

Date: September 15, 2008

Date Minutes Approved: September 29, 2008

BOARD OF SELECTMEN MINUTES

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

Absent: Jon Witten, Chair.

Staff: Richard MacDonald, Town Manager; John Madden, Finance Director; and C. Anne Murray, Department Secretary.

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

Ms. Sullivan explained that Mr. Witten would not be present tonight due to a prior work commitment.

OPEN FORUM

Mr. Jim Sullivan of Tremont ST was recognized and addressed the Board. His request to the Board of Selectmen was two-fold:

- 1) To request reduction of the Community Preservation Act (CPA) tax surcharge from 3.0% to .25%; and
- 2) To request that the Board of Selectmen sponsor and support a warrant article regarding the proposed rollback of the CPA tax surcharge.

Mr. Sullivan indicated that when the CPA surcharge was approved in 2001 the understanding was that it was not necessarily a permanent authorization and that there would be "periodic reviews." While acknowledging some of the beneficial projects funded with CPA funds, Mr. Sullivan cited several reasons for believing that it was reasonable to request a review and a roll back at this time.

Mr. Martecchini indicated he is willing to discuss this topic, but as an agenda item on an upcoming Selectmen's meeting so that the community will be aware it is to be discussed and can be present.

Ms. Sullivan agreed to a discussion as an agenda item. She did, however, disagree with Mr. Sullivan's premise that a warrant article should be sponsored by the Selectmen. In her opinion any change should come from the community and therefore, she stated it should be a Citizen's Petition.

Before moving onto the scheduled business, Ms. Holly Morris, Chair of the Community Preservation Committee, was recognized. Ms. Morris made a brief statement in support of leaving the CPA surcharge at the current level. In doing so she cited a list of town-wide projects that have been made possible through the use of CPA funding.

The discussion ended with the agreement to put the topic on an upcoming Selectmen's agenda.

INTRODUCTION OF PERSONNEL ADMINISTRATOR

Ms. Sullivan made some introductory remarks about how the Town has really needed a Human Resources professional for some time to assist with benefits and compliance issues. She served on the committee that interviewed the candidates, and she made some very complimentary remarks regarding Ms. Jeannie Horne before turning the introduction over to Mr. MacDonald.

Mr. MacDonald introduced Ms. Jeannie Horne, who was offered and has accepted the position of Personnel Administrator. He said, that as many people may know, Ms. Anita Stiles, the Benefits & Insurance Coordinator for the Town, retired. He acknowledged that Ms. Stiles did a fantastic job in that role, but there was a need for more than a benefits person, especially in regard to mandated compliance issues.

Mr. MacDonald stated that the Town of Duxbury employs: 433 full-time employees, 399 part-time employees, and 187 seasonal employees for a total of 1,019 employees. The hiring of a human resource professional has been a long-term need. He thanked the following individuals who assisted him in the process: Ms. Sullivan, Mr. Madden, Mr. Wayne Heward and Mr. Rob Molla, Jr. of the Personnel Board.

Mr. MacDonald gave a brief overview of Ms. Horne's background including the following:

- Ms. Horne was a Senior Benefits Specialist for Fidelity Investments.
- She has a B.A. in Psychology, and
- a Human Resources Practices Certificate from New York University.

Ms. Horne's first day will be on September 22, 2008.

Ms. Horne thanked Mr. MacDonald and the Selectmen. She indicated how much she is looking forward to working for the Town of Duxbury.

DISCUSSION OF CONSERVATION RESTRICTION FOR CEDAR HILL PROPERTY—Pat Loring

Ms. Pat Loring of the Community Preservation Committee (CPC) explained that in 1988 Ms. Rosamond Allen donated a 12.3 acre property to the Unitarian Universalist Association with very specific deed restrictions, but those restrictions were to expire in 30 years. Ms. Loring explained that tonight the Selectmen are being asked to execute a conservation restriction, which will ensure the restrictions remain in perpetuity. She further explained that the conservation restrictions will be between the Unitarian Universalist Association and the Wildlands Trust, but by State law the Selectmen and the Conservation Commission must sign the restrictions. The Conservation Commission voted to do so at a meeting last week.

As the rest of the story, Ms. Loring said that the two sisters, Ms. Rosamond Allen and Ms. Eleanor Allen had made donations of adjacent properties but to different recipients. Whereas Ms. Rosamond Allen donated 12.3 acres to the Unitarian Universalist Association, Ms. Eleanor Allen donated 12.5 acres to the Duxbury Rural and Historical Society (DRHS) without restrictions. Last December the DRHS property from Ms. Eleanor Allen was permanently protected with a conservation restriction. By executing the conservation restriction tonight, a total of 25 acres of waterfront land and nearly 2000' of beach on Kingston Bay, which the sisters intended to be kept in conservation, will be protected.

Mr. Martecchini moved that the Board of Selectmen execute the Cedar Hill Conservation Restriction on Standish Street in favor of the Wildlands Trust of Southeastern Massachusetts, Inc. Second by Ms. Sullivan. Vote: 2:0:0.

The conservation restriction was then signed by the members of the Board in the presence of the notary.

EXECUTION OF COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF DUXBURY AND THE TOWN OF DUXBURY SECRETARIES AND CLERKS, SEIU LOCAL 888

Mr. MacDonald requested that the Board of Selectmen execute the Collective Bargaining Agreement between the Town of Duxbury and the Town of Duxbury Clerical Union (SEIU Local 888) for the period from July 1, 2007 through June 30, 2009. He said that the funding was approved by Town Meeting and the Board of Selectmen. The signing of the Agreement

was delayed while some language was worked out between the parties and that has now been agreed to and reviewed by Labor Counsel.

Mr. Martecchini moved that the Board of Selectmen execute the Collective Bargaining Agreement between the Town of Duxbury and the Town of Duxbury Secretaries and Clerks SEIU Local 888 for the period from July 1, 2007 through June 30, 2009.

BUSINESS

TOWN MANAGER'S BRIEF

Mr. MacDonald spoke about the following items:

- 1) North Hill Golf Course: Request for Proposals should be published in the Central Register on September 24, 2008 and bids are due October 24, 2008.**
- 2) The Budget Working Group (FY '10): The Budget Working Group will be meeting again this Friday.**
- 3) GATRA: The second of three scheduled meetings for input on the GATRA bus service will be held on September 23, 2008 at the Marshfield Town Hall at 10:00 AM. The purpose of the meetings is to seek input from the Duxbury and Marshfield communities regarding the proposed GATRA bus route. The third meeting will be held [on Tuesday, October 7, 2008 at 10:00 AM] in the Duxbury Senior Center.**
- 4) Bay State Gas (natural gas) Payment Plan Information: Mr. MacDonald said he received information about how customers of Bay State Gas can sign up for a payment plan to spread the costs over the year. The information will be available at the Town Manager's Office for anyone interested.**

INTERIM LOAN NOTE FOR BIRCH STREET TANK FUNDING

The Board has been asked to execute documents which will allow for short-term borrowing of up to \$3,150,000. at an unheard of rate of .79% (due to the Town's AAA bond rating) until the bond for the Birch Street Tank Project is permanently financed in January, 2009.

Mr. Martecchini moved and read the following into the record:

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Duxbury, Massachusetts, certify that at a meeting of the board held September 15, 2008, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:

- VOTED:
- (1) That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$3,150,000 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and a vote of the Town passed March 10, 2007 (Article 6, Motion 3), for the drinking water project identified in such vote (the "Project");
 - (2) That in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed \$3,150,000;

- (3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Water Pollution Abatement Trust (the "Trust") at a price determined pursuant to the Loan Agreement;
- (4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Loan Agreement (or Agreements) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds or Notes;
- (5) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and
- (6) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including execution and delivery of the Loan Agreement and the Project Regulatory Agreement relating to the Project.

I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date and time of the meeting was filed with the Town Clerk and a copy thereof posted in the office of the Town Clerk or on the principal official bulletin board of the town at least 48 hours, including Saturdays but not Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds or Notes were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L c.39, s.23B as amended. I further certify that the vote has not been amended, supplemented or revoked and remains in effect on this date.

Second by Ms. Sullivan. VOTE: 2:0:0.

ANNOUNCEMENTS

1. North Street Bridge Repair:

Ms. Sullivan announced that MassHighways is ready to begin the North Street Bridge Repair. She asked Mr. MacDonald to provide the details. Mr. MacDonald explained that commencing 09-21-08 the North Street Bridge & Route 3 Southbound (between exits 12 and 11) will be closed from approx. 10pm to 5am on ten nights (not necessarily consecutive). The Route 3 Detour: Proceed on Routh 139 to Route 53. Make Left (south) onto Route 53. Proceed to Route 14 (Congress Street). Head East on Congress Street to Route 3 on-ramp.

The Congress Street section is Town-owned so the plan was presented and approved by the Board of Selectmen at the last meeting, subject to review by the Public Safety Departments. The Public Safety Departments will monitor the first few nights. It should be noted that a barrier will be placed to limit travel lanes over the North Street Bridge during the day.

2. **State Primary Election:**
Mr. Martecchini reminded citizens that the State Primary Election is tomorrow (September 16, 2008). The Duxbury polls are located at the Duxbury Middle School, 71 Alden Street, and will be open at 7:00 AM and close at 8:00 PM.

3. **Town Hall Roofing Project:**
Mr. MacDonald announced that beginning this Friday, Sept. 19th and through the weekend contractors will be putting a new roof on the Town Hall. So some areas of the parking lot might be blocked.

MINUTES

Mr. Martecchini moved to approve the Minutes of September 8, 2008 as presented.
Second by Ms. Sullivan. Vote: 2:0:0.

COMMITTEE APPOINTMENTS / RE-APPOINTMENTS

Ms. Sullivan moved to appoint Linda Collari as an At-Large representative to the Economic Advisory Committee for a term to expire on June 30, 2009. Second by Mr. Martecchini.
Vote: 2:0:0.

The first meeting of the Economic Advisory Committee has been scheduled for October 1, 2008.

Mr. Martecchini moved for adjournment at approximately 8:15 PM. Second by Ms. Sullivan. Vote: 2:0:0.