

**Date: March 28, 2011**

*Date Minutes Approved: April 11, 2011*

## **BOARD OF SELECTMEN MINUTES**

**Present: Shawn Dahlen, Chair; Theodore J. Flynn and Christopher Donato, Clerk.**

**Absent: No members were absent.**

**Staff: Richard MacDonald, Town Manager; John Madden, Finance Director; and C. Anne Murray, Administrative Assistant.**

The meeting was convened at 7:00 PM.

### **OPEN FORUM**

No items were brought forward.

### **SWEARING-IN OF NEWLY ELECTED OFFICIALS**

Ms. Nancy Oates administered the oath of office to the following newly-elected Town Officials:

Mr. Theodore J. Flynn, Selectman  
Mr. Friend S. Weiler, Sr., Moderator  
\*Ms. June E. Albritton, Assessor  
Ms. Maureen C. Connolly, School Committee  
Ms. Anne Ward, School Committee  
Ms. Jennifer W. Turcotte, Planning Board  
Ms. Brooke H. McDonough, Library Trustee (3-Year Term)  
Ms. Donna M. Ryan, Library Trustee (3-Year Term)  
\*Mr. Lamont R. Healy, Library Trustee (1-Year Term)  
Mr. Alden E. Ringquist, Duxbury Housing Authority

\*Denotes individuals who were elected but could not attend tonight's meeting, and will be sworn in at another time.

Following the oath, Mr. Flynn joined his colleagues at the head table to participate in the rest of the meeting.

### **RE-ORGANIZATION OF SELECTBOARD**

Mr. Dahlen mentioned that the Board of Selectmen traditionally re-organizes and selects its officers after the annual election.

Mr. Flynn moved to nominate Mr. Dahlen as the Chairman of the Board of Selectmen.

Mr. Flynn stated his nomination was being based on two things:

- (1) In his opinion, Mr. Dahlen has done a good job in his role as Chairman.
- (2) He feels it is helpful to have a Chairman who works locally and has the flexibility to deal with issues that might come up on short notice.

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

**Mr. Flynn moved to nominate Mr. Donato as Vice-Chairman of the Board of Selectmen. Second by Mr. Dahlen. VOTE: 3:0:0.**

**Mr. Dahlen moved to nominate Mr. Flynn as Clerk of the Board of Selectmen. Second by Mr. Donato. VOTE: 3:0:0.**

#### **OSBORN'S COUNTRY STORE: KENO MONITOR**

**Mr. Greg Sanders, store owner, was present.**

**Mr. MacDonald indicated that he had a meeting with Mr. Sanders and several Department Heads. The Department Heads have reviewed the request for a KENO monitor at Osborn's Country Store and had no issues with it. In addition, Duxbury Police Chief Clancy did speak with the Marshfield Police about a similar arrangement in a Marshfield convenience/liquor store. He was advised that there have not been any problems. He also visited the Osborn's to observe its operation, and then met with Mr. Sanders to review the plans at Osborn's. Chief Clancy noted that the applicant establishment is a reputable business, and therefore he had no objections to the request.**

**Mr. Dahlen indicated that although he does not participate in lottery games he supports the rights of others to do so. Mr. Donato mentioned that he supports the businesses and if the owner feels this will help his business, then he has no objections. Mr. Flynn agreed with his colleagues.**

**Mr. Flynn moved to support the Massachusetts State Lottery installation of a KENO monitor at Osborn's Country Store, 632 Summer ST, Duxbury Massachusetts. Second by Mr. Donato. VOTE: 3:0:0.**

#### **ARCHITECTURAL PRESENTATION: SISTERS OF SAINT MARGARET**

**Present for this item of business were:**

**Sister Carolyn Darr of the Sisters of Saint Margaret  
Sister Adele Marie Ryan of the Sisters of Saint Margaret  
Mr. Will Saltonstall, architect with the firm of Saltonstall Architects**

**The Sisters made a few opening remarks mentioning that the Society of St. Margaret's has owned land in Duxbury since 1903 so this plan to move from their Boston convent to their Duxbury property is "like coming home."**

**Mr. Will Saltonstall, the architect designing the plans for the Sisters of Saint Margaret, then displayed several different plans and explained each. He began by explaining that tonight's presentation was in regard to the Sisters of Saint Margaret's property located off of Harden Hill Road.**

**The first plan displayed was an overview of the site. Mr. Saltonstall pointed out and spoke briefly about the existing buildings, which include: the Bertram Conference Center, a chapel, a farmhouse, an older colonial residence/ dining facility, and a boathouse.**

**The second plan focused on the site of the older colonial residence/ dining facility. The proposed new building will overlay the footprint of this building. The new building is planned as a residence for nine sisters. It is being designed with a "spirit and light" theme to be ecologically-sensitive to the site, as well as energy efficient.**

**The other plans shown included several exterior views of the proposed building and interior floor plans. Regarding the exterior he noted that the 9500 sq. ft. building will have an exterior in keeping with the neighborhood. The front and back are slight offset and have a hipped roof design.**

The first floor will contain a living room, a refectory space, kitchen, work areas, and a residential suite. The second floor will house bedroom suites for the Sisters and a chapel. The basement will contain some workout space and a library.

Members of the Board had no questions or concerns. They thanked the Sisters for coming in and updating them on the plans.

**MARY GAZZOLA RE: TOWN TRASH PICK-UP DAY**

Ms. Mary Gazzola, of Summer ST, and Ms. Joanne Murphy, of Parks ST, were present to discuss their plans for a Duxbury "Litter Sweep Day" with the Board.

Ms. Gazzola began by explaining she wrote an editorial letter, which was published recently in the *Duxbury Clipper*, expressing the view that something should be done about the litter along Duxbury's roadways. A number of other individuals contacted her following that which led to the idea of having a "Litter Sweep Day."

Ms. Joanne Murphy provided some details and asked the Board for permission. She mentioned they would like to hold the "Litter Sweep Day" on Saturday, May 7, 2011. They have been working with Mr. Ed Vickers, Highway Department Manager. Mr. Vickers has indicated the Town could supply bags. The organizers will use plow routes to organize volunteers, including the Boy Scouts and Girl Scouts, to cover various areas. Filled bags would be left by the side of the road and the Highway Department will pick them up on the following Monday.

Mr. Flynn raised some questions about safety issues. The organizers did say that children would be assigned to park areas; not roadways. Mr. MacDonald indicated that he would like to have a meeting with the organizers and some of the public safety officials to assure safety.

Mr. Dahlen questioned the plan to leave bags by the side of the road. He expressed concerns that animals could get into them. He suggested instead that the organizers arrange for volunteers with trucks to take the bags to the Transfer Station on the same day as the event.

The organizers asked if they could put up signage about the event. Mr. MacDonald indicated they would discuss that when he meets with the organizers.

Mr. Flynn moved that the Board grant Ms. Mary Gazzola permission to hold a Trash Pick-Up Day on Saturday, May 7, contingent upon a meeting between Ms. Gazzola and Mr. MacDonald and the Duxbury Police Chief to discuss safety issues, to be held at least two weeks prior to the event. Second by Mr. Donato. VOTE: 3:0:0

**JAKE GENEREUX: HOT DOG CART AT SPRING SOCCER GAMES**

Ms. Barbara Mello, Executive Assistant, presented Mr. Genereux's request as he was not able to attend. The current request is for Jake Genereux to be able to operate his hot dogs cart at the Ray Coppens soccer fields on Sundays from 11:30 AM until 3:00 PM from April 3<sup>th</sup> through May 22, 2011. This would be in addition to his operation of the cart during the summer on the Town Pier, which has already been approved. This has been approved in the past as an amendment to his license. The feedback from the appropriate parties has been incorporated in the conditions listed.

Mr. Donato moved that the Board grant permission to Jake Genereux to operate his hot dog stand at the Ray Coppens soccer fields on Sundays from 11:30 AM until 3:00 PM, from April 3<sup>rd</sup> through May 22, 2011, contingent upon the following:

- 1) Written permission from Duxbury Youth Soccer;
- 2) Propane Permit from the Fire Department;
- 3) Cart inspection from the Board of Health

Second by Mr. Flynn. VOTE: 3:0:0.

## **BUSINESS**

**One-Day Liquor License Request / Linda Herrick for Duxbury Bay Maritime School:  
For Private Events on 5-7-11, 6-17-11, and 8-28-11**

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

Mr. Chuck Leonard from the Duxbury Bay Maritime School was present if the Board had any questions. Ms. Mello said that the Town's public safety departments had given their feedback with regard to the requests. There were no objections and any conditions were included on the license for the three events.

Mr. Flynn moved that the Board of Selectmen grant to Ms. Linda Herrick, as a representative of Duxbury Bay Maritime School three One-Day All-Alcohol Liquor Licenses for the following events:

- 1) Wedding at Clifford Hall on May 7, 2011, from 5:30 PM to 11:00 PM
- 2) Rehearsal Dinner at Clifford Hall on June 17, 2011, from 6:00 PM to 10:00 PM
- 3) Wedding at Clifford Hall on August 28, 2011, from 5:00 PM to 11:00 PM

subject to the conditions listed on the licenses. Second by Mr. Donato. VOTE: 2:0:0

## **TOWN MANAGER BRIEF**

Mr. MacDonald mentioned the following items:

- 1) **Massachusetts Dept. of Public Health (DPU) news about Radioactive Materials:** There have news reports of radioactive iodine found in Massachusetts rainwater this week following the incidents with the nuclear reactors in Japan. We have been assured that the Massachusetts DPU that they are monitoring the situation. The levels pose no threat to human health, but they will be continuing to monitor the situation. Anyone with any concerns can contact the Massachusetts DPU or their local Board of Health.
- 2) **Hooksett, NH Sewer Disk Issue:** Apparently there was an issue at the Hooksett NH Sewer Treatment Plant and a large number of sewer treatment disks were released into the coastal waters. They are small plastic disks about 2" in diameter, and they have been found on coastal beaches. The public is cautioned that if you see them do not touch them. Contact the Harbormaster's Office.
- 3) **Commends School Committee and DuxburyCARES:** Mr. MacDonald noted that the request for funding of the plan design for a new co-located High School and Middle School did pass on the ballot.
- 4) **Public Safety Building Feasibility Study Committee:** Mr. MacDonald further commended the Public Safety Building Feasibility Study Committee for their time and efforts as the funding for the Fire Station renovation and new Police Station design and construction also passed on the ballot.

## ANNOUNCEMENTS

Mr. Donato made the following announcements:

1. **Commercial Shellfish Applications:** Reminder that Commercial Shellfish Applications can be submitted during the month of APRIL only. Applications are now available in the Board of Selectmen office. Applicants must be Duxbury residents and have a Massachusetts Commercial Fisheries license showing "endorsed shellfish."
2. **Next Meeting:** There will not be a Selectmen's meeting on April 4, 2011. The next meeting of the Duxbury Board of Selectmen will be on April 11, 2011.

## MINUTES

Mr. Donato moved that the Board approve the Executive Session Minutes of March 21, 2011 as written, with the contents to remain sealed until the need for confidentiality has passed. Second by Mr. Dahlen. Vote: 2:0:1. *(Mr. Flynn abstained as he was not a Selectmen at the time of those meetings.)*

Mr. Donato moved that the Board approve the Open Session Minutes of March 21, 2011 as written. Second by Mr. Dahlen. Vote: 2:0:1. *(Mr. Flynn abstained as he was not a Selectmen at the time of those meetings.)*

APPOINTMENTS - No appointments made this evening.

NEW BUSINESS - Nothing brought forward.

## OLD BUSINESS

Mr. Will Zachmann asked for the status of Verizon providing access to the local (PEG) channels. Mr. MacDonald responded that Verizon was in the Town Hall last week and are expected back shortly. He could not give a definitive date, but indicated progress is being made.

## ADJOURNMENT

Mr. Donato moved to adjourn the meeting at 7:43 PM. Second by Mr. Flynn. Vote: 3:0:0.

[List of Documents --on next page]

*List of Documents:*

- 1) *Copy of the Official Ballot Annual Town Election Duxbury, Massachusetts 03-26-11*
- 2) *KENO-TO-GO:*
  - a) *Selectmen's Minutes of April 7, 2008 – RE: Massachusetts State Lottery Commission (MSLC): KENO-TO-GO*
  - b) *03-02-11 Letter from MSLC: Osborn's Country Store request for KENO Monitor*
  - c) *M.G.L. Chapter 10, Section 27 A – Keno; licenses; growth revenue; distribution*
  - d) *03-03-11 Legal Ad Notice from MSLC*
  - e) *03-28-11 Email from Police Chief Clancy RE: Osborn's Keno Issue*
- 3) *Packet of information regarding Sisters of St. Margaret building plans*
  - 2-page informational sheets from Saltonstall Architects*
  - Boston Globe article "A mission on the move" 02-13-11 (2 versions)*
- 4) *Suggested Motion: Trash Clean-up Day & Letter from organizers provided at 03-28-11 meeting*
- 5) *Suggested Motion: Jake's Hot Dogs Amendment to License*
- 6) *1<sup>st</sup> page of BOS Minutes of May 20, 2002 (for Use of Duxbury Fields / Brian Griffin; deleted from agenda)*
- 7) *One-Day Liquor Licenses – 3 DBMS Private Events:*
  - 05-07-11 Vose Wedding Reception on*
  - 06-17-11 Cipolletti Rehearsal Dinner*
  - 08-28-11 Peres Wedding Reception*
- 8) *Suggested Announcements*
- 9) *Draft Minutes of 03-21-11 Executive Session –(moved to confidential files)*
- 10) *Draft Minutes of 03-21-11 Open Session*
- 11) *Bonus Shellfish Season (for April): Suggested Motion and 03-28-11 Memo /Posting*