



# **Town of Duxbury Annual Town Meeting Motions**

March 8, 2014

# ARTICLE 1 -

## SUBJECT: ELECTION

*Article 1 in the Informational Warrant is a notice to inhabitants of the coming election; no vote is required.*

I move that the Town bring in their votes for the following offices: one Selectman for a term of three years; one Assessor for a term of three years; one Moderator for a term of one year; one Town Clerk to fill an unexpired term of two years; two School Committee Members for a term of three years; two Planning Board Members for a term of five years; two Library Trustees for a term of three years, and for any other matters that may be brought forward to the voters on the town ballot.

## **ARTICLE 2 -**

### **SUBJECT: REPORTS**

I move that the Town receive the reports of town officials, boards, committees, and commissions.

## **ARTICLE 3 -**

### **SUBJECT: SALARIES OF ELECTED OFFICIALS**

I move that the Town fix the compensation of the elected Town Officers for the twelve month period beginning July 1, 2014 as set forth in the column entitled “Finance Committee Recommended FY15” in Article 3 in the Informational Warrant.

## **ARTICLE 4 -**

### **SUBJECT: PERSONNEL PLAN REVISION**

I move that the Town amend the Town Personnel By-Law, originally accepted March 12, 1955 and last amended March 9, 2013, by incorporating the changes shown on the handout entitled “Recommended Changes to the Town Personnel By-Law”, a copy of which is on file in the Town Clerk’s office, and to raise and appropriate the sum of **\$85,000.00** for the purposes of this article, to be expended under the direction of the Town Manager.

# ARTICLE 5 - MOTION 1

## **SUBJECT: OPERATING BUDGET**

I move that the Town appropriate the sum of **\$34,989,571** as the General Fund Operating Budget of the Town for the purposes and in the amounts as printed in Article 5 in the Informational Warrant, and to meet said appropriation, raise the sum of **\$34,223,763** and to transfer the sum of **\$765,808**, of which;

**\$107,056** shall come from the Water Enterprise Fund revenue for Lines #15, 42, 79, 80, 81 and 82;

**\$17,683** shall come from the Percy Walker Pool Enterprise Fund revenue for Lines #15, 79, 80, 81 and 82;

**\$100,000** shall come from the Pension Reserve Fund for Line #82;

**\$541,069** shall come from the Fund Balance Bond Premium for Line #87,

and further, to raise the sum of **\$18,913** to fund items #97 and #98, Percy Walker Pool Operating Budget, to be expended under the direction of the Town Manager.

## ARTICLE 5 - MOTION 2

### SUBJECT: SCHOOL OPERATING BUDGET

I move that the Town appropriate the sum of **\$31,933,458** as the General Fund School Operating Budget for the purposes and in the amounts specified below, and to meet said appropriation, raise the sum of **\$31,933,458**, to be expended under the direction of the School Committee:

TOWN OF DUXBURY					
Operating Budget - Fiscal Year 2015					
LINE #		FY 2014 BUDGET	FY 15 DEPT REQ	FY 15 TOWN MGR	FY 15 FIN COMM
	EDUCATION				
	300 - Duxbury Schools				
77	Salaries	24,259,774	25,259,774	25,176,353	25,176,353
78	Expenses	6,673,684	6,873,684	6,757,105	6,757,105
	Subtotal, Education	30,933,458	32,133,458	31,933,458	31,933,458

## ARTICLE 5 - MOTION 3

### SUBJECT: WATER ENTERPRISE FUND

I move that the Town appropriate the sum of **\$2,182,954** from Water Enterprise Fund revenue for the purposes and in the amounts specified below, and further that **\$107,056** be raised to fund indirect costs associated with the Water Enterprise Fund appropriated in the General Fund as identified in Article 5, Motion 1, to be expended under the direction of the Town Manager.

TOWN OF DUXBURY					
Operating Budget - Fiscal Year 2015					
LINE #		FY 2014 BUDGET	FY 15 DEPT REQ	FY 15 TOWN MGR	FY 15 FIN COMM
	OPERATING BUDGET - WATER				
	450 - Water				
91	Salaries	670,884	677,588	677,588	677,588
92	Expenses	1,002,616	1,005,521	987,247	987,247
	Subtotal, Operating Budget - Water	1,673,500	1,683,109	1,664,835	1,664,835
	DEBT SERVICE - WATER				
93	710 - Principal Payments	559,674	404,995	404,995	404,995
94	751 - Interest on Bonded Debt	99,904	93,124	93,124	93,124
95	752 - Interest on Temporary Notes	27,000	10,000	10,000	10,000
96	753 - Bond Expense	13,000	10,000	10,000	10,000
	Subtotal, Debt Service - Water	699,578	518,119	518,119	518,119



## ARTICLE 5 -- MOTION 4

### **SUBJECT: PERCY WALKER POOL** **OPERATING BUDGET**

I move that the Town appropriate the sum of **\$378,264** for the Percy Walker Pool Operating Budget for the purposes and in the amounts specified below, and to meet said appropriation, use the sum of **\$359,351** from Percy Walker Pool Enterprise Fund revenue and transfer the sum of **\$18,913** from the General Fund, and further **\$17,683** be raised to fund indirect costs associated with the Pool Enterprise Fund appropriated in the General Fund as identified in Article 5, Motion 1, to be expended under the direction of the Town Manager.

TOWN OF DUXBURY					
Operating Budget - Fiscal Year 2015					
LINE #		FY 2014 BUDGET	FY 15 DEPT REQ	FY 15 TOWN MGR	FY 15 FIN COMM
	OPERATING BUDGET - PERCY WALKER POOL				
	631 - Pool				
97	Salaries	194,592	194,592	205,516	205,516
98	Expenses	176,873	178,087	172,748	172,748
	Subtotal, Percy Walker Pool	371,465	372,679	378,264	378,264

## ARTICLE 6 -- MOTION 1

### **SUBJECT: GENERAL FUND CAPITAL BUDGET**

I move that the Town appropriate the sum of **\$1,254,716.00** as the General Fund Capital Budget of the Town, for the purposes and in the amounts as printed in Article 6 of the Informational Warrant, and to meet said appropriation, transfer the sum of **\$1,254,716.00**, of which;

**\$799,342.00** shall come from Free Cash

**\$ 57,874.00** shall come from Insurance Recovery Receipts Reserved for  
Appropriation

**\$250,000.00** shall come from Overlay Surplus

**\$110,000.00** shall come from Sale of Lots & Graves Receipts Reserved for  
Appropriation

**\$ 12,500.00** shall come from Article 6 of the March 2013 Annual Town  
Meeting - Refurbish Frame Rails on Ladder #1

**\$ 25,000.00** shall come from Crematory Construction,

to be expended under the direction of the Town Manager.

## ARTICLE 6 -- MOTION 2

### SUBJECT: SCHOOL CAPITAL BUDGET

I move that the Town appropriate the sum of **\$50,000** as the General Fund School Capital Budget for the purposes and in the amounts specified below, and to meet said appropriation, transfer the sum of **\$50,000** from Free Cash, to be expended under the direction of the School Committee.

Article 6 Capital Projects Requests					
Line #		Fiscal 2015 Request	Town Manager Recommendation	Fiscal Advisory Recommendation	Finance Committee Recommendation
	DUXBURY SCHOOLS				
19	Purchase Computers & Laptops	300,000	0	0	0
20	Life Safety System Upgrade - Chandler	50,000	50,000	50,000	50,000
	SCHOOL DEPARTMENT TOTAL	350,000	350,000	350,000	50,000

## ARTICLE 6 -- MOTION 3

### **SUBJECT: WATER ENTERPRISE CAPITAL BUDGET**

I move that the Town appropriate the sum of **\$606,374** as the Water Enterprise Capital Budget, for the purposes and in the amounts specified below, and to meet said appropriation, transfer the sum of **\$606,374** from Water Enterprise Retained Earnings, to be expended under the direction of the Town Manager.

Article 6 Capital Projects Requests					
Line #		Fiscal 2015 Request	Town Manager Recommendation	Fiscal Advisory Recommendation	Finance Committee Recommendation
	WATER ENTERPRISE FUND				
21	Replace Evergreen Well Roof	24,000	24,000	24,000	24,000
22	Replace 2004 Backhoe	104,249	104,249	104,249	104,249
23	Rehabilitate Mayflower Street Wells	60,000	60,000	60,000	60,000
24	Rehabilitate Depot Street Well Site	80,000	80,000	80,000	80,000
25	Replace 2007 3/4 Ton Utility Truck #4	38,125	38,125	38,125	38,125
26	PCE Main Pipe Replacement	150,000	150,000	150,000	150,000
27	System Rehabilitation	150,000	150,000	150,000	150,000
	WATER ENTERPRISE FUND TOTAL	606,374	606,374	606,374	606,374

## ARTICLE 6 -- MOTION 4

### **SUBJECT: PERCY WALKER POOL** **ENTERPRISE CAPITAL BUDGET**

I move that the Town appropriate the sum of **\$65,000** as the Percy Walker Pool Enterprise Capital Budget for the purposes and in the amounts specified below, and to meet said appropriation, transfer the sum of **\$65,000** from General Fund Free Cash, to be expended under the direction of the Town Manager.

Article 6 Capital Projects Requests					
Line #		Fiscal 2015 Request	Town Manager Recommendation	Fiscal Advisory Recommendation	Finance Committee Recommendation
	POOL ENTERPRISE FUND				
28	Remove & Replace Pool Water	65,000	65,000	65,000	65,000
	POOL ENTERPRISE FUND TOTAL	65,000	65,000	65,000	65,000

## **ARTICLE 7**

### **SUBJECT: UNION CONTRACTS**

I move to indefinitely postpone this Article.

## ARTICLE 8

### **SUBJECT: REVOLVING FUNDS**

I move that the Town re-authorize revolving funds under M.G.L. Chapter 44, Section 53E½ for the programs and the purposes as printed in Article 8 in the Informational Warrant, and further authorize department receipts of such programs be credited to respective revolving accounts, to be expended without further appropriation by the officer so designated and not to exceed the FY2015 dollar limit indicated under Article 8 in the Informational Warrant.

## ARTICLE 9

**2/3 Vote Required**

### **SUBJECT: DUXBURY BEACH LEASE**

I move that the Town raise and appropriate the sum of **\$600,000.00** to be expended under the direction of the Town Manager for the purpose of leasing Duxbury Beach, being that portion of land in the towns of Duxbury and Plymouth owned by the Duxbury Beach Reservation, Inc. south of a line running approximately east to west along the northerly edge of the northerly parking area, at the east end of the Powder Point Bridge (subject to an area of land excluded at High Pines used by the Duxbury Beach Reservation) and to authorize the Board of Selectmen to execute a lease in the name and on the behalf of the Town for the period beginning July 1, 2014 and ending June 30, 2015 on such terms as may be approved by the Board of Selectmen.



## **ARTICLE 10**

### **SUBJECT: FOURTH OF JULY**

I move that the Town raise and appropriate and/or transfer from available funds, the sum of **\$15,000.00** to fund the Town of Duxbury's Fourth of July parade and ceremonies, to be expended under the direction of the Town Manager.

## **ARTICLE 11-**

### **SUBJECT: SOLID WASTE DISPOSAL**

I move that the Town authorize the Board of Selectmen to enter into a contract for the disposal of the Town's solid waste, for a period not to exceed twenty (20) years, commencing on January 1, 2015, on such terms and conditions as the Board of Selectmen deem to be in the best interest of the Town.

## **ARTICLE 12 -**

### **SUBJECT: AMEND BY-LAW – DUXBURY BEACH COMMITTEE**

I move that the Town

1) Delete in its entirety subsection 6.6.2.b of the General By  
Laws;

2) Re-alphabetize the current subsection 6.6.2.c as “6.6.2.b”;  
**AND**

3) Substitute in current subsection 6.6.2.c the word  
“residents” for the word “improvement”;

so the amended by-law reads as set forth in Article 12 in the  
Informational Warrant.

## ARTICLE 13 –

### **SUBJECT: GRANT EASEMENT - NSTAR: SOLAR FARM, MAYFLOWER STREET**

I move that the Town authorize the Board of Selectmen to grant, on such terms and conditions as the Selectmen shall determine, to NSTAR Electric Company, and their respective successors and assigns, a non-exclusive easement, substantially in the location shown on a plan dated October 10, 2013 prepared by American Capital Energy, Inc. on file with the Town Clerk, to access, erect, construct, operate, maintain, connect, extend, replace, and remove a pole or poles which may be erected at different times with the necessary conduits, cables, wires, anchors, guys, supports and fixtures appurtenant thereto, for the transmission and/or distribution of electricity upon, over and across that certain parcel of land on Mayflower Street as now laid out and shown as property ID 092-500-039 on the Town of Duxbury Assessor's Map.

## ARTICLE 14

2/3 Vote Required

### **SUBJECT: ACQUIRE EASEMENT FOR FIBER OPTIC CABLE – RICKER PROPERTY**

I move to indefinitely postpone this Article.

## ARTICLE 15 –

### **SUBJECT: CPC OPERATING FUND**

I move that, upon recommendation of the Community Preservation Committee, the Town appropriate the sum of **\$27,100.00** from the Community Preservation Fund FY 2015 anticipated revenues in accordance with MGL Chapter 44B, for expenses and charges for the operations of the Community Preservation Committee, for the fiscal year beginning July 1, 2014 and ending June 30, 2015 inclusive, said funds to be expended under the direction of the Town Manager.

## ARTICLE 16 –

### **SUBJECT: CPC ALLOCATIONS**

I move that, upon recommendation of the Community Preservation Committee, the Town reserve for future appropriation the sum of **\$162,000.00** from the Community Preservation Fund FY 2015 anticipated revenues for the purpose of meeting the requirements of the Community Preservation Act, MGL Chapter 44B, Section 6, with 10% of said amount reserved for Open Space, 10% of said amount reserved for Community Housing (Affordable), and 10% of said amount reserved for Historic Resources (Preservation).

## ARTICLE 17 –

### **SUBJECT: CONSERVATION FUND**

I move that, upon recommendation of the Community Preservation Committee, the Town appropriate the sum of **\$48,000.00** from the Open Space Reserve of the Community Preservation Fund to be added to the Conservation Fund, to be used under the direction of the Conservation Commission for any purpose authorized by MGL Chapter 40, Section 8C, and in accordance with Chapter 44B.



## **ARTICLE 18 –**

### **SUBJECT: CPC: KAYAK RACKS**

I move that, upon recommendation of the Community Preservation Committee, the Town appropriate from Undesignated Fund Balance of the Community Preservation Fund, the sum of **\$5,000.00** to purchase and install kayak racks, and any signage that may be necessary to better manage recreation at the Shipyard Beach and Cove Street landings.

## ARTICLE 19 –

### **SUBJECT: CPC: HISTORIC ARCHIVES DIGITAL SCANNER PURCHASE**

I move that, upon recommendation of the Community Preservation Committee, the Town appropriate from the Historic Resources Reserve of the Community Preservation Fund, the sum of **\$3,300.00** to acquire a scanner, and portable hard drives, and fund administrative expenses for a publically accessible online database of Town of Duxbury historical documents and artifacts.

## ARTICLE 20 –

### **SUBJECT: CPC: SURVEY OF HISTORIC PROPERTIES AND SUBMITTING APPLICATIONS TO THE MASSACHUSETTS HISTORICAL COMMISSION AND NATIONAL REGISTER**

I move that, upon recommendation of the Community Preservation Committee, the Town appropriate from the Historic Resources Reserve of the Community Preservation Fund, the sum of **\$30,000.00** for contracted work for the purpose of surveying historic properties and submitting applications to the Massachusetts Historical Commission and the National Register of Historic Places.

## **ARTICLE 21 -**

### **SUBJECT: NET METERING PURCHASE POWER AGREEMENT**

I move that the Town authorize the Town Manager to negotiate the terms of and authorize the Board of Selectmen to execute, on such terms and conditions as the Town Manager and Board of Selectmen deem in the best interest of the town, a Net Metering Power Purchase Agreement with Future Generation Wind, LLC (“FGW”), subject to future Town Meeting approval for any renewal term that extends the Agreement more than 25 years, for the purchase of net metering credits to be generated from FGW’s planned wind energy project to be co-located with the Mann Farms cranberry farm off Head of the Bay Road in Buzzard’s Bay, Massachusetts (the “FGW Project”).

## ARTICLE 22 –

### **SUBJECT: TOWN-WIDE COMPENSATION AND CLASSIFICATION STUDY**

I move to indefinitely postpone this Article.

## ARTICLE 23

2/3 Vote Required

### **SUBJECT: REAL ESTATE DISPOSITION –** **SALE OF FORMER DUXBURY POLICE STATION PROPERTY** **ON WEST STREET**

I move that the Town authorize the Board of Selectmen to sell, convey, release or otherwise dispose of any interests in all or any portion of the property located at 443 West Street, Duxbury, Massachusetts, which parcel is shown on Assessor's Map 069, Block 507, Lot 11, subject to the provisions of Chapter 30B of the Massachusetts General Laws, and further that such disposition to be on such other terms and conditions the Board of Selectmen deem appropriate, which may include the reservation of easements and restrictions.

## **ARTICLE 24**

**2/3 Vote Required**

### **SUBJECT: AMEND ZONING BY-LAWS: MEDICAL MARIJUANA MORATORIUM**

I move that the Town amend the Town of Duxbury Zoning By-Laws by adding a new section under article 600 – Special Regulations as set forth in Article 24 of the Informational Warrant.

## **ARTICLE 25**

### **SUBJECT: LONG-TERM LEASE AUTHORIZATION** **235 CRESCENT STREET**

I move that the Town authorize the Board of Selectmen to lease a portion of the property located at 235 Crescent Street, Duxbury, Massachusetts, which parcel is shown on the Duxbury Assessor's Map 111, Block 509, Lot 43, described in a deed recorded with the Plymouth County Registry of Deeds in Book 2467, Page 230, and which portion is depicted on a plan entitled, "235 Crescent Street" dated January 9, 2014, on file with the Town Clerk, for telecommunications purposes on such terms and conditions and for such consideration as the Board of Selectmen shall determine to be appropriate, such lease to be for a term of up to twenty (20) years; and further to grant such access and utility easements on said property as may be necessary or convenient to serve the facilities installed pursuant to said lease.



## **ARTICLE 26 -**

### **SUBJECT: LONG-TERM LEASE AUTHORIZATION** **0 CHURCH STREET**

I move to indefinitely postpone this Article.

## **ARTICLE 27**

### **SUBJECT: CIVIL FINGERPRINTING**

I move that the Town amend the General By-Laws by inserting a new section, Chapter 7.21, entitled “Civil Fingerprinting for Occupational Licenses” as set forth in Article 27 of the Informational Warrant.

## ARTICLE 28

### **SUBJECT: SPECIAL POLICE FORCE AND RETIRED OFFICERS**

I move that the Town authorize the Board of Selectmen to petition the General Court to enact legislation to establish a special police force not subject to Massachusetts General Laws Chapter 31 (Civil Service) to augment the regular police force as needed and enabling retired officers of the regular force to join this special force.

## ARTICLE 29

### **SUBJECT: PILGRIM NUCLEAR POWER STATION POST OPERATION**

I move that the Town approve a resolution to support:

1) **Decommissioning** (immediate dismantlement) as opposed to **Safstor** (deferred dismantlement) when the Pilgrim Nuclear Power Station (“Pilgrim”) permanently ceases to generate electricity,

**AND**

2) Requiring removal from the spent fuel pool of spent fuel which has been more than five years removed from Pilgrim’s reactor, to be relocated to dispersed and hardened dry cask storage whether before or after Pilgrim ceases to operate,

**AND**

3) Limiting storage of waste at Pilgrim to only those wastes generated at Pilgrim,

**AND**

4) Continuing offsite radiological emergency planning with all costs to off-site communities funded by Entergy so long as any fuel remains on-site at Pilgrim,  
And further to request that the Town Clerk of Duxbury forward the text of the resolution, as approved, to the Town of Duxbury’s State and Federal legislative delegations, the Boards of Selectmen within the emergency planning zone of the Pilgrim Nuclear Power Station EPZ, the Nuclear Regulatory Commission and the Entergy Corp., so that the intent of the citizens of Duxbury is widely known.

## ARTICLE 30

### **SUBJECT: HEIGHTENED RAILINGS AT THE NEW SCHOOL**

I move that the Town adopt a resolution as follows:

Be it resolved that:

Whereas, Town Meeting considers the railings on the second and third floor corridors and balconies overlooking the entranceways, and on the two third-story walkways that bridge the three-floor atrium, as currently designed in the new 1,700 student three-story combination high school and intermediate school now under construction, are insufficient in height for adequate school safety; therefore, Town Meeting urges that the School Committee direct the railings to be redesigned or retrofitted using structural glass, plastic, aluminum rods or other material of equal strength and quality, prior to occupancy of the school, and that the School Committee identify funding for such redesign such as from uncommitted contingency funds previously appropriated under Article 1 of the 2011 Special Town Meeting.

## **ARTICLE 31**

### **SUBJECT: RE-AUTHORIZATION OF THE SOUTH SHORE RECYCLING COOPERATIVE INTER-MUNICIPAL AGREEMENT**

I move that the Town extend the term of the Inter-Municipal Agreement for regional cooperation in the provision of solid waste and recycling services for the South Shore Recycling Cooperative for an additional term through June 30, 2018 and, further, authorize the Board of Selectmen to execute and deliver an amended Inter-Municipal Agreement, a copy of which is on file in the office of the Town Clerk, to effect the extension of the term and other changes set forth therein.

## **ARTICLE 32 -**

### **SUBJECT: ELECTRONIC BALLOTING**

I move that the Town authorize the Electronic Balloting Committee to pursue, at no cost, the use of Electronic Balloting for the March 2015 Town Meetings.