

PLYMPTON ANNUAL TOWN MEETING WARRANT
Commonwealth of Massachusetts
May 17, 2006

PLYMOUTH, ss.

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

GREETING:

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

Dennett Elementary School in said Plympton
Wednesday, May 17, 2006 at 7:00 PM

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

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

Board of Selectmen

Article 2. As related to the current fiscal year 2006, to see if the Town will transfer the sum of \$2,000 from budget line 58 "Zoning Administrator" to budget line 60 "Wiring Inspector" or take any other action relative thereto.

Board of Selectmen

RECOMMENDED

Article 3. As related to the current fiscal year 2006, to see if the Town will vote to transfer the sum of \$1,000 from budget line 56 "Building Inspector/Department" to budget line 59 "Plumbing and Gas Inspector" or take any other action relative thereto.

Board of Selectmen

RECOMMENDED

Article 4. As related to the current fiscal year 2006, to see if the Town will vote transfer the sum of \$800 from budget line 56 "Building Inspector/Department" to budget line 76 "Veteran's Benefits" or take any other action relative thereto.

Board of Selectmen

RECOMMENDED

Article 5. As related to the current fiscal year 2006, to see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,500 to budget line 71 "Motor Vehicles" to offset shortfalls caused by higher than expected fuel costs or take any other action relative thereto.

Chief of Police

NOT RECOMMENDED

Article 6. As related to the current fiscal year 2006, to see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$975 to budget line 68 "Police Department" to offset higher than expected communications and computer services costs or take any other action relative thereto.

Chief of Police

NOT RECOMMENDED

Article 7. As related to the current fiscal year 2006, to see if the Town will vote to transfer \$2,000 from budget line 15 "Selectmen's Expense" to budget line 18 "New Town House" or take any other action relative thereto.

Board of Selectmen

RECOMMENDED

Article 8. As related to the current fiscal year 2006, to see if the Town will vote to transfer \$3308.36 from budget line 56 "Building Inspector/Department" to budget line 18 "New Town House" or take any other action relative thereto.

Board of Selectmen

RECOMMENDED

Article 9. As related to the current fiscal year 2006, to see if the Town will vote to transfer \$749.58 from budget line 58 "Zoning Administrator" to budget line 18 "New Town House" or take any other action relative thereto.

Board of Selectmen

RECOMMENDED

Article 10. As related to the current fiscal year 2006, to see if the Town will vote to transfer a sum of money from budget line 81A "Vocational Education" to budget line 80 "Elementary School Costs" or take any other action relative thereto.

Dennett School Committee

RECOMMENDED

Article 11. As related to current fiscal year 2006, to see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to budget line 62 "Fire Services" or take any other action relative thereto.

Fire Chief

NOT RECOMMENDED

Article 12. As related to the current fiscal year 2006, to see if the Town will vote to transfer \$15,200 from budget line 35 "Group Health" voted on May 18, 2005 to budget line 83 "Reserve Fund" or take any other action relative thereto.

Treasurer

RECOMMENDED

Article 13. As related to the current fiscal year 2006, to see if the Town will vote to transfer \$4,500 from budget line 35 "Group Health" voted on May 18, 2005 to budget line 16 "Computer Maintenance" or take any other action relative thereto.

Treasurer

RECOMMENDED

Article 14. As related to the current fiscal year 2006, to see if the Town will vote to transfer \$2,500 from budget line 35 "Group Health" voted on May 18, 2005 to budget line 38 "Medicare" or take any other action relative thereto.

Treasurer

RECOMMENDED

Article 15. As related to the current fiscal year 2006, to see if the Town will vote to transfer \$500 from budget line 35 "Group Health" voted on May 18, 2005 to budget line 24 "Treasurer's Banking Services" or take any other action relative thereto.

Treasurer

RECOMMENDED

Article 16. As related to the current fiscal year 2006, to see if the Town will vote to transfer \$40 from the Restoration of Town Records Account (01-123-5362) to budget line 83 "Reserve Fund" or take any other action relative thereto.

Board of Selectmen

RECOMMENDED

Article 17. As related to the current fiscal year 2006, to see if the Town will vote to transfer \$3,941.40 from the Winnetuxet Recreation Area account (01-123-5354) to budget line 83 "Reserve Fund" or take any other action relative thereto.

Board of Selectmen

RECOMMENDED

Article 18. As related to the current fiscal year 2006, to see if the town will vote to transfer \$1062.75 from the Town House Septic System account (01-123-5365) to budget line 83 "Reserve Fund" or take any other action relative thereto.

Board of Selectmen

RECOMMENDED

Article 19. As related to the current fiscal year 2006, to see if the Town will vote to transfer \$402.72 from the Golf Course Study account (01-123-5899) to budget line 27 "Conservation Commission" for expenses associated with completion of the Open Space Plan or take any other action relative thereto.

Board of Selectmen

RECOMMENDED

Article 20. To see if the Town of Plympton will vote to authorize the Town Treasurer to enter into Compensating Balance agreements for FY 2007 as permitted by and in accordance with G.L. c.44§53F, or take any other action relative thereto.

Treasurer

Article 21. To see if the Town will vote to amend the Wage & Personnel Classification Plan effective July 1, 2006 and to pay as wages the following sums, or take any other action relative thereto:

WAGE RECOMMENDATIONS FOR FISCAL 2007

A. Firefighters (Part Time)

			Premium	
**Deputy Chief	\$ 13.89	\$ 14.56	\$ 20.83	\$ 21.84
**Captain	\$ 13.76	\$ 14.42	\$ 20.62	\$ 21.64
**Lieutenant	\$ 13.63	\$ 14.28	\$ 20.44	\$ 21.42
*First year	\$ 12.02	\$ 12.65	\$ 18.02	\$ 19.00
*Second year	\$ 12.44	\$ 13.10	\$ 18.64	\$ 19.62
*Third year	\$ 13.50	\$ 14.14	\$ 20.22	\$ 21.22
Certified EMT	\$ 14.99	\$ 15.64	\$ 22.46	\$ 23.49
EMT Standby	\$18.00 per 12 hours shift			

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

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

B. Highway Labor

Working Foreman	\$ 16.32	\$ 17.94
Truck Driver/Laborer	\$ 15.61	\$ 16.26
Laborer	\$ 12.73	\$ 13.36

C. Town Labor

Laborer	\$ 12.73	\$ 13.36
Sr. Disposal Attendant	\$ 14.71	\$ 15.37
Disposal Attendant	\$ 13.11	\$ 13.76

D. Clerical

Junior Clerk - 1 year	\$ 8.33	\$ 8.98
Senior Clerk- 2 years	\$ 10.67	\$ 11.33
Senior Clerk- 5 years	\$ 12.04	\$ 12.68

E. Accounting/ Assessor

Jr. Accounting Clerk	\$ 11.10	\$ 11.75
Sr. Accounting Clerk - 1 year	\$ 12.34	\$ 12.98
Sr. Accounting Clerk - 3 years	\$ 14.10	\$ 14.73
Sr. Accounting Clerk - 5 years	\$ 15.37	\$ 15.96
Asst. to Collector/Treasurer	\$ 16.08	\$ 17.99

F. Selectmen's Office

Junior Secretary - 1 year	\$ 10.67	\$ 11.33
Senior Secretary - 2 years	\$ 12.46	\$ 13.12
Senior Secretary - 5 years	\$ 13.67	\$ 14.32
Assistant to Board	\$ 16.08	\$ 17.99

G. Library

Director	\$ 17.90	\$ 19.69
Senior Library Technician	\$ 13.53	\$ 15.88
Library Technician	\$ 12.91	\$ 14.20
Circulation Clerk	\$ 10.60	\$ 11.87
Library Clerk	\$ 8.83	\$ 10.48

H. Salaried Employees

Fire Chief	\$ 46,198.18	\$ 59,499.55
Police Chief	\$ 46,198.18	\$ 59,499.55
Police Sergeant	\$ 40,365.00	\$ 46,575.00
Police Matron	\$10/hour	
Special Police Officer	\$12/hour	
Librarian	\$ 26,393.63	\$ 29,358.91
Asst. Assessor - 1 year	\$ 21,835.68	\$ 24,104.37

Asst. Assessor - 3 years	\$ 24,820.35	\$ 27,206.92
Asst. Assessor - 5 years	\$ 27,523.99	\$ 31,820.95
Veteran's Agent	\$ 2,876.49	\$ 2,905.96
<i>Wage & Personnel Board</i>		

Article 22. 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 to take any other action relative thereto.

Board of Selectmen

Article 23. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of \$40,000 for the repair of the drainage system in Blanchard Estates or take any other action relative thereto.

Board of Selectmen

NOT RECOMMENDED

Article 24. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,000 to the Tercentennial Account for the required deposit to contract with a local militia unit for a Revolutionary War Re-Enactment and Encampment for the Town's Tercentennial celebration in June of 2007 or take any other action relative thereto.

Board of Selectmen

NOT RECOMMENDED

Article 25. To see if the Town will vote to borrow, in anticipation of reimbursement, the sum of \$97,931 as the State's share of the cost of work under Chapter 90§34-2A of the General Laws or take any action relative thereto.

Highway Surveyor

Article 26. To see if the Town will vote to transfer from available funds or borrow the sum of \$34,000 to purchase a dump truck to replace the 1994 F350 one ton dump truck or take any other action relative thereto.

Highway Surveyor

NOT RECOMMENDED

Article 27. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to enter into an agreement with GATRA to provide transportation for Plympton's senior and disabled citizens.

Board of Selectmen

Article 28. To see if the Town will vote to accept the provisions of G.L. c.64G, §3A, which authorizes the Town to impose a local excise tax of 4% of the total amount of rent for each occupancy of any room or rooms in a bed and breakfast establishment, hotel, lodging house or motel located within the Town upon the transfer of such occupancy.

Board of Assessors

Article 29. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$25,000 for the purpose of the Fiscal Year 2008 Triennial Revaluation (Real Estate) and its associated costs as mandated by the Department of Revenue.

Board of Assessors

NOT RECOMMENDED

Article 30. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$7,000 for the purpose of the Fiscal Year 2008 Triennial Revaluation (Personal Property) and its associated costs as mandated by the Department of Revenue.

Board of Assessors

NOT RECOMMENDED

Article 31. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$14,000 for the purpose of a cyclical measure and list of all properties within the Town.

Board of Assessors

NOT RECOMMENDED

Article 32. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,500 for the purpose of purchasing software and training in connection with the digitizing of the Town's maps.

Board of Assessors

NOT RECOMMENDED

Article 33. To see if the Town of Plympton will, in accordance with G.L. Ch.40§4A, authorize the Board of Health to enter into an intermunicipal agreement with one or more other governmental units to provide public health services which the Board of Health is authorized to perform, in accordance with an InterMunicipal Mutual Aid Agreement to be entered into between Town and various governments units, or take any other action relative thereto.

Board of Health

Article 34. To see if the Town will vote to authorize the continuation of a revolving fund account under the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½, for the use by the Recreation Commission for the support of youth sports programs, community activities and special events that will benefit all of the townspeople of Plympton. Funds deposited into this account shall be those generated through the Town of Plympton Advertising Sign Sponsorship Program, fees charged to individuals participating in any Recreation Commission sponsored programs, any donations earmarked for said programs and any private sponsorship of said programs. The Recreation Commission is authorized to expend from this fund for the stated purpose without future appropriation subject to the restrictions contained in M. G. L., Chapter 44, Section 53E ½ an amount not to exceed \$20,000. Expenditures shall not be made, or liabilities incurred in excess of the balance of the fund at any given time or take any other action in relation thereto.

Recreation Commission

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

Board of Selectmen

Article 36. To see if the town will vote to raise, appropriate or take from existing funds the sum of \$22,997 for the second of three annual lease payments for two police patrol cars under a lease to own program or take any other action relative thereto.

Chief of Police

NOT RECOMMENDED

Article 37. To see if the Town will vote to raise, appropriate or take from existing funds the sum of \$45,000 for the purpose of hiring the Town's first police sergeant and to authorize the Town Accountant to transfer the funds into line 66 (police services) for that purpose or take any other action relative thereto.

Chief of Police

NOT RECOMMENDED

Article 38. To see if the Town will vote to raise, appropriate or take from existing funds the sum of \$4,500 for the initial issue of police equipment and uniforms for the police sergeant as well as costs associated with physical and psychological pre-screening of candidates.

Chief of Police

NOT RECOMMENDED

Article 39. To see if the Town will vote to raise, appropriate or take from existing funds the sum of \$6,500 for temporary repairs and modifications to the police station required by water and mold damage caused to portions of the station.

Chief of Police

NOT RECOMMENDED

Article 40. To see if the Town will vote to raise and appropriate or transfer from available funds and to authorize the Fire Chief to enter into a lease purchase agreement not to exceed ten (10) years, to purchase and equip a two door four wheel drive multi-purpose fire truck to replace the 1971 International Harvester brush breaker; said purchase not to exceed \$165,000 with the first payment of \$21,000 (first of ten payments) not due before July 1, 2006 or take any other action relative thereto.

Fire Chief

NOT RECOMMENDED

Article 41. To see if the Town will vote to raise and appropriate or transfer from available funds and to authorize the Fire Chief to enter into a lease purchase agreement not to exceed fifteen (15) years, to purchase and equip a four door pumping fire truck to replace the 1975 International Harvester pumping fire truck; said purchase not to exceed \$336,000 with the first payment of \$34,000 (first of fifteen payments) not due before July 1, 2006 or take any other action relative thereto.

Fire Chief

NOT RECOMMENDED

Article 42. To see if the Town will transfer the sum of \$52,000 from the Receipts Reserved Fund to Fire/EMS budget line #63 or take any other action relative thereto.

Fire Chief

RECOMMENDED

Article 43. To see if the Town will transfer the sum of \$70,000 from the Receipts Reserved Fund to Fire/EMS budget line #63 for the purpose of trading in the 2000 Ford ambulance and purchase a new ambulance.

Fire Chief

NOT RECOMMENDED

Article 44. To see if the Town will vote to, pursuant to the provisions of G.L. c.44B, §5, to amend the Town of Plympton Municipal Bylaws, to adopt a new general by-law creating a Community Preservation Committee to read as follows:

Community Preservation Committee General Bylaw

Chapter 1. Establishment

There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to the provisions of G.L. c.44B, §5. The composition of the committee, the appointing authority and the term of office for the committee members shall be as follows:

- 1) One member of the Conservation Commission as designated by the Commission;
- 2) One member of the Historical Commission as designated by the Commission;
- 3) One member of the Planning Board as designated by the Board;
- 4) The Highway Surveyor whose responsibilities include the duties of the board of park commissioners established under G.L. c 45, §2, or his designee;
- 5) One member of the Council on Aging as designated by the Council;
- 6) One member of the Finance Committee as designated by the Committee;
- 7) One member of the Recreation Commission as designated by the Commission;
- 8) One member of the Agricultural Commission as designated by the Commission;
- 9) One member of the Open Space Committee as designated by the Committee.

Each member of the Committee shall serve for a term of three years or until the person no longer serves in the position or on the board or committee as set forth above, whichever is earlier.

Should any of the officers and commissions, boards, or committees, who have appointing authority under this by-law be no longer in existence for whatever reason, the Board of Selectmen shall appoint a suitable person to serve in their place.

Any member of the committee may be removed for cause by their respective appointing authority after a hearing.

Chapter 2. Duties

- 1) The community preservation committee shall study the needs, possibilities and resources of the town regarding community preservation. The committee shall consult with existing municipal boards, including the conservation commission, the historical commission, the planning board, the department of public works, the housing authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the community preservation committee shall hold one annual public informational hearing, or more at its discretion, on the needs, possibilities and resources of the town regarding community preservation

possibilities and resources, notice of which shall be posted publicly and published of each of two weeks preceding a hearing in a newspaper of general circulation in the town.

2) The community preservation committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space, for the acquisition, preservation, rehabilitation and restoration of historic resources, for the acquisition, creation, and preservation of land for recreational use, for the creation, preservation and support of community housing and for rehabilitation or restoration of such open space, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community housing, the community preservation committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

3) The community preservation committee may include in its recommendation to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with community preservation.

4) In every fiscal year, the community preservation committee must recommend either that the legislative body spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for each of the following purposes: open space (not including land for recreational use); historic resources; and community housing.

Chapter 3. Requirements for quorum and cost estimates

The community preservation committee shall comply with the provisions of the Open Meeting Law, G.L., c.39, §23B. The committee shall not meet or conduct business without the presence of a majority of the members of the community preservation committee. The community preservation committee shall approve its actions by majority vote. Recommendations to the Town Meeting shall include the committee's anticipated costs.

Chapter 4. Amendments

This by-law may be amended from time to time by a majority vote of the Town Meeting consistent with the provisions of G.L., c44B.

Chapter 5. Severability

In case any section, paragraph or part of this by-law be for any reason declared invalid or unconstitutional by any court, every other section, paragraph or part shall continue in full force.

Chapter 6. Effective Date

Provided that the Community Preservation Act is accepted at the 2006 Annual Town Election, this by-law shall take effect upon approval of the Attorney General of the Commonwealth, and after all requirements of G.L., c.40, §32, have been met. Each appointing authority shall have thirty days after approval by the Attorney General to make their initial appointments.

Agricultural Commission

Article 45. To see if the Town will vote to amend the Town of Plympton Municipal By-laws to add Article III § 8 or take any other action relative thereto:

"On the day of Town Meeting, no business activity not directly related to the Town Meeting Warrant may take place inside the locale where the meeting is or will be convened or within fifty (50) feet of the building entrance.

Business activity includes, but is not limited to; sale of any product or service, solicitation of signatures for any reason, the handing out of promotional brochures or political information, or organized demonstration. Exceptions can only be granted by the Town Moderator when requested in writing at least two weeks prior to the date of Town Meeting.

Town Clerk

Article 46. To see if the Town will vote to amend the Town of Plympton Municipal By-laws to add article XXV or take any other action relative thereto.

RIGHT TO FARM BY-LAW

Section 1. Legislative Purpose and Intent

The purpose and intent of this By-law is to state with emphasis the Right to Farm accorded to all citizens of the Commonwealth under Article 97, of the Constitution, and all state statutes and regulations there under including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9, Chapter 111, Section 125A and Chapter 128 Section 1A. We the citizens of Plympton restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution, ("Home Rule Amendment").

This General By-law encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands within the Town of Plympton by allowing agriculture uses and related activities to function with minimal conflict with abutters and Town agencies. This By-law shall apply to all jurisdictional areas within the town.

Section 2. Definitions

The word "farm" shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial agriculture, or accessory thereto.

The words "farming" or "agriculture" or their derivatives shall include, but not be limited to the following:

- a) farming in all its branches and the cultivation and tillage of the soil;
- b) dairying;
- c) production, cultivation, growing and harvesting of any agricultural, aquacultural, floricultural, viticultural or horticultural commodities;
- d) growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- e) keeping and raising of livestock including horses;
- f) keeping of horses as a commercial enterprise; and
- g) keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), and other domesticated animals for food and other agricultural purposes, including bees and fur-bearing animals.

"Farming" shall encompass activities including, but not limited to, the following:

- a) operation and transportation of slow-moving farm equipment over roads within the Town;
- b) control of pests, including, but not limited to, insects, weeds, predators and disease organism of plants and animals;
- c) application of manure, fertilizers and pesticides;
- d) conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing and agricultural output or services of the farm;
- e) processing and packaging of the agricultural output of the farm and the operation of a farmer's market or farm stand including signage thereto;
- f) maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the agricultural products; and
- g) on-farm relocation of earth and the clearing of ground for farming operations.

Section 3. Right to Farm Declaration

The Right to Farm is hereby recognized to exist within the Town of Plympton. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and

protections of this By-law are intended to apply exclusively to those commercial agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in the Right to Farm By-law shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

Section 4. Disclosure Notification

Within 30 days after this By-law becomes effective, the Select Board shall prominently post in the Town Hall and make available for distribution the following disclosure:

"It is the policy of this community to conserve, protect and encourage agricultural activities, including the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers or occupants are also informed that the location of property within the Town may be impacted by commercial agricultural operations including the ability to access water services for such property under certain circumstances."

In addition to the above, a copy of this disclosure notification shall be available in a public area at the Town Hall.

Section 5. Resolution of Disputes

Any person who seeks to complain about the operation of a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Select Board, the Zoning Enforcement Officer, or the Board of Health, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have. The Zoning Enforcement Officer or Select Board may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the referring Town authority within an agreed upon time frame.

The Board of Health, except in cases of imminent danger or public health risk, may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed upon time frame.

Section 6. Severability Clause

If any part of this By-law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this By-law. The Town of Plympton hereby declares the provisions of this By-law to be severable.

Agricultural Commission

Article 47. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$23,500 to conduct financial audits of fiscal 2006 or take any other action relative thereto.

Treasurer

NOT RECOMMENDED

Article 48. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to the Police Station/ Town House Building Committee or take any other action relative thereto.

Police Station/Town House Building Committee

NOT RECOMMENDED

Article 49. To see if the Town will vote to raise and appropriate or transfer from available funds in the treasury a sum of money to be added to the Stabilization Fund or take any other action relative thereto.

Board of Selectmen

Article 50. To see if the Town will authorize and direct the Assessors to take a sum of money from available funds to reduce the tax levy for the current year, or take any other action relative thereto.

Board of Selectmen

Article 51. To transact any other business that may come before the meeting. At a subsequent meeting as provided in Section 9A, Chapter 39 of the General Laws to be held at the Plympton Town House on Palmer Road Saturday, May 20, 2006 at 7:00 AM, then and there to take up the following article:

Article 52. To choose all necessary town officers, the following to be voted on one ballot at the adjourned meeting on May 20, 2006. The polls will be open at 7:00 AM and shall be continuously open for voting until 8:00 PM:

Town Clerk: one for (3) years; Board of Selectmen: one for 3 years; Treasurer: one for 3 years; Highway Surveyor: one for 3 years; Assessors: one for 3 years; School Committee: two (2) for 3 years; Library Trustees: two (2) for 3 years; Finance Committee: one for 3 years; Finance Committee: one for 2 years; Tree Warden: one for 3 years; Planning Board: one for five years; Board of Health: one for 3 years; Silver Lake Regional School Committee: one for 3 years.

Question One

Shall the Town of Plympton accept sections 3 to 7, inclusive, of Chapter 44B of the General Laws, as proposed by a petition signed by at least five percent of the registered voters of this Town, a summary of which appears below?

Sections 3 to 7 of Chapter 44B of the General Laws of Massachusetts, also known as the Community Preservation Act ("Act"), establishes a dedicated funding source to acquire, create and preserve open space and land for recreational use; acquire, preserve, rehabilitate and restore historic resources; create, preserve and support community housing; and to rehabilitate and restore open space, land for recreational use and community housing that is acquired or created in accordance with the Act. In Plympton, the Act will be funded, beginning in Fiscal Year 2007, by an additional surcharge of 3% on the annual tax levy on real property and by matching funds provided by the state. The following exemption from such surcharge, permitted under Section 3(e) of said Act, will apply: property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the Town. A taxpayer receiving a regular property tax abatement or exemption will also receive a pro rata reduction in surcharge. A Community Preservation Committee must be created pursuant to by-law and will make recommendations on the use of the funds. Town Meeting must approve any such recommendation before funds can be expended. All expenditures pursuant to the Act will be subject to an annual audit.

YES

NO

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

Given under our hands this 1st day of May, 2006.

Joseph A. Freitas

Christine M. Joy

Robert H. Vautrinot

Board of Selectmen