

**PLYMPTON ANNUAL TOWN MEETING WARRANT**  
**Commonwealth of Massachusetts**  
**May 13, 2009**

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 13, 2009 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.** To see if the Town of Plympton will vote to authorize the Town Treasurer to enter into Compensating Balance agreements for FY2010 as permitted by and in accordance with G.L., Chapter 44, Section 53F or take any other action relative thereto.

**Treasurer**

**Article 3.** To see if the Town will vote to amend the Wage & Personnel Classification Plan effective July 1, 2009 and to pay as wages the following sums, or take any other action relative thereto

**WAGE RECOMMENDATIONS FOR FISCAL 2010**

**A. Firefighters (Part Time)**

Deputy Chief	\$	22.66
Captain	\$	21.12
Lieutenant	\$	20.09
Firefighter	\$	19.06
Certified EMT	\$	19.06
EMT Standby per 12 hour shift	\$	25.75

**B. Highway Labor**

Working Foreman	\$	17.38	\$	19.08
Truck Driver/Laborer	\$	16.61	\$	17.30
Laborer	\$	13.54	\$	14.21

**C. Town Labor**

Laborer	\$	13.54	\$	14.21
Sr. Disposal Attendant	\$	15.65	\$	16.35

Disposal Attendant	\$	13.94	\$	14.63
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#### **D. Clerical**

Junior Clerk – 1 year	\$	8.85	\$	9.55
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Senior Clerk – 2 years	\$	11.35	\$	12.05
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Senior Clerk – 5 years	\$	12.81	\$	13.49
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#### **E. Accounting/Assessor**

Jr. Accounting Clerk	\$	11.81	\$	12.50
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Sr. Accounting Clerk – 1 year	\$	13.13	\$	13.81
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Sr. Accounting Clerk – 3 years	\$	15.00	\$	15.67
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Sr. Accounting Clerk – 5 years	\$	16.35	\$	16.98
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Asst. to Collector/Treasurer		\$17.10	\$	19.13
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#### **F. Selectmen's Office**

Junior Secretary – 1 year	\$	11.35	\$	12.05
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Senior Secretary – 2 years	\$	13.25	\$	13.95
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Senior Secretary – 5 years	\$	14.54	\$	15.23
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Assistant to Board	\$	17.10	\$	19.13
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#### **G. Library**

Senior Library Technician	\$	13.93	\$	16.89
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Library Technician	\$	13.29	\$	15.11
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Circulation Clerk	\$	10.90	\$	12.62
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Library Clerk	\$	9.09	\$	11.15
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#### **H. Police Department**

Police Administrative Clerk	\$	13.29	\$	15.11
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#### **I. Town Clerk's Office**

Assistant Town Clerk	\$	17.10	\$	19.13
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#### **J. Salaried Employees**

Fire Chief	\$ 49,154.40	\$	63,306.93
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Police Chief	\$ 49,154.40	\$	63,306.93
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Police Sergeant	\$ 42,947.98	\$	49,555.33
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Police Matron	\$15/hour		
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Special Police Officer	\$13/hour		
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Librarian/Director	\$ 30,677.31	\$	34,861.00
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Asst. Assessor – 1 year	\$ 23,232.94	\$	25,646.80
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Asst. Assessor – 3 years	\$ 26,408.60	\$ 28,947.89
Asst. Assessor – 5 years	\$ 29,000.00	\$ 41,000.00
Veteran's Agent	\$ 3,060.56	\$ 3,091.90

#### **Wage & Personnel Board**

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

#### **Board of Selectmen**

**Article 5.** To see if the town will vote to authorize the Selectmen to sell or exchange land described as: Map E 3, Block 1, Lot 17, on the Town Assessor's map, which will be owned by the town through tax foreclosure.

#### **Board of Selectmen**

**Article 6.** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of \$20,000 for Town Building Maintenance and Grounds Account or take any other action relative thereto.

#### **Board of Selectmen**

**Article 7.** To see if the Town will vote to raise and appropriate or transfer from available funds \$29,356.00 to pay the annual lease payment for the 2008 Smeal pumper as part of the lease to own program or take any other action relative thereto.

#### **Fire Chief**

**Article 8.** To see if the Town will vote to raise and appropriate or transfer from available funds \$17,840.00 to pay the annual lease payment for the 2008 GMC EMS Vehicle as part of the lease to own program or take any other action relative thereto.

#### **Fire Chief**

**Article 9.** To see if the Town will vote to raise and appropriate or transfer from available funds \$10,000. to replace half of the Fire Department's "Scott SCBA Bottles" that will have met there 15 year safe service life regulated by the Federal Department of Transportation or take any other action relative thereto.

#### **Fire Chief**

**Article 10.** To see if the town will vote to raise, appropriate or take from existing funds the sum of \$14,999.14 to make the second and final payment for a police patrol car on a lease to own replacement program or take any other action relative to.

#### **Chief of Police**

**Article 11.** To see if the Town will vote to borrow, in anticipation of reimbursement, the sum of \$121,473. as the States share of the cost of work under Chapter 90, Section 34-2A of the General Laws or take any other action relative thereto.

#### **Highway Surveyor**

**Article 12.** To see if the Town will appropriate and borrow under MGL Chapter 44 Section 7, Sub-section 1 or any other lawful authority, the sum of \$250,000. for the purpose of reconstruction of the disposal facility or take any other action in relation thereto.

**Board of Selectmen**

**Article 13.** To see if the Town will vote to transfer from Free Cash and/or transfer from the Stabilization fund \$10,000.00 for the purpose of collecting and/or foreclosing on tax title properties or take any other action in relation thereto.

**Town Treasurer**

**Article 14.** To see if the Town will vote to raise and appropriate \$2,000 for the purpose of harvesting trees at the Jason Park or take any action relative thereto.

**Board of Selectmen**

**Article 15.** To see if the Town will vote to allow the Selectman to harvest and sell trees from Jason park with the profit from the sale going to the Harry Jason Park Building Committee.

**Board of Selectmen**

**Article 16.** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,000 for the South Shore Community Action Council fund or take any other action relative thereto.

**Board of Selectmen**

**Article 17.** To see if the Town will vote to amend the Town of Plympton Zoning By-Laws by adding the following to Section 9 (Definitions) Contractor's Yard: premises used by a building contractor, general contractor or subcontractor for storage of equipment and supplies, fabrication of subassemblies, and parking of operative wheeled equipment.

**Building Inspector**

**Article 18.** To see if the Town will vote to amend the Town of Plympton Zoning By-Laws by adding the following to Section 7.2 (Uses Authorized By Special Permit)

The Board of Appeals may grant a special permit to allow a common driveway to reserve more than one residential lot, but not more than four residential lots, provided that the Board shall be satisfied and make findings that each lot to be served by the driveway satisfies all applicable zoning requirements and that the common driveway satisfies the specific criteria enumerated below and that the common driveway would provide for a more efficient traffic flow, reduce traffic hazards from multiple curb cuts, limit wetland crossings and not be detrimental to the neighborhood.

1. All structures using a common driveway shall be clearly marked as to their street number, at the point where it intersects with the public way, at any fork leading to such structure and at the individual structure's driveway entrance.
2. Prior to use, a proper Maintenance Agreement and Easements allowing such shared driveway must be executed and filed at the Plymouth County Registry of Deeds.
3. Paragraph of Section 5.8 notwithstanding, shared driveways can cross Retreat Lots and Retreat Lots may use shared driveways provided the buildable portion of each such lot is accessed at the point where the access portion of the lot abuts the buildable portion.
4. Lots to be served by a common drive shall meet the minimum dimensional standards of the Zoning By-Law in effect at the time that the special permit is issued.
5. Common driveways shall be located entirely within the lots they serve.

6. The first twenty-five feet from the public way shall be paved with two courses of bituminous concrete with a total of three inches and return (corner) radii of twenty-five feet.
7. The common drive may be either pavement or gravel. Whether the wearing surface is pavement or gravel, a minimum gravel base of twelve inches (gravel having no aggregate larger than three inches) shall be required. A paved drive shall have two courses of bituminous concrete with a total thickness of three inches. If the drive is gravel, the top two inches wearing surface shall be dense, graded, crushed stone. The common drive shall have a minimum width of twelve feet plus a three foot shoulder along at least one side if paved.
8. Property lines at public way intersections shall be rounded or cut back to provide for a curb radius of not less than thirty degrees.
9. All common driveways shall be identified by a sign posted at the intersection with the public way and the sign shall read: "Not A Public Way."
10. Individual driveways branching off the common drive shall contain a turnaround adequate for safety vehicles access at their terminus.
11. The Board of Appeals may require surety for the completion of the common drive and such surety shall be posted prior to the issuance of building permits on the lots.
12. The common drive shall be substantially completed prior to the issuance of building permits for new buildings to be serviced by the common drive, unless the common drive is secured by surety. All common drives shall be completed prior to the occupancy of any dwelling unit served by the common drive. Completion shall be verified by submittal of as-built drawings requiring approval by the Board of Appeals.

#### **Board of Selectmen**

**Article 19.** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of \$5,000. for the purpose of preparing the Fiscal 2011 Tri-Annual revaluation of the Town or take any other action relative thereto.

#### **Board of Assessors**

**Article 20.** To see if the Town will vote to charge for each written demand issued by the Tax Collector a fee of \$25.00 to be added to and collected as part of the tax, as authorized by Massachusetts General Laws Chapter 60, Section 15, effective July 1, 2009 or Take any other action relative thereto.

#### **Tax Collector**

**Article 21.** To see if the Town will vote to authorize a revolving fund account under the provisions of Massachusetts General Laws, Chapter 44§53E ½, for the use by the Board of Assessors for the purpose of subsidizing the Town's map updates. Funds deposited into this account shall be those generated through fees collected by the Planning Board from the creation of new lots. The Board of Assessors is authorized to expend from the fund for the stated purpose without future appropriation subject to the restrictions contained in M.G.L., Chapter 44§53 E ½ an amount not to exceed \$5,000. Expenditures shall not be made, or liabilities incurred in excess of the balance of the fund at any given time.

#### **Board of Assessors**

**Article 22.** 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 23.** To see if the Town will vote to appropriate or reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2010, with each item to be considered a separate appropriation:

Appropriations:

From FY 2010 estimated revenues for Committee Administrative Expenses                   \$ 3,900

Reserves: From FY 2010 estimated revenues for Historic Resources Reserve           \$ 7,800

From FY 2010 estimated revenues for Community Housing Reserve                   \$ 7,800

From FY 2010 estimated revenues for Open Space Reserve                               \$ 7,800

From FY 2010 estimated revenues for Budgeted Reserve                                 \$ 50,700

or take any other action relative thereto.

### **Community Preservation Committee**

**Article 24.** To see if the town will vote to amend Articles 23 & 24 of the Town By-Laws for the purpose of codification and to adopt minor language modifications and two new subsections in the Orderly Conduct section as outlined herein:

#### **ARTICLE XXIII**

#### **BURGLAR ALARMS**

##### 23.1.1

##### **Caretakers**

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

##### 23.1.2

##### **Penalties; Non-Compliance - Caretakers**

Whoever violates 23.1.1 of the by law by failing to provide the information required shall be subject to a fine of \$50.

### 23.1.3

#### False Alarms:

The Plympton Police will respond to all reported burglar alarms. In the event of a false alarm, the police department will make a notation in the log. After the police have logged three (3) false alarms in a calendar year at the same location the owner shall be subject to a fine of \$100 for each additional response to a false alarm.

Below-Strike form Existing By-Law- Encompassed in 23.1.3

#### Penalties: Non-Compliance

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

## ARTICLE XXIV

### ORDERLY CONDUCT

#### 24.1.1

##### Prohibited Acts:

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

#### 24.1.2

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

#### 24.1.3

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

#### 24.1.4

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

#### 24.1.5

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

#### 24.1.6

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

#### 24.1.7

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

#### 24.1.8

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

#### 24.1.9

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

#### 24.1.10

Smokes, consumes or ingests marijuana or tetrahydrocannabinol in any vehicle upon a Public way or while present in any public place for which the public has the right of access as invitees or licensees, or while on any public grounds, parks or buildings.

#### 24.1.11

Whoever is found in violation of subsection 24.1.10 shall, when requested by a police officer, immediately state his/her true full name, address and date of birth.

#### 24.1.12

Penalties; Non-Criminal Dispositions:

Any person who violates prohibited acts 24.1.2 through 24.1.9 inclusive shall be fined \$175 and may be arrested without a warrant by a police officer if the violation is committed in the officer's presence. Any person who violates prohibited acts 24.1.10 & 24.1.11 of this by-law shall be subject to a fined \$250 for a first offense and \$300 for each subsequent offense. A police officer is not authorized to arrest a person found solely in violation of 24.1.10 & 24.1.11.

### TRAFFIC SAFETY

#### 24.2.1

Prohibited Acts:

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

#### 24.2.2

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

(Strike from Current By-Laws)

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

#### 24.2.3

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

#### 24.2.4

Penalties; Non-Criminal Dispositions:

Whoever violates 24.2.2 & 24.2.3 may be subject to a \$200 for a first offense and \$300 for each subsequent offense.

**Police Chief**



**Article 25.** To see if the Town will vote to raise and appropriate or transfer from available funds in the treasury the sum of \$28,500.to conduct financial audits of fiscal 2009 or take any other action relative thereto.

**Town Treasurer**

**Article 26.** To see if the Town will vote to amend Article XXVII, Chapter 2 of the Town By-laws by adding the words "for the acquisition," in order to bring the wording of the by-law into conformance with M.G.L. c.44B, s. 5. The new chapter shall read,

"(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 acquisition, creation, preservation and support of community housing; and for the 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."

**Community Preservation Committee**

**Article 27.** To see if the Town will vote, pursuant to the provisions of G.L. c.44B, to amend the Town of Plympton Municipal Bylaws, Article XXVII, creating Chapter 7 to read as follows:

"Applications for exemption from the Community Preservation Act surcharge must be filed with the Board of Assessors no later than three months after the actual tax bills are mailed for the fiscal year."

**Board of Assessors**

**Article 28.**To see if the Town will accept the provisions of Chapter 43D of the Massachusetts General Laws as amended pursuant to Section 11 of Chapter 205 of the acts of 2006, and to approve the filing of a formal proposal with the Interagency Permitting Board for the designation as an overlay for land at 5 Palmer Road (Map 22, Parcel 75) and XX Street ( Map XX, Parcel XX), or take any other action in relation there to.

**Board of Selectmen**

**Article 29.** To see if the Town will vote to amend Article IV, Section 1 (Finance Committee) of the Municipal By-laws by deleting the last sentence, "No Town Officer shall be eligible to membership to this Committee," and replace it with the following: "Except as approved by the Selectmen, no one holding an Elective Office or an Appointed Position shall be eligible to membership to this Committee. The only exceptions that can be made by the Selectmen are for employees working less that 20 hours per week."

**Board of Selectmen**

**Article 30.** Rules & Regulations Relative to the Control of Dogs as follow:

**Section 1.**

**DEFINITIONS**

(a) "Kennel"

Delete (no more than) after the words "a collection of"  
Insert ***four (4), or***

To Read:

"Kennel" single premises with a collection of four (4), or five (5) dogs, six (6) months or older, that are maintained for breeding, sale, training, hunting, or any other purpose.

(b) "License Period"

Delete the sentence: the time between July 1 and the following June 30<sup>th</sup>, both dates inclusive.

Insert: after License Period" ***the time between July 1<sup>st</sup> and August 31<sup>st</sup> annually.***

Add a new line: ***"License Late Fee", a fee of twenty-five dollars (\$25.00) in addition to the license fee will be imposed after August 31<sup>st</sup> following to June 30<sup>th</sup> for any overdue license.***

Add a new line: ***"Non-criminal Citation (21-D)" a citation imposed fine (maximum) of one hundred dollars (\$100.00) in addition to all other fees for any violations of Article XXI.***

## Section 2.

### LICENSES AND TAGS

#### Paragraph 7 line 1

Delete: Sentence first sentence beginning with "No fee shall be charged".

Insert a new line: ***No fee shall be charged for a dog specially trained to lead or serve a blind, deaf, or handicapped person upon presentation to the clerk of a certificate of such training and a copy of a current rabies certificate.***

## Section 5.

### PENALTIES FOR FAILURE AND/OR TARDINESS TO LICENSES:

Delete the words after PENALTIES "FOR FAILURE AND/OR TARDINESS TO LICENSES"

Section 5. Change the title to read **PENALTIES**

#### Paragraph 1, Lines 2 & 3

Delete: fine after the words "punished by a" and insert ***Late fee***

Add: After the words "paid to the Town." ***After October 1<sup>st</sup> violators shall be subject to a non-criminal citation (21-D) with a fine up to one hundred dollars (\$100.00) paid to the Town in addition to the license fee and any late fees.***

To Read: Whoever violates any provision of Article XXI s2 or s3 of these Rules and Regulations shall be punished by a late fee of not less than twenty-five dollars (\$25.00) or more than fifty dollars (\$50.00), which shall be paid to the Town. After October 1<sup>st</sup> violators shall be subject to a non-criminal citation (21-D) with a fine up to one hundred dollars (\$100.00) paid to the town in addition to the license fee and any late fees.

#### Paragraph 2, Line 1

Change: persons to ***person(s)***

Paragraph 3, Lines 1& 2

(a) Line 1, Delete: If the dog as to which any violation occurs

Insert: *If a dog in violation of any provision of Article XXI,*

(b) Line 2, Change: fifty dollars (\$50.00) to *one hundred dollars (\$100.00).*

To Read: If a dog in violation of any provision of Article XXI, was unlicensed at the time of such violation, a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) shall be imposed to be paid to the town, and the owner or keeper of such dog will be required to immediately procure the current license and tag.

**Section 11**

RESTRAINT OR MUZZLING:

Last Paragraph and Last Line

Delete: punished by a fine of not more than twenty-five dollars (\$25).

Insert: *punished by a fine of not more than twenty-five dollars (\$25) for the first offense and not more than one hundred dollars (\$100) for a second or subsequent offense.*

To Read: If the owner or keeper refuses or neglects to restrain or muzzle such dog as required, he shall be punished by a fine of not more than twenty-five dollars (\$25) for the first offense and not more than one hundred dollars (\$100) for a second or subsequent offense.

**Section 12.**

COMPLAINT OF NUISANCE:

Paragraph 3, line 1

Change: police officer, constable or Dog Officer to read: *Dog Officer, Police Officer or Constable*

**Section 13.**

ANY PERSON MAY KILL A DOG, WHEN:

Paragraph 2, line 1

Change: police officer, constable or Dog Officer to read: *Dog Officer, Police Officer or Constable*

**TOWN CLERK – DOG OFFICER**

**Article 31.** To see if the Town will vote to accept Chapter 751 of the Acts of 1911 to cover Worker's Compensation for Elected Town Officials.

**Town Clerk**

**Article 32.** To see if the Town will vote to accept Massachusetts General Law, Chapter 39: Section 23D. Adjudicatory hearings; attendance by municipal board, committee and commission members; voting disqualification

Section 23D. (a) Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof.

The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.

- (b) By ordinance or by-law, a city or town may adopt minimum additional requirements for attendance at scheduled board, committee, and commission hearings under this section or Take any other action relative thereto.

#### **Conservation Commission**

**Article 33.** To see if the Town will vote to amend Article XX, Section 3.7 and 3.8 of the Town By-laws by adding the words "eighteen (18) months," in place of "six (6) months." The new sections shall read, "3.7 If after a public hearing the Commission determines that the significant building should be preferably preserved, the Commission shall so notify the Building Inspector in writing within five (5) working days of the hearing, and no demolition permit may be issued until eighteen (18) months after the date of the determination by the Commission.

3.8 Notwithstanding anything contained in paragraph 3.7, the Building Inspector may issue a demolition permit for a preferably preserved building at any time after receipt of written advice from the Commission to the effect that either:

- (i) The Commission is satisfied that there is no reasonable likelihood that either the owner or some other person or group is willing to purchase, preserve, rehabilitate or restore such building, or
- (ii) The Commission is satisfied that for at least eighteen (18) months the owner has made continuing, bona fide and reasonable efforts to locate a purchaser to preserve, rehabilitate or restore the subject building, and that such efforts have been unsuccessful."

#### **Historical Commission**

**Article 34.** To see if the Town will vote to accept the Town of Plympton Municipal By-laws to add Article XXIX (1) It shall be unlawful for any person, directly or indirectly, to dump, place, throw, deposit or discharge any refuse, rubbish, garbage, household goods, appliances or furniture construction debris, landscaping debris, scrap, trash, tires or other material of any kind on any way, public or private, that appears on the assessor's map of the Town of Plympton, or within 20 yards thereof, or any land owned or controlled by the Town. (2) It shall be unlawful for any person to cast, throw, sweep, sift or deposit in any manner in or upon any public way or other public place in the Town or any river, canal, culvert, drain or receiving basin within the jurisdiction of the Town any kind of dirt, rubbish, waste, article, thing or substance whatsoever or take any other relative action thereto.

#### **Board of Selectmen**

**Article 35.** To choose all necessary town officers, the following to be voted on one ballot at the adjourned meeting on May 13, 2008. The polls will be open at 7:00 AM and shall be continuously open for voting until 8:00 PM:

Board of Selectman: one for 3 years; Town Clerk: one for 3 years; Treasurer: one for 3 years; Assessor: one for 3 years; Finance Committee: one for 3 years; Board of Health: one for 3 years; Highway Surveyor: one for 3 years; Planning Board: one for five years; School Committee: two for 3 years; Regional School Committee: one for 3 years; Library Trustee: two for three years; Library Trustee: one for two years; Tree Warden: one for 3 years;

*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 27<sup>th</sup> day of April, 2009*

\_\_\_\_\_  
Joseph A. Freitas, Chairman  
Plympton Board of Selectmen

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Barry DeCristofano, Clerk

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John P. Henry