

Date: February 14, 2011

Date Minutes Approved: March 7, 2011

BOARD OF SELECTMEN MINUTES

Present: Shawn Dahlen, Chair; Elizabeth Sullivan, Vice-Chair, and Christopher Donato, Clerk.

Absent: No members were absent.

Staff: John Madden, Finance Director; and Barbara Mello, Executive Assistant. (The Town Manager was absent due to illness.)

OPEN FORUM

No items were brought forward.

EVENT PERMIT REQUEST: MARK MACLEOD MEMORIAL ROAD RACE

Ms. Mello explained that Mr. Mark MacLeod was a Duxbury resident who died as the result of a heart attack in December 2009. Mr. MacLeod was an avid runner. His family would like to conduct a memorial three-mile road race on May 21, 2011, to benefit the American Heart Association. Ms. Donna MacLeod (wife) and Ms. Nicole MacLeod (daughter) were present to make this request. The preferred route for the race would be from the high school, down St. George Street, left on Powder Point to the end, right on King Caesar, and back to St. George Street and the school.

Ms. Mello explained that public safety personnel had been contacted, and that there were no known conflicts. She further explained that use of the School facilities would involve approval by that department. She said that the Town Manager recommended approval of the race, contingent upon the applicants attending a meeting with public safety personnel to iron out safety and logistical requirements.

Ms. Sullivan moved that the Board approve a three-mile memorial road race to be held in honor of Mr. Mark MacLeod on May 21, 2011 beginning at 9:00 AM, contingent upon attending a meeting with public safety personnel and the Town Manager. Second by Mr. Donato. Vote: 3:0:0.

SUSTAINABLE DUXBURY: DRINKING WATER AT TOWN MEETING

Ms. Janis Owens and Mr. Jim Savicki were present to represent the Sustainable Duxbury organization. Sustainable Duxbury has proposed making Town Meeting a plastic water bottle free zone. Water will be provided to everyone at the main table in pitchers along with cups. Sustainable Duxbury would like to encourage Town Meeting attendees to bring their own reusable water bottles.

Ms. Sullivan asked whether Sustainable Duxbury would be providing water at Town Meeting. Ms. Owens said that this is not planned. Water is not normally provided at Town Meetings. However, attendees often bring their own in plastic bottles. Sustainable Duxbury will encourage attendees to bring reusable bottles this year, filled with Duxbury Town water.

By consensus, the Board supported the initiative.

TARKILN FEE REDUCTION REQUEST: DUXBURY COMMUNITY GARDEN CLUB

Present from the Duxbury Community Garden Club were: Ms. Lisa Pattinson and Ms. Beth Halligan. Ms. Halligan explained that the Garden Club has reserved the Tarkiln Community Center from May 12 through May 14 to hold the annual flower and plant show for the public. The Club is asking for a partial fee waiver for the use of Tarkiln, as the Club maintains 15 public areas to support town beautification, provides weekly floral arrangements for the Duxbury Free Library, offers a regular horticulture therapy class at the Duxbury Senior Center, as well as sponsors 2 scholarships for the students of Duxbury. All of the funds raised through the Club's green sales are given back to the Town through these avenues.

The Flower and Plant show is free to the public. The show will highlight the history of the Tarkiln Building itself.

Since the Club will be leaving their displays in place for the duration of the show, the entire facility will be rented for 48 hours. This would involve a fee in the neighborhood of \$1,000.00. Ms. Halligan said that the Club recognizes that there are costs to the Town such as water and electricity, so they are proposing a fee reduction to \$315.00.

Ms. Mello said that the issue of traffic problems had been raised. On Saturday, baseball games will be in full-swing, and parking will be at a premium. However, most of the Flower Show traffic takes place on Friday, during school hours. There will be a small number of visitors on Saturday, so traffic problems should be manageable.

Ms. Sullivan thanked the Club for all of the work they do in Duxbury, and said that the fee reduction is the least that the Town can do.

Ms. Sullivan moved that the Board approve a fee reduction to \$315.00 for the Duxbury Community Garden Club use of the Tarkiln Building from May 12-May 14, 2011 for the Flower and Plant Show. Second by Mr. Donato. Vote: 3:0:0.

LIBRARY BUDGET PRESENTATION

Present from the Duxbury Free Library were:
Ms. Carol Jankowski, Library Director
Ms. Nancy Denman, Division Head (Childrens' Services)
Ms. Rose Hickey, Division Head (Technical Services)
Mr. David Murphy, Division Head (Reference)

The Selectmen welcomed Ms. Jankowski to her new position as Library Director (effective in January 2011).

Ms. Jankowski gave a budget presentation, which included the following highlights:

- 4,000 – 5,000 people use the library each week.
- 10,540 residents have active library cards.
- In order to meet this year's budget goals, a Library Associate position has had to remain unfilled, and a Librarian position has been reduced to part-time.
- The renovated building re-opened fourteen years ago. Capital needs for system maintenance/replacement will be increasing.
- Future goals include restoring the two full-time positions listed earlier, adding additional Sunday hours to operating hours, and restoring Monday morning openings.

Ms. Sullivan asked about the Library Page program, which ended approximately eight years ago. In this program, high school students were paid to shelve books and assist the public.

Ms. Jankowski explained that budget cuts have not allowed the restoration of this program. The program is missed because it fostered a very nice connection between the Library and the School Department. Ms. Jankowski said that she will explore this issue.

The Selectmen thanked Ms. Jankowski and the Library Division Heads for the presentation.

DUXBURY PUBLIC SCHOOLS: FY2012 BUDGET

Present were:

**Dr. Ben Tantillo, Superintendent
Ms. Susan Nauman, School Business Manager
Several members of the Duxbury School Committee**

Dr. Tantillo and Ms. Nauman gave a budget presentation which included the following highlights:

- **Goals include effective class size and staffing ratios, investment in technology, appropriate levels of textbooks and supplies, maintenance of facilities and grounds to ensure a good learning environment**
- **Since 2005, the cost per pupil gap between the State average and Duxbury has grown from \$1,300 to \$2,400**
- **The Town and Schools have worked together to negotiate lower prices for natural gas and electricity**
- **Enrollment changes have dictated the need in FY12 for a total of one new special education teacher, one new special education assistant, and one new teacher at the high school**
The initial budget (including negotiated increases, level service increases, and essential staffing and program needs) resulted in a request for \$29,308,500. After consultation with the Finance Director and Town Manager, this budget was reduced to \$28,946,458.
- **The approach in dealing with the reductions will be to avoid those expenses which are most important to students and academic learning.**

The Selectmen thanked the School Department for their presentation.

TOWN MEETING ARTICLE: MODEL SCHOOL PROJECT

Ms. Elizabeth Lewis, Chairman of the School Building Committee, was present to describe the project. Highlights of her presentation included:

- **Town Meeting will be asked to authorize 2.9 million dollars for the schematic design of a co-located middle and high school on the site of the current middle school (71 Alden Street).**
- **Since borrowing will be required for some (or all) of that amount, a 2/3 majority vote of Town Meeting will be required in order to pass the article.**
- **In order to proceed, a majority vote at the Town Election on March 26, 2011 will also be required.**
- **In the fall of 2011, the Committee plans to request funding for full architectural plans and for construction at a Special Town Meeting. The total cost will be in the neighborhood of \$130 million.**
- **The recommendation for a co-located middle and high school comes after a professional study of the options for repair, renovation, or replacement.**
- **Duxbury has been accepted into the Massachusetts School Building Authority's Model School Program, an important step in securing reimbursement from the State for a school building project.**

- **Some costs are not reimbursable from the State, such as a Superintendent's office.**

Mr. Will Zachman asked how the Town could avoid problems such as were experienced in Newton, where the school building project went many millions over budget. Ms. Sullivan said that the Town has a thirty-year history of bringing school projects to completion under budget.

Mr. Steve Farrell asked about soft costs, which will not be reimbursable by the State. Ms. Lewis said that this has been taken into account with the projections.

Ms. Sullivan asked whether furnishings are included. The answer was affirmative.

After discussion ended, Mr. Donato moved that the Board support the Town Meeting article pertaining to the Model School Building project. Second by Ms. Sullivan. Vote: 3:0:0.

VOTE TO PLACE QUESTIONS ON THE ELECTION BALLOT

Ms. Sullivan moved that the following questions be placed on the March 26, 2011 Town Election ballot:

**QUESTION 1
DEBT EXCLUSION
FIRE STATION REHABILITATION**

Shall the Town of Duxbury be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bonds issued in order to fund the cost of construction and associated architectural, engineering, inspection, building fit-out and related costs, to rehabilitate the Fire Department Headquarters Building on Tremont Street?

**QUESTION 2
DEBT EXCLUSION
DESIGN AND CONSTRUCTION OF NEW POLICE STATION**

Shall the Town of Duxbury be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bonds issued in order to fund the cost of architectural, engineering, and design services to prepare contract bid documents and to construct and furnish a new police station on Parcel No. 140-500-039 on Mayflower Street?

**QUESTION 3
DEBT EXCLUSION
DESIGN OF A NEW CO-LOCATED HIGH SCHOOL AND MIDDLE SCHOOL**

Shall the Town of Duxbury be allowed to exempt from the provisions of proposition two and one-half so called, the amounts required to pay for the bonds issued in order to fund the cost of architectural and engineering fees associated with the schematic design of a new co-located high school and middle school, on the site of the current middle school, 71 Alden Street, including Owner's Project Manager and Construction Manager fees through the schematic design phase?

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

TOWN MEETING ARTICLE PERTAINING TO CEMETERY LAND

Mr. Robert Hayes, member of the Cemetery Board of Trustees, was present to describe the article. The purpose of the land exchange article is three-fold: 1) to complete the exchange of land that was promised when a portion of cemetery land was used for the Senior Center; 2) to provide some cemetery land for the purposes of the renovation of the Fire Station; and 3) to provide for the next 100 years of burial needs for the Town. The article also provides for up to \$15,000 in costs to complete the transfers. Mr. Hayes explained the process that was used to come up with the specifics of the exchange. He thanked the DPW Director and Conservation Administrator for their help with this task.

After discussion, Ms. Sullivan moved that the Board support the Town Meeting article pertaining to cemetery land. Second by Mr. Donato. Vote: 3:0:0.

TOWN MEETING ARTICLE PERTAINING TO THE POLICE STATION

Present were:

Mr. Andre Martecchini, Chairman of the Public Safety Building Feasibility Study Committee
Lt. Chip Chubb, Duxbury Police Department

Mr. Martecchini said that the Board had asked his committee to consider the pros and cons of requesting design funds vs. requesting design and construction funds. The committee voted to request both design and construction funds. The estimated price for these will be \$6.4 million dollars, although a more accurate cost estimate should be available in the next few days.

After discussion, Ms. Sullivan moved to support the Town Meeting article pertaining to a new police station on Mayflower Street. Second by Mr. Donato. Vote: 3:0:0.

TOWN MEETING ARTICLE PERTAINING TO A POTENTIAL WELL-SITE ON TEAKETTLE LANE

Duxbury Water Superintendent Peter Mackin explained that a 1979 engineering study identified four prime future well sites: Church Street East, Church Street West, Damon Wells, and Teakettle Lane. The first three have already been purchased.

The Town does not need a new well now. However, the Water Department would like to provide for future needs. The Teakettle Lane site is part of the Crowell Bog site, which was recently been purchased by the Town with Community Preservation Funds. Conservation Administrator Joe Grady was present and explained that if the Town decides to go ahead with designating the land for water purposes, the Town will reimburse the Community Preservation Fund. The amount is approximately \$43,000.00 for 14.6 acres. In addition, some easements and land-takings over private land may be necessary for access purposes. Finally, some of the land is Conservation Land, so the State will have to become involved in releasing it. Notwithstanding the complications, this article is deemed important for future water purposes.

Ms. Sullivan moved that the Board support the Town support the Town Meeting article pertaining to a potential well-site off Teakettle Lane. Second by Mr. Donato. Vote: 3:0:0.

ARTICLE PERTAINING TO NSTAR EASEMENT FOR PERCY WALKER POOL

DPW Director Peter Buttkus requested that discussion of this article be postponed until an easement plan can be obtained from NSTAR. The Board agreed with this request.

ARTICLE PERTAINING TO UTILITY EASEMENTS FOR THE MILLBROOK WATER STATION

Mr. Buttkus explained that Town Counsel modified the language in this article to protect the Town's rights. The easement plan has been provided by VERIZON and has been placed on file with the Town Clerk. These utility easements allow for telephone and electrical service to the Millbrook Water Station. Mr. Buttkus recommended approval.

Ms. Sullivan moved that the Board approve the Town Meeting article pertaining to utility easements for the Millbrook Water Station. Second by Mr. Donato. Vote: 3:0:0.

ARTICLE PERTAINING TO A TOWN GOVERNMENT STUDY COMMITTEE

Mr. Dahlen explained that his original intention was to save the Town money and to create fairness among Town volunteers. Currently, some elected officials are paid and are eligible for benefits. Others are not. He said that his original proposal was to eliminate stipends and health benefits for elected officials (other than the Town Clerk, which is a paid professional position). However, this turns out to be a complicated issue, due to the questions about "grandfathering" elected officials who are currently being paid, and other issues with State law. Therefore, Mr. Dahlen decided to propose a Town Government Study Committee to explore the topic, along with other related subjects.

Ms. Amy MacNab, Chairman of the Planning Board, was present to read a prepared statement in opposition to the proposed article. She said that many of the subjects listed in the proposed article were already studied by the 2004 Town Management Study Committee. She said that it was almost insulting to their work to propose that these topics be re-examined so quickly.

Mr. Will Zachmann, Duxbury resident and *Duxbury Times* editor, agreed with Ms. MacNab. He especially objected to the topic of reclassifying the positions of Town Clerk, Assessor, Library Trustee, Duxbury Housing Authority member and/or Planning Board member as appointed rather than elected positions. He said that this concentrates decision-making too narrowly. He said that this reduces citizen participation and is offensive to the citizens of Duxbury.

Mr. Donato agreed with Mr. Zachmann and Ms. MacNab. He read an excerpt from the 2006 Town Government Study Committee report, stating that the 2006 committee had met 39 times over the previous two years and that the committee members had collectively invested over 1,000 hours in the effort.

Ms. Sullivan, who had served on the Town Government Study Committee said that there had been a larger focus on certain issues (e.g. creating a Finance Department) and a smaller focus on some of the other topics. She felt that it was not too soon to re-examine some of the findings.

Mr. George Wadsworth, Planning Board Vice-Chairman and former member of the 2006 Town Government Study Committee, said that he had enjoyed working on the committee with Ms. Sullivan and the others. He felt that the topics in the proposed Town Meeting article had been carefully studied by the committee and that it was too soon to re-examine them.

Mr. Dahlen stated that the proposed article was broader than his original intention. Given the strong opposition, he said that he would like to withdraw the article from this Town Meeting warrant and to re-visit the issue for a future Town Meeting, in a format closer to the original purpose.

SELECTMEN FINALIZE TOWN MEETING WARRANT

Ms. Sullivan moved that the Board of Selectmen open the 2011 Annual Town Meeting Warrant in order to remove the following articles:

- 1) Article Pertaining to Water on Pine Street, per request of the petitioner;**
- 2) Article Pertaining to Innholder License fees;**
- 3) Article Pertaining to Disbanding the Percy Walker Pool Committee;**
- 4) Article Pertaining to Amending the Flood Insurance Maps;**
- 5) Article Pertaining to the Town Government Study Committee;**

and further to close the 2011 Annual Town Meeting warrant, consisting of 49 articles.

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

TOWN MANAGER BRIEF

Mr. Madden spoke on behalf of Mr. MacDonald. He said that the Town Manager would be announcing the members of the Blairhaven Study Committee at the next meeting. This committee will be making recommendations for the use of the property.

ONE-DAY LIQUOR LICENSE

Ms. Sullivan moved that Ms. Catherine M. Rogerson, as a representative of the Duxbury Yacht Club, be granted a One-Day All-Alcoholic Beverage License to hold a Cruise Dinner at the Golf Clubhouse on Fairway lane on March 13, 2011, from 6:00 PM to 10:00 PM, subject to the conditions listed on the license. Second by Mr. Donato. Vote: 3:0:0.

ANNOUNCEMENTS

None.

MINUTES

There were no minutes to be approved.

APPOINTMENTS

Mr. Dahlen moved that the Board appoint Mr. Walter Amory to fill an unexpired term on the Highway Safety Committee, such term to expire on June 30, 2011. Second by Ms. Sullivan. Vote: 3:0:0.

Ms. Sullivan moved that the Board appoint Ms. Linda Garrity to fill an unexpired term on the Municipal Commission for Disabilities, such term to expire on June 30, 2012. Second by Mr. Donato. Vote: 3:0:0.

OLD BUSINESS

Cable Broadcast of Selectmen Meetings: Mr. Zachmann brought up the topic of when VERIZON FIOS subscribers would be able to watch the Government Channel, so that they could watch Selectmen meetings at home. Mr. Dahlen referred to the minutes of November 22, 2010, which said that VERIZON has 180 days from the execution of the COMCAST contract to begin providing local channels to its subscribers. Since the COMCAST contract was signed on November 22, the obligation would begin on May 22, 2011. Mr. Zachmann said that he contacted VERIZON, and was told that their obligation would not begin until six months after that. Mr. Dahlen said that he would work with the Town Manager to clear up the confusion.

ADJOURNMENT

Ms. Sullivan moved for adjournment at 9:41 PM. Second by Mr. Donato. Vote: 3:0:0.

LIST OF DOCUMENTS

- 1) *E-Mail from B. Mello to Public Safety Department Heads about proposed running race on Saturday, May 21.*
- 2) *E-Mail from Janis Owens of Sustainable Duxbury about "plastic water bottle free zone" at Duxbury Town Meeting.*
- 3) *E-Mail from Beth Halligan of the Community Garden Club of Duxbury, requesting a reduction in the Tarkiln Center rental fee for the Flower and Horticulture Show from May 12-14, 2011.*
- 4) *FY2012 Budget information from Duxbury Free Library.*
- 5) *FY2012 Budget information from Duxbury Public Schools.*
- 6) *Proposed article for Model School Building Project, and supporting information.*
- 7) *Draft Ballot Questions for Duxbury Town Election, March 26, 2011.*
- 8) *Draft Article Pertaining to Cemetery Land.*
- 9) *Draft Article Pertaining to New Police Station.*
- 10) *Draft Article Pertaining to Potential Well Site.*
- 11) *Draft Article Pertaining to NSTAR Easement for Percy Walker Pool, and supporting information.*
- 12) *Draft Article Pertaining to Utility Easements for the Millbrook Water Station, and supporting information.*
- 13) *Draft Article Pertaining to a Government Study Committee.*
- 14) *Suggested Motion regarding 2011 Annual Town Meeting warrant.*
- 15) *Draft 2011 Annual Town Meeting Warrant, dated 2-11-11.*
- 16) *Application for One-Day Liquor License: Duxbury Yacht Club on March 13, 2011.*
- 17) *Suggested Board and Committee appointments: Highway Safety Committee and Municipal Commission on Disabilities*