

Date: August 22, 2011

Date Minutes Approved: September 7, 2011

BOARD OF SELECTMEN MINUTES

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

Absent: No members were absent.

Staff: Richard MacDonald, Town Manager; John Madden, Finance Director; and Barbara Mello, Executive Assistant. (Staff did not enter the meeting until after the Executive Session.)

CALL TO ORDER

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

Also present were:

**Robert Troy, Duxbury Town Counsel
Eric McKenna, Associate Counsel
Jeannie Horne, Human Resources Officer**

VOTE TO ENTER EXECUTIVE SESSION

Mr. Flynn moved that the Board enter Executive Session to discuss the Town Manager's employment contract, in accordance with Massachusetts General Laws, Chapter 30a, Section 21, and then to re-convene in Open Session upon completion of the business. Second my Mr. Donato.

Mr. Dahlen declared that an Executive Session is necessary because an Open Session would have a detrimental effect on the Town's negotiating position.

Roll Call Vote: Mr. Dahlen---aye; Mr. Donato---aye; and Mr. Flynn---aye.

VOTE TO END EXECUTIVE SESSION

At 7:22 PM, Mr. Donato moved that the Board end the Executive Session and re-convene in Open Session. Second by Mr. Flynn. Roll Call Vote: Mr. Dahlen---aye; Mr. Donato---aye; Mr. Flynn---aye.

OPEN FORUM

No items were brought forward.

TOWN MANAGER CONTRACT

Mr. Dahlen announced that the Selectmen have voted to continue the Town's relationship with Richard MacDonald as Town Manager, and have voted on a three-year contract. (The Selectmen signed a marked up draft of the document. Attorney Troy will produce a corrected copy for their signature.) Mr. Dahlen said that Mr. MacDonald has built a great

team in Duxbury and the he looks forward to continuing to work with him. Mr. MacDonald thanked his staff for all of their contributions.

Attorney Troy, Attorney McKenna and Ms. Horne left the meeting at this point.

RECOGNITION OF LEYLA FITZPATRICK: ANIMAL SHELTER FUNDRAISING

Mr. Dahlen commended Ms. Fitzpatrick for her compassion and fundraising efforts for homeless Duxbury animals in need. Ms. Fitzpatrick raised over \$6,300.00 for the Duxbury Animal Shelter, as a Senior Project at Duxbury High School. Ms. Fitzpatrick was present to accept a Certificate of Appreciation from the Board. Ms. Susan Curtis, Ms. Fitzpatrick's Senior Project Sponsor, was also present.

FINDINGS AND RECOMMENDATIONS OF THE BLAIRHAVEN COMMITTEE

Ms. Sullivan, Chairman of the Blairhaven Committee, presented the findings and recommendations of the Committee. Several members of the Blairhaven Committee were also present. Their presentation included:

- 1) A list of recommendations for the Selectmen regarding the property
- 2) Recommended Park Rules and Regulations
- 3) A draft Conservation Restriction for the property, to be reviewed by Town Counsel

Mr. Dahlen thanked the Committee for their work. He said that he would like to have everything reviewed by Town Counsel, and then brought forward to a future meeting.

After the presentation, Mr. John Bear (Community Preservation Committee Chairman) asked to be recognized. He said he is concerned that the proposed two-hour parking limit is too restrictive, and will never be enforced. He also said that the property should be conceived as one large public area, instead of as two distinct properties (Howland's Landing & the Beach Area).

SOLAR ARRAY SUBCOMMITTEE OF THE ALTERNATIVE ENERGY COMMITTEE

Present from the Solar Array Subcommittee were:

Mr. Jim Goldenberg

Mr. Josh Cutler

Ms. Lynne Smith

Mr. Goldenberg explained that the Subcommittee is proposing to put a solar array on top of the two-acre capped landfill behind the transfer station. The likely ownership structure would be to have a third party developer lease the property from the Town, own and operate the array, and provide the electricity to the Town under a long-term contract below market rates. An RFQ has been issued to study and possibly develop the project. The Subcommittee has also been working with the School Building Committee to maximize the potential of the school roof to accommodate solar facilities. The Subcommittee will report back to the Selectmen as more information becomes available.

ONE-DAY LIQUOR LICENSE REQUESTS

Mr. Flynn moved that Ms. Catherine Rogerson, as a representative of the Duxbury Yacht Club, is granted two One-Day All-Alcohol Licenses for the following events:

- 1) Labor Day Cocktail Party on September 3, 2011, from 5:30 PM to 7:30 PM, to be held at the Ellison Clubhouse on Mattakesett Court; and
- 2) Ryder Cup Golf Party on September 24, 2011, from 5:00 PM to 7:00 PM, to be held at the Sprague-Parker Clubhouse on Fairway Lane;

subject to the conditions listed on the permit, with the notation that the final number of detail officers required on September 3 will be determined by the Police Chief.

EVENT PERMIT REQUEST

Mr. Flynn moved that Mr. Thomas O' Regan, as a representative of the Powder Point Neighborhood Association, is granted permission to hold a block party on Sunday, September 11, 2011 from 3:00 PM until 6:00 PM, with a rain date of September 18, 2011, subject to the conditions listed on the permit. Second by Mr. Donato. Vote: 3:0:0.

TOWN MANAGER BRIEF

- 1) Powder Point Bridge: Mr. MacDonald said that he will be forming a small committee to study the issue of repairs to the Powder Point Bridge.
- 2) Mileage Reimbursement: The Town of Duxbury currently reimburses employees \$0.32 per mile for travel expenses. The federal government rate is \$0.52 per mile. Effective immediately, the Town rate will be increased to \$0.42 per mile.
- 3) Archives: New shelving will be installed in the Town Hall basement archive room, to improve the storage of public documents.
- 4) Health Insurance Reform: The legislature has passed new regulations pertaining to health insurance for public employees (Massachusetts Health Insurance Reform Act). The Finance Director and Town Manager will be attending a seminar on August 25 to learn about the implications for Duxbury.

ANNOUNCEMENTS---None

MINUTES

Mr. Flynn moved that the Board accept the Executive Session Minutes of August 8, 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 accept the Open Session Minutes of August 8, 2011 as presented. Second by Mr. Donato. Vote: 3:0:0.

ADJOURNMENT

At 7:50 PM, Mr. Flynn moved to adjourn the meeting. Second by Mr. Donato. Vote: 3:0:0.

LIST OF DOCUMENTS

- 1) Certificate of Appreciation for Ms. Leyla Fitzpatrick
- 2) Recommendations of the Blairhaven Committee, dated 8/10/11
- 3) Draft Howland's Landing Park Rules and Regulations, presented by the Blairhaven Committee, dated 8/10/11
- 4) Existing Conditions Plan of Howland's Landing, prepared for the Town of Duxbury Conservation Commission on June 1, 2011 by Land Planning, Inc.
- 5) Draft Conservation Restriction for Blairhaven Property, dated 8/6/11

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- 6) *Alternative Energy Committee Initiative Overview (Landfill Solar Project), dated 8/22/11*
- 7) *Request for Qualifications---Solar Energy Systems, due date 9-15-11, pages 1-16 of 65*
- 8) *One-Day Liquor License Application Packet: Duxbury Yacht Club, for events on 9-3-11 and 8-24-11*
- 9) *Event Permit Application Packet: Powder Point Avenue Block Party on 9-11-11*
- 10) *Draft Executive Session Minutes of 8-22-11 (moved to Executive Session files)*
- 11) *Draft Open Session Minutes of 8-22-11*