

TOWN CLERK

2017 MAY 19 AM 11:16

DUXBURY, MASS.

Date: May 1, 2017

Date Minutes Approved: May 15, 2017

BOARD OF SELECTMEN MINUTES

Present: Shawn Dahlen, Chair; David J. Madigan, Vice Chair; and Theodore J. Flynn, Clerk.

Absent: -----

Staff: René J. Read, Town Manager; John Madden. Finance Director

I CALL TO ORDER

At 7:00 PM the Chair called the meeting to order in Open Session in the Town Hall (Mural RM).

II. OPEN FORUM -nothing brought forward.

III NEW BUSINESS

Introduction of New Duxbury Police Officers / Police Chief Matthew Clancy

Chief Clancy mentioned that one full-time appointment came about with the retirement of Officer Chris Johnson, who retired after over 30 years of service to the community. The other three introductions will be for permanent reserve officers.

Chief Clancy began with the introduction of the new full-time Patrolman, Officer Michael Bolze. The Chief mentioned Mike grew up in Hingham. He graduated from Hingham High School. After his graduation his parents moved to Duxbury, which is how he came to know and like the community. He graduated from Penn State University in 2012 with a Bachelors in Criminal Justice. He has serviced as an Assistant Harbormaster in both Hingham and Marshfield, and as a Special Police Officer in Cohasset. In 2015 he graduated from the Randolph Police Academy to become a full-time Officer in Franklin and joined the Duxbury Police Department about a month ago.

Permanent Intermittent Officer Kyle McElroy was then introduced by Chief Clancy. Officer McElroy was born in Virginia Beach, but often visited Duxbury. He finished his senior year of high school as a 2011 Duxbury High School graduate. He is continuing his studies at UMass - Boston in Criminal Justice. He joined the National Guard at a young age. He is currently a Corporal and a Medic and is scheduled for a promotion to Sergeant in June. He was hired as a Permanent Intermittent Officer, which is a Reserve Officer, in October 2016. He completed his training at the Plymouth County Basic Reserve Officer's Academy graduating in February 2017, and has now completed his field training.

Chief Clancy introduced Permanent Intermittent Officer Patrick Caffery by mentioning he was raised in Duxbury and graduated from Duxbury High School in 2008. He attended Springfield College, but left to joined the Marine Corp in which he served through two deployments – South Korea in 2011 and in Afghanistan in 2012. He was honorably discharged at the rank of Sergeant. He has been managing the Blue Yonder Oyster Farm. Pat is a "Duxbury kid." He graduated from Plymouth County Basic Reserve Officer's Academy in February 2017, and is

continuing his studies at UMass-Boston. Chief Clancy mentioned that Pat is “excited to serve and protect his community.”

Permanent Intermittent Officer Derrick Salovitz was the final introduction for the evening. Chief Clancy said Derrick grew up in Brockton, but moved to Attleboro, where he graduated from high school. He served in the Marine Corp where he served as an infantry gunner. He was deployed to both Iran and Iraq. He was honorably discharged at the rank of Lance Corporal. He received a Bachelor’s degree in Criminal Justice from Bridgewater State College. He was appointed in October 2016 after completing the Foxboro Police Department’s Reserve Training Program and is currently finishing his field training with the Duxbury Police Department.

7:10 PM Public Hearing RE: Liquor License –Oysterman / Dermot Loftus, Owner for:

- (1) Alteration of licenses premises and
- (2) Change of Hours (to open at 10:00 AM for brunch)

Mr. Flynn moved that the Board of Selectmen **open** the public hearing, advertised in the Duxbury Clipper on April 19, 2017, regarding the Alteration of Licensed Premises to service alcohol on a fenced-in patio and a Change of Hours of operation from noon to 10:00 A.M. on Sunday (only) of an on premise All-Alcohol License issued to, Mr. Dermot Loftus, Oysterman, Inc. d/b/a The Oysterman, 30 Railroad Avenue, Duxbury MA. Second by Mr. Madigan. VOTE: 3:0:0.

Mr. Dermot Loftus, Manager /Owner of the Oysterman, said he is requesting 2 proposed changes:

1. To change the hours on Sundays only from noon to 10 AM to allow for a brunch service.
2. To allow the service of alcohol with dinner on the new fenced-in patio area.

The Board acknowledged receipt of a letter from one of the abutters, Ms. Jennifer Peters, 47 Railroad AV, and Mr. Flynn read her letter. She expressed concerns not so much for the service of alcohol but regarding the noise that will be generated from service on the patio and increase the noise that is already being experienced. She suggested an earlier closing of the patio (9 PM), questioned whether it would be food service as well as alcohol service, asked that no music be allowed on the patio if that was being contemplated, and asked that a trial period be imposed for the situation to be revalued. At the same time, she did compliment the Oysterman on the improvements to the area and its current service.

Mr. Loftus responded that the Oysterman opened about 6 month ago in what was a vacant building. He has worked with Mr. Juliano to improve the area and invested facility and the patio to bring some life back to the area. He said the patio space would be dining only for the summer season for 12-14 seats / 5-6 tables. While acknowledging her heard the concerns about the noise, he mentioned that they have professionally run the business from the beginning with no issues. He pointed out that adding the patio was an added investment, not just in the facility itself and the furnishings, but in the staff to be hired. The suggestion of a trial period concerns

him because he is making that investment and to have to lay staff off 30-60 days later would be a concern. He said he feels adding a patio puts him on the same footing as other businesses. He currently employs 28 staff members when previously there was none employed there. He added the restaurant is located in a Neighborhood Business District.

Mr. Dahlen asked about the service hours. Mr. Loftus said that the current liquor license does allow for service to 1 AM, but it would be rare for them to stay open that late. What they are proposing is allowing dinner food orders up to 10 PM with the patio to be cleared by 11 PM. He explained that the seating is limited to 49 seats so it would not be additional

Mr. Dahlen said that while he can understand the noise concerns, but the renewals come before the board at the end of the calendar year. While Mr. Loftus is correct that he is in a business district the abutter who commented does live in the one residence in the area.

Mr. John Prescott, Duxbury resident, spoke in support of the proposed changes. He said that he and his wife frequently go to the Oysterman. He feels it is professionally run and noted that management either Mr. Loftus or the other manager is always there. He added that the Oysterman does attract primarily Duxbury residents so he feels they will be respectful of the neighborhood. When you considered what was previously there he feels that this has been a great improvement and completely supports the application.

Mr. Marc Jacobson, resident who also has a business in the area, also spoke in support of the proposed changes. He mentioned that he entertains clients at the Oysterman and it is a wonderful place to do so.

Mr. Bruce (?) Tenney, 14 West ST, said that he lives within walking distance. He does frequent the Oysterman and noted that they have not experienced increase traffic or noise. He supports the changes.

Mr. Eric Arcese, 27 Summerhouse LN, spoke in support. He mentioned the improvements to the area and suggested that the location is appropriate to a patio given that is behind a convenience store and next to a sports complex. He feels that the staff would be very thoughtful and courteous about how it is run. He added he has also used it for meetings.

Mr. Bob Wagner, Chandler ST, said that he works with Mr. Loftus professionally. He mentioned that he is familiar with Mr. Loftus's Porter Café in West Roxbury. And said at that location there is an outdoor patio in a somewhat similar situation, and there have been no issues there so he supports the proposed changes.

Mr. Flynn moved that the Board of Selectmen, acting as the Licensing Authority, approve the requested alteration of licensed premises to allow for the service of alcohol on a fenced-in patio

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and the change of hours of operation from noon to 10:00 AM on Sundays (only) under the On Premises All-Alcohol License (030000048) issued to Oysterman, Inc., Mr. Dermot Loftus, Manager, d/b/a The Oysterman at 30 Railroad Avenue, Duxbury MA with all other conditions to remain the same. Second Mr. Madigan. VOTE: 3:0:0.

Mr. Flynn moved that the Board of Selectmen approve the issuance of a License for Innholders, Common Victualler's and Other Keepers of Restaurant and Other Establishments (hereafter "Entertainment") License to Dermot Loftus, Oysterman, Inc., d/b/a The Oysterman at 30 Railroad Avenue, Duxbury MA subject to receipt of all appropriate paperwork and fees, and subject to the conditions on the license. Second by Mr. Madigan.

Before voting on it, Mr. Madigan questioned what entertainment was planned. Mr. Loftus said that he currently has an entertainment license which allows for entertainment inside and is used only for background music. He has no plans to do any outdoor entertainment. Based on that, and in light of no further explanation, it did not appear that there was a need to vote on the entertainment license.

[Editorial Note: The Selectmen did not need to vote the entertainment license as one was already granted to Mr. Loftus. However when the Entertainment License was issued the Oysterman only had an indoor serving area. With the addition of the patio, the Director of Municipal Services felt that a new Entertainment License form specifying "Entertainment events only / inside license only" just to be clear that entertainment would not be allowed on the patio should be signed. This explanation was provided to the Selectmen and the revised Entertainment License was signed.]

Mr. Flynn moved that the Board of Selectmen **close** the public hearing, advertised in the Duxbury Clipper on April 19, 2017, regarding the Alteration of Licensed Premises to service alcohol on a fenced-in patio and a Change of Hours of operation from noon to 10:00 A.M. on Sunday (only) of an on premise All-Alcohol License issued to, Mr. Dermot Loftus, Oysterman, Inc. d/b/a The Oysterman, 30 Railroad Avenue, Duxbury MA. Second by Mr. Madigan. VOTE: 3:0:0.

Discussion Pertaining to Traffic Lights at Rte. 3- Exit 10

Town Planner Valerie Massard said she provided a comment letter for the Selectmen to sign just to let the State agencies know that signalization on Rte. 3A by exit 10 off Route 3 is still a project Duxbury supports.

In 2010 there was a letter from MassHighways to the Town, which indicates that additional permitting and design needs to be done by the Towns of Kingston and Duxbury. With regard to the next steps she suggested having a conversation with Kingston as both communities would have to participate and we would need to discuss how to cooperatively do the planning and looking for funding to hire an engineer for more complete design plans.

It was mentioned that in obtaining the Comprehensive Permit there was an appeal and a settlement decision. As part of the agreement the Island Creek developer agreed to participate in this traffic project in some way. They paid for and submitted the 25% design plans, which was all that was required of the Island Creek developer.

Ms. Massard mentioned the traffic situation in that area has gotten worse, not just because of the Island Creek expansion, but also because of other development in the area. The Exit 10 signalization on Rte. 3A project is not likely to move forward without Kingston and Duxbury doing more of the design. The State's approval would be required for the design and the construction throughout the project. While some funding might be provided by the State there is no guarantee of that, even if the Towns did fund the design. In 2013 it was estimated to be a \$2.4 million design and construct project and that figure is likely higher now.

She also mentioned that there is a recent study the Rte. 3A corridor by OCPC, which is in draft form, and indicates that there are other intersections which are more problematic. So this might not be Duxbury's highest priority but it is worth letting the State agencies know it is still an important project to Duxbury.

Mr. Flynn moved that the Board of Selectmen execute a letter as a public comment on the Draft Transportation Improvement Plan advocating for signalization at Exit 10 to facilitate the traffic movements on and off the ramps to Route 3 (i.e. MassDOT Project No. 606002 –Duxbury and MassDOT Project No. 603462 –Kingston). Second by Mr. Madigan. VOTE: 3:0:0.

The vote to send a letter prompted some further discussion. Mr. Dahlen mentioned that he was under the impression that this project was waiting for the State so it was news to him that the State is waiting for the Town's to take the next steps. Beyond that if the Town was to fund some projects then we should prioritize them so the worst intersections get funded first. Ms. Massard said the draft OCPC report mentions the worst intersection, as far as crash rates, is the Chestnut ST –Tobey Garden ST intersection. The report also mentions West ST. –Saint George ST and suggests resurfacing should be done. 3A at Church ST –Enterprise ST (RTE. 139) for entering traffic is a very high crash rate. Short term improvement suggestions are for flashing lights and a longer-term recommendation is for a round-about.

Mr. Dahlen said he had been under the impression that the Town was waiting for the State to do something, but what he learned tonight is the State is waiting for the Town to take action. He suggested, however, that the Town should determine which intersection is the most critical and focus on that first.

Mr. Dahlen mentioned the Cox Corner intersection has had numerous accident.

Ms. Massard said that the draft 3A OCPC Corridor Report has identified Chestnut ST –Tobey Garden ST intersection and West ST. –St. George ST intersection as problem areas. It also mentioned the need for resurfacing. The 3A at Church ST and Enterprise St at Rte. 139 is a very high crash rate of more than double the MassDOT District 5 average. Short term improvements suggested are flashing lights, and long-term improvements mentioned is round-about.

Discussion of the FY18 Plymouth County Revenues and Budget / Francis G. Basler, Jr., Administrator, Plymouth County

Mr. "Frank" Basler introduced himself as the Plymouth County Administrator. He indicated he was here with Plymouth County Commissioner's Chair Ms. Sandra Wright and Plymouth County Commissioner Mr. Greg Hanley. *(It was mentioned the third Commissioner Mr. Daniel Pallotta was not able to attend tonight as he was attending his Town's Annual Town Meeting.)*

He said that if it was alright with the Board he would turn it over to Treasurer Tom O'Brien to lead the discussion. Copies of the Plymouth County budget and revenue projections were handed out.

Plymouth County Treasurer Tom O'Brien introduced himself and mentioned that he previously served as a State Representative for a portion of Duxbury from 2001-2006. He acknowledged that several towns had voted on the budget and had notified the other communities of their feeling about it. He appreciates the Board taking the time to hear about the budget before taking action as some of those communities did not and have now changed their opinion after learning more. He explained that the County budget is prepared and distributed to the Plymouth County Advisory Board, which consists of one delegate from each of the represented Town's Boards of Selectmen. The Ply. Co. Advisory Board (PCAB) has an annual meeting to review, discuss and vote on the budget.

Treasurer O'Brien said the Executive Committee of the PCAB, which is made up of 5 member communities, currently Norwell, Brockton, Halifax, Wareham, and Marshfield voted to postpone the Annual Meeting, which was scheduled for May 11th, to June 15th to allow for additional meetings with some of the communities. The Executive Committee is asking that the Board take no action, but have their representative go to the Annual Meeting and hear the discussion with an open mind.

Treasurer O'Brien mentioned the following budget items:

- Unions received a 1% COLA plus step in 1.5-2.8%
- Non-Union Personnel received a 1 % COLA and a step increase close to the union charts.
- The Non-Union ungraded just received a 3% COLA.
- The Plymouth County Administrator's salary was increased to \$90,000./ year. The feeling was it was underfunded.
- The Deputy Treasurer's salary was increased to \$75,000, which Treasurer O'Brien characterized as being reasonable to other similar positions.
- The two elected officials, himself and the Registrar of Deeds, were slated for a 5% increase because over the last two years they only received 2% increases and a 1.5% bonus at one point in time.
- The County Commissioners salary is slated to increase to \$28,000., which was to restore it to what their salary was in 2008. Salary was reduced in 2008 to address financial issues and the feeling that the Commissioners at the time were not doing an adequate job. However, the salary reduction was undertaken with the understanding that if their performance for the county was improved and the financial condition of the County improved then their salaries would be restored. The feeling is that time has come, and the \$28,000 is comparable to other County Commissioner's salaries.
- There is a 4.6% increase being funded for health insurance, which is through the Mayflower Group.
- The County is also now pre-funding its retirement assessment.
- The County is also overfunding, i.e. contributing more than the required assessment to, the OPEB assessment.
- Up until recently the County was not allowed to have a stabilization fund. Through Legislative action the County is now allowed to have a stabilization fund and \$300,000 has been earmarked for it.

- Plymouth County has a high tick-borne Lyme disease incident. It is ranked third in Massachusetts in Lyme disease incidents. In the FY18 budget there is funding for a full-time entomologist, which has been shown to help reduce the incidents in other counties. The entomologist will work with the schools, healthcare groups, and others to get education out about tick-borne diseases in all the Plymouth County communities.
- In addition, Plymouth County has cranberry bogs and the entomologist will help with pests that effect cranberry growth.
- The entomologist will also be helping with the gypsy moth problem in the County.
- The entomologist will also have an budget of \$20,000 for operational expenses
- Registry of Deeds budget includes funding for two additional hires for the Registry, which includes salary and benefits.
- The reserve for capital items has grown.
- Plymouth County budget is down 2.6% from 2009 versus other Commonwealth or community budgets that have increased during this timeframe.

Mr. Dahlen noted that there seems to be a huge spike in revenues of about 11% increase. Treasurer O'Brien said that the real estate market has rebounded and that accounts for the Registry of Deeds increases. It was noted that the State takes a good portion of that revenue and steps are underway to try to reduce the amount the State takes. Courthouse rent is what the Commonwealth is supposed to pay for the three courthouses (Hingham District Court, Wareham District Court, and Brockton Superior Court). The figure on the proposed budget is what the County feels is reasonable rent, but ultimately the Commonwealth decides the figure. Treasurer O'Brien mentioned the procurement opportunities for the County have been successful as well.

Mr. John Mahoney, a Plymouth Selectmen, said that four years ago the Plymouth Selectmen were surprised when two new Commissioners, Mr. Hanley and Mr. Pallotta were elected in the fall of 2012 and sworn in in Jan 2013 and then four months later suggested the \$7,500 salary should be doubled to \$15,000 for a "restoration of salary." The Plymouth Selectmen unanimously felt the Commissioners should be on the job for a period of time to evaluate their performance before approving the salary increase - similar to a performance evaluation in the private sector. The increase did get approved by the Plymouth County Advisory Board (PCAB). Then a year or two ago, there was a layoff of 20+ people at the Registry of Deeds or about a 33% decrease. So that would make it easy to make your budget appear close to the 2009 budget.

He continued that subsequently Mr. Hanley and Mr. Palotta were reelected. The Plymouth Board of Selectmen were unanimously stunned that a 10 million dollar budget would warrant the \$28,000 salary for the Commissioners plus generous contribution to their healthcare package. The Plymouth Board of Selectmen believes that there should be restoration of jobs at the Registry before salary increases as the Registry are still down 14 positions. Referring to a letter he said that Chairman Kenneth Tavares intends to make a motion at the upcoming PCAB that they not approve the salary increases (to leave the salary at \$15,000 instead of increasing it to \$28,000) and that they would leave any other budget decisions up to the discretion of the PCAB members.

Mr. Dahlen mentioned that although the Duxbury Selectmen can receive a stipend, he and his colleagues have decided to forego theirs. He mentioned that Duxbury has many volunteers on its Board and Committees and none of them get paid, which is why the Selectmen have also chosen

not too. He questioned what makes the Commissioner's position more worthy to receive such a salary.

Treasurer O'Brien responded that taking personalities out of it and just considering the position itself, Plymouth County encompasses 27 communities and it involves a lot a miles and evenings out. He suggested that regionalization is the wave of the future, and the grown of the position would be significant. According to Treasurer O'Brien the Commissioner position entails a large time commitment. He also mentioned that it is a reasonable salary amount relative to other County Commissioners. The \$28,000 salary is what the salary was in 2008 and the County is in a fiscal-position to fund it.

Mr. Flynn said part of the reason he is against it is because in the past Selectmen did the whole job, but now they have professional staff doing much of the work. It is a quirk of State law that Selectmen and Assessors get a stipend, when other Boards and Committee members do not. He pointed out that the Commissioners have professional staff, and suggested that while it might be appropriate to get back to the past salary, he feels two big increases at this time is not appropriate.

Treasurer O'Brien re-iterated that although they have staff because of the number of communities and the distances the Commissioners do have to take on attending the meetings.

Mr. Dahlen suggested that additional staff could be hired and leaving the policy work /decisions to the Commissioners. Treasurer O'Brien said that the challenge with hiring staff is that benefits must also be paid.

Mr. Read asked a question specifically related to the budget. He referred to pages 32-33 and asked for clarification on dredging items referring to the FY'16 purchase of \$121,000 and then on the next page a purchase for \$212, 000 for a total of \$133,000. The clarifications provided were that the \$121,000 was for the purchase of the long-arm excavator and the \$212,000 was for the purchase of a clam shell bucket. It was explained that a number of the communities were interested in this because this was the type of piece of equipment that Towns can't get quickly or easily. Currently the dredge is housed in Kingston. It is slated to be used by Marshfield next. Although they do not have an operator, they have found that a number of the Communities have employees with the proper licensing. So they operate it on a tri-lease agreement. They are now looking to expand upon it with the purchase of different buckets for different job needs. Mr. Dahlen asked if the equipment has actually been used. In response Mr. Basler said that it had been lined up for use by Kingston, but they ran into permitting issues. Later it was mentioned the dredging revenue shown was the grants received to purchase the equipment.

Mr. Flynn asked about the regional services listed on the budget. Treasurer O'Brien said that is the purchase salt for sidewalks as a bulk purchase. The County also arranges for GASB 45 Reports at a reduced rate.

Asked about the Plymouth County Parking Ticket program, Mr. O'Brien said that basically we process the parking tickets for a number of the county communities, Duxbury among them. He added that there are communities outside of the County who pay and additional charge to use the program. Asked if the County makes money on this program, the answer was that it was never intended as a money-maker, but more of a service that is provided.

Mr. Madden asked about the Healthcare costs. Mr. O'Brien said that healthcare went up 4.6 % to employees but the total budget went up 9%. Mr. Madden questioned this as he has heard other groups are referring to increases closer to 15%. Mr. O'Brien said one of the more expensive plans went up significantly but the average increase is 4-5%. Treasurer O'Brien also mentioned that the current Commissioners changed the County to Employee premium ratio to 75-25% from what was previously a 90%-10% ratio.

Mr. Flynn said that a decision is not needed tonight but he would like some direction from the Board to be given at a future meeting. Mr. Madigan said that the salaries were $\frac{3}{4}$ of a percent of the overall budget. The budget has increased slightly less than \$500,000. Mr. Dahlen said that he would prefer to see individuals receive incremental raises as appropriate.

The Board then had more of a discussion about the dredging topic. Mr. Flynn questioned what good is the dredging equipment if you can't get the permitting? Mr. Dahlen explained that every area is looked at individually as to what is or isn't allowed. In some areas the dredged materials can be put right on the adjacent shoreline, whereas others, like Duxbury, cannot. The equipment purchased sits on the shoreline and can be used for pond and lake areas. There were also concerns that without a barge or scow and the properly licensed operators it is not useful to some coastal areas.

County Commissioner Greg Hanley mentioned that when he first ran there was a \$750,000 structural deficit left by the previous Commissioners. He characterized the reduction of the Commissioner's salaries from \$28,000. to \$7,500 as a "sanctioning" of the prior Commissioners. He said he initially ran because he was interested in providing regional trash and regional energy. He indicated that he obtained a contract for those services, but they have been tied up in a lawsuit with the Town of Plymouth. He opined that he delivered on his campaign promises and believes that pay should be commiserate with performances.

Commissioner Hanley said he decided to speak after a previous speaker specifically referred to him and to Commissioner Pallotta in what, he characterized as a personal attack, which he believes has been generated as result of a lawsuit the Commissioners filed against the Town of Plymouth. He explained the lawsuit was filed because the Town of Plymouth contaminated its landfill and was trying to have the County cover the costs of the cleanup.

When the State took over the Plymouth County jail they left behind the legacy costs [i.e., the maintenance of effort (MOE)], which included all the retirement costs. The Commissioners petitioned the State Legislature for forgiveness of that money, and the debt will be retired in 2024 because of that effort. He mentioned that the Commissioners have filed legislation regarding the retirement of the MOE, the ability to create a stabilization account, and with regard to the Courthouse maintenance costs that the State was not covering. He spoke about the State budget cuts and how the employment reductions came about.

He concluded by speaking of several other initiatives that have been undertaken based on feedback from the member communities. Circling back to the earlier speaker's comments Commissioner Hanley ask the Chair to question that individual about what the Plymouth Selectmen plan to do regarding the cleanup of the landfill.

Mr. John Mahoney, the Plymouth Selectman, responded by speaking about the stipends received by the Plymouth Selectmen relative to the size of their budget (stipends \$0-\$5000 for a \$225 million dollar budget) and that they are no longer eligible to receive healthcare for serving. He opined that the current Commissioners during their first term increased their salary from \$7500. to \$15000 and are now looking to increase it to \$28,000, and he feels that is wrong. Mr. Mahoney then gave an overview of the Plymouth dump / landfill situation from the Plymouth perspective.

Discussion pertaining to audit of the Town's financial statements for the year ending June 30, 2016

Town Manager Read pointed out that the Selectmen received a copy of the Management Letter from the Auditors, and that previously they had received the CAFR Letter and the report on the Federal award programs. He then turned the conversation over to Finance Director John Madden.

Regarding the collection of ambulance receivables, Mr. Madden said that we are rewriting an ambulance billing policy. The Fire Department is sending out letters to outstanding ambulance accounts. In addition, the Treasurer/Collector's office has been provided with a list of outstanding ambulance accounts, so the individuals will not be able to buy a beach sticker without paying the outstanding charges. In response to an inquiry, Mr. Madden clarified that the recent Fire Department's hire job was related to monitoring the supplies on the ambulances.

He also mentioned that other options have been considered: (a) A couple of articles were discussed to add demand fees, (b) small claims actions, and (c) the possible imposition of liens on residents, but it was decided that those steps might be too drastic at this time. He did say that the collections have improved, but it is time for an updated policy going forward.

Mr. Madden said that several of the other items mentioned have been resolved or were how things are interpreted. He mentioned the following:

- Some of these situations came about due to the change in financial software and have been resolved. The reconciliation of accounts is being worked on and progress has been made.
- The Chapter 90 reimbursement has been taken care of. There was one outstanding project for which reimbursement should have been submitted sooner and that has been taken care of.
- Budgeted Transfers: Transfers will now be recorded within a week of authorization by a Special Town Meeting. Likewise, year-end transfers will be handled with the month of July of a new fiscal year.
- He explained that the Town's accounting office felt a project wasn't completed until the final work was done, but for accounting purposes when the students moved into the new school, the project should have been moved from "construction in process" category to "capital assets" category. So this was a matter of interpretation and in the future the Town will follow the auditor's interpretation.
- Government Accounting Standards Board (GASB) for Other Post Employment Benefits (OPEB): Mr. Madden said about the comment regarding GASB #74 and GASB #75, the

Town actually implemented the GASB #74 last year ahead of schedule. The plan is to discuss with the auditors where the Town stands with respect to GASB #75.

He concluded that the Town did do an internal survey a couple of years ago regarding the internal controls and he feels the departments are doing a good job.

NOTE: At the end of the meeting Mr. Madden mentioned that the financial reports the Board was discussing this evening are posted on the Town website on the Town Manager's webpage.

Discussion pertaining to proposed Town Counsel Request for Qualifications

Mr. Read said he recently received a survey regarding legal fees from a colleague. Since it has been five years with current counsel he thought it might be time to look at this. He suggested that the Board seeks proposals from prospective firms. He proposed the appointment of a committee, including both staff and board and committee members. The committee would review the proposals and interview the prospective firms to pare down the list for some recommendations to the Board. The Board of Selectmen could then make the final decision. He mentioned that this proposal is with respect to just Town Counsel as the Town is very satisfied with its Labor Counsel.

Mr. Madigan moved that the Board tell the Town Manager to submit a request for qualifications for Town Counsel. Second by Mr. Flynn. VOTE: 3:0:0.

Returning to an earlier discussion Mr. Flynn said he would like to have more guidance from his colleagues before attending the Plymouth County Advisory Board's annual meeting to vote on the proposed budget. This prompted some added discussion about some of the items. It was agreed that the topic would be put on the next Selectmen's agenda (May 15, 2017).

IV TOWN MANAGER'S REPORT

Mr. Read reported on the following items:

1. Piping Plover Status:
Currently there are 9 nests and the piping plovers should hatch on or about Memorial Day weekend. Duxbury Beach is open.
2. Scheduling of Lt. Governor Polito's Visit to Duxbury:
Duxbury signed the Community Compact and has received several grants regarding work related to the Government Study Committee and Planning interests. Lt. Governor Polito would like to visit Duxbury for a ceremonial signing of the Community Compact with the Board. He said her office has suggested Thursday, May 11th at noon, but if that date did not work then we will look to a later date in June. It was decided that the Town Manager should try to schedule a date in June preferably before June 9th or after June 19th.

Mr. Dahlen asked for an update on sticker sales. Mr. Read said that he would be able to provide that at the Selectmen's meeting.

V COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/ RESIGNATION

Old Colony Elder Services (OCES) - appointment / re-appointment

Mr. Flynn moved the Board of Selectmen re-appoint Donna Ciappina as the Duxbury delegate to the Old Colony Elder Services board with a term to end as of June 30, 2018. Second by Mr. Madigan. VOTE: 3:0:0

Duxbury Affordable Housing Trust –resignation

Mr. Flynn announced the Board has received the resignation of Ms. Tara Calabrese from the Duxbury Affordable Housing Trust as she is moving from Duxbury. The DAHT is reviewing Talent Bank forms to fill the vacancy.

VI ONE-DAY LIQUOR LICENSE REQUESTS -none

VII EVENT PERMITS - none

VIII MINUTES -postponed

IX ANNOUNCEMENTS

Mr. Flynn read the following announcements:

1) Annual Duxbury Spring Litter Sweep

The Annual Duxbury Spring Litter Sweep will be held on Saturday, May 6, 2017 (Rain Date: Sun., May 7th) from 8 a.m. to 4 p.m. Registration and trash bags will be available at the Tarkiln Building, 245 Summer ST, Duxbury MA. All trash must be dropped off at the Tarkiln Building by 4 p.m. If collected separately recyclables and returnables, should be taken to the Transfer Station by 4 p.m. For more information see: www.duxburylitterpatrol.com or email duxburylitterpatrol@gmail.com.

2) Upcoming Household Hazardous Waste Collection Days:

REMINDER: There will be Household Hazardous Waste Collection from 9am - 1pm, rain or shine (unless hurricane conditions) on May 13 for Kingston/Duxbury, Kingston Highway Dept., 32 Evergreen St. For more information go to the DPW Department - Transfer Station webpage on the Town website.

3) Next Scheduled Selectmen's Meeting is on: Monday, May 15, 2017.

X ADJOURNMENT

Mr. Flynn moved to adjourn at approximately 9:20 pm. Second by Mr. Madigan. VOTE: 3:0:0

Minutes prepared by review of the recorded meeting and respectfully submitted by: C. Anne Murray

(List of Documents on next page)

LIST OF DOCUMENTS FOR 05-01-17 SELECTMEN'S MEETING

1. *Agenda for 05-01-17 Selectmen's Meeting -Revised*
2. *OPEN FORUM: no documents*
3. *NEW BUSINESS:*
 - a. *Introduction of New Duxbury Police Officers / Police Chief Matthew Clancy: Names of Officers to be Introduced*
 - b. *7:10 PM Public Hearing RE: Liquor License - Oysterman / Dermot Loftus , Owner: Coversheet with suggested motions; packet of application materials and copies of licenses; Copy of letter received Ms. Jennifer Peters, an abutter.*
 - c. *Discussion pertaining to Traffic Lights at Rte. 3 -Exit 10: Coversheet with brief background and suggested motion, copy of draft letter of 05-01-17; 04-04-16 Extracted Selectmen's Minutes regarding this topic and copy of the Selectmen's letter sent in support at that time; and general info about the Transportation Improvement Program (TIP).*
 - d. *Discussion of the FY18 Plymouth County Revenues and Budget: 04-25-17 email from Mr. Francis "Frank" G. Basler, Jr., Ply. County Administrator; Copy of the FY18 Plymouth County Operating Budget -DRAFT; Copy of Plymouth County Revenues (July 1, 2017 through June 30, 2018)-Proposed.*
 - e. *Discussion pertaining to audit of the Town's financial statements for the year ending June 30, 2016: June 30, 2016 Management Letter from Powers & Sullivan, LLC (Town of Duxbury's Auditors)*
 - f. *Discussion pertaining to proposed Town Counsel Request for Qualifications: Copy of DRAFT Request for Qualifications for Town Counsel Services*
4. *Town Manager's Report: no documents*
5. *APPTS./Re-APPTS/RESIGNATIONS: 05-01-17 Appointment/Re-appointments Sheet; 05-01-17 Resignation Sheet*
6. *ODLLs - none*
7. *EVENT PERMITS: none*
8. *MINUTES: none*
9. *ANNOUNCEMENTS: Suggested Announcements for 05-01-17*