

**Date: August 11, 2008**

*Date Minutes Approved: Approved August 25, 2008*

## **BOARD OF SELECTMEN MINUTES**

**Present:** Elizabeth Sullivan, Vice-Chair, and Andre Martecchini, Clerk.

**Absent:** Jon Witten, Chair.

**Staff:** Richard MacDonald, Town Manager and C. Anne Murray, Department Secretary.

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

Ms. Sullivan mentioned she is chairing tonight's meeting as Mr. Witten is on vacation.

OPEN FORUM – no items discussed

### **CALL FOR STATE PRIMARY ELECTION**

A State Primary Election is scheduled to be held on September 16, 2008.

Mr. Martecchini moved that the Board of Selectmen directs either of the Constables of the Town of Duxbury to notify and warn the inhabitants of Duxbury who are qualified to vote in Primaries to vote at Precincts One through Six at the T. Waldo Herrick Gymnasium, Duxbury Middle School, St. George Street, Duxbury, Massachusetts on Tuesday, the 16th Day of September, 2008 from 7:00 AM to 8:00 PM. Second by Ms. Sullivan. Vote: 2:0:0.

As a public service Ms. Sullivan announced the following positions will be on the ballot: Senator in Congress, Representative in Congress, Councillor, Senator in General Court, Representative in General Court, Register of Probate, County Commissioners, and County Treasurer.

### **BUSINESS**

#### **Permits (One-Day Liquor Licenses)**

As is the Town's standard practice all the requests have been circulated to the appropriate town departments and feedback regarding any concerns or conditions have been noted.

- *Alden Ringquist for the Alden Kindred of America: One-Day Liquor License for a Golf Banquet on September 29, 2008*

Mr. Martecchini moved that the Board of Selectmen grant to Mr. Alden Ringquist, as a representative of the Alden Kindred Society of America, Inc., a One-Day Wine & Malt License to hold a banquet at the Duxbury Senior Center on Monday, September 29, 2008 from 5:00 PM to 8:00 PM, subject to the conditions listed on the license. (Note: The actual conditions were read.) Second by Ms. Sullivan. Vote: 2:0:0.

- *Alden Ringquist for the Alden Kindred of America: One-Day Liquor License for the Speak for Thyself Banquet on November 15, 2008*

Mr. Martecchini moved that the Board of Selectmen grant to Mr. Alden Ringquist, as a representative of the Alden Kindred Society of America, Inc., a One-Day Wine & Malt License to hold a banquet at the Duxbury Senior Center on Sunday, November 15, 2008 from 6:00 PM to 9:00 PM, subject to the conditions listed on the license. (Note: The actual conditions were read.) Second by Ms. Sullivan. Vote: 2:0:0.

- *Patrick Browne for Duxbury Rural & Historical Society: Wedding on August 29, 2008*

Mr. Martecchini moved that the Board of Selectmen grant to Mr. Patrick Browne, as a representative of the Duxbury Rural & Historical Society, a One-Day All-Alcohol License to hold a wedding at the Nathaniel Winsor, Jr. House on August 29, 2008 from 4:00 PM to 10:00 PM, subject to the conditions on the license. (Note: The actual conditions were read.) Second by Ms. Sullivan. Vote: 2:0:0.

- *Patrick Browne for Duxbury Rural & Historical Society: Private Event at Nathaniel Winsor Jr. House on August 20, 2008*

Mr. Martecchini moved that the Board of Selectmen grant to Mr. Patrick Browne, as a representative of the Duxbury Rural & Historical Society, a One-Day All-Alcohol License to hold a private party at the Nathaniel Winsor, Jr. House on August 20, 2008 from 6:00 PM to 10:00 PM, subject to the conditions on the license. (Note: The actual conditions were read.) Second by Ms. Sullivan. Vote: 2:0:0.

Ms. Sullivan asked the staff to keep a tally of the number of one-day liquor licenses granted to an individual. She believes that there is a limit which may be granted to one individual during a given year.

#### Town Manager's Brief

Mr. MacDonald mentioned the following items:

1. Powder Point Bridge. Mr. MacDonald announced that he has received word that the MassHighways rating of the Powder Point Bridge has improved.
2. Birch ST Water Tank. Mr. MacDonald said that land clearing for the Birch Street Water Tank will begin this week.
3. Suburban Mobility Grant / GATRA. Mr. MacDonald announced that the Boston Metropolitan Planning Organization (MPO) has awarded Duxbury a Suburban Mobility Grant in the amount of \$186,608. This funding will allow the GATRA bus service to transport passengers from Duxbury through Marshfield to connect with the Greenbush rail line. This route will be in addition to the planned GATRA service for the southern loop taking Duxbury residents to Kingston, the Independence Mall, and Plymouth. Ms. Joanne Moore and Ms. Christine Stickney will be meeting with Mr. Frank Gay of GATRA to work out the schedule and implementation details. In response to a question Mr. MacDonald did answer that this was a one-year grant.
4. Construction Costs. Mr. MacDonald was pleased to announce that the construction costs for July were \$4.6 million. Of that \$1.6 million was a result of the Maritime School's project.

5. **Capewide Telephone.** Mr. MacDonald requested and received a letter from the Town's telephone vendor, Capewide Telephone, that it has blocked all "011" (international) calls on the Town's phone system. Regarding the breach in the library phone system we have not received any news from Homeland Security yet. We have now received a letter from Verizon confirming that the Town will not be charged for the fraudulent calls made.
6. **Bay Road Drainage Project.** Mr. MacDonald said that the project work will be beginning next week and should last about three weeks, depending on the weather.
7. **Duxbury Business Association (DBA).** Mr. MacDonald advised the Board that he recently attended a meeting of the Duxbury Business Association. At the meeting he mentioned to the attendees that the Selectmen will be appointing an Economic Advisory Committee shortly and encouraged any interested parties to fill out a Talent Bank form. He also let the DBA know that he or a member of the Selectmen will make every effort to attend the DBA meetings in the future. Both items were enthusiastically received by attendees.
8. **Reverse 911 Notification.** Mr. MacDonald said a reverse 911 notification was sent to Duxbury residents to notify them that there is a telemarketing company making calls giving the impression it is for a fundraiser by the Duxbury Firefighters. The Duxbury Fire Department is **NOT** doing any fundraising at this time. The Attorney General has been notified of the telemarketing activity. Anyone who has any information regarding a call they received is requested to notify the Duxbury Police Department at 781-934-5656.

#### **ANNOUNCEMENTS**

1. **Board of Selectmen Meeting during morning of August 4, 2008:** For the record, and since the press was not present, Ms. Sullivan mentioned that the Board of Selectmen did meet on the morning of Monday, August 4<sup>th</sup>. The Board met to discuss with Mr. Paul Andersen, Duxbury Water Superintendent, water usage concerns and to sign a needed easement for Verizon regarding poles in the Birch ST Tank area. At that meeting Mr. Anderson stressed that there is sufficient water supply so it is not an aquifer problem, but rather a pumping concern. At peak usage times the pumping cannot keep up with the demand, and this causes a decrease in the water tank. In spite of all the recent rain residents are asked to continue to voluntarily restrict their water use. At the meeting the Town Manager was authorized to act on behalf of the Board of Selectmen should a mandatory water ban be necessary.

At that meeting the Board did discuss making an appointment to the Zoning Board of Appeals. It was, however, decided to do so at a televised meeting and the Board will be making an appointment shortly.

At the August 4, 2008 Selectmen's meeting the Board did also go into Executive Session to discuss a matter regarding pending litigation.

2. **No further car washes at Senior Center:** The Board of Selectmen recently made a policy decision that car washes will no longer be held at the Senior Center. Ms. Moore has received complaints about this. Ms. Sullivan pointed out that the \$30.00 fee paid to the Town did not cover the \$750. cost to repair broken spigots after one car wash; nor does it cover the cost of the water usage. She asked anyone with comments or complaints to please direct them to the Board of Selectmen; not Ms. Moore.

- 3. Clarification: No Special Town Meeting (STM) is currently scheduled for this fall. A recent article in the *Duxbury Clipper* gave the impression a STM was scheduled for October, but this is not the case. What was being discussed is the need to bring any items requiring Community Preservation Act funds to the Community Preservation Committee (CPC) by their October deadline so that the CPC can do its due diligence in reviewing the requests for the March Annual Town Meeting.**

## **MINUTES**

*Executive Session of June 30, 2008*

**Mr. Martecchini moved that the Board approve the Executive Session Minutes of June 30, 2008, to be held sealed until the business is completed. Second by Ms. Sullivan.  
Vote: 2:0:0.**

*Open Session of July 28, 2008 and Open Session of August 4, 2008*

**Mr. Martecchini moved that the Board approve the Minutes of July 28, 2008 and of August 4, 2008 as written. Second by Ms. Sullivan. Vote: 2:0:0.**

## **COMMITTEE APPOINTMENTS / RE-APPOINTMENTS**

### **RESIGNATION**

**Ms. Sullivan announced the Board has received a resignation letter from Dick Dunphy who served on the Cable TV Advisory Committee. The Board extends it thanks for his service and encourages anyone willing to serve to fill the vacancy to fill out a Talent Bank form.**

### **APPOINTMENTS**

**Mr. Martecchini moved that the Board of Selectmen appoint Ms. Judith A. ("Judi") Barrett to the Zoning Board of Appeals (ZBA) for a term to expire on June 30, 2013. Second by Ms. Sullivan.  
Vote: 2:0:0.**

**In making this appointment both Mr. Martecchini and Ms. Sullivan commented that Ms. Barrett brings to the Board of Appeals an extensive knowledge of the Town of Duxbury bylaws and Chapter 40B regulations. Her knowledge and experience in land use issues will be an asset to the ZBA and they appreciate her coming forward to serve the community.**

### **BOARD / COMMITTEE OPENINGS:**

- **Design Review Board: 1 Alternate**
- **Economic Advisory Board: Pending Appointment by the Board of Selectmen.**
- **Nuclear Advisory Board: 1 open seat**
- **Open Space and Recreation Committee: 2 open seats.**
- **Sidewalk and Bike Path Committee: 4 Seats; 3 for 3-years and 1 for 1-year to fill a recent resignation. Need interested candidates!!**

**Mr. MacDonald advised the Board of two items he will be putting on upcoming agendas:**

- 1. The War Memorial Committee will be on an agenda in early September to update the Selectmen on the work of their committee.**
- 2. Discussion regarding Public Access Cable Channel. Decisions need to be made as to how the Town wants to proceed regarding its community or what is typically called the public channel as the Town has an October deadline to respond to the Comcast proposal. Mr. Martecchini encouraged residents to respond to the *Duxbury Clipper* poll about this as the Board welcomes feedback from the community.**

**ADJOURNMENT**

**At approximately 8:00 PM Mr. Martecchini moved for adjournment of the meeting. Second by Ms. Sullivan. Vote: 2:0:0.**