

Date: July 7, 2011

Date Minutes Approved: July 25, 2011

BOARD OF SELECTMEN MINUTES

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

Absent: None

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

The meeting was called to order at 8:00 AM.

WATER SUPERINTENDENT: PROPOSAL FOR VOLUNTARY WATER BAN

Mr. Peter Mackin, Duxbury's Water Superintendent, was present and requested that the Selectmen enact a voluntary outdoor water ban similar to what has been done in the past. It is hoped by asking residents to voluntarily conserve town water (i.e., does not apply to private wells) a mandatory water ban can be avoided.

Mr. Mackin read the notification, which will be sent to the media:

In order to maintain our water supply for domestic use and fire protection the following voluntary outside watering restrictions are effective immediately.

Odd-numbered houses will be restricted to Mondays, Wednesdays and Fridays.

Even-numbered houses will be restricted to Tuesdays, Thursdays and Saturdays.

All watering to be done between the hours of 5 AM – 8 AM and 5 PM – 8 PM. No watering on Sundays.

Your full cooperation is requested to help avoid further mandatory restrictions.

Please direct any questions to the Water Department at 781-934-1100; Ext. 129 or 130.

Mr. MacDonald mentioned that the State is still trying to mandate a 67 gal daily limit. This is a very stringent limit and Duxbury is staying on top of the issue and advocating for a higher limit.

Ms. Maggie Kearney mentioned that the voluntary water ban signs only have the morning hours. Mr. Mackin confirmed the evening hours from 5 PM – 8 PM are also allowed. He will make sure the signs reflect this.

Mr. Flynn moved that the Board of Selectmen approve the proposal for a voluntary water ban effective immediately. Second by Mr. Donato. VOTE: 3:0:0.

EXECUTE ORDER OF TAKING FOR FREEMAN FARMS SUBDIVISION ROADWAYS

In the signature packet there is an Order of Taking to be executed in accordance with the 2011 Annual Town Meeting vote on Article 43

Mr. Flynn moved that the Board execute an Order of Taking for Cushing Drive and Ice House Road, in accordance with the vote of 2011 Annual Town Meeting, Article 43. Second by Mr. Donato. VOTE: 3:0:0.

BUSINESS

ONE-DAY LIQUOR LICENSE REQUESTS *Catherine Rogerson for Duxbury Yacht Club: Two Events / July 24, 2011 & August 14, 2011 and Re-vote on Duxbury Yacht Club event on August 21, 2011*

Mr. Dahlen said that the Board has been given three requests for One-Day Liquor License from the Duxbury Yacht Club. The first two are for Fire and Ice Parties on July 24 and August 14, 2011 from 6 PM – 8 PM at the Sprague-Parker clubhouse. The requests are for wine and malt licenses. The third request is for an all-alcohol license for a cookout on August 21 from 6 PM -9 PM and is a re-vote to correct a minor change. The requests were distributed for Departmental feedback. No objections were made and any conditions have been included on the licenses.

Mr. Flynn questioned why the Duxbury Yacht Club (DYC) does not apply for a club liquor license vs. requesting numerous one-day liquor licenses. Mr. Dahlen explained that it is his understanding the DYC does intend to do that, but Ms. Mello found out that once an application has been filed no one-day liquor licenses can be approved and issued. Given this is there busy season he believes they will wait until later in the year to apply.

Mr. Flynn moved to grant to Ms. Catherine Rogerson, as a representative of the Duxbury Yacht Club, three One-Day Alcohol Licenses for the following events:

1. Fire and Ice Party on July 24, 2011, from 6:00 PM to 8:00 PM, to be held at the Sprague-Parker clubhouse on Fairway Lane (Wine and Malt);
2. Fire and Ice Party on August 14, 2011, from 6:00 PM to 8:00 PM, to be held at the Sprague-Parker clubhouse on Fairway Lane (Wine and Malt);
3. Cookout on August 21, 2011, from 6:00 PM to 9:00 PM, to be held at the Sprague-Parker Clubhouse on Fairway Lane (All-Alcohol).

subject to the conditions on the licenses. Second by Mr. Donato. VOTE: 3:0:0.

EVENT PERMITS

Teresa Woodward for Duxbury Student Union: Coffeehouse on July 23, 2011

Mr. Dahlen mentioned the Board has received a request for an Event Permit to hold a coffeehouse from 7 PM to 10:30 PM on the grounds of the Wright Building. The event will involve having 8-10 local high school bands performing on the lawn. Refreshments will be sold. He reported that the request was distributed for Departmental feedback and no objections were made and any conditions have been included on the license.

Mr. Flynn moved that the Board grant to Ms. Theresa L. Woodward, as a representative of the Duxbury Student Union (DSU), permission to hold a coffeehouse on the grounds of the Wright Building, on Saturday, July 23, 2011, from 7:00 PM to 10:30 PM, subject to the conditions listed on the license. Second by Mr. Donato. VOTE: 3:0:0.

Sandy Smith Kozlowski: Bay Farm Montessori Academy (BFMA) Road Race / November 6, 2011

Mr. Dahlen gave an overview of the planned 7th Annual BFMA 5K Run by the Bay, which will be on Sunday, November 6, 2011 from 8:30 AM to 12:00 PM. The course was described and is the same as it has been for the past two years. It was noted that this year's Run is in memory of Royce Whitaker, a BFMA student whose life was cut short in a tragic accident.

Mr. Flynn moved to grant to Ms. Sandy Smith Kozlowsky, as a representative of the Bay Farm Montessori Academy, permission to hold the 7th Annual 5K Run by the Bay on Sunday, November 6, 2011 from 8:30 AM to 12:00 PM, beginning and ending at the Bay Farm Montessori School, contingent on the conditions on the permit. Second by Mr. Donato. VOTE: 3:0:0.

Mr. Dahlen recused himself from participating and voting on the next two event permits as regarding the first one he is a director of the Duxbury Beach Reservation and regarding the second one it might include his residence. Mr. Donato assumed the Chair.

Margaret Kearney and Tammy Kirk: Beach Preservation Beach Race /August 13, 2011

Ms. Margaret ("Maggie") Kearney, President of the Duxbury Beach Reservation, was present on behalf of Ms. Tammy Kirk, who is managing the event. She began by explaining that the Duxbury Beach Preservation Society is a subcommittee of the Duxbury Beach Reservation. The Duxbury Beach Preservation Society is requesting an event permit for the "Pound Sand" Beach Race on Duxbury Beach on Saturday, August 13th from 7 AM – 10 AM. She noted that this is the second year that they have held the race and pointed out noted that the race is run early so it is over before the beach really gets busy. She assured the Board that all permits are being obtained and that they are working with the public safety officials to assure a safe event.

Mr. Flynn moved to grant to Tammy Kirk and Ms. Margaret Kearney, as representatives of the Duxbury Beach Preservation Society, are granted permission to conduct the "Pound Sand" Beach Race on Duxbury Beach on August 13, 2011, from 7:00 am to 10:00 am, contingent upon all the conditions on the permit being met. Second by Mr. Donato. VOTE: 2:0:0. (Mr. Dahlen recused himself.)

Jonna Mattingly for Little Bear, Inc. / Photo Shoot at Middle School and Private Home, July 11-14

Mr. Donato gave an overview of the request for an event permit made by Ms. Jonna Mattingly of Lionoil, Inc., representing Little Bear Production, for the filming of a print and TV ad campaign for Polo / Ralph Lauren fragrance "Big Pony Girls." The production will be from July 11 – 14, with the 11th being the set up day and the photo shoot being on the 12th -14th. Filming will be on private property with the main location being David Lowry's residence at 125 Standish ST. A tent will be sent up at the Duxbury Middle School and be used as their "base camp" and permission has been received from the school administration.

Mr. MacDonald mentioned that this production is more elaborate that one might think. A meeting with Ms. Mattingly and some colleagues and the Town officials, including the public safety officials, was held yesterday in the Old Town Hall. They mentioned scenes involving polo ponies and skydivers. One concern was that several locations might be used but those had not been finalized so it was very clearly pointed out that any change in locations from what has been indicated would have to be reviewed and approved by the public safety officials.

Mr. Flynn moved to grant to Ms. Jonna Mattingly, of Lionoil Inc., and as a representative of Little Bear Inc., permission to hold a filming session in Duxbury during the week of July 11 – July 15, 2011, subject to all the conditions on the event permit being met and followed. Second by Mr. Donato. VOTE: 2:0:0. (Mr. Dahlen recused himself.)

TOWN MANAGER'S BRIEF

Mr. MacDonald mentioned the following items:

1. Board of Health Information regarding ticks and mosquitoes:

TICKS: Mr. MacDonald mentioned that Tracy Mayo, the Town's Health Agent, has received an number of inquiries regarding concerns about the large number of ticks. There currently is no spray that the State has recommended for dealing with ticks.

MOSQUITOES: Mr. MacDonald said if a resident wants their property sprayed for mosquitoes, then they should contact the Plymouth County Mosquito Control, who handle those requests. Mr. MacDonald added that information about how to contact the Plymouth County Mosquito Control will be posted on the Town's website.

2. **Construction Costs:** Mr. MacDonald reported that Construction Costs for the month of June were \$1.2 million. He also noted that The Reserve development of 16 homes will begin construction shortly.
3. **New Federal Stormwater Regulations:** Mr. MacDonald indicated that he has been notified that new federal EPA stormwater regulations are being implemented. This will affect the Town with regard to permitting. It already has affected the Town as one of the State grants that had been applied for was not received due to these new regulations.

ANNOUNCEMENTS

Mr. Donato made the following announcements:

1. Graham Doskoch, grandson of Catherine Mavin, Senior Center employee just won Kid's Jeopardy. The show aired on July 4, 2011. He won a \$21,800 scholarship for college.
2. The School Building Committee and Mount Vernon Group Architects, the designer of the proposed co-located middle and high school, will be hosting a Green Building/Energy forum on Tuesday, July 19th from 1 PM – 5 PM in the Town Hall Mural Meeting Room. The design mechanical, electrical and plumbing engineers and the energy modeling consultant will discuss options for the proposed school facility. Interested board and committee members and the public are invited to attend and participate.

MINUTES

Mr. Flynn moved that the Board approve the Minutes of June 27, 2011 (Open Session), as presented. Second by Mr. Donato VOTE: 3:0:0.

Mr. Flynn moved that the Board approve the EXECUTIVE SESSION A Minutes of June 27, 2011 as presented, with the contents to remain sealed until the need for confidentiality has passed. Second by Mr. Donato. VOTE: 3:0:0.

Mr. Flynn moved that the Board approve the EXECUTIVE SESSION B Minutes of June 27, 2011 as presented, with the contents to remain sealed until the need for confidentiality has passed. Second by Mr. Donato. VOTE: 3:0:0.

The Executive Session Minutes of June 30, 2011, indicated on the agenda, were not ready for review and were not included in the Selectmen's packet, and therefore, no motion was made regarding them.

COMMITTEE APPOINTMENTS/RE-APPOINTMENTS

<u>Committee</u>	<u>Name</u>	<u>Appt or Re-Appt</u>	<u>Term Expires</u>	<u>Motion</u>	<u>Second</u>	<u>Vote</u>
Constable	Alden Ringquist	Re-Appt.	6-30-14	Mr. Flynn	Mr. Donato	3:0:0
Economic Advisory Comm.	Clark Hinckley (At-Large member)	Re-Appt.	6-30-14	Mr. Flynn	Mr. Donato	3:0:0

Local Housing Partnership	Denece McGann-Clinton (At-Large Member)	Re- Appt.	6-30-14	Mr. Flynn	Mr. Donato	3:0:0
Local Housing Partnership	Bruce Bygate (Bd. of Health Rep.)	Re- Appt.	6-30-14	Mr. Flynn	Mr. Donato	3:0:0
Nuclear Advisory Committee	Janet Francis	Re- Appt.	6-30-14	Mr. Donato	Mr. Flynn	3:0:0
Shellfish Adv. Committee	Linda Brodie	Re- Appt.	6-30-14	Mr. Donato	Mr. Flynn	3:0:0
Shellfish Adv. Committee	Gregg Morris	Re- Appt.	6-30-14	Mr. Donato	Mr. Flynn	3:0:0

Before adjourning Mr. Flynn requested the topic of Open Forum be put on a future agenda for a public discussion in light of additional information. Mr. Dahlen indicated that it will be scheduled.

ADJOURNMENT

At 8:23 AM, Mr. Flynn moved that the Board of Selectmen's meeting be adjourned. Second by Mr. Donato. VOTE: 3:0:0.

LIST OF DOCUMENTS

- 1) July, 2011 Memo from Peter Mackin, Water Superintendent RE: Press Release Outside Voluntary Watering Restrictions
- 2) Draft Motion and Backup Documentation RE: Order of Taking Cushing Drive and Ice House RD (per Article 43 at 2011 Annual Town Meeting)
- 3) Information on Forum – Nuclear Safety Considerations Post Fukushima
- 4) Event Permit Application: Duxbury Student Union for Coffeehouse on 7/23/11
- 5) Event Permit Application: Duxbury Beach Preservation Society for "Pound Sand" Beach Race on 8/13/11
- 6) Three One-Day Liquor License Applications: Duxbury Yacht Club for Fire and Ice Parties on 7/23/11 and 8/14/11 and for a Cookout on 8/21/11
- 7) Event Permit Application: Duxbury Bay Montessori Academy -7th Annual 5K Run by the Bay on 11-06-11
- 8) Event Permit Application: Little Bear Inc. Request for a Photo Shoot for Polo/Ralph Lauren fragrance ad on July 11-14, 2011.
- 9) Suggested Announcements: Kid's Jeopardy Winner and School Building Comm. with Mount Vernon Group Architects Green Building/Energy forum on 7-19-11
- 10) Draft Board Minutes of June 27, 2011 (Open Session)
- 11) Draft Board Minutes of June 27, 2011 EXECUTIVE SESSION A
- 12) Draft Board Minutes of June 27, 2011 EXECUTIVE SESSION B
- 13) Board and Committee Appointments 07-07-11