

**Date: October 19, 2009**

*Date Minutes Approved: November 2, 2009*

## **BOARD OF SELECTMEN MINUTES**

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

**Absent:** Jon Witten, Clerk.

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

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

### **OPEN FORUM**

Mr. Gordon Cushing, Recreation Director and Resident (120 Chestnut ST) read a letter of support for Richard R. MacDonald, Town Manager, which was signed by about 20 Department Heads. The letter was given to the Board.

Mr. Donato questioned when the signatures were obtained and whether it was during working hours. Mr. Cushing assured him it was before or after work hours or during lunch hours. Mr. Donato was not satisfied that was the case and told the Town Manager to look into when the signatures were obtained.

Mr. Tom Garafolo (of 325 Kingstown Way, Duxbury) questioned Mr. Donato whether it was true that Mr. Donato's daughter was picked up by a police officer during the officer's work hours to be given a ride to the Police Station when Mrs. Paddi Donato, formerly the Police Chief's Assistant and Mr. Donato's wife, was working late. Mr. Donato responded by explaining the circumstances and that fact that his daughter did not accept the ride. Mr. Donato stated that he believes some of these allegations are being brought up now so that he will be forced to recuse himself on voting on issues relating to the Police Chief.

Mr. Jerry Steinke, 237 Washington ST, stated that he fully supports the Town Manager Act and it is the Town Manager's decision alone to choose his management team. In his statement Mr. Steinke implored Mr. Donato to "act in a civil and respectful manner in conducting Board of Selectmen business in keeping with the history of Town government in Duxbury."

Mr. Donato responded to the comments directed at him by indicating that while he respects Mr. Steinke's opinion he had to ask "why did the town offer a buyout (to Police Chief DeLuca) if the Town Manager has the right not to renew it?" He mentioned that he reached out to the Town Manager to act as a mediator between Richard (MacDonald) and Chief DeLuca.

Mr. MacDonald was recognized and read a prepared statement. In keeping with his prior statements that he would not discuss personnel matters, Mr. MacDonald's statement did not get into details regarding the decision not to renew the Police Chief's contract. It did, however, offer assurances to the community that he was acting in the best interests of the Town of Duxbury "to create a management team that can lead the Town in these uncertain times; a group of individuals that work together seamlessly to move Duxbury forward." The statement also suggested that the public discord has the potential to affect the desirability of the community and to attract quality employees in the future, and he called for it to end and for a re-focusing on the real business of Duxbury.

**Mr. Donato responded to the Town Manager's statement by again raising the issue of the Town Manager's evaluation.**

**At this point, Ms. Sullivan apologized that she had not explained at the beginning of the meeting that Mr. Witten, who is a Town Counsel in another community, had let the Board know some time ago that he would not be able to be present tonight. She then mentioned that she wanted to make it clear, on behalf of herself and Mr. Witten, that the recent communications in the *Duxbury Clipper* and on their website were solely from Mr. Donato and not from the Board of Selectmen.**

**Mr. John Britten, (16 Upland Road), opined that Selectmen Donato ran to protect his wife's boss\* and called for Mr. Donato to resign. He also suggested that any buyout for the Police Chief should be held until it is known what the cost of litigation is and implied it would be caused or brought by Mr. Donato. [*\*Note: Mrs. Paddi Donato was formerly employed as the Police Chief's assistant, but she resigned soon after Mr. Donato was elected to the Board of Selectmen.*]**

**Mr. Bill Campbell, (60 Humphreys Lane) echoed the sentiments of the earlier speakers and suggested that Mr. Donato's positions seem to be "a personal vendetta."**

**Mr. Tom Tucker, 18 Winsor ST, mentioned that he has served on three different Boards or Committees and his experience in working with Richard MacDonald is that Mr. MacDonald has always been a dedicated civil servant. He asked Mr. Donato, in the best interest of the Town, to stop what appears to be a personal vendetta and to resign.**

**At this time the Chair indicated that there were several scheduled agenda items and in fairness to those individuals the meeting would now focus on the agenda.**

#### **COUNCIL-ON-AGING (COA) UPDATE: ACCREDITATION & ANNUAL REPORT**

**Ms. Joanne Moore, Director of the Council on Aging, and Ms. Linda Hayes, Assistant Director of the Council on Aging, gave a PowerPoint presentation regarding the Senior Center's year and a half process, which resulted in the Duxbury Senior Center receiving National Accreditation. It is only the 10<sup>th</sup> senior center in Massachusetts and the 173<sup>rd</sup> nation-wide to receive the National Institute of Senior Centers (NISC) Accreditation designation.**

**Ms. Moore's presentation highlighted the many facets and programs offered by the Duxbury Senior Center thanks to a dedicated staff, 240 volunteers, and a strong Friends of the COA group. The presentation concluded with an invitation from Ms. Moore to the community to come to a celebratory reception at the Senior Center on October 22, 2009.**

**Before moving to the next agenda item, Ms. Sullivan noted that much of the work the Senior Center has accomplished is thanks to Joanne Moore's dedicated and exemplary leadership. She specifically pointed out the loving and welcoming atmosphere does not come from the building, but rather is a direct reflection of its Director, Joanne Moore.**

#### **DISCUSSION RE: DUXBURY GRANGE PROPERTY**

**Present for this item of business were:**

**Mr. and Mrs. Greg Gaines, of 699 Lincoln ST, which abuts the properties  
Mr. Andre Martecchini, representing the Local Housing Partnership (LHP)  
Mr. Thomas Broadrick, Duxbury Planning Director  
Mr. Scott Lambiase, Director of Inspectional Services**

**Ms. Sullivan gave a general overview explaining that there was an affordable housing article on a recent Annual Town Meeting (ATM) warrant for which funds were appropriated to purchase the Grange. The Fire House was already Town-owned. The idea was that both properties could**

then be put out to bid for an organization to renovate them for affordable housing. A request for proposals was circulated. Habitat for Humanity was awarded the contract, but unfortunately has not been able to go forward with it. As a result, Mr. and Mrs. Gaines had requested time to discuss this matter as they on the property that abuts the Grange.

Mr. Gaines spoke and explained that he and his wife are not opposed to the proposed project, but frustrated that it has not moved forward. He cited issues with the buildings as they are; including mold in the firehouse, graffiti on the exterior of the Grange, and concerns about the open wells on the property. For personal reasons they are trying to sell their house and having the buildings in their present state next door are not helping their prospects. Mr. Gaines and his wife asked for some commitment from the Town regarding moving the project forward and/or better maintenance of the property.

Mr. MacDonald said that the article \$75,000. in CPC funds were appropriated for the purchase of the Grange. The purchase price turned out to be only \$50,000., and after additional expenses for the legal fees to complete the transaction \$13,000. remains. He is checking with Town Counsel whether the remaining appropriated funds could be used for the demolition costs to demolish the firehouse.

In addition, Mr. MacDonald agreed to met with Mr. and Mrs. Gaines to discuss what could be done to improve the aesthetics of the site in the interim.

Mr. Broadrick indicated that there was interest in rehabilitating and renovating the two structures, but it does take money and time. He mentioned that because of zoning regulations the lot lines should be keep as is.

Mr. Martecchini mentioned that unfortunately the plan to move forward was a victim of the economy, which has hit Habitat for Humanity hard. Habitat was awarded the contract but technically is currently in default as they have not met deadlines in the contract. The LHP is seeking new bidders, but it will have to be re-bid. He mentioned that on Thursday evening the LHP will be talking with several builders regarding the project, and invited the Gaines to attend.

Mr. Martecchini also mentioned that the fire house is mold infested and probably demolition would be the likely course. In anticipation of that, they have checked with the Historical Commission. The Historical Commission has indicated that they agree and are not opposed to a demolition of the fire house.

The idea that the fire house be handled as a controlled burn exercise by the Fire Department was also explored, but for safety reasons that cannot be done.

After Mr. Gaines again called for some commitment from the Town it was agreed that Mr. MacDonald and Mr. Buttkus would meet with him at the property to discuss the exterior graffiti and the overgrown trees. Mr. and Mrs. Gaines then left the meeting.

Mr. John Baldwin, of High ST and local builder, did mention that if the building is torn down there are issues for a building regarding timeframes. He also explained the financial difficulty a builder might see regarding the site.

Mr. Broadrick in clarifying a comment Mr. Gaines made assured the Board that the wells on the site are not open. They are capped with caps that a grown man would have difficulty moving and therefore do not pose a risk to children.

**BUSINESS**

**Town Manager's Brief**

1. **Police Chief Search:** Mr. MacDonald indicated he expects to name a search firm shortly. He also said that he is looking for a committee of approximately 7 individuals to serve in the search for a new Police Chief. Interested members of the community were invited to give their names to Ms. Murray to be put on a list from which the committee will be selected.

**Announcements**

**Duxbury Senior Center National Accreditation Celebration:** The public is invited to join the Staff, COA Board, and Friends of the COA in a celebratory reception on Thursday, October 22, 2009 from 5:30 PM -7:30 PM at the Duxbury Senior Center, 10 Mayflower Street. The Duxbury Senior Center is the 10th Senior Center in Massachusetts to receive the distinction of national accreditation.

**Next Board of Selectmen's meeting is scheduled for Monday, October 26, 2009.**

**Minutes**

**Ms. Sullivan moved to accept the Minutes of October 14, 2009, as presented. Second by Mr. Donato. Vote: 2:0:0.**

**Committee Appointments/Re-appointments - none**

**ADJOURNMENT**

**Ms. Sullivan moved to adjourn at 8:07 PM. Second by Mr. Donato. Vote: 2:0:0.**