

Date: April 11, 2011

Date Minutes Approved: April 25, 2011

BOARD OF SELECTMEN MINUTES

Present: Shawn Dahlen, Chair; Christopher Donato, Vice-Chair; and Ted Flynn, Clerk.

Absent: No members were absent.

Staff: Richard MacDonald, Town Manager; John Madden, Finance Director (arrived after Executive Session); and Barbara Mello, Executive Assistant.

The meeting was called to order at 6:30 PM.

VOTE TO ENTER EXECUTIVE SESSION

Mr. Dahlen moved to enter Executive Session to discuss strategy with respect to litigation since an open meeting might have a detrimental effect on the Town's litigating position and to re-convene in Open Session in accordance with Massachusetts General Laws Chapter 39, Section 23b. Second by Mr. Donato. Next, Mr. Dahlen declared that an Executive Session is indicated since an Open Session would have a detrimental effect on the Town's litigating position. Roll Call Vote: Mr. Dahlen—aye; Mr. Donato---aye; Mr. Flynn---aye.

END EXECUTIVE SESSION

At 7:12 PM, Mr. Donato moved that the Board end Executive Session and re-convene in Open Session. Second by Mr. Flynn. Roll Call Vote: Mr. Donato—aye; Mr. Flynn---aye; Mr. Dahlen---aye.

RE-CONVENE OPEN SESSION

At 7:15 PM, the Board re-convened in Open Session.

OPEN FORUM

Ms. Willa Fitzpatrick, resident of Franklin Street and Duxbury High School student, was present to describe her Senior project. She is planning to raise \$3,000.00 for the Friends of the Duxbury Animal Shelter. She would like to earmark the funds for medical bills and for spaying/neutering. The Selectmen thanked her for coming and applauded her efforts to help the work of the Duxbury Animal Shelter. Ms. Annie Eldridge (Friends of the Duxbury Animal Shelter Chairperson) and Ed Ramos (Animal Control Officer) were present in support of the initiative.

DEPUTY ASSESSOR AND COUNCIL-ON-AGING DIRECTOR RE: SENIOR TAX WORK-OFF PROGRAM

Present:

Ms. Joanne Moore, Council-on-Aging Director
Mr. Richard Finnegan, Deputy Assessor

Ms. Moore explained that the Senior Tax Work-Off program enables senior citizens to provide services to various Town departments. In return for 125 hours of work, seniors earn a \$1,000.00

abatement on their property taxes. The program currently allows for 15 participants. Given the wide interest in the program, Ms. Moore requested increasing the number of participants to 20.

Mr. Finnegan explained that the program is paid for by the Overlay Account. The Overlay Account also funds property tax abatements and a variety of tax exemption programs for senior citizens, veterans, and disabled citizens. Furthermore, the account funds any successful appeals that taxpayers file at the appellate Tax Board. Mr. Finnegan said that the balance in the account is sufficient to absorb an additional five participants in the Senior Tax Work-off Program, bringing the total expenditure for this program to \$20,000.00.

Mr. MacDonald and Mr. Madden said that the Town Manager's office and the Finance Department have been among the beneficiaries of services provided by senior citizens in the program.

Mr. Donato moved that the Board approve the addition of five new participants in the senior Tax Work-Off Program, bringing the total expenditure for this program to \$20,000.00. Second by Mr. Flynn. Vote: 3:0:0.

CABLE ADVISORY COMMITTEE RE: PAC-TV

Present from the Cable Advisory Committee were:

Mr. William Kearney, Interim Chair
Mr. Richard Miller
Mr. Richard Sigrist

Mr. Kearney explained that community television is comprised of three components: Educational programming; Government programming; and Public Programming. The School Department will continue to run the Education programming. COMCAST had been providing the Government and Public programming. However, they no longer wish to provide this service. The Town needed an alternative for Government and Public programming. The Cable Advisory Committee recommends that the Town contract with Plymouth Area Community Access Television, Inc. (PAC-TV) for these services. If the contract is signed tonight, PAC-TV programming will be available beginning April 19 for COMCAST subscribers.

Mr. Kearney explained that there has been a hold-up for VERIZON subscribers. The Town was under the impression that VERIZON would begin airing community television six months after COMCAST signed their contract with the Town. However, VERIZON is now saying that since COMCAST left some contract workers in place, they were delayed in cutting over their services. Mr. Kearney is working with VERIZON to get an exact date that VERIZON subscribers will have access to PAC-TV programming.

Mr. Flynn asked whether money is available for the equipment needed to provide the broadcasting services. Mr. Kearney explained that the services are paid for through a portion of subscribers' fees. So far, we have received advance payments from COMCAST and VERIZON. These payments will be enough to cover attorney's fees, operating expenses, and the equipment that we need to get up and running.

Mr. Kearney explained some of the services that will be available:

- Live cablecast of up to four government meetings per week
- Re-broadcast of government meetings in the 14 days after the meeting
- Availability of re-broadcasts on the internet
- Community Bulletin Board
- Upgraded equipment in the Mural Room
- Broadcasting equipment in the Library, Senior Center, Performing Arts Center, and Senior Center
- Mobile broadcasting equipment
- Live broadcast of Annual Town Meeting

Mr. Donato moved that the Board approve the agreement between Plymouth Area Community Access Television, Inc. and the Town of Duxbury. Second by Mr. Flynn. Vote: 3:0:0.

MEETING OF THE WATER AND SEWER COMMISSIONERS

At 7:40 PM, Mr. Donato moved that the Board of Selectmen adjourn the meeting as Selectmen in order to meet as the Water and Sewer Commissioners, with the intent of re-convening as Selectmen afterward. Second by Mr. Flynn. Vote: 3:0:0.

Mr. MacDonald explained that there are four commitments each year for water, sewer, and service.

Mr. Donato moved that the Board of Water and Sewer Commissioners instruct the Treasurer to collect the amount of \$613,366.56 for water, sewer, and service. Second by Mr. Flynn. Vote: 3:0:0.

Mr. Donato moved that the Board adjourn as Water and Sewer Commissioners and re-convene as Selectmen. Second by Mr. Flynn. Vote: 3:0:0.

BOARD OF SELECTMEN LIAISON ASSIGNMENTS

Mr. Dahlen noted that all Selectmen-appointed committees have a Selectmen liaison. Sometimes the liaison is a voting member, and sometimes just advisory. A new liaison is needed for each of the committees formerly assigned to Ms. Sullivan. After discussion, Mr. Flynn moved that the Board adopt the following slate of liaison assignments. Second by Mr. Donato. Vote: 3:0:0.

Board or Committee	Selectman LIAISON Assigned <i>Note: V = Voting / NV = NON-voting.</i>	Selectmen MEMBER or DESIGNEE
Agricultural Commission	Chris Donato (NV)	
Alternative Energy Committee	Chris Donato (NV)	Andre Martecchini as BOS Designee (voting)
Board of Appeals	Chris Donato (NV)	
Cable TV Advisory Committee	Chris Donato (NV)	
Conservation Commission	Chris Donato (NV)	
Design Review Board	Chris Donato (NV)	
Local Housing Partnership	Shawn Dahlen (V)	
Metropolitan Area Planning Council Rep.	Chris Donato (NV)	Andre Martecchini as BOS Designee (voting)
Nuclear Advisory Committee	Chris Donato (NV)	
Public Safety Building Feasibility Study Comm.	Shawn Dahlen (NV / Town MGR. Appt. committee)	Andre Martecchini (Voting) as BOS Designee
Shellfish Advisory Committee	Chris Donato (NV)	Chris Donato as Selectmen's Rep.
South Shore Coalition	Chris Donato (V)	Josh Cutler as Planning BD rep.
MBTA Advisory Board	Shawn Dahlen (NV) (Should be BOS CHAIR)	Tom Broadrick (Voting) as BOS Designee
Council on Aging	Ted Flynn (NV)	

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Duxbury Bay Management Commission	Shawn Dahlen (NV)	But Shawn Dahlen was an appt. member prior to becoming a Selectmen so votes in this capacity.
Duxbury Cultural Council	Ted Flynn (NV)	
Duxbury Youth Commission (INACTIVE)	Ted Flynn	
Highway Safety Committee	Shawn Dahlen (NV)	
Historical Commission	Chris Donato (NV)	
Insurance Committee	Ted Flynn (NV) [until he fully takes this on from EHS.]	Elizabeth H. Sullivan as BOS Designee (V)
King Caesar Advisory Committee	Ted Flynn (NV)	
Municipal Commission on Disability	Ted Flynn (NV)	
Plymouth County Advisory Board	Shawn Dahlen (V)	
Recreation Activities Committee	Chris Donato (NV)	
Registrars of Voters	Ted Flynn (NV)	
Sidewalk & Bike Path Committee	Ted Flynn (NV)	
Town Historian	Shawn Dahlen (NV)	
Economic Advisory Committee	Ted Flynn (V)	
Board of Health	Ted Flynn (NV)	
Community Preservation Comm. (CPC)	Shawn Dahlen (NV)	
Fourth of July Committee	Shawn Dahlen (NV)	
Investment Advisory Committee (INACTIVE?)	Ted Flynn (V)	
North Hill Advisory Committee	Shawn Dahlen (NV)	
Open Space & Recreation Planning Comm.	Shawn Dahlen (NV)	
Waterfront Advisory Committee (INACTIVE)	Shawn Dahlen	Not Active; morphed into DBMC
Tarkiln Committee	Shawn Dahlen (NV) (NEW AS of 04-27-09)	
Sealer of Weights and Measures	NONE	Harold Tuttle
S.S. Recycling	NONE	Peter Buttkus
Old Colony Elderly Services (Delegate)	NONE (Joanne Moore)	Pauline Flynn (DEL) & John R. Madden (ALT)
Old Colony Planning Council (Delegate)	NONE (Joanne Moore)	James Taylor (Del.) & John R. Madden (Alt.)

TOWN MANAGER BRIEF

- 1) **Construction Costs:** There were applications for \$554,000 worth of construction in Duxbury for the month of March. This is a low number. However, April is promising to be a very busy month.
- 2) **Unwanted Prescription Drugs:** On April 30 from 10 a.m. to 2 p.m. the Duxbury Board of Health, DPW, Duxbury Police Department and the Drug Enforcement Administration (DEA) will give the public another opportunity to prevent pill abuse and theft by ridding their homes of potentially dangerous expired, unused, and unwanted prescription drugs. Bring your medications for disposal to Duxbury Fire Department at 668 Tremont Street, Duxbury. The service is free and anonymous, no questions asked.
- 3) **Grant from Metropolitan Area Planning Council (MAPC):** The Towns of Marshfield, Duxbury and Scituate have been awarded a grant from MAPC for a study of sea level rise adaptation strategies.
- 4) **Volunteer of the Year Award:** The Village of Duxbury and the Duxbury Clipper will hold their annual Volunteer of the Year Award on Wednesday evening. Mr. MacDonald has nominated Ms. Betsy Sullivan for this honor.
- 5) **Patriot's Day Holiday:** There will not be a Selectmen's meeting on Monday, April 18, due to the Patriot's Day Holiday. The next meeting of the Duxbury Board of Selectmen will be held on Monday, April 25, 2011.

ANNOUNCEMENTS

Mr. Dahlen announced that since the last meeting of the Board, Dr. David James Vogler, former two-term Selectman for the Town of Duxbury, passed away. Dr. Vogler was a Selectman from 1986-1992. In addition to his service as a Selectman, Dr. Vogler served on the Town Bylaw Study Committee, the Finance Committee, the Public Works Study Committee, the Conservation Commission, and the Public Safety Committee. He was a dedicated public servant who will be missed by all who knew him.

MINUTES

Mr. Donato moved that the Board approve the minutes of March 28, 2011 as written. Second by Mr. Flynn. Vote: 3:0:0.

APPOINTMENTS

Mr. Flynn moved that the Board appoint Mr. Brian E. Glennon, II to fill an unexpired term as the Planning Board's representative on the Open Space and Recreation Committee, such term to expire on June 30, 2013. Second by Mr. Donato. Vote: 3:0:0.

NEW BUSINESS

Mr. Flynn requested that an item be placed on the next agenda to discuss the potential for naming a Zoning Bylaw Study Committee.

Mr. MacDonald said that he will soon be appointing the 375th Duxbury Anniversary Committee.

Mr. MacDonald said that he intends to contact our State representatives about the possibility of the Town taking over management of the Myles Standish Monument. This is a State property, managed by the Department of Conservation and Recreation. However, it is often closed. Mr. MacDonald has received several inquiries from members of the public who would like to visit the monument.

ADJOURNMENT

Mr. Donato moved for adjournment of the meeting at 8:02 PM. Second by Mr. Flynn. Vote: 3:0:0.

LIST OF DOCUMENTS

- 1) *Packet pertaining to Senior Tax Work-Off Program*
- 2) *Draft agreement between Plymouth Area Community Access Television, Inc. and the Town of Duxbury*
- 3) *Packet pertaining to Meeting of the Water & Sewer Commissioners: Water, Sewer, and Service Commitment*
- 4) *Selectmen Liaison Assignments to Boards and Committees*
- 5) *Suggested Announcement re: Passing of Dr. David Vogler, former Selectman*
- 6) *Draft Minutes of March 28, 2011*
- 7) *Recommended Appointment to the Open Space and Recreation Committee*

