

**Date: January 11, 2010**

*Date Minutes Approved: January 25, 2010*

## **BOARD OF SELECTMEN MINUTES**

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

**Absent:** Jon Witten, Clerk

**Staff:** Richard MacDonald, Town Manager; John Madden, Finance Director; and Barbara Ripley, Executive Assistant.

The meeting was called to order at 6:30 PM.

### **ENTER EXECUTIVE SESSION**

Ms. Sullivan moved that the Board enter Executive Session in order to consider the purchase, exchange, taking, lease, or value of real property since an open discussion could have a detrimental effect on the negotiating position of the governmental body, and to reconvene afterward in Open Session in accordance with Massachusetts General Laws Chapter 39, Section 23B. Second by Mr. Donato. Roll call vote: Mr. Donato---aye; Ms. Sullivan---aye.

### **END EXECUTIVE SESSION**

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

### **OPEN FORUM**

No items were discussed.

### **TREE WARDEN OF THE YEAR AWARD---PETER BUTTKUS**

Mr. MacDonald said that he had the pleasure of nominating Mr. Buttkus for the Tree Warden of the Year Award through the Massachusetts Tree Wardens' and Foresters' Association. Tree wardens are required positions under Massachusetts General Laws in order to protect public shade trees of the Commonwealth. Mr. Buttkus was selected for this award from a total of 351 candidates. He was recognized for his leadership, dedication, and commitment to the profession. The Town Manager, Selectmen, and audience offered their appreciation and congratulations.

### **TOWN MEEETING ARTICLE XV (New Crematory and Cemetery Office Building)**

Mr. David Crispin, Senior Associate with the BSC Group was present. In addition, the following members of the Crematory Building Committee were present: Mr. Robert Hayes (Chair), Mr. Emmett Sheehan, Mr. Peter Buttkus, Mr. Scott Lambiase, and Ms. Patricia Pappas.

Mr. Buttkus began by giving a history of the crematory facility. The crematory was built in 1980 on the grounds of the Mayflower Cemetery. Four cremations were completed in the first year. Now, the Duxbury crematory is the busiest in the State, and the third busiest in North America. Profit from crematory operations currently amounts to between \$500K and \$600K per year, which is returned directly to the Town and assists in providing other Town services. This has been made possible by the geographic isolation of the crematory from competing facilities and by excellent management. Crematory services have been provided in a caring and competent manner. However, Plymouth recently opened a facility, which could impact the number of cremations, and other Towns may also be planning to build crematories.

Mr. Crispin described the current condition of the facility and recommendations for the future. The crematory is small, ill-designed and inefficient. The facility and equipment are no longer environmentally or safety compliant. Family viewing of the cremation process is difficult at best. In addition, the 45 year-old crematory/cemetery office is dilapidated, and in need of a new roof, windows, and bathrooms. Privacy needs of clients are not met, and there is not sufficient space for storage of records.

The Town can expect a reduction in the amount of cremations due to the addition of competing facilities. However, the Crematory Association of North America predicts a significant increase in the number of families who will choose cremation over traditional burial in the coming years, which should make up for the presence of other crematories. Therefore, if the facility is updated, it can be expected that it will continue to provide a revenue source for the Town, as well as an important service for the community.

The recommendation is to move the crematory facility and crematory/cemetery office to a different section of the cemetery land. This land is marginal for burial purposes: it is on very hilly ground, and is directly adjacent to the transfer station. It has several features which make it ideal for the proposed purpose. The project cost is estimated at \$2.6 million.

Ms. Sullivan said that, although the facility is in need of improvement, that she wanted to emphasize the excellent service that current users experience. The management is excellent, and families receive kind and caring treatment at a very difficult time.

Mr. Donato moved to support Annual Town Meeting Article XV, pertaining to the replacement of the crematorium and the cemetery office facility at the Mayflower Cemetery. Second by Ms. Sullivan. Vote: 2:0:0.

#### **DISCUSSION REGARDING PAY-AS-YOU-THROW (PAYT) PROGRAM**

**Present were:**

**Mr. Peter Buttkus, DPW Director**

**Ms. Christine Smythe, DPW Office Manager**

Ms. Sullivan said that, in talking with members of the Economic Advisory Committee, and other members of the community, she has come to the conclusion that it would be best if the PAYT bags were sold only in Duxbury stores. This would be a method of supporting local businesses. The local stores would benefit from the foot traffic of residents who must purchase PAYT bags for their trash disposal.

Mr. Buttkus expressed concern that this would make the program less convenient for those Duxbury residents who do their regular shopping at the large grocery stores in neighboring towns. He is also concerned that the smaller local shops may not be able to accommodate the increased inventory that would be needed if the larger stores do not carry the bags.

**Ms. Sullivan said that the benefits of supporting local businesses outweigh the other concerns for her. Mr. Donato agreed that it would be worth trying this option for the time being.**

**Ms. Smythe explained that the current contracts with stores expire on April 1. They would normally be automatically renewed, but she can cancel the automatic renewal with sixty days notice.**

**Ms. Sullivan moved that the Department of Public Works limit the sale of PAYT bags to Duxbury businesses effective April 1, 2010. Second by Mr. Donato. Vote: 2:0:0.**

#### **SPECIAL TOWN MEETING ARTICLE H (BIRCH STREET TANK FINANCING)**

**Mr. Madden explained that a portion of the design funds for the Birch Street Tank project (\$29K) are currently being paid through temporary borrowing. Mr. Madden said that it would be better to pay this amount through Water Retained Earnings. Ms. Sullivan and Mr. Donato agreed.**

**Mr. Donato moved that the Board support Special Town Meeting Article H, pertaining to Birch Street Tank financing. Second by Ms. Sullivan. Vote: 2:0:0.**

#### **ANNUAL TOWN MEETING ARTICLE IV (STATE HIGHWAY FUNDS)**

**Mr. Madden explained that we will be receiving \$408,876.00 from the State in Chapter 90 Highway Funds. It is necessary to accept this money at Town Meeting.**

**Mr. Donato moved that the Board support Annual Town Meeting Article IV, pertaining to the acceptance of State Highway Funds. Second by Ms. Sullivan. Vote: 2:0:0.**

#### **SPECIAL TOWN MEETING ARTICLE D (STATE HIGHWAY FUNDS)**

**Mr. Madden explained that, in the past, the actual amount of State Highway Funds received has varied from the amount projected. It has been necessary to adjust the amount during the Special Town Meeting. However, the State has changed its procedures, so this will not be necessary this year. Ms. Ripley suggested keeping the article on the warrant, since it is a "boilerplate" article for future warrants. She recommended voting for Indefinite Postponement of the article for this year.**

**Mr. Donato moved that the Board recommend Indefinite Postponement of Special Town Meeting Article D, pertaining to State Highway Funds. Second by Ms. Sullivan. Vote: 2:0:0.**

#### **DPW BUDGET PRESENTATION**

**Mr. Peter Buttkus, Duxbury DPW Director, presented the DPW Operating Budgets for FY 2011. The combined total of all fifteen DPW budgets shows an increase of 1.08% from the FY 2010 budget total.**

**Ms. Sullivan asked about the biggest challenges for the DPW Department. The answers included:**

- 1) Snow and Ice: There will be a request at the 2010 Special Town Meeting for a transfer from Free Cash in order to cover expenditures in this department.**

- 2) **Solid Waste:** Costs to dispose of solid waste continue to rise. The Pay-As-You-Throw program has addressed the problem, but not eliminated it entirely.
- 3) **Equipment:** Equipment replacement has been slowed due to the economy. Maintenance of existing equipment has become crucial.

Mr. MacDonald asked that the Board refrain from voting on the DPW Budget this evening, since there may need to be some adjustments to the Tarkiln Building budget. The Selectmen agreed, and thanked Mr. Buttkus for his presentation.

**ONE-DAY LIQUOR LICENSE REQUEST: MS. JANICE CONLON FOR ST. JOHN THE EVANGELIST CHURCH, CELEBRATION ON JANUARY 23, 2010**

Ms. Ripley explained that this event is identical to one held last year by St. John's Church. Church members will rent the Council-on-Aging kitchen, and prepare their own food. A trained and certified bartender has been hired to serve beer and wine to the guests. Liquor liability insurance is in place, naming the Town of Duxbury as additional insured.

Mr. Donato moved that the Board grant a One-Day Wine and Malt license to Ms. Janice Conlon, as a representative of St. John the Evangelist Church, for a celebration dinner at the Duxbury Senior Center on January 23, 2010 from 6:30 PM to 9:30 PM, subject to the conditions listed on the license. Second by Ms. Sullivan. Vote: 2:0:0.

**TOWN MANAGER BRIEF**

- 1) **Cranberry Bogs:** The Town of Duxbury has entered into agreements to manage two cranberry bogs owned by the Conservation Commission. The first bog, named the Duxbury Bog and located off of East St., will be managed by Doyle Cranberry Company. The second, known as the Cherry Lane Bog and located off of Elm St. will be managed by Tim Tom Cranberry. Request for proposals were solicited for both properties and the successful bidders will farm the land for the next ten years. Both firms have extensive experience growing cranberries and experience growing berries on Town of Duxbury bogs. The Town may see some income from these farms depending on the price per barrel of fruit paid to the growers. The 2008 crop resulted in payments of \$41,600 in payments to the town.
- 2) **Kingston Bay:** The Town has entered into a contract agreement with A T P Environmental Consulting Engineers of Melrose to perform engineering and design services as part of a Federal Environmental Protection Agency grant awarded to identify storm water pollution sources along Bay Road. This stimulus money released in December comes from the American Recovery and Reinvestment Act. The Duxbury Conservation Department and Department of Public Works solicited these funds to locate which street drains are the major sources of pollution entering Kingston Bay and to design corrective solutions. Additional grant funds will be sought to perform the reconstruction of these roadway drains. The goal of the project is to reduce swimming beach closures and to open additional shellfish beds to harvest.
- 3) **Flu Vaccine Clinic:** There will be an H1N1 flu vaccine clinic on Monday, January 25 at the Chandler School, from 4:00 until 7:00 PM, or as long as supplies last. The injection and the nasal spray will both be offered. The clinic is open to all residents of the Town of Duxbury.
- 4) **Construction Costs:** Construction costs for December were \$1,945,860.00. Overall, construction costs in 2009 were down slightly from 2008.

- 5) **Martin Luther King Holiday**: Town Hall will be closed on Monday, January 18, in observance of the Martin Luther King Holiday. There will be no Board of Selectmen meeting that week. The next Board of Selectmen meeting will take place on Monday, January 25, 2010.

#### **ANNOUNCEMENT**

**State Ethics Workshop**: There will be a workshop on Wednesday, January 20, 2010 at Halifax Town Hall regarding State Ethics Laws, including the new laws and regulations, at 7:00 PM. The workshop is open to Town and School officials, employees, board and committee members, and the general public. Pre-registration is required: 781-294-1316 or [cseelig@town.halifax.ma.us](mailto:cseelig@town.halifax.ma.us).

#### **MINUTES**

Mr. Donato moved that the Board approve the minutes of January 4, 2010 as presented. Second by Ms. Sullivan. Vote: 2:0:0.

#### **APPOINTMENT**

Mr. Donato moved that the Board appoint Mr. Jacques Pelletier to the Open Space and Recreation Committee, for a term to expire on June 30, 2012. Second by Ms. Sullivan. Vote: 2:0:0.

Ms. Sullivan announced the following committee vacancies:

- 1) Nuclear Advisory Committee: Two open seats.
- 2) Open Space & Recreation Committee: One open seat.
- 3) Sidewalk & Bike path Committee: One open seat.

Ms. Sullivan invited Duxbury residents to contact the Selectmen's office for information about applying for these openings.

#### **ADJOURNMENT**

Mr. Donato moved to adjourn the meeting at 8:45 PM. Second by Ms. Sullivan. Vote: 2:0:0.

