

Date: June 4, 2012

Date Minutes Approved: June 25, 2012

BOARD OF SELECTMEN MINUTES

Present: Theodore J. Flynn, Chair; Shawn Dahlen, Vice Chair; and David J. Madigan, Clerk.

Absent: None

Staff: Richard MacDonald, Town Manager and C. Anne Murray, Administrative Assistant.

CONVENED IN OPEN SESSION

The meeting was called to order at 7:00 PM in the Mural Room.

OPEN FORUM

Mr. Josh Cutler spoke on behalf of the 375th Committee to remind residents that the old-fashioned Clam Bake is this Saturday, June 9, 2012 from 6:00 PM to 11:00 PM. Cost is \$50.00. There are some tickets available but they are going fast.

DUXBURY CAMERA CLUB – Book Presentation

Ms. Camille Neville, Chair of the Duxbury Camera Club's 375th Book Committee, spoke on behalf of the organization. She explained that in conjunction with the Town of Duxbury 375th anniversary celebration the Duxbury Camera Club has published *Images of Duxbury*. With her tonight were a number of the members of the Duxbury Camera Club, and they presented to the Selectmen two copies of the book. One copy is for the Selectmen's Office and the other is for the Town archives. She also mentioned that there is a book launch reception planned for Friday, June 22nd from 5-8 PM at Anne Henning's Gallery at The Market Place on Depot ST. The book will be on sale at Westwinds Bookshop and The Studio beginning on Saturday, June 23rd.

The Selectmen accepted the copies of *Images of Duxbury* and thanked the Duxbury Camera Club for their contribution to the 375th celebration.

TEMPORARY VERIZON/NSTAR EASEMENT FOR NEW CREMATORY BUILDING AND NEW POLICE STATION

Mr. MacDonald explained that easements must be granted by a Town Meeting vote, but that the Board has the authority to sign license agreements for temporary easements. He asked the Board to vote to do so regarding a pole (#26/15A) at 155 Mayflower Street so that power can be brought to the construction site for the work to continue. He said that the formal granting of the easement will be on the next Town Meeting warrant.

Mr. Madigan moved that the Board of Selectmen approve and execute a License Agreement with VERIZON NEW ENGLAND, INC. and NSTAR Electric Company, together with their respective successors and assigns, as tenants in common the right to access, erect, construct, operate, maintain, connect, extend, replace and remove pole 26/15A, which may be erected at different times with the necessary conduits, cables, wires, anchors, guys, supports and fixtures appurtenant thereto for the transmission and/or distribution of telecommunications upon, over and across land at 155 Mayflower Street as recorded with the Plymouth County Registry of Deeds in Book 2676 Page 198. Second by Mr. Dahlen. VOTE: 3:0:0.

ALTERNATIVE ENERGY COMMITTEE (AEC): Update, Solar Projects

Mr. Jim Goldenberg, Chair of the AEC, and Mr. Josh Cutler, member of the AEC and Co-Chair of the Solar Subcommittee, were present to provide an update on the solar projects to the Selectmen.

Mr. Cutler said that the Town has contracted with American Capital Energy, Inc. to develop a 500,000 WK solar farm on the Town's capped landfill. He indicated that the paperwork has been filed and they are currently waiting for NStar's approval. At this time, they are expecting a September / October 2012 timeframe for the groundbreaking. A handout entitled "Duxbury Solar Farm FAQ" was provided to the Selectmen, which provides additional details. Mr. Cutler extended thanks to Peter Buttkus and the DPW staff who have been working cooperatively with them. He added that they estimate this project will generate an annual savings of \$45,000. for the Town.

Mr. Cutler then spoke about a second project for which the Town has already signed an agreement. The Agreement is with Pegasus Renewable Energy, and it involves a solar farm being developed in Acushnet. He mentioned that construction is about to begin on this project with the projected completion expected by year's end. This is a private development and the developer needed someone to take the metering credits. It is 20-year agreement and has been projected to save the Town about 25% in its overall power consumption with a savings of \$35,000.-\$45,000. Jim Goldenberg explained that the power gets sent to the grid, but Duxbury will get benefit of the value of the electricity that goes into the grid at a lower cost.

In response to questions from the Board, Mr. Goldenberg and Mr. Cutler indicated that the Town is taking all the credits from both projects. They estimated that to be about 75% of the Town's (including the school's) total energy need. In summing up, Mr. Cutler said that "we can all be proud that Duxbury is going green and saving green."

Mr. MacDonald noted that this is another example of Duxbury volunteerism at its best.

Mr. Goldenberg and Mr. Cutler also mentioned that the Alternative Energy Committee would like to request that their name be changed to the "Energy Committee". As rationale they mentioned the following:

- that the word "alternative" has fallen out of favor and been replaced by "renewable".
- "alternative" has developed a somewhat negative connotation in some people's minds.
- In reality they are dealing with mainstream energy concerns, and it was felt a few years from now that might be even more the case as some of the "alternate" solutions would be in place, but perhaps they would be looking at other ways to save energy costs.

The Board members mentioned the following in their discussion of the request:

- Mr. Madigan said he was concerned about causing confusion with such a name change. He noted that there are Town departments which are dealing with energy agreements for the Town buildings and was concerned that the name change would cause some confusion about that. He also thought that the term "alternative" energy was still being used and feels it is reflective of what the Committee's focus.
- Mr. Madigan also mentioned that the staff advised the Selectmen that committee name changes do make it hard to track the evolution of the committee. Example: There was a recent discussion about anecdotal information that the Waterfront Advisory Committee morphed into the Duxbury Bay Management Commission but it is not clear when and how.
- Mr. Flynn did agree that "alternative" has developed a somewhat negative connotation, but also agreed with the observations of Mr. Madigan and Mr. Dahlen.

There was a consensus that the Board did not feel there was enough of a reason to compel the change, and therefore it was decided not to change the Alternative Energy Committee's name at this time.

FORMATION OF THE WIND ADVISORY COMMITTEE

Mr. Dahlen said the formation of the Wind Advisory Committee was discussed at previous Selectmen's meetings, and the concept was to seat a committee consisting of 2 members of the Alternative Energy Committee, 2 members of Duxbury Wind Wise (DWW) and 3 members At-Large. The Talent Banks of potential candidates were given to the Selectmen for their review and consideration, and Mr. Dahlen indicated he is prepared to recommend some names for the Board's consideration.

Mr. Dahlen moved to appoint Mr. Jack Murphy as a Duxbury Wind Wise representative to the Wind Advisory Committee for a term to expire June 30, 2015. Second by Mr. Madigan. VOTE: 3:0:0.

Prior to the vote Mr. Dahlen mentioned that Mr. Murphy was one of the DDW members, who had made presentations to the Board over the past months, and given that he felt Mr. Murphy would be a good fit for this committee.

Mr. Dahlen moved to appoint Mr. Dan Ryan as a Duxbury Wind Wise representative to the Wind Advisory Committee for a term to expire June 30, 2014. Second by Mr. Madigan. VOTE: 3:0:0.

Mr. Madigan noted that Mr. Ryan has a Ph.D. in particle physics.

Mr. Flynn mentioned that the Alternative Energy Committee recommended their representatives and based on those recommendations the following motions were made:

Mr. Dahlen moved to appoint Ms. Susan Fontaine as an Alternative Energy Committee representative to the Wind Advisory Committee for a term to expire June 30, 2015. Second by Mr. Madigan. VOTE: 3:0:0.

Mr. Dahlen moved to appoint Mr. Thomas (Tom) Burton, III as an Alternative Energy Committee representative to the Wind Advisory Committee for a term to expire June 30, 2014. Second by Mr. Madigan. VOTE: 3:0:0.

For the citizen at-large seats the following motions were made:

Mr. Dahlen moved to appoint Dr. Andreas K. Klein as an at-large representative to the Wind Advisory Committee for a term to expire on June 30, 2015. Second by Mr. Madigan. VOTE: 3:0:0.

Mr. Dahlen mentioned that Dr. Klein had spoken to him early on in this process to indicate his interest in serving on this committee. He is an M.D., is engineer and does research for a living.

Mr. Madigan moved to appoint Mr. Jim Savicki as an at-large representative to the Wind Advisory Committee for a term to expire on June 30, 2014. Second by Mr. Madigan. VOTE: 3:0:0.

Mr. Madigan mentioned that Mr. Savicki has been on the Sustainable Duxbury committee, and Mr. Dahlen added that Mr. Savicki is also an electrical engineer.

For the final appointment Mr. Dahlen suggested either Mr. Richard Sigrist, who served on the Cable TV Advisory Committee, or Dr. Bob Knapp, who is a physician and has expressed interest. He noted that Dr. Knapp has not served on a committee. Mr. Madigan said he would be interested in appointing some new people, and Dr. Knapp had spoken to him about serving on this committee.

Mr. Madigan moved to appoint Dr. Robert Knapp as an at-large representative to the Wind Advisory Committee for a term to expire on June 30, 2013. Second by Mr. Madigan. VOTE: 3:0:0.

Mr. Flynn mentioned that he took the suggestions of Mr. Jim Goldenberg, Chair of the AEC and Mr. Chris Sherman, member of Duxbury Wind Wise, which were similar and combined them to draft the charge or what he referred to as the “purpose” of the Wind Advisory Committee. Mr. Madigan read the draft which was as follows:

PURPOSE:

- To study the potential opportunities and risks of future wind turbine development in Duxbury including economic, aesthetic and health aspects.
- To educate and inform the community about wind energy and considerations of wind turbine development.
- To propose possible changes to the existing Wind Bylaw, if needed, at a future Town Meeting.

The Board accepted this as the Wind Advisory Committee’s charge without discussion.

There was a brief discussion about the term of the Wind Advisory Committee. Mr. Flynn explained the Selectmen were appointing the members to 3-year staggered terms. This is a fairly standard practice so that should the Committee continue not all the member’s seats would expire at the same time. Whether this should be a temporary committee or a permanent committee was also briefly discussed, but it was determined that whether the Committee has an ongoing mission or not is something that could be decided at a later date, perhaps by the Committee itself. It was mentioned that since this Committee is being formed by an appointment of the Selectmen it could easily be disbanded in the future.

It was agreed that Mr. Flynn, who is the Selectmen liaison to the Alternative Energy Committee, will also be the Selectmen liaison to the Wind Advisory Committee.

Mr. Flynn then suggested that Mr. Jack Murphy be named as the pro tem. Chair to call the first meeting of the Wind Advisory Committee.

DISCUSSION OF BUDGETS

Mr. Dahlen said when he suggested this be put on the agenda he was thinking that the Selectmen should be more active in the budget process, and therefore he would like a better understanding of the budget process. He also opined that perhaps the Finance Committee and/or the Fiscal Advisory Committees should be involved earlier in the process, but would like to hear their input.

Mr. Flynn said that he would like to hear conceptually where the Town Manager is headed regarding the FY’ 14 budget. He mentioned, for example, all have been in agreement about the need for a Facilities Manager, but how that position is funded remains to be determined.

Mr. MacDonald said that he and the Finance Director can present a conceptual plan, but it would be much too early in the process to provide any hard numbers. The Board understood and agreed.

After some discussion it was decided to put the budget discussion on the Selectmen’s agenda for their meeting on July 23, 2012. Mr. Flynn also asked that the staff send a message to the Finance Committee and the Fiscal Advisory Committee to save the date

BUSINESS

ONE-DAY LIQUOR LICENSE REQUESTS and EVENT PERMITS - There were none.

TOWN MANAGER'S BRIEF

Mr. MacDonald mentioned the following items:

1. **Construction Costs for May:** Mr. MacDonald reported that the May construction cost figure was \$3.7 million. This included 4 single-family residences and 4 single-family townhouses at The Reserve.
2. **Bay Farm Drainage Project:** Mr. MacDonald announced that work on the Bay Farm drainage project started today. As was previously reported, this work was funded through a grant.
3. **Blairhaven** – He said that demolition of the buildings at Blairhaven is expected to begin this week. Mr. Dahlen asked if the DPW would be doing some cleanup of the grounds afterwards, and the Town Manager indicated that they planned to, but want to wait until after the demolition. Mr. MacDonald also indicated that he had some thoughts regarding the re-naming of the area, which he would be discussing with the Board in the future.
4. **New Ambulance Contract:** Mr. MacDonald mentioned that he recently awarded a contract for a new ambulance.
5. **Gulf of Maine award to Joe Grady:** Mr. MacDonald was very proud to announce that Joe Grady, Duxbury Conservation Administrator, is being recognized as recipient of a 2012 Visionary Award from the Gulf of Maine. Gulf of Maine Visionary Awards are made to individuals or organizations within each of the five Gulf of Maine jurisdictions of Massachusetts, New Hampshire, Maine, New Brunswick, and Nova Scotia to recognize innovation, creativity, and commitment to marine protection by those making a difference to the health of the Gulf of Maine. He noted that quite an honor to be recognized and Joe Grady is very deserving of this recognition.
6. **Snug Harbor Post Office:** In other good news, Mr. MacDonald reported that the Snug Harbor Post Office is not being closed.
7. **Will Miller of Duxbury named to Olympic rowing team:** Mr. MacDonald extended congratulations to Will Miller, who grew up in Duxbury and was just named to the US Olympic crew team to compete in the 2012 London Olympics. Mr. MacDonald noted that Will was named to the USA Olympic team forty years after his dad made the US Olympic crew team. Will's men's eight crew team won the berth in dramatic fashion by winning the final qualifying race.
8. **Scott Lambiase elected Selectman:** Mr. MacDonald congratulated Scott Lambiase, the Director of Inspectional Services, who was recently elected as a Selectman in the Town of Whitman, and added he has already given Scott some advice.
9. **Commends Police:** Mr. MacDonald acknowledged that there was a shooting incident in Duxbury recently, and he wanted to commend the Duxbury Police, especially Chief Clancy, for their professionalism in handling the incident.
10. **Coastal Living Magazine:** Mr. Donald announced that in its June issue, Coastal Living Magazine named Duxbury one of its 15 best places to live and play by the sea. Duxbury is mentioned as #14.

ANNOUNCEMENTS –

Mr. Madigan read the following announcement about **Amateur Radio Field Day**:

The Genesis Amateur Radio Society is sponsoring a Field Day Event, located at the Entrance of Gate #2, Plymouth Airport, on June 23rd & 24th. The purpose of the Field Day is to demonstrate the ability for Amateur Radio Operators to set up communications in an emergency. The Field Day Committee invites the public to join them for some fun, food, and demonstrations of amateur radio communications. For more information, please contact Judith A. Harris at 781-217-5332. Additional information is available in the Selectmen's office.

MINUTES

Mr. Dahlen moved that the Board of Selectmen approve the April 30, 2012 Minutes as presented. Second by Mr. Madigan. Vote 3:0:0.

Mr. Dahlen moved that the Board of Selectmen approve the May 21, 2012 Minutes as presented. Second by Mr. Madigan. Vote 3:0:0

Mr. Dahlen moved that the Board of Selectmen approve the April 30, 2012 Executive Session Minutes – Part I, as presented with the contents to remain sealed until the need for confidentiality has passed. Second by Mr. Madigan. Vote 3:0:0.

Mr. Dahlen moved that the Board of Selectmen approve the April 30, 2012 Executive Session Minutes – Part II, as presented with the contents to remain sealed until the need for confidentiality has passed. Second by Mr. Madigan. Vote 3:0:0.

COMMITTEE APPOINTMENTS / RE-APPOINTMENTS

The following votes were taken pertaining to appointments / re-appointments to Town Boards and Committees:

<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>
Alternative Energy Comm.	Jim Goldenberg	Re-Appt.	6-30-15	Mr. Flynn	Mr. Dahlen	3:0:0
Alternative Energy Comm.	Thomas R. (Tom) Burton	Re-Appt.	6-30-15	Mr. Flynn	Mr. Dahlen	3:0:0
Alternative Energy Comm.	Susan Fontaine	Re-Appt.	6-30-15	Mr. Flynn	Mr. Dahlen	3:0:0
Alternative Energy Comm.	Lynn Smith	Re-Appt.	6-30-15	Mr. Flynn	Mr. Dahlen	3:0:0
Community Preservation Committee (CPC)	Brendan Keohan (Housing Authority Rep.)	Re-Appt.	6-30-15	Mr. Dahlen	Mr. Madigan	3:0:0
Community Preservation Committee (CPC)	Tony Kelso (At-Large Rep.)	Re-Appt.	6-30-15	Mr. Dahlen	Mr. Madigan	3:0:0
Conservation Commission	Joe Messina	Re-Appt.	6-30-15	Mr. Madigan	Mr. Dahlen	3:0:0

<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>
Conservation Commission	Barbara Kelley	Re-Appt.	6-30-15	Mr. Madigan	Mr. Dahlen	3:0:0
Dux. Bay Mgt. Commission	John Brawley	Re-Appt.	6-30-15	Mr. Dahlen	Mr. Madigan	3:0:0
Dux. Bay Mgt. Commission	Sam Davenport	Re-Appt.	6-30-15	Mr. Dahlen	Mr. Madigan	3:0:0
Highway Safety Committee	Fred von Barga	Re-Appt.	6-30-15	Mr. Dahlen	Mr. Madigan	3:0:0
Highway Safety Committee	Dep. Chief Chris West (<i>ex officio</i>)	Re-Appt.	6-30-15	Mr. Dahlen	Mr. Madigan	3:0:0
Highway Safety Committee	Peter Buttkus (<i>ex officio</i>)	Re-Appt.	6-30-15	Mr. Dahlen	Mr. Madigan	3:0:0
Historical Commission	Leslie Lawrence	Re-Appt.	6-30-15	Mr. Madigan	Mr. Dahlen	3:0:0
King Caesar Advisory Committee	Carol A. Langford, MD	Re-Appt.	6-30-15	Mr. Flynn	Mr. Madigan	3:0:0
Nuclear Advis. Comm.	Daniel E. Ryan	Re-Appt.	6-30-15	Mr. Flynn	Mr. Madigan	3:0:0
Nuclear Advis. Committee	Nancy Landgren	Re-Appt.	6-30-15	Mr. Flynn	Mr. Madigan	3:0:0
Open Space Committee	Paul Costello	Re-Appt.	6-30-15	Mr. Dahlen	Mr. Madigan	3:0:0
Open Space Committee	Kathy Cross	Re-Appt.	6-30-15	Mr. Dahlen	Mr. Madigan	3:0:0
Open Space Committee	Jacques Pelletier	Re-Appt.	6-30-15	Mr. Dahlen	Mr. Madigan	3:0:0
Shellfish Adv. Committee	Daniel Baker	Re-Appt.	6-30-15	Mr. Madigan	Mr. Dahlen	3:0:0
Shellfish Adv. Committee	John Brawley	Re-Appt.	6-30-15	Mr. Madigan	Mr. Dahlen	3:0:0
Shellfish Adv. Committee	Robert Loring	Re-Appt.	6-30-15	Mr. Madigan	Mr. Dahlen	3:0:0

BOARD AND COMMITTEE VACANCIES

Mr. Flynn mentioned the following boards and committees are looking for members and encouraged any interested registered Duxbury voters to fill out a Talent Bank form, which is on the Town website or can be obtained from the Selectmen's office.

<u>Board or committee</u>	<u># of Open seats</u>	<u>Term(S) to expire</u>
Design Review Board	1 Alternate	For a term to expire on 06/30/13
Duxbury Bay Mgmt. Commission	1	for a term to expire on 06/30/15
Duxbury Cultural Council	3	for terms to expire on 06/30/15
Duxbury Cultural Council	1	for terms to expire on 06/30/13
Municipal Commission on Disability	1	for a term to expire on 06/30/14
Nuclear Advisory Committee	1	for a term to expire on 06/30/14
Recreational Activities Committee	1	to fill an unexpired term due to expire 06/30/13

It was explained that the Duxbury Cultural Council is the local authority, which reviews grant applications for the authorization of distributing Massachusetts Cultural Council grants to promote cultural activities. They are busiest in October when the local cultural council (LCC) grants are submitted.

The Municipal Commission on Disability does have some membership guidelines for disabled citizens and family members of disabled individuals to serve. Since they already have that representation, we just need someone who is interested and willing to serve. The Commission helps with Americans with Disabilities Act (ADA) issues /concerns. In some cases they may refer matters to other board and provide guidance regarding the disability laws for facilitate matters.

DISCUSSION: PLYMOUTH COUNTY ADVISORY BOARD

Mr. Dahlen said he has been the Duxbury Board of Selectmen representative, but wanted to see if one of the other Selectmen would be willing to fill that role. The Plymouth County Advisory Board is tasked with voting the Plymouth County budget and typically meets a couple of times a year.

It was agreed that Mr. Madigan will fill the role going forward.

Before adjourning Mr. MacDonald mentioned the following:

- 1) The next Selectmen's meeting is scheduled for June 25, 2012.
- 2) There is a Groundbreaking Ceremony for the new co-located Duxbury Middle/High School at 10 AM on Tuesday, June 5th behind the Alden School.
- 3) Frank Mangione, who is Chair of the Town Building Committee, is coordinating some informational visits to other communities, which have Facilities Managers to get some insights into how they went about the process to structure the job description. They will be speaking with Superintendent of Schools, Town Managers, and Facilities Managers. He asked for a Selectmen's representative to be part of those visits. Mr. Dahlen volunteered to represent the Selectmen.

ADJOURNMENT

At 7:55 PM, Mr. Madigan moved that the Board adjourn. Second by Mr. Dahlen. VOTE: 3:0:0.

LIST OF DOCUMENTS FOR OPEN SESSION MEETING

1. *Duxbury Camera Club information about Images of Duxbury book*
2. *License Agreement for Temporary Easement – 155 Mayflower ST: Suggested motion, May 15, 2012 Letter from Daryl Crossman, copy of the Agreement, and map.*
3. *Handout: Duxbury Solar Farm FAQ*
4. *Packet for Wind Advisory Committee: Background of Evolution of Wind Advisory Committee - Selectmen's Minutes 2012; Informational Sheet regarding the Formation of the (new) Wind Advisory Committee; Draft Purpose (or Scope); Spreadsheet of Talent Banks received; Copies of individual Talent Banks submitted*
5. *Potential Town Manager's Brief Items: Construction Costs for May; Snug Harbor PO article; Will Miller Named to Olympic Team article*
6. *Announcement – Amateur Radio Field Day press release*
7. *04-30-12 Selectmen's Minutes – DRAFT*
8. *05-21- Selectmen's Minutes - DRAFT*

- 9. 04-30-12Part I Executive Session Selectmen's Minutes –DRAFT*
- 10. 04-30-12Part II Executive Session Selectmen's Minutes -DRAFT*
- 11. Board & Committee Appointment/Re-appointment Sheet*
- 12. Board & Committee Vacancies Sheet*
- 13. Bonus Shellfish Season – May 2012*