

Date: July 12, 2010

Date Minutes Approved: July 26, 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; and Barbara Ripley, Executive Assistant.

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

OPEN FORUM

Mr. James Sullivan, resident of Tremont Street, was present to object to the termination of 26 school cafeteria workers. He said that no other Town departments have had layoffs. Some Town employees have even had raises. He said that the cafeteria workers have even offered givebacks and other concessions. He called it amazing and unacceptable treatment.

Mr. Dahlen said that this is a multi-faceted issue, which cannot be fully explored in the Open Forum portion of the meeting. He said that he would like to look into the issue further. Ms. Sullivan said that the Selectmen cannot interfere in the operation of the School Department budget. The School Committee has voted to privatize food service operations.

VOLUNTARY WATER BAN

Present were:

Mr. Peter Buttkus, DPW Director

Mr. Peter Mackin, Water Superintendent

Mr. George Wadsworth, Chairman of Water Advisory Board

Mr. Buttkus and Mr. Mackin explained that, due to the recent hot & dry conditions, a voluntary ban on outdoor watering is recommended. Mr. Mackin commented that when the wells run low, water quality is affected. It was noted that for several years, cooperation with voluntary water bans has rendered mandatory bans unnecessary. It was also noted that, this year, the ban is being recommended later in the season than normal. In recent years, the Water Superintendent has had to recommend the ban in early June.

Mr. Wadsworth presented the Board with graphs, showing daily pumping at the Town's wells. In June, the maximum daily pumping was 3 million gallons. However, in July, the Town has already had two days of pumping more than 4.5 million gallons.

Mr. Dahlen asked that the Water Superintendent and Water Advisory Board monitor the situation carefully, so that the ban can be reversed if no longer needed.

Ms. Sullivan moved that the Board enact voluntary outside watering restrictions, effective immediately, such that:

- **Odd-numbered houses will be restricted to Mondays, Wednesdays, and Fridays.**
- **Even-numbered houses will be restricted to Tuesdays, Thursdays, and Saturdays.**
- **All outside watering is to be done between the hours of 5AM and 8AM or between the hours of 5PM and 8PM only.**
- **No outside watering on Sundays.**

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

ALTERNATIVE ENERGY COMMITTEE UPDATE

Present were:

Mr. Frank Duggan, Chair

Mr. John Murdock, Member

Ms. Leslie Lawrence, Member

Mr. Duggan explained that the Town was awarded a \$65,000 grant for a Wind Facilities Feasibility Study, from the Massachusetts Clean Energy Center. The feasibility study will be conducted by Sustainable Energy Developments, Inc. (SED). SED will be working to acquire an additional \$20,000 in funding, for a second meteorological tower. This will allow the Town to test two sites (one near the golf course, and another near the DPW barn).

Mr. Thomas Broadrick, Duxbury Planning Director, will be the project manager. It is hoped that SED will be seeking building permits for the two towers by the end of August.

TARKILN COMMITTEE UPDATE

Mr. Tag Carpenter, Chairman of the Tarkiln Committee was present to give an update. He thanked the Board for re-appointing the members of the committee, who are all anxious to serve. He said that the renovation is in progress. There was a slowdown in June, due to some family issues of the contractor. However, it appears that the project is still on target for a September completion. The Duxbury Farmers' Regional Farmers & Artisans Market has had two market days so far this season. They have been very successful, despite the construction.

DISCUSSION REGARDING SPECIAL MUNICIPAL EMPLOYEES

Mr. Dahlen and Mr. MacDonald explained that a member of a Town Board may represent a client before a different Town Board, if members of that original Board have been designated as Special Municipal Employees under Massachusetts General Laws, Chapter 268A, Section 1 (n). The Town adopted this provision on December 16, 1981.

Mr. Dahlen noted that Selectmen may not be named as Special Municipal Employees, in Towns with populations of 10,000 persons or more.

Mr. Dahlen had asked Ms. Ripley to research any boards or committees that have not yet had their members designated as Special Municipal Employees. She presented the list to the Selectmen.

After discussion, the following vote was taken:

Mr. Donato moved that the members of the following committees (or incumbents of the following positions) are hereby designated "SPECIAL MUNICIPAL EMPLOYEES" under

Massachusetts General Laws, Chapter 268A, Section 1(n), also known as “Special Employees” under said law:

- **Agricultural Commission**
- **Alternative Energy Committee**
- **Community Preservation Committee**
- **Constables**
- **Council-on-Aging Associate Members**
- **Duxbury Bay Management Commission**
- **Economic Advisory Committee**
- **Local Historic District Study Committee**
- **Local Housing Partnership**
- **North Hill Advisory Committee**
- **Old Colony Elder Services, Delegate to**
- **Old Colony Planning Council, Delegate to**
- **Percy Walker Pool Committee**
- **Plymouth County Advisory Board, Delegate to**
- **Public Safety Building Feasibility Study Committee**
- **South Shore Coalition, Delegate to**
- **South Shore Recycling Cooperative, Delegate to**
- **Tarkiln Committee**
- **Town/School Consolidation Committee**
- **Trustees of the Affordable Housing Trust**
- **Water & Sewer Advisory Committee**

Second by Ms. Sullivan. Vote: 3:0:0.

ONE-DAY LIQUOR LICENSE REQUESTS

Duxbury Art Association

Ms. Sullivan moved that Ms. Mary Beth Brown, as a representative of the Duxbury Art Association, is granted a One-Day Wine & Malt License to hold the 93rd Annual Midsummer Art Show, on Friday, July 23, 2010 from 6:30 PM to 9:30 PM, at the Ellison Center for the Arts (64 St. George Street), subject to the conditions listed on the license. Second by Mr. Donato. Vote: 3:0:0.

Children Without Borders

Ms. Sullivan moved that Ms. Megan Greenstein, as a representative of Children Without Borders, is granted a One-Day All-Alcohol Liquor License to hold a fundraising event on Saturday, July 24, 2010 at 298 Powder Point Avenue, from 6:30 PM to 10:00 PM, subject to the conditions listed on the license. Second by Mr. Donato. Vote: 3:0:0.

Duxbury Bay Maritime School (1)

(Mr. Dahlen recused himself from the discussion and vote on this license, because he is a Director of the Duxbury Bay Maritime School.)

Mr. Donato moved that Ms. Linda Herrick, as a representative of the Duxbury Bay Maritime School, is granted a One-Day All-Alcohol License to hold a wedding at Clifford Hall/Duxbury

Bay Maritime School, Washington Street, on Saturday, August 28, 2010 from 4:30 PM to 11:30 PM, subject to the conditions listed on the license. Second by Ms. Sullivan. Vote: 2:0:1 (Mr. Dahlen did not vote.)

Duxbury Bay Maritime School (2)

(Mr. Dahlen recused himself from the discussion and vote on this license, because he is a Director of the Duxbury Bay Maritime School.)

Mr. Donato moved that Ms. Linda Herrick, as a representative of the Duxbury Bay Maritime School, is granted a One-Day All-Alcohol License to hold a wedding at Clifford Hall/Duxbury Bay Maritime School, Washington Street, on Saturday, September 4, 2010 from 4:00 PM to 11:00 PM, subject to the conditions listed on the license. Second by Ms Sullivan. Vote: 2:0:1 (Mr. Dahlen did not vote.)

Miramar Retreat Center

Ms. Sullivan moved that Reverend Thomas Griffith, as a representative of the Miramar Retreat Center, is granted a One-Day All-Alcohol License to hold a fundraising dinner dance on Saturday, July 31, 2010 from 5:30 PM to 10:30 PM at 121 Parks Street, subject to the conditions listed on the license. Second by Mr. Donato. Vote: 3:0:0.

TOWN MANAGER BRIEF

- 1) **Representative Thomas Calter has informed the Town that the Seawall Betterment Bill has been approved by the Massachusetts House of Representatives. It will be considered by the Massachusetts Senate next.**
- 2) **The Cable Advisory Committee and Town Manager are actively negotiating with COMCAST for a cable license. They have been operating under temporary license conditions for several years.**
- 3) **Thanks to the Duxbury Beach Reservation, there are three new lifeguard stands in Town. One is near the handicapped access ramp, and two are near the Duxbury Beach Pavilion. They are "state of the art", and they are very much appreciated.**
- 4) **Kudos to the Harbormaster, Recreation, Police and Fire Departments for their excellent response to a swimming accident last week.**

ANNOUNCEMENTS

Mr. Joseph Maher passed away on July 11, 2010. He had served the Town for over twenty years, in various capacities. Two of his notable contributions included serving as a Trustee of the Stewart Farm, and serving two terms on the Zoning Board of Appeals. He will be missed.

MINUTES

Ms. Sullivan moved that the Board approve the minutes of June 14, 2010 as written. Second by Mr. Donato. Vote: 3:0:0

Mr. Donato moved that the Board approve the minutes of June 28, 2010 as written. Second by Mr. Dahlen. Vote: 2:0:1 (Ms. Sullivan abstained.)

Ms. Sullivan moved that Ms. Sullivan approve the minutes of July 1, 2010 as written. Second by Mr. Donato. Vote: 3:0:0.

APPOINTMENTS

The following Board and Committee appointments were made. All votes were unanimous:

Committee	Name	Appt. or Re-Appt.	Term to Expire	Motion	Second
Nuclear Advisory Committee	Mary "Pixie" Lampert	Re-Appt.	6/30/2013	Mr. Donato	Ms. Sullivan
Sidewalk & Bike Path Committee	Eileen Kelliher	Appt.	6/30/12	Ms. Sullivan	Mr. Donato
Sidewalk & Bike Path Committee	Steve Berall	Appt.	6/30/12	Ms. Sullivan	Mr. Donato
Trustee of the Affordable Housing Trust (Board of Selectmen Appointee)	Elizabeth Sullivan	Re-Appt.	6/30/12	Mr. Donato	Mr. Dahlen
Trustee of the Affordable Housing Trust	Martha Himes	Re-Appt.	6/30/12	Ms. Sullivan	Mr. Donato
Trustee of the Affordable Housing Trust	Laura Schaefer	Re-Appt.	6/30/12	Ms. Sullivan	Mr. Donato
Trustee of the Affordable Housing Trust	Diane Bartlett (Local Hous. Partnership Rep.)	Re-Appt.	6/30/12	Ms. Sullivan	Mr. Donato
Zoning Board of Appeals, nunc pro tunc	Michael Gill	Re-Appt	6/30/15	Mr. Dahlen	Ms. Sullivan

NEW BUSINESS

Mr. Donato extended his appreciation, on behalf of the Board, for the excellent work done by the Fourth of July Committee over the Independence Day Weekend.

ADJOURNMENT

Mr. Donato moved for adjournment of the meeting at 8:02 PM. Second by Ms. Sullivan.
Vote: 3:0:0.