

Date: May 23, 2011

Date Minutes Approved: June 6, 2011

BOARD OF SELECTMEN MINUTES

Present: Shawn Dahlen, Chair and Theodore Flynn, Clerk.

Absent: Christopher Donato, Vice-Chair.

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

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

OPEN FORUM

Mr. Dahlen explained that based on the advice of Town Counsel and given the new Open Meeting Laws, the Board is going to change the way the agenda is put together. In the past the Selectmen's Meetings have started with Open Forum, the concept of which was that it was a time for a citizen to come to the Board to request a topic be put on a future agenda for discussion. However, under the new Open Meeting Laws the agenda must reflect items that are to be discussed at the meeting and there is a concern that a discussion might begin that would violate the Open Meeting Laws.

Mr. Dahlen stressed that the Board still does want to hear from citizens, but citizens are encouraged to contact the Town Manager / Board of Selectmen's Office to request topics be placed on the agenda. Members of the Board of Selectmen, the Town Manager, and the Selectmen's staff will respond to requests and facilitate scheduling to get requested topics on upcoming agendas.

TOWN CLERK: CENSUS MAPS

Mrs. Nancy Oates, Duxbury Town Clerk was introduced. Mrs. Oates displayed maps that showed the voting precincts of the Town. She explained that the precincts are not based on the actual population, as determined by the annual Town census, but rather on the federal census, which is done every ten years. Mrs. Oates provided to the Board a handout, which provided counts of residents by ward and precinct and the census data from the 2010 and 2000 US Federal Census.

It was explained that the precincts have to be defined in such a way so that they geographically have approximately the same number of citizens based on the Federal census information. Mrs. Oates provided some historical information stating that when she first became Town Clerk there were only three precincts, but noted it was suggested many years ago that based on the population Duxbury should be re-districted to allow for six precincts. The current six district precincts were established after the 1990 Federal census and have withstood the test of time as the fluctuations in population have been minimal so Duxbury has been able to maintain the established precincts with minor changes.

The Board was asked to accept the precinct maps as presented and to sign the map certifying the Board of Selectmen's acceptance of the proposed precinct map.

Mr. Flynn made a motion that the Board of Selectmen accept the census (precinct) maps as presented by the Town Clerk. Second by Mr. Dahlen. VOTE: 2:0:0.
Following the vote both Mr. Dahlen and Mr. Flynn signed the precinct map.

7:05 P.M. PUBLIC HEARING: USE OF TOWN GREEN FOR 2011 DUXBURY MUSIC FESTIVAL

At 7:15 PM Mr. Dahlen opened a public hearing regarding the use of the Town Green.

Ms. Pam Campbell Smith was present on behalf of Ms. Amy Schomp to represent the Duxbury Music Festival. She explained that they are requesting permits for 3 items:

1. On Saturday, July 30th there will be a ticketed concert in a tent on the Town Green. So permission for a one-day liquor license is being requested.
2. On Sunday, July 31st, in the late morning they want to host a marionette show and permission is being sought to allow that event on the Town Green.
3. On Sunday, July 31st from 5 PM -7:30 PM the free event, "Sunday in the Park", is planned and the request is for a one-day liquor license.

She noted that a Police detail will be present for the Saturday evening event and that appropriate liability insurance and TIP certifications have been presented.

It was noted that the requests were circulated for departmental feedback. There were no objections and any conditions have been included on the permits or licenses. Notice of the events were sent to the abutters. As each motion was made and before the vote was taken the Chair asked if there was any comment, but no public comments were made.

Mr. Flynn moved that Ms. Amy Schomp, as a representative of the South Shore Conservatory, be granted permission to hold a portion of the Duxbury Music Festival on the Duxbury Town Green from Thursday, July 28 through Sunday, July 31, 2011, subject to the conditions listed on the permit. Second by Mr. Dahlen. VOTE: 2:0:0.

Mr. Flynn moved that Ms. Amy Schomp, as a representative of the South Shore Conservatory, be granted a One-Day All-Alcohol License for a reception and concert to be held on the Town Green, in conjunction with the Duxbury Music Festival, on Saturday, July 30, 2011 from 6:30 PM to 10:30 PM, subject to the conditions listed on the permit. Second by Mr. Dahlen. VOTE: 2:0:0.

Mr. Flynn moved that Ms. Amy Schomp, as a representative of the South Shore Conservatory, be granted a One-Day Wine & Malt license for a concert to be held on the Town Green, in conjunction with the Duxbury Music Festival, on Sunday, July 31, 2011, from 5:00 PM to 7:30 PM, subject to the conditions listed on the permit. Second by Mr. Dahlen. VOTE: 2:0:0.

EMERGENCY PREPAREDNESS PUBLIC FORUM / FIRE CHIEF NORD & NUCLEAR ADVISORY COMMITTEE

Ms. "Pixie" Lampert, Chair of the Duxbury Nuclear Advisory Committee (DNAC) was present to discuss with the Board plans for a free public forum to be held in Duxbury regarding: Nuclear Safety Considerations and Emergency Preparedness Plans.

Ms. Lampert provided the following details:

What: Public Forum on Nuclear Safety Considerations and Emergency Preparedness Plans

When: Wednesday, June 15, 2011 from 7:30 PM to 10:00 PM

Where: Duxbury Senior Center, 10 Mayflower ST, Duxbury MA

Panel: Will consist of nuclear experts who are the "go to" experts for the *New York Times*, *Wall Street Journal*, and/or the *Washington Post* regarding nuclear issues. Several have already confirmed their attendance. A representative from Entergy is being invited as well, and Fire Chief Kevin Nord will present to address Duxbury Emergency Preparedness issues.

Format: Following brief presentations there will be an audience question and answer period. Chief Nord answer any questions regarding issues pertaining to Emergency

Preparedness in Duxbury.

The Forum is being co-sponsored by the DNAC and the Duxbury Emergency Management Agency (DEMA). Ms. Lampert extended an invitation for the Board members to attend and asked if they wanted to play a role in sponsoring the forum.

The Board members were impressed with the invited panel members and will encourage the public to attend.

DISCUSSION ABOUT FINANCING AND COST RELATED TO TOWN PROJECTS

Mr. Dahlen explained he added this topic after receiving a letter from the Local Housing Partnership (LHP), which he read. The letter from the LHP recommended that borrowing for the school building project be for a 30-year period in order to minimize the impact to seniors and lower income resident. He also mentioned he has been hearing a lot of concern and/or questions from citizens wondering when their tax bills will be affected by the Town building projects (i.e., the new Crematory, renovations to the Central Fire Station, the new Police Station, and potentially the building of a new Duxbury High School / Middle School.) Given the above, Mr. Dahlen asked for a preliminary discussion regarding how the town plans to pay for the upcoming building projects and the timeframes involved.

Mr. MacDonald commented that much of the discussion is premature as, until cost estimates are known, it is difficult to project the financial course that might be taken.

Mr. Madden, the Town's Finance Director, said at this time the Finance Department intends to follow the recommendations which were made at Town Meeting regarding financing:

For Small projects (i.e., the Crematory & Fire Station renovation):	15 Yr. Level Principal financing
For the Police Station project:	20 Yr. Level Principal financing
For the Middle School/ High School:	Hybrid financing

He commented that he was hesitant to accept 30-year, level borrowing as it is difficult to predict what future borrowing needs might be.

Mr. Madden also mentioned that his immediate concern was not to have a lot of debt on the Town books as of June 30th, i.e., the end of the fiscal year.

Mr. Madden also explained that the two quarters (August 1st and November 1st) are estimated tax bills and each normally represents $\frac{1}{4}$ of the prior year's total annual tax plus 2 $\frac{1}{2}$ %. Then in the fall, usually in November, the tax rate is set and the bills for the last two quarters (Feb 1st and May 1st) are the actual tax bills and reflect your current assessment and the town's tax rate. Given the timing of the building projects and the bidding process, it is anticipated that an increase to the tax bills will not be seen until FY'13.

BUSINESS

TOWN MANAGER'S BRIEF

Mr. MacDonald mentioned the following items:

- 1) 375th Committee: In 2012 the Town of Duxbury will mark its 375th year. In preparation for that Mr. MacDonald named the following to the 375th Committee:

Patrick Browne	Duxbury Rural & Historical Society
Don Reed	Fourth of July Committee
Nancy Reed	Fourth of July Committee
Janet Ritch	Duxbury Cultural Council/ Fourth of July Committee
Karen Barry	Fiscal Advisory Committee

Josh Cutler	Media (Clipper Press), Alt. Energy Comm.
Pam Campbell-Smith	Council on Aging
Paula Harris	Board of Library Trustees
Tony Kelso	Town Historian
Robert C. "Terry" Vose	Historical Commission
Camille Neville	Duxbury Camera Club
Sandy Sweetser	Artist / Local Business Owner
Tony Chamberlain	Maritime/Sailing interests
Bill Thayer	Local Historic District Study Comm.
Susan Kelley	Assistant Town Clerk

He noted that the 375th Committee will be working with the 4th of July Committee to incorporate the 375th celebration into the parade.

- 2) **Fire Station Groundbreaking:** The public is invited to attend a Groundbreaking Ceremony at 8 AM on Wednesday, May 25th at 8 AM at the Central Fire Station.
- 3) **Memorial Day Holiday:** Next Monday (June 30th) is the Memorial Day holiday. Town Hall will be closed and there is no Selectmen's meeting next week.

ANNOUNCEMENTS --No announcements made.

MINUTES

Mr. Flynn moved that the Board approve the Minutes of May 9, 2011 (Open Session), as presented. Second by Mr. Dahlen. Vote: 2:0:0. Second by Mr. Dahlen. VOTE: 2:0:0.

Mr. Flynn moved that the Board approve the Minutes of May 16, 2011 (Open Session), as presented. Second by Mr. Dahlen. Vote: 2:0:0.

Mr. Flynn moved that the Board approve the Minutes of May 16, 2011 EXECUTIVE SESSION A, as presented, with the contents to remain sealed until the need for confidentiality has passed. Second by Mr. Dahlen. Vote: 2:0:0.

Mr. Flynn moved that the Board approve the Minutes of May 16, 2011 EXECUTIVE SESSION B, as presented, with the contents to remain sealed until the need for confidentiality has passed. Second by Mr. Dahlen. Vote: 2:0:0.

COMMITTEE APPOINTMENTS/RE-APPOINTMENTS

Mr. Flynn moved to re-appoint Pauline Flynn as the Duxbury Delegate to the Old Colony Elder Services (OCES) for a term to expire 06/30/12. Second by Mr. Dahlen. VOTE: 2:0:0.

BONUS SHELLFISH SEASON

Mr. Flynn moved that the Board of Selectmen declare a temporary Bonus Shellfish Season:

- 1) for the commercial harvesting of softshell clams for the month of June in accordance with Attachments B & C of the posted regulations, and
- 2) for the commercial harvesting of quahog clams for the month of June in accordance with Attachments A & C of the posted regulations, and
- 3) for the recreational harvesting of softshell clams for the month of June in accordance with Attachment D of the posted regulations.

Second by Mr. Dahlen. VOTE: 2:0:0.

Before adjourning Mr. MacDonald mentioned that a nice reception was held at the Senior Center last week in honor of Betsy Sullivan. The event was very well attended, and Mr. MacDonald extended thanks to Joanne Moore, Linda Hayes, Barbara Mello and Anne Murray, who helped organize it.

ADJOURNMENT

At 7:55 PM, Mr. Flynn moved that the Board of Selectmen's meeting be adjourned. Second by Mr. Dahlen. VOTE: 2:0:0.

LIST OF DOCUMENTS

- 1) *Census Data (Handout Provided by Town Clerk at the meeting)*
- 2) *Application materials for the Duxbury Music Festival for permission to use the Town Green and for two one-day liquor licenses (July 28-31, 2011).*
- 3) *Information on Forum – Nuclear Safety Considerations Post Fukushima*
- 4) *Local Housing Partnership Letter dated April 28, 2011*
- 5) *375th Committee membership memorandum (Note: subsequently revised)*
- 6) *Draft Board Minutes of May 9, 2011*
- 7) *Draft Board Minutes of May 16, 2011*
- 8) *Draft Board Minutes of May 16, 2011 EXECUTIVE SESSION A*
- 9) *Draft Board Minutes of May 16, 2011 EXECUTIVE SESSION B*
- 10) *Board and Committee Appointments 05-23-11*
- 11) *Bonus Shellfish Season (June 2011)*