

**ANNUAL TOWN MEETING  
MARCH 10, 2007  
DUXBURY PERFORMING ARTS CENTER  
73 ALDEN STREET,  
DUXBURY, MA**

**The meeting was called to order by the Moderator at 9:05am, recessed for lunch at 12:15pm, reconvened at 1:15pm, recessed at 5:05pm until Monday at 7:30pm and adjourned sine die at 10:20pm all at the Duxbury performing Arts Center.**

**Article 1-**Moved and seconded that Town Moderator and Board of Selectmen be authorized to appoint the Officers not chosen by ballot. Motion carried

**Article 2-**Moved and seconded that the Town vote to receive and accept the Reports of its Town Officials, Boards, Committees and Commissions as printed in the Annual Report. Reports were given by the Pool Committee, the Local Housing Partnership and the Moderator gave a brief report on the survey done about preference of where to hold Town Meeting. Motion carried

**The Town Meeting recognized Selectmen John J. Tuffy who will end his nine years as Selectmen on March 24, 2007. Selectperson Betsy Sullivan presented him with a framed certificate. John has served on many committees including the Finance Committee, the Fiscal Advisory Committee and the Plymouth County Advisory Board. He was praised for his commitment to the Town of Duxbury which was accomplished with his common sense, wit and wisdom.**

**Article 3-**Moved and seconded that the Town vote to fix the compensation of the elected officials for the twelve month period beginning July 1, 2007 as set forth in the column entitled "Finance Committee Recommended FY-08" and raise and appropriate \$72,040 for the purposes of this article:

Moderator	\$40	
Selectmen:		
Chair	\$2000	
Member	\$1500	
Member	\$1500	
Assessors:		
Chair	\$2000	
Member	\$1500	
Member	\$1500	
<u>Town Clerk</u>	<u>\$62,000</u>	
Total	\$72,040	Motion carried

**Article 4-**Moved and seconded that the Town will vote to accept the sum of \$329,051 that will be available from the State Highway Fund and such additional sums as may be made available from other County, State or Federal Agencies for Highway related work

and to further authorize the Board of Selectmen to borrow in anticipation of receipt of said funds in accordance with Massachusetts General Laws, Chapter 44, Sections 4 and 6A. Motion carried

**The Town Manager, Richard R. MacDonald, gave a presentation on the Finances and the Budget for FY-08.**

**Article 5-Motion 1- General Government Budget-**Moved and seconded that the Town vote to appropriate the sum of \$1,805,080 for the purposes and in the amounts designated in the Column titled “FY-08 Finance Committee” in Article 5 in the Warrant for General Government and to meet said appropriation raise and appropriate the sum of \$1,805,080.

**General Government**

Salaries	\$1,263,627
<u>Expenses</u>	<u>541,453</u>
<b>Total</b>	<b>\$1,805,080</b>

Motion carried

**Article 5-Motion 2-Public Safety-**Moved and seconded that the Town Vote to appropriate the sum of \$5,709,058 for the purposes and in the amounts designated in the column titled “FY-08 Finance Committee” in Article 5 in the Warrant for Public Safety, and to meet said appropriation to raise and appropriate the sum of \$5,709,058.

**Public Safety**

Salaries	\$5,201,018
<u>Expenses</u>	<u>508,040</u>
<b>Total</b>	<b>\$5,709,058</b>

Motion carried

**Article 5- Motion-3-Operating Budget-Public Works-**Moved and seconded that the Town vote to appropriate the sum of \$5,157,992 for the purposes and in the amounts designated in the column titled “FY-08 Finance Committee” in Article 5 in the Warrant for Public Works; and to meet said sum to transfer the sum of \$1,495,706 from the Water Enterprise Fund

And raise and appropriate the sum of \$3,662,286.

**DPW-W/O Water**

Salaries	\$1,650,881
<u>Expenses</u>	<u>2,011,405</u>
<b>Total</b>	<b>\$3,662,286</b>

Motion carried

**DPW-Water, Inc. Water**

Salaries	\$2,215,212
<u>Expenses</u>	<u>2,942,780</u>

**Grand Total \$5,157,992**

**Article 5-Motion 4- Library and Recreation-**Moved and seconded that the Town vote to appropriate the sum of \$1,540,851 for the purposes and in the amounts designated in the column titled “FY-08 Finance Committee” in Article 5 in the Warrant for Library and Recreation, and to meet this appropriation transfer the sum of \$30,000 from the Recreation Revolving Fund and raise and appropriate the sum of \$1,510,851.

**Library**

Salaries	\$820,094
<u>Expenses</u>	<u>279,107</u>
Total	\$1,099,201

**Percy Walker Pool**

Salaries	\$175,566
<u>Expenses</u>	<u>102,650</u>
Total	\$278,216

**North Hill Golf Course**

<u>Expenses</u>	<u>\$2,500</u>
Total	\$2500

**Library & Recreation Total**

Salaries	\$1,147,844
<u>Expenses</u>	<u>393,007</u>

**Total L&R \$1,540,851** Motion carried

**Recreation**

Salaries	\$135,414
<u>Expenses</u>	<u>3,650</u>
Total	\$139,064

**Beach Life Guards**

Salaries	\$16,770
<u>Expenses</u>	<u>1,100</u>
Total	\$17,870

**Public Celebrations**

<u>Expenses</u>	<u>\$4,000</u>
Total	\$4,000

**Article 5-Motion 5-Human Services**-Moved and seconded that the Town vote to appropriate the sum of \$451,210 for the purposes and in the amounts designated in the column titled "FY-08 Finance Committee" in Article 5 in the Warrant for Human Services, and to meet this appropriation raise and appropriate the sum of \$451,210.

**Council on Aging**

Salaries	\$298,883
<u>Expenses</u>	<u>97,325</u>
Total	\$396,208

**Veterans Services**

Salaries	\$20,302
<u>Expenses</u>	<u>34,500</u>
Total	\$54,802

**Plymouth County Coop. Ext.**

<u>Expenses</u>	<u>\$200</u>
Total	\$200

**Human Services-Total**

Salaries	\$319,185
<u>Expenses</u>	<u>132,025</u>
<b>Total</b>	<b>\$451,210</b>

Motion carried

**Article 5-Motion 6-Schools**-Moved and seconded that the Town vote to appropriate the sum of \$25,571,458 for the Duxbury Schools, and to meet this appropriation, raise and appropriate the sum of \$25,571,458.

**Duxbury Schools**

Salaries	\$19,164,623
<u>Expenses</u>	<u>6,406,835</u>
<b>Total</b>	<b>\$25,571,458</b>

Motion carried

**Article 5- Motion 7-Town & School Shared Costs**-Moved and seconded that the Town vote to appropriate the sum of \$14,375,724 for the purposes and in the amounts designated in the column titled “FY-08 Finance Committee” in Article 5 in the Warrant for Shared Costs, transfer the sum of \$150,767 from the Pension Reserve Fund, transfer the sum of \$860,000 from the Water Enterprise Fund, and raise and appropriate the sum of \$13,364, 957.

Employee Benefits	\$9,525,770	
Other Shared Costs	399,755	(Ins. & Reserve Funds)
Debt Service Town & School	3,590,199	
Debt Service Water	860,000	
<b>Total Town &amp; School Costs with Water</b>	<b>\$14,375,724</b>	

Motion carried

**Article 5-Motion 8-Budget Summary**-Moved and second that the Town vote to appropriate the sum of \$54,611,373 as the Operating Budget of the Town for Fiscal Year beginning July 1, 2007 for the purposes and in the amounts specified in motions previously voted under Article 5 of the warrant and to meet this appropriation raise and appropriate the sum of \$52,074,900 and transfer the sum of \$2,536,473 in accordance with the transfers voted in motions previously voted.

	<b>Appropriation</b>	<b>Transfer</b>	<b>Raise</b>
1.General Government	\$1,805,080	-- -----	\$1,805,080
2.Public Safety	\$5,709,058	-----	\$5,709,058
3. Public Works	\$5,157,992	\$1,495,706	\$3,662,286
4. Library & Recreation	\$1,540,851	\$30,000	\$1,510,855
5. Human Services	\$451,210	-----	\$451,210
6. Education	\$25,571,458	-----	\$25,571,458
7. Shared Costs	\$14,375,724	\$1,010,767	\$13,364,957
<b>Total Budget</b>	<b>\$54,611,373</b>	<b>\$2,536,473</b>	<b>\$52,074,900</b>

Motion carried

**Article 6- Motion 1-Capital Budget-Fire Dept./Harbormaster**-Moved and seconded that the Town vote to appropriate the sum of \$35,500 under Article 6 of the Warrant for Fire Department and Harbormaster for the purposes and in the amounts as follows:

\$25,000 for Portable Radios-Fire Dept.

\$10,500 for Overhaul of Marine Unit #3

And to meet said appropriation transfer from the Harbormaster Shellfish Protection Account the sum of \$3,000 and transfer the sum of \$32,500 from Free Cash to be expended under the direction of the Town Manager. Motion carried

**Article 6- Motion 2-Capital Budget-DPW**-Moved and seconded that the Town vote to appropriate the sum of \$142,500 under Article 6 of the Warrant for Public Works for the purposes and in the amounts as follows:

\$20,000 For replacement of HVAC System in Old Town Hall

\$47,500 For One-Ton Rack Truck

\$30,000 To Re-line Crematory Retorts  
\$45,000 For construction of Columbarium

And to meet said appropriation transfer \$45,000 from the sale of Lots and Graves and transfer the sum of \$97,500 from Free Cash to be expended under the direction of the Town Manager. Motion carried

**Article 6-Motion 3- Capital Budget-Water Bonding-**Moved and seconded that the Town vote to appropriate the sum of \$3,150,000 under Article 6 of the Warrant for the Water Department for the purpose of constructing the Birch Street Water Tank, and to meet this appropriation the Treasurer with approval of the Board of Selectmen is authorized to borrow the sum of \$3,150,000 in accordance with Massachusetts General Laws Chapter 44, or any other enabling authority, to be expended under the direction of the Town Manager. 2/3 vote required- received the requisite 2/3 and carried. (Moderator)

**Article 6-Motion 4-Capital Budget-Water-**Moved and seconded that the Town vote to appropriate the sum of \$282,000 under Article 6 in the Warrant for the Water Department for the purposes and in the amounts as follows:

\$150,000 For System Rehabilitation  
\$ 100,000 PCE Main Pipe Replacement  
\$32,000 For Pick-up Truck

And to meet said appropriation transfer \$282,000 from the Water Enterprise retained earnings. Motion carried

**Article 7-Personnel Plan-**Moved and seconded that the Town Personnel Bylaw, originally accepted March 12, 1955 and last amended March 11, 2006 by replacing the current Management Schedule, Regular Employee Provisions, and Compensation Schedules Q,T, and R with the Revised July 1, 2007 Management Schedule, Regular Employee Provisions, and Compensation Schedules Q,T, and R which are on file at the Town Clerk's Office to become effective July 1, 2007 and to appropriate the sum of \$105,000 for the purposes of this article and to meet this appropriation to appropriate the sum of \$101,835 and transfer the sum of \$3,165 from the Water Enterprise Fund. Motion carried

**Article 8-Union Contracts-**Moved, seconded and carried to indefinitely postpone.

**Article 9-Duxbury Beach Lease-**Moved and seconded that the town vote to raise and appropriate the sum of \$400,000 to be expended under the direction of the Town Manager for the purpose of leasing Duxbury Beach, being that portion of land in the Towns of Duxbury and Plymouth owned by the Duxbury Beach Reservation, Inc. South of a line running approximately East to West along the Northerly edge of the Northerly Parking Area, at the East end of the Powder Point Bridge (subject to the Migratory Shorebird Refuge at High Pines and excluding the land at High Pines leased to a third party) and to authorize the Board of Selectmen to execute a lease in the name and on behalf of the Town for a period beginning July 1, 2007 and ending June 30, 2008 on

such terms as may be approved by the Board of Selectmen. 2/3 vote required. Received the requisite 2/3 vote and carried (Moderator)

**Article 10-Fourth of July Parade**-Moved and seconded that the Town vote to raise and appropriate the sum of \$10,000 to fund the Town of Duxbury's Fourth of July Parade and Ceremony. Motion carried

**Article 11-Conservation Fund**-Moved and seconded that the town raise and appropriate the sum of \$5,500 to be added to the Conservation Fund and to be used under the direction of the Conservation Commission for any purpose authorized by M.G. L. Chapter 40, Section 8C. Motion carried

**Article 12-Senior Tax Relief Program**-Moved and seconded that the Town vote to accept M.G.L., Chapter 59, Section 5K, "Property Tax Liability Reduced in exchange for volunteer Services: Persons over age 60". Motion carried

The meeting was recessed at 12:10pm until 1:15pm for lunch.  
The Moderator called the meeting to order at 1:15pm

**The Chairman of the Finance Committee, Kenneth McCarthy, gave a report on the status of the Town 's Revolving Funds , as directed by the 2006 Annual Town Meeting.**

**Article 13- Motion 1-Council on Aging Revolving Fund**-Moved and seconded that the Town vote to re-authorize a Revolving Fund under MGL, Chapter 44, Section 53E-1/2 to allow the Council on Aging to be credited with all fees and charges received from Senior Center Programs, and to authorize the expenditure of an amount not to exceed \$70,000 from said Revolving Fund to be expended under the direction of the Council on Aging Director for Senior Programs. Motion carried

**Article 13-Motion 2- GIS Revolving Fund**-Moved and seconded that the Town vote to re-authorize a Revolving Fund under M.G. L., Chapter 44, Section 53E -1/2 to allow the Geographic Information Systems Committee to be credited with all fees and charges received from the provisions of GIS services and to authorize the expenditure in an amount not to exceed \$40,000 from said Revolving Fund to be expended under the Direction of the Town Manager, for GIS Program Development. Motion carried

**Article 13-Motion-3-Revolving Fund for Jaycox Tree Farm**-Moved and seconded that the Town vote to re-authorize a Revolving Fund under M.G.L., Chapter 44, Section 53E-1/2 to allow the Conservation Commission to set fees and to be credited with all fees and charges received from the operation of the Jaycox Christmas Tree Farm and to authorize the expenditure in an amount not to exceed \$15,000 from said Revolving Fund to be expended under the direction of the Conservation Administrator for supplies and any needs of the Jaycox Christmas Tree Farm. Motion carried

**Article 14-CPC-Operating Costs**-Moved and seconded that the Town vote to raise and appropriate the sum of \$80,000 upon the recommendation of the Community Preservation Committee, in accordance with Massachusetts General Laws, Chapter 44B, for expenses and charges for the operation of the Community Preservation Committee, all for the Fiscal year Beginning July 1, 2007 and ending June 30, 2008, said funds to be expended under the direction of the Town Manager. Motion carried

**Article 15-CPC Allocations**-Moved and seconded that the Town vote to raise and appropriate, upon recommendation of the Community Preservation Committee the sum of \$648,000 for the purpose of meeting the requirements of the Community Preservation Act M.G.L. Chapter 44B, Section 6, for purposes of Open Space, Community Housing (Affordable) and Historic Resources (Preservation). Motion carried

**Article 16-Synthetic Athletic Fields**-Move and seconded that the Town vote , upon the recommendation of the Community Preservation Committee, to appropriate the sum of \$500,000 for the purpose of site work and drainage improvements to facilitate the construction of two (2) Synthetic Athletic Fields on the sites of the Ellison High School Chandler Field and the Duxbury Middle School Football Field, identified as parcels 170-508-057 and 180-508-007 respectively on Duxbury Assessors' Maps, on file at the office of Town Clerk, and to meet this appropriation, to transfer the sum of \$500,000 from the Community Preservation Fund for the purposes of this article, and further, to authorize the Board of Selectmen to receive gifts and donations for the Synthetic Fields Project, and further to authorize the Town Manager to expend this appropriation so that not more than thirty-three and one third percent of the amount expended on any Synthetic Athletic Field Project shall be funded by this appropriation from the Community Preservation Fund, and further provided, that the remainder of the Project be funded by the receipt of gifts and donations as provided herein and that the Town Manager not expend funds from this appropriation prior to receipt of gifts and donations equal to the cost of a Synthetic Athletic Field Project.

A motion to move the previous question-received the requisite 2/3 votes and carried (Moderator)

Main motion Carried Yes-419 and No-136

Motion to reconsider - Failed.

**Article 17-Tarkiln Community Center**-Moved and seconded that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$125,000 for preparation of construction and bid documents for Historic Restoration of Tarkiln Community Center, and further to authorize the Town Manager to expend said sum of money from the Community Preservation Fund for purposes of this article, and to meet this appropriation to transfer the sum of \$125,000 from the Historic Preservation Reserves, said sums to be expended under the direction of the Town Manager. Motion carried Yes-193 and No-40

**Article 18-CPC-Delano Property**-Moved and seconded that the town vote to transfer, upon recommendation of the Community Preservation Committee, the sum of \$5,000

from unused Water Enterprise Fund proceeds in Community Preservation Fund to the Water Enterprise Fund. Motion carried

**Article 19-CPA Fund-Unused Funds**-Moved and seconded that the Town vote to authorize the Town Accountant, upon recommendation of the Community Preservation Committee, to rescind unused money voted under the following Town Meeting articles:

\$3,601.75 from the June 17, 2003 Special Town Meeting, Article 5, for King Caesar House renovations;

\$1,432.49 from the June 14, 2004 Special Town Meeting, Article 2, for Keene St. Field improvements;

\$2,851.80 from the June 14, 2004 Special Town Meeting, Article 8 for the Jaycox property;

\$7,826 from the March 12, 2005 Special Town Meeting, Article 7, for Jaycox Legal expenses;

\$803.84 from the March 12, 2005 Annual Town Meeting, Article 17 for the Blue Fish River Firehouse;

\$706.80 from the March 2005 Annual Town Meeting, Article 18, for the Town Green irrigation;

And to Transfer said money back to the Community Preservation Act Fund.  
Motion carried

**Article 20-Land Exchange for Water Dept**-Moved and seconded that the Town vote to authorize the Board of Selectmen, acting as Water Commissioners, to convey a parcel of land located off Franklin St., identified as Parcel 120C-509-007, as shown on a Plan of Land on file at the office of Town Clerk, approximately 1.65 acres in area, currently held under the care, custody and control of the Water Department, or such portion of that parcel as may be agreed by the Conservation Commission and the Board of Selectmen acting as Water Commissioners, to the Conservation Commission in exchange for the conveyance of a parcel of land located on Birch St., to the Water Department, identified as a portion of Parcel 030B-502-051, as shown on a Plan on file at the office of Town Clerk, approximately 16,150 square feet in area, currently held under the care, custody and control of the Conservation Commission, said exchange of land to be subject to the approval of the Conservation Commission and the Board of Selectmen, acting as Water Commissioners, and further to authorize the Board of Selectmen to petition the Great and General Court under Article 97 of the Massachusetts Constitution to permit the Town to make this conveyance.

An amendment was made to insert this language after 'Water Department', "or such portion of that parcel as may be agreed by the Conservation Commission and the Board of Selectmen acting as Water Commissioners,"  
Shown underlined in the text. Amendment carried

2/3 vote required Main Motion, as amended, received the requisite 2/3 vote and carried  
(Moderator)

**Article 21-Utility Easement on Mayflower St.**-Moved and seconded that the Town vote to authorize the Board of Selectmen, acting as Water Commissioners on terms and

conditions deemed by the Board of Selectmen to be in the best interest of the Town, to negotiate and acquire, by conveyance or by eminent domain, easements encumbering a Parcel of land owned by Earle B. Ricker shown as Assessors Map 150-024-000 on file at the office of the Town Clerk, for Water Department purposes. 2/3 vote required. Received the requisite 2/3 vote and carried. (Moderator)

**Article 22- Inter- Municipal Health Services** -Moved and seconded that the Town vote, in accordance with M.G. Laws Chapter 40, Section 4A to authorize the Town to enter into an Inter-Municipal Agreement with one or more other Governmental Units to provide Public Health Services which the Board of Health is authorized to perform. Motion carried

**Article 23-Change of Election Date**-Moved and seconded that the Town Vote to amend Section 2.12 of the General Bylaws by changing the date for the Annual Town Election from the Fourth Saturday in March to the Fourth Tuesday in March, commencing with the Town Election in March 2008. (Citizen's Petition) – Motion failed.

**The meeting was recessed at 5:05 pm until Monday, March 12, 2007 at 7:30pm this place. The meeting reconvened on Monday, March 12, 2007 at 7:35pm.**

**Article 24- Layouts Hillside Lane& Amado Way**-Moved and seconded that the Town vote to accept the layouts of Hillside Lane and Amado Way as Public Ways in the Town of Duxbury, in accordance with the descriptions and Plans now on file in the Town Clerk's office, which are incorporated herein by reference and to authorize the acquisition by eminent domain of property within said Ways. 2/3 vote required-Received the requisite 2/3 vote and carried (Moderator)

**Article 25-Mullen Rule for Attendance at Hearings**-Moved and seconded that the Town vote to accept the provisions of Massachusetts General Laws Chapter 39, Section 23D, and to apply this Statute hereafter to all Adjudicatory Hearings conducted by the Town's Boards, Committees, Councils and Commissions as set forth in the General Bylaws of the Town of Duxbury under Section 3 and Section 6. Motion carried

**Article 26-Sheet 5 of the Zoning Map (Publicly-owned Lands District)**-Moved and seconded that the Town vote to amend Sheet 5 of the Zoning Map entitled,

*"Town of Duxbury, Massachusetts Zoning Map-Publicly Owned Land Overlay District" dated March 2006 as created by Greatwall GIS Services-Sheet 5 of 7.*

And replace it with a new revised sheet 5 of the Zoning Map entitled,

*"Town of Duxbury, Massachusetts Zoning Map – Publicly Owned Land Overlay District" dated March 2007 as created by Greatwall GIS Services-Sheet 5 of 7.*

depicting the addition of the following parcels, as recently acquired by the Town, into the Publicly-Owned Land Overlay District as shown on the Zoning Map,

Assessors' Map # 060-502-900  
Assessors' Map # 100-502-037 & 100-502-038  
Assessors' Map # 140-502-054 & 140-502-055  
Assessors' Map # 150-500-018  
Assessors' Map # 200-042-008  
Assessors' Map # 210-015-001 & 210-015-002  
Assessors' Map # 210-046-000  
Assessors' Map # 212-003-000

and to designate a new reference category of land, on the Publicly-Owned Land Overlay District sheet 5 of the Zoning Map, for property owned by the Duxbury Housing Authority, a public body politic operating (quasi-state) agency, for identifying the following parcels,

Assessors' Map # 020-511-099 (# 748 Union Street)  
Assessors' Map # 140-511-001 (#75 Merry Ave)  
Assessors' Map # 190-511-040 (#59 Chestnut Street)  
Assessors' Map # 190-511-044 (#15 Chestnut Street  
Assessors' Map # 200-511-033 (#16 Bay Road)

to also be shown on the zoning map in addition to the Town-owned land and State-owned land.

A Report was given of the Planning Board.

A Hearing was held on Feb. 12, 2007

Voted at the March 12, 2007 session of the Annual Town Meeting.

2/3 vote required. Received the requisite 2/3 vote and carried. (Moderator)

**Article 27- Amend Zoning Map and Zoning Bylaw-**Moved and seconded to see if the Town will vote to adopt an amended Zoning Map entitled,

“Town of Duxbury, Massachusetts Zoning Map” dated March 2007 as created by Greatwall GIS consisting of seven (7) sheets in total.

That is on file at the Town Clerk's office and then subsequently amend the Duxbury Protective Bylaw by striking the words “Town of Duxbury, Massachusetts Zoning Map dated March 2006” and substitute in its place the words “Town of Duxbury, Massachusetts Zoning Map Dated March 2007” in the following Sections: Section 202.1 (Zoning Map), Section 410, Section 420 and Section 430.

A Report was given by the Planning Board.

A Hearing was held on Feb. 12, 2007

Voted at the March 12, 2007 session of the Annual Town Meeting.

2/3 vote required-Received the requisite 2/3 vote and carried. (Moderator)

**Article 28-Zoning Bylaw-Coverage-Moved**, seconded and carried to indefinitely postpone.

**Article 29-Amend Zoning Bylaw-Planned Development-Moved** and seconded that the Town vote to amend the Duxbury Protective Bylaw under Article 800 (Procedures and Regulations for Planned Development) in Sections 803.2 and 804.1 as follows. Deletions from the original Text are shown with ~~strike-through formatting~~. Additions to the text are shown in **bold print**.

803.2 (Information to be submitted)

“In order for the Board of Appeals to establish the appropriateness of the applicant’s proposal for a special permit, the applicant shall submit the information required in Section 804, Preliminary Qualification, and Section 805, Site Analysis, to the Board of Appeals. A partial submission will not be accepted. ~~This submission may precede the development application at the option of the Applicant, but in any event it shall be part of the Application.~~”

804.1(Time of submission) “If the applicant ~~elects to~~ **shall** submit a Preliminary Qualification, ~~and said applicant~~ shall prepare and submit to the Board of Appeals the following information, which is designed to provide a basis for an initial review concerning the property, developer and ownership requirements, at least ten (10) days before a regularly scheduled meeting.”

A Report was given by the Planning Board.

A Hearing was held on Feb. 5, 2007

2/3 vote required. Received the requisite 2/3 vote and carried. (Moderator)

**Article 30-Demolition Delay-Procedures-Moved** and seconded to see if the Town will vote to amend the Duxbury Protective Bylaw under Section 609 (Demolition of Historically Significant Buildings –(twelve month delay). After much discussion- the count was taken. 2/3 vote required –Motion failed to achieve a 2/3 vote-Yes 95 and No-74 and Failed.

**Article 31-Amend Zoning Bylaw/Grade-Moved**, seconded and carried to indefinitely postpone.

**Article 32-Amend Zoning Bylaw/Building Height-Moved**, seconded and carried to indefinitely postpone.

**Article 33-Amend Zoning Bylaw/Piers-Moved** and seconded the Town vote to amend the Duxbury Protective Bylaw under Section 404.20, by deleting the existing paragraph #1, and inserting a new paragraph #1 as follows:

[A variation to the text in the Warrant as shown on the Motion for Article 33]

“The Pier shall be located and constructed consistent with safety and navigational concerns.”

A Report was given by the Planning Board.

A Hearing was held on Feb. 5, 2007

2/3 vote required- Received 2/3 vote-Yes-113 and No-39-Motion carried

**Article 34-Owner's Re-Zoning Petition**-Moved and seconded that the Town vote to amend the Duxbury Zoning Map as part of the Protective Bylaws of the Town Of Duxbury, to re-zone a parcel of land identified as Assessors' parcel 110-672-000, located in the vicinity of 414 Kingstown Way, from Residential Compatibility to Neighborhood Business 1, as shown on the Plan on file at the Town Clerk's office.

A Report was given by the Planning Board

A Hearing was held on Feb. 5, 2007

Voted at the March 12, 2007 session of the Planning Board.

A motion was made to move the previous question- -Received the requisite 2/3 vote to end debate (Moderator)

Main motion-2/3 vote required- Yes-116 and No 45. Received a 2/3 vote and carried.

**Article 35-Sidewalk and Bike Path Tremont St.**-Moved and seconded that the Town vote to authorize the Town's Sidewalk and Bike Path Committee to pursue the design of a shared use path for pedestrians and bicyclists on Tremont St. (Route 3A) with funds provided by grants, private sources and donated labor. Motion carried

**Article 36-Rapid Dialing Telephone System**-Moved and seconded that the Town vote to accept grant monies for the purposes of implementing a Computerized Rapid Dialing Telephone Calling System that can be used by all Town Departments to notify the Public and/or Personnel in a timely manner. Motion carried

**Article 37-Underground Fuel System**-Moved and seconded that the Town vote to accept grant monies to purchase equipment necessary to manually operate underground fuel storage tanks at the four (4) independent Service Stations located in Town of Duxbury for use in an emergency. Motion carried.

**Article 38-Pilgrim Aging Management Plan**-Moved and seconded that the town vote to approve the matter set forth in Article 38:

“That the Town of Duxbury will advocate that the Pilgrim Nuclear Power Station's aging management plan, now and in the future shall consist of more effective methods to inspect and monitor for leaks of radioactive water from systems and components, including underground pipes and tanks, including the proper placement and regular inspection of monitoring wells between the reactor and Cape Cod Bay in order to better protect public health, safety and our marine aquaculture. The Town Clerk of Duxbury shall forward the text of this Article to the Town of Duxbury's State and Federal delegations, to all Select Boards within the Emergency Planning Zone of Pilgrim NPS, the Nuclear Regulatory Commission and Entergy Corp., so that the intent of the Citizens of Duxbury is widely known. Motion carried

**Article 39-Pilgrim Plume Transport Model**-Moved and seconded that Town of Duxbury will advocate that the Pilgrim Nuclear Power Station's plume transport model

be changed from Straight-line Gaussian model (Class A models) to more complex models (Class B) to more accurately reflect the variable and complex wind and weather conditions that are affected by sea breezes, terrain, buildings and variable precipitation. Now Pilgrim is allowed to base inputs to their Class A models from the meteorological tower on site. The on-site tower only tells what wind direction is on site, but not what happens to the plume as it travels offsite. Computerized combination weather radiation monitors are readily available. They must be required to be placed in appropriate offsite locations, determined by a meteorological site-specific analysis, so that protective actions called for in an emergency are appropriate and accurate studies of potential health effects from exposure can be preformed. The Clerk of Duxbury shall forward the text of this Article to the Town of Duxbury's State and Federal delegations, to all Select Boards within the Emergency Planning Zone of Pilgrim NPS, the Nuclear Regulatory Commission and Entergy Corp., so that the intent of the Citizens of Duxbury is widely known. Motion carried

**Article 40-Alternative Energy Committee**-Moved, seconded and carried to indefinitely postpone.

**Article 41-Stabilization Fund**-Moved, seconded and carried to indefinitely postpone.

**Article 42-Use Free Cash To Reduce Tax Rate**-Move and seconded that the Town vote to authorize the use of Free Cash in the amount of \$1,596,443 to reduce the Tax Rate. Motion carried.

Moved, seconded and carried to adjourn the meeting sine die at 10:20pm-  
Monday, March 12, 2007

<u>Total Appropriations:</u>	\$62,217,407.00
Raise (Tax Levy)	\$53,392,275.00
Other available funds	\$ 3,948,689.00
Free Cash	\$130,000.00
Fee Cash to reduce Tax Rate	\$1,596,443.00
Borrowing	\$3,150,000.00

Respectfully submitted,

Nancy M. Oates  
Duxbury Town Clerk