

Please Read



COMMONWEALTH OF MASSACHUSETTS

**TOWN OF DUXBURY
SPECIAL TOWN MEETING
WARRANT**

**SATURDAY, MARCH 9, 2013
AT 9:10 A.M.**

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

Plymouth, SS

Greetings:

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

In the name of the Commonwealth of Massachusetts you are directed to NOTIFY and WARN the INHABITANTS OF THE TOWN OF DUXBURY, qualified to vote in elections and in Town affairs, to meet in the Duxbury Schools Performing Arts Center, 73 Alden Street, in said Duxbury on SATURDAY, the NINTH day of MARCH, 2013 next, at 9:10 A.M. for a SPECIAL TOWN MEETING, for the transaction of any business that may legally come before said meeting:

Article 1

To see if the Town will vote to authorize the Town Manager to transfer from available funds a sum of money to supplement appropriations previously voted at the Annual Town Meeting of March 10, 2012 for the Fiscal Year beginning July 1, 2012 for various Town Departments,

or take any action in relation thereto.

(Board of Selectmen/Town Manager)

Finance Committee Recommendation: Available at Town Meeting

Article 2

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

or take any action in relation thereto.

(Town Manager)

Finance Committee Recommendation: Available at Town Meeting

Article 3

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, 2012:

- Duxbury Police Union, MCOP Local 376B
- Duxbury Police Commanders Association
- Duxbury Police Dispatchers Union, MCOP Local 376A
- Duxbury Free Library Employees, Service Employees International Union, Local 888
- Duxbury Permanent Firefighter's Association, International Association of Firefighters Local 2167
- Duxbury Municipal Employees, AFSCME, Council 93, Local 1700, Duxbury DPW Employees
- Town of Duxbury Secretaries and Clerks, SEIU Local 888
- Duxbury Teachers Association
- Duxbury Teachers Association Instructional Assistants Unit C

- Duxbury Secretaries/Clerks Association (School)
- Local 1700, AFSCME, A.F.L.-C.I.O., Council 93 (School Custodians)

or take any action in relation thereto.

(Board of Selectmen/School Committee)

Finance Committee Recommendation: Available at Town Meeting

Article 4

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

or take any action in relation thereto.

(Finance Department)

Finance Committee Recommendation: Available at Town Meeting

Article 5

To see if the Town will vote to transfer from available funds a sum of money to be added to the Pension Reserve Fund,

or take any action in relation thereto.

(Finance Department)

Finance Committee Recommendation: Available at Town Meeting

Article 6

To see if the Town will vote to transfer from available funds a sum of money to be added to the Unemployment Trust Fund,

or take any action in relation thereto.

(Finance Department)

Finance Committee Recommendation: Available at Town Meeting

Article 7

To see if the Town will vote to transfer from available funds a sum of money to be added to the Other Post-Employment Benefits Trust Fund,

or take any action in relation thereto.

(Finance Department)

Finance Committee Recommendation: Available at Town Meeting

Article 8

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

or take any action in relation thereto.

(Finance Department)

Finance Committee Recommendation: Available at Town Meeting

Article 9

To see if the Town will vote to transfer from available funds a sum of money to be added to the Powder Point Bridge Rehabilitation Project Fund,

or take any other action in relation thereto.

(Finance Department)

Finance Committee Recommendation: Available at Town Meeting

Fiscal Advisory Committee Recommendation: Available at Town Meeting

Article 10

To see if the Town will vote to transfer the balance of the Crematory Construction Project Fund to fund the demolition of the old Crematory,

or take any action in relation thereto.

(Finance Department)

Finance Committee Recommendation: Available at Town Meeting

Fiscal Advisory Committee Recommendation: Available at Town Meeting

Article 11

To see if the Town will vote to transfer from available funds a sum of money to be added to the FY2013 Allowance for Abatements and Exemptions (Overlay),

or take any action in relation thereto.

(Board of Assessors)

Finance Committee Recommendations: Available at Town Meeting

Article 12

To see if the Town will vote to transfer from available funds, a sum of money for masonry repairs to the south wall of the Performing Arts Center, including architectural, engineering and other expenses related thereto, said funds to be expended under the direction of the School Committee,

or take any other action in relation thereto.

(School Committee)

Finance Committee Recommendation: Available at Town Meeting

Article 13

To see if the Town will vote to transfer from available funds, a sum of money, for the repair of the mechanical roof and drain leader modifications on the Performing Arts Center, including architectural, engineering and other expenses related thereto. Said funds to be expended under the direction of the School Committee,

or take any other action in relation thereto.

(School Committee)

Finance Committee Recommendation: Available at Town Meeting

Article 14

To see if the Town will vote to amend the appropriation authorized under Article 1 of the Special Town Meeting held on October 29, 2011, “approved in the amount of \$435,000, for the relocation of the Central Office and minor modifications to the Performing Arts Center” and “approved in the amount of \$120,505,034 for the design and construction of a new co-located middle school and high school located at 71 Alden Street”, by transferring and reallocating a sum of money up to \$435,000 from these approved appropriations, to the appropriation for the design and construction of a new Field House Facility at 130 St. George Street,

or take any action in relation thereto.

(School Building Committee)

Finance Committee Recommendation: Available at Town Meeting

Fiscal Advisory Committee Recommendation: Available at Town Meeting

Article 15

To see if the Town will vote to transfer from available funds a sum of money to fund the cost of remediation of hazardous materials and demolition of all existing structures and systems located at 443 West Street, Duxbury, MA,

or take any other action in relation thereto.

(Board of Selectmen)

Finance Committee Recommendation: Available at Town Meeting

Article 16

To see if the Town would vote to approve of a Moderator-appointed committee of 9 members to investigate the applicability of employing Electronic Balloting for future Special and Annual Town Meetings and report back to the next Annual Town meeting their recommendations,

or take any other action in relation thereto.

(Moderator)

Finance Committee Recommendation: Available at Town Meeting

Article 17

To see if the Town will vote to transfer from available funds a sum of money to be paid in settlement of litigation brought by former Police Chief Mark DeLuca,

or take any other action in relation thereto.

(Board of Selectmen)

Finance Committee Recommendation: Available at Town Meeting

Article 18

To see if the Town will vote to transfer from available funds a sum of money to be paid in settlement of pending litigation,

or take any other action in relation thereto.

(Board of Selectmen)

Finance Committee Recommendation: Available at Town Meeting

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

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

Given under our hands this 4th day of February, 2013.

BOARD OF SELECTMEN

Theodore J. Flynn, Chair

Shawn M. Dahlen, Vice-Chair

David J. Madigan, Clerk

Plymouth SS:

_____ 2013

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