

Date: January 31, 2011

Date Minutes Approved: February 7, 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.

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

OPEN FORUM

No items were brought forward.

CERTIFICATE OF APPRECIATION

Mr. Dahlen gratefully acknowledged the contribution of Ms. Linda Kucera, for the painstaking restoration of nine windows and sixteen sashes in the Tarkiln Community Center. Ms. Kucera donated her time, expertise and materials, and also traveled around New England to find period glass to replace broken window panes. Mr. Dahlen read and presented a Certificate of Appreciation. The entire Board offered their admiration of the beautiful work that Ms. Kucera donated to the Town. Ms. Kucera said that she is glad that the historic building will be back in service.

COUNCIL-ON-AGING (COA) BUDGET

Present were: Ms. Joanne Moore, COA Director; and Ms. Linda Hayes, COA Assistant Director

Highlights:

- Total COA Budget is \$460,382.
- Seniors will comprise 1/3 of Duxbury's population by 2016.
- Two staff positions have been reclassified with the support of the Personnel Board. This accounts for an increase in salaries.
- Financial support comes from the Town, the Greater Attleboro Regional Transportation Authority (GATRA), Friends of the COA, Commonwealth of Massachusetts Formula Grant (pays a per capita rate per senior).
- In addition, some additional programming is funded by grants (e.g., \$7,000 from the Grafton Foundation for Outdoor Fitness Station equipment).
- In FY10, 246 volunteers gave 23,741 hours of service. Using the Executive Office of Elder Affairs dollar value of \$20.85 per hour, the gift of time is worth \$494,999.85.
- The number of volunteer hours at the COA is triple that of any other senior center in the Commonwealth.

The Selectmen thanked Ms. Moore and Ms. Hayes for their budget presentation and for their work at the COA.

DEPARTMENT OF PUBLIC WORKS (DPW) BUDGET

Present were: Mr. Peter Buttkus, DPW Director; and Mr. Peter Mackin, Water & Sewer Superintendent

Highlights:

- FY12 DPW Budget is .25% less than FY11 DPW Budget.
- When Water is included, the overall budget is down by 1.4% from FY11 to FY12.
- The Central Building Department and Building Maintenance Departments have been consolidated.
- The Vehicle Maintenance Department is now servicing police cruisers, and is also providing as much service as possible to Fire Department vehicles. (Some Fire Department vehicles are too large for the Vehicle Maintenance Facility.)
- We traditionally overestimate the amount we will spend for sewer repairs for the Gurnet Area. This is because those repairs are performed by the Town of Marshfield. Marshfield's Town Meeting is after ours. We have to allow for the possibility that they could authorize substantial repairs.
- The cost of natural gas at the crematory has decreased, because the opening of the Plymouth facility has decreased the number of Duxbury cremations. It is anticipated that the number of cremations will increase when Duxbury's state-of-the-art facility opens in January 2012. Also, the number of cremations should increase because cremations are increasing in popularity.

The Board thanked Mr. Buttkus and Mr. Mackin for their budget presentation and for their work in the Town. Mr. MacDonald also thanked Mr. Buttkus for the excellent job his department has done during the recent winter storms. In turn, Mr. Buttkus praised his hard-working staff.

DISCUSSION OF ANNUAL TOWN MEETING ARTICLES

XLI: Potential Well-Site on Teakettle Lane

Mr. MacDonald requested that the discussion on this article be postponed, since he is waiting for legal clarification on some of the issues.

IV: State Highway Funds

Mr. Madden explained that the Commonwealth provides money to cities and towns for the repair and maintenance of municipal roads. The expected amount for this year is \$408,895.00.

Ms. Sullivan moved that the Board approve the proposed Town Meeting article pertaining to the acceptance of Chapter 90 Highway Funds from the State. Second by Mr. Donato. Vote: 3:0:0.

XXIX & XXX: Utility Easements---Percy Walker Pool and Millbrook Water Station

Mr. MacDonald requested that the discussion on this article be postponed, since he is waiting for legal clarification.

I: Appointment of Officers

Ms. Sullivan explained that this is a housekeeping article, allowing the Selectmen to appoint non-elected board and committee members.

Ms. Sullivan moved that the Board approve the Town Meeting Article pertaining to the appointment of officers. Second by Mr. Donato. Vote: 3:0:0.

II: Reports of Officers and Committees

Ms. Mello explained that this article allows the Town to accept the Annual Town Report. It also allows various officers and committees to address Town meeting, if desired. To date, Ms. Mello said, no officers or committees have requested to address Town Meeting.

Ms. Sullivan moved that the Board approved the Town Meeting article pertaining to reports of officers and committees. Second by Mr. Donato. Vote: 3:0:0.

III: Compensation of Elected Officials

Mr. MacDonald requested postponement of discussion on this article. Not all of the requests for compensation have been received.

ONE-DAY LIQUOR LICENSE

Mr. Dahlen moved that the Board grant Ms. Mary Beth Brown, as a representative of the Duxbury Art Association, a One-Day Wine & Malt license to hold a reception on February 5, 2011 from 6:00 PM to 9:00 PM at the Art Complex Museum (186 Alden Street), subject to the conditions listed on the license. Second by Ms. Sullivan. Vote: 3:0:0.

TOWN MANAGER BRIEF

- 1) Ms. Patricia Loring, Duxbury Conservation Commissioner, is being honored by the Massachusetts Association of Conservation Commissions, with an award for Outstanding Achievement in Community Conservation. There will be a ceremony on March 5 at the Hogan Campus Center at the Holy Cross College in Worcester.
- 2) Jake Emerson, Duxbury Assistant Harbormaster, completed a two-week US Coast Guard Law Enforcement course in Charlestown, S.C. The course was paid for by the federal government.
- 3) The Town Manager, Recreation Director, and DPW Director met with representatives of the Duxbury Farmers' and Artisans' Regional Market to work on a solution for sharing the Tarkiln outdoor space with other user groups.
- 4) Joe Shea, a tireless volunteer for the Town, passed away earlier today. He will be greatly missed.

MINUTES

Ms. Sullivan moved that the Board accept the Executive Session Minutes of January 24, 2011, with the contents to remain sealed as they deal with medical issues of financially needy residents of Duxbury. Second by Mr. Donato. Vote: 3:0:0.

COMMITTEE APPOINTMENTS & RESIGNATIONS

Mr. Donato moved that the Board appoint Mr. Tag Carpenter to the Historical Commission, in order to fill an unexpired term, such term to expire on 6/30/13. Second by Ms. Sullivan. Vote: 3:0:0.

The Board accepted the resignation of Mr. John Taft from the Sidewalk & Bike Path Committee. The Board thanked Mr. Taft for his service. Ms. Sullivan mentioned that Mr. Taft was especially grateful for the assistance that Ms. C. Anne Murray, Administrative Assistant to the Board of Selectmen, had provided to the Sidewalk & Bike Path Committee.

BONUS SHELLFISH SEASON

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 February 2011 in accordance with Attachments B & C of the posted regulations, and
- 2) for the **commercial** harvesting of *quahog* for the month of February 2011 in accordance with Attachments A & C of the posted regulations, and
- 3) for the recreational harvesting of *soft shell* clams for the month of February 2011 in accordance with Attachment D of the posted regulations.

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

OLD BUSINESS

Mr. Dahlen said that, "As noted in the recent correspondence sent by the Inspector General to the Town, the Town has been authorized to issue an Invitation for Bids for the North Hill Golf Course. The Superior court has also given the Town the green light to do this and the Town issued an Invitation for Bids last Friday. Notice has been published in the Central Register. Town Counsel has advised the Board of Selectmen to authorize the solicitation of bids for a five-year procurement and therefore, I will entertain the following Motion: To authorize the Town to solicit accept and award a bid for the management of the North Hill Golf Course for a five-year period pursuant to Massachusetts General laws, Chapter 30B, Section 12(b)."

Ms. Sullivan made the motion as stated above. Second by Mr. Dahlen.

Mr. Donato said that the correspondence from the Inspector General said that the Town had stated that the Town did not know that CALM Golf did not have enough assets to be able to fulfill a contract for the management of the North Hill Golf Course. Mr. Donato said that it is unrealistic that the Town did not know that CALM Golf did not have enough assets, because this information was readily available in the bid documents.

Mr. Donato also said that the Town is re-bidding a contract that the Town cannot award. He said that the Court has ordered us to allow Johnson Management to continue to run the golf course. He said that we may not get good bidders because of this uncertainty.

Mr. Dahlen and Ms. Sullivan said that it would be unwise to discuss the matter in public because it is a matter of litigation. Mr. Dahlen also said that, whatever happened in the past, it is important to move forward for the good of the Town.

Vote: 2:1:0 (Mr. Donato against.)

ADJOURNMENT

Ms. Sullivan moved for adjournment at 8:05 PM. Second by Mr. Donato. Vote: 3:0:0.

LIST OF DOCUMENTS:

- 1) *Certificate of Appreciation for Ms. Linda Kucera*
- 2) *Council-on-Aging Budget Presentation*
- 3) *DPW Budget Sheets*
- 4) *Information Packet Pertaining to Town Meeting Article for a Potential Well-Site on Teakettle Lane*
- 5) *Draft Article for Acceptance of State Highway Funds*
- 6) *Information Packet Pertaining to Town Meeting Articles for Utility Easements at the Percy Walker Pool and the Millbrook Water Station*
- 7) *Draft Article for the Appointment of Officers*
- 8) *Draft Article for Reports of Officers and Committees*
- 9) *Information Packet Pertaining to Town Meeting Article for Compensation of Elected Officials*
- 10) *One-Day Liquor License Application for event at the Duxbury Art Complex Museum on February 5, 2011*
- 11) *Letter from the Massachusetts Association of Conservation Commissions, regarding award for Pat Loring*
- 12) *Boards and Committees Appointment Sheet—Tag Carpenter for Historical Commission*
- 13) *Letter of Resignation from John Taft from Sidewalk and Bike Path Committee*
- 14) *Information Packet Pertaining to Bonus Shellfish Season for February*
- 15) *Letter from Duxbury Town Counsel, dated 1-31-11, pertaining to North Hill Golf Course*
- 16) *Letter from Massachusetts Inspector General, Gregory Sullivan, dated 1-21-11, pertaining to North Hill Golf Course*