

PLYMPTON ANNUAL TOWN MEETING

May 17, 2023

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 7:00 p.m. at the Dennett Elementary School. Mr. DeCristofano welcomed everyone and thanked them for their attendance. There was a moment of silence for those residents we lost this year. 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. Mr. DeCristofano stated that the Annual Town Meeting addresses Fiscal Year 2024 (July 1, 2023 to June 30, 2024) 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, 2023. All phones were to be silenced.

Mr. DeCristofano introduced the Board of Selectmen, Chairman Christine Joy, Selectman, Mark Russo, and Selectman John Traynor, Town Administrator Elizabeth Dennehy, Town Counsel Gregg Corbo, Town Clerk Patricia Detterman, Town Accountant Lisa Hart, the Finance Committee Chairperson Marilyn Browne, Steven Lewis, Kathryn Shepard and Michael Lemieux. Also present were Assistant Town Clerk/Teller Nancy Magnussen and Teller Patricia Mustacaros. Standing vote counters were Nancy Butler and Colleen Thompson. The Peace Officer and Nate Christofri and Lt. Daniel Hoffman.

There were 106 registered voters present and 14 non-registered citizens present.

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

Town Administrator Elizabeth Dennehy, Town Counsel Gregg Corbo, Town Treasurer Christine Kelly, Assistant Town Assessor Wendy Jones, Police Chief Matt Ahl, Library Director Mike Slawson, Dennett Elementary School Principal Peter Veneto, Jr., SL Regional School District Superintendent Jill Proux, and Christine Healey SL District Director of Business Services.

Pass Unanimous

Mr. DeCristofano gave an overview of the procedural rules as outlined in the Town Meeting Time book.

State Representative Kathy LaNatra awarded a citation to Jon Wilhelmsen for his 9 years on the School Committee, 8 of which he served as Chair.

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 2024 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)**

ARTICLE 2 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 3 To see if the Town will vote to amend the Wage & Personnel Classification Plan effective July 1, 2023 and to pay as wages the following sums, or take any action relative thereto.

Part I: Wage Recommendations for Fiscal Year 2024 – General Personnel

	Position	2023 Bottom Salary Range	2023 Top Salary Range	Proposed Bottom Range 2024	Proposed Top Range 2024
	Highway Department				
	Highway Superintendent	\$70,454.91	\$91,922.66	\$73,977.66	\$96,518.79
	Working Foreman	\$24.00	\$31.30	\$25.20	\$32.87
	Motor Equip. Repairman	\$23.48	\$30.52	\$24.65	\$32.05
	Equipment Operator	\$21.91	\$28.43	\$23.01	\$29.85
	Truck Driver/Laborer	\$21.60	\$28.17	\$22.68	\$29.58
	Clerical/Election Workers				
	Senior Clerk/Warden	\$14.61	\$19.04	\$15.34	\$20.00
	Constable	\$14.61	\$19.04	\$15.34	\$20.00
	Elder Affairs				
	Director Elder Affairs	\$17,510.00	\$22,763.00	\$18,385.50	\$23,901.15
	Senior Aide	\$24,832.68	\$32,345.09	\$26,074.31	\$33,962.34
	Library				
	Library Director	\$52,169.50	\$67,820.35	\$54,777.98	\$71,211.37
	Senior Library Technician	\$21.13	\$27.39	\$22.19	\$28.76
	Circulation Assistant	\$15.65	\$20.35	\$16.43	\$21.37

Police Other					
	Special Police Officer		\$20.69		\$21.72
	Police Matron		\$19.50		\$20.48
Professional					
	Land Use Coordinator	\$23.22	\$30.26	\$24.38	\$31.77
	Assist. Assessor	\$31.30	\$40.69	\$32.87	\$42.72
	Administrative Assessor	\$22.12	\$28.70	\$23.23	\$30.14
	Health Agent	\$38.61	\$50.08	\$40.54	\$52.58
	Conservation Agent	\$31.30	\$52.17	\$32.87	\$54.78
Town Hall Support					
	Asst. Town Accountant	\$22.12	\$28.69	\$23.23	\$30.12
	Asst. Town Clerk	\$22.12	\$28.69	\$23.23	\$30.12
	Asst. Treasurer/Collector	\$22.12	\$28.69	\$23.23	\$30.12
	Administrative Assistant	\$21.60	\$28.17	\$22.68	\$29.58
	Senior Clerk	\$18.89	\$24.52	\$19.83	\$25.75
	Clerk	\$14.61	\$19.04	\$15.34	\$20.00
Town Labor					
	Sr. Disposal Attendant	\$18.74	\$24.31	\$19.30	\$25.04
	Disposal Attendant	\$17.47	\$22.79	\$18.00	\$23.48
	Town Custodian	\$17.12	\$22.29	\$17.64	\$22.95
	Laborer	\$17.12	\$22.29	\$17.64	\$22.95
Veteran Affairs					
	Veterans Agent (Stipend)		\$9,291.64		\$9,756.22

Part II: Wage Recommendations for Fiscal Year 2024 – Fire Department

	Position	Proposed Bottom Range 2024	Proposed Top Range 2024
Fire Department			
*	Firefighter/Paramedic		
	Full Time Captain	\$70,000.00	\$85,000.00
	Full Time Lieutenant	\$67,000.00	\$82,000.00
	Full Time	\$64,000.00	\$79,000.00
	Regular Part Time Captain	\$32.00	\$37.00
	Regular Part Time Lieutenant	\$30.00	\$35.00

	Regular Part Time	\$24.00	\$29.00
	Per Diem/Call Captain	\$30.00	\$35.00
	Per Diem/Call Lieutenant	\$28.00	\$33.00
	Per Diem/Call	\$24.00	\$29.00
*	Firefighter/EMT		
	Full Time Captain	\$62,000.00	\$77,000.00
	Full Time Lieutenant	\$59,000.00	\$74,000.00
	Full Time	\$56,000.00	\$71,000.00
	Regular Part Time Captain	\$29.00	\$34.00
	Regular Part Time Lieutenant	\$27.00	\$32.00
	Regular Part Time	\$21.00	\$26.00
	Per Diem/Call Captain	\$27.00	\$32.00
	Per Diem/Call Lieutenant	\$25.00	\$30.00
	Per Diem/Call	\$21.00	\$26.00
*	First Responder		
	Per Diem/Call (EMT/No Firefighter Cert)		\$20.00
	Per Diem/Call (Firefighter Cert/No EMT)		\$19.00
	Per Diem/Call (No Firefighter Cert/No EMT)		\$18.00

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

ARTICLE 3 VOTE (On the Motion of Elyse Lyons, Wage Advisory Committee member, 213 Main St. and seconded) to approve the article as printed in the warrant.

Pass Majority

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 (4-0); Recommended by BOS (3-0)**

See attachment

Line 113 Hold

John Duffy, 392 Main St. asked why this is a new line item?

Elizabeth Dennehy stated the Conservation agent is taking over IT and web services.

Line 303 hold

Robert Firlotte, 93 Maple St., Highway Supervisor, wants to adjust the increase from 5% to 8%.
Marilyn Browne Approves.
Christine Joy votes to change it \$21,500.
Lisa Hart makes correction to \$20,981.

Line 510 hold

Lisa Hart made a motion to fund the article with three sources: R & A \$351,000.00
Free Cash \$145,000.00
Ambulance Fund \$229,000.00

Line 560 hold

Michael Gagnon, 33 Colchester Rd. asked why does the percentage change say -100%.
Elizabeth Dennehy stated it is being broken out as a separate line item.
Robert Montgomery, 9 Tobey Lane asked if we did that last year?
Elizabeth Dennehy stated that having a line item for DARE would be a way to track it.

Line 825 hold

Lisa Hart moved to change the funding source to come from transferring the full amount from Capital Stabilization.

ARTICLE 5 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$38,000.00 to conduct financial audits for Fiscal Year 2024, or take any other action relative thereto.

Town Treasurer

Recommended by Finance Committee (4-0); Recommended by BOS (3-0)

ARTICLE 5 VOTE (On the Motion of Christine Joy, Selectman, 10 Dukes Brook Rd. and seconded) to see if the Town will vote to raise and appropriate the sum of \$38,000.00 to conduct financial audits for Fiscal Year 2024.

Pass Majority

ARTICLE 6 To see if the Town will vote to authorize the Police Department to enter into a lease purchase agreement in accordance with the provisions of M.G.L. c.44, §21C for a period in excess of three years to lease and purchase and to fully equip a police patrol vehicle as part of the Department's replacement schedule, and to raise and appropriate, transfer from available funds or otherwise provide the sum of \$14,000.00 for the first year payment of such agreement, or take any other action relative thereto.

Police Department

Recommended by Finance Committee (4-0); Recommended by BOS (3-0)

ARTICLE 6 VOTE (On the Motion of Christine Joy, Selectman, 10 Dukes Brook Rd. and seconded) to approve of the Article as printed in the Warrant with a funding source Free Cash.

Pass Unanimous

ARTICLE 7 To see if the town will vote to raise and appropriate or transfer from available funds the sum of \$71,000.00 to cover the first-year salary and all applicable fringe benefits for a full-time police officer to serve as full-time school resource officer at Dennett Elementary School, or take any other action relative thereto.

Police Department
Recommended by Finance Committee (4-0); Recommended by BOS (3-0)

ARTICLE 7 VOTE (On the Motion of Christine Joy, Selectman, 10 Dukes Brook Rd. and seconded) to see if the town will vote to raise and appropriate the sum of \$71,000.00 to cover the first-year salary and all applicable fringe benefits for a full-time police officer to serve as full-time school resource officer at Dennett Elementary School.

Pass Majority

ARTICLE 8 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 2024 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 8 VOTE (On the Motion of Robert J. Firlotte, Highway Surveyor, 93 Maple St. and seconded) to accept and expend the sum of \$166,850.97 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 2024 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 Unanimous

ARTICLE 9 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 (4-0); Recommended by BOS (3-0)

ARTICLE 9 VOTE (On the motion of Robert J. Firlotte, Highway Surveyor, 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.

Pass Unanimous

ARTICLE 10 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$90,000.00 to purchase and equip a Ventrac-type Machine for the maintenance of Town sidewalks and grassed areas of the Town’s fields, parks and grounds, or take any other action relative thereto.

Highway Department
Recommended by Finance Committee (0-0); Recommended by BOS (3-0)

ARTICLE 10 VOTE (On the motion of Robert J. Firlotte, Highway Surveyor, 93 Maple St. and seconded) to pass over Article.

Pass Unanimous

ARTICLE 11 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$49,417.25 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
Town-wide fiber optic buildout equipment	\$22,000.00
Highway Dept. Truck	\$27,417.25

Board of Selectmen
Recommended by Finance Committee (4-0); Recommended by BOS (3-0)

ARTICLE 11 VOTE (On the motion of Robert J. Firlotte, Highway Surveyor, 93 Maple St. and seconded) to approve of the Article as printed in the Warrant with a funding source Free Cash.

Pass Majority

ARTICLE 12 To see if the Town will vote to appropriate or reserve from the Community Preservation 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 2024, with each item to be considered a separate appropriation:

Appropriations:
From FY 2024 estimated revenues for Committee Administrative Expenses \$5000.00

Reserves:
From FY 2024 estimated revenues for Historic Resources Reserve \$10,000.00
From FY 2024 estimated revenues for Community Housing Reserve \$10,000.00
From FY 2024 estimated revenues for Open Space Reserve \$10,000.00
From FY 2024 estimated revenues for Budgeted Reserve \$65,000.00
Or take any other action relative thereto.

Plympton Community Preservation Committee
Recommended by BOS (3-0)

ARTICLE 12 VOTE (On the motion of Mark E. Russo, Selectman, 140 Palmer Rd. and seconded) to approve of the Article as printed in the Warrant.

Pass Unanimous

ARTICLE 13 To see if the Town will vote to transfer \$30,000.00 from the Undesignated Fund Balance of the Community Preservation Fund, for the acquisition of land for open space, including areas important to preserving ground water, community wells and aquifers, as well as land for recreational use and affordable housing, as those terms are defined in the Community Preservation Act (“CPA”), and specifically for costs likely to be incurred in connection with the transfer, donation, or acquisition of such land, including technical assistance and pre-acquisition costs such as title search, appraisals, wetland delineation, survey, etc., with such sum to be expended by the Plympton Open Space Committee consistent with the Town’s Open Space Plan as described in the Plympton Open Space Committee’s CPA funding application on file with the Town Clerk; provided however, that the Open Space Committee shall report to the Community Preservation Committee not less than every two months or sooner as may be requested, and further that any funds remaining shall be returned to the Community Preservation Fund by vote of the Plympton Community Preservation Committee, or take any other action relative thereto.

**Plympton Community Preservation Committee
Recommended by BOS (3-0)**

Linda E. Leddy, Open Space Committee member, 44 West St., thanked the Town for supporting Open Space.

ARTICLE 13 VOTE (On the motion of Mark E. Russo, Selectman, 140 Palmer Rd. and seconded) to approve of the Article as printed in the Warrant.

Pass Unanimous

ARTICLE 14 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 the Fiscal Year 2024 real and personal property interim valuation of the Town, or take any other action relative thereto.

**Board of Assessors
Recommended by Finance Committee (4-0); Recommended by BOS (3-0)**

ARTICLE 14 VOTE (On the motion of Ethan C. Stiles, Board of Assessors Chair, 85 West St. and seconded) to approve of the Article as printed in the Warrant with a funding source of Free cash.

Pass Unanimous

ARTICLE 15 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$8,000.00 for the purpose of real property data recollection, or take any other action relative thereto.

Board of Assessors

Recommended by Finance Committee (4-0); Recommended by BOS (3-0)

ARTICLE 15 VOTE (On the motion of Ethan C. Stiles, Board of Assessors Chair, 85 West St. and seconded) to see if the Town will vote to raise and appropriate the sum of \$8,000.00 for the purpose of real property data recollection.

Pass Majority

ARTICLE 16 Solar PILOT Agreement with UPLAND ROAD SOLAR 1, LLC

To see if the Town will vote to approve, the Solar PILOT agreement with Upland Road Solar 1, LLC, 1814 Franklin Street, Suite 700, Oakland, CA 94612 for a Solar Facility located on Plympton Assessors Map 13 as Lot 2-29D, pursuant to the provisions of Massachusetts General Laws Chapter 59, Section 5, Clause 45th, as amended by Section 61 of Chapter 8 of the Acts of 2021, and to authorize Town of Plympton Board of Selectmen, the Town of Plympton Board of Assessors, and the Town Administrator of the Town of Plympton, collectively, as the “authorized officer” the execute said Solar PILOT Agreement on behalf of the Town, or take any other action relative thereto.

Board of Assessors

Recommended by BOS (3-0)

ARTICLE 16 VOTE (On the motion of Ethan C. Stiles, Board of Assessors Chair, 85 West St. and seconded) to approve of the Article as printed in the Warrant.

Pass Majority

ARTICLE 17 Solar PILOT Agreement with RING ROAD SOLAR, LLC

To see if the Town will vote to approve, the Solar PILOT agreement with Ring Road Solar, LLC, 230 Park Avenue, Suite 1560, New York, NY 10169 for a Solar Facility located on Plympton Assessors Map 8 as Lot 1-1,1-27, 1-27A, 2-25 and 2-29 , pursuant to the provisions of Massachusetts General Laws Chapter 59, Section 5, Clause 45th, as amended by Section 61 of Chapter 8 of the Acts of 2021, and to authorize Town of Plympton Board of Selectmen, the Town of Plympton Board of Assessors, and the Town Administrator of the Town of Plympton, collectively, as the “authorized officer” the execute said Solar PILOT Agreement on behalf of the Town, or take any other action relative thereto.

Board of Assessors

Recommended by BOS (3-0)

ARTICLE 17 VOTE (On the motion of Ethan C. Stiles, Board of Assessors Chair, 85 West St. and seconded.) to pass over.

John A. Traynor, Jr. Selectman, 62 Crescent St., asked why?

Ethan C. Stiles stated it was not right at this time.

Pass Majority

ARTICLE 18 To see if the Town will vote To see if the Town will vote, pursuant to the provisions of G.L. c.40, §5B, to create a new special purpose stabilization fund, to be known as the Opioid Settlement Stabilization Fund, which may be appropriated and expended for all of the purposes allowed by law, including those outlined in applicable opioid-litigation settlement documents, a document prepared by the Substance Abuse Bureau of the Commonwealth's Office of Health and Human Services Department, found at <https://www.mass.gov/doc/massachusetts-abatement-terms/download> entitled "Abatement Strategies", and consistent with any state guidelines or regulations further clarifying allowable uses of opioid litigation settlement funds; and further, to accept the last paragraph of said §5B and dedicate to such fund, without further appropriation, 100% of the opioid litigation settlement funds received by the Town effective for the Fiscal Year beginning on July 1, 2023; and further, to transfer from available funds a sum of money equal to that received or to be received by the Town prior to the effective date of this vote from opioid litigation settlements resulting from the Town's participation in the national Opioid Multi-District Litigation into said Opioid Settlement Stabilization Fund, or take any other action relative thereto.

Board of Selectmen

Recommended by Finance Committee (4-0); Recommended by BOS (3-0)

ARTICLE 18 VOTE (On the motion of John A. Traynor, Jr. Selectman, 62 Crescent St and seconded) to approve of the Article as printed in the Warrant that the Town transfer the sum of \$13,793.00 from the Opioid Settlement Account in the General Fund for the purpose of funding the newly created Opioid Settlement Special Purpose Stabilization Fund.

Pass Unanimous

ARTICLE 19 To see if the Town will vote to amend the Plympton Zoning Bylaws, Article VIII, Special Districts, to delete §300-8.3, Groundwater Protection Districts (GPD) in its entirety and replace it with the following:

§ 300-8.3 Groundwater Protection Districts (GPD).

A. Purpose and intent.

The purpose of this district is to protect, preserve and maintain the existing and potential groundwater supply and recharge areas within the Town; to conserve natural resources in the Town of Plympton; to prevent temporary and permanent contamination of the environment; to promote the health, safety and general welfare of the community; to create overlay districts (see Groundwater Protection Overlay Districts Map) which circumscribe aquifers and aquifer recharge areas and impose conditions where such are necessary to accomplish the purpose of the Groundwater Protection Districts, and for enjoying uses of the underlying land.

B. Scope of Authority.

The Groundwater Protection District is an overlay district superimposed on the zoning districts. This overlay district shall apply to all new and existing construction, reconstruction, or expansion of existing buildings and new or expanded uses. Applicable activities and uses in a portion of one of the underlying zoning districts that fall within the Groundwater Protection District must additionally comply with the requirements of this bylaw. Uses prohibited in the underlying zoning districts shall not be permitted in the Groundwater Protection District.

C. Definitions of districts.

(1) GPD Type I: areas identified as stratified drift expected to have transmissivities greater than 10,000 gallons per day per foot and well yields greater than 100 gallons per minute when mapped using U.S. Geological Survey methods; and/or areas where a combination of hydraulic conductivity in the saturated overburden materials and groundwater gradient will generate an expected groundwater seepage velocity in the overburden of more than 14 feet per day. GPD (Aquifer) Type I shall also include areas of the Town from which groundwater and surface water flow to major water supplies. These areas are based on the surface watershed boundary of Silver Lake and the groundwater contours sloping to the lake mapped in the report "Silver Lake Hydrological and Land Use Study", Pilgrim Area Resource Conservation and Development Council, 1988.

(2) GPD Type II: areas identified as stratified drift expected to have transmissivities between zero and 10,000 gallons per day per foot and well yields between zero and 100 gallons per minute when mapped using U.S. Geological Survey methods; and/or areas of till and shallow bedrock with little or no stratified drift where a combination of the hydraulic conductivity in the saturated overburden materials and the groundwater gradient will generate an expected groundwater seepage velocity in the overburden of more than five feet per day.

(3) GPD Type III: any portion of the Town that does not qualify as GPD Type I or II and/or areas of till and bedrock with little or no stratified drift and expected to have very low transmissivities and small well yields when mapped using U.S. Geological Survey methods; and where a combination of the hydraulic conductivity in the saturated overburden materials and the groundwater gradient will generate an expected groundwater seepage velocity in the overburden of less than five feet per day.

D. Boundaries of GPD.

(1) The Groundwater Protection Districts (GPD) include land within the Town of Plympton which are encompassed by the areas designated on the maps entitled "Groundwater Protection Overlay Districts, Town of Plympton", dated March 25, 1991, and drawn to a scale of one-inch equals 400 feet, which maps also show the lot lines of the land according to the Assessor's maps, and which are intended to include aquifer areas.

(2) The boundaries of the Groundwater Protection Districts are established by the vote of Town Meeting, and these boundary lines can only be changed or moved by the vote of Town Meeting. If there is dispute as to the proper location of these lines with respect to the field geologic conditions on any parcel, the owner of that parcel may seek an advisory opinion from the special permit granting authority (the Planning Board) as to the suitability of petitioning Town Meeting for a relocation of boundary lines,

based on newly defined relocation of boundary lines, based on newly defined geologic conditions established by competent professional opinion. If so requested by the owner, the SPGA shall employ the services of competent professionals such as hydrogeologists or soil scientists, all at the expense of the petitioner, to investigate field conditions with regard to the respective GPD Type I, II or III as described in Subsection C, Definitions of districts. The evidence so produced shall be maintained in the records of the Town by the SPGA and shall be produced, along with any other pertinent evidence, whenever the issue of location of or re-delineation of the boundary of a GPD comes before the Town Meeting.

E. Permitted uses.

Subject to the requirements of the table in Section F hereof the following uses are permitted within the Groundwater Protection Districts, provided that all necessary permits, orders, or approvals required by local, state, or federal law are also obtained:

- a. conservation of soil, water, plants, and wildlife;
- b. outdoor recreation, nature study, boating, fishing, and hunting where otherwise legally permitted;
- c. foot, bicycle and/or horse paths, and bridges;
- d. normal operation and maintenance of existing water bodies and dams, splash boards, and other water control, supply and conservation devices;
- e. maintenance, repair, and enlargement of any existing structure, subject to this bylaw;
- f. residential development, subject to all Plympton building codes, Board of Health approvals, Conservation Commission approvals, and lot dimension requirements noted in Article V – Intensity of Use Regulations;
- g. farming, gardening, nursery, conservation, forestry, harvesting, and grazing, subject to all other related regulations found in Plympton bylaws;
- h. construction, maintenance, repair, and enlargement of drinking water supply related facilities such as, but not limited to, wells, pipelines, aqueducts, and tunnels.

Unless specifically prohibited by Subsection F hereafter, or unless a special permit is required for a conditional use under Subsection F, the uses permitted by the underlying zoning either as a matter of right or under a special permit shall continue to be permitted or allowed in the Groundwater Protection Districts, to the extent the same are permitted in the underlying zoning district.

F. Prohibited uses and uses allowed by special permit in GPD I, II, III:

		Prohibited in GPD Types:	Allowed by Special Permit in GPD Types:
1.	Disposal on-site of Solid Wastes, other than brush and stumps	I, II, III	
2.	Storage of petroleum or other Petroleum Products except within buildings which it will heat, and except in connection with replacement of existing tanks	I, II, III	

		Prohibited in GPD Types:	Allowed by Special Permit in GPD Types:
3.	Storage of petroleum or other Petroleum Products except in above-ground facilities with proper containment or within buildings which it will heat, and except in connection with replacement of existing tanks	II	
4.	Activities principally using, testing, storing, transporting or disposing of Toxic or Hazardous Substances	I, II, III	
5.	The disposal on-site of Hazardous Wastes, Toxic or Hazardous Substances, or Radioactive Materials	I, II, III	
6.	The storage on-site of Hazardous Wastes, Toxic or Hazardous Substances, or Radioactive Materials, except for storage of Toxic or Hazardous Substances for agricultural purposes, provided such substances for agriculture are stored consistent with all state regulations	I, II, III	
7.	The disposal of liquid or leachable wastes or liquids which do not meet the water quality standards of the Massachusetts Groundwater Discharge Permit Program, except in the pursuit of normal domestic activities and except as permitted into subsurface waste disposal systems subject to regulation under Title 5 of the State Environmental Code	I, II, III	
8.	Storage of road salt or other de-icing chemicals, except as packaged for consumer use	I	II, III
9.	The discharge on-site of Industrial Process Liquids	I, II, III	
10.	The depositing of snow containing road salt or other de-icing chemicals which has been transported to a site from outside the GPD type area	I, II, III	
11.	The permanent removal or regrading of the existing soil cover resulting in a finished grade within 10 feet of the spring high water level	I, II	III
12.	The application of pesticides for nondomestic, nonmunicipal or nonagricultural uses, provided that all necessary precautions are taken to prevent hazardous concentrations of pesticides in the water and on-site as a result of such application. Such precautions include, but are not limited to, erosion control techniques, the control of runoff water (or the use of pesticides having low solubility in water), the prevention of volatilization and deposition of pesticides and the lateral displacement (i.e., wind drift) of pesticides		I, II
13.	The application of Commercial Fertilizers for nondomestic or nonagricultural uses, provided that such applications are made in such a manner as to minimize adverse impacts on surface water and groundwater due to nutrient transport, deposition and sedimentation		I, II
14.	Where more than 15% of any lot is hereafter proposed to be impervious, a special permit shall be required to permit such use, on condition that water shall be recharged to the aquifer to compensate for all impervious lot coverage greater than 15%		I, II
15.	The mining of land, subject to environmental restrictions regarding the use, maintenance, storage and fueling of heavy equipment and vehicles at the site of the mining operation; appropriate restrictions on minimum mining elevations with regard to groundwater (no closer than 10 feet to the Historical High Groundwater Table Elevation); control of surface water runoff; and final reclamation		I, II
16.	The mining of land, except as incidental to the exercise of a permitted or conditional use hereunder		III

G. Special procedures regarding the issuance of special permits in the Groundwater Protection Districts. Conditional uses are permitted upon the issuance of a special permit by the special permit granting authority (SPGA). The SPGA is herein designated as the Planning Board.

(1) In addition to the requirements of the MGL c. 40A, § 9 and the rules and regulations of the SPGA, the following additional requirements shall apply:

(a) At least five copies of any proposed plan for development shall be submitted to the Town Clerk, who will transmit the materials to the SPGA.

(b) A topographic map of the site shall be provided at a scale of 1:40 or larger scale, from which surface runoff directions can be readily determined. This map shall be stamped by a registered land surveyor or a registered professional civil engineer, and shall include ground surface contours at an interval no greater than two feet.

(c) Evidence regarding the seasonal high groundwater elevation and direction of groundwater movement.

(d) A design to maintain aquifer recharge at pre-permit amounts where the impervious surface will exceed 15% of the lot area, and a design to cleanse and filter the runoff from such impervious surfaces recharged to the aquifer.

(e) For industrial or commercial uses, a spill prevention, containment, and emergency response plan to prevent contamination of soil, groundwater or surface water in the event of accidental spills or the release of toxic or hazardous substances on-site.

(2) The applicant may request in writing a waiver of any of the foregoing requirements in Subsection **G(1)** hereof, which request shall be communicated by the SPGA, within three business days of its receipt, to the Board of Health and the Conservation Commission (hereinafter, the "advisory bodies"). Unless the SPGA or one of the advisory bodies communicates its decision to require the materials sought to be waived within 30 days of the making of such request, the waiver may be granted by the SPGA.

(3) The SPGA shall provide copies of the application and all other submittals of the applicant, within three business days of filing, to the advisory bodies for their recommendations. A public hearing on the application for a special permit may not be held prior to 35 days following the filing of the application.

(4) In addition to any other requirements and conditions for granting a special permit, the SPGA, with respect to any application for a special permit in a GPD, shall make a finding that:

(a) The proposed use is consistent with the purpose and intent of the GPD.

(b) The proposed use is designed to avoid substantial disturbance of the soils, natural topography, drainage, vegetation, and other water related natural characteristics of the site to be developed.

(c) The proposed use will not, during construction or thereafter, have an unacceptable environmental impact on the groundwater supply.

(d) The proposed use will not adversely affect an existing or potential water supply, expressly including the quality and quantity thereof.

(e) In addition to any other considerations for a special permit in the underlying zoning district, the SPGA shall, in the case of commercial and industrial uses, impose appropriate conditions

which prevent compaction and siltation of soil, loss of recharge, exfiltration from sewer pipes and contamination of the soil or groundwater by oil, chemicals, and nutrients. The proposed use must:

1. in no way, during construction or thereafter, adversely affect the quality and quantity of the water supplies protected by the Groundwater Protection District; and
2. be designed to avoid substantial disturbance of the soils, topography, drainage, vegetation, and other water-related natural characteristics of the site to be developed.

(5) All reports of any of the advisory bodies, whether favorable or unfavorable, shall be retained in the official files of the SPGA regarding the related application for a special permit and shall be made available to the public.

(6) In addition to the foregoing procedures for special permits, the SPGA may from time to time establish regulations dealing with materials required for submission, and the concerns which form the basis for decisions regarding special permit applications.

(7) Special permits shall be granted subject not only to designs approved by the SPGA and as submitted by the applicant, but also subject to performance requirements and a requirement that all designs function as intended.

(8) At the discretion of the SPGA, a suitable professional (civil engineer/hydrogeologist) may be hired to review all data and conclusions about impacts on the groundwater as submitted by the petitioner. The cost for this professional review shall be reimbursed by the petitioner to the SPGA.

H. Enforcement.

Written notice of any violations of this bylaw shall be given by the Zoning Enforcement Officer (ZEO) to the responsible person as soon as possible after detection of a violation or a continuing violation. Notice to the assessed owner of the property shall be deemed notice to the responsible person. Such notice shall specify the requirement or restriction violated and the nature of the violation and may also identify the actions necessary to remove or remedy the violations and preventive measures required for avoiding future violations and a schedule of compliance.

A copy of such notice shall be submitted to the Town Administrator. The cost of containment, clean-up, or other action of compliance shall be borne by the owner/operator of the premises.

I. Severability.

If any provision of this bylaw is held invalid by a court of competent jurisdiction, the remainder of the bylaw shall not be affected thereby. The invalidity of any section or sections or parts of any section or sections of this bylaw shall not affect the validity of the remainder of this bylaw.

Or take any other action relative thereto.

Bylaw Review Committee/Planning Board Recommended by BOS (3-0)

Ann Sobolewski, Planning Board Chair, 255 Main St. gave a verbal report with Planning Board Support to bring Bylaw up to current regulations with guidance from the DEP.

ARTICLE 19 VOTE (On the motion of Ann Sobolewski, Planning Board Chair, 255 Main St. and seconded) to approve of the Article as printed in the Warrant.

Pass 2/3 Majority

ARTICLE 20 To see if the Town will vote to amend the Plympton Zoning Bylaws, Article XI, Definitions, to add the following definitions to §300-11.1 by inserting each new definition alphabetically into its appropriate place in the existing list of definitions:

AQUIFER – A geologic formation composed of rock, sand or gravel that contains significant amounts of potentially recoverable water.

CMR – Code of Massachusetts Regulations.

COMMERCIAL FERTILIZER - Any substance containing one or more recognized plant nutrients which is used for its plant nutrient content and which is designed for use, or claimed to have value in promoting plant growth, except un-manipulated animal and vegetable manures, marl, lime, limestone, wood ashes, and gypsum, and other products exempted by state regulations.

DISCHARGE -_The accidental or intentional disposal, deposit, injection, dumping, spilling, leaking, pouring, or placing of toxic or hazardous material or hazardous waste upon or into any land or water such that it may enter the surface or ground waters.

IMPERVIOUS SURFACE – Material or structure on, above, or below the ground that does not allow precipitation or surface water runoff to penetrate into the soil.

INDUSTRIAL PROCESS LIQUIDS - Any fluid or solution that may be chemically, biologically, or otherwise contaminated or polluted that would constitute a health, environmental, or system hazard if introduced into the ground or surface water. This includes (i) polluted or contaminated water; (ii) used waters; (iii) cooling waters; (iv) contaminated natural waters taken from wells, lakes or reservoirs, streams, or irrigation systems; (v) chemicals in solution or suspension; or (vi) oils, gases, acids, alkalis, and other liquid and gaseous fluid used in industrial or other processes.

HISTORICAL HIGH GROUNDWATER TABLE ELEVATION -_A groundwater elevation determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey.

IMPERVIOUS - Material or structure on, above, or below the ground that does not allow precipitation or surface water runoff to penetrate into the soil.

MASSDEP - Massachusetts Department of Environmental Protection.

MGL - Massachusetts General Law.

PETROLEUM PRODUCT - Includes, but not limited to, fuel oil; gasoline; diesel; kerosene; aviation jet fuel; aviation gasoline; lubricating oils; oily sludge; oil refuse; oil mixed with other wastes; crude oils; or other liquid hydrocarbons regardless of specific gravity. Petroleum Product shall not include liquefied petroleum gas including, but not limited to, liquefied natural gas, propane or butane.

Or take any other action relative thereto.

**Bylaw Review Committee/Planning Board
Recommended by BOS (3-0)**

Ann Sobolewski, Planning Board Chair, 255 Main St. gave a verbal report with Planning Board Support to bring Bylaw up to current regulations with guidance from the DEP.

ARTICLE 20 VOTE (On the motion of Ann Sobolewski, Planning Board Chair, 255 Main St.. and seconded) to approve of the Article as printed in the Warrant.

Pass Unanimous

ARTICLE 21 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 of new Personal Protective Equipment (PPE) to replace aging PPE, or take any other action relative thereto.

**Fire Department
Recommended by Finance Committee (3-0); Recommended by BOS (3-0)**

ARTICLE 21 VOTE (On the motion of Cheryl M. Davis, Fire Department Captain, 34 Maple St. and seconded) to approve of the Article as printed in the Warrant with a funding source of Free Cash.

Pass Unanimous

ARTICLE 22 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$5,000.00 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 (3-0); Recommended by BOS (3-0)**

ARTICLE 22 VOTE (On the motion of Cheryl M. Davis, Fire Department Captain, 34 Maple St. and seconded) to approve of the Article as printed in the Warrant with a funding source of Free Cash.

Pass Unanimous

ARTICLE 23 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$30,000.00 to replace the frame on Engine 2, including all work incidental or related thereto, or to take any other action relative thereto.

Fire Department

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

ARTICLE 23 VOTE (On the motion of Cheryl M. Davis, Fire Department Captain, 34 Maple St.). and seconded to approve of the Article as printed in the Warrant with a funding source of Free Cash.

Pass Majority

ARTICLE 24 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$5,100.00 for the purchase and install replacement tires for Engine 2, or take any other action relative thereto.

Fire Department

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

ARTICLE 24 VOTE (On the motion of Cheryl M. Davis, Fire Department Captain, 34 Maple St. .and seconded) to approve of the Article as printed in the Warrant with a funding source of Free Cash.

Pass Unanimous

ARTICLE 25 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$9,000.00 to be added to the General Consultant and Preliminary Design Services Article, as voted pursuant to Article 26 at the May 12, 2021 Annual Town Meeting, or take any other action relative thereto.

Town Properties Committee

Recommended by Finance Committee (4-0); Recommended by BOS (3-0)

ARTICLE 24 VOTE (On the motion of Jon Wilhelmsen, Town Properties Committee Chair, 255 Main St. and seconded) to approve of the Article as printed in the Warrant with a funding source of Free Cash.

Pass Unanimous

ARTICLE 26 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$298,000.00 for the replacement and/or repair of the roof on the front portion of the Town House, including all architectural design, hazardous materials sampling and mitigation, and all necessary work and improvements related thereto, or take any other action relative thereto.

Town Properties Committee

Recommended by Finance Committee (4-0); Recommended by BOS (3-0)

ARTICLE 26 VOTE (On the motion of Jon Wilhelmsen, Town Properties Committee Chair, 255 Main St. and seconded) to approve of the Article as printed in the Warrant with a funding source of Capitol Stabilization Fund.

Pass Unanimous

ARTICLE 27 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$16,500.00 for interior building improvements and flooring projects at the Plympton Public Library, and anything incidental or related thereto, or take any other action relative thereto.

Town Properties Committee

Recommended by Finance Committee (4-0); Recommended by BOS (3-0)

ARTICLE 27 VOTE (On the motion of Jon Wilhelmsen, Town Properties Committee Chair, 255 Main St. and seconded) to approve of the Article as printed in the Warrant with a funding source of Free Cash.

Pass Unanimous

ARTICLE 28 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$8,000.00 to cover the purchase and installation of fire and burglar alarm systems at the Highway Barn, including any equipment and/or services related thereto, or take any other action relative thereto.

Board of Selectmen

Recommended by Finance Committee (4-0); Recommended by BOS (3-0)

ARTICLE 28 VOTE (On the motion of John A. Traynor, Jr., Selectman, 62 Crescent St. and seconded) to approve of the Article as printed in the Warrant with a funding source of Free Cash.

Pass Majority

ARTICLE 29 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$15,000.00 to be added to the Information Technology and Equipment Article, as voted pursuant to Article 30 at the May 18, 2022 Annual Town Meeting, for the purchase and installation of information technology equipment, including upgrading outdated security software and hardware and equipment and programs necessary to enable video and audio recording and transmission of public meetings held at the Town House, including anything incidental or related thereto, or take any other action relative thereto.

Board of Selectmen

Recommended by Finance Committee (4-0); Recommended by BOS (3-0)

ARTICLE 29 VOTE (On the motion of John A. Traynor, Jr., Selectman, 62 Crescent St. and seconded) to approve of the Article as printed in the Warrant with a funding source of Free Cash.

Pass Unanimous

ARTICLE 30 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$25,000.00 for phase one of replacement of the children's non-fiction book collection at the Plympton Public Library, or take any other action relative thereto.

Plympton Public Library

Recommended by Finance Committee (4-0); Recommended by BOS (3-0)

ARTICLE 30 VOTE (On the motion of John A. Traynor, Jr., Selectman, 62 Crescent St. and seconded) to approve of the Article as printed in the Warrant with a funding source of Free Cash.

Pass Majority

ARTICLE 31 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$25,000.00 for infrastructure improvements and programmed maintenance projects at the Town's recreational fields and facilities, or take any other action relative thereto.

Recreation Committee

Recommended by Finance Committee (4-0); Recommended by BOS (3-0)

Scott Devonshire, 122 Brook St. asked to increase the sum to \$50,00.00, and seconded.

Gregg Corbo, Town Council stated can't increase by double on the floor.

Scott Devonshire asked what is acceptable?

Barry DeCristofano, Moderator put a 10% ceiling on increases.

Scott Devonshire made a motion to increase amount to \$27,500.00

Carolyn DeCristofano, 198 Main St. asked if someone from the Recreation Commission could speak to this?

Mark Riley, Recreation Commission member, 20 Rebecca Way stated that the Dennett soccer field is currently unusable. Harry Jason fields needs improvements and infrastructure for practice use then the Dennett field can be improved and maintained for games.

Marilyn Browne, Finance Committee Chair, wants to stay with the amount printed in the Warrant.

Lisa Hart, Town Accountant stated the budget was increased this year and it's not the right move financially.

VOTE to amend amount to \$27,500.00

Pass Majority

ARTICLE 31 VOTE (On the motion of John A. Traynor, Jr., Selectman, 62 Crescent St. and seconded) to approve of the Article with amending the amount to \$27,500.00 with a funding source of Free Cash.

Pass Majority

ARTICLE 32 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$30,000.00 for flooring replacement projects in three classrooms at Dennett Elementary School, and anything incidental or related thereto, or take any other action relative thereto.

Plympton School Committee

Recommended by Finance Committee (4-0); Recommended by BOS (3-0)

ARTICLE 32 VOTE (On the motion of Jon Wilhelmsen, Plympton School Committee Chair, 255 Main St. and seconded) to approve of the Article as printed in the Warrant with a funding source of Capitol Stabilization Fund

Pass Unanimous

ARTICLE 33 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$5,000.00 for Bylaw Codification, or take any other action relative thereto.

Town Clerk/Bylaw Review Committee

Recommended by Finance Committee (4-0); Recommended by BOS (3-0)

ARTICLE 33 VOTE (On the motion of Alan Wheelock, Bylaw Review Committee, 10 Center St.. and seconded) to approve of the Article as printed in the Warrant with a funding source of Free Cash.

Pass Unanimous

ARTICLE 34 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$36,725.00 for the replacement of an HVAC roof top unit at the Silver Lake Regional High School and anything incidental or related thereto, or take any other action relative thereto.

Silver Lake Regional School Committee

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

ARTICLE 34 VOTE (On the motion of Jason W. Fraser, SLRS Committee, 66 Maple St. and seconded.) to pass over the Article because is being covered by Plympton ARPA funds.

John Duffy, 392 Main St. asked why are we passing over?

John A. Traynor, Jr., Selectman, 62 Crescent St., stated the Selectmen voted to fund with ARPA funds.

Pass Unanimous

ARTICLE 35 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$15,000.00 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 (4-0); Recommended by BOS (3-0)

ARTICLE 35 VOTE (On the motion of Jason W. Fraser, SLRS Committee, 66 Maple St w. and seconded) to see if the Town will vote to raise and appropriate the sum of \$15,000.00 to support a part-time school resource officer for the Silver Lake Middle School.

Pass Majority

ARTICLE 36 To see if the Town will vote to amend the vote taken pursuant to Article 2 at the November 30, 2022 Special Town Meeting, which enacted a new General Bylaw, Tax Title Payment Plans, to amend the bylaw as set forth below, with additions shown in **bold** and deletions shown in ~~striketrough~~, or take any other action relative thereto.

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~~ **shall** 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~~ **but only if the taxpayer pays off the delinquency according to 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~~ **pays off the delinquency according to the terms of 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.

Town Treasurer

Recommended by BOS (3-0)

ARTICLE 36 VOTE (On the motion of Christine Joy, Selectman, 10 Dukes Brook Rd. and seconded) to approve of the Article as printed in the Warrant with an amendment to strike “but only if the taxpayer.”

Pass Unanimous

ARTICLE 37 To see if the Town will vote to adjourn this Annual Town Meeting until 8:00 a.m. on May 20, 2023 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 Health member for three (3) years
Two (2) Constables for three (3) years
Two (2) Finance Committee members for three (3) years
One (1) Finance Committee member for one (1) year
Two (2) Library Trustee for three (3) years
Two (2) Library Trustee for two (2) years
One (1) Library Trustee for one (1) year
One (1) Planning Board member for five (5) years
Two (2) Plympton School Committee members for three (3) years

ARTICLE 37 VOTE (On the motion of Christine Joy, Selectman, 10 Dukes Brook Rd. and seconded) to approve of the Article as printed in the Warrant.

Pass Unanimous

Meeting adjourned 9:24 PM

Respectfully Submitted

A handwritten signature in black ink, reading "Patricia L. Detterman". The signature is written in a cursive style with a long, horizontal flourish at the end.

Patricia L. Detterman
Town Clerk