may authorize or require replication of wetlands as a form of mitigation, but only with adequate security, professional design, and monitoring to assure success, because of the high likelihood of failure of replication.

The Commission may require a wildlife habitat study of the project area, to be paid for by the applicant, whenever it deems appropriate, regardless of the type of resource area or the amount or type of alteration proposed. The decision shall be based upon the Commission's estimation of the importance of the habitat area considering (but not limited to) such factors as proximity to other areas suitable for wildlife, importance of wildlife "corridors" in the area, habitat

fragmentation, natural communities or possible presence of rare species in the area. The work shall be performed by an individual who at least meets the qualifications set out in the wildlife habitat section of the Wetlands Protection Act Regulations (310 CMR 10.60).

The Commission shall presume that all areas meeting the definition of "vernal pools" under §IX of this bylaw, including the adjacent ecological significant area, perform essential habitat functions. This presumption may be overcome only by the presentation of credible evidence that, in the judgment of the Commission, demonstrates that the basin or depression does not provide essential habitat functions. Any formal evaluation should be performed by an individual meeting the qualifications under the wildlife habitat section of the Wetlands Protection Act Regulations.

A permit shall expire three years from the date of issuance. Notwithstanding the above, the Commission in its discretion may issue a permit expiring five years from the date of issuance for recurring or continuous maintenance work, provided that annual notification of time and location of work is given to the Commission. Any permit may be renewed once for an additional one year period, provided that a request for a renewal is received in writing by the Commission prior to expiration. Notwithstanding the above, a permit may identify requirements which shall be enforceable for a stated number of years, indefinitely, or until permanent protection is in place, and shall apply to all owners of the land.

For good cause the Commission may revoke any permit, other order, determination or other decision issued under this bylaw after notice to the holder of the permit, the public, abutters, and town boards, pursuant to §V and §VI, and a public hearing. Amendments to permits or determinations shall be handled in the manner set out in the Wetlands Protection Act Regulations and policies thereunder.

The Commission in an appropriate case may combine the decision issued under this bylaw with the Order of Conditions, Order of Resource Area Delineation (ORAD), Determination of Applicability or Certificate of Compliance issued under the Wetlands Protection Act and Regulations.

No work proposed in any application shall be undertaken until the permit, ORAD or determination issued by the Commission with respect to such work has been recorded in the registry of deeds or, if the land affected is registered land, in the registry section of the land court for the district wherein the land lies, and until the holder of the permit certifies in writing to the Commission that the document has been recorded. If the applicant fails to perform, the Commission may record the documents itself.

VIII. Performance Standards

Incorporation of State Standards

Section 2.3 of the By-Law reads, "The Conservation Commission shall not impose additional or more stringent conditions as a result of any hearing

conducted by it pursuant to M.G.L. Ch. 131, s. 40, than it has imposed pursuant to the provisions of this By-Law..." Implicit in this statement is that applicants seeking approval under the By-Law must at least meet all applicable state Wetland Protection Act standards. The standards of 310 CMR 10.53-10.57 and 10.60 are therefore herein incorporated by reference. The Commission finds that protection of the interests identified in the By-Law requires that applicants also meet the following additional standards. Failure to meet these standards will result in the Commission's denial of an application.

(2) Increase in Runoff

Any proposed work altering a Protected Resource Area and any proposed work that involves a new storm drain system or connection to an existing storm drain system that discharges to a Protected Resource Area, shall not result in an increase in the peak rate of surface runoff during either a 2-year, 10-year or 100-year storm event to areas beyond the boundaries of the property on which the activity is to be conducted. Such demonstration must be provided by a professional engineer or equivalent and supported by substantial evidence.

(3) Structures in Floodplain

No building of any kind, and no parking lot or any other facility for the temporary or permanent storage of automobiles, trucks, or other material shall be located below the 10-year flood level.

(4) Natural Community or Wildlife Habitat Impact and Mitigation

On any application for the approval of a project involving the disturbance of more than 20,000 square feet within a Protected Resource Area, the Commission may require (a) an analysis, by a competent wildlife biologist, of (1) the ecological and habitat value of the parcel of land to be disturbed and of the adjacent area, and (2) the impact of the proposed development on the natural community or wildlife populations and habitat value, and (b) proposed measures to be taken during construction and during operation to mitigate these impacts. Where project size warrants, the Commission may require the submission of the results of a quantitative habitat analysis, such as the Habitat Evaluation Procedures (HEP) developed by the U.S. Fish and Wildlife Service. For projects that may disturb less than 20,000 square feet, the Commission may require such an analysis on a case-by-case basis after an inspection and review of the property and project. The Commission may impose whatever conditions it deems necessary to limit impacts on natural communities or wildlife to acceptable levels, regardless of project size.

(5) Buffer Zone:

Except for the 200 foot riverfront area, as set forth under the River's Act, and as otherwise provided below, the Buffer Zone for all resource areas set forth in Section II, herein shall be 100 feet.

A. New Construction

1. No setbacks for: 1) structures necessary for upland access where reasonable alternative access is unavailable, 2) for wetland dependent structures such as drain outfalls, weirs, etc. and, 3) for underground utilities.

2. 100 feet for roads, driveways, retaining walls and for residential and commercial buildings, garages, parking lots, decks, etc.

3. 200 feet for underground and commercial above-ground storage of gasoline, oil or other fuels and hazardous materials depending upon site conditions.

4. There is a presumption that any alteration within the first 25 feet from the boundary of any resource area protected under this bylaw does not meet the performance standards for such resource area, as set forth under G.L. c. 131, §40; and, there is a presumption that building any structure within the first 50 feet from the boundary of any resource area protected under this bylaw does not meet the performance standards for such resource area, as set forth under G.L. c. 131, §40. Any applicant may seek to overcome such presumption with credible information, as determined by the Conservation Commission.

B. Existing Structures

Properties presently not in compliance with the above will not be permitted to increase their non-conformance, e.g., owners of a house currently 35 feet from the wetlands edge can build an addition that maintains a 35-foot setback, but not one that has a 30-foot setback.

C. Site Development and Landscaping

1. Of contiguous land within the 100-foot buffer zone, construction activities can disturb no more than 50% of the total area presently supporting a natural community.

2... Areas disturbed by construction must be planted with a continuous, appropriate, native groundcover requiring no fertilizers or pesticides for maintenance.

IX. Regulations

After public notice and public hearing, the Conservation Commission shall promulgate rules and regulations to effectuate the purposes of this bylaw, effective when voted and filed with the town or city clerk. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this bylaw.

At a minimum these regulations shall define key terms in this bylaw not inconsistent with the bylaw, and procedures governing the amount and filing of fees.

X. Definitions

The following definitions shall apply in the interpretation and implementation of this bylaw.

Alter shall include, without limitation, the following activities when undertaken to, upon, within or affecting resource areas protected by this bylaw:

- A. Removal, excavation, or dredging of soil, sand, gravel, or aggregate materials of any kind
- B. Changing of preexisting drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns, or flood retention characteristics
- C. Drainage, or other disturbance of water level or water table
- D. Dumping, discharging, or filling with any material that may degrade water or soil quality
- E. Placing of fill, or removal of material, which would alter elevation
- F. Driving of piles, erection, expansion or repair of buildings, or structures of any kind
- G. Placing of obstructions or objects in water
- H. Destruction or modification of plant life including cutting or trimming of trees and shrubs
- I. Changing temperature, biochemical oxygen demand, or other physical, biological, or chemical characteristics of any waters
- J. Any activities, changes, or work that may cause or tend to contribute to pollution of any body of water or groundwater
- K. Incremental activities that have, or may have, a cumulative adverse impact on the resource areas protected by this bylaw.

Bank: shall include the land area which normally abuts and confines a water body; the lower boundary being the mean annual low flow level, and the upper boundary being the first observable break in the slope or the mean annual flood level, whichever is higher.

Person shall include any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to town bylaws, administrative agency, public or quasi-public corporation or body, this municipality, and any other legal entity, its legal representatives, agents, or assigns.

Pond shall follow the definition of 310 CMR 10.04 except that the size threshold of 10,000 square feet shall not apply.

Rare species shall include, without limitation, all vertebrate and invertebrate animal and all plant species listed as endangered, threatened, or of special concern by the Massachusetts Division of Fisheries and Wildlife, regardless of whether the site in which they occur has been previously identified by the Division.

Vernal pool shall include, in addition to scientific definitions found in the regulations under the Wetlands Protection Act, any confined basin or depression not occurring in existing lawns, gardens, landscaped areas or

driveways which, at least in most years, holds water for a minimum of two continuous months during the spring and/or summer, contains at least 200 cubic feet of water at some time during most years, is free of adult predatory fish populations, and provides essential breeding and rearing habitat functions for amphibian, reptile or other vernal pool community species, regardless of whether the site has been certified by the Massachusetts Division of Fisheries and Wildlife. The boundary of the resource area for vernal pools shall be 100 feet outward from the mean annual high-water line defining the depression, but shall not include existing lawns, gardens, landscaped or developed areas.

Except as otherwise provided in this bylaw or in regulations of the Conservation Commission, the definitions of terms and procedures in this bylaw shall be as set forth in the Wetlands Protection Act (G.L. Ch. 131 §40) and Regulations (310 CMR 10.00).

XI. Security

As part of a permit issued under this bylaw, in addition to any security required by any other municipal or state board, agency, or official, the Conservation Commission may require that the performance and observance of the conditions imposed thereunder (including conditions requiring mitigation work) be secured wholly or in part by one or more of the methods described below:

A. By a proper bond or deposit of money or negotiable securities or other undertaking of financial responsibility sufficient in the opinion of the Commission, to be released in whole or in part upon issuance of a Certificate of Compliance for work performed pursuant to the permit

B. By accepting a conservation restriction, easement, or other covenant enforceable in a court of law, executed and duly recorded by the owner of record, running with the land to the benefit of this municipality whereby the permit conditions shall be performed and observed before any lot may be conveyed other than by mortgage deed. This method shall be used only with the consent of the applicant.

XII. Enforcement

No person shall remove, fill, dredge, drain, discharge into, build upon, degrade, or otherwise alter resource areas protected by this bylaw, or cause, suffer, or allow such activity, or leave in place unauthorized fill, or otherwise fail to restore illegally altered land to its original condition, or fail to comply with a permit or an enforcement order issued pursuant to this bylaw.

The Conservation Commission, its agents, officers, and employees shall have authority to enter upon privately owned land for the purpose of performing their duties under this bylaw and may make or cause to be made such examinations, surveys, or sampling as the Commission deems necessary, subject to the constitutions and laws of the United States and the Commonwealth.

The Commission shall have authority to enforce this bylaw, its regulations, and permits issued thereunder by violation notices, non-criminal citations under G.L. Ch. 40 §21D, and civil and criminal court actions. Any person who violates provisions of this bylaw may be ordered to restore the property to its original condition and take other action deemed necessary to remedy such violations, or may be fined, or both.

Upon request of the Commission, the selectboard and town counsel shall take legal action for enforcement under civil law. Upon request of the Commission, the chief of police shall take legal action for enforcement under criminal law.

Municipal boards and officers, including any police officer or other officer having police powers, shall have authority to assist the Commission in enforcement.

Any person who violates any provision of this bylaw, or regulations, permits, or administrative orders issued thereunder, shall be punished by a fine of not more than \$300. Each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offense, and each provision of the bylaw, regulations, permits, or administrative orders violated shall constitute a separate offense.

XIII. Burden of Proof

The applicant for a permit shall have the burden of proving by a preponderance of the credible evidence that the work proposed in the permit application will not have unacceptable significant or cumulative effect upon the resource area values protected by this bylaw. Failure to provide adequate evidence to the Conservation Commission supporting this burden shall be sufficient cause for the Commission to deny a permit or grant a permit with conditions.

XIV. Appeals

A decision of the Conservation Commission shall be reviewable in the superior court in accordance with G.L. Ch. 249 §4.

XV. Relation to the Wetlands Protection Act

This bylaw is adopted under the Home Rule Amendment of the Massachusetts Constitution and the Home Rule statutes, independent of the Wetlands Protection Act (G.L. Ch. 131 §40) and Regulations (310 CMR 10.00) thereunder.

XVI. Severability

The invalidity of any section or provision of this bylaw shall not invalidate any other section or provision thereof, nor shall it invalidate any permit, approval or determination, which previously has been issued, and the remaining sections or provisions of this bylaw shall continue to be in full force and effect.

Conservation Commission

Article 37. To see if the Town will approve by a vote in Town Meeting to establish a revolving fund under M.G.L. Ch. 44 §53E 1/2 for the purposes of

depositing the filing, consultant fee, and penalty provisions of the Wetlands Protection Bylaw, and further that the Conservation Commission may expend same without appropriation for expenses reasonably related to its duties and responsibilities as provided therein; that expenditures from same shall not exceed \$25,000 in the fiscal year; that the Conservation Commission will report to the next annual town meeting on the receipts and expenditures of the revolving fund; and that the fund, in order to continue in existence, must be re-authorized by each subsequent town meeting.

Conservation Commission

Article 38. To see if the Town will vote to authorize the Board of Selectmen to transfer to the Conservation Commission for conservation purposes the tax title land situated in the Town of Plympton, Plymouth County, Massachusetts, being shown as Lot 5-1 on Town Assessor's Map 4-B, consisting of 5.5 acres located on Palmer Road and whose deed is recorded at the Plymouth County Registry of Deeds in Book 5542, page 134, or take any other action relative thereto.

Conservation Commission

Article 39. To see if the Town will vote to authorize the Board of Selectmen to transfer to the Conservation Commission for conservation purposes the tax title land situated in the Town of Plympton, Plymouth County, Massachusetts, being shown as Lot 5-11 on the Town Assessor's Map 4-B, consisting of 16.22 acres located on Palmer Road; and whose deed is recorded at the Plymouth County Registry of Deeds in Book 5542, page 134, or take any other action relative thereto.

Conservation Commission

Article 40. To see if the Town will vote to authorize the Board of Selectmen to transfer to the Conservation Commission for conservation purposes the tax title land situated in the Town of Plympton, Plymouth County, Massachusetts, being shown as Lot 3-8 on the Town Assessor's Map 5-B, consisting of 5.05 acres located on Maple Street and Palmer Road, and whose deed is recorded at the Plymouth County Registry of Deeds in Book 5542, page 134, or take any other action relative thereto.

Conservation Commission

Article 41. To see if the Town will vote to authorize the Board of Selectmen to transfer to the Conservation Commission for conservation purposes the tax title land situated in the Town of Plympton, Plymouth County, Massachusetts, being shown as Lot 3-13 on the Town Assessor's Map 5-B, consisting of 5.0 acres located on Maple Street; and whose deed is recorded at the Plymouth County Registry of Deeds in Book 5542, page 134, or take any other action relative thereto.

Conservation Commission

Article 42. To see if the Town will vote to authorize the Board of Selectmen to transfer to the Conservation Commission for conservation purposes the tax title land situated in the Town of Plympton, Plymouth County,

Massachusetts, being shown as Lot 3-14 on the Town Assessor's Map 5-B, consisting of 6.47 acres located on Palmer Road; and whose deed is recorded at the Plymouth County Registry of Deeds in Book 5542, page134, or take any other action relative thereto.

Conservation Commission

Article 43. To see if the Town will vote to authorize the Board of Selectmen to transfer to the Conservation Commission for conservation purposes the tax title land situated in the Town of Plympton, Plymouth County, Massachusetts, being shown as Lot 1-2 on the Town Assessor's Map C-6, consisting of 26.7 acres located on Main Street, and whose deed is recorded at the Plymouth County Registry of Deeds in Book 4252, page 799, or take any other action relative thereto.

Conservation Commission

Article 44. To see if the Town will vote to raise and appropriate or transfer from available funds in the treasury a sum of money to be added to the Stabilization Fund or take any other action relative thereto.

Board of Selectmen

Article 45. To see if the Town will authorize and direct the Assessors to take a sum of money from available funds to reduce the tax levy for the current year, or take any other action relative thereto.

Board of Selectmen

Article 46. To transact any other business that may come before the meeting. At a subsequent meeting as provided in Section 9A, Chapter 39 of the General Laws to be held at the Plympton Town House on Palmer Road Saturday, May 15, 2004 at 7:00 AM, then and there to take up the following article:

Article 47. To choose all necessary town officers, the following to be voted on one ballot at the adjourned meeting on May 15, 2004. The polls will be open at 7:00 AM and shall be continuously open for voting until 8:00 PM:

Moderator: 1 for 3 years; Selectman: 1 for 3 years; Tax Collector: 1 for 3 years; Assessor: 1 for 3 years; Finance Committee: 2 for 3 years; Board of Health: 1 for 3 years; Planning Board: 1 for 5 years and 1 for 1 year; Trustee of the Public Library: 2 for 3 years; School Committee: 1 for 3

You are directed to post five (5) copies of this warrant, one at the main entrance of the Town House, one at each of the public bulletin boards at the Plympton Public Library, Dennett Elementary School, Plympton Pizza and the Plympton Post Office, hereof, fail not and make due return of your doings thereon at the time and place of said meeting.

Given under our hands this 28th day of April 2004.

Richard L. Springer Joseph A. Freitas Christine M. Joy

(signed)

Board of Selectmen

I have posted five (5) copies as directed.

Constable: Dana Fowler (signed)

Date: 5/5/04

A true copy,

ATTEST:

Nancy J. Butler, CMC/CMMC

Town Clerk

PLYMPTON ANNUAL TOWN MEETING
Commonwealth of Massachusetts
May 12, 2004

Moderator William L. Slater declared there being a quorum present, at 7:15 P.M. he called to order The Plympton Annual Town Meeting at the Dennett Elementary School. Mr. Slater announced the tellers for the evening: Lenore Swanson and Helen Reynolds and Constable Dana Fowler. Mr. Slater introduced Town Council Rich Bowen, the Board of Selectman, Town Clerk Nancy Butler, members of the Finance Committee and Town Accountant Barbara Gomez.

Mr. Slater called for a moment of silence in memory of Plympton residents who had passed since our last meeting, particularly noting four who had been of public service to the Town. Mr. Slater also expressed hope for safe return of all Americans serving our country abroad. He then led us in the Pledge of Allegiance to the American Flag.

Mr. William L. Slater read the call to the warrant and Town Clerk, Nancy J. Butler read the return of the warrant. There were 190 registered voters present.

Voted (On the motion of Christine M. Joy) The Town vote to allow the following non-residents to speak at the Annual Town Meeting: Representative Tom O'Brien, Police Chief Matthew Clancy, Town Account Barbara Gomez, Town Counsel Rich Bowen, and Plympton Building Inspector Fred Svenson.

Passes unanimously

Board of Selectmen Chairperson, Christine M. Joy acknowledged the following people who are retiring from their position: David Bugbee and Barry DeCristofano from the Finance Committee and Richard L. Springer from the Board of Selectmen.

Voted (On the motion of Christine M. Joy) The Town vote to waive the reading of the warrant wherever legal and appropriate in favor of a brief Moderator's summary.

Motion carries

Article 1. Voted (On the motion of Christine M. Joy) The Town vote to accept an oral report from David Pecinovsky for the School Building Committee.

Passes unanimously

Article 2. Voted (On the motion of David Bugbee) The Town vote to authorize the Town Treasurer to enter into Compensating Balance agreements for FY 2005 as permitted by and in accordance with General Laws ch. 44 § 53F.

Passes unanimously

Article 3. Voted (On the motion of David Bugbee) The Town vote to waive the reading of the dollar amounts for the Wage & Personnel Classification Plan.

Passes unanimously

Article 3. Voted (On the motion of David Bugbee) The Town vote to accept the Wage & Personnel Classification Plan effective July 1, 2004 and to pay as wages the following sums.

Passes unanimously

WAGE RECOMMENDATIONS FOR FISCAL 2004-2005

A. Firefighters

(Part Time)	SALARY RANGE	PREMIUM
**Deputy Chief	\$12.97 - \$13.59	\$19.45 - \$20.39
**Captain	\$12.84 - \$13.46	\$19.25 - \$20.20
*Lieutenant	\$12.72 - \$13.33	\$19.08 - \$20.00
*First year	\$11.22 - \$11.81	\$16.82 - \$17.74
*Second year	\$11.61 - \$12.23	\$17.40 - \$18.32
*Third year	\$12.60 - \$13.20	\$18.88 - \$19.81
Certified EMT	\$13.99 - \$14.60	\$20.97 - \$21.93

* Premium rate will be paid for the first three (3) hours of call out duty

** Supervisor's recommendation and Wage & Personnel Board approval

B. Highway Labor

Working Foreman	\$15.24 - \$16.74
Truck Driver/Laborer	\$14.57 - \$15.18
Laborer	\$11.88 - \$12.47

C. Town Labor

Laborer	\$11.88 - \$12.47
Sr. Disposal Attendant	\$13.73 - \$14.35
Disposal Attendant	\$12.24 - \$12.84

D. Clerical

Junior Clerk - 1 year	\$ 7.78 - \$ 8.39
Senior Clerk- 2 years	\$ 9.96 - \$10.58

E. Accounting/ Assessor

Jr. Accounting Clerk	\$10.36 - \$10.97
Sr. Accounting Clerk – 1 yr	\$11.52 - \$12.12
Sr. Accounting Clerk - 3 yrs.	\$13.16 - \$13.75
Sr. Accounting Clerk - 5 yrs.	\$14.35 - \$14.90
Asst. to Collector/Treasurer	\$15.01 - \$16.79

F. Selectmen's Office

Junior Secretary – 1 year	\$ 9.96 - \$10.58
Senior Secretary – 2 years	\$11.63 - \$12.25
Senior Secretary – 5 years	\$12.76 - \$13.37

Assistant to Board \$15.01 - \$16.79

G. Library

Director \$16.71 - \$18.38

Senior Library Technician \$12.63 - \$14.82

Library Technician \$12.05 - \$13.26

Circulation Clerk \$ 9.89 - \$11.08

Library Clerk \$ 8.24 - \$ 9.79

H. Salaried Employees

Fire Chief \$43,126.49 - \$55,543.47

Police Chief \$43,126.49 - \$55,543.47

Police Matron \$10 per hour

Special Police Officer \$12.00 per hour

Librarian \$24,638.73 - \$27,406.86

Asst. Assessor - 1 year \$20,383.85 - \$22,501.69

Asst. Assessor - 3 years \$23,170.06 - \$25,397.95

Asst. Assessor - 5 years \$25,693.94 - \$29,705.20

Veteran's Agent \$ 2,685.24 - \$ 2,712.74

Voted (On the motion of Christine M. Joy) The Town vote to take the warrant out of order and advance to Article 7.

Motion carries

Article 7. Voted (On the motion of Christine M. Joy) The Town vote to borrow under M.G.L. Ch 44§7.6 the sum of fifty thousand dollars (\$50,000) for the repair of town roads.

Declared motion fails

Adjourned at 8:05 P.M. for Special Town Meeting

Reconvened Annual Town Meeting at 9:20 P.M.

Article 4. Voted (On the motion of David Bugbee) The Town vote to fix the compensation of elected officers and to see what sums of money the Town will raise and appropriate including appropriations from available funds or borrow to defray charges and expenses of the Town including debt and interest for the ensuing year.

Voted (On the motion of David Bugbee) The Town vote **Lines #1 - #34** with holds on Lines 14, 15 and 34.

Passes unanimously

(On the motion of Joseph A. Freitas) The town vote to amend **Line #14**

Selectmen Salaries from \$3.00 to \$3,300.00 from free cash.

Motion fails

Voted (On the motion of Howard D. Randall) The town vote **Line #15** **Selectmen Expense** as recommended by the Finance Committee.

Motion carries

Voted (On the motion of Sandra Henry) The Town vote to amend **Line #29 Council on Aging** from \$9,560.00 to **\$3,890.00**. Thanks to the generous donation to the Council on Aging from the following: John Norrie, Plympton Sand & Gravel: Richard Springer, Springer Construction: Gene Beliveau, Plympton County Paving: and Mark Waitkus, Waitkus Construction

Passes unanimously

Voted (On the motion of David Bugbee) The Town vote as amended to raise and appropriate **Lines 1 – 34.**

TOTAL GENERAL GOVERNMENT \$265,011

Motion carries

(On the motion of David Bugbee) The Town vote to advance to Lines #82 and 82A.

Motion carries

Voted (On the motion of David Bugbee) The Town vote to amend **Line #82 Regional School Assessment** to raise and appropriate \$1,415,348.00, and take \$16,715.00 from sales of properties, \$43,646.00 from overlay and \$180,572.00 from stabilization for a total of **\$1,656,281.00.**

2/3 Vote

Declared majority

Voted (On the motion of David Bugbee) The Town vote to raise and appropriate **Line #82A Debt & Interest – Regional Schools \$48,356.00**

Motion carries

TOTAL REGIONAL SCHOOL ASSESSMENT \$1704,637.00

2/3 Vote

Declared majority

Voted (On the motion of David Bugbee) The Town vote to raise and appropriate **Lines #35 – 39.**

TOTAL INSURANCE & PENSION \$3,898,479.00

Motion carries

Voted (On the motion of D. Howard Randall, Jr) The Town vote to raise and appropriate **Lines #40 – 41.**

TOTAL BOARD OF HEALTH \$182,698.00

Motion carries

Voted (On the motion of David Bugbee) The Town vote to raise and appropriate **Lines #42 – 49.**

TOTAL HIGHWAY \$204,407

Motion carries

Voted (On the motion of David Bugbee) The Town vote to raise and appropriate **Lines #50 – 55.**

TOTAL PROTECTION OF PERSONAL PROPERTY \$21,186

Passes unanimously

Voted (On the motion of Joseph A. Freitas) The Town vote to raise and appropriate **Lines #56 – 60** with a hold on #57.

Motion carries

(On the motion of Joseph A. Freitas) The Town vote to amend **Line #57 Building Clerical** from \$0.00 to \$10,000.00.

Motion fails

TOTAL BUILDING DEPARTMENT \$30,812

Motion carries

Voted (On the motion of David Rich) The Town vote to raise and appropriate **Lines 61- 64** with a hold on #63.

Motion carries

Voted (On the motion of David Rich) The Town vote to amend **Line #63 Fire/EMS** to raise and appropriate \$12,000.00 and the transfer from the Ambulance Fund \$60,000.00 for a total of **\$72,000.00**

Passes unanimously

TOTAL FIRE SERVICES \$158,609

Passes unanimously

Voted (On the motion of Christine M. Joy) The Town vote to raise and appropriate

Lines #65 – 71 with a hold on #66.

Motion carries

Voted (On the motion of Christine M. Joy) The Town vote to amend **Line #66 Police Services** to raise and appropriate \$98,331.00 and to take from free cash \$207,010.00 for a total of **\$305,341.00**

Motion carries

TOTAL POLICE SERVICES \$423,076.00

Motion carries

Voted (On the motion of Christine M. Joy) The Town vote to raise and appropriate **Lines #72 – 73 \$2,000.00**

TOTAL AMBULANCE & COMMUNICATION SERVICES \$2,000.00

Motion carries

Voted (On the motion of Christine M. Joy) The Town vote to raise and appropriate **Lines #74 – 77 Veterans Services \$22,535.00.**

TOTAL VETERANS SERVICES \$22,535.00

Motion carries

Voted (On the motion of Susan Wallis) The Town vote to raise and appropriate

Line #78 Library Director \$26,068.00

Motion carries

Voted (On the motion of Susan Wallis) The Town vote to raise and appropriate

Line #79 Library Expenses \$52,557.00.

Motion carries

Voted (On the motion of David Bugbee) The Town vote as amended **Lines #78 - 79**

TOTAL LIBRARY \$78,625.00

Motion carries

Voted (On the motion of Christine M. Joy) The Town vote to raise and appropriate **Lines #80 – 81 Local School Costs \$2,007,767.00**

TOTAL LOCAL SCHOOL \$2,007,767.00

Passes unanimously

Voted (On the motion of Christine M. Joy) The Town voted as amended

TOTAL ALL SCHOOLS \$3,712,404.00

Passes unanimously

Voted (On the motion of David Bugbee) The Town vote to raise and appropriate

Line #83 TOTAL RESERVE FUND \$39,381.00

Motion carries

Voted (On the motion of David Bugbee) The Town vote to raise and appropriate **Lines #84 Bonds & 85 Interest/Loans/Refunds \$7,500.00**

Motion carries

Voted (On the motion of David Bugbee) The Town vote to amend **Line #86 Principle & Interest** to raise and appropriate \$27,690.00 and to transfer from Debt Reserve \$139,357.00.

Motion carries

Voted (On the motion of David Bugbee) The Town vote to raise and appropriate **Line #86A Dennett Debt Exclusion \$451,898.00**

Motion carries

Voted (On the motion of David Bugbee) The Town vote as amended
TOTAL WARRANT \$6,165,668

Motion carries

Voted (On the motion of Christine M. Joy) The Town vote to adjourn the Plympton Annual Town Meeting at 11:20.P.M. and to reconvene on Thursday May 13, 2004 at the Dennett Elementary School at 7:00 P.M.

Passes unanimously

**TOWN OF PLYMPTON
RECONVENED ANNUAL TOWN MEETING
MAY 13, 2004**

The Reconvened Annual Town Meeting was called to order by the Moderator William L. Slater at 7:08 P.M. on May 13, 2004 at the Dennett Elementary School. The tellers were Lenore Swanson and Jeraldine Batchelder and there were 90 registered voters present. The Moderator led us in the Pledge of Allegiance to the flag. Mr. Slater introduced Town Council Carolyn Murray.

Voted: (On the motion of Christine M. Joy) The Town vote to suspend the rules of debate for the purpose of discussing at one time the details of Articles 5 and 6 on the warrant.

Motion carries

Voted: (On the motion of Christine M. Joy) The Town vote to reinstate the rules of debate for the Town Meeting Warrant.

Motion carries

Article 5. To see if the Town will vote to establish an Agricultural Commission to represent the Plympton Farming Community. Said Commission shall serve as facilitators for encouraging the pursuit of agriculture in Plympton, and shall promote agricultural-based economic opportunities in the Town. The Commission will consist of seven members from the active farming community of Plympton holding a farm under Chapter 61A and or Commonwealth of Massachusetts farm plate's registration with the Registry of Motor vehicles can be appointed by the Board of Selectmen. The Commission will consist of a minimum of four members who are primarily engaged in farming and another three members who are interested in farming. Three members for a term of

three years, two members for a term of two years, and three thereafter, and two members for a one-year term, and three years thereafter. Up to five alternates may also be appointed by the Board of Selectmen, each for one-year terms, and/or take any other action relative thereto. The appointing authority shall fill a vacancy based on the unexpired term of the vacancy in order to maintain the cycle of appointments, based on the recommendations of the Commission.

1. Appointing Authority: Board of Selectmen
2. Establish number of members of Commission: 7 (Seven)
3. Establish terms of office: See above
4. Establish whether members must be town residents: Yes, must be town resident

Method of filling vacancies: See above

Purpose of Commission: To represent the Plympton farming community. Goal of Commission: Shall serve as facilitators for encouraging the pursuit of agriculture in Plympton and promote agricultural-based economic opportunities in Town

Sponsored by: Patricia Renee Pina and Plympton Farmers

Voted: (On the motion of Joseph A. Freitas) The Town vote to pass over article #5.

Motion carries

Article 6. (On the motion of Joseph A. Freitas) The Town will vote to establish an Agricultural Commission to represent the Plympton farming community. The agricultural commission shall serve to preserve and promote agricultural-based economic opportunities in Plympton. The commission shall act as advocates, educators, mediators, and/or negotiators on issues related to farming, shall work for the preservation of agricultural lands, and shall pursue initiatives appropriate to creating a sustainable agricultural community. The commission will consist of seven members from the active farming community of Plympton, appointed by the Board of Selectmen. Members will be appointed as follows: three for a term of three years; two members for a term of two years, and three thereafter; and two members for a one year term, and three thereafter; two alternates will also be appointed by the Board of Selectmen, each for a one-year term, and /or take any other action relative thereto.

Discussion followed.

Article 6. (On the motion of D. Howard Randall, Jr) The Town vote to amend the membership to be five active farmers and two from the community at large.

Motion fails

Article 6. Voted (On the motion of Joseph A. Freitas) The Town vote to establish an Agricultural Commission to represent the Plympton farming community. The agricultural commission shall serve to preserve and promote agricultural-based economic opportunities in Plympton. The commission shall act as advocates, educators, mediators, and/or negotiators on issues related to farming, shall work for the preservation of agricultural lands, and shall pursue initiatives appropriate to creating a sustainable agricultural community. The commission will consist of seven members from the active farming community of Plympton, appointed by the Board of Selectmen. Members will be appointed

as follows: three for a term of three years; two members for a term of two years, and three thereafter; and two members for a one year term, and three thereafter; two alternates will also be appointed by the Board of Selectmen, each for a one-year term.

Motion carries

Article 8. (On the motion of Richard L. Springer) The Town will vote to transfer from stabilization or borrowing under M.G.L. Ch 44§7.5 or any other lawful authority the sum of nine thousand dollars (\$9,000) for the repair of Ring Road or take any other action relative thereto.

Board of Selectmen

Discussion followed.

Article 8. (On the motion of Christine M. Joy) The Town vote to pass over Article #8.

Motion fails

Article 8. (On the motion of Dawn Marie Hastings-Ely) The Town vote to borrow under M.G.L. Ch 44§7.5 the sum of nine thousand dollars (\$9,000) for the repair of Ring Road.

2/3 Vote

Declared motion fails

Article 9. (On the motion of Richard L. Springer) The town will vote to transfer from stabilization or borrowing under M.G.L. Ch 44§7.9 or any other lawful authority the sum of thirty thousand dollars (\$30,000) to purchase a dump truck to replace a 1994 F350 one ton dump truck.

Board of Selectmen

Discussion followed

Article 9. (On the motion of Richard L. Springer) The Town vote to transfer from stabilization the sum of thirty thousand dollars (\$30,000) to purchase a dump truck to replace a 1994 F350 one ton dump truck.

2/3 Vote

YES

33

NO

35

Motion fails

Article 9. (On the motion of Christine M. Joy) The Town vote to pass over Article 9.

Motion carries

Article 10. (On the motion of Christine M. Joy) The Town will vote to transfer from stabilization or borrowing under any lawful authority the sum of six thousand dollars (\$6,000) to purchase a grass mower or take any other action relative thereto.

Board of Selectmen

Discussion followed

Article 10. Voted (On the motion of David Bugbee) The Town vote to amend the motion to transfer from Article 4 Line 83 Reserve Fund sum of six thousand dollars \$6,000.00 to purchase a grass mower.

Motion carries

Article 10. Voted (On the motion of Christine M. Joy) The Town vote to transfer from Article 4 Line 83 **Reserve Fund** sum of six thousand dollars **\$6,000.00** to purchase a grass mower.

Motion carries

Article 11. Voted (On the motion of Christine M. Joy) The Town vote to transfer from stabilization the sum of seventeen thousand dollars (\$17,000) to

be placed in the Town Buildings Maintenance Account for repairs to the Fire Station, including but not limited to replacement of the overhead doors, siding and trim boards.

2/3 Vote

Declared Motion fails

Article 12. Voted (On the motion of Richard L. Springer) The town vote to borrow, in anticipation of reimbursement, the sum of \$81,851.86, as the State's share of the cost of work under Chapter 90 § 34-2A of the general laws.

2/3 Vote

Declared majority

Article 13. To see if the town will vote to raise and appropriate or transfer from available funds the sum of \$5,500 for the first of five annual payments on a lease for a four-wheel drive utility vehicle for the police department or take any other action relative thereto.

Chief of Police

Article 13. Voted (On the motion of Richard L. Springer) The Town vote to pass over Article 13.

Motion carries

Article 14. Voted (On the motion of Christine M. Joy) The Town vote to raise and appropriate the sum of \$20,518.00 to make the third of three (3) lease payments for two (2) patrol cars leased in FY'03.

Motion carries

Article 15. To see if the Town will vote to transfer \$55,750.00 from the Receipts Reserved Account to budget line 63, Fire EMS, or take any other action relative thereto.

Fire Chief

Article 15. Voted (On the motion of Richard L. Springer) The Town vote to pass over Article 15.

Motion carries

Article 16. Voted (On the motion of David Rich) The Town vote to transfer from stabilization the sum of \$28,100.00 and to authorize the Fire Chief to enter into a lease purchase agreement not to exceed ten (10) years, to purchase and equip a four door pumping fire truck to replace the 1971 brush breaker; said purchase not to exceed \$230,000.00 with the first payment of \$28,100.00 (first of ten payments) not due before July 1, 2004.

2/3 Vote

Declared motion fails

Article 17. Voted (On the motion of David Bugbee) The Town vote to raise and appropriate the sum of \$7,000.00 to have an evaluation done on the assets of the Town of Plympton per the GASB regulations.

Motion carries

Article 18. Voted (On the motion of David Bugbee) The Town vote to raise and appropriate the sum of \$16,500.00 to conduct a financial audit of Fiscal 2004.

Motion carries

Article 19. Voted (On the motion of Christine M. Joy) The Town vote to accept the provisions of MGL ch. 40 § 21D.

Chapter 40: Section 21D Noncriminal disposition of ordinance, by-law, rule or regulation violations Section 21D. Any city or town may by ordinance or by-law

not inconsistent with this section provide for non-criminal disposition of violations of any ordinance or by-law or any rule or regulation of any municipal officer, board or department the violation of which is subject to a specific penalty.

Any such ordinance or by-law shall provide that any person taking cognizance of a violation of a specific ordinance, by-law, rule or regulation which he is empowered to enforce, hereinafter referred to as the enforcing person, as an alternative to initiating criminal proceedings shall, or, if so provided in such ordinance or by-law, may, give to the offender a written notice to appear before the clerk of the district court having jurisdiction thereof at any time during office hours, not later than twenty-one days after the date of such notice. Such notice shall be in triplicate and shall contain the name and address, if known, of the offender, the specific offense charged, and the time and place for his required appearance. Such notice shall be signed by the enforcing person, and shall be signed by the offender whenever practicable in acknowledgment that such notice has been received.

The enforcing person shall, if possible, deliver to the offender a copy of said notice at the time and place of the violation. If it is not possible to deliver a copy of said notice to the offender at the time and place of the violation, said copy shall be mailed or delivered by the enforcing person, or by his commanding officer or the head of his department or by any person authorized by such commanding officer, department or head to the offender's last known address, within fifteen days after said violation. Such notice as so mailed shall be deemed a sufficient notice, and a certificate of the person so mailing such notice that it has been mailed in accordance with this section shall be prima facie evidence thereof.

At or before the completion of each tour of duty, or at the beginning of the first subsequent tour of duty, the enforcing person shall give to his commanding officer or department head those copies of each notice of such a violation he has taken cognizance of during such tour which have not already been delivered or mailed by him as aforesaid. Said commanding officer or department head shall retain and safely preserve one copy and shall, at a time not later than the next court day after such delivery or mailing, deliver the other copy to the clerk of the court before which the offender has been notified to appear. The clerk of each district court and of the Boston municipal court shall maintain a separate docket of such notices to appear.

Any person notified to appear before the clerk of a district court as hereinbefore provided may so appear and confess the offense charged, either personally or through a duly authorized agent or by mailing to the city or town clerk of the municipality within which the violation occurred together with the notice such specific sum of money not exceeding three hundred dollars as the town shall fix as penalty for violation of the ordinance, by-law, rule or regulation. Such payment shall if mailed be made only by postal note, money order or check. Upon receipt of such notice, the city or town clerk shall forthwith notify the district court clerk of such payment and the receipt by the district court clerk of such notification shall operate as a final disposition of the case. An appearance under this paragraph shall not be deemed to be a criminal proceeding. No person so notified to appear before the clerk of a district court

shall be required to report to any probation officer, and no record of the case shall be entered in any probation records.

If any person so notified to appear desires to contest the violation alleged in the notice to appear and also to avail himself of the procedure established pursuant to this section, he may, within twenty-one days after the date of the notice, request a hearing in writing. Such hearing shall be held before a district court judge, clerk, or assistant clerk, as the court shall direct, and if the judge, clerk, or assistant clerk shall, after hearing, find that the violation occurred and that it was committed by the person so notified to appear, the person so notified shall be permitted to dispose of the case by paying the specific sum of money fixed as a penalty as aforesaid, or such lesser amount as the judge, clerk or assistant clerk shall order, which payment shall operate as a final disposition of the case. If the judge, clerk, or assistant clerk shall, after hearing, find that violation alleged did not occur or was not committed by the person notified to appear, that finding shall be entered in the docket, which shall operate as a final disposition of the case. Proceedings held pursuant to this paragraph shall not be deemed to be criminal proceedings. No person disposing of a case by payment of such a penalty shall be required to report to any probation office as a result of such violation, nor shall any record of the case be entered in the probation records.

If any person so notified to appear before the clerk of a district court fails to pay the fine provided hereunder within the time specified or, having appeared, does not confess the offense before the clerk or pay the sum of money fixed as a penalty after a hearing and finding as provided in the preceding paragraph, the clerk shall notify the enforcing person who issued the original notice, who shall determine whether to apply for the issuance of a complaint for the violation of the appropriate ordinance, by-law, rule or regulation.

As used in this section the term "district court" shall include, within the limits of their jurisdiction, the municipal court of the city of Boston and the divisions of the housing court department of the trial court.

The notice to appear provided for herein shall be printed in such form as the chief justice of the municipal court of the city of Boston shall prescribe for said court, and as the chief justice of the district courts shall prescribe for the district courts. Said notice may also include notice of violations pursuant to section eleven C of chapter eighty-five, section eighteen A of chapter ninety, section one hundred and seventy-three A of chapter one hundred and forty and section sixteen A of chapter two hundred and seventy. Any fines imposed under the provisions of this section shall enure to the city or town for such use as said city or town may direct. This procedure shall not be used for the enforcement of municipal traffic rules and regulations. Chapter ninety C shall be the exclusive method of enforcement of municipal traffic rules and regulations.

Motion carries

Article 20. Voted (On the motion of Christine M. Joy) The Town will vote to amend the Town of Plympton Municipal By-laws to add Article XXII "Penalty and Enforcement".

22.1 Criminal Complaint. Whoever violates any provision of these bylaws may be penalized by indictment or on complaint brought in the District Court. Except as may be otherwise provided by law, and as the District Court may see fit to impose, the maximum penalty for each violation, or offense, shall be \$100.00.

22.2 Non-criminal Disposition.

22.2.1. Alternative methods of enforcement. Any duly adopted bylaw of the Town of Plympton, or Rule or Regulation of its boards, commissions, and committees and officers, the violation of which is subject to a specific penalty, may at the discretion of the town employee who is the appropriate enforcing person, be enforced by the method provided in M.G.L c.40§21D. Each day on which any violation exists shall be deemed to be a separate offense.

22.2.2 Enforcing person "Enforcing person", as used in this chapter shall mean any Selectmen or any police official of the Town of Plympton with respect to any offense, and the Conservation Commission and their designees, the Board of Health and their designees, and the Zoning Enforcement Officer and such other officials as the Board of Selectmen may from time to time designate, each with respect to violation of bylaws and rules and regulations within their respective jurisdictions. If more than one officials has jurisdiction in a given case, any such official may be an enforcing person with respect thereto.

Motion carries

Article 21. Voted (On the motion of Christine M. Joy) The Town vote to accept the provisions of M.G.L. Ch.40, §8G, which authorizes the Town to enter into an agreement with another city or town, or other cities or towns, to provide mutual aid programs for police departments.

Passes Unanimously

Article 22. To see if the Town will vote to create the position of police sergeant or take any other action relative thereto.

Chief of Police

Article 22 Voted (On the motion of Christine M. Joy) The Town vote to pass over Article 22.

Motion carries

Article 23. To see if the Town will vote to create an auxiliary police force under the Civil Defense Act of 1950, c639 s11 (a) or take any action relative thereto.

Chief of Police

Article 23 Voted (On the motion of Christine M. Joy) The Town vote to pass over Article 23.

Motion carries

Article 24 (On the motion of Christine M. Joy) The Town vote to adopt the following municipal bylaws and provide for a specific fine for violations thereof so as to permit such bylaw to be enforced using non-criminal disposition.

BURGLAR ALARMS

Caretakers:

The owner of a dwelling house which is equipped with a burglar alarm system shall be required to provide the police department with alternate phone numbers to include work and cellular phone numbers, if applicable for the purpose of contacting the owner in the event of an alarm activation at the dwelling while the owner is away. Additionally, the owner of a dwelling and the

owners of any businesses equipped with an alarm system shall provide the names and phone numbers of a minimum of two persons whom have access to the residence or business and have the ability to shut off or reset the alarm system on the demand of the police department. In the case of a dwelling house caretakers should not be a resident of the dwelling house in question. Caretakers shall be available to respond to the dwelling house or business in a reasonable period of time when summoned by the police. The owner of a dwelling house or business which is equipped with a burglar alarm system shall be required to ensure that information provided to the police departments is up to date and accurate.

Penalties; Non-Compliance:

Whoever violates this section of the bylaw shall be subject to a fine of \$50.

False Alarms:

The Plympton Police will respond to all reported burglar alarms. In the event of a false alarm, the police department will make a notation in the log. After the police have logged three (3) false alarms in a calendar year at the same location the owner shall be subject to a fine.

Penalties; Non-Compliance:

Whoever violates this section of the bylaw shall be subject to a fine of \$100 for each additional false alarm.

ORDERLY CONDUCT

Prohibited Acts:

A person shall be guilty of violation of the orderly conduct by-law if he or she willfully does any of the following acts in a public place. For the purpose of this by-law public place shall be defined as any place, structure or building to which the general public has access to resort to for business, entertainment or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. It shall also include all public ways and public buildings, public grounds and public parks.

Commits an act in a violent and tumultuous manner towards another whereby that other is placed in danger or fear of personal injury.

Commits an act in a violent and tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged.

Causes, provokes or engages in any fight, brawl or riotous conduct so as to endanger the health and or property of another.

Obstructs, either singly or together with other persons, the flow of vehicular or pedestrian traffic and refuses to clear such public way or public place when ordered to do so by the police.

Possesses or knowingly transports alcoholic beverages on any way before he or she has reached the age determined by the General Court of the Commonwealth as being the lawful age for the consumption of alcohol.

Drinks or consumes any alcoholic beverages or possesses any open container thereof in the immediate place where he or she is located in any vehicle upon a public way or while upon a public way or sidewalk or while on any public area or in any public places not duly licensed for such purposes by the Town of Plympton.

Maliciously or without good cause interrupts, harasses or molests the speaker or speakers at any lawful assembly, meeting or gathering, or impairs the lawful rights of others to participate in such assembly, meeting or gathering when such conduct is calculated or likely to provoke disorderly conduct and procedure of the same or cause turmoil or disturbance at same, after being warned to refrain from such conduct by a person in charge of the assembly, meeting or gathering.

Prowls or wanders in or upon private property of another, or without good reason or visible or lawful business with the owner or occupant thereof, peeks, peeps, or peers in any door or window of any building or structure thereon.

Penalties; Non-Criminal Dispositions:

Any person who violates any prohibited acts herein shall be fined \$100 for a first offense and shall be fined \$250 for each subsequent offense. A police officer may issue a non-criminal bylaw citation for such violations or may arrest without a warrant any person found in violation of any prohibited acts in this bylaw.

TRAFFIC SAFETY

Prohibited Acts:

A person shall be guilty of a by-law traffic safety violation when they have operated a vehicle in one of the below listed prohibited manners.

Operates a motor vehicle on any public way recklessly in a manner which endangers the public or which is likely to cause the destruction or damage to the personal property of another.

Operates a motor vehicle on a public way greater than the posted speed limit or at a speed greater than reasonable for the road conditions.

Trespasses on the private property of another or on public grounds where prohibited while operating a vehicle, motor vehicle, or recreational vehicle.

Penalties; Non-Criminal Dispositions:

Whoever violates this section of the bylaw shall be subject to the following fines:

Violation of Subsection One (1) - \$150

Violation of Subsection Two (2) - \$50

Violation of Subsection Three (3) - \$150

A police officer may issue a non-criminal by-law citation for such violations or may arrest without a warrant any person found in violation of subsection three (3) of the prohibited acts in this by-law.

Chief of Police

Article 24. Voted (On the motion of Greg Jamieson) The Town vote divide the question into two sections: BURGLAR ALARMS and ORDERLY CONDUCT, TRAFFIC SAFETY and to vote on each section separately.

Motion carries

Discussion followed

Article 24. Voted (On the motion of Christine M. Joy) The Town vote to adopt BURGLAR ALARMS of the municipal bylaws and provide for a specific fine for violations thereof so as to permit such bylaw to be enforced using non-criminal disposition.

Motion carries

Article 24. Voted (On the motion of Christine M. Joy) The Town vote to adopt Orderly Conduct, Traffic Safety, of the following municipal bylaws and provide for a specific fine for violations thereof so as to permit such bylaw to be enforced using non-criminal disposition.

Discussion followed.

Voted (On the motion of Barry DeCristofano) The Town vote to amend **Orderly Conduct**, Prohibited Acts #6, to delete the words "or while upon a public way or sidewalk".

Motion carries

Voted (On the motion of Edward Yurewicz) The Town vote to amend **Orderly Conduct**, Prohibited Acts #8 to delete the words "or wanders".

Motion fails

Article 24. Voted (On the motion of Irving R. Butler) The Town vote as amended **Orderly Conduct, Traffic Safety** of the following municipal bylaws and provide for a specific fine for violations thereof so as to permit such by law to be enforced using non-criminal disposition

ORDERLY CONDUCT

Prohibited Acts:

A person shall be guilty of violation of the orderly conduct by-law if he or she willfully does any of the following acts in a public place. For the purpose of this by-law public place shall be defined as any place, structure or building to which the general public has access to resort to for business, entertainment or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. It shall also include all public ways and public buildings, public grounds and public parks.

1. Commits an act in a violent and tumultuous manner toward another whereby that other is placed in danger or fear of personal injury.
2. Commits an act in a violent and tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged.
3. Causes, provokes or engages in any fight, brawl or riotous conduct so as to endanger the health and or property of another.
4. Obstructs, either singly or together with other persons, the flow of vehicular or pedestrian traffic and refuses to clear such public way or public place when ordered to do so by the police.
5. Possesses or knowingly transports alcoholic beverages on any way before he or she has reached the age determined by the General Court of the Commonwealth as being the lawful age for the consumption of alcohol.
6. Drinks or consumes any alcoholic beverages or possesses any open container thereof in the immediate place where he or she is located in any vehicle upon a public way or while on any public area or in any public places not duly licensed for such purposes by the Town of Plympton.
7. Maliciously or without good cause interrupts, harasses or molests the speaker or speakers at any lawful assembly, meeting or gathering, or impairs the lawful rights of others to participate in such assembly, meeting or gathering when such conduct is calculated or likely to provoke disorderly conduct and procedure of the same or cause turmoil or disturbance at same, after being

warned to refrain from such conduct by a person in charge of the assembly, meeting or gathering.

8. Prowls or wanders in or upon private property of another, or without good reason or visible or lawful business with the owner or occupant thereof, peeks, peeps, or peers in any door or window of any building or structure thereon.

Penalties; Non-Criminal Dispositions:

Any person who violates any prohibited acts herein shall be fined \$100 for a first offense and shall be fined \$250 for each subsequent offense. A police officer may issue a non-criminal bylaw citation for such violations or may arrest without a warrant any person found in violation of any prohibited acts in this bylaw.

TRAFFIC SAFETY

Prohibited Acts:

A person shall be guilty of a by-law traffic safety violation when they have operated a vehicle in one of the below listed prohibited manners.

1. Operates a motor vehicle on any public way recklessly in a manner which endangers the public or which is likely to cause the destruction or damage to the personal property of another.

2. Operates a motor vehicle on a public way greater than the posted speed limit or at a speed greater than reasonable for the road conditions.

3. Trespasses on the private property of another or on public grounds where prohibited while operating a vehicle, motor vehicle, or recreational vehicle.

Penalties; Non-Criminal Dispositions:

Whoever violates this section of the bylaw shall be subject to the following fines:

Violation of Subsection One (1) - \$150

Violation of Subsection Two (2) - \$50

Violation of Subsection Three (3) - \$150

A police officer may issue a non-criminal by-law citation for such violations or may arrest without a warrant any person found in violation of subsection three (3) of the prohibited acts in this by-law.

Motion carries

Article 25. Voted (On the motion of Nancy J. Butler) The Town vote to accept MGL ch. 40 § 22F. Chapter 40: Section 22F License fees; service charges; acceptance of section

Section 22F. Any municipal board or officer empowered to issue a license, permit, certificate, or to render a service or perform work for a person or class of persons, may, from time to time, fix regulations wherein the entire proceeds of the fee remain with such issuing city or town, and may fix reasonable charges to be paid for any services rendered or work performed by the city or town or any department thereof, for any person or class of persons; provided, however, that in the case of a board or officer appointed by an elected board, the fixing of such fee shall be subject to the review and approval of such elected board.

A fee or charge imposed pursuant to this section shall supersede fees or charges already in effect, or any limitations on amounts placed thereon for the

same service, work, license, permit or certificate; provided, however, that this section shall not supersede the provisions of sections 31 to 77, inclusive, of chapter 6A, chapter 80, chapter 83, chapter 138, sections 121 to 131N, inclusive, of chapter 140 or section 10A of chapter 148. The provisions of this section shall not apply to any certificate, service or work required by chapters fifty to fifty-six, inclusive, or by chapter sixty-six. The fee or charge being collected immediately prior to acceptance of this section for any license, permit, certificate service or work will be utilized until a new fee or charge is fixed under this section. The provisions of this section may be accepted in a city by a vote of the city council, with the approval of the mayor if so required by law, and in a town by vote of the town meeting, or by vote of the town council in towns with no town meeting.

Motion carries

Article 26. Voted (On the motion of Christine M. Joy) The Town vote to accept Lemuel Cobb Road, Marie Elaine Drive, Thomas Blanchard Drive, as Town ways and to authorize the Selectmen to acquire the easements in the ways by gift, and to raise & appropriate \$1.00.

Motion carries

Article 27. Voted (On the motion of Christine M. Joy) The Town vote to amend the Wage and Personnel bylaws by deleting Section 2B as it stands now and substituting now, therefore, the following:

Section 2B. "There shall be a Wage and Personnel Board consisting of *three* (3) *members*, who shall not be employed or elected officials of the Town, responsible for the administration and maintenance of the Classification and Compensation Plans. The membership of the Personnel Board shall be appointed by a committee composed of the Moderator, a member of the Finance Committee and a member of the Board of Selectmen. Committee members to be designated by the respective boards were applicable. Each Wage and Personnel member shall serve for a term of three (3) years. Vacancies shall be filled for the remainder of the unexpired term.

Motion carries

Article 28. Ann Sobolewski, of the Planning Board gave an oral report of the public hearing held on May 3, 2004. The Plympton Planning Board voted 4 – 0 in favor of article #28.

Article 28. Voted (On the motion of Ann Sobolewski) The Town vote to amend Section 2.2 of the Zoning Bylaw by striking out the text in its entirety and replacing it with the following language:

Penalties

Penalties. The penalty for violation of any provision of this Bylaw, of any of the conditions under which a permit is issued, or of any decision rendered by the Board of Appeals, any special permit granting authority, or the site plan approval board shall be three hundred dollars (\$300 00) for each offense. Each day that each violation continues shall constitute a separate offense.

2/3 Vote

Declared majority

Article 29. Ann Sobolewski, of the Planning Board gave an oral report of the public hearing held on May 3, 2004. The Plympton Planning Board voted 4 – 0 in favor of article #29.

Article 29. (On the motion of Ann Sobolewski) The Town vote as amended Zoning Bylaw Section 5.6- Lot Area - of the Zoning and Municipal Bylaws to add the following language:

"5.6.1 Minimum Contiguous Upland Requirement: At least 85% of the minimum lot size required shall be contiguous upland [i.e., not a (l) bank, bog, dune, marsh, swamp, or wet meadow under the Massachusetts General Laws, Chapter 131, Section 40; river front area under the Massachusetts Rivers Protection Act" or take any other action relative thereto.

Planning Board

Discussion followed.

Article 29. Voted (On the motion of Alan Vautrinot) The Town vote to amend the article by removing the words "river front area under the Massachusetts Rivers Protection Act"

Motion carries majority

Article 29. Voted (On the motion of Ann Sobolewski) The Town vote as amended Zoning Bylaw Section 5.6- Lot Area - of the Zoning and Municipal Bylaws to add the following language:

"5.6.1 Minimum Contiguous Upland Requirement: At least 85% of the minimum lot size required shall be contiguous upland [i.e., not a (l) bank, bog, dune, marsh, swamp, or wet meadow under the Massachusetts General Laws, Chapter 131, Section 40.

2/3 Vote

Declared motion fails

Article 30. Ken Thompson, of the Planning Board gave an oral report of the public hearing held on May 3, 2004. The Plympton Planning Board voted 4 – 0 in favor of article #30.

Article 30. Voted (On the motion of Ken Thompson) The Town vote to amend the Zoning Bylaw Section 5.8- Retreat Lots number 1. to add the following language:

"(1a) Minimum Contiguous Upland Requirement: At least 85% of the minimum lot size required shall be contiguous upland [i.e., not a (l) bank, bog, dune, marsh, swamp, or wet meadow under the Massachusetts General Laws, Chapter 131, Section 40; river front area under the Massachusetts Rivers Protection Act" or take any other action relative thereto.

Planning Board

Discussion followed

Article 30. Voted (On the motion of Timothy Dempsey) The Town vote to amend the article by removing the words "river front area under the Massachusetts Rivers Protection Act"

Motion

carries

Article 30. Voted (On the motion of Ken Thompson) The Town vote as amended the Zoning Bylaw Section 5.8- Retreat Lots number 1. to add the following language:

"(1a) Minimum Contiguous Upland Requirement: At least 85% of the minimum lot size required shall be contiguous upland [i.e., not a (l) bank, bog, dune, marsh, swamp, or wet meadow under the Massachusetts General Laws, Chapter 131, Section 40.

2/3 Vote

Declared motion fails

Article 31. Ann Sobolewski, of the Planning Board gave an oral report of the public hearing held on May 3, 2004. The Plympton Planning Board voted 4 – 0 in favor of article #31.

Article 31. Voted (On the motion of Ann Sobolewski) The Town vote to amend Section 6.7.2 of the Zoning Bylaw, by striking out the first sentence of the Section ("The applicant shall file five (5) copies (or more as required) of the site plan with the Town Clerk, who shall note the date of filing and transmit the materials to the Planning Board.") and replacing it with the following language: "Applicants for site plan approval shall submit six (6) copies (or more as required) of the site plan to the Planning Board, at a regularly scheduled Planning Board meeting. The Planning Board shall note the date of filing on each plan and shall forthwith transmit one (1) copy of the plans to the Town Clerk."

2/3 Vote

Declared majority

Article 32. Ann Sobolewski, of the Planning Board gave an oral report of the public hearing held on May 3, 2004. The Plympton Planning Board voted 4 – 0 in favor of article #32.

Article 32. Voted (On the motion of Ann Sobolewski) The Town vote to amend Section 6.7.5 of the Zoning Bylaw, by striking out the title "Application Fee" and replacing it with the title "Fees;" and to add the sentence "The Planning Board may adopt reasonable administrative fees and technical review fees for site plan review," at the conclusion of the existing sentence.

2/3 Vote

Declared majority

Article 33. Ann Sobolewski, of the Planning Board gave an oral report of the public hearing held on May 3, 2004. The Plympton Planning Board voted 4 – 0 in favor of article #33.

Article 33. Voted (On the motion of Ann Sobolewski) The Town vote to add a new section, Section 6.7.8 to the Zoning Bylaw, to consist of the following language:

"Regulations. The Planning Board may adopt and from time to time amend reasonable regulations for the administration of these Site Plan guidelines."

2/3 Vote

Declared Majority

Article 34. Ann Sobolewski, of the Planning Board gave an oral report of the public hearing held on May 3, 2004. The Plympton Planning Board voted 4 – 0 in favor of article #34.

Article 34. Voted (On the motion of Ann Sobolewski) The Town vote to add a new section, Section 6.7.9 to the Zoning Bylaw, to consist of the following language:

"Lapse. Site plan approval shall lapse after two (2) years from the grant thereof if a substantial use thereof has not sooner commenced. Such approval may be extended in writing by the Planning Board upon written request of the applicant."

2/3 Vote

Passes unanimously

Article 35. Voted (On the motion of Ann Sobolewski) The Town vote to accept Cushman's Landing as a public way, in accordance with the Street Acceptance Plan of Cushman's Landing in Plympton, Mass., Prepared for Michael R. McCaffrey Scale 1"=40", dated February 10, 2003 by Vautrinot Land Surveying, Inc., Engineers and Land Surveyors, P.O. Box 144, Plympton,

MA, (781) 585-5505, (781) 585-5520, (fax), which plan is on file at the Town Clerk's office.

Motion carries

Article 36. Donald Nagle, of the Conservation Commission gave an oral report of the public hearing held on May 3, 2004. The Plympton Conservation Commission voted 7 – 0 in favor of article #36.

Article 36. (On the motion of Donald Nagle) The Town vote to amended the TOWN OF PLYMPTON WETLANDS BYLAW promulgated by the Plympton Conservation Commission under the Home Rule authority of this municipality to provide the Conservation Commission with the authority to protect additional resource areas, for additional values, with additional standards and procedures stricter than those of the Wetlands Protection Act (G.L. Ch. 131 §40) and Regulations thereunder (310 CMR 10.00), subject, however, to the rights and benefits accorded to agricultural uses and structures of all kinds under the laws of the Commonwealth."

TOWN OF PLYMPTON WETLANDS BYLAW

I. Purpose

The purpose of this bylaw is to protect the wetlands, water resources, and adjoining land areas in the Town of Plympton by controlling activities deemed by the Conservation Commission likely to have a significant or cumulative effect upon resource area values, including but not limited to the following: public or private water supply, groundwater, hydrological functions, flood control, erosion and sedimentation control, storm damage prevention including coastal storm flowage, water quality, water pollution control, fisheries, wildlife habitat, natural communities, species of special concern and their habitats including rare, threatened, or endangered species, agriculture, aquaculture, and recreation values, deemed important to the community (collectively, the "resource area values protected by this bylaw"). This bylaw is intended to utilize the Home Rule authority of this municipality to protect additional resource areas, for additional values, with additional standards and procedures stricter than those of the Wetlands Protection Act (G.L. Ch. 131 §40) and Regulations thereunder (310 CMR 10.00), subject, however, to the rights and benefits accorded to agricultural uses and structures of all kinds under the laws of the Commonwealth.

II. Jurisdiction

Except as permitted by the Conservation Commission or as provided in this bylaw, no person shall commence to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter or pollute directly or indirectly the following resource areas: any freshwater bordering or isolated wetlands; marshes; wet meadows; bogs; swamps; vernal pools; banks; reservoirs; lakes; ponds of any size; rivers; streams; creeks; beaches; dunes; estuaries; the ocean; lands under water bodies; lands subject to flooding or inundation by groundwater or surface water; lands subject to tidal action, coastal storm flowage, or flooding; and lands abutting any of the aforesaid resource areas as set out in §VII (collectively the "resource areas protected by this bylaw"). Said resource areas shall be protected whether or not they border surface waters. The Commission may impose conditions or deny activities which are located outside resource

areas or the applicable buffer zone if such activity, in the sole discretion of the Commission, is more likely than not to alter resource areas.

III. Exemptions and Exceptions

The application and permit required by this bylaw shall not be required for work performed for normal maintenance or improvement of land in agricultural use as defined by the Wetlands Protection Act Regulations at 310 CMR 10.04.

The application and permit required by this bylaw shall not be required for emergency projects necessary for the protection of the health and safety of the public, provided that the work is to be performed by or has been ordered to be performed by an agency of the Commonwealth or a political subdivision thereof; provided that advance notice, oral or written, has been given to the Commission prior to commencement of work or within 24 hours after commencement; provided that the Commission or its agent certifies the work as an emergency project; provided that the work is performed only for the time and place certified by the Commission for the limited purposes necessary to abate the emergency; and provided that within 21 days of commencement of an emergency project a permit application shall be filed with the Commission for review as provided by this bylaw. Upon failure to meet these and other requirements of the Commission, the Commission may, after notice and a public hearing, revoke or modify an emergency project approval and order restoration and mitigation measures.

Other than stated in this section, the exceptions provided in the Wetlands Protection Act (G.L. Ch. 131 §40) and Regulations (310 CMR 10.00) shall not apply under this bylaw.

IV. Applications and Fees

Written application shall be filed with the Conservation Commission to perform activities affecting resource areas protected by this bylaw. The permit application shall include such information and plans as are deemed necessary by the Commission to describe proposed activities and their effects on the resource areas protected by this bylaw. No activities shall commence without receiving and complying with a permit issued pursuant to this bylaw.

The Commission in an appropriate case may accept as the application and plans under this bylaw any application and plans filed under the Wetlands Protection Act (G.L. Ch. 131 §40) and Regulations (310 CMR 10.00).

Any person desiring to know whether or not a proposed activity or an area is subject to this bylaw may request in writing a determination from the Commission. Such a Request for Determination (RFD) shall include information and plans as are deemed necessary by the Commission.

At the time of an application, the applicant shall pay a filing fee to the Plympton Conservation Commission equal to the total filing fee required under G.L. c. 131, § 40, which shall be deposited into the Conservation Commission Revolving Fund, established pursuant to G.L. C. 40, §21D. Such fees shall be used exclusively for functions supporting Conservation Commission business. The Plympton Conservation Commission Filing Fee is in addition to that required by the Wetlands Protection Act and Regulations.

Upon receipt of an application, or at any point during the hearing process, the Commission is authorized to require an applicant to pay a fee for the reasonable costs and expenses borne by the Commission for specific

expert engineering and other consultant services deemed necessary by the Commission to come to a final decision on the application. This fee is called the "consultant fee." The specific consultant services may include, but are not limited to, performing or verifying the accuracy of resource area survey and delineation; analyzing resource area functions and values, including wildlife habitat evaluations, hydrogeologic and drainage analysis; and researching environmental or land use law.

As provided by GL Ch. 44 § 53G, the Town of Plympton Conservation Commission has promulgated rules for imposing such consultant fees. These rules, The Plympton Conservation Commission Rules for Hiring Outside Consultants Under G.L. c. 44, § 53G, is attached and incorporated herein. Failure by the applicant to pay the consultant fee specified by the Commission within ten (10) business days of the request for payment shall be cause for the Commission to deny the permit application.

V. Notice and Hearings

Any person filing a permit or other application or RFD with the Conservation Commission at the same time shall give written notice thereof, by certified mail (return receipt requested) or hand delivered, to all abutters at their mailing addresses shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality or across a body of water. The notice to abutters shall have enclosed a copy of the application or request, with plans, or shall state where copies may be examined and obtained by abutters. An affidavit of the person providing such notice, with a copy of the notice mailed or delivered, shall be filed with the Commission.

The Commission shall conduct a public hearing on any permit application, Abbreviated Notice of Resource Area Delineation (ANORAD) or RFD, with written notice given at the expense of the applicant, at least five business days prior to the hearing, in a newspaper of general circulation in the municipality.

The Commission shall commence the public hearing within 21 days from receipt of a completed permit application, ANORAD or RFD unless an extension is authorized in writing by the applicant. The Commission shall have authority to continue the hearing to a specific date announced at the hearing, for reasons stated at the hearing, which may include the need for additional information from the applicant or others deemed necessary by the Commission in its discretion, based on comments and recommendations of the boards and officials listed in §VI.

The Commission shall issue its permit, other order or determination in writing within 21 days of the close of the public hearing thereon unless an extension is authorized in writing by the applicant.

The Commission in an appropriate case may combine its hearing under this bylaw with the hearing conducted under the Wetlands Protection Act (G.L. Ch.131 §40) and Regulations (310 CMR 10.00).

VI. Coordination with Other Boards

Any person filing a permit application or RFD with the Conservation Commission shall provide a copy thereof at the same time, by certified mail

(return receipt requested) or hand delivery, to the selectboard, planning board, board of appeals, board of health, town engineer, and building inspector. A copy shall be provided in the same manner to the Conservation Commission of the adjoining municipality, if the application or RFD pertains to property within 300 feet of that municipality. An affidavit of the person providing notice, with a copy of the notice mailed or delivered, shall be filed with the Commission. The Commission shall not take final action until the boards and officials have had 14 days from receipt of notice to file written comments and recommendations with the Commission, which the Commission shall take into account but which shall not be binding on the Commission. The applicant shall have the right to receive any comments and recommendations, and to respond to them at a hearing of the Commission, prior to final action.

VII. Permits and Conditions

If the Conservation Commission, after a public hearing, determines that the activities which are subject to the permit application or the land and water uses which will result therefrom, are likely to have a significant individual or cumulative effect upon the resource area values protected by this bylaw, the Commission, within 21 days of the close of the hearing, shall issue or deny a permit for the activities requested. If it issues a permit, the Commission shall impose conditions that the Commission deems necessary or desirable to protect those values, and all activities shall be done in accordance with those conditions. The Commission shall take into account the cumulative adverse effects of loss, degradation, isolation, and replication of protected resource areas throughout the community and the watershed, resulting from past activities, permitted and exempt, and foreseeable future activities.

Where no conditions are adequate to protect those resource values, the Commission is empowered to deny a permit for failure to meet the requirements of this bylaw. It may also deny a permit: for failure to submit necessary information and plans requested by the Commission; for failure to meet the design specifications, performance standards, and other requirements in regulations of the Commission; or for failure to avoid or prevent unacceptable significant or cumulative effects upon the resource area values protected by this bylaw. Due consideration shall be given to any demonstrated hardship on the applicant by reason of denial, as presented at the public hearing.

Lands within 200 feet of rivers, ponds and lakes, and lands within 100 feet of other resource areas, are presumed important to the protection of these resources because activities undertaken in close proximity to resource areas have a high likelihood of adverse impact upon the wetland or other resource, either immediately, as a consequence of construction, or over time, as a consequence of daily operation or existence of the activities. These adverse impacts from construction and use can include, without limitation, erosion, siltation, loss of groundwater recharge, poor water quality, and loss of wildlife habitat. The Commission may therefore establish performance standards for protection of such lands including without limitation, strips of continuous, undisturbed soils or vegetative cover within the 200-foot or 100-foot area ("buffer zones"), or other form of work limit or setback to buildings, roads, landscaping and other features, unless the applicant convinces the

Commission that the area or part of it may be disturbed without harm to the values protected by the bylaw. The specific size and type of protected area may be established by regulations of the Commission.

In the review of areas within 200 feet of rivers, ponds and lakes, no permit issued hereunder shall permit any activities unless the applicant, in addition to meeting the otherwise applicable requirements of this bylaw, has proved by a preponderance of the evidence that (1) there is no practicable alternative to the proposed project with less adverse effect, and that (2) such activities, including proposed mitigation measures, will have no significant adverse impact on the areas or values protected by this bylaw. The Commission shall regard as practicable an alternative which is reasonably available and capable of being done after taking into consideration the proposed property use, overall project purpose (e.g., residential, institutional, commercial, or industrial purpose), logistics, existing technology, costs of the alternatives, and overall project costs.

To prevent wetlands loss, the Commission shall require applicants to avoid wetlands alteration wherever feasible; shall minimize wetlands alteration; and, where alteration is unavoidable, shall require fully functional mitigation. The Commission may authorize or require replication of wetlands as a form of mitigation, but only with adequate security, professional design, and monitoring to assure success, because of the high likelihood of failure of replication.

The Commission may require a wildlife habitat study of the project area, to be paid for by the applicant, whenever it deems appropriate, regardless of the type of resource area or the amount or type of alteration proposed. The decision shall be based upon the Commission's estimation of the importance of the habitat area considering (but not limited to) such factors as proximity to other areas suitable for wildlife, importance of wildlife "corridors" in the area, habitat fragmentation, natural communities or possible presence of rare species in the area. The work shall be performed by an individual who at least meets the qualifications set out in the wildlife habitat section of the Wetlands Protection Act Regulations (310 CMR 10.60).

The Commission shall presume that all areas meeting the definition of "vernal pools" under §IX of this bylaw, including the adjacent ecological significant area, perform essential habitat functions. This presumption may be overcome only by the presentation of credible evidence that, in the judgment of the Commission, demonstrates that the basin or depression does not provide essential habitat functions. Any formal evaluation should be performed by an individual meeting the qualifications under the wildlife habitat section of the Wetlands Protection Act Regulations.

A permit shall expire three years from the date of issuance. Notwithstanding the above, the Commission in its discretion may issue a permit expiring five years from the date of issuance for recurring or continuous maintenance work, provided that annual notification of time and location of work is given to the Commission. Any permit may be renewed once for an additional one year period, provided that a request for a renewal is received in writing by the Commission prior to expiration. Notwithstanding the above, a permit may identify requirements which shall be enforceable for a stated

number of years, indefinitely, or until permanent protection is in place, and shall apply to all owners of the land.

For good cause the Commission may revoke any permit, other order, determination or other decision issued under this bylaw after notice to the holder of the permit, the public, abutters, and town boards, pursuant to §V and §VI, and a public hearing. Amendments to permits or determinations shall be handled in the manner set out in the Wetlands Protection Act Regulations and policies thereunder.

The Commission in an appropriate case may combine the decision issued under this bylaw with the Order of Conditions, Order of Resource Area Delineation (ORAD), Determination of Applicability or Certificate of Compliance issued under the Wetlands Protection Act and Regulations.

No work proposed in any application shall be undertaken until the permit, ORAD or determination issued by the Commission with respect to such work has been recorded in the registry of deeds or, if the land affected is registered land, in the registry section of the land court for the district wherein the land lies, and until the holder of the permit certifies in writing to the Commission that the document has been recorded. If the applicant fails to perform, the Commission may record the documents itself.

VIII. Performance Standards

Incorporation of State Standards

Section 2.3 of the By-Law reads, "The Conservation Commission shall not impose additional or more stringent conditions as a result of any hearing conducted by it pursuant to M.G.L. Ch. 131, s. 40, than it has imposed pursuant to the provisions of this By-Law..." Implicit in this statement is that applicants seeking approval under the By-Law must at least meet all applicable state Wetland Protection Act standards. The standards of 310 CMR 10.53-10.57 and 10.60 are therefore herein incorporated by reference. The Commission finds that protection of the interests identified in the By-Law requires that applicants also meet the following additional standards. Failure to meet these standards will result in the Commission's denial of an application.

(2) Increase in Runoff

Any proposed work altering a Protected Resource Area and any proposed work that involves a new storm drain system or connection to an existing storm drain system that discharges to a Protected Resource Area, shall not result in an increase in the peak rate of surface runoff during either a 2-year, 10-year or 100-year storm event to areas beyond the boundaries of the property on which the activity is to be conducted. Such demonstration must be provided by a professional engineer or equivalent and supported by substantial evidence.

(3) Structures in Floodplain

No building of any kind, and no parking lot or any other facility for the temporary or permanent storage of automobiles, trucks, or other material shall be located below the 10-year flood level.

(4) Natural Community or Wildlife Habitat Impact and Mitigation

On any application for the approval of a project involving the disturbance of more than 20,000 square feet within a Protected Resource Area, the Commission may require (a) an analysis, by a competent wildlife biologist, of (1) the ecological and habitat value of the parcel of land to be disturbed and of

the adjacent area, and (2) the impact of the proposed development on the natural community or wildlife populations and habitat value, and (b) proposed measures to be taken during construction and during operation to mitigate these impacts. Where project size warrants, the Commission may require the submission of the results of a quantitative habitat analysis, such as the Habitat Evaluation Procedures (HEP) developed by the U.S. Fish and Wildlife Service. For projects that may disturb less than 20,000 square feet, the Commission may require such an analysis on a case-by-case basis after an inspection and review of the property and project. The Commission may impose whatever conditions it deems necessary to limit impacts on natural communities or wildlife to acceptable levels, regardless of project size.

(5) Buffer Zone:

Except for the 200 foot riverfront area, as set forth under the River's Act, and as otherwise provided below, the Buffer Zone for all resource areas set forth in Section II, herein shall be 100 feet.

A. New Construction

1. No setbacks for: 1) structures necessary for upland access where reasonable alternative access is unavailable, 2) for wetland dependent structures such as drain outfalls, weirs, etc. and, 3) for underground utilities.

2. 100 feet for roads, driveways, retaining walls and for residential and commercial buildings, garages, parking lots, decks, etc.

3. 200 feet for underground and commercial above-ground storage of gasoline, oil or other fuels and hazardous materials depending upon site conditions.

4. There is a presumption that any alteration within the first 25 feet from the boundary of any resource area protected under this bylaw does not meet the performance standards for such resource area, as set forth under G.L. c. 131, §40; and, there is a presumption that building any structure within the first 50 feet from the boundary of any resource area protected under this bylaw does not meet the performance standards for such resource area, as set forth under G.L. c. 131, §40. Any applicant may seek to overcome such presumption with credible information, as determined by the Conservation Commission.

B. Existing Structures

Properties presently not in compliance with the above will not be permitted to increase their non-conformance, e.g., owners of a house currently 35 feet from the wetlands edge can build an addition that maintains a 35-foot setback, but not one that has a 30-foot setback.

C. Site Development and Landscaping

1. Of contiguous land within the 100-foot buffer zone, construction activities can disturb no more than 50% of the total area presently supporting a natural community.

2... Areas disturbed by construction must be planted with a continuous, appropriate, native groundcover requiring no fertilizers or pesticides for maintenance.

IX. Regulations

After public notice and public hearing, the Conservation Commission shall promulgate rules and regulations to effectuate the purposes of this bylaw,

effective when voted and filed with the town or city clerk. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this bylaw.

At a minimum these regulations shall define key terms in this bylaw not inconsistent with the bylaw, and procedures governing the amount and filing of fees.

X. Definitions

The following definitions shall apply in the interpretation and implementation of this bylaw.

Alter shall include, without limitation, the following activities when undertaken to, upon, within or affecting resource areas protected by this bylaw:

- A. Removal, excavation, or dredging of soil, sand, gravel, or aggregate materials of any kind
- B. Changing of preexisting drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns, or flood retention characteristics
- C. Drainage, or other disturbance of water level or water table
- D. Dumping, discharging, or filling with any material that may degrade water or soil quality
- E. Placing of fill, or removal of material, which would alter elevation
- F. Driving of piles, erection, expansion or repair of buildings, or structures of any kind
- G. Placing of obstructions or objects in water
- H. Destruction or modification of plant life including cutting or trimming of trees and shrubs
- I. Changing temperature, biochemical oxygen demand, or other physical, biological, or chemical characteristics of any waters
- J. Any activities, changes, or work that may cause or tend to contribute to pollution of any body of water or groundwater
- K. Incremental activities that have, or may have, a cumulative adverse impact on the resource areas protected by this bylaw.

Bank: shall include the land area which normally abuts and confines a water body; the lower boundary being the mean annual low flow level, and the upper boundary being the first observable break in the slope or the mean annual flood level, whichever is higher.

Person shall include any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to town bylaws, administrative agency, public or quasi-public corporation or body, this municipality, and any other legal entity, its legal representatives, agents, or assigns.

Pond shall follow the definition of 310 CMR 10.04 except that the size threshold of 10,000 square feet shall not apply.

Rare species shall include, without limitation, all vertebrate and invertebrate animal and all plant species listed as endangered, threatened, or of special concern by the Massachusetts Division of Fisheries and Wildlife, regardless of

whether the site in which they occur has been previously identified by the Division.

Vernal pool shall include, in addition to scientific definitions found in the regulations under the Wetlands Protection Act, any confined basin or depression not occurring in existing lawns, gardens, landscaped areas or driveways which, at least in most years, holds water for a minimum of two continuous months during the spring and/or summer, contains at least 200 cubic feet of water at some time during most years, is free of adult predatory fish populations, and provides essential breeding and rearing habitat functions for amphibian, reptile or other vernal pool community species, regardless of whether the site has been certified by the Massachusetts Division of Fisheries and Wildlife. The boundary of the resource area for vernal pools shall be 100 feet outward from the mean annual high-water line defining the depression, but shall not include existing lawns, gardens, landscaped or developed areas.

Except as otherwise provided in this bylaw or in regulations of the Conservation Commission, the definitions of terms and procedures in this bylaw shall be as set forth in the Wetlands Protection Act (G.L. Ch. 131 §40) and Regulations (310 CMR 10.00).

XI. Security

As part of a permit issued under this bylaw, in addition to any security required by any other municipal or state board, agency, or official, the Conservation Commission may require that the performance and observance of the conditions imposed thereunder (including conditions requiring mitigation work) be secured wholly or in part by one or more of the methods described below:

A. By a proper bond or deposit of money or negotiable securities or other undertaking of financial responsibility sufficient in the opinion of the Commission, to be released in whole or in part upon issuance of a Certificate of Compliance for work performed pursuant to the permit

B. By accepting a conservation restriction, easement, or other covenant enforceable in a court of law, executed and duly recorded by the owner of record, running with the land to the benefit of this municipality whereby the permit conditions shall be performed and observed before any lot may be conveyed other than by mortgage deed. This method shall be used only with the consent of the applicant.

XII. Enforcement

No person shall remove, fill, dredge, drain, discharge into, build upon, degrade, or otherwise alter resource areas protected by this bylaw, or cause, suffer, or allow such activity, or leave in place unauthorized fill, or otherwise fail to restore illegally altered land to its original condition, or fail to comply with a permit or an enforcement order issued pursuant to this bylaw.

The Conservation Commission, its agents, officers, and employees shall have authority to enter upon privately owned land for the purpose of performing their duties under this bylaw and may make or cause to be made such examinations, surveys, or sampling as the Commission deems necessary, subject to the constitutions and laws of the United States and the Commonwealth.

The Commission shall have authority to enforce this bylaw, its regulations, and permits issued thereunder by violation notices, non-criminal

citations under G.L. Ch. 40 §21D, and civil and criminal court actions. Any person who violates provisions of this bylaw may be ordered to restore the property to its original condition and take other action deemed necessary to remedy such violations, or may be fined, or both.

Upon request of the Commission, the selectboard and town counsel shall take legal action for enforcement under civil law. Upon request of the Commission, the chief of police shall take legal action for enforcement under criminal law.

Municipal boards and officers, including any police officer or other officer having police powers, shall have authority to assist the Commission in enforcement.

Any person who violates any provision of this bylaw, or regulations, permits, or administrative orders issued thereunder, shall be punished by a fine of not more than \$300. Each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offense, and each provision of the bylaw, regulations, permits, or administrative orders violated shall constitute a separate offense.

XIII. Burden of Proof

The applicant for a permit shall have the burden of proving by a preponderance of the credible evidence that the work proposed in the permit application will not have unacceptable significant or cumulative effect upon the resource area values protected by this bylaw. Failure to provide adequate evidence to the Conservation Commission supporting this burden shall be sufficient cause for the Commission to deny a permit or grant a permit with conditions.

XIV. Appeals

A decision of the Conservation Commission shall be reviewable in the superior court in accordance with G.L. Ch. 249 §4.

XV. Relation to the Wetlands Protection Act

This bylaw is adopted under the Home Rule Amendment of the Massachusetts Constitution and the Home Rule statutes, independent of the Wetlands Protection Act (G.L. Ch. 131 §40) and Regulations (310 CMR 10.00) thereunder.

XVI. Severability

The invalidity of any section or provision of this bylaw shall not invalidate any other section or provision thereof, nor shall it invalidate any permit, approval or determination, which previously has been issued, and the remaining sections or provisions of this bylaw shall continue to be in full force and effect.

Conservation Commission

Discussion followed.

Article 36. Voted (On the motion of Christine M. Joy) The Town vote to amend TOWN OF PLYMPTON WETLANDS BYLAW section IV. Applications and Fees paragraph 4 to remove the words "which shall be deposited into the Conservation Commission Revolving Fund, established pursuant to GL. C. 40, §21D."

Motion carries

Article 36. Voted (On the motion of Alan Vautrinot) The Town vote to amend TOWN OF PLYMPTON WETLANDS BYLAW section V Notice and Hearings, remove RFD and the words "to the abutters within 300 feet" and section VI

Coordination with Other Boards, remove RFD.

Motion carries

Article 36. Voted (On the motion of Alan Vautrinot) The Town vote to amend **TOWN OF PLYMPTON WETLANDS BYLAW** section Definitions Vernal pool to remove the words "100 feet outward from" from the first paragraph, last sentence.

Motion carries

Article 36. Voted (On the motion of Christine M. Joy) The town vote as amended Article 36. **TOWN OF PLYMPTON WETLANDS BYLAW.**

Motion fails

Article 37. To see if the Town will approve by a vote in Town Meeting to establish a revolving fund under M.G.L. Ch. 44 §53E 1/2 for the purposes of depositing the filing, consultant fee, and penalty provisions of the Wetlands Protection Bylaw, and further that the Conservation Commission may expend same without appropriation for expenses reasonably related to its duties and responsibilities as provided therein; that expenditures from same shall not exceed \$25,000 in the fiscal year; that the Conservation Commission will report to the next annual town meeting on the receipts and expenditures of the revolving fund; and that the fund, in order to continue in existence, must be re-authorized by each subsequent town meeting.

Conservation Commission

Article 37. (On the motion of Richard L. Springer) The Town vote to pass over Article #37.

Motion carries

Voted (On the motion of Christine M. Joy) The Town vote to suspend the rules of debate for the purpose of discussing at one time the details of Articles 38, 39, 40, 41, 42 and 43 on the warrant.

Passes unanimously

Discussion followed.

Voted (On the motion of Christine M. Joy) The Town vote to reinstate the rules of debate for the Town Meeting Warrant.

Passes unanimously

Article 38. To see if the Town will vote to authorize the Board of Selectmen to transfer to the Conservation Commission for conservation purposes the tax title land situated in the Town of Plympton, Plymouth County, Massachusetts, being shown as Lot 5-1 on Town Assessor's Map 4-B, consisting of 5.5 acres located on Palmer Road and whose deed is recorded at the Plymouth County Registry of Deeds in Book 5542, page 134, or take any other action relative thereto.

Conservation Commission

Article 38. Voted (On the motion of Christine M. Joy) The Town vote to pass over Article 38.

Motion carries

Article 39. To see if the Town will vote to authorize the Board of Selectmen to transfer to the Conservation Commission for conservation purposes the tax title land situated in the Town of Plympton, Plymouth County, Massachusetts, being shown as Lot 5-11 on the Town Assessor's Map 4-B, consisting of 16.22 acres located on Palmer Road; and whose deed is recorded at the Plymouth County

Registry of Deeds in Book 5542, page 134, or take any other action relative thereto.

Conservation Commission

Article 39. Voted (On the motion of Christine M. Joy) The Town vote to pass over Article 39.

Motion carries

Article 40. To see if the Town will vote to authorize the Board of Selectmen to transfer to the Conservation Commission for conservation purposes the tax title land situated in the Town of Plympton, Plymouth County, Massachusetts, being shown as Lot 3-8 on the Town Assessor's Map 5-B, consisting of 5.05 acres located on Maple Street and Palmer Road, and whose deed is recorded at the Plymouth County Registry of Deeds in Book 5542, page 134, or take any other action relative thereto.

Conservation Commission

Article 40. Voted (On the motion of Christine M. Joy) The Town vote to pass over Article 40.

Motion carries

Article 41. To see if the Town will vote to authorize the Board of Selectmen to transfer to the Conservation Commission for conservation purposes the tax title land situated in the Town of Plympton, Plymouth County, Massachusetts, being shown as Lot 3-13 on the Town Assessor's Map 5-B, consisting of 5.0 acres located on Maple Street; and whose deed is recorded at the Plymouth County Registry of Deeds in Book 5542, page 134, or take any other action relative thereto.

Conservation Commission

Article 41. Voted (On the motion of Christine M. Joy) The Town vote to pass over Article 41.

Motion carries

Article 42. To see if the Town will vote to authorize the Board of Selectmen to transfer to the Conservation Commission for conservation purposes the tax title land situated in the Town of Plympton, Plymouth County, Massachusetts, being shown as Lot 3-14 on the Town Assessor's Map 5-B, consisting of 6.47 acres located on Palmer Road; and whose deed is recorded at the Plymouth County Registry of Deeds in Book 5542, page 134, or take any other action relative thereto.

Conservation Commission

Article 42. Voted (On the motion of Christine M. Joy) The Town vote to pass over Article 42.

Motion carries

Article 43. To see if the Town will vote to authorize the Board of Selectmen to transfer to the Conservation Commission for conservation purposes the tax title land situated in the Town of Plympton, Plymouth County, Massachusetts, being shown as Lot 1-2 on the Town Assessor's Map C-6, consisting of 26.7 acres located on Main Street, and whose deed is recorded at the Plymouth County Registry of Deeds in Book 4252, page 799, or take any other action relative thereto.

Conservation Commission

Article 43. Voted (On the motion of Christine M. Joy) The Town vote to pass over Article 43.

Motion carries

Article 44. To see if the Town will vote to raise and appropriate or transfer from available funds in the treasury a sum of money to be added to the Stabilization Fund or take any other action relative thereto.

Board of Selectmen

Article 44 Voted (On the motion of Christine M. Joy) The Town vote to pass over Article 44.

Motion carries

Article 45. To see if the Town will authorize and direct the Assessors to take a sum of money from available funds to reduce the tax levy for the current year, or take any other action relative thereto.

Board of

Selectmen

Article 45 Voted (On the motion of Christine M. Joy) The Town vote to pass over Article 45.

Passes unanimously

Article 46 There was no new business to come before the meeting.

Article 47 Voted (On the motion of Joseph A. Freitas) It was voted to adjourn to a subsequent meeting as provided in Section 9A, Chapter 39 of the General Laws to be held at the Plympton Town House on Palmer Road Saturday, May 15, 2004 at 7:00 AM, then and there to take up the following article:

To choose all necessary town officers, the following to be voted on one ballot at the adjourned meeting on May 15, 2004. The polls will be open at 7:00 AM and shall be continuously open for voting until 8:00 PM; whereupon the Plympton Annual Town Meeting will be dissolved.

Moderator: 1 for 3 years; Selectman: 1 for 3 years; Tax Collector: 1 for 3 years; Assessor: 1 for 3 years; Finance Committee: 2 for 3 years; Board of Health: 1 for 3 years; Planning Board: 1 for 5 years and 1 for 1 year; Trustee of the Public Library: 2 for 3 years; School Committee: 1 for 3

Passes unanimously

Meeting at adjourned 11:35 P.M.

Respectfully submitted,

Nancy J. Butler, CMC/CMMC

Town Clerk

A true copy,

Attest:

Nancy J. Butler, CMC/CMMC

Town Clerk

**TOWN OF PLYMPTON
RECONVENED ANNUAL TOWN MEETING
MAY 13, 2004
AMENDED MINUTES**

Amend votes to read: Declared 2/3 majority.

Article 28. Voted (On the motion of Ann Sobolewski) The Town vote to amend Section 2.2 of the Zoning Bylaw by striking out the text in its entirety and replacing it with the following language:

Penalties

Penalties. The penalty for violation of any provision of this Bylaw, of any of the conditions under which a permit is issued, or of any decision rendered by the Board of Appeals, any special permit granting authority, or the site plan approval board shall be three hundred dollars (\$300 00) for each offense. Each day that each violation continues shall constitute a separate offense.

2/3 Vote

Declared 2/3 majority

Article 31. Voted (On the motion of Ann Sobolewski) The Town vote to amend Section 6.7.2 of the Zoning Bylaw, by striking out the first sentence of the Section ("The applicant shall file five (5) copies (or more as required) of the site plan with the Town Clerk, who shall note the date of filing and transmit the materials to the Planning Board.") and replacing it with the following language:

"Applicants for site plan approval shall submit six (6) copies (or more as required) of the site plan to the Planning Board, at a regularly scheduled Planning Board meeting. The Planning Board shall note the date of filing on each plan and shall forthwith transmit one (1) copy of the plans to the Town Clerk."

2/3 Vote

Declared 2/3 majority

Article 32. Voted (On the motion of Ann Sobolewski) The Town vote to amend Section 6.7.5 of the Zoning Bylaw, by striking out the title "Application Fee" and replacing it with the title "Fees;" and to add the sentence "The Planning Board may adopt reasonable administrative fees and technical review fees for site plan review," at the conclusion of the existing sentence.

2/3 Vote

Declared 2/3 majority

Article 33. Voted (On the motion of Ann Sobolewski) The Town vote to add a new section, Section 6.7.8 to the Zoning Bylaw, to consist of the following language:

"Regulations. The Planning Board may adopt and from time to time amend reasonable regulations for the administration of these Site Plan guidelines."

2/3 Vote

Declared 2/3 majority

Respectfully Submitted,

Nancy J. Butler, CMC/CMMC

A true copy,

ATTEST:

Nancy J. Butler, CMC/CMMC

Town Clerk

PLYMPTON SPECIAL TOWN MEETING WARRANT

Commonwealth of Massachusetts

May 12, 2004

PLYMOUTH, ss.

To either of the Constables or officers of the Town of Plympton, in the County of Plymouth:

GREETING:

In the name of the Commonwealth of Massachusetts you are directed to notify and warn the inhabitants of the Town of Plympton qualified to vote in elections and town affairs to meet at the

The Dennett Elementary School in said Plympton

Wednesday, May 12, 2004 at 8:00 PM

for the transaction of any business that may legally come before said meeting and then and there to vote on the following articles:

Article 1. To see if the Town will vote to transfer from available funds a sum of money to cover the deficit in the FY04 Plympton School Department's Segregated Vocation Account for the purpose of covering the under funded Vocational Education costs.

Dennett School Committee

Article 2. To see if the Town will vote to transfer a sum of money from available funds to pay legal bills for FY'04 or take any other action relative thereto.

Board of Selectmen

Article 3. To see if the Town will vote to transfer from free cash a sum of money to Article 7 line 62 of the May 2003 Annual Town Meeting or take any other action relative thereto.

Fire Chief

Article 4. To see if the Town will vote to transfer \$1,000.00 from the May 2003 Annual Town Meeting Article 7 Line 63 to Line 62 or take any other action relative thereto.

Fire Chief

Article 5. To see if the Town will vote to transfer a sum of money from available funds to pay Building Department bills from FY'04 or take any other action relative thereto.

Building Inspector

Article 6. To see if the Town will vote to transfer a sum of money from available funds to pay unpaid Board of Health bills for FY'03 or take any other action relative thereto.

Board of Health

Article 7. To see if the Town will vote to transfer a sum of money from available funds to pay Board of Health bills for FY'04 or take any other action relative thereto.

Board of Health

Article 8. To see if the Town will vote to transfer from Free Cash and/or available funds a sum of money to be added to the May 2003 Town Meeting, Article 7 Line 6 or take any other action relative thereto.

Town Clerk

Article 9. To see if the Town will vote to transfer from free cash or transfer from the October 2003 Special Town Meeting, Article 1, Mold Remediation a sum of money to be added to the May 2003 Annual Town meeting Article 7 Line 21, Town Counsel, or take any other action relative thereto.

Board of Selectmen

Article 10. To see if the Town will vote to amend the Zoning By-law Section 6 General Regulations 6.1.3: in the last sentence, to add the word feet after 32 square and change 50 feet square to read 50 square feet, or take any other action relative thereto.

6.1.3

Special Event Signs. Temporary signs for special events such as political elections, fairs, carnivals, holiday celebrations, provided that they are erected in a safe manner with the permission of respective property owners and are displayed not more than thirty (30) calendar days before or five (5) days after the event. Special event signs shall conform in size and number to the provisions for the underlying district in which they are displayed. The Board of Selectmen may issue a special permit to allow special event signs, or signs promoting community interest events and activities such as D.A.R.E., to be posted on Town property for periods longer than those specified above and for sizes not to exceed 32 square for one sign or a combined total 50 feet square for two, or a banner.

Town Clerk

Article 11. To see if the Town will vote to transfer from available funds the sum of \$1943 to budget line 39 (Unemployment) to pay a claim or take any other action relative thereto.

Treasurer

You are directed to post five (5) copies of this warrant, one at each of the public bulletin boards at the Plympton Town House, Plympton Public Library, Dennett Elementary School, Plympton Pizza and the Plympton Post Office, hereof, fail not and make due return of your doings thereon at the time and place of said meeting.

Given under our hands this 21st day of April 2004.

Richard L. Springer	Joseph A. Freitas	Christine M. Joy
(signed)	signed)	signed)

Board of Selectmen

I have posted five (5) copies as directed.

Constable: Dana L. Fowler

Date: 4/26/04

A true copy,
ATTEST:
Nancy J. Butler, CMC/CMMC
Town Clerk

**TOWN OF PLYMPTON
PLYMPTON SPECIAL TOWN MEETING MINUTES
Commonwealth of Massachusetts
May 12, 2004**

The Plympton Special Town Meeting was called to order by Moderator William Slater at 8:15 p.m. at the Dennett Elementary School. The Town Clerk Nancy J. Butler read the return of the warrant.

The Tellers were Lenore Swanson and Helen Reynolds. There were 158 registered voters present. Town Counsel Richard Bowen was present.

Article 1. Voted (On the motion of Susan Ossoff) The Town vote to transfer from free cash \$72,000 to cover the deficit in the FY04 Plympton School Department's Segregated Vocation Account for the purpose of covering the under funded Vocational Education costs.

Motion carries majority

Article 2. Voted (On the motion of Christine M. Joy) The Town vote to transfer **\$15,000** from free cash to pay legal bills for FY'04.

Motion carries majority

Article 3. Voted (On the motion of Richard L. Springer) The Town vote to transfer from free cash \$5,167 to Article 7 line 62 of the May 2003 Annual Town Meeting.

Motion carries majority

Article 4. Voted (On the motion of Richard L. Springer) The Town vote to amend the sum of \$1,000.00 to **\$2,000** to transfer from the May 2003 Annual Town Meeting Article 7 Line 63 to Line 62.

Motion passes

Article 4. Voted (On the motion of Richard L. Springer) The Town vote to transfer **2,000** from the May 2003 Annual Town Meeting Article 7 Line 63 to Line 62.

Majority

passes

Article 5. Voted (On the motion of Richard L. Springer) The Town vote to transfer **\$5,000** from free cash to pay Building Department bills from FY'04

Passes

majority

Article 6. Voted (On the motion of David Bugbee) The Town vote to transfer **\$4,175** from free cash to pay unpaid Board of Health bills for FY'03.

Declared 9/10

majority

Article 7. Voted (On the motion of David Bugbee) The Town vote to transfer \$52,884 from free cash to pay Board of Health bills for FY'04.

Unanimous

Article 8. Voted (On the motion of Nancy J. Butler) The Town vote to transfer from Free Cash \$2,000 to be added to the May 2003 Town Meeting, Article 7 Line 6.

Motion carries

Article 9. To see if the Town will vote to transfer from free cash or transfer from the October 2003 Special Town Meeting, Article 1, Mold Remediation a sum of money to be added to the May 2003 Annual Town meeting Article 7 Line 21, Town Counsel, or take any other action relative thereto.

Board of Selectmen

Article 9. Voted (On the motion of Christine M. Joy) The Town vote to pass over article 9.

Motion passes

Article 10. To see if the Town will vote to amend the Zoning By-law Section 6 General Regulations 6.1.3: in the last sentence, to add the word feet after 32 square and change 50 feet square to read 50 square feet, or take any other action relative thereto.

6.1.3

Special Event Signs. Temporary signs for special events such as political elections, fairs, carnivals, holiday celebrations, provided that they are erected in a safe manner with the permission of respective property owners and are displayed not more than thirty (30) calendar days before or five (5) days after the event. Special event signs shall conform in size and number to the provisions for the underlying district in which they are displayed. The Board of Selectmen may issue a special permit to allow special event signs, or signs promoting community interest events and activities such as D.A.R.E., to be posted on Town property for periods longer than those specified above and for sizes not to exceed 32 square for one sign or a combined total 50 feet square for two, or a banner.

Town Clerk

Article 10. Voted (On the motion of Nancy J. Butler) The Town vote to pass over Article 10.

Motion passes

Article 11. To see if the Town will vote to transfer from available funds the sum of \$1943 to budget line 39 (Unemployment) to pay a claim or take any other action relative thereto.

Treasurer

Article 11. Voted (On the motion of Jeanne M. Sullivan) The Town vote to pass over Article 11.

Motion carries

Voted (On the motion of Christine M. Joy) The Town vote to dissolve the Special Town Meeting.

Unanimous

The Plympton Special Town Meeting dissolved at 9:20 P.M.

Respectfully submitted,
 Nancy J. Butler, CMC/CMMC
 Town Clerk
 A true copy,
 ATTEST:
 Nancy J. Butler, CMC/CMMC
 Town Clerk

**TOWN OF PLYMPTON
 ANNUAL TOWN ELECTION
 MAY 15, 2004**

The polls opened at 7:00 A.M. at the Plympton Town House. The Town Clerk, Nancy J. Butler, all Tellers and the Officer Barry Vinton inspected the ballot box and found it to be empty. The ballot box was then locked and the counter was reset at zero. The following Election Officials were: Warden: Lenore Swanson, Clerk: Patricia Kaufman-Vaughan and Cynthia Bloomquist, Tellers: Patricia Harfinger, Patricia Kaufman-Vaughan, Patricia Leslie, and Elaine McKeown. This was a very slow day, more than any other time we could remember.

Total registered voters:		1896
Total ballots cast:		187
Moderator, for three years	Vote for one	
William L. Slater		164
Blank		23
Selectman, for three years	Vote for one	
Raymond E. Beale III		46
Robert H. Vautrinot		129
Blanks		6
Others		6
Tax collector, for three years	Vote for one	
Carolyn A. Northon		157
Blanks		30
Assessor, for three years	Vote for one	
David Batchelder		152
Blanks		35
Finance Committee, for three years	Vote for two	
Jacquelynn M. Norrie		151
Richard L. Springer		111
Blanks		97
Others		15
Board of Health, for one year	Vote for one	
Linus V. Varley		144
Blanks		43
Planning Board, for five years	Vote for one	
John D. Rantuccio		142
Blanks		42
Others		3

Planning Board, for one year	Vote for one	
Kenneth Thompson		19
Blank		162
Others		6
School committee, for three years	Vote for one	
Patricia C. Killeen		145
Blanks		42
Library Trustee, for three years	Vote for two	
Lisa Hart		153
Susan G. Wallis		155
Blanks		66
Library Trustee, for two years	Vote for one	
Geraldine T. Carter		575
Blanks		153
Respectfully submitted,		
Nancy J. Butler, CMC/CMMC		
Town Clerk		

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

SS. PLYMOUTH

To either of the Constables of the Town of Plympton

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Primaries to vote at:

PLYMPTON TOWN HOUSE

5 PALMER ROAD

on **TUESDAY, THE FOURTEENTH DAY OF SEPTEMBER, 2004**, from 7:00 A.M to 8:00 P.M. for the following purpose:

To cast their votes in the State Primary for the candidates of political parties for the following offices:

REPRESENTATIVE IN CONGRESS 10th CONGRESSIONAL

DISTRICT

COUNCILLOR 1st DISTRICT

SENATOR IN GENERAL COURT PLYMOUTH &

BARNSTABLE DISTRICT

REPRESENTATIVE IN GENERAL COURT 12TH PLYMOUTH

DISTRICT

SHERIFF PLYMOUTH COUNTY

COUNTY COMMISSIONER PLYMOUTH COUNTY

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 17th day of AUGUST 2004.
Christine M. Joy Joseph A. Freitas Robert H. Vautrinot
(signed)

You are directed to post five (5) copies of this warrant, one at each of the public bulletin boards at the Plympton Town House, Plympton Pubic Library, Dennett Elementary School, Plympton Post Office, The Village Café, hereof, fail not and make due return of your doings thereon at the place of said meeting.
I have posted five (5) copies as directed.

Constable: Dana L. Fowler
Date: 8/30/04

A true copy,
ATTEST:
Nancy J. Butler, CMC/CMMC
Town Clerk

**STATE PRIMARY
TUESDAY, SEPTEMBER 14, 2004**

The polls opened at 7:00 a.m. at the Plympton Town House. All Election Officials were sworn in by Nancy J. Butler, Town Clerk including: Warden: Jeraldine Batchelder, Clerk: Patricia Kaufman-Vaughan, Tellers: Patricia Harlfinger, Patricia Leslie, Elaine McKeown and Jean Reynolds.
The Town Clerk, Election Officials and the Police officer inspected the ballot box, it was empty. The ballot box was then closed and locked.

TOTAL REGISTERED VOTERS:	1949
TOTAL VOTES CAST:	187
TOTAL DEMOCRATIC VOTES CAST:	106
REP. IN CONGRESS	TENTH DISTRICT
William D. Delahunt	
83	
Blanks	23
COUNCILLOR	FIRST DISTRICT
Carole A. Fiola	70
Blanks	36
SEN. IN GEN.COURT PLYMOUTH & BARNSTABLE DIST.	
Therese Murray	83
Blanks	23
REP. IN GENERAL COURT TWELFTH PLYMOUTH DIST.	
Thomas J. O'Brien	92
Blanks	14
SHERIFF	PLYMOUTH COUNTY
Joseph F. McDonough	47
Joseph M. Palombo	51
Blanks	8

COUNTY COMMISSIONER PLYMOUTH COUNTY	
Peter G. Asiaf, Jr	54
John Patrick Riordan	60
Jeffrey M. Welch	37
Blanks	61
TOTAL GREEN-RAINBOW VOTES CAST:0	
REP. IN CONGRESS TENTH DISTRICT	
Blank	0
COUNCILLOR FIRST DISTRICT	
Blank	0
SEN.IN GEN. COURT PLYMOUTH & BARNSTABLE DIST.	
Blank	0
REP. IN GENERAL COURT TWELTH PLYMOUTH DIST.	
Blank	0
SHERIFF PLYMOUTH COUNTY	
Blank	0
COUNTY COMMISSIONER PLYMOUTH COUNTY	
Blank	0
TOTAL LIBERTARIAN VOTES CAST: 1	
REP. IN CONGRESS TENTH DISTRICT	
Blanks	1
COUNCILLOR FIRST DISTRICT	
Blanks	1
SEN. IN GEN. COURT PLYMOUTH & BARNSTABLE DIST.	
Blank	1
REP. IN GENERAL COURT TENTH PLYMOUTH DISTRICT	
Blank	1
SHERIFF PLYMOUTH COUNTY	
Blank	1
COUNTY COMMISSIONER PLYMOUTH COUNTY	
Blanks	1
TOTAL REPUBLICAN VOTES CAST: 80	
REP IN CONGRESS TENTH DISTRICT	
Michael J. Jones	59
Blanks	21
COUNCILLOR FIRST DISTRICT	
Blanks	80
SEN. IN GEN. COURT PLYMOUTH & BARNSTABLE DIST.	
Timothy E. Duncan	60
Blanks	20
REP. IN GENERAL COURT TWELFTH PLYMOUTH DIST.	
Paul Timmins Curtis	60
Blanks	20
SHERIFF PLYMOUTH COUNTY	
Joseph D. McDonald Jr	63
Robert J. Stone	15
Blanks	2
COUNTY COMMISSIONER PLYMOUTH COUNTY	

John Riordon	1
All others	2
Blanks	157

The first voter placed the ballot in the ballot box and when it turned the number of votes it came out as 10. With the Town Clerk, Nancy J. Butler, the Warden, Jeraldine Batchelder, and the Police Officer, Steven Teri present, the ballot box was opened and the ballot was removed. And the numbers were reset to zero and the voter put her ballot in again. The number 1 came up correctly.

Two spoiled ballots were placed in a large enveloped.

The polls closed at 8:00 PM. The Police Officer and the Town Clerk checked the ballot box. No ballots were left inside. Total number of ballots cast was 187.

Respectfully submitted,
 Nancy J. Butler, CMC/CMMC
 Town Clerk
 A true copy,
 Attest:
 Nancy J. Butler, CMC/CMMC
 Town Clerk

**THE COMMONWEALTH OF MASSACHUSETTS
 WILLIAM FRANCIS GALVIN
 SECRETARY OF THE COMMONWEALTH**

SS.

To either of the Constables of the Town of Plympton

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in State Elections to vote at:

**PLYMPTON TOWN HOUSE
 5 PALMER ROAD**

in said Plympton on **TUESDAY, THE SECOND DAY OF NOVEMBER, 2004**, between the hours of 7:00 A.M. and 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates of political parties for the following offices:

ELECTORS OF PRESIDENT AND VICE PRESIDENT...	Statewide
REPRESENTATIVE IN CONGRES...	10 TH Congressional District
COUNCILLOR.....	First District
SENATOR IN GENERAL COURT.....	Plymouth and Barnstable District
REPRESENTATIVE IN GENERAL COURT.	12 TH Plymouth Districts
SHERIFF.....	Plymouth County
COUNTY COMMISSIONERS	Plymouth County

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this the _____ day _____, 2004.

Christine M. Joy Joseph A. Freitas Robert H. Vautrinot

(signed)

Board of Selectmen

You are directed to post five (5) copies of this warrant, one at each of the public bulletin boards at the Plympton Town House, Plympton Public Library, Dennett Elementary School, Plympton Post Office, The Village Café, hereof, fail not and make due return of your doings thereon at the place of said voting.

I have posted five (5) copies as directed.

Constable: Dana Fowler Date 10/19/04

(signed)

A true copy,

ATTEST:

Nancy J. Butler CMC/CMMC

Town Clerk

**STATE ELECTION
TUESDAY, NOVEMBER 2, 2004**

The polls were opened at 7:00 a.m. at the Plympton Town House. The Town Clerk, all the tellers inspected the ballot box. Nancy J. Butler, Town Clerk, swore in the following election workers: Warden: Jeraldine Batchelder, Clerk: Patricia Kaufman-Vaughan, Tellers: Patricia Harlfinger, Patricia Leslie, Elaine McKeown, and Jean Reynolds

TOTAL REGISTERED VOTERS:	1986
TOTAL BALLOTS CAST:	1647

ELECTORS OF PRESIDENT AND VICE PRESIDENT

Badnarik and Campagna	14
Bush and Cheney	822
Cobb and LaMarche	2
Kerry and Edwards	801
Blanks	4
Nader	4

REPRESENTATIVE IN CONGRESS

William D. Delahunt	
849	
Michael J. Jones	702
Blanks	96

Councilor

Carole A. Fiola	1067
Blanks	577

Others	3
SENATOR IN GENERAL COURT	
Therese Murray	908
Timothy E. Duncan	656
Blanks	83
REPRESENTATIVE IN GENERAL COURT	
Thomas J. O'Brien	1114
Paul Timmins Curtis	447
Blanks	83
SHERIFF	
Joseph F. McDonough	564
Joseph D. McDonald, Jr	1002
Blanks	81
COUNTY COMMISSIONER	
John Patrick Riordan	1033
Jeffrey M. Welch	554
Blanks	1706
Other	1

Five residents signed an "An Affidavit of Continuous Residence", and one signed an Affidavit that he had moved within six months, they were all eligible to vote. One voter's name was mistakenly omitted from the voter's list. ~~There were no Provisional Ballots; six people came in to my office, stating their~~ name was not on the voter list, I was able to check the status of each one and all had previously moved out of Plympton. They had received confirmation letters stating they were removed from the voting list and no one responded. There was 1 spoiled ballot.

At 4:05pm I opened the ballot box because it was full, and removed all the ballots then put them into a box and it was sealed. This was witnessed by all election workers and Officer Harkins.

The total number of ballots cast was 1647.

At 7:05am, I received a complaint about negative posters outside the polling area. I called the Secretary of State's legal department and was advised it was okay and long as they were not within 150' from the entrance to the polling area. Another complaint at 3:00pm that it could possibility is a criminal offense to have an anti-campaign poster. I spoke to the gentleman holding to signs, and explained the situation, he immediately removed the signs. Later, Officers Harkins and Stewart explained to me, we could not prove or disapprove the anti-statements therefore they did not have to be removed.

At 11:00 pm all ballots were sealed and placed in the safe and Officer Harkins left. At 11:05pm two McDonough campaign workers came rushing in to "challenge the ballots". Officers Stewart & Costa were present and Nancy explained that this could not be done. The ballots were sealed. I advised them the candidate could apply for a recount. After further discussion they agreed to leave.

Respectfully submitted,
Nancy J. Butler, CMC/CMMC
Town Clerk

A true copy,
ATTEST:
Nancy J. Butler, CMC/CMMC
Town Clerk

**STATE ELECTION
TUESDAY, NOVEMBER 2, 2004
AMENDED RESULTS**

The Board of Registrars met on Monday, November 8, 2004 at 12:50 pm. The purpose of this meeting was to count a Special Qualified Ballot from overseas that was received in the Town Clerk's Office on Thursday, November 4, 2004.

The ballot was opened and one vote was cast for Bush and Chaney and one blank vote for each of the other officers. The meeting adjourned at 1:00 pm.

TOTAL REGISTERED VOTERS: 1986

AMENDED RESULTS

TOTAL BALLOTS CAST: 1648

ELECTORS OF PRESIDENT AND VICE PRESIDENT

Badnarik and Campagna	14
Bush and Cheney	823
Cobb and LaMarche	2
Kerry and Edwards	801
Blanks	4
Nader	4

REPRESENTATIVE IN CONGRESS

William D. Delahunt
849

Michael J. Jones	702
Blanks	97

COUNCILLOR

Carole A. Fiola	1067
Blanks	578
Others	3

SENATOR IN GENERAL COURT

Therese Murray	908
Timothy E. Duncan	656
Blanks	84

REPRESENTATIVE IN GENERAL COURT

Thomas J. O'Brien	1114
Paul Timmins Curtis	447
Blanks	87

SHERIFF

Joseph F. McDonough	564
Joseph D. McDonald, Jr	1002
Blanks	82

COUNTY COMMISSIONER

John Patrick Riordan	1033
----------------------	------

Jeffrey M. Welch	554
Blanks	1707
Other	1

Respectfully submitted,

Board of Registrars:

Nancy J. Butler Anna Donovan Shirley Martin Frank Young

A true copy,

Attest:

Nancy J. Butler, CMC/CMMC

Town Clerk

TOWN CLERK'S EXPENSE

Appropriated 7/1/03 \$6585.00

Expended: \$6,584.29

Returned to Treasury 6/30/04 \$0.71

ELECTIONS & REGISTRATION

Appropriated 7/1/03 \$8,093.68

Expended: \$8,091.10

Return to Treasury 6/30/04 \$2.58

TOWN CLERK'S SALARY

Appropriated 7/1/03 \$20,573.00

Expended \$20,573.00

CERTIFICATION COMPENSATION

Appropriated 7/1/03 \$1,000.00

Expended: \$1,000.00

JULY 1, 2003 – JUNE 30, 2004 DOG LICENSES

57 Male or Female	@10.00	\$ 570.00
318 Neutered or Spayed	@ 7.00	\$2,226.00
6 Kennel License	@ 30.00	\$ 180.00
5 Hobby Kennel License	@ 60.00	\$ 300.00
4 Commercial Kennel License	@150.00	\$ 600.00
14 Late Fines	@25.00	\$ 350.00
	Total	<u>\$4,226.00</u>
	Less Fees	<u>292.50</u>
		\$3,933.50

All dogs must be licensed between **July 1st and September 1st** of each year. There is a late fine of \$25.00 for any dog licensed **after** September 1st. Licenses may be obtained in person at the Town Clerk's Office or by mail. When licensing your dog you must show a copy of the Neutered or Spayed Certificate and the Rabies Certificate. All kennels must be inspected by the Animal Inspector before issuing a kennel license.

Respectfully submitted

Nancy J. Butler CMC/CMMC

Town Clerk

**2004
HUNTING AND FISHING LICENSES**

Resident Fishing	11 @	\$22.50	\$247.50
Resident Hunting	4 @	\$22.50	\$90.00
Resident Sporting	12 @	\$40.00	\$480.00
Resident Sporting (Over 70)	6 @	FREE	FREE
Duplicate Sporting	1 @	\$2.50	\$2.50
Archery Stamp	6 @	\$5.10	\$30.60
Waterfowl Stamp	5 @	\$5.00	\$25.00
Primitive Firearms Stamp	5 @	\$5.10	\$25.50
Wildlands Conservation Stamp	27 @	\$5.00	\$135.00
Total			\$1,036.10
Less Fees			<u>\$15.85</u>
			\$1,020.25

Respectfully submitted,
Nancy J. Butler, CMC/CMMC
Town Clerk

2004 - JURY LIST

The jury list is available for inspection during regular business hours in the Town Clerk's Office.

Respectfully

Nancy J. Butler, CMC/CMMC
Town Clerk

BIRTHS RECORDED IN PLYMPTON IN 2004

There were 28 births recorded in Plympton during the year 2004.

MARRIAGES RECORDED IN PLYMPTON IN 2004

DATE

May

1	Robert Francis Green Plympton, MA	Cori Lynn Kelly Plympton, MA
---	--------------------------------------	---------------------------------

July

17	W. Thomas H. Fuller Plympton, MA	Nanci Jean Pettingell Plympton, MA
----	-------------------------------------	---------------------------------------

September

22	Suzzane T. Xavier Sakr	Frederick H. Dolloff III
----	------------------------	--------------------------

25	Plympton, MA Gregory G. Schneider Plympton, MA	Plympton, MA Laura Wilder Johnson Plympton, MA
November		
13	Donald Michael Glass Plympton, MA	Amanda Lee Crossland Plympton, MA
December		
18	Christopher J. Waitkus Plympton, MA	David W. Badot Plympton, MA
31	Judith Mary Wnek Plympton, MA	Brian Frederick Dudley Plympton, MA

DEATHS RECORDED IN PLYMPTON IN 2004

<u>Date</u>	<u>Name</u>	<u>Age</u>
<u>Place of Burial</u>		
January		
23	Agnes Lewis	78
Bayview Crematory, Seabrook, NH		
March		
9	David B. Jansen	65
Duxbury Crematory, Duxbury, MA		
10	Lillian A. Clark	86
Central Cemetery, Halifax, MA		
13	Elizabeth Jean Doyle	56
Central Cemetery, Carver, MA		
April		
6	Mary N. Lewis	85
Duxbury Crematory, Duxbury, MA		
20	Carol L. Freda	58
Duxbury Crematory, Duxbury, MA		
30	Carl T. Matheson	78
Central Cemetery, Middleboro, MA		
July		
29	Joan M. Green	73
Duxbury Crematory, Duxbury, MA		
30	Joseph R. Fonseca	72
Evergreen Cemetery, Kingston, MA		
August		
2	Estelle C. Mercer	75
Forest Hills Crematory, Boston, MA		
30	Thomas E. White, Jr	69
St. Patrick's Cemetery, Rockland, MA		
September		
29	Helen L. Cushing	86
Cedar Grove Cemetery, Marshfield, MA		
November		
18	Sarah Thompson	92
Duxbury Crematory, Duxbury, MA		

December

13	Michael J. Walsh	62
	Duxbury Crematory, Duxbury, MA	
15	Irene P. Carmody	81
	Duxbury Crematory, Duxbury, MA	

NON-RESIDENTS BURIED IN PLYMPTON – 2004

Date	Name	Age
Residence		
January		
6	Marie K. Norton	79
	Hanover, MA	
April		
6	Harriet Pierce	85
	Kingston, MA	
27	Norma G. Brown	90
	East Bridgewater, MA	
May		
20	Melvina M. Tiles	86
	Plymouth, MA	
June		
18	Brendon David Eason	19
	Philadelphia, PA	
August		
4	Louise Zacchilli	98
	Boca Raton, FL	
September		
29	Louise R. Clark	
	Orlando, FL	
October		
1	John J. McCuddy	73
	Randolph, MA	
December		
14	Marilyn Jane Ortiz	61
	Brockton, MA	

Respectfully submitted,
 Nancy J. Butler, CMC/CMMC
 Town Clerk

TAX COLLECTOR**TAX COLLECTOR EXPENSE**

Appropriated July 1, 2003	\$12,127.00
Expended	<u>\$12,105.00</u>
Returned to Treasurer	\$22.00

TAX COLLECTOR SALARY

Appropriated July 1, 2003

\$24,213.00

Expended

\$24,213.00

CERTIFICATION COMPENSATION

Appropriated July 1, 2003

\$1,000.00

Expended

\$1,000.00

TOWN TREASURER'S RECEIPTS**JULY 1, 2003 - JUNE 30, 2004****TAX COLLECTIONS**

REAL ESTATE 2003	\$4,030,731.14
REAL ESTATE PREVIOUS	151,667.93
PERSONAL PROPERTY 2003	111,668.10
PERSONAL PROPERTY PREVIOUS	10,326.17
MOTOR VEHICLE EXCISE 2003	355,366.77
MOTOR VEHICLE EXCISE PREVIOUS	76,197.16
BETTERMENTS	1,505.72
FARM ANIMAL EXCISE	650.13
ROLLBACK TAXES	23,660.77
TAX TITLE	43,245.61
PENALTIES AND INTEREST	45,841.01
IN LIEU OF TAXES	22,252.17
TOTAL TAX COLLECTIONS	\$4,873,112.68

RECEIPTS

DEPARTMENTAL RECEIPTS	\$80,652.96
PERMITS	89,802.83
COURT FINES	1,660.00
CEMETERY DEPARTMENT	4,406.47
VENDOR REFUNDS	9,706.66
TAILINGS	272.63
INTEREST	6,376.47
INSURANCE REIMBURSEMENTS	2,042.87

TOTAL RECEIPTS	\$199,754.19
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PAYROLL WITHHOLDINGS	\$808,604.06
CHAPTER 90	108,498.43
STATE AID	676,353.00
FEMA	11,721.24

TOTAL	\$1,605,176.73
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GRANTS

GAPS GRANT REIMBURSEMENT	\$31,812.82
TITLE ONE GRANT	13,838.75
CULTURAL COUNCIL	2,022.28
COMMUNITY POLICING GRANT	12,000.00
SEMASS GRANT	9,683.36
LIBRARY	2,595.92

MCAS	1,300.00
HANDI-PERSONS GRANT	2,600.00
EMERGENCY MANAGEMENT GRANT	2,485.00
ELECTIONS AND REGISTRATIONS	280.00
TOTAL GRANTS	\$76,618.13
REVOLVING FUNDS	
LIBRARY	\$ 217.60
TREASURER'S REDEMPTIONS	549.50
DEPUTY FEES	9,294.00
TOWN CLERK FEES	2,433.79
STUDENT ACTIVITY FUNDS	24,099.64
POLICE DETAIL FEE	4,831.90
POLICE DETAIL	85,726.25
REGISTRY OF MOTOR VEHICLES	2,265.00
STATE FIREARMS FUND	5,425.00
TOTAL	\$134,842.68
SPECIAL REVENUE FUNDS	\$ 13,214.69
RECEIPTS RESERVED	71,377.42
INTEREST ON TRUSTS	5,081.75
LICENSE PAYABLE	1,082.75
LOAN PREMIUM	41,167.14
TOTAL	\$131,923.75
TOTAL RECEIPTS	\$7,027,334.85

GENERAL FUND – APPROPRIATIONS FISCAL 2004

DEPARTMENT EXPENDITURES

TOWN MEETING MODERATOR	55.00
SELECTMEN	15,394.56
GENERAL GOVERNMENT ARTICLES	0.00
FINANCE COMMITTEE	1,764.94
TOWN ACCOUNTANT	7,659.00
ASSESSORS	48,113.00
ASSESSORS REVALUATION	9,228.00
TREASURER	41,838.84
TAX COLLECTOR	36,613.00
TREASURER'S TAX TITLE	0.00
LEGAL DEPARTMENT	57,522.66
TOWN SERVICES	10,649.34
CONSERVATION	215.00
TOWN CLERK	28,157.29
ELECTIONS AND REGISTRATION	8,091.10
ZONING ENFORCEMENT OFFICER	4,901.25
PLANNING BOARD	334.96
APPEALS BOARD	140.00
TOWN BUILDINGS	4,887.41
NEW TOWN HOUSE	26,979.00
UTILITIES	5,487.00
POLICE	399,882.88

POLICE VEHICLES	18,048.43
POLICE ARTICLES	67,557.89
COMMUNICATION CENTER	2,000.00
FIRE	117,832.12
FIRE ARTICLES	203.00
FIRE SERVICES	45,843.67
BUILDING	22,230.38
PLUMBING AND GAS	4,117.86
WIRE	6,508.95
CEMETERY MAINTENANCE – INT. TRAN	1,707.51
CIVIL DEFENSE	269.53
DOG OFFICER	6,160.00
TREE DEPARTMENT	11,916.16
PLYMPTON SCHOOL SYSTEM	2,146,792.71
SILVER LAKE REGIONAL SCHOOL	1,371,447.68
HIGHWAY	227,377.45
HIGHWAY ARTICLES	6,503.67
CEMETERY DEPARTMENT	4,286.38
HEALTH OFFICES	192,324.13
COUNCIL ON ELDER AFFAIRS	2,691.67
VETERAN'S SERVICES	11,458.90
MEMORIAL DAY COMMITTEE	554.50
COUNTY EXTENSION	0.00
LIBRARY	77,216.39
RECREATION DEPARTMENT	1,350.00
PARK DEPARTMENT	5,933.90
DEBT SERVICE	250,120.44
INTEREST	7,199.84
RETIREMENT	126,336.00
UNEMPLOYMENT INSURANCE	6,086.00
GROUP HEALTH INSURANCE	121,636.86
SCHOOL ARTICLES	25,000.00
CEMETERY ARTICLES	20,321.28
OTHER MISCELLANEOUS	33,548.27
LIABILITY INSURANCE	61,182.22
TOTAL APPROPRIATIONS	\$5,711,678.02
FEDERAL AND STATE GRANT FUNDS	
DARE COMMONWEALTH OF MASS	2,667.67
COMMUNITY POLICING	7,623.30
PUBLIC SAFETY GRANTS	9,380.04
SEMASS GRANT	9,683.36
COUNCIL ON AGING GRANT	2,419.00
CULTURAL COUNCIL ARTS LOTTERY	1,723.20
SEPTIC GRANT	3,000.00
TOTAL FEDERAL AND STATE GRANTS	\$35,635.63
REVOLVING FUNDS	
TREASURERS REDEMPTION FEES	532.00
COLLECTORS FEES	10,072.00

TOWN CLERK FEES	2,261.00
POLICE EXTRA DETAIL	86,369.50
STATE FIREARMS FUND	5,425.00
STUDENT ACTIVITY FUND	23,430.01
LIBRARY RECOVERIES	0.00
MWPAT	3,231.31
TOTAL REVOLVING FUNDS	\$131,320.82
RECEIPTS RESERVED	
AMBULANCE FEE FUNDS	1,071.45
LIBRARY STATE AID	3,037.91
TOTAL RECEIPTS RESERVED	4,109.36
OTHER SPECIAL REVENUE FUNDS	
GIFTS HARRY JASON JR. PARK	7.69
CONSERVATION	105.00
PLANNING BOARD ESCROW	5,635.00
POLICE DEPARTMENT GIFTS	1,176.40
GENERAL GOVERNMENT GIFTS	520.34
STUDENT ACTIVITY DONATIONS	787.24
LIBRARY GIFT ACCOUNT	711.32
TOWN HOUSE GIFTS	818.48
TOTAL OTHER SPECIAL REVENUE	\$9,761.47
EXPENDABLE TRUSTS	
PERPETUAL CARE FUND	1,831.47
TOTAL EXPENDABLE TRUSTS	\$1,831.47
AGENCY	
AGENCY FUNDS	\$1,082.75
TOTAL AGENCY FUNDS	\$1,082.75
TOTAL	\$5,895,419.52

Respectfully submitted,
Jeanne M. Sullivan, Treasurer

REPORT OF THE BOARD OF ASSESSORS

Calendar year 2004 was a triennial revaluation year for the Town of Plympton. Despite annual interim adjustments of values since the last certification, the town realized an overall increase in property values of 40-45% in just one year. New values were based on the analysis of sales for the period of January 1, 2003 through December 31, 2003. The commuter rail, Plympton's rural atmosphere and the near completion of the Rte. 44 extension continue to drive prices upward with the residential class of properties increasing 36%. The combined commercial and industrial classes, however, only increased by 1% thus continuing to place the tax burden on the residential class (92.7%).

TOWN VALUE BY CLASS

RESIDENTIAL	\$ 341,285,700	92.7%
COMMERCIAL	\$ 9,371,200	2.54%

INDUSTRIAL	\$ 8,687,600	2.36%
PERSONAL PROPERTY	\$ 8,599,154	2.33%
TOTAL TAXABLE PROPERTY	\$ 367,943,654	

As of January 1, 2005, the Assessors' Office had viewed over 110 properties having outstanding building permits which included 11 new starts of 9 single family homes and two duplexes. The Board also acted on 200 applications for property tax exemptions (59), real and personal property tax abatements (17), and motor vehicle excise tax abatements (124).

The Board would also like to acknowledge with great appreciation the updating of the Assessors' maps this year by Vautrinot Land Surveying, Inc. at no cost to the Town.

Due to budget cuts experienced town-wide, the Assessors' open office hours are now Monday, Tuesday and Thursday, 9 a.m. to 2 p.m. and Monday evenings, 7 p.m. to 9 p.m.

Respectfully submitted,

George I. Thompson, Chairman Jocelyn A.P. Anderson, Clerk
David Batchelder, Member

FY 2004 ASSESSORS EXPENDITURES

ASSESSORS EXPENSES

Appropriated July 1, 2003	\$18,459.00
Expended:	
Clerical	13,194.17
Postage	300.00
Telephone	377.70
Registry	84.25
Meetings, Supplies, Mileage	3,661.00
Computer	1,945.75
Map Maintenance	<u>128.50</u>
	\$18,459.00

*\$175.00 is encumbered monies for the reproduction of Assessors Maps.

ASSISTANT ASSESSOR/APPRaiser

Appropriated July 1, 2003	\$28,000.00
Expended: Assistant Assessor/Appraiser Salary	<u>28,000.00</u>

ASSESSORS SALARIES

Appropriated July 1, 2003	\$ 4,689.00
Expended: Assessors Salaries	<u>4,656.44</u>
Balance returned to Treasurer June 30, 2004	32.56

REPORT OF THE PLYMPTON POLICE DEPARTMENT

Over the past year your police department has continued to move forward in an aggressive manner to meet the current needs of our community and to prepare for the inevitable changes we will face in the coming years. Service calls to your police department continue to increase at a time when funding has been in steady decline. With the reality of the funding situation

your officers have learned to do more with less even though the demand and expectation for services has increased dramatically.

In the very near future Plympton will experience an even greater increase in public safety service needs brought on by the opening of Route 44, the reconstruction of Route 58, the retail development along Main Street, and the development of the long awaited industrial park. With an eye on these anticipated service increases the department has placed our short-term priorities on advanced officer training, increased patrol supervision, and proper staffing levels. Through proper planning and fiscal support we strive to position the department in advance of the upcoming events as opposed to employing a reactionary response.

In the aftermath of the events of September 11, 2001 the state and federal government's have challenged public safety agencies to collaborate in the face of the new threats of terrorism. The Plympton Police Department has joined in two noteworthy efforts in this regard. Plympton and Halifax have joined forces through a mutual aid agreement to form a regional homeland security initiative. With grant money received for this purpose the towns have engaged the services of the Bridgewater State College to aid us with a comprehensive study of our possible threats compared to our current resources. This study will be used to guide our training programs and to identify needed equipment. Additionally, your police department joined the Southeastern Massachusetts Law Enforcement Council which is a resource sharing collaborative of approximately 25 communities from the Rhode Island border to the Bridgewaters.

In the community-policing sector, Plympton Night Out was a huge success again this year. The number of law enforcement and fire service agencies who participated in Night Out continues to grow. This year we moved the event to the Dennett School as the number of displays had outgrown the available space at the Town House.

The Triad program got off the ground this year as well. Plympton joined with Halifax and Carver to form a tri-town Triad program. Triad, an organization formed to promote the safety and well being of our seniors, was a priority of mine when I arrived in Plympton. I thank Patrolman Steve Teri and Council on Aging Director Sandra Henry for their commitment to the program.

At the Dennett School Officer Dennis Reddy will proudly graduate his tenth class of DARE students this spring. Officer Reddy's commitment to this program cannot be understated.

In personnel matters this year Officer Wayne Sjostedt, a seventeen-year veteran officer, retired from the department. Wayne was a loyal and valuable member of our department and I thank him for his service and wish him the very best in retirement. The department welcomed four new special police officers this year. They are Dana Smith of Plympton, Scott Petersen of Plymouth, Robert Akin of Carver, and Chris Saucier of Carver. After completing several months of training the new officers have recently hit the streets.

In 2003 modest modifications were completed to the police station through a donation and volunteerism effort. These modifications have provided for a safer working environment for your police but space limitations, unreliable heating, no bathroom facilities, and regular flooding remain our greatest

challenges. As I have stated previously, the town will need to construct a stand-alone police station in the near future.

I want to thank the various boards and departments for their continued support and assistance. Particularly I would like to thank the Board of Selectmen whom continues to provide sound guidance and direction as we move the department forward.

Respectfully Submitted,

Matthew M Clancy
Chief of Police

DEPARTMENT EXPENDITURES FY 2005

Police Services		(Officers' Salary & Wages)
Appropriated 7/1/2003		\$ 307,841.00
Expended		\$ 307,841.00
Chief Salary		
Appropriated 7/1/2003		\$ 52,355.00
Expended		\$ 52,344.39
Returned to Treasury		\$ 10.61
Department Expenses and Equipment		
Appropriated 7/1/2003		\$ 48,443.00
Expended		\$ 48,443.00
Vehicles		
Appropriated 7/1/2003		\$ 18,657.00
Expended		\$ 18,628.48
Returned to Treasurer		\$28.52
Police EMT		
Appropriated 7/1/2003		\$ 3,430.00
Expended		\$ 3,000.00
Returned to Treasury		\$ 430.00

Police Activity 2004

By-Law Violation	6	OUI Arrests	8
Aggravated Assault	1	Summons Service	10
Burglary (Commercial)	1	Road Hazards	31
Burglary (Residential)	6	Radar Assignments	1054
Burglary (Motor Vehicle)	1	Motor Vehicle Accidents	76

Larceny	33	Weapons Violations	3
Stolen Motor Vehicle	1	Assist Ambulance	141
Simple Assault	12	Vandalism	19
Warrant Arrest	8	Domestic Violence	32
Trespassing	30	Restraining Orders	31
Citizen Assist	274	Threats	9
Disabled Motorist Assist	48	Narcotics Investigations	3
Transports	10	Directed Patrols	3726
Building Check	146	Traffic Stops	1517
Message Delivery	28	Noise Complaint	37
Animal Complaint	87	Fire Alarm	17
Mutual Aid	119	Burglar Alarm	132
Suspicious Activity	139	Misc. Service	181
911 Accidental	48	Com. Policing Activity	292
Fraud	3	Missing Persons	7
General Disturbance	12	Restrain. Order Violation	5
Reported Erratic Operator	42	Annoying Calls	16
Recovered Property	15	TOTAL INCIDENTS	8417

Traffic Enforcement

Traffic Stops	1517
Citations Issued	951
Criminal Motor Vehicle Violations	34
OUI Arrests	8
Fines Issued	\$83,975
Fines Collected	\$22,450

Firearms Permits

Issued/Renewed	75
Fees Collected	\$5,050
Fees Retained by Town	\$1,275

Private Detail Administration

Hours Billed	666.5
Amount of Billing	\$20,692.50
Admin. Fee Retained	\$2,069.25

Public Records Requests

Number of Requests	255
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Fees Collected	\$1,176.20
Court Activity	
Traffic Hearings	231
Criminal Complaints	77
Criminal Appeals	7
Court Fines Collected	\$700.00
(Non-traffic related)	
Arrests	
Warrant	8
OUI	8
Other	3
TOTAL	19
 Police Vehicle Fleet	
Car 111 2000 Ford 143,000 miles	
Car 117 1998 Ford 237,000 miles	
Car 118 2003 Ford 98,000 miles	
Car 119 2003 Ford 103,000 miles	
<hr/>	
REPORT OF THE HIGHWAY DEPARTMENT	
FY-04	
CEMETERY DEPARTMENT	
Appropriated July 1, 2003	4,287.00
Expended	<u>4,286.38</u>
Returned to Treasury June 30, 2004	\$0 62
PARK DEPARTMENT	
Appropriated July 1, 2003	6,500.00
Expended	<u>6,488.90</u>
Returned to Treasury June 30, 2004	\$11.10
LABOR ACCOUNT	
Appropriated July 1, 2003	56,318.28
Expended	<u>56,316.08</u>
Returned to Treasury June 30, 2004	\$2.20
SUPERINTENDENT'S SALARY	
Appropriated July 1, 2003	41,562.00
Expended	<u>41,562.00</u>
GENERAL HIGHWAY	
Appropriated July 1, 2003	59,683.16
Expended	

Fuel	6,610.48
Utilities electric	2,657.57
Utilities gas	3,011.53
Telephone	1,642.75
Tools	839.70
Road Maintenance	31,842.17
Office Supplies	378.44
Vehicle Repairs	1,028.27
Building Maintenance	500.76
Equipment Rental	1,176.73
Equipment Repair	3,317.30
Uniform Items	1,313.06
Meetings	167.00
Miscellaneous	748.70
Labor & Supplies	3,773.23
Signs	407.73
Licenses	180.00
<u>Dues & Memberships</u>	<u>60.00</u>
Expended	59,655.42
Returned to Treasury June 30, 2004	\$27.74
TRUCK & EQUIPMENT MAINTENANCE	
Appropriated July 1, 2003	4,573.00
Expended	<u>4,573.00</u>
SNOW & ICE	
Appropriated July 1, 2003	30,000.00
Expended	65,270.95

Respectfully submitted,

James M. Mulcahy
Highway Surveyor

REPORT OF THE TREE WARDEN

This past year town trees were pruned, removed, chipped and planted.

Plympton first annual Arbor Day was celebrated April 30th and officially recognized by the Board of Selectmen and reported by local media. Plants and materials were purchased using private donation monies. Daisy Troop 239 helped celebrate Arbor Day by participating in the plantings at the Town House. The girls helped properly plant trees, shrubs, flowers and spread mulch for the community.

Jonathan Sikora improved town property on Center St. as part of a Boy Scout service project. Jonathan cleared brush, spread wood chips and painted the Tree Barn doors.

I have continued to evaluate trees in town and have prioritized those trees I believe to be the greatest public safety issue and have removed or

pruned them. The tree defect evaluation is a process that is performed on a continual basis. I am pleased to report that despite the numerous windstorms emergent tree call volume is minimal. The exception was the last snowstorm of the year that resulted in a few large trees failing and a large volume of limb debris. Targeted tree and branch removal should continue this trend.

A look at this past season's insect problems and looking ahead for potential 2005 issues one cannot help but recognize the Winter Moth. Many different deciduous plants are susceptible. Young caterpillars are tiny inchworms and they tunnel into buds where they feed. Winter moths reproduce in late November and can be active into January. Winter Moth caterpillars hatch when temperatures average around 55 degrees Fahrenheit. This means the green inchworm caterpillars may hatch in March feeding voraciously on buds and leaves till mid June. If interested in controls to combat this pest, dormant oils, *Bacillus thuringensis* (B.t.), Spinosad, soaps and chemical insecticides are available. Property owners can control the damage with a plant health care professional that will recognize the critical timing of an application(s).

I would like to thank Highway Surveyor, Jim Mulcahy and his staff for their assistance this past year. Tasks would have been more difficult to accomplish without the Highway Departments cooperation.

Respectfully submitted,

William N. Hayes, Jr.
Plympton Tree Warden

REPORT OF THE BOARD OF HEALTH

The Board of Health meets Monday evenings at 7:30 PM in the lower level of the Town House. In the event of a Monday holiday the board will meet on Tuesday evening. The board will conduct inspections, observe percolation tests, perform restaurant inspections and other Board of Health related duties on alternating Saturday mornings throughout the year.

Along with normal meeting activities of plan reviews, scheduling percolation tests and reviewing permit applications, the board completed several other important projects. The board sponsored a rabies clinic in the spring and has scheduled another clinic for the upcoming spring. We carried over our thermometer exchange program this year, which was very successful. All residents were encouraged to come to the board meeting and exchange an older mercury type thermometer for a new digital type. The purpose was to remove the mercury type thermometer from service due to the hazardous nature of the chemical inside.

In addition to Monday evenings, our Assistant Health Agent is in the office on Tuesdays and Wednesdays during the morning hours. This has helped streamline the day-to-day operations. Having our agent in the office during the week allows the board to focus on important issues during our regular meetings. The office operates at a much higher efficiency than ever

before. In addition our assistant health agent was responsible for securing several state grants. These grants will help us provide valuable services to the town of Plympton in a time of emergency. We also received a new computer system with training, a dedicated fax line, wireless Internet service for the entire hall and much needed office supplies at no charge to the town.

Your board continues to strive towards the goal of providing maximum protection to the natural resources and also the health and well-being of our residents. This year there will be more changes. We encourage our residents to come to our meetings, as your input is very important to us.

One of the greatest challenges for the Board of Health is the rising cost of trash. The cost of transfer station stickers has risen significantly. We have made every effort to hold the line on expenses. Unfortunately next year we anticipate the cost to use and run the transfer station will rise significantly. We cannot cut expenses any more than we have. To combat this ever-growing problem the board has been meeting with state officials and major trash haulers to find the best solution. Our plan is to revamp the transfer station with all new, state of the art equipment to increase efficiency and safety. A pay as you throw system is in the planning stages with hopes that it may be initiated in 2005. This system will reduce transfer station operating costs and encourage recycling.

Your Board of Health thanks you for your continued support and looks forward to serving the community in 2005.

REPORT OF THE ANIMAL CONTROL DEPARTMENT (DOG OFFICER)

Cruelty to animals takes many forms, can be found everywhere in society, and is best tackled by humane education coupled with sound municipal animal control policies. Townspeople willing to address the uninformed or callous individual in violation of animal welfare laws are part of the important glue that holds our society together in the humanitarian ways necessary for maintaining healthy community life.

2004 saw two important steps taken by the Town to better its animal control policies. The first was the adoption of minimum standards for all licensed dog kennels in the Town. These standards, requiring inspection and verification by an inspecting officer before a kennel license can be issued or renewed, were first proposed in 2001. All kennel owners were notified of forthcoming inspection requirements during 2002. Immediately after the approval of the Town's 'Rules & Regulations regarding dogs' by the office of the Attorney General in July 2003, existing kennels were again notified that kennel inspections would now be required before any license could be issued by the Town. Kennel inspections proceeded on schedule during 2004. Licensed kennel owners and future kennel owners in the Town now have clear humane standards for their daily operations.

The second step taken by the Town was to re-activate the position of Animal Inspector. Plympton, with one of the largest animal populations per capita in Plymouth County has had no guidelines for inspections for any place

where animals are kept. These inspections, also required by the MA Bureau of Animal Health, are conducted annually to prevent the spread of disease, prepare the State for emergency management situations such as hurricanes or floods, and serve as a pre-cursor for the discovery of animal cruelty. An inspection methodology that will include every place in the Town where any domestic animal is being raised or kept is presently being formulated with the Board of Health. These inspections, expected to become inclusive for all owner/ residents by 2006, will include humane guidelines similar to those found in the requirements for kennel owners in the Town.

2004 Department activities included (407) calls and responses, (75) road trips for animal control complaints and investigations, (32) inspections, and (5) animals ordered quarantined. (10) dogs were brought to shelter. Although each had no identification, all were successfully re-united with their owners by networking with residents and our surrounding town shelters.

Projected increases in activity in 2005 will bring the need for additional shelter and rescue equipment:

- large inside cages for quarantined or stray dog residents.
- (2) fenced- in kennel runs.
- (1) chip reader for ID recognition.
- (1) capture net for animal control.
- (1) capture pole for animal control.
- (8) stainless steel food and water dishes for inside shelter and outside kennel run area.

Several of Plympton residents continue to generously donate depletable shelter items such as blankets, foods, first-aid materials, cage sanitizing supplies, and animal care health products.

Thank you. Kindness is a positive and universally good example to set and to follow.

Respectfully Submitted,

Frank C. Bush
Plympton Dog Officer

REPORT OF THE PLYMPTON PUBLIC LIBRARY

"Where can I find information about..." "Could you put me on the list for the latest James Patterson book?" "Oh, look, they have the Lord of the Rings DVD!" These are phrases from happy patrons at the Plympton Public Library. Although budget cuts reduced our staffing and increased the number of holiday closings, the business of the Library is active and strong.

The past 12 months have been our busiest calendar year ever with 16,194 items, a record number, going out into circulation. We are very busy behind the scenes trying to keep up with the basic work of selecting, ordering, processing, computerizing, packaging, and displaying newly purchased or

donated materials. The various boxes and piles around the library are all signs of items waiting for processing. We expanded our collection this year to include popular titles as books-on-cd and award-winning movies in DVD format. We have also added some more award winning music cds in the children's room to round out our collection. Due to an increase in usage, we also added another public computer to our high-speed Internet line.

Thanks to a dedicated volunteer, our web site, www.plymptonlibrary.org was expanded and revised. Now you may click into the home page and see our upcoming events for the next 14 days, check on library hours, or click into the SAILS library catalog. Here you may renew materials, reserve your next book or movie, or find a magazine article through one of the state-sponsored databases.

We must rely on volunteers for all our programming, including the regular meetings of story times, book discussions, summer reading and knitting. Many thanks go out to all those who helped make this a truly outstanding year. We were able to offer more activities than ever before due to their gifts of time and talent. Our summer reading participation was the highest ever with many adults enjoying the stories and crafts along with the children. Other weekly volunteers diligently work to shelve, cover, and stamp all the library materials. We could not manage the work without this dedicated assistance. Thank you all once again!

Thanks to the great community response, TOPLA, the Town of Plympton Library Association, was able to pay their 2004 maintenance and insurance bills. Donations also increased the endowment fund, which will increase the return on the investments. Thank you, everyone, for this extra show of support.

TOPLA also continued its annual activities by managing two book sales and the art gallery. Members continue to work toward revitalizing the organization but they need your help. Please let us know if you are interested. Thanks go to all TOPLA volunteers for your many years of service. We rely on your work to keep the building in good operating condition.

With \$3,000 of state aid and gift money, we were able to help pay our bills and fund the summer reading programs, purchase a new copier and add several bulletin boards in the library including a Plympton news board located outside of the meeting room. We have also purchased new monitors for the circulation desk and the workroom. Recently, we upgraded our public computers with the purchase of a good, used color printer. A generous patron donated a wireless keyboard and mouse for the circ desk. Thank you!

As the Library goes forward, we are looking for ways to serve you better. However, we are constantly challenged to juggle the daily workload and financial restraints with the increasing needs and interests of our patrons. We are considering revising our schedule in hopes we could be open 4 days a week instead of 3. The quickly evolving world of technology also beckons our attention and challenges us to keep up-to-date in order to meet your informational needs. There is always much to ahead of us.

Respectfully submitted,
Debbie Batson, Director

Kris Boyles, Trustee Chair

Judy Cronan, Library Tech
Kathy Keirstead, Circulation Clerk

Gail Mattern, Vice-Chair
Geri Carter, Secretary
Lisa Hart, Treasurer
Brenda Traynor and Sue Wallis

REPORT OF THE WEBSITE DEVELOPMENT AND MAINTENANCE COMMITTEE

In 2004 the Committee continued to expand and enhance the official town Web site, <http://town.plympton.ma.us>, while maintaining the 450 pages of content developed over the past two years.

The Committee was pleased to promote many important events and undertakings in 2004, including collections for an Afghanistan school, the annual holiday care drive, the Good Neighbor Energy Fund and a number of community support activities sponsored by the Plympton Police Department. The site chronicled town events such as the annual Memorial Day observance and the local and national elections as well as the town's ongoing need to fill open board and committee seats. We sponsored our first local news contest in conjunction with the Daily Grind Coffee Shoppe, and also began consolidating links to Brockton Enterprise stories related to Plympton.

The Committee expanded its efforts to contact and post listings for all registered businesses in town while working with town officials to keep government process and committee membership information up-to-date. We reorganized some of the government and news pages for easier access, added a new public hearings section and began work on a new town-wide Frequently Asked Questions (FAQ) page. In conjunction with the Historical Society and Historical Commission, the Committee also began efforts to digitize the town's historical assets and make them available on the Web.

The site's core structure and content are now well in place. In 2005 the Committee will focus on keeping the existing information current and accurate while pursuing a gradual expansion of material that will keep the site new and interesting. We are always interested in hearing from volunteers, particularly those with basic HTML knowledge, and from residents with ideas on how we can improve the site. We can be reached via email at webmaster@town.plympton.ma.us.

Respectfully submitted,

Maxwell C. West, Chairman
Brian Wick, Clerk
Christine M. Joy
Deb Anderson

Jon K. Wilhelmsen, Vice-Chair
Carolyn DeCristofano
Steven W. Ziglar
Robert F. Green

REPORT OF THE PLYMPTON CULTURAL COUNCIL

The Plympton Cultural Council receives money each year from the Massachusetts Cultural Council (MCC), a state agency. These grants can be used to support a variety of artistic and cultural projects to benefit citizens in the Plympton area. Each year the grant application deadline is October 15 for

organizations and individuals to apply for grants to support cultural activities in the community.

The Plympton Cultural Council will entertain funding proposals from schools and youth groups through the PASS Program, a ticket subsidy program for school-age children that allows them to attend a Massachusetts based cultural event. Application forms and additional information are available during the grant application time, at the Plympton Library, the Town House, Dennett Elementary School, Silver Lake Regional Junior High School, and Silver Lake Regional High School. Application forms and additional information about the Local Cultural Council Program is available on the MCC website at: massculturalcouncil.org/lccgrants.html.

The Local Cultural Council Program, of which Plympton Cultural Council is a part, comprises a network of 335 councils across the state. The MCC provides allocations to each LCC annually to support cultural activities in every city and town in Massachusetts.

The purpose of the local Plympton Cultural Council is to support public programs that promote access, education, diversity and excellence in the arts, humanities and interpretive sciences in our communities.

During 2004, the Plympton Cultural Council provided support to the following programs in our area community. Music for Seniors with the Council on Aging; a storyteller at the Dennett Elementary School; Study of Asian Cultures with the Silver Lake Regional Middle School; Harvest Fair and Folk Festival at Soule Homestead Education Center; PBS ZOOMzone Exhibit at the Easton Children's Museum; Exhibits & Educational Program at the Fuller Museum of Art; Concerts at the Plymouth Philharmonic; and Theatrical Workshops at South Shore Arts and Recreation.

The Plympton Cultural Council invites anyone interested in promoting access, education, diversity and excellence in the arts, humanities and interpretive sciences in Plympton either by sponsoring a project or by serving as a member of the Council to contact a council member or the Board of Selectman.

Respectfully submitted,

Susan Ferguson, Chair

Cultural Council Active Members:

Jeanne Black	Margaret Kent
Frances Lundgren	Jane Schulze

REPORT OF THE COUNCIL ON AGING

The COA consists of eight members who meet on the second Monday of each month at the Town House. The COA function is to provide referrals for nursing services, homemakers, or other State or Federal agencies for needed assistance. Plympton provides the services of a senior aide for transportation to doctors appointments or "grocery shopping". She also makes visits to shut ins and nursing homes as well as publishes the COA newsletter each month.

~~This year we continued to provide a blood pressure clinic on the~~
second Tuesday of each month through the CURA visiting nurses as well as two flu clinics in November. As of January 1, 2005 CURA will no longer be providing these services. Our new provider will be Partners Home Care. The same clinics will still be provided. We also made available to seniors a foot clinic every other month. This year again we offer an exercise class on Thursday mornings in the function room at the Woodlands Senior Housing for all interested Plympton seniors.

Last year the senior aide program was going to be discontinued altogether but at the last minute Citizens for Citizens in Taunton took over and is presently running it. A gift account was established for the COA to be used for transportation needs. Several businesses made very generous contributions to this account. The COA would like to thank Mr. John Norrie of Plympton Sand and Gravel, Mr. Gene Beliveau of Plymouth County Paving, Mr. Rick Springer of Springer Construction, and Mr. John McCarthy, also a thank you in advance to the Plymouth Lions Club.

The COA applied for and received again this year a grant from the Executive Office of Elder Affairs for our Handi-person program. This is a chore service to help seniors stay in their homes. Any Plympton seniors interested in the above programs may call our senior aide, Emelia Kirkland at (781) 585-9876 or Director Sandra Henry at (781) 585-5208.

Respectfully submitted,

Sandra Henry, Director

REPORT OF THE PLYMPTON HISTORICAL COMMISSION

The Plympton Historical Commission, the 7-member board, responsible for community-wide historic preservation planning and the administration of the demolition delay bylaw, continues to work closely with residents and town officials to help mitigate the impacts of development pressure on the historical character of the town.

In July of this year, the Commission hired a consultant to assist with the completion of the inventory of Plympton Center's historic structures and landscapes and to complete the National Register nomination. Building upon the initial inventory of the historic resources in the vicinity of Plympton Green, including Hillcrest Cemetery that was completed last year, the latest work served to place the historic structures and landscapes into a historical context and to complete the necessary forms to request the listing of these assets on the National Register of Historic Places. The National Register is the nation's official list of buildings, districts, sites, structures, and objects important in American history, culture, architecture, or archaeology. A current draft of the National Register Nomination form is available on our Web page at <http://town.plympton.ma.us/cultural/hc.html>. The Commission plans to hold a public hearing this Spring prior to the submission of the application to the Massachusetts Historical Commission. The Commission will continue to work closely with residents and other town boards and committees over the coming

months toward the completion of a National Register nomination for the Plympton Center area.

The Commission was actively involved in a number of issues facing the town in 2004. In particular, the Commission submitted written comment to the Plympton Planning Board on Whitestone Properties' site plan application regarding the redevelopment of the retail plaza in Plympton Center. Since this property borders the National Register eligible Plympton Center area, the Commission, offered a number of comments regarding the visual impact of the proposed development on the historical character of the area. A copy of this letter can be found on our Web page. As of this writing, the Commission looks forward to continued work with the developer to limit the development's impacts to the historical character of the area.

The Commission continued to work closely with the Highway Department on the Rte. 58 widening and the redesign of the Main-Parsonage-Mayflower intersection in order to mitigate the impact of the proposed improvements to the adjacent historic Plympton Green area. In October 2003 the Commission offered comment on the proposed project both at the public hearing and also in a letter addressed to Mass Highway. The comments focused on 4 major areas of concern: the Main-Parsonage-Mayflower intersection design, the sidewalk and roadway widening, the guardrails located in front of Hillcrest cemetery, and the use of signage within the Plympton Green area. A copy of this letter can be found on our Web page. The Commission and Highway Surveyor Jim Mulcahy continued to work together as the plans are evaluated and finalized.

The Commission continues to maintain responsibility for the oversight of any decoration to the Plympton Town Green or its structures. The Commission's decoration policy and request form that can be obtained directly from the commission or found on our Web page.

The Commission has been a strong supporter of Plympton's Web site (<http://town.plympton.ma.us>) as it provides a cost-effective venue to facilitate town business, to promote the distribution of community information and to increase access to historical information regarding our community. In addition to the information noted above, the Commission's site provides access to the Demolition Delay Bylaw for Historically or Architecturally Significant Buildings, information about the Commission, and links to other historical resources.

The Commission looks forward to continuing to work in partnership with Plympton's residents and town government to promote the preservation and celebration of our town's historic character.

Respectfully submitted,

Jon Wilhelmsen, *Chair*
Deborah West, *Secretary*
Dorran Prescott
Brian Wick

Maxwell West, *Vice Chair*
Walter Peterson
Jonathan Shaw

**REPORT OF THE PLYMPTON
HISTORIC DISTRICT COMMISSION**

The Plympton Historic District Commission (PHDC) reviews all changes to the built environment within the Harrub's Corner Local Historic District. Centered on the intersection of County Road (Route 106) and Lake Street, the district is comprised of seven properties. The commission is charged under state law to protect and preserve the district's historic assets and character: building and demolition permits may not be issued within the district without either a certificate of appropriateness, a certificate of non-applicability, or a certificate of hardship from the commission.

The PHDC approved a single application for changes visible from a public way within the Harrub's Corner historic district in 2004. The property owner worked with the commission to ensure that the changes would conform to district guidelines and have no detrimental impact on the aesthetic and historic character of the district. The commission issued a certificate of appropriateness.

Respectfully submitted

Jonathan Shaw	Stuart Chase
Charles Nickerson	Alfred Norton
Carol Quindley	Richard Stove
Marylouise Sayles	

REPORT OF THE PLYMOUTH COUNTY MOSQUITO CONTROL PROJECT

The Commissioners of the Plymouth County Mosquito Control Project are pleased to submit the following report of our activities during 2004.

The Project is a special district created by the State Legislature in 1957, and is now composed of all Plymouth County towns, the City of Brockton, and the Town of Cohasset in Norfolk County. The Project is a regional response to a regional problem, and provides a way of organizing specialized equipment, specially trained employees, and mosquito control professionals into a single agency with a broad geographical area of responsibility.

The 2004 season began with a normal water table until record April precipitation produced large numbers of spring and summer brood mosquitoes throughout the County. Efforts were directed at larval mosquitoes starting with the spring brood. Ground and aerial larviciding was accomplished using B.t.i., an environmentally selective bacterial agent. Upon emergence of the spring brood of mosquitoes, ultra-low volume adulticiding began. The Project responded to 9,420 requests for service from residents.

In response to the elevated threat of virus in the district, we increased our trapping, aerial and ground larviciding, and adult spray in areas of concern to protect public health.

Eastern Equine Encephalitis virus was first isolated from *Culex* species, a human biting species, by the Massachusetts Department of Public Health from Project collections in Middleboro on August 3, 2004. Of the season's total of thirty nine EEE isolates, fifteen were from Plymouth County as

follows: Halifax (8/4, 8/11, 8/18, 9/13 (2), and 9/20), Kingston (8/18, and 8/19), Middleboro (8/3, 8/24 and 8/25), Pembroke (8/31 and 9/8), Plymouth (9/8), Rockland (9/4). Four human cases of EEE were confirmed including two fatalities (Brockton and Holbrook). These cases came from four towns in two counties (Plymouth County: Brockton and Middleboro), (Norfolk County: Holbrook and Foxboro). Seven horses tested positive for EEE in Massachusetts with three in Plymouth County: Middleboro (2) 9/2 and 9/15 and East Bridgewater (1) 10/2. We normally end our spray season on Labor Day. This year, because of increased virus isolations, we extended our residential spray program three weeks into September. Municipality based requests for area wide spray continued throughout the district through October 4, 2004. Based on guidelines defined by the "Vector Control Plan to Prevent EEE" in Massachusetts, Southeastern Massachusetts will be at a "high level of EEE risk" beginning the 2005 season.

We are pleased to report that in 2004 there were no human West Nile Virus cases in Plymouth County. No horse cases occurred during the season and two birds tested positive for WNV (one in East Bridgewater and one in Marshfield). The recurring problem of EEE and WNV continues to ensure cooperation between this Project and the Department of Public Health. In an effort to keep the public informed, EEE and WNV activity updates are regularly posted on our web site, www.plymouthmosquito.com and Massachusetts Department of Public Health at www.state.ma.us/dph/wnv/wnv1.htm.

The figures specific to the Town of Plympton are given below. While mosquitoes do not respect town lines the information given below does provide a tally of the activities which have had the greatest impact on the health and comfort of Plympton residents.

Insecticide Application. 1,808 acres were treated using truck-mounted sprayers for control of adult mosquitoes. More than one application was made to the same site if mosquitoes reinvaded the area. The first treatments were made in June and the last in September.

Aerial Application. Larviciding woodland swamps by airplane before the leaves come out on the trees continues to be very effective. In Plympton this year we aerielly larvicided 68 acres.

Our greatest effort has been targeted at mosquitoes in the larval stage, which can be found in woodland pools, swamps, marshes and other standing water areas. Inspectors continually gather data on these sites and treat with highly specific larvicides when immature mosquitoes are present.

Water Management. During 2004 crews removed blockages, brush and other obstructions from 1,515 linear feet of ditches and streams to prevent overflows or stagnation that can result in mosquito breeding. This work, together with machine reclamation, is most often carried out in the fall and winter.

Finally, we have been tracking response time, which is the time between notice of a mosquito problem and response by one of our inspectors. The complaint response time in the Town of Plympton was less than two days with more than 140 complaints answered.

Mosquito Survey. A systematic sampling for the mosquitoes in Plympton indicates that *Aedes vexans* was the most abundant species. Other important species collected include *Culiseta melanura* and *Coquilleltidia perturbans*.

We encourage citizens or municipal officials to call our office for information about mosquitoes, mosquito-borne diseases, control practices, or any other matters of concern.

Raymond D. Zucker, Superintendent

Commissioners:

Carolyn Brennan, Chairman

Michael J. Pieroni, Vice-Chairman

Leighton F. Peck, Secretary

William J. Mara

Kenneth W. Ludlam, Ph.D.

REPORT OF THE OLD COLONY PLANNING COUNCIL

To the Honorable Board of Selectmen and the Citizens of the Town of Plympton:

As your representatives to the Old Colony Planning Council (OCPC), we are pleased to present this report on behalf of the Council for 2004.

The Old Colony Planning Council was established in 1967 by state statute and is authorized to prepare plans for the physical, social and economic development of the fifteen-member community region. OCPC is designated as: an Economic Development District by the U.S. Department of Commerce for the coordination of economic development activities within the OCPC District; an Area Agency on Aging (AAA) by the Executive Office of Elder Affairs to plan, manage and coordinate elder services in a twenty-three community service area; and, as the Metropolitan Planning Organization (MPO) to plan and program transportation and transit improvements for the region. We are proud that the Old Colony Planning Council is the only regional council in New England to hold all of these official designations at the same time.

In addition to the above-designated responsibilities, the Council is concerned with a wide variety of area-wide and inter-municipal concerns as they pertain to the development of the Planning District. The Council also assists its member municipalities with technical planning assistance, grant application preparation assistance and with information on local and regional trends by maintaining current socioeconomic information.

This past year, the Council completed work on the Avon, Abington, Hanson, Pembroke, West Bridgewater and Whitman Executive Order 418 Community Development Plans; the Whitman Master Plan; Abington, Halifax and Kingston Zoning Map revisions; Vehicle and Speed Classification Studies throughout the region; OCPC 2004 DataBook; Journey to Work Study; Updated Road Inventory files for our communities; Commuter Rail Station and Park and Ride Lots Utilization Study; Old Colony 2004 Comprehensive Economic Development Strategy; BAT FY 2004 Ridership Analysis; BAT Title VI Report; Route 106 Traffic Study; numerous Intersection Studies and the Transportation Improvement Program (TIP). The Council initiated work on the

Area Agency on Aging Four Year Plan. During the past year, the Council conducted traffic counts at approximately 200 locations throughout the region. The Council also continued to work on Route 28 Corridor Study (Avon/Randolph town line to Bridgewater/Middleborough town line) and the Local/Regional Disaster Mitigation Plan for the OCPC Region. All of the OCPC's Communities participated in a Smart Growth Audit Sponsored by Vision 2020 and funded by NSTAR. The Council also co-authored with MAPC the Peer Review for the Proposed Village Center Plan at the South Weymouth Naval Air Station.

Each member community of the Council is represented by one delegate and one alternate member. The Council members establish policy, develop the work program, and employ and oversee the activities of the professional staff. The Council meets on the last Wednesday of each month at 7:30 PM in the OCPC offices located at 70 School Street, Brockton, MA. In 2004, the Council elected Robert Overholtzer of Hanson as President of OCPC; Jeanmarie Kent Joyce of Easton as Council Treasurer; and, Joseph P. Landolfi of Stoughton as Council Secretary. Pasquale Ciaramella serves as Executive Director of the Council.

The Council gratefully acknowledges the generous support and cooperation of its member communities and the participation and involvement of the many individuals who participate as members of committees. Special thanks are extended to Joint Transportation Committee Chair Noreen O'Toole; Comprehensive Economic Development Committee Chair Salvador A. Pina; and, the Area Agency on Aging Advisory Committee Chair Diane Cunningham, for their commitment, dedication and leadership during the year. The Council also recognizes the work of local boards and commissions and the government agencies, public and private institutions and individuals who assisted the Council in its efforts.

Respectfully submitted,

John Rantuccio, Delegate

James Mulcahy, Alternate

Matthew Striggles, Delegate At-Large

Report of the Fire Department

Over the past year we have been very busy responding to incidents, training, and applying for grants. Some of these grants are very competitive and we continue to apply for the FEMA Fire Fighting Grant through the U.S. Fire Administration as well as State operated grants such as Rural Forestry Equipment overseen by the Mass. Department of Environmental Management. In September we conducted a live fire training exercise on West Street at a structure which was donated to us. With the decrease in building fires in recent years, this live hands on training proves to be a good experience for our newer and more experienced fire fighters who have not experienced situations of the past.

There is legislation pending at the State House to return the Massachusetts Student Awareness of Fire Education Grant. The SAFE Grant

allowed fire fighters to spend time in the classroom, teaching students about the dangers of smoking, ways to prevent fires, self-preservation, and valuable life skills. In previous years this program has been a great success with the younger people in our community.

The fire department ambulance continues to be self-funding through medical billing allowing us to provide ambulance service to everyone with out affecting property taxes. It has been 4 years since we first started to provide ambulance service to the Town. This has been a very successful endeavor making a positive impact in many peoples lives.

The fire department web site continues to allow people to interact with their department 24 hours a day. The site can be found at www.plymptonfire.com This is where you can find information about the department, the incidents we respond to, and important information on protecting yourself from harm.

Respectfully submitted

David L. Rich
Fire Chief

Activity for 2004

Structure Fire	4
Vehicle fire	2
Trees, Brush, Grass Fire	15
Refuse Fire	2
Medical Emergency	162
Extrication/EMS/Auto Accident	38
Spill, Leak No Fire	2
Power Line Down	7
Medflight Standby	1
Haz. Condition, not classif.	14
Smoke, Odor Removal	2
Unauthorized Burning	6
Mutual Aid to Others	6
Service Call, not classif.	8
Vicinity Alarm	22
Good Intent Call	2
Total Incidents	293

REPORT OF THE PLANNING BOARD

The Planning Board is responsible for the development and amendment of the town's Zoning By-law as well as the Creation of the Subdivision Rules and Regulations. The Planning Board reviews proposed divisions of property under the Subdivision Control Law and conducts public hearings on subdivision applications. The Planning Board also conducts site plan review for industrial and commercial developments, reviews building

permit applications and holds public hearings for certain types of special permits.

The Planning Board meets on the first and third Mondays of each month at 7:30 p.m., in the Planning Board office at the Town House, unless otherwise stated.

This year John Rantuccio was re-elected to the Planning Board at the Annual Town Election. At its first organizational meeting the Board elected Jack O'Leary, Chair and Don Matatall, Clerk.

Recently, the Planning Board adopted a comprehensive series of regulations governing Site Plan Approval and conducted site plan review of a commercial development proposed by Whitestone Properties for land on Main Street. The Planning Board also conducted several subdivision hearings, most notably the hearings for the development of the Plympton Business Park. Additionally, the Planning Board adopted a set of procedural standards for the submission and review of plans filed under the "Approval not Required" provisions of the Subdivision Control Law and remains in the process of reviewing and evaluating the Subdivision Rules and Regulations.

Respectfully submitted,

Jack O'Leary, Chair

John Rantuccio

Ken Thompson

Don Matatall, Clerk

Ann Sobolewski

REPORT OF THE ZONING BOARD OF APPEALS

The ZBA is authorized to hear five types of applications. These are:

1. Special Permit requests
2. Requests for Variance from the zoning bylaws
3. Appeals from decisions of the Building Inspector on zoning matters
4. Requests to build affordable housing under Chapter 40B
5. Appeals under the Subdivision Control Law Chapter 41 Section 81Y

When considering these cases, we apply neighborhood sensibility to the town's zoning bylaw and the state zoning act. Our rules, application forms and informative FAQ are available on the town website: <http://town.plympton.ma.us>

All hearings, meetings and deliberation of the Board are public. Should you receive a hearing notice in the mail please come and tell us what you think. We are here to listen to you.

In 2004 the ZBA granted two appeals of rulings by the Building Inspector/Zoning Enforcement Officer. One involved classification of land in the Flood Plain and Watershed Protection District, the other the use on a property of chipping wood and composting leaves. Additionally one Special Permit to operate a dog kennel was approved and a request to convert a single family dwelling to a two family dwelling was withdrawn.

During 2004 the ZBA adopted comprehensive rules and regulations regarding applications for Chapter 40B Affordable Housing applications. The

Board is grateful to Don Mattatal of the Planning Board and Lois Barbour of the Norwell ZBA for their assistance in this endeavour.

The adoption of new Chapter 40B regulations was timely, because the town's first-ever 40B application was received before the year was over. The Board is still considering a proposed 24 unit over 55 condominium development on Lake Street as this report goes to press in early 2005.

Litigation continues in several matters related to Ms. Patricia Pina's application to house farm workers in trailers on her property. The ZBA is confident that our decision in the case will ultimately be upheld.

Respectfully submitted,

Stephen Mattern

Scott Sauchuck

William McClellan

Edward Murray, Alternate

PLYMPTON SCHOOL COMMITTEE

Including a Report of the Silver Lake Regional School District.

DENNETT SCHOOL COMMITTEE

Ms. Susan Ossoff, Chairman	Term expires 2006
Ms. Lisa Hart, Vice Chairman	Term expires 2005
Ms. Patricia Killeen, Secretary	Term expires 2007
Mr. K. Scott Merrill	Term expires 2005
Ms. Maureen Springer	Term expires 2006

The Plympton School Committee meets at 4:30 p.m., on the third Monday of each month in the Library of the Dennett Elementary School.

ADMINISTRATION OFFICE

Dr. Gordon L. Noseworthy	Superintendent of Schools
Ms. Elizabeth A. Sorrel	Assistant Superintendent, K-12
Mr. David Kenney	Administrator of Special Education
Mr. John Tuffy	Business Manager

In addition to all legal holidays, schools will be closed on the Friday following Thanksgiving and Good Friday.

NO SCHOOL announcements will be given on radio stations WATD, WPLM and on television stations WCVB (Channel 5) and WHDH (Channel 7) and WFXT (Fox 25) between 6:35 a.m. and 8:00 a.m. In addition, the fire alarm signals will indicate no school as follows:

6:30 a.m., no school all schools, including Middle and High Schools

7:00 a.m., no school Elementary ONLY.

The signal will be 4 short blasts, repeated 3 times.

REPORT OF THE PLYMPTON SCHOOL COMMITTEE

The Plympton School Committee is comprised of five members elected to staggered 3-year terms. The School Committee's responsibilities include reviewing and approving the budget, establishing and reviewing educational goals and policies, hiring the Superintendent, and conducting collective bargaining. The School Committee welcomed a new member this year, Mrs. Patricia Killeen, who was elected to the Committee in May.

The Dennett School building is in full use by the school and community following the completion of the addition and renovation project. The new soccer and baseball fields at the school are not yet in use, though it is hoped they will be able to be used this spring. Some additional fencing work is required at these fields.

The Administration and staff at the school work together to constantly evaluate and improve our educational programs, and the results of these efforts are clearly evident in the success of our students on the MCAS tests. The test scores continue to improve, which is an important measure of the school's progress under the No Child Left Behind Act.

The most significant issue facing the Dennett School and the biggest challenge for the School Committee has been the budget. The Committee recognizes the difficult financial situation in the Town, yet needs to provide a sound educational program with very limited funds. For the 2003-2004 school year the budget was reduced 8.9 percent, resulting in the loss of a full time teaching position, a library aide, and reductions in virtually every area of non-contractual and non-mandated services. This year the Town level-funded the budget, but because of increases in out-of-district Vocational tuition costs, which are voted with the elementary school's budget, the elementary school budget was actually less than level-funded. It is important to recognize that many costs continue to increase, including contractual costs (such as salaries), utility costs, and the costs of mandated services, so even a level-funded budget does not provide the same level of services. The School Committee and Administration reviewed every budget line for the 2003-2004 school year to look for places that reductions could be made that would least impact education. Among the reductions were one school bus, a full time aide's position, the part-time assistant principal, as well as significant cuts to supplies and equipment lines.

Although we believe the School Committee and Administration have done the best job possible making necessary reductions to our budget while still providing a sound educational program, it is important to recognize that significant cuts to virtually every part of the budget have been made, and the Committee is deeply concerned about the potential for adverse impacts on the education of our students.

Mary Dickerson, Dennett Principal for the past seven years, resigned to pursue other career opportunities at the end of the 2003-2004 school year. The School Committee wishes to extend our thanks and appreciation to Dr. Dickerson for her dedication to the school. Our strong educational programs are a tribute to her accomplishments as our Principal.

After reviewing and interviewing a number of applicants, the Superintendent hired longtime Dennett classroom teacher Philip Holt to be the new Dennett School Principal. Mr. Holt has been a teacher at the school for 30 years; for the last two years he was both a full-time teacher and a part-time assistant Principal. Mr. Holt brings experience, dedication, and enthusiasm to the continual process of improving our school.

The Committee wishes to acknowledge the retirements of three Dennett staff members at the end of the 2003-2004 school year, and to thank them for their dedication to our school. Retiring staff were Patricia Marsico, a teacher at the Dennett School for more than 30 years; Dennett School Psychologist Jane Schulze; and Brenda Traynor who retired from her position as Aide.

The School Committee wishes to extend our thanks to CASA, the Community and School Association. CASA contributes to the school in many, many ways, from organizing and sponsoring activities and programs, to providing volunteer help, and providing needed funds. The Committee is very grateful for the support of CASA.

The Committee also wishes to thank and recognize the staff and Administration for their dedication and commitment to excellence. We have a beautiful school building, but it is the people inside that provide the education, and the excellence of our school is the result of the hard work these people do for the children of our community.

The School Committee meets once per month. The meeting schedule is available on the Town's website or by calling the school. Meetings this year are generally scheduled for the third or fourth Monday of the month at 4:30 at the Dennett School. Community participation is encouraged and welcomed at all School Committee meetings.

REPORT OF THE SILVER LAKE REGIONAL SCHOOL COMMITTEE

Silver Lake marched forward this year as a three town Region. Under the able leadership of Dr. Gordon Noseworthy, Superintendent, all of the major hurdles spelled out in the Transition Agreement with Pembroke have been met. The division of staff and assets entailed considerable time and effort, but were accomplished with minimal discord. It should be noted that Pembroke will remain linked to Silver Lake for many years since the town will be responsible for a significant share of the monies owed to retiring teachers and staff.

As anticipated by the Finance Committees in the three towns during the negotiations for Pembroke's withdrawal, the costs to educate students in a three-town region increased significantly. With this in mind, the Committee asked the School Administration to be as conservative as possible in administering the Fiscal 04 budget in order to avoid a possible deficit and perhaps produce a surplus. As it turned out, the surplus was far greater than expected. Unfortunately, this was not known early enough to reduce the Fiscal 05 assessments and the towns had to seek voter support for an over-ride.

Moving ahead, after Pembroke's share of the surplus is paid to them, the remaining surplus will be available to the Committee to replenish its Excess and Deficiency fund and possibly lower assessments to the towns.

In April, voters in Kingston elected James Connolly to a three-year term on the School Committee. Jim is the father of triplets and recently retired as a Lt. Colonel from the U.S. Marines. He brings to the School Committee significant experience managing personnel and resources. Voters also re-elected John Creed to another three-year term. John brings extensive experience as a PR consultant to three other school districts and the Region has clearly benefited from his experience.

In August, Ms. Elizabeth Sorrell was hired as the Assistant Superintendent PreK to 12. Ms. Sorrell comes to us from the Belmont Public Schools where she oversaw the Science and Health programs throughout the school district.

September saw the opening of the new Silver Lake Middle School. The building is a true jewel, a credit to the Building Committee, to the three towns, and provides an excellent educational setting for the middle level learner.

District secondary schools are undergoing a complete overhaul. In early summer, the forty-four relocatable classrooms were removed from the High School site and renovations begun on the building. Work is moving ahead on schedule and is expected to be completed for the opening of school in September 07. Given that new school buildings are designed to last at least thirty-five years, barring a significant increase in the student population, voters can be confident that the school infrastructure will meet our needs for many, many years.

As we gain more experience as a three-town Region, plus the savings anticipated with the new buildings voters have provided, we should be able to budget more realistically. The Committee is very grateful to the three communities for their continued support and commits itself to providing the best education the towns can afford.

SUPERINTENDENT OF SCHOOLS REPORT

To the Citizens of Plympton:

The Silver Lake Regional School District and Union #31 2004-2005 kick-off day for teachers and administrators occurred in the auditorium of our new state-of-the-art Silver Lake Regional Middle School. After years of excited anticipation we were actually in the facility and only a day away from welcoming the middle level learners of our three-town district into their new school. We celebrated through open houses for students, parents and members of the community and everyone's reaction was the same—spectacular. What is most pleasing and inspiring to those of us who work in the building is the fact that the design is so well suited to middle level learning. It is one thing to see plans and quite another to implement practice. As the teams inhabited their pods, the building came to life in a most wonderful way. Again, we have to thank all those who made this dream a reality. The three towns can be rightfully proud of Silver Lake Regional Middle School.

Leading up to our new year were months of 2004 finalizing the withdrawal of Pembroke from the Silver Lake Regional School District. Teachers' assignments were determined by state law. Inventories of real property were meticulously verified and divided according to the *Transition Agreement*. Career and Technical Education students from Pembroke are permitted to remain at Silver Lake Regional High School on a tuition basis. In June the final four-town class graduated from Silver Lake Regional School District. This milestone was celebrated with a half-century of fond memories and the excitement of our vision of great years to come.

The substance of that first meeting on September 7, 2004 was the delivery of our *Pathway to Proficiency*. Each teacher received a copy of a graphic organizer which focused on data-driven decision-making and our performance accountability. The graph links all the connections that need to be made each day as we practice excellent teaching. Studying the hard data of our student results in MCAS and other assessments guides the strategy of our initiatives for teaching and learning. We modify curriculum and design professional development around the information that is gleaned from these results. Through the use of advance software we are also able to study cohorts of students, that is, the same group of children as they progress through the system. In the aggregate all our students made what *No Child Left Behind* legislation refers to as "Adequate Yearly Progress" but that does not mean we settle for that level. The national goal to have all children proficient by 2014 provides another decade but our aim is to excel before the deadline.

Teachers make an invaluable contribution to our mission. The high stakes task forces on English Language Arts and Mathematics have moved on to become a Curriculum Committee and a Professional Development Committee. The work of the former is published twice annually for every citizen; the work of the latter culminates in a biannual publication that delineates the options for teachers to participate in workshops, institutes and courses in our own schools. This work serves the initiatives of the district while simultaneously meeting the state requirement that we provide opportunities for teachers to gain Professional Development Points towards their five-year re-certification obligation. In many cases offerings are taught by our own staff, proof that "the expertise is among us." This is a practical and exemplary extension of course and conference investments in our teachers.

In 2003 I instituted *Planning for Excellence: Curriculum, Instruction and Professional Development Initiatives*, an annual power point presentation the most recent of which was made to the Joint School Committees on November 18, 2004. While every aspect of operating the school district cannot be comprehensively addressed, the goals which we prioritize and on which we focus are addressed. The intent is to describe the action accomplished for the year gone by and what is planned for the year ahead. Showing how these goals tie in to our progress renders this a working document. The administrators are provided with both a copy of the report itself and a separate list designating who is responsible among the leadership to see that we accomplish our goals. The substance of the 2005 report will reflect the work we are currently doing.

The need to connect as a PK-12 system, one which communicates, coordinates and acts in the interests of all children is ongoing. We pull together at the administration team meetings. All towns and levels are represented in committee work, a prime example of which are the vertical teams who wrote the benchmarks for the PK-12 curriculum. These will inform and guide all teachers and parents on the expectations by grade level of our learners.

Budget concerns are very real in each school. We suffer critical losses to meet the bottom line in each town and, as one year follows another, those losses heap on top of each other interfering with our success. The loss of coordinators at a time when we are striving to provide connections; the loss of technology personnel in a technological era; teacher cutbacks impacting class size; contractual unrest; and all line items squeezed to the minimum affect the quality of the education we deliver. We do continue to be as creative and resourceful as possible with every dollar the towns are able to provide for education.

June 2004 saw the retirements of Mr. Stephen Nestor as the Director of Occupational Programs, Mr. Robert Hodge as Assistant Superintendent for Secondary Education for Silver Lake Regional and Ms. Judith Bell as Administrator of Special Education for Superintendency Union 31 and Silver Lake Regional School District. Mr. James Hathaway replaced Mr. Nestor. Mr. David Kenney replaced Ms. Bell. Dr. Maurice Splaine's position as Interim Assistant Superintendent, K-6 was eliminated as of June 30, 2004. The position of Assistant Superintendent for Secondary Education and the position of Assistant Superintendent, K-6 were combined into one position of Assistant Superintendent K-12 for Superintendency Union 31 and Silver Lake Regional School District. Ms. Elizabeth Sorrell was hired to fill this newly reconfigured position. Budgetary constraints in the Kingston School Department necessitated the elimination of the Kingston Elementary School principalship held by Mrs. Lynne Christensen. Mr. William O'Brien now oversees both Kingston Schools. Mr. John Chellel resigned as Assistant Principal of Kingston Elementary School and was replaced by Ms. Paula Bartosiak, a long time Kingston classroom teacher. At the Dennett Elementary School in Plympton, Dr. Mary Dickerson resigned as Principal and Mr. Philip Holt, on leave from his classroom duties at the Dennett, is now serving as the Interim Principal at the Dennett Elementary.

ACKNOWLEDGEMENT

No one does this job alone. Students, teachers, staff, administrators, parents, School Committees, Building Committees, volunteers, and many in the community who support public education contribute to the excellence of our schools. Each year the success stories come back from recent graduates and there is no more gratifying testimony to our mission. A special thanks to all of you who serve the schools of Silver Lake and Union 31.

Gordon L. Noseworthy, Ed.D.
Superintendent of Schools

**DENNETT ELEMENTARY SCHOOL
PHILIP HOLT, PRINCIPAL
HIGHLIGHTS – 2004**

The past year at the Dennett Elementary School has been an exciting one and marked with several changes. After seven years as the principal, Dr. Mary Dickerson accepted a position as Head of Middle School at a private, preparatory school in San Antonio, Texas. Dr. Dickerson will be missed and all of us wish her our best. In July, I felt honored to become the principal of the Dennett Elementary School.

The new building is finally a completed reality and everywhere there is evidence of teaching and learning in action. Our MCAS scores continue to improve and have become consistently some of the highest in the area. The Dennett Elementary School continues to promote a culture of learning whose goal is to assist each student in the attainment of his/her full social, cognitive, physical, and cultural potential.

In January, our fourth, fifth, and sixth grade students participated in daily geography trivia questions, culminating in the National Geographic Geography Bee. The Annual Spelling Bee was held in February and turned out to be quite a cliffhanger. Looking back, our Reading Specialist, Joan Brides reports: "The month of March was a particularly special time for the staff and students at the Dennett Elementary School. Each year since 1993, they have participated in a month of reading activities which are based on a theme relevant to that year. March 2, 2004, marked the one-hundredth birthday anniversary of Theodore Seuss Geisel, better known to the world as Dr. Seuss. *Hats Off to Reading* was selected as the theme to honor this author. Each week children submitted a reading log of their time spent reading and answered questions related to the theme. This annual event includes a week of 'Celebrity Readers', when community and school officials visit and read in the classrooms of the Dennett Elementary School."

In March, our sixth graders participated in a Science Exposition, which is a culmination of intensive research, writing, and a PowerPoint presentation by each student. Grades four, five, and six also participated in the New England Math League contest. Over the last year, the children at the Dennett Elementary School have had many opportunities to perform for family and friends. In April, we celebrated spring during our annual Arbor/Earth Day by singing songs, reciting poetry and presentations by every grade level. The Spring Concert was entitled *The Wonderful World of Music* and was true to its name. Our Title I Reading Tutor and our Reading Specialist hosted a series of Family Reading Nights. Families and children in grades 1-3 were invited to come to the school library and read a book together. In May, we hosted a Family Math Night that gave children and their families an opportunity to enjoy a variety of challenging math games together. Officer Dennis Reddy, our DARE officer, continues to be a strong presence at the Dennett Elementary School, teaching our fifth graders to say "NO" to drugs and alcohol. The fifth grade's completion of the DARE Program was celebrated with a graduation ceremony. The sixth graders embarked on the Cape Cod Environmental field trip and returned enthused and elated.

Mrs. Graziano, our school nurse, reported that in the past year there have been over 3000 student visits to the nurse for a variety of reasons. The aim of school health services is to optimize the students' health and learning

through support and education. Mrs. Graziano conducted immunization screenings for all students, along with keeping all health records up to date and in compliance with all state mandates. Finally, to put it in Heather Cashman's words, "The school year ended with an extensive art show that featured Dennett's first ever *Edible Arts Night*. Artwork, representative of all students, was on display throughout Dennett's hallways. Art activities were set up in the cafeteria including cooperative and individual artwork stations. The *Edible Art* contest was open to all Plympton's residents in hopes of encouraging further cooperation and enjoyment of art throughout the community."

As the new principal it is a privilege to work with the children and our great teaching staff. Thanks to the generosity of many members of our Plympton community the Dennett Elementary School looks wonderful.

The following staff members are new to our Dennett community for the 2004 school year. Ms. Elizabeth Norton, the new first grade teacher, student taught with Mrs. Reynolds last year. Ms. Norton recently completed her Master's degree in Elementary Education from Lesley University. Mrs. McSweeney was promoted to teaching second grade and is very excited about the challenge. I am also very pleased to welcome back Mrs. Ann Walker as our new sixth grade teacher. Mrs. Christine Marcolini is our new school psychologist. Mrs. Bernadette Wilder and Mrs. Joanne Lundin have also joined the professional staff as teacher aides. Our new daytime custodian is Mr. Alan Charboneau.

Here is just a glimpse of various activities that have occurred so far this year: Grade One has had a Museum Day featuring Animals of the Night. As part of the Social Studies curriculum, Grade Two has created individual map books entitled "Me on the Map". Grade Three has had a Magic Show and in Science has learned about meteorology. Dan Shaughnessy of the Boston Globe responded to Mrs. Reynolds's fourth grade email by calling and answering student questions via speakerphone. Grade Five has been studying about explorers and participating in Literature Circles. Grade Six studied about the election process, the candidates, and the issues and presented their information to the other students in the building. This past November, Grades 1 through 6 attended the performance of HONK! at the Silver Lake High School. CASA paid for the transportation costs.

As part of Assistant Superintendent Elizabeth Sorrell's Reading at the Lake initiative, Grades one through six have been visited by various authors. Grades 1 and 2 were visited by the author and illustrator David Biedrycki. Grades 3 and 4 benefited from author and illustrator Matt Tavares's informative presentation. Author Melissa Glenn Haber shared her trials, tribulations, and successes with Grades 5 and 6.

CASA, our Community And School Association, continues to have a very positive impact on our school. Their tireless efforts provide us with family dances, enrichment programs, Citizen of the Month pizza luncheon with the principal, the Harvest Fair, Field Day, the annual Thanksgiving Feast, and so much more. As a result of budget cuts, CASA has willingly supplied funds for many of the Dennett Elementary School's needs. We extend thanks to CASA again this year for their support and commitment to the school and the Plympton community. Our recently revised Mission Statement reads: "Dennett

Elementary School is committed to providing a challenging curriculum to meet the needs of all students in a safe, accepting, and nurturing setting. Our goal is to assist each student in the attainment of his/her full social, cognitive, physical, and cultural potential. We believe in a three way partnership among school, parents, and community”.

It is my belief that the Dennett Elementary School is true to its mission and is well on the way to achieving its goals.

**SILVER LAKE REGIONAL MIDDLE SCHOOL
JEFFREY S. LUCOVE, PRINCIPAL
HIGHLIGHTS FOR 2004**

In 2003-2004, we used the word *transition* to describe our school year. This word was chosen to reflect both Union #31 and Silver Lake Region's change to a tri-town district, as well as the new middle school building project. For the 2004-2005 school year, the word that best describes Silver Lake Regional Middle School is *renewal*.

The new Silver Lake Middle School hosted over 1600 parents, students, and community residents during two preview open houses on August 31st and September 1st. On Wednesday, September 8, 2004 the school was officially opened to students. Shortly thereafter, on Saturday, October 18th, a formal dedication ceremony took place in the school's new 275-person auditorium. Despite very windy and rainy conditions, an excited and enthusiastic audience listened to congratulatory comments from State Senator Therese Murray and Representatives Thomas J. O'Brien and Daniel Webster. An additional note from Senator John Kerry was read to the gathering by Dr. Gordon L. Noseworthy, Superintendent of Schools. The middle school and tri-town communities are indebted to the members of the Building Committee for their countless number of volunteer hours and commitment to excellence. The school is a direct result of their hard work and dedication.

Our new middle school opened up with 620 students distributed between grades 7 and 8. Currently, the school is organized into five teams which are housed in individual pods consisting of six classrooms, five of which serve as homerooms for the team. The core team consists of one teacher from English Language Arts, Math, Social Studies, Science, and Special Education. Each team also has a dedicated special education para-professional. We have two teams of seventh graders and two of eighth graders. The fifth team is a combination of 7th and 8th graders, with students assigned to homerooms and classes at their specific grade level. Using a theme of New England history, the students in the school decided to name their teams the Scatacooks (Connecticut Indian tribe), Patriots, Tri-Town Tribes, Buccaneers, and Adventurers.

Technology in the new middle school is state-of-the-art and includes one computer for every four students, two computer labs adjacent to the new library, two mobile computer labs and fourteen Smart Boards. Every room has both Internet and cable access which can be seen through a special projector installed in the ceiling. We continue to learn new ways of integrating

technology into our pedagogy and the implementation of the state curriculum frameworks.

From an academic perspective, we continue to focus on the current high stakes MCAS tests of English Language Arts and Math while planning ahead to meet the upcoming challenges of Science and Technology. The math department, assisted by our new Assistant Superintendent, Elizabeth Sorrell, has completed a thorough data analysis of the 2004 math MCAS results. From this work, we have created a comprehensive set of activities and strategies to significantly improve our math scores moving forward.

The spirit of renewal permeates our new school and we are committed to achieving excellence in all we do *to ensure the success of each, individual student.*

**SILVER LAKE REGIONAL HIGH SCHOOL
RICHARD J. KELLEY, PRINCIPAL
HIGHLIGHTS 2004**

Change is in the air at Silver Lake Regional High School. The final four-town graduating class marched across Sirrico Field on June 5, 2004 and the early days of September marked the start of the 2004-2005 school year with classroom doors opening to more than 1,100 students of the new "tri-town" Silver Lake Regional High School. Despite the withdrawal of Pembroke students, the halls of the high school are abuzz with activity. The removal of the two portable classroom units (formerly the Red and White houses) means that the students and staff of Silver Lake all reside in the main building each day. Even with extreme changes in the school's structure and facade, our academic program remains consistent and rich and our extra-curricular offerings remain vibrant.

Take a drive by our campus and you will notice changes in the exterior every day. Our full-scale building project is well underway. By the 2007-2008 school year, Silver Lake will boast one of the finest, state-of-the-art school facilities in the state. Portions of the Lake Street side of the building, including one of the gyms, have been demolished. On a fall afternoon hundreds of students and staff signed a steel girder for the foundation of the new classroom wing to commemorate this exciting project. High school administrators are in continual contact with the building project management team in order to assure communication and safety during the construction process. The new building will be well worth the wait.

The Mission '07 committee of administrators, teachers, counselors, parents and students convened during the first month of school to discuss goals for the upcoming year; they include continuing to research model school structures and innovative programs, revising the school's Mission Statement and Expectations For Learning, and using data and research to make recommendations for the educational future of Silver Lake.

With a five-year progress report due in March, Silver Lake currently continues to maintain full accreditation, the highest standard of evaluation offered by the New England Association of Schools and Colleges (NEASC).

Continuing the No Child Left Behind Act's report card program, we are proud to report that we met or exceeded our target in both English/Language Arts and Mathematics on the improvement scale for "Adequate Yearly Progress."

The class of 2006 received MCAS results in the fall of 2004. 85% of the class passed math and 92% passed ELA (90% statewide). We are pleased to report that 71% received Proficient or Advanced scores in ELA and 58% earned Proficient or Advanced scores in mathematics. The faculty and administration continues to be committed to our school-wide goal that **every** student scores in the Proficient or Advanced category for both English/Language Arts and Mathematics.

All of the 380 members of the class of 2004 met the rigorous requirements set forth by Silver Lake Regional High School. In an historic graduation ceremony on June 5, 2004, the proud graduates from Halifax, Kingston, Pembroke and Plympton were joined by members of the class of 1956, the first graduates of Silver Lake Regional High School as a four-town region. Earlier that week, approximately \$170,000 in scholarship prizes and awards were bestowed upon members of the senior class. This amount does not include scholarships granted directly from colleges and universities. I am also pleased to note that 8 of our 9 non-graduating students of the class of 2004 completed their graduation requirements over the summer and have since earned diplomas. In all, Graduation 2004 was special and noteworthy.

Our Advanced Placement scores continue to be impressive. In all, over 118 students took 233 Advanced Placement examinations; those who earn scores of 3 or above earn college credit. Approximately 70% of students earned a score of 3 or higher in the following exams: Biology, Environmental Science, European History, United States History, Calculus AB, Spanish, Latin, English Literature, Music and Statistics.

Our annual Evening of Excellence, part of the school's Renaissance program, was held on May 26, 2004. This faculty-facilitated event celebrates the academic achievement, perfect attendance and personal growth of students in ninth through eleventh grade. More than 500 students were honored before a proud standing room only audience.

In addition to the pursuit of academic excellence, students participate and make a difference in a variety of ways beyond the classroom. Over 80% of the student body participate in extra-curricular activities and athletics. Musical and dramatic productions continue to inspire. Such exemplary events include vocal and instrumental concerts, the spring production of *Les Miserables*, this fall's recent musical *Honk!* and the dramatic production of *Voices*. Each day, student anchors utilize top-notch communication skills to present the televised morning announcements to the school. The *Laker Legend* (student newspaper) and *Silver Spectrum* (literary magazine) feature the writing and artistic talents of the student body. Silver Lake's many clubs and organizations—Key Club, National Honor Society, Student Council, Best Buddies, DECA, FFA and GSA—perform countless hours of community service in addition to facilitating a wide range of student activities. In May, art students showcased their talent in an evening festival of visual and performing arts. Silver Lake students are appreciated and honored by the community for their many personal gifts and amazing talents.

As usual, the summer months were filled with activity for many Silver Lake teachers and students. In addition to traditional summer school course offerings, some students spent July in the library receiving small-group tutoring at MCAS camp. During vacation teachers worked on curriculum articulation and alignment; several continued course work on advanced graduate degrees; several attended intensive training for Advanced Placement courses. In January a full day professional in-service continued efforts in developing our Writing Across The Curriculum program. October's faculty in-service saw the staff analyzing MCAS data and test items to develop and apply rigorous and challenging instructional and assessment techniques to raise academic standards for **all** students. Throughout the year, teachers stay current in the field by attending professional development workshops, participating in educational conferences and engaging in graduate level course work.

As a new era in Silver Lake Regional High School history is underway, the school continues to offer a rigorous and stimulating curriculum. Students are encouraged to take full advantage of the opportunities offered in order to achieve academic and personal success. The future is **now** at Silver Lake.

SILVER LAKE CLASS OF 2004

Julianne	Jacqueline	Borsari
Nicholas	Christopher	Burba
Kendra	Caitlin	Burnet
Ian	Michael	Calhoun
Patrick	Michael	Clark
Mark	Joseph	Conforto
Morgan	James	Coyne
Corrie	Jean	Ferguson
Carlton	Chamberlain	Ficks
Michael	David	Fiske
Jeffrey	Adam	Ghilardi
Thomas	Matthew	Gillespie
Robert	Patrick	Hackett
Nicole	Marie	Hall
Sara	Jean	Johnson
Sarah	Ruth	Lewis
Victoria	Alana	Lewis
Tamra	Lee	Lissell
Sean	Dennis	Martin
Joshua	David	Mattern
Joseph	Keith	McAndrews
Ross	Edwin	Merrill
Jeffrey	James	Merritt
Adam	Francis	Metivier
Sarah	Lillian	O'Connor
Kayla	Brynne	O'Malley
Brett	Peter	Pittman
Ethan	Corey	Taranto-Kent
Eric		Thornley
Joanna		Thornley
Brittany	Lee	Whiting`
Lauren	McLachlan	Widing
Kristen	Elizabeth	Zeoli

PLYMPTON SCHOOL DEPARTMENT

MEMBERSHIP

October 1, 2004

Grade	K	SP	1	2	3	4	5	6	7	8	9	10	11	12
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Elementary

	21		37	34	36	34	31	43						
Total	236													

Secondary									50	47	37	33	38	42
Total	247													

GRAND TOTAL 483

**STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
GOVERNMENT FUNDS FOR THE YEAR ENDED JUNE 30, 2004**

	GENERAL	SCHOOL BLDGS.	OTHER FUNDS	TOTAL
Revenues				
Member town assessments	19,026,253			19,026,253
Intergovernmental	8,754,314		1,887,117	10,641,431
Departmental and charges for services	481,377		1,584,814	2,066,191
Earnings on Investments	281,877			281,877
Miscellaneous	15,199			15,199
Total revenues	28,559,020		3,471,931	32,030,951
Expenditures				
Administration	1,982,618			1,982,618
Instructional services	15,421,773		1,708,374	17,130,147
School services	848,201		1,662,548	2,510,749
Operations and maintenance	2,141,375			2,141,375
Employee benefits and other fixed charges	5,263,431			5,263,431
Leased equipment	1,029,056			1,029,056
Assessments	108,874			108,874
Debt service:				

**STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
GOVERNMENT FUNDS FOR THE YEAR ENDED JUNE 30, 2004 CONT.**

Principle	200,000			200,000
Interest and other charges	568,812			568,812
Capital outlay	8,995	16,536,127		16,545,122
Total expenditures	27,573,135	16,536,127	3,370,922	47,480,184
Revenues over/(under) expenditures	985,885	(16,536,127)	101,009	(15,449,233)
Other financing sources (uses)				
Premium on short term borrowing (BAN)	15,183			15,183
Total other financing sources (uses)	15,183			15,183
Revenues and other financing sources over (under) expenditures, and other financing uses	1,001,068	(16,536,127)	101,009	(15,434,050)
Fund balance (deficit), beginning of year	1,662,194	1,656,541	947,508	4,266,243
Fund balance (deficit), end of year	2,663,262	(14,879,586)	1,048,517	(11,167,807)

**PLYMPTON SCHOOL COMMITTEE
2003-2004 OPERATING BUDGET
FINAL CLOSEOUT TRIAL BALANCE**

	TOTAL AVAILABLE	TOTAL EXPENDITURES	BALANCE
REGULAR DAY			
1100 SCHOOL COMMITTEE	10,111.00	13,114.47	(3,003.47)
1200 SUPERINTENDENTS' OFFICE	54,972.29	51,970.82	3,001.47
2200 PRINCIPAL'S OFFICE	123,134.00	122,101.64	61,032.36
2300 TEACHING	941,204.00	947,416.18	(6,212.18)
2350 PROFESSIONAL DEVELOP.	20,000.00	6,480.05	13,519.95
2400 TEXTBOOKS	653.00	519.30	133.70
2450 INST. HARD & SOFTWARE	1,000.00	9,222.84	(8,222.84)
2500 LIBRARY	62,009.00	171,814.57	(9,805.57)
2600 AUDIO VISUAL	0.00	1,761.10	(1,761.10)
3100 ATTENDANCE	75.00	75.00	0.00
3200 HEALTH	28,383.00	28,160.71	222.29
3300 TRANSPORTATION	105,570.00	106,081.12	(511.12)

**PLYMPTON SCHOOL COMMITTEE
2003-2004 OPERATING BUDGET
FINAL CLOSEOUT TRIAL BALANCE CONT.**

3400	FOOD SERVICE	500.00	500.00	0.00
4110	CUSTODIAL	97,162.00	99,975.86	(2,813.86)
4130	UTILITIES	89,700.00	92,817.47	(3,117.47)
4210	MAINTENANCE/GROUNDS	125.00	370.00	(245.00)
4220	MAINTENANCE/BUILDINGS	31,765.00	44,007.16	(12,242.16)
4230	MAINTENACE/EQUIPMENT	8,000.00	12,069.40	(4,069.40)
7300	ACQUISITION/EQUIPMENT	0.00	3,188.67	(3,188.67)
7400	REPLACEMENT/EQUIPMENT	0.00	3,188.67	(3,188.67)
TOTAL REGULAR DAY		1,574,363.29	1,612,843.73	(38,480.44)
SPECIAL EDUCATION				
2210	SUPERVISION	14,997.93	14,577.83	420.10
2230	TEACHING	78,662.00	69,866.63	8,795.37
2270	GUIDANCE	32,827.00	35,502.00	(2,675.00)
2280	PSYCHOLOGICAL SERVICES	14,528.00	8,013.43	6,514.57
2330	TRANSPORTATION	32,100.00	37,030.50	(4,930.50)
2900	PROGRAMS W/ OTHERS	193,932.00	159,105.20	34,826.98

PLYMPTON SCHOOL COMMITTEE
2003-2004 OPERATING BUDGET
FINAL CLOSEOUT TRIAL BALANCE CONT.

TOTAL SPECIAL EDUCATION	367,046.93	324,095.41	42,951.52
GRAND TOTAL	1,941,410.22	1,936,939.14	4,471.08
9320 VOCATIONAL EDUCATION	130,102.00	132,130.17	(2,028.17)

**SILVER LAKE REGIONAL SCHOOL DISTRICT
OPERATING BUDGET 2004 - 2005**

		2003-2004	2004-2005	%
		BUDGET	BUDGET	INC/DCR
REGULAR DAY				
1100	SCHOOL COMMITTEE	233,401.00	161,601.00	-30.76
1200	SUPERINTENDENTS' OFFICE	1,042,400.00	920,333.36	-11.71
2100	SUPERVISION	603,807.00	129,802.04	-78.50
2200	PRINCIPAL'S OFFICE	938,228.00	762,290.18	-18.75
2300	TEACHING	12,574,155.41	8,049,160.65	-35.99
2350	PROFESSIONAL DEVELOP.	140,900.00	69,600.00	-50.60
2400	TEXTBOOKS	100,750.00	60,137.00	-40.31
2450	INST. HARD & SOFTWARE	239,640.00	117,511.00	-50.96
2500	LIBRARY	157,516.00	197,945.64	25.67
2600	AUDIO VISUAL	10,800.00	6,500.00	-39.81
2700	GUIDANCE	909,830.00	573,874.86	-36.93
3200	HEALTH	111,317.00	78,934.56	-29.09

**SILVER LAKE REGIONAL SCHOOL DISTRICT
OPERATING BUDGET 2004 – 2005 CONT.**

3300	TRANSPORTATION	620,386.40	698,749.73	12.63
3500	ATHLETICS	52,315.00	101,504.00	94.02
4110	CUSTODIAL	829,755.00	686,677.00	-17.24
4120	HEATING	95,000.00	161,572.40	70.08
4130	UTILITIES	799,893.00	616,171.50	-22.97
4210	MAINTENANCE/GROUNDS	32,750.00	32,750.00	0.00%
4220	MAINTENANCE/BUILDINGS	203,325.00	311,096.00	53.00
4230	MAINTENACE/EQUIPMENT	130,355.00	111,165.00	-14.27
5100	RETIREMENT	531,949.00	540,415.00	1.59
5200	INSURANCE	2,599,195.00	1,945,848.00	-25.14
5300	LEASE	764,539.00	529,395.00	-30.76
5400	DEBT SERVICE	20,000.00	0.00	-100.00
7300	ACQUISITION/EQUIPMENT	9,110.00	6,012.00	-34.01
7400	REPLACEMENT/EQUIPMENT	1,500.00	0.00	-100.00
TOTAL REGULAR DAY		23,752,816.81	16,869,045.92	-28.98

**SILVER LAKE REGIONAL SCHOOL DISTRICT
OPERATING BUDGET 2004 – 2005 CONT.**

SPECIAL EDUCATION

2210	SUPERVISION	217,370.00	147,040.00	-32.35
2230	TEACHING	869,117.00	608,064.26	-30.04
2280	PSYCHOLOGICAL SERVICES	32,450.00	13,330.00	-58.92
2330	TRANSPORTATION	28,080.00	17,125.00	-39.01
TOTAL SPECIAL EDUCATION		1,147,017.00	785,559.26	-31.51
GRAND TOTAL		24,847,518.81	17,654,605.18	-29.10

**SILVER LAKE REGIONAL SCHOOL COMMITTEE
2003-2004 BUDGET
FINAL CLOSEOUT TRIAL BALANCE**

		TOTAL AVAILABLE	TOTAL EXPENDITURES	BALANCE
REGULAR DAY				
110	SCHOOL COMMITTEE	233,401.00	145,550.39	87,850.61
1200	SUPERINTENDENT'S OFFICE	1,042,400.00	974,126.49	68,273.51
2100	SUPERVISION	603,807.00	656,039.52	(52,232.52)
2200	PRINCIPAL'S OFFICE	938,228.00	928,947.19	9,280.81
2300	TEACHING	12,574,155.41	12,381,285.96	192,869.45
2350	PROFESSIONAL DEVELOP.	140,900.00	97,683.23	43,216.77
2400	TEXTBOOKS	100,750.00	84,075.69	16,674.31
2450	INST. HARD & SOFTWARE	239,640.00	192,124.01	47,515.99
2500	LIBRARY	157,516.00	150,205.20	7,310.80
2600	AUDIO VISUAL	10,800.00	10,635.05	164.95
3200	HEALTH	111,317.00	113,337.61	(2,020.61)
3300	TRANSPORTATION	620,386.40	621,585.54	(1,199.14)

**SILVER LAKE REGIONAL SCHOOL COMMITTEE
2003-2004 BUDGET
FINAL CLOSEOUT TRIAL BALANCE CONT.**

3500	ATHLETICS	52,315.00	39,676.14	12,638.86
4110	CUSTODIAL	829,755.00	912,515.16	(82,760.16)
4120	HEATING	95,000.00	127,065.33	(32,065.33)
4130	UTILITIES	799,893.00	863,936.56	(64,043.56)
4210	MAINTENANCE/GROUNDS	32,750.00	31,289.65	1,460.35
4220	MAINTENANCE/BUILDINGS	203,325.00	307,342.62	(104,017.62)
4230	MAINTENANCE/EQUIP.	130,355.00	124,156.22	6,198.78
5100	RETIREMENT	531,949.00	464,537.81	67,411.19
5200	INSURANCE	2,599,195.00	2,023,243.57	575,951.43
5300	LEASE	764,539.00	765,301.45	(762.45)
5400	DEBT SERVICE	20,000.00	0.00	20,000.00
7300	ACQUISITION/EQUIPMENT	9,110.00	8,995.00	115.00
7400	REPLACEMENT/EQUIPMENT	1,500.00	0.00	1,500.00
TOTAL REGULAR DAY		23,752,816.81	22,916,833.35	835,983.46

**SILVER LAKE REGIONAL SCHOOL COMMITTEE
2003-2004 BUDGET
FINAL CLOSEOUT TRIAL BALANCE CONT.**

SPECIAL EDUCATION

2210	SUPERVISION	217,370.00	213,930.34	3,439.66
2230	TEACHING	869,117.00	823,996.42	45,120.58
2280	PSYCHOLOGICAL SERVICES	32,450.00	33,820.69	(1,370.69)
2330	TRANSPORTATION	28,080.00	39,052.10	(10,972.10)
TOTAL SPECIAL EDUCATION		1,147,017.00	1,110,799.55	36,217.45
GRAND TOTAL		24,899,833.81	24,027,632.90	872,200.91

**SILVER LAKE REGIONAL SCHOOL DISTRICT
BALANCE SHEET – GOVERNMENT FUNDS
JUNE 30, 2004**

	General	School Bldgs.	Other Funds	Total Govt. Funds
ASSETS				
Cash and cash equivalents	\$3,315,995	\$5,346,760	\$1,169,496	\$9,832,251
Receivables				
Due from other governments	98,064			98,064
School Bldg. Asst. due in future years	20,069,855			20,069,855
Deposits	18,204			18,204
Total Assets	23,502,118	5,346,760	1,169,496	30,018,374
LIABILITIES				
Accounts payable & other current liab.	270,671	926,346	120,979	1,317,996
Accrued withholdings & benefits	498,330			498,330
Deferred Revenue	20,069,855			20,069,855
Notes payable				

**BALANCE SHEET – GOVERNMENT FUNDS CONT.
JUNE 30, 2004**

Due within one year		19,300,000		19,300,000
Total liabilities	20,838,856	20,226,346	120,979	41,186,181
FUND BALANCES				
Reserved for encumbrances	128,019			128,019
Unreserved				
General Fund	2,535,243			2,535,243
Special Revenue funds			1,048,517	1,048,517
Capital project Funds		(14,879,586)		(14,879,586)
Total fund balances	2,663,262	(14,879,586)	1,048,517	(11,167,807)
Total liabilities and fund balances	\$23,502,118	\$5,346,760	\$1,169,496	\$30,018,374

**SILVER LAKE REGIONAL SCHOOL DISTRICT
STATEMENT OF DEBT
2003 - 2004**

PURPOSE	YEAR OF ISSUE	YEAR OF MATURITY	ORIGINAL ISSUE	PRINCIPAL OUTSTANDING	INTEREST OUTSTANDING	TOTAL
SR. HIGH CONSTRUCTION	1994 - 1995	2004 - 2005	2,000,000.00	200,000	5,400.00	205,400.00
TOTAL OUTSTANDING DEBT						205,400.00

**SILVER LAKE REGIONAL SCHOOL DISTRICT
STATEMENT OF NET ASSETS – FIDUCIARY FUNDS
JUNE 30, 2004**

	AGENCY ACCOUNT	
ASSETS		
Cash & cash equivalents	83,298	
TOTAL ASSETS	83,298	
LIABILITIES		
Due to student groups		81,135
Due to Commonwealth		2,163
TOTAL LIABILITIES		83,298

**SILVER LAKE REGIONAL SCHOOL DISTRICT
CONSTRUCTION COST
2004 – 2005 BUDGET
SUMMARY OF TOWN ASSESSMENTS**

TOWNS	TOTAL
HALIFAX	40,183.63
KINGSTON	56,617.28
PEMBROKE	92,840.80
PLYMPTON	15,758.29
TOTAL	205,400.00
1994 CONSTRUCTON - SENIOR HIGH SCHOOL	
PRINCIPAL DUE	200,000.00
INTEREST DUE	5,400.00
TOTAL PRINCIPAL AND INTEREST	205,400.00
LESS STATE AID	0.00
NET CONSTRUCTION ASSESSMENT	205,400.00

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TELEPHONE NUMBERS - TOWN OFFICES

Assessors, Board of	781-585-3227
Building Inspector	781-585-0571
Dennett Elementary School	781-585-3659
Dog Officer	781-585-9444
Gas & Plumbing Inspector	781-585-0571
Fire Business	781-585-2633
Health, Board of	781-585-7000
Highway Department	781-585-3703
Library	781-585-4551
Police Business	781-585-3339
Selectmen, Board of (phone & fax)	781-585-2700
Silver Lake Administration Office	781-585-4313
Silver Lake Regional Middle School	781-582-3555
Silver Lake Regional Senior HS	781-585-3844
Tax Collector	781-585-6075
Town Accountant	781-585-0409
Town Clerk	781-585-3220
Town Treasurer	781-585-0409
Transfer Station	781-585-9881
Tree Warden	781-585-3339
Wiring Inspector	781-585-0571
Town House Fax	781-582-1505
Library Fax	781-585-7660

EMERGENCY: POLICE, FIRE, & AMBULANCE

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