

PLYMPTON ANNUAL TOWN MEETING
May 12, 2021

Moderator, Barry DeCristofano, declared there being a quorum present (35) and preparation and posting of the warrant and the procedure was accomplished in accordance with the law and, therefore, the Annual Town Meeting was called to order at 7:04 p.m. at the Dennett Elementary School. Mr. DeCristofano introduced Brain Wick as the Assistant Moderator in an adjoining room for COVID-19 precautions. Mr. DeCristofano welcomed everyone and thanked them for their attendance. He reminded everyone to maintain a safe distance of 6 feet by only 2 people coming to the microphone at a time. He also requested everyone wear a mask. "Those who do not adhere to these rules will be out of order and asked to leave. Please exit at the side doors nearest you." He also thanked Dennett Elementary Principal Peter Veneto and the custodial staff for all their hard work to set up for this meeting. Mr. DeCristofano asked everyone to rise for the Pledge to Allegiance to the American Flag. He also asked for a moment of silence for Town residents who passed since the last Town meeting. Mr. DeCristofano stated that the Annual Town Meeting addresses Fiscal Year 2022 (July 1, 2021 to June 30, 2022) and at 8:00 p.m. the Special Town Meeting begins to address funding issues in this year's fiscal spending which ends June 30, 2021. Mr. DeCristofano stated that the meeting is being taped by Area 58 broadcast media and requested everyone silence their cell phones.

Mr. DeCristofano introduced the Board of Selectmen, John Traynor, Christine Joy, and Mark Russo, Town Administrator Elizabeth Dennehy, Town Counsel Gregg Corbo, Town Clerk Patricia Detterman, Town Accountant Lisa Hart and outgoing Town Accountant Barbara Gomez, the Finance Committee Chairperson Nathaniel Sides, Marilyn Browne, Steven Lewis, Kathryn Shepard and Michael Lemieux. Also present were Assistant Town Clerk/Teller Nancy Magnussen and Teller Patricia Mustacaros, Nancy Butler, Helen Reynolds, Dorothy Martel, and Suzanne Jafferian. The Peace Officers present were John Simon and Interim Police Chief Matthew Clancy.

There were 86 registered voters present and 15 non-registered citizens present. Non-registered citizens were requested to sit in the front row. The moderator reviewed procedures for speaking, to include stating full names and home address. "All comments must be directed through the moderator and he will then direct comments to the appropriate person. Article sponsors and speakers from the floor will be allowed 3 minutes which will be timed closely. All substantial amendments must be submitted in writing.

The following motion was moved and seconded for the following non-residents of Plympton to be allowed to address the assembly when necessary:

State Representative Kathy LaNatra, Town Administrator Elizabeth Dennehy, Town Counsel Gregg Corbo, Town Accountant Barbara, Interim Police Chief Matthew Clancy, Dennett Elementary School Principal Peter Veneto, Jr., SL Regional School District Superintendent Jill Proux, and SL District Director of Business Services Christine Healy.

Pass majority

Kathy LaNatra presented citations from the State House to Barbara Gomez, Debra Batson, and Colleen Morin in recognition for their years of service to the town.

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 other action relative thereto.

ARTICLE 1 VOTE (On the motion of Christine Joy, Selectman, 10 Dukes Brook Rd. and seconded) There were no reports given by any Board or Committee members.

Pass Unanimous

ARTICLE 2 To see if the Town will vote to authorize the Town Treasurer to enter into Compensating Balance agreements for FY 2022 as permitted by and in accordance with M.G.L. c.44, §53F, or take any other action relative thereto.

Town Treasurer
Recommended by BOS (3-0)

Kimberly Williams, 263 Main St., asked what OPEB is?

Moderator Barry DeCristofano explained that was the Article 2 for the Special Town Meeting starting at 8:00 pm.

ARTICLE 2 VOTE (On the motion of Colleen Morin, 11 Granville Baker Way, and seconded), to approve the article as written in the warrant.

Pass Unanimous

ARTICLE 3 To see if the Town will vote to amend the Wage & Personnel Classification Plan effective July 1, 2021 and to pay as wages the following sums, or take any action relative thereto.

Wage & Personnel Wage Recommendations for Fiscal Year 2022

	Position	2021 Bottom Salary Range	2021 Top Salary Range	Proposed Bottom Range 2022	Proposed Top Range 2022
	Fire Department				
*	Firefighter/Paramedic				
	Full Time Lieutenant FF/Paramedic	\$53,250.00	\$69,000.00	\$53,942.25	\$69,897.00

	Full Time FF/Paramedic	\$51,000.00	\$66,500.00	\$51,663.00	\$67,364.50
	Part Time FF/Paramedic	\$19.24	\$25.12	\$19.49	\$25.25
*	Paramedic				
	Full Time Captain/Paramedic	\$55,000.00	\$71,500.00	\$55,715.00	\$72,429.50
	Part Time Captain/Paramedic	\$21.50	\$28.00	\$21.78	\$28.36
	Lieutenant/Paramedic	\$20.60	\$26.75	\$20.87	\$27.10
	Paramedic Call		\$20.25		\$20.51
*	EMT				
	Full Time Captain/EMT	\$50,000.00	\$65,000.00	\$50,650.00	\$65,845.00
	Part Time Captain/EMT	\$18.00	\$27.00	\$19.00	\$27.00
	Lieutenant/EMT	\$21.00	\$27.25	\$21.27	\$27.60
	Firefighter/EMT	\$16.50	\$21.50	\$16.71	\$21.78
	EMT Call		\$17.57		\$17.80
*	Firefighter				
	Firefighter	\$16.50	\$21.50	\$16.71	\$21.78

Highway Department					
	Highway Superintendent	\$67,525.00	\$88,100.00	\$68,402.83	\$89,245.30
	Working Foreman	\$23.00	\$30.00	\$23.30	\$30.39
	Motor Equip. Repairman	\$22.50	\$29.25	\$22.79	\$29.63
	Equipment Operator	\$21.00	\$27.25	\$21.27	\$27.60
	Truck Driver/Laborer	\$20.70	\$27.00	\$20.97	\$27.35
Clerical/Election Workers					
	Senior Clerk/Warden	\$14.00	\$18.25	\$14.18	\$18.49
	Constable	\$14.00	\$18.25	\$14.18	\$18.49
Elder Affairs					
	Director Elder Affairs	\$7,000.00	\$9,100.00	\$17,000.00	\$22,100.00
	Senior Aide	\$23,800.00	\$31,000.00	\$24,109.40	\$31,403.00
Library					
	Library Director	\$50,000.00	\$65,000.00	\$50,650.00	\$65,845.00
	Senior Library Technician	\$20.25	\$26.25	\$20.51	\$26.59
	Circulation Assistant	\$15.00	\$19.50	\$15.20	\$19.75

Police Other				
	Special Police Officer		\$19.83	\$20.09
	Police Matron		\$18.69	\$18.93

Professional					
	Land Use Coordinator	\$22.25	\$29.00	\$22.54	\$29.38
	Assist. Assessor	\$30.00	\$39.00	\$30.39	\$39.51
	Administrative Assessor			\$21.48	\$27.86
	Health Agent	\$37.00	\$48.00	\$37.48	\$48.62
	Conservation Agent	\$30.00	\$50.00	\$30.39	\$50.65
Town Hall Support					
	Asst. Town Accountant	\$21.20	\$27.50	\$21.48	\$27.86
	Asst. Town Clerk	\$21.20	\$27.50	\$21.48	\$27.86
	Asst. Treasurer/Collector	\$21.20	\$27.50	\$21.48	\$27.86
	Administrative Assistant	\$20.70	\$27.00	\$20.97	\$27.35
	Senior Clerk	\$18.10	\$23.50	\$18.34	\$23.81
	Clerk	\$14.00	\$18.25	\$14.18	\$18.49
Town Labor					
	Sr. Disposal Attendant	\$18.50	\$24.00	\$18.74	\$24.31
	Disposal Attendant	\$17.25	\$22.50	\$17.47	\$22.79
	Town Custodian	\$16.90	\$22.00	\$17.12	\$22.29
	Laborer	\$16.90	\$22.00	\$17.12	\$22.29
Veteran Affairs					
	Veterans Agent (Stipend)		\$8,905.24		\$9,021.01

Wage & Personnel Board
Recommended by BOS (3-0)

ARTICLE 3 VOTE (On the motion of Alan Wheelock, 10 Center St. and seconded) to approve the article as written in the warrant.

Pass Unanimous

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
Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 4 VOTE

Line 240

Held by David Detterman, 32 Parsonage Rd., "why was there a 9% increase by doing the math, although line 240 lists 3.7% increase? This is incorrect."

Nathanial Sides, Finance Committee, stated that it is from last year not paid out as part of a contract.

David Detterman, 32 Parsonage Rd., asked "why do we vote if it is in a contract?"

Nathanial Sides, Finance Committee, stated that it is contracted but we still have to pay it.

Moderator Barry DeCristofano concurred, stating that that we still have to pay for contracted money.

Suzanne Jafferian, 373 Main St. asked why there was such a change from 59k to 104k between 2018 and 2019, and stated "this is a big jump in one year."

Moderator Barry DeCristofano answered that is was a change from Town Coordinator and replaced with Town Administrator, which is a different position. It shows up as the same line item because the different positions do still share many responsibilities.

Line 510

Held by Lisa Hart Town Accountant to move to pay \$200,00.00 from Ambulance Fund transfer.

Line 560

Held by Robert Montgomery, 9 Tobey Ln., asked why \$0.00 for DARE.

Nate Sides said Dare is funded under Line 555.

Al Vautrinot, 153 County Rd. asked if the DARE program is ending?

Moderator Barry DeCristofano repeats it is funded under Line 555.

Line 825

Held by Lisa Hart to move to pay from a Capital Stabilization Transfer.

Please see attached

ARTICLE 5 To see if the Town will vote to amend *Section 14. Holidays* of the Wage and Personnel Bylaw by adding "Juneteenth" to the list of Massachusetts legal holidays, or take any other action relative thereto.

Wage and Personnel Board
Recommended by BOS (3-0)

ARTICLE 5 VOTE (On the motion of Alan Wheelock, 10 Center St. and seconded) vote to amend *Section 14. Holidays* of the Wage and Personnel Bylaw by adding "Juneteenth" to the list of Massachusetts legal holidays, or take any other action relative thereto.

Pass Majority

ARTICLE 6 To see if the Town will vote to amend *Section 18. Bereavement Leave* of the Wage and Personnel Bylaw by striking said Section in its entirety and replacing with the following text, so that said Section reads as follows:

In the event of the death of an employee's spouse, child, mother, father, step mother, step father, mother-in-law, father-in-law or sibling, the employee shall be granted paid bereavement leave of up to five (5) business days. For sister-in-law, brother-in-law, grandparents, grandchildren, aunts or uncles, the employee shall be granted paid bereavement leave of up to three (3) business days. For other family members and/or in the case of unusual circumstances, time off may be granted at the discretion of the employee's Department Head, with approval of the Town Administrator and Board of Selectmen, or take any action relative thereto.

Wage and Personnel Board
Recommended by BOS (3-0)

ARTICLE 6 VOTE (On the motion of Alan Wheelock, 10 Center St, and Seconded), to approve the article as written in the warrant.

Pass Unanimous

ARTICLE 7 To see if the Town will vote to amend *Section 13. Vacations* of the Wage and Personnel Bylaw by striking said Section in its entirety and replacing with the following text, so that said Section reads as follows:

Section 13. Vacations

At the start of the fiscal year (July 1), permanent full-time employees and benefits-eligible part-time employees who are working a minimum average of twenty (20) hours per week shall be granted paid vacation leave on July 1 each year, as follows:

Continuous Service	Paid Vacation Leave
at least 6 months, but less than 1 year	5 days (1 week)
at least 1 year, but less than 2 years	5 days (1 week)
at least 2 years, but less than 5 years	10 days (2 weeks)
at least 5 years, but less than 15 years	15 days (3 weeks)
at least 15 years	20 days (4 weeks)

Paid vacation leave is granted on a fiscal year basis (on July 1, each year) and shall be taken between July 1 and June 30. Vacation time shall not accumulate and carry over from (fiscal) year to year.

All employees shall schedule vacations so as to cause minimal interference with the performance of the regular work of the Town and shall provide at least one weeks' notice to their Department Head (or in the case of a Department Head, notice to the Town Administrator) of plans to use more than three (3) consecutive days, to the extent practical. In unusual circumstances, an exception may be granted to the provisions of this Section by the Department Head with the approval of the Town Administrator and a Memo shall be sent to the Wage and Personnel Board documenting the reasons for said exception.

Or take any action relative thereto.

Wage and Personnel Board
Recommended by BOS (3-0)

ARTICLE 7 VOTE (On the motion of Alan Wheelock, 10 Center St.), to approve the article as written in the warrant, with the addition of the following language at the end of said Section: The vacation numbers are based on a five-day workweek. Employees will receive their weekly vacation allotments based upon how many days per week they typically work. For example, if an employee who typically works three days per week is entitled to three weeks of vacation, they would receive a total of nine vacation days.

Pass Unanimous

Moderator Barry DeCristofano stated, "I have just shy of 7:58. We will take a one and a half minute break, and we will begin the Special Town Meeting. I don't want to switch meetings in the middle of an article."

ARTICLE 8 To see if the Town will vote pursuant to the provisions of G.L. c.41, §1B to change the position of elected Town Clerk to an appointed position; provided, however, that before such a change will take effect, it must be approved by the voters at the 2022 Annual Town Election, or take any other action relative thereto.

Board of Selectmen
Recommended by BOS (3-0)

ARTICLE 8 VOTE (On the motion of Christine Joy, Selectman, 10 Dukes Brook Rd., and seconded), to approve the article as written in the warrant.

Christine Joy, Selectman, 10 Dukes Brook Rd., stated for the past 6 years the selectmen have tried to professionalize town government, improve and streamline services and minimize liability.

Cathy Ferguson, 4 Brook St., stated we should follow the guidance of the selectmen.

Martha Burns, 5 Oak St., stated this takes away the right to vote.

Nancy Butler, 49 Maple St., former Town Clerk, stated please do not vote for this.

David Detterman, 32 parsonage Rd. stated the selectmen have the right to appoint a Town Clerk if there is a vacancy and they did not appoint in 2019 when there was a vacancy.

Marilyn Brown, 46 Elm St. expressed to vote in favor of appointing.

Mark Russo, 140 Palmer Rd., stated that the Highway Supervisor and Treasurer were changed to appointed to widen the pool for our small town. This is the first step in the process.

Jaqueline Freitas, 55 Upland wants to be able to keep voting for this position.

Lisa Hart, 7 Marie Elaine Dr., stated to put it on the ballot so more people can vote.

Alan Vautrinot, 151 County Rd. stated it would change how the town is operated and we shouldn't just appoint someone who isn't qualified.

Patricia Detterman, 32 Parsonage Rd. stated we should keep the right to vote. She was not appointed despite being the Assistant Town Clerk at the time that Town Clerk vacated her position in 2019. She believes the Selectman have been unsupportive of her since the time she stepped into her role as Town Clerk.

Suzanne Jafarrian, 373 Main St., stated that it sounds like the selectmen want to have the ability to remove anyone they have a personality conflict with or do not like. "Isn't this a lot of power?"

Christine Joy, Selectman, 10 Dukes Brook Rd., stated the town comes first. It's not personal and she speaks for all selectmen that personal feelings do not outweigh the town's best interests. This is to professionalize services.

Suzanne Jafarrian, 373 Main St, asked traditionally, is this position appointed or elected? It seems like we have many appointed positions which grants the selectmen lots of power. Statistically, how many other towns vote for this position? This is a lot of power for 3 people.

Patricia Detterman, 32 Parsonage Rd, answered that in the 351 towns in MA, 312 of their town clerks are elected.

Moderator Barry DeCristofano incorrectly restates the Town Clerk's response, "312 of 341, okay."

Robert Montgomery, 9 Tobey Ln., stated taking away your right to vote is fundamentally wrong.

Christine Joy, Selectman, 10 Dukes Brook Rd., stated small towns like Plympton have appointed Clerks because of the small candidate pool and specialized position.

Detterman, 32 Parsonage Rd, rises to speak.

Moderator Barry DeCristofano asks twice for anyone who has not yet spoken to please speak, before he calls on another person who has already spoken.

Kimberly Russo, 140 Palmer Rd., stated that she is responding to this as well as Article 4, Line 240, where someone asked earlier about the Town Administrator and what happened in 2018-19 because these are related issues. The town "regrouped" and chose to have a town administrator to move forward into the future and work better. An elected position is something can be put into based on popularity and may not take into account the person's fitness or job qualifications. Article 8 is a safeguard to ensure that there is a qualified person is serving as Town Clerk. We have been lucky but we may not always be as lucky.

Colleen Thomson, 192 Main St., stated that although we have had and currently have had great Clerks. But historically, Assistant Town Clerks step into the position of Town Clerk when someone retires or steps away from the position. She stated she is concerned our small pool of applicants is not enough to fulfill the position. She believes there was a committee made up of members of the Town vetted people to select the Town Administrator based on the best candidates. This is the time that other towns in the state are trying to do the same thing and that this is the time we should do the same.

Carolyn DeCristofano, 198 Main St., stated that legally we need professional support so that our rights are not violated and so the town isn't liable due to administrative processes. The selectmen are accountable for their appointments.

Dean Jafferian, 373 Main St., stated the people in town should decide. There are qualifications a person would need to be listed on the ballot and we wouldn't elect someone who isn't able to perform the job.

Moderator Barry DeCristofano stated that if anyone wants to speak a second time, they must only bring up a new concern that has not been addressed yet because we cannot repeat the same request that the selectmen are taking away your right to vote.

Stephan Silva, 24 Pope's Farm, stated to put it on the ballot to allow those not here to vote.

Moderator Barry DeCristofano requested for another new speaker who has not commented yet.

Vicki Alberti, 162 Main St., asked for clarification if appointed officials can live outside of town but only residents could appear on the ballot for election.

Moderator Barry DeCristofano answered yes you must be a resident to appear on the ballot.

John Traynor Jr., 62 Crescent St., stated that department heads have more intensive mandates from the State than they used to. He supports the idea of professionalizing department heads.

Nancy Butler, 49 Maple St., former Plympton Town Clerk, stated the Christine Joy was incorrect when she said that small towns appoint their clerks due to small applicant pools. Nancy Butler was Chairman of the Massachusetts Town Clerk's Association for Small Towns. Every small town that she represented all had elected clerks.

Moderator Barry DeCristofano stated a warning to David Detterman, who had been requesting to speak for a long time, that he may only speak about new information.

David Detterman, 32 Parsonage Rd., stated there is a MGL to give tenure to a Clerk after 5 years so they could be retained in their position. This could be placed on the ballot. This would allow security for a town clerk if the selectmen aim to control the position. An elected town clerk reports to state and other authorities, not to selectmen. Personnel whose Town positions are appointed by selectmen and who report to the selectmen are present tonight. Mr. Detterman requested a silent ballot. This would protect the vote of those who may feel threatened by the selectmen. Their jobs may be in jeopardy if they do not vote consistently with the selectmen who appoint them.

Moderator Barry DeCristofano stated David Detterman's implications make him out of order.

Terri Keenan, 43 West St., stated if understanding correctly, this is taking away our right to vote and the selectmen will make the decision. "Is this in conjunction with Article 7 which is to hire a recruiter to find someone out of town to appoint?"

Moderator Barry DeCristofano stated that the fund is a general fund for all positions and not limited to just the Town Clerk. He also stated "we have been around on this" and will take one last speaker.

Justin Shepard, 6 Cross St., stated sometimes elections in a small town are unopposed. If the position is appointed, selectmen could seek candidates that live out of town in the event there is a vacancy. He also stated the current Town Clerk has been fantastic in his dealings with her and that he hopes we do not need to look for another one in his lifetime.

Moderator Barry DeCristofano stated it has been 30 minutes and we have heard from about 2 dozen residents, accounting for approximately 1/3 of the turnout at Town Meeting. He then decides to close the discussion and hold a vote.

Pass Majority

ARTICLE 9 To see if the Town will vote to amend the Plympton Zoning Bylaws, Section 300-8.1 Flood Plain and Watershed Protection District, by deleting said Section in its entirety and replacing it with the following, so that Section 300-8.1 will read as follows:

§ 300-8.1 Floodplain and Watershed Protection District.

Section A – Local Rules and Regulations.

1. Stated local purpose for flood resistant standards

The purpose of this Floodplain and Watershed Protection District is to protect the health and safety of persons against the hazards of flooding, to conserve the value of land and buildings, to facilitate the adequate provision of a water supply through preservation and maintenance of the groundwater table, to protect and to preserve the marches, bogs, ponds and watercourses and their adjoining wetlands, to

encourage the most appropriate use of wetlands, to encourage the most appropriate use of the land and to preserve and increase the amenities of the Town.

Meeting these goals requires the Town to ensure public safety through reducing the threats to life and personal injury, eliminate new hazards to emergency response officials, prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding, avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding, eliminate costs associated with the response and cleanup of flooding conditions, and reduce damage to public and private property resulting from flooding waters

This section does not grant any property rights; it does not authorize any person to trespass, infringe upon or injure the property of another; it does not excuse any person of the necessity of complying with other sections of this bylaw or other applicable laws, regulations or bylaws.

2. Use of FEMA maps and supporting studies

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Plympton designated as Zone A, AE, AH, AO, A99, V, or VE on the Plymouth County Flood Insurance Rate Map (FIRM) dated July 6, 2021 issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report dated July 6, 2021, and are shown on the Zoning District Map of the Town of Plympton. The district may include land outside of the FEMA special hazard flood areas. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, and Conservation Commission.

Town of Plympton panels:

25023C	0214	K	7/6/2021
25023C	0218	K	7/6/2021
25023C	0326	J	7/17/2012
25023C	0327	J	7/17/2012
25023C	0328	J	7/17/2012
25023C	0329	J	7/17/2012
25023C	0331	K	7/6/2021
25023C	0332	K	7/6/2021
25023C	0333	K	7/6/2021
25023C	0334	K	7/6/2021
25023C	0337	J	7/17/2012
25023C	0341	J	7/17/2012

The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and nonstructural activities, whether permitted by right or by special permit, must be in compliance with MGL c. 131, § 40 and with the following:

- (a) Sections of the Massachusetts State Building Code (780 CMR) which address floodplain and coastal high-hazard areas;
- (b) Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- (c) Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- (d) Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);

- (e) Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);
- (f) Town of Plympton Wetlands Protection Bylaw, General Bylaws Chapter 290

3. Abrogation and greater restriction section

A Floodplain and Watershed Protection District shall be considered to be superimposed over any other district established by this bylaw.

The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.

4. Disclaimer of liability

The degree of flood protection required by this bylaw [ordinance] is considered reasonable but does not imply total flood protection.

5. Severability section

If any section, provision or portion of this bylaw [ordinance] is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

6. Designation of community Floodplain Administrator

The Town of Plympton hereby designates the position of Conservation Agent of the Plympton Conservation Commission to be the official floodplain administrator for the Town.

7. Requirement to submit new technical data

If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to:

FEMA Region I Risk Analysis Branch Chief
99 High St., 6th floor, Boston, MA 02110

And copy of notification to:

Massachusetts NFIP State Coordinator

MA Dept. of Conservation & Recreation, 251 Causeway Street, Boston, MA 02114

8. Variances to building code floodplain standards

Any variances from the provisions and requirements of the above-referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

The Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community's files.

The Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

9. Variances to local Zoning Bylaws related to community compliance with the National Flood Insurance Program (NFIP)

A variance from these floodplain bylaws must meet the requirements set out by State law, and may only be granted if: 1) Good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

10. Permits are required for all proposed development in the Floodplain Overlay District

The Town of Plympton requires a permit for all proposed construction or other development in the floodplain overlay district, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties.

Permitted uses. Subject to the special conditions of this section, land in a Floodplain and Watershed Protection District may be used for any purpose otherwise permitted in the underlying district, except that no building or other structure shall be constructed except duck blinds or structures necessary for the cultivation of cranberries, agricultural or forestry uses, propagation of fish or any municipal recreational or conservation project.

Prohibited uses. No dumping, filling, storage, transfer, dredging or removal of any material which will reduce the natural water storage capacity of land or will interfere with the natural flow of water shall be permitted.

Uses by special permit. If any land in the Floodplain and Watershed Protection District is found by the Board of Appeals not, in fact, to be subject to seasonal or periodic flooding or unsuitable because of drainage conditions, the Board of Appeals may grant a special permit for the use of such land and for the construction and erection of a building or structure for any purpose permitted in the underlying district, providing such use will not endanger the health or safety of the occupants thereof.

11. Assure that all necessary permits are obtained

Plympton's permit review process includes the use of a checklist of all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain overlay district. The proponent must acquire all necessary permits, and must submit the completed checklist demonstrating that all necessary permits have been acquired.

Site plan. Whenever an application is made for a building permit on land which the Building Inspector believes may involve the use of land in the Floodplain and Watershed Protection District, s/he shall require the applicant for such permit to provide as part of such application a plan of the lot on which such building is intended to be built showing elevations above mean sea level at two-foot contour levels indicating the benchmarks used and certified by a registered land surveyor.

12. Subdivision proposals

All subdivision proposals and development proposals in the floodplain overlay district shall be reviewed to assure that:

- (a) Such proposals minimize flood damage;
- (b) All public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
- (c) Adequate drainage is provided to reduce exposure to flood hazards.

13. Base flood elevation data for subdivision proposals

When proposing subdivisions or other developments greater than 50 lots or 5 acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.

14. Unnumbered A Zones

In A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.

15. Floodway encroachment

In Zones A, A1-30, AE, and X along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Plymouth County FIRM, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

16. Watercourse alterations or relocations in riverine areas

Notification of watercourse alteration. In a riverine situation, the Conservation Agent of the Plympton Conservation Commission shall notify the following of any alteration or relocation of a watercourse:

(1) Adjacent communities.

(2) NFIP State Coordinator

Massachusetts Department of Conservation and Recreation

251 Causeway Street, 8th floor

Boston, MA 02114

(3) NFIP Program Specialist

Federal Emergency Management Agency, Region I

99 High Street, 6th Floor

Boston, MA 02110

17. AO and AH zones drainage requirements

Within Zones AO and AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

18. Recreational vehicles

In A1-30, AH, AE Zones, V1-30, VE, and V Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

Section B – Definitions not found in the State Building Code.

DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

FLOOD BOUNDARY AND FLOODWAY MAP means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year floodway. (For maps done in 1987 and later, the floodway designation is included on the FIRM.)

FLOOD HAZARD BOUNDARY MAP (FHBM). An official map of a community issued by the Federal Insurance Administrator, where the boundaries of the flood and related erosion areas having special hazards have been designated as Zone A or E. [US Code of Federal Regulations, Title 44, Part 59]

FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202]

FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

HISTORIC STRUCTURE means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

[US Code of Federal Regulations, Title 44, Part 59]

NEW CONSTRUCTION. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. *New*

construction includes work determined to be substantial improvement. [Referenced Standard ASCE 24-14]

RECREATIONAL VEHICLE means a vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

REGULATORY FLOODWAY - see FLOODWAY.

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30. [Base Code, Chapter 2, Section 202]

START OF CONSTRUCTION. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

VARIANCE means a grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

VIOLATION means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

ZONES, FLOOD

Definitions of Flood Zones

The community shall use the pertinent definitions for flood zones delineated within the community. All of these terms are defined in the US Code of Federal Regulations, Title 44, Part 64.3.

ZONE A means an area of special flood hazard without water surface elevations determined

ZONE A1-30 and ZONE AE means area of special flood hazard with water surface elevations determined

ZONE AH means areas of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) feet, and with water surface elevations determined

ZONE AO means area of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) ft. *(Velocity flow may be evident; such flooding is characterized by ponding or sheet flow.)*

ZONE A99 means area of special flood hazard where enough progress has been made on a protective system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. (Flood elevations may not be determined.)

ZONES B, C, AND X means areas of minimal or moderate flood hazards or areas of future-conditions flood hazard. *(Zone X replaces Zones B and C on new and revised maps.)*

ZONE V means area of special flood hazards without water surface elevations determined, and with velocity, that is inundated by tidal floods (coastal high hazard area)

ZONE V1-30 and ZONE VE *(for new and revised maps)* means area of special flood hazards, with water surface elevations determined and with velocity, that is inundated by tidal floods (coastal high hazard area)

Or take any action relative thereto.

Conservation Commission/Board of Selectmen

Recommended by BOS (3-0)

ARTICLE 9 VOTE (On the Motion of John Traynor, 62 Crescent St. and seconded), to see if the Town will vote to move the article as printed in the warrant.

Planning Board Report given by Chairman, Ann Sobolewski. Planning Board hearing Held May 3, 2021 voted unanimously to support article. Conservation State requirements needed for residents to acquire flood insurance.

Pass Unanimous

ARTICLE 10 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$35,000.00 to conduct financial audits for Fiscal Year 2022, or take any other action relative thereto.

Town Treasurer

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 10 VOTE (On the motion of Colleen Morin, 11 Granville Baker Way and seconded), to see if the Town will transfer from free cash the sum of \$35,000.00 to conduct financial audits for Fiscal Year 2022.

Pass Unanimous

ARTICLE 11 To see if the Town will vote to accept and expend such sums of money allotted or to be allotted to the Town from the Commonwealth of Massachusetts under the provisions of M.G.L. Chapter 90 or under any other state roadway reimbursement programs for the Fiscal Year 2022 and borrow, in anticipation of reimbursement such sums as may be available as the State's share of the cost of work said Chapter 90, or take any other action relative thereto.

Highway Department

Recommended by BOS (3-0)

ARTICLE 11 VOTE (On the motion of Highway Supervisor, Robert Firlotte, 93 Maple St. and seconded), to see if the Town will vote to accept and expend \$167,416.00 allotted or to be allotted to the Town from the Commonwealth of Massachusetts under the provisions of M.G.L. Chapter 90 or under any other state roadway reimbursement programs for the Fiscal Year 2022 and borrow, in anticipation of reimbursement such sums as may be available as the State's share of the cost of work said Chapter 90.

Pass Majority

ARTICLE 12 To see if the Town will vote to transfer from the Capital Stabilization Fund the sum of \$200,000.00 for road construction, resurfacing and top coating, including the payment of costs incidental or related thereto, or take any other action relative thereto.

Highway Department

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 12 VOTE (On the motion of Highway Supervisor, Robert Firlotte, 93 Maple St. and seconded) To see if the Town will vote to transfer from the Capital Stabilization Fund the sum of \$200,000.00 for road construction, resurfacing and top coating, including the payment of costs incidental or related thereto.

Vicki Alberti, 162 Main St., asked what the plans were for road construction.

Robert Firlotte, Highway Supervisor, 93 Maple St., stated it would complete Prospect Rd.

Chloe Konarski, 19 Annasnappitt Dr., asked what the priorities of road construction are.

Robert Firlotte, Highway Supervisor, 93 Maple St., stated her road was number six on the list.

Moderator Barry DeCristofano stopped discussion.

Pass 2/3 Majority

ARTICLE 13 VOTE (On the motion of Highway Supervisor, Robert Firlotte, 93 Maple St. and seconded), To see if the Town will vote to transfer from Sale of Lots and Graves a sum of money for the expansion of Section D at Hillcrest Cemetery, creating Section E, including the payment and costs incidental or related thereto, or take any other action relative thereto.

Highway Department

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 13 VOTE (On the motion of Highway Supervisor, Robert Firlotte, 93 Maple St., and seconded), to see if the Town will vote to transfer from Sale of Lots and Graves the sum of \$30,000.00 for the expansion of Section D at Hillcrest Cemetery, creating Section E, including the payment of any costs incidental or related thereto.

Ann Sobolewski, 255 Main St., asked where is this section located.

Robert Firlotte, 93 Maple St., stated right past the water pump, behind the newest section, with the aim to continue it further.

Kimberly Williams, 263 Main St. asked if she was an abutter?

Robert Firlotte, 93 Maple St., stated they are in the starting stages. Ms. Williams is not an abutter. He stated he will show her the section in person because she is due for a dump sticker also.

Pass Unanimous

ARTICLE 14 To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to make annual lease payments as part of lease purchase programs previously authorized, as shown below, or take any other action relative thereto.

Lease-Purchase Program	Amount
Highway Dept. Ford F550 Truck	\$17,700.30
Town-wide fiber optic buildout equipment	\$22,000.00
Fire Dept. Vehicles	\$48,903.05

Fire Dept. Command Vehicle	\$16,724.23
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Board of Selectmen

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 14 VOTE (On the motion of Mark Russo, Selectman, 140 Palmer Rd. and seconded), To see if the Town will transfer from the Capital Stabilization Fund the sum of \$105,327.58 to make annual lease payments as part of lease purchase programs previously authorized, as printed in the warrant.

Pass Unanimous

Nathaniel Sides, 68 Winnetuxet Rd., requested a recess to rectify an improper vote from earlier in the evening.

Moderator Barry DeCristofano granted a 5-minute recess.

ARTICLE 15 To see if the Town will vote to appropriate or reserve from the Community Preservation Fiscal Year 2022 estimated annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2022, with each item to be considered a separate appropriation:

Appropriations:

From FY 2022 estimated revenues for Committee Administrative Expenses \$5000.00

Reserves:

From FY 2022 estimated revenues for Historic Resources Reserve \$10,000.00

From FY 2022 estimated revenues for Community Housing Reserve \$10,000.00

From FY 2022 estimated revenues for Open Space Reserve \$10,000.00

From FY 2022 estimated revenues for Budgeted Reserve \$65,000.00

Or take any other action relative thereto.

Plympton Community Preservation Committee

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 15 VOTE (On the motion of Mark Russo, Selectman, 140 Palmer Rd. and seconded), to vote to approve the article as printed in the warrant.

Pass Unanimous

ARTICLE 16 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$5,000.00 for the purpose of a full field review required for Fiscal Year 2022 real property re-evaluation of the Town, or take any other action relative thereto.

Board of Assessors

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 16 VOTE (On the motion of Ethan Stiles, Assessor, 85 West St. and seconded) to see if the Town will vote to transfer from Free Cash the sum of \$5,000.00 for the purpose of a full field review required for Fiscal Year 2022 real property re-evaluation of the Town, or take any other action relative thereto

Pass Unanimous

ARTICLE 17 To see if the Town will vote to authorize the Board of Selectmen to enter into a lease purchase agreement in accordance with the provisions of G.L. c.44, §21C for a period in excess of three years for the lease and purchase of two (2) police patrol vehicles as part of the Department's replacement schedule, and to raise and appropriate, transfer from available funds or otherwise provide the sum of \$27,500.00 for the first year payment of such agreement, or take any other action relative thereto.

Police Department

Recommended by Finance Committee (0-5); Recommended by BOS (3-0)

ARTICLE 17 VOTE (On the motion of Christine Joy, Selectman, 10 Dukes Brook Rd.), and seconded To see if the Town will vote to authorize the Board of Selectmen to enter into a lease purchase agreement in accordance with the provisions of G.L. c.44, §21C for a period in excess of three years for the lease and purchase of two (2) police patrol vehicles as part of the Department's replacement schedule, and to transfer from the Capital Stabilization Fund the sum of \$27,500.00 for the first year payment of such agreement.

Pass 2/3 Majority

ARTICLE 18 To see if the town will vote to raise and appropriate or transfer from available funds the sum of \$12,000.00 for construction of a two-vehicle fenced impound enclosure with attached storage trailer, including the purchase of fencing and a trailer and all related equipment and anything incidental or related thereto, or take any other action relative thereto.

Police Department

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 18 VOTE (On the motion of Christine Joy, Selectman, 10 Dukes Brook Rd.) To see if the town will transfer from Free Cash the sum of \$12,000.00 for construction of a two-vehicle fenced impound

enclosure with attached storage trailer, including the purchase of fencing and a trailer and all related equipment and anything incidental or related thereto.

Pass Majority

ARTICLE 19 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$10,000.00 for the purchase of new Personal Protective Equipment (PPE) to replace aging PPE, or take any other action relative thereto.

Fire Department

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 19 VOTE (On the motion of Stephan Silva, Fire Chief, 24 Pope's Farm), to see if the Town will vote to transfer from Free Cash the sum of \$10,000.00 for the purchase of new Personal Protective Equipment (PPE) to replace aging equipment.

Pass Unanimous

ARTICLE 20 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$8,000.00 for the purchase, repair and/or replacement of Self-Contained Breathing Apparatus (SCBA), or take any other action relative thereto.

Fire Department

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 20 VOTE (On the motion of Stephan Silva, Fire Chief, 24 Pope's Farm), to see if the Town will vote to transfer from Free cash the sum of \$8,000.00 for the purchase, repair and/or replacement of Self-Contained Breathing Apparatus.

Pass Unanimous

ARTICLE 21 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$10,457.14 for the required 5% match for the anticipated award of \$219,600.00 from the FEMA AFG grant program for replacement of self-contained breathing apparatus (SCBA), and compliant public safety portable radios, or take any other action relative thereto.

Fire Department

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 21 VOTE (On the motion of Stephan Silva, Fire Chief, 24 Pope's Farm), to see if the Town will vote to transfer from Free Cash the sum of \$10,457.14 for the required 5% match for the anticipated award of \$219,600.00 from the FEMA AFG grant program for replacement of self-contained breathing apparatus (SCBA), and compliant public safety portable radios.

Pass Unanimous

ARTICLE 22 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$108,000.00 to refurbish and refit Engine 1 to extend the life of Engine 1 for an estimated 10+ years and to enable the Fire Department, in its discretion, to repurpose it as a frontline vehicle for hard access retreat driveways in which current apparatus have difficulty navigating, or take any other action relative thereto.

Fire Department

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 22 VOTE (On the motion of Stephan Silva, Fire Chief, 24 Pope's Farm) To see if the Town will vote to transfer from the Capital Stabilization Fund the sum of \$108,000.00 to refurbish and refit Engine 1 to extend the life of Engine 1 for an estimated 10+ years and to enable the Fire Department, in its discretion, to repurpose it as a frontline vehicle for hard access retreat driveways in which current apparatus has difficulty navigating.

Stephan Silva, Fire Chief, 24 Pope's Farm), stated that the Fire Department's fleet is aging. Because they are a small department, obviously they put less hours on their equipment than larger cities and towns. Engine 1 is from 1996, 1,000gal per minute, 1,000gal containing tanker and a very unique piece that has been a community asset. The difficulty lies in our town's retreat lots and long, winding access points to homes. We have a difficult time with Engine 2 and the tanker which are large trucks. The Tanker was designed 25 years ago for the purpose of this town, but it needs restoration and reconfiguration. It would be \$600,000+ going up 10-25% annually, to purchase a new one. It is financially more responsible to put work into the existing tanker than to purchase a new one.

Pass 2/3 Majority

ARTICLE 23 To see if the Town will vote to authorize the Board of Selectmen to enter agreements for up to 25 years including Power Purchase Agreement, Lease, and Payment In Lieu of Taxes with Solect Energy Development LLC for solar energy and energy storage projects at Town owned property, or take any action relative thereto.

Board of Selectmen

Recommended by BOS (3-0)

ARTICLE 23 VOTE (On the Motion of Mark Russo, Selectmen, 140 Palmer Rd., and seconded after a **Pass Unanimous** for an amendment made by Jon Wilhelmsen, School Committee Chair, 255 Main St.) that the town vote (as stated in the 4 paragraph motion handout titled "Solar Article Handout Motion Language") to:

1. Transfer the care, custody, and control of a portion of the parcel of land located at 80 Crescent Street and known as the Dennett Elementary School, as shown on Assessor's Map 8-1-16, such portion being comprised of the metal roof portion of the existing building for solar energy-related purposes to such board/official for such purposes and to the Board of Selectmen for the purposes of leasing and granting easements on, over or under such parcel for the installation of renewable energy facilities; and
2. Authorize the Board of Selectmen to (i) lease, through one or more lease agreements, all or a portion of said parcel of land for the installation of one or more renewable energy facilities for terms of up to or more than 25 years commencing on the date on which such facilities achieve commercial operation, as determined by the Board of Selectmen; (ii) grant such easements on, over and/or under such parcel of land as necessary or convenient to serve the facilities; and (iii) take any actions and execute any other documents or ancillary agreements necessary, convenient or appropriate to accomplish the foregoing and to implement and administer the lease agreements and easements, all of which agreements, easements and documents shall be on such terms and conditions and for such consideration as the Board of Selectmen deems in the best interests of the Town;
3. Authorize the Board of Selectmen to (i) enter into an agreement for "payments in lieu of taxes" (or "PILOT") pursuant to G.L. c. 59, § 38H(b), G.L. c. 59, § 5 (Forty-Fifth), as applicable, or any other enabling authority, with Solect Energy Development, LLC, or its affiliated entity, with respect to the proposed construction and operation of a Large-Scale Ground Mounted Solar Photovoltaic Installation(s) on the property identified in part 1 of this Motion, for a period of up to 25 years, and (ii) take any actions and execute any other documents or ancillary agreements necessary, convenient, or appropriate to accomplish the foregoing and to implement and administer the PILOT agreement, all of which agreements and documents shall be on such terms and conditions and for such consideration as the Board of Selectmen deems in the best interests of the Town; and
4. Authorize the Board of Selectmen to (i) enter into one or more agreements with one or more owners of renewable energy facilities for terms of more than 20 years for the purchase of electricity and/or net metering/on-bill credits, and (ii) take any actions and execute any other documents and ancillary agreements necessary, convenient, or appropriate to accomplish the foregoing and to implement and administer the net metering credit purchase agreements, all of which agreements and documents shall be on such terms and conditions and for such consideration as the Board of Selectmen/Select Board deems in the best interests of the Town.

Al Vautrinot, 153 County Rd, stated that he is confused if this was already answered, but does the previous article and this article both need a 2/3 majority?

Moderator Barry DeCristofano stated all four sections are part of the same article.

Al Vautrinot, 153 County Rd., stated that as it reads, the article says the entire Dennett Elementary School can be transferred. He moves to have it state "a portion, to be determined."

Moderator Barry DeCristofano requested for clarification.

Jon Wilhelmsen, Town Properties Chair, 255 Main St., stated the language was submitted through council, and he is unsure if council has any concerns that they are transferring more than they should.

Town council stated that the way the motion is currently written, the solar facilities can go on any portion of the property. If the Town knows and can specify which portion, they can put it in the motion. But to his knowledge, the phrasing of "a portion to be determined" is incorrect. He recommended leaving the original wording and the solar can be installed where it is intended by selectmen.

Mark Russo, Selectmen, 140 Palmer Rd., stated it will be the rooftop and nothing on the ground.

Jon Wilhelmsen, Town Properties Chair, 255 Main St., specified further that it will be the metal rooftop portion of the building.

Moderator Barry DeCristofano requested if there will be a motion to amend the language and make it specific or leave it to selectmen to control it.

Jon Wilhelmsen, Town Properties Chair, 255 Main St., requested how to go about making the language more specific.

Town Council responded the amended paragraph 1 would read: "Transfer the care, custody, and control of a portion of the parcel of land located at 80 Crescent Street and known as the Dennett Elementary School, as shown on Assessor's Map 8-1-16, such portion being comprised of the metal roof portion of the existing building for solar energy-related purposes."

Moderator Barry DeCristofano requests if anyone would like to speak to the motion as he is gathering the final wording of the amended paragraph 1 from Town Council.

Nikki Mahoney, School Committee, 74 West St., under paragraph 2 it references all or a portion of, would it be prudent to again specify this is just for the metal roof portion of the existing structure?

Ann Sobolewski, 255 Main St., stated she believes if it is restricting the scope of the area specified in paragraph 1, it applies to all other sections of the motion.

Nikki Mahoney, School Committee, 74 West St., restated her understanding of Ann Sololewski's response, that the scope will carry over.

Moderator Barry DeCristofano stated this is correct.

Gavin Murphy, 9 Duke's Brook Rd., is it possible that an easement could be required on a separate portion of the property relating to this?

Jon Wilhelmsen, Town Properties Chair, 255 Main St., stated he is unaware of anything that goes along with this. The company being used specializes in municipality installations and we are amending the language to make it more specific for just the metal roof portion.

Moderator Barry DeCristofano stated the amendment to modify the language passes unanimous.

Pass 2/3 Majority

ARTICLE 24 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$5,500.00 for the refurbishment of the Town-owned flagpoles located at the Town Green and at Route 106/Main Street, including all necessary improvements related thereto, or take any other action relative thereto.

Town Properties Committee

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 24 VOTE (On the Motion of Jon Wilhelmsen Town Properties Chair, 255 Main St., and seconded), to see if the Town will vote to transfer from Free Cash the sum of \$5,500.00 for the refurbishment of the Town-owned flagpoles located at the Town Green and at Route 106/Main Street, including all necessary improvements related thereto.

Pass Unanimous

ARTICLE 25 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$7,500.00 for conducting comprehensive assessments of the roofs on the Plympton Public Library and Fire Station, including the generation of cost estimates for any repairs or replacement that may be required, or take any other action relative thereto.

Town Properties Committee

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 25 VOTE (On the Motion of Jon Wilhelmsen, Town Properties Chair, 255 Main St., and seconded), to see if the Town will vote to transfer from Free Cash the sum of \$7,500.00 for conducting comprehensive professional assessments of the condition of the roofs of the Plympton Public Library and Fire Station, including the generation of cost estimates for any repairs or replacement work that may be required.

Pass Unanimous

ARTICLE 26 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$15,000.00 for general consultant and preliminary design services relative to projects necessary for maintenance, repair and/or improvement of Town-owned buildings and grounds, said services to include preparation of bid documents, development of specifications and/or technical drawings and plans, or take any other action relative thereto.

Town Properties Committee

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 26 VOTE (On the Motion of Jon Wilhelmsen Town Properties Chair, 255 Main St., and seconded), To see if the Town will vote to transfer from Fee Cash the sum of \$15,000.00 for general consultant and preliminary design services relative to projects necessary for maintenance, repair and/or improvement of Town-owned buildings and grounds, said services to include preparation of bid documents, development of specifications and/or technical drawings and plans.

Pass Unanimous

ARTICLE 27 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$200,000.00 for replacement and/or repair of the middle and rear portions of the roof on the Town House, including all necessary work and improvements related thereto, or take any other action relative thereto.

Town Properties Committee

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 27 VOTE (On the Motion of Jon Wilhelmsen, Town Properties Chair, 255 Main St., and seconded), to see if the Town will vote to transfer from Free cash the sum of \$200,000.00 for replacement and/or repair of the middle and rear portions of the roof on the Town House, including all necessary work and improvements related thereto.

Jon Wilhelmsen, Town Properties Chair, 255 Main St., stated this came after a roof study conducted at the Town House to address ongoing leak and standing water issues. These funds are designed to go after the newer middle and rear portions of the building and to hopefully finally resolve longstanding water issues. The front portion still needs to be addressed, but the middle and rear portions are most critical.

Pass Unanimous

ARTICLE 28 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$45,000.00 for design and planning services in order to complete Phase 2 of the Town Center Campus Master Plan, including establishment of construction phases, review of traffic patterns, evaluation of current and future infrastructure, generation of technical cost estimates, and also including evaluation and design services and generation of technical specifications and associated bid documents for a municipal storage building, or take any other action relative thereto.

Town Properties Committee

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 28 VOTE (On the Motion of Jon Wilhelmsen Town Properties Chair, 255 Main St., and seconded), to see if the Town will vote transfer from Free Cash the sum of \$45,000.00 for design and planning services in order to complete Phase 2 of the Town Center Campus Master Plan, including establishment of construction phases, review of traffic patterns, evaluation of current and future

infrastructure, generation of technical cost estimates, and also including evaluation and design services and generation of technical specifications and associated bid documents for a municipal storage building.

Jon Wilhelmsen, Town Properties Chair, 255 Main St., stated we are currently in finishing Phase 1 of the Town Center Campus Master Plan. This will allow us to continue figuring out different stages for that plan and storage options, so the Town may be presented with an accurate estimate at next Town Meeting.

Pass Majority

ARTICLE 29 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$325,000.00 for a feasibility study, programmatic design, schematic design and planning services, including generation of cost estimates, geotechnical services and evaluation of current and future utilities and infrastructure for the future construction of a new fire station, or take any other action relative thereto.

Town Properties Committee

Recommended by Finance Committee (0-5); Recommended by BOS (3-0)

ARTICLE 29 VOTE (On the Motion of Jon Wilhelmsen Town Properties Chair, 255 Main St., and seconded) to see if the Town will vote to pass over this article so that the Boards can have more time to discuss and prepare.

Pass Unanimous

ARTICLE 30 To see if the Town will vote to amend the Zoning Bylaws, Article V, by inserting the following language as Section 300-5.10, or take any other action relative thereto:

§ 300-5.10 Accessory Dwelling Units.

- A. For the purpose of enabling the owners of single-family, owner occupied dwellings that are larger than required for their present needs to share the space and burdens of home ownership, or for the purpose of providing a small additional dwelling unit to rent, an Accessory Dwelling Unit (ADU) may be created – but only for one additional dwelling unit per lot as follows:
- (1) Within the physical boundaries of an existing single-family dwelling or in an existing detached structure accessory to a single-family use and located on the same lot, without any construction to increase the footprint of same, i.e., as of right, (“By Right ADU”) in accordance with the conditions set forth below; or
 - (2) Either partially or entirely within a proposed addition to an existing single-family dwelling or to an existing detached structure accessory to a single-family use and located on the same lot, (“Site Plan Review ADU”) subject to Site Plan Review by the Planning Board in accordance with the conditions set forth below.

B. No ADU shall be constructed without applying for a building permit.

C. Conditions applicable to all Accessory Dwelling Units (By Right ADU and Site Plan Review ADU hereinafter collectively termed "Accessory Dwelling Unit" or "ADU"):

- (1) The ADU must be used for residential housing purposes and either located within the existing single-family dwelling (hereinafter referred to as the Primary Residence) or detached from the Primary Residence and located on the same lot as the Primary Residence in an existing outbuilding such as a barn, garage or shed (hereinafter referred to as an "Existing Outbuilding"), additions to said Primary Residence or Existing Outbuilding being subject to Site Plan Review and approval by the Planning Board;
- (2) The ADU shall be designed so that the external appearance of the Primary Residence remains that of a single-family dwelling.
- (3) Exterior alterations are permitted provided they are in keeping with the architectural integrity of the Primary Residence or Existing Outbuilding and the character of the neighborhood, including, but not limited to, the following considerations:
 - (a) The exterior finish material should be the same or visually consistent in type, size, and placement, as the exterior finish material of the Primary Residence or the exterior finish material of the Existing Outbuilding;
 - (b) The roof pitch should be consistent with the predominant roof pitch of the Primary Residence or the Existing Outbuilding;
 - (c) Trim should be consistent in type, size, and location as the trim used on the Primary Residence or the Existing Outbuilding;
 - (d) Windows should be consistent with those of the Primary Residence or of the Existing Outbuilding in proportion and orientation;
 - (e) Exterior staircases should be designed to minimize visual impact and be complementary to the Primary Residence or the Existing Outbuilding, and may not be constructed on the front of a Primary Residence or an Existing Outbuilding or be visible from the street. The Planning Board may waive the exterior staircase's location requirement upon a finding that compliance with the above requirement is not feasible and that the proposed exterior staircase location will be adequately shielded from view through the installation of landscaping or fencing;
- (4) An ADU located within a Primary Residence shall maintain a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Primary Residence sufficient to meet the requirements of the State Building Code for safe egress. No entrance for an Accessory Dwelling Unit shall be permitted on the front of the Primary Residence, unless the entrance is a common entry shared by both the Primary Residence and the Accessory Dwelling Unit; the Accessory Dwelling Unit's primary entrance shall not be visible from the street view of the Primary Residence unless it is the existing entrance to an Existing Outbuilding in which an ADU is proposed to be located;

- (5) A By-Right ADU shall not be larger than one-half (1/2) the floor area of the Primary Residence, inclusive of all lofts and any attic areas seven feet or greater in height, of the gross area contained in the Primary Residence, exclusive of all unfinished cellars and attics, or 1,200 square feet, whichever is smaller, and a Site Plan Review ADU shall not exceed 1,200 square feet;
- (6) The lot must meet the minimum lot size for the zoning district in which it is located; and the ADU shall not increase the number of dwelling units on the lot beyond two;
- (7) The orientation of the proposed Accessory Dwelling Unit shall, to the maximum extent practical, maintain the privacy of the occupants in the Primary Residence as determined by the physical characteristics surrounding the Accessory Dwelling Unit, including landscape screening, fencing, and window and door placement;
- (8) One additional parking space shall be provided for the ADU. With respect to Site Plan Review ADUs, if the Planning Board finds that the additional parking requirements are directly related to the use of the ADU, then additional parking spaces may be required.
- (9) The owner of the lot shall own the Primary Residence and the ADU, and must occupy the Primary Residence, or the ADU, or both. No ADU shall be leased for a lease term that is less than one calendar year.
- (10) For a By Right ADU located within the Primary Residence, only one electrical meter shall be allowed to serve the Primary Residence and the Accessory Dwelling Unit. For a Site Plan Review ADU, the electrical service may be provided by new and/or existing electrical meters.

Bylaw Review Committee

BOS: Refer to Town Meeting (3-0)

ARTICLE 30 VOTE (On the motion of Alan Wheelock, 10 Center St. and seconded), to see if the Town will vote to approve the article as printed in the warrant.

Planning Board Report given by Chairman, Ann Sobolewski. Planning Board hearing held May 3, 2021. Members of the town attended and asked questions. After consideration and discussion, the Planning Board unanimously voted to support this. There are many ADUs in existence in Town that are not authorized per the current bi-law, which does not allow them under many circumstances. Some people have attempted to get a variance to put in ADU, but others have them constructed and discover and issue upon attempting to sell their homes, or have tried to go about constructing an ADU properly and been denied. This motion attempts to solve the problem by allowing the ADU to be occupied by the owner of the residence, and the ADU is constructed within the walls of an existing building or existing outbuilding, like a garage. If you want to build an addition in order to construct an ADU, you must seek review from the Planning Board.

Alan Wheelock, 10 Center St., stated Plympton is about 26 to 27% senior citizen. Many folks would like to remain here while they age. We are hoping this bi-law change may assist those families seeking to do so.

Ann Sobolewski, 255 Main St., stated this does not address anything other than zoning perspective. Septic and other Board of Health processes and policies related to ADU still apply.

Pass Unanimous

ARTICLE 31 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$3,500.00 for Bylaw Codification, or take any other action relative thereto.

Town Clerk/Bylaw Review Committee

Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 31 VOTE (On the motion of Christine Joy, Selectman, 10 Dukes Brook Rd., and seconded) to see if the Town will vote to transfer from Free Cash the sum of \$3,500.00 for Bylaw Codification.

Pass Unanimous

ARTICLE 32 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$41,140.00 to cover Plympton's portion of the cost for tennis court reconstruction at the Silver Lake Regional High School, or take any action relative thereto.

Silver Lake Regional School Committee

Recommended by Finance Committee (0-5); Recommended by BOS (3-0)

ARTICLE 32 VOTE (On the motion of Jason Fraser, School Committee Member, 66 Maple St., and seconded) to see if the Town will vote to transfer from Free Cash the sum of \$41,140.00 to cover Plympton's portion of the cost for tennis court reconstruction at the Silver Lake Regional High School or take any other action relative thereto.

Jason Fraser, School Committee Member, 66 Maple St., stated this is relating to tennist courts which were improperly installed back in 2006 and have historically had many issues and repairs. There are large cracks of all 5 courts which put players at risk of injury and may disqualify Silver Lake from participating in home games.

Pass Unanimous

ARTICLE 33 To see if the Town will vote to establish a Stabilization Fund for the Town of Plympton's share of costs related to capital projects undertaken by the Silver Lake Regional School District, or take any action relative thereto.

Silver Lake Regional School Committee
Recommended by Finance Committee (0-5); Recommended by BOS (3-0)

ARTICLE 33 VOTE (On the motion of Jason Fraser, School Committee Member, 66 Maple St., and seconded) to see if the town vote to approve the article as written in the warrant.

Vicki Alberti, 162 Main St. asked why doesn't Finance Committee approve?

Nathaniel Sides, Finance Committee, 68 Winnetuxet Rd. stated this was not recommended by the selectmen nor the Finance Committee. The Town doesn't have control of the funds.

Jason Fraser, 66 Maple St., stated that this is to establish a fund and doesn't place any money into it which would wait until FY 2023 budget. This must be voted in favor by two of the three towns and all Towns must have a Town Meeting.

Nathaniel Sides, Finance Committee, 68 Winnetuxet Rd. stated in other words, this could be hidden within a line item of a multimillion-dollar school budget without necessarily being caught by members of the Town Meeting.

Jason Fraser, 66 Maple St., the budget at the district level is specified in detail and is public.

Ross MacPherson, 6 Forest St. asked where the funds come from.

Jason Fraser, 66 Maple St., stated the Annual Town Budget, but no funds will be added to it as of yet. The current fund being used is Excess and Deficiency Funds which have been used since 2016, but is dwindling due to expenditures draining the fund to address large scale projects at the middle and high school that the revenue did not cover.

Lisa Hart, 7 Marie Elaine Dr., stated that a new stabilization fund is not the correct approach to paying for these projects.

Christine Joy, Selectman, 10 Dukes Brook Rd. stated she agreed with Nathaniel Sides and Lisa Hart.

Motion Failed

ARTICLE 34 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$14,000.00 to support a part-time school resource officer for the Silver Lake Middle School, or take any other action relative thereto.

Silver Lake Regional School Committee
Recommended by Finance Committee (5-0); Recommended by BOS (3-0)

ARTICLE 34 VOTE (On the motion of Jason Fraser, School Committee Member, 66 Maple St., and seconded), to see if the Town will vote to transfer from Free Cash the sum of \$14,000.00 to support a part-time school resource officer for the Silver Lake Middle School.

Jason Fraser, School Committee Member, 66 Maple St., stated Kingston has always paid for a full-time school resource officer for the high school. Plympton has paid its share for the school resource officer for the middle school.

Pass Unanimous

ARTICLE 35 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$7,000.00 for the purpose of a hydrogeologic study and review of information associated with Rocky Harvest water drawing activities, or take any other action relative thereto.

Board of Selectmen

Recommended by Finance Committee (5-0); Recommended by BOS (2-1)

ARTICLE 35 VOTE (On the Motion of Mark Russo, Selectmen, 140 Palmer Rd., and seconded), to see if the Town will transfer from Fee cash the sum of \$7,000.00 for the purpose of a hydrogeologic study and review of information associated with Rocky Harvest water drawing activities.

Mark Russo, Selectmen, 140 Palmer Rd., stated the vast majority of Plympton residents have private wells. The survey by the 2016 Open Space Committee revealed the number one concern of the Town is preserving water quality. The Town Water Study Committee revealed recently we are the only Town east of Worcester without a backup if our primary water source, which is our private wells, fails. The Town has been fighting an unsuccessful and expensive legal battle for years to curb Rocky Harvest from exporting truckloads of water from Plympton. The outcome of the article would be to have an expert analysis to better understand if Rocky Harvest is fulfilling their reporting requirements, and if so, what do the numbers mean. A full analysis of the impact of the withdrawal of the water has been quoted to cost six figures. The Town cannot afford that, but this article would lead us to getting some more information. We will not be going down into another legal battle with these funds.

John Traynor, 62 Crescent St., stated we have gone down this road and lost. This does not define a clear enough definition of success. If we support this, what do we do with the information we get? There needs to be a plan that identifies avenues for how to ensure the water supply is correctly used. This is a first clear step and unclear steps after.

Mark Russo, Selectmen, 140 Palmer Rd., stated he would like to gain some knowledge of the impact of the withdrawal of water and most importantly, is the Town in danger of running out of water?

Christine Joy, Selectman, 10 Dukes Brook Rd., stated this is a way for us to determine compliance with our agreement with Rocky Harvest.

Vicki Alberti, 162 Main St., stated she is concerned about the water withdrawal by Rocky Harvest. What is the timeline that our water table will be depleted? We can't have a Town without water. This is a small amount to help determine the future of our water in Plympton.

Mark Russo, Selectmen, 140 Palmer Rd., stated again that a full impact analysis of the water withdrawal is too expensive, over 100,000 dollars to obtain. Supporting this article will provide some information to help better understand the numbers.

Ann Sobolewski, 255 Main St., asked for more clarification on the purpose of analysis as it relates to Rocky Harvest's compliance with their reporting agreement.

Mark Russo, Selectmen, 140 Palmer Rd., stated that this will review the reports submitted by Rocky Harvest to the Department of Environmental Protection and give us additional information to help us decide how to proceed.

Pass Majority

ARTICLE 36 To see if the Town will vote to adjourn this Annual Town Meeting until 8:00 a.m. on May 15, 2021 in the Plympton Town House for the sole purpose of conducting the Annual Town Election and further that this Annual Town Meeting Warrant will be dissolved immediately upon the closing of the polls on that date. The polls will be open at 8:00 a.m. and shall be continuously open for voting until 6:00 p.m.

To bring in their ballots for the following Town Officers:

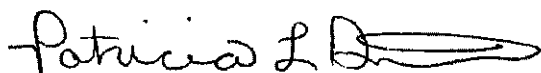
One (1) Selectman for three (3) years
One (1) Board of Assessor member for three (3) years
One (1) Board of Assessor member for one (1) year
One (1) Board of Health member for three (3) years
One (1) Finance Committee members for three (3) years
Two (2) Library Trustee for three (3) years
One (1) Library Trustee for one (1) year
One (1) Planning Board member for five (5) years
One (1) Planning Board member for four (4) years
Two (2) Plympton School Committee member for three (3) years
One (1) Silver Lake Regional School Committee member for three (3) years
One (1) Town Clerk for three (3) years
One (1) Tree Warden for three (3) Years

ARTICLE 36 VOTE (On the motion of Mark Russo, Selectman, 140 Palmer Rd. and seconded) To vote for the Article as printed in the warrant.

PASS UNANIMOUS

9:08 P.M.

Respectfully Submitted,



Patricia L. Detterman, CMC
Town Clerk