

Date: June 16, 2008

Date Minutes Approved: June 30, 2008

BOARD OF SELECTMEN MINUTES

Present: Jon Witten, Chair; Elizabeth Sullivan, Vice-Chair, and Andre Martecchini, Clerk.

Absent: No members were absent.

Staff: Richard MacDonald, Town Manager; and Barbara Ripley, Executive Assistant.

The meeting was called to order at 7:30 PM.

OPEN FORUM

Mr. Douglas Hart, Standish Street, said that it is entirely inappropriate for the Town's management staff to have a union. He said that it is especially inappropriate for the Police Chief to lead the union, given his position of power.

Ms. Karen Barry, West Street, said that there is a high level of concern in the community about high level managers being in a union. People feel as though our Town will soon be run by labor attorneys. She hopes that the Selectmen and Town Manager are taking this issue very seriously.

Mr. Bill Harris, Bayridge Lane, said that many people are frustrated by the lack of information about the proposed professional union. Townspeople would appreciate more disclosure.

Mr. Witten responded that the Selectmen and Town Manager are taking the issue very seriously. He said that they are unable to provide much information at this point, because there is a legal case and the negotiations are confidential. As soon as material becomes available, the Selectmen will make it public.

PUBLIC HEARING: USE OF MILLENIUM TOWN GREEN

Mr. Harry Katz was present to apply for use of the Town Green. All abutters within 300 feet of the Town Green property line were notified of the public hearing. No letters or phone calls were received from the public with regard to the application.

Ms. Sullivan moved that Mr. Harry Katz, as a representative of the Duxbury Interfaith Council, be granted an event permit for an Interfaith Service to celebrate the United Nations International Day of Peace, to be held on the Millennium Town Green on Saturday, September 20, 2008, from 5:00 PM to 6:30 PM. No on-street parking shall be allowed on the perimeter of the Town Green, or on Harden Hill Road. No tents or structures shall be erected without prior permission of the Department of Inspectional Services. Second by Mr. Martecchini. Vote: 3:0:0.

ONE-DAY LIQUOR LICENSE: CHILDREN WITHOUT BORDERS

Mr. David Brush was present to apply for the license. He explained that Children Without Borders is a non-profit organization founded by Dr. George Whitelaw with a focus on bringing health care to the underserved children of Central America.

Mr. Martecchini moved that Mr. David Brush, as a representative of Children Without Borders, is granted a One-Day All-Alcohol License to hold a fundraising event on Thursday, July 10, 2008 from

6:00 PM to 8:00 PM, at the Duxbury Senior Center, contingent upon the conditions listed on the license. Second by Ms. Sullivan. Vote: 3:0:0.

ONE-DAY LIQUOR LICENSE: DUXBURY BAY MARITIME SCHOOL (DBMS)

Ms. Georgia Cosgrove, Director of Development for DBMS, was present to apply for the license. She explained that, Doran Insurance Agency, in celebration of its 20th anniversary, is underwriting a performance of the New Black Eagles Jazz Band on September 12, 2008 at the Performing Arts Center. The proceeds will benefit collaborative efforts between DBMS and Crossroads for Kids. DBMS would like to hold a wine & appetizer reception before the event. They would have liked to hold the reception at the Performing Arts Center. However, the School Committee will not authorize the serving of alcohol on school property. Their second choice was to request permission to erect a tent on the Wright Building Property. The Library Director and the School Superintendent have indicated that they have no conflicts with this proposal. However, this option may be cost prohibitive for a reception expected to last no more than 75 minutes. A third option would be to hold the reception inside the Duxbury Student Union (DSU). DSU activities are currently being managed by Crossroads for Kids, so there is a link to the event. However, Mr. MacDonald said that the Town's Lease with the DSU may not allow the sub-lease of the property to another organization to hold a fundraising event. Mr. Witten asked Mr. MacDonald to research the issue, and to bring the matter forward again at the next Selectmen's meeting.

MEETING OF THE WATER & SEWER COMMISSIONERS

At 7:50 PM, Mr. Martecchini moved that the Selectmen's meeting be adjourned in order for the Board to convene as Water & Sewer Commissioners, with the intention of re-convening as Selectmen immediately thereafter. Second by Ms. Sullivan. Vote: 3:0:0.

Voluntary Water Restrictions

Mr. MacDonald explained that due to the hot, dry weather, outside water use has been extremely high. In order to maintain our water supply for domestic use and fire protection, voluntary watering restrictions are recommended immediately. Mr. MacDonald noted that the Town has not had to resort to mandatory restrictions in a number of years. The public has been cooperative with the voluntary restrictions.

Ms. Sullivan moved that the Board of Water and Sewer Commissioners institute voluntary water restrictions, to be effective immediately. Odd-numbered houses will be restricted to Mondays, Wednesdays, and Fridays. Even-numbered houses will be restricted to Tuesdays, Thursdays and Saturdays. All outdoor watering is to be done between the hours of 5:00 AM and 8:00 AM only. There is to be no outdoor watering on Sundays. Second by Mr. Martecchini. Vote: 3:0:0.

Land Exchange for Birch Street Tank

Mr. MacDonald explained that Article 20 of the 2007 Annual Town Meeting authorized a land exchange between the Water Department and the Conservation Commission. This exchange allows the Water Department to construct the new Birch Street Tank while the old tank is still on-line. It gives the Conservation Commission a valuable piece of land off Lincoln Street. This land exchange was approved by a Special Act of the Massachusetts Legislature. The first part of the exchange, the conveyance of land on Lincoln Street from the Water Department to the Conservation Commission, must be approved by the Water Commissioners and the Board of Selectmen. The second part of the exchange, the conveyance of land from the Conservation Commission on Birch Street to the Water Department, must be approved by the Conservation Commission and the Board of Selectmen.

Ms. Sullivan moved that the Water & Sewer Commissioners execute a quitclaim deed for a parcel of land on Lincoln Street (120-509-007), which transfers the land from the custody of the Town to the care, custody and control of the Duxbury Conservation Commission, according to the provisions of Article 20 of the Annual Town Meeting. Second by Mr. Martecchini. Vote: 3:0:0.

At 7:57 PM, Mr. Martecchini moved that the meeting of the Water & Sewer Commissioners be adjourned and that the Board re-convene as Selectmen. Second by Ms. Sullivan. Vote: 3:0:0.

BOARD OF SELECTMEN MEETING (RE-CONVENED)

Land Exchange for Birch Street Tank (see above)

Ms. Sullivan moved that the Board of Selectmen execute a quitclaim deed for a portion of a parcel of land on Birch Street (030B-502-051), which transfers that land from the custody of the Conservation Commission to the care, custody and control of the Water Department, according to the provisions of Article 20 of the 2007 Annual Town Meeting. Second by Mr. Martecchini. Vote: 3:0:0.

Ms. Sullivan moved that the Board of Selectmen execute a quitclaim deed for a parcel of land on Lincoln Street (120-509-007), which transfers the land from the custody of the Town to the care, custody and control of the Duxbury Conservation Commission, according to the provisions of Article 20 of the 2007 Annual Town Meeting. Second by Mr. Martecchini. Vote: 3:0:0.

TARKILN BUILDING

The following members of the Historical Commission were present: Terry Vose (Chair), Norman Tucker, Lynne Devnew, Lee Adams, and Laura Doherty.

Mr. Vose explained that the Commission's reason for requesting to be on the agenda was to assess the Selectmen's level of enthusiasm for resurrecting the Tarkiln Building project after its defeat at the 2008 Annual Town Meeting. Mr. Martecchini said that he is uncertain of his feelings on the subject. The Town does not seem to have the appetite for being the provider of commercial rental space. He would like to be presented with possible alternative uses for the building. He agrees that something must be done. The building must be renovated or torn down, before it becomes a hazard. Mr. Witten said that he feels the building is definitely worth preserving. Ms. Sullivan indicated that her level of enthusiasm is low, given the current financial climate and the number of projects that are already before the Town.

Mr. Tucker noted that the building has been nominated for the National Register of Historic Places. He expects that the nomination will be successful. This designation will not prevent demolition. However, it does give support to the rationale for preservation. It also increases the chances of obtaining grants.

Mr. Martecchini suggested investigating whether the site could be used for housing. Ms. Sullivan said that she didn't feel it would be suitable for housing, given its proximity to the baseball fields. Mr. Martecchini felt that the baseball fields would not be a problem.

Mr. Tucker said that a radically different approach will be necessary. If the project is brought forward in a similar fashion as the 2008 Annual Town Meeting, it will fail again. The Lighthouse Keepers facility in Cohasset was mentioned as a possible model. Mr. Emmitt Cronin, High Street, said that he would volunteer his expertise with architecture and structures to investigate new possible uses for the building.

It was agreed that a new committee should be formed. It should be comprised of some members of the Historical Commission and some other groups as well. Mr. Witten asked that the item be put on the June 30, 2008 agenda for a discussion of the composition of the committee. Interested citizens were urged to complete a Talent Bank Form.

DISCUSSION OF ECONOMIC ADVISORY COMMITTEE

Present for the discussion was Ms. Christine Stickney, Planning Director.

Mr. Martecchini noted that interest in this committee seemed to have weakened recently. The former members were dedicated to resolving the vacant space issue at the old "A&P" plaza. Now that there is a tenant in that space (Foodies Duxbury Market), some people have questioned the need for the committee. However, Mr. Martecchini said that there should be a group that advocates for business in Town. Mr. Witten agreed that there should be a group focused on economic development. Several persons who own businesses in Duxbury, but are not residents, have expressed an interest in serving on the committee. Mr. MacDonald was asked to research whether non-residents could be eligible to serve.

UPDATE ON GRANGE PROPERTY

Present for the discussion was Ms. Christine Stickney, Planning Director.

Ms. Stickney reported that Town Counsel is looking at the title for the Grange property. The closing is scheduled for July 16. Mr. Witten recommended that a 21-E inspection be scheduled prior to the closing. Ms. Stickney agreed. The conversion of the adjacent property from a fire house to affordable housing will be addressed at the next Town Meeting. Until then, the property can be leased for ten years for affordable housing, but not in perpetuity.

ONE-DAY LIQUOR LICENSE REQUEST: REV. THOMAS GRIFFITH FOR THE MIRAMAR RETREAT CENTER/ Fundraising Dinner Dance on August 2, 2008

Mr. Martecchini moved that Reverend Thomas Griffith, as a representative of Miramar Retreat Center, is granted a One-Day All-Alcohol license to hold a fundraising dinner dance on Saturday, August 2, 2008 from 5:00 PM to 10:30 PM at 121 Parks Street, subject to the conditions listed on the license. Second by Ms. Sullivan. Vote: 3:0:0.

ONE-DAY LIQUOR LICENSE REQUEST: PATRICK BROWNE FOR THE DUXBURY RURAL & HISTORICAL SOCIETY

Mr. Martecchini moved that Mr. Patrick Browne, as a representative of the Duxbury Rural & Historical Society, be granted a One-Day Wine and Malt license to hold a member cocktail party at the King Caesar House on June 28, 2008, subject to the conditions listed on the license. Second by Ms. Sullivan. Vote: 3:0:0.

TOWN MANAGER BRIEF

- 1) Request for Qualifications are due this week for the Percy Walker Pool renovation design project.
- 2) Bids are due for the Bay Road drainage project on July 2, 2008. Construction will not impact the September 2008 Duxbury Triathlon.
- 3) Negotiations are still in progress with regard to GATRA funding.

ANNOUNCEMENTS

Mr. Witten congratulated Mr. Chad Conway on his installation as an Eagle Scout. Mr. Witten was present at the ceremony on June 8, 2008 in order to provide a proclamation by the Selectmen. Mr. Witten said that Chad's Eagle Scout project at Island Creek (information board) was very impressive, and is a real bonus to the Town.

Ms. Sullivan announced that Fireman's Sunday was celebrated on June 8, 2008 at the Main Fire Station. She was present to represent the Selectmen. Monsignor William Glynn (retired) was also present at the ceremony.

MINUTES

Mr. Martecchini moved that the Board accept the minutes of June 2, 2008 as written. Second by Ms. Sullivan. Vote: 3:0:0.

APPOINTMENTS (See next Page)

ADJOURNMENT

Mr. Martecchini moved for adjournment at 8:50 PM. Second by Ms. Sullivan. Vote: 3:0:0.

(NOTE: APPENDIX A WAS NOT ABLE TO TRANSFERRED TO THE PDF FORMAT. IT HAS BEEN POSTED AS A SEPARATE MsWord DOCUMENT IN THE SELECTMEN'S MINUTES SECTION.)