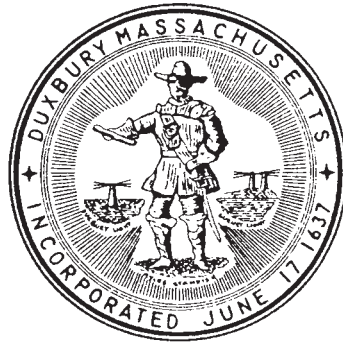


***PLEASE READ***  
**ARTICLES IN THE WARRANT**  
**FOR THE**  
**ANNUAL TOWN MEETING**



**TOWN OF DUXBURY**  
**SATURDAY, MARCH 8, 2008**

**AT 9:00 A.M.**

---

**DUXBURY SCHOOLS PERFORMING ARTS CENTER**

**73 ALDEN STREET**

***PLEASE BRING THIS WARRANT TO TOWN MEETING***

## ***ANNOUNCEMENT FROM MUNICIPAL COMMISSION ON DISABILITY***

**The Annual Town Meeting will take place at the Duxbury Schools Performing Arts Center, 73 Alden St. on March 8, 2008. This location will be equipped with an assistive listening system. The system amplifies the sound and transmits to a personal assistive listening device. You can control the volume. To borrow a receiver, please stop by the designated table to sign out a device. When you are through for the day please return the receiver to the sign-out table, as they are in limited supply. This is a program of your Municipal Commission on Disability to make the Town Meetings more accessible to all.**

**ANNUAL TOWN MEETING WARRANT  
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***COMMONWEALTH OF MASSACHUSETTS***

**TOWN OF DUXBURY - TOWN MEETING**

**WARRANT**

**Saturday, March 8, 2008**

**at**

**9:00 a.m.**

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

**Plymouth, ss**

**Greetings:**

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

**In the name of the Commonwealth of Massachusetts you are directed to NOTIFY and WARN the INHABITANTS OF THE TOWN OF DUXBURY, qualified to vote in elections and in Town affairs, to meet in the Duxbury Schools Performing Arts Center, 73 Alden Street, in said Duxbury on Saturday, the eighth day of March, 2008 next, at 9:00 o'clock in the forenoon for the transaction of any business that may legally come before said meeting:**

### **Article 1**

To see what action the Town will take relative to the appointment of necessary officers not chosen by ballot,

or take any action in relation thereto.

(Board of Selectmen)

***Finance Committee Recommendation: Approval***

### **Article 2**

To hear the reports of various Town Officers and Committees,

or take any action in relation thereto.

(Board of Selectmen)

***Finance Committee Recommendation: Approval***

### **Article 3**

To fix the compensation of elected Town officers for the twelve month period beginning July 1, 2008 and raise and appropriate or transfer sufficient sums to pay the same,

or take any action in relation thereto.

(Board of Selectmen)

	Appropriated	Requested	BOS	Finance
			Recommend	Committee
	FY08	FY09	FY09	Recommend
	FY09			
<b>Moderator</b>	\$40	\$40	\$40	\$40
<b>Selectmen</b>				
Chair	\$2,000	\$2,000	\$2,000	\$2,000
Member	\$1,500	\$1,500	\$1,500	\$1,500
Member	\$1,500	\$1,500	\$1,500	\$1,500
<b>Assessors</b>				
Chair	\$2,000	\$2,000	\$2,000	\$2,000
Member	\$1,500	\$1,500	\$1,500	\$1,500
Member	\$1,500	\$1,500	\$1,500	\$1,500
<b>Town Clerk</b>	\$62,000	\$67,000	\$67,000	\$67,000
<b>TOTAL</b>	\$72,040	\$77,040	\$77,040	\$77,040

#### **Article 4**

To see if the Town will raise and appropriate, and/or borrow in anticipation of receipt of state grants(s) or reimbursement(s), in accordance with M.G.L. Chapter 44, Sections 4 and 6A, any sum or sums of money to be used with such sum or sums as may be available from the State Highway Fund (or more commonly referred to as Chapter 90 Fund) or allotted by the County Commissioners for maintenance, together with the acquisition of easements and for the payment of damages and expenses in connection therewith, as well as to authorize the transfer and use for said purposes of any unused balances,

or take any action in relation thereto.

(Board of Selectmen)

***Finance Committee Recommendation: Approval in the amount of \$409,278.00***

#### **Article 5**

To see if the Town will raise and appropriate, or transfer from available funds, including the Water Enterprise Fund, in accordance with M.G.L. Chapter 44 such sums of money as it determines necessary for Town expenses and charges, including, without limitation of the foregoing, debt and interest, wages, salaries, Reserve Fund, and expenses for operation of the Town's departments and offices, all for the Fiscal Year beginning July 1, 2008 and ending June 30, 2009 inclusive, in accordance with the following schedule, which is incorporated by reference herein (See Article 5 FY09 Operating Budget on following pages),

or take any action in relation thereto.

(Finance Committee)

***(See Finance Committee Recommendations on Following Pages)***

#### **Article 6**

To see if the Town will raise and appropriate, transfer from the Water Enterprise Fund, the Stabilization Fund or other available funds or authorize borrowing or leasing, a sum or sums of money for capital projects and/or equipment in accordance with the following capital budget schedule, which is incorporated by reference herein and further to authorize the Board of Selectmen, acting as Water Commissioners, to impose betterments pursuant to M.G.L. Chapters 80 and 83 (See Article 6 Capital Projects Requests on following pages),

or take any action in relation thereto.

(Fiscal Advisory and Finance  
Committees)

***(See Fiscal Advisory Committee and Finance Committee Recommendations on Following Pages)***

Article 5: FY09 Operating Budget

	FY 06 ACTUAL	FY 07 ACTUAL	FY 08 BUDGET	FY 09 DEPT REQ	FY 09 TN MANAGER	FY 09 FIN COMM	TOWN MEETING NOTES
<b>GENERAL GOVERNMENT</b>							
<b>Selectmen/Manager</b>							
Salaries	179,510	228,445	241,417	243,350	243,350	243,350	
Expenses	30,767	24,696	31,562	31,122	31,122	31,122	
Total	210,277	253,141	272,979	274,472	274,472	274,472	
<b>Town Meeting</b>							
Expenses	6,727	6,859	8,900	4,920	4,920	4,920	
Total	6,727	6,859	8,900	4,920	4,920	4,920	
<b>Finance Committee</b>							
Expenses	185	250	200	500	500	500	
Total	185	250	200	500	500	500	
<b>Finance Director</b>							
Salaries	0	79,000	81,370	81,370	81,370	81,370	
Expenses	0	1,667	2,000	2,000	2,000	2,000	
Total	0	80,667	83,370	83,370	83,370	83,370	
<b>Accounting</b>							
Salaries	191,194	169,598	186,679	193,894	193,894	193,894	
Expenses	39,070	42,938	44,625	47,125	47,125	47,125	
Total	230,264	212,536	231,304	241,019	241,019	241,019	
<b>Computer Department</b>							
Salaries	53,946	55,160	56,401	56,401	56,401	56,401	
Expenses	53,785	57,521	99,621	100,427	100,427	100,427	
Total	107,731	112,681	156,022	156,828	156,828	156,828	
<b>Assessors</b>							
Salaries	184,411	186,991	191,121	195,792	195,792	195,792	
Expenses	28,426	23,532	28,445	29,945	29,945	29,945	
Total	212,837	210,522	219,566	225,737	225,737	225,737	



**Article 5: FY09 Operating Budget**

	FY 06 ACTUAL	FY 07 ACTUAL	FY 08 BUDGET	FY 09 DEPT REQ	FY 09 TN MANAGER	FY 09 FIN COMM	TOWN MEETING NOTES
<b>Treasurer/Collector</b>							
Salaries	227,163	227,108	287,355	307,552	307,552	307,552	
Expenses	50,684	46,713	61,000	61,000	61,000	61,000	
Total	277,847	273,821	348,355	368,552	368,552	368,552	
<b>Audit</b>							
Expenses	40,000	40,000	40,000	40,000	40,000	40,000	
Total	40,000	40,000	40,000	40,000	40,000	40,000	
<b>Legal Services</b>							
Expenses	185,871	191,339	180,000	190,000	190,000	190,000	
Total	185,871	191,339	180,000	190,000	190,000	190,000	
<b>Personnel Board</b>							
Salaries	4,527	4,000	5,355	5,575	5,575	5,575	
Expenses	2,357	926	3,000	3,000	3,000	3,000	
Total	6,884	4,927	8,355	8,575	8,575	8,575	
<b>Tax Title</b>							
Expenses	0	0	0	10,000	10,000	10,000	
Total	0	0	0	10,000	10,000	10,000	
<b>Town Clerk</b>							
Salaries	36,275	38,966	39,413	42,798	42,798	42,798	
Expenses	2,913	2,723	3,350	3,250	3,250	3,250	
Total	39,188	41,689	42,763	46,048	46,048	46,048	
<b>Elections</b>							
Salaries	6,720	15,485	21,887	29,375	27,375	27,375	
Expenses	9,590	19,342	14,100	16,800	16,800	16,800	
Total	16,310	34,827	35,987	46,175	44,175	44,175	
<b>Planning Board</b>							
Salaries	77,656	83,887	88,246	89,978	89,978	89,978	
Expenses	11,393	11,415	12,000	13,250	13,250	13,250	
Total	89,049	95,301	100,246	103,228	103,228	103,228	

**Article 5: FY09 Operating Budget**

	FY 06 ACTUAL	FY 07 ACTUAL	FY 08 BUDGET	FY 09 DEPT REQ	FY 09 TN MANAGER	FY 09 FIN COMM	TOWN MEETING NOTES
<b>Conservation Comm</b>							
Salaries	81,838	86,245	89,145	90,800	90,800	90,800	
Expenses	6,755	6,926	12,150	12,150	12,150	12,150	
Total	88,593	93,171	101,295	102,950	102,950	102,950	
<b>Cable TV Advisory Committee</b>							
Expenses	100	0	250	100	100	100	
Total	100	0	250	100	100	100	
<b>Historical Commission</b>							
Expenses	250	235	250	250	250	250	
Total	250	235	250	250	250	250	
<b>General Government</b>							
Salaries	1,043,240	1,174,884	1,288,389	1,336,885	1,334,885	1,334,885	
Expenses	468,873	477,082	541,453	565,839	565,839	565,839	
Total Gen. Gov't	1,512,113	1,651,966	1,829,842	1,902,724	1,900,724	1,900,724	

**Article 5: FY09 Operating Budget**

	FY 06 ACTUAL	FY 07 ACTUAL	FY 08 BUDGET	FY 09 DEPT REQ	FY 09 TN MANAGER	FY 09 FIN COMM	TOWN MEETING NOTES
<b>PUBLIC SAFETY</b>							
<b>Police</b>							
Salaries	2,443,993	2,567,306	2,657,330	3,004,518	2,967,680	2,967,680	
Expenses	236,909	219,226	245,840	258,595	264,965	264,965	
Total	2,680,902	2,786,532	2,903,170	3,263,113	3,232,645	3,232,645	
<b>Animal Control</b>							
Salaries	33,479	43,666	48,477	50,777	50,777	50,777	
Expenses	8,409	7,987	10,000	10,650	12,213	12,213	
Total	41,888	51,653	58,477	61,427	62,990	62,990	
<b>Fire</b>							
Salaries	1,744,237	1,845,404	1,969,493	1,975,966	1,975,966	1,975,966	
Expenses	182,939	201,376	192,100	211,125	219,353	219,353	
Total	1,927,176	2,046,780	2,161,593	2,187,091	2,195,319	2,195,319	
<b>Inspectional Services</b>							
Salaries	368,938	330,480	371,615	384,521	384,521	384,521	
Expenses	29,103	31,210	34,100	34,100	34,100	34,100	
Total	398,041	361,690	405,715	418,621	418,621	418,621	
<b>Harbor/Coastal Mgt</b>							
Salaries	159,281	180,698	185,998	187,548	187,548	187,548	
Expenses	20,278	25,452	26,000	26,000	26,000	26,000	
Total	179,559	206,150	211,998	213,548	213,548	213,548	
<b>Public Safety</b>							
Salaries	4,749,928	4,967,554	5,232,913	5,603,330	5,566,492	5,566,492	
Expenses	477,638	485,251	508,040	540,470	556,631	556,631	
Total Public Safety	5,227,566	5,452,805	5,740,953	6,143,800	6,123,123	6,123,123	

**Article 5: FY09 Operating Budget**

	FY 06 ACTUAL	FY 07 ACTUAL	FY 08 BUDGET	FY 09 DEPT REQ	FY 09 TN MANAGER	FY 09 FIN COMM	TOWN MEETING NOTES
<b>PUBLIC WORKS</b>							
<b>Admin/Engineering</b>							
Salaries	216,194	222,520	227,815	233,469	233,469	233,469	
Expenses	19,553	25,349	26,100	26,100	26,100	26,100	
Total	235,748	247,869	253,915	259,569	259,569	259,569	
<b>Highway/Road Maintenance</b>							
Salaries	334,500	330,895	372,297	379,948	379,948	379,948	
Expenses	54,084	58,539	63,450	63,450	63,450	63,450	
Total	388,585	389,433	435,747	443,398	443,398	443,398	
<b>Snow and Ice</b>							
Salaries	65,924	41,914	55,000	55,000	55,000	55,000	
Expenses	150,306	76,773	94,200	94,200	94,200	94,200	
Total	216,230	118,687	149,200	149,200	149,200	149,200	
<b>Central Fuel Depot</b>							
Expenses	236,767	179,365	228,400	228,400	228,400	228,400	
Total	236,767	179,365	228,400	228,400	228,400	228,400	
<b>Vehicle Maintenance</b>							
Salaries	75,687	69,412	90,439	93,561	93,561	93,561	
Expenses	86,948	65,634	79,800	79,800	79,800	79,800	
Total	162,634	135,046	170,239	173,361	173,361	173,361	
<b>Street Lights</b>							
Expenses	37,203	34,995	36,000	39,000	39,000	39,000	
Total	37,203	34,995	36,000	39,000	39,000	39,000	
<b>Lands/Nat. Resources</b>							
Salaries	321,360	331,713	345,911	342,941	342,941	342,941	
Expenses	40,413	43,369	48,900	48,900	48,900	48,900	
Total	361,773	375,082	394,811	391,841	391,841	391,841	
<b>Cemetery</b>							
Salaries	274,374	299,334	319,865	317,998	317,998	317,998	
Expenses	142,996	146,360	164,690	164,630	164,630	164,630	
Total	417,369	445,694	484,555	482,628	482,628	482,628	

**Article 5: FY09 Operating Budget**

	FY 06 ACTUAL	FY 07 ACTUAL	FY 08 BUDGET	FY 09 DEPT REQ	FY 09 TN MANAGER	FY 09 FIN COMM	TOWN MEETING NOTES
Central Bldg. Serv's							
Salaries	66,560	37,645	39,393	39,688	39,688	39,688	
Expenses	170,246	191,349	188,350	225,350	225,350	225,350	
Total	236,806	228,994	227,743	265,038	265,038	265,038	
Town Bldg. Maint.							
Expenses	31,528	25,603	36,200	36,200	36,200	36,200	
Total	31,528	25,603	36,200	36,200	36,200	36,200	
Tarkiln Comm'ty Center							
Expenses	6,455	4,720	8,600	2,100	2,100	2,100	
Total	6,455	4,720	8,600	2,100	2,100	2,100	
Transfer Station							
Salaries	179,759	195,238	194,311	194,516	194,516	194,516	
Expenses	696,178	629,038	825,100	755,212	755,212	755,212	
Total	875,937	824,276	1,019,411	949,728	949,728	949,728	
Water							
Salaries	449,958	500,629	566,321	590,283	590,283	590,283	
Expenses	729,183	828,291	931,375	1,022,179	1,022,179	1,022,179	
Total	1,179,140	1,328,921	1,497,696	1,612,462	1,612,462	1,612,462	
Sewer							
Salaries	0	0	14,945	14,945	14,945	14,945	
Expenses	210,940	204,476	211,615	221,635	221,635	221,635	
Total	210,940	204,476	226,560	236,580	236,580	236,580	
DPW							
Salaries	1,534,358	1,528,669	1,659,976	1,672,066	1,672,066	1,672,066	
Expenses	1,883,617	1,685,569	2,011,405	1,984,977	1,984,977	1,984,977	
Total DPW W/O Water	3,417,975	3,214,239	3,671,381	3,657,043	3,657,043	3,657,043	
DPW							
Salaries	1,984,316	2,029,299	2,226,297	2,262,349	2,262,349	2,262,349	
Expenses	2,612,799	2,513,860	2,942,780	3,007,156	3,007,156	3,007,156	
Grand Total DPW (Water, inc)	4,597,115	4,543,159	5,169,077	5,269,505	5,269,505	5,269,505	

**Article 5: FY09 Operating Budget**

	FY 06 ACTUAL	FY 07 ACTUAL	FY 08 BUDGET	FY 09 DEPT REQ	FY 09 TN MANAGER	FY 09 FIN COMM	TOWN MEETING NOTES
<b>LIBRARY &amp; RECREATION</b>							
<b>Library</b>							
Salaries	740,148	789,673	829,315	841,029	841,029	841,029	
Expenses	264,877	255,560	279,107	280,416	302,293	302,293	
Total	1,005,025	1,045,234	1,108,422	1,121,445	1,143,322	1,143,322	
<b>Recreation</b>							
Salaries	127,723	134,352	138,340	140,626	140,626	140,626	
Expenses	8,519	9,479	3,650	4,650	5,252	5,252	
Total	136,242	143,831	141,990	145,276	145,878	145,878	
<b>Percy Walker Pool</b>							
Salaries	159,482	161,326	177,401	178,826	178,826	178,826	
Expenses	92,481	105,372	102,650	106,650	109,080	109,080	
Total	251,963	266,698	280,051	285,476	287,906	287,906	
<b>Beach Life Guards</b>							
Salaries	13,901	14,603	16,770	16,770	16,770	16,770	
Expenses	1,026	2,030	1,100	1,100	1,100	1,100	
Total	14,928	16,633	17,870	17,870	17,870	17,870	
<b>North Hill Golf Course</b>							
Expenses	2,143	951	2,500	2,000	2,000	2,000	
Total	2,143	951	2,500	2,000	2,000	2,000	
<b>Public Celebrations</b>							
Expenses	3,246	3,902	4,000	4,000	4,000	4,000	
Total	3,246	3,902	4,000	4,000	4,000	4,000	
<b>Library &amp; Recreation</b>							
Salaries	1,041,254	1,099,954	1,161,826	1,177,251	1,177,251	1,177,251	
Expenses	372,292	377,294	393,007	398,816	423,725	423,725	
Total Library & Rec.	1,413,546	1,477,247	1,554,833	1,576,067	1,600,976	1,600,976	

**Article 5: FY09 Operating Budget**

	FY 06 ACTUAL	FY 07 ACTUAL	FY 08 BUDGET	FY 09 DEPT REQ	FY 09 TN MANAGER	FY 09 FIN COMM	TOWN MEETING NOTES
<b>HUMAN SERVICES</b>							
Council on Aging							
Salaries	277,000	291,012	305,333	307,112	307,112	307,112	
Expenses	85,024	90,903	97,325	112,250	112,250	112,250	
Total	362,024	381,916	402,658	419,362	419,362	419,362	
Veterans Services							
Salaries	19,807	20,302	20,912	20,911	20,911	20,911	
Expenses	31,793	28,181	34,500	37,700	36,450	36,450	
Total	51,600	48,483	55,412	58,611	57,361	57,361	
Ply. Cty. Coop. Ext.							
Expenses	200	200	200	200	200	200	
Total	200	200	200	200	200	200	
Human Services							
Salaries	296,806	311,314	326,245	328,023	328,023	328,023	
Expenses	117,017	119,284	132,025	150,150	148,900	148,900	
Total Human Services	413,824	430,598	458,270	478,173	476,923	476,923	
<b>EDUCATION</b>							
Duxbury Schools							
Salaries	17,431,397	17,431,397	19,164,623	20,197,418	20,197,418	20,197,418	
Expenses	5,553,382	5,553,382	6,406,835	6,599,040	6,599,040	6,599,040	
Total - Schools	22,984,779	22,984,779	25,571,458	26,796,458	26,796,458	26,796,458	

**Article 5: FY09 Operating Budget**

	FY 06 ACTUAL	FY 07 ACTUAL	FY 08 BUDGET	FY 09 DEPT REQ	FY 09 TN MANAGER	FY 09 FIN COMM	TOWN MEETING NOTES
<b>TOWN &amp; SCHOOL SHARED COSTS</b>							
<b>EMPLOYEE BENEFITS</b>							
Medicare	313,160	345,998	350,000	400,000	400,000	400,000	
Employee Life & Health Insur.	6,150,741	6,101,765	7,065,000	7,290,000	7,290,000	7,290,000	
Contributory Pensions	1,308,623	1,460,631	1,761,398	1,843,795	1,843,795	1,843,795	
Non-Contributory Pensions	26,500	29,457	26,500	29,500	29,500	29,500	
Unemployment Compensation	14,653	17,622	50,000	50,000	50,000	50,000	
Workers Compensation	201,967	218,394	272,872	308,610	308,610	308,610	
Sub-Total Employee Benefits	8,015,644	8,173,868	9,525,770	9,921,905	9,921,905	9,921,905	
<b>OTHER SHARED COSTS</b>							
Fire, Liability, Insurance	288,745	249,269	274,755	291,718	291,718	291,718	
Reserve Fund	129,068	100,000	125,000	150,000	100,000	100,000	
Sub-Total Liab Ins/ResFd	417,812	349,269	399,755	441,718	391,718	391,718	
<b>DEBT SERVICE TOWN &amp; SCH</b>							
Principal Payments	1,161,861	2,547,462	2,750,985	2,554,860	2,554,860	2,554,860	
Interest on Bonded Debt	305,142	873,381	782,114	673,086	673,086	673,086	
Interest on Temp. Notes	1,395,462	47,430	40,250	20,000	20,000	20,000	
Bond Expense	9,771	16,850	16,850	20,000	20,000	20,000	
Sub-Total Debt	2,872,236	3,485,123	3,590,199	3,267,946	3,267,946	3,267,946	
<b>DEBT SERVICE WATER</b>							
Principal Payments	685,000	550,000	643,000	880,000	880,000	880,000	
Interest on Bonded Debt	127,639	127,315	127,000	216,165	216,165	216,165	
Interest on Temp. Notes - Water	18,765	68,000	127,000	25,000	25,000	25,000	
Bond Expense	18,765	0	90,000	80,000	80,000	80,000	
Sub-Total Water Debt	850,170	745,315	987,000	1,201,165	1,201,165	1,201,165	
<b>Total Town &amp; School Shared Costs</b>	<b>12,155,863</b>	<b>12,753,575</b>	<b>14,502,724</b>	<b>14,832,734</b>	<b>14,782,734</b>	<b>14,782,734</b>	



## Article 5: FY09 Operating Budget

[illegible]

	Article 6 Capital Projects Requests					TOWN MEETING & NOTES
	Fiscal 2009 Request	Fiscal 2009 Proposed Projects	Fiscal Advisory Recommendation	Finance Committee Recommendation		
<b>GENERAL GOVERNMENT</b>						
<b>Information Systems</b>						
Wide Area Network	100,000	-	-	-	-	
Reconfigure & Update Cemetery Network	14,700	-	-	-	-	
Reconfigure & Update Townhall Network	19,000	-	-	-	-	
Document Management Software	30,000	30,000	-	-	30,000	
Benefit Tracking Software	30,000	-	-	-	-	
Ambupro EMS Information Software	41,879	41,879	-	-	41,879	
Red Alert Alpine Fire Software	6,050	-	-	-	-	
<b>GENERAL GOVERNMENT TOTAL</b>	<b>241,629</b>	<b>71,879</b>	<b>-</b>	<b>-</b>	<b>71,879</b>	
<b>PUBLIC SAFETY</b>						
<b>Fire Department</b>						
Refurbish Brushbreaker	96,000	96,000	-	-	96,000	
Replace 1999 Chief's Vehicle	36,000	-	-	-	-	
Replace 1999 Deputy Chiefs' Vehicle	28,000	-	-	-	-	
Replace 1992 Rescue Truck	300,000	-	-	-	-	
Inflatable Boat & Motor	10,000	10,000	-	-	10,000	
Automatic External Defibrillators (5)	12,000	10,000	-	-	10,000	
<b>Harbormaster</b>						
Replace Outboard Motor Marine Unit #2	10,070	10,070	-	-	10,070	
Replace 2001 Patrol Vehicle	35,000	-	-	-	-	
Replace Swim Bouys - Front Beach (10)	2,000	-	-	-	-	
Repair & Replace Town Pier Mooring Gear	10,000	2,000	-	-	2,000	
<b>PUBLIC SAFETY TOTAL</b>	<b>539,070</b>	<b>128,070</b>	<b>-</b>	<b>-</b>	<b>128,070</b>	

	Article 6 Capital Projects Requests					
	Fiscal 2009 Request	Fiscal 2009 Proposed Projects	Fiscal Advisory Recommendation	Finance Committee Recommendation	TOWN MEETING & NOTES	
<b>PUBLIC WORKS</b>						
<b>Central Buildings Services</b>						
Install Town Hall Air Handler	40,000	40,000	-	40,000		
DPW Garage Metal Walls	15,000	-	-	-		
Replace Town Hall Roof	22,000	-	-	-		
Old Town Hall Shingles & Trim	30,000	-	-	-		
<b>Lands &amp; Natural Resources</b>						
Replace 1994 Stake Body Truck H-21	60,000	60,000	-	60,000		
Replace 1998 Bucket Truck H-23	115,000	-	-	-		
Replace 2000 Toro Grounds Master	85,000	-	-	-		
Hazardous Tree Removal	40,000	-	-	-		
<b>Highway</b>						
Replace 1993 Six Wheel Dump Truck H-28	110,000	-	-	-		
Pave Shipyard Lane Parking Lot	7,000	7,000	-	7,000		
<b>Transfer Station</b>						
Replace 1990 Trash Trailer D-5	75,000	-	-	-		
Pave Transfer Station Parking Lot	75,000	-	-	-		
<b>Cemetery</b>						
Replace 1994 One Ton Dump Truck With Plow C-30	50,000	50,000	-	50,000		
Reline Crematory Retorts	30,000	30,000	-	30,000		
Replace K-log Stacking Drawers	6,000	-	-	-		
Replace Modular Desk	2,500	-	-	-		
<b>DEPT. OF PUBLIC WORKS TOTAL (w/o water)</b>	<b>762,500</b>	<b>187,000</b>	<b>-</b>	<b>187,000</b>		

	Article 6 Capital Projects Requests					TOWN MEETING & NOTES
	Fiscal 2009 Request	Fiscal 2009 Proposed Projects	Fiscal Advisory Recommendation	Finance Committee Recommendation		
<b>HUMAN SERVICES</b>						
<u>Council On Aging</u>						
Paint Senior Center Interior Walls	35,000	-	-	-		
<b>HUMAN SERVICES TOTAL</b>	35,000	-	-	-		
<b>LIBRARY &amp; RECREATION</b>						
<u>Library</u>						
Integrated Materials Flow Management System - Ph I	50,000	-	-	-		
Integrated Cash Management System	4,240	-	-	-		
Public PC Management System	9,000	-	-	-		
<b>Recreation</b>						
Repair Alden Tennis Courts	22,000	-	-	-		
Repair Tarkiln Tennis Courts	15,000	-	-	-		
<u>Percy Walker</u>						
Replace Hot Water Heater	10,000	-	-	-		
Replace Four Interior Doors	14,500	-	-	-		
Replace Filtration System Seals & Valves	8,000	-	-	-		
<u>North Hill Golf Course</u>						
Purchase and Install Irrigation Parts	15,000	-	-	-		
Clubhouse Repairs	12,000	-	-	-		
Purchase and Install Irrigation Parts	8,000	8,000	-	8,000		
<b>LIBRARY &amp; RECREATION TOTAL</b>	167,740	8,000	-	8,000		

Article 6 Capital Projects Requests					
	Fiscal 2009 Request	Fiscal 2009 Proposed Projects	Fiscal Advisory Recommendation	Finance Committee Recommendation	TOWN MEETING & NOTES
DUXBURY SCHOOLS					
Textbooks					
Math	6,731	6,731	-	-	F.C. votes due at Town Meeting
Social Studies	25,839	25,839	-	-	F.C. votes due at Town Meeting
Elementary	53,768	53,768	-	-	F.C. votes due at Town Meeting
World Language	17,670	17,670	-	-	F.C. votes due at Town Meeting
English	13,426	13,426	-	-	F.C. votes due at Town Meeting
Science	41,691	41,691	-	-	F.C. votes due at Town Meeting
Elementary Music	18,072	18,072	-	-	F.C. votes due at Town Meeting
Library - System Wide	23,375	23,375	-	-	F.C. votes due at Town Meeting
Information Technology					
Archive Emails	10,000	10,000	-	-	F.C. votes due at Town Meeting
Network Upgrades	10,000	10,000	-	-	F.C. votes due at Town Meeting
Add Raid-file space	11,000	11,000	-	-	F.C. votes due at Town Meeting
Math Tech Lab Move	50,000	-	-	-	F.C. votes due at Town Meeting
Music Technology Upgrade	20,000	-	-	-	F.C. votes due at Town Meeting
Computers - DHS & Alden	70,000	-	-	-	F.C. votes due at Town Meeting
Tablets	30,000	-	-	-	F.C. votes due at Town Meeting
Install Wireless System DHS	30,000	-	-	-	F.C. votes due at Town Meeting
Projectors	25,500	-	-	-	F.C. votes due at Town Meeting
Ceiling Mounted Projectors Science DHS	15,000	-	-	-	F.C. votes due at Town Meeting
Administrative Laptops	7,500	-	-	-	F.C. votes due at Town Meeting
Replace Monitors DHS	8,000	-	-	-	F.C. votes due at Town Meeting
Other Capital Items					
Ventilation Installation	15,000	15,000	-	-	F.C. votes due at Town Meeting
Classroom Furniture	3,428	3,428	-	-	F.C. votes due at Town Meeting
Video Security System	36,900	-	-	-	F.C. votes due at Town Meeting
Tile Replacement	37,500	-	-	-	F.C. votes due at Town Meeting
Carpet Replacement	20,000	-	-	-	F.C. votes due at Town Meeting
Classroom Furniture	11,000	-	-	-	F.C. votes due at Town Meeting
SCHOOL DEPARTMENT TOTAL	611,400	250,000	-	-	
GENERAL FUND TOTAL	2,357,339	644,949	-	394,949	

	Article 6 Capital Projects Requests					
	Fiscal 2009 Request	Fiscal 2009 Proposed Projects	Fiscal Advisory Recommendation	Finance Committee Recommendation	TOWN MEETING & NOTES	
<b>WATER ENTERPRISE FUND</b>						
Construct Damon Well	620,000	620,000	-	620,000	\$570,000 Borrowing Authority	
Install SCADA System	390,000	-	-			
Purchase Hybrid Vehicle	30,000	-	-			
PCE Main Pipe Replacement	100,000	100,000	-	100,000		
<b>WATER ENTERPRISE FUND TOTAL</b>	<b>1,140,000</b>	<b>720,000</b>	<b>-</b>	<b>720,000</b>	<b>F.A.C. votes due at Town Meeting</b>	

# LONG TERM DEBT AND INTEREST BUDGET

DATE OF BOND ISSUE	EXPENDED Fiscal Year 2007	PROJECTED Fiscal Year 2008	REQUESTED Fiscal Year 2009
<b>PRINCIPAL PAYMENTS:</b>			
<b>SEWER:</b>			
04/01/97	31,321	32,400	33,275
12/15/97	10,000	10,000	-
10/25/00	10,872	10,872	10,872
07/24/03	10,713	10,713	10,713
12/15/02	55,000	55,000	55,000
	<b>\$ 117,906</b>	<b>\$ 118,985</b>	<b>\$ 109,860</b>
<b>WATER:</b>			
12/15/98	225,000	225,000	225,000
06/15/01	40,000	40,000	40,000
08/15/01	25,000	20,000	20,000
12/15/02	60,000	60,000	60,000
11/15/03	40,000	40,000	40,000
05/15/04	110,000	110,000	110,000
12/15/05	50,000	50,000	50,000
02/15/07	-	92,000	95,000
05/15/08	-	-	80,000
05/15/08	-	-	80,000
05/15/08	-	-	80,000
	<b>\$ 550,000</b>	<b>\$ 637,000</b>	<b>\$ 880,000</b>
<b>SCHOOL:</b>			
06/15/00	170,000	170,000	150,000
12/15/05	102,000	100,000	100,000
12/15/05	778,000	775,000	775,000
02/15/07	<b>\$ 1,050,000</b>	<b>\$ 1,070,000</b>	<b>\$ 1,045,000</b>
<b>OTHER BUILDINGS:</b>			
12/15/97	160,000	160,000	160,000
06/15/00	60,000	60,000	60,000
08/15/01	145,000	145,000	145,000
12/15/05	15,000	15,000	15,000
02/15/07	-	19,000	20,000
	<b>\$ 380,000</b>	<b>\$ 399,000</b>	<b>\$ 400,000</b>

# LONG TERM DEBT AND INTEREST BUDGET

DATE OF BOND ISSUE	EXPENDED Fiscal Year 2007	PROJECTED Fiscal Year 2008	REQUESTED Fiscal Year 2009
<b>CONSERVATION AND LAND:</b>			
12/15/98	155,000	155,000	150,000
12/15/02	35,000	30,000	30,000
	<b>\$ 190,000</b>	<b>\$ 185,000</b>	<b>\$ 180,000</b>
<b>EQUIPMENT:</b>			
11/15/03	155,000	155,000	-
12/15/05	662,000	655,000	655,000
02/15/07	-	124,000	130,000
	<b>\$ 817,000</b>	<b>\$ 934,000</b>	<b>\$ 785,000</b>
<b>OTHER:</b>			
02/15/07	-	20,000	20,000
02/15/07	-	20,000	15,000
	<b>\$ -</b>	<b>\$ 40,000</b>	<b>\$ 35,000</b>
<b>TOTAL PRINCIPAL</b>	<b>\$ 3,104,906</b>	<b>\$ 3,383,985</b>	<b>\$ 3,434,860</b>
<b>INTEREST PAYMENTS:</b>			
Sewer	\$ 37,941	\$ 35,362	\$ 33,489
Water	\$ 127,415	\$ 125,720	\$ 216,165
School	\$ 584,160	\$ 499,350	\$ 454,850
Buildings	\$ 151,608	\$ 140,713	\$ 123,896
Conservation & Land	\$ 21,129	\$ 14,070	\$ 7,070
Equipment	\$ 76,863	\$ 56,050	\$ 24,890
Other	-	5,800	28,891
<b>TOTAL INTEREST</b>	<b>\$ 999,116</b>	<b>\$ 877,064</b>	<b>\$ 889,252</b>
<b>Temporary Interest / Bond Expense</b>	<b>126,586</b>	<b>130,250</b>	<b>145,000</b>
<b>TOTAL</b>	<b>4,230,608</b>	<b>4,391,299</b>	<b>4,469,111</b>
Water Department	(745,415)	(852,720)	(1,201,165)
<b>TOWN GENERAL DEBT &amp; INTEREST</b>	<b>\$ 3,485,193</b>	<b>\$ 3,538,579</b>	<b>\$ 3,267,946</b>



## **Article 7**

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to purchase capital items for the Town and School Department, and that the appropriation of these funds be subject to passage of a capital exclusion override (See Article 7 Capital Exclusion Projects Requests on following pages),

or take any action in relation thereto.

Town Manager/School Committee

*(See Fiscal Advisory Committee and Finance Committee Recommendations on Following Pages)*

## **Article 8**

To see if the Town will vote to amend the Town By-law, known as the "Duxbury Personnel Plan", as originally accepted on March 12, 1955, and last amended as of March 10, 2007 by replacing it with a new revised By-Law, a copy of which is on file in the Town Clerk's Office, which revised By-Law is incorporated herein, to become effective July 1, 2008 and to raise and appropriate, or transfer from available funds, such sums of money as are necessary to implement the Personnel Plan and provide funding for other salary compensation not a part of the Personnel Plan,

or take any action in relation thereto.

(Personnel Board)

***Finance Committee Recommendation: Available at Town Meeting***

## **Article 9**

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to fund collective bargaining agreements with any one or more of the following employee organizations for the fiscal year commencing July 1, 2008:

- Duxbury Police Association
- Duxbury Police Commanders Association
- Service Employees International Union, CTW-CLC, Local 888 (Library Employees)
- Local 2167 International Association of Firefighters A.F.L.-C.I.O.
- Public Safety Dispatchers
- Local 1700, Council 93, AFSCME, Duxbury DPW Employees Unit
- Service Employees International Union, AFL-CIO Local 888 (Town Hall Clerical Employees)
- Local 1700, AFSCME, AFL-CIO - Custodians
- Massachusetts Teachers Associations:
  - Unit A Teachers
  - Unit B Instructional Assistants

	Article 7 Capital Exclusion Projects Requests					TOWN MEETING & NOTES
	Fiscal 2009 Request	Fiscal 2009 Proposed Projects	Fiscal Advisory Recommendation	Finance Committee Recommendation		
<b>GENERAL GOVERNMENT</b>						
<b>Information Systems</b>						
Wide Area Network	100,000	-	-	-		
Reconfigure & Update Cemetery Network	14,700	-	-	-		
Reconfigure & Update Townhall Network	19,000	-	-	-		
Document Management Software	30,000	-	-	-		
Benefit Tracking Software	30,000	-	-	-		
Ambupro EMS Information Software	41,879	-	-	-		
<b>GENERAL GOVERNMENT TOTAL</b>	<b>235,579</b>	<b>-</b>	<b>-</b>	<b>-</b>		
<b>PUBLIC SAFETY</b>						
<b>Fire Department</b>						
Refurbish Brushbreaker	96,000	-	-	-		
Replace 1999 Chief's Vehicle	36,000	36,000	36,000	36,000		
Replace 1999 Deputy Chiefs' Vehicle	28,000	-	-	-		
Replace 1992 Rescue Truck	300,000	-	-	-		
<b>Harbormaster</b>						
Replace Outboard Motor Marine Unit #2	10,070	-	-	-		
Replace 2001 Patrol Vehicle	35,000	-	-	-		
<b>PUBLIC SAFETY TOTAL</b>	<b>505,070</b>	<b>36,000</b>	<b>36,000</b>	<b>36,000</b>		

	Article 7 Capital Exclusion Projects Requests					TOWN MEETING & NOTES
	Fiscal 2009 Request	Fiscal 2009 Proposed Projects	Fiscal Advisory Recommendation	Finance Committee Recommendation		
<b>PUBLIC WORKS</b>						
<b>Central Buildings Services</b>						
Install Town Hall Air Handler	40,000	-	-	-		
DPW Garage Metal Walls	15,000	-	-	-		
Replace Town Hall Roof	22,000	22,000	22,000	22,000		
Old Town Hall Shingles & Trim	30,000	30,000	30,000	30,000		
<b>Lands &amp; Natural Resources</b>						
Replace 1994 Stake Body Truck H-21	60,000	-	-	-		
Replace 1998 Bucket Truck H-23	115,000	-	-	-		
Replace 2000 Toro Grounds Master	85,000	-	-	-		
Hazardous Tree Removal	40,000	40,000	40,000	40,000		
<b>Highway</b>						
Replace 1993 Six Wheel Dump Truck H-28	110,000	-	-	-		
<b>Transfer Station</b>						
Replace 1990 Trash Trailer D-5	75,000	75,000	75,000	75,000		
Pave Transfer Station Parking Lot	75,000	75,000	-	-		
<b>Cemetery</b>						
Replace 1994 One Ton Dump Truck With Plow C-3	50,000	-	-	-		
Reline Crematory Retorts	30,000	-	-	-		
<b>DEPARTMENT OF PUBLIC WORKS TOTAL</b>	<b>747,000</b>	<b>242,000</b>	<b>167,000</b>	<b>167,000</b>		
<b>HUMAN SERVICES</b>						
<b>Council On Aging</b>						
Paint Senior Center Interior Walls	35,000	-	-	-		
<b>HUMAN SERVICES TOTAL</b>	<b>35,000</b>	<b>-</b>	<b>-</b>	<b>-</b>		

	Article 7 Capital Exclusion Projects Requests					TOWN MEETING & NOTES
	Fiscal 2009 Request	Fiscal 2009 Proposed Projects	Fiscal Advisory Recommendation	Finance Committee Recommendation		
<b>LIBRARY &amp; RECREATION</b>						
<u>Library</u>						
Integrated Materials Flow Management System - Ph I	50,000	-	-			
Recreation						
Repair Alden Tennis Courts	22,000	22,000	22,000	22,000		
Repair Tarklin Tennis Courts	15,000	-				
<u>Percy Walker</u>						
Replace Hot Water Heater	10,000	-	-			
Replace Four Interior Doors	14,500	-	-			
<u>North Hill Golf Course</u>						
Purchase and Install Irrigation Parts	15,000	-	-			
Clubhouse Repairs	12,000	-	-			
<b>LIBRARY &amp; RECREATION TOTAL</b>	<b>138,500</b>	<b>22,000</b>	<b>22,000</b>	<b>22,000</b>		

Article 7 Capital Exclusion Projects Requests					
	Fiscal 2009 Request	Fiscal 2009 Proposed Projects	Fiscal Advisory Recommendation	Finance Committee Recommendation	TOWN MEETING & NOTES
DUXBURY SCHOOLS					
Textbooks					
Math	6,731	-	-	-	F.C. & F.A.C. votes due at Town Meeting
Social Studies	25,839	-	-	-	F.C. & F.A.C. votes due at Town Meeting
Elementary	53,768	-	-	-	F.C. & F.A.C. votes due at Town Meeting
World Language	17,670	-	-	-	F.C. & F.A.C. votes due at Town Meeting
English	13,426	-	-	-	F.C. & F.A.C. votes due at Town Meeting
Science	41,691	-	-	-	F.C. & F.A.C. votes due at Town Meeting
Elementary Music	18,072	-	-	-	F.C. & F.A.C. votes due at Town Meeting
Library - System Wide	23,375	-	-	-	F.C. & F.A.C. votes due at Town Meeting
Information Technology					
Archive Emails	10,000	-	-	-	F.C. & F.A.C. votes due at Town Meeting
Network Upgrades	10,000	-	-	-	F.C. & F.A.C. votes due at Town Meeting
Add Raid-file space	11,000	-	-	-	F.C. & F.A.C. votes due at Town Meeting
Math Tech Lab Move	50,000	50,000	-	-	F.C. & F.A.C. votes due at Town Meeting
Music Technology Upgrade	20,000	20,000	-	-	F.C. & F.A.C. votes due at Town Meeting
Computers - DHS & Alden	70,000	70,000	-	-	F.C. & F.A.C. votes due at Town Meeting
Tablets	30,000	30,000	-	-	F.C. & F.A.C. votes due at Town Meeting
Install Wireless System DHS	30,000	30,000	-	-	F.C. & F.A.C. votes due at Town Meeting
Projectors	25,500	25,500	-	-	F.C. & F.A.C. votes due at Town Meeting
Ceiling Mounted Projectors Science DHS	15,000	15,000	-	-	F.C. & F.A.C. votes due at Town Meeting
Administrative Laptops	7,500	7,500	-	-	F.C. & F.A.C. votes due at Town Meeting
Replace Monitors DHS	8,000	8,000	-	-	F.C. & F.A.C. votes due at Town Meeting
Other Capital Items					
Ventilation Installation	15,000	-	-	-	F.C. & F.A.C. votes due at Town Meeting
Classroom Furniture	3,428	-	-	-	F.C. & F.A.C. votes due at Town Meeting
Video Security System	36,900	36,900	-	-	F.C. & F.A.C. votes due at Town Meeting
Tile Replacement	37,500	37,500	-	-	F.C. & F.A.C. votes due at Town Meeting
Carpet Replacement	20,000	20,000	-	-	F.C. & F.A.C. votes due at Town Meeting
Classroom Furniture	11,000	11,000	-	-	F.C. & F.A.C. votes due at Town Meeting
SCHOOL DEPARTMENT TOTAL	611,400	361,400	-	-	
GENERAL FUND TOTAL	2,272,549	661,400	225,000	225,000	

	Article 7 Capital Exclusion Projects Requests					
	Fiscal 2009 Request	Fiscal 2009 Proposed Projects	Fiscal Advisory Recommendation	Finance Committee Recommendation	TOWN MEETING & NOTES	
<b>WATER ENTERPRISE FUND</b>						
Construct Damon Well	620,000	-	-			
Install SCADA System	390,000	-	-			
Purchase Hybrid Vehicle	30,000	-	-			
PCE Main Pipe Replacement	100,000	-	-			
<b>WATER ENTERPRISE FUND TOTAL</b>	<b>1,140,000</b>	<b>-</b>	<b>-</b>	<b>-</b>		

- Duxbury Secretaries/Clerks Association (School)
- Cafeteria Association, AFSCME,

or take any action in relation thereto.

(Board of Selectmen) (School Committee)

***Finance Committee Recommendation: Available at Town Meeting***

### **Article 10**

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money 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 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 authorize the Board of Selectmen to execute a lease in the name and on behalf of the Town, for a period beginning on July 1, 2008 and ending June 30, 2009 on such terms as the Board of Selectmen may approve,

or take any action in relation thereto.

(Board of Selectmen)

***Finance Committee Recommendation: Approval in the amount of \$400,000.00***

### **Article 11**

To see if the Town will vote to raise and appropriate a sum of money to fund the Town of Duxbury's Fourth of July parade and ceremony,

or take any action in relation thereto.

(Board of Selectmen)

***Finance Committee Recommendation: Approval in the amount of \$10,000.00***

### **Article 12**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be added to the Conservation Fund and to be used under the direction of the Conservation Commission for any purpose authorized by M.G.L. Chapter 40, Section 8C,

or take any action in relation thereto.

(Conservation Commission)

***Finance Committee Recommendation: Approval in the amount of \$17,000.00***

### **Article 13**

To see if the Town will vote, upon recommendation of the Board of Selectmen, to authorize revolving funds under M.G.L. Chapter 44, Section 53E 1/2 for the following purposes:

Council on Aging Revolving Fund: to be credited with all fees and charges received from the Senior Center Programs as established by the Board of Selectmen and to authorize the expenditure of an amount not to exceed \$70,000 from said Revolving Fund, to be expended under the direction of the Director of the Council on Aging, for Senior Center Programs;

***Finance Committee Recommendation: Approval in the amount of \$70,000.00***

GIS Revolving Fund: to be credited with all fees and charges received for the Geographic Information System (GIS) program as established by the Board of Selectmen and to authorize the expenditure of no more than \$40,000.00 from said Revolving Fund, to be expended under the direction of the Town Manager for maintenance of and upgrades to the GIS program;

***Finance Committee Recommendation: Approval in the amount of \$40,000.00***

Jaycox Tree Farm Revolving Fund: to be credited with all fees and charges received from the operation of the Jaycox Tree Farm as established by the Conservation Commission and to authorize the expenditure of no more than \$15,000.00 from said Revolving Fund, to be expended under the direction of the Conservation Administrator for supplies and any needs of the Jaycox Christmas Tree Farm;

***Finance Committee Recommendation: Approval in the amount of \$15,000.00***

or take any action in relation thereto.

(Department of Finance)

### **Article 14**

To see if the Town will vote to rescind any Town debt as authorized and unissued at previous Town Meetings, or take any action in relation thereto.

(Finance Department)

***Finance Committee Recommendation: Approval***

### **Article 15**

To see if the Town will vote to appropriate a sum of money for architectural, engineering, and design services, including construction bid documents, for the renovation and improvement or reconstruction of Public Safety Buildings, and to meet this appropriation, to raise and appropriate, transfer from available funds or borrow a sum of money for the purposes of this Article, and further to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow a sum of money, said appropriation to be expended under the direction of the Town Manager, and that the appropriation of these funds be subject to passage of a debt exclusion override,



or take any action in relation thereto.

(Selectmen/Public Safety Building Feasibility Study Committee)

***Finance Committee Recommendation: Approval in the amount of \$1,000,000.00***

***Fiscal Advisory Committee Recommendation: Approval in the amount of \$1,000,000.00***

### **Article 16**

To see if the Town will vote to appropriate a sum of money for architectural, engineering and design services, including construction bid documents, for the renovation and improvement of the Percy Walker Pool, and to meet this appropriation, to raise and appropriate, transfer from available funds or borrow a sum of money for the purposes of this Article, and further to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow a sum of money, said appropriation to be expended under the direction of the Town Manager, and that the appropriation of these funds be subject to a debt exclusion override,

or take any action in relation thereto.

(Selectmen/Percy Walker Pool Long-Range Planning Committee)

***Finance Committee Recommendation: Approval in the amount of \$163,000.00***

***Fiscal Advisory Committee Recommendation: Approval in the amount of \$163,000.00***

### **Article 17**

To see if the Town will vote to raise and appropriate, or transfer, upon recommendation of the Community Preservation Committee, from the Community Preservation Fund, in accordance with M.G.L. Chapter 44B such sums of money as it determines necessary for the expenses and charges for operation of the Community Preservation Committee, all for the Fiscal Year beginning July 1, 2008 and ending June 30, 2009 inclusive,

or take any action in relation thereto.

(Community Preservation Committee)

***Finance Committee Recommendation: Available at Town Meeting***

### **Article 18**

To see if the Town will vote to appropriate, upon recommendation of the Community Preservation Committee, a sum of money 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),

or take any action in relation thereto.

(Community Preservation Committee)

***Finance Committee Recommendation: Approval (\$184,000.00 for Open Space, \$184,000.00 for Community Housing, \$184,000.00 for Historic Resources)***

### **Article 19**

To see if the Town will vote, upon recommendation of the Community Preservation Committee, to transfer the unused balance of an appropriation and to transfer a sum of money to the Water Enterprise Fund,

or take any action in relation thereto.

(Community Preservation Committee)

***Finance Committee Recommendation: Available at Town Meeting***

### **Article 20**

To see if the Town will vote, upon recommendation of the Community Preservation Committee, to authorize the Board of Selectmen, on terms and conditions deemed to be in the best interest of the Town, to convey a parcel of land on Congress Street, identified on Duxbury Assessors Map as Parcel 020-500-006, and to grant an easement on a portion of a parcel of land identified on Duxbury Assessors Map as Parcel 020-500-005, in exchange for a portion of another parcel of land on Congress Street, identified on Duxbury Assessors Map as Parcel 020-039-003, all as shown on plans of land on file at the Office of the Town Clerk, and further to appropriate a sum of money for the purposes of this article,

or take any action in relation thereto.

(Community Preservation Committee)

***Finance Committee Recommendation: Available at Town Meeting***

### **Article 21**

To see if the Town will vote to appropriate upon recommendation of the Community Preservation Committee and to meet said appropriation to transfer from the Community Preservation Fund a sum of money, and further to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow a sum of money, pursuant to any enabling authority, for the purposes of reconstruction and rehabilitation of the historic Tarkiln Community Center located on

Summer Street and further to authorize the Town Manager to expend sums of money from the Community Preservation Fund for the purposes of this Article,

or take any action in relation thereto.

(Community Preservation Committee)

***Finance Committee Recommendation: Available at Town Meeting***

***Fiscal Advisory Committee Recommendation: Available at Town Meeting***

## **Article 22**

To see if the Town will vote, upon recommendation of the Community Preservation Committee, to authorize the acquisition by purchase, gift, or eminent domain, on terms that the Board of Selectmen deems to be in the best interests of the Town, for conservation purposes of a fee simple interest in land, with a permanent restriction pursuant to Massachusetts General Laws Chapter 184, parcels of land, approximately 40.5 acres in area, shown on plans of land on file at the Office of the Town Clerk, and to raise and appropriate from the Community Preservation Fund a sum of money for the purposes of this Article, including costs related thereto, and to meet this appropriation, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow a sum of money, and further to authorize the Board of Selectmen to solicit grants or receive gifts for the purposes of this Article, and to further authorize the Conservation Commission to manage the properties and to enter into an agreement to manage the properties in accordance with Massachusetts General Laws,

or take any action in relation thereto.

(Community Preservation Committee/Conservation Commission)

***Finance Committee Recommendation: Available at Town Meeting***

***Fiscal Advisory Committee Recommendation: Available at Town Meeting***

## **Article 23**

To see if the Town will vote, upon recommendation of the Community Preservation Committee, to acquire by purchase, gift or eminent domain, on terms that the Board of Selectmen deems to be in the best interests of the Town, for conservation and community housing purposes, of a fee simple interest in land, encumbered with a permanent restriction pursuant to Massachusetts General Laws Chapter 184, certain parcels of land, approximately 110 acres in area, as shown on a plan of land on file at the Office of the Town Clerk, and to raise and appropriate from the Community Preservation Fund a sum of money for the purposes of this Article, including costs related thereto, and to meet this appropriation, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow a sum of money, and further to authorize the Board of Selectmen to solicit grants or receive gifts for the purposes of this Article,

or take any action in relation thereto.

(Community Preservation Committee/Conservation Commission)

***Finance Committee Recommendation: Available at Town Meeting***

***Fiscal Advisory Committee Recommendation: Available at Town Meeting***

## **Article 24**

To see if the Town will vote, upon recommendation of the Community Preservation Committee, to authorize the acquisition for community housing purposes of a fee simple interest in land, encumbered with a permanent restriction pursuant to Massachusetts General Laws Chapter 184, a parcel of land, approximately 0.13 acres in area, identified as Parcel 120-441-006 on Duxbury Assessors Map and shown on a plan of land on file at the Office of the Town Clerk, and to raise and appropriate from the Community Preservation Fund a sum of money for the purposes of this Article, including costs related thereto, and to meet this appropriation, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow a sum of money, and further to authorize the Board of Selectmen to solicit grants or receive gifts for the purposes of this Article, and further to authorize the Board of Selectmen to enter into a lease of said property on terms and conditions deemed to be in the best interest of the Town,

or take any action in relation thereto.

(Community Preservation Committee/Local Housing Partnership)

***Finance Committee Recommendation: Available at Town Meeting***

***Fiscal Advisory Committee Recommendation: Available at Town Meeting***

## **Article 25**

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 55C and establish a Town of Duxbury Affordable Housing Trust, the provisions of which read as follows:

### **TOWN OF DUXBURY AFFORDABLE HOUSING TRUST**

Pursuant to a vote at the Duxbury 2008 Annual Town Meeting and pursuant to the provisions of M.G.L. c. 44 Section 55C adopted at the Duxbury 2008 Annual Town Meeting, the Town of Duxbury hereby establishes the Town of Duxbury Affordable Housing Trust for the benefit of all of the inhabitants of the Town of Duxbury in the manner and under the terms and conditions set forth herein.

ARTICLE FIRST: Name of the Trust

The trust shall be called the "Town of Duxbury Affordable Housing Trust", herein referred to as the Trust.

ARTICLE SECOND: Purpose

The purpose of the Trust shall be to provide for the preservation and creation of affordable housing in the Town of Duxbury for the benefit of low and moderate income households.

#### ARTICLE THIRD: Tenure of Trustees

There shall be a Board of Trustees consisting of five Trustees who shall be appointed by the Board of Selectmen. One of the Trustees shall be a member of the Board of Selectmen. Only persons who are residents of the Town of Duxbury shall be eligible to hold the office of Trustee. The Chairman of the Town of Duxbury Local Housing Partnership shall be an ex-officio member with no right to vote. Trustees shall serve for a term of two years, except that two of the initial trustee appointments shall be for a term of one year. Trustees may be reappointed by the Board of Selectmen for succeeding terms, and there is no limit on the number of terms which a Trustee can serve. Any Trustee may resign by written instrument signed and acknowledged by such Trustee and duly filed with the Town Clerk. If a Trustee shall die, resign, or for any other reason cease to fulfill the duties of a Trustee hereunder before his/her term of office expires, a successor shall be appointed by the Board of Selectmen to fill the remainder of the term of such vacancy provided that said appointment and acceptance in writing by the newly appointed Trustee are filed with the Town Clerk. Upon the appointment of any Trustee and the filing of such appointment with the Town Clerk, the title to the Trust estate shall thereupon and without the necessity of any conveyance be vested in such succeeding Trustee jointly with the remaining Trustees. Reference to the Trustee shall mean the Trustee or Trustees for the time being hereunder. Trustees may be removed at any time for cause by a majority vote of the Board of Selectmen following a properly noticed public hearing. Cause shall include, but not be limited to, violation of any local, state or federal law; non-participation in business of the Trust; incapacity to perform the duties of a Trustee; acts of the Trustee, that in the opinion of the Board of Selectmen, are grossly negligent or detrimental to the Town of Duxbury or the Trust.

#### ARTICLE FOURTH: Meetings of the Trust

The Trust shall meet at least quarterly at such time and at such place as the Trustees shall determine. Notice of all meetings of the Trust shall be given in accordance with the provisions of the Open Meeting Law, G.L. Chapter 39, Sections 23A, 23B and 23C. A quorum at any meeting shall be a majority of the Trustees qualified and present in person. Minutes of all meetings shall be recorded and filed with the Town Clerk in accordance with the provisions of the Open Meeting Law, M.G.L. Chapter 39, Sections 23A, 23B and 23C.

#### ARTICLE FIFTH: Powers of Trustees

The Powers of the Trust, shall be the following, except that: (a) any purchase, sale, lease, exchange, transfer or conveyance of any interest in real property is subject to a two-thirds (2/3rds) vote of the Trustees; (b) the Trustees may incur debt, borrow money, grant mortgages and pledge trust assets only in an amount not to exceed eighty percent (80%) of the total value of the Trust's assets; and (c) any debt incurred by the Trust shall not constitute a pledge of the full faith and credit of the Town of Duxbury and all documents related to any debt shall contain a statement that the holder of any such debt shall have no recourse against the Town of Duxbury with an acknowledgement of said statement by the holder:

- (1) to accept and receive property, whether real or personal, by gift, grant, devise, or transfer from any person, firm, corporation or other public or private entity, including without limitation grants of funds or other property tendered to the trust in connection with provisions of any zoning ordinance or by-law or any other ordinance or by-law;
- (2) to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;
- (3) to sell, lease, exchange, transfer or convey any personal, mixed or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise and to make such contracts and enter into such undertakings relative to trust property as the Trust deems advisable notwithstanding the length of any such lease or contract;
- (4) to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or

incident to any transaction in which the Board engages for the accomplishment of the purposes of the Trust;

(5) to employ advisors and agents, such as accountants, appraisers and lawyers as the Trust deems necessary;

(6) to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Trust deems advisable;

(7) to apportion receipts and charges between incomes and principal as the Trust deems advisable, to amortize premiums and establish sinking funds for such purpose and to create reserves for depreciation, depletion or otherwise;

(8) to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;

(9) to deposit any security with any protective reorganization committee and to delegate to such committee such powers and authority with relation thereto as the Trust may deem proper and to pay out of Trust property, such portion of expenses and compensation of such committee as the Trust may deem necessary and appropriate;

(10) to carry property for accounting purposes other than acquisition date values;

(11) to borrow money on such terms and conditions and from such sources as the Trust deems advisable, to mortgage and pledge trust assets as collateral;

(12) to make distributions or divisions of principal in kind;

(13) to comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the Trust, including claims for taxes and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation and subject to the provisions of state statutes, to continue to hold the same for such period of time as the Trust may deem appropriate;

(14) to manage or improve real property and to abandon any property which the Trust determines not to be worth retaining;

(15) to hold all or part of the Trust property un-invested for such purposes and for such time as the Trust may deem appropriate; and

(16) to extend the time for payment of any obligation to the Trust.

#### ARTICLE SIXTH: Funds Paid to the Trust

Notwithstanding any general or special law to the contrary, all monies paid to the Trust in accordance with any Town of Duxbury zoning by-law, exaction fee, or private contribution shall be paid directly into the Trust and need not be appropriated or accepted and approved into the Trust.

Funds appropriated by the Town of Duxbury Town Meeting for payment into the Trust become Trust property and these funds need not be further appropriated to be expended except as set forth in Article Fifth herein. All monies remaining in the Trust at the end of any fiscal year, whether or not expended by the Trust, remain Trust property. The Trust shall comply with any conditions stipulated in the article's motion for monies appropriated by the Duxbury Town Meeting.

#### ARTICLE SEVENTH: Acts of Trustees

A majority of Trustees may exercise any or all of the powers of the Trustees hereunder, unless otherwise provided, and may execute on behalf of the Trustees any and all instruments with the same effect as though executed by all the Trustees. No Trustee shall be required to give bond. No license of court shall be required to confirm the validity of any transaction entered into by the Trustees with respect to the Trust Estate. Any expenditures by the trust to any one party in a cumulative amount exceeding \$100,000.00 or donations to any charitable organization by the Trust shall also be approved by the Board of Selectmen prior to finalizing the transaction.

#### ARTICLE EIGHTH: Liability

Neither the Trustees nor any agent or officer of the Trust shall have the authority to bind the Town of Duxbury, except in the manner specifically authorized herein. The Trust is a public employer and the Trustees are public employees for the purposes of M.G.L. Chapter 268A. The Trust shall be deemed a municipal agency and the Trustees special municipal employees for the purposes of M.G.L. Chapter 268A.

#### ARTICLE NINTH: Taxes

The Trust is exempt from M.G.L. Chapter 59 and 62, and from any other provisions concerning payment of taxes based upon or measured by property or income imposed by the Commonwealth or any subdivision thereto.

#### ARTICLE TENTH: Custodian of Funds

The Town of Duxbury Treasurer shall be the custodian of the funds of the Trust. The books and records of the Trust shall be audited annually by an independent auditor in accordance with accepted accounting practices for municipalities. Costs associated with the independent audit shall be born by the Trust.

#### ARTICLE ELEVENTH: Governmental Body

The Trust is a governmental body for purposes of Sections 23A, 23B and 23C of M.G.L. Chapter 39.

#### ARTICLE TWELFTH: Board of the Town

The Trust is a Board of the Town for purposes of M.G.L. Chapter 30B and Section 15A of M.G.L. Chapter 40; but agreements and conveyances between the Trust and agencies, boards, commissions, authorities, departments and public instrumentalities of the town shall be exempt from said Chapter 30B.

#### ARTICLE THIRTEENTH: Duration of the Trust

This Trust shall be of indefinite duration until terminated by a vote of the Duxbury Town Meeting. Upon termination of the Trust, subject to the payment of or making provisions for the payment of all obligations and liabilities of the Trust and the Trustees, the net assets of the Trust shall be transferred to the Town of Duxbury and held by the Board of Selectmen for affordable housing purposes. In making any such distribution, the Trustees may, subject to the approval of the Board of Selectmen, sell all or any portion of the Trust property and distribute the net proceeds thereof to the Town of Duxbury. The powers of the Trustees shall continue until the affairs of the Trust are concluded. Once the Duxbury Town Meeting has voted to terminate the Trust, all financial transactions made on behalf of the Trust shall be approved by the Board of Selectmen.

#### ARTICLE FOURTEENTH: Registry of Deeds

The Board of Selectmen may authorize the Trustees to execute, deliver and record with the Registry of Deeds any documents required for any conveyance authorized hereunder.

#### ARTICLE FIFTEENTH: Titles

The titles to the various Articles herein are for convenience only and are not to be considered part of said Articles nor shall they affect the meaning or the language of any such Article.



ARTICLE SIXTEENTH: Compensation of Trustees

Trustees shall not receive a salary, stipend, bonus or other means of compensation for their service as a Trustee, nor shall they be eligible for any benefits from the Town of Duxbury. Trustees may be compensated for reasonable out-of-pocket expenses for travel and other Trust-related expenses. All such out-of-pocket expenses shall be fully documented with receipts for expenses prior to payment by the Trust.

ARTICLE SEVENTEENTH: Amendments

The provisions of this Trust can only be amended by a vote of the Duxbury Town Meeting.

ARTICLE EIGHTEENTH: Conflicts of Interest

The Trust shall be considered a public employer and the Trustees shall be subject to the conflict of interest provisions of M.G.L. Chapter 268A.

ARTICLE NINETEENTH: Trustee Agreements

Trustees will be required to execute an agreement with the Trust at the time of their appointment by the Board of Selectmen outlining their roles and responsibilities in accordance with the provisions of this Trust. Such form of agreement shall be developed by the Board of Selectmen and approved as to form by the Duxbury Town Counsel.

ARTICLE TWENTIETH: Annual Report

The Trustees shall prepare an annual report describing the activities of the Trust on a calendar year basis. The annual report shall be submitted to the Duxbury Board of Selectmen by February 1 of each year. The annual report shall list all financial transactions conducted by the Trust including all revenues and costs, provide a balance sheet of liabilities and assets of the Trust, list an inventory of all affordable housing units created, sold, and or managed by the Trust, and any other pertinent information related to the business of the Trust. Twenty hard copies and an electronic copy of the annual report shall be submitted to the Board of Selectmen.

or take any action relative thereto.

(Local Housing Partnership)

***Finance Committee Recommendation: Approval***

**Article 26**

To see if the Town will vote to raise and appropriate or transfer from available funds upon recommendation of the Community Preservation Committee a sum of money from the Community Preservation Fund to fund a Housing Purchase Assistance Program for community housing purposes and to meet said appropriation transfer from the Community Preservation Fund available funds and further to authorize the Treasurer with the approval of the Board of Selectmen to borrow a sum of money pursuant to M.G.L. Chapter 44 and to authorize the Town Manager to expend sums of money from the Community Preservation Fund for the purposes of this article,

or take any action in relation thereto.

(Community Preservation Committee/Local Housing Partnership)

***Finance Committee Recommendation: Available at Town Meeting***

***Fiscal Advisory Committee Recommendation: Available at Town Meeting***



## **Article 27**

To see if the Town will vote to adopt a plan for Allocation of the Resources of the Duxbury Affordable Housing Trust for Fiscal Year 2009 in accordance with the provisions of Chapter 112 of the Acts of 2005. The provisions of this Allocation Plan are as follows:

### **A. First Time Homeownership Program**

1. Provide low-interest loans or deferred payment loans to assist low income homebuyers to purchase a home in the town of Duxbury.
2. Purchase rights of first refusal to acquire existing dwelling units for sale or rental to low income households

### **B. Conversion of Existing Properties**

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

### **C. Develop New Affordable Housing Units**

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

or take any action relative thereto.

(Local Housing Partnership)

*Finance Committee Recommendation: Approval*

## **Article 28**

To see if the Town will vote to authorize the Board of Selectmen to sign a five-year extension of the Inter-municipal Agreement relative to the South Shore Recycling Cooperative, effective July 1, 2008,

or take any action in relation thereto.

(Selectmen/DPW)

*Finance Committee Recommendation: Approval*

## **Article 29**

To see if the Town will vote to amend the General Bylaws by adding the following new Chapter 11 entitled, “Right to Farm Bylaw”,

### **Section 1: Purpose and Intent**

The Town of Duxbury finds that farming is an essential and valued activity, which provides fresh food, clean air, economic diversity, local employment, and open spaces to all the citizens of the town. This by-law is intended to encourage the pursuit of agriculture, promote agricultural-based economic and employment opportunities, and protect farmland within the Town of Duxbury.

The purpose and intent of this by-law is to allow agricultural uses and related activities to function in harmony with the community, Town agencies, and others. This By-law shall apply to all jurisdictional areas within the Town.

This by-law re-states with emphasis the Right to Farm accorded to all citizens of the Commonwealth of Massachusetts as stated under the Constitution and General Laws and Regulations, including but not limited to Article 97, of the Constitution, Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; (The Zoning Act) Chapter 90, Section 9, Chapter 111, Section 125A and Chapter 128 Section 1A.

### **Section 2: Definitions**

**Farm:** Any parcel or parcels of land, or water bodies, used for the purpose of commercial or private agriculture, or accessory thereto.

**“Farming” or “Agriculture” or their derivatives** shall include, but not be limited to commercial and private pursuit of the following:

- Farming in all its branches and the cultivation and tillage of the soil;
- Production, cultivation, growing, and harvesting of any agricultural, aquaculture, floriculture, viticulture, or horticultural commodities including orchards;
- Growing and harvesting of forest products, including the production of maple syrup and other related forestry or lumbering operations;
- Breeding, raising, keeping, dairying, and/or selling of livestock, e.g. cattle, sheep, swine, goats, llamas, and alpacas;
- Breeding, raising, keeping, and/or selling horses; e.g. boarding, training, or as an adjunct to farming;
- Breeding, raising, keeping, and/or selling poultry, owls, rabbits, bees, fur-bearing animals and other domesticated animals for food, fiber, fur or other agricultural purposes.

**“Farming”** shall encompass activities including, but not limited to, the following:

- Operation and transportation of slow-moving farm equipment over roads with the Town;
- Control of pests, including but not limited to, insects, weeds, predators, and disease organism of plants and animals under generally accepted management practices;

- Application and storage of manure, pesticides, and fertilizers under generally accepted management practices;
- Conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing and agricultural output or services of the farm;
- Processing and packaging of the agricultural output of the farm and the operation of a farmer's market or farm stand including signage thereto.
- Maintenance, repair, or storage of farm equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products;
- On-farm relocation of earth or sale of material and the clearing of ground for farming operations;
- Constructing and maintaining farm buildings used for shelter, feed, and storage;
- Maintaining drainage or irrigation ditches; picking stone; constructing, repairing, or maintaining fences; and clearing, renovating and maintaining pastures.

### **Section 3: Right to Farm Declaration**

The Right to Farm is hereby recognized to exist within the Town of Duxbury. The above-described agricultural activities may occur on holidays, weekdays, and weekends; by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practices of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this By-law are intended to apply to those commercial and private agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. For any agricultural practice, in determining the reasonableness of the time, place, and methodology of such practice, consideration shall be given to both traditional customs and procedures as well as to new practices and innovations. Moreover, nothing in this Right to Farm By-law shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

### **Section 4: Disclosure Notification**

In order to ensure that prospective owners and prospective tenants are aware of the policy of the Town of Duxbury expressed in this By-law regarding agricultural uses, the following notification shall be prominently posted in the Duxbury Town Hall, Duxbury Free Library, and on the Town of Duxbury website within 30 days of this bylaw becoming effective. In addition, the notification language required by this section shall appear each year in the Town's Annual Report.

*It is the policy of this community to conserve, protect, and encourage the maintenance and improvement of agricultural land for the production of food and other agricultural products, and for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lies within a community where farming activities occur and are encouraged. Such farming activities may include, but are not limited to, activities that cause noise, dust, and odors. Buyers and occupants are informed that any property within the Town of Duxbury may be impacted by commercial agricultural and farming activities.*

Property owners should make efforts to inform prospective tenants or buyers that Duxbury is a Right to Farm community.

## **Section 5: Resolution of Disputes**

Any person having a complaint about a farm activity or practice is encouraged to seek an amicable resolution to the complaint, including talking directly with the involved farmer.

Any person who seeks to complain about the operation of a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Board of Selectmen, the Zoning Enforcement Officer, or the Board of Health, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have. The Zoning Enforcement Officer or Board of Selectmen may forward a copy of the grievance of the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the referring Town authority within sixty days.

The Board of Health shall forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report on its recommendations to the Board of Health within an agreed upon time frame.

## **Section 6: Severability Clause**

If any part of this By-law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this By-law. The Town of Duxbury hereby declares the provisions of this By-law to be severable.

or take any other action in relation thereto.

(Agricultural Commission)

*Finance Committee Recommendation: Approval*

### **Article 30**

To see if the Town will vote to accept a gift of land, located on Lincoln Street and consisting of approximately 2.34 acres in area, identified as Parcel 070-031-000 as shown on Duxbury Assessors record, a copy of which is on file at the Office of the Town Clerk, currently owned by the Natalie S. Goodrich Realty Trust and the Anderson/Youse Nominee Trust, on terms and conditions deemed by the Board of Selectmen to be in the best interest of the Town,

or take any action in relation thereto.

(Selectmen)

*Finance Committee Recommendation: Approval*

### **Article 31**

To see if the Town will vote to authorize the Town Manager to issue a Request for Proposals and enter into a Lease of the North Hill Golf Course on terms and conditions deemed to be in the best interest of the Town,

or take any action in relation thereto.

(Selectmen/North Hill Advisory Committee)

***Finance Committee Recommendation: Approval***

## **Article 32**

To see if the Town will vote to amend the Protective Bylaw by adding a new Section 570 entitled, “Affordable Housing”:

### **570 AFFORDABLE HOUSING:**

#### **570.1 Purpose**

To facilitate affordable housing development on qualified pre-existing non-conforming lots as defined in this Bylaw. The intent of this section is to provide a mechanism for the construction of affordable housing units to satisfy the needs of the present and future inhabitants of Duxbury of low and moderate income. The Planning Board is designated as the Special Permit Granting Authority (SPGA) for purposes of this Bylaw and may grant a special permit for the specific and sole purpose of constructing an Affordable Housing dwelling pursuant to this section of this Bylaw.

#### **570.2 Definitions**

1. Affordable Housing Unit: See Section 560.2.1
2. Low and Moderate Income Household: A household income not exceeding eighty percent (80%) of the median household income, adjusted for household size, in the metropolitan or non-metropolitan statistical area that includes the Town of Duxbury, as determined annually by the U.S. Department of Housing and Urban Development (HUD).
3. Median Household Income: The median household income for the metropolitan or non-metropolitan statistical area that includes the Town of Duxbury, as determined annually by the U.S. Department of Housing and Urban Development (HUD).
4. Qualified Affordable Housing Unit Purchaser: See Section 560.2.2.
5. Use Restriction: A deed restriction or other legal instrument recorded in the Plymouth County Registry of Deeds or land court registry district which effectively restricts the occupancy of an affordable housing unit to households of low and moderate income during the term of affordability. Selection of eligible tenant/owners shall be made in a fair and reasonable manner in compliance with any and all applicable fair housing and antidiscrimination laws.
6. Upland Area: All lands not defined herein as wetlands.
7. Floor Area Ratio (FAR): Gross floor area of all buildings on the lot measured in square feet, divided by the total square footage of the entire lot.
8. Vacant Lot: A lot absent of any man-made structure above the surface.

9. Appraised Value – An opinion of value developed by a Massachusetts licensed real estate appraiser that conforms to the Uniform Standards of Professional Appraisal Practice (USPAP).
10. Effective Date – March 8, 2008.

### **570.3 Special Permit Criteria for Eligible Lots**

The Planning Board, as the Special Permit Granting Authority (SPGA) under this section of the Bylaw, may grant a special permit to allow construction of an Affordable Single Family Housing Unit on an eligible parcel of land in the Residential Compatibility (RC) and Planned Development (PD) Zoning Districts that meets the following criteria:

1. Pre-Existing Lot: Eligible parcels must have existed as a separate lot of record prior to the effective date of this Bylaw (the “Effective Date”). No landowner shall be eligible for more than one (1) affordable housing unit lot from a single parcel of land, or from adjoining parcels of land in common ownership, based on the ownership status of the land as determined by instruments and plans on file at the Plymouth County Registry of Deeds as of the Effective Date. No affordable housing unit lot shall be further divided. The Planning Board shall note such limitations, with a description of the land affected by such limitations, in its written decision.
2. Existing Ownership and Use: Eligible lots must be in private ownership and vacant prior to and following the Effective Date. Eligible lots may also be owned by the Duxbury Affordable Housing Trust and/or any other non-profit housing entity.
3. Dimensional Characteristics: Eligible lots must meet the dimensional characteristics prior to the Effective Date:
  - a. Lot Area: Minimum 10,000 square feet of upland area.
  - b. Continuous Frontage: 25 feet on a public road.
  - c. Lot Shape: See Section 570.3.13 below.
4. Setbacks: All structures must be set back 30 feet from all front, side and rear property lines.
5. Access: The applicant shall provide for safe access for public safety vehicles and personnel to the dwelling unit to be constructed on the lot, and the intersection of such access driveway to the public way shall be placed across the frontage in the best location available to the applicant.
6. Dwelling Unit Size and Coverage: The size of a dwelling unit and number of bedrooms in the Aquifer Protection Overlay District (APOD) zone shall meet the requirements of Section 406 herein.
7. Floor Area Ratio: The maximum floor area ratio (FAR) of the dwelling shall not exceed 0.15 up to a maximum of 2,500 square feet per dwelling unit. Future additions or alterations that would exceed the 2,500 square feet maximum floor area ratio are prohibited once a special permit has been issued.
8. Minimum and Maximum and Dwelling Unit Size - Each Affordable Housing Unit shall contain a minimum area of 700 square feet with one bedroom; a minimum area of 850 square

feet with two bedrooms; a minimum area of 1,200 square feet with three bedrooms; or a minimum area of 1,400 square feet with four bedrooms or more. The maximum dwelling unit size shall not exceed the FAR.

9. Utilities: All utilities shall be installed underground.
10. Purchase or Rent: The Affordable Housing Unit permitted by this section shall be restricted for purchase or rent by only low and moderate households, in accordance with the standards set forth in this section.
11. Parking – All private parking areas shall be contained entirely on the property.
12. Plans: The applicant shall submit, along with the special permit application, a surveyed site plan depicting the proposed affordable housing unit and lot layout. The plan shall be prepared by a registered land surveyor, and shall be in such form as will be required for recording with the Registry of Deeds or filing with the Land Court.
13. Control of Substantially Irregular Lot Shape - No lot shall be created which is substantially irregular in shape. For the purposes of this section, a lot is “substantially irregular” if it has a regularity factor which is less than 0.4 as determined by the following formula:  $r = 16A/P$  where  $r$  = regularity factor;  $A$  = area of the lot (in square feet); and  $P$  = perimeter of the lot (in feet). Lots less than 0.4 by the applied formula shall be considered ineligible for the purposes of this Bylaw. (See Figure 1 below).
14. Other Requirements: All other requirements of Article 500 and the remainder of this Bylaw shall remain applicable and in full force and effect.

#### **570.4 Use Restrictions**

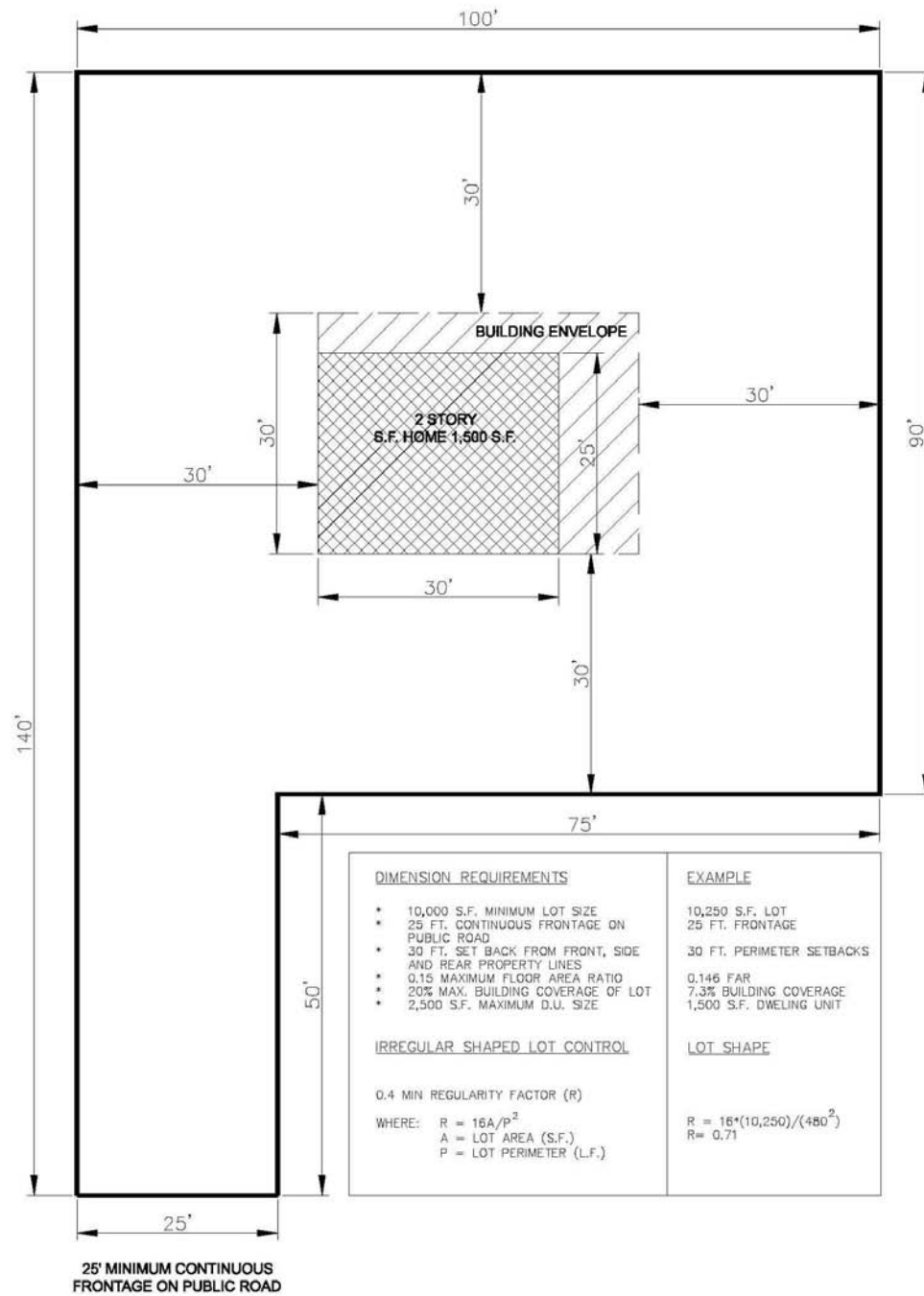
Any affordable housing unit created under this section shall be subject to a use restriction/regulatory agreement on the lot conforming to the following criteria:

1. The restriction shall be assured in perpetuity or for the longest period of time allowed by applicable law.
2. The restriction shall be recorded as a condition of deed or mortgage.
3. The restriction shall have a legal mechanism for compliance that occurs without Town intervention in any form or manner.
4. The restriction shall include a process for verification of compliance.
5. The restriction shall ensure that the affordable housing unit may only be sold to Qualified Affordable Housing Unit Purchasers at an affordable price, or leased to Qualified Affordable Housing Unit Renters at affordable rents, subject to Section 570.6.3 herein.
6. The restriction shall provide that the affordable housing unit must be sold or rented on a fair and open basis.

For purposes of this bylaw, the Town of Duxbury either through the Duxbury Housing Authority or any designee established by the Town, agrees to perform the duties of Monitoring Agent and to adhere to the responsibilities as defined in the Monitoring and Marketing Agreement entered between the Town and the applicant.

FIGURE 1

**EXAMPLE OF ELIGIBLE LOT FOR AFFORDABLE HOUSING UNIT**





#### **570.5 Maximum Incomes and Selling Prices: Initial Sale**

1. Proof of Income Eligibility: To ensure that only eligible households may purchase affordable housing units pursuant to this Bylaw, the purchaser of an affordable housing unit shall be required to submit copies of the last three years' federal and state income tax returns and certify, in writing and prior to transfer of title, to the developer of the housing units or his/her/their agent, and within thirty (30) days following transfer of title, to the local housing trust, community development corporation, housing authority or other agency as established by the Town, that his/her or their family's annual income level does not exceed the maximum level as established by the Commonwealth's Department of Housing and Community Development, and as may be revised from time to time.
2. Maximum Housing Cost: The maximum housing cost for affordable units created under this Bylaw is as established by the Commonwealth's Department of Housing and Community Development, Local Initiative Program, as may be revised from time to time, or as revised from time to time by the Town.

#### **570.6 Preservation of Affordability; Restrictions on Resale**

1. Preservation of Affordability: Each affordable unit created in accordance with this Bylaw shall have limitations governing its resale. The purpose of these limitations is to preserve the long-term affordability of the unit and to ensure its continued availability for affordable income households. The resale controls shall be established through a use restriction on the property pursuant to Section 570.4 above and shall be in full force and effect in perpetuity or the longest period of time allowed by applicable law.
2. Resale Price: Sales beyond the initial sale to a qualified affordable income purchaser shall include the initial discount sale price not to exceed ninety percent (90%) of the property's appraised value (as defined under Section 570.1 above) at the time of sale. This percentage shall be recorded as part of the restriction on the property pursuant to Section 570.4 above.
3. Right of First Refusal to Purchase: The purchaser of an affordable housing unit developed as a result of this Bylaw shall agree to execute a deed rider approved by the Town, consistent with model riders prepared by Department of Housing and Community Development, granting, among other things, the Town of Duxbury or the Duxbury Affordable Housing Trust the right of first refusal to purchase the property in the event that a subsequent qualified purchaser cannot be located.
4. Deed Restrictions: The Planning Board shall require, as a condition for a special permit under this Bylaw, that the applicant comply with the mandatory set-asides and accompanying restrictions on affordability, including the execution of a regulatory agreement pursuant to Section 570.4 above. The Building Commissioner/Inspector shall not issue a building permit for any affordable unit until the regulatory agreement is recorded.

#### **570.7 Conflict with Other Bylaws**

The provisions of this Bylaw shall be considered supplemental of existing zoning bylaws. To the extent that a conflict exists between this Bylaw and others, the more restrictive bylaw, or provisions therein, shall apply.

#### **570.8 Review by Special Permit Granting Authority**

Prior to granting a special permit for an affordable housing unit under this section, the Planning Board must make the following findings:

1. The proposed affordable housing unit will be in harmony with the general purpose and intent of the Bylaws;
2. The increase in density resulting from the grant of a special permit will not adversely affect the surrounding neighborhood;
3. The placement of a new single family housing unit on the non-conforming lot can be accomplished without jeopardizing public health or safety, and without detriment to the environment: and
4. In determining whether or not to grant a special permit for development of an affordable housing unit lot, and in determining what conditions, if any, to impose on such a special permit, the Planning Board may consider, among other things, circumstances related to soil conditions, topography, lot history, wetlands, proposed building locations, and public safety and convenience.

#### **570.9 Severability**

If any provision of this Bylaw is held invalid by a court of competent jurisdiction, the remainder of this Bylaw shall remain in full force and effect.

Or take any action in relation thereto.

(Planning Board & Local Housing Partnership)

*Finance Committee Recommendation: Approval*

### **Article 33**

To see if the Town will vote to amend the Duxbury Protective Bylaw under Article 500, Section 560.11 as follows: (Deletions from the original text are shown in ~~strike-through format~~. Additions to original text are shown in ***bold italicized print***.)

#### **560.11 Fees in Lieu of Affordable Housing Units**

As an alternative to Section 560.5 (a) through (c), an applicant may contribute a cash payment to the Affordable Housing Trust Fund, to be used for the development of affordable housing by the

Town or its designees, in lieu of constructing and offering affordable units within the locus of the proposed development or off-site.

1. Calculation of fees-in-lieu of units. The applicant for development subject to this Bylaw may pay a fee in lieu of the construction of affordable units. For each affordable unit not constructed or provided through one or a combination of the methods specified in 560.5 (a) through (c), the fee shall be an amount equal to the difference between the median sale price

for new single-family homes built in Duxbury during the preceding three fiscal years, as determined and reported by the Board of Assessors, and the purchase price of a home that is affordable to a qualified purchaser.

- a) For developments of multi-family condominiums, the Planning Board may substitute the median sale price for new condominiums built in Duxbury during the preceding three fiscal years for the median sale price of new single-family homes.
  - b) The methodology used to determine an affordable purchase price shall comply with Local Initiative Program guidelines in effect at the time of application for a special permit.
  - c) The assumptions used to determine an affordable purchase price, including but not limited to minimum down payment, mortgage interest rate, term, closing and other costs shall be consistent with first-time homebuyer mortgage products available from commercial lending institutions located in or serving Duxbury at the time of application for a special permit, all in accordance with the Inclusionary Housing Submission Requirements and Procedures Manual adopted by the Planning Board and filed with the Town Clerk.
  - d) Upon adoption of this bylaw by town meeting, the Planning Board shall prepare and adopt an Inclusionary Housing Submission Requirements and Procedures Manual after holding a public hearing on the same.
2. ~~Schedule of fees in lieu of payments. Fees in lieu of payments shall be paid according to the schedule set forth in Section 560.6 (3), above.~~ ***construction. Fees in lieu of construction shall be paid to the Affordable Housing Trust Fund by the applicant at the time of application for building permits, according to the applicant's choice of one of the two following payment schedules:***
- a) ***A lump sum total payment submitted with the initial building permit application in the amount as calculated in accordance with Section 560.11 and established by the Planning Department;***  
***or***
  - b) ***A prorated payment calculated in accordance with Section 560.11 and divided as equal per unit fees established by the Planning Department, initiated with the first building permit application and paid in full with the filing of the building permit application representing the project's eighty percent (80%) completion,***

or take any action relative thereto.

(Planning Board)

***Finance Committee Recommendation: Approval***

## Article 34

To see if the Town will vote to amend Section 906.5 of the Duxbury Protective Bylaw as follows: (Deletions from the original text are shown in ~~strike through format~~. Additions to original text are shown in ***bold italicized print***.)

### **906.5 Application Requirements and Determinants for Special Permits from the Board of Appeals:**

#### A. Requirements:

With each application for a Special Permit, except as otherwise provided for a development application, three copies of a site plan, ***stamped by a Massachusetts registered professional land surveyor***, shall be submitted to each of the following boards: the Board of Appeals, Planning Board, Board of Health, Conservation Commission and Department of Public Works. One copy of the application shall be submitted to each of the Zoning Enforcement Officer and the Design Review Board. To the extent to which the following information is necessary to delineate and describe site conditions related to the proposed use for which the Special Permit is requested, said site plan shall show among other things: all existing and proposed buildings, structures, parking spaces, driveways, driveway openings, service areas, and other uses, existing and proposed contours at two-foot intervals, proposed clear sight distances at all driveway openings, existing and proposed ways, existing and proposed water sources and volumes of use, existing traffic counts (from town data) and estimated future traffic volumes, land uses, abutting and across the street from the site, the zoning districts within one thousand feet of the site perimeter, desirable existing and proposed trees on the premises, all facilities for refuse storage, sewerage, refuse and other waste disposal and for surface water drainage or retention and all principal landscape features, such as fences, walls, planting areas and walks on the lot. Said plan shall also illustrate public and private water supply wells within the site boundaries and on adjacent properties, and where applicable, the limits of any defined aquifer protection district area as specified in Section 406 of this Zoning Bylaw. Signs and lighting shall also be included. Said plan shall be prepared by a ***Massachusetts*** registered ~~engineer and/or~~ ***professional*** land surveyor at an appropriate scale to show clearly dimensions, legends and all other information deemed necessary to describe the site and its conditions,

or take any action in relation thereto.

(Planning Board)

***Finance Committee Recommendation: Indefinite Postponement***

## Article 35

To see if the Town will vote to amend Section 603.5 of the Protective Bylaw as follows: (Additions to original text are shown in ***bold italicized print***.)

## 603.5 Design Standards

All parking spaces shall ***be paved and*** have dimensions of nine feet in width and eighteen and one half feet in length. Curbing or wheel stops shall be used where needed for safety or to delineate spaces in gravel lots. A maximum of two feet of landscaped setback area adjacent to the front or back of the stall for bumper overhang, may be used to satisfy the stall length requirements.

All driveways and maneuvering aisles ***in Neighborhood Business Districts shall be paved and*** shall be designed so that traffic flows freely at all times and can exit and enter into a public way being driven in a forward direction. All travel aisles must be a minimum of twenty-four feet wide.

Parking and loading areas shall not be located wholly or partially within the right-of-way of a public street,

or take any action in relation thereto.

(Planning Board)

***Finance Committee Recommendation: Approval***

### **Article 36**

To see if the Town will vote to amend Section 425 of the Protective Bylaw by establishing a maximum building coverage for lots in the NB1 and NB2 zoning districts at thirty percent (30%) and to increase, under Section 425.1 (e), Site Coverage in NB1 and NB2 zoning districts from 50% to 90%,

or take any action in relation thereto.

(Citizen's Petition)

***Finance Committee Recommendation: Disapproval***

### **Article 37**

To see if the Town will vote to authorize the Board of Selectmen to convey, on terms and conditions deemed to be in the best interest of the Town, a parcel of Town-owned land, designated as parcel 160-500-039 on Duxbury Assessors Maps, consisting of approximately 1.1 acres on Bay Road,

or take any action in relation thereto.

(Finance Department)

***Finance Committee Recommendation: Available at Town Meeting***

### **Article 38**

To see whether the Town will vote to direct the Board of Selectmen to stay implementation of the pay as you throw trash disposal program (PAYT), scheduled to take effect

on April 1, 2008, until such time as the issue has been presented to town meeting for its consideration;

or take any action in relation thereto.

(Citizens' Petition)

***Finance Committee Recommendation: Available at Town Meeting***

### **Article 39**

To see if the Town will vote to authorize the Selectmen to grant NSTAR ELECTRIC COMPANY, its successors and assigns, or any licensee from it (hereinafter called the Grantee) the perpetual right and easement to locate, erect, install, maintain, inspect, repair, replace, extend or remove 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, poles, crossarms, guys, braces, anchors and supports, deemed necessary for the purposes specified above, under, above, upon and over that certain parcel of Town owned land namely:

Being shown as Lot A on Church Street on a plan entitled: "Plan of Land in Duxbury, Mass, dated May 24, 1978 Whitman & Howard Inc. Engineers and Architects" which plan is on file with the Office of the Town Clerk,

To provide permanent rights for NSTAR ELECTRIC COMPANY,

or take any action in relation thereto.

(DPW/Water Department)

***Finance Committee Recommendation: Approval***

### **Article 40**

Pilgrim Nuclear Power Station is licensed to operate until 2012. Pilgrim NPS has applied to extend its operations to 2032; and, irrespective of when operations cease, highly toxic spent fuel assemblies will be stored on site for the indefinite future requiring emergency preparedness and response in the event of a nuclear disaster. Pilgrim NPS adds substantial additional expenses to our emergency planning requirements; and those expenses should be compensated by the licensee, Entergy. Therefore the Town is directed to negotiate with Entergy, and to examine all other means, to assure proper compensation so that responsible Town Departments are able to provide reasonable assurance that our citizens will be protected in a radiological disaster. Current equipment needs include, but are not limited to: Emergency Management Agency - Replace or refurbish EOC; electronic message boards, trailer mounted for traffic; four wheel drive vehicle; weather monitoring station; 2 portable lighting units on trailers; filtration masks for shelters. Fire Department - Replace Station One Radio System; (5) truck mounted radiological monitors; 22' Boat with Motor. DPW - 12 Portable Radios High Band 24 Saw Horses; Police Department - 68 Portable Radios Narrow Band Technology; 50 traffic cones; Incident Command mapping software and hard copy maps. Harbormaster - GPS Marine Navigational System; Marine radar 16

mile; 3 Portable radios; Marine boat motor 130 HP; School Department - 12 Portable radios. The Clerk of Duxbury shall forward the text of this Article to the U.S. Nuclear Regulatory Commission; The Honorable Deval Patrick, Governor of the Commonwealth; Secretary Kevin Burke, Executive Office Public Safety; Joint Committee on Public Safety and Homeland Security, Massachusetts Legislature; Senator Robert Hedlund; Representatives Thomas Calter and Daniel Webster; and Entergy Corp., so that the intent of the Citizens of Duxbury is widely known.

or take any other action in relation thereto.

(Duxbury Emergency Management Agency/Duxbury Nuclear Advisory Committee)

***Finance Committee Recommendation: Approval***

#### **Article 41**

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be added to the Stabilization Fund,

or take any action relative thereto.

(Board of Selectmen)

***Finance Committee Recommendation: Available at Town Meeting***

#### **Article 42**

To see if the Town will vote to authorize the use of Free Cash to reduce the tax rate,

or take any action in relation thereto.

(Board of Selectmen)

***Finance Committee Recommendation: Available at Town Meeting***

**Annual Town Election**  
**Saturday, March 22, 2008**  
Polls are open 8:00 am – 8:00 p.m.

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

**Article 1**

**TO BRING IN THEIR VOTE FOR:**

**ONE SELECTMAN for a term of three years;**

**ONE ASSESSOR for a term of three years;**

**ONE MODERATOR for a term of one year;**

**TWO SCHOOL COMMITTEE MEMBERS for terms of three years;**

**TWO PLANNING BOARD MEMBERS for terms of five years;**

**TWO LIBRARY TRUSTEES for terms of three years;**

**ONE DUXBURY HOUSING AUTHORITY MEMBER for a term of five years;**

**AND FOR THE FOLLOWING QUESTIONS:**

QUESTION #1  
CAPITAL EXCLUSION

Shall the Town of Duxbury be allowed to assess an additional \$911,400.00 in real estate and personal property taxes to purchase capital items for the Town and School Department, as voted under Article 7 at the 2008 Annual Town Meeting, for the fiscal year beginning July 1, 2008?

QUESTION #2  
DEBT EXCLUSION

Shall the Town of Duxbury be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay the bond issued in order to fund the architectural, engineering and design services, including construction bid documents, for the renovation and improvement or reconstruction of Public Safety Buildings, consisting of a fire station and/or a police station?



QUESTION #3  
DEBT EXCLUSION


Shall the Town of Duxbury be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay the bond issued in order to fund the architectural, engineering and design services, including construction bid documents, for the renovation and improvement of the Percy Walker Pool?

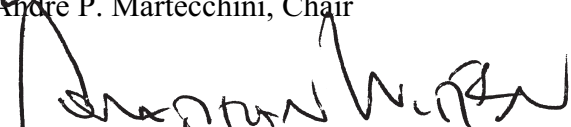
**AND YOU ARE HEREBY DIRECTED TO SERVE THIS WARRANT by posting attested copies thereof as prescribed by M.G.L. Chapter 39, Section 10 and by Chapter 2, Section 2.3 of the Town of Duxbury General Bylaws, seven (7) days before the time of holding said meeting.**

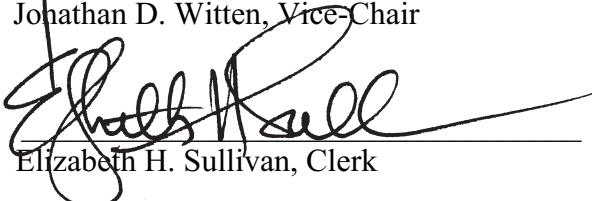
**Hereof fail not and make due return of this warrant, with your doings thereon, to the Town Clerk at the time and place of this meeting.**

**Given under our hands this 11<sup>th</sup> day of February, 2008.**

**BOARD OF SELECTMEN**

  
\_\_\_\_\_  
Andre P. Martecchini, Chair

  
\_\_\_\_\_  
Jonathan D. Witten, Vice-Chair

  
\_\_\_\_\_  
Elizabeth H. Sullivan, Clerk

**Plymouth ss:**

\_\_\_\_\_, 2008

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

**A TRUE COPY  
ATTESTED**

**CONSTABLE OF DUXBURY**

## **TERMS USED IN MUNICIPAL FINANCE**

**APPROPRIATION:** An amount of money that has been authorized by vote of Town Meeting to be spent for a designated purpose.

**AVAILABLE FUNDS:** In Duxbury we use the term Available Funds when referring to the Stabilization Fund, Library funds, Cemetery funds, Free cash and continued appropriations left in Articles voted at previous Town Meetings.

**OVERLAY ALSO CALLED ALLOWANCE FOR ABATEMENTS AND EXEMPTIONS:** The overlay is the amount raised by the Assessors in excess of appropriations and other charges for the purpose of creating a fund to cover tax abatements granted and avoiding fractions in the tax rate.

**FREE CASH OR FUND EQUITY (SURPLUS REVENUE):** This is the amount certified annually by the State Bureau of Accounts. Town Meeting may appropriate from Free Cash for any purpose. Often referred to as “Excess and Deficiency” or E&D.

**TRANSFER:** The authorization to use an appropriation for a different purpose, in most cases only the Town Meeting may authorize a transfer.

**RESERVE FUND:** The fund is established by the voters at an Annual Town Meeting only and is composed of an appropriation (not exceeding 5 percent of the tax levy of the preceding year). Transfers from the Reserve Fund are within the exclusive control of the Finance Committee and are for “extraordinary or unforeseen” situations, normally emergencies.

**STABILIZATION FUND:** This is a special reserve created for capital expenditures. The aggregate amount in this fund shall not exceed at any time 10 percent of the valuation in the preceding year. Money may be appropriated from the Fund only by a two-thirds vote at Town Meeting.

**CHERRY SHEET:** Also known as the State revenue distribution and assessment sheets. Named for the cherry colored paper on which the State traditionally printed it, the cherry sheet carries the figures which must be used by the Assessors in county tax and state assessments, as well as the estimated tax distributions from the State General Fund, reimbursements, agency funds, the Sales and Use Taxes, lottery distribution and State Aid to Education.

## **SURVEY:**

### **Mailing Warrants for Annual Town Meetings**

**Background:** It has been the Town's practice to mail every household in Duxbury a Warrant for our Annual Town Meeting. The Town is not legally required to mail Warrants to voters, but must post copies in public places at least seven days in advance of the meeting. It is felt by some that the mailing of Warrants is a worthwhile convenience for voters, and that it may even encourage participation in our Town Meetings. On the other hand, many Warrants are wasted, as evidenced by the many copies which are discarded at the Post Office each year.

**Expense:** It is estimated that the Town would save approximately \$4,000 if it did not mail warrants for the Annual Town Meeting, and followed the alternatives described below.

**Alternatives:** In lieu of mailing Annual Town Meeting Warrants to each household, Warrants could be made available as follows: (i) copies would still be available for voters at the Town Meeting; (ii) copies could be downloaded from the Town's website; (iii) voters could pick up copies at Town Hall and at the Library; and (iv) a copy would be published in a local newspaper.

**Voter Preference:** The Board of Selectmen and the Town Moderator feel that it is appropriate to seek information from the voters as to their preference on this issue. As a voter and a taxpayer, would you prefer that the Town realize a modest saving by discontinuing its practice of mailing Warrants for the Annual Town Meetings, or would you prefer the convenience of having the Warrant mailed to you? We request that you take the time to complete the following survey and return it to us:

1. What is your preference?

\_\_\_\_\_ Prefer that the Town **MAIL** Warrants for the Annual Town Meetings.

\_\_\_\_\_ Prefer that the Town **NOT MAIL** Warrants for the Annual Town Meetings.

2. Please add any additional comments or concerns you may have on the subject:

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Name of Voter (Optional): \_\_\_\_\_ Date: \_\_\_\_\_

**PLEASE DEPOSIT YOUR COMPLETED SURVEY IN THE BOX MARKED FOR THAT PURPOSE AT THE VOTER CHECK-IN TABLE IMMEDIATELY OUTSIDE THE ENTRANCE TO THE PERFORMING ARTS CENTER, OR SEND IT TO: BOARD OF SELECTMEN, TOWN OFFICE BUILDING, 878 TREMONT STREET, DUXBURY, MA 02332.**

**THANK YOU.**



**DUXBURY TALENT BANK FORM**

DATE: \_\_\_\_\_

Duxbury's excellence as a residential community is due in large part to citizen participation in government and community affairs.

The Duxbury Talent Bank was established by the Selectmen and Town Moderator to register the names, interests and qualifications of Duxbury registered voters willing to volunteer to serve their community. Residents serve as volunteers on a wide variety of town boards, committees, commissions and councils listed below. They are appointed to these organizations by the Selectmen or the Moderator as vacancies occur.

The Selectmen and Moderator encourage you to register by completing this Talent Bank Form, indicating your occupation, background, areas of interest and organizations you would consider serving. Please return your completed form to:

Board of Selectmen, Duxbury Town Hall, 878 Tremont Street, Duxbury, MA 02332 .

Please keep in mind that Talent Banks are kept on file for only two years.

NAME \_\_\_\_\_ PHONE \_\_\_\_\_ E-MAIL \_\_\_\_\_

STREET ADDRESS \_\_\_\_\_ P.O. BOX \_\_\_\_\_

OCCUPATION \_\_\_\_\_

**BACKGROUND** \_\_\_\_\_

**No. of Years in Duxbury:** \_\_\_\_\_

Please feel free to attach additional sheet or resume, if available.

**Land Use & Conservation**

- ☐ Agricultural Commission
- ☐ Alternative Energy Commission
- ☐ Community Preservation Committee
- ☐ Conservation Commission
- ☐ Design Review Board
- ☐ Duxbury Bay Management Commission
- ☐ Duxbury Beach Committee\*
- ☐ North Hill Advisory Committee
- ☐ Open Space & Recreation Committee
- ☐ Sidewalk & Bike Path Committee
- ☐ Zoning Board of Appeals

**Cable**

- ☐ Cable TV Advisory Committee

**Recreational Activities**

- ☐ Duxbury Youth Commission
- ☐ Fourth of July Committee
- ☐ Recreation Activities Committee

- ☐ Percy Walker Pool Long-Range Study Committee\*

**Government**

- ☐ Board of Health
- ☐ Cemetery Trustees\*
- ☐ Council on Aging
- ☐ Cultural Council
- ☐ Economic Advisory Committee
- ☐ Highway Safety Committee
- ☐ Historical Commission
- ☐ Local Housing Partnership
- ☐ Municipal Comm. On Disability
- ☐ Nuclear Advisory Committee
- ☐ Personnel Board\*
- ☐ Shellfish Advisory Committee
- ☐ Water & Sewer Advisory Board\*

**Finance**

- ☐ Finance Committee\*
- ☐ Fiscal Advisory Committee\*

**PLEASE INDICATE ANY OTHER AREAS OF INTEREST:** \_\_\_\_\_

\*Appointed by Moderator

Revised: Jan. 2008





**BOARD OF SELECTMEN  
878 TREMONT ST.  
DUXBURY, MA 02332**

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**ANNUAL TOWN MEETING – SATURDAY, MARCH 8, 2008**



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