

Date: September 13, 2010

Date Minutes Approved: September 20, 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; and Barbara Ripley, Executive Assistant.

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

OPEN FORUM

Mr. John Mann, a resident of Gurnet Road, protested the passage of Massachusetts House Bill 4655, which allows the Selectmen to assess betterments to the residents of Gurnet Road for improvements to the seawall, in an amount up to \$264,000. He said that improvements to the seawall benefit the Town at large, and should not be an extra burden for the residents of Gurnet Road. He said that the seawall protects local utilities and roads.

Mr. MacDonald said that he agreed with much of what Mr. Mann said. Mr. MacDonald said that he would like to meet with Gurnet Road residents in the next few weeks, after he has gathered additional information. Mr. Dahlen said that HB4655 does not require the Selectmen to assess betterments, but it does give the Selectmen the option.

ISLAND CREEK VILLAGE NORTH COMPREHENSIVE PERMIT

Duxbury Town Counsel was present to request that the Selectmen vote to amend the wording for the Decision on Stipulation for "Island Creek Village North, LLC v. The Zoning Board of Appeals of the Town of Duxbury". He said that this will make the Decision on Stipulation comport with the terms of the decision itself. The amendment involves adding words to the following paragraph (added words are underlined):

The Board is directed to issue and execute said Decision on Application for Comprehensive Permit as the comprehensive permit for the Project in accordance with the terms of the Agreement and Stipulation, and to take any further steps necessary to effect said Agreement and Stipulation in accordance with its terms. If the Board fails to act within thirty (30) days of this decision, this decision shall be deemed, pursuant to G.L. c. 40B, § 23, to be a comprehensive permit issued and executed by the Board.

Town Counsel recommended that the Board allow this amendment.

Ms. Sullivan moved that the Board of Selectmen affirm the amended wording for the Decision on Stipulation for "Island Creek Village North, LLC v. The Zoning Board of Appeals of the Town of Duxbury". Second by Mr. Donato. Vote: 3:0:0.

METROPOLITAN AREA PLANNING COUNCIL (MAPC): PRESENTATION OF THE DRAFT MULTI-HAZARD MITIGATION PLAN FOR DUXBURY

Present from MAPC were: Mr. Joseph Domelowicz, Jr. and Mr. Martin Pillsbury. They explained that the Federal Emergency Management Agency has determined that hazard mitigation grants will only go to entities that have completed hazard mitigation plans. (Hazard mitigation refers to preventing damage from hazards, not to emergency response and clean-up). They went through some of the basics of the plan.

Mr. Tom Broadrick, Duxbury Planning Director, was present to explain that several department heads have met with MAPC in order to help develop the current draft.

Next, Mr. Domelowicz explained that there will be public comment period before the Selectmen are asked to give official approval to the plan. Mr. Dahlen asked for at least four weeks for the public comment period. Mr. Broadrick explained that he will disseminate copies to the public library, the Town Clerk's office, and to Department Heads.

COMPLETE LIST OF SPECIAL MUNICIPAL EMPLOYEES

Ms. Ripley explained that the School Building Committee members have not yet been named Special Municipal Employees.

Mr. Donato moved that members of the School Building Committee are hereby designated "Special Municipal Employees" under Massachusetts General Laws, Chapter 268A, Section 1 (n), also known as "Special Employee" under said law. Second by Ms. Sullivan. Vote: 3:0:0.

TOWN MANAGER BRIEF

- 1) **Open Meeting Law Seminar:** Duxbury Town Counsel will provide a training seminar on the New Open Meeting Law at the Duxbury Senior Center on Wednesday, October 20, 2010 at 7:00 PM. Mr. Dahlen and Ms. Sullivan asked that it be considered mandatory for the Chairman of each Town Board or Committee (or their designee) to attend.
- 2) **Building Activity:** Construction Permits for the month of August were issued for slightly less than one million dollars worth of construction.
- 3) **Hurricane Earl:** Public Safety Departments did an excellent job in preparing for Hurricane Earl. Although the storm turned out to be much milder than predicted, the Town was ready for any eventuality. Mr. Dahlen mentioned that there was a very smooth evacuation of boats from the harbor.
- 4) **Budgets:** Capital budgets have been submitted by Department Heads. Operating Budgets are due on September 17. Finance Director John Madden said that, for the past two years, departments have been asked to provide the same level of service with less money. This year, no new services can be added, but departments may be able to have slightly more to work with in providing existing services.

ANNOUNCEMENTS

State Primary Election: The State Primary Election will be held on Tuesday, September 14. In Duxbury, the polls are at the Duxbury Middle School, 130 St. George Street, in the gymnasium. The polls will be open from 7AM – 8PM.

Family Caregiver Support Group: The Duxbury Senior Center, in collaboration with “Right at Home” is offering a Caregiver Support Group beginning October 14th at the Senior Center. This new group is for individuals caring for an elderly parent, or other family member or spouse. Contact Donna Ciappina, Outreach Coordinator, at 781-934-5774 x105, for more information or to register.

MINUTES

Ms. Sullivan moved that the Board accept the Executive Session minutes of August 30, 2010 as presented, with the contents to remain sealed until the need for confidentiality has passed. Second by Mr. Donato. Vote: 3:0:0.

Ms. Sullivan moved that the Board accept the Open Session minutes of August 30, 2010 as presented. Second by Mr. Donato. Vote: 3:0:0.

COMMITTEE APPOINTMENTS

Ms. Sullivan moved that the Board appoint Mr. Peter Muncey as a member of the Council-on-Aging, to fill an unexpired term ending 6/30/11. Second by Mr. Donato. Vote: 3:0:0.

ADJOURNMENT

At 7:59 PM, Ms. Sullivan moved for adjournment of the meeting. Second by Mr. Donato. Vote: 3:0:0.