

Please Read



COMMONWEALTH OF MASSACHUSETTS

**TOWN OF DUXBURY
SPECIAL TOWN MEETING
WARRANT**

**SATURDAY OCTOBER 29, 2011
AT 9:00 A.M.**

**DUXBURY SCHOOLS PERFORMING ARTS CENTER
73 ALDEN STREET**

Plymouth, ss

Greetings:

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

In the name of the Commonwealth of Massachusetts you are directed to NOTIFY and WARN the INHABITANTS OF THE TOWN OF DUXBURY, qualified to vote in elections and in Town affairs, to meet in the Duxbury Schools Performing Arts Center, 73 Alden Street, in said Duxbury on SATURDAY, the TWENTY-NINTH day of OCTOBER, 2011 next, at 9:00 A.M. for a SPECIAL TOWN MEETING, for the transaction of any business that may legally come before said meeting:

Article 1

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the School Committee, for the design and construction of a new co-located middle school and high school, to be located on the site of the current middle school, 71 Alden Street, Duxbury, MA, including the payment of all costs incidental or related thereto (the "Project") which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), and to vote to appropriate, borrow or transfer from available funds, an amount of money, for the design and construction of a new field house facility, to be located on the site of the current high school, 130 St. George Street, Duxbury, MA, for which the Town shall not be eligible for a school construction grant from the MSBA and further to vote to appropriate, borrow or transfer from available funds an amount of money for the relocation of the Central Office and for minor modifications to the Performing Arts Center, for which the Town shall not be eligible for a school construction grant from the MSBA. The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) forty-four and thirteen hundredths percent (44.13%), or forty-five and thirteen hundredths percent (45.13%) if the District receives final approval from the state's Inspector General to utilize the Construction Manager-at-Risk construction delivery method for this project, of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by MSBA,

or take any action in relation thereto.

(School Committee)

Finance Committee Recommendation: Available at Town Meeting
Fiscal Advisory Committee Recommendation: Approval

Article 2

To see if the Town will amend the zoning map by modifying the boundary of the Wetlands Protection Overlay District on a property shown on the assessor's map as 020C-038-005 and known and numbered as 1 Cape Verde Terrace, located off Franklin Street, from its current location, to the edge of the "50' Wetland Buffer" line as shown on a plan on file at the Office of the Town Clerk entitled, "Wetlands Protection Overlay District Modification Plan" prepared by McKenzie Engineering Group, Inc. dated 1/28/11 with revisions through 2/16/11,

or take any action in relation thereto.

(Owner Petition)

Finance Committee Recommendation: Available at Town Meeting

Article 3

To see if the Town will amend the zoning map by modifying the boundary of the Wetlands Protection Overlay District on a property shown on the assessor's map as 180A-002-002 and known and numbered as 1053 Tremont Street, from its current location, to the edge of the "50' Wetland Buffer" line as shown on a plan on file with the Office of the Town Clerk entitled "Wetlands Protection Overlay District Modification Plan" prepared by Grady Consulting, LLC, dated September 13, 2011,

or take any action in relation thereto.

(Owner Petition)

Finance Committee Recommendation: Available at Town Meeting

Article 4

To see if the Town will vote to authorize the Town Manager to enter into a contract with a third-party vendor that will be responsible for the installation, operation, maintenance and removal of the proposed solar array project at 145 Mayflower Street, Duxbury, MA 02332, and to see if the Town will vote to authorize the Board of Selectmen to enter into a leasing or licensing agreement for the operation of said project,

or take any action in relation thereto.

(Alternative Energy Committee)

Finance Committee Recommendation: Approval

Article 5

To see if the Town will vote to demonstrate their support for a system of real-time monitoring of airborne radionuclide emissions from Pilgrim Nuclear Power Station and meteorological data be implemented so that reliable and timely data shall be available by which exposure can be assessed more precisely. The radiation/weather monitors would measure alpha, beta, and gamma radiation at high and low detection levels and placed in offsite communities ringing Pilgrim Station based on meteorological analysis. The data shall be computer linked to MDPH for analysis and future epidemiological studies; to MEMA and Emergency Planning Zone Emergency Operations Centers for emergency planning purposes; and made publicly available. The Clerk of Duxbury shall forward the text of this Article to the Honorable Deval Patrick; the Executive Secretary of Health and Human Services; the Executive Secretary of Public Safety, State legislators representing the five Emergency Planning Zone communities (Carver, Duxbury, Kingston, Marshfield, Plymouth); and to all Select Boards within the

Emergency Planning Zone of Pilgrim NPS; so that the intent of the Citizens of Duxbury is widely known,

or take any action in relation thereto.

(Duxbury Nuclear Advisory Committee/
Duxbury Emergency Management Agency)

Finance Committee Recommendation: Available at Town Meeting

Article 6

To see if the Town will vote to revise and fix compensation of the Town Clerk in accordance with Chapter 41, Section 108 of Massachusetts General Law for the twelve month period beginning July 1, 2011 at \$80,000, and appropriate the sum of \$6,000 to be added to the appropriation previously voted under Article 3 of the 2011 Annual Town Meeting,

or take any action in relation thereto.

(Town Clerk)

Finance Committee Recommendation: Available at Town Meeting

Article 7

To see if the Town will vote to transfer from available funds, a sum of money to be added to the Percy Walker Pool Enterprise Fund,

or take any other action in relation thereto.

(Finance Department)

Finance Committee Recommendation: Approval

Article 8

To see if the Town will vote to appropriate by transferring from available funds or from free cash, a sum of money to pay unpaid bills of previous years which may be legally unenforceable due to the insufficiency of an appropriation therefor,

or take any action in relation thereto.

(Town Manager)

Finance Committee Recommendation: Approval

Article 9

To see if the Town will vote to rescind the acceptance of the provisions of Massachusetts General Laws Chapter 41, Section 108L, entitled “Career Incentive Pay” and to authorize the Board of Selectmen to petition the General Court to permit the Town to rescind acceptance of Massachusetts General Laws Chapter 41, Section 108L,

or take any action in relation thereto.

(Board of Selectmen)

Finance Committee Recommendation: Available at Town Meeting

Article 10

To see if the Town will vote to appropriate, or transfer from available funds, a sum of money to fund collective bargaining agreements with any one or more of the following employee organizations for the fiscal year commencing July 1, 2011:

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

or take any action in relation thereto.

(Board of Selectmen/ Town Manager/School Committee)

Finance Committee Recommendation: Available at Town Meeting

**Special Town Election
Saturday, November 5, 2011
Polls are open 7:00 am – 4:00 pm**

**ALL PRECINCTS at the T. WALDO HERRICK MEMORIAL GYMNASIUM, DUXBURY
MIDDLE SCHOOL, ALDEN STREET, DUXBURY, MA**

TO BRING IN THEIR VOTE FOR THE FOLLOWING QUESTION:

**QUESTION
DEBT EXCLUSION**

Shall the Town of Duxbury be allowed to exempt from the provisions of proposition two-and-one-half, so called, the amounts required to pay for the bond issued in order to design and construct a new co-located middle school and high school, to be located on the site of the current middle school, 71 Alden Street, Duxbury, MA and a new field house, to be located on the site of the current high school, 130 St. George Street, Duxbury, MA, and for related modifications to existing school facilities including the payment of all costs incidental or related thereto?

AND YOU ARE HEREBY DIRECTED TO SERVE THIS WARRANT by posting attested copies thereof as prescribed by M.G.L. Chapter 39, Section 10 and by Chapter 2, Section 2.3 of the Town of Duxbury General Bylaws, and by publishing a copy of this Warrant in a Plymouth County Newspaper, as prescribed by Article 2, Section 2.3 of the Duxbury By-Laws, at least fourteen (14) days before the time of holding said Meeting.

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

Given under our hands this 3rd day of October, 2011.

BOARD OF SELECTMEN

Shawn M. Dahlen, Chair

Christopher R. Donato, Vice-Chair

Theodore J. Flynn, Clerk

Plymouth ss:

_____ 2011

Pursuant to the warrant I have this day notified and warned the inhabitants of the Town of Duxbury, herein described, to meet at the time and place and for the purposes as prescribed by the bylaws of the Town.
A TRUE COPY ATTESTED

CONSTABLE OF DUXBURY