

Town of Duxbury-Annual Town Meeting called for Saturday, March 9,2002 and convened at 9:10am, recessed at 9:20am for a Special Town meeting which adjourned sine die at 9:37am and was reconvened at 9:37am until a recess at from 12:20pm until reconvening at 1:40pm until a recess was called at 5:45pm. The meeting reconvened at 7:35pm on Monday, March 11,2002 and adjourned sine die at 10:17pm, all at the T. Waldo Herrick Memorial Gymnasium, St. George St., Duxbury, MA.

Article 1-Moved and seconded that the Town vote that the Moderator and the Board of Selectmen be authorized to appoint the Officers not chosen by ballot. Motion carried

Article 2-Moved and seconded that the Town receive the reports of its Town Officials, Boards, Committees and Commissions as printed in the Annual Report. Bridget O'Keefe gave a report on the work being done by the Comprehensive Zoning Commission. Motion carried

Article 3-Moved and seconded that the Town vote to fix the compensation of the Elected Officials for the 12 month period beginning July 1,2002 as follows:

Selectmen	
Chairman	\$2,000
2 nd Member	\$1,500
3 rd Member	\$1,,500
Assessors	
Chairman	\$2,000
2 nd Member	\$1,500
3rd Member	\$1,500
Town Clerk	\$57,050
Moderator	\$ 40
Total	\$67,090

And raise and appropriate the sum of \$67,090 for the purpose of this article. Motion carried

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 4,6 and 6A. Motion carried

Article 5- Operating Budgets

Article 5-Motion 1- General Government-Moved and seconded that the Town vote to appropriate the sum of \$1,562,326 for the following:

Selectman/Manager		Accounting Department	
Salaries	\$ 200,415	Salaries	\$ 170,180
Expenses	\$ 43,000	Expenses	\$ 36,700
Total	\$ 243,415	Total	\$ 206,880
Town Meeting		Finance Committee	
Expenses	\$ 8,000	Expenses	\$ 160
Total	\$ 8,000	Total	\$ 160

Assessors

Salaries	\$ 159,171
Expenses	\$ 41,000
Total	\$ 200,171

Computer Department

Salaries	\$ 47,934
Expenses	\$ 44,787
Total	\$ 92,721

Treasurer/Collector

Salaries	\$ 246,000
Expenses	\$ 55,000
Total	\$ 301,000

Planning Board

Salaries	\$ 79,114
Expenses	\$ 17,000
Total	\$ 96,114

Personnel Board

Salaries	\$ 5,821
Expenses	\$ 6,500
Total	\$ 12,321

Community Preservation Act

Salaries	\$ 6,500
Expenses	\$ 33,000
Total	\$ 39,500

Conservation Commission

Salaries	\$ 75,678
Expenses	\$ 7,250
Total	\$ 82,928

Audit

Expenses	\$ 30,000
Total	\$ 30,000

Legal Services

Expenses	\$ 175,000
Total	\$ 175,000

Historical Commission

Expenses	\$ 2,000
Total	\$ 2,000

Cable TV Advisory Com.

Expenses	\$ 2,000
Total	\$ 2,000

Town Clerk

Salaries	\$ 29,954
Expenses	\$ 3,900
Total	\$ 33,854

Elections

Salaries	\$ 20,962
Expenses	\$ 15,300
Total	\$ 36,262

General Government Total

Salaries	\$ 1,041,729
Expenses	\$ 520,597
Total	\$ 1,562,326

And to meet said appropriation transfer the sum of \$39,500 from the Community Preservation fund and raise and appropriate the sum of \$1,522,826. Motion carried.

Article 5-Motion 2-Public Safety-Moved and seconded that the Town vote to appropriate the sum of \$4,833,744 for the following:

Police

Salaries	\$ 2,235,149
Expenses	\$ 220,000
Total	\$ 2,455,149

Animal Control

Salaries	\$ 49,427
Expenses	\$ 12,000
Total	\$ 61,427

Fire

Salaries	\$ 1,547,255
Expenses	\$ 152,275
Total	\$ 1,699,530

Civil Defense /Emerg. Mgmt

Salaries	\$ 35,109
Expenses	\$ 24,517
Total	\$ 59,626

Inspectional Services

Salaries	\$ 338,079
Expenses	\$ 44,000
Total	\$ 382,079

Harbor/Coastal Mgt

Salaries	\$ 157,433
Expenses	\$ 18,500
Total	\$ 175,933

Public Safety Total

Salaries	\$ 4,362,452
Expenses	\$ 471,292
Total	\$ 4,833,744

And to meet this appropriation transfer the sum of \$59,626 from a Grant from Entergy, Inc. and raise and appropriate the sum of \$4,774,118. Motion carried

Article 5-Motion 3-Public Works-Moved and seconded that the Town vote to appropriate the sum of \$4,796,740 for the following:

PUBLIC WORKS**Admin/Engineering**

Salaries	\$ 191,107
Expenses	\$ 26,355
Total	\$ 217,462

Road Maintenance

Salaries	\$ 305,013
Expenses	\$ 118,300
Total	\$ 423,313

Snow and Ice

Salaries	\$ 51,000
Expenses	\$ 92,700
Total	\$ 143,700

Vehicle Maintenance

Salaries	\$ 66,746
Expenses	\$ 60,155
Total	\$ 126,901

Lands/Nat. Resources

Salaries	\$ 273,589
Expenses	\$ 21,000
Total	\$ 294,589

Cemetery

Salaries	\$ 267,551
Expenses	\$ 80,715
Total	\$ 348,266

Central Bldg Services

Services	\$ 62,140
Expenses	\$ 149,700
Total	\$ 211,840

Transfer Station

Salaries	\$ 126,327
Expenses	\$ 759,194
Total	\$ 885,521

Town Bldg Maintenance

Expenses	\$ 57,500
Total	\$ 57,500

Tarklin Comm'ty Center

Expenses	\$ 6,250
Total	\$ 6,250

Street Lights

Expenses	\$ 36,000
Total	\$ 36,000

Central Fuel Depot

Expenses	\$ 113,950
Total	\$ 113,950

Sewer

Salaries	\$ 6,826
Expenses	\$ 207,400
Total	\$ 214,226

DPW(Less Water)

Salaries	\$ 1,350,299
Expenses	\$ 1,729,219
Total DPW(Less Water)	\$ 3,079,518

Water

Salaries	\$ 399,291
Expenses	\$1,3176,931
Total Water	\$1, 717, 222

DPW All Operations

Salaries	\$1,749,590
Expenses	\$3,047,150
Total DPW	\$4,796,740

And to meet this appropriation transfer the sum of \$1,717,222 from Water Revenue Fund and transfer \$50,000 from the Perpetual Care and other Cemetery Trust Funds and raise and appropriate the sum of \$3,029,518.
Motion carried

Article 5-Motion 4-Library & Recreation-Moved and seconded that the Town vote to appropriate the sum of \$1,367,319 for the following:

LIBRARY & RECREATION

Library

Salaries	\$ 696,737
Expenses	\$ 251,819
Total	\$ 948,556

Recreation

Salaries	\$ 113,269
Expenses	\$ 18,550
Total	\$ 131,819

Percy Walker Pool

Salaries	\$ 165,739
Expenses	\$ 90,525
Total	\$ 256,264

Beach Life Guards

Salaries	\$ 17,100
Expenses	\$ 1,580
Total	\$ 18,680

North Hill Golf Course

Expenses	\$ 8,500
Total	\$ 8,500

Public Celebrations

Expenses	\$ 3,500
Total	\$ 3,500

Library & Recreation

Salaries	\$ 992,845
Expenses	\$ 374,474
Total	\$ 1,367,319

And to meet this appropriation transfer \$15,000 from the Recreation Revolving fund and raise and appropriate the sum of \$1,352,319.
Motion carried

Article5-Motion 5-Health and Human Services-Moved and seconded that the Town vote to raise and appropriate the sum of \$359,749 for the following:

HEALTH & HUMAN SERVICES

Council on Aging

Salaries	\$ 226,979
Expenses	\$ 74,000
Total	\$ 300,979

Veterans Services

Salaries	\$ 18,010
Expenses	\$ 40,560
Total	\$ 58,570

Ply. Cty. Coop. Ext.

Expenses	\$ 200
Total	\$ 200

Health & Human Ser.

Salaries	\$ 244,989
Expenses	\$ 114,760
Total	\$ 359,749

Motion carried

Article 5-Motion 6-Schools-Moved and seconded that the Town raise and appropriate the sum of \$22,908,067 for Duxbury Schools.

Salaries	\$17,829,135
Expenses	5,078,932
Total	\$22,908,067

Motion carried

Article 5-Motion 7-Town and Schools Shared Costs-Moved and seconded that the Town vote to appropriate the sum of \$7,423,759 for the following:

Employee Benefits

Medicare	\$ 250,000
Emp. Health Insurance	\$ 3,125,000
Contributory Pensions	\$ 1,045,000
Non-Contributory Pens.	\$ 40,000
Unemployment Comp.	\$ 40,000
Workers Comp.	\$ 175,000
Sub. Total Emp. Benefits	\$ 4,675,000

Other Shared Costs

Fire, Liability, Ins.	\$ 280,000
Reserve Fund	\$ 150,000
Sub-Tot.Liab Ins/Res	\$ 430,000

Debt Ser, Town & Schools

Principal Payments	\$ 1,133,085
Int. on Bonded Debt	\$ 390,680
Int. on Temp. Loans	\$ 794,994
Sub-Total Debt	\$ 2,318,759

Tot Town/School Shared Costs**\$7,423,759**

And to meet this appropriation transfer the sum of \$75,000 from the Pension Reserve Fund and raise and appropriate the sum of \$7,348,759. Motion carried.

Article 5-Motion 8- Total Budget-Moved and seconded that the Town vote to appropriate the sum of \$43,251,704 as the Operating Budget of the Town for the FY beginning July 1,2002 for the purposes and in the amounts specified in the Motions previously voted under Article 5 of the Warrant and to meet this appropriation raise and appropriate the sum of \$41,295,536 and transfer the sum of \$1,956,348 in accordance with transfers voted in motions previously voted.

Motion -8	Appropriation	Transfer	Raise
General Gov't	\$ 1,562,326	\$ 39,500	\$ 1,522,826
Public Safety	\$ 4,833,744	\$ 59,626	\$ 4,774,118
Public Works	\$ 4,796,740	\$ 1,767,222	\$ 3,029,518
Library & Recreation	\$ 1,367,319	\$ 15,000	\$ 1,352,319
Health & Human Serv.	\$ 359,749		\$ 359,749
Schools	\$22,908,067		\$ 22,908,067
Benefits, Ins.Debt	\$ 7,423,759	\$ 75,000	\$ 7,348,759
Tot Operating Budget	\$43,251,704	\$ 1,956,348	\$ 41,295,356

Motion carried

Article 6-Capital Budget

Article6-Motion 1-General Government-Moved and seconded that the Town vote to appropriate the sum of \$30,725 for the following:

Article 6-Motion 1-

General Government

Town Hall:

Information Systems	\$ 25,725
Pond Maintenance	\$ 5,000
Total	\$ 30,725

And to meet this appropriation transfer the sum of \$10,724 from Articles previously approved at previous Town Meetings as follows:

Article 6 ATM 3/11/00 Technology \$5,000

Article 6 ATM 3/10/01 Technology \$5,000

Article 6 ATM 3/13/99 Work Station 724

Total transfers \$10,724

And raise and appropriate the sum of \$20,001; to be expended under the direction of the Town Manager.

Motion carried

Article 6-Motion 2-Moved and seconded that the Town vote to appropriate the sum of \$625,000 for the purpose of purchasing a new aerial ladder truck for the Fire Department and to meet this appropriation authorize the Treasurer with approval of the Board of Selectmen to borrow

\$625,000 in accordance with MA General Laws Chapter 44 Section 7 subsection 9 said appropriation to be expended under the direction of the Town Manager.

A vote to amend the article by a one-half transfer from the stabilization account and borrowing only-one half of the funds. Amendment failed. 2/3 vote required -Main motion carried unanimously

The meeting recessed for lunch at 12:20pm and reconvened at 1:40pm

Article 6-Public Safety- Motion 3-Moved and seconded that the Town vote to raise and appropriate the sum of \$44,769 for the following:

Article 6-Motion 3-

Public Safety

Police Dept

Lap top Police Sub-Total \$ 24,769

Fire Dept

Radio Receiver System \$ 8,000

Dive Gear \$ 12,000

Sub-total Fire \$ 20,000

Total \$ 44,769

for Public Safety to be expended under the direction of the Town Manager. Motion carried.

Article 6-Motion 4-Recreation-Moved and seconded that the Town vote to raise and appropriate the sum of \$52,500 for the following:

Recreation

Percy Walker Pool

Replace Dive Blocks \$ 7,500

Replace Hoyer Lift \$ 6,000

Sub-total \$ 13,500

North Hill Golf Course

Pave Parking Lot \$ 15,000

Repair Sand Traps \$ 5,000

Install Cart Paths \$ 4,000

Build Ladies Tees \$ 5,000

Sub-total \$ 29,000

Fields

Install Playg'd L'r Alden \$ 10,000

Total \$ 52,500

To be expended under the direction of the Town Manager.

An amendment to reduce the amount of the article to \$43,500 Failed. Main Motion carried.

Article 6-Motion 5-Dept. of Public Works-Moved and seconded that the Town vote to appropriate the sum of \$277,266 for the Dept. of Public Works under the direction of the Town Manager for the following:

Highway & Transfer Station

1) 3 Ton 4x4 Dump W/9' Plow \$55,000
Plow

2) Road Rehabilitation \$ 138,266

Sub-total \$ 193,266

Lands & Nat. Resources

1) 4 Wheel Dr. 3/4Pickup Truck \$ 25,000

2) Fields restoration \$ 15,000

Sub-total \$ 40,000

Crematory

Rebuild Crem. Tort \$ 11,000
Units11,000

Replace Backhoe \$ 26,500

Sub-total \$ 37,500

Town Floats

Rep Shipyard Ln \$ 6,500

Sub-Total \$ 6,500

DPW Grand Total \$ 270,766

And to meet this appropriation transfer the sum of \$138,266 from Chapter 90 Highway Funds and transfer the \$116,961 from the Articles approved at previous Town Meetings as follows:

1.Article 6 ATM 3/13/99 Old Library ADA	\$93,599
2.Article 6 ATM 6 3/14/98 Old Town Hall	15,469
3. Article 6 ATM 3/14/98 Chandler Baseball Field	1,108
4.Article 6 ATM 3/14/98 Lower Alden Baseball	3,181
5. Article 6 ATM Tractor	<u>3,604</u>
Total	\$116,961

And raise and appropriate the sum of \$22,039

An amendment to add \$6,500 to add a new float at Shipyard Lane changed the above figure from \$270,766 to \$277,266. Carried Yes-117 and No-79 Main motion carried ,as amended.

Article 6-Motion 6-Water Department - Moved and seconded that the Town vote to appropriate the sum of \$400,00 for the Dept. of Public Works-Water Department for the replacing Water Lines containing PCE in the Town and to meet this appropriation the Treasurer with approval of the Board of Selectmen is authorized to borrow the sum of \$400,000 in accordance with MA General Laws Chapter 44 Section 8 Subsection 5 to be expended under the direction of the Town Manager. 2/3 vote required -Motion carried unanimously.

Article 6-Motion 7-DPW-Water Department- Moved and seconded that the Town vote to appropriate the sum of \$100,000 for the following:

Water Dept

- 1) 2"Wat. Main Upgrade \$ 50,000
- 2)System Rehabilitation \$ 50,000

Water Dept Total \$ 100,000

And to meet this appropriation transfer the sum of \$100,000 from the Water Enterprise Fund; to be expended under the direction of the Town Manager. Motion carried.

Article6-Motion 8-Schools-Movbed and seconded that the Town vote to raise and appropriate the sum of \$25,000 for Asbestos Assessment Repair to be spent under the direction of the School Superintendent. Motion carried

Article 7- Personnel Plan-Moved and seconded that the Town vote to amend the Town By-Law known as the Duxbury Personnel Plan, original accepted March 12,1955 and last amended March 10,2001 by replacing it with the revised By-law which is on file at the Town Clerk's office and as set forth in a handout entitled " Article 7 Duxbury Personnel By-laws Changes" to become effective July 1,2002* and to appropriate the sum of \$90,500 for the purposes of this Article and to meet this appropriation the sum of \$73,729 and transfer from Water Revenue the sum of \$2,019, and transfer the sum of \$14,752 from the previously approved Article 7 ATM of March 11,2000. (*Changes to By-law to follow) Motion carried

Article 8-Motion 1-Clerical Contract-Moved and seconded that the Town vote to appropriate the sum of \$55,000 for the purpose of funding a collective bargaining agreement with the National Association of Government Employees (Town Hall Clerical Employees), NAGE, Local RI -244 for the Fiscal Year beginning July 1,2002 and ending June 30,2003,and to meet said appropriation transfer the sum of \$2,300 from the Water Enterprise Fund and the sum ofn\$52,700 from Free Cash. Motion carried.

Article 8-Motion 2- Public Safety Dispatchers AFSCME Local 1700 Council 93-Moved that the Town vote to appropriate the sum of \$14,000 for the purpose of funding a collective bargaining agreement with the Public Safety Dispatchers AFSCME Local 1700 Council 93 for the Fiscal Year beginning July 1,2002 and ending June 30,2003 and to meet this appropriation transfer the sum of \$14,000 from Free Cash. Motion carried

Article 8-Motion 3-DPW Laborers Municipal Service Workers -Moved and seconded that the Town vote to appropriate the sum of \$95,000 for the purpose of funding a collective bargaining agreement with the Municipal Service Workers (DPW Laborers) AFSCME Council 93 Local 1700 for the Fiscal Year beginning July 1,2002 and ending June 30,2003 and to meet said appropriation transfer the sum of \$16,250 from the Water Enterprise Fund and transfer the sum of \$78,750 from Free Cash. Motion carried.

Article 9-DUXBURY BEACH LEASE-Moved and seconded that the Town vote to raise and appropriate the sum of \$150,000 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 st 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 1,2002 and ending June 30,2003 on such terms as may be approved by the Selectmen. 2/3 vote required
Motion carried unanimously

Article 10-Conservation Fund-Moved and seconded that the Town vote to raise and appropriate the sum of \$50,000 to be added to the Conservation Fund for the acquisition of interests in land,
Said sum to be expended under the direction of the Conservation Commission, in accordance with MA General Law Chapter 40, Section 8C. Motion carried

Article 11-Conservation Revolving Fund-Moved and seconded that the Town accept the provisions of MA General Laws, Chapter 44 Section 53E1/2 and to authorize a revolving fund not to exceed \$30,000 for the Conservation Commission for the purpose of administering consultant fee provisions established pursuant to authority granted under the Town of Duxbury Wetlands Protection By-law and set forth in Regulations established thereunder; that the Conservation Commission shall credit all fees for consulting services to the revolving fund; that the Conservation Commission may expend funds without appropriation for expenditures from the fund not exceeding \$30,000 in fiscal year 2003. Motion carried

Article 12-Moved, seconded and carried to indefinitely postpone-CPC-revenues for historic preservation.

Article 13-Moved, seconded and carried to Indefinitely postpone-CPC-Open space acquisition.

Article 14-CPC Reserve Monies-Moved and seconded that the Town vote to reserve the following amounts from the Community Preservation Act funds into separate funds as specified and as required by the Community Preservation Act- MA General Laws Chapter 44B, Section 6 as follows: \$83,000 for Community (Affordable Housing)

\$83,000 for Open Space

\$83,000 for Historic (Preservation) Resources. Motion carried

Article 15-Amend Community Preservation to adopt exemptions-Moved and seconded that the Town vote to amend certain provisions of the acceptance by the Town at its Annual Town Election on March 24,2001, of the Community Preservation Act, by voting to accept the following exemptions to the Community Preservation Act found in MGL Chapter 44, Section 3:

The questions were divided into two separate votes.

An amendment to indefinitely postpone failed.

Motion to end the debate-2/3 vote carried unanimously

Vote Question-#2-For \$100,000 of the value of each taxable parcel of residential real property (Section 3(e)(3)). Motion failed

Question #1-For property owned and occupied as a domicile by a person who would qualify for low income housing or low to moderate income senior housing in the town (Section 3 (e)(1)).

Subject to acceptance by the voters of the Town of Duxbury, by a majority vote at the next state election on November 5,2002, any exemption approved by voters shall be effective in the fiscal year commencing July 1,2003. Motion for Question #1 carried.

Article 16-Radiological Response Emergency Planning-Citizen's Petition-

Motion for moving previous question 2/3 vote required. Motion carried passed by Moderator's call . Main motion failed

Article 17-Radiation Study for Shelters-Motion failed.

Article 18- Zoning Historical-609.2-Moved ,seconded and carried to indefinitely postpone.

Article 19-Moved and seconded that the Town vote to amend Section 609.3 of the Protective By-law of the Town of Duxbury, "Demolition of Historically Significant Buildings" by adding the following sentence to the end of the third paragraph:

"The Commission shall also mail, certified return receipt, a copy of said notice to the applicant, and, by regular mail, to the owners of all properties within 300 feet of the regulated building's or structure's property as they appear on the most recent real estate tax list of the Board of Assessors."

And **delete** the following sentence from the end of the fifth paragraph:

"...unless the Commission informs the Director of Inspectional Services in writing prior to the expiration of the six (6) month period that the Commission is satisfied that the applicant has made a reasonable but unsuccessful effort to locate a purchaser to preserve, relocate or rehabilitate the building or structure."

And insert the following paragraphs after the fifth paragraph:

"Once the Commission determines the building or structure is historically significant and demolition should be delayed, the Commission shall invite the owner of record of the building, the Director of Inspectional Services, the Planning Director, and a representative of the Design Review Board to participate in an investigation of alternatives to demolition including but not limited to incorporation of the building or structure; utilization of financial incentives to rehabilitate the building or structure; seeking new owners willing to purchase and preserve, restore or rehabilitate the building or structure, or moving the building or structure.

The Director of Inspectional Services may issue a demolition permit prior to the expiration of the six (6) month period after receiving written notice from the Commission that:

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

A handout for Article 19 made corrections: Page 34 in the warrant, section b) 4th line reads "should" should be read "these efforts could" and a further correction would delete the last two , ending the Article with section c).

Hearing held by the Planning Board
Report given by the Planning Board

2/3 vote required Yes-110 and No-16 Motion carried by 2/3 vote

Article 20-Zoning -Historical 609.4-Moved and seconded to indefinitely postpone--Yes-83 and No-44. Motion carried to indefinitely postpone.

Article 21-Zoning-Historical 911.4-Moved and seconded to indefinitely postpone. Motion carried to indefinitely postpone.

Article 22-Zoning -707.1 Citizen's Petition-Moved, seconded and carried to indefinitely postpone.

The meeting was recessed at 5:45pm until Monday at 7:30pm this place.
The Meeting reconvened at 7:35pm Monday, March 11,2002 at the DMS Gym

Article 23-Moved and seconded that the Town vote to accept the provisions of Chapter 59, Section 5 (17E), by authorizing an annual increase in the asset limit for any exemption granted under the MA General Laws, Chapter 59, Section 5, Clause 17D. Motion carried

Article 24-Moved and seconded that the Town vote accept the provisions of Chapter 59, Section 5 (41D) by authorizing an annual increase in the income and asset limit for any exemption granted under the MA General Laws, Chapter 59, Section 5, Clause 41C.
Motion carried

Article 25- Moved and seconded that the Town vote to accept the provisions of Chapter 59, Section 5 (41A), by authorizing an increase in the income limit for any exemption granted under the MA General laws, Chapter 59, Section 5, Clause 41A. Motion carried

Article 26-Citizen's Petition-Acquire Duxbury Beach- 2/3 vote required. Motion failed

Article 27-Police Revolving Fund-Moved and seconded that the Town vote to appropriate the sum Of \$14,000 Pursuant to MA General Laws Chapter 44, Section 53C for the purpose of funding the Town's Police Revolving Fund and to meet this appropriation to raise and appropriate the sum of \$14,000 for the purposes of this Article. Motion carried

Article 28-Feasibility Study-New Police Station-Moved, seconded and carried to indefinitely postpone.

Article 29- Fund Pier Construction Moratorium Study-Citizen's Petition-Moved and seconded that the Town vote to establish a Committee of seven (7) members to be appointed by the Board of Selectmen to study, develop and recommend guidelines, principles and practices for Pier Regulations, such recommendations to be made at the next Annual Town Meeting and raise and appropriate the sum of \$10,000 to engage consultants or other services or materials required for such study.
A motion to move the previous question . 2/3 vote required carried unanimously
Main motion carried Yes-79 and No-77
A motion for reconsideration failed.

Article 30-Pier Construction Moratorium and Study Resolution-Zoning -2/3 vote required. Motion failed to receive a 2/3 vote

Article 31- Build Out Projection-Citizen's petition-Moved, seconded and carried to indefinitely postpone.

Article 32-Medicaid Reimbursement-Moved and seconded that the town vote to raise and appropriate the sum of \$40,000 to reimburse the School Department for the cost of processing Medicaid reimbursement requests for certain special education related services and to pay the School Department 50% of the remaining balance of funds received into the General Fund from these receipts. Motion carried

Article 33-Moved and seconded that the Town vote to amend the General By-law 6.1.10 by striking the words "January 15th of the following year" and substituting in their place the words "October 15th of each year" and further by adding the following sentence: "The Town shall print all Reports of Town officials and boards, committees and commissions on a Fiscal Year basis in its Annual Report.
Motion failed to indefinitely postpone. Main motion carried

Article 34-NSTAR Easement-Senior Center-Moved and seconded that the Town vote to authorize the Selectmen to grant, insofar as they have the right to do so, to Nstar Election Company its successors and assigns, or any licensee from it (herein called the Grantee), the perpetual right and easement to locate, erect, construct, reconstruct, install, lay, dig up, operate maintain, patrol, inspect, repair, replace, alter, change the location of, extend or remove one or More lines for the transmission and/or distribution of electricity for light, heat, and /or power and/or one or more lines for the transmission and or distribution of intelligence by electricity or otherwise, and all necessary and proper wires, cables, conduits, conductors, transformers, transformer enclosures, foundations, platforms, terminals, insulators, fittings, switches, poles, crossarms, guys, braces, anchors, supports, manholes, handholes, street light standards and fixtures, and other apparatus equipment and fixtures deemed necessary for purposes specified above, under, along, upon and over that certain parcel of Town owned land, namely known as Elder Brewster Senior Center, for description see deed dated December 14,1973, recorded in Book 3954, Page 477 in Plymouth County Registry of Deeds in order to provide permanent rights for Nstar Electric company. 2/3 vote required. Motion carried unanimously

Article 35- South Shore Habitat for Humanity (Citizen's Petition)-Moved and seconded to indefinitely postpone.

Article 36-Rescind Authorized Unissued Debt-Moved, seconded and carried to indefinitely postpone.

Article 37-Dog By-law- Moved and seconded to amend the General By-law by adding a new section numbered 7.1.10 which shall read:
"Each person who owns, possesses or controls a dog shall be required to remove and dispose of any feces left by his/her dog on any street, walkway, public place or private property of another . This section shall not apply to a guide dog accompanying any handicapped person. Violators will be subject to fines in accordance with the following schedule: 1st Verified offense-Warning; 2nd Verified offense \$25; 3rd Verified offense \$50; 4th offense and subsequent offenses

\$50 for each offense and to provide that any such violation be processed as a Non-Criminal disposition as stated in MGL Chapter 40, Section 21D." Amendment Failed. Main motion carried. Article 38-Street Acceptance-Moved and seconded that the Town vote to accept the layout Of Parker's Grove Road, Glass Terrace and Bailey's Circle as Public ways in accordance with the descriptions and plans on file in the Town Clerk's Office, and to authorize the acquisition in fee simple, by purchase, gift, or eminent domain of the property within said Ways. 2/3vote Required. Motion carried unanimously.

Article 38-Moved and seconded that the Town vote to accept the layout of Parker's Grove Lane, Glass Terrace and Bailey's Circle as Public Ways in accordance with the descriptions and plans on file in the Town Clerk's Office, and to authorize the acquisition in fee simple, by purchase, gift or eminent domain of the property within said ways. 2/3 Vote required Motion carried unanimously

Article 39-Street Acceptances-Cable Hill Way (Citizen's Petition)-Moved, seconded and carried to indefinitely postpone.

Article 40-Sr Community Service Program-Moved and seconded that the Town raise and appropriate the sum of \$5,000 in order to fund the Senior Tax Relief Program with Real Estate Tax vouchers for services rendered pursuant to an agreement between the Council on Aging and the Board of Selectmen. Motion carried.

Article 41- Council on Aging Revolving Fund- Moved that the Tow vote to authorize a revolving fund under MA General Laws Chapter 44, Section 53E1/2 to authorize the Council on Aging to be credited with any fees and charges received from Senior Center Programs in an amount not to exceed \$10,000 and to be expended under the direction of the Council on Aging Director for Senior Center program functions, supplies and/or instructor fees. Motion carried.

Article 42--July 4th-Moved and seconded that the Town vote to raise and appropriate the sum of \$10,000 to fund the Town of the Duxbury Fourth of July Parade and ceremony. Motion carried.

Article 43-Cable Com. Contract Negotiations-Moved, seconded and carried to indefinitely postpone.

Article 44-Unpaid bills-Moved, seconded and carried to indefinitely postpone.

Article 45-Fund Stabilization-Moved, seconded and carried to indefinitely postpone.

Article 46-FREE CASH-Moved and seconded that the Town vote to authorize the Board of Assessors to use the sum of \$1,297,726 from FREE CASH for the purpose of reducing the Tax Levy. Motion carried.

It was moved, seconded and carried to adjourn the meeting sine die at 10:17pm.

Respectfully submitted,

Nancy M. Oates
Duxbury Town Clerk