

Date: August 30, 2010

Date Minutes Approved: September 13, 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 C. Anne Murray, Adm. Assistant.

Meeting convened at 6:50 PM in Open Session.

ENTERED EXECUTIVE SESSION

After the meeting convened, Ms. Sullivan moved that the Board of Selectmen go into an Executive Session to consider the purchase, exchange, taking, lease, or value of real property as public discussion may have a detrimental effect on the negotiating position of the governmental body and to reconvene in Open Session, following the completion of the Executive Session, in accordance with Mass. General Laws Chapter 39, Section 23b. Second by Mr. Donato.

In accordance with Open Meeting Law, the Chair declared that the public discussion of the purchase, exchange, taking, lease, or value of real property may have a detrimental effect on the negotiating position of the governmental body, and therefore warrants discussion in an Executive Session.

ROLL CALL VOTE: Mr. Donato "aye"; Mr. Dahlen "aye"; Ms. Sullivan "aye".

RE-CONVENED IN OPEN SESSION

At approximately 7:00 PM the Selectmen re-convened in Open Session.

OPEN FORUM

Mr. David Murphy, Head of Reference Services at the Duxbury Free Library, announced that the Massachusetts Memories Road Show is headed to Duxbury. On October 23, 2010 from 10 AM to 4 PM citizens will be asked to bring their Duxbury photos to the Duxbury Free Library, where they will be scanned for inclusion in a digital archive of the community as part of UMass Boston's Massachusetts Memories Road Show. The photos of Duxbury can be old or new; formal or snapshots; color or black and white. This event will be publicized further, but for more details visit the website: www.MassMemories.net.

VOTE TO EXTEND ELECTION HOURS FOR NOV. 2, 2010

Mrs. Oates, the Duxbury Town Clerk, has provided a request to the Selectmen asking them to vote to change opening time of the polls for the November 2, 2010 State Election from 7 AM to 6 AM. It has been Mrs. Oates practice to do this as it allows commuters to get to the polls. Mrs. Oates' request indicates that funding for this is included in the budget.

Ms. Sullivan moved that the Board of Selectmen vote to extend the November 2, 2010 State Election polling hours, for an additional hour, so polls are open from 6 AM to 8 PM in the Town of Duxbury. Second by Mr. Donato. VOTE: 3:0:0.

Before beginning the discussion about the school buildings Dr. Ben Tantillo, the new Duxbury Superintendent of Schools was introduced by Mr. MacDonald. Dr. Tantillo said he appreciates the welcome he has received and is looking forward to the school year.

SCHOOL BUILDING COMMITTEE UPDATE / Elizabeth Lewis

Present for this item of business were:

**Ms. Elizabeth Lewis, Chair of the School Building Committee (SBC)
Dr. Ben (Benedict) Tantillo, Duxbury Superintendent of Schools
Ms. Anne Ward, Chair of Duxbury School Committee
Mr. John Heinstadt, Member of Duxbury School Committee**

Ms. Lewis began by giving an overview of some of the meetings and site visits, which have taken place with representatives of the Massachusetts School Building Authority (MSBA). She mentioned that the School Building Committee (SBC) has been reviewing 6 potential options ranging from renovation to complete re-construction. After a thorough analysis the SBC is recommending the co-location option, which would allow for both the Duxbury Middle School (DMS) and Duxbury High School (DHS) to be “co-located” on either the upper portion of Train Field near the library or on the site of the current DMS.

The following points give an overview of the discussion:

- MSBA will not approve funding for two separate projects at the same time. The co-location would allow for both the DMS and the DHS to be improved together.
- MSBA does not have a “co-location model school”, and is interested in working with the Duxbury SBC to use this project as a model school. This would mean an additional 5% reimbursement of the costs (which would be approximately \$7 million). Plus, since the MSBA is interested in making the models as good as possible it is expected that there might be additional architectural assistance given. Ms. Lewis also explained that other school districts that use the model may only use parts of it and/or adjust it to be site specific.
- **Costs:** When considering the various options the SBC took into consideration phasing costs and relocation costs. The SBC also considered that with renovations you are limited to the hard structure you begin with and with renovations you sometime run into unanticipated surprises once the renovation is underway.
- **Sites:** Ms. Lewis made it clear that more site work is needed. The two sites currently under consideration are the upper portion of Train Field near the library and the site of the current DMS. She acknowledged that Train Field does have a deed restriction, but preliminary legal advice indicates that would not necessarily rule it out.
- **Feasibility Study:** The SBC has commissioned a feasibility study with funding approved by the 2009 Town Meeting and a Proposition 2 ½ debt exclusion override. The SBC hopes that much of that feasibility study, which has been done, will be accepted by the MSBA, but there may be additional information required by the MSBA to meet their criteria. The SBC will not know how much more study is required or the cost until their next meeting with the MSBA. It is hoped that meeting will be within a couple of weeks.
- **Next Steps:** In order to move forward in the MSBA process the next step would be for the Town to provide a feasibility study and schematic design.
- **Timeframes:** If funding can be obtained in early fall for completing the Feasibility Study and Schematic Design, then the SBC has been assured that the architect would be able to complete the schematic design, which would include renderings and plans, in time for the March Annual Town Meeting. The expectation would be that residents could then vote on the entire design and construction costs of the project at the March 2011 Town Meeting. The Selectmen expressed some concerns as this is an ambitious timeframe and the Selectmen want to assure there would be sufficient public input for this major project.
- **Communication / Public Input:** Ms. Lewis did mention that the SCB Meetings are posted and are open to the public. In addition, now that they have reached this stage the SBC

will be setting up a subcommittee to specifically work on a website so information can be shared and distributed.

- **TONIGHT'S REQUEST:** The SBC was present tonight to ask the Selectmen to consider calling a Special Town Meeting this fall to seek funding for whatever additional information might be needed to satisfy the MSBA Feasibility Study requirements and to fund the cost of schematic design. While it would be possible to call a Special Town Meeting, the Selectmen are hesitant to do so without having the costs known yet. In addition, the Selectmen would want there to be a ballot vote as this would require a debt exclusion override. Preliminary research on the question of calling for a fall ballot vote did indicate it is too late to get on the State Ballot for the November elections. There is some question as to whether or not a separate Town-run election could be scheduled this fall. It was agreed that staff would research this further. In the interim, the SBC will try to meet with the MSBA to get additional information on what else will be required in the Feasibility Study so a dollar figure of the costs for both the feasibility study and the schematic design can be determined.

BUSINESS

ONE-DAY LIQUOR LICENSE REQUESTS / Karen Gallagher Matthews for Duxbury Education Foundation / Golf Tournament Reception on September 27, 2010

The Duxbury Education Foundation (DEF) is a private, non-profit that holds fundraising event with the funds used to support a variety of educational, scientific and charitable purposes, which benefit the students, teachers and staff of the Duxbury Public Schools. DIVOTS for Duxbury is a fundraising golf tournament to be held on September 27th. The request is for a one-day wine and malt license for the reception to be held that evening at the Art Complex and Museum. All paperwork is in order, but the Fire Chief does need to meet with the organizers prior to the event to review a parking plan and an Emergency Preparedness Plan.

Mr. Donato moved that the Board of Selectmen grant to Ms. Karen Gallagher Matthews, as a representative of the Duxbury Education Foundation, a One-Day Wine & Malt license to hold a fundraiser on September 27, 2010 from 5:30 PM until 9:00 PM at the Art Complex and Museum at 189 Alden Street, contingent upon the conditions in the license, which includes the requirement that the Duxbury Fire Chief approves a parking plan and an Emergency Preparedness plan prior to the event. Second by Ms. Sullivan. VOTE: 3:0:0.

EVENT PERMIT /Thomas O'Regan for Powder Point Neighborhood Association / Block Party on September 12, 2010

This has become an annual event. There have been no problems in the past and the paperwork has been reviewed and no objections noted by Department Heads.

Ms. Sullivan moved that the Board of Selectmen grant to Mr. Thomas O'Regan, as a representative of the Powder Point Neighborhood Association, permission to hold a block party on Sunday, September 12, 2010 from 3:00 PM until 6:00 PM, with a raindate of September 19, 2010, contingent on the event being conducted as described in the letter by Mr. O'Regan, received in the Town Manager's office on August 23, 2010. Second by Mr. Donato. VOTE: 3:0:0.

TOWN MANAGER BRIEF

Mr. MacDonald mentioned the following items:

- 1) **Seaweed Removal following recent storm:** After making a site visit with several Department Heads it was agreed to remove as much of the seaweed as possible from the public section of Duxbury Beach. Unfortunately, after piles were removed more seaweed

came ashore on Saturday. Given the forecast of the impending storm it has been decided not to take any further action at this time.

- 2) **Storm Preparations:** Mr. MacDonald wanted to assure the public that he and the Department Heads have been monitoring the storm forecasts and will be meeting on Thursday to finalize storm preparations.

MINUTES

Mr. Donato moved that the Board accept the Minutes of August 23, 2010, as presented. Second by Ms. Sullivan. VOTE: 3:0:0.

BOARDS AND COMMITTEES: APPOINTMENTS

The following committee appointments were made. All votes were unanimous (3:0:0):

<u>Committee</u>	<u>Name</u>	<u>Appt or Re-Appt</u>	<u>Term to Expire</u>	<u>Motion</u>	<u>Second</u>
Council-on-Aging ALTERNATE	Nancy ("Ninky") Savage	Appt	6/30/12	Ms. Sullivan	Mr. Donato
Council-on-Aging ALTERNATE	Henry Milliken	Appt	6/30/12	Ms. Sullivan	Mr. Donato
Council-on-Aging ALTERNATE	Beverly Walters	Appt	6/30/12	Ms. Sullivan	Mr. Donato
Council-on-Aging ALTERNATE	Ronald W. ("Bill") Campbell	Appt	6/30/12	Ms. Sullivan	Mr. Donato
Council-on-Aging ALTERNATE	Reverend Elizabeth ("Betsy") Stevens	Appt	6/30/12	Ms. Sullivan	Mr. Donato
MB TA Advisory Board	Thomas A. Broadrick, AICP	Appt.	6/30/11	Mr. Dahlen	Ms. Sullivan
Duxbury Bay Management Commission	Linda Brodie	Appt.	6/30/13	Mr. Dahlen	Mr. Donato
Duxbury Bay Management Commission	Sam Davenport	Appt.	To fill an unexpired seat to 6/30/12	Mr. Dahlen	Mr. Donato
Duxbury Bay Management Commission	William A. ("Skip") Bennett	Appt.	To fill an unexpired seat to 6/30/12	Mr. Dahlen	Mr. Donato

NOTES:

- 1) COA Alternates: The Selectmen did vote these appointments at the 06-28-10 meeting, but the new COA bylaws call for the ALTERNATES to be for 2-year terms and the previous vote only gave them one-year terms. This re-voting of those appointments will correct the terms so they all expire as of June 30, 2012.
- 2) Duxbury Bay Management Commission: Mr. Dahlen mentioned that he was member of the DBMC prior to becoming a Selectman. He resigned his seat effective today to open that seat up to the third appointment. He will be filling the role of the Selectmen's liaison to the DBMC.

BOARDS AND COMMITTEES: RESIGNATIONS

Mr. Dahlen's resignation from the Duxbury Bay Management Council was noted above.

Mr. Dahlen also announced that Mr. Harold F. Moody, Jr. has resigned from the Planning Board. Mr. Moody's term was to expire in March, 2013. The Planning Board is an elected board. Ms. Sullivan explained that under such circumstances the Board of Selectmen and Planning Board would meet jointly to appoint someone to fill the seat until the March 2011 Annual Town Election. The appointee would have to run for election in the 2011 Annual Town Election to either fill the remaining term of that seat or to run for one of the other Planning Board seats.

BONUS SHELLFISH SEASON (*for September*)

Mr. Donato moved that the Board of Selectmen declare a temporary Bonus Shellfish Season:

- 1) for the commercial harvesting of softshell clams for the month of September in accordance with Attachment B & C of the posted regulations.
and**
- 2) for the commercial harvesting of quahog clams for the month of September in accordance with Attachment A & C of the posted regulations.**

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

NEW BUSINESS – No new business was brought forward.

COMMENT FROM THE PUBLIC

Apologizing for missing Open Forum, Duxbury resident & news reporter, Will Zachmann offered kudos to members of the Duxbury Police who participated in the Cops for Kids motorcycle fundraising ride, which benefits families with children diagnosed with cancer.

Reminder that next Monday is the Labor Day holiday and the Town Hall will be closed. The next Selectmen's meeting is scheduled for Monday, September 13, 2010.

ADJOURNMENT

Mr. Donato moved to adjourn the meeting at 8:20 PM. Second by Ms. Sullivan. Vote: 3:0:0.