

**Date: December 14, 2009**

*Date Minutes Approved: December 21, 2009*

## **BOARD OF SELECTMEN MINUTES**

**Present:** Elizabeth Sullivan, Chair; Christopher Donato, Vice-Chair; and Jon Witten, Clerk.

**Absent:** No members were absent.

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

The meeting was called to order at 6:32 PM.

### **ENTER EXECUTIVE SESSION**

At 6:32 PM, Ms. Sullivan moved that the Board enter Executive Session to consider the purchase, exchange, taking, lease, or value of real property since an open meeting may have a detrimental effect on the Town's negotiating position and to reconvene in Open Session in accordance with Mass. General Laws Chapter 39, Section 23b. Second by Mr. Witten. Roll Call Vote: Mr. Donato---aye; Mr. Witten---aye; and Ms. Sullivan---aye.

### **RE-CONVENE IN OPEN SESSION**

At approximately 7:15 PM, having completed the Executive Session business the Board re-convened in Open Session.

### **OPEN FORUM**

No items were brought forward for discussion.

### **REVISION TO SENIOR TAX WORK-OFF PROGRAM**

Mr. Dick Finnegan, the Deputy Assessor, and Ms. Joanne Moore, the Council on Aging Director, were present for this item of business.

Mr. Finnegan explained that the Senior Tax Work-Off Program enables Seniors to work for the Town to earn up to \$750.00 as an abatement on their taxes. Recent regulations at the State level have increased the maximum allowable about to \$1,000. and after he and Ms. Moore reviewed this matter with the Board of Assessors and the Finance Director the recommendation to the Selectmen is that they vote to increase the maximum currently allowed on Duxbury's program to the \$1,000.00 allowable maximum.

Ms. Moore then spoke about the history of the program. It started in 1996 in Duxbury. In 2007 the funding for it was voted to come from the overlay account. The number of participants is set on the local level and the number of participants was increased from 10 to a maximum of 15 last year ago. The program is not advertised, but as requests are received and help is needed in the various Town Departments the Seniors, who have indicated an interest are assigned. It is a rolling participation so being a participant one year does not guarantee placement for the next. The requirements are that the individual be a Duxbury resident of age 65 years or older. There is no income requirement. Both the Town Departments and the individuals have benefited from a flexible and willing workforce.

**Mr. Witten moved that the Board of Selectmen endorse the increase in the Senior Tax Work-Off Program abatement from the maximum of \$750.00 to the current maximum allowable of \$1000.00. Second by Mr. Donato. Vote: 3:0:0.**

## **UPDATE FROM PUBLIC SAFETY BUILDING COMMITTEE**

**Present for this item of business were Mr. Andre Martecchini, Chair, of the Public Safety Building Feasibility Study Committee (PSBFSC) and several of the members: Fire Chief Kevin Nord, Deputy Fire Chief West, and Ms. Georgeann Blatterman.**

**Mr. Martecchini explained the background of the Town Meeting and ballot votes regarding the Public Safety Building proposals. He said that when funding did not pass the ballot vote last year the PSBFSC committed to go back and study the issue further being especially sensitive to citizen comments and trying to scale the projects back as they may have been perceived as too expensive.**

**Mr. Martecchini said that the Committee did review all aspects. They still feel renovating the Central Fire Station at its present location and building a new Police Station on Mayflower ST are the best option. He gave an overview of the plans for renovation of the Fire Station, which have been scaled back to meet current Fire Department needs while allowing some accommodations for future expansion. The main work would require renovating the far side of the building so that the Administrative Offices would be on the first floor for handicapped access and the Crews' Quarters on the 2<sup>nd</sup> Floor. The plans also include expanding the equipment bays by 20 feet for proper storage of the apparatus. The changes in the plans downsized the building by about 2000 ft to reduce the projected costs from \$5.2 million to \$4.47 million or about a 14% reduction. There will be a warrant article to request funding for the architectural, engineering and design services to allow the project to go out to bid.**

**The projected timeframes for the Fire Station would be assuming approval at Annual Town Meeting, then the design phase would be from July, 2010 to December, 2010. Bidding would be done so projected construction costs could be known to be voted on at the 2011 Annual Town Meeting. Assuming approval then the construction phase would be from July, 2011 to August, 2012.**

**Regarding the Police Station, Mr. Martecchini indicated that the Committee is recommending that this project lag one year behind the Fire Station project so that the two major construction projects are not happening simultaneously. The Committee is trying to set up a meeting with the Dept. of Environmental Protection (DEP) to determine if the proposed site for the Police Station on Mayflower ST is acceptable. If it is not, then they will have to go back and figure out a different site. If it is acceptable, then there is a request for \$30,000.00 as a capital budget item to fund the design.**

**Mr. Witten moved that the Board of Selectmen support the Public Safety Building Committees' request for \$292,000.00 for the preparation of contractual bid documents for the proposed renovations at the Duxbury Fire Station. Second by Mr. Donato. VOTE: 3:0:0.**

## **REVIEW LIST OF ATM & STM WARRANT ARTICLES**

**Ms. Sullivan indicated once the warrant has closed the Board typically just runs through the list of topics which are included as an overview of coming attractions. The articles will be discussed in more detail in the coming weeks. Ms. Sullivan also explained that the main difference between the Annual Town Meeting (ATM) articles and Special Town Meeting (STM) articles is that STM articles can be funded immediately (within the current fiscal year), whereas ATM articles must wait until July 1st, the start of the next fiscal year, for funding.**

## **STM WARRANT ARTICLES**

Ms. Sullivan said that there are 10 STM Warrant Articles, a number of which are fairly standard “housekeeping” articles. She gave an overview of the list.

## **ATM WARRANT ARTICLES**

Ms. Sullivan noted that there are 43 articles on the ATM Warrant. She read through the list. In addition to the standard articles she noted that there were several Citizen’s Petitions including:

- A request to change the number of Selectmen from 3 to 5
- A Resolution on Water
- A Bicycle Helmet Bylaw
- A request for speed bumps on Powder Point Avenue
- A request to change Lot Coverage Requirements

Several of the other warrant articles, which might be of interest include:

- Funding for Public Safety Building Projects (Fire and Police Facilities)
- A Green Communities Bylaw
- A Wind Facilities Bylaw
- A Parking Article
- A number of CPC Articles: Funding for Continuing the Survey of Historic Properties; Funding for First Parish Church Restoration; Land Purchases ;and Affordable Housing

Tonight was just an overview of the topics included, but in the coming weeks the sponsors of the various articles will come before the Board to explain in greater detail the reasons for their particular article.

## **TOWN MANAGER BUDGET PRESENTATION**

Mr. MacDonald presented a preliminary overview of a balanced FY’11 Budget. The budget at just over \$54 million, represents a 1.4% increase over the current fiscal year’s budget. The preliminary budget reflects the reduction in State Aid, diminishing Local Receipts, and the drop in New Growth. Mr. MacDonald said that what he has warned about during the past two budget cycles is now a reality and that is that the Town’s recurring revenue can no longer sustain reasonable budget growth. He mentioned the proactive steps that are being taken to investigate potential consolidation to eliminate duplication of services to create a more efficient and less costly operation. For now Mr. MacDonald indicated there will be no layoffs or furloughs, but made no promises given the recent news from the State level.

Mr. MacDonald acknowledged that the preliminary FY’11 Budget was prepared with the input of the Budget Working Group, his staff, and Mr. Madden, the Finance Director. He extended thanks to all for their assistance and invaluable guidance.

Mr. MacDonald’s PowerPoint presentation can be viewed on the Town website ([www.town.duxbury.ma.us](http://www.town.duxbury.ma.us)) under the “Town News” column and on the Town Manager’s webpage under the “budget” link.

## **CAPITAL BUDGET PRESENTATION**

As part of the overall budget presentation Mr. MacDonald said that the Fiscal Advisory Committee (FAC) has been working on establishing a Capital Budget Plan. He turned the meeting over to Mr. David Madigan of the FAC, who gave a PowerPoint Presentation, which gave the community some of the thought process the FAC has used in establishing a Capital Budget Plan, some of the assumptions that were used for it, and a snapshot of what

the future years look like given some of the major projects before the Town. A copy of the Fiscal Advisory Plan's PowerPoint presentation can be viewed on the Town website ([www.town.duxbury.ma.us](http://www.town.duxbury.ma.us)) under the "Town News" column and on the Town Manager's webpage under the "budget" link.

#### **TOWN MANAGER BRIEF**

- 1) **Christine Smythe, DPW Office Manager:** Mr. MacDonald mentioned that he received notification that Ms. Smythe has successfully completed the Public Contracting Overview certification seminar, which was presented as part of the Massachusetts Certified Public Purchasing Official (MCPPO) program. He noted Ms. Smythe did so on her own initiative and he congratulated her for it.
- 2) **Jaycox Tree Farm:** Mr. MacDonald said that 225 trees were sold for the holiday season, which resulted in \$17,000. of revenue. The Jaycox Tree Farm is a town-owned, self-supporting venture.
- 3) **Birch Street Water Tank:** Mr. MacDonald advised the Board that the demolition of the Birch Street Water Tank has been completed.
- 4) **Municipal Holiday Hours:** Mr. MacDonald announced that the municipal offices will be closed on Thursday, December 24<sup>th</sup> (Christmas Eve). The Transfer Station will close at noon on Thursday, December 24<sup>th</sup> and this will be posted.

The municipal offices will be open for the regular scheduled times on Thursday, December 31, 2009 (New Year's Eve), but closed on Friday, January 1, 2010 (New Year's Day).

#### **ANNOUNCEMENTS**

Ms. Sullivan made the following announcements:

##### **1) H1N1 (INTRANASAL) VACCINATION CLINIC**

The Town of Duxbury will be offering a free H1N1 flu clinic for Duxbury residents on Saturday, December 19, 2009 at Chandler School starting at 9:00 a.m. First Come First Serve.

Influenza A (H1N1) 2009 Monovalent Vaccine Live, Intranasal (H1N1 LAIV) is approved for and will be administered to healthy, non-pregnant people 3 – 49 years of age.

There was an extensive list of "People that should not receive the H1N1 Nasal Spray Vaccine" and Ms. Sullivan read the list.

- 2) **NEXT SELECTMEN'S MEETING:** The next meeting of the Board of Selectmen will be on December 21, 2009. The Board also decided that unless something urgent comes up, they do NOT intend to meet on Monday, December 28, 2009.

#### **MINUTES**

Mr. Witten moved that the Board approve the Executive Session Minutes of December 7, 2009 to be kept under seal until the matter is resolved. Second by Mr. Donato. Vote: 3:0:0.

Mr. Witten moved that the Board approve the Minutes of December 7, 2009 as presented. Second by Mr. Donato. Vote: 3:0:0.

**ADJOURNMENT FROM OPEN SESSION TO RE-CONVENE IN EXECUTIVE SESSION**

**At approximately 9:00 PM Ms. Sullivan moved to adjourn the Open Session and for the Board to reconvene in an Executive Session to discuss contractual issues since an open meeting may have a detrimental effect on the Town's negotiating position and to not to reconvene in Open Session, but to adjourn directly from the Executive Session in accordance with Mass. General Laws Chapter 39, Section 23b. Second by Mr. Witten. Roll Call Vote: Mr. Donato---aye; Mr. Witten---aye; and Ms. Sullivan---aye.**