

Date: August 3, 2009

Date Minutes Approved: August 17, 2009

BOARD OF SELECTMEN MINUTES

Present: Elizabeth Sullivan, Chair; Christopher Donato, Vice-Chair.

Absent: Jon Witten, Clerk.

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

The meeting was called to order at 7:00 PM.

OPEN FORUM

No items were discussed.

ACCEPT CONTRIBUTIONS FOR WAR MONUMENT

Mr. Joe Shea, Chair of the War Memorial Committee, was present. Mr. Shea announced that he was present tonight to ask the Board of Selectmen to accept \$15,000. in donations toward the War Monument restoration. This donation does provide sufficient funding to cover the \$90,000. needed for signing the contract to get the restoration under way. Additional funds are still being raised for bricks to surround the monument.

Mr. Shea outlined the timeframe as follows:

Late summer/ early fall: a foundation to be laid
Veteran's Day: A ceremony with just the granite slab.
Memorial Completion: March 1, 2010 deadline
Dedication: Spring of 2010

Mr. MacDonald added that it was at his suggestion that the donation be accepted and then at the end of the fundraising a full list of contributors names will be provided.

Mr. Donato moved that the Board of Selectmen accept, with gratitude, donations in the amount of \$15,000. from contributors to the War Memorial Fund. Second by Ms. Sullivan. Vote: 2:0:0.

PUBLIC MEETING RE: ROUTE 3A/ROUTE 3 INTERCHANGE IMPROVEMENTS

At 7:01 Ms. Sullivan opened the Public Meeting regarding this matter and Mr. MacDonald asked that Mr. Tom Broadrick be recognized first to provide an overview.

Mr. Broadrick was recognized and explained that the discussion tonight is in regard to the proposed signalization of the on/off ramps at the Rte. 3A / Rte. 3 interchange at exit 10. He explained that a community cannot get any Mass Highways' design / construction funding without first being listed on the Transportation Improvement Program (TIP) listing. In order to get on the TIP the Board of Selectmen should advocate for it by forwarding a recommendation to the regional planning agency. In Duxbury's case that is the Metropolitan Area Planning Council, which is part of the Boston Metropolitan Planning Organization (MPO).

Mr. Broadrick opined that the signalization of the Rte. 3A / Rte. 3 interchange should be looked at on its own merits, but this issue is complicated by the Island Creek Village North (hereafter "Island Creek") project. The Island Creek project, which is also in that area, is just in the beginning stages of review regarding the local permitting process. While Mr. Broadrick suggested it would be prudent to look at the area as a whole, he suggested it would be best to go forward to initiate the process for getting on the TIP list for signalization because at this point funding is being planned for 2013-2015. He noted that a project can always be removed from the TIP list, and pointed out, in his experience; it takes five to ten years for projects to receive funding.

Mr. MacDonald noted that a letter of support has been received from the Town of Kingston.

Mr. Jeffrey Dirk, for Vanasse & Associates, the traffic engineering consultants on the Island Creek project, agreed that the signalization of the Rte. 3A / Rte. 3 interchange should be considered independently of the Island Creek project. He indicated their studies do not warrant sufficient traffic volume, even when expansion is considered, for signalization at the Island Creek project. He noted, however, that the crash rate in the Rte. 3A / Rte. 3 interchange area is twice the State average so in his opinion signalization in that area is needed. Mr. Dirk indicated that his firm is willing to complete the necessary forms on behalf of the Town so the Town could proceed with submitting them to get on the TIP list. He added that the presence of an affordable housing project in the area likely would help speed up the process of getting signalization in the interchange area.

At the invitation of the Board, Mr. Ed Marchant took the lead in introducing those in attendance representing the Island Creek project. They were as follows:

Ed Marchant, EMH/Real Estate Advisory, 40B Advisor to the developers
John Keith (and Tom Duggan – not present), Keith Properties, the developers
Paul Brogna, Seacoast Engineering, civil engineer for the project
Andre Zielinski, Keith Properties, designer of all the buildings, except the assisted-living building
Shelly Keith, Wife of John Keith
Andy Koines, Keith Properties, CPA and Financial Advisor
Bill Casper, designer of the assisted-living building at the project

At the request of the Board, Mr. Bill Casper gave an overview of the assisted-living facility being planned as part of the project. He mentioned the following:

- Mixed income 94-unit assisted living facility
- Provides additional services to help a senior live independently with support.
- Services include: 3 meals a day; 45 minutes per person per day of personal care assistance; van transportation; security; and a pendant call system
- Average age about 85-86 years, but range in ages are earlier 70s to 100 year+
- Financing is through Mass Housing Financing Agency, which sets guidelines < 50% of area median income
- Units average 400 sq. ft. to 800 sq. ft.
- Public concept: in addition to individual residential units the facility includes a lot of public space: dining room, meeting rooms, craft rooms, etc.

The Board indicated that they would like to have the Island Creek development team back to discuss this in further detail at an upcoming meeting.

Mr. Donato moved that the Board of Selectmen endorse the Project Initiation Form (PIF) and recommend to our regional planning agency, the MAPC, and to Masshighways to place the signalization of the Rte. 3A / Rte. 3 interchange on the Transportation Improvement Plan (TIP) list. Second by Ms. Sullivan. Vote: 2:0:0.

DISCUSSION OF TOWN COUNSEL OPINION OF 7-17-09

Ms. Sullivan mentioned that she just wanted to acknowledge that the Board did receive an opinion from Town Counsel pertaining to the Police Chief Contract. In light of this opinion, she suggested the Board might want to review the vote they took in June, but suggested any discussion be tabled until the entire Board is available. Mr. Donato agreed.

BUSINESS

ONE-DAY LIQUOR LICENSE REQUEST: Mary Beth Brown for the Duxbury Art Association / Reception on 8-07-09

Ms. Sullivan announced that a request was received from the Duxbury Art Association for a one-day liquor license for the 92nd Annual Midsummer Art Show, on Friday, August 7th. The request has all the appropriate documentation and has been circulated to the appropriate departments.

Ms. Sullivan moved that the Board of Selectmen grant to Ms. Mary Beth Brown, as a representative of the Duxbury Art Association, a One-Day Liquor License to hold the 92nd Annual Midsummer Art Show, on Friday, August 7, 2009 from 6:30 PM to 9:30 PM, at the Ellison Center for the Arts (64 St. George Street), contingent upon the conditions on the license (which were read). Second by Mr. Donato. Vote: 2:0:0.

ONE-DAY LIQUOR LICENSE REQUEST: Patrick Browne for the Duxbury Rural & Historical Society / Reception on 8-22-09

Ms. Sullivan announced that two requests have been received from the DR&HS for one-day liquor licenses. She acknowledged Mr. Patrick Browne, Executive Director of the DR&HS, who was present to respond to any questions the Board might have.

The first request is for a liquor license for a reception to celebrate the 200th Anniversary of the King Caesar House planned for Saturday, August 22nd at Bumpus Park. Ms. Sullivan reviewed the documentation and in making the motion the conditions received as a result of the feedback from the departmental review were read.

Ms. Sullivan 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 the 200th Anniversary Celebration of the King Caesar House on Saturday, August 22, 2009 from 7:00 PM to 9:00 PM, contingent upon the conditions listed on the license (which were read). Second by Mr. Donato. Vote: 2:0:0.

ONE-DAY LIQUOR LICENSE REQUEST: Patrick Browne for the Duxbury Rural & Historical Society / Private Rental on 9-5-09

The second DR&HS request is for a one-day liquor license for a private function during the evening of September 5, 2009. Ms. Sullivan again gave an overview of the documentation received and the departmental conditions.

Ms. Sullivan 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 function at the Nathaniel Winsor, Jr. House on September 5, 2009 from 6:00 PM to 11:00 PM, subject to the conditions on the license (which were read). Second by Mr. Donato. Vote: 2:0:0.

TOWN MANAGER'S BRIEF

Mr. MacDonald reported on the following items:

1. **Crematory Building Committee:** Mr. MacDonald announced that he has appointed the following to be on the Crematory Building Committee:
 - Mr. Emmett Sheehan – Cemetery Trustee
 - Mr. Robert Hayes – Cemetery Trustee
 - Mr. Joe Shea – Resident, Citizen-at-Large
 - Mr. Peter Buttkus –DPW Director (ex officio)
 - Mr. Scott Lambiase –Inspectional Services Director (ex officio)
 - Ms. Patricia (Tricia) Pappas –Cemetery Director (ex officio)

He added that the first meeting of the committee has been scheduled for next week, and mentioned that \$80,000. In funding was approved at the March 2009 Annual Town Meeting for this purpose.

Ms. Sullivan asked how many retorts are planned? Mr. MacDonald said that the number remains to be determined.

2. **Massachusetts Technology Collaborative (MTC) Grant:** Town received a MTC Grant for technical assistance. D & V Global energy will be assisting the Town with site assessment of the potential sites identified for wind turbines. The sites are: Duxbury High School, Duxbury Middle School, Chandler Elem. School, Duxbury Town Hall, the Transfer Station, and the North Hill Golf Course.
3. **Construction costs in July:** Mr. MacDonald announced constructions costs in July were \$1,599,000 (rounded), but that includes \$900,000. for the Chandler Roof project. Overall the construction costs were down slightly.
4. **U.S. Postal Service Notification:** Mr. MacDonald said he received notification that the United States Postal Service (USPS) will be reviewing 3200 postal stations and branches for possible closure. The Duxbury Snug Harbor site is on the list for a study of potential sites to be closed. He also mentioned that the Post Master General has asked Congress to reduce mail delivery from 6 days to 5 days per week due to severe financial problems.
5. **(Percy Walker) Pool Contract:** Mr. MacDonald announced the contract for renovations of the Percy Walker Pool has been signed. The project is scheduled to take 6 – 9 months.

MINUTES

Ms. Sullivan moved that the Minutes of July 13, 2009 be approved, as presented. Second by Mr. Donato. Vote: 2:0:0.

Ms. Sullivan moved that the Executive Session Minutes of July 13, 2009 be approved, as presented to remain sealed until the need for such has past. Second by Mr. Donato. Vote: 2:0:0.

ANNOUNCEMENTS

Ms. Sullivan read a press release from the Local Historic District Study Committee:

Mr. Christopher Skelly, Director of Local Government Programs at the Massachusetts Historical Commission, will present a slide presentation on “Establishing Local Historic Districts” on Wednesday, August 26 from 7:00 PM to 9:00 PM in the Ellison Room at the

Senior Center, 10 Mayflower Street. The presentation will include background on local historic districts in Massachusetts, how local historic districts protect significant historic resources, and the step-by-step process to establish local districts in Massachusetts. The public is welcome to attend, ask questions, and discuss the idea of a local historic district in Duxbury.

Ms. Sullivan mentioned that the Alden Family Sites were recognized as a National Historic Landmark. On Saturday, she and Sue Skeiber, as representatives for the Town, attended a ceremony in which bronze plaques were presented in recognition of the designation.

Mr. MacDonald also mentioned that he had received some complaints about the state of the Myles Standish Monument site with respect to uncut grass and trash. This is a property under the care of the Dept. of Conservation and Recreation (DCR) so he will be contacting the DCR with the concerns. Ms. Murray noted that she was recently informed that due to budget constraints the DCR has not been able to staff this site.

APPOINTMENTS

Ms. Sullivan moved that the Board re-appoint Mr. John Brawley and Ms. Corey Wisneski to the Duxbury Bay Management Commission for terms to expire on 6/30/12. Second by Mr. Donato. Vote: 2:0:0.

Ms. Sullivan moved that the Board appoint Mr. Peter Sullivan to the Sidewalk and Bike Path Committee for a term to expire on 06/30/11. Second by Mr. Donato. Vote: 2:0:0.

Ms. Sullivan moved that the Board appoint Mr. Brian Campbell to the Recreation Activities Committee for a term to expire on 06/30/12. Second by Mr. Donato. Vote: 2:0:0.

Ms. Sullivan announced the list of Boards and Committees that still have open seats. They are as follows:

Alternate Energy Committee	1 seat
Economic Advisory Committee	1 seat (Business Rep.; must be a Duxbury resident)
Duxbury Bay Management Committee	1 seat
Sidewalk & Bike Path Committee	3 seats
Duxbury Nuclear Advisory Committee	1 seat
Open Space and Recreation Committee	3 seats

BONUS SHELLFISH SEASON (for August 2009)

Mr. Donato moved that the Board of Selectmen declare a temporary Bonus Shellfish Season for the month of August for:

- 1) the commercial harvesting of softshell clams (Please see Attachments B & C of the posted regulations.) and
- 2) for the commercial harvesting of quahog clams (Please see Attachments A & C of the posted regulations.)

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

ADJOURNMENT

At 7:35 PM, Mr. Donato moved for adjournment at approximately 7:35 PM. Second by Ms. Sullivan. Vote: 2:0:0.