

Date: November 17, 2008

Date Minutes Approved: December 1, 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 7:16 PM.

EXECUTIVE SESSION

At 7:16 PM, immediately after convening the Open Session, Mr. Martecchini moved that the Board enter Executive Session in order to consider the purchase, taking, lease, or value of real property since an open meeting may have a detrimental effect on the negotiating position of the Town, and to re-convene in Open Session afterward, in accordance with Mass. General Laws Chapter 39, Section 32B.

Roll Call Vote: Ms. Sullivan—aye; Mr. Martecchini—aye; Mr. Witten—aye.

END EXECUTIVE SESSION

At 7:25 PM, Mr. Martecchini moved that the Board adjourn the Executive Session, with the intention of re-convening in Open Session. Second by Ms. Sullivan.

Roll Call Vote: Ms. Sullivan—aye; Mr. Martecchini—aye; Mr. Witten—aye.

OPEN SESSION

The Open Session commenced at 7:32 PM.

OPEN FORUM

No items were discussed.

PRESENTATION TO CHIEF NORD IN RECOGNITION OF THIRTY YEARS IN THE FIRE SERVICE

State Representative Thomas Calter attended the meeting in order to present Duxbury Fire Chief Kevin Nord with a commendation from the Massachusetts House of Representatives for his thirty years in the Fire Service. He also presented a commendation from the Massachusetts Senate, on behalf of Senator Thomas Hedlund. Mr. Witten presented a proclamation from the Board of Selectmen, and Mr. Martecchini presented a certificate from the Massachusetts Department of Fire Service. Chief Nord thanked everyone for the recognition.

MEETING OF THE WATER & SEWER COMMISSIONERS

At 7:38 PM, Mr. Martecchini moved to adjourn the Board of Selectmen meeting in order for the Board to convene as Water & Sewer Commissioners. Second by Ms. Sullivan. Vote: 3:0:0.

Mr. Martecchini moved that the Board commit the following amounts for collection: \$693,699.82 for Water; \$89,861.00 for Sewer; and \$1,375.00 for Service. Second by Ms. Sullivan. Vote: 3:0:0.

Mr. Martecchini moved to adjourn as Water & Sewer Commissioners, and to re-convene as the Board of Selectmen. Second by Ms. Sullivan. Vote: 3:0:0.

BONDING FOR CAMP WING PURCHASE / Treasurer

Town Treasurer, Ms. Beth Conway, was present to explain that 2008 Town Meeting authorized short-term borrowing for the Town's purchase of a portion of the "Camp Wing" property. There were three bidders for the Bond Anticipation Note. The winning bid offered a favorable interest rate.

Ms. Sullivan moved that the Town accept the bid from Eastern Bank for a Bond Anticipation Note for \$400,000.00, with an interest rate of 3.10%. Second by Mr. Martecchini. Vote: 3:0:0.

TARKILN STUDY COMMITTEE

The following members of the Tarkiln Study Committee were present: R. Tag Carpenter; Susanna Sheehan, Myrna Walsh, and Terry Vose. Present from the Historical Commission and Community Preservation Committee was Ms. Lynne Devnew.

Mr. Witten commented that, as the Selectmen liaison for the Tarkiln Study Committee, he has been able to observe the hard work of the group. He extended his thanks to them.

Mr. Tag Carpenter spoke for the committee. He thanked the Selectmen for appointing the committee to explore options for the Tarkiln Building after the 2008 Annual Town Meeting article failed.

He explained that the group has worked on three items so far. First, the group (under the leadership of Terry Vose) organized a volunteer effort to paint the exterior of the building. Second, the group developed options for the Town to consider for the building. Third, the group is working on "outreach", to interest community users in renting the building.

Mr. Carpenter announced that the group will be seeking \$436,000 from the Community Preservation Act Fund at the 2009 Annual Town Meeting. This amount is significantly lower than the amount sought in 2008 (\$1,555,000.00). The historical restoration proposed in 2008 required pouring a foundation, and required a great deal of exterior re-building. The current proposal is confined to urgent needs: a new roof, updated bathrooms, and a new septic system.

In the past, Mr. Carpenter said, building usage has been at 25% of its capacity. If the rates are raised to a more appropriate level of \$25 per hour, the operating expenses will be met after only 13% usage. Therefore, it is expected that the building rentals will actually generate a profit to the Town.

Mr. Martecchini and Ms. Sullivan both said that they liked this lower-cost proposal much better. Mr. Martecchini moved that the Board endorse the proposal of the Tarkiln Study Committee to spend \$436,000 in Community Preservation Funds to renovate the Tarkiln

Building, under the condition that there will be a revenue stream to support it. Second by Ms. Sullivan. Vote: 3:0:0.

Next, Ms. Lynne Devnew announced that “Preservation Massachusetts” has designated the Tarkiln Community Center as “endangered”. This may help in seeking grant funds, etc.

DUXBURY AQUACULTURE MANAGEMENT PLAN

Mr. Ned Lawson was present to describe the work of an ad-hoc committee charged with developing an Aquaculture Management Plan. The committee was comprised of representatives from the Duxbury Shellfish Advisory Committee (Ken McKim), the Duxbury Bay Management Commission (John Brawley), the Duxbury Shellfish Growers Association (Don Merry) and the Duxbury Agriculture Commission (Dick Loring).

Mr. Lawson explained that there has been a moratorium on new aquaculture licenses since January 31, 2005. It was lifted briefly to allow for the review of applications that had been submitted prior to the imposition of the moratorium, but was then re-established until an aquaculture management plan could be developed.

Mr. Lawson summarized some of the findings of the committee.

Advantages of the industry include:

- **The full-time employment of thirty people, and the summer-employment of at least forty more**
- **A yearly festival to raise money for local charities**
- **The development of a recreational oyster bed**
- **A beneficial effect on water quality in terms of de-nitrifying. (The oysters pump thirty gallons of water through their systems per day.)**

Disadvantages include:

- **Competition with other users for the channel, parking, and piers.**

The committee notes that the aquaculture community is still in the process of maturing. Approximately three to five years is necessary for individual license holders to reach their full potential due to the time it takes to seed, grow, and harvest shellfish. There are five new licenses that have not come on-line yet due to a variety of legitimate reasons. Therefore, the committee recommends monitoring and managing this growth prior to introducing additional, new licenses.

The committee recommends that the Duxbury Shellfish Advisory Committee investigate the development of a new “limited entry” licensing policy for shellfish aquaculture. This is used in Duxbury for razor clams and mussels. In this case, new licenses may be granted as existing license holders leave the industry or are found not to be using their licenses to minimum levels. A waiting list could be maintained.

The committee also recommends that the Town study boat ramp use and channel traffic, as automobile and trailer parking conditions and capacities, and mooring uses and capacities.

Aquaculture license holders mentioned that they are looking for a place to store their cages.

Mr. Witten suggested that if the moratorium is to be modified, that it is probably best to do this at a public hearing. January 12 was selected for the date of the public hearing.

EMERGENCY MANAGEMENT DIRECTOR (CHIEF KEVIN NORD) & NUCLEAR ADVISORY COMMITTEE: IMPLEMENTATION PLANS

Chief Nord explained that he has met with the Duxbury Nuclear Advisory Committee (DNAC) about the implementation procedures for emergencies at the Pilgrim Nuclear Power Plant. The Chief and the DNAC are in agreement. By consensus, it was decided that the Chief may present the recommended plans and procedures to Entergy.

Chief Nord then explained that there has been some confusion over the respective roles and responsibilities of the Emergency Management Director and the DNAC.

After discussion, Ms. Sullivan made the following motion: The Emergency Management Director shall make an annual presentation to the Board of Selectmen prior to certifying Duxbury Emergency Response Plans and Procedures with the operators of the Pilgrim Nuclear Power Plant. Prior to making that presentation, the Director shall confer with the Duxbury Nuclear Advisory Committee to insure that any differing views or discrepancies in opinion shall be presented to the Selectmen, and can be taken into consideration by them in determining what certification should be made. Second by Mr. Martecchini. Vote: 3:0:0.

TOWN MANAGER BRIEF

Information Technology Infrastructure Working Group: Problems with networking and the internet continue. This group has just been appointed to make recommendations to the Town Manager. Members include: Gail Callahan (schools), Mary Beth MacQuarrie (Town IT coordinator), Robert George, Terry Watson, and Ling Wong.

Technical Assistance Grant: The Town of Duxbury has applied jointly with Plymouth and Kingston for a storm water technical assistance grant to help with floodplain management and other issues.

GATRA (Greater Attleboro Transportation Regional Authority): Bus service for Duxbury and Marshfield will begin during the first week in December. The Plymouth & Brockton bus company ("P&B") has been contracted to provide the service.

ANNOUNCEMENTS

Mr. Martecchini announced that the Plymouth Philharmonic will perform at the Duxbury Performing Arts Center on Saturday, November 22. This promises to be an excellent concert, and tickets are still available.

MINUTES

Ms. Sullivan moved to accept the minutes of November 10, 2008 as presented. Second by Mr. Martecchini. Vote: 3:0:0.

EXECUTIVE SESSION

At 9:10 PM, Ms. Sullivan moved that the Board enter Executive Session in order to discuss strategy with respect to contract negotiations, and that the meeting be moved to the Town Manager's office in order to be able to use a conference phone (for communicating with Labor Counsel), and to re-convene in Open Session for the purposes of adjournment only. Second by Mr. Martecchini. Roll Call Vote: Ms. Sullivan—aye; Mr. Martecchini—aye; Mr. Witten—aye.

ADJOURNMENT

At 10:45 PM, Mr. Martecchini moved to adjourn the Selectmen's meeting. Second by Ms. Sullivan. Vote: 3:0:0.