

ARTICLE 1

2/3 Vote Required

CONSERVATION LAND PURCHASE – **TEMPLE STREET- HARRINGTON PROPERTY**

I move that the Town, as recommended by the Community Preservation Committee, (a) authorize the Board of Selectmen to acquire, by purchase, gift or eminent domain and on such terms and conditions as the Board of Selectmen deems to be in the best interests of the Town, for open space, historic preservation, community housing, agricultural, water supply protection, rare species protection and/or passive recreation purposes, all or portions of the parcels of land located on Temple Street and Laurel Street, shown on a plan of land on file at the Office of the Town Clerk, and identified as Assessors Parcels 037-022-000, 037-022-001, 037-022-002, 037-022-003, and 037-022-005; (b) appropriate the sum of **\$2,350,000** for the purpose of funding said acquisition and costs incidental or related thereto, of which **\$599,548** is transferred from the Community Preservation Unreserved Undesignated Fund Balance, **\$92,895** is transferred from the Community Preservation Open Space Reserve, **\$282,699** is transferred from the Community Preservation Historical Reserve, **\$421,858** is transferred from the Community Preservation Community Housing Reserve, and **\$625,000** is borrowed,

with the remaining sum of **\$328,000** to be funded by the Trustees of the Duxbury Affordable Housing Trust, and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$625,000 sum under M.G.L. Chapter 44B, Section 11 and/or any other enabling authority, and to issue bonds or notes of the Town therefor, and any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to costs of issuance of such bonds or notes, may be applied to the costs approved by this vote with a reduction of borrowing authority therefore by a like amount in accordance with M.G.L. Chapter 44, Section 20; (c) authorize the Board of Selectmen to apply for, accept and expend any funds that may be provided by the Commonwealth or other public or private sources to defray all or a portion of the costs of said acquisition, including, but not limited to, grants and/or reimbursement from the Commonwealth under the Self-Help Act, G.L. Ch. 132A, Section 11 (now, so-called LAND grants), which grants and/or funds so received shall be used to repay all or a portion of the sum appropriated from the Community Preservation Fund hereunder, and to enter into all agreements and execute any and all instruments as may be necessary or appropriate to effectuate the foregoing acquisition, (d) authorize the Board of Selectmen to grant and/or accept deed restrictions pursuant to the provisions of M.G.L. Ch. 184, Sections 31-33, in compliance with G.L. Ch. 44B, Section 12(a), in the portions of the property dedicated to one or more of the aforesaid purposes; and, further,

(e) authorize the Board of Selectmen and/or the Conservation Commission to enter into management agreements for up to ten years as may be necessary for the purposes of this Article, on terms deemed by the Board of Selectmen and/or the Conservation Commission to be in the best interest of the Town.

***Recommendations: Board of Selectmen Voted 2-0 to Recommend
Finance Committee Voted 0-7 to Recommend***