

PLEASE READ
ARTICLES IN THE WARRANT
FOR THE
ANNUAL TOWN MEETING



TOWN OF DUXBURY

SATURDAY, MARCH 9, 2019
AT 9:00 A.M.

DUXBURY SCHOOLS PERFORMING ARTS CENTER

73 ALDEN STREET

***ANNOUNCEMENT FROM THE
MUNICIPAL COMMISSION ON DISABILITY***

The Annual Town Meeting will take place at the Duxbury Schools Performing Arts Center, 73 Alden Street on March 9, 2019. This location will be equipped with an assistive listening system. The system amplifies the sound and transmits to a personal assistive listening device. You can control the volume. To borrow a receiver, please stop by the designated table at Town Meeting to sign out a device. When you are through for the day, please return the receiver to the sign-out table, as they are in limited supply. This is a program of your Municipal Commission on Disability to make the Town Meetings more accessible to all.

ANNUAL TOWN MEETING WARRANT
TABLE OF CONTENTS

Article #	Article Title	Page #
1	Election of Officers	8
2	Reports	8
3	Compensation of Elected Officials	8
4	Funding of Salaries	9
5	Operating Budget	14
6	Capital Budget	23
7	Small Equipment and Minor Services	27
8	Union Contracts	29
9	Electronic Balloting	29
10	Duxbury Beach Lease	29
11	Fourth of July Appropriation	30
12	Amend Zoning Bylaw - Medical Marijuana Overlay District	30
13	Duxbury Seawall Repairs	44
14	Funding of engineering and design work related to the proposed DPW facility	45
15	Establish a Capital Improvement Stabilization Fund	46
16	Appropriate Funds into the Capital Improvement Stabilization Fund	47
17	Increase the Amount of the Ambulance Receipts Reserved for Appropriation Account	47
18	Amend General Bylaws – Enforcement of Tax Regulations and Authority for Partial Tax Payments	48
19	Disposition of Town Land - Keene Street	49
20	Citizens’ Petition - Transfer of Town-Owned Land Acquired by Tax Title to the Conservation Commission – South River Lane East	49
21	Citizens’ Petition - Exchange of Property	50

**ANNUAL TOWN MEETING WARRANT
TABLE OF CONTENTS**

Article #	Article Title	Page #
22	Conservation Land Donation	51
23	Citizens' Petition – Authorize Abutters Notice for Building Permits	51
24	Citizens' Petition – Expand the Size of the Board of Selectmen by Increasing its Membership from Three to Five	52
25	Amend Zoning By-Laws - Article 600 - Demolition of Historically Significant Buildings - 609.3	52
26	Amend Zoning By-Laws - Article 600 - Demolition of Historically Significant Buildings - 609.3	53
27	Amend Zoning By-Laws - Article 425 Intensity and Dimensional Regulations for All Neighborhood Business Districts Section 425.1 Number 5 Entitled “Lot Area, Frontage, Depth Dimensions and Coverage”	54
28	Amend Zoning By-Laws - Article 400 – Use, Intensity, Dimensional and Coverage Regulations for All Districts, Section 425.1 Intensity and Dimensional Regulations for All Neighborhood Business Districts, Number 4, Lot Dimension for NB-1 and NB-2	57
29	Farm Management Agreements	58
30	CPC: Operating Fund	59
31	CPC: Allocations	59
32	Town Clerk Records Preservation	60
33	First Parish Church Records Conservation Project	60
34	Duxbury Housing Authority Improvements	61
35	Pickleball Courts Tarkiln	61
36	Window and Gutter Restoration at the King Caesar House	61
37	Window Restoration at the Alden House Historic Site	61
38	Statement of Principles Regarding the Decommissioning the Pilgrim Nuclear Power Station	62

ANNUAL TOWN MEETING WARRANT
TABLE OF CONTENTS

Article #	Article Title	Page #
	Terms Used in Municipal Finance	65
	Talent Bank Form	66
	Article Amendment Form	68

COMMONWEALTH OF MASSACHUSETTS

TOWN OF DUXBURY - TOWN MEETING

WARRANT

Saturday, March 9, 2019

at

9:00 a.m.

DUXBURY SCHOOLS PERFORMING ARTS CENTER

73 ALDEN STREET

Plymouth, ss

Greetings:

To either of the Constables of the Town of Duxbury, in said County:

In the name of the Commonwealth of Massachusetts you are directed to NOTIFY and WARN the INHABITANTS OF THE TOWN OF DUXBURY, qualified to vote in elections and in Town affairs, to meet in the Duxbury Schools Performing Arts Center, 73 Alden Street, in said Duxbury on Saturday, the ninth day of March, 2019 next, at 9:00 o'clock in the forenoon for the transaction of any business that may legally come before said meeting:

Duxbury Annual Town Election

Saturday, March 23, 2019

Polls are open 8:00 a.m. – 8:00 p.m.

ALL PRECINCTS VOTE at the
Lt. Timothy Steele Athletic Building
130 Saint George Street, Duxbury, MA

ARTICLE 1 – ELECTION OF OFFICERS, ETC.

To bring in their votes for the following offices: one TOWN CLERK for a term of three years; one SELECTMAN for a term of three years; one MODERATOR for a term of three years; one ASSESSOR for a term of three years; two SCHOOL COMMITTEE members for a term of three years; two PLANNING BOARD MEMBERS for a term of five years; two LIBRARY TRUSTEES for a term of three years; one LIBRARY TRUSTEE for an unexpired term of two years; one LIBRARY TRUSTEE for an unexpired term of one year; and on the following question:

Question __

Shall the Town of Duxbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to obtain engineering and design services for construction of a new Department of Public Works facility, to be located at 878 Tremont Street, also shown as Assessors Map Parcel No. 092-500-016?

Yes ___

No _____

and for any other matters that may be brought forward to the voters on the Town Ballot, or take any action in relation thereto.

Proposed by the Board of Selectmen

ARTICLE 2 – REPORTS

To receive the reports of Town Officials, Boards, Committees, and Commissions, or take any action in relation thereto.

Proposed by the Board of Selectmen

***Recommendations: Board of Selectmen Voted 2-0 to Recommend
Finance Committee Voted 8-0 to Recommend***

ARTICLE 3 - COMPENSATION OF ELECTED OFFICIALS

To see what action the Town will take with regard to fixing the compensation of the elected Town Officers for the twelve month period beginning July 1, 2019, in accordance with M.G.L. Chapter 41, Section 108, or take any action in relation thereto.

Proposed by the Board of Selectmen

	Appropriated FY19	Requested FY20	BOS Recommended FY20	Finance Committee Recommended FY20
Moderator	\$40	\$40	\$40	\$40
Selectmen				
Chair	\$2,000	* \$2,000	* \$2,000	\$2,000
Member	\$1,500	* \$1,500	* \$1,500	\$1,500

Member	\$1,500	* \$1,500	* \$1,500	\$1,500
Assessors				
Chair	\$2,000	\$2,000	\$2,000	\$2,000
Member	\$1,500	\$1,500	\$1,500	\$1,500
Member	\$1,500	\$1,500	\$1,500	\$1,500
Town Clerk	\$76,000	\$79,000	\$79,000	\$79,000
TOTAL	\$86,040	\$89,040	\$89,040	\$89,040

* = *The Board of Selectmen takes no position on these items.*

Explanation: This article sets the salary limits for the elected officials. Article 5 funds the salaries.

Recommendations: *Board of Selectmen Voted 2-0 to Recommend
Finance Committee Voted 8-0 to Recommend*

ARTICLE 4 – FUNDING OF SALARIES

To see if the Town will approve a compensation plan, pursuant to the provisions of G.L. c. 41, §108A, for Fiscal Year 2020 for all employees of the Town other than those positions filled by election or subject to a collective bargaining agreement, and raise and appropriate, and/or transfer from available funds, such sums of money as are necessary to implement the Personnel Policies, and provide funding for any other salary or compensation not addressed by the Personnel Policies as shown in the following tables, with text to be inserted shown in bold underline and text to be deleted shown in strikethrough (such markings for illustrative purposes only):

Pay Schedule			
Contract Employees			
Town Manager			
Police Chief			
Fire Chief			
Town Accountant			
		Minimum	Maximum
Grade 10 Pay Ranges (FLSA exempt)	Annually	\$90,000	\$140,000 <u>\$143,920</u>
Finance Director			
Department of Public Works Director			
Deputy Fire Chief			
Deputy Police Chief			
Grade 9 Pay Ranges (FLSA exempt)	Annually	\$70,500	\$110,000 <u>\$113,080</u>
Municipal Services Director			
Facilities Director			

Harbormaster			
Human Resources Director			
Information Technology Director			
Library Director			
Public Safety Dispatch Director			
Water & Sewer Superintendent			
Grade 8 Pay Ranges (FLSA exempt)	Annually	\$62,900	\$94,200 \$96,838
Assessing Director			
Buildings & Grounds Manager			
Cemetery Superintendent			
Conservation Agent			
Council on Aging Director			
Operations Manager			
Planning Director			
Recreation Director			
Treasurer/Tax Collector			
Grade 7 Pay Ranges (Mixed FLSA)	Annually	\$50,000	\$75,000 \$77,100
Assistant Assessor			
Animal Control Officer			
Assistant Recreation Director			
Executive Assistant to Town Manager			
Executive Officer			
HVACR Technician			
Information Technology Support Technician			
Health Agent			
Library Division Head-Children's Services			
Library Division Head-Circulation Services			
Library Division Head-Reference Services			
Library Division Head-Technology Services			
Local Building & Code Enforcement Inspector (FLSA non-exempt)			
Grade 6 Pay Ranges (FLSA Exempt)	Annually	\$46,000	\$67,000 \$68,876
Aquatic Supervisor			
Budget Analyst			
DPW Office Manager			
Human Resources Assistant Manager			
Operations Lead Natural Resources Officer			

Outreach Manager, COA Community Services Manager, COA			
Respite Program Manager, COA			
Veteran's Service Officer			
Grade 5 Pay Ranges (Mixed FLSA)	Hourly	\$20.00	\$29.00 <u>\$29.81</u>
Admin. Assistant to Chief (FLSA non-exempt)			
Deputy Endangered Species Officer (FLSA exempt)			
Front Office Manager, COA (FLSA non-exempt)			
Program Manager, COA (FLSA non-exempt)			
Volunteer Manager, COA (FLSA non-exempt)			
Food Service Manager, COA (FLSA non-exempt)			
Grade 4 Pay Ranges (FLSA Non-exempt)	Hourly	\$19.00	\$27.50 <u>\$28.27</u>
Admin. Assistant to Town Manager/BOS			
Admin. Assistant to Director			
Admin. Assistant to Harbormaster			
Admin. Assistant to Cemetery Superintendent			
Benefits Specialist			
Police Prosecution Assistant			
Finance Supervisor, COA			
Grade 3 Pay Ranges (FLSA Non-exempt)	Hourly	\$17.50	\$24.60 <u>\$25.29</u>
Department Assistant			
Finance Assistant, COA			
Outreach Coordinator, COA Community Services Coordinator, COA			
Program Coordinator, Activities, COA			
Program Coordinator, Home Delivered Meals, COA			
Program Coordinator, Media/Comm., COA			
Grade 2 Pay Ranges (FLSA Non-exempt)	Hourly	\$16.00	\$21.50 <u>\$22.10</u>
Program Assistant, Front Desk, COA			
Program Assistant, Respite, COA			
Grade 1 Pay Ranges (FLSA Non-exempt)	Hourly	\$14.50	\$19.50 <u>\$20.06</u>
Food Service Associate, COA			
Administrative Associate, COA			

Schedule P.S. (FLSA Non-exempt)	Hourly	\$22.00	\$30.76 <u>\$31.62</u>
Building Inspector			
Plumbing/Gas Inspector			
Wiring Inspector			
Police Officers (FLSA Non-exempt)	Hourly	\$16.48	\$21.64 <u>\$22.25</u>
Intermittent Police			

Exempt compensation is based on 40 hrs./week, non-exempt compensation is based on 37.5 hrs./week.

Compensation Schedule A		
Classification	Pay Rate	
Alternate Inspector of Buildings	\$22.00	per hour
Alternate Plumbing Inspector	\$22.00	per hour
Alternate Wiring Inspector	\$22.00	per hour
Special Detail	Appropriate detail rate	

The classifications listed in Compensation Schedule A are those positions which are fixed in their compensation, receive no vacation, holiday, sick, call back, or termination pay. Service credit for time spent in these positions may not be used under other sections of the Plan. All positions require the use of advertising to solicit new employees. All positions may require a physical examination, and may be reviewed for performance purposes by the employee's immediate supervisor.

Compensation Schedule B		
Classification	Pay Rate	
Clerical Assistance for Town Committees and Boards (non- union positions only)	Appropriate rate as determined by Town Manager	
Clerk, Registrar of Voters	Pursuant to MGL, Ch. 41, Section 19G	
Election Warden	\$13.00	per hour
Election Worker	\$11.00	per hour
Inspector of Animals	\$900.00	per year
Juvenile Officer	\$150.00	per year
Lockup Keeper	None	
Police Matron	\$11.00	per hour
Registrar of Voters	\$14.00	per hour
Sealer of Weights & Measures	\$3,000.00	per year
Town Clock Custodian	\$200.00	per year

The classifications listed in Compensation Schedule B are positions, which are fixed in their compensation, receive no vacation, holiday, sick, call back, or termination pay. Service credit for time spent in these positions may not be used under other sections of the Plan. No advertising is necessary to fill these

positions. No physicals are required, except those otherwise determined by the Town Manager. These positions may be reviewed, for performance purposes, by the employee’s immediate supervisor.

Compensation Schedule R			
		Minimum	Maximum
Classification	Hourly	\$11.00 \$12.00	\$50.00
Animal Shelter Attendant			
<u>Assistant Animal Control Officer</u>			
<u>Beach Ranger</u>			
Bus Dispatcher			
Bus Driver			
Call Firefighter (2 hour minimum per call)			
Coastal Deputy Natural Resources Officer			
Emergency Operations Center Specialist			
Harbormaster Assistant			
<u>Home Delivered Meals Assistant Intermittent</u>			
Instructor			
<u>Lead Natural Resources Officer</u>			
<u>Lead Shorebird Monitor Supervisor</u>			
Librarian Intermittent			
Lifeguard			
Part-time Public Safety Dispatcher			
Program Coordinator			
Recreation Specialist			
Recreation Supervisor			
<u>Respite Assistant Intermittent</u>			
Seasonal Intern <u>Assistant</u>			
Seasonal (Laborer) Helper <u>Laborer</u>			
Senior Work Off			
Coastal Natural Resources Monitor			
<u>Shorebird Monitor</u>			
Coastal Natural Resources Monitor Supervisor			
<u>Shorebird Monitor Supervisor</u>			
Special Police Officer			
<u>Swim Coach</u>			
Water Safety Instructor			

The classifications listed in “Compensation Schedule R” are positions which receive no vacation, holiday, sick, call back, or termination pay. Service credit for time spent in these positions may not be used under other sections of the Plan. Once a rate of pay has been established for an employee, such rate may not change for a period of at least six months. After that time, as long as there is a reasonable basis determined by the Department Head, employees in these positions will be reviewed annually/seasonally for

performance purposes and will be eligible for a performance-based merit award from the employee's immediate supervisor, with the approval of the Department Head and Town Manager via Personnel Action Request Form. Positions may require the use of advertising;

or take any action in relation thereto.

Proposed by the Human Resources Director/Board of Selectmen/Town Manager

Explanation: This article establishes the compensation plan in accordance with the Personnel By-Law and Personnel Policies and provides for the funding of non-union employee cost items not included in the Operating Budget such as tuition reimbursement, and pay changes for the next fiscal year.

Recommendations: *Board of Selectmen Voted 3-0 to Recommend
Finance Committee Voted 8-0 to Recommend*

ARTICLE 5 - OPERATING BUDGET

To see if the Town will raise and appropriate, and/or transfer from available funds, including the Water Enterprise Fund, in accordance with M.G.L. Chapter 44, Section 53F½, such sums of money as it determines necessary for Town expenses and charges, including, without limitation of the foregoing, debt and interest, wages, salaries, Reserve Fund, and expenses for operation of the Town's departments and offices, all for the Fiscal Year beginning July 1, 2019, and ending June 30, 2020, inclusive, in accordance with the following schedule, which is incorporated by reference herein (see Article 5, FY20 Operating Budget on following pages), or take any action in relation thereto.

Proposed by the Finance Committee

Explanation: This article presents the FY 2020 Annual Budget. *(Please see the proposed FY 2020 budget on the following pages.)*

TOWN OF DUXBURY
Operating Budget - Fiscal Year 2020

LINE #	DEPARTMENT	FY 2019 BUDGET	FY 2020 DEPT. REQ.	FY 2020 TOWN MGR	FY 2020 FIN COMM
	GENERAL GOVERNMENT				
	113 - Town Meeting				
1	Expenses	4,300	4,300	4,300	4,300
	114 – Moderator				
2	Salaries	40	40	40	40
	122 - Selectman/Manager				
3	Salaries	278,679	283,679	283,679	283,679
4	Expenses	13,792	13,792	13,792	13,792
	129 - Historical Commission				
5	Expenses	1,050	1,050	1,050	1,050
	131 - Finance Committee				
6	Salaries	0	0	0	0
7	Expenses	450	450	450	450
	135 – Accounting				
8	Salaries	376,270	364,289	357,789	357,789
9	Expenses	12,100	12,105	12,105	12,105
	136 – Audit				
10	Expenses	48,000	48,000	48,000	48,000
	141 – Assessors				
11	Salaries	244,091	245,956	245,956	245,956
12	Expenses	21,500	22,000	22,000	22,000
	145 - Treasurer/Collector				
13	Salaries	277,698	284,278	276,278	276,278
14	Expenses	60,124	59,054	84,672	84,672

TOWN OF DUXBURY
Operating Budget - Fiscal Year 2020

LINE #	DEPARTMENT	FY 2019 BUDGET	FY 2020 DEPT. REQ.	FY 2020 TOWN MGR	FY 2020 FIN COMM
	151 - Legal Services				
15	Expenses	225,000	200,200	200,200	200,200
	152 - Human Resources				
16	Salaries	135,240	135,800	135,800	135,800
17	Expenses	39,980	38,060	36,560	36,560
	155 - Information Systems				
18	Salaries	167,595	167,595	167,595	167,595
19	Expenses	407,774	411,678	413,535	413,535
	156 - Public Television Access Services				
20	Expenses	280,000	280,000	296,800	296,800
	158 - Tax Title				
21	Expenses	8,000	8,000	8,000	8,000
	161 - Town Clerk				
22	Salaries	164,043	179,857	159,751	159,751
23	Expenses	29,455	28,555	27,755	27,755
	171 - Conservation Commission				
24	Salaries	148,327	148,702	148,702	148,702
25	Expenses	13,435	13,615	13,615	13,615
	175 - Planning Board				
26	Salaries	131,291	133,990	133,990	133,990
27	Expenses	12,505	15,105	11,105	11,105
	197 - Facilities Management				
28	Salaries	233,705	233,681	233,681	233,681
29	Expenses	154,050	202,250	179,750	179,750
	Sub-Total: General Government	3,488,494	3,536,081	3,516,950	3,516,950

TOWN OF DUXBURY
Operating Budget - Fiscal Year 2020

LINE #	DEPARTMENT	FY 2019 BUDGET	FY 2020 DEPT. REQ.	FY 2020 TOWN MGR	FY 2020 FIN COMM
	PUBLIC SAFETY				
	210 - Police				
30	Salaries	3,203,794	3,455,362	3,247,430	3,247,430
31	Expenses	394,320	435,510	423,010	423,010
	220 - Fire				
32	Salaries	2,855,110	3,068,832	2,996,924	2,996,924
33	Expenses	309,880	376,750	366,750	366,750
	299 - Regional Dispatch				
34	Salaries	596,600	659,847	659,847	659,847
35	Expenses	19,200	33,500	33,500	33,500
	241 - Municipal Services				
36	Salaries	536,137	538,825	538,825	538,825
37	Expenses	104,650	104,200	34,200	34,200
	295 - Harbor/Coastal Management				
38	Salaries	283,194	444,845	331,804	331,804
39	Expenses	53,850	72,850	72,850	72,850
	Sub-Total: Public Safety	8,356,735	9,190,521	8,705,140	8,705,140
	PUBLIC WORKS				
	192 - Central Building Services				
40	Salaries	65,603	64,603	64,603	64,603
41	Expenses	159,325	154,925	154,925	154,925
	194 - Tarkiln Community Center				
42	Expenses	8,150	8,250	8,250	8,250
	292 - Animal Control				
43	Salaries	83,894	83,894	83,894	83,894
44	Expenses	7,450	7,450	7,450	7,450

TOWN OF DUXBURY
Operating Budget - Fiscal Year 2020

LINE #	DEPARTMENT	FY 2019 BUDGET	FY 2020 DEPT. REQ.	FY 2020 TOWN MGR	FY 2020 FIN COMM
	294 - Lands & Natural Resources				
45	Salaries	493,402	488,888	488,888	488,888
46	Expenses	52,000	54,200	54,200	54,200
	418 - Central Fuel Depot				
47	Expenses	262,500	262,500	244,484	244,484
	419 - DPW Administration				
48	Salaries	310,368	339,184	332,984	332,984
49	Expenses	77,950	72,200	72,200	72,200
	421 - Vehicle Maintenance				
50	Salaries	179,504	172,917	172,917	172,917
51	Expenses	149,000	172,000	172,000	172,000
	422 - Highway/Road Maintenance				
52	Salaries	501,777	494,884	494,884	494,884
53	Expenses	74,700	87,000	87,000	87,000
	423 - Snow and Ice				
54	Salaries	63,750	63,750	75,000	75,000
55	Expenses	122,100	121,500	125,000	125,000
	424 - Street Lights				
56	Expenses	42,000	45,000	45,000	45,000
	431 - Transfer Station				
57	Salaries	239,341	227,809	227,809	227,809
58	Expenses	654,400	716,400	701,400	701,400
	440 - Sewer				
59	Salaries	16,611	16,613	16,613	16,613
60	Expenses	244,200	247,100	247,100	247,100

TOWN OF DUXBURY
Operating Budget - Fiscal Year 2020

LINE #	DEPARTMENT	FY 2019 BUDGET	FY 2020 DEPT. REQ.	FY 2020 TOWN MGR	FY 2020 FIN COMM
	491 - Cemetery				
61	Salaries	432,264	416,772	416,772	416,772
62	Expenses	213,100	212,600	215,144	215,144
	Sub-Total: DPW	4,453,389	4,530,439	4,508,517	4,508,517
	HUMAN SERVICES				
	541 - Council on Aging				
63	Salaries	456,294	454,893	454,893	454,893
64	Expenses	159,225	181,305	177,230	177,230
	543 - Veterans Services				
65	Salaries	43,190	43,190	43,190	43,190
66	Expenses	99,525	99,375	99,375	99,375
	840 - Ply. Cty. Coop. Ext.				
67	Expenses	500	500	500	500
	Sub-Total: Human Services	758,734	779,263	775,188	775,188
	LIBRARY & RECREATION				
	610 - Library				
68	Salaries	1,043,025	1,025,109	992,710	992,710
69	Expenses	357,285	380,787	369,887	369,887
	630 - Recreation				
70	Salaries	237,042	237,696	237,696	237,696
71	Expenses	11,900	15,691	12,120	12,120

TOWN OF DUXBURY
Operating Budget - Fiscal Year 2020

LINE #	DEPARTMENT	FY 2019 BUDGET	FY 2020 DEPT. REQ.	FY 2020 TOWN MGR	FY 2020 FIN COMM
	631 - Percy Walker Pool				
72	Salaries	184,344	195,428	195,428	195,428
73	Expenses	142,981	145,840	145,840	145,840
	633 - Beach Life Guards				
74	Salaries	25,056	33,480	33,480	33,480
75	Expenses	2,650	2,693	2,693	2,693
	632 - North Hill Golf Course				
76	Expenses	1,500	1,500	1,500	1,500
	Sub-Total: Library & Recreation	2,005,783	2,038,224	1,991,354	1,991,354
	SCHOOLS				
	300 - Duxbury Schools - Operating Budget				
77	Salaries	29,465,644	29,948,699	29,948,699	29,948,699
78	Expenses	6,230,000	6,988,248	6,988,248	6,988,248
	310 - Duxbury Schools - Laptop Lease				
79	Expenses	0	0	0	0
	Sub-Total: School Direct Costs	35,695,644	36,936,947	36,936,947	36,936,947
	TOWN & SCHOOL SHARED COSTS				
	EMPLOYEE BENEFITS				
80	916 – Medicare	610,000	625,000	625,000	625,000
81	915 - Life Insurance	12,000	12,000	12,000	12,000

TOWN OF DUXBURY
Operating Budget - Fiscal Year 2020

LINE #	DEPARTMENT	FY 2019 BUDGET	FY 2020 DEPT. REQ.	FY 2020 TOWN MGR	FY 2020 FIN COMM
82	914 - Employee & Retiree Health Insurance	8,110,800	8,543,417	8,543,417	8,543,417
83	911 - Contributory Pensions	3,448,800	3,688,798	3,688,798	3,688,798
84	909 - Non-Contributory Pensions	20,000	20,000	20,000	20,000
85	945 - Workers Compensation	365,500	350,514	350,514	350,514
	Sub-Total: Employee Benefits	12,567,100	13,239,729	13,239,729	13,239,729
	OTHER SHARED COSTS				
86	945 - Fire, Liability, Insurance	500,010	532,218	532,218	532,218
87	132 - Reserve Fund	120,000	149,015	149,015	149,015
	Sub-Total: Liability Insurance/Reserve Fund	620,010	681,233	681,233	681,233
	DEBT SERVICE TOWN & SCHOOL				
88	710 - Principal Payments	5,796,558	5,940,690	5,940,690	5,940,690
89	751 - Interest on Bonded Debt	2,654,442	2,556,337	2,556,337	2,556,337
90	752 - Interest on Temporary Notes	10,000	10,000	10,000	10,000
91	753 - Bond Expense	10,000	10,000	10,000	10,000
	Sub-Total: Debt Service	8,471,000	8,517,027	8,517,027	8,517,027

TOWN OF DUXBURY
Operating Budget - Fiscal Year 2020

LINE #	DEPARTMENT	FY 2019 BUDGET	FY 2020 DEPT. REQ.	FY 2020 TOWN MGR	FY 2020 FIN COMM
	OPERATING BUDGET - WATER				
	450 - Water				
92	Salaries	775,068	795,606	795,606	795,606
93	Expenses	1,177,836	1,198,650	1,198,650	1,198,650
	Sub-Total: Water Operations	1,952,904	1,994,256	1,994,256	1,994,256
	DEBT SERVICE WATER				
94	710 - Principal Payments	644,364	473,982	473,982	473,982
95	751 - Interest on Bonded Debt	92,812	98,654	98,654	98,654
96	752 - Interest on Temporary Notes	10,000	10,000	10,000	10,000
97	753 - Bond Expense	10,000	10,000	10,000	10,000
	Sub-Total: Water Debt	757,176	592,636	592,636	592,636
	TOTAL – ALL BUDGETS	79,126,969	82,036,356	81,458,977	81,458,977

ARTICLE 6 - CAPITAL BUDGET

To see if the Town will raise and appropriate, transfer from the Water Enterprise Fund, the Stabilization Fund, or other available funds, or authorize borrowing or leasing, a sum or sums of money for capital projects and/or equipment, including, where appropriate, constructing, furnishing and equipping and all other incidental and related costs, in accordance with the following capital budget schedule, which is incorporated by reference herein, and to authorize the Board of Selectmen to enter into lease purchase agreements, or other contracts hereunder, for terms in excess of three years, and further to authorize the Board of Selectmen, acting as Water Commissioners, to impose betterments pursuant to M.G.L. Chapters 80 and 83 (see Article 6 Capital Projects Requests to follow); or take any action in relation thereto.

Proposed by the Fiscal Advisory and Finance Committees

A two-thirds vote of Town Meeting is required to approve this article if a borrowing, transfer from a stabilization account, or a lease/purchase is authorized.

Explanation: This article presents the FY 2020 Capital Budget. *(Please see the proposed FY 2020 Capital Budget on the following pages.)*

Article 6 - Capital Budget

Line #	Project Requests	Fiscal 2020 Request	Town Manager Recommendation	Fiscal Advisory Recommendation	Finance Committee Recommendation
	GENERAL GOVERNMENT				
	Town Clerk				
1	Records Management System	50,000	30,000	30,000	30,000
	Facilities Management				
2	Chandler HVAC Modernization (\$1,300,000)	200,000	200,000	115,000	115,000
3	Harbormaster HQ rehab	20,000	20,000	-	20,000
4	Public Restroom Rehab	19,000	19,000	-	19,000
5	Police Station HVAC - Implement Engineering Recommendations	50,000	200,000	200,000	200,000
	GENERAL GOVERNMENT TOTAL	339,000	469,000	345,000	384,000
	PUBLIC SAFETY				
	Police				
6	Parking Lot Expansion	25,000	25,000	-	25,000
7	Police Deputy Chief Command Vehicle	46,509	46,509	-	A@T.M.
8	CCTV Upgrade Replacement	37,330	-	37,330	A@T.M.
	Fire				
9	Ambulance	305,000	305,000	305,000	305,000
	Municipal Services				
10	Replace Vehicle	28,000	28,000	-	A@T.M.
	Harbormaster				
11	Replace 2012 Patrol Vehicle 190	45,000	45,000	45,000	45,000
	PUBLIC SAFETY TOTAL	486,839	449,509	387,330	375,000

A@T.M. = Available at Town Meeting

Article 6 - Capital Budget

Line #	Project Requests	Fiscal 2020 Request	Town Manager Recommendation	Fiscal Advisory Recommendation	Finance Committee Recommendation
	PUBLIC WORKS				
	Lands and Natural Resources				
12	Replace Truck # 29	44,295	44,295	-	A@T.M.
	Highway				
13	Replace Truck #18	202,725	202,725	202,725	202,725
	Transfer Station				
14	Replace 1990 STECO Ejector Trailer DX-6	96,600	96,600	96,600	96,600
	Crematory/Cemetery				
15	Complete rebuild of retort units A, B, C & D	300,000	300,000	300,000	300,000
	PUBLIC WORKS TOTAL	643,620	643,620	599,325	599,325
	LIBRARY & RECREATION				
	Percy Walker Pool				
16	Purchase New Starting Blocks	10,000	10,000	10,000	10,000
	LIBRARY & RECREATION TOTAL	10,000	10,000	10,000	10,000

A@T.M. = Available at Town Meeting

Article 6 - Capital Budget

Line #	Project Requests	Fiscal 2020 Request	Town Manager Recommendation	Fiscal Advisory Recommendation	Finance Committee Recommendation
	DUXBURY SCHOOLS				
17	Chromebooks/ W Cases	512,998	512,998	512,998	512,998
18	Replacement of Backup and Disaster Recovery Equip.	58,745	58,745	58,745	58,745
19	Tree Removal - Steele Campus	45,000	45,000	45,000	45,000
20	Add card access to exterior doors - Chandler	30,305	30,305	30,305	30,305
21	Security Film on Doors and Windows	30,000	30,000	30,000	30,000
22	Chandler School Cubbies (year 2 of 2)	50,000	50,000	50,000	50,000
23	VGA Cabling to HDMI Cabling	39,468	39,468	39,468	39,468
24	Replacement of 6 Smart Board Projectors	21,617	21,617	-	-
	SCHOOL DEPARTMENT TOTALS	788,133	788,133	766,516	766,516
	GENERAL FUND TOTAL	2,267,592	2,360,262	2,108,171	2,134,841
	WATER ENTERPRISE FUND				
25	PCE Pipe Replacement	150,000	2,588,114	2,588,114	2,588,114
26	System Rehabilitation	150,000	150,000	150,000	150,000
27	Install Generators at Wells and Garage (8)	1,217,700	1,217,700	A@T.M.	A@T.M.
28	Comprehensive Water System Master Plan	195,300	195,300	195,300	195,300
	WATER ENTERPRISE FUND TOTAL	1,713,000	4,151,114	2,933,414	2,933,414

A@T.M. = Available at Town Meeting

ARTICLE 7 – SMALL EQUIPMENT AND MINOR SERVICES

To see if the Town will raise and appropriate and/or transfer from available funds, a sum of money to repair, purchase, lease, conduct studies and/or replace departmental property and equipment for the various departments as listed herein; including, where appropriate, constructing, furnishing and equipping and all other incidental and related costs, and to authorize the Board of Selectmen to enter into lease purchase agreements, or other contracts hereunder, for terms in excess of three years; or take any action in relation thereto.

Proposed by the Town Manager and Finance Director

A two-thirds vote of Town Meeting is required to approve this article if a borrowing, transfer from a stabilization account, or a lease/purchase is authorized.

Explanation: This article would provide funding for items that either do not meet the definition of capital items or the minimum \$15,000 threshold for consideration under Article 6.

(Please see the proposed Small Equipment and Minor Services budget on the following pages.)

Article 7 - Small Equipment and Minor Services				
Line #	Project Requests	Fiscal 2020 Request	Town Manager Recommendation	Finance Committee Recommendation
	PUBLIC SAFETY			
	Police Department			
1	DJI Matrice 200 UAS (Drone)	\$6,775	\$6,775	\$6,775
2	Zenmuse XT2 Thermal Camera for Drone	\$7,999	\$7,999	\$7,999
3	Six (6) Streamlight Portable Scene Lights	\$6,324	\$6,324	\$6,324
4	Pre-Engineered Steel Mezzanine	\$11,163	\$11,163	\$11,163
	Fire Department			
5	Air Bag Lifting System	\$9,500	\$9,500	\$9,500
	Harbormaster			
6	Submeter GPS	\$4,200	\$4,200	\$4,200
7	MU4 GPS/Radar/Depth sounder unit	\$8,500	\$8,500	\$8,500
	PUBLIC SAFETY TOTAL	\$54,461	\$54,461	\$54,461

Article 7 - Small Equipment and Minor Services

Line #	Project Requests	Fiscal 2020 Request	Town Manager Recommendation	Finance Committee Recommendation
	SCHOOL DEPARTMENT			
	Duxbury Schools			
8	Floor Scrubber	\$10,000	\$10,000	\$10,000
9	New Classroom Furniture - Alden School	\$10,000	\$10,000	\$10,000
	SCHOOL DEPARTMENT TOTAL	\$20,000	\$20,000	\$20,000
	LIBRARY & RECREATION			
	Library			
10	Twenty-eight (28) Standard Guest Chairs	\$6,410	\$6,410	\$6,410
11	Three (3) Hydro Stations (formerly water bubblers)	\$8,000	\$8,000	\$8,000
	Recreation			
12	Remove and Replace fence fabric at Tarkiln courts	\$10,500	\$10,500	\$10,500
	North Hill Golf Course			
13	Remove and Replace split rail fence at Main Entrance	\$10,700	\$10,700	\$10,700
	LIBRARY & RECREATION TOTAL	\$35,610	\$35,610	\$35,610
	GENERAL FUND TOTAL	\$110,071	\$110,071	\$110,071

ARTICLE 8 - UNION CONTRACTS

To see if the Town will raise and appropriate, and/or transfer from available funds, a sum of money to fund the cost items of the first fiscal year of collective bargaining agreements with any one or more of the following employee organizations for the fiscal year commencing July 1, 2019:

- A. Duxbury Police Union, MCOP Local 376B;
- B. Duxbury Police Commanders Association, MCOP Local 376;
- C. Duxbury Police Dispatchers Union, MCOP Local 376A;
- D. Duxbury Free Library Employees, Service Employees International Union, Local 888;
- E. Duxbury Permanent Firefighter's Association, International Association of Firefighters Local 2167;
- F. Duxbury Municipal Employees, AFSCME, Council 93, Local 1700, Duxbury DPW Employees;
- G. Town of Duxbury Secretaries and Clerks, SEIU Local 888;
- H. Duxbury Teachers Association;
- I. Duxbury Teachers Association Instructional Assistants Unit C;
- J. Duxbury Secretaries/Clerks Association (School); and
- K. Local 1700, AFSCME, A.F.L.-C.I.O., Council 93 (School Custodians);

or take any action in relation thereto.

Proposed by the Board of Selectmen and School Committee

Explanation: This article will fund the cost items of the first fiscal year of collective bargaining agreements for positions in each of the contracts included in the motion made at Town Meeting.

Recommendations: *Board of Selectmen Voted to Indefinitely Postpone*
Finance Committee Voted to Indefinitely Postpone

ARTICLE 9 – ELECTRONIC BALLOTING

To see if the Town will raise and appropriate and/or transfer from available funds, a sum of money to fund the costs of operating electronic balloting, also known as electronic voting, at Town Meetings in 2020, or take any action in relation thereto.

Proposed by the Board of Selectmen

Explanation: This annual article will fund the cost of electronic balloting at Annual & Special Town Meetings. Currently these funds reside in the Town Clerk's budget. By making the funding mechanism an annual article, any leftover balance will be brought forward to cover expenses incurred at a subsequent Town Meeting. Periodically this article can be adjusted to reflect the balance in prior year articles.

Recommendations: *Board of Selectmen Voted 2-0 to Recommend*
Finance Committee Voted 8-0 to Recommend

ARTICLE 10 - DUXBURY BEACH LEASE

To see if the Town will raise and appropriate and/or transfer from available funds, a sum of money for the purpose of leasing Duxbury Beach, being that portion of land in the Towns of Duxbury and Plymouth

owned by 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 an area of land excluded at High Pines used by the Duxbury Beach Reservation), and authorize the Board of Selectmen, or its designee, to execute a lease on behalf of the Town, for a period beginning on July 1, 2019, and ending June 30, 2020, on such terms and conditions as the Board of Selectmen deems in the best interests of the Town; or take any action in relation thereto.

Proposed by the Board of Selectmen

A two thirds vote of Town Meeting is required to approve this article.

Explanation: This article will fund the lease for the use of Duxbury Beach, which is owned by the Duxbury Beach Reservation, Inc. The lease period will run from July 1, 2019, to June 30, 2020, for which the annual payment will be \$800,000.

Recommendations: *Board of Selectmen Vote – Available at Town Meeting*
Finance Committee Vote – Available at Town Meeting

ARTICLE 11 - FOURTH OF JULY APPROPRIATION

To see if the Town will raise and appropriate and/or transfer from available funds, a sum of money to fund the Town of Duxbury’s Fourth of July parade, ceremony and related activities; or take any action in relation thereto.

Proposed by the Board of Selectmen

Explanation: This is an annual article that allocates funds to be used for Duxbury’s Fourth of July parade and celebration.

Recommendations: *Board of Selectmen Voted 2-0 to Recommend*
Finance Committee Voted 8-0 to Recommend

ARTICLE 12 - AMEND ZONING BYLAW - MEDICAL MARIJUANA OVERLAY DISTRICT

To see if the Town will amend its Zoning Bylaws by inserting a new Section 620, as follows (language in italics is for informational purposes only):

Section 620 Medical Marijuana Overlay District

Section 620.1: Purpose

To provide for the placement of Medical Marijuana Treatment Centers (each an “MMTC”) in accordance with M.G.L. Chapter 94I (“Chapter 94I”) and all regulations which have or may be issued by the Department of Public Health and/or the Cannabis Control Commission (“CCC”), including, 935 CMR 501.00, as may be amended hereafter, which will minimize adverse impacts of an MMTC on adjacent properties, residential neighborhoods, schools, playgrounds, public beaches and other locations where minors congregate and which will regulate the siting, design, security, monitoring, and removal of an MMTC.

Section 620.2: Establishment and Applicability

The Marijuana Overlay District (“MOD”) is established as an overlay district within the Town of Duxbury [location to be established through the public hearing process], the boundaries of the MOD are shown on the Zoning Map on file with the Town Clerk and shall comprise the following parcels, as set forth on the maps of the Town Board of Assessors:

MMTC Overlay District	
Parcel ID	Address
Portion of 015-782-001	638 Summer Street
Portion of 015-782-002	632 Summer Street
Portion of 015- 502-056	0 Summer Street
062-752-015	127 Tremont Street
Portion of 062-752-014	296 Parks Street
110-772-034	8 Chestnut Street
110-772-045	5 Chestnut Street
110-772-134	10 Washington Street
119-762-102	433 Washington Street
Portion of 119-762-918	0 Washington Street
Portion of 118-762-101	457 Washington Street
Portion of 118-761-142	0 Mattakeeset Court
Portion of Private ROW 119-761-115	441 Washington Street
106-742-060	266 St. George Street
106-742-006	289 St. George Street
106-742-005	285 St. George Street
106-742-003	277 St. George Street
106-742-002	30 Railroad Avenue
106-742-004	50 Railroad Avenue
Portion of 106-034-000	114 Alden Street
104-732-042	1474 Tremont Street

Within the MOD, all requirements of the underlying zoning district remain in effect, except where this Bylaw provides an alternative to such requirements. Land within the MOD may be used for (1) a MMTC; or (2) a use allowed in the underlying district, in which case the requirements of the underlying district shall apply. If the provisions of the MOD are silent on a zoning regulation, the requirements of the underlying district shall apply. If the provisions of the MOD conflict with the requirements of the underlying district, the requirements of the MOD shall control.

Section 620.3: Definitions

Where not expressly defined in these Zoning Bylaws, terms used in the MOD Bylaw shall be interpreted as defined in Chapter 94I, 935 CMR 501.00, and any regulations issued by the CCC implementing M.G.L. Chapter 94I, and otherwise by their plain language.

“Medical Marijuana Treatment Center” or “MMTC” means an entity formerly and validly registered under 935 CMR 501.100, that acquires, cultivates, possesses, processes (including development of related products such as edible MIPs, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their

personal caregivers. An MMTC refers to the site(s) of dispensing, cultivation, and preparation of marijuana.

Section 620.4: Location and Dimensional Controls

1. An MMTC may not be located within 1,000' feet (measured in a straight line from the nearest point of the property line of any of the following uses to the nearest point of the property line of the MMTC) of the following pre-existing uses:
 - (a) Public or private school providing education in pre-school, kindergarten and/or grades 1 through 12;
 - (b) State-licensed Child Care Center, as defined in M.G.L. Chapter 15D; or
 - (c) Library, playground, public park, public beach, religious facility, youth center; or similar facility in which minors commonly congregate for a particular purposes in a structured and scheduled manner.
2. Cultivation and processing facilities located within the MOD shall be separated from adjacent property lines by a 100-foot buffer strip, unless the applicant can demonstrate, and the SPGA (defined in Section 620.5) finds, that adequate buffering can be provided in a narrower buffer strip.
3. An MMTC shall be located only in a permanent building and not within any mobile facility. All sales shall be conducted either within the building or by home delivery pursuant to applicable state regulations.
4. Unless expressly stated otherwise in this Bylaw, an MMTC shall conform to the dimensional requirements applicable to non-residential uses in the underlying district.

Section 620.5: Special Permit and Site Plan Requirements

1. Procedure: An MMTC may be permitted in the MOD pursuant to a Special Permit and Site Plan Approval by the Planning Board which shall be the Special Permit Granting Authority ("SPGA") under this MOD Bylaw and shall conduct Site Plan Approval for an applicant for a MMTC, the Special Permit application and time standards of G.L. c.40A, §9 shall also apply to applications for Site Plan Approval under this Section.
2. A Special Permit for an MMTC shall be limited to one or more of the following uses:
 - (a) Cultivation of Marijuana for medical use.
 - (b) Processing and packaging of Marijuana for medical use, including Marijuana that is in the form of smoking materials, food products, oils, aerosols, ointments, and other products.
 - (c) Testing of Marijuana for medical use.
 - (d) Sale or distribution of medical use Marijuana.

- (e) Wholesale sale of medical Marijuana to other MMTCs located in the Town or another municipality in Massachusetts.
 - (f) Medical Marijuana transportation or distribution.
3. Application: The application for an MMTC shall include the following:
- (a) The name and address of each owner of the MMTC. If the Applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or other similar parties, representatives and entities and their addresses. If any of the above are entities rather than persons, the Applicant must provide the same disclosure in writing under oath for all of such entities.
 - (b) Copies of all required licenses and permits issued to the Applicant by the Commonwealth of Massachusetts and any of its agencies for the MMTC, together with a copy of all materials (including surety bonds or other guarantees) submitted to CCC in connection with the licensing and permitting of an MMTC;
 - (c) A description of the proposed use;
 - (d) Evidence of the Applicant's right to use the site for an MMTC, such as a recorded deed, fully executed lease or fully executed purchase and sale agreement;
 - (e) A certified list of all parties in interest entitled to notice of the hearing for the Special Permit and Site Plan Approval application, taken from the most recent tax list of the Town and certified by the Town Assessor;
 - (f) Evidence that the Applicant has entered into a fully executed Host Community Agreement with the Town;
 - (g) A detailed floor plan of the site of the proposed MMTC that identifies the square footage available and describes the functional areas of the facility;
 - (h) A detailed site plan that includes:
 - 1. Compliance with the requirements for parking and loading spaces, lot size, frontage, yards and heights and coverage of buildings, signage and all other provisions of this MOD Bylaw and other applicable provisions of the Duxbury General Bylaws;
 - 2. Design for convenience and safety of vehicular and pedestrian movement on the site and access to and from the site which must be located on a public way or approved private way;
 - 3. Design and appearance of proposed buildings, structures, screening and landscaping;
 - 4. Adequacy of water supply, drainage, waste water conveyance and treatment plant capacity; and

5. Adequacy of any on-site septic system, if applicable, as approved by the Board of Health.
 - (i) A Security Plan that shall include the details of all security measures for the site and transportation of marijuana and marijuana products to and from off-site premises to ensure the safety of employees and the public and to protect the site from theft or other criminal activity. The Security Plan shall be submitted to the Fire Department and Police Department for approval with such terms and conditions as determined by such departments. This report shall remain confidential as required by applicable law.
 - (j) An Operation and Management Plan that shall include: Organizational Structure, Location, Property Description, Hours of Operation and Staffing, Cultivation Practices, Processing Practices, Distribution Practices, Employee Safety, Fire Prevention, Sanitation Requirements, Electrical System Overview, Ventilation System and Air Quality and Waste Refuse Chemical Remediation Plan. The plan shall be submitted to the Building Department, Board of Health, Water and Sewer Department, Water and Sewer Advisory Board, Police Department, Fire Department, DPW Director, Conservation Commission and Board of Selectmen for review and comment.
 - (k) An Emergency Response Plan. All owners and senior managers of an MMTC shall meet with the Police Department and Fire Department to discuss and identify emergency/contingency plans for the site, and a written Emergency Response Plan shall be filed with and approved by the Police Department and Fire Department as a condition of the Special Permit and Site Plan Approval.
 - (l) The SPGA, in its discretion, may retain the services of consultants as to any matter contained in the application, the expenses of which shall be the responsibility of the Applicant.
4. The SPGA shall refer copies of the application to the Board of Selectmen, Building Department, Fire Department, Police Department, Board of Health, Conservation Commission, Water and Sewer Department and such other departments, boards and commissions as determined by the SPGA. These boards/departments shall review the application and shall submit the written recommendations. Failure to make recommendations within 45 days of referral of the application shall be deemed lack of opposition.
5. Mandatory Findings: The SPGA shall not issue a Special Permit for an MMTC unless it finds that after notice and public hearing in accordance with G.L. c. 40A, § 11 and consideration of application materials, consultant reviews, public comments, and the recommendations of other town boards and departments:
 - (a) The MMTC is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in M.G.L. C. 40A, Section 11;

- (b) The MMTC is fully permitted by all applicable agencies of the Commonwealth of Massachusetts and is in compliance with all applicable state laws and regulations and;
 - (c) The Applicant has satisfied all conditions and requirements of this MOD Bylaw.
6. Special Permit Conditions on an MMTC: Conditions which are reasonably appropriate to improve site design, traffic flow, and public safety, to protect water quality, air quality, and significant environmental resources, to preserve the character of the surrounding area and to otherwise serve the purposes of this MOD Bylaw may include, but not be limited to:
- (a) Hours of Operation of an MMTC for sale or distribution to consumers and/or wholesalers shall be limited to 7:00 a.m. – 7:00 p.m., unless otherwise modified by the SPGA.
 - (b) The use shall be limited to the permitted use and shall not generate outside odors from the cultivation or processing of marijuana and marijuana products. No use shall be allowed in the MOD which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive sound or vibration, flashes, glare, objectionable effluent or electrical interference.
 - (c) The permit holder shall provide to the Zoning Enforcement Officer/Building Inspector, Board of Health, Chief of the Fire Department, Chief of the Police Department, Town Manager, and the SPGA the name, telephone number and electronic mail address of all managers and key holders who can serve as a contact person if such person needs to be contacted at any time, including after regular business hours, to address any problems or urgent issues. Such contact information shall be kept updated by the permit holder.
 - (d) An MMTC may not operate, and the Special Permit and Site Plan Approval will not be valid, until the applicant has obtained all licenses and permits issued by the Commonwealth of Massachusetts and any of its agencies for the facility and the Applicant has entered into a Host Community Agreement with the Town with respect to the facility.
 - (e) The Special Permit and Site Plan Approval shall lapse and will not be valid if a substantial use thereof has not commenced within two (2) years of issuance, except for good cause, and not including any time as is required to pursue or await a determination of an appeal from the grant thereof.
 - (f) A Special Permit and Site Plan Approval granted under this Section shall have a term limited to the earlier of the (i) duration of the permit holder's ownership of the MMTC, (ii) change in ownership of the permit holder (other than a change in, in the aggregate, of not more than 10 (ten)% ownership interest), including any transfer of ownership voluntarily, involuntarily or by operation of law, or (iii) the expiration or termination of the permit holder's license by the CCC for use of the site as an MMTC. A Special Permit and Site Plan Approval under this Section may be transferred only with the approval of the SPGA in the form of an amendment to the Special Permit and Site Plan Approval decisions.

- (g) The permit holder shall notify the Zoning Enforcement Officer/Building Inspector, the Board of Selectmen and the SPGA in writing at least 48 hours prior to the cessation of operation of the MMTC and immediately upon expiration or termination of the permit holder's license with the CCC.
- (h) An Annual Report shall be filed with the SPGA, the Board of Selectmen and Board of Health no later than January 31st of each year, providing a copy of all applicable state licenses and renewals thereof required under Chapter 94I and 935 CMR 501.00, together with the then current Compliance Inspection report from the CCC and evidence of compliance with all ongoing conditions of the Special Permit and Site Plan Approval.

Section 620.6 Abandonment or Discontinuance of Use.

An MMTC shall be required to remove all material, plants, equipment, signs and other paraphernalia at the time of surrendering its state-issued licenses or permits in accordance with any requirements of the CCC and a written discontinuance plan submitted to the SPGA, the Board of Selectmen, and the Board of Health. A MMTC shall be required to provide surety in a form acceptable to and approved by the Town Treasurer, in an amount determined by the SPGA, to cover the costs for cleaning the facility and the removal of all materials, plants, equipment, signs and other paraphernalia in the event the MMTC fails to do so. In no event shall the surety exceed more than 125 percent of the estimated cost of removal and compliance. The applicant shall submit a fully inclusive estimate of the costs associated with cleaning and removal at prevailing wages, which estimate shall be prepared by a qualified licensed contractor authorized to undertake such work. The SPGA may, in its discretion, request cost estimates from not more than two additional qualified licensed contractors in order to accurately determine the amount of the surety. Surety is required to be posted at time of grant of permit by the Town.

Section 620.7 Prohibition Against Nuisances

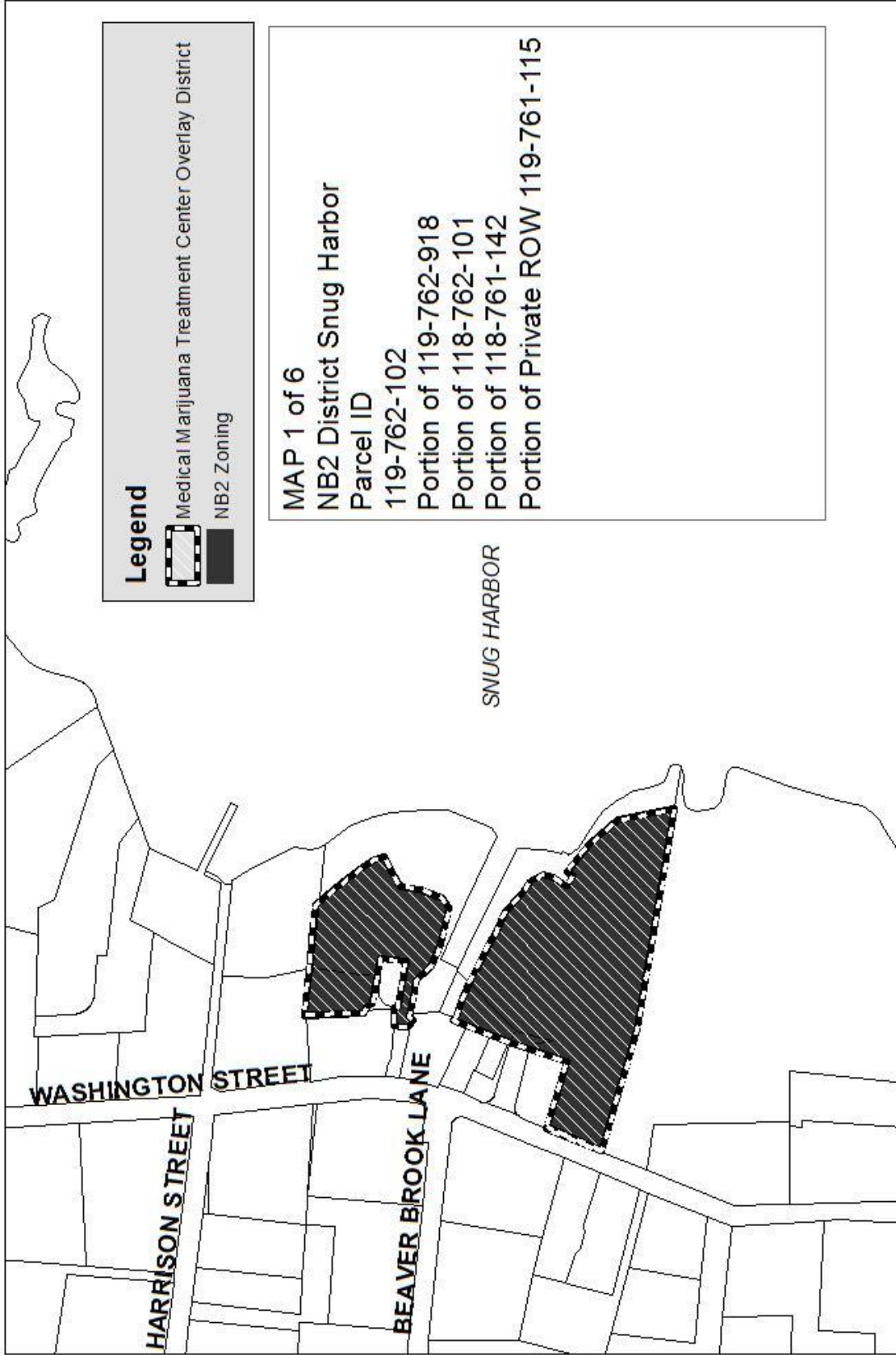
No use shall be allowed in the MOD which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive sound or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

Section 620.8 Severability

The provisions of this Bylaw are severable. If any provision, paragraph, sentence, or clause of this Bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid by a court of competent jurisdiction, such invalidity shall not affect the other provisions or application of this Bylaw.

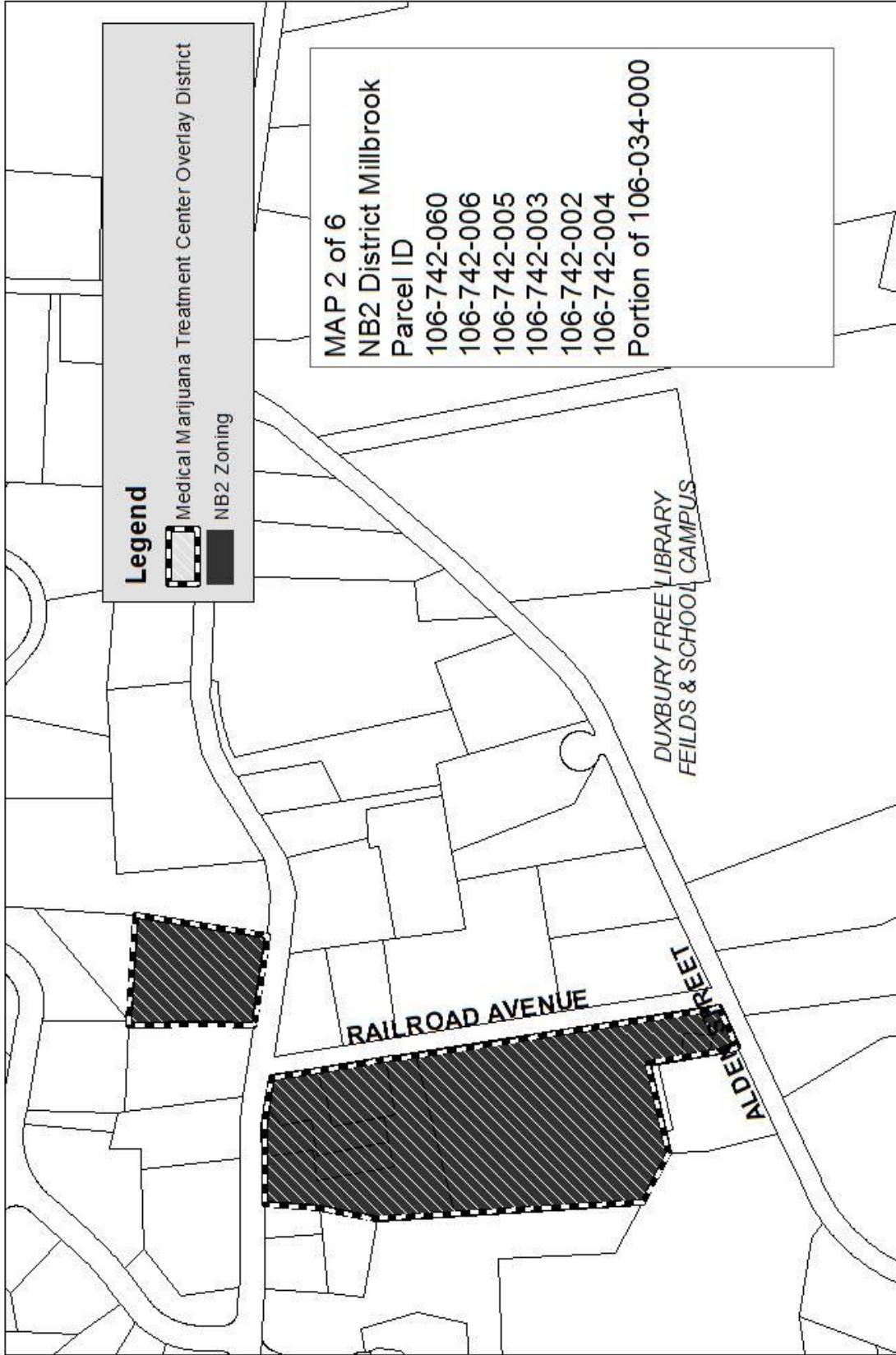
Section 620.9 Rules and Regulations

The SPGA shall have the authority to adopt rules and regulations for purposes of implementing this Bylaw.



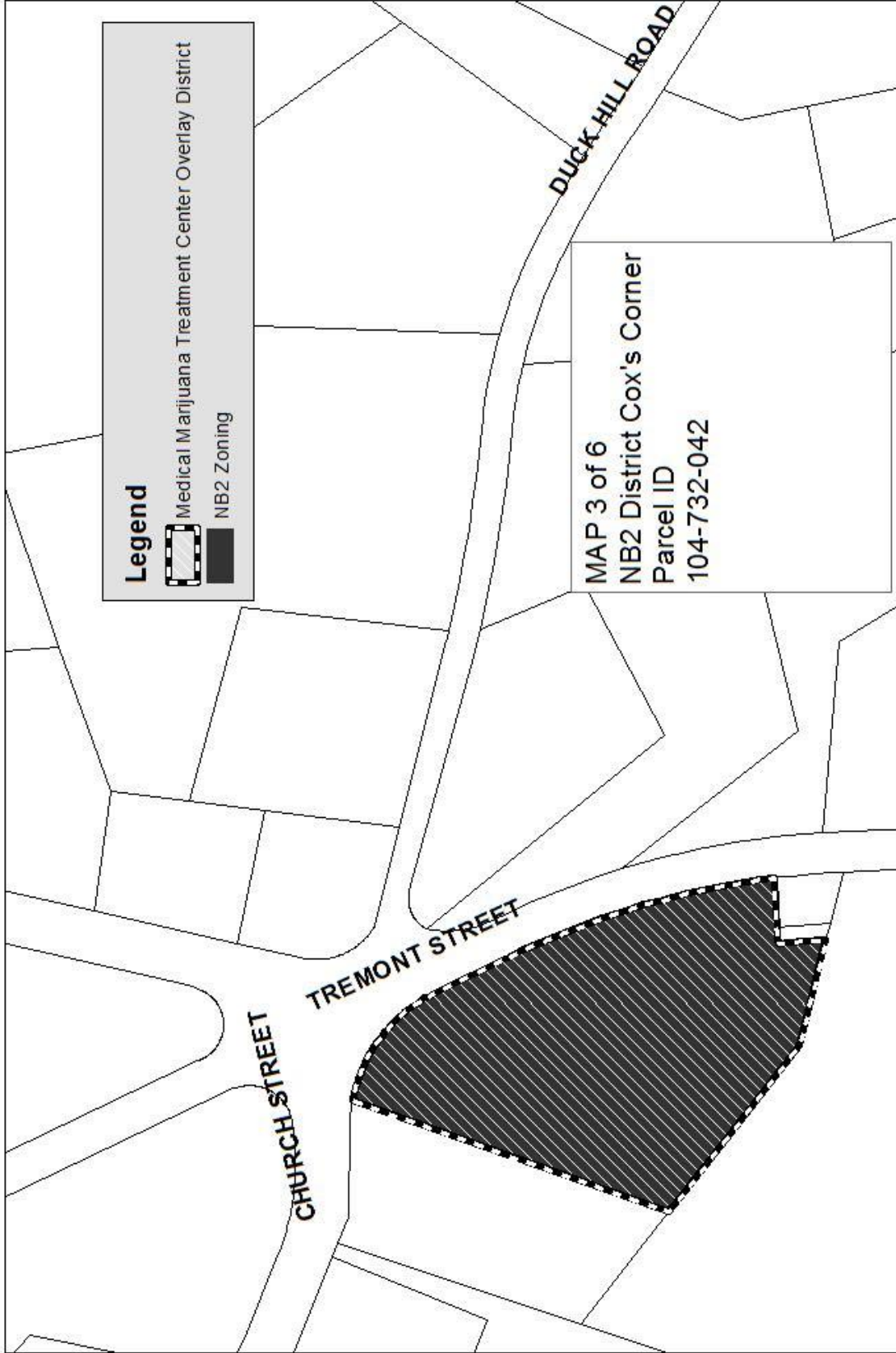
**Map to Accompany Article 14
 Duxbury Annual Town Meeting 2019
 Medical Marijuana Treatment Center Overlay Districts**



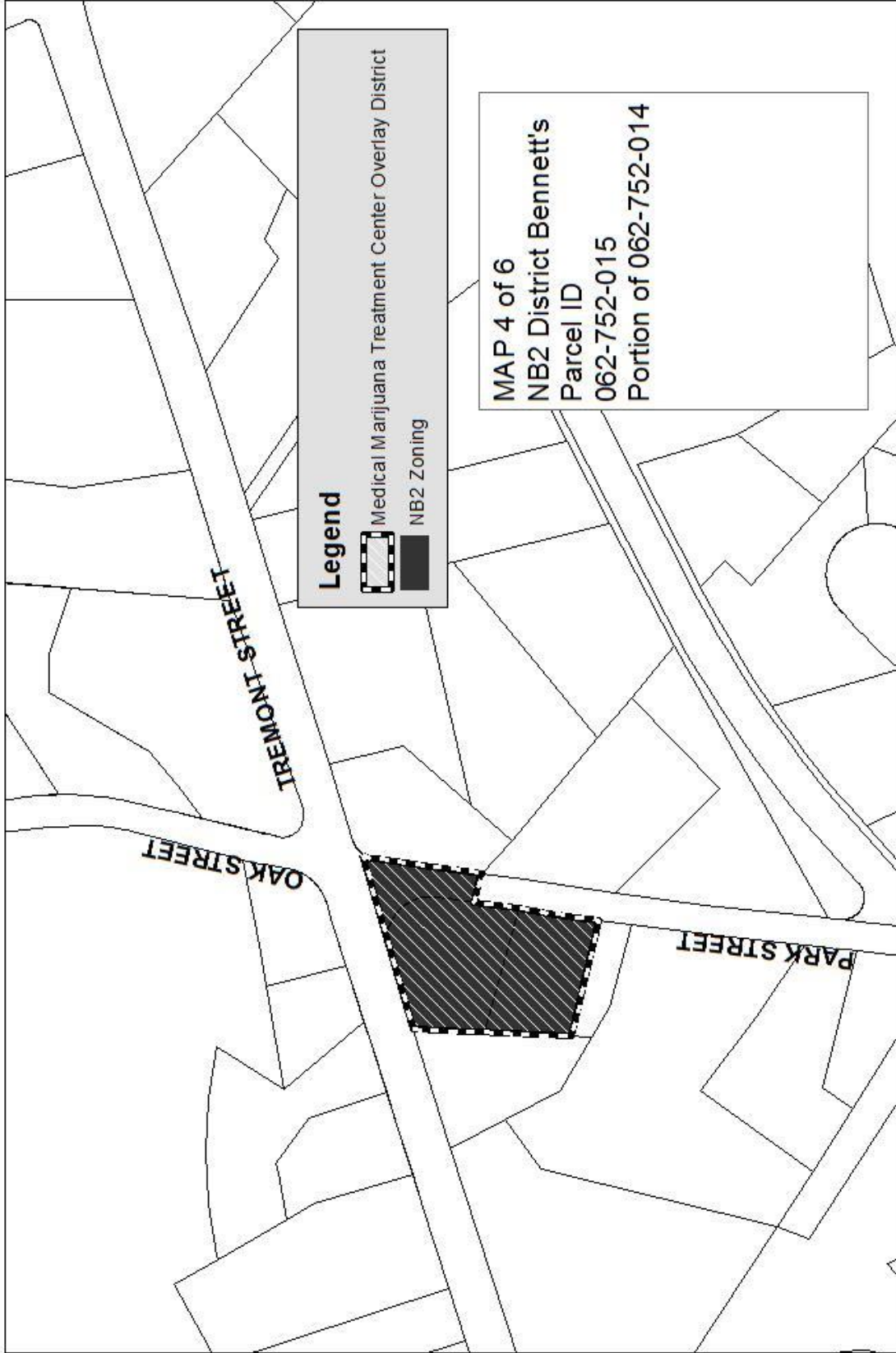


**Map to Accompany Article 14
 Duxbury Annual Town Meeting 2019
 Medical Marijuana Treatment Center Overlay Districts**





**Map to Accompany Article 14
Duxbury Annual Town Meeting 2019
Medical Marijuana Treatment Center Overlay Districts**



10050 0 100 Feet



**Map to Accompany Article 14
 Duxbury Annual Town Meeting 2019
 Medical Marijuana Treatment Center Overlay Districts**



200000 200 Feet



**Map to Accompany Article 14
 Duxbury Annual Town Meeting 2019
 Medical Marijuana Treatment Center Overlay Districts**



**Map to Accompany Article 14
 Duxbury Annual Town Meeting 2019
 Medical Marijuana Treatment Center Overlay Districts**

; or take any other action in relation thereto.

Proposed by the Planning Board

A two-thirds vote of Town Meeting is required to approve this article.

Explanation: At the 2012 state election, the voters approved Question 3, legalizing medical marijuana in Massachusetts, including what are now referred to as Medical Marijuana Treatment Centers (MMTCs) (previously called registered marijuana dispensaries, or RMDs). Voters in the Town of Duxbury voted 4,775 in favor and 3,100 opposed to legalizing medical marijuana.

The Massachusetts Department of Public Health (“DPH”), in accordance with that law, Chapter 369 of the Acts of 2012, entitled, “An Act for the Humanitarian Medical Use of Marijuana” developed a program regulating medical marijuana. In 2012, Duxbury Town Meeting voted to adopt a temporary moratorium on MMTCs while the DPH was creating regulations regarding the medical marijuana industry. The moratorium subsequently expired in 2014 and was deleted at the 2018 Annual Town Meeting from the Zoning Bylaws. No new moratorium would be approved by the Attorney General’s office.

Oversight of medical marijuana was transferred to the Cannabis Control Commission on December 31, 2018, pursuant to the provisions of the law approved by the voters at the 2016 State Election under Question 4, particularly section 64(d) of Chapter 55 of the Acts of 2017, legalizing recreational marijuana. As recently as 2018, the Attorney General’s office would not approve bylaws banning MMTCs.

Recently, those in attendance at some public meetings regarding MMTCs have voiced an interest in banning these facilities in Duxbury, although no public hearings on this issue have been held at this time. Town Counsel has advised the Town that, depending on whether new regulations are introduced by the Cannabis Control Commission, a ban may or may not be permissible at the local level. By state law, each county is required to host an MMTC, and Plymouth County has at least one licensed facility in nearby Plymouth, Massachusetts. Although much uncertainty surrounds the current state of the law on this topic, there appears to be a possibility that the Town can validly enact such a ban. Therefore, similar to the approach taken at last year’s Annual Town Meeting with regard to non-medical or recreational marijuana, a general bylaw ban and a zoning ban are being proposed – a so-called “belt and suspenders approach”.

There is nevertheless a possibility that the Cannabis Control Commission will enact regulations continuing to prohibit enactment of local bans on MMTCs. Although the Town has yet to hold hearings on where such facilities might best be sited in Town, in the event a ban is not approved by the Attorney General, and where the Town voted in favor of medical marijuana on the 2012 state ballot question, also included on the warrant is an alternative to create an overlay district.

Only one option – a complete ban or an overlay district siting the facilities – will be recommended to Town Meeting. In order to meet all legal requirements for Town Meeting in the appropriate timeframe, however, both alternatives are presented here and will be discussed through a series of public hearings held by the Planning Board, as required by law. We are also hopeful that the Cannabis Control Commission will provide further guidance by the time of Town Meeting, making it easier for the Planning Board to make a definitive recommendation.

Recommendations: *Board of Selectmen Voted 3-0 to Recommend
Finance Committee Vote – Available at Town Meeting*

ARTICLE 13 - DUXBURY SEAWALL REPAIRS

To see if the Town raise and appropriate, transfer from available funds, and/or borrow a sum of money to design, construct, reconstruct, maintain, repair, replace, and support the Duxbury Beach Seawall and any and all other incidental or related costs, and, to meet said appropriation, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow all or a portion of said sum under G.L. Chapter 44, Sections 7 or 8 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 the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, and the Board of Selectmen, acting pursuant to the authority granted under G.L. Chapter 80, shall assess betterments on all property benefited by the project for the purposes of recovering the costs thereof, further, to authorize the Board of Selectmen and/or its designee to apply for, accept and expend any state and/or federal grants and/or loans or other public or private funds that may be available for the project and to execute any and all documents and take all other action necessary or convenient to undertake this project; or take any other action in relation thereto.

Proposed by the Board of Selectmen, Town Manager and Seawall Committee

A two-thirds vote of Town Meeting is required to approve this article if a borrowing is authorized or a transfer from a stabilization fund is made.

Explanation: As a result of Winter Storm Riley in March 2018, the Duxbury Beach Seawall sustained substantial damage. At the September 6, 2018, Special Town Meeting, the voters approved funding to cover the costs of emergency, temporary repairs and services. The purpose of this article is to authorize spending for the costs associated with permanent repairs. Specific locations of damage are as follows:

South low wall along Ocean Road North

Much of the sea wall cracked with pieces of concrete separated from the wall. Wave action exposed and undermined the footing of many sections of the wall resulting in wall movement, both laterally and vertically of at least seven sections. At least six sections of the wall are leaning out toward the beach and one section is leaning back, landward. Existing cracks in an eighth section were widened and expanded during the storm compromising the structural integrity of the wall. The wave action and undermined sea wall resulted in loss of material from behind the wall, exposing the sea wall footing on the back side in many locations and exposing public infrastructure and private residences to damage.

South low wall near Cable Hill Way

Wave action exposed and undermined the footing of many sections of the wall resulting in wall movement of at least eight sections. The wave action and undermined sea wall resulted in loss of material behind the wall, exposing the footing on the back side in many locations. Two of the sections of wall, including footings toppled onto the beach creating a 100-foot wide void/breach in the sea wall. The two sections adjacent to the fallen sections are leaning toward the beach and the southern section has shifted seaward. Cracks formed throughout the wall and much of the upland behind the breach eroded. The extent of the erosion reached approximately 35 feet landward of the wall.

There are two parts to the project, the first of which is the replacement of the sections of seawall that have failed (about 800 linear feet) and are unable to provide the protection they were designed to provide. Without replacement, the remnants of the wall in the area of Ocean Road North and Cable Hill Way will continue to deteriorate and cause erosion of the private properties behind the wall as well as the public roads that provide access to those properties and the many others to the south. The second part of the project is to construct a revetment on the seaward side of the remainder of the unprotected seawall (approximately 2,175 linear feet) to protect the footing of the wall from undermining and failure. The stone revetment would extend about 13 to 15 feet seaward of the existing seawall. The seawalls protect Gurnet Road which provides access to about 300 properties south of Cable Hill Way and also provides public access to Duxbury Beach.

The replacement seawall is also proposed to be constructed with revetment footing protection which will extend about fifteen feet seaward of the existing seawall. The replacement seawall will be constructed with a deeper footing, including steel sheeting below the footing, and a higher top of wall elevation of 24.5 MLW. The proposed top of wall will be approximately two feet above the FEMA velocity zone base flood elevation to account for sea level rise and reduce wave overtopping. The proposed revetment, both at the replacement wall and along the existing wall, is proposed to be below the normal beach grade to minimize loss of beach area. All beach sand and cobble material excavated for construction of the seawall and revetment will be placed back on the beach. The revetment footing protection for the existing seawall is intended to protect those portions of unprotected wall until they are replaced with new wall. When funding becomes available and new sections of seawall are replaced, the revetment stone proposed to protect the existing wall under this project will be reused as footing protection for the new wall.

The Town applied for funding from the State Executive Office of Energy and Environmental Affairs Dam and Seawall Fund for seawall reconstruction and was awarded a \$1,000,000 grant and a \$2,000,000 low interest loan. Further, the Town is seeking reimbursement for the project from FEMA up to 75% of the project cost. Additionally, betterments would be assessed to the homeowners to pay a portion of the costs. The design and permitting are estimated to be completed by March 2019 and construction would be anticipated to start in spring/early summer of 2019.

***Recommendations: Board of Selectmen Vote – Available at Town Meeting
Finance Committee Vote – Available at Town Meeting***

ARTICLE 14 – FUNDING OF ENGINEERING AND DESIGN WORK RELATED TO THE PROPOSED DEPARTMENT OF PUBLIC WORKS FACILITY

To see if the Town will raise and appropriate, transfer from available funds and/or borrow a sum of money to be expended under the direction of the Town Manager for engineering and design services for the construction of a new Department of Public Works facility to be located at 878 Tremont Street, also shown as Assessors Map Parcel No. 092-500-016, and any and all incidental and related expenses, and to meet said appropriation, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow all or a portion of such sum of money under M.G.L. Chapter 44, Sections 7 or 8 or any other enabling authority and issue bonds and 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 premium applied to the payment of costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. Chapter 44, Section 20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs, and to authorize the Board of Selectmen, and/or its designee, to apply for, accept and expend any state and/or federal grants and/or loans or other public or private funds that may be available for the project and to execute any and all documents and take all other action necessary or convenient to undertake this project; provided, however, that the vote taken hereunder shall be expressly contingent upon

approval by the voters of the Town of a Proposition 2 ½, so-called, debt exclusion question, to exempt from the limitation on total taxes imposed by G.L. c.59, §21C the amounts required to pay the principal and interest on said borrowing; or take any action in relation thereto.

Proposed by the DPW Director and Town Manager

A two-thirds vote of Town Meeting is required to approve this article if a borrowing is authorized or a transfer from a stabilization fund is made.

Explanation: The Town of Duxbury Department of Public Works Facility has exceeded its useful life and is no longer capable of supporting our vital public works operations. The Department of Public Works is a branch of the emergency services offered to the community and is responsible for maintaining the infrastructure that the community relies on each day. The current facility is undersized, inefficient, and does not meet today's codes. Public works services have increased significantly over the years but the antiquated facilities have not kept pace. Due to the lack of space, the facilities do not provide staff with the necessary space to properly maintain and protect the Town's investment in the multi-million dollar fleet used to maintain the community's infrastructure. In addition, the facilities lack basic employee support spaces resulting in inadequate and unsafe working conditions for our Town employees.

This article will allow the Town to advance the design of a new facility which will meet the needs of the Department of Public Works and the community now and into the future. Once the design has been completed, we will seek competitive bids through a public procurement process and will present the most responsive and responsible bid to the Town at a subsequent Town Meeting to fund the construction of the new facility. The new facility will not only benefit the Department of Public Works by providing a safe and efficient work environment for our staff, it will also benefit the community by allowing the Department of Public Works to provide more efficient services while protecting the Town's investment in the multi-million dollar fleet.

Recommendations: *Board of Selectmen Vote – Available at Town Meeting
Finance Committee Voted 8-0 to Recommend*

ARTICLE 15 - ESTABLISH A CAPITAL IMPROVEMENT STABILIZATION FUND

To see if the Town will vote to establish a Capital Improvement Stabilization Fund, pursuant to Massachusetts General Laws Chapter 40, 5B, for the purpose of funding new capital projects or making debt payments related to new and existing capital projects; or take any action in relation thereto.

Proposed by the Finance Director, Town Manager and Finance Committee

A two-thirds vote of Town Meeting is required to approve this article.

Explanation: This will allow the Town to put aside funds for Capital Projects to offset budget constraints for future years. Such a fund can also help prevent debt service appropriations from dropping off into the operating budget by preserving them for capital.

Recommendations: *Board of Selectmen Voted 2-0 to Recommend
Finance Committee Voted 8-0 to Recommend*

ARTICLE 16 - APPROPRIATE FUNDS INTO THE CAPITAL IMPROVEMENT STABILIZATION FUND

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to the Capital Improvement Stabilization Fund; or take any action in relation thereto.

Proposed by the Finance Director, Town Manager and Finance Committee

Explanation: To begin funding a Capital Improvement Stabilization Fund. Per M.G.L. Chapter 44 § 20 Surplus proceeds of any amount may be appropriated for any purpose for which the city, town or district may borrow for an equal or greater term than the term for which that loan was issued. By closing these projects out to a Capital Reserve Fund the intent is to use these monies and future contributions to defray the cost of the Town's next major project(s).

Recommendations: *Board of Selectmen Voted 2-0 to Recommend*
Finance Committee Voted 8-0 to Recommend

ARTICLE 17 – INCREASE THE AMOUNT OF THE AMBULANCE RECEIPTS RESERVED FOR APPROPRIATION ACCOUNT

To see if the Town will increase from \$50,000 to \$100,000 the limit on ambulance receipts credited to the M.G.L. Chapter 40, Section 5F, Ambulance Receipts Reserved for Appropriation Account, which account is automatically credited with a portion of fees or charges paid by persons transported by Town ambulances, and to appropriate from such account a sum or sums of money, and to authorize the Town Manager to expend such funds for the purchase, maintenance and operation of such ambulances, including maturing debt and interest; or take any action in relation thereto.

Proposed by the Finance Director and Town Manager

Explanation: At the March 2015 Annual Town Meeting, the voters approved an article establishing a separate account (the Ambulance Receipts Reserved for Appropriation Account) for the purpose of purchasing, maintaining and operating ambulances. This proposed article seeks to increase that amount from \$50,000 of the ambulance fees to \$100,000 to be set aside and allocated to this account annually.

Recommendations: *Board of Selectmen Voted 2-0 to Recommend*
Finance Committee Voted 8-0 to Recommend

ARTICLE 18 - AMEND GENERAL BYLAWS – ENFORCEMENT OF TAX REGULATIONS AND AUTHORITY FOR PARTIAL TAX PAYMENTS

To see if the Town will amend the General By-laws by inserting a new Chapter 14 “Tax Title Payment Plans” for the purpose of allowing the Town to enter into payment agreements as follows:

CHAPTER 14: TAX TITLE PAYMENT PLANS

14. 1. Pursuant to the provisions of G.L. c. 60, §62A, the Treasurer-Town Collector shall be authorized to enter into written payment agreements with every person entitled to redeem ownership of parcels in tax title which have been taken by the Town as a result of nonpayment of real estate taxes. The payment agreement shall be executed on such terms and conditions for payment of the delinquent taxes, interest and any other costs, fees or charges associated with same, in accordance with G.L. c. 60, §62A and this by-law. The Treasurer-Town Collector shall not refuse to enter into agreements with eligible taxpayers.
- 14.2 This by-law shall apply to all taxpayers with parcels in the following assessment categories of tax title in the Town:
- a. Commercial property;
 - b. Residential property;
 - c. Industrial; and
 - d. Open space.
- 14.3 The following conditions shall be met prior to the Town entering into a payment agreement:
- a. The Town has not filed a petition to foreclose the rights of redemption with the Land Court, and the recording date of the Instrument of Taking recorded in the Plymouth County Registry of Deeds shall be no more than ten (10) years from the date of the proposed agreement; and
 - b. All real estate taxes due for the current fiscal year assessed against the parcel shall be paid to date.
- 14.4 All payment agreements shall comply with the following minimum requirements:
- a. The payment agreement shall be for a term of five (5) years, provided, however, that nothing herein shall preclude the taxpayer from completing payments of the amount owed within a shorter period of time;
 - b. The payment agreement shall include a waiver of 50% of the interest that has accrued in the tax title account, but only if the taxpayer complies with the terms of the agreement (no taxes or collection costs may be waived); and
 - c. The payment agreement shall state the amount of the payment due from the taxpayer at the time of execution of the agreement, which shall be at least twenty-five percent (25%) of the amount needed to redeem the parcel at the inception of the agreement. The taxpayer shall then agree to pay the remaining balance due to the Town in equal monthly installments.
- 14.5 After the Town has received seventy-five percent (75%) of the total amount due, the taxpayer shall be entitled to a credit equal to twenty-five percent (25%) of the accrued interest on the tax title account. This credit shall be applied against the final installment payment(s) due under the payment agreement.

14.6 During the term of the agreement, the Treasurer-Town Collector shall not bring an action to foreclose the tax title unless payments are not made in accordance with the schedule set out in the payment agreement or timely payments are not made on other amounts due to the Town that constitute a lien on the same parcel.

; or take any other action in relation thereto.

Explanation: State law requires that the Town enact a by-law in order to permit the Treasurer/Collector to enter into written payment agreements with persons entitled to redeem ownership of parcels of in tax title which have been taken by the Town as a result of nonpayment of real estate taxes. This article, which was originally sponsored by the Government Study Committee, was approved by the voters at the March 2018 Annual Town Meeting. Subsequent to that action, the article was forwarded to the Attorney General's office for review however that office did not approve the language as presented in the article as passed. Since that time, Town Counsel has reviewed the language and made the necessary revisions to the proposed article.

Proposed by the Town Manager and Finance Director

Recommendations: *Board of Selectmen Voted 2-0 to Recommend*
Finance Committee Voted 8-0 to Recommend

ARTICLE 19 – DISPOSITION OF TOWN LAND – KEENE STREET

To see if the Town will vote to transfer from the tax custodian for tax title purposes to the Board of Selectmen for the purpose of conveyance, the care, custody and control of Town-owned parcel of land located off Keene Street, identified by the Assessor as Parcel 025-500-006, containing 3.5 acres of land, more or less, and described in instrument of taking recorded with the Plymouth County Registry of Deeds in Book 1711, Page 524 and foreclosure affidavit in Book 1784, Page 567, and authorize the Board of Selectmen to convey said parcel on such terms and conditions and for such consideration as the Board of Selectmen deems in the best interests of the Town, which may be in exchange for land of conservation value to be conveyed to the Conservation Commission, or take any action in relation thereto.

Proposed by the Conservation Commission

A two-thirds vote of Town Meeting is required to approve this article.

Explanation: The Town seeks authority to solicit proposals to dispose of a parcel of land locked land that the Town acquired by tax taking located off Keene St.

Recommendations: *Board of Selectmen Voted 3-0 to Recommend*
Finance Committee Voted 8-0 to Recommend

ARTICLE 20 - CITIZENS' PETITION TRANSFER OF TOWN-OWNED LAND ACQUIRED BY TAX TITLE TO THE CONSERVATION COMMISSION – SOUTH RIVER LANE EAST

To see if the Town will vote to transfer the care, custody and control of the Town-owned parcels of land located off of South River Lane East and identified as Duxbury Assessor's Parcels 041-500-023, 041-500-024, 041-500-025, and 041-500-026, which were acquired by the Town by Judgment In Tax Lien Case recorded with the Plymouth County Registry of Deeds in Book 26766, Pages 176-178 and Book 26738, Page 223 , from the tax custodian for tax title purpose to the Conservation Commission under the provisions

of M.G.L. c.40 §8C and to dedicate said parcels for conservation purposes in perpetuity under Article 97 of the Massachusetts Constitution, or take any action in relation thereto.

Proposed by Citizens' Petition

A two-thirds vote of Town Meeting is required to approve this article.

Explanation*: Since the 1970s there have been several attempts to develop these particular lots. All attempts have been denied by the town due to the lot characteristics:

- High groundwater
- Wetlands
- Existing topography of the area which makes surface drainage very challenging

The latest of these development attempts resulted in a protracted lawsuit between the owners and the Town of Duxbury because the Board of Health denied a building permit. In letter dated February 7, 2000, after review of one of the development proposals, the Board of Health rejected the plans for development of these lots for the following reasons:

- The applicant has not demonstrated that the mounding of the septic systems on these lots would not adversely impact the drainage in the area/or in the area of the abutters
- The applicant has not demonstrated that the soil conditions at the sites could support the proposed systems

The decision by the Duxbury's Board of Health was upheld by a Massachusetts court. These parcels were then acquired in October 2003 by the Town by Judgement in a Tax Lien Case. When the FEMA updated their flood maps recently, these parcels are now located in a flood zone. The Town of Duxbury's Assessors GIS maps also show that these lots are "wooded marsh" wetlands. These parcels are adjacent to conservation land that protects the South River and Garside Bogs. For the reasons mentioned above, we would like to have the Town of Duxbury transfer these parcels to the Conservation Commission.

** Note that this explanation was provided by the petitioners and is not fact-checked or endorsed by the Town.*

Recommendations: *Board of Selectmen Voted 3-0 to Recommend
Finance Committee Voted 8-0 to Recommend*

ARTICLE 21 - CITIZENS' PETITION - EXCHANGE OF PROPERTY

To see if the Town will vote to authorize the Board of Selectmen to exchange title to a parcel of town-owned land off Keene Street containing approximately 3.5 acres of land and shown on the Assessor's Maps as Parcel 025-500-006 for approximately 18.1 acres of land known as and numbered 0 Union Street presently owned by A.W. Perry, Inc. and shown on the Assessor's Maps as Parcel 011-070-000, under such terms and conditions as such Board determines to be appropriate, or take any other action relative thereto.

Proposed by Citizens' Petition

A two-thirds vote of Town Meeting is required to approve this article if property must be transferred from one board to another or from one purpose to another.

Explanation: The Town owns an isolated parcel of vacant land off of Keene Street containing approximately 3.5 acres of land. The Town and A.W. Perry, owner of the surrounding land, have been in discussions about the future use of the A.W. Perry land on Keene Street. As part of these discussions, A.W. Perry has proposed conveying a significantly larger parcel of land containing 18.1 acres, more or less, off of Union Street that abuts other Duxbury Conservation land in exchange for the Town conveying to it the town-owned land off of Keene Street. The exchange allows the Town to acquire a substantially larger parcel of land with significant conservation and open space value in exchange for smaller low value parcel with no access.

Recommendations: *Board of Selectmen Voted to Indefinitely Postpone
Finance Committee Voted to Indefinitely Postpone*

ARTICLE 22 - CONSERVATION LAND DONATION

To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift and/or eminent domain, three parcels of land located off Pine Point Road, containing a total of 12.6 acres, more or less, identified as Assessor's Parcels 132-054-000, 141-043-000, and 141-044-000, and described in a deed recorded with the Plymouth County Registry of Deeds in Book 2073, Page 138, said property to be acquired for and dedicated to conservation and passive recreation purposes in perpetuity and under the care, custody and control of the Conservation Commission pursuant to the provisions of G.L. c.40, §8C, or take any other action in relation thereto.

Proposed by the Conservation Commission

Explanation: The family owning this land wishes to donate the parcels to the Conservation Commission.

Recommendations: *Board of Selectmen Voted 3-0 to Recommend
Finance Committee Voted 8-0 to Recommend*

ARTICLE 23 - CITIZENS' PETITION – AUTHORIZE ABUTTERS NOTICE FOR BUILDING PERMITS

To see if the Town will authorize the building department to provide abutters with a written notice of building projects that require the issuance of a building permit. Building projects with a construction value of less than \$50,000.00 dollars are exempt, or take any action related to this article.

Proposed by Citizens' Petition

Explanation*: Currently, residents of the Town are notified of building projects adjacent to their property only if a special permit or variance are required. At the present time, the only way an abutter would know of a pending construction project adjacent to their property requires them to review all issued permits each month. This article simply enables abutters to be informed, in a timely manner, of planned construction events that may have an impact on their property and their neighborhood. The marginal additional costs for postage would be included in the building permit application fees.

*** Note that this explanation was provided by the petitioners and is not fact-checked or endorsed by the Town.**

Recommendations: *Board of Selectmen Vote – Available at Town Meeting*

Finance Committee Vote – Available at Town Meeting

ARTICLE 24 - CITIZENS' PETITION – EXPAND THE SIZE OF THE BOARD OF SELECTMEN BY INCREASING ITS MEMBERSHIP FROM THREE TO FIVE

To see if the Town will expand the size of the Board of Selectmen by increasing its membership from three to five, or take any action in relation thereto.

Explanation*: Commonwealth of Massachusetts Division of Local Services recommends “expanding the Board of Selectmen by increasing its membership from three to five. A three-member board works well with population under 10,000, in which selectmen play stronger roles in daily municipal affairs. However, Duxbury has over 15,000 residents (including 3,000 students), manages an operating budget of \$78M, and provides a wide array of municipal services. Five-member board offers broader representation of viewpoints, enhances problem solving, and enables more research and analysis. It also reduces risk of dominating biases, open meeting law violations and conflict of interest. With no more than two members elected each year, the board will also experience greater stability and continuity”

Proposed by Citizens' Petition

** Note that this explanation was provided by the petitioners and is not fact-checked or endorsed by the Town.*

Recommendations: *Board of Selectmen Vote – Available at Town Meeting
Finance Committee Vote – Available at Town Meeting*

ARTICLE 25 – AMEND ZONING BY-LAWS - ARTICLE 600 - DEMOLITION OF HISTORICALLY SIGNIFICANT BUILDINGS - 609.3 PROCEDURES

To see if the Town will amend the Zoning Bylaws, Section 609.3, Procedures, with text to be inserted shown in bold underline (such markings for illustrative purposes only), as follows:

A decision by the Commission is transferable to another party; however, it expires two years from the date of the determination. If demolition has not occurred prior to the expiration of the determination, a new application for a demolition permit must be filed prior to any subsequent demolition.

; or take any other action in relation thereto.

Proposed by the Planning Board

A two thirds vote of Town Meeting will be required to approve this article.

Explanation: The Historical Commission brought this article forward to the 2018 Town Meeting with a proposal included for non-transferability of the permit. The Planning Board supported the 2 year time limit, but is offering that the demolition delay run with the land, rather than be non-transferable, and is recommending adding the language to clarify the matter.

Recommendations: *Board of Selectmen Voted 3-0 to Recommend
Finance Committee Vote – Available at Town Meeting*

ARTICLE 26 – AMEND ZONING BY-LAWS - ARTICLE 600 - DEMOLITION OF HISTORICALLY SIGNIFICANT BUILDINGS - 609.3 PROCEDURES

To see if the Town will amend the Zoning Bylaws, Section 609.3, Procedures, with text to be inserted as shown in bold underline and text to be deleted shown in strikethrough (such markings for illustrative purposes only), as follows:

609.3 Procedures

No permit for the demolition of any building or structure shall be issued other than in conformity with this Bylaw. Upon receipt of an application for a demolition permit, the Zoning Enforcement Officer shall forward a copy to the Historical Commission and to the Planning Director.

Within thirty (30) business days of receipt of the application from the Zoning Enforcement Officer to the Commission, the Commission shall make a determination whether or not the building or structure is a “regulated building or structure.” If the Commission determines that the building or structure is not regulated by this Bylaw, it shall sign the permit immediately and forward it to the Zoning Enforcement Officer who shall issue the permit.

If the Commission determines that the building or structure is regulated by this Bylaw, it shall review the application for demolition at a public hearing to be held within twenty (20) business days of determining that the building or structure is a regulated building or structure. The Commission shall publish a notice of the hearing in a newspaper of local circulation during each of the two weeks preceding the date of the public hearing, noting the date, location and subject of the hearing. Such notice shall be paid for by the applicant for a demolition permit. The Commission shall also mail, certified return receipt, a copy of said notice to the applicant, and, by regular mail, to the owners of all properties within three hundred (300’) feet of the regulated building’s or structure’s property as they appear on the most recent real estate tax list of the Board of Assessors; and the Planning Board.

No ~~less~~ **more** than ten (10) business days after the public hearing on the demolition permit, the Commission shall make its determination and notify the applicant in writing stating its reasons with a copy to the Zoning Enforcement Officer and Planning Director.

If a determination is made that the building or structure is historically significant meeting one of the three criteria of a “regulated building or structure,” the Zoning Enforcement Officer shall not issue a demolition permit for a period of ~~six (6)~~ **twelve (12)** months from the date of ~~notification to the Zoning Enforcement Officer~~ **determination**.

Once the Commission determines the building or structure is historically significant and demolition should be delayed, **within forty five (45) days**, the Commission shall invite the owner of record of the building, the Zoning Enforcement Officer, the Planning Director, and a representative of the Design Review Board to participate in an investigation of alternatives to demolition including but not limited to incorporation of the building or structure; utilization of financial incentives to rehabilitate the building or structure; seeking new owners willing to purchase and preserve, restore or rehabilitate the building or structure, or moving the building or structure.

The Zoning Enforcement Officer may issue a demolition permit prior to the expiration of the ~~six (6)~~ **twelve (12)** month period after receiving written notice from the Commission that:

- a) The Commission is satisfied that there is no reasonable likelihood that either the owner of some other person or group is willing to purchase, preserve, rehabilitate, restore or relocate such building or structure; or
- b) The Commission is satisfied that the owner has made continuing, bona fide, and reasonable efforts to locate a purchaser to preserve, rehabilitate, restore or relocate the subject building or structure, and that such efforts have been unsuccessful. These efforts could include, but not be limited to, listing the building with a realtor or realtors, advertising in local general circulation newspapers; and advertising in one Boston general circulation newspaper; or
- c) The applicant has agreed to accept specific conditions approved by the Commission.

In an emergency, nothing in this Bylaw shall prohibit the Zoning Enforcement Officer from exercising the authority of G. L. c. 143, but the Zoning Enforcement Officer shall make every reasonable effort to inform the Commission of his actions in such an emergency.

; or take any other action in relation thereto.

Proposed by the Planning Board

A two thirds vote of Town Meeting will be required to approve this article.

Explanation: As of November 2018 according to the Massachusetts State Historic Commission, 152 towns have demolition delay bylaws. The delays range from about 43% at 6 months, 29% at 12 months, 10 (6%) to 18 months, and one town as long as 24 months. Eighteen (18) communities are shorter, from one as short as 21 days with the majority of these in the range of 3 to 9 months. Locally, the Duxbury Historical Commission, who enforces the delay, has requested that Town Meeting consider increasing the delay from 6 to 12 months at the last three town meetings, in order to provide adequate time to review possible options for seeking funds or alternatives to demolition in the event that the Historical Commission feels that such action is deemed important. Each time the Historical Commission has withdrawn the article prior to Town Meeting action on the request.

Recommendations: *Board of Selectmen Voted 3-0 to Recommend
Finance Committee Vote – Available at Town Meeting*

ARTICLE 27 – AMEND ZONING BY-LAWS - ARTICLE 425 INTENSITY AND DIMENSIONAL REGULATIONS FOR ALL NEIGHBORHOOD BUSINESS DISTRICTS SECTION 425.1 NUMBER 5 ENTITLED “LOT AREA, FRONTAGE, DEPTH DIMENSIONS AND COVERAGE,”

To see if the Town will amend the Zoning Bylaws, Article 425 Intensity and Dimensional Regulations for all Neighborhood Business Districts, Section 425.1, Number 5, Lot Area, Frontage, Depth Dimensions and Coverage, with text to be inserted shown in bold underline and text to be deleted shown in strikethrough (such markings for illustrative purposes only), as follows:

425 INTENSITY AND DIMENSIONAL REGULATIONS FOR ALL NEIGHBORHOOD BUSINESS DISTRICTS

425.1 Lot Area, Frontage, Depth Dimensions and Coverage

5. In a Neighborhood Business District, no accessory building or structure shall be located within the required front setback. Accessory structures may be appended to the principal building or to another accessory building.
- a) Corner Clearance – Within the triangle formed by the lines of intersecting ways and a line joining points on such lines fifteen feet distance from their point of intersection, or in the case of a rounded corner, the point of intersection, or in the case of a rounded corner, the point of intersection of their tangents, no structure and no foliage shall be maintained between a height three and one-half (3.5) feet and height of eight (8) feet above the plan through their curb grades.
 - b) Projections – Nothing herein shall prevent the projection of steps, stoops, not exceeding thirty square feet in any area, cornices, window sills or belt courses into any required setback.
 - c) Height – Maximum height shall be thirty (30) feet in NB 1 and NB 2.
 - d) Exemptions to Height Regulations – The limitations of height in feet shall not apply to chimneys, elevators, poles, ventilators, skylights, tanks, bulkheads, and other accessory structural features usually carried above roofs, nor to domes, towers, or spires of churches or other buildings provided such features are in no way used for living purposes and further provided that no such structural feature of any building shall exceed a height of sixty-five (65) feet from the ground. The Board of Appeals may grant a special permit for greater height for such structures and provided such greater height would not be hazardous or detrimental to the neighborhood.
 - e) Site Coverage – In NB1 and NB2 Districts the maximum site coverage of a lot shall be no more than ~~fifty~~ **seventy** percent (~~50%~~**70%**) of the total area of the lot as defined in Section 302 and not “Lot Area.”
 - f) Bedrooms – Above ground floor apartments in Neighborhood Business Districts 1 and 2 shall be limited to no more than two (2) bedrooms.
 - g) Reduction of Minimum Requirements – No lot, setback, court or other open space already having less than the minimum requirements in this Bylaw shall be further divided or reduced with respect to such minimum requirement or requirements.

; or take any other action relative thereto.

Proposed by the Planning Board

A two thirds vote of Town Meeting will be required to approve this article.

Explanation: Duxbury has less than 5% of its land dedicated to Neighborhood Business District uses in the Town. In 2008-2010, a Lot Coverage/Parking Working Group did an intensive review of coverage and site design elements to make recommendations for improved site development in these areas. The Working Group brought forth several recommendations to improve site design which were adopted by Town Meeting. At the time, however, no consensus was reached in making a recommendation for increasing the coverage requirements, where the 50% existing maximum lot coverage is found to be insufficient due to the overage of parking that is pervious pavement or gravel and therefore left as treated at a lesser level than

stormwater managed in paved areas in comparison [recommendations were split, according to the minutes: 70% (2-3) and 60% (2-3)]. The reasons for a lack of consensus were twofold according to the minutes: the water quality treatment standards at the time, and concerns regarding massing at the level of 70% coverage. The study found that most of the business districts are at a ratio of 70% coverage, and recent interviews with local commercial property owners confirm that this is a viable ratio for the success of their commercial sites.

Water quality treatment designs for parking lots have improved since 2010, and there is a clear need to improve the treatment of runoff from parking areas in a more consistent manner. Pretreatment, rather than direct infiltration, of stormwater from these areas is the preferred method, and can be attained through proper engineering and design. By allowing for increased parking areas that are paved, water quality will be improved. Current coverage requirements of 50% limit the needed and constructed parking to combinations of traditional pavement with additional gravel or pervious pavement parking, neither of which accomplishes the goal of improved water quality as well as the pre-treatment option. In addition, the maintenance and upkeep of standard pavement (rather than a mix of paving and gravel, or the shorter lifetime of pervious pavement which cannot tolerate the wear and tear of vehicular traffic in the same manner as traditional pavement with today's technology) will improve the overall aesthetics of these sites, and will reduce the maintenance costs to property owners in the community.

All of the allowed uses in the Neighborhood Business Districts require an approximate 1:1 ratio of parking in terms of the commercial use, and the height limit on buildings throughout the town caps the size of the commercial structures, limiting the size of commercial buildings.

For reference, the definition of Coverage in Section 302 is as follows:

1. **Building:** The maximum percentage of a lot in any district which is covered by buildings which constitute principal and accessory uses thereof. Garages, barns, storage sheds or additions and alterations to the principal residential building occupying the lot shall not be exempt from the definition of building coverage.
2. **Site:** The percentage of a lot in any district which is covered by impervious structures, including the principal building and accessory structures on the lot. For the purposes of this section, such impervious structures shall include, and not be limited to, paved driveways and parking areas, sidewalks constructed of impervious materials, principal and accessory structures and other on-site amenities that render any portion of a lot impervious.

***Recommendations: Board of Selectmen Voted 3-0 to Recommend
Finance Committee Vote – Available at Town Meeting***

ARTICLE 28 – AMEND ZONING BY-LAWS - ARTICLE 400 – USE, INTENSITY, DIMENSIONAL AND COVERAGE REGULATIONS FOR ALL DISTRICTS, SECTION 425.1 INTENSITY AND DIMENSIONAL REGULATIONS FOR ALL NEIGHBORHOOD BUSINESS DISTRICTS, NUMBER 4, LOT DIMENSION FOR NB-1 AND NB-2

To see if the Town will amend the Zoning Bylaws, Article 425, Intensity and Dimensional Regulations for all Neighborhood Business Districts, and in particular, Section 425.1, Lot Area, Frontage, Depth Dimensions and Coverage, Number 4, Lot Dimension for NB-1 and NB-2, with text to be inserted shown in bold underline (such markings for illustrative purposes only), as follows:

425 INTENSITY AND DIMENSIONAL REGULATIONS FOR ALL NEIGHBORHOOD BUSINESS DISTRICTS

425.1 Lot Area, Frontage, Depth Dimensions and Coverage

1. Minimum lot size for NB-L is 30,000 square feet.
2. Lot Dimension for NB-L:
 - Frontage 200 linear feet
 - Depth 100 linear feet
 - Front setback 25
 - Side setback 25 to residential use; 0 to NB-1 or NB-2
 - Rear setback 15 to residential use; 0 to NB-1 or NB-2
3. Minimum lot size for NB-1 and NB-2 is 15,000 square feet.
4. Lot Dimension for NB-1 and NB-2:
 - Frontage 100 linear feet
 - Depth 100 linear feet
 - Front setback 10 linear feet
 - Side setback 0 linear feet
 - Rear setback 0 linear feet
5. In a Neighborhood Business District where present buildings are less than forty (40) feet from the right-of way line, new buildings may be placed as near the right-of- way line as the average buildings on said adjoining lots. A vacant lot shall, for this purpose, be treated as though occupied by a building set back forty (40) feet.
6. The minimum front setback shall be measured from the right-of-way giving legal access to any lot where a plan of the way is on file with the Registry of Deeds or, in the absence of such a plan, from a line twenty feet from and parallel with the center line of the traveled way. In the case of a corner lot, the distance of the front setback shall apply to any structure adjacent to either right-of-way.
7. In a Neighborhood Business District, no accessory building or structure shall be located within the required front setback. Accessory structures may be appended to the principal building or to another accessory building.

- a) Corner Clearance – Within the triangle formed by the lines of intersecting ways and a line joining points on such lines fifteen feet distance from their point of intersection, or in the case of a rounded corner, the point of intersection, or in the case of a rounded corner, the point of intersection of their tangents, no structure and no foliage shall be maintained between a height three and one-half (3.5) feet and height of eight (8) feet above the plan through their curb grades.
- b) Projections – Nothing herein shall prevent the projection of steps, stoops, not exceeding thirty square feet in any area, cornices, window sills or belt courses into any required setback.
- c) Height – Maximum height shall be thirty (30) feet in all NB Districts.
- d) Exemptions to Height Regulations – The limitations of height in feet shall not apply to chimneys, elevators, poles, ventilators, skylights, tanks, bulkheads, and other accessory structural features usually carried above roofs, nor to domes, towers, or spires of churches or other buildings provided such features are in no way used for living purposes and further provided that no such structural feature of any building shall exceed a height of sixty-five (65) feet from the ground. The Board of Appeals may grant a special permit for greater height for such structures and provided such greater height would not be hazardous or detrimental to the neighborhood.
- e) Site Coverage – In all NB Districts the maximum site coverage of a lot shall be no more than fifty percent (50%) of the total area of the lot as defined in Section 302 and not “Lot Area.”
- f) Bedrooms – Above ground floor apartments in all Neighborhood Business Districts shall be limited to no more than two (2) bedrooms.
- g) Reduction of Minimum Requirements – No lot, setback, court or other open space already having less than the minimum requirements in this Bylaw shall be further divided or reduced with respect to such minimum requirement or requirements.

Proposed by the Planning Board

A two thirds vote of Town Meeting will be required to approve this article.

Explanation: To correct a scrivener’s error in the warrant that unintentionally changed the Front setback to 0 when it is to remain at 10. Said error was made in the 2018 Special Town Meeting.

Recommendations: *Board of Selectmen Voted 3-0 to Recommend
Finance Committee Vote – Available at Town Meeting*

ARTICLE 29 – FARM MANAGEMENT AGREEMENTS

To see if the Town will vote to authorize the Board of Selectmen to enter into agreements for terms up to ten years, in accordance with M.G.L. Chapter 30B for the management of the Cherry Lane Bog and the Duxbury Bog; or take any other action in relation thereto.

Proposed by the Conservation Commission

Explanation: To allow the Board of Selectmen to enter into two farm management agreements, each for a ten year period. The existing agreements will expire in 2019.

Recommendations: *Board of Selectmen Voted 3-0 to Recommend
Finance Committee Voted 8-0 to Recommend*

ARTICLE 30 – CPC: OPERATING FUND

To see if the Town will, upon recommendation of the Community Preservation Committee, appropriate from the Community Preservation Act Fund, in accordance with M.G.L. Chapter 44B, such sums of money as it determines necessary for the administrative expenses and charges for operation of the Community Preservation Committee, for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020 inclusive; or take any other action in relation thereto.

Proposed by the Community Preservation Committee

Explanation: The approval of this article provides annual funding for the administrative and operational costs of the Community Preservation Committee which includes incidental project costs associated with the Community Preservation Committee. Under the CPA Act, up to 5% of the annual CPA funds may be spent on the operation and administrative costs of the Community Preservation Committee. It is necessary to re-authorize the appropriation on an annual basis.

Recommendations: *Board of Selectmen Vote – Available at Town Meeting
Finance Committee Voted 8-0 to Recommend*

ARTICLE 31 – CPC: ALLOCATIONS

To see if the Town will, upon recommendation of the Community Preservation Committee, transfer from the Community Preservation Fund FY20 estimated annual revenues, Open Space Reserve, the Community Housing Reserve and Historic Resources Reserve, as required by the Community Preservation Act, M.G.L. Chapter 44B, Section 6; or take any other action in relation thereto.

Proposed by the Community Preservation Committee

Explanation: The purpose of this article is to comport with the provisions of M.G.L. Chapter 44B, Section 6, which requires that every fiscal year, upon recommendation of the Community Preservation Committee, Town Meeting shall spend, or set aside for later spending, not less than 10 per cent of the annual revenues in the Community Preservation Fund for open space, including land for recreational use, not less than 10 per cent of the annual revenues for historic resources and not less than 10 per cent of the annual revenues for community housing.

Recommendations: *Board of Selectmen Vote – Available at Town Meeting
Finance Committee Voted 8-0 to Recommend*

ARTICLE 32 – TOWN CLERK RECORDS PRESERVATION

To see if the Town will, upon recommendation of the Community Preservation Committee, appropriate from the Community Preservation Fund a sum of money for the preservation and repair of permanent records; or take any other action in relation thereto.

Proposed by the Community Preservation Committee

Explanation: The Town Clerk is seeking funding to take measures to preserve 12 books of permanent records dating back to 1815. This request is phase two of a three phase project.

Recommendations: *Board of Selectmen Vote – Available at Town Meeting
Finance Committee Voted 8-0 to Recommend*

ARTICLE 33 – HISTORIC RECORDS CONSERVATION PROJECT

To see if the Town will, upon recommendation of the Community Preservation Committee, appropriate from the Community Preservation Fund a sum of money for the preservation and digital imaging of historic records and/or appropriate such funds as a grant for the purposes of, and to authorize the Board of Selectmen to enter into a grant agreement for such purposes on terms deemed by the Board of Selectmen to be in the best interest of the Town; or take any other action in relation thereto.

Proposed by the Community Preservation Committee

Explanation: The First Parish Church is seeking funding to take measures to conserve and digitize two books of historic permanent records dating from 1739 to 1825 and from 1826 to 1904.

Recommendations: *Board of Selectmen Vote – Available at Town Meeting
Finance Committee Voted 8-0 to Recommend*

ARTICLE 34 – DUXBURY HOUSING AUTHORITY IMPROVEMENTS

To see if the Town will, upon recommendation of the Community Preservation Committee, appropriate from the Community Preservation Fund a sum of money for preservation or restoration and rehabilitation of elderly/disabled housing at 59 Chestnut Street, and to further authorize the Board of Selectmen to enter into a grant agreement with the Duxbury Housing Authority for such purposes on terms deemed by the Board of Selectmen to be in the best interest of the Town; or take any other action in relation thereto.

Proposed by the Community Preservation Committee

Explanation: The Duxbury Housing Authority seeks funds to replace rotting exterior trim on seven buildings located in Duxborough Village at 59 Chestnut Street.

Recommendations: *Board of Selectmen Vote – Available at Town Meeting
Finance Committee Voted 7-0-1 to Recommend*

ARTICLE 35 – PICKLEBALL COURTS TARKILN

To see if the Town will, upon recommendation of the Community Preservation Committee, appropriate from the Community Preservation Fund a sum of money for the conversion of tennis courts to pickleball courts at Tarkiln Community Center, or take any action in relation thereto.

Proposed by the Community Preservation Committee

Explanation: This article will fund the conversion of two tennis courts to six pickleball courts at the Tarkiln Community Center.

Recommendations: *Board of Selectmen Vote – Available at Town Meeting
Finance Committee Voted 8-0 to Recommend*

ARTICLE 36 - WINDOW AND GUTTER RESTORATION AT THE KING CAESAR HOUSE

To see if the Town will, upon recommendation of the Community Preservation Committee, appropriate from the Community Preservation Fund a sum of money as a grant to restore and preserve the windows and gutters/downspouts at the historic King Caesar House located at 120 King Caesar Road, and further to authorize the Board of Selectmen to enter into a grant agreement with the Duxbury Rural and Historical Society on terms deemed by the Selectmen to be in the best interest of the Town, which agreement may include a requirement that the Town be provided with a preservation restriction in said property, and to authorize the Board of Selectmen to accept such restriction, or take any action in relation thereto.

Proposed by the Community Preservation Committee

Explanation: The Duxbury Rural and Historical Society is requesting Community Preservation Act funding to restore approximately 60 windows and gutters/downspouts at the King Caesar House located at 120 King Caesar Road.

Recommendations: *Board of Selectmen Vote – Available at Town Meeting
Finance Committee Vote – Available at Town Meeting*

ARTICLE 37 – WINDOW RESTORATION AT THE ALDEN HOUSE HISTORIC SITE

To see if the Town will, upon recommendation of the Community Preservation Committee, appropriate from the Community Preservation Fund a sum of money to restore and preserve the windows at the Alden House Historic Site located at 105 Alden Street, and to further to authorize the Board of Selectmen to enter into a grant agreement with The Alden Kindred of America, Inc. on terms deemed by the Board of Selectmen to be in the best interest of the Town, which agreement may include a requirement that the Town be provided with a preservation restriction in said property, and to authorize the Board of Selectmen to accept such restriction, or take any action in relation thereto.

Proposed by the Community Preservation Committee

Explanation: The Alden Kindred of America, Inc. is requesting Community Preservation Funding to restore five exterior window frames at the Alden House Historic Site located at 105 Alden Street.

Recommendations: *Board of Selectmen Vote – Available at Town Meeting
Finance Committee Voted 8-0 to Recommend*

ARTICLE 38 - STATEMENT OF PRINCIPLES REGARDING THE DECOMMISSIONING THE PILGRIM NUCLEAR POWER STATION

To see if the Town will adopt the following Statement of Principles regarding decommissioning the Pilgrim Nuclear Power Station and forward this Statement to the Town of Duxbury's State and federal delegations, to all Select Boards within the Emergency Planning Zone of Pilgrim NPS, and to the Nuclear Regulatory Commission, Entergy Corp., and Holtec International so that the intent of the Citizens of Duxbury is widely known.

Statement of Principles Regarding Decommissioning of Pilgrim Nuclear Power Station

Spent Fuel: Spent nuclear fuel assemblies should be moved out of the pool, placed into hardened dry casks inside a building, located on higher ground to avoid flooding, and monitored for radiation, heat and helium.

Finances: The Licensee (i.e., Entergy or Holtec International, the likely purchaser) pays for decommissioning in full, not the Commonwealth's taxpayers. Decommissioning Trust Fund - Restrict its use to decommissioning; not taxes and operating expenses.

Timing: Decommissioning should occur ASAP following closure. Do not defer dismantlement & cleanup for decades.

Site Restoration: Site returned to "greenfield" for unrestricted use - radioactivity and chemical contamination cleaned up.

Radiological Standard: Establish a radiological cleanup regulation (<10 mrem/yr. & <4 mrem/yr. for drinking water sources) that would result in only 40% (70/100,000) as many estimated cases of cancer as would the NRC's standard (not more than 25 mrem/year; estimated cancer risk 175/100,000) for releasing the site.

Prohibit Rubblization: Rubblization is a process in which above-grade structures, including the concrete containment building, are demolished into rubble, and buried in the structure's foundation below ground. The site surface is then covered, regraded, and landscaped for unrestricted use. Instead, the demolished rubble should be shipped to a licensed disposal site.

Site Characterization: Require a thorough radiological and hazardous material site characterization at the beginning of the decommissioning process - not wait, as now, until the end of the process.

Public Safety: (1) Retain current offsite emergency planning, funded by licensee, until the spent fuel pool is emptied (3-5 years). Continue licensee-funded offsite emergency planning, on a reduced level, until fuel leaves the site. (2) MDPH should continue and expand offsite radiological monitoring and onsite tritium monitoring. Entergy should continue to provide MDPH funding. (3) To reduce line-of-sight attack, place casks inside a reinforced building that also will reduce the corrosive effects of salt and moisture.

Workers: Retain the skilled workforce for decommissioning. Provide job training and a compensation package, or placement at another operating reactor.

NRC Oversight: Reinstate NRC inspections and oversight during decommissioning. Currently the NRC has chosen to exercise little to no meaningful oversight during decommissioning. There are no resident

inspectors and no regular inspections. Lack of NRC oversight means licensee compliance with regulations is impossible to verify and enforce on a timely basis. Lack of regular reporting leaves the public in the dark.

National Environmental Policy Act (NEPA): Require a NEPA-compliant comprehensive analysis of all potential environmental and economic impacts of Entergy's post-closure plans. An accurate analysis is needed to assure accurate cost estimates.

Proposed by the Duxbury Nuclear Advisory Committee

Explanation*: There is no completely safe level of radioactivity. After Pilgrim is decommissioned, there will be left-over radiation in the soil at Pilgrim. Because of the topography of the land, the radioactivity will migrate offsite into Cape Cod Bay. Current NRC regulations allow the Pilgrim site to be released for unrestricted use, e.g., homes, schools, playgrounds, farms, or parks, if the level of residual radiation is no higher than 25 millirem per year. But this level corresponds to a risk of getting cancer from residual radiation that is hundreds of times greater than any allowed risk from chemical contaminants. Why is radiation a "privileged pollutant?" The numbers tell the story. For a mixture of chemicals, the Massachusetts Department of Environmental Protection (DEP) and the EPA allow a cancer incidence risk of one in a hundred thousand (1/100,000); DEP's allowed cancer incidence risk for one chemical is one in a million (1/1,000,000). But, the NRC's allowed 25 millirem per year likely would result in an approximate cancer risk of about 175 in one hundred thousand (175/100,000). (National Academies of Sciences Biological Effects of Ionizing Radiation most recent report BEIR VII, pg., 8 and Table 12-9) Even 10 millirems a year would result in an approximate lifetime cancer incidence risk of 70 in 100,000. We have no doubt that residual radiation can be reduced well below 10 millirem per year using currently available technology; and there is no reason not to do so.

*** Note that this explanation was provided by the petitioners and is not fact-checked or endorsed by the Town.**

**Recommendations: Board of Selectmen Voted 3-0 to Recommend
Finance Committee Vote – Available at Town Meeting**

AND YOU ARE HEREBY DIRECTED TO SERVE THIS WARRANT by posting attested copies thereof as prescribed by M.G.L. Chapter 39, Section 10 and by Chapter 2, Section 2.3 of the Town of Duxbury General By-laws, seven (7) days before the time of holding said meeting.

Hereof fail not and make due return of this warrant, with your doings thereon, to the Town Clerk at the time and place of this meeting.

Given under our hands this 11th day of February, 2019.

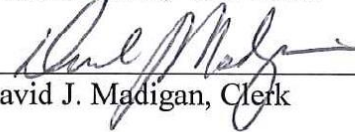
BOARD OF SELECTMEN



Theodore J. Flynn, Chair



Shawn Dahlen, Vice-Chair



David J. Madigan, Clerk

Plymouth ss:

20 February, 2019

Pursuant to the warrant I have this day notified and warned the inhabitants of the Town of Duxbury, herein described, to meet at the time and place and for the purposes as described by the By-laws of the Town.

**A TRUE COPY
ATTESTED**



CONSTABLE OF DUXBURY

TERMS USED IN MUNICIPAL FINANCE

APPROPRIATION: An amount of money that has been authorized by vote of Town Meeting to be spent for a designated purpose.

AVAILABLE FUNDS: In Duxbury we use the term Available Funds when referring to the Stabilization Fund, Library funds, Cemetery funds, Free cash and continued appropriations left in Articles voted at previous Town Meetings.

OVERLAY ALSO CALLED ALLOWANCE FOR ABATEMENTS AND EXEMPTIONS: The overlay is the amount raised by the Assessors in excess of appropriations and other charges for the purpose of creating a fund to cover tax abatements granted and avoiding fractions in the tax rate.

FREE CASH, RETAINED EARNINGS OR FUND EQUITY (SURPLUS REVENUE): This is the amount certified annually by the State Bureau of Accounts. Town Meeting may appropriate from these sources for any purpose.

TRANSFER: The authorization to use an appropriation for a different purpose, in most cases only the Town Meeting may authorize a transfer.

RESERVE FUND: The fund is established by the voters at an Annual Town Meeting only and is composed of an appropriation (not exceeding 5 percent of the tax levy of the preceding year). Transfers from the Reserve Fund are within the exclusive control of the Finance Committee and are for “extraordinary or unforeseen” situations, normally emergencies.

STABILIZATION FUND: An account from which amounts may be used for any lawful purpose. Money may be appropriated from the Fund only by a two-thirds vote at Town Meeting.

CHERRY SHEET: Also known as the State revenue distribution and assessment sheets. Named for the cherry colored paper on which the State traditionally printed it, the cherry sheet carries the figures which must be used by the Assessors in county tax and state assessments, as well as the estimated tax distributions from the State General Fund, reimbursements, agency funds, the Sales and Use Taxes, lottery distribution and State Aid to Education.

Duxbury Talent Bank Form

Duxbury's excellence as a residential community is due in large part to citizen participation in government and community affairs. The Duxbury Talent Bank was established by the Selectmen and Town Moderator to register the names, interests and qualifications of Duxbury registered voters willing to volunteer to serve their community. Residents serve as volunteers on a wide variety of town boards, committees, commissions and councils listed below. They are appointed to these organizations by the Selectmen or the Moderator as vacancies occur.

The Selectmen and Moderator encourage you to register by completing this Talent Bank Form, indicating your occupation, background, areas of interest and organizations you would consider serving. Please return your completed form to: Board of Selectmen, Duxbury Town Hall, 878 Tremont Street, Duxbury, MA 02332

Please note that Talent Bank forms are kept on file for two (2) years.

NAME: _____ E-MAIL: _____

PHONE (H) _____ (C) _____

ADDRESS: _____

OCCUPATION: _____

Date of Submittal: _____ No. of Years in Duxbury: _____

Please attach additional sheet(s) providing background information, relevant experience(s) or resume, if available.

Land Use & Conservation

- Agricultural Commission
- Alternative Energy Commission
- Community Preservation Committee
- Conservation Commission
- Design Review Board
- Duxbury Bay Management Commission
- Duxbury Beach Committee*
- Open Space Committee
- Sidewalk & Bike Path Committee
- Zoning Board of Appeals

- Cemetery Trustees*
- Council on Aging
- Cultural Council
- Duxbury Affordable Housing Trust
- Economic Advisory Committee
- Highway Safety Advisory Committee
- Historical Commission
- Local Historic District Comm.
- Municipal Comm. On Disability
- Nuclear Advisory Committee
- Personnel Board*
- Shellfish Advisory Committee
- Water & Sewer Advisory Board*

Recreational Activities

- Fourth of July Committee
- Recreation Activities Committee

Finance

- Finance Committee*
- Fiscal Advisory Committee*

Government

- Board of Health

Please indicate any other areas of interest

*Appointed by Town Moderator

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