

DUXBURY ANNUAL TOWN MEETING

SATURDAY, MARCH 11, 2006

DUXBURY SCHOOLS PERFORMING ARTS CENTER,
ST. GEORGE ST., DUXBURY, MA.

The Duxbury Annual Town Meeting was held on Saturday, March 11, 2006.

The Annual Town Meeting was called to order at 9:10AM and the Clerk read the call to the meeting. The Moderator instructed the meeting on procedures and The Color Guard of the Police and Fire Departments presented the Pledge to the Flag. It was moved, seconded and carried to allow non-voters permission to speak when necessary. The Annual Town Meeting was recessed at 9:20AM for the Special Town Meeting which was adjourned sine die at 11:05AM. The Annual Town Meeting was reconvened at 11:05AM, recessed for lunch at 12:05PM and reconvened at 1:15PM and recessed at 5:20PM until reconvening at 7:35PM on Monday, March 13th.

The March 13, 2006 meeting was recessed at 10:45PM until Tuesday, March 14th. The March 14, 2006 meeting reconvened at 7:35PM. The Annual Town Meeting was adjourned sine die at 10:45PM. All the meeting sessions were held at the Performing Arts Center.

Article 1-Appointment of Officers not chosen by ballot-Moved and seconded that Town Moderator and the 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. Susanna Sheehan reported on the Historical Com. work on the Tarklin Building. Motion carried.

Article 3-Moved and seconded that the Town vote to fix the compensation of elected Town officers for the twelve month period beginning July 1, 2006

And raise and appropriate the sum of \$72,040 for the purpose of this article

As follows:

Moderator	\$40	Assessors:	
Selectmen:		Chair	\$2,000
Chair	\$2,000	Member	\$1,500
Member	\$1,500	Member	\$1,500
Member	\$1,500	Motion carried	
Town Clerk	\$62,000		

Article 4-Moved and seconded that the Town vote to accept any sums of money that may 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 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.

A Financial Report was given by the Town Manager Richard MacDonald.

A presentation was given by the Planning Board in honor of Robert Wilson who retired from the Board in October 2005.

Article 5-Motion 1- General Government-Moved and seconded that the Town vote to appropriate the sum of \$1,756,961 for the following:

General Government:
Selectmen/Manager

Finance Director

Salaries	\$ 221, 537
<u>Expenses</u>	<u>30,562</u>
Total	\$252,099

Salaries	\$79,000
<u>Expenses</u>	<u>3,000</u>
Total	\$82,000

Town Meeting	
<u>Expenses</u>	<u>\$8,901</u>
Total	\$8,901

Finance Committee	
<u>Expenses</u>	<u>\$200</u>
Total	\$200

Accounting	
Salaries	\$191,616
<u>Expenses</u>	<u>44,352</u>
Total	\$235,968

Computer Department	
Salaries	\$53,946
<u>Expenses</u>	<u>59,313</u>
Total	\$113,259

Assessors	
Salaries	\$183,498
<u>Expenses</u>	<u>27,664</u>
Total	\$211,162

Treasurer/Collector	
Salaries	\$279,243
<u>Expenses</u>	<u>61,000</u>
Total	\$340,243

Audit	
<u>Expenses</u>	<u>\$40,000</u>
Total	\$40,000

Legal Services	
<u>Expenses</u>	<u>\$200,000</u>
Total	\$200,000

Personnel Board	
Salaries	\$4,660
<u>Expenses</u>	<u>3,000</u>
Total	\$7,660

Planning Board	
Salaries	\$82,695
<u>Expenses</u>	<u>12,000</u>
Total	\$94,695

Town Clerk	
Salaries	\$39,115
<u>Expenses</u>	<u>3,475</u>
Total	\$42,590

Elections	
Salaries	\$15,062
<u>Expenses</u>	<u>22,043</u>
Total	\$37,105

Cable Advisory	
<u>Expenses</u>	<u>\$250</u>
Total	\$250

Historical Commission	
<u>Expenses</u>	<u>\$250</u>
Total	\$250

Conservation Commission	
Salaries	\$83,579
<u>Expenses</u>	<u>7,000</u>
Total	\$90,579

Total General Government	
Salaries	\$1,233,951
<u>Expenses</u>	<u>523,010</u>
Total	\$1,756,961

Article 5-Motion 1 Motion carried

The meeting recessed for lunch at 12:05PM and reconvened at 1:15PM

Article 5- Motion -2-Public Safety-Moved and seconded that the Town vote to appropriate the sum of \$5,423,132 for the Public Safety Budget, and to raise and appropriate the sum of \$5,423,132 for said appropriation:

Police	
Salaries	\$2,504,615
<u>Expenses</u>	<u>223,715</u>
Total	\$2,728,330

Animal Control	
Salaries	\$40,950
<u>Expenses</u>	<u>10,000</u>
Total	\$50,950

Fire	
Salaries	\$1,857,227
<u>Expenses</u>	<u>175,880</u>
Total	\$2,033,107

Inspectional Services	
Salaries	\$372,200
<u>Expenses</u>	<u>34,100</u>
Total	\$406,300

Harbor/Coastal Mgt
 Salaries \$176,445
Expenses 28,000
 Total \$204,445
 Article 5-Motion-2 Motion carried

Total Public Safety
Salaries \$4,951,437
Expenses 471,695
Total \$5,423,132

Article 5-Motion 3-Public Works-Moved and seconded that the Town vote to appropriate the sum of \$4,978,238 for the Public Works and to meet said appropriation to transfer the sum of \$1,460,512 from the Water Enterprise Fund and raise and appropriate the sum of \$3,517,726 as follows:

Administration /Engineering
 Salaries \$220,229
Expenses 28,150
 Total \$248,379

Highway
 Salaries \$361,358
Expenses 48,590
 Total \$419,948

Snow and Ice
 Salaries \$55,000
Expenses 94,200
 Total \$149,200

Vehicle Maintenance
 Salaries \$86,470
Expenses 68,800
 Total \$155,270

Central Fuel Depot
Expenses \$200,000
 Total \$200,000

Street Lights
Expenses \$35,000
 Total \$35,000

Lands/Nat. Resources
 Salaries \$334,223
Expenses 43,900
 Total \$378,123

Cemetery
 Salaries \$291,348
Expenses 134,390
 Total \$425,738

Central Bldg Ser.
 Salaries \$38,256
Expenses 185,550
 Total \$223,806

Transfer Station
 Salaries \$182,262
Expenses 843,146
 Total \$1,025,408

Town Bldg Maintenance
Expenses \$35,000
 Total \$35,000

Tarklin Com. Center
Expenses \$8,100
 Total \$8,100

Sewer
 Salaries \$4,945
Expenses 208,809
 Total \$213,754

DPW (Less Water)
Salaries \$1,574,091
Expenses 1,943,635
Total \$3,517,726

Water
Salaries \$568,677
Expenses 891,835
Total \$1,460,512

Total DPW All Operations
Salaries \$2,142,768
Expenses \$2,835,470
Total \$4,978,238

Article5- Motion -3 Motion carried

Article 5- Motion -4 Library and Recreation-Moved and seconded that the Town vote to appropriate the sum of \$1,485,792 with the notation that the total line for the Percy Walker Pool is

changed to "\$272, 085" and to meet this appropriation transfer the sum of \$30,000 from the Recreation Revolving Fund and raise and appropriate the sum of \$1,455,792 as follows:

Library	
Salaries	\$776,491
<u>Expenses</u>	<u>273,926</u>
Total	\$1,050,417

Recreation	
Salaries	\$129,260
<u>Expenses</u>	<u>10,000</u>
Total	\$139,260

Percy Walker Pool	
Salaries	\$175,985
<u>Expenses</u>	<u>96,100</u>
Total	\$272,085

Beach Life Guards	
Salaries	\$16,000
<u>Expenses</u>	<u>2,030</u>
Total	\$18,030

North Hill Golf Course	
<u>Expenses</u>	<u>\$2,500</u>
Total	\$2,500

Public Celebrations	
<u>Expenses</u>	<u>\$3,500</u>
Total	\$3,500

Library & Recreation	
Salaries	\$1,097,736
<u>Expenses</u>	<u>388,056</u>
Total	\$1,485,792

-Article 5- Motion - 4 carried.

Article 5-Motion 5-Health and Human Services-Moved and seconded that the Town vote to appropriate the sum of \$428,320 for Health and Human Services , and to meet this appropriation to raise and appropriate the sum of \$428,320 as follows:

Council on Aging	
Salaries	\$282,463
<u>Expenses</u>	<u>90,950</u>
Total	\$373,413

Veterans Services	
Salaries	\$19,807
<u>Expenses</u>	<u>34,900</u>
Total	\$54,707

Plymouth Cty. Coop-Ext.	
<u>Expenses</u>	<u>\$200</u>
Total	\$200

Total Health and Human Services	
Salaries	\$302,270
<u>Expenses</u>	<u>126,050</u>
Total	\$428,320

Article 5-Motion 5-Health & Human Services-Motion carried

Article 5-Motion 6-Schools-Moved and seconded that the Town vote to appropriate and raise the sum of \$24,300,000 for the Duxbury Public School Budget.

An amendment was moved and seconded to cut the School Budget by \$183, 621 (\$108,956-Spanish Program, \$70,000 Cur. K-5 & \$4,665) and add Full time Librarian-\$55,780, Psychologist-\$22,500 and, \$5,932 - 5th Grade Chorus. Motion to end debate on the amendment-carried unanimously

The Moderator split the votes into six sections:

Amendment:

1. Vote to add \$55,780 to the School budget. Yes 81-No-99 Failed
2. Vote to add \$22,500 to the School budget. Failed
3. Vote to add \$5,932 to the School budget. Failed
4. Vote to cut \$70, 000 from the School budget. Failed
5. Vote to cut \$108, 956 from the School budget. Yes-92-No-82 Carried
6. Vote to cut \$4,665 from the School budget. Failed.

Vote for reconsideration on the \$108, 956 vote. Carried

Vote to move the previous question-Yes-103 & No—79

2nd vote to move the previous question. Motion carried unanimously

Motion to end debate on the amendment.

Vote to cut the \$108, 956 from the School budget . Failed Yes-71 and

No-115.

Discussion on Revolving Funds.

An amendment was made- That the Town Meeting direct the Finance Committee to conduct a review of all Revolving Funds administered through the Town of Duxbury and report their findings at the next Annual Town Meeting. Amendment carried.

A motion to end debate on main motion .Failed Yes 119 and No-66 (Lacked a 2/3 vote).

A motion to end debate and vote on the main motion received the Moderator's call on receiving the requisite 2/3 vote.

Main motion carried.

Article 5-Motion 7-Town & School Shared Costs-Moved and seconded that the Town vote to appropriate the sum of \$12,738,305 for the purposes and in the amounts designated in the warrant-Town Manager Column for Town and School shared costs with the notation that total line for Contributory Pensions is changed to \$1,460,631 (a \$23 correction) and to meet this appropriation raise and appropriate the sum of \$12,738,305 as follows:

Employee Benefits	
Medicare	\$316,000
Emp. Health Insurance	6,650,000
Contributory Pensions	1,460,631
Non-Contributory Pensions	26,500
Unemployment Comp.	50,000
<u>Workers Comp</u>	<u>227,000</u>
Sub-total	\$8,703,131

Other Shared Costs	
Fire, Liability, Ins.	\$327,750
<u>Reserve Fund</u>	<u>150,000</u>
Sub-total	\$477,750

Debt Ser. Town & School	
Principal Payments	\$821,321
Principal Paym'ts- New	677,000
Principal Paym'ts-Exempt	176,585
Prinicpal Paym'ts-Exempt New	880,000
Interest on Debt	249,181
Interest on Debt-New	73,863
Interest on Debt-Exempt	29,496
Interest on Debt-Exempt New	551,936
Interest on Temporary Notes	52,800
Interest on Temporary Notes-Ex.	1,312
<u>Bonding Fees & Charges</u>	<u>16,850</u>
Town & School Shared Debt	\$3,530, 424

Total School & Town Shared Costs \$12,738,305

Article 5-Motion 7- Town & School Shared Debt -Motion carried

Article 5- Motion 8-Water Enterprise Debt-Moved and seconded that the Town vote to appropriate the sum \$745,415 for Water Enterprise Debt and to meet this appropriation transfer the sum of \$745,415 from the Water Enterprise Fund as follows:

Debt Service Water	
Principal Payments- Water	\$550,000
Interest on Debt-Water	127,415
Interest on Temporary Notes-Water	68,000
Total Water Debt	\$745,415

Article 5-Motion 8- Water Enterprise Debt-Motion carried

Article 5-Motion 9-Total Budget Summary Total All Motions.

Moved and seconded that the Town vote to appropriate the sum of \$51,856,163 as the Operating Budget of the town for the purposes and in the amounts specified in the Motions previously voted under Article 5 of the warrant and to meet this appropriation to raise and appropriate the sum of \$49,620,236 and transfer the sum of \$2,235,927 in accordance with transfers voted in the motions previously voted:

Departments	Appropriation	Transfer	Raise
1 .General Government	\$1,756,961	-----	\$ 1,756,961
2. Public Safety	\$5,423,132	-----	\$ 5,423,132
3. Public Works (DPW)	\$4,978,238	\$1,460,512	\$ 3,517,726
4. Library & Recreation	\$1,485,792	\$ 30,000	\$ 1,455,792
5. Health &Human Ser	\$ 428,320	-----	\$ 428,320
6. Schools	\$24,300,000	-----	\$24,300,000
7. Emp. Ben.Ins Sh Costs	\$12,738,305	-----	\$12,738,305
8. Water Ent. Debt	\$ 745,415	\$ 745,415	-----
Total	\$51,856,163	\$2,235,927	\$49,620,236

Article 5- Motion-9-Total Operating Budget-Motion carried

Article 6-Motion 1-General Government-Moved and seconded that the Town vote to appropriate the sum of \$45,500 under Article 6 of the warrant for General Government for the purposes and the amounts as follows:

\$24,000 for PC Replacements
\$ 4,000 for Red Alert Fire Dept. Software
\$ 500 for Data Nat'l Corp. Fin'l Standards Updates
\$17,000 for Pond Maintenance

And to meet said appropriation to raise and appropriate the amount of \$45,500 to be expended under the direction of the Town Manager.

Motion carried.

Article 6-Motion 2-Capital Budget-Health & Human Services-Moved and seconded that the Town vote to appropriate the sum of \$2,000 under Article 6 of the warrant for Health & Human Services for the purposes and in the amounts as follows:

\$2,000 for Paint

And to meet said appropriation raise and appropriate the sum of \$2,000 to be spent under the direction of the Town Manager. Motion carried.

Article 6-Motion 3-Capital Budget-Library & Recreation-Moved and seconded that the Town vote to appropriate the sum of \$35,000 under Article 6 of the Warrant for Library and Recreation for the purpose and in the amounts as follows:

\$35,000 for Dumping Pool Water

And to meet said appropriation to raise and appropriate the sum of \$35,000 to be expended under the direction of the Town Manager. Motion carried

Article 6-Motion 4-Capital Budget-Bonding-Public Safety-Moved and seconded that the Town vote to appropriate the sum of \$265,000 under Article 6 of the Warrant for Public Safety for the purposes and in the amounts as follows:

\$150,000 for Ambulance-Fire Department

\$ 90,000 for Refurbishing Forest Fire Trucks-Fire Dept.

\$ 25,000 for Jaws of Life-Fire Department

And to meet said appropriation the Treasurer with approval of the Board of Selectmen is authorized to borrow the sum of \$265,000 in accordance with Massachusetts General Laws Chapter 44 to be expended under the direction of the Town Manager. 2/3 vote required-Motion carried unanimously.

Article 6-Motion 5-Capital Budget Department of Public Works Bonding-Moved and seconded that the Town vote to appropriate the sum of \$287,000 under Article 6-of the Warrant for Public Works for the purposes and in the amounts as follows:

\$ 65,000 for Construction of Senior Center Parking Lot

\$ 32,000 for Hot Patch Trailer

\$110,000 for Municipal Tractor

\$ 80,000 for Mayflower Cemetery Expansion

To meet this appropriation the Treasurer with approval of the Board of Selectmen is authorized to borrow the sum of \$287,000 in accordance with Massachusetts General Laws Chapter 44 to be expended under the direction of the Town Manager. 2/3 vote required –Motion carried unanimously.

Article 6-Motion 6-Capital Budget-Department of Public Works-Moved and seconded that the Town vote to appropriate the sum of \$425,691 under Article 6 of the Warrant for Public Works for the following purpose and in the amounts as follows:

\$324,516 for Chapter 90 Rehabilitation

3,000 for Garage Roof Painting

6,000 for Girl Scout House Painting

11,000 for SCAG Mower

5,000 for 40 CY roll-Off Container

15,000 for Leaf Vacuum

6,175 for X-Mark Mower

30,000 for Re-line Retort

25,000 for Portable heavy Duty Lift

And to meet this appropriation transfer the sum of \$324,516 from Chapter 90 Highway Fund; and raise and appropriate \$101,175 to be expended under the direction of the Town Manager. Motion carried

Article 6-Motion 7-Capital Budget-Water Department-Bonding-Moved and seconded that the Town vote to appropriate the sum of \$900,000 under Article 6 of the Warrant for Water Department for purposes and in the amounts as follows:

\$650,000 for Route 3 Crossing Water Main

\$250,000 for Birch Street Tank Engineering

And to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow the sum of \$900,000 in accordance with Massachusetts General Laws Chapter 44 to be expended under the direction of the Town Manager.

The Moderator split the question:

Motion for previous question. Carried unanimously

1.Vote on the \$650,000. question. 2/3 vote required . 2/3vote called by the Moderator as having the requisite 2/3 vote.

2.Vote on the \$250,000 question . Required 2/3 vote and carried unanimously

Article 6-Motion 8-Capital Water Department-Moved and seconded that the Town vote to appropriate the sum of \$300,000 under Article 6 of the Warrant for Water Department for the purpose and in the amounts as follows:

\$ 50,000 for replacement of 1997 Utility Truck

\$150,000 for System Rehabilitation

\$100,000 for FY-2007 PCE Pipes Program.

And to meet this appropriation transfer the sum of \$300,000 from the Water Enterprise Fund under the direction of the Town Manager. Motion carried

The meeting was recessed 5:20PM and will meet on Monday,
March 13, 2006 at this place at 7:30PM.

Monday, March 13, 2006-The meeting was reconvened at 7:35PM.

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 11, 2006 by replacing the current Management Schedule, Regular Employee Provisions, and Compensation Schedules Q, T and R with the revised July 1, 2006 Management Schedule, Regular Employee Provisions, and Compensation Schedules Q, T, and R which are on file at the Town Clerk's Office and as set forth in the Handout entitled "Article 7 Duxbury Personnel Bylaw Changes,"
With the notation that the position of Director of Finance is added to Grade K on the Management Schedule.

To become effective July 1, 2006 and to appropriate the sum of \$105,000 for the purposes of this Article and to meet this appropriation raise and appropriate the sum of \$101,382 and transfer the sum of \$3,618 from the Water Enterprise Fund. Motion carried.

Article 8-Union Contracts-Moved, seconded and carried to indefinitely postponed.

Article 9-Duxbury Beach Lease-2/3 vote required-Moved and seconded that the Town vote to raise and appropriate the sum of \$400,000 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 the Migratory Shorebird Refuge at High Pines and excluding the land at High Pines leased to a third party) and to authorize the Board of Selectmen to execute a lease in the name and on the behalf of the Town for the period beginning July 1, 2006 and ending June 30, 2007 on such terms as may be approved by the Board of Selectmen. 2/3 vote required. Motion carried unanimously.

Article 10-Senior Tax Relief Program-Moved and seconded that the Town raise and appropriate the sum of \$2,500 in order to fund the Senior Tax Relief Program to provide senior citizens Real Estate vouchers for services rendered pursuant to an agreement between the Council on Aging and the Board of Selectmen. Motion carried

Article 11-Fourth of July Parade- Moved and seconded that the Town raise and appropriate the sum of \$10,000 to fund the Town's Fourth of July Parade. Motion carried

Article 12-Council on Aging Revolving Fund-Moved and seconded that the Town vote to authorize a Revolving Fund under M.G.L. Chapter 44 Section 53E ½ to be credited with all fees and charges received from the Senior Center Programs in an amount not to exceed \$50,000, to be expended under the direction of the Town Manager for functions, supplies and/or instructor fees.

Motion carried

Article 13-Revision of Personnel Plan-Moved and seconded that the Town vote to amend the Duxbury Personnel Plan by striking the current Sections 7,8, and 9 in Part I, substituting in their place a revised Section 7 entitled, "Duties of the Personnel Board;" a new Section 8 entitled, "Duties of the Town Manager," a revised Section 9 entitled, "Effective Date;" and a revised Section 10 entitled, "Hiring of New Employees" as follows:

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, reclassification of existing jobs and new rates for new jobs are to be reviewed by the Board for advise 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 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 therein.
- 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, 2006.

10. HIRING OF NEW EMPLOYEES

All 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 at the minimum salary range (Management) or the first step (Regular). 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 minimum would be difficult.

If the appointing authority has held that criteria (a) and (b) have been satisfactorily fulfilled, then the appointing authority may thereby determine a starting salary not to exceed the mid-point of Schedule M range or the third step of the Regular Compensation Schedule, whichever is appropriate.

The appointing authority may appoint at a rate above the minimum and up to the mid-point using the above criteria. Appointments at a rate above mid-point shall be subject to concurrence by the Board of Selectmen.

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 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 Emergency hiring may be required to pass a pre-employment physical examination given by a physician at the Town's expense and reported on a 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.

And by renumbering Sections 10 through 17 to 1- through 18, or take any action in relation thereto.

An amendment was moved and seconded to remove the last sentence of Section 8. (d) as follows:

"Job descriptions can only be rewritten when there has been a substantial change in job content which, in the opinion of the Town Manager, would change the rating of the job." Carried to remove.

Main motion, as amended, carried.

Article 14-Fiscal Advisory Committee-General Bylaw-Moved and seconded that the Town vote to amend the General Bylaws of the Town of Duxbury by striking the current Section 6.8 of the General Bylaws and substituting in its place a revised Section 6.8 entitled, "Fiscal Advisory Committee" as follows:

6.8 FISCAL ADVISORY COMMITTEE

6.8.1 The Fiscal Advisory Committee shall consist of nine members appointed by the Moderator for three year staggered terms. When Practical, at least three members shall be former members of the Finance Committee. The primary focus of the Fiscal Advisory Committee shall be advising the Selectmen, Town Manager, Finance Committee and Town meeting on strategic planning and long-range financial management.

6.8.2 Before a warrant for Town meeting is published, the Town manager shall transmit a copy thereof to the Chairman of the Fiscal Advisory Committee.

The Committee shall review annual financial projections and prepare recommendations with regard to overall financial management including capital expenditures and use of borrowed funds.

The Committee shall also consult with any town departments, officers, committees or employees having information pertaining to warrant articles on the following matters:

- a. The acquisition or improvement of land;
- b. New construction or major reconstruction of town facilities such as streets, bridges or buildings;
- c. Renovation or preventive maintenance projects not normally undertaken within a department;
- d. Capital expenditure or project with a cost of \$100,000 or more;
- e. Any article pertaining to or involving the use of group insurance, town retirement, borrowing or the Stabilization Fund.

Following its financial analysis, the Fiscal Advisory Committee shall return to the Selectmen, the Town Manager and the Finance Committee its recommendation, which shall be included with a copy of the warrant when published for distribution.

6.8.3 The Fiscal Advisory Committee shall make a report to the Annual Town meeting, which shall include an analysis of:

- a. Free Cash
- b. the Retirement Fund
- c. the Stabilization Fund
- d. the Interest and Maturing Debt
- e. the status of the Water Enterprise Account

6.8.4 In addition to other matters that may be referred to them by the Selectmen, the Town Manager, the Finance Committee or Town Meeting, the Committee shall regularly review and report to the Selectmen, Town Manager, Finance Committee and Town meeting on the Town's financial policies and condition including but not limited to:

- a. the adequacy of current and future revenues to meet present and future appropriations;
- b. the adequacy of local receipts to meet the cost of services that are or might be covered by fees;
- c. the maximization of earnings on idle cash and other funds;
- d. the allocation of adequate resources to meet the Town's retirement liability costs;
- e. the status of the Town's long term capital plan including but not limited to an orderly schedule for vehicle, and major equipment, and building renovation and replacement.

Motion carried

Article 15-Date of Town meeting and Elections-Moved and seconded to

Change the date of the Town Meeting to the first Saturday in May and the date of the Election to the third Saturday in May. Motion failed

Article 16-Appointing Authority for Town Boards.-Moved and seconded to change the appointing of the Personnel Board from the Moderator to the Town Manager. Motion failed

Article 17-Medicare Extension Plans-Retirees-Moved and seconded to indefinitely postpone. Mr. Peter Savage spoke to the article. Motion carried to postpone.

Article 18- Agricultural Commission-Moved and seconded that the Town vote to amend the General Bylaws of the Town by adding "Duxbury Agricultural Commission" to the list of Committees appointed by the Board of Selectmen under 5.2; and further by adding a new Section 6.16 entitled, "Duxbury Agricultural Commission" to read as follows:

6.16 DUXBURY AGRICULTURAL COMMISSION

The Duxbury Agricultural Commission shall consist of seven (7) members appointed by the Board of Selectmen; five (5) shall be actively engaged in farming and two (2) with an interest in farming. The terms shall stagger on three year intervals with the initial terms being: three members for three years; two members for two years and two (2) members for one year and for three years thereafter. The Duxbury Agricultural Commission will represent the Town of Duxbury's agricultural community and interests. The Selectmen and said Commission, once appointed, shall develop a work plan to guide its activities. Such activities shall include, but are not limited to the following:

Serve as facilitators for encouraging the pursuit of agriculture in Duxbury,
Promote agricultural-based economic opportunities for the Town,
Act as mediators, advocates, educators and/or negotiators, in an advisory capacity on farming issues for residents and established Town committees and departments,
Work for the preservation of both Town-owned and privately owned agricultural lands and,
Pursue all initiatives appropriate to creating a sustainable agricultural community.

For all purposes of this Bylaw, agriculture is defined as farming in all its branches without limitation including aqua-culture, livestock and farming.

An amendment was added to the last sentence after branches "without limitation including aqua-culture, livestock and farming." Amendment carried. Main motion, as amended, carried.

Article 19-Zoning Bylaw-Definition of Substantial in Demolition of Historical Buildings. 2/3 vote required. Motion failed

Article 20-Zoning Bylaw-Historical Buildings [six (6) months to twelve (12) months]. Moved to indefinitely postpone . Failed
Main motion 2/3 vote required. Yes-87 and No-55 Motion failed to achieve 2/3 vote and failed.

The Meeting recessed at 10:45PM until 7:30PM Tuesday, March 14, 2006

The Meeting reconvened at 7:35PM.

Article 21-Percy Walker Pool-Moved and seconded that the Town vote to authorize a the **Moderator** to appoint a "Long Range Planning Committee" consisting of seven (7) members to develop a Master Plan for the Percy Walker Pool and to transfer from Free Cash \$15,000 to be expended by said committee under the direction of the Town Manager for an existing condition survey and rehabilitation recommendations.
Two amendments were voted:

1. Change the language after the words "expended by said committee" to read 'under the direction of the Town Manager.' Amendment carried
2. Change the language of the last sentence from , after- "said committee

(as it appears in the warrant) for plans and architectural services for rehabilitation of the pool." to the new language underlined above.
Amendment carried. Main motion, as amended, carried.

A vote for reconsideration of the School Budget- 2/3 vote required Failed unanimously

Article 22-CPA OPERATING EXPENSES- Moved and seconded that the Town vote to transfer the amount of \$80,000 upon recommendation of the Community Preservation Committee, from the Community Preservation Act Fund, in accordance with Massachusetts General Laws, Chapter 44B, for the expenses and charges, including, without limitation of the foregoing, wages, salaries and expenses for the operation of the Community Preservation Committee, all for the Fiscal Year beginning July 1, 2006 and ending June 30, 2007 in accordance with the Schedule as shown under Article 22 of the Warrant, said funds to be expended under the direction of the Town Manager.

Community Preservation Committee

Salaries \$20,000
Expenses 60,000
Total \$80,000
Motion carried

Article 23-CPA Allocations-Moved and seconded that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$611,532 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) and to meet this appropriation to transfer \$611,532 from the Community Preservation Act Fund. Motion carried.

Article 24-CPA-Island Creek Fish Ladder-Moved and seconded that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$35,000 to restore and construct two Fish Ladders on Island Creek and further to authorize the Town Manager to expend said sum of money from the Community Preservation Fund for the purposes of this article, and to meet this appropriation to transfer the sum of \$17,5000 from Open Space Reserves and the sum of \$17,500 from Historic Preservation Reserves, said sums to be expended under the direction of the Town Manager. Motion carried

Article 25-CPA-Alden House-Moved and seconded that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$30,000 to be utilized for the Historic Preservation of the Alden House, and further to authorize the Board of Selectmen to enter into certain agreements with the Alden Kindred of America, Inc., on terms deemed by the Selectmen to be in the best interest of the Town, and further to authorize the Town Manager to expend said sum of money from the Community Preservation Fund for the purposes of this article, and to meet this appropriation, transfer the sum of \$30,000 from the Historic Preservation Reserves, said sums to be expended under the direction of the Town Manager. Motion carried.

Article 26-CPA-Transfer of Funds for Congress St. Property-Move, seconded and carried to indefinitely postpone.

Article 27-2/3 vote required-CPA-Purchase Loring Property-Moved and seconded that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$281,000 to acquire for Conservation purposes with a permanent restriction under M.G.L Chapter 184, three parcels of land, approximately 36.82 acres in area, identified as parcels 140-055-000, 140-054-000 and 100-901-038 on Duxbury

Assessors Maps and for costs related thereto and authorize the Board of Selectmen to solicit grants or receive gifts for said purchase and to meet said appropriation to transfer the sum of \$281,000 from Open Space Reserves of the Community Preservation Fund, said sum to be expended under the direction of the Town Manager, and to authorize the Conservation Commission under M.G.L. Chapter 40, Section 8C to manage the properties and to enter in an agreement of up to ten (10) years for management of the Bogs. 2/3 vote required
Received the requisite 2/3 vote called by the Moderator.

Article 28- 2/3 vote required-CPA-Purchase of Nudd Property-Moved and seconded that the Town vote to appropriate, upon recommendation of the Community Preservation Committee, the sum of \$237,000 to acquire for Conservation purposes with a permanent restriction under M.G.L., Chapter 184, a parcel of land, approximately 23.9 acres in area, identified as parcel 100-901-037 on Duxbury Assessors Maps and for costs related thereto and authorize the Board of Selectmen to solicit grants or receive gifts for said purchase and to meet said appropriation to transfer the sum of \$237,000 from Open Space Reserves of the Community Preservation Fund, and to authorize the Conservation Commission under M.G.L. Chapter 40, Section 8C to manage the property and to enter in an agreement of up to ten (10) years for management of the Bogs. 2/3 vote-required
Received the requisite 2/3 vote called by the Moderator

Article 29-CPA Unused Funds-Moved and seconded that the Town vote to authorize the Town Accountant, upon recommendation of the Community Preservation Committee, to rescind unused money voted under Article 13 of the 2003 Annual Town Meeting in the amount of \$618.00 for the Swanson Property purchase, and to rescind unused money voted under Article 18 of the 2005 Annual Town Meeting in the amount of \$382.00 for the Town Green Irrigation project and to transfer said money back to the Community Preservation Act Fund. Motion carried.

Article 30 CPA--Land Swap-Moved, seconded and carried to indefinitely postpone.

Article 31-CPA-Housing Consultant-Moved and seconded that the Town vote to appropriate, upon the recommendation of the Community Preservation Committee, the sum of \$30,000 from the Community Preservation Fund, to contract with a Housing Consultant, and further to authorize the Town Manager to enter into an agreement with the Housing Consultant on terms deemed to be in the best interest of the Town, and to meet said appropriation to transfer the sum of \$30,000 from the Community Housing Reserves for purpose of this article. Motion carried.

Article 32-Policy on Affordable Housing-Moved and seconded that the Town vote to adopt a policy on Affordable Housing:
Duxbury derives its reputation as a desirable residential community characterized by open space vistas and natural resources available to its residents. Duxbury seeks to maintain and enhance our present character by preserving a mix of housing stock that includes low income, moderate income and market rate housing to insure diversity of the Town's population. By establishing this Affordable Housing Policy, Duxbury seeks to manage its own growth and development.

Definition

Affordable Housing is housing which, under the guidelines and regulations promulgated by Massachusetts General Laws, Chapter 40B, is defined as low income or moderate income housing, or housing which may otherwise be determined by vote of Duxbury Town Meeting to be affordable housing.

Criteria for the Development of Affordable Housing

1. The predominantly residential character shall be preserved.
2. Urban- scale projects are to be avoided.
3. Preference shall be given to projects that maximize the number of affordable housing units; however, the Town recognizes the potential necessity of including mixed income housing in order to ensure a development's overall economic viability.
4. Any affordable housing unit shall, to the maximum extent possible, remain affordable in perpetuity .
5. Insofar as it is legal, Duxbury residents shall be given priority in the marketing of affordable housing units.
6. Preservation of open space and protection of natural resources shall be important considerations in the Town's land use planning.
7. Development of affordable housing should not overburden existing utility systems or other public facilities that serve the Town, including services, streets, the public water supply and sewers to a greater extent than would any other development.

It is further moved that, the appropriate elected and appointed officials responsible for planning and housing work together to:

- A. Develop short and long term plans for implementing the Town's Housing Policy, and recommend how Duxbury should respond towards compliance with certain laws of the Commonwealth, such as Chapter 40B and Executive Order 418 relative to low and moderate housing provisions.
- B. That the Board of Selectmen, acting with the Local Housing Partnership Committee, coordinate this process and present the plans and recommendations, and program's progress to **the 2007** Annual Town Meeting and subsequent Annual Town Meetings. An amendment to correct the numbering from a mistake in the warrant carried. An amendment to indefinitely postpone Failed. Motion carried.

Article 33-Revolving Fund for Jaycox Tree Farm-Moved and seconded that the Town vote to establish a Revolving Fund under M.G.L. Chapter 44, Section 53E-1/2 to authorize 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 in an amount not to exceed \$15,000 to be expended under the direction of the Town Manager for supplies and any needs of the Jaycox Christmas Tree Farm. Motion carried

Article 34-Conservation Fund-Moved and seconded that the Town vote to raise and appropriate the sum of \$11,000 to be added to the Conservation Fund and to be used under the direction of the Town Manager for any purpose authorized by M.G.L. Chapter 40, Section 8C. Motion carried.

Article 35 GIS-Moved and seconded that the Town vote to establish a GIS Committee to consist of Information Systems Administer, Planning Director, Deputy Assessor, Director of Inspections, Director of Public Works and Conservation Administrator, and further that the Town vote to establish a Revolving Fund under M.G.L. Chapter 44 Section 53E-1/2 subject to the approval of the Selectmen and to be credited with all fees and charges received from the provision of GIS Services, in an amount not to exceed \$40,000, said funds to be expended under the direction of the Town Manager. Motion carried

Article 36-2/3vote required-Amend Zoning Map and Zoning Bylaw-

Moved and seconded that the Town vote to adopt an amended Zoning Map entitled,
 "Town of Duxbury, Massachusetts Zoning Map"
 Dated March 2006 as created by Greatwall GIS Services
 consisting of seven (7) sheets in total.

By replacing and substituting Sheet 5 with a new map entitled" Publicly Owned Land" (Final Draft) and by replacing and substituting Sheet 7 map entitled "Water Front Scenic Areas."

That is on file at the Town Clerk's Office and to substitute the words, "Town of Duxbury, Massachusetts Zoning Map" Dated March 2006, as created by Greatwall GIS Services consisting of seven (7) sheets in total,"in Section 202.1 in the Zoning Bylaw for the words, "Town of Duxbury Massachusetts Zoning Map dated March 2004 as created by Greatwall GIS Services consisting of six (6) sheets in total." 2/3 vote required- Motion carried unanimously.
Voted on March 14, 2006

Article 37-2/3 vote required Street Acceptance-Moved and seconded that the Town vote to accept the layout of Deer Run as a Public Way, in accordance with the descriptions and Plans now on file in the Town Clerk's Office, which are incorporated herein by reference and to authorize the acquisition by eminent domain of the property within said way.
Motion carried unanimously.

Article 38-Rapid Telephone Dialing System-Moved that the Town vote to appropriate the sum of \$3,000 and to meet this appropriation to transfer the sum of \$3,000 from Article 25 (Purchase Protective Gear) of the March 2005 Annual Town Meeting for the purposes of implementing a Computerized Rapid Dialing Telephone Calling System that can be used by all Town Departments to notify the public/and or personnel in a timely manner, and further to authorize the Town to apply for and accept any and all grant funds available for the purposes of this article.
Motion carried.

Article 39-Compensation from Entergy-Moved and seconded that the Town vote to negotiate with Entergy Corporation, examine legislative measures, and any other means to assure proper compensation for economic impact on the Town of Duxbury from the operations of the Pilgrim Nuclear Power Station and the storage of radioactive waste on site. Motion carried.

Article 40-Evacuation Policy-Moved and seconded that the Town vote to oppose the Nuclear Regulatory Commission's and Licensee's new emergency planning policy, as follows:
To see if the Town will accept the following:

The Town of Duxbury opposes the Nuclear Regulatory Commission's and Licensee's new emergency planning policy that states, "The minimum recommendation that shall be made at a General Emergency is to evacuate 2 miles around and 5 miles downwind from the plant." The Town of Duxbury recognizes that the impact from nuclear disaster in a General Emergency is far greater than 2 miles around and more than 5 miles downwind and therefore planning should not be reduced from the current 10-mile Emergency Planning Zone, rather it should be expanded; further the concept of "downwind" is not appropriate in a coastal community where wind directions are variable. 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. Motion carried

Article 41-Unpaid Bills-Move, seconded and carried to indefinitely postpone.

Article 42-Stabilization Fund-Moved, seconded and carried to indefinitely postpone.

Article 43-Free Cash-Moved and seconded that the Town vote to authorize the Board of Assessors to use \$1,100,000 from Free Cash to reduce the Tax Rate. Motion carried

It was moved, seconded and carried to adjourn this meeting sine die at 10:30PM.

Attendance:

Saturday-185 Article 1-6

Monday-153 Article 7-20

Tuesday-170 Article 21-43

Total number of voters attending over the three sessions: 344

Certifications:

From:

Tax Levy	\$50,400,833
Other available Funds	\$4,171,593
Free Cash	\$15,000
Borrowing	\$1,452,000
Free Cash to Reduce the Tax Rate	\$1,100,000
Total Appropriation	\$57,139,426

Respectfully submitted,

Nancy M. Oates
Duxbury Town Clerk