

Date: October 14, 2009

Date Minutes Approved: October 19, 2009

BOARD OF SELECTMEN MINUTES

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

Absent: Jon Witten, Clerk.

Staff: Barbara Ripley, Executive Assistant.

The meeting was called to order at 8:05 AM.

OPEN FORUM

Mr. Donato expressed surprise that the Town Manager was not present. Ms. Ripley explained that he was conducting an interview. He read a passage from the Town Manager Act which states that the Town Manager shall be present at Board of Selectmen meetings. This issue was discussed again later in the meeting.

MEETING OF THE WATER & SEWER COMMISSIONERS

At 8:06 AM, Mr. Donato moved that the Board adjourn as Selectmen, and re-convene as the Water & Sewer Commissioners. Second by Ms. Sullivan. Vote: 2:0:0.

Mr. Donato moved that the Water & Sewer Commissioners commit the following amounts for collection:

Water:	\$769,701.66
Sewer:	19,362.61
Service:	<u>3,176.00</u>
Total:	\$792,240.27

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

Mr. Donato moved that the Water & Sewer Commissioners adjourn their meeting, and re-convene as the Board of Selectmen. Second by Ms. Sullivan. Vote: 2:0:0.

EVENT PERMIT REQUEST: FRIENDS OF TARKILN / Pumpkin Sale on October 17, 2009

Ms. Susanna Sheehan was present to represent the Friends of Tarkiln. She explained that the event is a fundraiser for the Tarkiln Building. There will be pumpkins, cider, donuts, baked goods, Halloween decorations, flower arrangements, t-shirts & sweatshirts, firewood, hay bales, and corn stalk bundles for sale.

Mr. Donato moved that the Friends of Tarkiln be permitted to hold a Pumpkin Sale on Saturday, October 17, 2009, in the parking lot of the Tarkiln Building, from 9:00 AM to 5:00 PM, subject to the conditions listed on the permit. Second by Ms. Sullivan. Vote: 2:0:0.

ONE-DAY LIQUOR LICENSE: JOHN HAMILTON FOR THE COUNCIL-ON-AGING/BRUNCH & FASHION SHOW ON OCTOBER 25, 2009

Mr. Donato moved that Mr. John Hamilton, as a representative of the Duxbury Council-on-Aging, be granted a One-Day Wine & Malt license to hold a brunch and fashion show on October 25, 2009, from Noon to 4:00 PM, subject to the conditions listed on the license. Second by Ms. Sullivan. Vote: 2:0:0.

ONE-DAY LIQUOR LICENSE: AMY WALSH FOR CROSSROADS FOR KIDS / HARVEST MOON FUNDRAISER ON OCTOBER 17, 2009

Ms. Amy Walsh was present to describe the 16th annual Harvest Moon fundraiser.

Mr. Donato moved that Ms. Amy Walsh, as a representative of Crossroads for Kids, be granted a One-Day Wine & Malt License to hold a fundraiser at Camp Wing (742 Myrtle Street) on October 17, 2009 from 6:30 PM to 11:30 PM, subject to the conditions listed on the permit. Second by Ms. Sullivan. Vote: 2:0:0.

MINUTES

Ms. Sullivan moved that the Board approve the minutes of Executive Session (A) and Executive Session (B) of September 28, 2009, with the contents to remain sealed until the need for confidentiality has passed. Second by Mr. Donato. Vote: 2:0:0.

Ms. Sullivan moved that the Board approve the Open Session minutes of September 28, 2009. Second by Mr. Donato. Vote: 2:0:0.

Ms. Sullivan moved that the Board approve the Open Session minutes of October 5, 2009. Second by Mr. Donato. Vote: 2:0:0.

Ms. Sullivan moved that the Board approve the Executive Session minutes of October 5, 2009, with the contents to remain sealed until the need for confidentiality has passed. Second by Mr. Donato. Vote: 2:0:0.

Mr. Donato commented that he had not revealed the contents of the October 5, 2009 Executive Session to outsiders, as might have been suggested by a recent article in the Duxbury Clipper.

TARKILN UPDATE

Mr. Tag Carpenter noted that the Friends of Tarkiln would like to donate asbestos containment and removal services to the Town of Duxbury, for the Tarkiln Building. These services are valued at approximately \$12,000.00. Mr. Donato moved that the Board accept a gift from the Friends of Tarkiln, for asbestos removal and containment services. Second by Ms. Sullivan. Vote: 2:0:0.

Mr. Carpenter said that contracts for the septic system and roof have been awarded. The next bid to go out will be for the interior renovation. The Tarkiln Committee is working very hard to keep costs to a minimum, and to use donated services wherever possible. He said that the Tarkiln Committee would like to invite the public to become informed about the project. The Committee is available to meet on Monday evenings with the Board of Selectmen and the Director of Inspectional Services (who is also the purchasing manager for the project). Members of the committee meet every Tuesday with the architect (Ms. Deborah Durling). The whole committee meets most Wednesday evenings. The public is

welcome. Ms. Sullivan complimented the group on their organization and progress. She warned them that this could lead to their being asked to help with future Town projects as well!

Mr. Carpenter said that handicapped access is an issue. The Tarkiln Committee would like to keep the accessible ramp at the back of the building. However, regulations require that every entrance be accessible. The current porch configuration will not allow for a ramp in the front of the building, and changes would interfere with the historic preservation. Mr. Carpenter asked that the Board write a letter to the Architectural Access Board, in support of a variance from the regulations. Ms. Sullivan agreed, pending receiving all the necessary information from Mr. Carpenter.

Mr. Carpenter said that a crafts fair organizer approached him about renting Tarkiln for a crafts fair in the spring and fall. Ms. Sullivan suggested that he have the organizer contact Ms. Ripley, who handles permits.

TOWN MANAGER DISCUSSION

Mr. Donato re-stated his complaint about the Town Manager's absence. Ms. Sullivan explained that she had given permission for the Town Manager's absence, since the agenda for the meeting was very light, and Mr. MacDonald had another item of Town business to attend to. Mr. Donato said that he is not sure that the Selectmen can approve noncompliance with the Town Manager Act. Ms. Sullivan said that there is ample precedent for this. The Town Manager will be absent if he is on vacation or sick, or has other extenuating circumstances.

ADJOURNMENT

Mr. Donato moved for adjournment at 8:35 PM. Second by Ms. Sullivan. Vote: 2:0:0.