

**Date: November 29, 2010**

*Date Minutes Approved: December 6, 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 opened at 7:00 PM

### **OPEN FORUM**

Mr. Steven Peterson, a resident of Bolas Road, asked to be recognized. He said that he had tried to bring up the issue of the North Hill Golf Course management in the past, but was not allowed to speak because the matter was in litigation. He said that, at the time he was refused the opportunity to speak, the Town's exposure was in the range of \$40 - \$80K. He said that the Town's current liability is approximately \$1.2 million.

Mr. Peterson said that furthermore, the matter of North Hill Golf Course management was discussed in Open Session at a later date, but that he was also not allowed to speak on that occasion. Mr. Dahlen explained that the Open Session discussion was different. During the Open Session, the Selectmen were holding a hearing on whether Johnson Golf was in violation of their existing management contract. They were only taking testimony from the Town's management and Johnson Golf Management. The matter in litigation, which cannot be discussed in public, has to do with a different aspect of the situation.

Mr. Peterson said that the court issued a decision last week, which the residents should know about. Mr. Dahlen and Ms. Sullivan said that Mr. Peterson was trying to discuss a matter of litigation, and that this could hurt the Town's position. Mr. Donato disagreed. He said that the court decision is a public document. Against the wishes of Mr. Dahlen and Ms. Sullivan, Mr. Donato insisted on reading from the court decision.

At that point, Mr. Dahlen ended the discussion.

### **ONE-DAY LIQUOR LICENSE: MS. LINDA HERRICK FOR DUXBURY BAY MARITIME SCHOOL / PRIVATE EVENT ON DECEMBER 11, 2010**

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

Ms. Sullivan 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 private party at Clifford Hall/Duxbury Bay Maritime School, Washington Street, on Saturday, December 11, 2010, from 6:00 PM to 9:00 PM, subject to the conditions listed on the license. Second by Mr. Donato. Vote: 2:0:0 (Mr. Dahlen did not vote.)

## TOWN MANAGER BRIEF

**Budgets:** Mr. MacDonald said that he is working on the FY 2012 budget. The preliminary budget will be presented on December 13, 2010.

## ANNOUNCEMENTS

The Public Safety Building Committee would like to extend an invitation to the community to attend a presentation on the status of the Police and Fire Station projects at the Senior Center on Thursday, December 2, 2010 at 7:30 pm. The committee will give an update on each of the projects and will present the latest plans and projected costs for the fire station as well as the preferred site and concept plan for a new police station. There will be plenty of time for questions and discussion. All are welcome and encouraged to attend.

## MINUTES

Ms. Sullivan moved that the Board approve the minutes of November 15, 2010 as presented. Second by Mr. Donato. Vote: 3:0:0.

Ms. Sullivan moved that the Board approve the Executive Session minutes of November 15, 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 approve the minutes of November 22, 2010 as presented. Second by Mr. Donato. Vote: 3:0:0.

## COMMITTEE APPOINTMENT

Ms. Sullivan moved to appoint Mr. David Nicosia to fill an unexpired term on the Recreation Activities Committee, such term to expire on June 30, 2013. Second by Mr. Donato. Vote: 3:0:0.

## BONUS SHELLFISH SEASON

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

- 1) the commercial harvesting of *softshell* clams for the month of December 2010 in accordance with Attachments B & C of the posted regulations, and
- 2) for the commercial harvesting of *quahog* for the month of December 2010 in accordance with Attachments A & C of the posted regulations, and
- 3) for the recreational harvesting of *soft shell* clams for the month of December 2010 in accordance with Attachment D of the posted regulations.

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

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

for the recreational harvesting of oysters for the month of December on Wednesdays "only" (i.e., December 1<sup>st</sup>, 8<sup>th</sup>, 15<sup>th</sup>, 22<sup>rd</sup> and 29<sup>th</sup>, 2010) with a bag limit as prescribed in the Shellfish Rules and Regulations at six (6) quarts per week per family permit in the locations described on the posting. All amended Shellfish Rules and Regulations, law, terms and conditions shall apply.

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

**ADJOURNMENT**

Ms. Sullivan moved for adjournment at 7:15 PM. Second by Mr. Donato. Vote: 3:0:0.

**LIST OF DOCUMENTS (available in Selectmen's office except where otherwise noted)**

- 1) Application for One-Day Liquor License: Duxbury Bay Maritime School / 12-11-10
- 2) Announcement: Public Safety Building Committee Meeting on 12-2-10
- 3) Draft Selectmen Minutes: 11-15-10
- 4) Draft Executive Session Minutes: 11-15-10, stored in confidential files
- 5) Draft Selectmen Minutes: 11-22-10
- 6) Proposed Appointment to Recreation Activities Committee
- 7) Recommendation for Bonus Shellfish Season and Bonus Oyster Season: December 2010