

Date: May 17, 2010

Date Minutes Approved: May 24, 2010

BOARD OF SELECTMEN MINUTES

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

Absent: No members were absent.

Staff: Richard MacDonald, Town Manager; John Madden, Finance Director (after Executive Session); and Barbara Ripley, Executive Assistant.

The meeting was called to order at 6:15 PM.

ENTER EXECUTIVE SESSION

At 6:15 PM, Ms. Sullivan moved that the Board enter Executive Session in order to discuss pending litigation, and also to discuss contract negotiations with non-union personnel. Second by Mr. Dahlen. Roll call vote: Ms. Sullivan---aye; Mr. Dahlen---aye. Mr. Donato arrived approximately five minutes later.

END EXECUTIVE SESSION

At 7:05 P.M., Ms. Sullivan moved that the Board end Executive Session and re-convene in Open Session. Second by Mr. Donato. Roll call vote: Ms. Sullivan---aye; Mr. Donato---aye; and Mr. Dahlen---aye.

NORTH HILL COUNTRY CLUB—JOHNSON GOLF MANAGEMENT

Attorney Robert S. Troy, Duxbury Town Counsel, said that the Town has been monitoring the situation at the North Hill Country Club very carefully. There is sufficient evidence that Johnson Golf is in violation of the management agreement.

Mr. Dahlen moved that the Board hold a public hearing to determine whether Johnson Golf Management is in violation of the management agreement for the North Hill Country Club. Second by Ms. Sullivan. Vote: 3:0:0.

OPEN FORUM

No items were brought forward.

NATIONAL SAFE BOATING WEEK

Present were:

Officer Craig Hall, Division Staff Officer for the United States Coast Guard Auxiliary
Donald Beers, Duxbury Harbormaster

Mr. Hall said that President Barack Obama will be declaring May 22-28 as National Safe Boating Week. The United States Coast Guard Auxiliary, Division 12 (South Shore) has planned activities all along the South Shore in recognition of the event. They will be present at the Opening of the Bay festivities at the Duxbury Bay Maritime School on Memorial Day weekend. A major focus of National Safe Boating Week will be to encourage consistent wearing of life jackets. He said that Harbormaster Don Beers is to be commended for making thirty life jackets available for loan throughout the summer.

Mr. Beers said that he looks forward to working with the Coast Guard Auxiliary on National Safe Boating Week events, and thoroughly supports their efforts.

Ms. Sullivan read a proclamation which designates May 22-28 as National Safe Boating Week in the Town of Duxbury, and moved that this proclamation be adopted by the Board of Selectmen. Second by Mr. Donato. Vote: 3:0:0.

HOMELAND SECURITY GRANT

Mr. MacDonald asked Harbormaster Don Beers to update the Board on Homeland Security grant applications.

Mr. Beers explained that, in February 2010, the Duxbury Harbormaster Department made application for FEMA's 2010 Port Security Grant Program. A total of three projects were applied for. The first was a regional bay-wide surveillance camera system involving the towns of Plymouth, Kingston, and Duxbury. The second project was a 25' fast response vessel for security and search and rescue. The third was a series of mobile thermal imaging cameras for surveillance and search and rescue. While all three projects were supported in full by Town Manager Richard MacDonald, Congressman Delahunt, Senator Kerry and the United States Coast Guard only the 25' fast response vessel funding was awarded. The total funding amount for this vessel is \$183,289. This vessel will be of great benefit to the Town. The Harbormaster Office will continue to pursue the other items.

COMMON VICTUALLER APPLICATION: Kelly Laviolette for "Yo Taco"

Ms. Kelly Laviolette was present to describe a new take-out restaurant proposed for the former location of the Back River Fish Market. The restaurant will sell Mexican food items such as tacos, burritos, and enchiladas. She said that Special Permit approval was received from the Zoning Board of Appeals last week. Ms. Laviolette is in partnership with her husband, Norm Laviolette, and Tim Haws (chef). They plan to open the restaurant in time for Independence Day weekend.

Ms. Sullivan moved that the Board approve a Common Victualler License for Yo Taco, Kelly Clifford Laviolette, Manager, contingent upon the following:

- 1) Special Permit Approval from the Zoning Board of Appeals;**
- 2) Administrative Site Plan Approval from the Planning Board;**
- 3) Provision of emergency business contact information and premises security data to the Police Department;**
- 4) Fire Department Inspection;**
- 5) Adherence to all Board of Health Requirements;**
- 6) Provision of Workers' Compensation Affidavit;**
- 7) Provision of Proof of Workers' Compensation Insurance;**
- 8) R.E.A.P. Certification---Payment of Taxes; and**
- 9) Payment of License Fee (\$25.00).**

Second by Mr. Donato. Vote: 3:0:0.

HUMAN RESOURCES OFFICER: COLLECTIVE BARGAINING AGREEMENT (LIBRARY)

Ms. Jeannie Horne, Human Resources Officer for the Town of Duxbury, presented the final agreement between the Town and the Duxbury Free Library Employees. This has been signed by representatives of the library employees' union. Ms. Horne reviewed the terms of the contract. Mr. Dahlen asked whether the contract is in line with contracts for the other Town unions. Ms. Horne responded affirmatively.

Mr. Donato moved that the Board of Selectmen accept the collective bargaining agreement between the Duxbury Board of Selectmen and Service Employees International Union, Local 888 Duxbury Free Library Employees for the period of July 1, 2009 through June 30, 2012. Second by Ms. Sullivan. Vote: 3:0:0.

JUDI BARRETT RE: STRATEGIC PLANNING

Ms. Barrett is a resident of Duxbury, a member of the Zoning Board of Appeals, and a Planning Consultant throughout the Commonwealth. She explained that she was approached by the Town Manager about facilitating a strategic planning workshop for the Selectmen. She said that she wanted to get a sense of the format that the Selectmen would prefer. One thing she wanted to know was how the Selectmen would want to include input from other elected boards and committees.

Mr. Will Zachmann, resident of Standish Street, and Duxbury Times editor, said that policy-making is the first responsibility of the Board of Selectmen. He said that there has been a deficit in policy-making for decades. He said that he would recommend making policies around the following three themes: 1) Fiscal Responsibility; 2) High Level of Service; and 3) Transparency.

Mr. Dahlen expressed a preference for starting the process with Senior Managers and the Board of Selectmen. After further discussion, it was decided that Ms. Barrett would provide some format options for review by the Selectmen at their next meeting.

DISCUSSION RE: CONSOLIDATION WORKING GROUP/ TOWN & SCHOOLS

Ms. Sullivan said that there has been some discussion of possible efficiencies by combining the efforts of Town and School operations in some areas. Some of those areas might be payroll, benefits management, reporting requirements, and buildings/grounds. It was decided that the Town Manager would convene a working group to include: One member of the Board of Selectmen; one or two members of the School Committee; the School Business Manager; the School Superintendent; the DPW Director; the Town Manager, and the Finance Director.

ONE-DAY LIQUOR LICENSE REQUESTS

Duxbury Bay Maritime School (DBMS) on May 28, 2010: Mr. Dahlen recused himself from the discussion and vote on this license because he is a Director of DBMS. Ms. Ripley explained that a planning meeting had been held with the DBMS and Town public safety officials this morning, in order to facilitate a safe operation of the event. Ms. Sullivan moved that Ms. Linda Herrick, as a representative of the Duxbury Bay Maritime School, be granted a One-Day All-Alcohol License to hold an "Opening of the Bay" party at the Duxbury Bay Maritime School's Boat Shed and grounds on Friday, May 28, 2010 from 6:30 PM to 11:30 PM, subject to the conditions listed on the license. Second by Mr. Donato. Vote: 2:0:0 (Mr. Dahlen did not vote.)

Duxbury Rural & Historical Society (DRHS) on May 22, 2010: Mr. Dahlen moved that Mr. Patrick Browne, as a representative of the Duxbury Rural & Historical Society, be granted a One-Day All-Alcohol License to hold a private function at the Nathaniel Winsor, Jr. House on May 22, 2010 from 6:00 PM until 10:00 PM, subject to the conditions listed on the license. Second by Ms. Sullivan. Vote: 3:0:0.

Duxbury Rural & Historical Society (DRHS) on June 25, 2010: Mr. Dahlen moved that Mr. Patrick Browne, as a representative of the Duxbury Rural & Historical Society, be granted a One-Day All-Alcohol License to hold a private function at the Nathaniel Winsor, Jr. House on June 25, 2010 from 6:00 PM until 10:00 PM, subject to the conditions listed on the license. Second by Ms. Sullivan. Vote: 3:0:0.

Council-on-Aging on June 7, 2010: Mr. Dahlen moved that Mr. Jack Hamilton, as a representative of the Friends of the Duxbury Council on Aging, is granted a One-Day Wine & Malt License to hold a golf tournament banquet on Monday, June 7, 2010 from 5:30 PM to 8:30 PM, at the Duxbury Senior Center, subject to the conditions listed on the license. Second by Mr. Donato. Vote: 3:0:0.

Council-on-Aging on June 27, 2010: Mr. Dahlen moved that Mr. Jack Hamilton, as a representative of the Friends of the Duxbury Council on Aging, is granted a One-Day Wine & Malt License to hold a Dinner Theater Event on Monday, June 27, 2010 from 5:30 PM to 9:00 PM, at the Duxbury Senior Center, subject to the conditions listed on the license. Second by Mr. Donato. Vote: 3:0:0.

TOWN MANAGER BRIEF

- 1) Mr. MacDonald, Town Manager, and Mr. John Madden, Finance Director, have been awarded a Certificate of Achievement from the Government Officers Association of North America, which is the highest award in governmental accounting. This is the fourth consecutive year that Town of Duxbury personnel have won this award.
- 2) Mr. Peter Buttkus, Director of Public Works, was named 2010 Tree Warden of the Year by the Massachusetts Tree Warden Association. A tree was planted in his honor at the Duxbury Town Green on Tuesday, May 11, 2010.
- 3) Mr. MacDonald emphasized that he has worked in several towns, and that the services provided by Town of Duxbury staff are second to none. Employees do a great job and should be commended. Conversations about the need for strategic planning and consolidation of services should not be construed to mean that things are not going well. Things are going very well, but it is always worthwhile to strive for improvement.

ANNOUNCEMENTS

Mr. Dahlen announced that the Duxbury Bay Maritime School's Opening of the Bay Celebration will be held on May 28-29. The festivities begin with the arrival of the Thomas E. Lannon Tall Ship in the early afternoon of May 28. There will be a cocktail reception that evening. Family Day will be conducted on Saturday, May 29, from 11:00 AM to 3:00 PM. Attractions will include crafts, games, food, and live entertainment.

MINUTES

Ms. Sullivan moved that the Board approve the minutes of May 10, 2010 as presented. Second by Mr. Donato. Vote: 3:0:0.

COMMITTEE APPOINTMENT

Ms. Sullivan moved that the Board appoint Ms. Paula Harris to fill an unexpired term as the Local Business Representative to the Economic Advisory Committee, such term to expire on June 30, 2011. Second by Mr. Donato. Vote: 3:0:0.

NEW BUSINESS / OLD BUSINESS

No items were brought forward.

ADJOURNMENT

At 8:35 PM, Ms. Sullivan moved for adjournment of the meeting. Second by Mr. Donato. Vote: 3:0:0.