



# TOWN OF PLYMPTON, MASSACHUSETTS

## OFFICE OF TOWN CLERK

### TOWN MEETING ACTION:

(Article 29)

### PLYMPTON ANNUAL TOWN MEETING MINUTES

Commonwealth of Massachusetts

May 14, 2008

The Plympton Annual Town meeting was called to order at 7:15 PM by Town Clerk, Nancy J. Butler. There was a quorum present. There were 135 registered voters present. The Town Clerk observed the preparation and posting of the warrant and the procedure was accomplished in accordance with the law. The Town Clerk then read the return of the warrant.

Due to the absence of a Moderator, the first order of business is the election of a temporary moderator.

**Voted:** (On the motion of William Slater) I make a procedural motion that resident John J. Traynor, Jr be elected temporary Town Moderator for the purpose of moderating Special and Annual Town Meetings, scheduled for 5/14/08, in their entirety, with all the powers, duties and responsibilities afforded the position as described in the Plympton Municipal Bylaws, Massachusetts General Laws and the official publication Town Meeting Time. **Unanimous**

**Voted:** (On the motion of Joseph A. Freitas) The Town vote to close the nominations. **Unanimous**

**Voted:** (On the motion of Joseph A. Freitas) The Town vote to elect John A. Traynor, Jr Temporary Moderator. **Unanimous**

The Town Clerk, Nancy J. Butler swore into office John A. Traynor, Jr as Temporary Moderator.

Mr. Traynor asked for a moment of silence for any and all Plympton neighbors who have passed away since our last meeting, in particular note those who have served our town well. And to remember all the men and women in uniform who are stationed around the world and especially those in Afghanistan and Iraq. Following the moment of silence Mr. Traynor lead us in the Pledge of Allegiance to the American flag.

At this time Mr. Traynor introduced the members of the Board of Selectmen, Town Council Richard Bowen, Town Clerk Nancy Butler, The Finance Committee, and Town Accountant Barbara Gomez.

The Tellers were Helen Reynolds and Jean Reynolds and the Police Officer was John Mulready; there were 135 registered voters present.

**Voted:** (On the motion of Joseph A. Freitas) The Town vote to allow non-resident officials permission to address the assembly, they were: Town Council Bowen, Police Chief Clancy, Town Accountant Barbara Gomez, Silver Lake Regional School Superintendent Tuffy and Interim Assistant Assessor Davis. **Unanimous**

**Voted:** (On the motion of Barry DeCristofano) The Town vote to waive the reading of Article 29. **Unanimous**

**Article 29. Voted:** (On the motion of Howard Randall) The Town vote, pursuant to the provisions of GL c.44B section 5, to amend the Town of Plympton Municipal Bylaws to adopt a new general bylaw **ARTICLE XXVII** 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, section 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. c45, section 2, or his designee;
- 5) One member of the Council on Aging as designated by the Council.

The Board of Selectmen shall appoint four at-large members.

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 bylaw, 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, in 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, section 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., c 44B.

### **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**

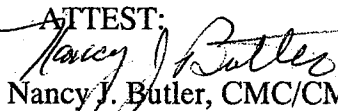
Provided that the Community Preservation Act is accepted at the 2008 Annual Town Election, this by-law shall take effect upon approval of the Attorney General of the Commonwealth, and after all requirements of G.L., c.40, section 32, have been met.

Each appointing authority shall have thirty days after approval by the Attorney General to make their initial appointments.

**Unanimous**

A true copy,

ATTEST:



Nancy J. Butler, CMC/CMMC  
Town Clerk