

Please Read



COMMONWEALTH OF MASSACHUSETTS

TOWN OF DUXBURY

SPECIAL TOWN MEETING

WARRANT

SATURDAY, MARCH 9, 2019

AT 9:10 A.M.

DUXBURY SCHOOLS PERFORMING ARTS CENTER

73 ALDEN STREET

**Plymouth, SS
Greetings:**

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

In the name of the Commonwealth of Massachusetts you are directed to NOTIFY and WARN the INHABITANTS OF THE TOWN OF DUXBURY, qualified to vote in elections and in Town affairs, to meet in the Duxbury Schools Performing Arts Center, 73 Alden Street, in said Duxbury on SATURDAY, the NINTH day of MARCH, 2019, next, at 9:10 A.M. for a SPECIAL TOWN MEETING, for the transaction of any business that may legally come before said meeting:

ARTICLE 1 – SUPPLEMENTAL APPROPRIATIONS

To see if the Town will transfer from available funds sums of money to supplement appropriations previously voted under Article 5 at the Annual Town Meeting of March 10, 2018, for the Fiscal Year beginning July 1, 2018, for various Town Departments, or take any action in relation thereto.

Proposed by the Board of Selectmen/Town Manager

Explanation: The purpose of this article is to supplement a number of line items in the current fiscal year’s budget (FY19) in order to fund a number of additional expenses associated with various Town Departments.

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

ARTICLE 2 – UNPAID BILLS

To see if the Town will appropriate by transferring from available funds a sum of money to pay unpaid bills of a previous fiscal year, as follows:

| Line # | Vendor | Department | Amount |
|---------------|--------------------------|-------------------------|---------------|
| 1 | Associated Elevator | Facilities Department | \$1,255.00 |
| 2 | Eversource | DPW – Central Buildings | \$11.33 |
| 3 | Lowe’s | Facilities Department | \$14.71 |
| 4 | Garrity and Knisely | Legal | \$4,050.00 |
| 5 | Quest Diagnostics | Human Resources | \$53.30 |
| 6 | Clipper Press | Planning | \$80.00 |
| 7 | Hunter Systems | Police Department | \$4,414.95 |
| 8 | Collari Automotive, Inc. | DPW Vehicle Maintenance | \$120.00 |
| 9 | Matthews International | Cemetery Department | \$9.82 |

; or take any action in relation thereto.

Proposed by the Town Manager

Explanation: These funds are needed to pay for bills received after the close of Fiscal Year 2019. Requires a 9/10 vote.

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

ARTICLE 3 – FUNDING OF WEED HARVESTER

To see if the Town will transfer from available funds a sum of money for the purpose of purchasing an aquatic weed harvesting machine, said funds to be expended under the direction of the Town Manager, and to authorize the Town Manager to accept any gifts or grants for such project; or take any action in relation thereto.

Proposed by the Conservation Administrator and Town Manager

Explanation: The purpose of this article is to provide a portion of the funding for the purchase of an aquatic weed harvesting machine. Aquatic plant harvesters offer an environmentally sound method of controlling excessive aquatic plant growth and nuisance vegetation in waterways. These heavy duty work boats are highly efficient in the management of submerged, emergent and free floating aquatic vegetation. Like an underwater lawn mower, an aquatic weed harvester cuts the vegetation, collecting and storing the weeds on board. Aquatic weed harvesters are fitted with a pick up conveyor at the forward end of the machine, which can be lowered to cut weeds. One horizontal and two vertical cutter bars sever the vegetation as the machine moves forward through the water, and, when the storage hold becomes full, the weed harvester returns to shore to unload. The state will be providing additional funding (\$35,000) via a grant program that was awarded to the Town of Duxbury. The purchase of the harvester must be made prior to the close of this fiscal year since the availability of the state grant funding will close on June 30, 2019, thus, the reason for this article having been placed in the Special Town Meeting warrant as opposed to the Annual Town Meeting warrant.

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

ARTICLE 4 – FUNDING OF ENGINEERING AND DESIGN WORK RELATED TO THE POWDER POINT BRIDGE

To see if the Town will transfer from available funds a sum of money for the purpose of obtaining engineering and design services for repairs to the Powder Point Bridge, said funds to be expended under the direction of the Town Manager, and to authorize the Town Manager to accept any gifts or grants for such project; or take any action in relation thereto.

Proposed by the DPW Director and Town Manager

Explanation: Several years ago, a number of the pilings of the Powder Point Bridge were repaired with a fiber wrap system that did not prove to be an effective, long-term method of repair. Following consultations with several engineers, the Town is recommending that it is necessary to obtain engineering and design services for permanent repairs to the Powder Point Bridge in order to develop a long-term, permanent solution. This will include a visual inspection of the wood piles that have been previously obscured by the wrap systems to assess their current condition and the development of a repair design that can implemented at individual piles.

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

ARTICLE 5 – POWDER POINT BRIDGE CAPITAL PROJECT FUNDING

To see if the Town will transfer from available funds a sum of money to be transferred to the Powder Point Bridge Capital Project Fund to pay down outstanding temporary debt, or take any action in relation thereto.

Proposed by the Finance Department

Explanation: This transfer will pay-off the remainder of the Bond Anticipation Notes used to fund the project. Paying this off with available funds will avoid any additional unnecessary borrowing costs.

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

ARTICLE 6 – ASSESSOR’S LEGAL AND APPRAISAL SERVICES

To see if the Town will vote to move the amount of \$20,000 from Overlay Reserve to Assessor’s Legal and Appraisal Services; or take any action in relation thereto.

Proposed by the Board of Assessors

Explanation: The Board of Assessor’s is asking that \$20,000 be moved from Overlay Reserve to Legal Services to cover legal costs on an ATB (Appellate Tax Board) ruling. The purpose is to defend an appeal of an ATB decision in favor of the appellant, The Village at Duxbury. The decision was rendered on FY2015 and FY2016. Prior ATB findings, Longview Corp Inc., Emelie Born President vs. City of Cambridge established the method of valuation which the Board will ask the Appeals Court to reaffirm and reverse the ATB decision.

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

ARTICLE 7 – SPECIAL EDUCATION RESERVE FUND

To see if the Town will transfer from available funds a sum of money to fund the Special Education Reserve Fund; or take any other action in relation thereto.

Proposed by the School Business Manager and Finance Department

Explanation: It is important for the school system to have a Special Education Reserve Fund because it will let us budget for any unanticipated costs related to Special Education. The expenses that would be paid with this Special Education Reserve Fund would only be special educational expenses for example, out-of-district tuition or transportation and other related special education cost.

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

ARTICLE 8 – PENSION RESERVE FUND

To see if the Town will transfer from available funds a sum of money to be added to the Pension Reserve Fund; or take any action in relation thereto.

Proposed by the Finance Department

Explanation: The purpose of this article is to fund the Town’s municipal pension reserve fund. It has been the practice of the Town over the last several years to transfer funds from the Pension Reserve Fund to the General Fund to offset increases in the Town’s Contributory Pension Assessment to Plymouth County. Since FY 2006, the fund has provided over \$1,100,000 to the General Fund. These are monies that would otherwise have to be found within the Tax Levy. Although financial markets have begun to improve in recent years, we need to continue to replenish this valuable reserve in order to support future funding. The balance in the fund as of December 31, 2018, is \$1,202,290. The Town of Duxbury’s Financial Management Policies recommends the Pension Reserve be funded annually at a minimum of 0.125% of general fund operating revenues. Approval of this transfer \$91,000 from Free Cash will continue the replenishing the fund, thereby providing higher earnings potential.

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

ARTICLE 9 – OTHER POST EMPLOYMENT BENEFITS

To see if the Town will transfer from available funds a sum of money to be added to the Other Post-Employment Benefits Trust Fund; or take any action in relation thereto.

Proposed by the Finance Department

Explanation: Employees of state and local governments may be compensated in a variety of forms. In addition to a salary, many employees earn benefits during their years of service that will not be received until after their employment with the government ends. The most common type of these post-employment benefits is a pension. Post-employment benefits other than pensions generally take the form of health insurance, or other healthcare benefits provided to eligible retirees, and may also include some type of life insurance. As a group, these non-pension benefits are referred to as Other Post-Employment Benefits (“OPEB”). In FY13, the voters at Town Meeting, with the support of the Board of Selectmen and the Finance Committee, established an OPEB Trust Fund. The Town currently funds retiree health insurance on a pay-as-you-go basis. This amount for fiscal year 2019 is approximately \$1,693,000. Through various health plan changes coupled with increased funding, our Actuarial Accrued Liability at June 30, 2018 is \$33,801,101.00. In order to control this liability, the Town’s actuary has recommended a minimum annual contribution of \$300,000. We must make every effort to fund this liability. Through December 31, 2018, the balance in the fund has reached \$2,232,380.91. The Town of Duxbury’s Financial Management Policies recommends a minimum annual requirement of \$300,000. The transfer of \$300,000 from Free Cash is an important step in recognizing our obligation while being in compliance with Town policy.

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

ARTICLE 10 - ACCRUED LIABILITIES AND COMPENSATED ABSENCES FUND

To see if the Town will transfer from available funds a sum of money to be added to the Accrued Liabilities and Compensated Absences Fund; or take any action in relation thereto.

Proposed by the Finance Department

Explanation: Each year the Town experiences separations of employee service. These separations may include, but are not limited to, terminations, retirements, and even loss of life. At the time the annual departmental budgets are presented for Town Meeting approval no allowances are made for potential circumstances. The Town of Duxbury's Financial Management Policies recommends that the balance of such fund shall not be less than 2 times the average payments made over the last 5 years. The balance in the fund at December 31, 2018 was \$118,903. The average payments made over the last 5 years is \$75,143. Approval of this transfer in the amount of \$35,000 from Free Cash will bring us in compliance with Town policy and provide some level of comfort that such payouts would not come from the individual departmental budgets.

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

ARTICLE 11 – UNEMPLOYMENT FUND

To see if the Town will transfer from available funds a sum of money to be added to the Unemployment Fund; or take any action in relation thereto.

Proposed by the Finance Department

Explanation: Since Fiscal Year 2011, Town Meeting has provided funding for the Unemployment Trust Fund as allowed under M.G.L. Chapter 40 Section 5E. The Town of Duxbury's Financial Management Policies recommends that the balance of such fund shall not be less than 2 times the average benefits paid out over the last 5 years. The balance in the fund by June 30, 2019 is estimated to be roughly \$112,828 and the estimated average benefits paid out over the last 5 years would be \$58,042. Approval of this transfer in the amount of \$30,000 from Free Cash will bring us in compliance with Town policy and ensure that we have enough to cover benefits through Fiscal Year 2020.

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

ARTICLE 12 – STABILIZATION FUND

To see if the Town will transfer from available funds, a sum of money to be added to the Stabilization Fund; or take any action in relation thereto.

Proposed by the Finance Department

Explanation: It has been the practice of the Town over the last several years to transfer available funds into the Stabilization Fund. The Town of Duxbury's Financial Management Policies recommends the Stabilization Fund should be maintained at 5 % to 10% of general fund operating expenditures net of exempt debt.

The balance in the Town's Stabilization Fund at December 31, 2018 is \$3,895,955 or 5.33% of general fund operating expenditures. At the Special Town Meeting of September 4, 2018 the Town utilized \$605,000 from Stabilization to fund various articles with the intent of replenishing those funds in one or two years' time.

Duxbury continues to enjoy a Standard & Poor's rating of AAA and a Moody's Rating of AA1. The enhancement of this reserve is a major factor when rating agencies consider upgrades.

With the approval of this transfer, coupled with projected earnings for FY 2019, this will provide an end-of-year balance exceeding \$4,675,000. This amount will equal slightly more than 6.40% of the Town's operating expenditures net of debt. Approval of this transfer in the amount of \$605,000 from Free Cash will ensure that our reserves are maintained at levels that will likely appeal to bond rating agencies. Increases to reserves are critical to maintaining our bond rating and ensuring the best interest rates possible on future borrowing.

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

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.

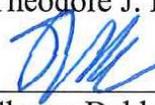
Hereof fail not and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of this meeting.

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

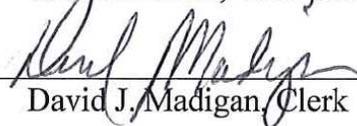
BOARD OF SELECTMEN



 Theodore J. Flynn, Chair



 Shawn Dahlen, Vice-Chair



 David J. Madigan, Clerk

Plymouth ss:

20 February, 2019

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

**A TRUE COPY
ATTESTED**



CONSTABLE OF DUXBURY