

The background of the entire page is a photograph of a beach. In the foreground, there is a large, light-colored, irregularly shaped shell on the left. To its right is a smaller, dark, pointed shell. Further right is a large, round, light-colored shell with a prominent spiral pattern. A piece of bright green, translucent driftwood lies in the center. The ground is covered in sand and scattered dark, thin sticks or twigs.

Town of Duxbury, Massachusetts Annual Town Report

for the period covering
July 1, 2010 through June 30, 2011

Town of Duxbury Website: www.town.duxbury.ma.us

Town Hall At-a-Glance

Please refer to the list below for a brief list of some of the services available through various Town Hall departments. For more information, please stop by or call the appropriate office and we will be happy to assist you!

781-934-1100



<u>Telephone Extension</u>	<u>Department</u>										
x149	<u>Selectmen/Town Manager:</u> Address specific concerns to the Selectmen or the Town Manager; pay Parking Citations to the Parking Clerk; obtain Talent Bank Applications; obtain Employment Applications; Liquor License Information.										
x150	<u>Town Clerk:</u> Obtain Birth, Death, Marriage certificates; Marriage licenses, dog licenses, business certificates, voter registration and election information.										
“0”	<u>Receptionist:</u> Resident (non-commercial) clamming permits; beach horseback riding permits; mooring applications, waiting lists and payments, conservation maps and general information.										
x134	<u>Conservation:</u> Questions regarding ecology/conservation, whether or not in conjunction with building construction.										
x143	<u>Human Resources Officer</u>										
x163	<u>Employee Health Benefits</u>										
x148	<u>Planning Board:</u> Questions regarding development of property.										
x125	<u>Inspectional Services:</u> Obtain building, zoning, plumbing, gas, wiring, home occupation, business occupation, sign, certificate of occupancy permits, and zoning and building code enforcement.										
x140	<u>Board of Health:</u> Obtain Title V septic information; file plans and obtain permits for septic systems; obtain well permits; obtain permits for the keeping of farm animals; report health issues and obtain information on a variety of health-related subjects.										
x142	<u>Department of Public Works:</u> You may refer general questions to the DPW office, or specific issues can be addressed to the appropriate department: <table><tr><td><u>Animal Control</u></td><td>781-934-6424</td></tr><tr><td><u>Cemetery</u></td><td>781-934-5261</td></tr><tr><td><u>Highway</u></td><td>x 131</td></tr><tr><td><u>Lands and Natural Resources</u></td><td>x 133</td></tr><tr><td><u>Water Department</u></td><td>x 129</td></tr></table>	<u>Animal Control</u>	781-934-6424	<u>Cemetery</u>	781-934-5261	<u>Highway</u>	x 131	<u>Lands and Natural Resources</u>	x 133	<u>Water Department</u>	x 129
<u>Animal Control</u>	781-934-6424										
<u>Cemetery</u>	781-934-5261										
<u>Highway</u>	x 131										
<u>Lands and Natural Resources</u>	x 133										
<u>Water Department</u>	x 129										
x115	<u>Assessing Department:</u> Obtain records and information pertaining to real property, motor vehicle excise tax, personal property, the boat excise tax and other matters.										
x132	<u>Accountant’s Office:</u> Obtain information on the financial health of the town. View Town’s website.										
x147	<u>Treasurer/Collector:</u> Pay tax and water bills; obtain beach and transfer station stickers. Municipal lien requests.										

Photo Credits on Page .

Annual Report

July 1, 2010 – June 30, 2011



www.town.duxbury.ma.us

In Memoriam

Joseph G. Shea

November 2, 1938 ~ January 31, 2011



"Joe Shea's passion for serving Duxbury was nearly limitless — and highly contagious — whether it was the War Memorial, the Roundabout, standing up for veterans and the disabled, serving on the Highway Safety Committee or just sharing his love for the town's history. Joe's enormous heart and can-do spirit will be missed, but his legacy remains in the many projects he championed and the friends and good deeds he left behind."

-Josh Cutler, Publisher, Duxbury Clipper and Planning Board Member

David James Vogler

July 24, 1941 – March 31, 2011



“He was a citizen of the world and we were fortunate enough to borrow him for a little while.”

– Betsy Sullivan, Finance Committee Member, former Selectwoman

The past year had moments of great joy for Duxbury, but also moments of great sadness. In 2011, Duxbury mourned the loss of former Selectmen David J. Vogler. David is remembered as a gentleman with a warm sense of humor, a passion for his work, and empathy for his students.

David was a professor of political science at Wheaton College, Norton MA from 1969 to his retirement in June, 2010. One might say that he was someone who practiced what he preached as he was active in politics from his early years studying Congress to his involvement in the Town of Duxbury. He served as a Duxbury Selectman for two terms, as well as on the Town By-law Study Committee, the Finance Committee (one year as chair), the Public Works Study Committee (chair), and the Conservation Commission.

In his later years, David developed an interest in all things Italian. His life-long love of learning continued to his studies in Florence, Italy. At the time of his death, he was completing a manuscript based upon his research, and his final manuscript is being compiled for publication as an e-book by a professor at the University of Florence. And so it seems appropriate that we pause to say “Ciao, David.”

In Recognition



Employees with More than 20 Years of Service to the Town of Duxbury

20 ~ 24 years

Douglas Bleicken, Inspectional Services ~ 21 years
Michele Boyd, Instructional Assistant ~ 24 years
James Brown, Highway Dept ~ 24 years
Paul Bruce, Cemetery Dept ~ 20 years
Glenna Cappola, Instructional Assistant ~ 20 years
Michael Carbone, Police Dept ~ 22 years
Glen Cavicchi, Highway Dept ~ 24 years
Jeffrey Chandler, Fire Dept ~ 23 years
Karen Chase, Adult/Community Ed ~ 23 years
Thomas Cram, Custodial Services ~ 23 years
Druanne Davies, Instructional Assistant ~ 20 years
James Dowd, Inspectional Services ~ 23 years
Doreen DuRoss, Instructional Assistant ~ 23 years
Donna Ezekiel, Instructional Assistant ~ 20 years
Kristen Golden, Police Dept ~ 22 years
Virginia Golden, Water Dept ~ 22 years
Deborah Govoni, Instructional Assistant ~ 24 years
Rita Hale, School Business Office ~ 24 years

Brian Johnson, Police Dept ~ 23 years
Pamela Johnson, Conservation ~ 23 years
Thomas Johnson, Police Dept ~ 20 years
Denise Lamare, Teacher ~ 23 years
Mary Leighton, Teacher ~ 23 years
James Levine, Police Dept ~ 24 years
Catherine Marrone, Teacher ~ 21 years
Mary McIntosh-Leydon, Teacher ~ 21 years
Janet Mellen, Teacher ~ 21 years
Christopher Mori, Police Dept ~ 24 years
Judith Murphy, DPW ~ 23 years
Kristen Okerfelt, Instructional Assistant ~ 21 years
Lynn Perekslis, Teacher ~ 23 years
Patricia Pietrantonio, Teacher ~ 21 years
Deborah Prescott, Instructional Assistant ~ 22 years
James Tougas, Police Dept ~ 22 years
Patricia Weatherlow, Teacher ~ 21 years
Timothy Wigmore, Police Dept ~ 22 years

25 – 29 years

June Albritton, Assessors Office – 25 years
Denise Amiot, Teacher – 26 years
Roger Banfill, Police Dept – 27 years
David Beers, Fire Dept – 29 years
Marcia Brudenell, Instructional Assistant – 27 years
Mary Ciccarelli, Teacher – 26 years
Lewis Chubb, IV, Police Dept – 25 years
James Doherty, Teacher – 28 years
Barbara Donovan, Teacher – 25 years
John Donovan, Teacher – 27 years
Wayne Frieden, Teacher – 29 years
Christine Geary, Teacher – 28 years
Alice Gillan, Teacher – 26 years
Lora Goldman, Teacher – 28 years
Carolyn Govoni, Accounting Dept – 25 years
Bruce Hamilton, Teacher – 26 years
Christopher Johnson, Police Dept – 29 years
John Kennedy, Teacher – 25 years
Deborah Killory, Library – 25 years

Gertrude Lavín, DPW – 27 years
James MacIntyre, Custodial Services – 28 years
Patti MacLennan, Teacher – 28 years
Richard Madru, Teacher – 28 years
Denise Makein, Teacher – 25 years
Regina Moylan, School Administrative Support – 25 years
Nancy Mulligan, Adult/Community Ed – 26 years
Nancy Oates, Town Clerk – 28 years
Helene Simpson, School Administrative Support – 27 years
Mary Stadelmann, Teacher – 28 years
Robert Sullivan, Water Dept – 25 years
Carl Swanson, Teacher – 28 years
Shelley Thomas, Teacher – 25 years
Joyce Turner, Adult/Community Ed – 25 years
Edward Vickers, DPW – 29 years
Patricia Walsh, Adult/Community Ed – 29 years
Kathleen Watts, Teacher – 27 years
Christopher West, Fire Dept – 25 years

30 – 34 years

Nancy Amrhein, Teacher – 33 years
Donald Beers, Harbormaster – 31 years
Raymond Chandler, Jr., Fire Dept – 32 years
Gordon Cushing, Recreation – 30 years
Leonard DiMuzio, Custodial Services – 30 years
John Fernandes, Teacher – 32 years
Joseph Grady, Jr., Conservation – 34 years
Barbara Grenadir, Teacher – 34 years

John Guilderson, Fire Dept – 33 years
Susan James, Police Dept – 33 years
Roger Ladd, Fire Dept – 32 years
Matthew Lynch, Teacher – 32 years
Alice Pierce, Teacher – 32 years
John Stoddard, Teacher – 32 years
John Thomas, Fire Dept – 31 years

35 – 39 years

Debora Greenglass, Teacher – 37 years
Miriam Harriman, School Administrative Support – 38 years
Linda Klein, Teacher – 35 years
Paul Romano, Teacher – 36 years

Pam Sechoka, Teacher – 35 years
Charlene Swiniarski, Teacher – 39 years
Dennis Symmonds, Police Dept – 37 years

40+ years

Gail Cannon, Cemetery Dept – 44 years

Alton Phillips, Teacher – 41 years

TABLE OF CONTENTS



TOWN ADMINISTRATION

Board of Selectmen	11
Town Manager	13

TOWN CLERK'S REPORT

Town Officials	19
State Primary Election – September 14, 2010	28
State Election – November 2, 2010	33
Annual Town Meeting – March 12, 2011	36
Special Town Meeting – March 12, 2011	109
Annual Town Election – March 26, 2011	111

FINANCE

Assessing Department	115
Finance Committee	116
Finance Director	117
Fiscal Advisory Committee	118
Human Resources	118
Town Accountant	121
<i>Financial Reports</i>	123
Treasurer/Collector	157
Trust Funds	162

GENERAL GOVERNMENT

Cable Advisory Committee	171
Duxbury Cultural Council	171
Fourth of July Committee	172
Information Services	174
Personnel Board	175
War Memorial Committee	176

HEALTH & HUMAN SERVICES

Affordable Housing Trust	178
Council on Aging	178
Duxbury Housing Authority (State Agency)	180
King Caesar Advisory Committee	181
Local Housing Partnership	182

Municipal Commission on Disability	183
Veterans' Services	183

LAND USE & RESOURCE PRESERVATION

Agricultural Commission	186
Alternative Energy Committee	186
Beach Committee	188
Community Preservation Committee	189
Conservation Commission	196
Duxbury Bay Management Commission	198
Historical Commission	199
Inspectional Services Department	201
Board of Health	202
Building	203
Design Review Board	204
Weights & Measures	204
Open Space & Recreation Committee	205
Planning Board	206
Sidewalk & Bike Path Committee.....	207
Shellfish Advisory Committee	208
Tarkiln Committee	208
Town Building Committee	209
Town Historian	210

LIBRARY & SCHOOLS

Duxbury Free Library	213
School Superintendent	215

PUBLIC SAFETY & TRANSPORTATION

Duxbury Emergency Management Agency (DEMA)	226
Fire Department	226
Harbormaster	228
Highway Safety Advisory Committee	230
Massachusetts Bay Transportation Advisory Board	231
Nuclear Advisory Committee	232
Police Department	235
Public Safety Building Feasibility Study Committee	238

PUBLIC WORKS

DPW Administration	240
Animal Control	241
Cemetery	242
Crematory Building Committee	244
DPW Operations – Highway Dept, Transfer Station, Vehicle Maintenance .	245
Lands & Natural Resources	246
Water & Sewer Division	247

Water & Sewer Advisory Board	248
------------------------------------	-----

RECREATION

Percy Walker Pool	252
Recreation Department	252
North Hill Country Club	253

PHOTO CREDITS

Front Cover by Susan Kelley; Back Cover by Janice Hanrahan; Pg. 1 (Seagull) by Josh Cutler; Pg. 2 (Joseph G. Shea) Courtesy of The Duxbury Clipper; Pg. 3 (David J. Vogler) Courtesy of Alice Vogler; Pg. 10 (Selectmen) by Barbara Mello; Pg. 10 (Town Manager) by Barbara Mello; Pg. 27 (Town Clerk & Assistant Town Clerk) by Tracy Mayo; Pg. 115 (Assessors) Courtesy of Board of Assessors; Pg. 119 (Human Resources Department) by C. Anne Murray; Pg. 173 (Fourth of July photos) by Annie Potash; Pg. 176 (War Memorial Committee) by Josh Cutler; Pg. 178 (Duxbury Senior Center) by Harriet Nichols; Pg. 187 (Wind Turbine Locations & Solar Array) Courtesy of the Alternative Energy Committee; Pgs. 190 – 192 (Community Preservation Committee photos) by Holly Morris; Pg. 197 (Jaycox Tree Farm & East Street Cranberry Bog) by Joseph Grady; Pg. 198 (Oyster Farmer's shack) by Susan Kelley; Pg. 206 (Planning Board) by Diane Grant; Pg. 211 (Old Town Hall) Courtesy of the Duxbury Rural & Historical Society; Pg. 213 (Duxbury Free Library) Courtesy of the Duxbury Free Library; Pg. 214 (Author Nancy Gertner with Carol Jankowski, Brooke & Shea McDonough) by Julius A. Prince, Jr.; Pg. 229 (Duxbury Town Landing) from the Comprehensive Annual Financial Report FYE 2005; Pg. 241 (Injured Hawk) by Susan Kelley; Pg. 245 (Architect's rendering of the new Crematory) Courtesy of the Crematory Building Committee

Town Administration



Board of Selectmen

Town Manager



Board of Selectmen: (L-R): Theodore Flynn, Shawn Dahlen, Christopher Donato



Town Manager: Richard R. MacDonald

Board of Selectmen

It has now been eighteen months since I was elected and became Chairman of your Board of Selectmen. I find the experience of serving our community and using our skills to help others personally very rewarding. I continue to witness how blessed we are as a community to have so many dedicated and talented individuals serving in a volunteer capacity who are helping to shape the character of our community. I consistently see examples of how highly motivated and talented individuals have positively impacted the quality of our lives as residents. I have also seen how important it is to have a balance of ideas on a committee, and to share those thoughts in a constructive way in order to facilitate the best outcomes. The scope of opportunities to serve and make a difference is varied and all residents can find a niche that suits them. To all our volunteers I say, **Thank You**, for caring to make a difference.

For our staff, leadership starts at the top and is expected at every level. Our Town Manager, Richard MacDonald, is a leader that has built and guided an exceptional staff that manages the day-to-day operations of our town. "It's all about providing for the needs of the residents," is a common theme from our Town Manager. Every day there is a new challenge: a constant balancing act to keep the wheels of a government organization moving in the right direction. Richard has built a team that works well together and gets the job done for the greater good of the community. During storm events, I have witnessed the teamwork and efforts of multiple departments working together toward the common goal of protecting the health and safety of our residents and trying to get us all back to pre-storm conditions as quickly as possible. As we are with our volunteers, we are blessed to have so many talented and dedicated employees that deliver high quality services to our community. Barbara Mello and Anne Murray are examples of those dedicated employees. Their efforts are invaluable to the members of Board of Selectmen.

One of our greatest challenges is meeting our community's expectations for services despite very limited revenue growth. Finance Director John Madden, working in conjunction with the Town Manager over the last several years, has been doing a great job at balancing shrinking revenue dollars against the needs of the community. While the operating side of our budget is challenged to provide current services with shrinking revenues we seem to be managing. This is made possible by constantly seeking efficiencies in the way we deliver services. It is the capital side of our budget that will cause us the greatest challenge. As a community we have passed debt exclusion overrides for several large projects: the Crematory, Fire Station and the Police Station. The new proposed co-located Middle and High School, if passed, will build again on our excluded debt. The capital costs of these initiatives are significant, and the debt service can only be funded through debt exclusions that will add significantly to residential tax bills during difficult times. I believe this is the single biggest issue facing Duxbury in the near future.

This year's election changed the makeup of the Board of Selectman (BOS). Betsy Sullivan, who served the town with the highest level of professionalism over the last 9 years, chose not to run again. She represents the talent and dedication that has helped make our community

something we are all proud of. Ted Flynn joined our team, and with his many years of experience on other boards and committees, he will be a valuable addition. Our management team has had a few changes this year: James Savonen took over for Doug Dondero as our new Manager of Buildings and Grounds. Steven Dunn was hired as the Director of Assessing to take the position of retiring Richard Finnegan. Richard served the Town for many years and was representative of the talent and quality of many of our employees.

This year marked the completion of several initiatives and the beginning of many new ones. The BOS initiated the development of a Strategic Plan for the Town to identify goals and objectives to help guide the BOS and staff in the leadership of the community. The BOS has also requested that Town Counsel work with the boards involved in ongoing litigation to establish a plan to settle those cases that may be in the best interest of the residents, in an effort to reduce legal expenses. The Town Manager is researching the job description and funding required to establish a new position of Facilities Director, to manage all Town-owned buildings, including the schools. This position could save the taxpayers significant tax dollars over the years by centralizing management and maintenance and by budgeting maintenance costs to extend the life and usability of all our Town buildings. Our new Human Resources Department, led by Jeannie Horne, has made many strides in professionalizing personnel policies and facilitating management's ability to manage personnel matters successfully. With her help, the BOS has adopted several new employment policies to keep the community current with employment practices. The Town Clerk's office has adapted to the significant changes both in the Open Meeting Law and the State Ethics Law. Nancy Oates and Susan Kelley are doing a great job educating and keeping all town volunteers and employees in compliance with those requirements. The preservation of the historic Tarkiln School House was completed and placed back into service with the assistance of hundreds of hours of volunteer help and CPC funding. The long awaited public safety buildings were approved at town meeting and the ballot box, paving the way for a remodeled and expanded Fire Station on the existing site and construction of a new Police Station located on Mayflower Street. A new contract was signed with Pilgrim Golf for the management of North Hill which seems to have breathed new life into a valuable recreational asset. The Town Manager appointed a new committee to facilitate Duxbury celebrating its 375th Anniversary next year. Firefighter/paramedic Dennis Mikkola was appointed to fill a vacancy in the Fire Department. The Harbormaster Department was awarded a grant through the Department of Homeland Security/FEMA Port Security Grant Program. This grant supplied us with 100% funding for a 25' SAFE boat, equipment and emergency response trailer, all valued at \$183,289. Thank you to Assistant Harbormaster, Jake Emerson, for managing the complex grant application. Our Council-on-Aging staff has obtained training in several areas, including movement programs and chronic health management programs. In addition, our Council-on-Aging Director, Joanne Moore, is now a Peer Reviewer for the National Institute of Senior Centers Accreditation Process. David Murphy, a long-time employee of the Duxbury Free Library has made our library a stop in the Massachusetts Memories Roadshow. Young adult librarian Ellen Snoeyenbos and her young adult group, "The Bookmarks", built a Fourth of July parade float which won first prize in its category. There were many more accomplishments at the Library, and in all of our Town Departments.

This year we lost three residents whose dedication to the town will be greatly missed. Joseph Maher was a tireless volunteer who served on the Zoning Board of Appeals and in many other boards over the years. Joe Shea served on several boards including the Highway Safety Committee and most recently the Veteran's War Memorial committee responsible for the resurrection of the old memorial proudly standing in front of Town Hall. David Vogler was a former Selectman. David also served on the Town By-Law Study Committee, the Finance Committee, the Public Works Study Committee, the Conservation Commission, and the Public Safety Committee.

As we put another year behind us and start a new year, we should reflect back on the history that has made Duxbury the community that we all have chosen as ours. Learn from our mistakes, build on our successes, and most importantly reflect on the contributions that all of the residents made in making Duxbury our home.

Respectfully Submitted,

Shawn M. Dahlen, Chair

Christopher R. Donato
Theodore J. Flynn

Town Manager

This past year has been one that afforded a number of opportunities to advance the position of the Town of Duxbury. I believe that we took advantage of these opportunities and moved the Town forward in many areas. A few of our accomplishments are detailed here. In addition, I have made note of some of the transitions we have experienced.

Finances & Capital Improvements

Utilizing available funds the Town increased its reserves by over \$450,000 during FY 2011. That included an increase of \$300,000 or 22% in Stabilization; \$150,000 or nearly 23% in Pension Reserve. The Stabilization balance of approximately \$1,700,000 is the highest in over twenty years, perhaps much longer.

For fiscal year 2011 the Town successfully funded over \$1,000,000 in capital improvements, mostly to much needed vehicle and equipment maintenance; chief among these was the purchase of a new ambulance. Through this program, the Town now has a safe and reliable fleet of vehicles providing public safety, property maintenance, and snow and ice defense.

On a larger scale major projects including Police Station construction, Fire Station rehabilitation, and new Schools have been undertaken. Improving these facilities will provide enhanced services in public safety and education long overdue in Duxbury.

In FY11, we learned that the Town received a Certificate of Achievement in Financial Reporting for the prior year. This designation of excellence was awarded to less than 19% of the governmental entities in Massachusetts. It is the seventh consecutive year that we have received the award.

Town Departments are to be congratulated for their efforts in bringing grant money to the Town. These grants improve our ability to serve the public without additional burdens to the taxpayer.

TOWN OF DUXBURY	
GRANTS AWARDED DURING FY 2011	
TOWN CLERK GRANTS	
Extended Polling Hours	2,880.00
PLANNING DEPARTMENT GRANTS	
MA Clean Energy Grant	65,000.00
POLICE DEPARTMENT GRANTS	
Governor Highway Safety Grant	1,245.68
Domestic Violence	1,000.00
E911 Support Grant	37,000.00
FIRE DEPARTMENT GRANTS	
SAFE Grant	4,815.00
Entergy Grant	167,733.72
Emergency Training Program	12,076.15
INSPECTIONAL SERVICES GRANTS	
MRC Grant	11,664.00
HARBORMASTER GRANTS	
Pump Out Boat Grant	9,500.00
Port Security Grant	183,288.00
HIGHWAY DEPARTMENT GRANTS	
DCR - Seawall Grant	60,000.00
FEMA - Hurricane Assistance	12,986.08
COUNCIL ON AGING GRANTS	
Formula Grant	16,078.89
Chronic Disease Mgmt Grant	3,380.00
Elder Lunch Grant	3,063.00
GATRA	50,340.33
Total Grants Awarded	642,050.85

Historic Preservation

During fiscal year 2011 the Town saw the successful re-opening of the Tarkiln Community Center. This was truly a cooperative effort of Town government, the Community Preservation Committee, the Historical Commission, and many volunteers. This building will provide a service to the neighborhood as well as many groups seeking a place to practice dance or display art or any of a number of other purposes.

Human Resources

The Town continues to improve in the area of Human Resources. During the last year several policy initiatives were introduced and accepted by the Board of Selectmen. These included sexual harassment, workplace violence, and whistleblower policies among others. Wellness programs were made available to employees as well as increased health club incentives. Improved hiring policies have led to a number of well qualified applicants being hired in critical positions such as Library Director, Manager of Lands & Natural Resources, Veterans' Agent, and Director of Assessing.

In FY11, we also experienced the decertification of two unions: The Duxbury Professional & Supervisory Unit and the Duxbury Professional Support Unit. We look forward to working with these employees as part of our Personnel Plan.

Human Services

The Duxbury Senior Center continues to be a shining star in the State and the country. It is one of only 200 senior centers (out of 15,000 nationwide) that has achieved accreditation through the National Institute of Senior Centers. One of its many programs is the award-winning Lifelong Learning Program, which offered ten courses this year, from "Reading Shakespeare" to "Cultural Clashes in the New Yorker".

Land Use and Affordable Housing

The Zoning Board of Appeals approved a Comprehensive Permit for the Island Creek North Development. This will bring 108 rental apartments and 94 assisted living units to Duxbury.

The Affordable Housing Trust, using Community Preservation Act Funds, awarded four grants to qualified home buyers, thereby reducing the purchase price of these Duxbury homes to an affordable level.

The Selectmen have appointed a Zoning Bylaw Review Committee to study our current Bylaws and see if there is room for making them more consistent and user-friendly.

Public Safety and Public Works

I am extremely pleased with the level of cooperation between our Police, Fire, Harbormaster and Public Works Departments. The citizens of Duxbury are the beneficiaries in terms of storm preparation and response, crime prevention and response, and emergency management.

Recreation

An accomplishment of tremendous magnitude was the transition of the North Hill Golf Course to a new management company. The feedback I have received has been entirely positive.

Duxbury is a beautiful place to live, work, and recreate. It is a wonderful setting for the annual Fourth of July celebration, the Duxbury Beach Triathlon and the Island Creek Oyster Festival, three events which showcase the Town.

Risk Management

The Town of Duxbury has a very active Risk Management Committee, led by Barbara Mello and Jeannie Horne. The committee participates in a large number of training opportunities and works to improve safety procedures in the Town. This reduces the number of potential accidents, injuries, and property damage incidents. In recognition of our FY11 efforts, our insurance carrier (Massachusetts Inter-local Insurance Association) has awarded us with \$37,531 in premium reductions for FY12.

Keeping Current & Looking Forward

In September, over 70 Town Department Heads and Board/Committee members attended a seminar on the new Open Meeting Law, provided by Duxbury Town Counsel. The laws for posting meetings and keeping records of meetings have changed significantly. It is crucial for the Town to comply.

In FY2011, we began the process of developing a new strategic plan. We have been very fortunate that Judi Barrett has volunteered to assist us in this process. Judi is a Duxbury resident, professional planner, and long-time Town volunteer. She has been on the Finance Committee, and currently chairs the Zoning Board of Appeals, so her knowledge of Duxbury is extensive. Together with Judi we have been gathering input from Town Department Heads, Boards and Committees, and the general public, so that our plan reflects the concerns of all our stakeholders.

An event to look forward to is the Town's 375th Anniversary, which will be celebrated on June 17, 2012. I have appointed a 375th Anniversary committee which is already hard at work planning the Town's birthday.

Transitions, Promotions and Retirements

James Savonen, long-time foreman in the Department of Lands and Natural Resources was promoted to Director of that department this year. This was a well-deserved promotion, and I look forward to working with him as a Department Head.

Dick Finnegan, Director of Assessing since 1996, retired on June 30, 2011. He was a true professional who was counted on for his knowledge and dedication. We wish him well in his retirement.

Ms. Elaine Winkvist, Library Director, retired in January. She brought many innovations to our library services, and guided the library through tough fiscal times. She is succeeded by Carol Jankowski, who was promoted from her position as Library Division Head—Circulation. Carol has risen to the new challenge with enthusiasm and capability. She has her hands full with building maintenance issues, among other things.

On March 21, 2011, Betsy Sullivan “retired” from the Board of Selectmen, having decided not to seek re-election after serving three 3-year terms. Extraordinary dedication was the hallmark of her service as a Selectwoman. I do not believe we have seen the last of her, thankfully, as she intends to participate with Town Committees.

Deaths

July 11, 2010: Joseph Maher. Joe served Duxbury for more than twenty years. He was a Trustee of the Stewart Farm, and also served two terms on the Zoning Board of Appeals. I enjoyed my many interactions with Joe over the years.

January 31, 2011: Joseph Shea. Joe was a tireless volunteer for Duxbury and close personal friend. Joe served on the Municipal Commission on Disabilities, the Highway Safety Committee, and the War Memorial Committee. One of the accomplishments he was proudest of was researching and enabling the reconstruction of the WWI Memorial in front of Old Town Hall. When Joe served as the Sealer of Weights and Measures for Duxbury, he wrote a manual for the position, which was reproduced and distributed to all cities and towns by the Commonwealth. Joe cared deeply about Duxbury, and will be missed by all who knew him.

March 31, 2011: David Vogler. David was an accomplished political scientist, author, and professor who chose to share his many talents and ideas with the Town of Duxbury. He served on the Town By-law Study Committee, Finance Committee (one year as chair), Public Works Study Committee (chair), Board of Selectman (2 terms), and Conservation Commission. David exemplified Duxbury’s great fortune in the quality and dedication of its volunteers.

Summary

In closing, I am very fortunate to have completed my sixth full year as your Town Manager. I have the opportunity to work with committed volunteers, professional staff, and an informed and involved citizenry. I remain grateful for the support of my office staff, Barbara Mello (Executive Assistant), and C. Anne Murray (Administrative Assistant). I look forward to serving as your Town Manager in the coming year.

Respectfully Submitted,
Richard R. MacDonald, Town Manager

Town Clerk's Report



Town Officials

State Primary Election – September 14, 2010

State Election – November 2, 2010

Annual Town Meeting – March 12, 2011

Special Town Meeting – March 12, 2011

Annual Town Election – March 26, 2011

TOWN REPORT - July 1, 2010 to JUNE 30, 2011

TOWN OFFICIALS

ELECTED

Selectmen

Shawn M. Dahlen, Chair	2013
Theodore Flynn, Clerk	2014
Christopher R. Donato, Vice Chair	2012

Assessors,

June Albritton, Clerk	2014
James G. MacNab, Vice Chair	2013
Linda Collari, Chair	2012

Moderator

Friend S. Weiler, Sr.	2012
-----------------------	------

Town Clerk

Nancy M. Oates	2013
----------------	------

School Committee

Mary Lou Buell	2013
Gary R. Magnuson	2013
John P. Heinstadt	2012
Maureen C. Connolly	2014
Anne R. Ward	2014

Planning Board

Josh S. Cutler	2014
John P. Bear	2015
Amy MacNab, Chair	2012
George D. Wadsworth, Vice Chair	2014
Jennifer W. Turcotte	2016
Cynthia L. Fiorini, Clerk	2013
Harold Moody, resigned 8/23/10*	2013
*Brian E. Glennon, II, appointed until 3/26/11	
Brian E. Glennon, II	2013

Library Trustees

Theodore J. Flynn, resigned 11/02/10	2013
Paula S. Harris, Vice Chair	2012
Elane S. Mutkoski, Chair	2012
Laura F. Sullivan, Secretary	2013
Brooke H. McDonough	2014
Donna M. Ryan	2014
Lamont Healy	2013

Duxbury Housing Authority

Brendan K. Keohan	2013
John J. Todd	2015
Alden Ringquist	2016
Beverly Walters	2012
Linda Garrity Gov. Appointee	

APPOINTED BY THE MODERATOR**CEMETERY**

Elizabeth B. Stevens	2013	Emmett Sheehan	2013
Robert F. Hayes	2011	Beverly A. Johnson	2012
Diane C. Barker	2014		

DUXBURY BEACH COMMITTEE

Michael McLaughlin	2013	Robert E. Ali	2012
David J. Savage	2011	*Walter D. Keleher	2013
Harvey C. McCormick	2011	Ronald D. Wolfe	2013
Pauline A. Flynn	2013	*William Benjes, Jr.	2013
Susan Rourke	2012	Chief Matthew M. Clancy, ex-officio	
Donald C. Beers, ex-officio		Joseph M. Grady, ex-officio	
*Designee of Duxbury Beach Reservation, Inc.			

FINANCE COMMITTEE

Gay E. Shanahan	2013	Kenneth J. McCarthy	2013
Mark R. Mahoney	2013	Colleen B. Brayer	2011
Melissa C. Donohoe	2011	William M. Harris	2012
Barry Scammell	2012	Mark R. Keating	2011
Eugene V. Blanchard	2012		

FISCAL ADVISORY COMMITTEE

William F. O'Toole, Jr.	2012	Francis C. Mangione	2013
Kimberly J. O'Sullivan	2012	Elizabeth C. Conway	2011
Karen E. Barry	2011	David Matthews	2013
David J. Madigan	2011	Ling Wong	2012
Nancy von Stackelberg	2013		

PERSONNEL BOARD

Anita L. Stiles	2012	Wayne C. Heward	2011
Robert L. Molla, III	2012	Alexander K. Salmela	2011
Jean Riley	2013		

WATER ADVISORY BOARD

George D. Wadsworth	2013	Freeman Boynton, Jr.	2011
Paul W. Keohan	2012		

APPOINTED BY THE TOWN MANAGER

Alewife Warden - Donald C. Beers
Animal Control Officer/Inspector-of Animals - Eduardo Ramos
Building Inspector/Zoning Enforcement Officer - Scott Lambiase
Conservation Administrator - Joseph Grady
Council on Aging Director - Joanne Moore
County Cooperative Exten. Serv. Town Director - Lindsay Blake
Custodian of the Clock - Anthony Nightingale
Custodian of the Flags - Donald C. Beers
Director of Public Works - Peter Buttkus
Emergency Management Director - Kevin Nord
Executive Assistant to the Town Manager - Barbara Mello
Finance Director - John Madden
Fire Chief - Kevin Nord
Harbormaster/Shellfish Constable - Donald C. Beers
Health Agent - Tracy Mayo
Manager Buildings and Grounds - James Savonen
Parking Clerk – C. Anne Murray
Police Chief - Matthew M. Clancy
Recreation Director - Gordon H. Cushing
Sealer of Weights and Measures - Harold E. Tuttle
Superintendent of Lands and Natural Resources - Douglas Dondero
Town Account - Claudette Coutu
Treasurer/Collector - Thomas Connolly
Veterans' Services Director/Burial Agent - Michael J. Thorpe
Water Superintendent - Peter Mackin
Weigher of Coke, Coal and Hay - Harold E. Tuttle
Wharfinger - Donald C. Beers

Town Building Committee

Paul Brogna	Adam Yanulis
Dennis Nolan	Andre Martecchini
Frank Mangione	Elizabeth Lewis
Lee Kennedy	

ex-officio:
Peter Buttkus, DPW Director
Scott Lambiase, Dir. of Insp Services
John Heinstadt, School Committee

Crematory Building Committee

Emmett Sheehan, Cemetery Trustee

Robert Hayes, Cemetery Trustee

Scott Lambiase, Dir of Inspectional Services, ex-officio

Peter Buttkus, DPW Director, ex-officio

Patricia Pappas, Cemetery Director, ex-officio

War Memorial Committee

Bryan Felty

Beverly Johnson

Holly Morris

Katherine Pillsbury

Russ Pratt

Pamela Campbell Smith

Robert C. "Terry" Vose, III

Patrick Brown, ex-officio

Blairhaven (Ad hoc)

Betsy Sullivan, Chair

John Brawley, Vice Chair

Holly Morris, Secretary

Mike Barbour

Robert Fawcett

Sam Butcher

Gordon Cushing

Joe Grady, Conservation Administrator

Joe Jannetty

Tony Kelso, Town Historian

Pat Loring

Don Beers or Jake Emerson, ex officio

Peter Buttkus, ex officio

375th Committee

Anne Antonellis, Co-Chair

Don Reed

Nancy Reed

Janet Ritch

Karen Barry

Josh Cutler

Pam Campbell Smith

Paula Harris

Tony Kelso, Co-Chair

Robert C. "Terry" Vose

Camille Neville

Sandy Sweetser

Tony Chamberlain

Bill Thayer

Susan Kelley

Patrick Brown, ex officio

ALL OTHER APPOINTED TOWN OFFICIALS**Appointed by Elected Officers or Committees**Assistant Town Clerk - Susan C. Kelley by the Town ClerkDeputy Assessor - Richard Finnegan by the AssessorsLibrary Director - Carol Jankowski by the Library TrusteesAssistant Library Director - David Murphy by the Library TrusteesPlanning Director - Thomas Broadrick by the Planning BoardSuperintendent of Schools - Benedict Tantillo, III, by the School Committee**APPOINTED BY THE SELECTMEN****AFFORDABLE HOUSING TRUST (Town of Duxbury)**

Shawn Dahlen, Selectmen's Rep 2012

Martha Himes 2012

Diane Bartlett, ex-officio, LHP Chair 2012

Brendan Keohan, Chair 2012

Cynthia Ladd Fortini 2012

Laura Schaefer 2012

AGRICULTURAL COMMISSION

Gregory D. Morris	2013	Robert T. Walsh	2011
Jeffrey A. Chandler, Chair	2012	Roger W. Ritch	2011
*Anne Eldridge	2012	Carl O'Neil	2012
*resigned May 28, 2011		Earl Ricker	2012
Orie Fontaine	2013		

ALTERNATIVE ENERGY COMMITTEE

John Doherty	2011	Andre Martecchini	2013
Jim Goldenberg, Chair	2012	Josh Cutler	2013
Donald Greenbaum	2011	Lynn Smith	2012
Charles "Sandy" von Stackelberg	2013	Leslie Lawrence	2013
Tom Burton	2012	Cliff Bockard	2013
John Murdock	2012		

BOARD OF APPEALS

Dennis Murphy	2012	Michael J. Gill	2015
Judith (Judi) A. Barrett, Chair	2013	Scott Zoltowski	2014
Jill Cadigan-Christenson	2011		

BOARD OF APPEALS (ALTERNATES)

Paul Boudreau	2011	Dimitri Theodossiou	2011
---------------	------	---------------------	------

BOARD OF HEALTH

David Brumley, MD, Chair	2012	Clinton Watson	2013
Karen Tepper, Vice Chair	2012	Jerry Janousek	2014
Bruce Bygate	2014		

BURIAL AGENT TO THE BOARD OF HEALTH

Nancy M. Oates	2013
----------------	------

CABLE ADVISORY COMMITTEE

Robert Fitzpatrick, Chair	2013	William J. Kearney	2012
Richard Miller	2011	Peter Frame	2013
Jean Kennett	2013	Bill Eldredge	2011
Mary E. MacQuarrie, ex-officio	2013	Richard Sigris	2012

COMMUNITY PRESERVATION ACT

Liaisons (3 year terms):			
Holly Morris, Conservation Comm	2013	John Bear, Planning Board	2013
Patricia Loring, Open Space & Recr	2011	Brendan Keohan, Housing Auth	2012
Two at large: Tony Kelso	2012	and Sarianna Seewald	2011

CONSERVATION COMMITTEE

Barbara Kelley	2012	Holly Morris	2013
Joseph Messina, Chair	2012	Corey Wisneski	2013
Sam Butcher	2011	Thomas J. Gill, III	2011
Dianne Hearn	2013		

CONSTABLE

Alden Ringquist	2011	Richard A. DeLisle	2013
Melissa S. Blair	2014		

COUNCIL ON AGING

Richard D. Sigrist, Jr.	2012	Marcy Bravo	2013
Beverly Walters, Alternate	2012	Michael Walsh	2013
Betsy Stevens, Alternate	2012	John Madden	2012
Pamela Campbell Smith, Chair	2011	Steve McCarthy	2011
Peter Muncey	2011	Rev. Catherine Cullen	2011
Richard Whitney	2012	Bill Campbell, Alternate	2012
Nancy "Ninky" Savage, Alternate	2012	Anne Antonellis	2012
Henry O. Milliken, Alternate	2012		

DESIGN REVIEW BOARD

Nancy Johnson	2011	Judith Hall	2013
Sarah B. McCormick, Chair	2011	Robert Mustard	2012
Stephen Williams	2013		

DUXBURY BAY MANAGEMENT COMMITTEE

John Brawley	2012	Shawn Dahlen	2011*
Ned Lawson	2011	William "Skip" Bennett	2011
Jackson S. Kent, III	2013	Corey Wisneski	2012
Jon McGrath, Chair	2011	David Grossman	2012**
Linda Brodie	2013	Don Beers, ex-officio	2011
Sam Davenport	2012	*resigned 8/30/10	**6/22/10

DUXBURY CULTURAL COUNCIL

Rebecca Chin	2012	Barbara Kiley, Chair	2012
Laura Doherty	2011	Janet Ritch	2011
Janet Schwartz	2013	Anthony Pilla	2013
Mary Beth MacQuarrie	2012	Marcy Bravo	2013
Helen Fowler	2011		

DUXBURY YOUTH COMMISSION

Inactive

ECONOMIC ADVISORY COMMITTEE

Betsy Sullivan	2012	Clark J. Hinkley	2011
John Bear, Planning Board	2012	Phillip M. Markella	2013
Dennis Murphy, ZBA	2011	Georgia Cosgrove	2013
Thomas Tucker, Bus. Rep., Chair	2012	Anne Antonellis	2011*
Paula Harris	2012	*Resigned 5/10/10	

FOURTH OF JULY Committee -Appointed 4-13-10 until 4-26-11 (July FY-11)

Nancy Reed	Connie Siegel Dennis	Kate Gaenicke, Co-Chair
James MacNab	Margaret Kearney	William Kearney
Barbara Munsey	Joan Edger	Donald Reed
David Robinson	Jeff Goldman	Sue Lawrence
Linda Robinson	Rich Potash, Co-Chair	Brian Hill

Stuart A. Ruggles
Amy Hill

Janet Ritch
Terry Reiber

Robert Ali
Terri Woodward

HIGHWAY SAFETY COMMITTEE

Dep Chief Chris West, Fire Dep t. 2012
Jeff Lewis, Co-Chair 2011
Paul Brogna, Co-Chair 2011
Officer Tim Wigmore, Police Rep. 2013
Joe Shea, Chair – deceased January 31, 2011

Fred Von Bargaen 2011
Walter Amory 2011
Diane Bartlett 2013

HISTORICAL COMMISSION

Laura Doherty 2011
Lynne Devnew 2012
Robert C. “Terry” Vose, III, Chair 2013
Leslie Lawrence 2012

Retta “Lee” Adams 2011
Norman Tucker, Chair 2011
Tag Carpenter 2013
Lois McKeown 2013

INVESTMENT ADVISORY COMMITTEE

Elizabeth Sullivan, Liaison

KING CAESAR COMMITTEE ADVISORY

Rev. Catherine Cullen 2011
Carol Langford, MD 2012

Diane Barker, Chair 2013

LOCAL HISTORICAL DISTRICT STUDY COMMITTEE

Robert C. “Terry” Vose, III 2013
Georgia Taft Pye 2012
Peter T. Smith 2011
Donna Wood 2012
Pamela Campbell Smith 2013

James Hartford, Chair 2013
Lee Kennedy, Sr. 2011
William S. Thayer, Alternate 2012
James R. Kimball, Jr., Alternate 2010
Renee Mierzejewski, Alternate 2011

LOCAL HOUSING PARTNERSHIP

Matthew Walsh, Designee COA 2013
Denece McGann-Clinton 2011
Andre Martecchini, Designee BOS 2012
Brendan Keohan 2013
John Todd, Housing Authority 2012
Brian Murphy, At Large 2012

Barbara Kelley, Cons Com 2012
George Wadsworth, Planning Bd 2013
Bruce Bygate, BOH 2011
Dianne Bartlett, At Large, Chair 2012
Leslie Lawrence 2013

MBTA ADVISORY BOARD

Thomas Broadrick 2011

METROPOLITAN AREA PLANNING COUNCIL REP

Andre Martecchini 2012

MUNICIPAL COMMISSION ON DISABILITY

Patty Cristoforo 2013
Joseph Shea 2012
Jerry Nightingale 2011
Nancy Shine 2011

Patricia E. Randall, Chair 2013
Reino A. Kock, Mun Emp. Rep. 2012
Marcia G. Solberg 2011

NORTH HILL ADVISORY COMMITTEE

W. James Ford	2012	Gordon Cushing, ex-officio	2013
Richard Manning	2012	Thomas K. Garrity	2012
Robert Mustard, Jr.	2011	Scott Whitcomb	2011
Michael Doolin , Chair	2013	Anthony Floreano	2011
Michael Marlborough	2011	Michael Rufo	2013
Richard Manning	2012		

NUCLEAR ADVISORY COMMITTEE

Mary Elizabeth Lampert, Co-Chair	2013	Henry Chang	2013
Barbara Pye	2011	Millie Morrison	2012
Kevin W. Craig	2011	Rebecca Chin, Co-Chair	2011
Nancy Landgren	2012		

OLD COLONY ELDERLY SERVICES

John R. Madden, Alternate COA	2011
Joanne Moore, Liaison	

OLD COLONY PLANNING COUNCIL

Pauline Flynn, COA, Delegate	2013
James Taylor, COA, Alternate	2011

OPEN SPACE AND RECREATION COMMITTEE

Paul Costello, Chair	2012	Paul Keohan	2013
Lorrie Hall	2011	Kathy Cross	2012
Patricia Loring, CPC Rep	2013	Scott Zoltowski	2011
Brian E. Glennon, II, Planning Bd Rep	2013	Walter Amory	2011

PLYMOUTH COUNTY ADVISORY BOARD

Elizabeth H. Sullivan	2012
-----------------------	------

RECREATION ACTIVITIES COMMITTEE

Rob Ali	2012	Brooks Holmes, Chair	2013
Brian Tonis	2011	Brian Campbell	2012
Rick Davis	2013	Stewart McEntee	2012
David Nicosia	2013	Gordon Cushing, ex-officio	2011

REGISTRARS OF VOTERS

Paul Christo, Chair	2013	Miriam McCaig	2012
Nancy Oates	2013	Mary Ellen See	2012

SHELLFISH ADVISORY COMMITTEE

Donald Beers, ex-officio	2013	John Brawley	2012
Kenneth S. McKim	2013	Clinton Watson	2011
Alan Hoban, Chair	2013	Dan Baker	2012
Robert Loring	2012	John McCluskey	2013
Linda K. Brodie	2011		

SIDEWALK & BIKE COMMITTEE

Patricia C. Fahey	2013	Eileen Kelliher	2012
Nancy Johnson	2013	Steve Berall	2012
Peter J. Sullivan	2011	John Edwards	2012
Ellen Philbrick	2011	Tod Dillon	2011
Kevin Penwell	2012		

SOUTH SHORE COALITION

Josh Cutler, Planning Board Rep	2011
Andre Martecchini, Designee of BOS	2011

SOUTH SHORE RECYCLING Cooperative

Peter Buttkus
Ed Vickers

TOWN COUNSEL

Robert Sweeney Troy

TOWN HISTORIAN

James A. "Tony" Kelso 2011

TOWN MANAGER

Richard MacDonald

ZONING Bylaw Review Committee

George Wadsworth	Planning Board Representative
Judi Barrett	Zoning Board of Appeals Representative
Nancy A. Johnson	Design Review Board Representative
Bob Fitzpatrick	Citizen at-Large
Scott Casagrande	Citizen at-Large
Martin Desmery	Citizen at Large
Freeman Boynton, Jr.	Citizen at-Large
Fred Clifford	Citizen at-Large
Paul Boudreau	Citizen at-Large
Mary Steinke	Citizen at-Large



Nancy M. Oates
Town Clerk



Susan C. Kelley
Assistant Town Clerk

**State Primary
Democratic Party
September 14, 2010**

OFFICE	CANDIDATE	PRECINCT						Total
		1	2	3	4	5	6	
Governor								
	Deval L. Patrick	152	187	138	116	104	113	810
	Blanks	32	33	25	20	22	22	154
	Write Ins	4	2	3	4	6	11	30
Lt. Governor								
	Timothy P. Murray	145	181	141	114	103	117	801
	Blanks	42	41	24	24	28	26	185
	Write Ins	1	0	1	2	1	3	8
Attorney General								
	Martha Coakley	145	184	137	116	97	111	790
	Blanks	41	37	28	22	33	30	191
	Write Ins	2	1	1	2	2	5	13
Secretary of State								
	William Francis Galvin	153	182	140	113	102	120	810
	Blanks	35	40	25	26	28	24	178
	Write Ins	0	0	1	1	2	2	6
Treasurer								
	Steven Grossman	127	144	90	77	72	97	607
	Stephen J. Murphy	38	48	58	47	43	34	268
	Blanks	23	30	18	16	17	15	119
	Write Ins	0	0	0	0	0	0	0
Auditor								
	Suzanne M. Bump	96	121	89	65	71	80	522
	Guy William Glodis	29	29	27	23	31	22	161
	Mike Lake	34	30	27	31	18	24	164
	Blanks	29	41	23	20	12	20	145
	Write Ins	0	1	0	1	0	0	2
Rep in Congress								
	William R. Keating	66	81	95	74	68	75	459
	Robert A. O'Leary	116	131	67	58	60	67	499
	Blanks	6	10	3	8	3	3	33
	Write Ins	0	0	1	0	1	1	3

**State Primary
Democratic Party
September 14, 2010**

OFFICE	CANDIDATE	PRECINCT						Total
		1	2	3	4	5	6	
Councilor								
	Christopher A. Iannella	60	65	65	61	43	48	342
	Stephen F. Flynn	84	100	68	54	59	57	419
	Blanks	44	57	33	25	30	44	233
	Write Ins	0	0	0	0	0	0	0
Senator in General Court								
	Blanks	171	198	155	124	121	125	894
	Write Ins	17	24	11	16	11	21	100
Rep in Gen Court 1 and 6								
	Thomas J. Calter, III	145					114	259
	Blanks	43					32	75
	Write Ins	0					0	0
Rep in Gen Court 2, 3, 4 and 5								
	Josh S. Cutler		192	142	132	112		578
	Blanks		29	24	8	20		81
	Write Ins		1	0	0	0		1
District Attorney								
	John F. Shea	129	155	124	106	81	98	693
	Blanks	59	67	41	33	51	48	299
	Write Ins	0	0	1	1	0	0	2
Sheriff								
	Richard A. Pound	121	142	121	101	79	90	654
	Blanks	67	80	44	38	53	56	338
	Write Ins	0	0	1	1	0	0	2
County Commissioner								
	Timothy J. McMullen	121	146	118	101	81	93	660
	Blanks	67	76	47	39	50	53	332
	Write Ins	0	0	1	0	1	0	2

**State Primary
Libertarian Party
September 14, 2010**

There were 2 voters in precinct 1 and 1 voter in precinct 5 for a total of 3 voters. The ballots were blank.

**State Primary
Republican Party
September 14, 2010**

		PRECINCT								
OFFICE	CANDIDATE		1	2	3	4	5	6		Total
Governor										
	Charles D. Baker		231	313	233	207	207	204		1395
	Blanks		19	18	24	15	13	18		107
	Write Ins		0	1	1	1	2	3		8
Lt. Governor										
	Richard R. Tisei		205	278	207	188	186	184		1248
	Blanks		43	54	49	33	36	40		255
	Write Ins		2	0	2	2	0	1		7
Attorney General										
Write In	James P. McKenna		45	77	54	42	38	38		294
	Blanks		175	238	171	162	163	162		1071
	Write Ins		30	17	33	19	21	25		145
Secretary of State										
	William C. Campbell		197	268	191	175	177	180		1188
	Blanks		53	64	67	46	43	45		318
	Write Ins		0	0	0	2	2	0		4
Treasurer										
	Karyn E. Polito		202	271	205	172	177	182		1209
	Blanks		48	59	52	50	45	43		297
	Write Ins		0	2	1	1	0	0		4
Auditor										
	Mary Z. Connaughton		211	271	214	189	195	188		1268
	Kamal Jain		13	23	16	8	5	11		76
	Blanks		26	38	28	24	22	26		164
	Write Ins		0	0	0	2	0	0		2

**State Primary
Republican Party
September 14, 2010**

OFFICE	CANDIDATE	PRECINCT						Total
		1	2	3	4	5	6	
Rep in Congress								
	Robert E. Hayden, III	9	8	8	10	14	15	64
	Raymond Kasperowicz	8	17	12	10	14	10	71
	Joseph Daniel Malone	92	139	129	96	94	86	636
	Jeffrey Davis Perry	136	161	107	104	100	109	717
	Blanks	5	7	2	1	0	4	19
	Write Ins	0	0	0	2	0	1	3
Councilor								
	Blanks	232	303	240	208	204	206	1393
	Write Ins	18	29	18	15	18	19	117
Senator in General Court								
	Robert L. Hedlund, Jr.	213	296	218	189	187	191	1294
	Blanks	37	36	39	31	34	33	210
	Write Ins	0	0	1	3	1	1	6
Rep in Gen Court 1 and 6								
	Ben Wilson Burns Quelle	28					41	69
	Joseph M. Truschelli	165					144	309
	Blanks	56					40	96
	Write Ins	1					0	1
Rep in Gen Court 2, 3, 4 and 5								
	Daniel K. Webster		288	220	187	183		878
	Blanks		44	37	33	37		151
	Write Ins		0	1	3	2		6
District Attorney								
	Timothy J. Cruz	213	287	211	189	187	185	1272
	Blanks	37	45	46	31	35	38	232
	Write Ins	0	0	1	3	0	2	6
Sheriff								
	Joseph D. McDonald, Jr.	198	274	202	184	185	182	1225
	Blanks	51	58	55	37	36	43	280
	Write Ins	1	0	1	2	1	0	5

**State Primary
Republican Party
September 14, 2010**

OFFICE	CANDIDATE	PRECINCT						Total
		1	2	3	4	5	6	
County Commissioner								
	Sandra M. Wright	190	269	189	175	173	177	1173
	Blanks	59	63	68	47	49	48	334
	Write Ins	1	0	1	1	0	0	3

Total Democratic Voters – 994

Total Libertarian Voters - 3

Total Republican Voters - 1510

Total Voters 2,507

I hereby certify the results of the State Primary Election held on Tuesday, September 14, 2010 at the Duxbury Middle School Gymnasium from 7am until 8pm.

Respectfully submitted,

Nancy M. Oates
Duxbury Town Clerk

**State Election
November 2, 2010
Duxbury Middle School Gymnasium**

	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Total
Gov. & Lt Gov.-Vote for One							
Patrick & Murray	496	553	470	418	420	433	2790
Baker & Tisei	719	962	722	623	649	663	4338
	58	48	80	82	83	90	441
Stein & Purcell	9	4	12	8	12	8	53
Write ins	0	0	2	1	1	0	4
Blanks	8	6	8	9	5	5	41
Attorney General - Vote for One							
Martha Coakley	641	751	670	594	598	597	3851
James P. McKenna	630	802	603	536	550	577	3698
Write-ins	0	1	0	1	3	1	6
Blanks	19	19	21	10	19	24	112
Sec. of State - Vote for One							
William Francis Galvin	638	730	672	604	626	597	3867
William C Campbell	578	778	566	481	481	528	3412
James D. Henderson	23	19	15	18	23	16	114
Write-ins	1	0	3	1	1	0	6
Blanks	50	46	38	37	39	58	268
Treasurer - Vote for One							
Steven Grossman	543	593	547	484	467	474	3108
Karyn E Polito	687	924	702	622	665	676	4276
Write-ins	4	0	0	1	1	0	6
Blanks	56	56	45	34	37	49	277
Auditor - Vote for One							
Suzanne M Bump	403	431	406	368	359	391	2358
Mary Z Connaughton	755	998	762	666	703	685	4569
Nathanael Alexander Fortune	30	49	41	39	40	33	232
Write-ins	3	0	1	0	2	0	6
Blanks	99	95	84	68	66	90	502
Rep in Congress - Vote for One							
William R Keating	529	585	538	477	489	454	3072
Jeffrey Davis Perry	612	804	609	531	534	574	3664
Maryann Lewis	89	110	102	85	91	98	575
Joe Van Nes	6	12	6	5	13	7	49
James A. Sheets	19	14	17	18	22	29	119
Write-ins	2	2	0	1	1	1	7
Blanks	33	46	22	24	20	36	181

**State Election
November 2, 2010
Duxbury Middle School Gymnasium**

	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Total
Councilor 4th - Vote for One							
Christopher Iannella, Jr.	556	625	591	534	540	511	3357
Jacquolyn Payne-Thompson	514	685	502	445	473	504	3123
Write-ins	4	3	2	3	4	0	16
Blanks	215	260	199	159	153	184	1170
Senator in General Court-One							
Plymouth & Norfolk							
Robert L Hedlund, Jr.	848	1091	858	769	793	817	5166
Paul R Kearney, Jr.	328	354	339	279	299	286	1185
Write-ins	3	1	1	3	1	1	10
Blanks	111	127	96	90	87	95	606
Rep in General Court -One							
12th Plymouth District							
Thomas J. Calter, III	599					551	1150
Joseph M. Truschelli	602					559	1161
Write-ins	7					2	9
Blanks	82					87	169
Rep in General Court-One							
6th Plymouth District							
Daniel K. Webster		787	594	513	540		2434
Josh S. Cutler		755	668	609	604		2636
Write-ins		2	0	0	1		3
Blanks		29	32	19	25		105
District Attorney-One							
Plymouth District							
Timothy J Cruz	828	1094	898	744	808	794	5166
John F Shea	378	386	336	348	304	332	2084
Write-ins	2	0	0	0	2	0	4
Blanks	81	93	60	49	56	73	412
Sheriff-One							
Plymouth County							
Joseph D. McDonald, Jr.	948	1199	978	856	885	897	5763
Write-ins	17	14	9	13	16	15	84
Blanks	324	360	307	272	269	287	1819

**State Election
November 2, 2010
Duxbury Middle School Gymnasium**

	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Total
County Commissioner							
Plymouth County							
Timothy J McMullin	483	522	507	458	501	447	2918
Sandra M Wright	642	884	625	572	569	604	3896
Write-ins	3	0	0	0	1	1	5
Blanks	161	167	162	111	99	147	847
Plymouth County Charter Com							
District 6							
David D Fitzgerald	133	146	144	128	148	174	873
William M Harris	895	1106	887	787	811	763	5248
Write-ins	2	3	4	4	3	3	19
Blanks	260	318	259	222	208	259	1526
Question 1 - Alcohol Tax Repeal							
YES	734	903	753	672	735	695	4492
NO	517	613	494	433	401	466	2924
Blanks	39	57	47	36	34	38	251
Question 2 - 40B Repeal							
YES	656	786	645	584	628	563	3862
NO	556	676	559	488	487	561	3327
Blanks	77	111	90	69	55	75	476
Question 3 - Reduce Sales Tax							
YES	619	791	641	576	618	606	3851
NO	637	730	609	537	537	569	3619
Blanks	34	52	44	28	15	24	197
Question 4 - Plymouth Cty Study							
YES	605	704	547	519	536	536	3447
NO	519	673	599	494	525	537	3347
Blanks	166	196	148	128	109	126	873
Total vote	1291	1573	1294	1141	1170	1199	7,668
Absentee Ballots Requested	120	172	116	87	76	173	744
Absentee Ballots Voted	112	154	109	74	67	154	670

I hereby certify the results of the November 2, 2010 State Election. The Polls opened at 6am and were closed at 8pm. All six precincts voted at the Duxbury Middle School Gymnasium. The final tally was completed at 10:15pm at the Duxbury Town Hall.

Nancy M. Oates
Duxbury Town Clerk

**Town of Duxbury
Annual Town Meeting
March 12, 2011**

The Town meeting was called to order by the Moderator at 9:05am, recessed for a Special Town Meeting at 9:18am until the meeting adjourned sine die at 9:50am when the Annual Town Meeting reconvened, recessed for lunch from 12:05pm until 1:07pm and recessed at 6:40pm until the meeting was reconvened on Monday, March 14th at 7:00pm, recessed at 11pm until the meeting was reconvened on Tuesday, March 15th at 7pm and was recessed sine die at 11:10pm. All sessions were held at the Duxbury Performing Arts Center, 73 Alden St., Duxbury.

Shawn Dahlen, Chair of the Board of Selectman, presented a Proclamation to Elizabeth H. Sullivan, retiring from Board of Selectmen in March 2011 after 9 years of service on the Board.

Article 1 – Appointment of Officers not Chosen by Ballot – Moved and seconded that the Town Moderator and Board of Selectmen be authorized to appoint the officers not chosen by ballot.

Motion Carried.

Article 2 – Report of Officers and Committees – Moved and seconded that the Town receive the reports of its Town Officials, Boards, Committees, and Commissions as printed in the Annual Report.

Motion Carried.

Article 3 – Compensation of Elected Officials – Moved and seconded that the Town vote to fix the compensation of the elected officials for the twelve month period beginning July 1, 2011 as set forth in the column entitled “Requested FY12” in Article 3 in the Warrant, with the following changes: Town Clerk’s salary to be \$74,000.00, and total amount to be \$84,040.00.

	Appropriated FY11	Requested FY12	BOS Recommended FY12	Finance Committee Recommended FY12
Moderator	\$40	\$40	*	*
Selectmen				
Chair	\$2,000	\$2,000	*	*
Member	\$1,500	\$1,500	*	*
Member	\$1,500	\$1,500	*	*
Assessors				
Chair	\$2,000	\$2,000	*	*
Member	\$1,500	\$1,500	*	*
Member	\$1,500	\$1,500	*	*
Town Clerk	\$69,000	\$74,000	\$74,000	\$74,000
Total	\$79,040	\$84,040		

* available at Town Meeting

Motion Carried.

Article 4 – State Highway Fund – Moved and seconded that the Town vote to accept the sum of \$408,895.00 that will be available from the State Highway Fund and such additional sums as may be made available from other county, state or federal agencies for highway related work and to further authorize the Treasurer, with the approval of the Board of Selectmen to borrow in anticipation of receipt of said funds in accordance with Massachusetts General Laws Chapter 44, Sections 4 and 6A.

Motion Carried.

Article 5, Motion 1 – Budget, General Government – Moved and seconded that the Town vote to appropriate the sum of \$2,196,513.00 for the following:

113	Town Meeting		114	Moderator		122	Selectmen/Manager	
	Expenses	\$3,600		Salaries	\$40		Salaries	\$247,859
	Total	\$3,600		Total	\$40		Expenses	\$19,200
						Total		\$267,059
129	Historical Commission		131	Finance Committee		133	Finance Director	
	Expenses	\$200		Expenses	\$500		Salaries	\$97,625
	Total	\$200		Total	\$500		Expenses	\$2,675
						Total		\$100,300
135	Accounting		136	Audit		141	Assessors	
	Salaries	\$204,316		Expenses	\$41,700		Salaries	\$224,184
	Expenses	\$8,230		Total	\$41,700		Expenses	\$22,045
	Total	\$212,546					Total	\$246,229
145	Treasurer/Collector		151	Legal Expenses		152	Human Resources	
	Salaries	\$255,478		Expenses	\$262,000		Salaries	\$63,881
	Expenses	\$55,750		Total	\$262,000		Expenses	\$17,550
	Total	\$311,228					Total	\$81,431
155	Information Systems		158	Tax Title		161	Town Clerk	
	Salaries	\$60,750		Expenses	\$15,000		Salaries	\$118,893
	Expenses	\$188,469		Total	\$15,000		Expenses	\$3,100
	Total	\$249,219					Total	\$121,993
162	Elections		171	Conservation Commission		175	Planning Board	
	Salaries	\$15,838		Salaries	\$122,016		Salaries	\$105,314
	Expenses	\$17,190		Expenses	\$12,260		Expenses	\$10,850
	Total	\$33,028		Total	\$134,276		Total	\$116,164

and to meet said appropriation transfer the sum of \$73,838.00 from the Water Enterprise Fund, transfer the sum of \$14,768.00 from the Percy Walker Pool Enterprise Fund, and raise and appropriate the sum of \$2,107,907.00. **Motion Carried.**

Article 5, Motion 2 – Operating Budget, Public Safety – Moved and seconded that the Town vote to raise and appropriate the sum of \$6,151,397.00 for the following:

210 Police		220 Fire		241 Inspection Services	
Salaries	\$2,857,562	Salaries	\$2,157,713	Salaries	\$388,343
Expenses	\$231,750	Expenses	\$251,200	Expenses	\$25,200
Total	\$3,089,312	Total	\$2,408,913	Total	\$413,543
295 Harbor/Coastal Mgt		Total Public Safety			
Salaries	\$217,829	Salaries	\$5,621,447		
Expenses	\$21,800	Expenses	\$529,950		
Total	\$239,629	Total	\$6,151,397		

Motion Carried.

Article 5, Motion 3 – Operating Budget, Public Works – Moved and seconded that the Town vote to appropriate the sum of \$3,782,287.00 for the following:

192 Central Building Services		194 Tarkiln Community Center		292 Animal Control	
Salaries	\$58,227	Expenses	\$16,200	Salaries	\$54,092
Expenses	\$257,500	Total	\$16,200	Expenses	\$9,250
Total	\$315,727			Total	\$63,342
294 Lands & Natural Resources		418 Central Fuel Depot		419 DPW Administration	
Salaries	\$366,862	Expenses	\$212,500	Salaries	\$251,053
Expenses	\$42,000	Total	\$212,500	Expenses	\$27,350
Total	\$408,862			Total	\$278,403
421 Vehicle Maintenance		422 Highway/Road Maintenance		423 Snow and Ice	
Salaries	\$152,164	Salaries	\$427,118	Salaries	\$60,000
Expenses	\$118,000	Expenses	\$65,000	Expenses	\$110,000
Total	\$270,164	Total	\$492,118	Total	\$170,000
424 Street Lights		431 Transfer Station		440 Sewer	
Expenses	\$38,000	Salaries	\$218,225	Salaries	\$15,311
Total	\$38,000	Expenses	\$546,100	Expenses	\$210,500
		Total	\$764,325	Total	\$225,811
491 Cemetery		Total DPW			
Salaries	\$368,015	Salaries	\$1,971,067		
Expenses	\$158,820	Expenses	\$1,811,220		
Total	\$526,835	Total	\$3,782,287		

and to meet said appropriation transfer the sum of \$19,923.00 from the Water Enterprise Fund, and raise and appropriate the sum of \$3,762,364.00.

Motion Carried.

Article 5, Motion 4 – Operating Budget, Human Services – Moved and seconded that the Town vote to raise and appropriate the sum of \$565,597.00 for the following:

541	Council on Aging		543	Veterans Services		840	Plymouth County Coop	
	Salaries	\$342,372		Salaries	\$18,000		Ext	
	Expenses	\$117,700		Expenses	\$87,325		Expenses	\$200
	<hr/>			<hr/>			<hr/>	
	Total	\$460,072		Total	\$105,325		Total	\$200
Total Human Services								
	Salaries	\$360,372						
	Expenses	\$205,225						
	Total	\$565,597						

Motion Carried.

Article 5, Motion 5 – Operating Budget, Library and Recreation – Moved and seconded that the Town vote to raise and appropriate the sum of \$1,339,447.00 for the following:

610	Library		630	Recreation		633	Beach Life Guards	
	Salaries	\$872,074		Salaries	\$141,542		Salaries	\$16,770
	Expenses	\$300,261		Expenses	\$1,150		Expenses	\$650
	Total	\$1,172,335		Total	\$142,692		Total	\$17,420
632	North Hill Golf Course		692	Public Celebrations		Total Library and Recreation		
	Expenses	\$2,000		Expenses	\$5,000		Salaries	\$1,030,386
	Total	\$2,000		Total	\$5,000		Expenses	\$309,061
							Total	\$1,339,447

Motion Carried.

Article 5, Motion 6 – Operating Budget, Schools – Moved and seconded that the Town vote to raise and appropriate the sum of \$28,946,458.00 for the following:

300	Total Duxbury Schools	
	Salaries	\$22,386,734
	Expenses	\$6,559,724
	Total	\$28,946,458

Motion Carried.

Article 5, Motion 7 – Operating Budget, Shared Costs (Benefits, Insurance, and Debt Service) – Moved and seconded that the Town vote to appropriate the sum of \$11,974,636.00 for Town and School shared costs as follows:

	Employee Benefits	
916	Medicare	\$447,800
915	Life Insurance	\$12,710
	Employee Life & Health	
914	Insurance	\$6,400,000
911	Contributory Pensions	\$2,134,651
909	Non-Contributory Pensions	\$20,000
945	Workers Compensation	\$233,300
	<hr/> Sub-Total Employee Benefits	<hr/> \$9,248,461

	Other Shared Costs	
	Fire, Liability,	
945	Insurance	\$261,850
132	Reserve Fund	\$100,000
	<hr/> Sub-Total Liability Insurance/Reserve	<hr/>
	Fund	\$361,850

	Debt Service Town & Schools	
710	Principal Payments	\$1,797,726
751	Interest on Bonded Debt	\$526,599
752	Interest on Temporary Notes	\$20,000
753	Bond Expense	\$20,000
	<hr/> Sub-Total Debt Service	<hr/> \$2,364,325

Total Town & Schools	
Shared Costs	\$11,974,636

and to meet said appropriation, transfer the sum of \$63,575.00 from the Pension Reserve Fund, transfer the sum of \$24,110.00 from the Water Enterprise Fund, transfer the sum of \$4,821.00 from the Pool Enterprise Fund and raise and appropriate the sum of \$11, 882,130.00.

Motion carried.

Article 5, Motion 8 – Operating Budget, Total Budget Summary All Motions – Moved and seconded that the Town vote to appropriate the sum of \$54,956,335.00 as the operating budget of the Town for the fiscal year beginning July 1, 2011, exclusive of the Water Enterprise and Percy Walker Pool Enterprise budgets, for the following purposes and amounts:

Departments	Appropriation	Transfer	Raise
General Government	\$2,196,513	\$88,606	\$2,107,907
Public Safety	\$6,151,397		\$6,151,397
Public Works	\$3,782,287	\$19,923	\$3,762,364
Human Services	\$565,597		\$565,597
Library & Recreation	\$1,339,447		\$1,339,447
Education	\$28,946,458		\$28,946,458
Shared Costs	\$11,974,636	\$92,506	\$11,882,130
Totals	\$54,956,335	\$201,035	\$54,755,300

and to meet said appropriation raise and appropriate the sum of \$54,755,300.00 and transfer the sum of \$201,035.00 in accordance with the transfers voted in motions previously voted.

Motion carried.

Article 5, Motion 9 – Water Operating Budget – Moved and seconded that the Town vote to raise and appropriate the sum of \$2,515,403.00 as the Water Enterprise Budget and to meet this appropriation raise and appropriate the sum of \$2,515,403.00 from User Fees.

Operating	\$1,597,775
<u>Debt</u>	<u>917,628</u>
Total	\$2,515,403

Motion carried.

Article 5, Motion 10 – Percy Walker Pool Enterprise Budget – Moved and seconded that the Town vote to appropriate the sum of \$371,981.00 for the Percy Walker Pool Enterprise Budget and to raise and appropriate the sum of \$371,981.00 from User Fees.

Salaries	\$210,633
<u>Expenses</u>	<u>161,348</u>
Total	\$371,981

Motion carried.

The meeting recessed at 12:05pm and reconvened at 1:07pm.

Article 6, Motion 1 – Capital Requests, General Government – Moved and seconded that the Town vote to appropriate the sum of \$140,895.00 to purchase new computer-aided dispatch software for the Police and Fire Departments, and to meet said appropriation, transfer the sum of \$140,895.00 from Free Cash to be expended under the direction of the Town Manager.

Motion carried.

Article 6, Motion 2 – Capital Requests, Public Safety – Moved and seconded that the Town vote to appropriate the sum of \$96,267.00 for the following:

Police Department

Video Security System	\$12,414
-----------------------	----------

Fire Department

Refurbish 1992 Rescue/Dive Truck	\$20,000
Turnout Gear – 5 sets	\$12,000
SCBA Bottles	\$ 9,600

Harbormaster

Replace 2004 4x4 Truck	\$33,811
Automated External Defibrillators	4,100
Portable Radios	1,942
Thermal Imaging Camera	2,400

Public Safety Total **\$96,267**

and to meet said appropriation, transfer the sum of \$53,811.00 from Free Cash, and raise and appropriate the sum of \$42,456.00, all to be expended under the direction of the Town Manager.

Motion Carried.

Article 6, Motion 3 – Capital Requests, DPW – Moved and seconded that the Town vote to appropriate the sum of \$549,500.00 for the following:

Repair and Paint Town Hall Exterior	\$35,000
Organize Town Hall Archives	\$20,000
Replace 2000 Toro Grounds Master	\$87,500
Replace 2004 Half-ton Pick-up Truck	\$27,000
Replace 2002 Three-quarter ton Pick-up Truck	\$35,000
Replace Animal Control Pick-up Truck	\$23,000
Replace 2000 Six-wheel Dump Truck, H-19	\$161,000
Replace 2000 Six-wheel Dump Truck, H-14	\$161,000

and to meet said appropriation, transfer the sum of \$549,500.00 from Free Cash to be expended under the direction of the Town Manager.

Motion carried.

Article 6, Motion 4 – Capital Requests, Human Services – Moved and seconded that the Town vote to raise and appropriate the sum of \$7,000.00 for the replacement of couches and chairs at the Duxbury Senior Center, to be expended under the direction of the Town Manager.

Motion carried.

Article 6, Motion 5 – Capital Requests, Library & Recreation – Moved and seconded that the Town vote to appropriate the sum of \$76,000.00 for the following:

Library

Replace Five Workstations	\$4,000
Replace Carpet	\$2,000

Recreation

Repair Tarkiln Tennis Courts	\$15,000
Repair Wadsworth Tennis Courts	\$15,000

North Hill Golf Course

Repair or Replace Ladies Tees	\$15,000
Repair Sand Traps	\$25,000

and to meet said appropriation, transfer the sum of \$70,000.00 from Free Cash and raise and appropriate the sum of \$6,000.00, all to be expended under the direction of the Town Manager.

Motion carried.

Article 6, Motion 6 – Capital Requests, Schools – Moved and seconded that the Town vote to appropriate the sum of \$434,275.00 for the following:

Network Upgrades (System-wide)	\$15,000
Wireless Technology at High School - Phase 2	\$15,000
Computer Replacement (System-wide)	\$80,800
Printer Replacement (System-wide)	\$36,000
Mobile Class Computer System (System-wide)	\$83,200
Smartboards	\$35,200
Construction/Renovation of Classrooms	\$35,000
White Marker Boards	\$10,000
Alden School Lighting Upgrade	\$124,075

and to meet said appropriation, transfer the sum of \$434,275.00 from Free Cash to be expended under the direction of the School Committee.

Motion carried.

Article 6, Motion 7 – Capital Requests, Water – Moved and seconded that the Town vote to appropriate the sum of \$318,900.00 for the following:

Engineering of Underground Injection Control Wells	\$10,500
System Rehabilitation	\$150,000
PCE Main Pipe Replacement	\$100,000
Replace 2004 Pick-up Truck	\$29,200
Replace 2006 Pick-up Truck	\$29,200

and to meet said appropriation, transfer the sum of \$318,900 from Water Department retained earnings, to be expended under the direction of the Town Manager.

Motion carried.

Article 7 – Personnel Plan – Moved and seconded that the Town vote to amend the Town Personnel Bylaw, originally accepted March 12, 1955 and last amended March 13, 2010 by

incorporating the changes shown on the handout entitled “Recommended Changes to the Town Personnel Bylaw”, a copy of which is on file in the Town Clerk’s Office, and to raise and appropriate the sum of \$80,000.00 for the purposes of this Article. (See Appendix A).

Motion carried.

Article 8 – Union Contracts – Moved, seconded and carried to indefinitely postpone this Article.

Article 9 – Rescind Debt – Moved and seconded that the Town vote to rescind the balance of Authorized and Unissued Debt from the March 14, 2009 Annual Town Meeting Under Article 37 (Replace Chandler School Roof) as follows:

\$1,540,000.00 Authorized, and
\$640,000.00 to be Rescinded

Motion carried.

Article 10, Motion 1 – Council on Aging Revolving Fund – Moved and seconded that the Town vote to re-authorize a Revolving Fund under M.G.L. Chapter 44 Section 53E½ to allow the Council-On-Aging to be credited with all fees and charges received from Senior Center programs, and to authorize the expenditure of an amount not to exceed \$70,000.00 from said revolving fund to be expended under the direction of the Council-On-Aging Director for Senior Programs.

Motion carried.

Article 10, Motion 2 – GIS Revolving Fund – Moved and seconded that the Town vote to re-authorize a Revolving Fund under M.G.L. Chapter 44 Section 53E½ to allow the Geographic Information Systems Committee to be credited with all fees and charges received from the provision of GIS services and to authorize the expenditure in an amount not to exceed \$6,000.00 from said revolving fund to be expended under the direction of the Town Manager, for GIS Program development.

Motion carried.

Article 10, Motion 3 – Revolving Fund for Jaycox Tree Farm – Moved and seconded that the Town vote to re-authorize a revolving fund under M.G.L. Chapter 44 Section 53E½ to allow the Conservation Commission to set fees and to be credited with all fees and charges received from the operation of the Jaycox Christmas Tree Farm and to authorize the expenditure in an amount not to exceed \$20,000.00 from said Revolving Fund to be expended under the direction of the Conservation Administrator for supplies and any needs of the Jaycox Christmas Tree Farm.

Motion carried.

Article 10, Motion 4 – Hazardous Materials Response Revolving Fund – Moved and seconded that the Town vote to establish a Revolving Fund under M.G.L. Chapter 44 Section 53E½ to allow the Fire Department to be credited with all fees and charges received as a result of reimbursable incidents allowed under Massachusetts General Laws Chapter 21E involving Hazardous Materials Releases, and to authorize the expenditure in an amount not to exceed \$50,000.00 from said Revolving Fund, to be expended under the direction of the Fire Chief for the replacement, repair, or purchase of equipment and supplies and for Administrative and Call

Firefighter wage expenses associated with fire operations and responses to hazardous materials incidents.

Motion carried.

Charles Fargo presided over the meeting as Acting Moderator for the purposes of Article 11.

Article 11 – Duxbury Beach Lease – Moved and seconded that the Town vote to raise and appropriate the sum of \$400,000.00 to be expended under the direction of the Town Manager for the purpose of leasing Duxbury Beach, being that portion of land in the towns of Duxbury and Plymouth owned by the Duxbury Beach Reservation, Inc. south of a line running approximately east to west along the northerly edge of the northerly parking area, at the east end of the Powder Point Bridge (subject to an area of land at High Pines used by the Duxbury Beach Reservation) and to authorize the Board of Selectmen to execute a lease in the name and on behalf of the Town for the period beginning July 1, 2011 and ending June 30, 2012 on such terms as may be approved by the Board of Selectmen.

2/3 vote required – Received the requisite 2/3 vote called by the Moderator - Motion carried.

Article 12 – 4th of July Parade – Moved and seconded that the Town vote to raise and appropriate the sum of \$10,000.00 to fund the Town of Duxbury's Fourth of July parade and ceremony, to be expended under the direction of the Town Manager.

Motion carried.

Article 13 – David Cutler Forest – Moved and seconded that the Town vote to name the publicly owned land on Mayflower Street, shown as Parcel 100-502-074 on the Duxbury Assessors Maps, as the "David Cutler Forest".

Motion carried.

Article 14 – Housing Allocation Plan – Moved and seconded that the Town vote to adopt a plan for allocation of the resources of the Duxbury Affordable Housing Trust Fund for Fiscal Year 2012 in accordance with the provisions of Chapter 112 of the Acts of 2005 as follows:

A. First Time Homeownership Program

1. Provide gifts, grants, or subsidies to assist low income homebuyers to purchase a home in the town of Duxbury.
2. Purchase rights of first refusal to acquire existing dwelling units for sale to low income households.

B. Conversion of Existing Properties

1. Acquire and rehabilitate or redevelop existing residential units for purchase or rental by low income home buyers or tenants.
2. Acquire, redevelop or convert existing non-residential structures for low income housing purchasers or tenants.

C. Develop New Affordable Housing Units

1. Acquire and/or construct new residential units for purchase or rental by low income home buyers or tenants.

Motion carried.

Article 15 – Cemetery Land – Moved and seconded that the Town vote to approve the transfer of the care, custody, management and control of land from the Board of Cemetery Trustees to the Board of Selectmen, identified as lots 150B-501-432, 150B-501-433, and 150B-500-431 as shown on Duxbury Assessor Maps for the purpose of renovation and expansion of the Fire Station and for other town purposes and further to vote to approve the transfer of the care, custody, management, and control of land from the Board of Selectmen to the Board of Cemetery Trustees, that portion of land owned by the Town on lots 140F-500-014, 140F-500-016, 140G-500-027, 140G-500-057, and 140B-500-080 as shown on Duxbury Assessor Maps, as shown on a plan on file at the Office of the Town Clerk, for the purpose of future expansion of the cemetery and further to raise and appropriate the sum on \$15,000.00 for the purposes of this article, said sum to be expended under the direction of the Town Manager.

There was a motion to delete beginning line 5 with “and further to vote...” through line 9 ending with “... future expansion of the cemetery”. **Motion failed.**

2/3 vote required – Received the requisite 2/3 vote called by the Moderator and the Article was carried as originally presented.

Article 16 - Fire Station Rehabilitation – Moved and seconded that the Town vote to appropriate the sum of \$3,700,000.00 for the rehabilitation of the Fire Department Headquarters on Parcel 150-503-040 on Tremont Street, said sum to include construction costs and associated architectural, engineering, inspection, building fit-out, and related costs, and to meet said appropriation to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$3,700,000.00 under Chapter 44 of the General Laws or any other enabling authority, and to authorize the Town Manager to apply for and accept any gifts or grants for such project, said appropriation to be expended under the direction of the Town Manager, and said appropriation to be contingent upon approval by Town voters of a ballot question at an election, said ballot question to ask voters to allow the Town to exempt from the provisions of Proposition 2½ so-called, the amounts required to pay for the principal and interest on the bonds or notes to be issued for said purposes, and further to authorize the Board of Selectmen to negotiate and enter into a deed restriction on Parcel 150-500-431 for the purpose of limiting nitrogen activities on said parcel.

There was a motion to move the question. **2/3 vote required – Received the requisite 2/3 vote called by the Moderator - Motion carried.**

Voting Article 16 - **2/3 vote required. Yes - 860 No - 39**
Received the requisite 2/3 vote - Motion carried.

Article 17 – New Police Station – Moved and seconded that the Town vote to appropriate the sum of \$6,275,000.00 for architectural, engineering, and design services to prepare contract bid documents and to construct and furnish a new police station to be located on a portion of Parcel 140-500-039 on Mayflower Street as shown on a site plan on file with the Town Clerk, said appropriation to be expended under the direction of the Town Manager, and to meet said appropriation, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$6,275,000.00 under Chapter 44 of the General Laws or any other enabling authority, and to authorize the Town Manager to apply for and accept any gifts or grants for such project, said appropriation to be contingent upon approval by Town voters of a ballot question at an

election, said ballot question to ask voters to allow the Town to exempt from the provisions of Proposition 2½ so-called, the amounts required to pay for the principal and interest on the bonds or notes to be issued for said purposes, and further to authorize the Board of Selectmen to dispose of Parcel 130-507-011 containing the existing Police Station on terms in the best interest of the Town, in accordance with the requirements of Massachusetts General Laws Chapter 30B, Section 16.

There was a motion to amend the Article to only include funds to obtain bids for the project.
Motion failed.

There was a motion to move the previous question.

2/3 vote required – Received the requisite 2/3 vote called by the Moderator - Motion carried

Voting Article 17 as presented, **2/3 vote required – Received the requisite 2/3 vote called by the Moderator - Motion carried.**

Article 18 – Model School Project – Moved and seconded that the Town vote to appropriate the sum of \$2,900,000.00 for architectural and engineering fees associated with the schematic design of a new co-located High School and Middle School located on the site of the current Middle School, 71 Alden Street, Duxbury, MA, including owner's project manager and construction manager fees through the schematic design phase, said sum to be expended under the direction of the School Building Committee with the approval of the School Committee, and to meet said appropriation, the Treasurer with the approval of the Selectmen is authorized to borrow said sum, pursuant to M.G.L. Chapter 44, or any other enabling authority; that the Town acknowledges that the Massachusetts School Building Authority's ("MSBA") Grant Program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town, and further provided that the appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2½), and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the design agreement that may be executed between the Town and the MSBA.

2/3 vote required – Received the requisite 2/3 vote called by the Moderator - Motion carried.

Meeting recessed at 6:40pm until Monday, March 14, 2011 at 7:00pm.

Meeting was called to order on March 14, 2011 at 7:15 pm.

There was a motion for Reconsideration of Article 18. **2/3 vote required. Motion failed.**

Article 19 – CPC Operating Budget – Moved and seconded that the Town vote, upon recommendation of the Community Preservation Committee, to raise and appropriate the sum of \$80,500.00 in accordance with M.G.L. Chapter 44B, for expenses and charges for the operation of the Community Preservation Committee, all for the Fiscal Year beginning July 1, 2011 and ending June 30, 2012, said funds to be expended under the direction of the Town Manager.

Motion carried.

Article 20 – CPC Allocations – Moved and seconded that the Town vote to raise and appropriate, upon recommendation of the Community Preservation Committee, the sum of \$483,000.00 for the purpose of meeting the requirements of the Community Preservation Act, M.G.L. Chapter 44B, Section 6, for the purposes of open space, community housing (affordable) and historic resources (preservation). **Motion carried.**

Article 21- CPC, Old Town Hall Restoration – Move and seconded that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$250,000.00 for the historic restoration of the Old Town Hall located on Tremont Street, and for costs related thereto, and to meet said appropriation, to transfer the sum of \$250,000.00 from the Undesignated Fund balance of the Community Preservation Fund, and further to authorize the Board of Selectmen to solicit grants and receive gifts for this purpose, and further to authorize the Town Manager to expend sums of money for the purposes of this article from the Community Preservation Fund and from grants and gifts designated for this purpose.
Motion carried.

Article 22 – CPC, Keene Mill Foundation – Moved and seconded that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$30,000.00 for the historic restoration of the foundation of the Keene Mill located on Parcel 010-502-005 of the Duxbury Assessors Map, and for costs related thereto, and to meet said appropriation, to transfer the sum of \$30,000.00 from the Historic Resources Reserves of the Community Preservation Fund, and further to authorize the Board of Selectmen to solicit grants and receive gifts for this purpose, and further to authorize the Town Manager to expend sums of money for the purposes of this article from the Community Preservation Fund and from grants and gifts designated for this purpose.
Motion carried.

Article 23 – CPC, Gravestone Restoration – Move and seconded that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$58,000.00 for the historic restoration of gravestones at the Chestnut Street burial ground and the Mayflower Street old burial ground, and for costs related thereto, and to meet said appropriation, to transfer the sum of \$58,000.00 from the Historic Resources Reserves of the Community Preservation Fund, and further to authorize the Board of Selectmen to solicit grants and receive gifts for this purpose, and further to authorize the Town Manager to expend sums of money for the purposes of this article from the Community Preservation Fund and from grants and gifts designated for this purpose.
Motion carried.

Article 24 – CPC, Blairhaven Purchase – Moved and seconded that the Town vote to appropriate the sum of \$3,150,000.00 for the acquisition for recreation purposes, under the care and control of the Board of Selectmen, with a permanent Deed restriction under M.G.L. 184, of a fee simple interest in land, certain parcels of land, approximately 5 acres in area, identified as Parcels 200-470-053, 200-470-054, and 200-470-055 on the Duxbury Assessors Map and shown on a plan of land on file at the Office of the Town Clerk, and for costs related thereto; that to meet said appropriation \$950,000.00 shall be raised from estimated Community Preservation Fund annual revenue, \$1,400,000.00 shall be transferred from the FY2010 Undesignated Fund Balance of the Community Preservation Fund, and the Treasurer with the approval of the Board

of Selectmen is authorized to borrow \$800,000.00 under M.G.L. Chapter 44 and/or Chapter 44B, The Community Preservation Act, or any other enabling authority, and to further authorize the Board of Selectmen to solicit grants and gifts and receive and accept grants and gifts for the purposes of this article, and further to authorize the Town Manager to expend said sums of money from the Community Preservation Fund and any grants and gifts received for the purposes of this article; and that the Town Manager and the Board of Selectmen be authorized to enter into all agreements and execute any and all instruments, on terms and conditions they deem to be in the best interests of the Town and as may be necessary or convenient on behalf of the Town to carry out this vote.

There was a motion to move the previous question. **Motion failed.**

Voting Article 24, **2/3 vote required. Yes – 389 No – 209**
Did not receive the requisite 2/3 vote - Motion failed.

On Monday, March 14, 2011 after Article 25 was voted, there was a motion to reconsider Article 24. **2/3 vote required. Yes - 274 No – 119**
Motion carried to reconsider.

There was a motion to move the previous question (Article 24). **2/3 vote required.**
Yes – 301 No – 102. Motion carried.

Second and final vote on Article 24: Yes – 302 No – 116. 2/3 vote required, Motion carried.

Article 25 – CPC, Koplovsky Land Purchase - Moved and seconded that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$447,095.00 for the acquisition for Open Space purposes under the care and control of the Conservation Commission, as defined under M.G.L. Chapter 40, Section 8C, with a permanent Deed restriction under M.G.L. Chapter 184, of a fee simple interest in land, certain parcels of land, approximately 29 acres in area, identified as Parcels 020-031-000, 020-029-013, and a portion of 020-029-011 as shown on the Duxbury Assessors Map and as shown on a plan of land on file at the Office of the Town Clerk, and for costs related thereto, and to authorize the Board of Selectmen to solicit grants or receive gifts for said purchase and to meet said appropriation, transfer \$172,095.00 from the FY2010 Undesignated Fund Balance of the Community Preservation Fund, and to transfer the sum of \$275,000.00 from the Open Space Reserves of the Community Preservation Fund, and further to authorize the Town Manager to expend said sums of money from the Community Preservation fund for the purposes of this Article.

2/3 vote required – Received the requisite 2/3 vote called by the Moderator - Motion carried.

There was a motion to reconsider Article 24. **2/3 vote required. Yes - 274 No – 119**
Motion carried.

There was a motion to move the previous question (Article 24). **2/3 vote required.**
Yes – 301 No – 102. Motion carried.

See Article 24 for final vote of reconsideration.

Article 26 – CPC, Town Clerk Documentation Storage – Moved and seconded that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$9,550.00 for the purchase of document and storage equipment for the vault in the Office of the Town Clerk, and for costs related thereto, and to meet said appropriation, to transfer the sum of \$9,550.00 from the Historic Preservation Reserves of the Community Preservation Fund, and further to authorize the Board of Selectmen to solicit grants and receive gifts for this purpose, and further to authorize the Town Manager to expend sums of money for the purposes of this article from the Community Preservation Fund and from grants and gifts designated for this purpose.

Motion carried.

Article 27 – CPC, Homeownership Assistance Program – Moved and seconded that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$330,000.00 to be added to the Duxbury Affordable Housing Trust to be used for the First Time Homeownership Assistance Program, and for costs related thereto, and to meet said appropriation, to transfer the sum of \$330,000.00 from the Community Housing Reserves of the Community Preservation Fund, and further to authorize the Board of Selectmen to solicit grants and receive gifts for this purpose, and further to authorize the Town Manager to expend sums of money for the purposes of this article from the Community Preservation Fund and from grants and gifts designated for this purpose.

Motion carried.

Article 28 – Rescind CPA, Citizen Petition – Moved and seconded that the Town vote to rescind its acceptance by the Town at its Annual Election on March 24, 2001 of the Community Preservation Act, Section 3 to 7 of Chapter 44B of Massachusetts General Laws, and further to place such rescission approved by the Town meeting on the Ballot for acceptance by the voters of the Town of Duxbury at the next qualifying Town or State Election.

Motion failed.

There was a motion to reconsider Article 28 – **Motion failed.**

Meeting recessed at 10:45pm until Tuesday, March 15, 2011 at 7:00pm.

Meeting was called to order on March 15, 2011 at 7:05 pm.

Article 29 – Lincoln Street Easements – Moved and seconded that the Town vote to authorize the Board of Selectmen to grant access and utility easements on a portion of parcels of land off Lincoln Street identified on Duxbury Assessors Maps as Parcels 120-500-002 and 120-502-008 as shown on plans of land filed at the Office of the Town Clerk, under terms and conditions deemed by the Board of Selectmen to be in the best interest of the Town.

2/3 vote required – Received the requisite 2/3 vote called by the Moderator - Motion carried.

Article 30 – Bay Farm Field – Moved and seconded that the Town vote to authorize the Town Manager to enter into an agreement pursuant to authority contained in M.G.L. Chapter 30B for the management of the Bay Farm Field, Parcel 160-500-025, for a term of up to ten years.

There was a motion to amend the Article to add “passive recreation purposes” for the use of Bay Farm Field.

2/3 vote required – Received the requisite 2/3 vote called by the Moderator - Motion carried.

Voting Article 30, **2/3 vote required. Yes – 82 No – 180**

Did not receive the requisite 2/3 vote - Motion failed.

Article 31- Local Historic District-Moved and seconded that the Town vote to adopt a new Chapter 12 to the General Bylaws to be known as the Local Historic District Bylaw as outlined in the Local Historic District Study Committee’s Final Report, dated December 7, 2010, as amended in accordance with a handout available at the Town Meeting, a copy of which is on file at the Town Clerk’s Office.

An amendment to remove the property at 489 Washington St. “to be neither designated nor included in the district.” 2/3 vote required - Received the requisite 2/3 vote and Carried.

The Town of Duxbury hereby creates a Local Historic District, to be administered by an Historic District Commission as provided for under Massachusetts General Laws, Chapter 40C, as amended.

12.1. Purpose

The purpose of this bylaw is to aid in the preservation and protection of the distinctive characteristics and architecture of buildings and places significant in the history of the Town of Duxbury, the maintenance and improvement of their settings and the encouragement of new building designs compatible with the historically significant architecture existing in the Local Historic District(s) when this Bylaw was first adopted in 2011. This Bylaw does not seek to establish an architectural museum, but instead to inform concerning the historical process of architectural growth and adaptation to heighten a sense of educated pride in our heritage.

12.2. Definitions

The terms defined in this section shall be capitalized throughout this Bylaw. Where a defined term has not been capitalized, it is intended that the meaning of the term be the same as the meaning ascribed to it in this section unless another meaning is clearly intended by its context. As used in this Bylaw the following terms shall have the following meaning:

“Alteration” or “To Alter”	The act or the fact of rebuilding, reconstruction, restoration, replication, removal, demolition and other similar activities.
“Building”	A combination of materials forming a shelter for persons, animals or property.
“Certificate”	A Certificate of Appropriateness, a Certificate of Non-Applicability, or a Certificate of Hardship.

“Commission”	The Historic District Commission as established by this Bylaw.
“Construct” or “To Construct”	The act or the fact of building, erecting, installing, enlarging, moving and other similar activities.
“Display Area”	The total surface area of a Sign, including all lettering, wording, designs, symbols, background and frame, but not including any support structure or bracing incidental to the Sign. The Display Area of an individual letter Sign or irregular shaped Sign shall be the area of the smallest rectangle into which the letters or shape will fit. Where Sign faces are placed back to back and face in opposite directions, the Display Area shall be defined as the area of one face of the Sign.
“District”	The Local Historic District as established in this Bylaw consisting of one or more District areas.
“Exterior Architectural Feature”	Such portion of the exterior of a Building or Structure as is open to view from a public way or ways, including but not limited to architectural style and general arrangement and setting thereof, the kind and texture of exterior building materials, and the type and style of windows, doors, lights, Signs and other appurtenant exterior fixtures.
“Person Aggrieved”	The applicant; an owner of adjoining property; an owner of property within the same District area; an owner of property within 100 feet of said District area; and any charitable corporation in which one of its purposes is the preservation of historic places, structures, Buildings or districts.
“Signs”	Any symbol, design or device used to identify or advertise any place of business, product, activity or person.
“Structure”	A combination of materials other than a Building, including but not limited to a Sign, fence, wall, terrace, walk or driveway.
“Substantially at Grade Level”	Located at the existing or altered surface of the earth or pavement which does not/will not exceed one foot in height above the surface of the earth or pavement.
“Temporary Structure or Building”	A Building not to be in existence for a period of more than two years. A Structure not to be in existence for a period of more than one year.

12.3. District

The District shall consist of one or more District areas as listed in Section 14 (Appendices) of this Bylaw.

12.4. Commission

- 12.4.1 The Commission shall consist of five (5) regular members appointed by the Board of Selectmen. When the Commission is first established, two members shall be appointed for one year, two members shall be appointed for two years, and one member shall be appointed for three years. Successors shall each be appointed for terms of three years. Vacancies shall be filled within 60 days by the Board of Selectmen by appointment for the unexpired term. All members shall serve without compensation. Three members of the Commission shall constitute a quorum.
- 12.4.2 The Commission shall include among its regular or alternate members, if practical, a Duxbury property owner who resides in each District containing more than one property owner, one Duxbury resident chosen from two nominees put forward by the Board of Realtors covering Duxbury, one Duxbury resident chosen from two nominees put forward by the chapter of the American Institute of Architects covering Duxbury, and one Duxbury resident chosen from two nominees put forward by the Duxbury Rural and Historical Society. If within thirty days after submission of a written request for nominees to any of the organizations herein named insufficient nominations have been made, the Board of Selectmen may proceed to make appointments as it desires.
- 12.4.3 The Board of Selectmen may at its sole discretion, appoint up to a maximum of four (4) alternate members to the Commission for three (3) year terms. The available alternate members with the longest continuous length of service as an alternate may be substituted and vote on a one for one basis, in place of any regular member(s) who may be absent or has/have an actual or apparent conflict of interest, or in the case of a vacancy in the regular memberships.
- 12.4.4 Each member shall continue to serve in office after the expiration date of his or her term until a successor is duly appointed.
- 12.4.5 Meetings of the Commission shall be held at the call of the Chairman, at the request of two members and in such other manner as the Commission shall determine in its Rules and Regulations.
- 12.4.6 A quorum is necessary for the Commission to conduct a meeting. At least three (3) members of the Commission (or Alternate Members with voting rights as to a matter(s) under consideration) must be present.

12.5. Commission Powers and Duties

- 12.5.1 The Commission shall exercise its powers in administering and regulating the Construction and Alteration of any Structures or Buildings within the District as set forth under the procedures and criteria established in this Bylaw. In exercising its powers and duties hereunder, the Commission shall pay due regard to the distinctive characteristics of each Building, Structure and District area.
- 12.5.2 The Commission, after public hearing, may by vote of two thirds (2/3rds) of its regular members (not to include alternate members) from time to time adopt, and from time to time amend, reasonable Rules and Regulations not inconsistent with the provisions of this Bylaw or M.G.L Chapter 40C, setting forth such forms and procedures as it deems desirable and necessary for the

regulation of its affairs and the conduct of its business, including requirements for the contents and form of applications for Certificates, hearing procedures and other matters. The Commission shall file a copy of any such Rules and Regulations with the office of the Town Clerk. Fees for all Commission matters shall be set by the Board of Selectmen.

- 12.5.3 The Commission, after a public hearing duly posted and advertised at least 14 days in advance in a conspicuous place in Town Hall and in a newspaper of general circulation in Duxbury, may adopt and from time to time amend guidelines which set forth the designs for certain Exterior Architectural Features which will meet the requirements of the District. No such design guidelines shall limit the right of an applicant for a Certificate to present other designs to the Commission for approval.
- 12.5.4 The Commission shall at the beginning of each fiscal year hold an organizational meeting and elect a Chairman, a Vice Chairman and Secretary, and file notice of such election with the office of the Town Clerk.
- 12.5.5 The Commission shall keep a permanent public record of its resolutions, transactions, decisions and determinations and of the vote of each member participating therein.
- 12.5.6 The Commission shall undertake educational efforts to explain to the public and property owners the merits and functions of a District.

12.6. Alterations and Construction Prohibited Without Certificate

- 12.6.1 No Building or Structure, or any part thereof, which is within a District shall be Constructed or Altered in any way which affects the Exterior Architectural Features visible to the unaided eye from any point of the public way on which the underlying lot or property has frontage, viewed from a point that is no closer to the Building or Structure than the closest edge of pavement, or paved sidewalk if any, unless the Commission shall have first issued a Certificate with respect to such Construction or Alteration, except as this Bylaw otherwise provides
- 12.6.2 No building permit for Construction of a Building or Structure or for Alteration of an Exterior Architectural Feature within a District and no demolition permit for demolition or removal of a Building or Structure within a District shall be issued by the Town or any department thereof until a Certificate as required under this Bylaw has been issued by the Commission.

12.7. Procedures for Review of Applications

- 12.7.1 Any person who desires to obtain a Certificate from the Commission shall file with the Town Clerk and the Commission an application for a Certificate of Appropriateness or non-Applicability or of Hardship as the case may be. The application shall be accompanied by such plans, elevations, specifications, material and other information, including in the case of demolition or removal a statement of the proposed condition and appearance of the property thereafter, as may be reasonably deemed necessary by the Commission to enable it to make a determination on the application. The date of the filing of an application shall be the date on which a copy of such application is received by the office of the Town Clerk.
- 12.7.2 The Commission may appoint one of its members to initially screen applications for Certificates to

informally determine whether any application includes and/or is submitted with sufficient information upon which the Commission may reasonably take its required actions. Within fourteen (14) days following the first filing of an application for a Certificate with the Town Clerk, the Commission, at an otherwise appropriately convened meeting, or its appointee may determine without need for a public hearing that insufficient information has been provided, in which case the application may be once returned to the submitting party, with written advice as to what was considered to be lacking, and the applicant will then thereafter be required to re-file the application before any further Commission action is required. Any second filing of essentially the same application must be formally acted upon by the Commission as is otherwise provided in this Bylaw.

12.7.3 The Commission shall determine within fourteen (14) days of the filing of an application for a Certificate whether said application involves any Exterior Architectural Features which are within the jurisdiction of the Commission.

12.7.4 If the Commission determines that an application for a Certificate does not involve any Exterior Architectural Features, or involves an Exterior Architectural Feature which is not subject to review by the Commission under the provisions of this Bylaw, the Commission shall forthwith issue a Certificate of Non-Applicability.

12.7.5 If the Commission determines that such an application involves any Exterior Architectural Feature subject to review under this Bylaw, it shall hold a public hearing on the application, except as may otherwise be provided in this Bylaw. The Commission shall hold such a public hearing within forty-five (45) days from the date of the filing of the application. At least fourteen (14) days before said public hearing, public notice shall be given by posting in a conspicuous place in Town Hall and in a newspaper of general circulation in Duxbury. Such notice shall identify the time, place and purpose of the public hearing. Concurrently, a copy of said public notice shall be mailed to the applicant, to the owners of all adjoining properties and of other properties deemed by the Commission to be materially affected thereby, all as they appear on the most recent applicable tax list, to the Planning Board, to any person filing a written request for notice of hearings, such request to be renewed yearly in December, and to such other persons as the Commission shall deem entitled to notice.

12.7.5.1 A public hearing on an application for a Certificate need not be held if such hearing is waived in writing by all persons entitled to notice thereof. In addition, a public hearing on an application for a Certificate may be waived by the Commission if the Commission determines that the Exterior Architectural Feature involved, or its category, is so insubstantial in its effect on the District that it may be reviewed by the Commission without a public hearing. If the Commission dispenses with a public hearing on an application for a Certificate, notice of such application shall be given to the owners of all adjoining property and of other property deemed by the Commission to be materially affected thereby as above provided, and ten (10) days shall elapse after the mailing of such notice before the Commission may act upon such application.

12.7.6 The Commission shall grant a Certificate, or issue a written decision, within sixty (60) days from the date the pertinent application was filed (or re-filed in the event the application was once returned for lack of information), unless the applicant consents in writing to a specific enlargement of time

by which such an issuance may occur. In the absence of any such enlargement of time, should an issuance not be forthcoming within the prescribed time, the applicant is entitled as of right to a Certificate of Hardship.

- 12.7.6.1 If the Construction or Alteration for which an application for a Certificate of Appropriateness has been filed shall be determined to be inappropriate and therefore disapproved, or in the event of an application for a Certificate of Hardship, the Commission shall determine whether, owing to conditions especially affecting the Building or Structure involved, but not affecting the District generally, failure to approve an application will involve a substantial hardship, financial or otherwise, to the applicant and whether such application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this Bylaw. If the Commission determines that owing to such conditions failure to approve an application will involve substantial hardship to the applicant and approval thereof may be made without such substantial detriment or derogation, the Commission shall issue a Certificate of Hardship.
- 12.7.7 By the concurring vote of at least three members who were present throughout any relevant public hearing and the Commission's discussion leading up to its finding, the Commission must adopt a specific written findings setting forth the basis on which it was initially determined that the application in question involved an Exterior Architectural Feature subject to approval by the Commission and may then:
- A. Grant an appropriate Certificate for the work to be performed, to remain effective regardless of any subsequent change in the ownership of the property; or
 - B. Grant an appropriate Certificate for the work to be performed, to remain effective regardless of any subsequent change in the ownership of the property, with conditions and limitations requiring architectural or plan modifications as to those matters not excluded under Section 9 of this Bylaw which are within the Commission's review jurisdiction; or
 - C. Deny the application with a written statement of the basis for the denial, at which time it may provide written recommendations for changes not excluded from the jurisdiction of the Commission by Section 9 of this Bylaw which, in a subsequent application, might be acceptable to the Commission; or
 - D. Deny the application with a fact specific written statement of the basis for the denial without further recommendations, if essentially the same application has previously been the subject of a prior denial accompanied by written recommendations pursuant to sub-paragraph 7.7C above.
- 12.7.8 Should the Commission, during the course of reviewing an application, find that it does not have review jurisdiction under this Bylaw it shall make an appropriate finding of Non-Applicability.
- 12.7.9 Each Certificate or written decision upon an application by the Commission shall be dated and Signed by the Chairperson or such other person as the Commission may designate and shall be deemed issued upon filing with the Town Clerk.
- 12.7.10 Each Certificate or written decision upon an application by the Commission shall be promptly served on the applicant by the Town Clerk who shall promptly forward a copy thereof to the

applicant at the address shown on the application, by first class mail, postage prepaid, and a copy shall be further provided to the Building Commissioner, Planning Board and Board of Selectmen.

- 12.7.11 Nothing contained in this bylaw shall be deemed to preclude any person contemplating construction or alteration of a Building or Structure within a District from consulting informally with the Commission before submitting any application referred to in this bylaw on any matter which might possibly be within the scope of the Bylaw, and such informal consultations are in fact encouraged. Nothing contained in this bylaw shall be deemed to preclude the Commission from offering informal advice to a potential applicant prior to receiving an application. However, any such preliminary advice offered by the Commission shall not be deemed to set a precedent nor in any way limit the Commission in the exercise of its functions under this bylaw.

12.8. Criteria for Determinations

- 12.8.1 In deliberating on applications for Certificates, the Commission shall consider, among other things, the historic and architectural value and significance of the site, Building or Structure; the general design, proportions, detailing, mass, arrangement, texture, and material of the Exterior Architectural Features involved; and the relation of such Exterior Architectural Features to similar features of Buildings and Structures in the surrounding area.
- 12.8.2 In the case of new Construction or additions to existing Buildings or Structures, the Commission shall consider the appropriateness of the scale, shape and proportion of the Buildings or Structure both in relation to the land area upon which the Building or Structure is situated and in relation to Buildings and Structures in the vicinity. The Commission may in appropriate cases impose dimensional and setback requirements in addition to those required by applicable statute or bylaw, however, such requirements shall not further limit the maximum floor area ratio and height of a Building as defined and permitted in the Duxbury Zoning Bylaw.
- 12.8.3 When ruling on applications for Certificates on solar energy systems as defined in Section 1A of Chapter 40A, the Commission shall consider the policy of the Commonwealth of Massachusetts to encourage the use of solar energy systems and to protect solar access.
- 12.8.4 The Commission shall not consider interior arrangements or architectural features not subject to public view.
- 12.8.5 The Commission shall not make any recommendation or requirement except for the purpose of preventing developments incongruous to the historic aspects or the architectural characteristics of the surroundings and of the District.
- 12.8.6 The Commission may impose requirements on the screening and location of above ground features of septic systems. Such requirements shall not conflict with requirements of the Duxbury Board of Health.

12.9. Exclusions

- 12.9.1 The Commission's review jurisdiction shall not include the following:

- A. Temporary Buildings, Structures, seasonal decorations or Signs subject, however, to conditions pertaining to the duration of existence and use, location, lighting, removal and similar matters as the Commission may reasonably specify.
- B. Terraces, walks, patios, driveways, sidewalks and similar Structures, provided that any such Structure is Substantially at Grade Level
- C. The number of the residents' personally owned or leased and regularly used motor vehicles which may be routinely parked within the boundaries of a residential property.
- D. Storm windows and doors, screen windows and doors, and window air conditioners.
- E. The color of paint applied to the exterior surfaces of Buildings or Structures.
- F. The color of materials used on roofs.
- G. Signs of not more than two (2) square feet in Display Area in connection with use of a residence for a customary home occupation or for professional purposes, provided only one such Sign is displayed in connection with each residence and if illuminated is illuminated only indirectly; and one Sign in connection with the nonresidential use of each Building or Structure which is not more than six (6) square feet in Display Area, consists of letters painted on wood without symbol or trademark and if illuminated is illuminated indirectly.
- H. The reconstruction, substantially similar in exterior design, of a Building, Structure or Exterior Architectural Feature damaged or destroyed by fire, storm, or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.
- I. The point of access served by handicapped access ramps designed solely for the purpose of facilitating ingress or egress of a physically handicapped person, as defined in M.G.L c.22 s13A.

12.9.2 Nothing in this Bylaw shall be construed to prevent the following;

- A. Ordinary maintenance, repair or replacement of any Exterior Architectural Feature within a District which does not involve a change in design, material or the outward appearance thereof.
- B. Landscaping with plants, trees or shrubs.
- C. The meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe, unhealthful or dangerous condition.
- D. Any Construction or Alteration under a permit duly issued prior to the effective date of this Bylaw.
- E. Upon request the Commission shall issue a Certificate of Non-Applicability with respect to Construction or Alteration in any category not subject to review by the Commission in accordance with the above provisions.

12.10. Categorical Approval

12.10.1 The Commission may determine from time to time after a public hearing, duly advertised and posted at least fourteen (14) days in advance in a conspicuous place in Town Hall and in a newspaper of general circulation in Duxbury, that certain categories of Exterior Architectural Features, Structures or Buildings under certain conditions may be Constructed or Altered without review by the Commission without causing substantial derogation from the intent and purpose of this Bylaw.

12.11. Enforcement and Penalties

- 12.11.1 No Alteration or Construction of any Building or Structure wholly or partially in a District for which a Certificate is required by this Bylaw shall deviate from the terms and conditions of such a Certificate.
- 12.11.2 The Building Commissioner of the Town of Duxbury shall enforce this Bylaw upon a determination by the Commission that a violation exists, and subject to the approval of the Town Manager, may institute proceedings in Superior Court pursuant to M.G.L. c.40C §13 for injunctive or other relief and/or imposition of fines.
- 12.11.3 The Commission, upon a written complaint challenging some enforcement action by the Building Commissioner, received by the Town Clerk within five (5) days following such decision, by a Person Aggrieved, or other citizen of or property owner in the Town of Duxbury, shall hold a timely public hearing to determine whether or not the Building Commissioner's action should be upheld, in whole or in part.
- 12.11.4 Whoever violates any of the provisions of this Bylaw shall be punishable by a fine of not less than \$10.00 nor more than \$500.00 for each offense under the provisions of M.G.L. c.40C §13. Each day during any portion of which such violation continues to exist shall constitute a separate offense.

12.12 Appeals

- 12.12.1 An appeal of a determination of the Commission, except as to the propriety of a decision to invoke the provisions of M.G.L. c. 40C § 13 (institution of an action in Superior Court) by the Building Commissioner, may be taken by a Person Aggrieved by filing a written request with the Town Clerk, acting as an agent of the Commission, within twenty (20) days of the issuance of a Certificate or a disapproval. In the event of such an appeal, the Duxbury Town Manager, or his delegate, shall make a timely request to the Metropolitan Area Planning Council that it promptly designate an arbitrator(s) with competence and experience in such matters to hear such an appeal. If such a person(s) is/are so designated he/she/they must hear the appeal in a timely manner and issue a written decision within forty-five (45) days of the request as specified in M.G.L. c. 40C § 12. The arbitration decision shall be binding on the parties, unless a Complaint seeking a further appeal is filed in Superior Court within twenty (20) days from the filing of the arbitration decision with the Town Clerk, pursuant to M.G.L. c. 40C § 12A.

12.13. Validity and Separability

- 12.13.1 The provisions of this Bylaw shall be deemed to be separable. If any of its provisions, sections, subsections, sentences or clauses shall be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Bylaw shall continue to be in full force and effect.

12.14. Appendices

Appendix 1: Winsor Local Historic District

The Winsor District shall be a District area under this Bylaw. The location and boundaries of the Winsor District are defined and shown on the Local Historic District Map of the Town of Duxbury, Sheet 1 - 2010 which is a part of this bylaw. The delineation of the District area boundaries is based on the parcel boundaries then in existence and shown therein, except as otherwise apparent on Sheet 1.

Appendix 2: Bradford Local Historic District

The Bradford District shall be a District area under this Bylaw. The location and boundaries of the Bradford District are defined and shown on the Local Historic District Map of the Town of Duxbury, Sheet 2 - 2010 which is a part of this bylaw. The delineation of the District area boundaries is based on the parcel boundaries then in existence and shown therein, except as otherwise apparent on Sheet 2.

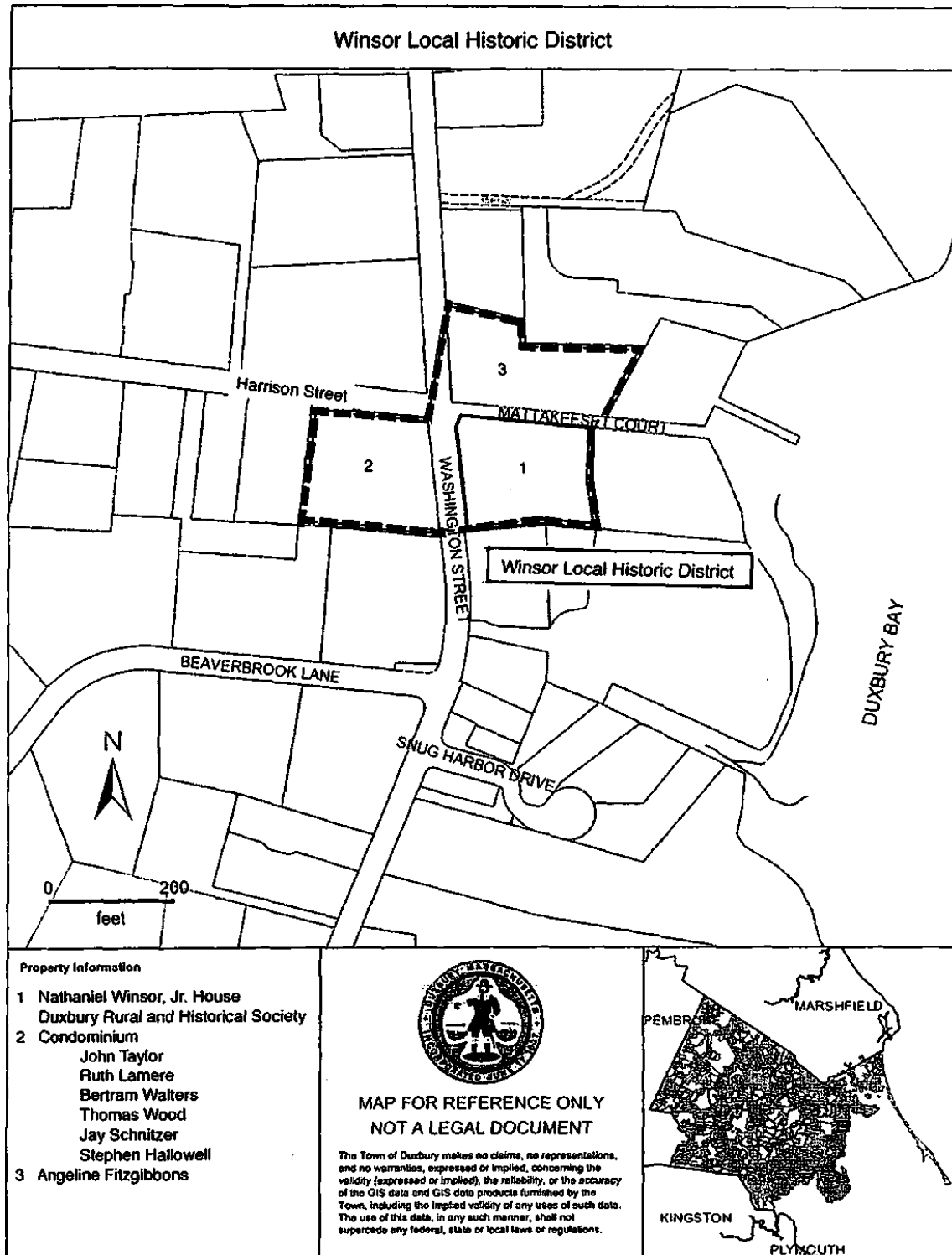
This map shall be amended to reflect the removal of Parcel 10 from inclusion in the Bradford Local Historic District.

Amended to exclude the "Fitzgibbons Property" (Parcel 10 on Map #2) and changes to the Final Report dated 12-07-10 shown in a hand out with strike- outs at the Annual Town Meeting and on file at the Town Clerk's Office.

Appendix 3: First Parish Church Local Historic District

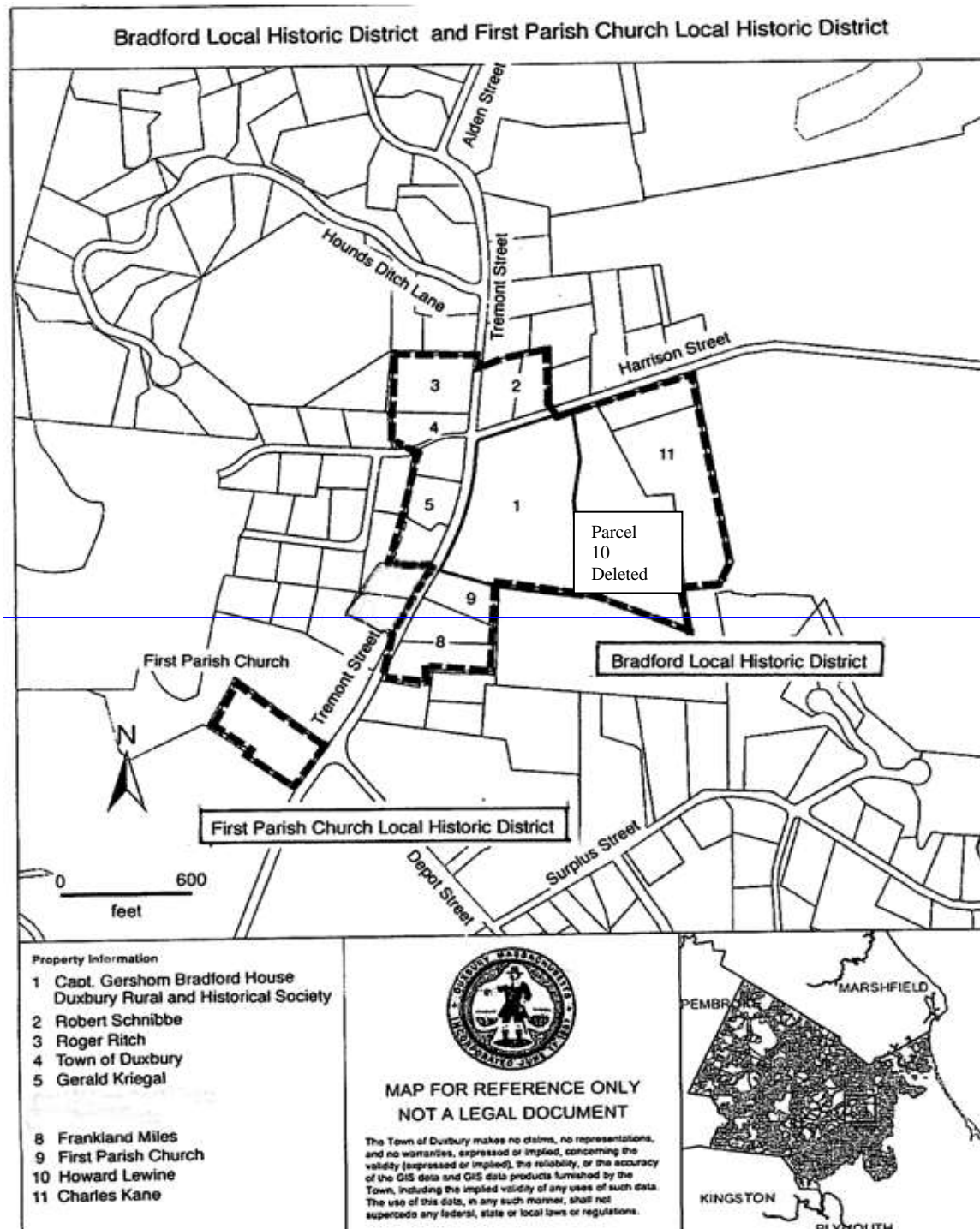
The First Parish Church District shall be a District area under this Bylaw. The location and boundaries of the First Parish Church District are defined and shown on the Local Historic District Map of the Town of Duxbury, Sheet 2 - 2010 which is a part of this bylaw. The delineation of the District area boundaries is based on the parcel boundaries then in existence and shown therein, except as otherwise apparent on Sheet 2.

Duxbury Local Historic District Bylaw Appendix 1 Local Historic District Map of the Town of Duxbury Sheet 1 – 2010



Duxbury Local Historic District Appendix 2 & Appendix 3 (Church)

Local Historic District Map of the Town of Duxbury Sheet 2 – 2010



Voting Article 31, as amended, 2/3 vote required. Yes – 194 No – 68
Motion carried.

Article 32 – Fire Hydrants – Moved and seconded that the Town vote to amend Chapter 7, Section 10 of the General Bylaws as follows: (Insertions to original text are shown in ***bold italicized print***. Deletions from the original text are shown in ~~strike through format~~.)

7.10 FIRE HYDRANTS

7.10.1 No person shall plant any tree, plant or bush or erect any fence or other structure so that it obstructs the view of a fire hydrant from the nearest street or highway, ***or so that it obstructs the operation of a fire hydrant.***

7.10.2 Any property owner with a tree, plant, bush, fence or other structure which obstructs the view or operation of a fire hydrant as described in 7.10.1, shall remove the tree, plant, bush, fence or other structure within ten days of receiving written notice from the Fire Department.

~~7.10.2~~ 7.10.3 No person shall remove or otherwise interfere with snow stakes at or near any hydrant.

~~7.10.3~~ 7.10.4 Violation of this by-law shall be punished by a fine, the amount of which shall be set by the Board of Selectmen. Each day a violation continues shall be a separate offense.

Motion carried.

Article 33 – Amend Duxbury Protective Bylaw (ZBL) – Accessory Structure, Citizen Petition – Moved and seconded that the Town vote to amend Section 302 of the Duxbury Protective Bylaw as follows:

Definition of an Accessory Structure:

Existing Description to be amended:

Accessory Structure

A structure, such as, a detached garage, shed, swimming pool, tennis court, pier, or greenhouse, located on the same lot with and accommodating a use accessory to the principal structure, or use of the lot, except a pier may be located on a lot adjacent to the principal structure.

Proposed Citizens Petition Amendment:

Accessory Structure

A structure, such as, but not limited to, a detached garage, shed, swimming pool, tennis court, pier, greenhouse, or a structure with finished living space that is not a “dwelling unit”, located on the same lot with and accommodating a use accessory to the principal structure, or use of the lot, except a pier may be located on a lot adjacent to the principal structure.

There was a motion to indefinitely postpone Article 33. **2/3 vote required.**

Did not receive the requisite 2/3 vote - Motion failed.

There was a motion to move the previous question (Article 33). **2/3 vote required.**

Received the requisite 2/3 vote called by the Moderator - Motion carried.

Voting Article 33 – **2/3 vote required. Yes – 183 No - 61**
Motion carried.

There was a motion for Reconsideration of Article 33.
Motion failed.

Article 34 – Amend Duxbury Protective Bylaw (ZBL), Accessory Structure (definition), Planning Board – Moved and seconded to indefinitely postpone this Article.

2/3 vote required.

Received the requisite 2/3 vote called by the Moderator - motion carried.

Article 35 – Amend Duxbury Protective Bylaw (ZBL), Accessory Apartments – Moved and seconded that the Town vote to amend Section 410 of the Duxbury Protective Bylaw as follows: (Insertions to original text are shown in ***bold italicized print***. Deletions from the original text are shown in ~~strike through format~~.)

410.6 Accessory Apartment Special Permit Regulations and Restrictions

1. General – No accessory apartment shall be constructed in a single family dwelling without a special permit from the Board of Appeals as provided hereunder. For the purpose of this provision, single-family dwellings authorized under a special permit for a Residential Conservation Cluster or Planned Development shall be ineligible for an accessory apartment. Application for a special permit may be made to the Board of Appeals in the usual manner. The Board of Appeals may grant a special permit under 906.2 and Site Plan approval under 410.5 provided the following conditions are met. No construction shall commence without issuance of a building permit by the Zoning Enforcement Officer and no use or occupancy of the accessory apartment may occur until the Zoning Enforcement Officer has issued a certificate of occupancy.
2. The Board of Appeals may approve an application for a special permit to construct an accessory apartment where:
 - a. The accessory apartment does not exceed eight hundred fifty (850) square feet in area.
 - b. The accessory apartment does not require alteration or addition to the single-family dwelling in such a manner that there is any exterior change to the dwelling, so that the accessory apartment is located wholly within the building footprint in existence at the time of the special permit application. For the purpose of this section, exception shall be made only for installation of exterior doorways and means of egress at grade in conformance with Massachusetts Building Code.
 - c. The area of the lot on which the single family dwelling is located shall not be less than twenty thousand (20,000) square feet.
 - d. Sufficient parking area shall be provided, including at least one (1) additional space to serve the accessory apartment. Said ~~addition~~ ***additional*** space shall have access to the driveway serving the dwelling.
 - e. The applicant shall be an owner-occupant of the premises, and shall remain an occupant of either the principal dwelling or the accessory apartment.

- f. The Board of Health certifies that the existing or proposed septic system and expansion area comply with the requirements of Title 5 of the State Environmental Code and the Rules and Regulations of the Duxbury Board of Health, and is capable of serving both the single-family dwelling and the accessory apartment.
- g. The applicant submits floor plans of the proposed accessory apartment, a site plan in conformance with Section 410.5, and a plot plan as required under Section 905, all being acceptable to the Board of Appeals.
- h. The single-family dwelling is at least ten (10) years old at the time of the application for an accessory apartment special permit, and no additions or alterations as would have created additional living space were constructed in the single-family dwelling within ~~five (5) years~~ **one (1) year** of the date of application for special permit hereunder.
- i. ***Upon approval, the Board of Appeals may require the applicant to record a restriction verifying that the apartment is accessory to a single family dwelling and that no application shall be made under Chapter 183A to convert the accessory apartment to a condominium.***

2/3 vote required.

Received the requisite 2/3 vote called by the Moderator - motion carried.

Article 36 – Resolution Regarding Density – Moved and seconded that the Town vote to adopt the following:

Whereas the Town of Duxbury adopted a Comprehensive Plan in 1999 which endorses single density for lots;

Be it resolved that this Town Meeting reaffirms and supports single density;

And that we expect our Town Boards, Committees and employees to enforce single density planning.

There was a motion to remove the following clause: “Whereas the Town of Duxbury has become home to double density sites in the past few years;”

Moved and seconded to accept amendment – **Motion carried.**

Non-binding vote: Yes – 93 No – 59

Article 36 - Motion carried.

Article 37 – Amend Duxbury Protective Bylaw (ZBL), Bed & Breakfast – Moved and seconded that the Town vote to amend Article 300 of the Duxbury Protective Bylaw definition of a Guest House as follows: (Insertions to original text are shown in ***bold italicized print***. Deletions from the original text are shown in ~~strike-through format~~.)

~~Guest House~~ ***Bed and Breakfast*** – A structure originally built as a dwelling, in which the operator resides, and not more than four guest units are offered for overnight lodging with or without meals
and,

vote to amend Article 400 of the Duxbury Bylaw Section 410.3 #8 as follows: (Insertions to original text are shown in ***bold italicized print***. Deletions from the original text are shown in ~~strike through format~~.)

8. Bed and Breakfast/~~Guest House~~ within existing footprint of an existing single-family dwelling, in which the operator resides.

2/3 vote required.

Received the requisite 2/3 vote called by the Moderator - Motion carried.

Article 38 – Amend Duxbury Protective Bylaw (ZBL), Lot Coverage – Moved and seconded to indefinitely postpone this Article.

2/3 vote required. Yes – 102 No – 44

Motion carried.

Article 39 – Amend Duxbury Protective Bylaw (ZBL), Open Space (definition) – Moved and seconded to indefinitely postpone the article.

2/3 vote required.

Received the requisite 2/3 vote called by the Moderator - Motion carried.

Article 40 – Amend Duxbury Protective Bylaw (ZBL), Parking Regulations - Moved and seconded to indefinitely postpone the article.

2/3 vote required.

Received the requisite 2/3 vote called by the Moderator - Motion carried.

Article 41 – Amend Duxbury Protective Bylaw (ZBL), Use Variances – Moved and seconded that the Town vote to amend Article 900 of the Duxbury Protective Bylaw Section 906.3 Variances as follows: (Insertions to original text are shown in ***bold italicized print***. Deletions from the original text are shown in ~~strike through format~~.)

To grant upon appeal or upon petition with respect to particular land or structures a variance from ~~including a use variance~~ the terms of this Bylaw where the Board of Appeals specifically finds that, owing to circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of this Bylaw would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of this Bylaw. **Variances do not include use variances.**”

2/3 vote required. Yes – 57 No – 78

Motion failed.

There was a motion for Reconsideration of Article 41.

2/3 vote required.

Did not receive the requisite 2/3 vote called by the Moderator - Motion failed.

Article 42 – Re-zone Land, Owner Petition - Moved and seconded to indefinitely postpone this Article.

2/3 vote required.

Received the requisite 2/3 vote called by the Moderator - Motion carried.

There was a motion for Reconsideration of Article 42.

2/3 vote required.

Did not receive the requisite 2/3 vote called by the Moderator - Motion failed.

Article 43 – Street Acceptance, Citizen Petition – Moved and seconded that the Town vote to accept the layouts of Cushing Drive and Ice House Road as public ways in the Town of Duxbury, in accordance with the descriptions and plans now on file in the Town Clerk’s Office, which are incorporated by reference: and authorize the acquisition in fee simple, by purchase, or by taking by eminent domain, the property within said ways.

2/3 vote required.

Received the requisite 2/3 vote called by the Moderator - Motion carried.

Article 44 - Potential Well-Site (Teakettle Lane) - Moved and seconded to indefinitely postpone this Article.

Received the requisite vote called by the Moderator - Motion carried.

Article 45 – Utility Easement, Percy Walker Pool – Moved and seconded that the Town authorize the Board of Selectmen to grant NSTAR ELECTRIC COMPANY, its successors and assigns, or any licensee from it (hereafter called the Grantee) an easement to locate, relocate, erect, construct, reconstruct, install, operate, maintain, patrol, inspect, repair, replace, alter, change the location of, extend or remove transformers, together with service conductors and other necessary equipment and apparatus (“Equipment”), along, upon, under, across and over that certain parcel of Town owned land, namely:

Being a certain parcel of land situated at 175 St. George Street, Duxbury, as shown on a Deed dated March 25, 1936 and recorded in Book 1706, Page 2992 with the Plymouth County Registry of Deeds;

To provide rights for the Grantee, on terms and conditions deemed to be in the best interest of the Town by the Board of Selectmen.

2/3 vote required.

Received the requisite 2/3 vote called by the Moderator - Motion carried.

Article 46 – Utility Easement, Millbrook Water Station – Moved and seconded that the Town vote to authorize the Board of Selectmen to grant VERIZON NEW ENGLAND, INC. and NSTAR ELECTRIC COMPANY, their successors and assigns, or any licensee from them (hereinafter called the Grantees) an easement to access, operate, maintain, connect, extend, replace, and remove poles, which may be maintained at different times with the necessary conduits, cables, wires, anchors, guys, supports and fixtures appurtenant thereto for the

transmission and/or distribution of telecommunications and/or electricity, upon, over and across that certain parcel of Town owned land namely;

Being shown on Duxbury Assessors Maps as Parcel 130-509-056 which is shown on a plan titled "Exhibit A" on file with the Office of the Town Clerk,

To provide rights for the Grantees, on terms and conditions deemed to be in the best interest of the Town by the Board of Selectmen.

2/3 vote required.

Received the requisite 2/3 vote called by the Moderator - Motion carried.

Article 47 – Pilgrim Nuclear Power Station – Moved and seconded that the Town vote to adopt the following:

Pilgrim Nuclear Power Station should not be relicensed to extend operations another 20 years until and unless:

- a) some third party assumes responsibility for cleanup after a severe nuclear reactor accident to pre-accident conditions, sets a cleanup standard, and identifies a funding source;
- b) all control rods have been inspected for cracking, material distortion and any other indication of degradation and those showing any of the foregoing replaced;
- c) Entergy either replaces all submerged electric cables, splices and connectors not designed or qualified for submerged or moist environments or develops a comprehensive aging management program to preclude moisture and adequately tests all cables that have been exposed to an environment for which it was not designed; and
- d) due to persistent levels of radioactive tritium in samples from Pilgrim's monitoring wells onsite, Pilgrim Nuclear Power Station's Buried Pipes and Tanks Inspection and Monitoring Program consists of a more robust inspection system, cathodic protection, a base line inspection prior to any license extension, and an effective monitoring well program that adheres to well-established protocols for proper design of monitoring networks. The current monitoring system does not meet reasonable standards for monitoring network design. The Clerk of Duxbury shall forward the text of this Article to the Town of Duxbury's State and Federal delegations, to all Select Boards within the Emergency Planning Zone of Pilgrim NPS, the Nuclear Regulatory Commission and Entergy Corp., so that the intent of the Citizens of Duxbury is widely known.

Received the requisite vote called by the Moderator - Motion carried.

Article 48 – Stabilization Fund - Moved and seconded to indefinitely postpone this Article.

Received the requisite vote called by the Moderator - Motion carried.

Article 49 – Free Cash - Moved and seconded to indefinitely postpone this Article.

Received the requisite vote called by the Moderator - Motion carried.

The Annual Town Meeting was adjourned sine die at 11:10pm on Tuesday, March 15, 2011

Total-	\$77,684,701.00
Tax Levy-	\$59,341,810.00
Free Cash-	\$673,311.00
Other available Funds-	\$3,994,580.00
Borrowing-	\$10,775,000.00

Attendance:

	<u>3-12-10</u>	<u>3-14-10</u>	<u>3-15-10</u>
Prec. 1 -	234	220	78
Prec. 2-	332	233	116
Prec. 3-	228	156	50
Prec. 4-	167	98	21
Prec. 5-	177	99	19
<u>Prec. 6-</u>	<u>135</u>	<u>94</u>	<u>27</u>
Total	1,273	900	311

Respectfully submitted,

Nancy M. Oates
Duxbury Town Clerk

Appendix A

BY-LAW GOVERNING THE DUXBURY PERSONNEL PLAN



Effective July 1, 2011

BY-LAW GOVERNING THE DUXBURY PERSONNEL PLAN
EFFECTIVE JULY 1, 2011

TABLE OF CONTENTS

PART I

General Provisions	PAGE
Title	3
Application	3
Definitions	3
Titles of Positions	4
Background Investigation Policy	5
Non-Discriminatory and Anti-Harassment Policy	6
Equal Employment Opportunity Policy	9
Whistleblower Policy	11
Personnel Board	12
Duties of the Personnel Board	12
Duties of the Town Manager	13
Effective Date	13
Hiring of New Employees	13
Special Hiring	14
Leaves of Absence	15
Family and Medical Leave Act	14
Maternity Leave Policy	18
Small Necessities Act	20
Bereavement	21
Jury Duty	22
Personal Days	22
Termination	22
Grievance Procedure	23
Compensation Grade Appeal	23
Temporary Transfer to Management Schedule	23
Tuition Assistance Policy	24
General	25
Salary Administration Guidelines	33

PART II

Management Provisions	
Classifications	26
Salary Review	26
Performance Appraisal	26
Holidays	27
Vacation	27
Family Sick Time	27
Disability Leave	27
Service Pay on Retirement	28
Compensation Schedule	34

PART III

Non-Management Provisions	
Rate Ranges	28
Performance Appraisal	28
Promotions and Transfers	29

Special Pay	29
Holidays	29
Vacation	30
Paid Leave Due to Injury or Illness	31
Compensation Schedule	35-36

BY-LAW GOVERNING THE DUXBURY PERSONNEL PLAN EFFECTIVE JULY 1, 2011

PART I GENERAL PROVISIONS

1. TITLE

The provisions of the By-law, Job Classifications, and Pay Ranges appended hereto shall be known as the Town of Duxbury Personnel Plan (hereinafter referred to as the Plan), which shall govern the personnel practices of all appointed and/or elected officials of the Town with regard to all employees except those specifically exempted herein.

2. APPLICATION

The Plan shall apply to all employees except those positions filled by popular election and those under the direction and control of the School Committee, and those who have a separate employment contract with an appropriate authority; except where a collective bargaining agreement executed under the provisions of Massachusetts General Laws Chapter 150E contains a condition contrary to the provisions of the Plan. Provisions of the collective bargaining agreement shall prevail. Employees in positions certified as included in a collective bargaining unit shall be entitled only to those benefits as of the date of such certification. The Plan may be used as a guide for authorized officials in determining the compensation of, and personnel policies for, those employees exempted from this Plan. The purpose of the Plan is to provide guidelines to help ensure that sound human resource practices are applied equitably and reasonably and is not intended to be an employment contract. All employment is at the will of the Town and any and all of the Plan is subject to unilateral changes as recommended by the Town Manager and the Personnel Board and approved at Town meetings. Employees shall not assume that any part of this Plan will remain in force.

3. DEFINITIONS

Probationary Employees are all new employees during the first 90 workdays of their employment. The probationary period shall be extended by the numbers of days absent from work, for any reason including holidays, during this period. If it becomes apparent at any time during this period that performance is not satisfactory, termination of employment shall take place immediately.

Management Employees are those who are on a fixed compensation for full time services as described in Part II.

Regular Full-time Employees are persons who regularly work at least 35 hours per week, or more than 1040 hours per year, but are employed for a designated number of hours per week for each week throughout the year. Overtime is paid after 40 hours.

Regular Part-Time Employees are persons who regularly work less than 35 hours per week, but at least 20 hours per week throughout the year for a minimum of 1040 hours per year. However, regular part time employees working fewer than 20 hours per week as of June 30, 2010 are eligible for paid vacation, personal and sick time on a pro-rata basis consistent with their regular work schedules. Employees hired after July 1, 2010 are ineligible for this paid time off.

Permanent Intermittent Police Officers are persons considered either regular full-time or part-time employees, subject to their scheduling and usage by the Police Department. ‘Intermittent’ is a Commonwealth of Massachusetts Department of Human Resources title that should not be confused with the Town’s definition for ‘regular intermittent employees’. Permanent Intermittent Police Officers who regularly work more than 20 hours per week are eligible for the Town’s insurance benefits. Permanent Intermittent Police Officers hired before July 1, 2010 are also eligible to earn pro-rated paid time off benefits.

Regular Intermittent Employees are persons who work on an “as needed” basis determined by the workload in the department throughout the year.

Seasonal Employees are persons who are hired for specific periods of time due to seasonal demands.

Temporary Employees are persons who are hired for a limited period of time to replace regularly scheduled employees who might be absent for extended periods to assist during conditions caused by temporarily increased workloads.

Emergency Employees are persons who are hired for the duration of an emergency, which could result in the interruption of services essential to the health, safety and welfare of the people of the town. In no event will these persons be employed beyond 30 calendar days without the prior approval of the Town Manager. (See Section 10A)

Employee Work Schedule The Department Head shall file a work schedule with the Town Manager to show the number of days and hours per day each employee covered by the Plan shall be expected to work. This schedule shall be amended by the Department Head to reflect changes as they occur, and shall be filed in a timely manner with the Town Manager. All employees will receive at least one-half hour *unpaid* lunch break if required to work more than six (6) hours per day.

4. TITLES OF POSITIONS

The job titles in the compensation schedules shall be the official titles of all positions in the Plan and shall be the only titles used in the administrative or personnel records. All personnel except those exempt under Paragraph 2 must be classified under the Plan and paid only on the basis of duties actually performed.

5. POLICIES (All policies are subject to annual review and revision of the applicable statute.)

a. Background Investigation Policy: The purpose of this policy is to describe the terms and conditions under which background checks are conducted; background checks serve as an important part of the selection process.

The Town of Duxbury conducts background checks on all candidates post-offer (contingency offer). The Town may also use a third party administrator to conduct background checks. The type of information collected by this agency includes, but is not limited to, a criminal background check, education, driving record, employment history, and credit, professional and personal references. This process is conducted to verify the accuracy of the information provided by the candidate and determine his/her suitability for employment.

The Town will ensure that all background checks are held in compliance with applicable federal and state statutes, such as the Fair Credit Reporting Act.

All criminal background screens are conducted post-offer (contingency offer). However, as part of Title VII of the Civil Rights Act, this information cannot be used as a basis for denying employment, unless it is determined to be job-related.

The Town reserves the right to make the sole determination concerning information or any employment decision arising out of the background check, and to require that all contractors who routinely perform work for the Town to be in compliance with this policy.

Offer of Employment Process: Once a candidate has been identified for hire, the hiring manager submits an Employment Recommendation Form to the Human Resources Officer for processing. At that time, the hiring manager will be notified to extend a contingency offer of employment to the finalist.

When verbally making the offer of employment to the successful candidate, the hiring manager must inform the candidate that the offer is contingent upon the successful results of the background check. The Human Resources Officer then conducts any and all applicable background checks on the final candidate.

General Guidelines:

- **NEW HIRES:** Background checks are required for all new hires. This includes all full-time, part-time, seasonal, temporary and part-time employees. The background check must be completed and results verified before any employee begins work. At no time should an employee begin work until Human Resources has verified results of the background check.
- **REHIRES:** A background check is required for all rehires.
- **EMPLOYMENT CONTINGENCY:** Background checks are to be processed after a contingent offer of employment has been extended to the applicant. Note: The offer of employment is contingent upon the successful results of the background check.
- **AUTHORIZATION BY APPLICANT:** The candidate must authorize the background check. This is done by having the applicant complete the Authorization/General Release

Form. This form can be sent via e-mail to the candidate. To expedite the process, the candidate may fax the completed and signed form to the Human Resources Officer.

STATEMENT ON SOCIAL JUSTICE: Background investigations may produce reports of felony and misdemeanor convictions incurred by applicants or employees. Some of those convictions may be those that the Town considers to be social justice issues. Other convictions may be for situations that are not relevant because they occurred a long time ago, pose little or no threat to our employees, youth or vulnerable adults. The Town supports employees engaged in social justice issues and will give careful consideration to both the type and relevance of the actions that led to any arrests or convictions.

The Town acknowledges that racism, discrimination, and homophobia exist, and those issues shall be examined in reviewing individual reports. When the Town receives information about an employee or candidate that raises concerns, experts may be called in when necessary—including the Town’s employment attorney and/or social justice advocates with special knowledge, sensitivity and experience with similar issues.

The Town also acknowledges that, while the background investigations may reduce the liability to our general resident population, especially the children, youth and vulnerable adults of our town and our employees but we are not necessarily safer because of the background investigations. Technology and state-to-state tracking of convictions are not totally reliable.

Note: All applicants must complete an Application for Employment and Authorization/General Release Form as those are required to be submitted to the third party administrator conducting the background check.

Verification of Background Checks

1. The results of the background check will be sent directly to the Human Resources Officer.
2. The Human Resources Officer will review the report, any discrepancies or criminal history noted. The Human Resources Officer reserves the right to consult with the hiring department, Town Manager, or any other pertinent office before a final determination is made.
3. If the background check is favorable, the Human Resources Officer will notify the hiring manager that the candidate is approved to begin employment.

Adverse Action Notifications

1. If a background check is returned with unfavorable results, the Human Resources Officer will notify the hiring manager.
2. The Human Resources Officer will contact the candidate to inform him/her that The Town of Duxbury is rescinding its contingent offer of employment and that he/she will receive written notification from our third party administrator including a summary of the candidate’s rights under the Fair Credit Reporting Act. The third party administrator will give the candidate the opportunity to review a copy of the report, which informs him/her of his/her rights to dispute inaccurate information.

b. Non Discriminatory and Anti-Harassment Policy It is the goal of our town to promote a workplace that is free of discriminatory harassment (“harassment”) of any type, including sexual harassment. Discriminatory harassment consists of unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law, such as gender, race, color, national origin, ancestry, religion, age, disability, genetics, military status, sexual orientation, or participation in discrimination complaint-related activities (retaliation). Our town will not tolerate harassing conduct that affects employment conditions, that interferes unreasonably with an individual’s performance, or that creates an intimidating, hostile, or offensive work environment.

Because the town takes allegations of harassment seriously, we will respond promptly to complaints of harassment. Where it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting a workplace that is free of harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment.

I. Definitions

“Harassment” means unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law. Harassment includes, but is not limited to:

1. Display or circulation of written materials or pictures that are degrading to a person or group as previously described.
2. Verbal abuse, slurs, derogatory comments, or insults about, directed at, or made in the presence of an individual or group as previously described.

“Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The definition of sexual harassment is broad. In addition to the above examples, other unwelcome sexually oriented conduct, whether intended or not, that has the effect of creating a work environment that is hostile, offensive, intimidating or humiliating to either male or female workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances – whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by the Town.

II. Complaint Procedures

All employees, managers, and supervisors of the town share responsibility for avoiding, discouraging and reporting any form of discriminatory harassment. The primary responsibility for ensuring proper investigation and resolution of harassment complaints rests with the Human Resources Officer or his/her designee, who will administer the policy and procedures described herein.

If any of our employees believe that he or she has been subjected to discriminatory harassment, the employee has the right to file a complaint with our organization. This may be done in writing or orally. In addition, residents, visitors, applicants, vendors, contractors, their agents and employees, or other third parties who believe they have been subjected to discriminatory harassment may also file a complaint with our organization using the procedures described herein. Furthermore, employees may also file a complaint, if they have been subjected to harassment from residents, visitors, applicants, vendors, contractors, their agents and employees, or any other third parties in the workplace, while performing work-related duties, or during other work-related activities.

Prompt reporting of harassment is in the best interest of our organization and is essential to a fair, timely, and thorough investigation. Accordingly, complaints should be filed as soon as possible following the incident(s) at issue. If you would like to file a complaint you may do so by

contacting the Human Resources Officer, or the Town Manager. These individuals are also available to discuss any concerns you may have and to provide information to you about our policy on harassment and our complaint process.

III. Complaint Investigation

When we receive the complaint, we will promptly investigate the allegation in a fair and expeditious manner to determine whether there has been a violation of our policy. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include private interviews with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed harassment. The complainant, the person alleged to have committed harassment, and all witnesses are required to fully cooperate with all aspects of an investigation. Attorneys are not permitted to be present or participate in the complaint investigation. When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

Notwithstanding any provision of this policy, we reserve the right to investigate and take action on our own initiative in response to behavior and conduct which may constitute harassment or otherwise be inappropriate, regardless of whether an actual complaint has been filed.

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

IV. Protection Against Retaliation

Harassment of employees occurring in the workplace, in connection with work-related travel, and/or work-sponsored events will not be tolerated. Further, any retaliation against an individual who has complained about harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated.

V. Disciplinary Action

If the town determines that harassment occurred, it will take action to end the harassment. Steps and other recommendations may include, but are not limited to, assessments, counseling, or treatment as a condition of employment; other steps may also include, and again are not limited to, warnings, probation, transfers, suspension, and/or termination of employment. The Town will also offer to the victim of harassment—upon request—counseling.

VI. Frivolous Claims

If an employee brings a claim that is known to be untrue, the employee may be subject to disciplinary action.

VII. State and Federal Remedies

In addition to the above, if you believe you have been subjected to discriminatory harassment of any type, including sexual harassment, you may file a formal complaint with either or both of the

government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies requires that claims be filed within 300 days from the alleged incident of when the complainant became aware of the incident.

The United States Equal Employment Opportunity Commission (“EEOC”)

One Congress Street, 10th Floor
Boston, MA 02114,
(617) 565-3200

The Massachusetts Commission Against Discrimination (“MCAD”)

Boston Office:
One Ashburton Place, Room 601, Boston, MA 02108
(617) 727-3990

Springfield Office:
424 Dwight Street, Room 220, Springfield, MA 01103
(413) 739-2145

Worcester Office:
22 Front Street, 5th Floor, P.O. Box 8038, Worcester, MA 01641
(508) 799-6379

c. EQUAL EMPLOYMENT OPPORTUNITY POLICY (As outlined by Title VII of the Civil Rights Act of 1964)

I. Non-Discrimination in Employment

The Town of Duxbury prohibits employment discrimination on the basis of:

- Age (40 and above),
- Physical, mental, or psychiatric disability,
- Genetics (results of genetic testing),
- Maternity leave,¹
- National origin or ancestry,
- Race or color,
- Religion,
- Sex,
- Sexual orientation, or
- Active military status
- Prior military status
- Any other group deemed protected by a government agency

Unlawful discrimination of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment will not be tolerated by the Town. Further, any retaliation against an individual who has formally or informally complained about discrimination or has cooperated with an investigation of a discrimination complaint is

¹

prohibited. To achieve our goal of providing a workplace free from discrimination, the conduct that is described in this policy will not be tolerated, and we will implement the procedure described below to address any potential inappropriate conduct.

The Town commits itself and its employees, within the context of state and federal civil rights laws, to ensure equitable participation of employees of all backgrounds in all of its daily operations.

This policy applies to all employment practices and employment programs sponsored by the town. This policy shall apply, but not be limited to, the areas of:

- Recruitment,
- Selection,
- Compensation and benefits,
- Professional development and training,
- Reasonable accommodation for disabilities or religious practices,
- Promotion,
- Transfer,
- Termination,
- Layoff, and
- Other terms and conditions of employment.

Because the town takes allegations of discrimination seriously, we will respond promptly to complaints and where it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose any necessary corrective action, including disciplinary action.

II. Discriminatory Harassment

The town's separate Harassment Policy details our commitment to a workplace free to any verbal or physical conduct which is unwelcome, severe or pervasive, and related to membership or perceived membership in a protected class.

III. Reasonable Accommodation

Employees seeking reasonable accommodations may submit their request in writing to the Town of Duxbury's Human Resources Officer.

IV. Discrimination Complaints

If any of our employees believes that he or she has been subjected to unlawful discrimination, the employee has the right to file a complaint with our organization. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting the Human Resources Officer, who is also available to discuss any concerns you may have, and to provide information to you about our Equal Employment Opportunity policy and our complaint process. Alternatively, employees may contact any of the town's supervisors.

V. Discrimination Investigation

The town will promptly investigate the allegation in a fair and thorough manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include private interviews with the person filing the complaint, the person alleged to have committed the discrimination, and relevant witnesses. When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation. If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

VI. Disciplinary Action

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such action may include counseling, verbal or written warning, suspension, or termination.

VII. State and Federal Remedies

In addition to the above, if you believe you have been subjected to unlawful discrimination, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a time period of 300 days for filing a claim.

1. The United States Equal Employment Opportunity Commission (EEOC): One Congress Street, 10th Floor Boston, MA 02114, (617) 565-3200.
2. The Massachusetts Commission Against Discrimination (MCAD):
Boston Office: One Ashburton Place, Rm. 601, Boston, MA 02108, (617) 994-6000
Springfield Office: 424 Dwight Street, Rm. 220, Springfield, MA 01103, (413) 739-2145
Worcester Office: Worcester City Hall, 455 Main Street, Room 100, Worcester, MA 01608, (508) 799-8010

d. Town of Duxbury Whistleblower Policy (Reporting Suspected Violations of Law and Policy as outlined in MGL Ch. 149, Section 185)

The Whistleblower Policy of the Town of Duxbury: (1) encourages persons in appointed, elected and volunteer positions to come forward with credible information on illegal practices or serious violations of adopted policies of the Town of Duxbury; (2) specifies that Town of Duxbury will protect the person from retaliation; and (3) identifies where such information can be reported.

1. Encouragement of reporting. The Town of Duxbury encourages complaints, reports or inquiries about illegal practices or serious violations of the Town's policies, including illegal or improper conduct by the Town itself, by its leadership, or by others on its behalf. Appropriate subjects to raise under this policy would include financial improprieties,

accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies. Other subjects, on which the Town has existing complaint mechanisms, should be addressed under those mechanisms, such as matters of alleged discrimination or harassment which are handled via the Town's Human Resources channels, unless those channels are themselves implicated in wrongdoing. This policy is not intended to provide a means of appeal from outcomes in those other mechanisms.

2. Protection from retaliation. The Town of Duxbury prohibits retaliation by or on behalf of the Town against staff or volunteers for making good faith complaints, reports or inquiries under this policy or for participating in a review or investigation under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. The Town reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports or inquiries or who otherwise abuse this policy.
3. Where to report. Complaints, reports or inquiries may be made under this policy on a confidential basis. The reporting party should describe in detail the specific facts demonstrating the basis for the complaints, reports or inquiries. They should be directed to the Human Resources Officer, if this person is implicated in the complaint, report or inquiry, the complaint should be directed to the Town Manager. If both of those persons are implicated in the complaint report or inquiry, the complaint should be directed to the Chairperson of the Board of Selectmen. The Town of Duxbury will conduct a prompt, discreet and objective review or investigation; no party to the investigation, or the employee of the Town, shall disclose information about the review or investigation to anyone not involved in the investigation. Appointed, elected and volunteer positions must recognize that the Town may be unable to fully evaluate a vague or general complaint, report or inquiry.

All policies are subject to annual review and revision of the applicable statute.

6. PERSONNEL BOARD

The Moderator shall appoint a Board of five members (hereafter called the Board) to advise on and review the administration of the Plan. Vacancies shall be filled by the Moderator without delay. Board members must not serve the Town in any other capacity other than "ex-officio" while serving on the Board and shall serve without compensation for three-year terms. Board members shall be voting citizens of Duxbury who have; the capacity for impartiality, human resources experience and breadth of outlook to meet the responsibility of the Board to represent both the employees and the taxpayers. The Board may employ assistance and may incur expenses, as it deems necessary subject to appropriation of funds.

7. DUTIES OF THE PERSONNEL BOARD

- a. The Board shall advise on and review the administration of the Plan.
- b. Proposed substantial changes in job descriptions, new jobs, reclassifications of existing jobs and new rates for new jobs are to be reviewed by the Board for advice and comments prior to finalization.

- c. The Board shall periodically review the Plans of other towns, area pay rates and personnel policies and shall report to the Town Manager and recommend action appropriate to maintain a fair and equitable personnel program.
- d. The Board shall review such matters pertaining to personnel policies and administration as are referred to it by the Town Manager, and report and make recommendations to the Town Manager thereon.
- e. The Board may assist in the recruitment and preliminary screening of Town management applicants as requested.

8. DUTIES OF THE TOWN MANAGER

- a. The Town Manager shall develop and maintain written job descriptions for all positions, which shall describe the primary responsibilities, general duties and requirements for filling jobs.
- b. The Town Manager may add new jobs to the Plan or reclassify existing jobs and authorize new rates for the new jobs.
- c. The Town Manager shall be responsible for establishing pay rates and salary ranges for all employees covered by the Plan unless otherwise provided herein.
- d. Department heads shall periodically review the written job descriptions under their jurisdiction and notify the Town Manager if any job description needs revision. The Town Manager, at least every three years, shall compare jobs subject to the Plan with their job description.

9. EFFECTIVE DATE

This amended Plan shall be operative as of July 1, 2011.

10. HIRING OF NEW EMPLOYEES

All new employees, except Emergency hires, shall establish their fitness for service with the Town by serving a ninety (90) working day probationary period.

Probationary employees shall be eligible for participation in the Group Insurance Program if they meet the conditions of the program.

Employees shall be hired within the salary range of the compensation schedule. Exceptions to this are allowable for newly hired employees using the following criteria:

- a. They possess exceptional qualifications and experience as related to the requirements of the job and as compared to employees currently in regular positions.

- b. Their most recent or current compensation is such that recruitment at the minimum would be difficult.

No position subject to this plan shall be filled (other than Emergency and Temporary hiring and where otherwise specified within the Plan) until such hiring has first been posted for seven (7) working days at the Office of the Town Clerk and the offices of the Department where the vacancy occurs and interested Regular Full-time and Regular Part-time employees' qualifications have been considered. Should such vacancy not be filled from within during these seven (7) working days, then such vacancy will be advertised in newspapers for at least two consecutive weeks.

Applicants for other than Emergency hiring may be required to pass a pre-employment physical examination given by a physician at the Town's expense and reported on the form provided. Fees shall be paid on a usual and customary basis.

No terms or conditions of employment other than those set forth in the Plan shall be offered to any applicants.

11. SPECIAL HIRING

- a. Emergency Employee Hiring

In times of emergency, for a period not to exceed one week, the appropriate department head is authorized to hire Emergency Employees necessary to prevent the interruption of essential Town services. At all times the rate of pay should be reasonable and consistent with the applicable rate ranges. (See Section 3).

- b. Temporary Hiring

Employees needed to meet conditions caused by seasonal workloads or illness, or absence of regular employees may be hired. The department head may utilize informal procedures without prior approval by the Town Manager. They shall be hired at the applicable step of the appropriate grade consistent with their experience, but not to exceed the rate of pay of the incumbent. They shall be released at the earliest possible time, but no later than the return of the Regular employee. Within one week the department head shall notify the Town Manager of the employee hired, the need for such hiring, and the anticipated duration of employment.

- c. Notification

The department head shall certify to the Town Accountant the nature and duration of either Emergency or Temporary employment before payment may be made.

- d. Re-hire

If an employee who has been laid off because of reduction in force or released through no fault of their own is rehired within 2 years of such termination, only then in such event, will the employee be entitled to all benefits based on the original date of hire. Such employee shall be subject to a probationary period as stated in Part I Section 3 "Probationary Employee." An employee who resigns and is subsequently rehired shall be

entitled to benefits based on the date of re-hire. An employee separated for cause will not be rehired to any Town position without prior approval of the Town Manager. Employees who leave employment and are subsequently rehired lose any grandfathering status previously offered.

12. LEAVES OF ABSENCE

The Town may grant unpaid leaves of absence to eligible employees for specific periods of time and for these reasons: medical, maternity, personal, and military service (other than summer military training) subject to the approval by the Town Manager. The Town may also grant special short-term leave of absence with pay for military reserve obligation (summer training), bereavement, and jury duty.

The Town grants leaves of absence under certain circumstances so that the length of service of the employee is protected. Accrual of service time will continue for the duration of a leave in accordance with the specific type of leave granted.

Any review or related merit award period occurring during an employee's leave will be delivered upon their return from leave. The only exception to this is a leave for military reasons.

A leave must be requested for a specific period of time. The reason for the leave will determine the maximum length of time that can be granted.

Upon the department head's approval of a leave of absence a Personnel Action Request Form will be submitted to the Town Manager.

A. FAMILY AND MEDICAL LEAVE POLICY

It is the policy of the Town of Duxbury to provide leave in accordance with the Family and Medical Leave Act of 1993 ("FMLA").

All eligible employees are entitled to take up to twelve (12) work weeks of FMLA leave during a twelve month period under the following definitions and procedures.

ELIGIBLE EMPLOYEES:

Individuals who have worked for the Town for at least twelve months and provided at least 1,250 hours of service during the twelve months before the leave commences.

ELIGIBLE EMPLOYEES ARE ENTITLED TO FMLA LEAVE FOR:

1. The birth of a child and to care for the child or the adoption or placement for foster care of a child under the age of 18 (or over 18 if the child has a physical or mental disability and is unable to care for him/herself).
2. A serious health condition which prevents the employee from performing the functions of his/her job.
3. To care for a child, parent or spouse who has a serious health condition.
4. Military service or family military leave
5. Caring for a family member recovering from an illness or injury suffered while on active military duty up to 26 weeks of unpaid leave in a single 12 month period.

DEFINITIONS:

CHILD: Biological, adopted or foster children, stepchildren, or the child of a person with legal guardianship or who has day-to-day responsibility to care for and financially support a child, even if there is no biological or legal relationship; foster child, a stepchild, a legal ward, or a child or a person standing in *loco parentis*.

CONCURRENT LEAVE: State and Federal mandated leave entitlements normally run concurrently with each other and with leave provisions under any applicable collective bargaining agreement or policy.

HEALTH CARE PROVIDER: A doctor of medicine or osteopathy authorized to practice medicine or surgery by the State in which the doctor practices; a clinical social worker or a Christian Science practitioner or any other person determined by the Secretary of Labor, to be capable of providing health care services as defined under FMLA regulations.

INTERMITTENT LEAVE: Time away from the job taken in separate blocks of time due to a serious health condition.

PARENT: The biological parent, or persons who had day-to-day responsibility to care for and financially support a child. Parents-in-law are not included.

REDUCED LEAVE SCHEDULE: Reduction in the number of hours per workday or workweek.

SERIOUS HEALTH CONDITION: An illness, injury, impairment or physical or mental condition that involves:

1. Treatment as an inpatient in a hospital, hospice or residential medical care facility; or
2. A health condition that requires continuing treatment by or under the supervision of a health care provider. Continuing treatment includes: a) two or more treatments by a health care provider; (b) two or more treatments by a health care practitioner on referral from, or under the direction of, a health care provider; c) a single visit to a health care provider that results in a regimen of continuing treatment under the supervision of a health care provider.
3. A health condition that requires continuing treatment by or under the supervision of a health care provider for a chronic or long term health condition that is incurable or so serious that if untreated, would likely result in an absence from work of more than three days.

Examples of serious health conditions include: Heart attacks, heart conditions requiring heart bypass or valve operations, most cancers, back conditions requiring extensive therapy or surgical procedures, strokes, severe respiratory conditions, spinal injuries, appendicitis, pneumonia, diabetes, epilepsy, asthma, alcoholism, emphysema, severe nervous disorders, injuries caused by serious accidents on or off the job, the need for prenatal care, childbirth and recovery from childbirth.

TWELVE MONTH PERIOD: The “rolling” twelve month period measured backward from the date any employee uses any FMLA leave.

SPOUSE: Defined in accordance with applicable State law, married couples that work for the Town are limited to a combined total of 12 workweeks during the 12 month period if leave is taken for birth or placement for adoption or foster care of a child or to care for a sick parent. Such leave to care for birth or placement for adoption or foster care of a child must be taken within 12 months beginning on the date of birth or placement for adoption or foster care.

PROCEDURE

NOTICE OF INTENT TO USE LEAVE:

Eligible employees will provide written notice of their intent to use FMLA leave to the Town Manager, thirty days in advance when the leave is foreseeable. For example, the birth or placement of a child for adoption, foster care, or planned medical treatment. When unforeseen events occur that require FMLA leave, the employees or a representative of the employee must provide written notice as soon as both possible and practical but in no event later than one or two working days of learning the need for the leave except in extraordinary circumstances. The notice will include the reason for the leave, the date the leave shall begin and the intended date of return.

When planning medical treatments, employees should consult with the Town when giving notice and make reasonable efforts to schedule the leave so as not to unduly disrupt the Town's operations.

MEDICAL CERTIFICATION:

Leave to care for an employee's seriously-ill family member, or leave due to a serious health condition that makes the employee unable to perform the functions of the employee's job, must be supported by certification by a health care provider.

Employees must provide the certification within fifteen calendar days. If the need for leave was not foreseeable, the employee must still provide the certification as soon as both possible and practical thereafter. Certification shall include:

1. Identification of the practitioner and the type of medical practice.
2. The date the serious health condition commenced and the probable duration of the condition.
3. Diagnosis of the serious health condition.
4. Statement of the regimen of treatment prescribed for the condition (including estimated number of visits, nature, frequency and duration of treatment, including referred or ordered treatment to other health care providers and whether inpatient hospitalization is required). For intermittent leave or leave on a reduced leave schedule, a statement of the medical necessity for such leave.
5. In instances of the employee's serious health condition:
 - a. statement that the employee is unable to perform work of any kind, or
 - b. statement that employee is unable to perform the essential functions of his/her position (as determined by the Town).
6. Instances of care for a family member:
 - a. statement that the family member is in need of the employee's assistance for basic medical, hygiene, nutritional needs, safety or transportation, or
 - b. statement that the employee's presence would be beneficial or desirable for the care of the family member.

Medical certification forms are available in the office of the Town Manager. If the Town has reason to doubt the validity of a medical certification, the employee may be required to obtain a second opinion from a health care provider designated by the Town at the Town's expense. If the two opinions differ, the Town may require a third opinion, which will be final and binding, from a

health care provider mutually agreed upon by the employee and the Town and at the Town's expense.

Re-certification by the health care provider is required every thirty days. Re-certification must include the same information contained in the initial certification.

Re-certification may also be required in the following instances:

- a. the employee requests an extension of leave;
- b. changed circumstances occur regarding the illness or injury;
- c. the Town's reception of information which casts doubts upon the continuing validity of the certification.

NOTICE OF INTENT TO RETURN TO WORK:

An employee will be required to report periodically to the Town on his or her status and intent to return to work.

INTERMITTENT LEAVE/REDUCED SCHEDULE:

FMLA leave may be taken on an intermittent or reduced leave schedule. Employees requesting an intermittent or reduced leave schedule must make a reasonable effort to schedule treatment so as not to unduly disrupt the Town's operations and administration, especially when the leave is foreseeable. The Town may require a temporary transfer to an alternative position with equivalent pay and benefits, if the employee is qualified for the position, to better accommodate the reoccurring periods of leave.

Leave for the birth or placement of a child may not be taken on an intermittent or reduced leave schedule basis.

B. Maternity Leave Policy (As outlined by the Massachusetts Maternity Leave Act (MMLA), MGL Ch. 149, Section 105D)

An employee who has completed the initial probationary period set by the terms of their employment or, if there is no such probationary period, has been employed by the same employer for at least three consecutive months as a full-time employee, is absent from such employment for a period not exceeding eight weeks for the purpose of giving birth or for adopting a child under the age of eighteen or for adopting a child under the age of twenty-three, if the child is mentally or physically disabled, said period to be hereinafter called maternity leave, and who shall give at least two weeks' notice to their employer of the anticipated date of departure and intention to return, shall be restored to their previous, or a similar, position with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of their leave. Said maternity leave may be with or without pay at the discretion of the employer.

Such employer shall not be required to restore an employee on maternity leave to their previous or a similar position, if other employees of equal length of service credit and status in the same or similar positions have been laid off due to economic conditions or other changes in operating conditions which have affected the employment of others during the period of such maternity leave; provided, however, that such employee on maternity leave shall retain any preferential consideration for another position to which they may be entitled as of the date of their leave.

Such maternity leave shall not affect the employee's right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans or programs for which said employee was eligible at the date of such leave, and any other advantages or rights of employment incident to their employment position; provided, however, that such maternity leave shall not be included, when applicable, in the computation of such benefits, rights, and advantages; and provided, further, that the employer need not provide for the cost of any benefits, plans, or programs during the period of maternity leave unless such employer so provides for all employees on leave of absence. Nothing in this section shall be construed to affect any bargaining agreement or company policy which provides for greater or additional benefits than those required under this section.

A notice of this provision shall be posted in every establishment.

For the purposes of this section, an "employer" shall be defined as in subsection 5 of Section One of M.G.L. Chapter One hundred and fifty-one B [MGL c.151B, §1 (5)].

An employee seeking maternity leave must give two week's notice of the anticipated date of departure and intent to return. "Anticipated" date of departure does not mean "exact" date. Thus, for example, an employee who gives birth prior to the anticipated departure date is entitled to start the maternity leave earlier. Likewise, an employee may desire to start the leave later or return from leave earlier than anticipated. It is expected that employers and employees will communicate in good faith with regard to making arrangements for such leave, taking into account the uncertainty inherent in delivery and adoption dates and the needs of the employer to plan in advance for an employee's absence. The MCAD enforces the MMLA. An employee, to initiate a formal action, must file a complaint with the MCAD. The complaint must be filed within 300 days of the alleged violation of the MMLA, subject only to very limited exceptions. A violation of the MMLA constitutes a violation of M.G.L. c. 151B, §4(11A). An aggrieved employee is therefore entitled to the same remedies under the MMLA as are available pursuant to M.G.L. c. 151B.

PAID LEAVE AND BENEFITS

In all circumstances, accrued vacation, personal and compensatory time must be used during qualified FMLA leave. In addition, sick leave must also be used to care for the employee's own serious health condition. Upon depletion of the available accrued paid leave, FMLA leave becomes unpaid leave. It is the total of this time, which will equal the twelve weeks of FMLA leave. During any portion of FMLA leave to which the accrued paid leave is applied, the employee will continue to accrue benefits and seniority. During any portion of FMLA leave, which is unpaid, the employee will not accrue benefits and seniority.

The Town will continue the contribution to the employee's group health plan during the FMLA leave unless the employee advised that he/she will not be returning to work. The employee will have his/her contribution deducted from the applied paid leave. Upon the depletion of said leave, and if the leave becomes unpaid, the employee must make arrangements to pay 102% of their health insurance premiums, unless the leave continues because of their own illness. These arrangements must be made in advance of the leave, especially if the leave is foreseeable.

If the employee's premium payment is more than 30 days late, his/her health coverage will be canceled. Employees experiencing severe financial hardship may petition the Town Manager for consideration of alternatives for payment of the employee premium. This may include but not be limited to: payment of employee health insurance premiums by the Town while on unpaid leave

and subsequent double deductions of health insurance premiums upon the employee's return to work. This petition must be made within the thirty days noted previously. The Town Manager will make a recommendation to the Board of Selectmen or their designee for final determination.

The Town will recover from the employee premiums paid during any period of unpaid FMLA leave if the employee fails to return to work after the FMLA leave entitlement has expired, except in instances of continuation, reoccurrence, or onset of qualifying FMLA leave circumstances or other circumstances beyond the control of the employee.

When circumstances allow for the Town to recover health insurance premium payments it made from a non-returning employee, the Town may deduct the amount due from any sums owed to the employee. For example: vacation or final paycheck.

RESTORATION TO POSITION:

An eligible employee who takes FMLA leave is entitled to be restored to the same position that the employee held when the leave started, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment, provided the employee returns to work at the conclusion of leave of 12 work weeks or less.

Employees on FMLA leave due to their own serious health condition must submit certification from the health care provider that the employee is able to resume work, i.e. is fit for duty, before they can return to work.

DENIAL:

Conditions under which FMLA leave and/or reinstatement may be denied including (but not limited to):

1. ineligibility of employee,
2. unqualified for leave under the Family and Medical Leave Act,
3. employee fails to give timely advance notice for foreseeable leave (temporary denial up to thirty days after employee provides notice of need),
4. employee fails to provide in a timely manner, requested medical certification (temporary denial up to time of submittal),
5. employee fails to supply fitness-for-duty certificate (up to time of submittal),
6. if employee's job is eliminated during period of leave.
7. employee unequivocally advises Town of intent not to return to work,
8. fraudulent acquisition of FMLA leave, and
9. employment with another employer while on FMLA leave.

A-1 SMALL NECESSITIES LEAVE ("SNLA"):

All eligible employees are entitled to take up to a total of 24 hours leave during the 12-month period, as defined in the FMLA policy, to:

- (1) participate in school activities directly related to the educational advancement of a son or daughter of the employee, such as parent-teacher conferences or interviewing for a new school;
- (2) accompany the son or daughter of the employee to routine medical or dental appointments, such as check-ups or vaccinations; and

- (3) accompany an elderly relative of the employee to routine medical or dental appointments or appointments for other professional services related to the elder's care, such as interviewing at nursing or group homes.

"School" includes public and private elementary and secondary schools, Head Start programs, and children's day care facilities licensed under Massachusetts' law.

Eligible employees are individuals who have worked for the Town for at least twelve months and provided at least 1,250 hours of service during the twelve months before leave commences.

In all circumstances, accrued vacation and personal leave must be used for SNLA leave. Upon depletion of available accrued vacation and personal leave, SNLA becomes unpaid leave. Vacation and personal leave run concurrently with SNLA when the leave is for an SNLA a qualifying reason.

Eligible employees will provide written notice of their intent to use SNLA leave to the Town Manager seven days in advance when the leave is foreseeable. When unforeseen events occur that require SNLA leave the employee must provide as much notice as practicable.

All notifications, certifications and questions relating to this policy, must be submitted to the Town Manager.

- A. Extended Medical Leave: A medical leave may be extended until the employees are physically able to return to work, up to a period of six months. The duration of the medical leave must be supported by the employees' doctor in a written statement directed to the Town.
- B. Maternity Leave: Female employees will be granted a maternity leave of up to eight weeks for the purpose of childbirth, or for a male or female employee adopting a child under three years of age. Employees have to give notice of the date of their departure and their intent to return to work. The employee will return to her original position or a similar one. Leave under this provision runs concurrently with Family Medical Leave Policy.
- C. Personal Leave: The Town may grant a leave of absence for compelling personal reasons provided adequate arrangement can be made for employee's responsibilities during the absence. Employees must have been employed over one year as a regular full-time employee or have equivalent part-time service. The leave may not exceed three months. The employee must notify the department head far enough in advance to allow for the approval of the Town Manager and to make adequate arrangements. All accrued vacation time not used may not extend the period of such leave. All benefits will continue for the length of the personal leave to a maximum of three months. Total monthly group insurance premiums must be paid in advance by the employee.
- D. Military Employees who held permanent positions prior to entering military service are entitled to reinstatement. Employees inducted into the Armed Forces will be expected to show a copy of their military orders to their department head who will make a copy of these orders and send them to the Board for the employee's file.

Employees must present a certificate showing satisfactory completion of service. Employees returning from military service will be restored to their former position or a position of like status and pay if such employees apply for reinstatement within 90 days from date of honorable discharge from military service.

Once employees are reinstated they are entitled to the service date they had when they entered military service plus whatever additional service time they would have accumulated had they remained at their job. If the rate of pay for the same position has been increased, they are entitled to the higher pay.

The leave of absence will terminate upon an employee's failure to apply for reinstatement within 90 days of honorable discharge.

Service time will continue to accrue for the duration of a military leave, but will not accrue beyond a maximum of 5 years.

While in the Armed Service, insurance coverage will be discontinued.

1. Reserve Obligation - Military Leave

The Town will grant a leave annually to permanent full-time employees who are ordered into military service for 15 days or less. This leave is in addition to the normal vacation to which they are entitled. The two-week military time will not be counted as vacation time unless requested by the employee. Reserve training will not be considered an interruption of Town Employment for purposes of computing service date.

Group insurance coverage will continue unchanged during this 15 day Reserve training period. If employees are called or volunteer for longer periods of active duty, all insurance benefits will cease as of the date they are placed on Military Leave.

E. Special Short Term Leave With Pay Special short-term leave with pay may be granted as follows:

1. Bereavement Employees shall have up to four consecutive days off for time necessarily lost, without loss of pay, in the event of a death in the employee's immediate family, namely, spouse, son, daughter, father, mother, brother and sister. This leave may be extended without pay at the discretion of the department head if unusual travel time is involved.

Employees shall have up to two (2) consecutive days off for time necessarily lost, without loss of pay, in the event of the death in the employee's family, namely, mother-in-law, or father-in-law, grandparent or grandchild. Employees shall have one (1) day off for time necessarily lost, without loss of pay, in the event of the death of the employee's brother-in-law, sister-in-law, aunt or uncle.

The days of this bereavement leave shall be reduced or not allowed if the period of funeral leave occurs while the employee is on vacation, on sick leave or other leave of absence.

The employee must notify the Department Head of this bereavement leave.

2. Jury Duty In order that the employees on jury duty will not lose time and money by being impaneled as jurors, the Town will reimburse the employees the difference in wages earned as a juror and what their normal earnings would have been had they been working for the Town.

The employees, upon receipt of notice, will immediately inform their department head of their call to jury duty. The department head should note on the payroll time sheet, and the moneys to be paid the employees to compensate them for the earnings lost while on jury duty. Employee's check or check stub from the court should be presented to the Town Accountant upon receipt for verification of wages earned.

In all cases jury duty shall conform to the procedures specified under the One Trial Jury System mandated by General Laws Chapter 234A.

3. Personal Days After the ninety (90) working days probationary period, up to three (3) days leave with pay may be granted by the Department Head in any one year for personal or private reasons. No deduction will be made from sick leave credit. Personal days may be granted to regular part-time employees on a pro-rated schedule commensurate with their annual hours worked. Personal days may not be accumulated and no payment shall be made at termination for unused days.

13. TERMINATION

a. Termination definitions

Release is a separation initiated by the department head as the result of an individual's inability to perform the duties of the job for reasons other than cause.

Lay-Off is a separation initiated by the department head as a result of the elimination of a position due to reorganization or a lack of money or work.

Discharge is a permanent separation for cause initiated by the department head.

Resignation is a voluntary separation initiated by the employee.

b. Pay:

- (1) Regular full-time and regular part-time employees are entitled to termination pay as provided in the following schedule. Regular part-time employees shall be paid on a prorated basis. The department head shall determine the proper amount of termination pay and submit a Personnel Action Request Form to the Town Manager for approval.

<u>Reason for Termination</u>	<u>Amount of Termination Pay</u>
<i>Discharge</i>	None
<i>Release or Lay-Off:</i>	
Under 13 week's service	None
13 weeks to one year of service	1 week
1 year's service or more	1 week for each year of completed service to maximum of 10 weeks.
<i>Resignation:</i>	
Without notice	None
With notice*	Maximum of two weeks
Retirement	None

(1) The maximum may be given when the department head declines the offer of the employees to work out their notice period. Termination pay may not exceed the amount the employees would have earned had they been able to work out their notice period.

(2) If employees resign and work their two-week notice period, they are not entitled to termination pay.

(3) Probationary, Intermittent, Seasonal, Temporary and Emergency employees are not entitled to termination pay.

(4) Compensation shall continue to be paid for the period of time as indicated by the schedule in 12 (1).

- c. Employees who are terminated are to be paid for vacation time accrued and not taken at the time of termination.
- d. Group insurance policies for terminated employees shall be canceled as of the end of the last month actually worked. Eligible employees may continue enrollment in group insurance policies in accordance with municipal and statutory authority.

14. GRIEVANCE PROCEDURE

Step 1 Employees who allege a grievance shall, within five (5) working days of such grievance, file a written statement of the cause of complaint with their department head and the Town Manager. The department head shall immediately confer with the aggrieved employee and, within ten (10) days of receipt of the written complaint, render in writing to the Town Manager his/her recommendations to resolve the grievance.

Step 2 If employees disagree with the recommendations they shall, within five (5) working days of receipt of same, submit their written response to the Town Manager and their department head. Within fifteen (15) working days the Town Manager shall render a written decision on the alleged grievance, including any adjustments necessary to satisfy said grievance.

Step 3 The aggrieved employee (except in a discharge action) who may not be satisfied with the decision after Step 2, may within fifteen days request a review of the decision by the Personnel Board. The decision after Step 2, if not appealed within the time allowed, or after Step 3, shall be final and binding and immediate unless it involves the expenditure of moneys in excess of, or contrary to, the purposes for which moneys were appropriated at a Town Meeting.

15. COMPENSATION GRADE APPEAL

Any employee who believes that his or her job has been substantially altered or has higher ranked duties added since the job was last evaluated may appeal to his or her department head and the Town Manager. This request will be in writing and will provide complete details as to the assignment changes and implementation dates. The Town Manager will re-evaluate the job and render a decision within 31 days of the appeal. If the change is judged significant enough to warrant reclassification of the job or other necessary action, such will be made retroactive to the date of the employee's appeal.

16. TEMPORARY TRANSFER TO MANAGEMENT SCHEDULE

Subject to the Town Manager's approval when the appointing authority determines it necessary to temporarily fill a higher pay grade, the assigned employee shall be paid no less than the minimum of the new range or 10% more than the employee's current rate, but not to exceed the maximum of the new pay rate provided that:

1. The employee is required to perform the full complement of duties, and
2. The assignment is thirty-one or more consecutive calendar days.

Should the employee be asked to perform less than the full complement of duties, but more than what is normally expected for thirty-one or more consecutive calendar days, the assigned employee may be paid up to 5% of the minimum of that position in addition to his/her current rate.

In neither of the foregoing situations will the employee receive compensation for an assignment of less than thirty-one consecutive calendar days; however, once the thirty-first day is passed, the employee shall receive retroactive pay to the first day of the assignment.

Upon completion of the temporary transfer, the employee shall return to his or her former position without loss or seniority benefits.

Any temporary transfer shall not exceed six months without the approval of the Town Manager and shall not in itself serve as a basis for a claim for upgrading on the part of the employees so assigned.

Situations may arise in which employees may be needed to work beyond the stipulated twelve (12) hour period. In such cases the department head making the assignment shall take into account the employees' ability to work safely and efficiently.

17. TUITION ASSISTANCE POLICY

The Town of Duxbury will provide tuition assistance benefits to help employees pay for the cost of courses related to their job, in accordance with the following guidelines and subject to available funding.

1. Eligibility. All regular full time employees covered under the Plan, who have been employed for one year, are eligible for tuition assistance benefits.
2. Types of Courses. The following courses are reimbursable:
Undergraduate and graduate courses offered through accredited colleges and universities if the department head and Town Manager determine that the course(s) relate to the employee's current assignment; and courses that are part of an approved degree-related program in which the employee has matriculated.
3. Amount of reimbursement. Tuition reimbursement will be provided up to five-hundred dollars (\$500) per semester or three-hundred thirty-three dollars (\$333) per trimester, whichever is applicable, with a maximum of one-thousand dollars (\$1000) per calendar year. Reimbursement is subject to receipt of Grade B or better.

4. Tax considerations. Reimbursement under this policy may result in taxable income to the employee.
5. Effect of employment termination. To be reimbursed, employee must still be employed by the Town at the time of receiving evidence of satisfactory course completion.

Tuition Assistance Procedure

Submission of application. Before starting a course, an employee must submit a written request for Tuition Assistance to his or her Department Head. The employee and Department Head will discuss the relevance of the course(s) to the employee's position and/or future goals.

Approval of application. If the course(s) fulfill the requirement of this policy, the Department Head will indicate approval by signing the form and will forward it to the Town Manager. The Town Manager will review the request and return it to the Department Head, either with a signed approval or with an explanation for the reasons for disapproval. Evidence of satisfactory completion. On completing approved courses, employees are required to submit to the Town Manager certified transcripts of their grades and original receipts for reimbursable tuition. If a course is not satisfactorily completed in accordance with the criteria outlined in this policy, no reimbursement will occur.

18. GENERAL

- a. No *Regular* employee shall receive compensation for any hours worked on any part-time job under this Plan unless such part-time employment is authorized by the Town Manager in writing and then only when such work is performed other than during the employee's regularly scheduled hours.
- b. Retirement is a permanent separation at which time the employee receives an immediate retirement income under the Plymouth County Retirement plan for public employees.
- c. Employees in all Town departments are not required to work more than 12 hours in any 24-hour period. The twenty-four (24) hour period will begin at the start of the employee's regular shifts.
- d. No employee will be transferred or be hired into a department in which the applicant will be supervised by a relative or in which the applicant will be required to supervise a relative, except Call Firefighters.
- e. Employees shall perform the work described within their job description, as well as any other reasonable duties assigned by their supervisors, or in times of emergency, by any Town supervisor. Employees should strive to perform their duties enthusiastically and effectively in a spirit of community and cooperation with other town employees and departments.
- f. No employee who is filling a Regular Full-time position shall be hired into a second full-time job. In the event that an employee's part-time position becomes full-time concurrent with another full-time job, the employee shall be terminated from one of the positions.

PART II

MANAGEMENT PROVISIONS **GRADE 5 AND ABOVE**

1. The exempt Management classifications listed in the Compensation Schedule, are on a fixed compensation for full time service and receive no overtime premium. Both exempt and non-exempt salary adjustments are subject to merit review on the basis of recommendations of the employee's supervisor, Department Head, appointing officer or authority and the approval of the Town Manager. There are no automatic increases or cost of living adjustments. All regular Personnel Plan employees Grades 5-10 shall move through the ranges in accordance with the Salary Administration Guidelines.
2. Prior to appointment, no job offer shall be made by the appointing authority until verification of prior employment has been established and advising the Board of the pending action.
3. Salary Review Employees shall be reviewed by the appointing officer or authority for action annually on July 1. However, if employees have three months or less service as of July 1 their review shall be postponed until the next July 1. If employees have more than three but less than twelve months of service as of July 1 then they will receive a proportion of the merit based increase otherwise granted. Specifically, one/twelfth of the increase will be granted for each full month served to a maximum of twelve months. For example; if employees start on January 1 then they would have six months service as of July 1, resulting in one half of the increase otherwise granted.

Individuals who at the start of the fiscal year are at the maximum of the salary range and therefore no longer eligible for base salary increase, may be considered for a one time lump sum payment of up to \$1,500 at the discretion of the Town Manager based upon performance evaluation. (Lump sum payment shall not be considered increase in the base salary.)

Nothing in this section shall be construed as requiring that a salary increase be granted unless warranted by meritorious performance.

4. Performance Appraisal Employees shall be entitled to a formal written review of their performance annually, and new employees upon completion of three months service in accordance with the policies and procedures of the Board. Such appraisal shall, at the minimum, indicate how the employees have met their performance expectations during the just completed period and establish new expectations for the upcoming period.
5. Employees classified under this schedule are those whose duties include some form of managerial authority, actually directing the work of others, and who carry out their particular responsibilities by direction, but without supervision, and usually with specific responsibilities and authorities defined by statute or by-law.
6. Holidays: Management employees will be eligible for the same holidays as provided for Regular employees.

7. Vacation: Management employees shall be eligible for vacation in accordance with the following provisions:

- a. After the completion of 4 months of continuous employment, an employee shall be eligible for up to 5 days of paid vacation to be taken with prior written approval of the appointing authority.
- b. After the completion of 8 months of continuous employment, an employee shall be eligible for an additional 5 days of paid vacation to be taken with prior written approval of the appointing authority.
- c. After the completion of 12 months of continuous employment, an employee shall be eligible for an additional 5 days of paid vacation with prior written approval of the appointing authority. The total of the foregoing shall not exceed 15 days of paid vacation for the first 12 months of continuous employment.
- d. After completion of 60 months of continuous employment, an employee shall be eligible for 20 days of paid vacation to be taken with prior written approval of the appointing authority.

With regard to the above vacation time provisions only, employees hired prior to July 1, 1987 shall be governed by the Plan effective July 1, 1986.

The following provisions in this section apply to all management employees irrespective of hire:

- a. After completion of 25 years of continuous employment, an employee shall be eligible for up to 25 days of paid vacation to be taken with prior written approval of the appointing authority.
- b. The appointing authority may request, due to operational necessity that vacation time be accumulated for up to one year beyond the period during which it was earned.
- c. All vacation time must be scheduled with advance written approval of the employee's Department Head, or the appointing authority, with a copy to the employee's personnel file.
- d. All available vacation time must be scheduled and used each fiscal year. Unused time will be lost unless the appointing authority has provided prior written approval for carryover of up to 5 days.
- e. In the event of the death of an employee payment of any vacation time earned, but not taken, shall be made to the employee's designated beneficiary.

8. Family Sick Time: All eligible *Regular Full-Time employees* may use up to 40 hours of their available sick time, per fiscal year, to care for an ill member of their immediate family; child, stepchild, parent, spouse, foster child or ward who lives with the employee. Other situations will be reviewed on a case by case basis. *Regular Part-Time* employees may use a pro-rata amount of their available sick time consistent with their work schedules.

9. Disability Leave: In cases of prolonged absences due to accident or illness, salary shall be continued for the period of the disability up to a maximum of six months subject to certification by a physician that the employee is unable to work. Such certification shall be provided to the Town Manager upon its request. Absences not separated by a period of thirty days will be considered the same disability for purposes of this paragraph. At any time during

this leave, the Town Manager may appoint a physician to verify the employees' condition. If disability continues beyond a six-month period, employees will be considered on an unpaid leave of absence. Leave taken under this paragraph will be considered Family and Medical Leave.

10. Service Pay on Retirement When employees retire from a Classification in the Compensation Schedule and receive immediate retirement income from the Plymouth County Retirement Association or other appropriate retirement system, they shall be entitled to one week's pay for each year of continuous service to the Town up to a maximum of ten (10) weeks.

Such service pay on retirement shall be paid at the time of retirement provided the employee has submitted, in writing, a notice of intent to retire at least six (6) months in advance. If employees fail to submit such written notice to the Town as specified their service pay may be deferred to the next fiscal year.

PART III

NON-MANAGEMENT PROVISIONS

GRADE 1, 2, 3, and 4

1. RATE RANGES

- a. All employees in Grades 1, 2, 3 and 4 shall move through the ranges in accordance with the Salary Administration Guidelines.

Employees denied an increase have a right of appeal to the Town Manager. The Town Manager shall confer with the employee and appropriate department head prior to determining the merits of the appeal.

2. Performance Appraisal

New Regular Full and Part Time employees having performed 6 months of service are eligible for performance review. Thereafter all Regular Full and Part-Time employees shall be eligible for a performance evaluation and relational merit review annually.

Intermittent, Seasonal and Schedule R employees shall receive a performance evaluation, and are eligible for a merit based increase after one year of service, and every year thereafter following each season or year, whichever is sooner.

Emergency, Temporary, Schedule A and B employees receive a performance evaluation annually, but no increase other than changes to the compensation schedule approved by Town Meeting.

Progression to the Maximum: Progression through the range is not automatic but based on performance and merit increases as recommended by the appropriate supervisor and department head, with the approval of the Town Manager.

Employees denied an increase under the foregoing provisions shall be informed in writing, with a copy to the Town Manager and the Personnel Board, of the following:

1. the reason(s) for the denial
2. the suggested areas for improving their performance
3. the time period for further review of performance

Employees who do not improve their performance may be terminated.

2. PROMOTIONS AND TRANSFERS

- a. An employee transferred or reclassified to a job in the same grade will transfer without any change in rate of pay.
- b. Employees transferred to a higher grade shall be paid within the current Compensation Schedule.
- c. An employee transferred to a job in a lower grade shall be credited with previous service in a higher grade in establishing allocation in the lower grade.
- d. The Town Manager may approve the temporary transfer of employees to other positions. If the temporary transfer is to a higher level position within Grade 1, 2, 3 and 4, such employees shall be compensated, effective retroactively, on the thirty-first (31) day in the new assignment at an appropriate rate as determined by the hiring officer or authority and approved by the Town Manager. If the transfer is to a lower level position, such employees shall maintain their present rates of pay. The employee shall continue to accrue, for the duration of the temporary assignment, all benefits they would have accrued had they remained in their former positions.

For any temporary transfer, the appointing authority shall present to the Town Manager its plans for the position. The Town Manager shall review the plans and determine appropriate action. Temporary transfers may not exceed six months without the specific approval of the Town Manager.

3. SPECIAL PAY

- a. Call-Back: Non-exempt salaried personnel employed under Grades I, II and IIA who are called from their homes to perform unscheduled work shall be paid at the appropriate rate, but shall receive no less than three hours pay.
- b. Overtime: Non-Exempt employees classified in Grades I, II and IIA shall receive pay at one and one-half times their regular hourly rate for work performed after forty (40) hours. In no event will an employee be paid overtime pay for time not worked.
- c. Overtime Distribution: Overtime, as determined by the department head, shall be distributed as equitably as possible during each calendar year among the employees within their classification, in their department, provided that overtime is first offered on a rotating basis to Regular full-time employees of the department.

4. HOLIDAYS

Regular employees shall be granted the following eleven paid holidays each year:

New Year's Day
Martin Luther King, Jr. Day
Labor Day
Christmas Day

Memorial Day
Independence Day
Thanksgiving
Patriots' Day

Columbus Day
Veterans Day
President's Day

Holidays falling on Sunday shall be celebrated on Monday and holidays falling on Saturday shall be celebrated on Friday. Employees under Schedule P.S., required to work on any of the above specified holidays, shall be paid holiday pay at their regular straight time rate in addition to their regular pay for that day.

Full-time employees who are required to work on an emergency basis on Thanksgiving Day, Christmas Day, or New Year's Day shall be paid at the rate of time and one-half in addition to the holiday pay.

Regular Part-Time, Intermittent, and Seasonal employees except those in Schedules A, B, and R shall be granted holiday pay if their regular work schedule calls for working on the holiday. If on a part-time schedule, payment will be made for the number of hours the employee would have been scheduled to work had the day not been a holiday.

5. VACATION

Vacation pay will be based on the normal weekly hours of employment as defined by the Board (exclusive of overtime) during thirty weeks preceding July first and at the rate at the time the vacation is granted. Any dispute regarding the computation of vacation pay shall be referred to the Town Accountant and Town Treasurer and their decision shall be accepted by the employee or submitted as a grievance.

Vacation shall be taken at the employee's convenience, but subject to the department head's approval, which is based on the need to maintain departmental operating efficiency.

Vacations with pay will be granted to Regular Full-Time employees as follows:

- a. In the instance of employees who have been employed for less than thirty (30) weeks as of July first in the current year, vacation leave of one day shall be granted with full pay for each three weeks of employment provided that (1) such vacation leave shall not exceed ten days, and (2) such vacation credit shall be calculated from the first day of employment.
- b. Vacation leave of 10 days shall be granted to any employee who as of July first has been employed by the Town for at least one year, but less than five years.
- c. Vacation leave of 15 days shall be granted to any employee who as of July first has been employed by the Town for five years but less than ten years.
- d. Vacation leave of 20 days shall be granted to any employee who as of July first has been employed by the Town for ten or more years but less than twenty-five years.
- e. Vacation leave of 25 days shall be granted to any employee who as of July first has been continuously employed by the Town for twenty-five (25) or more years.
- f. Employees who are eligible for vacation under this section and whose services are terminated through no fault or delinquency of their own, by resignation (if two weeks' notice has been given previously), retirement or entrance into the armed forces, even if the employees are on sick leave at the time, shall be paid vacation that has accrued but has not been taken in the vacation year prior to such termination. In addition, payment shall be made for that portion of the vacation allowance earned in the vacation year during which

such dismissal, resignation, retirement or entrance into the armed forces occurred up to the time of the employee's separation from the payroll.

- g. Upon the death of employees eligible for vacation pay under this section, payment shall be made to the designated beneficiaries of the deceased in the amount equal to the vacation allowance as accrued in the vacation year prior to the employee's death, but which had not been granted. In addition, payment shall be made for that portion of the vacation year during which the employees died, up to the time of their separation from the payroll.
- h. Listed below is a table to be used to calculate the prorated number of vacation leave days earned by employees during the fiscal year in which their fifth (5th), tenth (10th) or twenty-fifth (25th) year employment anniversary date occurs.

<u>If anniversary date occurs during the month of:</u>	<u># of additional days earned</u>
July	5
August	4
September	4
October	3
November	3
December	2
January	2
February	2
March	1
April	1
May	0
June	0

Vacation with pay will be granted Regular Part-Time employees on a prorated schedule commensurate with their annual hours of work.

All available vacation time must be scheduled and used each fiscal year. Unused time will be lost unless the appointing authority has provided prior written approval for carryover of up to one week. Extra pay may not be given in lieu of vacation

Intermittent, Seasonal, Temporary, and Emergency employees receive no vacation.

6. PAID LEAVE DUE TO INJURY OR ILLNESS

The Town will protect the earnings of eligible employees for periodic illnesses to a maximum of one hundred and twenty hours per year accumulative. (Refer to paragraph c.) The Town recognizes the fact that from time to time employees are unable to report to work because of sickness. It is the desire of the Town to protect the income and ease the financial burden of our employees during these occasional illnesses; however, it is not the intent of the Town that this policy provides additional "vacation" time to employees. Unjustified absences will be treated as disciplinary situations. For the benefit of the health and welfare of the employee, the Town expects the employee to secure prompt medical advice.

- a. All *Regular Full-Time* employees are eligible to receive sick pay benefits, provided they have completed ninety days continuous service. *Regular Part-Time* employees working at least 20 hours per week, and *Regular Part-Time* employees working fewer than 20 hours per week but hired before July 1, 2010, will receive a pro-rata amount that is consistent

with their work schedules. *Intermittent, Seasonal, Temporary, and Emergency* employees are not eligible for sick leave.

- b. Family Sick Time: All eligible *Regular Full-Time employees* may use up to one work week of available sick time, per fiscal year, to care for an ill member of their immediate family; child, stepchild, parent, spouse, foster child or ward who lives with the employee. Other situations will be reviewed on a case by case basis. *Regular Part-Time* employees may use available sick time on a pro-rata amount consistent with their work schedules.
- c. A physician's certificate of illness shall be submitted by the employee to the department head after five (5) workdays absence. This certificate will be forwarded to the Town Manager for authorization to continue sick leave payment and then to the Board. Failure to submit this certificate shall result in cessation of payments.

Department heads may, at their discretion, and in disregard of this policy, limit the total number of sick days available to employees if the employees have frequent 1-2 day sickness without doctor's certificate.

In order for employees to receive sick pay, they must notify their department head as soon as possible, but in no event later than the start of their work shift of the day they are absent.

Calculation of Sick Pay	
First Year - 0 to 90 Days	No sick pay
First Year - after 90 Days	Sick pay benefits begin to accrue at the rate of one hour for every fifteen hours worked, up to a maximum of one hundred hours
After first year	One hour of sick pay for every fifteen hours worked up to a maximum of one hundred and twenty hours.

Sick pay benefits will be based on the individual employee's normal workday at straight time and will not include hours worked at overtime.

- d. Employees may accumulate unused sick pay from year to year to a maximum of 1,200 hours. In the case of exceptional circumstances, where an employee has, or is about to exhaust the leave accrued, additional allowance may be granted upon the application of the employee, the recommendation of the department head and the written approval of the Town Manager. In determining whether such extended allowance shall be granted, the past absence of the employee, the length of continuous service with the Town and the quality of the employee's performance and record shall be taken into account. Consideration shall also be given as to what portion of the allowance shall be appropriate at full pay and what portion at part pay. When additional sick leave allowance is granted under this section, the employee's sick leave will be debited until such additional sick leave shall be made by debiting one (1) of every two (2) sick days accrued, until the additional allowance is repaid.
- e. When qualified, employees will receive their average work week pay through the combining of Worker's Compensation benefits and their accumulated sick pay provided that they have exhausted their accrued vacation. Any sick leave paid under this provision will be deducted

- from the employee's sick leave accrued. If employees exhaust both vacation and sick leave while on Worker's Compensation, the only payment will be Worker's Compensation.
- f. Upon termination of employment, voluntary or involuntary, or by death, accumulated sick pay hours are canceled and represent no obligation on the part of the Town to the employee.
 - g. Upon retirement, an employee shall be granted 8 hours pay for each 24 hours of unused sick leave to a maximum of 400 hours.
 - h. The department head, by law, is required to accurately record an employee's attendance, noting tardiness, vacation, holiday pay, overtime, call-back periods, and illness. This shall be submitted to the Town Treasurer and/or Town Accountant on a form designated by them and maintained by them for the Town Manager as well as their own purposes.
 - i. The Town Manager may, at his own discretion, require a medical examination for any employee who reports an inability to perform because of illness or injury. This examination shall be at the expense of the Town by a physician appointed by the Board.
 - j. No employees shall be gainfully employed while on sick leave from the Town or on Worker's Compensation.

FY 2012 Salary Administration Guidelines					
Grade	Min	Market Range			Max
<i>Guidelines</i>	< 5 yrs	5 - 9 yrs.	Midpoint 10 - 14 yrs	15 - 19 yrs	20 + yrs
1	\$25,000	\$28,750	\$32,500	\$36,250	\$40,000
2	\$27,500	\$31,875	\$36,250	\$40,625	\$45,000
3	\$30,000	\$35,000	\$40,000	\$45,000	\$50,000
4	\$35,000	\$40,000	\$45,000	\$50,000	\$55,000
5	\$37,000	\$42,750	\$48,500	\$54,250	\$60,000
6	\$43,500	\$48,500	\$53,500	\$58,500	\$63,500
7	\$50,000	\$56,250	\$62,500	\$68,750	\$75,000
8	\$60,000	\$66,250	\$72,500	\$78,750	\$85,000
9	\$70,000	\$76,250	\$82,500	\$88,750	\$95,000
10	Employment Contract				
PS	\$21.80	\$24.04	\$26.28	\$28.52	\$30.76

1. Salary ranges to be reviewed **at least** every three years - Benchmark select jobs from representative grades - adjust ranges as needed
2. All salaries must be at least at the minimum of the salary range for the grade. e.g. An employee in Grade 3 must be paid at least \$30,000
3. Market Range = Competitive Range for employees with 5 to 19 years of experience
4. All employees with 5 years in current job should be in Market Range (Market Range column '5 - 9 yrs')
5. Use the # of years Guidelines above to manage pay through the salary range, assuming satisfactory job performance
6. Salary movement through the range is dependent on length of service, performance and merit based salary increases
7. Budget for meritorious salary increase will be determined annually and distributed based on individual performance and placement in the range
8. When the annual merit award increase is provided, and an employee has more than the specified # of years in the Market Range, a market adjustment may be granted to bring the employee to the minimum of the new range equal to **the lesser of** the amount necessary to be at the minimum of the appropriate range or 6% of salary annually, dependent upon satisfactory rating in the annual performance review and availability of funding

Example: An employee in Grade 3 with 6 years experience earns \$33,000. The employee meets expectations of the job and based on his/her performance evaluation, receives a 3% merit increase of \$990. The new Salary is \$33,990 and is \$1,010 less than the market range of \$35,000 (\$35,000-\$33,990=\$1,010) Cap market adjustment maximum is 6% or \$2,034 (\$33,900 *6%). Employee receives 3% merit increase + market adjustment of \$1,010 = \$2,000 increase (\$33,000 + \$2,000 = \$35,000)

Article 7 - Duxbury Personnel By-Law

Section 8 - This amended Plan shall be operative as of July 1, 2011

COMPENSATION SCHEDULE	<u>FLSA Status</u>	<u>Minimum</u>	<u>Mid-Point</u>	<u>Maximum</u>
<u>Grade 10</u>				
Town Manager	Exempt		Employment Contract	
Fire Chief				
Police Chief				
<u>Grade 9</u>				
Finance Director	Exempt	\$70,000	\$82,500	\$95,000
Public Works Director				
<u>Grade 8</u>				
Director of Assessing	Exempt	\$60,000	\$72,500	\$85,000
Bldgs & Grounds Manager				
Cemetery Superintendent				
Conservation Agent				
Council on Aging Director				
Deputy Fire Chief				
Deputy Police Chief				
Harbormaster				
Human Resources Officer				
Information Technology Director				

Inspectional Services Director
 Library Director
 Operations Manager
 Planning Director
 Recreation Director
 Town Accountant
 Treasurer/Tax Collector
 Water & Sewer Superintendent

Grade 7

Assistant Recreation Director	Exempt	\$50,000	\$62,500	\$75,000
Assistant Council on Aging Director				
Executive Assistant to Town Manager				
Executive Officer/Assistant Harbormaster I				
Health Agent				
Library Division Head-Children's Services				
Library Division Head-Circulation Services				
Library Division Head-Reference Services				
Library Division Head-Technology Services				
Property Lister/Appraiser				

Grade 6

Animal Control Officer	Exempt	\$43,500	\$53,500	\$63,500
Veteran's Service Officer				

Grade 5

	per hour	\$17.79	\$23.32	\$28.85
Aquatic Supervisor*	Non-Exempt	\$37,000	\$48,500	\$60,000
DPW Office Manager	Exempt			
Operations Officer/Assistant Harbormaster II				
Outreach Manager				

Article 7 - Duxbury Personnel By-Law

Section 8 - Effective Date: This amended Plan shall be operative as of July 1, 2011

COMPENSATION SCHEDULE CON'T	<u>FLSA Status</u>	<u>Minimum</u>	<u>Mid-Point</u>	<u>Maximum</u>
<u>Grade 4</u>	per hour	\$17.95	\$23.08	\$28.21
Administrative Assistant	Non-Exempt	\$35,000	\$45,000	\$55,000
Administrative Assistant to the Chief				
Administrative Assistant to the Director				
Benefits Specialist				
Deputy ESO/Assistant Harbormaster III				
<u>Grade 3</u>	per hour	\$15.38	\$20.51	\$25.64
Cemetery Department Assistant	Non-Exempt	\$30,000	\$40,000	\$50,000
Department Assistant				
Finance Coordinator (COA)				
Food Service Coordinator				
Front Office Coordinator				

Outreach Coordinator
 Police Department Assistant
 Respite Program Coordinator
 Volunteer Coordinator

<u>Grade 2</u>	per hour	\$14.10	\$18.59	\$23.08
Home Delivered Meals Organizer	Non-Exempt	\$27,500	\$36,250	\$45,000

Program Assistant
 Respite Program Assistant

<u>Grade 1</u>	per hour	\$12.82	\$16.67	\$20.51
Food Service Assistant	Non-Exempt	\$25,000	\$32,500	\$40,000

COA Administrative Associate
 Harbormaster Administrative Associate

<u>Schedule P.S.</u>				
Building Inspector	Non-Exempt	\$21.80	\$26.28	\$30.76

Plumbing Inspector
 Wiring Inspector

<u>Police Officers</u>				
Intermittent Police	Non-Exempt	\$16.48	\$19.06	\$21.64

*All exempt compensation based on 40 hrs per wk, non-exempt compensation based on 37.5 hrs per wk
 (*Aquatic Supervisors work 40 hours per week)*

Effective July 1, 2011
Compensation Schedule A

Classification	Wage Rate
Alternate Inspector of Buildings	\$22.00 per hour
Alternate Plumbing Inspector	\$10.00 per hour
Alternate Wiring Inspector	\$10.00 per hour
Special Detail	Appropriate detail rate

The classification listed in Schedule A 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. 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	Wage Rate per hour
Clerical Assistance	Appropriate rate as determinedly town Manager
(Town Committees and Boards, non union positions only)	
Clerk, Registrar of voters	Based on MGL, Ch. 41, Section 19G
Election Warden	\$10.00 per hour
Election Worker	\$8.00 per hour
Inspector of Animals	\$900.00 per year
Juvenile Officer	\$150.00 per year
Lockup Keeper	None
Police Matron	\$9.50 per hour

Registrar of Voters	\$100.00	per year
Sealer of Weights & Measures	\$3,000.00	per year
Town Clock Custodian	\$200.00	per year

The classification listed in 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

Classification	Minimum per hour	Maximum per hour
Assistant Dog Officer	\$8.00	\$18.00
Call Firefighter (2 hour minimum per call)		
Harbormaster Assistant		
Librarian Intermittent		
Lifeguard		
Program Coordinator		
Recreation Specialist		
Recreation Supervisor		
Reserve Dispatcher		
Seasonal (Laborer) Helper		
Seasonal Intern		
Special Police Officer		
Van Dispatcher		
Van Driver		
Water Safety Instructor		

The classifications listed in 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, 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 Personal Action Request Form. Positions may require the use of advertising.

Duxbury Special Town Meeting
73 Alden Street
March 12, 2011

The Moderator called the Special Town Meeting to order after the recessing of the Annual Town Meeting at 9:18am and was adjourned sine die at 9:50am.

Article 1 - Motion 1 - Moved and seconded that the Town vote to appropriate the sum of \$61,000.00 to supplement Legal Expenses and to meet this appropriation to transfer the sum of \$61,000.00 from Free Cash. **Motion carried.**

Article1 - Motion 2 - Moved and seconded that the Town vote to appropriate the sum of \$85,000.00 to supplement Fire Department salaries, and to meet this appropriation to transfer the sum of \$85,000.00 from Free Cash. **Motion Carried.**

Article 1 - Motion 3 - Moved and seconded that the Town vote to appropriate the sum of \$41,000.00 to supplement Police Department salaries, and to meet this appropriation, to transfer the sum of \$41,000.00 from Free Cash. Mr. Charles Fargo served as Moderator for this motion. **Motion carried.**

Article 1 - Motion 4 - Moved and seconded that the Town vote to appropriate the sum of \$5,500.00 to supplement Police Department Expenses, and to meet this appropriation to transfer the sum of \$5,500.00 from Free Cash. Mr. Charles Fargo served as Moderator for this motion. **Motion carried.**

Article 1 - Motion 5 - Moved and seconded that the Town vote to appropriate the sum of \$4,000.00 to supplement Harbormaster Department Expenses, and to meet this appropriation to transfer the sum of \$4,000.00 from Free Cash. **Motion carried.**

Article 1 - Motion 6 - Moved and seconded that the Town vote to appropriate the sum of \$60,000.00 to supplement the Snow and Ice salaries, and to meet this appropriation to transfer the sum of \$60,000.00 from Free Cash. **Motion carried.**

Article 1 - Motion 7 - Moved and seconded that the Town vote to appropriate the sum of \$125,000.00 to supplement Snow and Ice Expenses and to meet this appropriation to transfer the sum of \$125,000.00 from Free Cash. **Motion carried.**

Article 2 - Moved and seconded that the Town vote to appropriate the sum of \$13,938.28 to pay the following unpaid bills of previous Fiscal Years which may be legally unenforceable due to the insufficiency of an appropriation:

IPREO-Treasurer/Collector Expenses	\$1,000.00
Coppola &Coppola-Tax Titles	\$5,017.25
Mass Chiefs of Police Association -Police Dept Expenses	\$50.00
Town of Duxbury (for Police Detail) Lands &Natural Res.	\$178.60
Highway Safety Systems, Inc.--Highway Dept.	\$7,660.45
Stop & Shop- Veterans' Services	\$31.98
Total	\$13,938.28

and to meet said appropriation to transfer the sum of \$13,938.28 from Free Cash.

9/10 vote required. Motion carried by 9/10 vote.

Article 3 - Motion 1 - Moved and seconded that the Town vote to appropriate the sum of \$79,675 for the purpose of funding a Collective Bargaining Agreement with the Local 2167 International Association of Firefighters A.F.L.-CIO., for the Fiscal Year beginning on July 1, 2010 and ending on June 30 2011, and to meet said appropriation, to transfer the sum of \$79,675.00 from the Town Health Insurance appropriation. **Motion carried.**

Article 3 - Motion 2 - Moved and seconded that the Town vote to appropriate the sum of \$28,272.00 for the purpose of funding a Collective Bargaining agreement with the Local 888 SEIU, Town of Duxbury, Secretaries and Clerks, for the Fiscal Year beginning July I, 2010 and ending June 30, 2011, and to meet said appropriation, transfer the sum of \$28,272.00 from the Town Health Insurance Appropriation. **Motion carried.**

Article 4 - Moved and seconded that the Town vote to appropriate the sum of \$150,000.00 to the Unemployment Trust Fund, and to meet said appropriation, transfer the sum of \$150,000.00 from Free Cash. **Motion carried.**

Article 5 - Moved and seconded that the Town vote to appropriate the sum of \$150,000.00 to the Pension Reserve Fund, and to meet said appropriation, transfer the amount of \$150,000.00 from Free Cash. **Motion carried.**

Article 6 - Moved and seconded that the Town vote to appropriate \$276,425.00 to implement the recommendations of the Classification and Compensation Study and to meet this appropriation transfer the sum of \$253,525.00 from the Town Health Insurance appropriation, \$10,000.00 from the Treasurer/Collector Department Salaries, and \$12,900.00 from the Lands and Natural Resources Department Salaries. **Motion carried.**

Article 7 - Moved and seconded that the Town vote to appropriate the sum of \$300,000.00 to the Stabilization Fund, and to meet said appropriation, to transfer the sum of \$300,000.00 from Free Cash. **2/3 vote required. Motion carried by 2/3 vote**

The meeting was opened at 9:18am and was adjourned sine die at 9:50am all on Saturday, March 12, 2011 in the PAC at 73 Alden St., Duxbury, MA

Certification of Funds:

Other Funds	\$384,372.00
Free Cash	\$995,438.28
Total	\$1,379,810.28

Respectfully submitted,
Nancy M. Oates
Duxbury Town Clerk

	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Total
Library Trustees (2)							
Brooke H. McDonough	393	556	449	360	349	260	2,367
Donna M. Ryan	413	566	453	330	329	305	2,396
Elizabeth Sunny Steadman	231	343	211	208	211	209	1,413
Write-In	0	2	3	0	1	1	7
Blank	309	465	360	314	310	217	1,975
Library Trustee (unexpired)							
Lamont R. Healy	472	679	540	426	412	351	2,880
Write-In	4	3	3	0	0	2	12
Blank	197	284	195	180	188	143	1,187
Housing Authority							
Alden E. Ringquist	489	726	546	434	402	349	2,946
Write-In	3	4	3	0	1	1	12
Blank	181	236	189	172	197	146	1,121

Question 1 - Debt Exclusion - Fire Station Rehabilitation

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 bonds issued in order to fund the cost of construction and associated architectural, engineering, inspection, building fit-out and related costs, to rehabilitate the Fire Department Headquarters Building on Tremont Street?

	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Total
Yes	397	563	453	377	338	279	2,407
No	263	391	278	224	251	210	1,617
Blank	13	12	7	5	11	7	55

Question 2 - Debt Exclusion Design and Construction of New Police Station

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 bonds issued in order to fund the cost of architectural, engineering, and design services to prepare contract bid documents and to construct and furnish a new police station on Parcel No. 140-500-039 on Mayflower Street?

	Pr 1	Pr 2	Pr 3	Pr 4	Pr 5	Pr 6	Total
Yes	480	659	518	424	391	325	2,797
No	185	300	213	180	190	166	1,234
Blank	8	7	7	2	19	5	48

Question 3 - Debt Exclusion Design of a New Co-Located High School and Middle School

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 bonds issued in order to fund the cost of architectural and engineering fees associated with the schematic design of a new co-located high school and middle school, on the site of the current middle school, 71 Alden Street, including Owner's Project Manager and Construction Manager fees through the schematic design phase?

	Pr 1		Pr 2		Pr 3		Pr 4		Pr 5		Pr 6		Total
Yes	388		545		509		394		371		288		2,495
No	284		417		228		211		225		208		1,573
Blank	1		4		1		1		4		0		11

Total Ballots *	673		966		738		606		600		496		4,079
-----------------	-----	--	-----	--	-----	--	-----	--	-----	--	-----	--	-------

Absentee Ballots	102		118		88		54		44		55		461
------------------	-----	--	-----	--	----	--	----	--	----	--	----	--	-----

* Absentee Ballots included in Total Ballots

I hereby certify the results of the Duxbury Annual Town Election held on March 26, 2011 at the Duxbury Middle School Gymnasium from 8am - 8pm.

Respectfully Submitted

Nancy M. Oates
Duxbury Town Clerk

Finance



Assessing Department

Finance Committee

Finance Director

Fiscal Advisory Committee

Human Resources

Town Accountant
(Including financial reports)

Treasurer/Collector

Trust Funds

Assessing Department



**Board of Assessors - Linda Collari, June Albritton,
James MacNab with Director of Assessing, Steve Dunn**

Included among its FY 2011 significant activities and accomplishments, the Assessing Department:

- 1) Successfully completed the FY 2011 Town-wide revaluation program. This project was completed in time for the tax bills to be issued on schedule. Received approval from the Bureau of Accounts of the FY2011 tax rate of \$12.60.
- 2) After fifteen years of service, saw the retirement of Richard W. Finnegan as Director of Assessing. Welcomed Stephen J. Dunn as the new Director of Assessing.
- 3) Worked jointly with the Council on Aging Director and the Board of Assessors to achieve approval by the Board of Selectman of a plan to increase from fifteen to twenty the number of Town residents who are able to participate in the Senior Work-off Abatement program.
- 4) Continued a Payment In Lieu of Taxes initiative under which the Town's non-profit tax exempt properties were solicited to make a financial contribution to support such Town services such as police and fire protection and DPW services. A total of \$4,250 was received under this program.
- 5) Continued the practice of putting an insert in the tax bills of all Town property owners that summarized the Assessing Department's tax relief programs. Conducted a presentation at the Senior Center regarding the tax exemptions programs that are available for senior citizens.
- 6) Acquired a new printer/copier/scanner for the Assessing Department.
- 7) After years of effort, incorporated building outlines in the Town's GIS system. For the first time, PDF versions of all the Town's tax maps were made available online.

- 8) The new growth for FY 2011 was \$254,454.
- 9) Board of Assessors viewed four presentations regarding the CAMA systems and valuation services that are available to Massachusetts assessors.

Notable Assessment Statistics

<u>Assessment Data</u>	FY 2011	FY 2010
Taxable Real Estate	\$3,312,488,000	\$3,466,049,900
Personal Property	\$40,395,200	\$36,242,040
Total Real and Personal	\$3,352,883,200	\$3,502,291,940
Average Single Family Assessment	\$584,600	\$611,400

Budget and Tax Data

Total Amount Raised	\$62,902,478.58	\$61,513,266.75
Non Tax Levy Sources	\$20,656,150.26	\$20,151,198.93
Total Tax Levy	\$42,246,328.32	\$41,362,067.82
Average Single Family Tax Bill	\$7,365.96	\$7,220.63

Respectfully submitted,
Board of Assessors
Linda Collari, Chair; James G. MacNab, Vice Chair; June E. Albritton, Clerk

Finance Committee

The Finance Committee is responsible for making recommendations on all matters that are brought before Town Meeting, consistent with Chapter 6 of the Duxbury General Laws. While many towns limit the scope of their finance committees, in Duxbury, the Finance Committee operates as Town Meeting advisor, making recommendations on everything from the Town Manager's proposed budget to zoning changes to citizen petition articles. The Finance Committee fulfilled its obligations this past year by reviewing with Department Heads and our very capable Finance Director all 66 budgets that constitute the Town's annual operating budget, as well as the remaining 48 articles on the 2011 Annual Town Meeting Warrant and the 19 motions for the Special Town Meeting (March, 2011).

The other members of the FY2011 Finance Committee have been Gene Blanchard, Colleen Brayer, Melissa Donohoe, Bill Harris, Mark Keating, Mark Mahoney, Barry Scammell, and Gay Shanahan. I thank them for their service to the Town.

Respectfully submitted,
Ken McCarthy, Chair

Finance Director

Fiscal year 2011 continued the trend of fiscal restraint. In March, Town Meeting voted a FY 2011 operating budget of \$54,020,952. This budget represented an increase of 1.3% over the FY 2010 budget. For the second year in a row the budget did not require a Free Cash subsidy. In so doing, this allowed the Town to dedicate nearly \$1.5 million to a comprehensive capital improvement program. From these funds, the Town was able to purchase some much needed equipment such as an ambulance, two vehicles for the Harbormaster, a bucket truck for the DPW to replace a thirteen year-old model as well as monies to replace an eighteen year-old front line dump truck. Additionally, funding was approved for a much overdue technology master plan and a feasibility study for a police station.

None of this would have been possible without a clear path toward long-term financial goals. More importantly, without the cooperation of the departments, boards and committees very little would have been accomplished. Through their efforts and understanding, the budget process was smooth and efficient.

Again this year the Town was able to substantially increase its reserves. At the March 12th STM \$300,000 was transferred into the Stabilization Fund. This represented an increase of over twenty-two percent in the balance. The total increase to this fund since FY 2007 is over 148%. Additionally, \$150,000 was added to the Pension Reserve Fund, increasing its balance by nearly twenty-three percent.

Thanks to the tireless efforts of the Human Resources Department, the Town settled contracts with the Firefighters and Clerical Unions. In addition, the final phase of the Personnel Compensation and Classification Study was implemented.

During FY 2011 the state made progress in getting its financial house in order. However, financial uncertainty still exists on the State and Federal levels. As I write this, I realize that the overall economic climate that envelopes the world is probably only slightly better than at this time last year. Because of this, the Town has worked hard toward creating a position of financial independence. We continue, through prudent conservative budgeting, to insulate ourselves as best we can from negative economic shifts beyond our control.

I want to thank all the members of the Department of Finance for their hard work and dedication. Through their efforts I feel confident that we will be able to successfully navigate these uncertain economic times.

Respectfully submitted,
John M. Madden, Finance Director

Fiscal Advisory Committee

The Fiscal Advisory Committee regularly presents a Long Term Capital Projection Report at Town Meeting. The report reflects the then current thinking of the Town Manager, Finance Director, School Department and the Department Heads as to the Town's major Capital expenditures for the next ten years. The projected expenditures for new Town and School Buildings that were all approved by the Voters as a Prop 2 ½ Debt exclusions in 2011 will mean significant tax increases for Duxbury Taxpayers. The report to be given at the 2012 Town Meeting will include the real impact of these projects.

As for annual capital expenditures under Article 6 of the Town Warrant, for items such as vehicle replacement, building and lands maintenance, boats, engines, Fire Department gear, mowers and other equipment needs, the Fiscal Advisory Committee, Town Manager and Finance Director attempt to identify the items most critical for that year and recommend to Town Meeting a list of those items for approval. It is hoped that we can get to the point where we can establish a consistent stream of revenue to be applied to these annual capital purchases. If this can be accomplished going forward, we will be able to better plan for the Town's annual capital expenditures. This one goal is essential and we must expend all efforts to make it a reality.

The Fiscal Advisory Committee reviews all department requests for fee increases, usually in the spring of each year, leading up to our fiscal year end. Recently the department heads have generally found fees to be appropriate and have attempted to relieve the citizens of additional financial impact, which is commendable. With the annual review process initiated by the Fiscal Advisory Committee, we have found that fee increases are considered carefully and are brought forth usually only in times where rising costs are no longer covered by the existing fee structure.

As always our work is a cooperative effort with many people in the Town and school administration, various department heads and other committees. The contribution of the Committee members Karen Barry, Beth Conway, David Matthews, Francis Mangione, Nancy von Stackelberg and Ling Wong is very much appreciated.

Respectfully submitted:
William F. O'Toole, Jr., Chair

Human Resources

This Department is staffed by full-time Human Resources Officer, Jeannie Horne, and part-time Benefits Coordinator, Phylis Hughes. It operates under the policy direction of the Personnel Board and the regular management of the Finance Director. Our work serves the needs of approximately 300 town employees, 500 school employees and 400 retirees. It includes compliance with and interpretation of the Town of Duxbury's Personnel Bylaws, collective bargaining contracts, employee policies and procedures, recruitment and selection of new employees, orientation and administration of benefit plans, legal compliance, training, employee relations, compensation, risk management, and labor relations. (While the Schools are under the

jurisdiction of the School Committee this department does handle their benefit administration, and shares our established policy and practice standards.)



Jeannie Horne, Human Resources Officer
with Phylis Hughes, Benefits Coordinator

Communication

This year, a 'Human Resources Department' page was launched on the Town's website providing a centralized information source for employees, supervisors and the public. This page details the mission of the Department, employee policies, collective bargaining agreements, Personnel Bylaws, performance evaluation forms, new hire checklists, employment opportunities, and employee policies.

Policies and Procedures

The Human Resources Department meets regularly with the Town's Labor Specialist and the Personnel Board to review policy and recommend revisions as necessary. The Board of Selectmen accepted a revised anti-harassment and discrimination policy, and new background, whistleblower, maternity and equal opportunity policies. All of these policies were distributed to employees, and are included in all new hire packets.

Recruitment, Selection and Retention

The Town's talented and dedicated employees continually provide excellent service and subject matter expertise to the citizens of Duxbury. In an effort to formalize responsibilities and expectations, the Town continues its enterprise-wide job description effort involving supervisors, employees and union representatives. These documents are finalized on a rolling basis with Fire, Police Patrolmen and, Public Safety Dispatchers representing the first collective bargaining groups with updated and finalized job descriptions.

Similarly, the Town's employment application was updated by this department to reflect new legal requirements. In concert with our new Background Investigation policy and Authorization and General Release Form, the Town entered into a third party arrangement to conduct background checks for all new (and returning) regular and seasonal employees.

Benefit Administration

This department administers employee benefits for all town, school and retired employees. We are responsible for preparing required government reports, participating in audits, and managing the annual employee open enrollment and benefit fair for health, dental, life, cancer and disability

insurance, as well as medical and dependent flexible spending accounts. Our self-insured health plans continued to be managed carefully in partnership with our Insurance Committee. Because our claims experience continued to be positive we were able to provide a November premium holiday for all subscribers.

This year we offered a combined annual benefit fair, inviting all retirees, school and town employees, and their spouses, eliminating redundant communication and planning. This department also worked with the Insurance Committee and Blue Cross Blue Shield to provide health insurance for dependents up to age 26 beginning July 1, 2011. Our retirees transitioned to a three tiered Medex drug plan, mirroring the one offered to active employees.

Lastly, through a collaborative effort this department was able to obtain more than \$300,000 in reimbursement from the Federal Early Retiree Reinsurance Program. Applications for these funds will be made annually until they are exhausted.

Labor Relations

The Human Resources Officer interprets and administers the terms of collective bargaining agreements, individual employment contracts, and acts as liaison to Labor Counsel and union representatives. On a regular basis this position provides research and comparability studies to the Town Manager, Finance Director, Selectman, Labor Counsel, Personnel Board and various members of management. This year we negotiated a new contract with the Police Patrol collective bargaining unit. Two new labor unions voted to decertify; Professional Supervisory and Professional Support. As a result, those positions transitioned back into the Personnel Plan.

Compensation and Performance

For employees covered under the Personnel Bylaw, as well as those in the decertified Professional Supervisory and Professional Support units, we used existing tools, processes and resources to conduct our annual performance evaluations and merit based salary increases for employees included in the Personnel Bylaw. In addition, the per year work hour requirement of 1,560 for performance evaluations and merit increases was eliminated. This makes performance evaluations annual for all eligible Personnel Plan employees. Now the evaluation process is more equitable and provides supervisors and employees a more frequent opportunity to have a dialog about expectations and job performance.

Risk Management

Employee well-being remained an operational and strategic priority. Barbara Mello and I co-chair the Risk Management Committee, comprised of Department Heads and our Loss Control Manager from Massachusetts Inter-local Insurance Association (MIIA), the town's workers compensation, general liability, property, and automobile insurance provider. Our committee works to ensure that the Town's risk management control measures create a safer and more compliant work environment.

Our Risk Management Committee meetings are held quarterly and were regularly attended by Department Heads. The Town's risk exposure is further limited by Injured on Duty insurance (specifically for Fire, Harbormaster and Police employees), our partnership with our occupational health provider 'Jordan on the Job', relevant free or low cost training opportunities, and capitalizing on available and related grants.

Again we participated in the “MIIA Rewards” program, and received a credit of \$37,531 towards our overall premium costs due to our improved risk management procedures during FY11. We thank everyone for helping us obtain this significant credit by making timely reports of losses, participating in the Risk Management Committee and available training opportunities.

Training

Whenever possible we utilize no-cost training resources through MIIA and AllOne Health, our Employee Assistance Provider (EAP). In partnership with MIIA and our EAP we created a ‘cluster’ training arrangement offering quarterly trainings to the surrounding communities and our employees. The training topics target areas where we have areas of concern and experienced losses. In addition, we launched a monthly ‘Lunch and Learn’ series for employees providing education about available benefits. Lastly, we offered a back injury and slip and fall prevention training that was mandatory for DPW and custodial staff, and voluntary for all other employees.

Wellness Activities

The Town continues to encourage good health, better lifestyle awareness, and greater physical fitness for employees. We continue to see an increase in the number of employees participating in the fitness reimbursement benefit. This year we offered ‘Weight Watchers at Work’ and friendly ‘10,000 Steps a Day’ challenge between several departments.

Our jobs are rewarding, challenging and enjoyable, thanks to the employees and citizens of Duxbury. Special thanks to the staff in the offices of; Accounting, Counsel on Aging, Finance, Information Technology, Library, Payroll, Town Manager, Treasurer and the Schools, with whom we work so closely. Your friendship, support and humor are always appreciated.

We are proud to work for the Town of Duxbury and its citizens.

Respectfully submitted,

Jeannie Horne, Human Resources Officer
Phylis Hughes, Benefits Coordinator

Town Accountant

The Town prepared and submitted, for the seventh year, The Comprehensive Annual Financial Report for Fiscal Year ended June 30, 2010 and received the Certificate of Achievement for Excellence in Financial Reporting for the seventh year. This achievement was accomplished with the cooperative efforts of the assessors’ office, the treasurer/collector’s office, and the accounting and finance department with the assistance from our auditors, Powers and Sullivan. The audit for Fiscal Year 2011 has been completed and the Comprehensive Annual Financial Report (CAFR) has been submitted to the Government Finance Officers Association (GFOA).

General Fund revenues came in approximately \$579,000 more than budgeted for the fiscal year ending June 30, 2011. State aid to the Town increased from budgeted by \$74,826.00 while Motor Vehicle Excise taxes came in \$271,180 more than budgeted. There was also an increase of

\$336,430 in licenses and permits. General Fund expenditures came in approximately \$1,173,300 less than budgeted. Some of the budgets that had returned unexpended funds that contributed to this surplus were the Treasurer/Collector's office in the amount of \$26,012, legal services in the amount of \$32,948, the transfer station in the amount of \$35,800, the sewer department for \$77,805, inspectional services for \$21,573, health insurance for \$400,141. Fire and liability insurance and worker's compensation contributed \$82,493 to the surplus.

The Town, for the second year, has balanced the operating budget presented to town meeting without the use of free cash. From year to year we face an uncertainty in the level of funding that will be provided to the Town from the State. Even in these difficult economic times, the Town will continue to strive to provide the level of services that have existed in the past.

Respectfully submitted,

Claudette Coutu
Town Accountant

Treasurer/Collector

The Treasurer/Collector is pleased to submit the annual report for the fiscal year ending June 30, 2011. Our office is responsible for the receipt, investment, and disbursement of all Town funds including payroll; billing and collection of all taxes and utilities; collection and issuance of beach and transfer permits and fees; debt management; administration of the various Town trust funds; collection and issuance of mooring and shellfish permits and fees; and management of the Town's property that is in Tax Title or Foreclosure.

Cash Management

The Treasurer is responsible for investing public monies at the highest rate reasonably available, taking into account safety, liquidity, and yield. In the current market turmoil, managing liquidity and ensuring the security of the Town's funds are still increasingly important. The stability of the institutions with which we do business has taken priority over return on investment.

Bank Balances as of June 30, 2010

CDs	\$2,101,027
Disbursement Accounts	\$0.00
Money Market	\$23,882,595
Trust Funds	<u>\$7,759,737</u>
Balance June 30, 2011	\$33,743,359

Debt

The Town issued a 1 year short-term note in June of 2011, for \$2,665,000.00 at an interest rate of 1.50%. This issue was comprised of \$800,000 for Land Acquisition, \$715,000 for School Planning, \$433,000 for Fire Station Rehabilitation, \$300,000 for School Building Construction, \$292,000 for Building Renovations and \$125,000 for Police Station Construction.

Debt Issued in 2011

<u>Purpose</u>	<u>Amount</u>	<u>Article #</u>
Land Acquisition	\$800,000	24
School Planning	\$715,000	18
Fire Station Rehab	\$433,000	16
Building Construction	\$300,000	14
Building Renovation	\$292,000	15
Police Station	\$125,000	17
<hr/>		
<i>TOTAL</i>	<i>\$3,150,000</i>	

Town of Duxbury

	Jun-11 Balance Per Collector's Detail
<hr/>	
Real Estate Taxes	
Levy of 2009	480.04
Levy of 2010	7,631.65
Levy of 2011	869,342.76
	<hr/>
	877,454.45
Community Preservation	
Levy of 2009	14.35
Levy of 2010	228.98
Levy of 2011	22,109.49
	<hr/>
	22,352.82
Real Estate Tax Liens/Tax Title	82,111.43
CPA Tax Liens/Tax Title	1,964.07
Deferred Property Taxes (Chap 41A)	256,060.01
Taxes in Litigation (Taxes & WL)	0.00
Tax Foreclosures/Tax Possessions	682,559.56
Other Departmental Receivables	
Veterans' Services	0.00
	<hr/>
	0.00
Personal Property Taxes	
Levy of 2006	228.11
Levy of 2007	327.19
Levy of 2008	2,412.64
Levy of 2009	1,862.16
Levy of 2010	3,553.83
Levy of 2011	4,320.64
	<hr/>
	12,704.57
Motor Vehicle Excise	
Levy of 2001	6,231.30
Levy of 2002	8,661.47
Levy of 2003	8,699.93
Levy of 2004	6,136.58
Levy of 2005	4,904.91
Levy of 2006	7,630.11
Levy of 2007	5,660.24
Levy of 2008	5,794.05
Levy of 2009	8,471.27

Levy of 2010	22,241.11
Levy of 2011	192,195.94
	<hr/> 276,626.91
Boat Excise	
Levy of 2005	15.00
Levy of 2007	627.00
Levy of 2008	1,037.00
Levy of 2009	1,926.00
Levy of 2010	1,349.33
Levy of 2011	2,682.59
	<hr/> 7,636.92
Water Liens	
Levy of 2011	0.00
	<hr/> 0.00
Sewer Liens	
Levy of 2011	0.00
	<hr/> 0.00
Service Liens	
Levy of 2011	0.00
	<hr/> 0.00
Demand Lien	
Levy of 2011	0.00
	<hr/> 0.00
Water Enterprise	
Levy of 2006	(1,037.23)
Levy of 2007	0.00
Levy of 2008	0.00
Levy of 2009	0.00
Levy of 2010	9,088.84
Levy of 2011	163,555.10
	<hr/> 171,606.71
Water Service Fees	
Levy of 2007	0.00
Levy of 2008	0.00
Levy of 2009	0.00
Levy of 2010	0.00
Levy of 2011	551.35
	<hr/> 551.35
Marshfield Resident Water	
Levy of 2010	0.00
	<hr/> 0.00
Sewer User Fees	
Levy of 2008	0.00
Levy of 2009	0.00
Levy of 2010	570.39
Levy of 2011	13,626.86
	<hr/> 14,197.25

**Snug Harbor/Blue Fish Sewer
Betterment**

Levy of 2011	0.00
	<hr/> 0.00

**Snug Harbor/Blue Fish Sewer
Committed Interest**

Levy of 2011	0.00
	<hr/> 0.00

Bay Road Sewer Betterment

Levy of 2011	1,588.55
	<hr/> 1,588.55

Bay Road Sewer Committed Interest

Levy of 2011	1,040.49
	<hr/> 1,040.49

Title V Betterment

Levy of 2011	0.00
	<hr/> 0.00

Title V Committed Interest

Levy of 2011	0.00
	<hr/> 0.00

**BETTERMENTS UNCOMMITTED
TO RE**

Snug Harbor/Blue Fish Betterment

Levy of 1999	120,516.55
Levy of 2003	28,699.86
	<hr/> 149,216.41

Bay Road Betterment

Levy of 2003	405,525.36
	<hr/> 405,525.36

Title Five Betterment

Levy of 2000	6,221.07
Levy of 2001	9,474.05
Levy of 2002	9,101.22
Levy of 2003	32,709.78
Levy of 2004	0.00
	<hr/> 57,506.12

3,020,702.98

Municipal Lien Certificates

Municipal lien certificates (MLC's) are issued to lawyers and mortgage-lending institutions to assist in the transfer and/or refinance of real estate. Eight hundred sixty two (862) MLC's were issued during FY2011, producing revenue of \$43,100.00. This was an increase of \$7,050.00 from FY10. This increase was due in part to lower mortgage rates being offered for refinancing.

Payroll

The Treasurer's office in conjunction with Elizabeth Mahan in Accounting is responsible for all payroll activities including accurate and timely payments to all full-time, part time and seasonal employees; the related employee/employer deductions, taxes and wage reporting.

<u>PAYROLL</u>	<u>Year Ended 06/30/11</u>	<u>Checks Issued</u>
Town Departments	\$11,912,484	6,713
<u>School</u>	<u>\$24,132,789</u>	<u>13,806</u>
TOTAL	\$36,045,273	20,519

Beach and Transfer Station Permits

Below is a comparison chart of FY10 and FY11 permit sales. There was an increase in all permits issued for FY11.

<u>The \$\$ Amount</u>	<u>1/1/10-06/30/10</u>	<u>1/1/11-06/30/11</u>	<u>Difference</u>
Non-Res(incl. online)	\$864,775.00	\$953,510.00	\$88,735.00
Res OS/PK	\$510,745.00	\$540,695.00	\$29,950.00
Shellfish	\$76,630.00	\$85,490.00	\$8,860.00
Transfer Station	\$144,668.00	\$145,550.00	\$882.00
<u>Total</u>	<u>\$1,596,818.00</u>	<u>\$1,725,245.00</u>	<u>\$128,427.00</u> 8.04% increase

Mooring and Shellfish Fees

In fiscal year 2011, the Town issued 1,000 mooring permits, 1,454 shellfish permits, 765 dog-walking permits at no charge and 33 horseback riding permits for total revenue of \$218,383.00.

I am very appreciative of the efforts of my staff; Pamela Avitabile, Maureen Connolly and Dolores Marchewka for their hard work and dedication. I also want to thank Mary Leach (who transferred to the Fire Department) for her many years of service to the Treasurer/Collector's office. This Department truly appreciates Jane McNiff, Meridythe Reed, Pat Costello and Ann Hamadeh for their contribution during peak times in this office.

Respectfully submitted,

Thomas J. Connolly, CMMT, CMMC
Treasurer/Collector

Trust Funds

Balances may be found in the Accounting records.

ANNA BIGELOW DAVIS FUND

As per the will of Anna Bigelow Davis: "one part to the Town of Duxbury, the principal thereof to be invested and the net income therefrom to be employed for the purpose of establishing and maintaining at the Duxbury High School, an Art Scholarship Fund for needy students who have studied art in the Duxbury High School Art Department."

ANNIE DREW DUNHAM SCHOLARSHIP FUND

"Under term of Will (Accepted ATM 3/14/64, Art. 45) Article Sixteen: (b) Three-fourths thereof I give to the Town of Duxbury, in trust, nevertheless, to invest, reinvest, and from time to time to change the investments at the discretion of said trustee, and annually (January first to December first) to pay the net income therefrom derived in a scholarship to, or on behalf of, a student selected as hereinafter provided, in furtherance of his or her education in any branch of learning which such student prefers, and which student is a resident of Duxbury who is graduating from, or has graduated from, Duxbury High School (or if Duxbury no longer shall have its own high school, then the regional or district high school of which Duxbury is a participant). Selection of such student (preferably one in the then-current graduating class) shall be made before June first of each year by a group made up of the following members: The Superintendent of Schools of the Town of Duxbury (or if Duxbury shall no longer have its own school superintendent, then the superintendent of the regional or district school of which Duxbury is participant); the Principal of the Duxbury High School (or if Duxbury shall no longer have its own school principal, then the principal of the regional or district school of which Duxbury is participant); and the members of the Duxbury School Committee.

Should the group herein before provided, or any of them, be unwilling to accept the responsibility of selecting students, to receive such scholarships, the Town of Duxbury, may, at any regular or special Town Meeting, appoint alternates for said principal, Superintendent, and members of the School Committee, and such alternate or alternates may substitute for the person or persons unwilling or unable to participate in such selection.

The fund hereby created shall be known as "The Annie Drew Dunham Scholarship Fund", and the scholarship shall be known as "The Annie Drew Dunham Scholarship".

AGNES E. ELLISON FUND

"The income to be used for the under-privileged children in need of medical attention, particularly to alleviate blindness and deafness."

ARTHUR D. EATON CEMETERY FUND

Last Will and Testament of Arthur D. Eaton - Article Tenth:

"All the rest, residue and remainder of my estate to the Town of DUXBURY, a municipal corporation within said County of Plymouth, and Commonwealth of Massachusetts, IN TRUST

NEVERTHELESS, the income therefrom to be expended annually by the Cemetery Trustees of said Town, insofar as may be necessary for the perpetual care of said Eaton Lot, so-called, being Lot #1259 in Mayflower Cemetery, wherein is buried the body of my late Mother, Edna L. Eaton, and in which my body is to be buried as aforesaid, and for flowers and the placing thereof annually in front of the monument on said lot on Memorial Day, and for a wreath and the attaching thereof, annually, to said monument on Christmas Day, the balance of said income in each year to be used for the general care, improvement, and the embellishment of the 'old portion' so-called, of said Mayflower Cemetery: said fund to be known as the "Arthur D. Eaton Fund".

BENJAMIN M. FEINBERG TRUST FUND

"I give and bequeath to the inhabitants of the Town of Duxbury, Massachusetts for educational purposes the sum of fifteen hundred (\$1,500) dollars. Said sum shall be held in trust by the Town of Duxbury and the Principal thereof shall be invested so that the members of the School Committee of said Town may make an annual award to a member of each year's graduating class of the high school, who intends to pursue his or her education further, either in a college, university, trade school or other institution of higher learning. It is my desire that preference be given to a student who may be in need of financial assistance. The amount of such award shall be determined by the Trustees and shall be paid out of the annual income or out of the undistributed income

"The term 'Annual Income' shall be the 'net income' as herein defined, for the 'fiscal year' of the Fund which ends prior to the date of graduation for which such award is to be made. The term 'net income' as herein used shall include income received from all sources, other than gains from sales or exchanges of property, held by such Fund, after deducting all expenses property chargeable against income. Any gains or losses from sales or exchanges of property held by such Fund shall be regarded as an addition to or as a charge against Principal. The fiscal year of such Fund shall be the twelve-month period commencing with the first day of the month in which such fund shall be created."

EBEN H. ELLISON TRUST FUND

"Annual Town Meeting, April 28, 1990, Article 36, moved and seconded that the Town vote to accept a gift from Eben H. Ellison Trust and authorize the Board of Selectmen to establish procedures regarding the use of such gift in accordance with Article 36 of the warrant:

"To see if the Town will vote to accept a certain sum of money from the Eben H. Ellison Trust to be invested by the Treasurer, in which no more than one-half the income derived there from shall be disposed of for the support and maintenance of the William P. Ellison Playgrounds, and the remaining income to be used for a worthy Town need or project. All funds are to be allocated at the discretion of two Trustees, Elton F. Drew and Clarence W. Walker, or their successors.

All funds not so expended in any year shall be reinvested by the Treasurer. The sum of Five Hundred (\$500.00) dollars, Two Hundred Fifty (\$250.00) dollars per trustee per year, from the income shall be paid to the Trustees."

EDMUND A. DONDERO SCHOLARSHIP FUND

Special Town Meeting held May 5, 1986, Article 5, it was moved and seconded that the Town appropriate and transfer \$1,000.00 from Free Cash to establish a scholarship fund, in the name of and to honor Edmund A. Dondero, the income from which is to be used toward the payment of college tuition and expenses for a deserving student interested in pursuing a career in government service, with the scholarship funds to be administered and applied under the Board of Selectmen.

EDWARD P. HOBART SCHOLARSHIP FUND

As per Will of Ruth C. Hobart-

"Article Fifth: I give and bequeath unto the Town of Duxbury, a municipal corporation within said County of Plymouth and Commonwealth of Massachusetts, the sum of Ten Thousand dollars (\$10,000), IN TRUST NEVERTHELESS, the net income to be paid in annual scholarships to be determined by the amount of income available for distribution in each year. Any excess over the amount necessary to make one or more full scholarships of Five Hundred Dollars (\$500.00) each shall be paid in conjunction with income earned in the year following, or subsequent years, to aggregate a full Five Hundred Dollars (\$500.00) scholarship."

HARRIETT S. CROZIER SCHOLARSHIP FUND

"Under term of Will - 22nd, A. Scholarship Fund of the Town of Duxbury, Massachusetts, in memory of my late sister, Marion A. Crozier".

HARRY C. & MARY E. GRAFTON MEMORIAL SCHOLARSHIP FUND

"To establish two one-year scholarships for needy Duxbury High School seniors who plan to continue their education. The Trustees contemplate that this will be an annual award, and that each recipient will be supported for up to four consecutive years (at \$1000 per year upon satisfactory completion of the prior year) for college, or vocational training. Thus, future grants from the Grafton Trust to the Town for this purpose could be increased to a total of \$8,000 in a given year".

HELEN DELANO HOWE SCHOLARSHIP FUND

"Twenty-sixth: I give and bequeath the sum of One Hundred Twenty-Five Thousand (\$125,000) to the Town of Duxbury to establish in this Massachusetts town, a separate fund to be known as the Helen Delano Howe Scholarship Fund, the income of such fund to be awarded annually on an objective and non-discriminatory basis, in one or more scholarships, to students residing in said town who desire to continue their education after high school in an educational institution, as defined in Section 170 (b) (1) (A) (ii) of the Internal Revenue Code of 1986, as amended (the 'Code'), with preference to those students intending to enter the teaching profession. Said scholarships are awarded and administered by the process usually employed in the selection of scholarship candidates in named Town. Such awards may be made to students upon their graduation from high school and the recipients thereof shall continue to be eligible for annual awards, providing that student remains academically and personally qualified and worthy, in the discretion of the awarding authority until the student has received the bachelor's degree."

HERITAGE FUND

The Board of Selectmen voted to adopt the following motion at their meeting of July 9, 1990:

"Moved the Town Accountant be authorized to transfer \$14,000 from the Excess and Deficiency (E & D) Fund to Duxbury Heritage Fund to be established by the Town Treasurer. Said action being consistent with the Motions adopted under Article 14 of the Special Town Meeting of March 1988, and Article 2, of the Special Town Meeting of November 1988.

The Duxbury Heritage Trust Fund shall be for promotion of the Town of Duxbury's natural, historical and cultural heritage. The Board of Selectmen shall enact rules and regulations to govern the Fund and may accept contributions to the Fund and may expend investment earnings of said Fund. Said Fund is established with the \$14,000 contribution given to the Town on behalf of the Town's 350th Anniversary Celebration.

The Town Treasurer shall each year submit to the Board of Selectmen a written account summarizing the assets, contributions and expenditures of said fund. The Selectmen may appoint a committee to advise and assist the Board in the administration of said Fund."

ISABELLE FREEMAN TRUST FUND

"I bequeath and devise to the Town of Duxbury, Massachusetts, but in TRUST nevertheless for the following uses and purposes: to maintain my house lot at 155 Depot Street, Duxbury, Massachusetts, in conservation for use as, but not limited to, a bird sanctuary. Such money to be included in this bequest shall be held intact, the income therefrom to be used for minor repairs of the real estate.

Should the income from such money exceed the operating and maintenance expenses of said real estate, then the Trustees may, in their discretion, expend appropriate portions of the income to provide ambulance services in the Town of Duxbury, Massachusetts, but for no other purposes.

I nominate as Trustees for this bequest to the Town of Duxbury, Massachusetts, its duly elected Board of Selectmen.

ISABELLE V. FREEMAN POWDER POINT TRUST

"Income to be expended under direction of the Selectmen for Ambulance Services only".

JAMES BUECHLER BOOK FUND

Gift left in memory of James Buechler, a former teacher, for the schools to purchase books.

JONATHAN AND RUTH FORD TRUST FUND

"Net income only, of said funds, is to be paid by said Town from time to time each year to or for the benefit of those residents of said Town who are, in the sole discretion of said Town, financially unable to secure badly needed medical and/or nursing care, supplies, hospitalization, operations, x-rays, and/or assistance (including dental work) deemed necessary by said Town in any case."

KING CAESAR'S FUND

"To provide for relief of the poor and elderly citizens of said Town; and to assist any citizen of said Town who is, in the judgment of the Selectmen, otherwise unable to pay in obtaining proper medical, dental, psychiatric and nursing care by establishing, equipping and maintaining, through the Plymouth Community Nurse Association or otherwise, a program or programs of preventative medicine and a clinic or clinics for furnishing such care at convenient and accessible locations in said Town and by other appropriate means. Within 90 days following the payment to the Selectmen, they shall submit to the trust a written report as to the objects or purposes for which said payment has been or is to be expended."

LADIES UNION FAIR ASSOCIATION OF DUXBURY TRUST FUND

Accepted at Annual Town Meeting, March 14, 1964, Article 32. Income to be used for the general care of the old section of Mayflower Cemetery.

LUCY E. EWELL TRUST FUND

"Income to be paid over" annually to the authorities in charge of the 'Upper Cemetery' on Keene Street in the part of the Town of Duxbury called ASHDOD, to be expended by them for the care, improvement and embellishment of said cemetery."

LUCY HATHAWAY TRUST FUND

"Income to be 'applied for the purpose and in the proportion hereinafter specified':

- (a) One-fourth of said income to be applied to the care and improvement of the public streets in said Town of Duxbury;
- (b) One-eighth of said income to be applied to the care of shade trees within the limits of the public highways in said Town of Duxbury;
- (c) One-sixteenth of said income to be applied to the care and improvement of Mayflower Cemetery in said Town of Duxbury;
- (d) One-fourth of said income to be applied to the support of the public schools in said Town of Duxbury;
- (e) One-sixteenth of said income to be applied to the purchase of books for the public library in said Town of Duxbury;
- (f) One-eighth of said income to be applied to the care and maintenance of the public landings in said Town and the approaches thereto;
- (g) One-eighth of said income to be applied to the maintenance and care of public bridges in said Town."

MARGERY S. PARCHER MEMORIAL TRUST FUND

Special Town Meeting held November 23, 1987, Article 18, it was moved and seconded that the Town vote to approve the establishment of the Margery Parcher Memorial Trust Fund, said Fund to be used to enhance the Town of Duxbury's Annual Fourth of July activities as directed by the Board of Selectmen on the advice of the Fourth of July Committee.

MARIETTA F. RUSSELL SCHOOL LIBRARY FUND

"Received from the Estate of Marietta F. Russell, check for \$1,500.00 bequeathed to the Town of Duxbury by said Marietta F. Russell, under and in accordance with the provisions of Paragraph 14 of her Will, in memory of her parents, Edward B. Russell and Katherine A. Russell, to be held in Trust, and the income therefrom to be used annually for the purchase of books for the Library of the Duxbury High and Elementary Schools."

MARIETTA F. RUSSELL SCIENCE MATERIAL FUND

"Received from the Estate of Marietta F. Russell, check for \$500.00 bequeathed to the Town of Duxbury by said Marietta F. Russell, under Paragraph 34 of her said Will, the income therefrom to be used for the purchase of science materials for the Elementary and High Schools."

MARY E. CARR NEPTON SCHOLARSHIP FUND

"Terms of Will - Clause 6. All the rest, residue and remainder of my estate, both real and personal, I give, devise and bequeath to my Trustee hereinafter named, in trust as follows:

- (a) To establish a fund to be called 'The Mary E. Carr Nepton Scholarship Fund of the Town of Duxbury'.
- (b) The said fund to be held by the Town Treasurer of Duxbury, Massachusetts, as a trust fund, the net income therefrom to be used from time to time for the payment of a part or all of the tuition of needy male students at a recognized college or other institution of higher learning."

MOLLY HOPKINS TAFT LIBRARY SERVICE SCHOLARSHIP AWARD

"To provide a living memorial and at the same time to encourage academic excellence by Duxbury High School students, and especially those who are active in school library activities.

Basis for Selection of Recipient:

Academic excellence is required. If there is a Library Service Club, or equivalent student activity in assisting with the maintenance of library systems, selection should focus on a college-bound student who has participated in such activities. Demonstrated knowledge of library access procedures and unusual familiarity in the use of reference material could aid in selection in lieu of library service although library service is preferable. Performance, not "need" is to be prime consideration. Special consideration is to be given to a student who qualifies well in the two foregoing conditions and has been accepted by Wellesley College, Molly's alma mater.

In the event the student who is thought to most nearly meet the above described conditions elects to not accept this award it should be allowed to accumulate that year, since it is intended that the recipient be selected on academic excellence and library service or unusual facility with and knowledge of reference material accession. Also, in the unlikely event that there is no suitable candidate the fund should be allowed to accumulate.

The award is to be made to reach recipient only one time; it is intended for college expenses during the first year. In the event that the designate cannot attend a school of higher learning in

the same calendar year in which the award was made -- for whatever reason--the amount awarded is to be held in the Fund for up to three years for that person's use when electing to go forward with his education. If not claimed by the end of the three-year period, the award is voided and amount of the award reverts unconditionally to the Fund.

If there is a direct descendent of Molly Hopkins Taft (Molly Malvina Taft) who wishes to participate in the selection of the recipient, that person will, after obtaining School Department recommendations, have the right to determine who will be selected for the award, since it is believed that such person is more likely to understand the intent of this Fund."

MYLES STANDISH HOMESITE FUND

"Annual Meeting, Town of Duxbury 3/1/30 - Article 15 - Voted unanimously that the Town accept the homesite of Myles Standish at Standish Shore and send thanks to the Trustees of the Standish Monument Association.

Annual Meeting, Town of Duxbury 3/7/31 - Article 30 - Voted unanimously that the Town accept the gift of \$1,133.16 from the Standish Monument Association, the income from this amount to be used for the care of the lot at Standish Shore where the original Myles Standish house was located.

Annual Meeting, Town of Duxbury 3/12/60 - Article 21 - Voted to authorize the Town Treasurer to accept from time to time any and all money which may be donated to the Myles Standish Monument Fund."

NELSON T. SAUNDERS MEMORIAL TRUST

Special Town Meeting held April 28, 1990, Article 9, moved and seconded that the Town vote to approve the establishment of the Nelson Saunders Memorial Trust Fund of which the principal and interest may be used for shellfish propagation and cultivation for the Town of Duxbury as approved by the Board of Selectmen on the advice of the Shellfish Advisory Committee.

RICHMOND G. WIGHT FUND

Annual Town Meeting held March 11, 1989, Article 36, moved and seconded that the Town accept a gift from the Estate of Richmond G. Wight and authorize the Board of Selectmen to establish procedures regarding the use of said gift in accord with the provision of the Will of Richmond G. Wight. "The gift to the Town of Duxbury is in trust, the income, current and accumulated, to be used in the discretion of the Selectmen or such other persons as may be designated by the Town to exercise such authority, for those proposed beneficial to the Town and its inhabitants for which adequate public funds are not available. Preference shall be given, but not limited, to uses related to the history of the Town, the preservation of historical places and buildings, and the encouragement of all forms of art and artistic appreciation and endeavor within the Town. Payment may be made to charitable organizations for such purposes."

THOMAS D. HATHAWAY FUND

"Income to be expended annually in the purchase, planting and replanting of shade and ornamental trees and shrubbery on and in the several Town ways and highways in said Town of Duxbury and in the care of the same, but should the Selectmen of said Town in any year or years think there was more money from said income than could be well expended for the foregoing purposes they may expend a portion of said income as shall seem to them expedient in improving the sidewalks in said Town of Duxbury."

WESTON-THOMPSON FUND

"To the Town of Duxbury, Massachusetts, the sum of Ten Thousand Dollars, to be held and administered by the Town Treasurer, with the advice and consultation of the Trustees of Trust Funds, as an endowment to be known as the "Weston-Thompson Fund". The income from said endowment shall be used to provide scholarships for graduates of Duxbury High School who wish to pursue their education in the vocations, such as, but not limited to, carpentry, plumbing, electrical work, auto mechanics, and electronic services, and who would, without financial assistance, be unable to advance in their chosen fields. The selection of the recipient or recipients of this award each year shall be made by the principal of Duxbury High School and the superintendent of the Duxbury school system."

WILLIAM P. ELLISON CHARITABLE TRUST

Special Town Meeting held March 11, 1984, Article 4, moved and seconded that the Town vote to accept a gift from the estate of William P. Ellison and authorize the Board of Selectmen to establish procedures and decide upon uses of said gift that are to be for exclusively public purposes. The Board of Selectmen voted March 27, 1989 to approve the use of the Ellison gift for lights at Chandler Field.

WILLIAM PENN HARDING LIBRARY FUND

"Income to be paid by the Town Treasurer to the trustees of the Public Library of said Town, sometimes called the 'Wright Memorial Library' to be expended by them in the month of May each year, in the purchase of recent books on Science, Art or Travel of a popular and instructive character, which books shall be placed in said library for general circulation. Said bequest shall be designated as 'William Penn Harding Library Fund' which designation shall be printed or written in all books so purchased when placed in said Library."

General Government



Cable Advisory Committee

Duxbury Cultural Council

Fourth of July Committee

Information Services

Personnel Board

War Memorial Committee

Cable Advisory Committee

The Cable Advisory Committee advises the Board of Selectmen and the Town Manager on cable TV related matters. Although the committee strives to identify and address the concerns of Duxbury's cable customers and monitor their satisfaction with the service being provided, federal law limits municipal oversight of cable service provided by a traditional cable company or by the local phone company. The town has no jurisdiction over rates, channel lineup, or Internet service.

The committee's major achievement this year was the signing by the Board of Selectmen of a renewal cable TV franchise license with Comcast, effective November 22. Comcast had been operating without a license since it took over the Adelphia cable system in 2005. A cable TV franchise license had been granted to Verizon for its FiOS system a few months earlier. Both licenses are for ten years, and thus Duxbury is guaranteed cable competition over the next decade.

After reaching agreements with both Verizon and Comcast, the town entered into an agreement with Plymouth Area Community Access Television (PACTV) to operate the Public and Government channels over both cable systems. The committee hopes Duxbury residents are enjoying the enhancements PACTV has brought to these two channels. The School Department will also now have improved facilities for operation of the Education channel. In addition, the town will soon have the capability to see live telecasts of meetings and other events from additional town buildings such as the Senior Center and the Performing Arts Center.

The Chair wishes to thank the committee for its tireless efforts in reaching these agreements.

Respectfully submitted,
William J. Kearney, Interim Chair

Duxbury Cultural Council

The Duxbury Cultural Council is responsible for allocating the funds assigned to the town by the Massachusetts Cultural Council, a state agency. The Legislature provides an annual appropriation to the Massachusetts Cultural Council, which then allocates funds to each community. The local grants can support a variety of artistic projects and activities, including exhibits, festivals, field trips, short-term artist residencies or performances in schools, workshops and lectures

The Duxbury Cultural Council is part of a network of 329 Local Cultural Councils (LCC) in the Commonwealth. The LCC Program is the largest grassroots cultural funding network in the nation, supporting thousands of community-based projects in the arts, sciences and humanities every year.

This past year the Duxbury Cultural Council distributed \$3,870 in grants. The funded projects include grants to Duxbury Council on Aging, Bay Players, Snug Harbor Chorus, the Art Complex Museum and the Duxbury Art Association. Also funds were awarded to the North River Arts Society, the Choral Art Association, Pilgrim Festival Chorus, Pilgrim Hall Museum, and the Plymouth Philharmonic.

Respectfully submitted,

Barbara Kiley, Chair

Helen Fowler, Secretary

Mary Beth MacQuarrie, Treasurer

Marcy Bravo, Rebecca Chin, Laura Doherty, Anthony Pilla, Janet Ritch, Janet Schwartz, Larry Smith

Fourth of July Committee

Each year, the Fourth of July Activities Committee begins preparations in February, and 2011 was no different. Much effort goes into the planning of this community event, and various subcommittees are instrumental in pulling off a successful weekend of activities that include the Beach Party and 4th of July Parade. The committee also promoted the 4th of July Road Race, which the Duxbury Education Foundation took over in 2010; the South Shore Bay Band Concert, which takes place in front of the High School during the holiday weekend; and the Cornerstone Lodge's 4th of July Breakfast, which has become a traditional event.

The Committee set a budget of \$40,000 for both the beach party and the parade. We had approximately \$18,000 available in the Margery Parcher Fund and \$10,000 from the appropriation at the 2010 annual town meeting. The committee worked tirelessly for several months to raise additional funds to cover our expenses. Our annual appeal letter for donations to the Margery Parcher Fund went out to all residents early in May. Thanks to some very generous donors, including local businesses that placed ads in our parade booklet, by the end of the fiscal year (June 30), we received enough contributions to cover our expenses and leave approximately \$18,000 in the Margery Parcher Fund to begin planning next year's events.

This year the committee selected as its parade theme, "All American Classics." We always try to create a theme that will generate lots of floats, and this year we had some outstanding ones. One special parade event this year was the participation of the Margery Parcher Family, who were having a family reunion in Duxbury. (When Margery Parcher passed away in 1984, her family set up the Margery Parcher Fund in her memory.) Margery's nephew drove Marge's classic yellow 1953 MG TD in the parade, with Marge's sister joining him.



Grand Marshal Betsy Sullivan



All-American Spirit



Margery Parcher's Family

Every year, the 4th of July Activities Committee selects a parade marshal. This year the committee elected Betsy Sullivan because of her many years of service to the town as a selectwoman and for her ongoing involvement in several town committees and activities.

The annual beach party was also a huge success. This year, in addition to two popular bands, we had new entertainment—an acrobat act. The performers were excellent and successfully engaged quite a few people, both children and adults, to participate in their various stunts. The bonfire was topped with a space ship commemorating NASA's 50th anniversary.



Stuart Ruggles, Rich Potash, Jamie MacNab
building the bonfire

Many people helped the committee during the parade and beach party, from parade judges and parade monitors to a loyal group of volunteers who collected pallets and built the bonfire. We thank the truck owners and drivers who pulled floats. We thank Mass Hauling for again donating the dumpster for the beach party and a huge trailer for the high school jazz band. Finally, we thank the police, fire, and harbormaster departments for their assistance.

Respectfully submitted,
Katy Gaenicke & Rich Potash, Co-Chairs - Fourth of July Committee

Committee Members:

Don and Nancy Reed, Dave and Linda Robinson, Amy and Brian Hill, Janet Ritch, Connie Siegel-Dennis, Jeff Goldman, Walter Osborne, Terry Reiber, Jamie MacNab, Bill and Maggie Kearney, Sue Lawrence, Barbara Munsey, Joan Edgar, Terri Woodward, Stewart Ruggles, and Gerry and Janet Leech.

Information Services

“As predicted in Fiscal Year 2009, the economic difficulties of Fiscal 2009 have followed us into Fiscal Year 2010. As we begin planning for Fiscal Year 2012, the indicators are pointing to more of the same. Despite the sober economics of our times, we continue to make progress.”

As quoted in the previous year’s Annual Town Report, those words still ring true as we begin our planning process for Fiscal Year 2013 and evaluate the progress we made in Fiscal Year 2011. I am pleased to report, that despite the economic constraints of our times, we do continue to make progress.

Fiscal Year 2011 was the year that the analysis of the Town’s IT infrastructure commenced. We evaluated the progress that we have made to date and laid out a road map so that progress may continue. By the end of the fiscal year, a draft plan was in place and a plan was produced to create the best implementation plan for Duxbury. As we move into Fiscal Year 2012, the draft plan will be further refined and the road map that will plot our direction for the next 5 years will be reviewed and presented.

With a solid plan underfoot, Information Services should be able to continue to make strides at providing the type of hardware, software and networking that effectively serves the departments throughout the town. Through reliable and necessary technical services, the Town of Duxbury receives many benefits, including efficiency. These efficiencies will bring many benefits to, not only the people who work for the town, but to its citizens as well.

Duxbury has many dedicated and creative thinkers. It has been my pleasure to interact with these dynamic individuals and to receive the direct benefit of their experience, knowledge and creativity. It is through and for them that I derive great pleasure in bringing an ever increasing scope of services to Duxbury.

Respectfully submitted,
Mary E. MacQuarrie
IS Administrator

Personnel Board

The Board meets on a regular basis with the Human Resources Officer to support the Town Manager, supervisors and employees covered by the Personnel Plan and to discuss and review matters related to human resources.

In concert with the Human Resources Officer, the Board developed a revised Anti-Harassment and Discrimination policy and new Background Investigation, Whistleblower, Maternity and Equal Opportunity Policies. Approval for these policies was obtained by the Board of Selectmen and they were included in the FY 2011 Personnel Plan.

During FY 2011, all Personnel Plan employees were invited to provide suggested changes for the FY 12 Personnel Plan. Each of these suggestions were reviewed and considered by the Board. As a result, many were included in the FY 2012 Personnel Plan and accepted by Town Meeting. In preparation for the Annual Town Meeting, the Board met with various department heads to ensure understanding of relevant language and changes in the Personnel Plan.

The Board approved the elimination of the 1,560 hours requirement for performance evaluations and merit increases. This makes performance evaluations annual for all eligible Personnel Plan employees. Now the performance evaluation process is easier to manage, more equitable and gives the supervisor and employee a more frequent opportunity to have a dialog about job performance.

The Selectmen, Finance Committee, Human Resources Officer, Finance Director, Labor Attorney and Town Manager worked with the Board to navigate the decertification of two unions; Professional Supervisory and Professional Support, representing more than 30 positions. As a result, these positions were transitioned into the FY 2012 Personnel Plan per Town Meeting vote.

Going forward, The Board will continue to work with the Human Resources Officer to review and update the Personnel Plan, as well as consider and benchmark Personnel Plan positions, and present findings to the Board of Selectmen and Finance Committee as necessary.

Respectfully submitted,

Wayne Heward, Chair
Rob Molla
Sandy Salmela
Anita Stiles

War Memorial Committee



Joe Shea speaking on behalf of the War Memorial Committee

The members of the Duxbury War Memorial Committee were deeply saddened by the loss of our Chairman Joseph Shea (above, left) last January. Joe was the driving force behind the restoration of the World War I Memorial in 2010 and without his can-do spirit and enormous heart this project might never have come to fruition. The Committee thanks the Board of Selectmen for supporting our request to honor Joe's legacy by re-dedicating the Duxbury Roundabout — another beneficiary of Joe's public service passion — in his name.

In other respects this has been a quiet year for the War Memorial Committee. In the spring the committee decided to reopen the brick engraving process to allow citizens who may have missed out the first time around another opportunity to add a brick in the name of a family member or loved one. Following a successful publicity campaign, we received orders for an additional 19 engraved bricks, raising another \$3,800 for the town's War Memorial Fund. These new bricks will be installed in early 2012. In addition, the Committee voted to honor the service of Duxbury's Lt. Timothy Steele by adding a special brick in his name to the walkway.

The Committee would like to thank Emmett Sheehan of Eagle's Nest Landscaping for generously installing the new bricks and Anne Murray in the Town Manager's office for all her assistance helping us stay on track. Finally, we extend our thanks to the citizens of Duxbury for their support and all the service men and women who serve on our behalf.

Submitted by

Josh Cutler for the War Memorial Committee

Health & Human Services



Affordable Housing Trust

Council on Aging

Duxbury Housing Authority
(State Agency)

King Caesar Advisory Committee

Local Housing Partnership

Municipal Commission on Disability

Veterans' Services

Affordable Housing Trust

FY 2011 accomplishments:

- Awarded first grant for \$75,000 for Purchase of condo Unit at 225 Lincoln St. Duxbury
- Town meeting 2011 Awarded Additional \$330,000 to be given to the trust adding to the original \$500,000 for fiscal yr 2012 \$30k of which to be dedicated to admin costs.
- Finished contract with Lottery / program Administrator Dennis Falcione
- Currently accepting bids for future lottery administrator. Three bids to date have been received. New lottery agent will be chosen when all bids have been received.
- Duxbury Affordable Housing Trust voted to have a second round of Marketing and Outreach for the program in order to generate potential candidates to award future grants. New lottery agent will conduct Marketing outreach and lottery selection process for second round. Lottery agent/administrator will also review applicant's qualifications for the program.

Brendan Keohan, Chairman DAHT

Council on Aging

During FY 2011, the Duxbury Senior Center, welcomed visitors, implemented new programs and activities, and expanded community partnerships to meet the needs of those we serve. As the newest nationally accredited Senior Center in Massachusetts, the MCOA asked the Duxbury Senior Center to host the National Council on Aging delegate meetings. These meetings were held prior to the MCOA conference and provided delegates an opportunity to engage with colleagues from 40 different states around our nation. In addition to discussing national senior issues and trends; our visitors got to tour Duxbury, ask questions about programs and services we offer and enjoy a New England favorite—a lobster dinner with all the trimmings made in-house by our talented kitchen staff.



Duxbury Senior Center

Besides welcoming friends, the staff was busy implementing evidenced based programs this past year. We offered Matter of Balance (two of our staff were trained as Master Trainers), My Life, My Health—Chronic Disease Self-Management and Wisdom Works. We also implemented new activities including: Neuropathy Support Group, Beginner Italian, Conversational French, Acting 101, Drawing & Painting, Artistic Journaling, and a Stretch and Flex exercise class. We have also expanded evening offerings to include: a Caregiver Support Group, Lifelong Learning courses, Cultural Events, Dinner Out, a Pot Luck Dinner, Gentle Yoga and Zumba gold.

In partnership with the Duxbury Fire Department, our Outreach staff implemented a “Bring Your Own Bags” project. This outreach tool provided staff an entry into the senior’s home. With gift in hand, our staff shared information about our programs and services, helped seniors fill out the “File of Life” Information cards and Emergency Preparedness information sheets and left them with a “emergency bag” filled with items that would be helpful if they needed to call 911.

We also:

- Welcomed 32,500 visitors and participants
- Prepared 10,168 meals, 4,083 congregate meals, 784 meals for the respite program and 5,301 Home Delivered Meals
- Provided 3,687 rides to shopping, banking, post office and to the senior center for lunch and activities
- Provided 2,148 rides to medical appointments; 1,728 by the medical bus and 420 rides with the help of our medical transportation volunteers
- Made 1,609 outreach contacts. Our staff helped seniors and their family members with information, guidance, and assistance in accessing services and support through 170 home visits, 100 office meetings, 350 senior phone contacts, 75 caregiver contacts and 10 Fuel Assistance Applications. Outreach provided a once a month Caregiver Support Group serving 14 caregivers. Outreach gave out 100 “Bring Your Own Bags” (emergency preparedness materials) to seniors and met with 50 seniors who were new to Outreach this year. Outreach provided information to 24 seniors at the Duxbury Housing Authority and Island Creek through monthly visits and information sessions.
- Hosted 381 Town appointed committee meetings and private rentals during the evening.
- And all of this was made possible by the 246 volunteers who gave 28,066 hours of service. (Using Independentsector.org dollar value of \$21.36 per hour, the gift of time is worth \$599,490.00).

Offsite, we partnered with the Duxbury Free Library implementing the Mass Memories Road Show. This program enabled community members to bring photos and share stories about their families and the community. Over 100 histories were taken at the event.

One of our most exciting partnerships came when the COA Board and Friends of the COA committed to “giving back to the community” and helping our needy friends stay warm this winter. Who thought bingo could be such a money maker!???? At our 1st Annual Black Tie Bingo event we raised \$13,732.00. This money was given to the Interfaith Council to help members of the community stay warm this winter. The amazing thing about this event was everyone said YES! All the food, drinks, prizes were donated. Fuel companies gave discount

rates; selectmen volunteered to call bingo games; and local business became game sponsors. On one of the coldest nights of the winter, over 130 people came to the Senior Center dressed in their finest, to play bingo and help their neighbors stay warm. Everyone left that night knowing that someone needing help would get it! We “relearned” that bingo was really fun!

And finally, in April of this year, our Director was trained as a National Peer Reviewer by NISC. This training will enable her to become an off-site or on-site reviewer for centers completing the National Accreditation process. Approximately 30 Directors nation-wide trained to perform this role—we are proud to be among them.

Respectfully submitted,
Pam Campbell Smith, Chair
John Madden, Chair Emeritus

Anne Antonellis
Dick Sigrist
Matthew Walsh
Reverend Catherine Cullen
Beverly Walters, Alternate
Bill Campbell, Alternate
Ninky Savage, Alternate
Ken Fortini, Associate

Dick Whitney
Marcy Bravo
Peter Muncey
Carol Chapman
Shirley McMahon-Oktay, Alternate
Reverend Elizabeth Stevens, Alternate
Jim Taylor, Associate
Henry Milliken, Associate

Duxbury Housing Authority (State Agency)

The Housing Authority continues to manage and operate fifty-two elderly and handicap units at Duxborough Village located on Chestnut Street, and seven scattered site family units which consist of four two-bedroom and three three-bedroom units. We manage, in conjunction with the DMR, 8 units on Merry Ave and 4 units on Cordwood Path for special need clients. In addition, we administer 13 Federal Section 8 Housing Choice Vouchers and 3 Massachusetts Rental Vouchers.

This year we received funding to replace the Federal Circuit Breaker Panels in our Elderly Development and funding to bring our Community Room and Office in compliance with the Americans with Disability Act.

Once these projects are complete, the Housing Authority will be searching for funding to replace the driveway and sidewalks at our Elderly Development.

The Duxbury Girl Scouts came to our development; they weeded and planted flowers throughout. They did an excellent job and we are very thankful for their time and generosity.

As always we would like to thank our Fire and Police Departments for their dedication and service they provide us. We would also like to thank the Town Manager, Building Inspector, Board of Health, Water Department, Department of Public Works and all of the Town Boards

and Committees for their continued support in helping us to reach our goal to provide affordable housing to all who may need it.

Thank you.

Respectfully submitted,
Linda M. Bacci – Executive Director

Linda Garrity – Chairman & State Appointee
Alden Ringquist – Vice Chair
Brendan Keohan - Member
Beverly Walters - Member
John Todd – Member

King Caesar Advisory Committee

The King Caesar Trust Fund was established by the terms of the will of William Bradford Weston in 1916. The Fund provides financial assistance to help pay the medical and dental expenses of financially-needy Duxbury residents.

While the Board of Selectmen has fiscal authority for the King Caesar Trust Fund, they rely on the King Caesar Advisory Committee (KCAC) to review client cases and make recommendations. By vetting cases before they are brought to the Board of Selectmen, the KCAC can often find other resources and/or make referrals to other agencies.

The King Caesar Advisory Committee consists of three individuals and an intake case worker. The three members have traditionally included individuals with medical backgrounds and a member of the Duxbury Interfaith community.

The undersigned members of the KCAC are proud to serve to help the less fortunate in the Town of Duxbury. We encourage any financially-needy Duxbury resident with medical or dental needs to seek assistance from the King Caesar Trust Fund rather than go without needed medical care. Requests can be made to our staff liaison in the Selectmen's Office or to any of the KCAC members. All requests are treated with the utmost respect, understanding and confidentiality.

For those Duxbury residents who cannot financially afford needed medical treatment, have no other immediate options, and no other family resources to turn to, the gift of William Bradford Weston has stood the test of time and is as appreciated today as it has been for almost a century.

The King Caesar Fund balance, however, is limited. The yearly requests received have increased in both number of cases and dollar amounts. The challenge facing the KCAC is to balance our compassion with our fiduciary responsibility to assure the sustainability of the Fund to help as many financially-needy citizens as possible. Therefore, the KCAC must caution applicants that they should be prepared to seek other funding as well and/or to view the King Caesar Fund as a stopgap measure while waiting for approval from other sources of funding for any future medical needs.

To the more fortunate members of the Duxbury community, the KCAC encourages you to follow the example of William Bradford Weston and to make a donation payable to the “King Caesar Fund” (c/o the Selectmen’s office) to assure the solvency of the Fund to aid future generations.

Respectfully submitted,

Diane Barker, R.N., Chair; Rev. Catherine Cullen; Carol Langford, M.D; and
Judith Hatch, R.N., King Caesar Fund Intake Case Worker
C. Anne Murray, Staff Liaison to the King Caesar Advisory Committee

Local Housing Partnership

The Local Housing Partnership is comprised of representatives from various boards within the Town:

Shawn Dahlen, Board of Selectmen
Matthew Walsh, Council on Aging
Bruce Bygate, Board of Health
John J. Todd, Duxbury Housing Authority
Barbara Kelley, Conservation Commission
George Wadsworth, Planning Board
Brendan Keohan, Community Preservation Committee
At Large Members: Denece McCann Clinton, Brian Murphy, Leslie Lawrence and
Diane Bartlett

The committee has spent the year working with two Architectural Firms. The Camp Wing Development has final plans and specifications completed by Abacus Architectural. The LIP application is at the Department of Housing and Community Development. We are awaiting their letter of eligibility to apply to the Zoning Board of Appeals for a Comprehensive Permit. In the meantime, we are in the process of developing a Request for Proposals for a developer.

The Fire Station – Grange Development is nearing completion as well. We have completed our work with the architectural firm CSS Architects. However, in the process of working with CSS it became apparent the rehabilitation of the Grange would be more costly than a new building. Given this information, our committee met with the Community Preservation Committee to discuss this information. From the meeting it was clear that the Community Preservation Committee felt strongly that we should pursue the rehabilitation of the building rather than tearing it down and building a replica. With that information we advised CSS Architects to move forward with the rehabilitation design. We are now waiting for the Town Planner to complete the LIP application to be sent to the Department of Housing and Community Development for approval. In the meantime, we are in the process of developing the Request for Proposal for the developer.

We have reviewed 40B projects that have been brought to us for comment.

We were successful at last Town Meeting with an article for \$330,000 to provide more funds to the Housing Trust Committee for the first time home buyer program. Two families have purchased homes to date.

The LHP initiated a change in the Accessory Apartment Bylaw by lowering the number of years one must wait to apply for an apartment from five years to one year. The article was voted successfully at Town Meeting.

The Committee would like to thank Richard MacDonald, Town Manager, Scott Lambiase, Director of Inspectional Services and Tom Broadrick, Town Planner for their support and assistance over the year.

Respectfully submitted on behalf of the Committee,
Diane Bartlett, Chair of Local Housing Partnership

Municipal Commission on Disability

The purpose of the Duxbury Municipal Commission on Disabilities is to advocate for the disabled people in Duxbury. We meet the first Wednesday of each month, except for July and August, at the Senior Center at 7pm. Any interested person is welcome to attend our meetings.

Not many municipal building projects were started this fiscal year. The Tarkiln School was finished. The fire station and police station will be started in fiscal 2012.

We were very saddened by the sudden death of our long time member, Joe Shea. He is greatly missed by all of us.

Respectfully submitted,
Pat Randall, Chair
Patty Cristoforo, Marcia Solberg, Jerry Nightingale, Rei Kock, and our new member, Linda Garrity
In Memoriam Joe Shea

Veterans' Services

The Duxbury office of Veterans' Services continues to serve Veterans, their spouses and/or dependents by counseling, advising, and assisting in procuring Federal and State benefits or entitlements for which they may be eligible. On the State and Local levels, we seek benefits for financial assistance; medical treatments; fuel assistance; tax abatements; housing; employment and counseling to those that are qualified under MGL: Chapter 115. The program is 75% reimbursable back to Duxbury.

The process may require appointments at the office or the client's home, or the JFK building in Boston, and at VA Hospitals in order to verify and justify eligibility. An investigation of assets

or other sources of income is performed to seek alternative sources such as Social Security, Social Security disability, and VA pensions for which the Veteran and/or spouse and dependents may be eligible. This investigation helps limit the financial exposure to the Town and the State. The Federal Government does not automatically grant benefits to Veterans. Veterans must apply for benefits. The Veterans' Service Officer also visits hospitalized Veterans and those in nursing homes and eldercare facilities.

Our department also provides assistance in obtaining federal benefits such as service-connected disabilities, non-service pensions, enrollment in the VA Healthcare System and educational benefits. We provide Veterans and dependents assistance in obtaining military records, replacement of medals and ordering grave markers. The office supports town activities such as Memorial Day and Veterans Day.

The needs are growing very fast in today's post-Iraq conflict and continue in Afghanistan with Veterans arriving home to a very poor economy and needing transitional benefits such as employment training, job search, medical care and housing assistance.

Our office is located in the Senior Center off Mayflower Street. It has discreet and excellent ground-level and elevator access for older or handicapped Veterans, their spouses and dependents.

Effective May 10, 2011, I was appointed Veterans' Service Officer. I also serve as VSO in Hanover and travel between the two towns based on need. This continues the tradition of the "district" between Duxbury and Hanover.

Respectfully submitted,

Michael J. Thorp
Veterans' Service Officer

Land Use & Resource Preservation



Agricultural Commission

Alternative Energy Committee

Beach Committee

Community Preservation Committee

Conservation Commission

Duxbury Bay Management Commission

Historical Commission

Inspectional Services Department

- Board of Health
- Building
- Design Review Board
- Weights & Measures

Open Space & Recreation Committee

Planning Board

Sidewalk & Bike Path Committee

Shellfish Advisory Committee

Tarkiln Committee

Town Building Committee

Town Historian

Agricultural Commission

The Duxbury Agricultural Commission (DAC) welcomed the DAR sponsored Bill#751, giving small plot farming the same tax profile as larger farms, signed into law by Governor Patrick. DAC, together with the Duxbury Conservation Commission, brought an article to town meeting to expand Bay Farm Field to allow a co-use with agriculture and recreation. The commission will be monitoring ways to expand Agriculture in 2012.

Respectfully submitted,
Jeffrey Chandler, Chairman

Alternative Energy Committee

The Duxbury Alternative Energy Committee consists of eleven appointed members. They are:

Jim Goldenberg, (Chair) Andre Martecchini, Leslie Lawrence, Lynn Smith, John Doherty, Josh Cutler, John Murdock, Donald Greenbaum, Tom Burton, Sandy Von Stackelberg and Cliff Bockard. (Christopher Donato -Selectmen's Liaison) Meetings are joined regularly by Tom Broadrick, Duxbury Town Planner.

In January of this year, three new members were appointed to the committee, Tom Burton, Sandy Von Stackelberg and Cliff Bockard. In addition, Jim Goldenberg became committee chair.

The Committee has listened to, evaluated, and considered several alternative energy technologies, some of which are being considered for possible future capital building projects. Alternative energy saving technologies being considered by the Committee for applicability to the Town range from distributed on-site power generation, net metered PV solar development and community wind opportunities. We have had numerous presentations from experts and companies involved with each of the above mentioned technologies. As with many new technologies, some have a lot of promise for the correct application, especially if State or Federal grants can be leveraged to help advance project pay-backs. The Committee continues to explore possible avenues for such grants.

Community Wind Initiative

At the end of last year, the Committee applied for and received a grant from the Massachusetts Clean Energy Center for \$65,000.00 to fund a full feasibility study for a community scale wind turbine project. This year, the committee selected Sustainable Energy Developments Inc., (SED) from Ontario, NY, to perform the feasibility study. SED evaluated the conclusions of the Preliminary Survey of Potential Wind Project Sites study that was done for the town in 2009 and narrowed its focus to three potential wind development sites. It then studied the various considerations including wind resource, interconnection issues, potential negative impacts such as aesthetics, noise and flicker, construction costs and operating economics. The conclusions of the study are expected in late 2011.

Figure 1-4 Recommended Wind Turbine Locations



Landfill solar array

This year, the Committee formed a solar subcommittee consisting of Jim Goldenberg, Josh Cutler, Lynn Smith, Don Greenbaum and Tom Broadrick. The purpose of the subcommittee is to explore the feasibility of a ground mounted solar array on the capped landfill located adjacent to the transfer station. After having several solar development companies visit the site and discuss the potential project with the committee, it was decided to prepare a Request For Qualifications solicitation to the solar development industry in Massachusetts. The goal of the RFQ process is to be able to select a solar firm that would have the capability to build, own and operate a solar system on the site and sell the electricity to the town at a discount. The RFQ will be made public in the fall of 2011.



The green shaded portion is the approximate boundary of the capped landfill area. The entire parcel outlined in red is 18.99 acres.

Meetings were held at least once a month during which presentations were made by various wind developers, solar developers and other experts on methods of developing and financing alternative energy projects. The Committee also attended multiple meetings during the year with Selectman and various town officials to keep them abreast of our activities, warrants, grant applications and efforts to make Duxbury a more energy efficient, “green community”.

Some of the specific activities of the Committee during fiscal 2011 included the following:

- Met with Brad Hunter of Nexamp Inc. to discuss feasibility of solar panel installation on several town owned buildings.
- Met with Andrew Stern of Vayu Power to discuss wind turbine financing and development in Massachusetts
- Met with Kevin Schulte of Sustainable Energy Developments Inc. to discuss the feasibility study for the potential community wind turbine development.
- Presentation from Matt Vanderbrook of Sustainable Energy Developments Inc. regarding the scope of the feasibility study.
- Met with Douglas Gay of True Light Energy to discuss potential ways in which the town might be able to reduce its energy cost through energy procurement management.
- Met with Omay Elphick of Alteris Renewables to discuss potential to develop a solar facility on the landfill and best approaches to choosing a developer.

The Committee’s final meeting of the fiscal year was a presentation to the community of a status update and initial findings of the wind feasibility study. Several more public meetings are planned for the balance of 2011.

The Committee will continue to explore other alternative, energy saving technologies and make recommendations to the Selectmen as applicable opportunities arise.

Respectfully submitted,
Jim Goldenberg, Chairman

Beach Committee

The Duxbury Beach Committee consists of twelve members, including the Chief of Police, the Harbormaster and the Conservation Administrator, three designees of the Duxbury Beach Reservation, Inc., and six members at large. The Committee was created to provide advice to the Board of Selectmen, the Town Manager, the Finance Committee and any other relevant town

agency, on the use and management of the town leased portion of the beach and on the safe, sanitary and enjoyable use of the beach for recreation.

During the FY 2011, the Committee met once for a general discussion of the beach.

Respectfully Submitted,
Susan Rourke, Chair

Community Preservation Committee

About the Act and Sources of Funds

The Community Preservation Act is a state statute that enables Duxbury to address growth and development which place demands on our schools, services, and resources. It's an important financial resource for the protection of open space which is essential for groundwater protection and preserves scenic vistas, wildlife habitat and farmland. It allows for the preservation and restoration of our unique historic features and resources. Furthermore, it provides funding for the development and reuse of buildings and the purchase of land for affordable housing for elderly, young families and handicapped adults. CPA funds may also be used for recreational purposes (with certain restrictions).

Duxbury elected to adopt the full 3% surcharge in 2001, enabling us to receive funds from additional rounds of funding from the State Trust Fund. The money in the State Trust Fund is derived from fees at the Registry of Deeds when real estate transactions are filed. In 2002 the voters approved an exemption to the CPA surcharge for property owned and occupied as a domicile by a person who qualifies for low income housing or low to moderate income senior housing.

The Act mandates that 10% of all receipts must be dedicated to each of the three purposes: open space, historic preservation and affordable housing. The money does not have to be spent within that year; it can be banked for future use. Only 5% of all receipts may be spent on administrative purposes and money remaining in that account is returned to the CPA General Fund each year.

The Community Preservation Committee is charged with implementing the Act and making recommendations for town meeting approval for the funding of eligible projects. It is comprised of seven members who represent the Conservation Commission, Planning Board, Open Space & Recreation Committee, Historical Commission and the Housing Authority. Two members serve as members at large. The CPC makes its determinations in alignment with the Open Space, Planning, Housing and Historical planning documents; reviews proposals with a list of criteria developed by the Committee; receives input from the Selectmen and town boards; and holds at least one public informational meeting before it makes its final recommendations to Town Meeting.

Fiscal Year 2011

CPA surcharge receipts for Fiscal Year 2011 were \$1,204,244. The median home in Duxbury paid a CPA surcharge of \$182. The state match in October 2010 was \$355,197, representing a 29% match, reflecting the lackluster economy. Duxbury's commitment to the 3% surcharge made it eligible for multiple rounds of funding.

Since 2002, the Duxbury CPA fund has received \$9.2 million from surcharge receipts, \$7.4 million in state matching funds, and \$5 million in state and federal grants and donations for projects totaling over \$20 million. The beauty of the CPA program is that many of the projects attract volunteers who have built housing, restored buildings and monuments, raised funds, and cleared open space.



Tarkiln Schoolhouse

In January, 2011 Tarkiln (c. 1871, listed on the National Register of Historic Places) was opened to the public; demonstrating the fine work that went into its restoration. The building is a testament to the dedication of the Tarkiln Committee, the Friends of Tarkiln, and the many volunteers and craftsmen that donated their time, money and services.

Crossroads for Kids, Inc. made progress with the restoration of the Isaac Keene Barn (c. 1870) at Camp Wing. The perimeter of the barn was prepped for the pouring of new concrete footings and architectural drawings were on display at an open house. The First Parish Church (c. 1840, listed on the National Register of Historic Places) completed restoration on 4 of its 14 windows.

The Homeownership Program received applications from first time home buyers. Local Initiative Project applications are being prepared for the Grange (c. 1884) and Temple Street Housing projects. The Local Housing Partnership met with the CPC to discuss the progress with the Grange and unanticipated costs due to revisions in the State Building Code. The LHP will continue with the development of plans and specifications and include in the RFP a request that bidders submit proposals for both the cost of renovation and cost for reconstruction. The CPC has the option to recommend reuse of the building or construction of a new building, yet

recognizes the important role that the Grange played in the town's history and its contribution to its historic character.



The Grange

2011 Annual Town Meeting Articles

At the 2011 annual town meeting the voters approved the FY 2012 CPC operating budget of \$80,500 and the 10% allocation for the purposes of Open Space, Community Housing and Historic Preservation in the sum of \$483,000 or \$161,000 for each purpose. Unused money in the operating budget goes back to the town's CPA General Fund at the end of each fiscal year.

The voters approved **Article 21** for the appropriation of \$250,000 for the restoration of the Old Town Hall (c. 1840). The building is one of three Greek Revival buildings on the hill. The roof will be replaced and work will be done on the facades and foundation.

The voters also approved **Article 22** for the appropriation of \$30,000 for the restoration of the Keene Mill Foundation at the intersection of Temple and Keene Streets. This property was acquired with the Camp Wing acquisition in 2009. The granite foundation is the remnant of an 18th century mill which had an up and down saw used for the construction of cranberry boxes for the 5C Cranberry Co. Granite walls have collapsed in some areas, but it is an impressive structure that is now visible, thanks to the DPW's clearing of overgrowth.

Article 23 was approved for the \$58,000 restoration of 215 gravestones at the Mayflower Cemetery and Standish Burial Grounds (one of the oldest maintained cemeteries in the country). Many of the gravestones had been previously repaired with techniques and materials that are now deemed damaging.

Article 24 was approved for the purchase of the 5 acre Blairhaven Retreat from the New Church Union for \$3 million (\$800,000 to be borrowed short term) plus \$150,000 for ancillary costs. The property is to be used as a park for passive recreation and to improve access to the waterfront for the residents of Duxbury. The property is comprised of two undeveloped lots on Crescent Street and a 2.83 acre waterfront lot containing three buildings: a retreat center with an

outdoor chapel, a caretaker's cottage and a garage. The 390 feet of frontage on Kingston Bay is rocky and tidal and the property is adjacent to the Howland's Landing.

Initially the Article did not receive the requisite two-thirds vote and failed by a vote of 389 in favor to 209 opposed. A Motion was made and seconded to Reconsider Article 24 and this Motion was approved. A third Motion was made to move the question and this Motion was approved by the requisite two-thirds vote. Finally, a Motion to approve Article 24 was made and this Motion was approved by the requisite two-thirds vote of 302 in favor to 116 opposed.



Blairhaven Waterfront Overlooking Kingston Bay

As discussions with the Church became more earnest, the CPC realized the need for a committee to review all possible uses of Blairhaven and its three buildings. Prior to Town Meeting the Town Manager appointed a committee for the purpose of making recommendations to the Selectmen. Additional members from the Crescent Street neighborhood were added after town meeting.



The Outdoor Chapel at Blairhaven

Article 25 was approved for the purchase of 29 acres of Koplovsky land on Summer St., including ancillary costs, for \$447,095. The property is comprised of two ponds, wetlands, and a 6.5 acre building lot. It is adjacent to the 155 acre Lansing Bennett Forest and designated as Priority Habitat for Rare Species and Estimated Habitat for Rare Wildlife in the Mass. Natural Heritage Atlas.

The CPC strives to achieve the goal that was put forth by the Land Acquisition Task Force in 2000. The Task Force recommended adoption of the CPA and that 30% of undeveloped land, or 1,500 acres, remain as open space in Duxbury for the protection of our groundwater, the historic character, and the quality of life that we enjoy in our town. Voters have approved the expenditure of \$11.4 million (76% of all CPA expenditures) for 541 acres. The challenges facing this task are the multi purposes of the Act; funding; real estate values; willing sellers; and most importantly, the commitment of the voters.

Article 26 was approved for the appropriation of \$9,550 for a Donnegan System in the Town Clerk's office for the storage of historically significant records.

Article 27 was approved for the appropriation of \$330,000 for the mortgage assistance program for affordable housing. This program was initially funded in 2009 and money is to be used to buy down mortgages, administration, and marketing. The purchased property will be deed restricted. The CPC closed out the 2010 article for the Recycling of Houses (moving affordable houses) as the Housing Assistance Program has been more successful.

Acknowledgements

The Community Preservation Committee would like to express its appreciation to the many individuals who have contributed to the success of this program, including Selectmen Betsy Sullivan, Shawn Dahlen, and Christopher Donato; Town Manager Richard MacDonald; Finance Director John Madden and the Accounting Department; and Town Counsel Robert Troy. Special thanks to Pam Johnson and Conservation Administrator Joe Grady who oversee the administrative demand and to DPW Director Peter Buttkus who has done an outstanding job maintaining the lands and buildings preserved with CPA funds. The CPC would also like to recognize the Finance Committee and Fiscal Advisory Board, who undertake an annual review of all CPA projects being presented to the Annual Town Meeting. The CPC also appreciates the attendance of Frank Mangione, member of Fiscal Advisory, and George Wadsworth, member of Planning and Water Advisory Boards, for their contributions to the meetings.

Respectfully submitted,

John Bear, Chair (Planning Board)
Tony Kelso (Member at Large and Town Historian)
Brendan Keohan (Housing Authority and Local Housing Partnership)
Pat Loring, Vice Chair (Open Space Committee)
Holly Morris (Conservation Commission)
Sarianna Seewald (Member at Large)
Norman Tucker (Historical Commission)

***Community Preservation Funded Projects and Total Appropriations
FY 2002 – FY 2012***

Project	Date FY	Historic	Open Space	Housing	Recreation	Total
Delano Farm	2002/2003		1,374,000	336,000		1,710,000
Congress St.	2002/2003		64,000	256,000		320,000
Hamadeh Property	2002/2003		115,000			115,000
Keene St. Playing Field	2002/2003				125,000	125,000
King Caesar Roof & Wharf	2002/2003	89,200				89,200
<i>Total FY 2002/2003</i>	2002/2003	89,200	1,553,000	592,000	125,000	2,359,200
Swanson Property	2004		76,000			76,000
Wright Building Analysis	2004	50,000				50,000
Conservation Fund	2004		100,000			100,000
Stewardship for Open Space Acquisitions	2004		32,479			32,479
<i>Total FY 2004</i>	2004	50,000	208,479			258,479
Town Graphic Information System	2005		13,800			13,800
Keene St. Playing Field	2005				71,500	71,500
Tarkiln Building Study	2005	35,000				35,000
Island Creek Historic Fish Ladder	2005		70,700			70,700
Historic O'Neil Dairy Farm	2005		1,550,000			1,550,000
Wright Building Plans and Specifications	2005	153,000				153,000
Jaycox Tree Farm	2005		620,000			620,000
<i>Total FY 2005</i>	2005	188,000	2,254,500		71,500	2,514,000
Wright Building Reconstruction	2006	2,947,343				2,947,343
Bluefish River Firehouse	2006	9,800				9,800
Town Green Irrigation	2006		23,000			23,000
Jaycox Legal Expenses	2006		8,000			8,000
<i>Total FY 2006</i>	2006	2,957,143	31,000			2,988,143
Island Creek Historic Fish Ladder	2007		35,000			35,000
Round Pond & O'Brien Cranberry Bogs	2007		281,000			281,000
Nudd Bog	2007		237,000			237,000

Project	Date FY	Historic	Open Space	Housing	Recreation	Total
Housing Consultant	2007			30,000		30,000
Alden House Window Restoration	2007	30,000				30,000
Total FY 2007	2007	30,000	553,000	30,000		613,000
Historic Survey	2008	6,000				6,000
DHS Playing Field, Site Work/Drainage	2008				500,000	500,000
Tarkiln Plans & Specifications	2008	125,000				125,000
Total FY 2008	2008	131,000			500,000	631,000
Grange Purchase	2009			70,000		70,000
Homeownership Prg.	2009			500,000		500,000
Berrybrook Fields	2009		2,163,000			2,163,000
Camp Wing Open Space & Housing Land	2009		815,000	225,000		1,040,000
Total FY 2009	2009		2,978,000	795,000		3,773,000
Camp Wing Housing Plans & Specifications	2010			50,000		50,000
Recycling of Houses	2010			100,000		100,000
Tarkiln Partial Restoration	2010	435,720				435,720
Historic Survey	2010	9,000				9,000
WWI Memorial Restoration	2010	75,000				75,000
Conservation Fund	2010		77,450			77,450
Total FY 2010	2010	519,720	77,450	150,000		747,170
Grange Housing Project	2011			150,000		150,000
Project	Date FY	Historic	Open Space	Housing	Recreation	Total
Congress St. Cranberry Bogs	2011		162,000			162,000
Camp Wing Issac Keene Barn	2011	85,000				85,000
Historic Survey	2011	55,000				55,000
First Parish Windows	2011	50,000				50,000
Total FY 2011	2011	190,000	162,000	150,000		502,000
Old Town Hall Restoration	2012	250,000				250,000
Keene Mill Restoration	2012	30,000				30,000

Project	Date FY	Historic	Open Space	Housing	Recreation	Total
<i>Standish & Mayflower Gravestone Restoration</i>	2012	58,000				58,000
<i>Blairhaven Land and Ancillary Costs</i>	2012		3,150,000			3,150,000
<i>Koplovsky Land Acquisition</i>	2012		447,095			447,095
<i>Town Clerk Record Filing System</i>	2012	9,550				9,550
<i>Homeownership Assistance Program</i>	2012			330,000		330,000
Total FY 2012	2012	347,550	3,597,095	330,000		4,274,645
Combined Total FY 2002-2012		4,502,613	11,414,524	2,047,000	696,500	18,660,637

Conservation Commission

The role of the Conservation Commission is to administer the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, s 40 and the Town of Duxbury Wetlands Protection Bylaw, Chapter 9 of the Town's General Bylaws, and related regulations. The purpose is to protect wetland resource areas and adjoining land areas by controlling activities deemed likely to have a significant or cumulative adverse effect upon protection of resource area values, including but not limited to the following: protection of public or private water supply; groundwater; flood control; erosion and sedimentation control; storm damage prevention, including coastal storm flowage; prevention of water pollution; fisheries, shellfish, wildlife habitat, rare species habitat, recreation, agriculture, aquaculture and aesthetics.

The role of the Conservation Commission not only includes wetland protection but land management and acquisition. In May, the Conservation Commission became the owner of a small parcel of land on Keene St. This 1.96 acre piece was sold to the Town in memory of Phillip Swanson, an open space advocate from Hingham. The Town also closed on the Crowell property off Congress Street. From that property, 43.35 acres will be deeded to the Conservation Commission which brings the total acreage of Commission holdings to 2,588.76 acres.

Mike Seigfried and Steve Ripley, student interns working on conservation land this season, left in July to start work in their field of study. Max Mello and Tyler Genereux were hired as replacement interns to perform regular land maintenance activities on town owned conservation land.



Christmas Tree cutting at the Jaycox Tree Farm

Another successful Christmas tree season took place at the Jaycox Tree Farm on December 4 and 5. A total of 218 trees were sold. With Phil Benjamin's assistance, a forest stewardship plan was completed for the 348-acre Lansing Bennett Forest with a \$4,594 grant from the State of Massachusetts. The plan will guide us in land management for this parcel.

The Massachusetts Department of Environmental Protection also awarded the Conservation Commission \$58,000 to further assess pollution sources from roadway drainage in the Kingston Bay area. The work is a continuing effort to identify and reduce pollution from entering into the Nook area of Kingston Bay. The hope is to end swimming beach closures and to open additional shellfish beds for harvest.

This year we banded the largest number of osprey chicks ever on the South Shore. With the help of Norman Smith from the Trailside Museum, a total of 26 chicks were banded on 12 poles between Quincy and Plymouth; 10 chicks were born in Duxbury. Since 1990 when the program began, 252 chicks have been banded on the South Shore.



**Bog off East Street, owned by the Duxbury Conservation Commission
Harvested by the Doyle Cranberry Corp**

Sam Butcher and Thomas Gill, MD were reappointed to the Conservation Commission for an additional three years. They continue to dedicate volunteer time to conservation efforts in Duxbury.

The Conservation Commission wishes to thank the DPW Director Peter Buttkus, Ed Vickers, Jim Savonen, Bruce Duffy, and Bruce O'Neil from the Department of Public Works for their valuable assistance in maintaining the conservation areas in Duxbury.

Respectfully submitted,

Joseph Messina, Chairman

Thomas Gill III, Vice-Chairman

Samuel Butcher, Dianne Hearn, Barbara Kelley, Holly Morris, Corey Wisneski

Duxbury Bay Management Commission

The Duxbury Bay Management Commission (DBMC) consists of nine members appointed by the BOS and serving three year staggered terms. Members must have an interest in the Bay including but not limited to aquaculture, boating, commercial and not for profit waterfront users, ecology, shellfish and finfish or have experience that enhances the diversity of the Commission. The Commission is not a regulatory body, but instead serves in an advisory role for the BOS and to other Bay related committees and groups.



Oyster farmer's shack in Duxbury Bay

Mission: to implement and maintain a management plan that will enhance and preserve the ecological health, pristine waters, and natural beauty of Duxbury Bay for future generations while sustaining harmony among all its uses.

Powers and duties: Evaluate and review any proposed change in Bay use and access, inclusive of structures, and all Bay related issues requiring the action of the Board of Selectman (BOS), Duxbury Conservation Commission (DCC), Zoning Board of Appeals (ZBA), Planning Board (PB), Harbormasters Office and Board of Health (BOH) involving Coastal Resource Areas as

defined in M.G.L. c.131 S40 and the Town of Duxbury Wetlands Bylaw (Chapter 9 General By-Laws of the Town of Duxbury).

FY2011 activities: The Commission's principal activities during FY2011 were as follows:

- Completion of the first State of the Bay Report providing data collected over the past five years on water quality, bay use, and resource abundance and diversity.
- Finalized the Duxbury Bay storm plan.
- Continued work on an update of the 2005 Bay Management Plan.
- Worked with the Harbormaster Department to draft new guidelines for dinghy storage and identification.
- Supported acquisition and organization of Blairhaven property.
- Began work on surveying existing Ways to the Water and establishment of maintenance and identification guidelines.
- Provided comments on a variety of projects with the potential to affect the bay.
- Coordinated efforts with Corps of Engineers and other bay stakeholders in connection with maintenance dredging.

The Commission meets on the second Thursday of each month. Meetings are at the Senior Center and begin at 7:00 PM.

Respectfully submitted,
Jon McGrath, Chair (6/30/11)

Commission Members and officers as of 6/30/11

Walter Amory	Skip Bennett	Jon McGrath
John Brawley-Clerk	Linda Brodie	Shawn Dahlen, BOS liaison
Sam Davenport	Chuck Leonard	
JR Kent	Joe Messina	

Historical Commission

Survey of Historic Properties

June 2010 saw the completion of a fifth phase of Duxbury's Town-Wide Survey of Historic Properties sponsored by the Historical Commission and currently made possible by Duxbury Community Preservation Act funding. This phase saw an additional 29 town historic resources documented and evaluated and entered in the Massachusetts Historical Commission database.

With renewed funding from the CPA at 2010 Annual Town Meeting, a new three-year phase has begun with Architect and Preservation Consultant, Wendy Frontiero, under contract with the Town to perform this work. With a contracted consultant in place in late January of 2011, the Historical Commission worked to assess all those properties to be surveyed in all three years and identified those to be included in the first year. In early May, members of the Commission

conducted, with the Consultant and her Assistant, a town-wide drive-about to evaluate those properties chosen for inclusion. A list of some 45 properties was finalized and work began.

Administration of the Town's "Demolition of Historically Significant Buildings By-Law"

The Historical Commission received notice from the Inspectional Services Department regarding permits requested on 12 properties involving some degree of actual or potential demolition. During the year of this report, the Commission conducted 12 site visits, held two (2) Public Hearings on Applications for Demolition and imposed two (2) 6-month demolition delays.

Summary of actions taken by the Commission on 12 applications:

- 45 Summer Street: apart from age, did not meet By-Law criteria, complete demolition allowed.
- 735 Franklin Street: apart from age, did not meet criteria, complete demolition allowed
- 180 High Street: complete demolition request, Public Hearing held, 6-month delay imposed.
- 24 Standish Street: complete demolition request, Public Hearing held, 6-month delay imposed.
- 566 Bay Road: partial demolition allowed, extension of shed dormer and addition of window.
- 105 Washington Street: complete demolition, remains of minimal integrity, not original to site, demolition of shed garage allowed.
- 18 Puritan Road: demolition of barn/shed and rear ell allowed, not regulated by By-Law, partial demolition of main structure to allow for addition/expansion of interior space allowed.
- 27 Sunset Road: partial demolition, portion of structure impacted by addition of porch not regulated by By-Law.
- 18 Mullins Avenue: complete demolition, site visit conducted, no action necessary, house was saved from potential demolition through purchase.
- 254 West Street: partial demolition, site visit conducted, formal application not yet submitted.
- 31 Shipyard Lane: complete demolition, Commission voted for Public Hearing, resolution outside period being reported.
- 22 Mayflower Avenue: site visit conducted, resolution outside period being reported.

The Historical Commission herewith wishes to express its gratitude and appreciation for the cooperation and support of Scott Lambiase and the staff of the Inspectional Services Department of the Commission's efforts to administer the Demolition By-Law in a professional and effective manner. The assistance of other town departments and entities is also hereby duly noted.

Other activities and efforts

- The Historical Commission remains in continual communication with the Massachusetts Historical Commission and other state entities regarding any number of issues regarding public policy and matters affecting the Town of Duxbury. The Commission responds to requests for letters of opinion and/or support and, if deemed appropriate, will vote on matters within the Commission's purview.

- During the year, the Commission has worked to achieve an improved level of communication regarding the workings of the Demolition By-Law and the regulations and timelines contained therein.
- The Commission has revised its Mission Statement.
- Commission member, Leslie Lawrence, compiled a *History of Duxbury*, with input and suggestions from the all members which now appears in the **2011-12 Duxbury Telephone and Online Directory**.
- The Historical Commission also has representation on other committees such as the Local Historic District Committee and the Community Preservation Committee.
- The Commission meets on the third Thursday of each month. Unless otherwise noted, meetings are held in the Duxbury Town Hall, Lower Level, Small Meeting Room and begin at 7:00 PM.

Respectfully submitted,

Norman P. Tucker, Chair

Commission Members:

Robert (Terry) Vose, III, Vice-Chair

Laura Ricketson Doherty, Clerk

Retta (Lee) Adams

Leslie Lawrence

Lois M. McKeown

R.T. "Tag" Carpenter

James Nihan, Ex-Officio

Inspectional Services Department

The Inspectional Services Department offers this report for inclusion into the FY11 Town Report.

The report includes the breakdown of the **1,877** permits issued by the Department.

Permitting has been consistent with the previous year's numbers and we continue to update and add features to our website and Contractor's Information Center.

Once again, I thank my staff for their commitment to their duties and their support to me and to the Zoning Board of Appeals, the Health Department, the Historical Commission and the Design Review Board.

I would also like to thank the Town Manager and the Board of Selectmen for their continued support.

Respectfully submitted,

Scott J. Lambiase

Director of Inspectional Services

Board of Health

The Duxbury Board of Health consists of five members appointed for three-year terms by the Selectmen. The Board of Health's duties relative to the protection of public health, the control of disease, the promotion of sanitary living conditions and the protection of the environment include: enforcement of State Sanitary Codes, as well as smoking rules and regulations, oversight of the permitting for septic systems, restaurants, semi-public and public swimming pools, beaches and recreational camps for children.

The Board of Health retained its current membership with Dr. David Brumley as Chairman and Clinton Watson as Vice Chairman. Clint Watson was reappointed for additional three-year term. Board Members continue to actively participate as Board of Health liaisons on other local committees and boards.

The Duxbury Bay Area Regional Medical Reserve Corps (MRC), a partnership between Duxbury, Hanson, Marshfield, Pembroke and Whitman, is a group of concerned residents with clinical or administrative skills who will assist the towns' health departments and other responders in a local, large-scale public health emergency. These volunteers also help at regular public health services/events such as triathlons and the H1N1 flu clinics. MRC members attend trainings and occasionally engage in drills to reinforce the training they received.

During the period of July 1, 2010 through June 30, 2011, the Board received and granted eighteen (18) requests for variances to Duxbury Supplementary Rules & Regulations and Title 5; and, approved a Green Burial Site @ St. John's Church on Washington Street.

The Massachusetts Department of Public Health placed an intern studying Community Health Nursing at Worcester State College Graduate School with the Board of Health Office. The intern submitted several press releases and disseminated information to our residents focusing on educating the public about prevention and awareness. The Board continues to serve by collecting and disseminating information on communicable disease to the schools and community. Our goal is to help the community of Duxbury prevent, prepare for and respond to disasters, pressing public health needs and emergencies of all kinds.

Respectfully submitted,
Dr. David Brumley, Chairman
Clinton Watson, Vice Chairman
Jerry Janousek
Bruce Bygate
Karen Tepper

BOH Permits Issued:

Disposal System Construction Permits	
New Systems	67
Repairs of Existing Systems	31
Percolation Tests	52
Installers Permits	39
Septage Haulers Permits	18
Solid Waste Permits	6
Food Establishment Permits	46
Miscellaneous Food Permits (includes farmers market, milk & cream, catering, bakery, etc.)	704
Miscellaneous Health Permits: (includes camps, swimming pools, tanning facilities, barns, dumpsters, wells, tobacco)	88

TOTAL Board of Health Permits	417
--------------------------------------	------------

Building Permits Issued:	Total No.	Estimate
Attached Garage	4	\$915,940
Demolitions	17	\$252,000
Detached Garages - Residential	5	\$415,950
Fences	5	\$136,800
Foundations	8	\$142,500
Home Occupation	1	
Mechanical	6	\$36,450
Non-Residential Additions/Alterations	15	\$3,567,721
Pergola	1	\$4,000
Portable Toilets	22	
Quick Permits	186	\$1,617,139
Residential Accessory Buildings	10	\$230,753
Residential Additions/Alterations	153	\$6,187,449
Retaining Walls	3	\$73,125
Sign Permits	11	
Single Family Houses	7	\$2,180,500
Solar Panels	2	\$26,800
Swimming Pools	9	\$236,300
Temporary Trailer	2	\$37,000
Tennis Courts	1	\$30,000
Trench Permits	110	
Wood and/or Coal Stove Permits	18	\$105,700
Zoning Permits	17	\$58,900
Electrical Permits	334	
Plumbing/Gas Permits	513	
TOTAL Building Permits:	1460	\$16,254,027

INSPECTIONAL SERVICES FEES COLLECTED

Board of Appeals-Fees	\$5,850
Board of Health	\$65,183
Building	\$147,837
Copies	\$1,374
Plumbing/Gas	\$36,491
Weights and Measures	\$2,627
Wiring	\$22,280
TOTAL	\$281,642

Design Review Board

The Design Review Board, with five members and two alternates appointed by the Selectmen, meets the fourth Tuesday of each month and makes recommendations on special permits to the Zoning Board of Appeals. Before an application for a special permit is heard by the ZBA, the Design Review Board examines the application and evaluates the design, considering scale, mass, proportion, roof lines, and materials.

Special permits govern renovations or additions to residences deemed “non-conforming” because they are on non-conforming lots and do not meet setback requirements. We also review applications for commercial buildings and for large “40 B” projects. Finally, we review changes proposed for homes within “cluster zones”.

If the application or proposal is for an addition, we consider compatibility with the existing structure, how the addition will harmonize with the neighborhood and how the streetscape is affected. We also consider what the impact will be on the neighbors. If the proposal is for new construction, we apply the same principles. If we think a design needs some alterations in order to improve it, after some study we offer suggestions as how they can be done.

During the past year of 2010 we examined 21 applications for special permits.

Respectfully submitted,
Sarah McCormick, Chair
Judy Hall
Nancy Johnson
Robert Mustard

Steve Williams
Alternate: Sue Bourget

Weights & Measures

The sealer makes determinations between the two parties based on the laws and regulations written in Handbook 44, which has been accepted by the Commonwealth of Massachusetts.

To the Town of Duxbury Residents:

It has been my privilege to serve as your Sealer of Weights and Measures for the last six years. This has been a rewarding experience, servicing both buyers and sellers in Duxbury. I want to thank all of the various town employees for their cooperation, especially the Department of Inspectional Services and their director, Scott Lambiase.

Sincerely,
Harold Tuttle

Open Space & Recreation Committee

The Open Space Committee makes the following report of activities/changes in FY 2011:

- Open Space Committee members participated in the O'Neill Farm Day. Jacques Pelletier and I did the barbequing for the day.
- The Open Space Committee ran its annual Fall Foliage Festival in October. Committee members were out on several trails with maps to guide people over the trails and to introduce them to our wonderful trails system.
- Open Space Committee members with the help of the Town DPW cleared brush and debris from the Swanson Meadow.
- Chairman Paul Costello was selected to attend the Keystone Project at the Harvard Forest in Petersham, Ma. It is put on by the University of Massachusetts Forestry Dept. It was 4 days of lectures and field work. He received a bounty of books, handouts and contacts. When he returned he made a report to the Open Space Committee and the Conservation Commission. The main topic of this conference was forest management.
- Committee members volunteered to sell Christmas trees at the Jaycox tree farm.
- Open Space Committee members visited a conservation restriction site for inspection and to see if the guidelines were being followed.
- Committee members worked hard to educate folks on the CPC projects that pertain to Open Space.
- The Committee ran its annual Scavenger Hunt at Myles Standish Reservation. Over 20 families attended and were given prizes and refreshments, as well as picked up the area.

Respectfully submitted,
Paul F. Costello, Chairman

Planning Board



The Duxbury Planning Board

*Pictured (top row L-R): Josh Cutler, Brian Glennon, George Wadsworth, John Bear;
(front row L-R): Jennifer Turcotte, Amy MacNab, Cynthia Ladd-Fiorini.*

The Duxbury Planning Board hit the ground running at the beginning of fiscal year 2011, approving two Definitive Subdivisions and one Residential Conservation Cluster. The Definitive Subdivision projects were small in scale, resulting in a net total of only three new lots combined. The Residential Conservation Cluster, which was withdrawn during the Definitive Subdivision process, would have created six lots off of Bow Street, triggering the Inclusionary Housing Bylaw. Five Approval Not Required plans were endorsed, most simply selling portions of land to abutting properties, with no net increase in the number of buildable lots.

The Planning Board reviewed and approved a total of five Administrative Site Plan Review projects during the year. Among the approvals were one new cell tower on a residential lot and one modification of a previously approved cell tower. The Board also approved a proposed parking lot on the corner of Washington Street and Mattakeesett Court that would expand private parking for the Duxbury Yacht Club. Two municipal projects were approved: one to expand the Central Fire Station on Tremont Street, and the other to construct a new crematory at Mayflower Cemetery.

The Planning Board actively participated in Annual Town Meeting 2011, sponsoring six warrant articles. The Board continues to seek reinforcement of regulations that preclude multiple dwellings on a lot, although local builders and designers are among the strong proponents of guest houses that serve temporary visitors. Toward the end of the fiscal year the Board of Selectmen put together a Zoning Bylaw Review Committee to review any inconsistencies in the Zoning Bylaws, and the Board has appointed a representative, George Wadsworth, and looks forward to participating in the review process.

The Planning Board welcomed two new members during the past fiscal year. In March 2011 Brian Glennon was elected to fill the unexpired term of Harold Moody until 2013, and Jennifer

Turcotte was elected to a five-year term after Brendan Halligan fulfilled his five-year term with the Board. The Board wishes to extend its sincere appreciation to Brendan and Harold for their dedication and high level of professionalism during their tenures. All Planning Board officers were re-elected, with Amy MacNab as Chairman, George Wadsworth as Vice-Chairman, and Cynthia Ladd Fiorini serving as Clerk.

Board members continue to actively participate as Planning Board representatives on other local and regional committees and/or boards: Affordable Housing Trust, Alternative Energy Committee, Community Preservation Committee, Economic Advisory Committee, Land Use Group, Local Housing Partnership, Metropolitan Area Planning Council – South Shore Coalition, Massachusetts Bay Transit Authority Advisory Board, the Open Space and Recreation Committee, and the Zoning Bylaw Review Committee.

In addition to its primary work with the Planning Board, the Planning Department also serves as limited staff for the Economic Advisory Committee, Local Housing Partnership, Local Historic District Committee, Zoning Bylaw Review Committee, and Alternative Energy Committee.

Looking ahead to the coming fiscal year, the Planning Board will be utilizing U.S. census data released during this past year in order to recalculate a build-out analysis for an update to the town's 1999 Comprehensive Plan. This analysis will guide the town's focus toward the future and provide a basis for maintaining Duxbury's charming rural and historic character.

The Board would like to thank Thomas Broadrick, Planning Director, and Diane Grant, Administrative Assistant, for their support during the past fiscal year, and town residents for their continued participation and input. In the coming year, as always, the Planning Board looks forward to serving the best interests of the residents of the Town of Duxbury.

Planning Board members:

Amy M. MacNab, Chair	Josh Cutler
George D. Wadsworth, Vice-Chair	Brian E. Glennon II
Cynthia Ladd Fiorini, Clerk	Jennifer Turcotte
John P. Bear	

Sidewalk & Bike Path Committee

We continue to meet the first Tuesday of every month at 7:30 PM at the Senior Center. Our agenda continues to be to expand and enhance the network of sidewalks and bike paths in Duxbury. We are under the belief that having more sidewalks and bike paths would promote safety, provide a mode of transportation that is environmentally-friendly, create a sense of community, enhance commerce and add to the allure of our town.

Issues that we discussed during the year noted above were as follows:

- Proposed locations for sidewalk/bike paths; we considered and continue to consider the best location to build sidewalks/bike paths using the following criteria:

- congestion - would it be beneficial for safety reasons
- feasibility - would abutting property owners be receptive and would construction be reasonable
- cost - would project be cost efficient

Several locations have been discussed and the committee is hopes to target a project shortly.

The committee also began the process of having long-term goals/plans organized.

In May of the reported year the Committee organized and ran what we called "The Green Mile"- A ride/walk event down Washington Street from the Student Union. The Green Mile was in conjunction with MassBike week that builds awareness for safe riding in Massachusetts. Several vendors donated items and the event was a huge success.

The committee also researched several funding options that may or may not be available to them. Several state and federal agencies have grants that a sidewalk/bike path may qualify for and all are being thoroughly researched.

The committee continues to welcome any and all citizens for their input and suggestions.

Peter Sullivan, Chairman

Shellfish Advisory Committee

There continues in place a moratorium on the granting of new aquaculture licenses. Aquaculture rules and regulations are in the process of being updated.

Tarkiln Committee

The Tarkiln Community Center is a town-owned historic building located at 245 Summer Street. Tarkiln consists of two one-room schoolhouses, the first of which was constructed in 1871 and the second in 1908, with a connector building constructed in 1925 to provide central heating and indoor plumbing. The Tarkiln property also includes two tennis courts and two little-league baseball fields which were constructed in the 1930s as part of the Works Projects Administration.

Tarkiln was operated by the Duxbury school department from 1871 until 1949. After closing as a school in 1949, the building was operated as a community center under the auspices of the Tarkiln Trustees with the support of the Tarkiln Neighborhood Association. The buildings were closed due to storm damage in 2006.

As of July 1 2010, the CPC-funded Tarkiln Partial Restoration project was well underway. Campbell construction of Peabody completed their work in September.

In August the Interior Department of the U.S. Federal Government accepted the Tarkiln Twin Schoolhouses into the National Register of Historic Places as a National Historic Landmark. Members of the Duxbury Historical Commission and the Tarkiln Committee were instrumental in accomplishing this goal.

In the fall, a significant amount interior finish work and several regulatory compliance tasks required to open the building were performed by the Sheehan family with support from the Friends of Tarkiln. Their exceptional personal effort carried the Tarkiln Partial Restoration project over the finish line.

Other notable contributions to the restoration included a high durability epoxy floor donated by Duromar Corporation. The epoxy flooring was installed in the 1925 connector by the Friends of Tarkiln. Also, Linda Kucera of Hingham performed a meticulous restoration of the original large double-hung windows in the 1871 South Hall. As a result of the window restoration project, the full set of 5 magnificent windows lining the south wall of the building were rendered fully operable, with exterior storm windows for energy efficiency installed by Campbell Construction.

The building was officially reopened to the public in a well-attended ceremony on January 8th 2011. Activities at the building commenced the very next weekend with meetings, classes, and parties large and small.

In the spring Sustainable Duxbury donated trees for the front yard which the Town installed. The town replanted grass in the front yard, installed drywells to resolve exterior drainage issues around the building, and installed a split rail fence around the front yard.

As of June 30, 2011 the Recreation Department was signing up renters for the Tarkiln Twin Schoolhouses such as community organizations holding meetings, dance classes, and other private activities on most days of the week. Utilization was continuing to gradually increase.

The Tarkiln Committee's charter was allowed to expire on June 30, 2011 as the goal of the Committee had been accomplished. The Friends of Tarkiln continued to support this valuable public resource for the Town of Duxbury, having established a fundraising drive with the goal of finishing the restoration of the kitchen to restore Tarkiln's full capabilities.

Respectfully submitted,
Tarkiln Committee:

R. Taggart Carpenter, Chair
Richard Cowen
Robert C. Vose, III

Town Building Committee

The Town Building Committee was appointed by the Town Manager to work with the DPW Director to help in developing and overseeing the Town's building and maintenance projects. The Committee members represent professionals with Engineering, Architectural and

Construction backgrounds. In addition the DPW and Inspectional Services Directors are ad hoc members.

The Committee is not a substitute for any individual Building Committee, such as the School, Public Safety and Crematory Committees that are currently working on specific building projects. We have met with each of the Committees and the professional expertise of the Town Building Committee is available if requested.

Over the next year, the Committee is looking at the establishment of a Facilities Manager position for the Town. The person hired to fill the position will have as one objective the responsibility of creating a Town Building maintenance and replacement plan. The Committee will also be working with the DPW Director in putting together a plan for a new Town DPW Garage/Building.

Respectfully,
F. Mangione, Chair

Town Historian

A fun aspect of a Town Historian is helping to recover the lost history of buildings and landscapes of current town projects.

I was fortunate to work on several projects this past year for the town of Duxbury- the story of the landscape of the new town park off Crescent Street at what was known as Blairhaven, and the history of the Old Town Hall building as it got a much needed renovation.

The land of Blairhaven has a history as far back as Myles Standish, when it was the first part of his farm sold off in 1740s. The Drew family started an early shipyard there, being convenient to the lumber of Captain's Hill and the deep-water channel on that side of the hill. The shipyard lasted for over a hundred years, yet the only visual reminders today are a fieldstone cellar hole that marks the site of one of the Drew houses, that stood until 1928. After 1870 it also became the landing for the stone for the building of Myles Standish Monument, as well as part of a scheme that never became reality of a spur of a railroad and a wharf for a steamer to Provincetown.

After 1900 the land became the summer estate of Samuel Howland of Brockton, for whom Howland's Landing was named. After his death in 1932 the land and buildings became the summer retreat and camp for the Mass. New Union Church who named it Blairhaven after a benefactor. The stunning sloping bayside site is now entering a new era in the 21st century as a quiet seaside park for all to enjoy.

Old Town Hall is such a part of our hometown landscape that we have almost forgotten what a perfect example of a Greek Revival building it is. It was built in 1840, originally called the Town House, and was the first building of the three that included the First Parish Church (1841) and Partridge Academy (1844). It was completed under budget and on time, which even then was a

remarkable feat for a town project. The deliberation even included the discarded idea of moving the older Third Meetinghouse off its original site next door and turning that into a Town Hall.

From 1840 to 1927, town meetings were held there, but it was also a true community center and performing arts center of its time, as everything from traveling performers, to fairs, to gatherings of all kinds for many groups were held there. Later it served as a youth center, before its present function as office space for the Town Manager and the Selectmen.

The mystery of the Old Town Hall continues to be its architect. Clearly it was someone with an excellent eye and plan for a perfectly proportioned building. My guess to its creator is Whittemore Peterson of Ashdod (1784-1862), an unsung and largely unknown Duxbury resident who is credited with designing and building more than seventy church and other civic buildings throughout Plymouth County during his lifetime. He was underappreciated even in his own time for his clear sense of what makes a civic building shine. As Old Town Hall gets reborn, we can once again appreciate the eye and hand that created the gem of the Town House 171 years ago.

As we close out the year 2010/11, we can also look forward to the coming town-wide celebration of Duxbury's 375th year of incorporation that will be a highlight of the year 2012.

Respectfully submitted,
Tony Kelso
Town Historian



Old Town Hall, circa 1910

Library & Schools



Duxbury Free Library
School Superintendent

Duxbury Free Library

FY2011 was a momentous year in library history. Long-time Director Elaine Winqvist retired on January 7, 2011. The beautiful gardens, the wide array of programs and services, an adequately compensated staff, and successful collaboration with the schools, and cultural and historical organizations are a tribute to her professionalism and dedication to the Duxbury Free Library. Elaine's ability to build bridges and embrace change has contributed to the remarkable use of the library by a wide spectrum of residents. The library is a community destination and Elaine did a great deal to enhance its appeal. Elaine's retirement initiated some internal staff shifting. A search committee recommended Carol Jankowski to the Board of Trustees and the Town Manager as the top candidate for Director. Denise Garvin, formerly of the Reference Department, was welcomed as the new Head of Circulation. Her former position was reduced by the town to 19 hours, and Suzanne Gunnerson now fills those shoes. It is hoped that this position will be restored to full time in the next fiscal year. Due to budgetary constraints, one library associate position remains unfilled in the circulation department and the library now shares one of our two custodians with the police department. This has resulted in a 12 hour reduction of custodial tasks and general building maintenance in our aging 40,000 square foot facility which is open six days a week, and seven days a week in the winter months.



Duxbury Free Library

This year, the library welcomed 194,427 visitors. Library staff circulated 247,909 items from our main desk and lent 35,701 items to other libraries. We answered 8,159 reference questions, held 259 children's programs, 161 young adult programs, and 68 adult programs. Overall attendance at these events was an impressive 10,314. During the school year, hundreds of students arrived at our doors between 2-3 pm and every seat and computer station filled within minutes.

The explosion of new technology and formats has broadened the scope of our collections. Through the OCLN consortium to which we belong, and our website, library patrons can now download eBooks to their personal reading and listening devices. The Duxbury Library also participates in Overdrive Advantage which provides quicker access to the most popular titles for our residents. Assistance with personal reading devices and downloading electronic content is provided in the Reference Department. The introductions and popularity of new formats such as *playaways* (self-contained books on mp3 players) and *views* (hand held video players with pre-loaded movies) are accompanied by the end of other collections, such as VHS and books on tape.

Ongoing program series include the monthly Poetry Circle, Sunday Salons and numerous author talks in conjunction with Westwinds Bookshop. New ownership at the local bookshop has reinvigorated literary programming. We also continue our collaboration with the Duxbury Rural and Historical Society which provides a rotating exhibit of historic fashion entitled *Threads From Duxbury's Past*. After five years of committed quality volunteerism, former Trustee Jim Mandrell, decided to end the stimulating and beloved Fourth Friday Film Series. Residents are still talking about the unique nature of the films and subsequent conversation; many still hope for another series to begin.



**Author Nancy Gertner with Carol Jankowski, Library Director,
and Westwinds Bookshop representative
Brooke McDonough with daughter Shea**

A unique digital history project took place at the library in October. Together with the Duxbury Rural and Historical Society, the Duxbury Interfaith Council and the Duxbury Senior Center, 67 people shared family images and stories of life in Duxbury for the Mass Memories Roadshow, an initiative of the Massachusetts Studies Project in the Archives & Special Collections Department of the Joseph P. Healey Library at University of Massachusetts Boston and co-sponsored by Mass Humanities. 47 participants were filmed. This historic film will eventually be aired on PAC-TV, and will be available for checkout at the library.

Three well respected trustees, James Mandrell, John Britten and Theodore Flynn chose not to run for re-election. The town election in March brought familiar faces to Library's Board of Trustees. Former Co-Presidents of the Friends of the Library, Brooke McDonough and Donna Ryan, were elected as was Lamont Healy. Laney Mutkoski was voted chair.

Volunteers continue to add value to everyone's experience at the library. Loyal folks provide many hours of service that includes story times on Friday mornings, unpacking new materials, shelving books, gathering items to be sent to other libraries and helping out with special projects.

The Friends of the Library continued their fantastic support for library services. *Birdies For Books*, a mini-golf event at the library on a Sunday afternoon, raised funds and allowed many people to visit as families. President Sarah Keating declared her retirement from the board as her family prepared to move to London. Cristin Mitchell took over as President. Many new Board members have come on to offer their help and expertise. FOL funds purchase close to \$20,000

worth of materials for the library including Mango Online Languages, and Best Friends books. Without these gifts to supplement our collection spending the library would not meet its state requirements. The group also funds all summer activities for teens and children. This year, the group revived a tradition of attending adult author programs to assist with welcoming guests and providing refreshments. With the frequency of programs and with such large audiences, this has contributed to the overall success of those events.

The involvement and support of Duxbury Free Library Incorporated is critical to the library's offerings to the residents. The generosity of this organization allows the library to meet its state mandated materials expenditures by supplementing the materials budget. DFL INC fully funds 17 museum passes, additional audio visual materials and books that could not be afforded through the municipal appropriation.

One of the first duties of the new Director was to participate in strategic Long Range Library Planning. The plan on file had expired. A Long Range Committee was formed, led by former trustee Carl Meier. Ultimately a new mission statement was formulated from identified service responses and a new five year plan was developed. The new mission is as follows:

The Duxbury Free Library provides a welcoming environment where people of all ages can pursue individual and shared interests. The library offers current topics and titles to help fulfill community residents' appetite for information about popular culture and social trends. It provides resources and education to find, evaluate and use information.

All library staff participated in developing goals, objectives and activities. An action plan for FY12 was developed. The entire plan provides a guide for the Director and her staff, the Library Trustees, and all associated groups including the Friends of the Library. It provides clear direction for policy setting, budget development and program and service planning. Although the plan does not address physical facility needs, significant maintenance issues are emerging and will be addressed in an upcoming Capital Improvement assessment. Stewardship of this important community resource is a top priority.

Respectfully Submitted,
Carol Jankowski, Library Director

Library Trustees

Laney Mutkoski, Chair
Brooke McDonough

Paula Harris
Donna Ryan

Laura Sullivan
Lamont Healy

Superintendent Report: Duxbury Public Schools

District Overview

The Duxbury Public Schools continually strives to be a community of learners that appreciates and respects the diverse contributions of all while inspiring a passion for learning, a desire to make a difference and the courage to act with integrity. We sustain our mission by providing a

high quality, comprehensive education enabling students to make connections between learning and life, preparing them to meet the challenges of the 21st Century.

As a dynamic and progressive community, we are committed to the pursuit of Excellence in Academics, Athletics and the Arts.

The Core Values of our District are:

- Building a community of trust
- Making personal connections
- Working to full potential daily
- Accepting personal responsibility
- Acting with integrity
- Communicating clearly, honestly and directly
- Respecting differing values, beliefs and opinions
- Understanding and appreciating the full range of diversity
- Sharing time, energy and resources
- Demonstrating pride in our work and contributions to the school system
- Appreciating the caring and supportive Duxbury community

Strategic Plan

The District is currently in the process of planning for creating a new strategic plan that will take us through the next five years. It will be based on input from the community members and professional staff and create a vision that will guide our education.

School Building Committee

The School Building Committee has created a comprehensive plan to build a co-located middle/high school that will meet the needs of students for many years. The Massachusetts School Building Authority (MSBA) has accepted the plan for the model school program. The building is designed to house 1,735 students in grades 6-12.

Special Education

The Duxbury Public Schools remain dedicated to providing a free and appropriate education to all children in the least restrictive environment. High expectations for achievement are maintained throughout the district for all students including those with disabilities. Special education services are designed to allow students with disabilities to participate in the general education setting to reach their maximum potential. The district's co-teaching model combines the experience, knowledge and skills of general education teachers, special education teachers, therapists and other support staff to ensure the opportunity for academic, social and emotional development in the mainstream environment. Students who may require more intensive services may receive them through learning centers or substantially separate settings, individually or in small groups. Particular focus was directed toward co-teacher training with targeted emphasis in the elementary and middle schools. Workshops were also provided to teachers regarding differentiated instruction, Six Traits of Writing and utilizing data to develop an effective Response to Intervention (RtI) model.

Maintaining Safe Schools

Fostering and maintaining an educational environment where our children are accepted and respected is a fundamental tenet of the school district. We persist in our efforts to embrace differences and demand personal and group accountability. Students are taught how to peacefully resolve differences and make healthy, safe choices. Our educational programming stresses a safe and connected community building self-esteem, pride and confidence. We recognize that conflict is a natural process requiring honest, direct and respectful communication. The school district's consistent response to disrespectful, inappropriate and bullying behaviors provides students with an educational environment where they can thrive.

Alden School Summary

The students, faculty, and families of Alden School enjoyed another fulfilling year, throughout which we endeavored to teach and learn from one another about material in the various academic subject areas, the creative and performing arts, and – just as important – about how to remain a community marked by R.E.S.P.E.C.T. (Responsibility, Effort, Spirit, Pride, Excellence, Cooperation, and Teamwork).

Student Achievements

- Scores of Alden School students joined their counterparts from Chandler to participate in the K-5 Science Fair, which was held in April and sponsored by the PTAs and Battelle Laboratories.
- Dozens of Alden School students, along with students from Chandler, DMS, and DHS, had their artwork on display in the district's spring art show.
- 4th grader Aaden Fantom was among the winners of the *2011 Massachusetts Science Poetry Contest*, which is run through Boston College.

Ongoing Initiatives

- Teachers worked with science consultant Mike Koski to rewrite our district's elementary science scope and sequence, and to learn approaches and techniques with which to enhance the science instruction in which we engage our students.
- Teachers worked with a consultant from the Bureau of Education & Research to learn new ways to differentiate learning experiences for our students.
- Classroom teachers, reading teachers and special educators worked throughout the year with Dr. Chris Parker on tiered instruction and using assessment data to refine work with students (Response to Intervention).
- Our school's reading specialists, along with co-teaching classroom teachers and special educators, received training in Project Read's approach to teaching phonics and to enhancing students' reading comprehension.
- Faculty continued to work at investigating and experimenting with instructional technology and web-based resources for incorporation into students' learning.
- Students engaged in professional development activities in the use of Mimio interactive instructional technology in anticipation of our implementation of those tools in 2011/2012.

Staff Highlights

- At mid-year, long-time Duxbury Public Schools administrator Karen Fruzzetti retired as Alden School's assistant principal. We were grateful to be joined, from January through

June 2011, by Mr. Pat Jackman, who served as Alden's Interim Assistant Principal. In February and March 2011, two existing advisory bodies – the Alden School Council (comprised of faculty members, family members, and a community representative) and the Alden Improvement Team (which is comprised of one teacher from each grade level, as well as one special educator) – worked with Mr. Trombly and Mr. Jackman to screen and interview candidates for a permanent successor to Ms. Fruzzetti. We are delighted to have selected Ms. Karen Whitaker, who joins us from the Marshfield Public Schools, where she had worked as a Teaching Assistant Principal at the Martinson Elementary School.

- 5th Grade teachers Patricia Pietrantonio and Denise Lamare undertook a global learning collaboration with their two classes. Throughout the year, students in these two classes communicated with youngsters from across the globe about such things as the growth and flowering of the tulip bulbs that they had planted around our school in the fall.
- 5th Grade teachers Jennifer Mosesian and Nicholas Tam took on the responsibility of serving as Alden School's *21st Century Learning Facilitators*. Having engaged in much professional development in the area of instructional technology, these two educators serve as valuable resources for their colleagues at Alden School.
- Faculty members competed against the Harlem Rockets in a game that brought smiles to everyone's faces, and which raised funds for the always-busy Alden PTA.
- Duxbury's Special Education Parent Advisory Council bestowed its Excellence in Education Award for the 2010/2011 academic year to Nora Hughes, a special education teacher at Alden and Chandler. The award was designed by the SEPAC board to recognize an individual connected to the school community who "exemplifies the practice of including and educating all students regardless of their disability."
- At its spring banquet in April, the Plymouth County Education Association presented its annual awards to educators selected from among the 7,000 teachers in Plymouth County. Alden School was very well represented:
 - *Rookie Awards* were given to Christine Burke (3rd Grade), Shannon Jones (School Counselor), Courtney Sullivan (5th Grade), and Jamie Rossetti (Special Education).
 - *Honor Awards* – which are given in recognition of Significant Service in one of the following areas: Professional Service, Community Service, or Association Service – were presented to Missy Bateman (4th Grade), Kelly Murray (3rd Grade), Sarah Madigan (4th Grade), and Katie Santos (3rd Grade).
 - *Service Awards* – which honor the contributions to the educational process by non-teaching staff members – were presented to Alden School custodian Tom Cram, and to Alden's School Secretary, Miriam Harriman.
 - PCEA's most prestigious award – *the Loretta Quinlan Award* – is presented to only one teacher in Plymouth County. The recipient is selected from among that year's Citation Award winners. (Citation Awards are given for outstanding service in all three of the following areas: Professional Service, Community Service, and Association Service). Receiving both a Citation Award and the Loretta Quinlan Award was Dr. Carl Swanson (3rd Grade), who had the honor of presenting a \$2,000 scholarship to a graduating senior from Duxbury High School at the close of the 2010/2011 academic year.

Enrichment Highlights

- For the third year, students had the opportunity to participate in the PTA-sponsored "Battle of the Books."
- The PTA-sponsored "Passport Club" completed its second successful year.

- Grade 5 students competed against teams of adults from the community in the PTA-sponsored *Are You Smarter than a Duxbury 5th Grader?*
- The Alden School PTA sponsored the author in residence program for the fourth consecutive year. In 2010/2011, Alden's author in residence was Duxbury's own Barbara O'Connor

Community Initiatives

- Alden School students continue to give back to the community by participating in activities and contributing to drives offered by the PTA's *Reach Out* program.
- Numerous Alden School students participated in the Duxbury Education Foundation's annual spelling bee to help support an organization that has been so supportive of us.

Chandler School Summary

Over 600 Chandler students completed a wonderfully successful 2010-2011 school year. It was a pleasure to welcome more than 170 Kindergarten students and their families to the Early Childhood School. The Chandler staff continues to stress high standards, compassion and professionalism.

Student Achievements

- There were over 200 children who participated in the *Super Reader* Program.
- Seventy Chandler students participated in the Science Fair.
- The PTA Reflections contest demonstrated the tremendous creativity of our students.
- The Duxbury Public School Art Show featured wonderful works created by Chandler students.

Ongoing initiatives

- Differentiated Instruction training continued to be a primary focus with training through BER consultants.
- Response to Intervention (RtI) training with Dr. Christopher Parker continued to improve tiered instruction in the classroom through data analysis and progress monitoring.
- Several faculty members were trained as 21st Century Facilitators, to assist colleagues to enhance instruction with the use of technology.
- Chandler teachers received training and support in the use of Mimios for instruction.
- Chandler teachers worked closely with Mr. Michael Koski, Science consultant, to develop interactive Science units and lessons.
- Several Chandler teachers participated in Project READ training, and one teacher has been trained as a consultant for Duxbury staff.

Staff Highlights

- Several faculty members received their advanced degrees.
- Staff created virtual learning environments that align with 21st Century skills, i.e., blogging and global collaboration.
- Ms. Nora Hughes received the Special Education Parent Advisory Council's Award of Excellence.

Enrichment Highlights

- The Independent Investigation Method (IIM) of research continued to assist children's learning and achievement.
- *Super Reader* Program remains a wonderful success.
- Hundreds of students participated in the first Chandler Math-a-thon.

Community Initiatives

- PTA Helping Hands continues to be a successful initiative with students donating books for districts in need, doll making for hospitalized children, supply collection for servicemen in Iraq and Afghanistan, and food drives to help community members.
- Chandler parent volunteering remains at an all-time high and is truly appreciated.

Chandler Summary

We look forward to welcoming all of our Chandler students for the 2011-2012 school year. A new science curriculum with many exciting hands-on units and activities has been implemented. All K-2 students are currently participating in Study Island and Brain-Pop Interactive electronic programs, both at school and with their families. We are grateful to the Chandler School PTA for making this possible and for supporting our vision of student engagement and passion for learning. Chandler teachers will continue to differentiate instruction in order to support each child to reach his/her potential and to make learning meaningful for every student.

DMS Summary

DMS celebrated a fantastic and action-packed school year. DMS faculty remains committed to providing a rigorous and authentic learning environment. School traditions such as W.E.B., Nature's Classroom, beach research trips, school-wide reads and summer achievement assignments remain a staple. DMS went on-line with its course selection process and piloted the parent portal for access to student's records. Work on curriculum alignment continued.

Student Achievements

- DMS continued its tradition of celebrating student achievement at its annual academic awards night where 32 students received the Hojlo Character award.
- Twenty-five 8th grade students were recognized for excellence within subject areas in Math, English, Science, World Language, Music, Art, Health, and Physical Education.
- Presidential Academic Fitness awards were given to 41 students. These students achieved high honors all terms in their 3 years at DMS.
- One 7th and one 8th grader earned perfect MCAS scores in both ELA and Math.
- Seven additional students received 280 in Math, and five received 280 in ELA.

Ongoing Initiatives

- Several DMS faculty attended a 3-day visioning workshop as part of the new building feasibility study. The highlight of the workshop was the discussion about the possibility of a co-located facility with DHS.
- DMS continued to expand their part in the X2 parent portal pilot as several more staff members opened their grade books for online parental viewing.

- DMS continued its technology curriculum integration. With the help of the DEF, DMS purchased iPads, iTouches and continued to advance 21st century skills in the classroom.

Staff Highlights

- DMS began the year with a new Assistant Principal, 10 new faculty members, and 8 staff members fulfilling different roles either within DMS or from other buildings in our district, all dedicated to student achievement.
- DMS added a full-time School Psychologist.
- Our two maternity leaves were covered by teachers who are highly skilled in their content areas.

Enrichment Highlights

- The DMS School Improvement Club made a huge impact on the building by starting a recycling program, redesigning hallway murals to highlight the Character Counts program and hosted a school clean-up day where students and staff help clean up trash around the campus.
- The DMS RAP club continued its tradition of a winter food drive to help support the local food banks.
- The DMS running club co-hosted the third annual DMS 5K.

Community Initiatives

- DMS PTA hosted the first annual “Minute to Win It” evening.
- DMS PTA gifted DMS ten thousand dollars for technology advancement.
- Faculty volunteered and contributed to the DEF phone-a-thon fundraiser.
- The PTA co-hosted the 3rd annual DMS 5K run and family celebration.
- Faculty and the Student Union continued to develop programs to support middle school aged children.

As always, we will continue our focus on authentic learning as we imbed technology and project-based learning into student instruction. Proven best practices in education such as co-teaching and differentiated instruction will continue. The new student growth model, as a way to show and celebrate individual student growth, continues to be a valuable model of student growth. We are delighted that the prospect of a new middle school looms on the horizon as we continue to support our building as it has reached its useful lifespan. And as always, we look forward to building relationships with our community of learners.

DHS Summary

The high school has had another great year! Our reorganization of the DHS Guidance program better served all students. The third full year of the student advisory program, which gives students a varied program and a four-year connection with a member of the staff met with tremendous positive feedback. Based on student and faculty feedback, we will be integrating more college/career planning sessions next year. The Africa Service Project continued its connection with *The Invisible Children* program and was again one of the top fundraising programs in the country. We are nearing completion of our self-study in preparation for our NEASC Accreditation visit. Our faculty has worked very hard to expand and revise common assessment opportunities and utilize data to analyze and improve curriculum and instruction. We

continue to increase our level of technology access and faculty members have explored Web 2.0 initiatives with various forms of instructional technology (blogging, podcasting, etc.). Specific school personnel also worked very hard to articulate the educational program for Duxbury High School as part of the building project process. Last, our department heads, subject supervisors, and content specialists worked hard to understand and integrate aspects of the newly adopted Common Core into our curriculum.

Student Achievements

- Graduating seniors continue to meet with success: 91% of our seniors are going to four year colleges, 4% will attend two year colleges, 2% are entering the workforce, and 1% will be attending prep schools.
- Six seniors were accepted into Ivy League schools. Thirty-six students were accepted into highly selective institutions (those that accept fewer than 25% of applicants).
- DHS had eight students that received commendations as part of the National Merit Scholarship contest.
- Thirty-four students were named as ‘AP scholars’ for having received a score of ‘3’ or higher on three separate AP tests.
- Fifteen students earned ‘AP Scholar with Honor Awards’ for earning an average of 3.25 (out of 5) on all AP Exams taken and grades of ‘3’ or higher on four or more of these exams.
- Fifteen (15) students qualified for the “AP Scholar with Distinction Award” by averaging at least a ‘3.5’ on all AP Exams taken and scores of ‘3’ or higher on five or more of these exams.
- Students continue to perform well above the state and national averages on the SAT tests and MCAS. Scores for last year’s MCAS in ELA, Mathematics, and Biology were very impressive, with 97% of all students achieving Proficient/Advanced scores in Biology and Math.
- Art students received recognition from the Boston Globe Art Contest.
- Over forty seniors participated in the Senior Project, which was to develop and complete service projects during the last quarter of the school year.

Ongoing Initiatives

- Beginning in June 2011, DMS and DHS adopted the Subject Supervisor model with each supervisor (Math, Science, ELA, World Language) being in charge of grade 6-12 personnel, curriculum and assessment.
- DHS is continuing to prepare for the decennial New England Association of Schools and Colleges (NEASC) accreditation visit that is scheduled for October 2012. This year the high school staff will complete a required self-study process that entails a detailed examination of our practice according to the seven standards for accreditation.
- DHS is piloting a dual enrollment program through Syracuse University where students can take approved high school classes and receive college credit. This year, students in AP Biology and AP Physics are eligible to participate. We will be expanding this program so more students can choose to take advantage of this opportunity.
- Beginning this year, all sophomores and juniors will be required to take the PSAT during school. Evidence clearly shows that students who take the PSAT twice experience a marked increase in their respective SAT scores.

- Nearly every department had teachers conduct professional development activities over the summer to revise our curriculum maps to integrate elements of the newly adopted Common Core Standards. Additionally, department members worked to create and revise common assessments. Teachers also participated in technology and literacy workshops. Every second year teacher in the system participated in the Research for Better Teaching (RBT) course, which requires an intensive week where teachers examine, reflect, and review effective teaching practices and pedagogy.
- We continue to align curriculum and create UbD templates to ensure consistency of content and skill instruction between teachers. This alignment is ongoing and will fully integrate Common Core Standards into our curriculum.
- DHS is maintaining its co-teaching initiative to better serve all students by maintaining 20 co-taught classes. We also provided ongoing professional development and collaboration time for these teachers over the summer.
- More common assessment opportunities for students within departments/content areas are being developed, refined, and analyzed.
- Significant upgrades in our technology (SmartBoards, Projectors, Mobile Carts) were realized.
- The online PLATO credit recovery program continued this past summer.
- The X2 parent and student portals continue to be utilized. This year, all students will receive progress reports and report cards electronically.

Enrichment Highlights

- Students in the wind ensemble program were the only high school students to be selected to play at the annual all-state convention. The string and wind ensembles made another successful trip to Washington D.C.
- The DHS Athletic program had another very successful year with many league titles and three state championships in football, Girls Hockey, and Boys Golf.
- The DHS Chamber Singers impressively performed with the Plymouth Philharmonic Orchestra in March.
- Our Best Buddies Program continues to flourish at DHS with a record number of student volunteers and participants.
- The Global Engagement Club began last year with the goal of competing in the Model U.N. competition.
- The *Africa Service Project* continues to have a large number of involved students who raise community awareness about global issues.
- We completed our annual LINK Orientation program for incoming freshmen. The program grows stronger every year and is marked by very active participation by our LINK leaders.
- The drama program and Thespian Troupe had another successful year by putting on over 12 one-act or full-length plays and one musical.
- The Thespian Troupe made it to the state one act play finals.

Community Initiatives

- Teachers continue to receive tremendous support from the Duxbury Educational Foundation (DEF).

- The Duxbury Parent Connection brought a very meaningful program to parents concerning the Social Host Liability.
- The Duxbury PTO was very active and generous with its support of our students and faculty through teacher grants, teacher appreciation days and offsetting the cost of our student planners. PTO support is essential in the planning and running of our prom and graduation ceremonies.
- Overall, we are truly fortunate to have such involved and generous organizations like the DEF, Parent Connection, the PTO and our numerous booster groups.

In looking to school year 11-12, we have much to be proud of and have much work left to accomplish. We have significantly increased our capability to instruct students in 21st Century skills in the classroom. We will continue with our curriculum development and our uses of common assessments in inform our instruction. We eagerly look forward to the possibility of an approved building project.

Respectfully submitted,

Dr. Benedict Tantillo, III
Superintendent of Schools

Public Safety & Transportation



Duxbury Emergency Management Agency

Fire Department

Harbormaster

- Harbor Division
- Beach Management Operations
- Shellfish Division

Highway Safety Advisory Committee

Massachusetts Bay Transportation Advisory Board

Nuclear Advisory Committee

Police Department

Public Safety Building Committee

Duxbury Emergency Management Agency (DEMA)

The Duxbury Emergency Management Agency continues to strengthen its ability to plan and mitigate for all hazards. The Agency has a cooperative working relationship with all other Town Departments, the key ones being Police, DPW, Harbormaster and Inspectional Services. This relationship improves our abilities to respond to the Town's needs during a disaster.

The Agency continues to work with the Duxbury Nuclear Advisory Committee and seeks to ensure that the emergency policy and procedures for the Pilgrim Nuclear Power Station are up to date and adequate. This year we witnessed the disaster at Fukushima, which began in March 2011. This horrific accident is still unfolding and as reports come in, this Agency working with the DNAC will take a hard look at things that can be improved with our neighboring nuclear power plant.

I wish to thank all that have assisted us in meeting our mission: mitigation, preparedness, response and recovery. Additionally, I wish to thank the Duxbury Nuclear Advisory Committee for its continued support and enthusiasm in our effort in making the community safer.

Respectfully Submitted,
Kevin Nord, Director

Fire Department

I am proud to present our 2011 Duxbury Fire Department Annual Report. The men and woman of the Duxbury Fire Department are dedicated to providing quality and innovative fire, rescue, emergency medical services and life safety initiatives to a great community. I would also like to report that through attrition we have succeeded in meeting one of our long range goals. That is to have three paramedics on a shift. This has been a goal since 2005 when the Town supported the Fire Department to have Paramedic service. All the members of the Department have saved countless lives and reduced pain and suffering of patients by the administration of medicines prior to arrival to the hospital over these past six years. We have received countless thank you notes from people we have assisted and lives we have positively impacted. I would like to thank Richard MacDonald, the Town Manager, for staying the course and supporting this endeavor and special thanks goes to Mrs. Betsy Sullivan who supported this personally, during her time served on the Board of Selectman.

In the last fiscal year, the Department responded to 2,098 emergency calls. However, as reported last year, an unexpected trend that has made providing immediate response difficult is the number of simultaneous calls. Last year a total of 878 incidents occurred simultaneously, of which 54 of them needed to be supported by one of our three mutual aid towns. This means that while the on-duty shift is committed to an emergency, another call comes in for help while crews are still engaged in the previous call. Current staffing levels and the loss of a daytime administration Officer makes this situation a challenge for us. This needs to be addressed as our reliance on outside help is reserved for meeting special demands placed on us and not the day to day emergencies.

We are steadfast in our commitment to prevent fire and injuries through comprehensive public education programs and code enforcement. A total of 1,328 permits were issued by this department and 554 inspections were performed, an average of 46 per month, each taking 30 to 45 minutes. Firefighters delivered fewer programs in the community than last year due to reduction in funding for this line item. However, firefighters worked with parents, day cares, pre-schools and grade schools, senior groups, businesses and camps.

As a strong advocate of training, we have sent several members to specialized training in technical rescue, which includes rope rescue, confined space and trench collapse. This training was extensive and funded through a homeland security grant. The firefighters conduct training daily while on duty which ranges from medical related skills to chimney fires to ice water rescue training and the basics, ladder, pumping, structure fire search and rescue, ventilation, forcible entry, etc. The members logged 731 hours of training last fiscal year. I firmly believe that training reduces injuries, provides efficiency on the fireground resulting in preserved property and saved lives.

We are pleased with the approval by the voters to fund the Central Station Renovation. This capital expenditure will give us the tools and meet our space needs for personnel, apparatus and equipment for years to come.

Finally, I would like to recognize the dedicated service and commitment that FF Dennis Reddy has made to the Town and Department. Dennis retired last June with 32 years of service. Additionally, I would like to recognize Administrative Assistant Suzanne Errasti for her professionalism and dedicated service. Suzanne transferred to the Council on Aging last Fall and has made a positive impact there. We wish her continued success.

Emergency Calls 2,098 for July 1, 2010 to June 30, 2011

FIRES in STRUCTURES; 20

OTHER FIRES; Brush, Trash, Vehicle; 28

FALSE ALARMS; 270

MEDICAL CALLS; 1,281

MUTUAL AID GIVEN; 116

HAZARDOUS MATERIALS; 40

OTHER HAZARDOUS CONDITIONS; 79

ALL OTHER CALLS FOR ASSISTANCE; 264

Code Enforcement

Permits issued; 1,328

Inspections; 554

Respectfully Submitted,

Kevin M. Nord

Chief of Department

Harbormaster

Harbor Division

As an annual event, the department started the fiscal year assisting the Town of Plymouth with mutual aid assistance for managing their waterfront activity during the 4th of July Fireworks display. Along with Plymouth and Duxbury Harbormasters, the Massachusetts Environmental Police and the United States Coast Guard were also present to assist with security.

In September, our Department worked with the Duxbury Police and Fire Departments to safeguard athletes participating in the annual Duxbury Beach Triathlon. Harbormaster personnel manned all three patrol boats to set up an event security perimeter. We had mutual aid assistance from the Plymouth and Kingston Harbormaster Departments to assist with security and the well-being of the athletes.

In November and December, the department worked at hauling floats, swim buoys, no wake buoys, aids to navigation. The Duxbury D.P.W. assisted tremendously with hauling the gangways and the floats.

In February the town was awarded a 100% federally funded grant of \$183,289 for the purchase of a 25 foot fast response vessel and emergency response trailer with rescue dry suits and a thermal imaging camera through the Port Security Grant Program.

Department personnel went through extensive training during the off season. Many training programs were provided by the Coast guard and involved port security. The Executive Officer was chosen by the Massachusetts Environmental Police and USCG to attend a two week Tactical Marine Patrol Officers Course at the Federal Law Enforcement Training Center in Charleston, SC.

Marine unit 2 remained in the water through the winter months to provide emergency protection for our commercial shell-fishermen and others who access our waters in the off season.

In March, town waterfront facilities, department patrol boats and buoy systems started to go back into the water. All Marine Units and town floats were launched by mid-May. By June all aids to navigation, swim buoys and no wake buoys were on location. By June the 25foot, fully equipped Safeboat and trailer purchased through the Port Security Grant were delivered and pressed into service after department personnel went through an extensive training program.

Harbormaster personnel assisted the Duxbury Bay Maritime School with their annual “Opening of the Bay” festivities during Memorial weekend.



Duxbury Town Landing

Beach Division

This was yet another successful year on Duxbury Beach. Permit sales for the summer of 2011 were 10,552 totaling approximately \$1,507,735.00. In accordance with the Duxbury beach management plan set forth by the Duxbury Beach Reservation and the Conservation Commission, all work on Duxbury Beach was coordinated with the Endangered Species Officer to ensure the safety of the endangered/threatened species present on Duxbury Beach. The start of the 2011 season continued with numerous above average hot sunny days through July and August with a very high volume of beach visitors on weekends and during the workweek. Trash on Duxbury Beach was managed the same as last summer with barrels placed by Town DPW on pedestrian walkways strategically to eliminate household garbage from collecting, and help manage small litter. The “Carry-In Carry-Out” policy for rubbish and garbage was used again and worked well to keep the aesthetics of the Beach, and keep unwanted scavengers from spreading the refuse along the beach. The department also staffed a position to debris “sweep” the parking lots and bridge to rid litter and to clean the restrooms. This staff member also took care of maintaining the trash barrels when necessary. The Dog walking permits and regulations were still in effect and were managed well. The new re-designed permit allows it to be attached directly to the dog’s collar for inspection. Duxbury Beach stands alone in its ability to allow the cohabitation of recreational beach visitors and endangered species. It was another safe and fun summer experience for those who had the opportunity to enjoy it.

Shellfish Division

The Town sold 1,430 resident and non-resident recreational shellfish permits totaling \$84,182.50. Recreational harvests included: Soft Shelled clams, Quahog, Razor clam, Mussel, Sea clam, and Oyster.

Shellfish resources were abundant and in very good condition which allowed the Selectmen to declare and extend bonus shellfish seasons on the recreational and commercial harvesting of soft shelled clams (steamers) and the commercial harvesting of Quahog (hard shell clams).

Commercial harvests included: Soft Shelled clams, Quahog, Mussel and Razor clams. The Town issued 92 resident commercial shellfish licenses totaling approximately \$11,255.00.

Continued improvements in the bay water quality have allowed the Commonwealth to continue the conditional opening and management of large tracks of tidal flats and shellfish beds once considered lost to coastal pollution. The town's efforts to solve our coastal pollution issues have had an impressive positive impact on our natural resources and our ability to utilize and enjoy them.

The department has daily high visibility shore patrols during the time of low tides. These patrols and efforts are extremely important for natural resource management and protection. Shellfish violations were minimal. Shellfish violations include: digging out of season; harvesting without a permit or license; harvesting in closed or restricted areas; use of illegal tools; harvesting undersized shellfish and harvesting over bag limits.

Shellfish farms (aquaculture leases) are throughout the bay and appear to be very successful. There are approximately 82 acres leased and under cultivation. The annual lease fee of \$25 per acre accountants for approximately \$2,050.00 a year. The department works closely with the Shellfish Advisory Committee, the Duxbury Bay Management Commission and this industry to assist wherever possible and practical in effectively managing this historic bay activity. It has evolved into a very impressive local commerce program and stewardship of the bay.

It was a very active year for the department and an honor and privilege to serve this community.

Respectfully submitted,

Donald Beers
Harbormaster

Highway Safety Advisory Committee

The Highway Safety Advisory Committee (HSAC) completed another successful year serving the highway and safety needs of the citizens of Duxbury. This annual report covers the period from July 1, 2010 through June 30, 2011.

The committee continued to work with the Massachusetts Department of Transportation (formerly the Massachusetts Highway Department) on the final design for the new roundabout at the Winter Street/ Kingstown Way (Rt. 53) intersection. Design plans are similar to the one at Lincoln St. /Congress St. (Rt. 14). The design is currently at 75% completion. We are attempting to acquire the construction funding which will help facilitate the completion of the design. In addition, the committee studied a number of recommended safety and signage improvements on various streets and at numerous intersections in Town. These included Hall's Corner, Franklin St/ Temple St intersection, Franklin St/ Route 53 intersection, and Bay Road (with bike use).

The Committee continued to closely monitor the needed repair situation of the Powder Point Bridge. As the year ended, we began our initial review of the new Police Station design and the

traffic and site design for the new Duxbury High/Middle Schools. We anticipate that both important projects will go through a very detailed review in order to design the safest roadway and traffic patterns for everyday use.

The Committee was deeply saddened by the sudden passing of our long term Chairman, Mr. Joe Shea. Joe was our Chairman for over 15 years and was the heart and soul of the Committee. He dedicated many, many years to the Committee and more importantly to the Town and the citizens of Duxbury in order to make our roadways as safe as possible. His expertise and constant sense of humor will be sorely missed.

The HSAC wishes to thank the Board of Selectman, Richard MacDonald, Town Manager, and the Police, Fire, and Public Works Departments for their continued cooperation and assistance. The committee looks forward again to another progressive and successful year serving and protecting the needs of our citizens and the Town.

Respectfully submitted,

Jeff Lewis, Co-Chairman
Paul Brogna, Co-Chairman
Fred Von Bargaen
Peter Buttkus, Duxbury DPW

Sgt. Tim Wigmore, Duxbury Police
Diane Bartlett
Chris West, Deputy Fire Chief

Massachusetts Bay Transportation Advisory Board

The easiest way to see what occurs at the MBTA during any given time is to take a look at the MBTA website at www.mbta.com where the latest news, fares, schedules and service alerts are right at your fingertips.

During the fiscal year 7/1/2010 through 6/30/11 the MBTA saw a major project almost complete. One of the major obstacles for Duxbury riders has been the commuter rail which is accessed in Kingston. Due to faulty concrete railroad ties, the service was severely limited until the ties could be replaced. The good news is that the Old Colony Commuter Rail Tie Replacement Project is almost complete and weekday service back to normal.

The tie replacement work and the grade crossing work associated with this project is 100% complete. Track surfacing and aligning work is to continue each weekend until work shuts down in winter and will resume again in spring 2012. The track surface and aligning phase was necessary to restore the track to the original geometry and operating speeds, in accordance with Federal Railroad Administration (FRA) requirements. The project is expected to be complete in Summer 2012.

Currently weekday rail service is restored on all lines. Weekend work is to continue until the Winter 2011, weather permitting. There is currently no weekend service on the Middleborough, Greenbush, or Plymouth/Kingston Lines.

As part of the Old Colony Tie Replacement Project, the MBTA is repairing the bridge that carries the MBTA Commuter Rail and Red Line over Union Street in Braintree, MA. The paint, structural, and drainage repairs proposed for the Union Street Bridge have been completed. The contractor will be breaking down the sidewalk protective enclosures and work zones this week.

As part of the Old Colony Commuter Rail Tie Replacement Project, ties within railroad grade crossings have all been replaced ahead of schedule. No vehicular and pedestrian crossing closures were scheduled for this project.

The MBTA maintains useful informational tools to ensure customers and residents are provided the most up-to-date information throughout the various phases of the Old Colony Tie Replacement Project. The following informational resources are available:

- For project updates sign up for Rail Mail at www.mbcrl.net
- For questions/concerns pertaining to the project call the Old Colony 24-hour hotline at 617-222-5281.

On behalf of the MBTA, thank you for your patience and cooperation as the MBTA works to complete this vital project in a timely manner.

Respectfully submitted,
Thomas A. Broadrick, AICP
Duxbury Representative to the MBTA Advisory Board

Nuclear Advisory Committee

The Nuclear Advisory Committee is charged with reviewing the plans that the Town will use in the event of an accident at Pilgrim Nuclear Power Station, and making recommendations to the Board of Selectmen and the Town with respect to these and also other potential risks posed by our proximity to Pilgrim to our public health and safety. Needless to say, the disaster at Fukushima, which began one day before the March 2011 Town Meeting, and has continued ever since has provided an added sense of urgency and importance – particularly since the design of the reactors at the Pilgrim Nuclear Power Station and those at Fukushima are essentially the same.

Emergency Planning

Plans & Procedures

The Committee regularly reviews the latest Duxbury Radiological Plan and Standard Operating Procedures written for each town department, school, camp, group home, and Bay Path. The State finally provided the Plan and Procedures on disc, and we placed it on the Town's website, Public Safety folder. We encourage citizens to read it and offer any suggestions to improve our plans.

Potassium Iodide (KI)

KI is an over-the-counter medication to help prevent thyroid cancer in the event of a radiological accident. Duxbury has stockpiled KI in our schools and shelters since 2000. The Committee

worked to add liquid (KI) to service Duxbury's youngest population. Both tablets and liquid KI were provided free of charge by the government; and supplies have been distributed to Chandler and Alden Schools, and to private schools, pre-schools and day cares that have requested it. The Committee encourages all residents to get their own KI for home use. It is available at the Duxbury Board of Health.

Drills

The Committee observed Duxbury's federally run, bi-annual, tabletop, emergency planning exercise. Duxbury's Emergency Management Director, Kevin Nord, deserves praise for going off script, thinking on his feet, and properly responding to a last minute change in the accident scenario. He redirected beach traffic thru Marshfield instead of over Powder Point Bridge that, according to the scenario, had been blown up. For some reason, FEMA criticized Chief Nord for not following the written script and continuing to direct traffic over a no-longer existing bridge.

Money

The Committee advised the town in the on-going negotiations regarding the required compensation package from Entergy to Duxbury for incurred radiological emergency planning expenses. Entergy offered \$189,000 per year for the next 5 years. We want to assure that there are exceptions built in for any unfunded future mandates or equipment malfunctions and that our amount is comparable to other communities. Duxbury was significantly shortchanged in the past.

Risks, Safety and Health

Fukushima

The worst nuclear disaster in history occurred in the Japanese Fukushima reactors that have the same design and age as Pilgrim. There were core melts in Units 1, 2, and 3, spent fuel damage in Units 3 and 4; hydrogen explosions in Units 1, 3 and 4. Could it happen here?

To answer that question, DNAC and DEMA sponsored a forum in Duxbury. We invited four nationally known independent nuclear engineers to speak. We also invited Entergy, but Entergy declined to attend. The experts agreed Fukushima could happen here. Most important, they outlined measures that would significantly reduce risk if NRC chose to regulate.

- (1) Pilgrim, flawed design: Pilgrim, like Fukushima's reactors, is a GE Mark I Boiling Water Reactor. The NRC years ago recognized that there was a 90% likelihood of containment failure within the first few hours following core melt. The events at Fukushima showed that there is an equally high likelihood that the supposed "fix", the Direct Torus Vent designed to relieve pressure and save the containment, will fail also. Three direct torus vents should have opened in Japan, one at each of Pilgrim's sister-reactors. All three failed to do so; and all three containments failed. Ensuring that BWR Mark I and Mark II containments have reliable hardened venting capability would significantly enhance the capability of Pilgrim to mitigate hydrogen explosions and other beyond-design-basis accidents. A reliable venting system also should be filtered and designed to be operate without electric power and with limited operator actions from the control room.
- (2) Nuclear Waste: The Massachusetts Attorney General's expert, who spoke here, explained that a spent fuel pool accident at Pilgrim could occur from equipment

malfunction, human error, or acts of malice - a credible event. Such an accident could result in \$488 billion dollars in damages, 24,000 latent cancers and contamination 100 miles plus downwind. This risk can be reduced significantly by requiring a safer method to store spent fuel onsite until a permanent offsite solution becomes available, many years in the future - specifically low density, open frame storage racks in the pool and hardened, dispersed dry casks onsite. To date, Pilgrim refuses to invest in a safer method of storage and federal regulators refuse to require them to do so. In addition to spent fuel, all other radioactive wastes generated will remain onsite. There are no offsite options for Massachusetts.

- (3) Security: Pilgrim is vulnerable to an air attack and there is no security to prevent one; neither is there sufficient security from the water. The spent fuel pool is especially vulnerable because it is in the attic of the reactor building with a thin roof overhead and outside primary containment.
- (4) Electric Power Reliability: Electric power is the most critical element. At Fukushima the earthquake and tsunami knocked out electric power required to operate safety systems. Power failures are not limited to earthquakes and tsunamis. Safety systems at Pilgrim depend on electrical power coming in from offsite and are vulnerable to disruption. Pilgrim's submerged electric cables are not qualified for a wet environment. Most electrical cables at Pilgrim have been exposed to significant moisture over the past 40 years from snow, rain, and tidal surges. An April 2010 NRC inspection of 3 manholes reported that two were periodically submerged or partially submerged and the other was always submerged. A recent NRC report indicated an increasing trend in underground cable failures, and the predominant contributing factor was submergence or moisture intrusion that degraded the insulation.

The electrical engineer who spoke in Duxbury explained a solution: replace electric cables that may be subject to submergence with ones qualified for a wet environment, and/or require a more robust inspection program. In addition, Pilgrim's backup power is insufficient. Pilgrim is only required to have fuel onsite for their emergency diesel generators to last 7 days, and battery capacity that can run for 8 hours in the event the diesel generators fail. Based on Fukushima's experience, the required diesel oil supply should be increase from 7 to at least 14 days; and backup power increased from 8 to 72 hours.

Tritium Leaks

The Committee remains concerned about persistent findings of radioactive tritium, above expected levels, in samples taken from Pilgrim's onsite monitoring wells. Tritium is a radioactive form of hydrogen that can cross the placenta, posing risk of birth defects and early pregnancy failures. Ingestion of tritiated water also increases cancer risk. We are working with state and federal regulators to require a meaningful onsite monitoring system to detect radioactive liquids from going unmonitored offsite into the Bay. Pilgrim had no groundwater monitors at all until the fall of 2007 when they installed (4) wells. The committee approached Governor Patrick and he, in turn, directed Mass. Dept. of Public Health to prioritize this issue. Since then, Pilgrim has increased the number of wells to (18), split samples are provided to the department, and results posted on their website. (Mass. Dept. Public Health/ Radiation Control Program/ Environmental Monitoring Program)

Relicensing

The Committee follows the license renewal adjudication process, now in its sixth year. Pilgrim Watch has been a party to the proceedings since 2006 and the Massachusetts Attorney General filed again to be accepted as a litigant, June 2011. The Committee has represented the Town of Duxbury at the hearings.

Town Meeting Article

An article at the March Town meeting, co-sponsored with DEMA, passed unanimously. It highlighted key safety concerns.

The article said that Pilgrim Nuclear Power Station should not be relicensed to extend operations another 20 years until and unless:

(a) some third party assumes responsibility for cleanup after a severe nuclear reactor accident to pre-accident conditions, sets a cleanup standard, and identifies a funding source;

(b) all control rods have been inspected for cracking, material distortion and any other indication of degradation and those showing any of the foregoing replaced;

(c) Entergy either replaces all submerged electric cables, splices and connectors not designed or qualified for submerged or moist environments or develops a comprehensive aging management program to preclude moisture and adequately tests all cables that have been exposed to an environment for which they were not designed; and

(d) due to persistent levels of radioactive tritium in samples from Pilgrim's monitoring wells onsite, Pilgrim Nuclear Power Station's Buried Pipes and Tanks Inspection and Monitoring Program consists of a more robust inspection system, cathodic protection, a base line inspection prior to any license extension, and an effective monitoring well program that adheres to well-established protocols for proper design of monitoring networks. The current monitoring system does not meet reasonable standards for monitoring network design.

Submitted by:

Mary Lampert, Co-Chair; Rebecca Chin, Co-Chair;

Barbara Pye, Henry Chang, Daniel Ryan, and Janet Brown

Police Department

2011 was a year of change for Duxbury Police Department. Some of the changes were subtle and some not-so-subtle. With the transition in command of the police department that took place in May of 2010, a process has begun in which a series of changes are taking place in the areas of technologies, personnel, operations, and administration. Many changes reflect a shift in administrative philosophies and operational priorities. Some are brought on by advancing technologies. In either case, change was at the foundation of police activities 2011.

Clearly, the highlight of 2011 for the Duxbury Police Department was the successful passage of funding to construct a new police headquarters. For more than a dozen years the police department had sought the funding for this project. We remain appreciative of the overwhelming support we received at the 2011 Town Meeting for the station and were equally appreciative of the 70% favorable vote the project received at the general election that followed. On behalf of

the men and women of the Duxbury Police Department, I extend our gratitude to the community for your support of our new station project.

In the months that have passed since the successful votes, a great deal of time has been spent working with the Public Safety Building Committee and our architect, Greg Carell of the Carell Group, to put the finishing touches on the design of the new station. By doing so, we hope to facilitate substantial construction by the spring of 2012. Maintaining that schedule, we hope to dedicate new station and take occupancy in the spring of 2013. I would like to express my appreciation to Lieutenant Lewis Chubb of the Duxbury Police Department who has worked tirelessly on this project for more than a decade. His efforts, along with the dedicated members of the Public Safety Building Committee, brought this project from concept to reality.

In other action at the 2011 Annual Town Meeting, the Police Department received funding to update our records management and emergency dispatch software system. This upgrade is an ambitious effort to modernize our entire operational and administrative software system to a regionally standardized product. Installation, training, and implementation of the entire package are expected to take 12 to 18 months to accomplish. When fully operational, the police department will enjoy state-of-the-art features which include our ability to share critical data with other Massachusetts police departments in real time. Administratively, the new software is highly intuitive and analytical which provides for substantial efficiencies.

Operationally in 2011, we implemented a series of procedural changes to advance accountability and officer safety. The operational changes ran the gamut, from how an officer starts his daily tour of duty to the process in which we assign patrol vehicles. We re-designated geographical patrol areas and introduced programs to enhance communications with local businesses and residents through our new community service cards and our new park and walk program. In the coming year we will continue the exercise of examining our processes to identify potential areas for improvement and efficiency.

On the law enforcement front, your Police Department was called to investigate an ever increasing number of crimes. Typical of many South Shore communities, vandalism, burglaries and petty larcenies remain the most prevalent events with reported incidents of domestic violence not far behind in regularity. Quickly on the rise are the reported incidents of identity theft and various frauds perpetrated through the Internet. Soon these crimes will supplant petty vandalism as the most prevalent criminal activity reported to police here in Duxbury.

During 2011, Duxbury police officers and detectives successfully resolved several burglary cases, resulting in criminal prosecutions. Additionally, the department investigated a series of Internet fraud cases which are typically very difficult to resolve. Through the persistence of our investigating officers we were able to successfully conclude some of these cases resulting in criminal charges. The advancement of technology along with the advancement in the sophistication of which Internet criminals prey on our residents will become the most daunting challenge for law enforcement in the future. The expansion of advanced training in technologies for our officers will be critical moving forward to ensure we are keeping pace.

Also in 2011 the police department investigated a series of worksite accidents in cooperation with OSHA. One of the cases resulted in the tragic death. As a result of the joint investigations, several workplace violations were identified in each of the cases resulting in administrative fines

levied by OSHA. Our role in the investigation of workplace accidents is in a supporting capacity to OSHA and other enforcement agencies in their mission to identify unsafe practices and promote overall safety in hopes of eliminating workplace tragedies.

The investigation of motor vehicle crashes continues to be an important component of our overall mission. In response, the department reconstituted and reorganized our Crash Investigation Team. By advancing the training of two officers to the level of crash Reconstructionists, the department has now added an analytical perspective to crash investigations to include the examination of environmental factors such as roadway design. The data and professional observations gleaned from these investigations are shared with the town's Traffic Safety Committee, Department of Public Works and Mass DOT to help them identify locations where road design modifications may be necessary to improve safety.

On the personnel front, Lieutenant Susan James retired in December after a career spanning over 34 years with the Duxbury Police Department. Sue is well known regionally and nationally as a pioneer for women in law enforcement. She was one of the state's first female police canine handlers and became nationally recognized for her work in the canine field. Sue also served as Acting Police Chief on more than one occasion over the years and was the driving force for professional accountability locally, resulting in the accreditation of the Duxbury Police Department. Sue remains an active volunteer with the Massachusetts Police Accreditation Commission and regularly travels the Commonwealth to assist other police departments with their accreditation efforts. I personally thank Sue for her support during my tenure and wish her the very best in her well-deserved retirement.

In other personnel moves, Daniel McGonagle was promoted from a part-time patrolman to the position of full-time officer in October. In January we welcomed Andrew Homestead to the department. Andrew transferred to Duxbury from his former position as a police officer in North Adams, Massachusetts. In the Public Safety Dispatch Center, call Firefighter Keith Nette was appointed as a part-time public safety dispatcher. In November Keith graduated from the State E-911 Public Safety Dispatcher Academy and is performing well in his new assignment. I am excited to have these talented and dedicated individuals on board in their new positions and wish them well.

Change was plentiful this past year at the Duxbury Police Department and change will become commonplace here as we have acknowledged the need to constantly critique our approach to community service, law enforcement and fiscal administration to ensure we are responsive, effective, and efficient. Our success is enabled significantly by the support of the Board of Selectmen, our Town Manager and all the Boards and Committees who serve with distinction. I would also like to thank all the other department heads and town employees who are our daily partners in servicing this special community. But, most importantly, I thank the community for its continued support.

Respectfully submitted,

Matthew M. Clancy
Chief of Police

Public Safety Building Committee

The Public Safety Building Committee has been working since 2007 to upgrade the Central Fire Station on Tremont Street and to replace the Police Station. The Police Station, built in the late 1960s, is in very poor condition, has numerous safety and code violations, is energy inefficient, and does not meet the operating requirements of today's Police Department. The Fire Station crew quarters and administrative spaces, like the Police Station, are wholly inadequate to meet the firefighting and EMT requirements of today's Fire Department, and needs to be replaced.

Final design of the Fire Station project was completed by The Carell Group using funds appropriated at the 2010 Annual Town Meeting (ATM). Bid documents were completed in January 2011 and bids were opened on February 17, 2011. The lowest bid price of \$2,889,021 was lower than the architect's estimate of \$3,054,360. The committee prepared Article 16 for the 2011 ATM which requested funds to construct the project. The total amount requested was \$3.697 million which included contingencies, construction-related costs for inspection, furniture and equipment, and architectural and engineering fees during construction. The Article passed at ATM and at a subsequent debt exclusion election on March 26, 2011. A construction contract was awarded to Vanguard Construction in March 2011 and construction began at the end of April. We anticipate that construction will be completed in July, 2012.

Schematic design for the Police Station was performed by The Carell Group using funds appropriated at the 2010 ATM. The schematic design analyzed several possible sites for the new station, and the committee selected to locate it on the Transfer Station property on Mayflower Street. This site resulted in the lowest project cost of all the sites reviewed. The committee prepared Article 17 for the 2011 ATM requesting funds to complete bid documents and to fund construction. The total amount requested was \$6.275 million which included architectural fees for final design and construction phase services, construction and construction-related costs, contingencies and furniture and equipment. The Article passed at ATM and at a subsequent debt exclusion election on March 26, 2011. After negotiating a contract extension with The Carell Group, final design began in May. We anticipate that bid documents will be completed by November 2011 with bids due in December 2011. Construction would then begin in spring 2012 with an anticipated completion date of January 2013.

The committee recognizes that these projects are very important and expensive projects. We have worked very hard to keep the costs as low as possible and within the budgets appropriated at ATM. We look forward to seeing the Fire Station project completed in July 2012 and the Police Station in January 2013 to provide the best public safety service to the citizens of Duxbury.

Public Safety Building Committee

Andre Martecchini, Chair

Georgia Blatterman

Paul Brogna

Police Lieutenant Chip Chubb

Police Chief Matthew Clancy

Shawn Dahlen

Neil Johnson

Dennis Nolan

Fire Chief Kevin Nord

Dimitri Theodossiou

Deputy Fire Chief Chris West

Public Works



DPW Administration

Animal Control

Cemetery

Crematory Building Committee

Highway Department

Lands & Natural Resources

Transfer Station

Water & Sewer Division

Water & Sewer Advisory Board

DPW Administration

The Department of Public Works completed many projects in 2011 even though it was a year of extreme weather conditions. Last year, like most, was a year of growth, change, commitment and dedication. We appreciate the Town's support of our efforts.

The Water Division completed the Supervisory Control and Data Acquisition System or SCADA System. This system is the nerve center that controls the infrastructure of the water tanks, wells and treatment plants. The Water Division also completed the replacement of pipe on two more roads as part of the PCE Pipe Replacement Program. The summer drought in 2010 created a huge demand for water resulting in a record number of gallons of water pumped through our water system.

The Highway Division dealt with not only an extremely harsh winter, but also punishing coastal storms that caused wide spread damage to the area of the seawall that had to be repaired. The department continued their town wide paving program with the use of funding through the State's Chapter 90 Program. The Town's allotment of Chapter 90 funds was higher this year compared to others because of the extremely destructive winter weather.

Our small but very efficient Transfer Station continued to keep us ranked among the top ten towns in Massachusetts for recycling. Every ton recycled through our facility is one less ton we must pay to dispose of. The savings to our residents is \$98.50 per ton. The residents of Duxbury deserve to be proud of the Town's recycling record. Your diligence and commitment to a better world make our recycling program work.

The Lands & Natural Resources Division welcomed a new Manager of Buildings and Grounds. Longtime employee, Jim Savonen, was promoted to that position. He brings a wealth of experience and commitment to public service to that position. The department continues its efforts to maintain and preserve our public grounds, buildings, athletic fields and urban forest as the incredible resources they are. This is evidenced by the fact that Duxbury was awarded the Tree City USA designation for the 20th consecutive year.

The Department of Public Works, working closely with the Department of Inspectional Services and the hardworking Friends of Tarkiln, completed the renovation and grand re-opening of the Tarkiln Community Center in January. Many thanks go out to this dedicated, hardworking group.

There has been a lot of activity in the Cemetery Department this year. Ground was broken for the new crematory facility. When completed in the spring of 2012, this state of the art facility will help Duxbury continue to operate as one of the busiest crematories in the country. At the Annual Town Meeting in March, 35 acres of Town owned land was transferred from the control of the Board of Selectmen to the Mayflower Cemetery and the control of the Cemetery Trustees. This transfer will ensure that for many generations to come the Mayflower Cemetery will continue to be one of the most beautiful and historic cemeteries in the country and will continue to provide a peaceful final resting place for those with deep connections to and fondness for the Town. The Board of Cemetery Trustees and the Crematory Building

Committee deserve a huge thank you for all their hard work during this period of expansion and change for our cemeteries.

Sadly, Crematory Building Committee member, Joe Shea, passed away this year. He was a devoted volunteer not only to this project but many others in the Town. His knowledge of history and technical expertise will be sorely missed.

The Animal Control Officer and his assistant, as well as our extremely dedicated volunteers and Friends of the Animal Shelter continue to make the Duxbury Animal shelter the jewel that it is today.

In closing, I want to thank the Board of Selectmen, Town Manager and all of the Town Departments we work with for their continued support in all of our efforts. Also to all of the tremendously professional, talented and dedicated men and women of the Department of Public Works whom I have had the privilege to work with during the past, thank you very much.

Respectfully submitted:
Peter Buttkus
Director of Public Works

Animal Control

The past year was great for the Animal Control Department and the Duxbury Animal Shelter. We received over 2,500 calls for assistance and advice this year from Duxbury residents. I continue to respond to calls at all hours of the day and night and on weekends. During the past year, I responded to calls for everything from stray dogs and cats, to injured and sick wildlife, to dog bites and many calls for advice.



Animal Control Officer Eddy Ramos with an injured young hawk

The Animal Control Department and Animal Shelter continue to go above and beyond our basic duties to provide services that are unequalled by those of most other towns. We are able to do that because we have a great team of dedicated volunteers who help maintain our shelter as one of the cleanest, best maintained and most appreciated shelters in the state. We have been able to care for stray animals until they are reunited with their families or we are able to find new, loving homes for them. We have saved many animals lives. The Duxbury Animal Control Department has assisted many other towns and humane organizations with animal rescues.

I would like to thank our exceptional volunteers, the other Town departments, Lori Hall, who serves as my assistant for 4 hours on Saturdays and Sundays, and of course the residents of Duxbury for supporting our efforts to provide the best service possible to Town of Duxbury.

Respectfully submitted,
Eddy Ramos
Duxbury Animal Control Officer

Cemetery

Cemeteries have long been a part of the American landscape. Sadly, some have been lost to time. The headstones at the Old Burial Grounds in Standish and Mayflower Cemetery were carved and shaped by artisans from long ago. Replacing these artifacts would not be in keeping with their historical significance or to the character Duxbury's cemeteries.

This past year Cemetery Trustee, Rev. Elizabeth Stevens, and I went before the Community Preservation Committee and asked to add the preservation of stonework to the list of historical structures in need of funding. Our goal is to preserve the integrity of the old slate stones in the old section of Mayflower Cemetery and the Old Burial Grounds /Standish Cemetery. We believe that preservation of these headstones meets the criteria for funding because they are the history of the Mayflower travelers and those who first settled Duxbury. The CPC requested documentation and quotes from reputable preservationists to determine the scope of work for the project. Once all the criteria were met, the project went forward to Town Meeting and \$60,000.00 was appropriated to preserve these stones.

With the help of Cemetery Trustee, Diane Barker, we learned that the process had already begun to list the Old Burial Ground on Chestnut Street on the National Register of Historical Places. In a letter from the Massachusetts Historical Society their belief that "the cemetery possesses integrity of location, design, setting, materials, workmanship, feeling, and association and meets National Register Criteria at the local, state and national levels." was stated. Hopefully this time next year we will celebrate the inclusion of this historical sight to the National Register of Historical Places.

In 2011, we had the honor of having a few Eagle Scouts volunteer time to improve the mapping in Standish and Mayflower Cemeteries. Their task was also to honor the veterans buried in the Mayflower Cemetery. Conor Clark, our first Eagle Scout volunteer, was able to earn his

distinction by mapping and cataloguing the head stones at Standish Cemetery or the “Old Burial Grounds” off of Chestnut Street and Pilgrim by-Way. Ryan Smith did the same at the “Old Burial Grounds” (nearest to the Unitarian Church) in Mayflower Cemetery and Chandler Rodriguez is credited for cataloguing the graves of the veterans buried in the Mayflower Cemetery that have no military markings. The plan is to place the appropriate markings on those graves in the future. All of these tasks were daunting, but with hard work and planning these few volunteers were able to collect historical data (photos included) about the history of our cemeteries that is invaluable to the department and the Town.

We’ve heard time and time again of so many communities who are in fear of not being able to do interments of their citizens because of the lack of burial space in their cemeteries. The Cemetery Trustees had similar concerns and began to develop a plan to secure space for future citizens. In 1999 the land on the corner point of Tremont and Mayflower Street, which was once developable land for future burials, was chosen as the location of the Senior Center. Robert Hayes, Cemetery Trustee, began the task of securing Town owned land that abuts the back of the cemetery. The land exchange was to make up for cemetery’s loss of the land now being used by the Senior Center. Mr. Hayes’s advocacy for the Cemetery Department resulted in the Town Meeting vote, to approve the Selectmen’s actions to grant the Cemetery Trustees the care, control and custody of three parcels of land to be used for the sole purpose of burials. Mr. Hayes worked along with Tom Broderick, Town Planner, Joe Grady, Conservation Officer, Peter Buttkus, DPW Director and me, Patricia Pappas, Cemetery Superintendent. It will also provide the services of a surveyor to set the boundaries and secure the deed.

Finally, it has become quite a project working with the Crematory Building Committee and the architectural firm DesignLabs on the new cemetery/crematory building. We have had countless meetings to ensure that the cost of the building itself is under the proposed amount for the project. Unfortunately some items had to be sacrificed in order to provide the best possible facility for the Town and stay within the budget allotted. As of this writing we are about to proceed with our final bid process and hopefully by mid-August or early September construction will begin and the work will be complete by spring 2012. The building will house state of the art equipment that we expect to attract more funeral homes to our more efficient and secure facility. Cremation is becoming more accepted and even preferred. Last year the Duxbury crematory performed more than 3,000 cremations. It is fully expected that the new crematory will continue to provide cremation services in a manner that is more efficient and environmentally responsible than services that are now available.

Cemetery Trustee, Beverly Johnson, stepped down as Chairwoman and continues to serve as a Trustee. Robert Hayes was appointed Chairman. I wish to thank them as well as Diane Barker, Rev. Betsy Stevens and Emmett Sheehan for their volunteerism on behalf of Cemetery Department. I also wish to extend a special thanks to the Crematory Building Committee that suffered a tremendous loss with the passing of Joseph Shea, his insight will be missed.

I also want to thank the cemetery and crematory staff as well as the other DPW departments who have assisted this department with water, road and tree work. Thank you all very much.

“A cemetery is a history of people – a perpetual record of yesterday and a sanctuary of peace and quiet today. A cemetery exists because every life is worth loving and rememberingalways.

Respectfully submitted,

Patricia J. Pappas
Superintendent of Cemeteries and Crematory

Crematory Building Committee

The Crematory Building Committee, established in July 2009 to advise on the design and construction of a new crematory facility for the Town, proposed to Town Meeting in March 2010 an appropriation of \$2.6 million for related architectural, engineering, and design services for and construction, equipping, and furnishing of a new facility for the crematory and cemetery office, to be located at the back of the cemetery property abutting Mayflower Street. The site is across the street and west of the current exit from the Transfer Station, and the facility would utilize the topography and vegetation on the site to maximum advantage. Town Meeting approved the project, and since the proposal was structured as a debt-exclusion item, the proposal went to the Town’s voters as a ballot question. Voters approved the funding proposal in March 2010.

Following approval by the Town, the Committee requested proposals for architectural, engineering, and design services, and in May 2010 hired a project team, consisting of a noted architect teaming with a renowned landscape architect, project engineers, and civil engineers.

The design process began immediately, and the Committee in the summer and early fall of 2010 reviewed with the project team several design proposals. In November 2010 the Committee selected a preferred design and the selected proposal was submitted for a design development cost estimate. The cost estimators believed the proposed design to be within budget for the construction project. Meanwhile, the crematory equipment was selected and a contract for its fabrication was negotiated and agreed to. Necessary approvals for the proposed facility were obtained, and construction documents were prepared. In February 2011, the finished construction documents were released to contractors for bids. In March 2011, construction bids were opened but all bids exceeded the budgeted construction maximum. As a result, the design of the proposed facility was adjusted and the proposed facility was reduced in scope. Revised construction documents were released for rebid in June. In July 2011 bids within budget were received for the revised project and a contractor was selected to build the facility. Construction has commenced and the schedule calls for completion and first operation of the new facility by early spring 2012.

The aim of the Committee and the project team as a whole remains the creation of a state of the art facility that is not only practical and efficient, but sustainable, respectful of the Cemetery and of Duxbury, thoughtfully integrated into the landscape, and inspirational as a healing and contemplated place. That task became harder in January 2011 when we lost the advice and

inspiration of a Committee member, Joe Shea, whose untimely death was a loss not only to the Committee but to the Town as a whole. He is missed.

Respectfully submitted,
Robert Hayes, Chairman



Architect's rendering of Cemetery/Crematory facility

DPW Operations – Highway Department, Transfer Station, Vehicle Maintenance

This year we had an incredibly busy winter and as always the DPW crew came through and did a fine job preparing for snow and cleaning it up after each storm. We have a great group of employees who bring a huge amount experience and a professional attitude to their work. During the 2010 – 2011 Snow and Ice Season which started on December 19, 2010 and ended on March 31, 2011, fifty (50) inches of snow fell in Duxbury. There were 31 sanding operations and 8 plowable snowstorms. We used 5,960 tons of a combination of salt and sand to keep the roadways safe and passable.

On April 1st we went right into our spring cleanup. We swept the streets and cleaned out storm basins to remove the sand that had been put down during the winter. We picked up litter and

debris that had been hidden by the snow and we painted the crosswalks that were worn from the plows and sand.

Our efforts to keep our roadways in good shape continued with help from the state's Chapter 90 Reimbursement Program. This year we paved 2.9 miles of roadway and used a total of 4,058 tons of asphalt. The roads paved were Acorn St., Chestnut St., Keene St. (the short end), Tobey Garden St., Weston Rd., and Mayflower St. In addition to paving, crack-sealing was done on Rte. 14, Lincoln St., Washington St., Delorenzo Dr., Wellington Lane and Dana Court.

I want to say thank you to our crew. Our three mechanics accomplish a lot of work and do it well and in a timely and professional manner. Our Highway Department crew is out in every storm and every hot summer day keeping our roadways safe and attractive. The Transfer Station staff deserves a lot of credit for their dedication to our continuing recycling efforts. Their efforts and, of course, the efforts of the residents of Duxbury is real and measurable. Every ton we recycle is one less ton we pay to dispose of and that saves the Town \$90 per ton. I would also like to thank all of the DPW departments for their professionalism and dedication to service throughout the year.

Respectfully submitted,

Edward C. Vickers
Operations Manager
Department of Public Works

Lands and Natural Resources

The Department of Lands and Natural Resources continues its efforts to serve the people of Duxbury by maintaining the Town's public lands, buildings, athletic fields, open spaces, fuel depot and beach handicap access ramp. The department maintains an active program of trimming street trees and roadside mowing. We take great pride in what we do and appreciate the pride the people of Duxbury take in the Town's properties.

During 2011, we continued to deal with damage to oak and maple trees caused by defoliation by gypsy moths, cankerworms and winter moths. The department's main objective is to remove dead, damaged and hazardous trees for the safety of the public. We urge the residents of Duxbury to monitor their own trees to ensure that they are not becoming a hazard. The purchase of our new aerial lift truck, which has a reach of twenty feet more than the truck it replaced will certainly make it much easier to remove some of those trees. The Town's support in updating our equipment is greatly appreciated.

The Town of Duxbury has received the Tree City USA award for the 20th consecutive year. This award is sponsored by the National Arbor Day Foundation in cooperation with the United States Department of Agriculture and the National Association of State Foresters and is given to communities that prove a dedication to beautifying and preserving public lands.

I wish to thank the crew of the Department of Lands and Natural Resources for their hard work and dedication, the other Town departments for their support, cooperation and guidance and the residents of Duxbury for assisting us in taking care of and pride in the Town's public spaces.

Respectfully submitted,
James Savonen
Manager of Buildings and Grounds

Water & Sewer Division

The following paragraphs summarize some but not all of the efforts necessary to keep the potable water running in Duxbury.

In addition to assisting with the daily operations of the department, the administrative staff was kept busy with the billing of approximately 5,500 residents bi-annually and scheduling over 1,200 appointments for field technicians. 573.77 million gallons of water was pumped, treated and then distributed to consumers. 6.4% of the water pumped was unaccounted for due to distribution system leakage. The residential gallons per capita day usage was 86 gallons. The current performance standard for public water systems is 65 gallons per person per day.

The distribution crew was kept busy with five major water main breaks and seven service line leaks in addition to replacing eight fire hydrants. G.I.S. mapping of the assets, i.e., hydrants and valves, continued. There were 230 tests performed on the various backflow prevention devices installed throughout the town. Technicians replaced 225 water meters ten years old or older. A total of 1600 linear feet of 8" water main was replaced on Millbrook Way and Bowsprit Lane as part of our PCE Pipe Replacement Program. The Distribution System was flushed in the fall of 2010 and the spring of 2011; this work is an essential component for maintaining the water quality. Truck number 2 which is primarily used for meter reading was replaced with a new model. An engineering firm updated and calibrated the hydraulic model of the water system after the addition of the high pressure zone.

The piping that provides for the overflow run off of the Captains Hill Tank was modified along with repairs to the final vent screening. On August 13, 2010, divers were contracted to conduct an interior inspection of the Captains Hill two million gallon water storage tank. In addition to gathering information on the overall condition and integrity of the structure, they were able to also remove the accumulated sediment found on the floor surface. A representative from the company who manufactured the Captains Hill tank in 1972 performed a thorough inspection along with a structural engineer on May 6, 2011. The Birch Street tank was inspected by both divers and a remotely operated vehicle equipped with a camera.

The treatment staff was busy with ongoing upgrades and maintenance. New chlorine dosing pumps were installed at the Evergreen Water Treatment Plant and at the Partridge Road well. Mayflower # 2 received a new fluoride dosing pump and a new phosphate pump was installed at the Millbrook II well site. All ten fluoride saturators were cleaned, rebuilt and returned to service. Most of the chemical feed piping was replaced at the Mayflower Street well. A new

flow transmitter was installed to replace an aging unit installed in an inappropriate location at the Partridge Street well site. A repair was made to the electrical service after a motor vehicle accident damaged the pole in front of the Evergreen water treatment plant. New security vaults for the bulk chemical delivery hook ups were installed at the Evergreen and Tremont Streets well sites. The bulk delivery piping was upgraded from PVC to stainless steel at the Evergreen site. A capital improvement project to update the SCADA system reached substantial completion.

On the sewer side of things, the shared septic systems at Wadsworth Field, Harrison Street and Cedar Street were examined by a Title 5 inspector and found to be in good working order. Repairs were made to the access covers at two lift stations, one at the Middle School and one at the High School. Preventative maintenance was performed on the many pumps and air blowers and a new pH probe was installed at the High School wastewater treatment plant. Three grinder pumps were replaced on the Bay Road shared septic system

I would like to thank the DPW Director, Town Manager, Board of Selectmen, and the Water and Sewer Advisory Board for their assistance and patience throughout the year. I would also like to take a moment and thank my entire staff for all of their hard work and devotion.

Respectfully Submitted,
Peter Mackin
Superintendent, Water and Sewer

Water & Sewer Advisory Board

For the fiscal year ending June 30, 2011, the ratepayer was introduced to 15% higher rates approved in the spring of 2010 and processed with the spring 2010 billing. Winter billed consumption can be an indicator of conservation effects by the rate payer caused by pricing, but not by rainfall or temperature changes.

Billing Period (end of period noted)	Consumption	Length of Period	Daily Consumption
2009 Spring	170 mg	187 days	0.91 mg/day
2010 Spring	163 mg	175 days	0.93 mg/day
2011 Spring	163 mg	164 days	0.99 mg/day
2008 Fall	302 mg	184 days	1.64 mg/day
2009 Fall	247 mg	183 days	1.35 mg/day
2010 Fall	340 mg	202 days	1.68 mg/day

It has always been suggested that water usage is inelastic, particularly in areas with higher rainfall such as ours, and the Duxbury ratepayer seems to be relatively immune to the conservation effect of higher bills. However, water usage seems to be responsive to summer rainfall and temperature

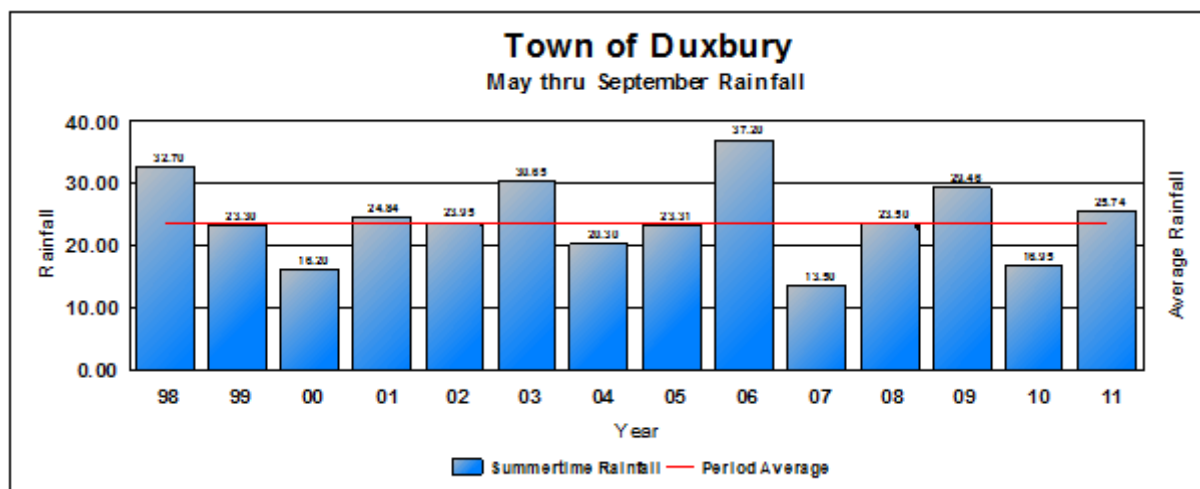
with hotter and dryer summers causing higher demand for water. As shown above, this showed up with the fall billing of 2010 resulting in a billed consumption of 340 million gallons and record revenues. The chart below shows rainfall for the summer period of May thru September illustrating the absence of significant rainfall during the summer of 2010 when compared to years before. The presence of a rate increase processed in the spring of 2010 did not seem to impact water demand during the summer of 2010.

On November 30, 2010 the chair met with Peter Mackin and Marilyn McCrory among others at the offices of the Department of Conservation and Recreation in order to discuss the 65 gallons per day per person requirement. We pointed out that a reduction of residential water demand to 65 gallons per day per person (GPDPP) was roughly equivalent to a one half inch rainfall during the year, and would be unnoticed in stream flows and aquifer levels. We also noted that in order to accomplish that goal, summer peak demand would need to be eliminated so that summer daily demand was roughly equivalent to winter daily demand. Duxbury's history over the last six years is 85 GPDPP in 2005, 81 GPDPP in 2006, 82 GPDPP in 2007, 83 GPDPP in 2008, 67 GPDPP in 2009 and 86 GPDPP in 2010 for an average of 81. They indicated that the number was a recommendation of the Water Management Act advisory committee, and that it would be the same for all communities regardless of presence or absence of stressed basins. The source of that number may have been from a nation-wide water use data bank. They also indicated that no goals were attached such as stream flows, pond and aquifer levels in order to measure the impact of this policy. Fortunately for Duxbury ratepayers, this requirement for future permitted withdrawals seems to have been withdrawn in the spring of 2011. We will continue to monitor this requirement going forward, but remained convinced that this requirement seems to be more political than environmental or based on science.

We continued to work on the new water main installation on Pine Street in order to provide more residents the benefit of public water. A budget has been prepared for plans and specifications and construction, and will be presented to the Annual Town Meeting in March 2012. Construction should begin during the fall of 2012, and be completed fairly quickly.

We also continue to work on purchasing land, water protective easements and access easements for a new well site off Teakettle Lane, and expect some progress at the Annual Town Meetings for 2012 and 2013. We expect legislative approvals will be required for some of the acquisitions resulting in a multi-year project. Although we seem to have adequate future well supplies for our current build out projections, a recent decision by the Board of Appeals on additional dwellings on a single lot, and recent requests by two property owners to reduce areas zoned as Wetlands Protection Overlay District if implemented though out town, may increase density significantly and build out projections accordingly.

The following graph shows rainfall during the summer months from 1998 thru 2011. The summer of 2010 was clearly dryer than usual although not the driest of the period shown.



Respectively submitted,

George D. Wadsworth, Chairman
Freeman Boynton, Jr., Clerk
Paul Keohan

Recreation



Recreation Department

- Percy Walker Pool
- Recreation Department
- North Hill Country Club

Recreation Department

For the eighth consecutive fiscal year the Recreation Department has struggled with dwindling resources allotted through the budget process. We are hopeful that the future will bring a brighter fiscal situation that will allow us to maintain and expand our level of excellence. The Department had an exciting year opening a newly renovated Percy Walker Pool which will prove to be a great asset for years to come for our residents.

Percy Walker Pool

The pool received a 2.2 million dollar facelift this past fiscal year and finally re-opened to the public on June 1, 2010.

Some of the highlights of this renovation include more natural light with the installation of windows facing the playing fields. Totally new HVAC systems, including air conditioning and dehumidification within all areas of the building were installed. A new roof was installed and all windows and doors were replaced in the interior and exterior of the facility.

Both the men's and women's locker rooms were completely refurbished including new tiled floors, sinks, toilets, changing areas, shower stalls, etc. In addition, in these areas we added low flow faucets, toilets and sinks as well as suit spinners and energy efficient hand dryers.

Another new and exciting improvement to the facility is the addition of a family locker room. This locker room will allow families with young children to use the bathroom, shower and change without having to interact with the general public in the main locker room areas.

The Pool also received a new filtration system and many upgrades to the pool operation itself were included. The project also installed a brand new set of stairs into the pool area itself which can now be used by patrons of all ages.

Also the Pool received many coats of fresh paint, and new energy efficient lights, all of which make our facility a cleaner, happier place to enjoy swimming. We hope that these long awaited improvements will have residents enjoying our municipal swimming pool for decades to come.

Finally, the pool was well received by the public. Many people have commented how wonderful the new renovations are. The pool is open 110 hours per week and is a busy place for residents and non-residents alike.

Recreation Department

The Recreation Department offered 40 year round programs to Duxbury residents in fiscal year 2011. The Recreation Revolving Fund generated revenues of \$335,000 and had expenditures of \$300,000. The Recreation Revolving Fund employed 105 part time employees and was also assisted by over 200 community volunteers. In fiscal year 2011 over 3,300 residents registered for our 40 programs.

The playing fields in the Town of Duxbury continue to be an extremely popular destination for people in Town. This past year over 6,000 residents used our playing fields.

Residents have responded positively to the new Activenet registration program. This allows our residents to register for Recreation and Pool programs from the comfort of their homes on their private computers. We have also updated and improved the Recreation Department website, (www.town.duxbury.ma.us/recreation) adding a "Recreation Notices" section as well as a "Recreation Calendar", providing up to date information on programs to our residents.

North Hill Country Club

This past year was a year of transition for the North Hill Country Club. After a lengthy court process, the golf course saw a new management company begin its contact on April 1, 2011. Pilgrim Golf LLC began managing North Hill this past spring and has worked very hard to make North Hill a tremendous Town owned asset.

In the short time that Pilgrim Golf LLC has been there they have, at their own expense, improved clubhouse conditions, purchased and installed various kitchen equipment and undertaken much course work that was long needed.

The contract with Pilgrim Golf LLC is for a five year period and the Recreation Department looks forward to working with them.

I would like to thank my staff at the Recreation Department and pool as well as the Recreation Activities Committee and the North Hill Advisory Committee, for all their assistance during the past year.

Respectfully submitted,
Gordon H. Cushing
Recreation Director

State and Local Information

GEOGRAPHIC DESCRIPTION AND STATISTICS FOR DUXBURY

Location: Eastern Massachusetts, bordered by Pembroke on the west, Marshfield on the north, Kingston on the south, and the Atlantic Ocean on the east and southeast. Duxbury is 33 miles south of Boston and 246 miles from New York City.

Total Area: 37.63 sq. miles

Land Area: 23.76 sq. miles

Population: 15,392
(Town Clerk, 06/30/2011)

Climate: (National Climatic Data Center,
Plymouth Station)

Normal temperature in January: 26.5°F
Normal temperature in July: 71.0°F
Normal annual precipitation: 48.8"

TOWN GOVERNMENT



Municipal Offices

878 Tremont St., Duxbury, MA 02332

Monday: 8:00 AM - 7:00 PM,

Tuesday through Thursday: 8:00 AM - 4:00 PM

Friday: 8am - 12:30 PM

Form of Government:

3-Member Elected Board of Selectmen

Town Manager

Open Town Meeting(s)

Year Incorporated as a town: 1637

Registered Voters

(Town Clerk, 01/01/2011)

Total	Number
Registered	10,713
Democrats	2,115
Republicans	2,403
Other parties	44
Un-enrolled voters	6,151



U.S. LEGISLATORS

US Senator John F. Kerry
218 Russell Senate Office
Building
Washington DC 20510
(202) 224-2742

US Senator Scott P. Brown
317 Russell Senate Office
Building
Washington DC 20510
(202) 224-4543

US Congressman Bill Keating
Rayburn House Office
Building
Washington, DC 20505

To contact U.S. Legislators via e-mail, please
visit: www.usa.gov



STATE AND COUNTY REPRESENTATION

State Senator Robert L. Hedlund
State House
Boston, MA 02133
617-722-1646
Robert.Hedlund@state.ma.us

State Representatives

Precincts 2-5 Daniel K. Webster
State House
Boston, MA 02133
617-722-2487
Rep.DanielWebster@hou.state.ma.us

Precincts 1 and 6 Thomas J. Calter
State House
Boston, MA 02133
617-722-2305
Rep.ThomasCalter@hou.state.ma.us

IMPORTANT TELEPHONE NUMBERS
DUXBURY TOWN HALL: 781-934-1100
DEPARTMENT EXTENSIONS

Accounting & Finance	132
Assessors	115
Board of Health	140
Building Department	125
Conservation	134
DPW	142
Employee/Retiree Health Insurance & Benefits	163
Highway	131
Information Systems	156
Lands & Natural Resources	133
STICKERS (Transfer Station & Beach)	147
Personnel (Human Resources)	143
Planning	148
Selectmen	149
Town Clerk	150
Town Manager	141
Treasurer/Collector	147
Water Dept.	129
Zoning Board of Appeals	122

<u>Other Important Numbers (Outside Town Hall):</u>	
For Police & Fire Emergencies	911
Fire (non-emergency)	781-934-5693
Police (non-emergency)	781-934-5656
Animal Control	781-934-6424
Cemetery	781-934-5261
Council on Aging (Senior Center)	781-934-5774
Council on Aging Bus	781-934-6800
Duxbury Free Library	781-934-2721
Harbormaster	781-934-2866
Housing Authority	781-934-6618
Percy Walker Pool	781-934-2464
Plymouth County Mosquito Control	781-585-5450
Recreation	781-934-7034
Schools Administration:	781-934-7600
Veteran's Services:	781-934-5774

Town Website: www.town.duxbury.ma.us
Town Address: 878 Tremont St., Duxbury MA 02332
Town Hall Hours: Monday: 8 AM - 7 PM Tues.- Thurs.: 8 AM - 4 PM
Friday: 8AM – 12:30 PM

