

Date: September 7, 2011

Date Minutes Approved: September 26, 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 8:05 AM. It was mentioned that the meeting scheduled on Monday, August 29, 2011 had to be cancelled due to the power outages caused by Tropical Storm Irene, and today's meeting was to catch up due to the missed meeting.

OPEN FORUM

Nothing was brought forward

DISCUSSION RE: TROPICAL STORM IRENE

Present for this item were: Fire Chief Kevin Nord, Police Chief Matthew Clancy, DPW Director Peter Buttkus, Harbormaster Don Beers, and Council on Aging Director Joanne Moore.

Mr. MacDonald said that he had asked the above-referenced Dept. Heads to be present to brief the Board and the public regarding the events brought about by Tropical Storm Irene (TS Irene). He began by commending the Department Heads and their staffs for doing an excellent job before, during and after TS Irene. He also said:

- He asked the Department Heads to be present to stop the "rumor mills". A couple of the rumors he heard were "The Town shut off the power." and that "The tree trimming by NStar was not allowed by the Town." Both are not true.
- The primary problem was that the communication with NStar's administration was horrible.
- He said he believes that there should be one person talking in emergency situations so Chief Nord as the Head of Emergency Management was the designated person. At one point, he did ask Chairman Dahlen to speak with WATD, but beyond that he left the emergency notices up to the discretion of Chief Nord.

Fire Chief Kevin Nord presented the Board with a memo ("Overview of After Action Report, Tropical Storm Irene). Chief Nord made the following comments:

- First calls started coming in about 9:36 AM regarding trees / limbs down and wires down.
- Communication with NStar was poor. He mentioned at one point he had a direct cell number for a NStar supervisor. He said left messages, but his calls were not returned.
- He then went over some of the actions taken:
 - Priorities were to keep the roads opened for emergencies and dealing with downed wires (lines). There were 15 roads blocked in the first eight hours of the storm.
 - Barricades were placed, but people were going out at the height of the storm and that did not help. He stressed that the Town was in a state of emergency and as such people should stay in, except in situations of emergency.
 - The Fire Dept. responded to and delivered water to about 100 homes, as the homes are on well water and their pumps failed due to the power outage.

- They worked with the Senior Center to set up an emergency shelter where cell phones and medical equipment could be charged. He thanked COA Director Joanne Moore, who came during the storm to open the shelter. Chief Nord also acknowledged the efforts of Duxbury's Health Agent, Tracy Mayo, to find and recruit volunteers to set up the shelters.

Police Chief Matthew Clancy made the following points:

- He felt that centralizing the operations at the Emergency Operations Center (E.O.C.) at the Fire Station worked well.
- He mentioned that he increased dispatch staffing. On a typical Sunday they might handle an average of about 30 calls. During TS Irene the dispatch center handled slightly under 200 calls.
- Other than the 911 emergency phone line, the Police Department lost its regular telephone lines. The battery backup for the phones lasts 8 hours whereas a generator could keep the power going so it is something that will be looked at.
- He mentioned that all vehicles were out patrolling during the storm.
- He commended the NStar line crews, but echoed Chief Nord that the communication problems were at the supervisory level.
- He stated that he felt there was a lack of preparation by NStar regarding the staging of crews.
- During the mid-storm Chief Clancy said that there was an issue with people coming out to see the storm. There were concerns for public safety with some of the higher wind gusts and with trees and wires coming down.
- The Police did have extra staffing for a police presence in the business district and in areas with longer power outages.

DPW Director Peter Buttkus said:

- He did not want to repeat much of what already had been mentioned, but he agrees with all that was mentioned regarding the lack of NStar's response.
- That the cleanup will take weeks to do as it is needed town-wide. He asked residents to please be patient.

Harbormaster Don Beers said:

- That for his staff preparation before the storm was key and they follow the guidelines in an emergency document, which was prepared years ago with the help of the Duxbury Bay Management Commission.
- Emergency preparedness for the harbor typically takes three days of preparation and entails notification to waterfront concerns and boat owners.
- Before TS Irene hit 80% to 90% of the boats and floats were removed or moved to safer harbor.
- After the storm, he and his staff work as quickly as possible to restore services for commercial and recreational concerns. He reported the harbor was partially back up and running one day after the storm and back to full service two days after.

Mr. MacDonald mentioned that many residents had problems with their landline telephones being out. He said the Town did send out quite a few Reverse 911 messages to keep residents informed, and the Reverse 911 calls can be directed to a cell phone number. He urged residents who have not already done so to go on the Town website: www.town.duxbury.ma.us and to register their cell phone numbers on the Connect-CTY link (in the left toolbar on the home page).

Mr. Dahlen commended the efforts of the DPW, Police, Fire, and the COA / Emergency Shelter staff. He pointed out that when wires are down the town employees can't remove trees or limbs if it is not known whether the wire is live or not, and that is where NStar's lack of response hampered the Town's efforts. He indicated that he wanted a letter sent to NStar to voice the Town's concerns,

but also would like to have a NStar representative come before the Board of Selectmen to answer the Town's concerns.

Mr. Flynn also commended the DPW, but pointed out NStar did not show up. He echoed the Chair's request that NStar be asked to come before the Board.

Mr. Donato mentioned that in the western part of Duxbury many trees were down and landing on wires. He also commended the DPW for their efforts. He made several suggestions:

- Suggested that perhaps more could be done to utilize the Town website for those who could access it and/or to set up a Twitter account to get messages out.
- He also suggested that the Town looking into sending data (text) messages through the Connect-CTY as sometimes text messages can go through when power is low on cell phones.
- He also recommended that residents purchase a car cell phone charger so if power is out for an extended period you can re-charge your cell phone.

Mr. MacDonald indicated that he would be looking into getting a generator for the Old Town Hall and for the server.

Chief Nord mentioned that there was no communication with NStar supervisors. He said at one point NStar lost its database in the Plymouth office, but it wasn't until sometime later that Town officials were made aware of that. Once Town officials were aware of it they were able to give NStar the priorities again.

Mr. Josh Cutler said that the Duxbury Clipper power was off from 6 PM -10 PM and he was in touch with NStar trying to get power back to get the presses rolling. He noticed that there was no direct communication between the NStar supervisors and the crews. The NStar supervisors had to get messages to their dispatchers and then the dispatchers had to call crew in Kingston.

Before going onto the next agenda item, Mr. MacDonald mentioned that the Senior Center called in their kitchen staff during the storm to feed the Public Safety crews and it was much appreciated.

TENTH ANNIVERSARY CELEBRATION FOR DUXBURY SENIOR CENTER / Joanne Moore, COA Director & Pam Campbell Smith, COA Board –Chair

Ms. Joanne Moore, COA Director, mentioned that it is hard to believe but this September marks the 10th Anniversary of the opening of Senior Center. She noted that when the Senior Center opened they had 7000 visitors that first year, and this past year they had 32,000. The number and diversity of programs they offer have also grown. She then mentioned some upcoming events planned to help celebrate and commemorate the 10th Anniversary. The planned events are as follows:

Genealogy Marathon on Saturday, September 10th from 9:00 AM – 2:00 PM. Individuals will be available to help you learn how to go online to get started and there will be a focus on help researching Irish and Canadian genealogy.

“Murder on the Petulant Express” Dinner Theater on Sunday, September 11th from 5:00 PM to 9:00 PM. With a grant from the Duxbury Cultural Council, the Friends of the COA with transport you back in time for an evening of mystery and intrigue presented by the Bay Players. Tickets are \$25. which includes dinner and the show.

Lifelong Learning Kick Off Registration Reception on Monday, September 12th from 5:00 PM to 7:30 PM. 13 lifelong learning courses are being offered.

Fun Run on September 17th and Ms. Pam Campbell Smith will provide more details shortly.

Community BBQ on Saturday, September 17th at 11:00 AM. The community is invited to join in the celebration with live music, a barbeque, face painting and fun.

Turntables in Concert (Alzheimer Fundraiser) on Saturday, September 24th at 6:00 PM. This is a dinner theater show featuring performances of the oldies from the 50's, 60's and beyond. Tickets are \$30. And proceeds will be donated to the Alzheimer's Association.

EVENT PERMIT REQUEST: FUN RUN ON SEPTEMBER 17, 2011 / Pam Campbell Smith, Chair of the Council-On-Aging

Ms. Campbell Smith said this event is a community fun run or walk on Saturday, September 17th. Registration will be from 9:00-10:00 AM. The race begins at 10:00 AM. The course is 5K or 3.1 miles. The planned route is to start at the Senior Center, run across the street along the front of the fire station to Heritage Lane to Evergreen ST to Island Creek Street and around Ricker's Bog to Mayflower ST back to the Senior Center. She said that they anticipate that runners/walkers will only be on Mayflower ST for about an hour between 10 AM – 11 AM. The organizers realize that the Transfer Station is open at that time and didn't know how Public Safety would want to deal with that, but they will work with whatever Public Safety recommends. It was suggest that they could perhaps get notification out via WATD and local media.

Police Chief Clancy felt it could be handled with a Reverse 911 notification letting residents know the hours that the event would be happening on Mayflower ST and a police detail. He did not feel it was necessary to close the road.

Mr. Flynn moved that the Board of Selectmen grant to Ms. Joanne Moore, Director of the Duxbury Council-on-Aging, permission to conduct a Fun Run and Barbeque on Saturday, September 17 from 9 AM to 1:00 PM, beginning and ending at the Senior Center, contingent upon all conditions listed on the permit. Second by Mr. Donato. VOTE: 3:0:0.

DISCUSSION RE: AUTUMN SPECIAL TOWN MEETING

Mr. Dahlen announced there will be a Special Town Meeting (STM) on October 29, 2011 at the Performing Arts Center, beginning at 9:00 AM for the purpose of considering an article (or articles) pertaining to the proposed Co-Located Middle and High School Building Project.

This will be followed by a Special Municipal Election on November 5, 2011, to consider debt exclusion ballot questions pertaining the School Building Project.

Other articles may be placed on the Special Town Meeting warrant by the Selectmen only if it is determined that the matter cannot wait until the Annual and Special Town Meetings in March.

If you would like to request that an article be placed on the October 29th Special Town Meeting warrant, and you believe that the matter cannot wait until March, please send a draft of the article to Barbara Mello in the Town Managers' Office, no later than September 13, 2011 at 4:00 PM.

There was a brief discussion of the timetable of dates. Ms. Mello, Executive Assistant to the Town Manager, pointed out that submitted articles will be discussed by the Selectmen at their scheduled meetings between now and the closing of the warrant on October 19th and listed on the Selectmen's agendas. She stated that the school article is scheduled for discussion by the Selectmen on September 26th.

JOSH CUTLER RE: POTENTIAL SPECIAL TOWN MEETING ARTICLES FROM THE ALTERNATIVE ENERGY COMMITTEE

- 1) *SOLAR ARRAY PROJECT*
- 2) *UTILITY CREDIT PURCHASE AGREEMENT*

Mr. Josh Cutler, a member of the Alternative Energy Committee (AEC), was present to request that the Selectmen consider placing on the Fall 2011 STM warrant one article regarding the solar array project. In the interim, Town Counsel has informed them the article regarding the utility credit purchase agreement will not be necessary. Mr. Cutler explained that knowing there was likely to be a Fall STM the AEC schedule was based on that. Technically, it could be delayed until the spring Annual Town Meeting (ATM), but to do so would delay any forward momentum for at least six months. He also noted that Town Counsel has already reviewed and worked on the language of the article.

While voicing some support for the article the Selectmen decided to hold off on taking a vote to place it on the warrant until they have all articles and they close the warrant.

CALL TO ELECTION

The Selectmen had been presented with a suggested motion for the call to the Election. There was a brief discussion about the polling hours being shorter than usual. It was explained that since the election would not include any races for elected positions, but be limited to the school funding question that the shorter polling hours were reasonable and given that it is on a Saturday would not affect as many working people. After discussion, however, the Board decided to amend the hours so the polls would open at 7:00 AM, instead of the 8:00 AM as suggested, to allow time for those individuals who might have to work to get to the polls.

Mr. Flynn moved that the Board of Selectmen direct the Duxbury Town Clerk to conduct a Special Municipal Election on Saturday, November 5, 2011, all precincts to vote at the T. Waldo Herrick Memorial Gymnasium, Duxbury Middle School, Alden Street, Duxbury, MA, with polling hours from 7:00 AM to 4:00 PM, to consider such questions as are to be determined by the Board of Selectmen no later than 35 days prior to the Election. Second by Mr. Donato. VOTE: 3:0:0.

DUXBURY NUCLEAR ADVISORY COMMITTEE RE: POTENTIAL SPECIAL TOWN MEETING ARTICLE (MONITORING RADIATION AIRBORNE EMISSIONS FROM PILGRIM STATION)

Ms. Pixie Lampert and Ms. Becky Chin, Co-Chairs of the Duxbury Nuclear Advisory Committee, presented their proposed article to the Board. Ms. Lampert mentioned the following:

- The article requires no funding.
- It calls for real-time monitoring offsite of airborne radionuclide emissions from the Pilgrim Nuclear Station, which would be linked to the Massachusetts Department of Public Health (MDPH), to the Massachusetts Emergency Management Agency (MEMA), and to the Emergency Planning Zone Emergency Operations.
- Some funding is in the State budget but they want to assure that the money is used for the monitoring.
- The article is intended to get a sense of the Town for negotiating with MDPH and for additional monies to be put into the monitoring system.
- They are also advocating that there be links to the Emergency Operation Centers.
- This is an initiative that DNAC has been working on since 1989.
- The current system is a ring-monitor and they believe it is insufficient.

The Selectmen indicated that they were in favor of this article, but chose to wait until all articles are received before taking a formal vote to put this on the warrant.

UPDATE ON TOWN MANAGER CONTRACT

Mr. Dahlen said that at the last meeting the Board met in Executive Session to discuss the terms of the Town Manager's Contract and voted to approve the draft with some changes. The final Contract has now been prepared and they voted on its acceptance.

Mr. Flynn moved to adopt the contract (i.e., Town Manager Employment Agreement), as edited, with the contract effective date being July 1, 2011. Second by Mr. Donato. VOTE: 2:1:0. (*Mr. Donato was the nay vote.*)

BUSINESS

JAKE GENEREUX: HOT DOG CART PERMIT REQUEST

The Selectmen reviewed a request for an amendment to his hot dog cart license, which would allow him to sell hot dogs at the Coppens Soccer Fields on Sundays from 11:00 AM until 3:00 PM, from September 11th through November 6th. (Note: Similar requests were granted in the past, but at that time it was determined that the request should be made on an annual basis. This year's request was circulated for departmental feedback with no objections being indicated.)

Mr. Flynn moved that the Board of Selectmen grant permission to Jake Genereux to operate his hot dog stand at the Ray Coppens Soccer Fields on Sundays from 11:00 AM until 3:00 PM, from September 11th through November 6th. Second by Mr. Donato. VOTE: 3:0:0.

EVENT PERMIT REQUESTS

Close Washington Street to Through Traffic During September 11 Anniversary Ceremony

Mr. Flynn moved that the Board of Selectmen vote to close a portion of Washington Street, adjacent to the Town Green, to thru-traffic during the September 11 Tenth Anniversary Ceremony to be held on September 11, 2011 from 3:00 PM to 4:00 PM, with the road remaining open for local traffic. Second by Mr. Donato. VOTE: 3:0:0.

Mr. Flynn requested that they minimize the road closure as much as possible to allow for public safety but to limit inconvenience to residents.

ONE-DAY LIQUOR LICENSE REQUEST(S)

The following requests were circulated and departmental feedback noted in any conditions listed.

Karen Gallagher for Duxbury Education Foundation: Divots for Duxbury Reception on Sept. 26, 2011

Mr. Flynn moved that the Board of Selectmen grant to Ms. Karen Gallagher Matthews, as a representative of the Duxbury Education Foundation, a One-Day Wine & Malt license to hold a fundraiser on September 26, 2011 from 5:30 PM until 9:00 PM at the Art Complex and Museum at 189 Alden Street, contingent upon all conditions listed on the license. Second by Mr. Donato. VOTE: 3:0:0.

Doris Collins for Duxbury Art Complex Museum: Artist Reception on September 18, 2011

Mr. Flynn moved that the Board of Selectmen grant to Ms. Doris Collins, as a representative of the Duxbury Art Museum, a One-Day All-Alcohol License to hold a reception on Sunday, September 18, 2011 from 1:30 PM to 3:30 PM at the Art Complex Museum (186 Alden Street), contingent upon all conditions listed on the license. Second by Mr. Donato. VOTE: 3:0:0.

TOWN MANAGER'S BRIEF

Mr. MacDonald mentioned the following items:

- 1. Frank Mangione: Mr. MacDonald acknowledged and welcomed Mr. Mangione back following his recuperation from recent surgery.**
- 2. Groundbreaking at St. Margaret's: Mr. MacDonald said he attended a groundbreaking at St. Margaret's on Harden Hill.**
- 3. Lt . Timothy J. Steele: Mr. MacDonald thanked the Town for the outpouring of support for the family of Lt. Timothy J. Steele, who lost his life while serving in Afghanistan. He also acknowledged Chief Clancy and Veteran's Agent Mike Thorp for their assistance.**

ANNOUNCEMENTS

Mr. Dahlen mentioned that the Board of Selectmen would be meeting with members of town boards and committees for a Strategic Planning Session on Monday, September 12th from 8 AM to 3:30 PM at the Duxbury Bay Maritime School in the Clifford Room.

MINUTES

Mr. Flynn moved that the Board approve and release the Executive Session Minutes of August 22, 2011, as presented. Second by Mr. Donato. VOTE: 3:0:0.

Mr. Flynn moved that the Board approve and release the Open Session Minutes of August 22, 2011, as presented. Second by Mr. Donato. VOTE: 3:0:0.

COMMITTEE APPOINTMENTS/RE-APPOINTMENTS - none made.

BONUS SHELLFISH SEASON (*for September*)

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

- 1. for the commercial harvesting of softshell clams for the month of September 2011 in accordance with Attachments B & C of the posted regulations, and**
- 2. for the commercial harvesting of quahog clams for the month of September 2011 in accordance with Attachments A & C of the posted regulations.**

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

ADJOURNMENT

At 9:20 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) Memo from Chief Nord: Overview of After Action Report, Tropical Storm Irene 09-06-11**

- 2) *10th Anniversary of COA: Article for Duxbury Doings Newsletter with Listings of upcoming events & flyers*
- 3) *Event Permit Application: COA Fun Run and Barbeque 9-17-11*
- 4) *Special Town Meeting (STM) / Special Municipal Election (SME) – Suggested Announcement*
- 5) *STM / SME Outline of Timeframes*
- 6) *Call to Election: Suggested Motion*
- 7) *STM Article from DNAC: “Monitoring Radiation Airborne Emissions from Pilgrim Station*
- 8) *Town Manager Employment Agreement –Handout at meeting (& in Signature file for execution)*
- 9) *Jake Genereux Hot Dog Stand amendment to license packet*
- 10) *September 11th Anniversary Ceremony - Suggested Motion*
- 11) *One-Day Wine & Malt License: Dux. Education Foundation fundraiser on 09-26-11*
- 12) *One-Day All Alcohol License: Duxbury Art Museum for reception on 09-18-11*
- 13) *Town Manager’s Brief: Construction Cost Estimates (1st page only)*
- 14) *08-22-11 Selectmen’s Executive Session Minutes – DRAFT (Moved to Executive Session file)*
- 15) *08-22-11 Selectmen’s Open Session Minutes –DRAFT*
- 16) *Bonus Shellfish Season for September 2011 – Suggested Motion and Paperwork*