

TOWN OF PLAINVILLE
PROCEEDINGS OF THE ANNUAL TOWN MEETING – MAY 19, 2025

The Annual Town Meeting was held at the Beatrice H. Wood Elementary School, 72 Messenger Street on Monday, May 19, 2025. A quorum was present with a total of 168 voters checked in for the evening. Town Moderator, Luke Travis, called the meeting to order at 7:00 P.M. The Moderator read the opening of the warrant. The Town Clerk confirmed that the warrant was posted and returned in the proper fashion.

The Pledge of Allegiance was led by Luke Travis followed by a moment of silence for our Armed Forces and first responders.

Introductions were made of the Town Clerk, Assistant Town Clerk, Finance Committee, Select Board, Town Administrator, Town Counsel, Treasurer/Collector, and the Assistant Town Administrator/Finance Director.

The Town Clerk swore in Ellen Robertson, Luke Burns, Alicia Sheridan and Dawn Denizkurt as vote counters for the evening. The Moderator declared the meets and bounds of the hall. He also gave the following information and instructions:

- All voters should have checked in and received a voter's card and should be sitting in the middle
- Please silence all electronic devices
- At around 11:00pm we will take a sense of the meeting to continue
- The warrant articles are the notice and the motions are what we will vote on so please listen to the motion carefully
- The consent agenda covers (4) four articles: 1,9,10 and 21
- Article 4 is the Omnibus Budget
- There will be some articles where we will waive the reading of the article

PRIOR TO ARTICLE 1

MOTION: by Jeffrey Johnson and seconded by Maggie Clarke. The Select Board recommends, and I so move that the following individuals, who are not registered voters of the Town of Plainville, be authorized to speak at this and subsequent sessions of the Annual Town Meeting:

James Floyd	Police Chief
J.R. Skinner	Acting Fire Chief
Melissa Campbell	Library Director
Brian Noble	Town Administrator
Julie Hebert	Finance Director
Jeffrey Blake	Town Counsel
Taylor Torres	Director of Planning & Development

William O'Rourke	Director of Public Works
Christine Higgins	Senior Center Director
Deborah Revelle	Health Director
John Teiner	Parks Director
Jennifer Parson	School Superintendent
Gale Clark	School Business Manager
John Groh	Principal Assessor
Marshall Adams	Building Commissioner
James Marot	Facilities Director
Peter Gay	North TV Manager
Steve Wight	Water Superintendent

*VOTE REQUIRED: MAJORITY
PASSED UNANIMOUSLY*

CONSENT AGENDA MOTION: by Brian Kelly and seconded by Maggie Clarke. I move that the Town vote to take out of order Articles 1, 9, 10 and 21 and that they be “passed by consent” in accordance with the motions shown on the “2025 Plainville Annual Town Meeting Consent Agenda” distributed to Town attendees this evening.

*VOTE REQUIRED: MAJORITY
PASSED UNANIMOUSLY*

ARTICLE 1: To see if the Town will accept the reports of its Officers, Boards, Departments, Committees, and Commissions, as printed in the 2024 Annual Report; or take any other action thereon or in relation thereto.

Requested by the Select Board

MOTION: by Brian Kelly and seconded by Maggie Clarke. I move that the Town hear and act upon the reports of the Officers, Boards, Departments, Committees, and Commissions as printed in the 2024 Annual Report.

*VOTE REQUIRED: MAJORITY
PASSED UNANIMOUSLY*

ARTICLE 2: To see if the Town will vote to transfer from available funds the sum or sums of money required to pay obligations of the prior fiscal year or take any other action thereon or in relation thereto.

Requested by the Finance Director

MOTION: by Maggie Clarke and seconded by Brian Kelly. I move that the Town transfer from Free Cash the sum of \$691.00 to pay unpaid invoices of Educational Data Management Solutions (EDMS) and from the Water Enterprise Fund Retained Earnings the amount of \$3,030.00 for unpaid invoices from Itron™.

VOTE REQUIRED: 4/5th MAJORITY
PASSED UNANIMOUSLY

ARTICLE 3: To see if the Town will vote to establish a special purpose stabilization fund to be known as the “Bridge Stabilization Fund” as allowed under MGL Chapter 40, §5B, or any other enabling act, and raise and appropriate or transfer from available funds a sum or sums of money for future operational needs, or take any other action thereon or in relation thereto.

Requested by the Finance Director

MOTION: by Brian Kelly seconded by Maggie Clarke. I move that the Town establish a “Bridge Stabilization Fund” as allowed under MGL Chapter 40, §5B, or through any other enabling act, and to transfer from FREE CASH the amount of \$2 million to fund the account to be used as an available source of funding for the FY26 Operational Budget.

VOTE REQUIRED: 2/3rd MAJORITY
DECLARED PASSED BY 2/3^{RDS} MAJORITY

ARTICLE 4: To see if the Town will vote, under the provisions of the General Laws of Massachusetts, Chapter 41, §108, or any amendments thereto, to fix the salaries of all elected officials for the Fiscal Year 2026, and raise and appropriate any sum or sums therefore, and further raise and appropriate, or transfer from available funds any sum or sums of money for the maintenance of the several departments of the Town, and other necessary charges, in accordance with the amount recommended by the Finance Committee as shown in the final column of the Warrant;

FISCAL 2026 OPERATING BUDGET

ACCOUNT NUMBER	ACCOUNT NAME	FY2024 ACTUAL	FY2025 APPROPRIATED	FY2026 DEPARTMENT REQUEST	FINANCE COMMITTEE RECOMMENDS
122	SELECT BOARD				
	PAYROLL	\$ 310,218	\$ 323,438	\$ 335,794	\$ 335,794
	EXPENSES	66,100	80,200	62,200	62,200
131	DEPT TOTAL	376,318	403,638	397,994	397,994
	FINANCE COMMITTEE				
	EXPENSES	190	250	250	250

ACCOUNT NUMBER	ACCOUNT NAME	FY2024 ACTUAL	FY2025 APPROPRIATED	FY2026 DEPARTMENT REQUEST	FINANCE COMMITTEE RECOMMENDS
132	DEPT TOTAL RESERVE FUND EXPENSES DEPT TOTAL	190 - -	250 100,000 100,000	250 100,000 100,000	250 100,000 100,000
135	FINANCE DIRECTOR/ACCOUNTANT PAYROLL EXPENSES DEPT TOTAL	290,548 50,011 340,559	296,579 56,150 352,729	322,515 89,150 411,665	322,515 89,150 411,665
141	BOARD OF ASSESSORS PAYROLL EXPENSES DEPT TOTAL	164,204 43,786 207,990	170,350 45,967 216,317	174,212 47,650 221,862	174,212 47,650 221,862
145	TREASURER/COLLECTOR PAYROLL EXPENSES DEPT TOTAL	238,692 90,297 328,989	259,318 87,720 347,038	271,607 102,720 374,327	271,607 102,720 374,327
151	TOWN COUNSEL EXPENSES DEPT TOTAL	51,365 51,365	60,000 60,000	60,000 60,000	60,000 60,000
155	TECHNOLOGY PAYROLL EXPENSES DEPT TOTAL	92,385 127,397 219,782	93,407 149,025 242,432	98,052 152,029 250,081	98,052 152,029 250,081
161	TOWN CLERK PAYROLL EXPENSES DEPT TOTAL	200,960 18,293 219,253	214,797 26,980 241,777	231,390 25,580 256,970	231,390 25,580 256,970
162	ELECTIONS PAYROLL EXPENSES DEPT TOTAL	13,415 20,266 33,681	32,250 22,250 54,500	12,500 14,500 27,000	12,500 14,500 27,000
170	PLANNING & DEVELOPMENT PAYROLL EXPENSES DEPT TOTAL	81,873 2,050 83,923	120,600 5,030 125,630	126,880 5,020 131,900	126,880 5,020 131,900
TOTAL GENERAL GOVERNMENT		1,862,051	2,144,311	2,232,049	2,232,049
210	POLICE PAYROLL EXPENSES DEPT TOTAL	2,504,902 776,665 3,281,567	2,986,256 714,763 3,701,019	3,126,704 830,680 3,957,384	3,126,704 830,680 3,957,384
220	FIRE PAYROLL EXPENSES DEPT TOTAL	3,186,415 288,560 3,474,975	3,382,793 296,509 3,679,302	3,495,826 313,570 3,809,396	3,495,826 313,570 3,809,396
231	AMBULANCE PAYROLL EXPENSES DEPT TOTAL	23,056 138,792 161,848	11,975 142,900 154,875	20,475 163,000 183,475	20,475 163,000 183,475
225	CALL FIRE PAYROLL EXPENSES	7,060 893	10,000 7,500	10,000 7,700	10,000 7,700

ACCOUNT NUMBER	ACCOUNT NAME	FY2024 ACTUAL	FY2025 APPROPRIATED	FY2026 DEPARTMENT REQUEST	FINANCE COMMITTEE RECOMMENDS
230	DEPT TOTAL EMERGENCY MANAGEMENT AGENCY PAYROLL DEPT TOTAL	7,953 - -	17,500 10,000 10,000	17,700 10,000 10,000	17,700 10,000 10,000
241	INSPECTIONS PAYROLL EXPENSES DEPT TOTAL	213,844 1,364 215,208	241,287 9,500 250,787	237,065 9,500 246,565	237,065 9,500 246,565
244	SEALER WEIGHTS/MEASURE EXPENSES DEPT TOTAL	5,036 5,036	5,500 5,500	6,540 6,540	6,540 6,540
292	ANIMAL CONTROL EXPENSES DEPT TOTAL	- -	25,000 25,000	25,000 25,000	25,000 25,000
TOTAL PUBLIC SAFETY		7,146,587	7,843,983	8,256,060	8,256,060
300	LOCAL SCHOOLS EXPENSES DEPT TOTAL	9,399,300 9,399,300	9,696,038 9,696,038	10,072,620 10,072,620	10,072,620 10,072,620
350	REGIONAL SCHOOLS EXPENSES DEPT TOTAL	9,534,313 9,534,313	10,342,255 10,342,255	11,175,191 11,175,191	11,175,191 11,175,191
TOTAL EDUCATION		18,933,613	20,038,293	21,247,811	21,247,811
294	TREE WARDEN EXPENSES DEPT TOTAL	5,500 5,500	5,500 5,500	5,500 5,500	5,500 5,500
422	HIGHWAY PAYROLL EXPENSES DEPT TOTAL	266,053 328,820 594,873	382,600 230,900 613,500	400,600 242,400 643,000	400,600 242,400 643,000
423	SNOW/ICE CONTROL PAYROLL EXPENSES DEPT TOTAL	32,444 239,406 271,850	33,825 258,300 292,125	33,825 258,300 292,125	33,825 258,300 292,125
424	STREET LIGHTING EXPENSES DEPT TOTAL	120,036 120,036	130,878 130,878	138,000 138,000	138,000 138,000
492	FACILITIES PAYROLL EXPENSES DEPT TOTAL	315,107 371,265 686,372	370,383 401,500 771,883	381,864 405,000 786,864	381,864 405,000 786,864
TOTAL PUBLIC WORKS		1,678,631	1,813,886	1,865,489	1,865,489
510	BOARD OF HEALTH PAYROLL EXPENSES DEPT TOTAL	132,633 12,530 145,163	155,283 31,105 186,388	167,124 31,105 198,229	167,124 31,105 198,229
541	COUNCIL ON AGING PAYROLL	214,890	244,522	234,841	234,841

	EXPENSES	35,160	34,900	35,400	35,400
	DEPT TOTAL	250,050	279,422	270,241	270,241
543	VETERAN'S SERVICES				
	EXPENSES	91,839	128,000	109,107	109,107
	DEPT TOTAL	91,839	128,000	109,107	109,107
	TOTAL HEALTH & HUMAN SERVICE	487,052	593,810	577,577	577,577
610	LIBRARY				
	PAYROLL	177,419	191,827	197,701	197,701
	EXPENSES	85,414	84,145	85,345	85,345
	DEPT TOTAL	262,833	275,972	283,046	283,046
650	PARK & RECREATION				
	PAYROLL	75,636	106,600	108,200	108,200
	EXPENSES	-	-	-	-
	DEPT TOTAL	75,636	106,600	108,200	108,200
691	HISTORICAL COMMISSION				
	EXPENSES	7,100	8,191	8,191	8,191
	DEPT TOTAL	7,100	8,191	8,191	8,191
	TOTAL CULTURAL & RECREATION	345,569	390,763	399,437	399,437
710/750	DEBT SERVICE				
	DEBT SRV PRINCIPAL	1,898,849	2,062,556	1,947,656	1,947,656
	DEBT SRV INTEREST	1,078,381	1,040,142	919,069	919,069
	TOTAL DEBT SERVICE	2,977,230	3,102,698	2,866,725	2,866,725
914	INSURANCE & BENEFITS				
	EXPENSES	5,791,007	6,266,276	7,018,040	7,018,040
	DEPT TOTAL	5,791,007	6,266,276	7,018,040	7,018,040
	TOTAL UNCLASSIFIED/EMPLOYMENT BENEFITS	5,791,007	6,266,276	7,018,040	7,018,040
	TRANSFER TO				
	ENTERPRISE FUNDS FOR	121,454	122,733	128,581	128,581
	INDIRECT COSTS (USAGE)				
	GENERAL FUND TOTAL	\$ 39,343,194	\$ 42,316,753	\$ 44,591,769	\$ 44,591,769

ELECTED OFFICIALS AND BOARDS

Moderator	\$25 per meeting	Town Clerk	\$101,848
Select Board		Board of Health	
Each Member	\$120	Each Member	\$120
Library Trustees		Planning Board	
Each Member	\$120	Each Member	\$120
School Committee		Constable	\$15/hour
Each Member	\$120		\$5/posting
Board of Assessors			
Each Member	\$120		

or take any other action thereon or in relation thereto.

Requested by the Finance Committee

MOTION: by Mark Johnson and seconded by Jeffrey Johnson. I move that the Town fix the salaries of all elected officials for the Fiscal Year 2026 and appropriate funds for the payment of said salaries and compensation, including the approval and funding of the Town's obligation under the Collective Bargaining Agreements completed in the fiscal year and calendar year, the payment of debt and interest, provide for a reserve fund, and for charges, expenses and outlays of the several town departments for the ensuing twelve (12) month period from July 1, 2025 through June 30, 2026; all as set forth in the budget presented by the Finance Committee in this Warrant as evidenced in the final total in the column entitled, "Finance Committee Recommends," and as funding therefore, to appropriate as follows:

\$33,154,209	raised from Taxation
3,397,713	raised from Projected State Revenue
4,319,302	raised from Estimated Local Receipts
426,653	transferred from the Water Enterprise Fund Usage Fees
223,629	transferred from the Sewer Enterprise Fund Usage Fees
74,811	transferred from the Solid Waste Enterprise Fund Usage Fees
2,156,188	transferred from the Gaming Stabilization Fund
839,264	transferred from the Bridge Stabilization Fund
\$44,591,769	GRAND TOTAL

VOTE REQUIRED:

MAJORITY

DECLARED PASSED BY THE MODERATOR

ARTICLE 5: To see if the Town will vote to appropriate a sum of money to purchase and outfit a fire truck, including all costs incidental and related thereto; to determine whether this appropriation shall be raised by transfer from available funds, by borrowing, or otherwise; or take any other action thereon or in relation thereto.

Requested by the Fire Chief

MOTION: by Maggie Clarke and seconded by Jeffrey Johnson. I move that the sum of \$970,000 be appropriated to purchase and outfit a fire truck, including all costs incidental and related thereto; that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow \$970,000 under G.L. c.44, §7(1) or any other enabling authority; said debt payments to be charged against the Capital Stabilization fund, and that the Select Board and Treasurer are authorized to take any other action necessary or convenient to carry out this project.

***VOTE REQUIRED: 2/3^{RDS} MAJORITY
DECLARED PASSED BY 2/3^{RDS} MAJORITY BY THE MODERATOR***

ARTICLE 6: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, bond or otherwise provide the sums recommended, or any other sum or sums, for Capital Outlay for the Town Departments, as set forth in the following schedule:

Department	Item Description	Department Request	Finance Committee Recommends	Source of Funds
Fire	Life Pak Defib/Monitor (Qty 2)	\$ 123,000	\$ 123,000	Overlay Surplus
Police	Taser (X-2) Replacement	17,526	-0-	
Police	Police Cruisers (Qty = 3)	254,462	254,462	Overlay Surplus
Police	Replace Motorola APX 6000 Radios	25,307	25,307	Free Cash
IT	Computer Refresh Cycle	30,000	30,000	Article Repurpose
Library	Carpet Replacement	50,000	-0-	
Park & Rec	Lawnmower	18,000	18,000	Free Cash
School	Clear Touch Interactive Panels	20,000	20,000	Free Cash
School	Chromebooks	67,500	67,500	Free Cash
School	Staff Computers	19,500	19,500	Free Cash
School	Network Switches	7,700	7,700	Article Repurpose
School	Wood Audio Amplification System	35,000	35,000	Article Repurpose
School	Playground Refresh	35,000	35,000	Article Repurpose
		\$ 702,995	\$ 635,469	

or take any other action thereon or in relation thereto.

Requested by the Finance Committee

MOTION: by Mark Johnson and seconded by Maggie Clarke. I move that the Town transfer the sum of \$150,307 from Free Cash, \$377,462 from the Overlay Surplus and \$107,700 from the repurpose of remaining balances in the following town meeting articles as follows:

Repurpose Article	Description	Amount
02-422-5800-2500-0000	ATM 6/24 ART 3 – HOT BOX TRAILER	\$42,700.00
02-422-5800-2400-0000	ATM 6/23 ART 4 – 6 WHEEL DUMP TRUCK	\$ 4,764.36
02-610-5800-2100-0000	ATM 6/21 ART 13 – LIBRARY HVAC REPAIR	\$25,235.64
02-300-5800-2200-0000	STM 11/21 ART 13 – REPLACE LIGHTING & HVAC SYST	\$35,000.00

to fund the Capital Budget Requests as specified in the “Finance Committee Recommends” column of Article 6 of the Annual Town Meeting Warrant of May 19, 2025.

***VOTE REQUIRED: MAJORITY
DECLARED PASSED BY THE MODERATOR***

ARTICLE 7: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, bond or otherwise provide the sum recommended, or any other sum or sums, to be expended under the direction of the Director of Public Works for roadway resurfacing and related construction, maintenance of public ways, engineering, installation and/or maintenance of street drainage, tree planting, trimming or removal or any other necessary and proper expense related to the public ways of the Town; or take any other action thereon or in relation thereto.

Requested by the Director of Public Works

MOTION: by Maggie Clarke and seconded by Jeffrey Johnson. I move that the Town transfer the sum of \$400,000 from Free Cash to fund roadway resurfacing and related construction, maintenance of public ways, engineering, installation and/or maintenance of street drainage, tree planting, trimming or removal or any other necessary and proper expense related to the public ways of the Town to be expended under the direction of the Director of Public Works.

VOTE REQUIRED:

MAJORITY

DECLARED PASSED BY THE MODERATOR

ARTICLE 8: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum for Information Technology Management Services contracts or take any other action thereon or in relation thereto.

Requested by the Information Technology Director

MOTION: by Brian Kelly and seconded by Maggie Clarke. I move that the Town transfer the sum of \$50,000 from Free Cash for managed IT services to support the information technology needs of the town, including but not limited to specialized and/or sensitive software. Such services would include routine maintenance and high-security applications to be expended under the direction of the IT Director.

VOTE REQUIRED:

MAJORITY

PASSED UNANIMOUSLY

ARTICLE 9: To see if the Town will vote to authorize the Select Board to apply for state or federal grants, and to expend any monies received, as outlined in the appropriate grant application; or take any other action thereon or in relation thereto.

Requested by the Select Board

MOTION: by Brian Kelly and seconded by Maggie Clarke. I move that the Town authorize the Select Board to apply for state or federal grants and to expend any monies received as set forth in the appropriate grant applications.

***VOTE REQUIRED: MAJORITY
PASSED UNANIMOUSLY***

ARTICLE 10: To see if the Town will vote to accept and expend any sum or sums of money that may be available from the Commonwealth of Massachusetts (Massachusetts Department of Transportation) for Chapter 90 type construction, improvements, and/or reconstruction of public ways and associated equipment; and to authorize the Select Board to enter into contracts relative thereto, and to appropriate said sum or sums in anticipation of reimbursement from the Commonwealth; or take any other action thereon or in or in relation thereto.

Requested by the Director of Public Works

MOTION: by Brian Kelly and seconded by Maggie Clarke. I move that the Town vote to accept and expend any sum or sums of money that may be available from the Commonwealth of Massachusetts for Chapter 90 type construction improvements or reconstruction of public ways and associated equipment, further to authorize the Town to enter into contracts relative thereto and to appropriate said sum or sums in anticipation of reimbursement from the Commonwealth.

***VOTE REQUIRED: MAJORITY
PASSED UNANIMOUSLY***

ARTICLE 11: To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money to cover the Health Insurance deficit(s) in FY2025 (current year) and/or FY2026, or take any other action thereon or in relation thereto.

Requested by the Finance Director

MOTION: by Maggie Clarke seconded by Jeffrey Johnson. I move that the Town appropriate the sum of \$700,000 from Free Cash to provide supplemental funding to offset the deficit in the Town's (employer's) portion of the health insurance budget (Line Item 01-914-5181) for the current fiscal year, and to reserve any remaining balance to address any potential deficit in Fiscal Year 2026.

***VOTE REQUIRED: MAJORITY
DECLARED PASSED BY THE MODERATOR***

ARTICLE 12: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to cover costs incurred as a result of the Federal government's disallowance of certain claims submitted by the Town under the Coronavirus Aid, Relief, and Economic Security (CARES) Act in FY2025 (the current year), or take any other action relative thereto.

Requested by the Finance Director

***MOTION:** by Jeffrey Johnson seconded by Maggie Clarke. I move that the Town appropriate \$15,577 from Free Cash to cover expenses incurred under the Coronavirus Aid, Relief, and Economic Security Act, aka "The CARES Act," that were ultimately disallowed by the Federal Government, said amount to be appropriated in the current fiscal year.*

VOTE REQUIRED:

MAJORITY

DECLARED PASSED BY THE MODERATOR

ARTICLE 13: To see if the Town will vote to appropriate a sum or sums of money to operate the Water Enterprise Fund as shown below:

	FY25	FY26
Salaries & Benefits	\$ 476,350	\$ 476,350
Operation & Maintenance	890,580	917,580
Debt Service	1,253,945	1,478,158
<i>TOTAL:</i>	<i>\$ 2,620,875</i>	<i>\$ 2,872,088</i>

And that this sum be raised as follows:

	FY25	FY26
Water Revenue (User fees)	\$ 2,589,469	\$ 2,841,267
Tax Levy (Town usage)	31,406	30,821
<i>TOTAL:</i>	<i>\$ 2,620,875</i>	<i>\$ 2,872,088</i>

or take any other action relative thereon in relation thereto.

Requested by the Director of Public Works

***MOTION:** by Jeffrey Johnson seconded by Maggie Clarke. I move that the Town vote to appropriate the sum of \$2,872,088 to operate the Water Enterprise Fund authorized under Massachusetts General Laws Chapter 44, Section 53F½, as set forth in Article 13 of the May 19, 2025 Annual Town Meeting Warrant.*

*VOTE REQUIRED: MAJORITY
PASSED UNANIMOUSLY*

ARTICLE 14: To see if the Town will vote to appropriate a sum of money for replacing the water meters, including all costs incidental and related thereto; to determine whether this appropriation shall be raised by transfer from available funds, including retained earnings, by borrowing, or otherwise; or take any other action thereon or in relation thereto.

Requested by the Director of Public Works

MOTION: by Jeffrey Johnson seconded by Maggie Clarke. I move that the Town appropriate the sum of \$800,000 for water meter replacement including the payment of costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow \$800,000 under M.G.L. c.44, §8 or any other enabling authority; to be repaid by the Water Enterprise Fund, and further that the Treasurer with the approval of the Select Board is authorized to contract for and expend any federal and state aid available for this project, which shall be expended in addition to the amount appropriated by this vote; and that the Treasurer and Select Board are authorized to take any other action necessary or convenient to carry out this project.

*VOTE REQUIRED: 2/3^{RDS} MAJORITY
DECLARED PASSED BY 2/3^{RDS} MAJORITY BY THE MODERATOR*

ARTICLE 15: To see if the Town will vote to appropriate a sum or sums of money to operate the Sewer Enterprise Fund as shown below:

	FY25	FY26
Salaries & Benefits	\$ 272,950	\$ 272,950
Operation & Maintenance	727,640	754,640
Debt Service	308,593	305,029
<i>TOTAL:</i>	<i>\$ 1,309,183</i>	<i>\$ 1,332,619</i>

And that this sum be raised as follows:

	FY25	FY26
Sewer Revenue (Usage Fees)	\$ 1,288,304	\$ 1,306,632
Tax Levy (Town usage fees)	20,879	25,987
<i>TOTAL:</i>	<i>\$ 1,309,183</i>	<i>\$ 1,332,619</i>

or take any other action relative thereon in relation thereto.

Requested by the Director of Public Works

MOTION: by Brian Kelly seconded by Jeffrey Johnson. I move that the Town vote to appropriate the sum of \$1,332,619 to operate the Sewer Enterprise Fund authorized under Massachusetts General Laws Chapter 44, Section 53F½, as set forth in Article 15 of the May 19, 2025 Annual Town Meeting Warrant.

VOTE REQUIRED: **MAJORITY
PASSED UNANIMOUSLY**

ARTICLE 16: To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money to operate the Cable Enterprise Fund as shown below:

	FY25	FY26
Operations & Maintenance (North TV)	\$ 40,000	\$ 140,000
<i>TOTAL:</i>	\$ 40,000	\$ 140,000

And that this sum be raised as follows:

	FY25	FY26
Cable Revenue (Cable Fees)	\$ 32,000	\$ 135,000
Cable Retained Earnings	8,000	5,000
<i>TOTAL:</i>	\$ 40,000	\$ 140,000

or take any other action relative thereon in relation thereto.

Requested by the Select Board

MOTION: by Maggie Clarke seconded by Jeffrey Johnson. I move that the Town vote to appropriate the sum of \$140,000 to operate the Cable Enterprise Fund authorized under Massachusetts General Laws Chapter 44, Section 53F½, as set forth in Article 16 of the May 19, 2025 Annual Town Meeting Warrant.

VOTE REQUIRED: **MAJORITY
DECLARED PASSED BY THE MODERATOR**

ARTICLE 17: To see if the Town will vote to appropriate a sum or sums of money to operate the Solid Waste Enterprise Fund as shown below:

	FY25	FY26
Salaries & Benefits	\$ 77,255	\$ 82,049
Operation & Maintenance	847,320	864,351
<i>TOTAL:</i>	<i>\$ 924,575</i>	<i>\$ 946,400</i>

And that this sum be raised as follows:

	FY25	FY26
Solid Waste Revenue (User Fees)	\$ 775,048	\$ 789,867
Tax Levy (Town Usage)	70,488	71,773
Utility Revenue (Water \$1,693/Sewer \$1,338)	2,972	3,031
Solid Waste Retained Earnings	76,107	81,729
	<i>\$ 924,575</i>	<i>\$ 946,400</i>

or take any other action relative thereon in relation thereto.

Requested by the Board of Health

MOTION: by Lou LeBlanc seconded by Maggie Clarke. I move that the Town appropriate the sum of \$946,400 to operate the Solid Waste Enterprise Fund authorized under Massachusetts General Laws Chapter 44, Section 53F½, as set forth by Article 17 of the May 19, 2025 Annual Town Meeting Warrant.

VOTE REQUIRED: ***MAJORITY***
PASSED UNANIMOUSLY

ARTICLE 18: To see if the Town will vote to transfer current year funds from the Special Education Reserve Fund (85-300-3590-0000-0000) to the Supplemental Special Education Reserve Account (02-300-5200-2400-0000) or take any other action thereon or in relation thereto.

Requested by the Finance Director

MOTION: by Steve Albert seconded by Jeffrey Johnson. I move that the Town transfer funds from the Special Education Reserve Fund (85-300-3590-0000-0000) to the Supplemental Special Education Reserve Account (02-300-5200-2400-0000) that are in excess of the 2% of “Net School Spending” cap as prescribed in MGL Chapter 40, Section 13E, within the current fiscal year or by June 30, 2025.

*VOTE REQUIRED: MAJORITY
DECLARED PASSED BY THE MODERATOR*

ARTICLE 19: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to further fund the Town of Plainville's OPEB Trust Fund (Other Post-Employment Benefits), such funds to be expended under the direction of the Town Treasurer/Collector; or take any other action thereon or in relation thereto.

Requested by the Finance Director and Treasurer/Collector

MOTION: *by Jeffrey Johnson seconded by Maggie Clarke. I move that the Town transfer from Overlay Surplus the sum of \$50,000 to the Town's OPEB Trust Fund as outlined in Article 19.*

*VOTE REQUIRED: MAJORITY
PASSED UNANIMOUSLY*

ARTICLE 20: To see if the Town, with the recommendation of the Community Preservation Committee, will reserve from FY26 Community Preservation Fund - Estimated Revenues, the sum of \$14,375 for administrative expenses, 10% (\$28,750) for open space purposes; 10% (\$28,750) for historic preservation; 10% (\$28,750) for affordable housing; and the remainder of \$186,875 to the FY26 Community Preservation Fund Budgeted Reserve; or take any other action relative thereon or in relation thereto.

Requested by the Community Preservation Committee

MOTION: *by Dawn Denizkurt seconded by Maggie Clarke. I move Article 20 as written in Warrant and of the Annual Town Meeting, May 19, 2025.*

*VOTE REQUIRED: MAJORITY
PASSED UNANIMOUSLY*

ARTICLE 21: To see if the Town will vote to fix the maximum amount that may be spent during FY26 beginning on July 1, 2025 for the revolving funds established in Town By-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½ as follows:

<i>Revolving Fund</i>	<i>Authorized to Spend</i>	<i>Use of Funds</i>	<i>Revenue Source</i>	<i>FY26 Limit</i>
Dog Licenses & Fines	Select Board	Expenses related to animal control	Licenses & Fees	\$65,000
Senior Center Rental	Council on Aging	Expenses related to the operation of the Senior Center	Rental Fees	\$10,000
Assessor's Map and Record Copying Fees	Board of Assessors	Expenses related to the operation of the Assessing Department	Fees for copies of the Assessor's maps and records	\$5,000
Fire Alarm Fees	Fire Chief	Expenses related to the fire alarm system	Fees associated with the provision of the fire alarm system	\$100,000
Police Report Copy & Printing Fees	Police Chief	Expenses related to the Police Department Records Division	Fees for copies of police records and reports	\$0
Firearms Licenses	Police Chief	Expenses related to the Police Department	Fees for firearms licenses	\$25,000
Use of Police Cruisers on Private Details	Police Chief	Expenses related to the maintenance of police cruisers	Fees charged for the use of police vehicles or equipment on private details	\$35,000
Use of Traffic Citations	Police Chief	Expenses related to the purchase of police cruisers	Fines and fees associated with traffic citations	\$70,000
Library Fines	Board of Library Trustees	Expenses related to the Public Library	Fines issued by the Public Library	\$3,500
Passport Fees	Board of Library Trustees	Expenses related to the Public Library	Fees paid for passport-related services	\$25,000
Council of Aging Advertising	Council on Aging	Costs associated with the printing of the Council on Aging Newsletter	Fees or payments received from advertising	\$10,000
Parks and Recreation Fees and Funds	Park & Recreation Commissioners	Costs associated with Parks & Recreation projects	Funds received by the Parks and Recreation Department	\$300,000
Planning and Development Fees & Funds	Director of Planning & Development	Costs associated with Planning and Development projects	Funds received by the Planning and Development Department	\$150,000
Wetlands Protection	Conservation Commission	Costs associated with the operation of the Conservation Commission	Fees received by the Conservation Commission in relation to WPA claims and approvals	\$50,000

or take any other action thereon or in relation thereto.

Requested by the Finance Director

MOTION: by Brian Kelly and seconded by Maggie Clarke. I move that the Town fix the maximum amount that may be spent during the fiscal year 2026 beginning July 1, 2025 for the revolving funds established in the town by-laws for certain departments, boards, committees, agencies, or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E 1/2, as presented in Article 21 of the May 29, 2025 Annual Town Meeting Warrant.

VOTE REQUIRED:

MAJORITY
PASSED UNANIMOUSLY

ARTICLE 22: To see if the Town will vote to amend the Town's General Bylaw §515 Personnel Policies and Compensation by amending "Appendix A" as follows:

FY26 Wage & Compensation Plan

		Range		Base/Hourly
		Minimum	Maximum	
A.	Management Level			
	Principal Assessor	\$ 64,531	\$ 102,500	Salary
	Park & Recreation Director	\$ 62,658	\$ 81,860	Salary
	Council on Aging Director	\$ 66,300	\$ 86,700	Salary
	Director of Planning & Development	\$ 86,700	\$ 119,433	Salary
	Public Works Director	\$ 120,426	\$ 145,760	Salary
	Public Works Operations Manager	\$ 90,000	\$ 105,080	Salary
	Water Superintendent	\$ 90,000	\$ 105,080	Salary
	Library Director	\$ 68,661	\$ 80,111	Salary
	Building Commissioner	\$ 91,555	\$ 109,242	Salary
	Facilities Director	\$ 88,434	\$ 112,363	Salary
	IT Director	\$ 88,434	\$ 112,363	Salary
	Treasurer/Collector	\$ 98,838	\$ 124,848	Salary
	Town Accountant	\$ 90,000	\$ 114,444	Salary
	DPW Business Manager	\$ 70,000	\$ 95,450	Salary
	Health Director	\$ 83,232	\$ 98,791	Salary
	Health Agent	\$ 53,550	\$ 85,313	Salary
	Conservation Agent	\$ 25.00	\$ 40.00	Hourly
B.	Library			
	Page	\$ 16.32	\$ 17.17	Hourly
	Library Technician I	\$ 16.83	\$ 17.95	Hourly
	Library Technician/Passport Agent	\$ 16.83	\$ 17.95	Hourly
	Library Technician II	\$ 17.85	\$ 20.50	Hourly
	Associate Librarian	\$ 25.30	\$ 27.36	Hourly
	Children's Librarian	\$ 22.44	\$ 28.09	Hourly
C.	Council on Aging			
	Departmental Assistant	\$ 28.09	\$ 35.37	Hourly
	Administrative Assistant	\$ 25.49	\$ 32.46	Hourly
	Outreach Coordinator	\$ 25.49	\$ 32.46	Hourly
	Transportation/Dispatch/Driver	\$ 21.07	\$ 26.72	Hourly
	Maintenance/Custodial	\$ 16.50	\$ 22.00	Hourly
D.	Park & Recreation			
	Lifeguard	\$ 15.00	\$ 26.00	Hourly
	Water Safety Instructor	\$ 15.00	\$ 26.00	Hourly
	Recreation Aide	\$ 15.00	\$ 26.00	Hourly
	Program Aide	\$ 15.00	\$ 26.00	Hourly
	Laborer	\$ 15.00	\$ 26.00	Hourly
E.	Facilities			
	Facilities - Supervisor	\$ 22.95	\$ 33.40	Hourly
	Facilities - Laborer	\$ 20.40	\$ 31.21	Hourly
F.	Other			
	Custodian	\$ 18.73	\$ 22.89	Hourly
	Traffic Control Officer	\$ 20.81	\$ 26.01	Hourly
	Public Health Nurse	\$ 22.89	\$ 36.41	Hourly
	Health Part-time Assistant	\$ 22.89	\$ 36.41	Hourly
	Labor - Recycling Center	\$ 18.36	\$ 24.48	Hourly
	Departmental Assistant – Administration	\$ 30.95	\$ 43.70	Hourly
	Departmental Clerk - Administration	\$ 16.50	\$ 30.93	Hourly
G.	Inspector(s)			
	Building Inspector/Alternate	\$ 42.00	Per Hour or Per Inspection, whichever is higher	
	Wiring Inspector/Alternate	\$ 42.00	Per Hour or Per Inspection, whichever is higher	
	Plumbing & Gas Inspector/Alternate	\$ 42.00	Per Hour or Per Inspection, whichever is higher	

or take any other action thereon or in relation thereto.

Requested by the Select Board

MOTION: by Maggie Clarke seconded by Jeffrey Johnson. I move Article 22 as written in the May 19, 2025 Annual Town Meeting Warrant.

***VOTE REQUIRED: 2/3^{RDS} MAJORITY
DECLARED PASSED BY 2/3^{RDS} MAJORITY BY THE
MODERATOR***

ARTICLE 23: To see if the Town will vote to establish a Perfluoroalkyl/Polyfluoroalkyl Substances (PFAS) Special Revenue Account under Massachusetts General Law Chapter 44, §53K, or to establish a Special Stabilization Fund under Massachusetts General Law Chapter 40, §5B, or any other enabling act, for the receipt of current or future year PFAS Settlement funds to be used for the specific purposes of PFAS mitigation without necessitating further appropriation or take any other action thereon or in relation thereto.

Requested by the Finance Director

MOTION: by Jeffrey Johnson seconded by Brian Kelly. I move to establish a Special Stabilization Fund under Massachusetts General Law Chapter 40, §5B, for the receipt of all Perfluoroalkyl/Polyfluoroalkyl Substances (PFAS) Settlement Funds, whether received in the current or in future fiscal years, pursuant to a general class action lawsuit against the manufacturers of PFAS chemicals. The funds received in settlement shall be spent in accordance with the settlement terms, including but not limited to PFAS treatment equipment to be installed in the new Water Treatment Plant.

***VOTE REQUIRED: 2/3^{RDS} MAJORITY
PASSED UNANIMOUSLY***

ARTICLE 24: To see if the Town will correct a bylaw adopted at the June 7, 2021 Annual Town Meeting (Article 16) specifically as follows, or take any other action thereon or in relation thereto.

Currently:

Section 128-1 reads in part:

D.

For three year terms on the Plainville School Committee:

- i. One member every three years in 2022 and going forward.
- ii. Two members every three years in 2023 and going forward.
- iii. Two members every three years in 2024 and going forward.

Proposed Change:

D.

For three year terms on the Plainville School Committee:

- i. **Two members** every three years in 2022 and going forward.
- ii. **One member** every three years in 2023 and going forward.
- iii. Two members every three years in 2024 and going forward.

Requested by the Town Clerk

MOTION: by Cynthia Bush seconded by Maggie Clarke. I move Article 24 as written in the May 19, 2025 Annual Town Meeting Warrant.

***VOTE REQUIRED: 2/3^{RDS} MAJORITY
DECLARED PASSED BY 2/3^{RDS} MAJORITY BY THE MODERATOR***

ARTICLE 25: To see if the Town will vote to accept the provisions of Massachusetts General Law Chapter 90, Sections 17C and 18B as amended, or take any other action thereon or in relation thereto.

Requested by the Select Board

MOTION: by Brian Kelly and seconded by Maggie Clarke. I move that the Town accept Massachusetts General Laws Chapter 90, Sections 17C and 18B, as amended, for the purpose of authorizing the Select Board to establish and adjust speed limits on certain Town roads in accordance with the provisions of said sections.

***VOTE REQUIRED: MAJORITY
DECLARED PASSED BY THE MODERATOR***

ARTICLE 26: To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to amend the Charter of the Town as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill submitted, unless the Select Board approves amendments to the bill before enactment by the General Court; and further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

An Act Relative to the Town Charter of the Town of Plainville

To amend the Town Charter, Section C-2-3 FINANCE COMMITTEE, as follows:

Proposed addition(s) in **bold** and underlined:

There shall be a finance committee appointed by the select board **chair, finance committee chair, and the town moderator** of such a number of members and for such a term of years in the manner set forth in the town by-laws.

or take any other action relative thereon or in relation thereto.

Requested by the Charter Review Committee

MOTION: by Dale Bergevine and seconded by Jeffrey Johnson. I move Article 26 as written in the May 19, 2025 Annual Town Meeting Warrant.

VOTE REQUIRED:

2/3^{RDS} MAJORITY

DECLARED PASSED BY 2/3^{RDS} MAJORITY BY THE MODERATOR

ARTICLE 27: To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to amend the Charter of the Town as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill submitted, unless the Select Board approves amendments to the bill before enactment by the General Court; and further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

An Act Relative to the Town Charter of the Town of Plainville

To amend the Town Charter, Section C-3-2 (a) SELECT BOARD, as follows:

Proposed addition(s) in **bold** and underlined, deletions by ~~strike through~~:

(a) ...No person shall serve on the select board while at the same time serving as a town employee. Members of the select board shall be ineligible to serve in any other elected position established by this charter or by-law. Members of the select board shall be ineligible to serve on multi-member bodies established by this charter or by law to which the select board is the appointing authority, except where such appointment anticipates that the board member will represent the select board on such multiple-member body.

And further remove the second paragraph in sub-paragraph (b):

~~Members of the select board shall be ineligible to serve on multi-members bodies established by this charter or by by law to which the select board is the appointing authority, except where such appointment contemplates that the board member will represent the select board on such a multi-member body.~~

or take any other action relative thereon or in relation thereto.

Requested by the Charter Review Committee

MOTION: by Steve Albert and seconded by Jeffrey Johnson. I move Article 27 as written in the May 19, 2025 Annual Town Meeting Warrant.

***VOTE REQUIRED: 2/3 ^{RDS} MAJORITY
PASSED UNANIMOUSLY***

ARTICLE 28: To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to amend the Charter of the Town as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill submitted, unless the Select Board approves amendments to the bill before enactment by the General Court; and further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

An Act Relative to the Town Charter of the Town of Plainville

To amend the Town Charter, Section C-4-1 TOWN ADMINISTRATOR, to change the title to “TOWN MANAGER” and to make any necessary revisions wherever it appears in the Charter.

or take any other action relative thereon or in relation thereto.

Requested by the Charter Review Committee

MOTION: by Brian Kelly and seconded by Jeffrey Johnson. I move Article 28 as written in the May 19, 2025 Annual Town Meeting Warrant.

***VOTE REQUIRED: 2/3^{RDS} MAJORITY
PASSED BY 2/3^{RDS} MAJORITY (YEA: 89, NAY 44)***

ARTICLE 29: To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to amend the Charter of the Town as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill submitted, unless the Select Board approves amendments to the bill before enactment by the General Court; and further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

An Act Relative to the Town Charter of the Town of Plainville

To amend the Town Charter, Section C-5-2 ALTERNATIVE OR ASSOCIATE MEMBERS, as follows:

Proposed addition(s) in **bold** and **underlined**:

(a) Notwithstanding any general special law to the contrary, the select board may appoint not more than two associate or alternate members to each multi-member body elected under this charter, other than the school committee and the housing authority, or otherwise authorized by the General Laws. **The alternate or associate members shall be appointed for a term of 1 year.** Alternate or associate members may participate in any and all matters pending before such body.

And:

(b) The chairman of each multi-member body may designate an associate or alternate member to **temporarily sit as a full member** on the multiple-member body in the event of absence, inability to act or conflict of interest on the part of any member of the body or in the event of a vacancy on the body.

or take any other action relative thereon or in relation thereto.

Requested by the Charter Review Committee

MOTION: by Patricia Stewart seconded by Jeffrey Johnson. I move Article 29 as written in the May 19, 2025 Annual Town Meeting Warrant.

***VOTE REQUIRED: 2/3 ^{RDS} MAJORITY
PASSED UNANIMOUSLY***

ARTICLE 30: To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to amend the Charter of the Town as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill submitted, unless the Select Board approves amendments to the bill before enactment by the General Court; and further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

An Act Relative to the Town Charter of the Town of Plainville

To amend the Town Charter, Section C-6-3 ANNUAL BUDGET PROCESS, as follows:

Proposed addition(s) in **bold** and underlined, deletions by ~~striking through~~:

(a) The select board, after consultation in collaboration with the town administrator, finance director, and finance committee chair, shall issue a policy statement that shall establish the general guidelines for the next town budget. written directive to department heads outlining the overarching principles and priorities to guide in the preparation of budget requests for the next fiscal year.

Or take any other action relative thereon or in relation thereto.

Requested by the Charter Review Committee

MOTION: by Mike Burns and seconded by Jeffrey Johnson. I move Article 30 as written in the May 19, 2025 Annual Town Meeting Warrant.

VOTE REQUIRED: 2/3 ^{RDS} MAJORITY

***DECLARED PASSED BY 2/3RD MAJORITY BY THE
MODERATOR***

ARTICLE 31: To see if the Town will amend the zoning bylaws of the Town by adding a new section, § 500-25.1, to read as follows:

§ 500-25.1 Accessory Dwelling Unit

A. Purpose and Intent

- 1.) An Accessory Dwelling Unit (ADU) is an alternative type of housing that provides Plainville with additional housing supply options without requiring additional land development. The design and implementation of an ADU is expected to fit on a lot in a single-family residential zoning district.
- 2.) ADUs are permitted As of Right per Massachusetts General Laws (MGL), Chapter (c) 40A, §§ 1A and 3.. The Town has established §500-25.1 of these Zoning Bylaws in addition to 760 CMR 71.00 in order to provide further guidance and to reasonably regulate the construction of ADUs within single-family zoning districts, while preserving the residential character of a neighborhood.
- 3.) Nothing within this Bylaw shall be construed to conflict with MGL c 40A, or 760 CMR 71.00.

B. Definitions

The following terms shall have the following meanings for the purposes of this bylaw.

- 1.) **ACCESSORY DWELLING UNIT (ADU):** A self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same Lot as a Principal Dwelling, subject to otherwise applicable dimensional and parking requirements, that: (a) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the Building Code for safe egress; (b) is not larger in Gross Floor Area than ½ the Gross Floor Area of the Principal Dwelling or 900 square feet, whichever is smaller; and (c) is subject to such additional restrictions as may be imposed by a municipality including, but not limited to, additional size restrictions, and restrictions or prohibitions on Short-term Rental as defined in section 1 of chapter 64G; provided, however, that no Municipality shall unreasonably restrict the creation or rental of an ADU that is not a Short-term Rental.
- 2.) **BUILDING, ATTACHED:** A building having any portion of one or more walls in common.
- 3.) **BUILDING, DETACHED:** A building completely surrounded by open space on all sides.
- 4.) **DWELLING UNIT:** A single housing unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. This definition does not include a trailer, however mounted.
- 5.) **LOT:** An area of land within definite boundaries that is used, or available for use, as the site of a structure or structures, regardless of whether the site conforms to requirements of Zoning.
- 6.) **PROTECTED USE ADU:** An attached or detached ADU that is located, or is proposed to be located, on a Lot in a Single-family Residential Zoning District and is protected by M.G.L. c. 40A, § 3, provided that only one ADU on a lot may qualify as a Protected Use ADU. An ADU that is nonconforming to Zoning shall still qualify as a Protected Use ADU if it otherwise meets this definition.
- 7.) **PRINCIPAL DWELLING:** A structure that contains at least one Dwelling Unit and is located on the same lot as an ADU.
- 8.) **SINGLE-FAMILY DWELLING:** A structure on a Lot containing not more than one Dwelling Unit.
- 9.) **SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT:** Any Zoning District where Single-Family Residential Dwellings are a permitted or an allowable use, including any Zoning District where Single-Family Residential Dwellings are allowed as of right, by special permit, variance, waiver, or other zoning relief or discretionary zoning approval.
- 10.) **TRANSIT STATION:** A Subway Station, Commuter Rail Station, Ferry Terminal or Bus Station.

C. Procedural Requirements:

- 1.) A Building Permit application for an ADU shall be filed with the Building Commissioner.
- 2.) The ADU shall comply with the dimensional standards in §500-17 and the use regulation schedule in § 500-19.

- 3.) The ADU and the principal dwelling shall remain on the same Lot and shall not be divided onto two (2) separate lots.
- 4.) The Zoning Board of Appeals shall make a finding, when applicable, on the placement or addition of an ADU on a pre-existing non-conforming lot in accordance with MGL Chapter (c) 40A, § 6.

D. Use and Dimensional Requirements

- 1.) The Building Commissioner shall issue a Building Permit authorizing the installation and use of an Protected Use ADU to a principal single-family dwelling in a single-family zoning district provided the following conditions are met.
 - a. The Protected Use ADU shall only be located in a single-family residential zoning district on a lot with an existing principal dwelling. The principal dwelling shall be the primary use while the Protected Use ADU shall be an considered an accessory.
 - b. The Protected Use ADU may be located in the principal dwelling.
 - c. The principal dwelling may be altered to include a Protected Use ADU.
 - d. The Protected Use ADU shall consist of a complete, separate housekeeping unit containing both kitchen and bath.
 - e. The habitable area of the Protected Use ADU shall not exceed ½ the gross floor area of the principal dwelling or 900 square feet, whichever is smaller.
 - f. All Protected Use ADUs must comply with all applicable requirements of law including of those of the building, fire, sanitary, department of public works, and stormwater state codes and/or local Bylaw, regulations, and policies.
 - g. The Protected Use ADU is located on the lot so it does not impede vehicular access and circulation of the Lot, roadways, and sidewalks.
 - h. Sufficient and appropriate space for one (1) additional parking space shall be provided by the owner to serve the Protected Use ADU on a lot located outside a .5-mile radius of a Transit Station; lots within a 0.5-mile radius of a Transit Station shall have no requirement to provide for such an additional parking space. Said parking space shall have vehicular access to the driveway. Stacking of vehicles for the different dwelling units shall not be allowed. A separate driveway opening for the ADU shall not be allowed.
 - i. The use of any ADU for short-term rentals, as defined in MGL Chapter 64G Section 1, shall be prohibited.
- 2.) The Protected Use ADU shall comply with the dimensional requirements pursuant to § 500-25.1(C)(2). In order to encourage the development of housing units for disabled and handicapped individuals and persons with limited mobility, the Building Commissioner may allow for reasonable deviation from the stated conditions where necessary to install features that facilitate access and mobility for disabled persons.
- 3.) Prior to the issuance of a Building Permit, a floor plan must be submitted showing the proposed interior and exterior changes to the building.

E. ADU Special Permit

- 1.) Pursuant to MGL Chapter 40A Section 3A, more than one ADU within a single-family home or house lot shall require a Special Permit pursuant to MGL Chapter 40A Section 9 and § 500-20 of the Town of Plainville Zoning Bylaws.
- 2.) Special Permit Granting Authority. The Planning Board shall act as the special permit granting authority for applications submitted under this section of the Zoning Bylaw and may adopt and from time to time amend reasonable regulations for the administration of this bylaw.

F. Administration and Enforcement

- 1.) It shall be the duty of the Building Commissioner as Zoning Enforcement Officer to administer and enforce the provisions of this Bylaw.
- 2.) No building shall be changed in use or configuration until the Building Commissioner has issued a permit. No building permit shall be issued until water, sewer, septic, and/or Title V connection permit, when applicable, has been first obtained from the Department of Public Works and/or Board of Health. Any building alteration shall conform to all adopted state and town laws, bylaws, codes and regulations. No building shall be occupied until a certificate of occupancy has been issued by the Building Commissioner where required.
- 3.) The Building Commissioner shall refuse to issue any permit, which would result in a violation of any provision of this chapter or in a violation of the conditions or terms of any special permit or variance granted by the Zoning Board of Appeals or its agent.

- 4.) The Building Commissioner shall have the authority to issue a cease and desist order on any work in progress or on the use of any premises, either of which are in violation of the provisions of this chapter.
- 5.) Construction or use according to the building permit shall conform to any subsequent amendments to these provisions, MGL Chapter 40A, and/or Massachusetts Building Code.

And amending § 500-21(C) after the words:

“Single-family residences 2 spaces for each individual dwelling unit”

by adding the following:

“Accessory Dwelling Unit 1 space for each individual dwelling unit outside of a 0.5 mile radius of a Transit Station as defined in §500-25.1(B)(10) and zero (0) spaces for each unit within a 0.5. radius of a Transit Station as so defined”

or take any other action thereon or in relation thereto.

Requested by the Planning Board

MOTION: by Dawn Denizkurt seconded by Steve Albert. I move Article 31 as written in the May 19, 2025 Annual Town Meeting Warrant.

*VOTE REQUIRED: 2/3^{RDS} MAJORITY
DECLARED PASSED BY 2/3^{RDS} MAJORITY BY THE
MODERATOR*

ARTICLE 32: To see if the Town will amend § 500-40(B) Floodplain of zoning bylaws of the Town by adding a new section to read as follows:

1.) By amending § 500-40(B) as follows:

"B. Floodplain Overlay District. The Floodplain District is herein established as an overlay district. The district includes all special flood hazard areas within the Town of Plainville designated as Zone A or AE on the Norfolk County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the district may be defined by the 100-year base flood elevations shown on the FIRM, and further defined by the Norfolk County Flood Insurance Study (FIS) report, both dated July 68, 2021-2025. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk and Planning Board.";

2.) By amending § 500-40(F)(7)(b) as follows:

"(b) In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge. In Zone AE, along watercourses that have a regulatory floodway designated on the FIRM, encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic

analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.”;

3.) By amending § 500-40(F)(9)(c) and (d) as follows:

(c) NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600
700 Boston, MA 02114-2104

(d) NFIP Program Specialist.
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110”;

4.) By amending § 500-40(F)(12) as follows:

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

5.) By amending § 500-40(K) as follows:

“K. Requirement to submit new technical data. If the Town acquires data that changes the base flood elevation in the FEMA mapped special flood hazard areas, the Town will, within six months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s). Notification shall be submitted to:

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

and copy of notification to:

Massachusetts NFIP State Coordinator.
MA Dept. of Conservation & Recreation
251 Causeway Street, Boston, MA 02114”

or take any other action thereon or in relation thereto.

Requested by the Planning Board

MOTION: by Stanley Widak, Jr. and seconded by Brian Kelly. I move Article 32 as written in the May 19, 2025 Annual Town Meeting Warrant.

***VOTE REQUIRED: 2/3RD MAJORITY
PASSED UNANIMOUSLY***

ARTICLE 33: To see if the Town will amend §500-24, Senior Village Overlay District of the zoning bylaws of the as follows:

1.) By amending § 500-24(B)(4) by adding after “...height” to include the following:

"(4) No building in the SHD shall be more than two stories in height. **“Basement” or “Cellar” shall not be considered a story per this requirement.”;**

2.) By amending § 500-24(B)(10) as follows:

"(10) Occupancy qualifications. All SHD dwelling units shall be subject to an age restriction described in a deed, deed rider, restrictive covenant, or other document approved by the Planning Board that shall be recorded at the Registry of Deeds or Land Court. ~~The age restriction shall limit dwelling units to at least one senior, age 55 years of age or older; provide for time limited guest visitation rights in the range of not more than one month per year. The restriction, if the Planning Board so approves and specifies in its special permit, may authorize special exceptions that allow persons of all ages to live in a dwelling unit together with a senior resident for purposes such as care of a senior in ill health or enabling seniors to fulfill legal responsibilities of guardianship or custody. Such restriction shall be in accordance with the Federal Fair Housing Act, 42 USC Section 3607(b), as amended, the regulations promulgated thereunder at 24 CFR 100, 300 et seq., Subpart E – Housing for Older Persons, as amended, and the Massachusetts Fair Housing Law, M.G.L. c.151B, Section 4, but shall require that one hundred percent (100%) of all SHD dwelling Units shall be occupied by at least one individual who is fifty-five (55) years of age or older.~~ The special permit including the age restriction shall run with the land in perpetuity and shall be enforceable by any owner(s) of SHD dwelling units. In the event of the death of the qualifying owner or occupant(s) of a dwelling unit, or foreclosure or other involuntary transfer of a unit within the SHD, a one-year exemption to the restriction shall be allowed for the transfer of the unit to another eligible occupant."

or take any other action thereon or in relation thereto.

Requested by the Planning Board

MOTION: by Thomas McHugh and seconded by Dawn Denizkurt. I move Article 33 as written in the May 19, 2025 Annual Town Meeting Warrant.

***VOTE REQUIRED: 2/3^{RDS} MAJORITY
DECLARED PASSED BY 2/3^{RDS} MAJORITY BY THE MODERATOR***

ARTICLE 34: To see if the Town will vote to accept a parcel of land to be donated to the Town of Plainville as bounded and described as follows:

Beginning at a point at the northeasterly corner of the intersection of Cross Street and High Street in the Town of Plainville, thence running:

N 26° 54' 16" E a distance of 25.24 feet to a point, thence turning and running
S 63° 36' 34" E a distance of 75.00 feet to a point, thence turning and running
S 70° 55' 00" E a distance of 125.00 feet to a point, thence turning and running
S 72° 42' 02" E a distance of 350.00 feet to a point, thence turning and running
S 67° 32' 05" E a distance of 155.00 feet to a point, thence turning and running
S 49° 43' 13" E a distance of 509.36 feet to a point, thence running

Along a curve to the left having radius of 155.00 feet, an arc length of 170.35 feet, and a central angle of 62° 58' 12" to a point, thence running

N 67° 18' 35" E a distance of 251.10 feet to a point, thence running

Along a curve to the right having radius of 10,050.00 feet, an arc length of 488.75 feet, and a central angle of 2° 47' 11" to a point, thence running

S 21° 49' 01" E a distance of 10.00 feet to a point, thence turning at a point of non-tangency and running

Along the northerly boundary of Cross Street along a curve to the left having radius of 10,040.00 feet, an arc length of 729.12 feet, and a central angle of 4° 09' 39" to a point, thence running

Along a curve to the right having radius of 175.00 feet, an arc length of 202.07 feet, and a central angle of 66° 09' 33" along Cross Street to a point, thence running

N 49° 51' 20" W a distance of 16.32 feet along Cross Street to a point, thence turning and running

N 53° 09' 23" W a distance of 131.50 feet along Cross Street to a point, thence turning and running

N 47° 27' 22" W a distance of 65.01 feet along Cross Street to a point, thence turning and running

N 48° 59' 02" W a distance of 44.80 feet along Cross Street to a point, thence turning and running

N 51° 20' 46" W a distance of 79.43 feet along Cross Street to a point, thence turning and running

N 49° 03' 10" W a distance of 176.54 feet along Cross Street to a point, thence turning and running

N 56° 52' 21" W a distance of 28.52 feet along Cross Street to a point, thence turning and running

N 71° 40' 14" W a distance of 23.38 feet along Cross Street to a drill hole, thence turning and running

N 71° 22' 25" W a distance of 100.93 feet along Cross Street to a drill hole, thence turning and running

N 70° 28' 45" W a distance of 86.03 feet along Cross Street to a point, thence turning and running

N 69° 11' 01" W a distance of 13.58 feet along Cross Street to a point, thence turning and running

N 70° 56' 27" W a distance of 73.22 feet along Cross Street to a point, thence turning and running

N 70° 12' 29" W a distance of 64.82 feet along Cross Street to a point, thence turning and running

N 69° 11' 18" W a distance of 53.18 feet along Cross Street to a point, thence turning and running

N 70° 46' 00" W a distance of 37.76 feet along Cross Street to a drill hole, thence turning and running

N 70° 46' 00" W a distance of 9.41 feet along Cross Street to the point of beginning.

Said parcel containing an area of 40,710 square feet (0.93 acres), more or less, or take any action relative thereto.

on such terms and conditions as the Select Board may determine, and authorize the Select Board to execute any and all documents and/or instruments to carry out the purposes of this Article, or take any other action thereon or in relation thereto.

Requested by the Planning Board

MOTION: by Thomas McHugh and seconded by Dawn Denizkurt. I move Article 34 as written in the May 19, 2025 Annual Town Meeting Warrant.

***VOTE REQUIRED: MAJORITY
PASSED UNANIMOUSLY***

ARTICLE 35: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, bond or otherwise provide a sum or sums of money into the Capital Stabilization Fund to fund future capital purchases or debt service for capital expenses, effective beginning on July 1, 2025 or take any other action thereon or in relation thereto.

Requested by the Select Board

MOTION: by Brian Kelly and seconded by Maggie Clarke. I move that the Town vote to transfer the sum of \$51,359 from Free Cash to the Capital Expenditure Stabilization Fund.

***VOTE REQUIRED: MAJORITY
PASSED UNANIMOUSLY***

ARTICLE 36: To see if the town will vote to accept as a public way, the street shown as Ellen Drive in its entirely from Walnut Street across Valerie Drive and extending beyond the driveways of 27 and 29 Valerie Drive Reference of Ellen Drive as indicated on a definitive plan of a subdivision entitle “Walnut Terrace, Plainville, Mass., December 1962, Scale 1” = 60’. The W.T. Whalen Engineering Co.,” which plan is recorded with the Norfolk County Registry of Deeds in Plan Book 216, as No. 182 or 1964.

Further reference of this land, identified on the sale of several parcels of land by Lewicki Brothers to Walnut Park Associates (S Lewicki, W Lewicki, and R Perry), date of sale August 3, 1988 as recorded at the Norfolk Registry of Deeds on 08/04/1988: Book 8057 page 443-444:

“Definitive plan Walnut Park, Plainville, Massachusetts” dated February 8, 1988. Revised June 6, 1988 by Sankey and Hall Engineers to be recorded at the Norfolk County Registry of Deeds herewith, to which plan reference may be made for a more particular description of the premises:

Together with the land in fee simple shown on said Plan as Field Drive, Cliff Drive, and Water Drive; and together with the land situated on the easterly side of Valerie Drive to the west of Lot 23 on said Plan bounded:

Northerly by Land of Ronald and Deborah Tucker, 139.27 feet;
Easterly by said Lot 23, 50+/- feet;
Southerly by said Land of Patricia J. Sibilia, 139.27 feet; and
Westerly by Valerie Drive, 100 feet.

Requested by Citizens' Petition

MOTION: *There was no motion made, as this article was withdrawn by the petitioner.*

ARTICLE 37: To change the Plainville Charter Section C-3-2 Select Board from three members to five members.

Requested by Citizens' Petition

MOTION: *by Stanley Widak, Jr. and seconded by Maggie Clarke. I move to amend the Town Charter section C-3-2 in accordance with the Mass General Laws Chapter 41, Section 2 to increase the size of the Select Board from three members to five members. Once enacted, at the next annual Town election, the candidate receiving the highest number of votes shall serve a 3-year term, the candidate receiving the second highest number of votes shall receive a 2-year term, and the candidate receiving the third highest number of votes shall serve a 1-year term. Thereafter, as the terms of the Select Board expire, successors shall be elected for a term of three years. The Select Board shall prepare such language and take such actions necessary to facilitate this change to the Town Charter and future elections, including, if necessary, preparing language for a home rule petition.*

DISCUSSION: Town Counsel Jeff Blake from KP Law addressed this motion. He stated that this request to change the Select Board from 3 to 5 members would need to be done through a Charter amendment. This would be done through the Charter Commission or a Special Act, not through Chapter 41 Section 2 as this motion says, and that this motion is not legal in its current form. He further opined that the Town Meeting body can discuss the merits (or lack thereof) for a 3 to 5 member Select Board. It can inform the Select Board but it cannot require or force the Select Board to make this change.

He stated in his legal opinion this vote tonight is directory not mandatory and would give the current Select Board a sense of the meeting and where the people want to go.

Mr. Widak asked for a 10 minute recess to amend his motion. The Moderator granted him a 5 minute recess.

After a brief recess, no amendment was made and the Moderator took discussion on the original motion.

There was then much discussion by the body on the pros and cons of a 3 to 5 Select Board.

When the discussion ended, it was again clarified by the Moderator that the vote on this article will be an advisory vote to the Board of Selectmen.

*VOTE REQUIRED: MAJORITY
PASSED BY MAJORITY (YEA: 68, NAY 60)*

MOTION TO ADJOURN: *by Stanley Widak and seconded by Joseph Marino.*
The Annual Town Meeting was declared adjourned by the Moderator at 10:27 PM.

A true record, Attest:

Cynthia J. Bush
Town Clerk