

PLYMPTON SPECIAL TOWN MEETING WARRANT

November 30, 2022

THE COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH SS.

TO EITHER OF THE CONSTABLES OF 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 at 80 Crescent Street in said Plympton Wednesday, November 30, 2022 at 7:00 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 authorize the Board of Selectmen to acquire, by purchase, gift, or eminent domain, upon such terms and conditions as the Selectmen deem appropriate, the fee or lesser interest in all or a portion of those lands off Palmer Road, Maple Street, and Main Road in the Town known as the Turkey Swamp, said lands being identified more or less as Plympton Assessors' Map 6, Lots 2-99 and 2-99A, and described in the deed to Amanda Monti, Trustee of Merrimont Realty Trust, recorded with the Plymouth County Registry of Deeds in Book 48472, Page 4, together with the buildings and improvements located thereon, and such interests in abutting lands as may be convenient to provide access thereto, for open space, conservation and passive recreation purposes, said lands to be held upon acquisition in the custody and control of and managed by the Conservation Commission, pursuant to G.L. c.40, §8C, subject to the protections of Article 97 of the Amendments to the Massachusetts Constitution; and as funding for such acquisition and any and all costs incidental and related thereto, including title investigations, closing costs, payment of a deposit to secure a purchase agreement, and attorney's fees, to appropriate from the Community Preservation Fund, transfer from available funds, or borrow, a sum or sums of money, said sums to be expended under the direction of the Board of Selectmen, and to authorize the Board of Selectmen to convey a permanent restriction or such other interest in the lands acquired as may be required by G.L. c.44B, §12, or otherwise, to allow for such acquisition and use of the funds applied thereto; and to authorize the Board of Selectmen and/or such other Town boards or commissions as the Selectmen may designate, to apply for, accept and expend any sums, including grants and/or reimbursements, that may be provided by the Commonwealth of Massachusetts under Chapter 132A, Section 11, including the Massachusetts Municipality Vulnerability Preparedness Program, or by any other public or private source, to defray all or a portion of the costs of said acquisition, and to enter into all agreements, execute any and all instruments, and take any and

all actions as may be necessary or appropriate to effectuate the foregoing purposes; or take any other action relative thereto.

**Board of Selectmen
Recommended by BOS (3-0)**

ARTICLE 2 To see if the Town will vote to amend the Town's General Bylaws to add a new section as set forth below to authorize the Treasurer to pursue and establish payment agreements for parcels of land in tax title to allow delinquent taxpayers to pay off their tax liens over time, as authorized by M.G.L. c. 60 § 62A, and further to authorize the Town Clerk to assign the proper chapter and section numbers to said bylaw, consistent with the current numbering system, or take any other action relative thereto.

Tax Title Payment Plans

A. Pursuant to the provisions of G.L. c. 60, §62A, the Treasurer-Collector shall have the authority to enter into written payment agreements with any person entitled to redeem ownership of parcels of in tax title which have been taken by the Town as a result of nonpayment of real estate taxes. The payment agreement shall be executed on such terms and conditions for payment of the delinquent taxes, interest and any other costs, fees or charges associated with same, in accordance with G.L. c. 60, §62A and this bylaw. The Treasurer-Collector shall not refuse to enter into agreements with eligible taxpayers.

B. This bylaw shall apply to all taxpayers with parcels in the following assessment categories of tax title in the Town:

1. Commercial property;
2. Residential property;
3. Industrial; and
4. Open space.

C. The following conditions must be met prior to the Town entering into a payment agreement:

1. The Town has not filed a petition to foreclose the rights of redemption with the Land Court, and the recording date of the Instrument of Taking recorded in the Plymouth County Registry of Deeds must be no more than ten (10) years from the date of the proposed agreement; and

2. All real estate taxes and water/sewer user fees due for the current fiscal year assessed against the parcel must be paid to date.

D. All payment agreements shall comply with the following minimum requirements:

1. The payment agreement shall have a term of 5 years; provided, however, that nothing herein shall preclude the taxpayer from completing payments of the amount owed within a shorter period of time;

2. The payment agreement may include a waiver of 25 percent of the interest that has accrued in the tax title account, but only if the taxpayer complies with the terms of the agreement (no taxes or collection costs may be waived); and

3. The payment agreement shall state the amount of the payment due from the taxpayer at the time of execution of the agreement, which must be at least twenty-five percent (25%) of the amount needed to redeem the parcel at the inception of the agreement. The taxpayer must then agree to pay the remaining balance due to the Town in equal monthly installments.

E. If the taxpayer complies with all terms in the agreement, a credit equal to 25 percent of the interest accrued to the date of execution shall be applied against the final installment payment(s) due under the payment agreement.

F. During the term of the agreement, the Treasurer-Collector may not bring an action to foreclose the tax title unless payments are not made in accordance with the schedule set out in the payment agreement or timely payments are not made on other amounts due to the Town that constitute a lien on the same parcel.

Town Treasurer
Recommended by BOS (3-0)

ARTICLE 3 To see if the Town will vote to transfer from Free Cash the sum of \$21,000.00 to the Unemployment Line (Budget Line 30) in the FY 2023 budget as voted pursuant to Article 4 at the May 18, 2022 Annual Town Meeting, or take any other action relative thereto.

Town Treasurer
Recommended by BOS (3-0)

ARTICLE 4 To see if the Town will vote to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation, as set forth below, to exempt Stephen Silva from Section 91 of Chapter 32 of the General Laws, so that the Board of Selectmen can continue his appointment to the position of Fire Chief until age 70; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, or take any other action relative thereto:

AN ACT AUTHORIZING THE TOWN OF PLYMPTON TO CONTINUE THE EMPLOYMENT OF STEPHEN SILVA

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

SECTION 1. Notwithstanding any general or special law to the contrary, Stephen Silva, Fire Chief of the Town of Plympton, may continue to serve in that position until reaching age 70, the date of his retirement or the date he is relieved of his duties by the Board of Selectmen of the Town of Plympton, whichever occurs first; provided, however, that he is mentally and physically capable of performing the duties of his office. The Board of Selectmen may, at the Town's own

expense, require that Stephen Silva be examined annually by a physician designated by the Town, to determine such physical and mental capability to perform the duties of his office.

No further deductions shall be made from the regular compensation of Stephen Silva pursuant to Chapter 32 of the General Laws for service subsequent to his reaching age 65; and upon retirement for superannuation, he shall receive a superannuation retirement allowance equal to the allowance that he would have been entitled had he retired upon reaching age 65.

SECTION 2. This act shall take effect upon its passage.

**Board of Selectmen
Recommended by BOS (3-0)**

ARTICLE 5 To see if the town will vote to amend the Wage and Personnel Bylaw, Section 11. Sick Leave, by striking subsection (c) in its entirety and by editing subsection (g) to read as follows: *(g) Unused sick leave shall be credited and shall accumulate from year to year without limit. Unused sick leave is not eligible for payout in the event of an employee's separation from the Town for any reason,* or take any other action relative thereto.

**Board of Selectmen/Wage Advisory Committee
Recommended by BOS (3-0)**

ARTICLE 6 To see if the Town will vote to transfer from available Overlay Surplus fund the sum of \$100,000.00 for the purpose of reducing the Fiscal 2023 Interim tax rate, or take any other action relative thereto.

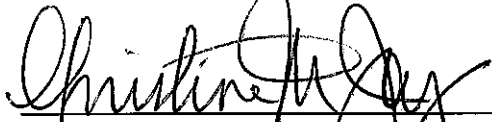
**Board of Assessors
Recommended by BOS (3-0)**

ARTICLE 7 To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the repair and/or replacement of the roof on the Old Town House, including all necessary work and improvements related thereto, or take any other action relative thereto.

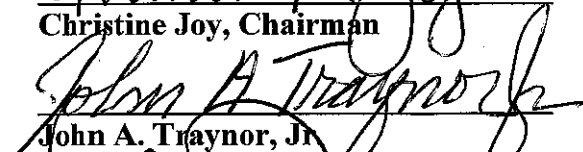
**Town Properties Committee
Recommended by BOS (3-0)**


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, KKaties Express Plympton and the Plympton Post Office, hereof, fail not and make due return of your doings thereon to the Town Clerk at the time and place of said meeting.

Given under our hands this 17th day of October in the Year of Our Lord two thousand twenty-two.


Christine Joy, Chairman

Selectmen of Plympton


John A. Traynor, Jr


Mark Russo

Plymouth, ss.

PURSUANT TO THE WITHIN WARRANT

I have notified and warned the inhabitants of the Town of Plympton by posting up attested copies of the same at the Plympton Town House, Plympton Public Library, Dennett Elementary School, KKaties Express Plympton and the Plympton Post Office at least 14 days before the date of the meeting as within directed.

 , Constable of Plympton

10/19/22 Date