

Date: January 3, 2011

Date Minutes Approved: January 10, 2011

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 Mello, Executive Assistant.

OPEN FORUM

No items were brought forward.

TOWN MEETING ARTICLES

(Roman Numerals indicate temporary numbering for the articles. The final order of the Town Meeting warrant has not yet been set.)

XLV: Benefits for Elected Officials

Mr. Dahlen read the proposed article, which was drafted by Town Counsel. Mr. Dahlen commented that the article is not written as he believed it would be. Mr. Dahlen's intention was to eliminate salaries for elected officials, which would therefore make them ineligible for benefits. The proposed article does not eliminate salaries, but authorizes the Town to make a petition to the Great and General Court to eliminate benefits for newly elected officials. Ms. Sullivan commented that the Town could have a problem if it stops providing benefits after Town Meeting, and then finds that the General Court does not approve the petition.

It was agreed that Mr. Dahlen would consult with Town Counsel about the article.

XII: Fourth of July Parade Funding

Present were: Mr. Rich Potash (Fourth of July Committee Co-Chair), Ms. Margaret Kearney and Mr. James MacNab (Fourth of July Committee members)

Mr. Potash provided the Board with actual budget figures for 2010, and projected budget figures for 2011. He explained that the Town Meeting article amount (\$10,000.00) provides approximately 25% of the Fourth of July event funding. He also noted that the Duxbury Fourth of July parade is the second longest running Fourth of July parade in the country.

Ms. Sullivan moved that the Board support the proposed 2011 Town Meeting Article XII for Fourth of July parade funding. Second by Mr. Donato. Vote: 3:0:0. (Ms. Sullivan said that she expressly omitted an amount for the article, in case the Finance Committee wanted to recommend a higher amount.)

XI: Duxbury Beach Lease

Present were: Ms. Margaret Kearney (President, Duxbury Beach Reservation, Inc.) and Mr. Clark Hinkley (Treasurer, Duxbury Beach Reservation, Inc.)

Mr. Dahlen recused himself from the discussion and vote on this issue since he is a Director of the Duxbury Beach Reservation.

Ms. Kearney explained that Duxbury Beach Reservation, Inc. (DBR) is offering to lease the Beach to the Town for the same amount as in recent years (\$400,000). Mr. Hinkley explained that DBR has spent \$126,662 more in beach restoration and maintenance than it has received in lease payments since 2004. DBR is hopeful that this amount may decline if the next couple of years show a reduction in storm activity.

Ms. Sullivan commented that many people do not realize that the Town does not own the beach. Instead, the Town leases it from DBR. The Town then collects parking sticker fees in order to pay for the lease, and for beach salaries and expenses. Ms. Kearney explained that it is a good partnership, because DBR has more flexibility than the Town to act quickly in the event of a weather emergency, because DBR is not subject to public procurement laws.

Mr. Donato moved that the Board support proposed 2011 Town Meeting Article XI, whereby the Town would pay \$400,000 to the Duxbury Beach Reservation, Inc. for the lease of Duxbury Beach. Second by Ms. Sullivan. Vote: 2:0:0.

XLII: Raise Innholder License Fee

Mr. MacDonald explained that on August 9, 2010, the Board of Selectmen voted to increase the fee for Innholders from \$25 to \$50. Before this fee can be effective, it must be approved by Town Meeting. He also explained that only one business (The Winsor House) is affected by this fee increase. (In August, the Selectmen also considered raising the Common Victualler Fee, which would have affected 38 businesses, and would also have required Town Meeting action, but decided not to.) Since this Town Meeting article will only affect one business, and will only generate \$25 to the Town annually, Mr. MacDonald recommended deleting the article from the Town Meeting warrant.

Ms. Sullivan moved that the Board vote to removed proposed 2011 Annual Town Meeting article XLII, pertaining to Innholder License Fees from the warrant. Second by Mr. Donato. Vote: 3:0:0.

LI: Disband Percy Walker Pool Committee

Ms. Mello explained that the Percy Walker Pool Long-Range Planning Committee was formed by the vote of the 2006 Annual Town Meeting. Now that the pool has been renovated, the work of the committee is complete. An article was reserved on the warrant in case Town Meeting action was required in order to disband the committee. However, Town Counsel provided a memorandum today, stating that our General Bylaws allow the Selectmen to discharge the committee upon the completion of its duties.

Ms. Sullivan moved that the Board delete proposed Town Meeting Article LI, pertaining to the dissolution of the Percy Walker Pool Long-Range Planning Committee. Second by Mr. Donato. Vote: 3:0:0.

Ms. Sullivan moved that the Selectmen discharge the Percy Walker Pool Long-Range Planning Committee, with gratitude for all of the work they did for the Town. Second by Mr. Donato. Vote: 3:0:0.

Mr. MacDonald said that he would write individual thank you notes to all of the members.

TARKILN UPDATE AND ANNOUNCEMENT

Mr. Terry Vose was present to update the Board of Selectmen on progress at the Tarkiln Community Center. He said that over 3,500 volunteer hours have been spent on the project, in addition to the work completed by the professional contractor. He said that the finished product exceeds everyone's expectations and is spectacularly beautiful. He thanked the Town Manager for giving the volunteers permission to paint the building two years ago. This drew attention to Tarkiln, and sparked community interest in the project.

Mr. Dahlen announced there will be a Tarkiln Community Center Re-Opening Celebration on Saturday, January 8 from Noon until 2:00 PM. There will be refreshments and entertainment. Also, a special art exhibit by well-known Duxbury painter Bettina Lesieur is planned.

SEASONAL POPULATION ESTIMATE

Ms. Mello explained that, since the Town issues at least one Seasonal Liquor License, it is required by law to provide a seasonal population estimate to the Alcoholic Beverage Control Commission. The Town Clerk confirmed that the current year-round population of Duxbury is 15,721. The number increases by approximately 1,000 in the summer.

Ms. Sullivan moved that the Board certify to the Alcoholic Beverage Control Commission, based on information from the Town Clerk, that the estimated resident population of Duxbury as of July 10, 2011 will be 16,721. Second by Mr. Donato. Vote: 3:0:0.

ONE-DAY LIQUOR LICENSE / CHARLES LEONARD FOR THE DUXBURY BAY MARITIME SCHOOL / FUNERAL RECEPTION ON JANUARY 8, 2011

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

Ms. Sullivan explained that the application is for a funeral reception at the Duxbury Bay Maritime School. She said that the Town is lucky to have such a nice facility for family and friends to gather after funeral services.

Mr. Donato moved that Mr. Charles Leonard, as a representative of Duxbury Bay Maritime School, is granted a One-Day Wine and Malt License to hold a funeral reception at Clifford Hall, 457 Washington Street, on Saturday, January 8, 2011 from 2:00 PM to 4:00 PM, subject to the conditions listed on the license. Second by Ms. Sullivan. Vote: 2:0:0.

TOWN MANAGER BRIEF

- 1) **Student Union Lease:** Mr. MacDonald said that he hopes to have a lease ready between the Town of Duxbury and the Duxbury Student Union at the next Selectmen meeting.
- 2) **Construction Costs:** Construction cost estimates for December 2010 were \$1,256,710.
- 3) **Budgets:** The Town Manager and Finance Director continue to work on the FY2012 budget for Town Meeting.

MINUTES

Ms. Sullivan moved that the Board approve the minutes of December 20, 2010 as presented. Second by Mr. Donato. Vote: 3:0:0.

Ms. Sullivan moved that the Board approve the Executive Session minutes of December 24, 2010 as presented, with the contents to remain sealed until the need for confidentiality has passed. Second by Mr. Donato. Vote: 3:0:0.

COMMITTEE APPOINTMENTS

Mr. Donato moved that the Board appoint Mr. Cliff Bockard to fill an unexpired term on the Alternative Energy Committee, such term to expire on June 30, 2013. Second by Ms. Sullivan. Vote: 3:0:0. Mr. Dahlen noted that Mr. Jim Goldenberg is the new Chairman of the Alternative Energy Committee.

ADOURNMENT

Ms. Sullivan moved that the Board adjourn the meeting at 7:47 PM. Second by Mr. Donato. Vote: 3:0:0.

List of Documents

- 1) 2011 Annual Town Meeting Warrant, draft dated 12-28-10
- 2) Boston Globe article, "Plymouth to Review Health Insurance Perk," dated 10-17-10
- 3) Health Insurance for Elected Officials, Summary by Human Resources Officer J. Horne
- 4) Fourth of July Activities Committee Report, dated 1/3/11
- 5) Duxbury Beach Lease for FY 2010
- 6) Letter from C. Hinkley, Duxbury Beach Reservation, Inc. Treasurer, dated 12-23-10, Use of Funds Recap
- 7) Memorandum from B. Mello, "Innholder Fee," dated 12-29-10
- 8) Memorandum from B. Mello, "Percy Walker Pool Committee," dated 12-30-10
- 9) Memorandum from R. Troy, "Percy Walker Pool Planning Committee," dated 1-3-11
- 10) Suggested Announcement: Tarkiln Re-Opening Celebration
- 11) Seasonal Population Estimate Information Packet
- 12) One-Day Liquor License Application Packet: Duxbury Bay Maritime School for 1-8-11
- 13) Construction Cost Estimates for December 2010
- 14) Draft Minutes of December 20, 2011
- 15) Draft Executive Session Minutes for December 24, 2011 (in confidential files)
- 16) Information Regarding Appointment of C. Bockard to the Alternative Energy Committee