

Date: August 27, 2012

Date Minutes Approved: October 15, 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; John Madden, Finance Director; and Susan Kelley, Executive Assistant

CONVENED IN OPEN SESSION

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

FIRE CAPTAIN BRIAN MONAHAN SWEARING-IN CEREMONY

Present to witness the ceremony were Fire Captain Brian Monahan's wife Sue and son Brendan as well as several Duxbury Fire Department personnel.

Chief Kevin Nord introduced Captain Monahan, who was appointed as Captain on July 21, 2012 to fill the position left vacant by the retirement of 33 year veteran fire fighter Captain Raymond Chandler. Captain Monahan has served 12 years with the Duxbury Fire Department. He has an Associates' Degree in Fire Science, is certified as a Basic EMT, Fire Officer II and Fire Inspector I.

Town Clerk Nancy Oates swore in the newly promoted Captain.

Chief Nord then presented the badge to the appointing authority, Town Manager Richard MacDonald, who said a few words in recognition of Captain Monahan's achievements. Mr. MacDonald presented the badge to Monahan's son, Brendan, who passed it to Sue Monahan to pin her husband.

OPEN FORUM

No items were brought forward by the public

DECLARE SURPLUS: Old Crematory Equipment

Mr. MacDonald asked Mr. Flynn to amend the request before them to delete the old crematory building and speak only to the retorts contained therein.

Mr. Madigan moved that the Board of Selectmen vote to declare the 2 Alls retorts and 2 B & L retorts housed within the old Crematory Building as surplus to be disposed of in accordance with MGL Chapter 30B, Section 15. Second by Mr. Dahlen. Vote 3:0:0.

As Council on Aging Director Joanne Moore was present for the event permit request for the COA Fun Run, Chairman Flynn took that item out of order.

EVENT PERMIT – Council on Aging Fun Run, September 15, 2012

Joanne Moore stated that this was the Second Annual COA Fun Run. She explained that it is a 5K run/walk ending this year with an open house at the new Café located at the Senior Center.

Mr. Madigan moved that the Board of Selectmen grant to Ms. Pamela Smith, Duxbury Council on Aging Board Chair, a permit to conduct a Fun Run on Saturday, September 15, 2012 from 8AM to 9:30AM beginning and ending at the Senior Center. Second by Mr. Dahlen. Vote 3:0:0.

AMEND FOOD CART LICENSE FOR JAKE GENEREUX (Jake's Hot Dogs)

Jake Genereux has requested an amendment to his license to allow him to locate his hot dog cart at Coppens Field for the DYSA Mini-Soccer games held on Sundays, September 16 through November 4, from 11AM – 3PM. This will be his 3rd year servicing the soccer players and their families. Ronnie Koss, DYSA Mini-Soccer Coordinator, has offered his full support of this amendment as the concession stand at the field is closed on Sundays and Jake's presence provides a great service to the players and their families.

Mr. Madigan asked why an amendment was needed. Mr. Madden responded that this is a change in location as Jake's cart is licensed to serve at Mattakeesett Court.

Mr. Madigan moved that the Board of Selectmen grant permission to Jake Genereux, d/b/a Jake's Dogs, to operate his hot dog stand at the Ray Coppens Soccer Fields on Sundays from 11:00AM until 3:00 PM, from September 16, 2012 through November 4, 2012. Second my Mr. Dahlen. Vote 3:0:0.

DUXBURY NUCLEAR ADVISORY COMMITTEE – Discussion: Emergency Planning: Pilgrim's Draft Evacuation Time Estimates for Duxbury

Mary Lampert, Co-Chair of the Duxbury Nuclear Advisory Committee (DNAC), was present to discuss a Draft of the KLD Pilgrim Nuclear Power Plant Evacuation Time Estimates Report dated June 12, 2012 and ask the Selectmen to write a letter requesting revisions to the report. Upon review of the document, the DNAC felt the report needed revisions because any evacuation planning based on the report as written would not provide reasonable assurance to Duxbury in the event of a radiological emergency. Ms. Lampert continued by stating that the methodology used to compile the information for the report was flawed, offering examples of errors made during data collection.

Fire Chief Kevin Nord, Emergency Management Coordinator, stated that Entergy prepares an emergency plan approximately every 10 years and the last plan was provided in 2004. He stated that Entergy started collecting data in the spring of this year and he agreed that the draft document produced is flawed. He had asked the DNAC to review and provide input on the draft.

Mr. Madigan asked if, as part of the study, more funding would be available.

Chief Nord responded that no funding would be received but that the final plan would be rolled out for control points to use in the event of a radiological emergency.

Mr. Flynn stated that the Board would be happy to submit a letter to the appropriate authorities (which would include MEMA, FEMA, the NRC and Entergy).

Mr. Dahlen suggested that perhaps they should authorize the Town Manager to sign the letter on their behalf in order to expedite the communication.

Mr. Madigan moved that the Board of Selectmen vote to send a letter to the appropriate authorities (list to be provided by Ms. Lampert or Chief Nord) requesting revisions to the draft proposal dated June 12, 2012 and to authorize the Town Manager to sign the letter on their behalf. Second by Mr. Dahlen. Vote 3:0:0.

BUSINESS

For Event Permits and One-Day Liquor Licenses, departmental reviews of the requests were done. There were no objections and departmental feedback was incorporated into the conditions listed on the permit or license

ONE DAY LIQUOR LICENSES -

375th Committee – Candlelight Series 1, September 8, 2012 and 375th Committee – Candlelight Series 2, October 20, 2012

Mr. Madigan moved that the Board of Selectmen vote to grant Ms. Anne Antonellis, as a representative of the 375th Committee, *two* One-Day Wine and Malt licenses to hold 2 concerts at the First Parish Church, 842 Tremont Street, on September 8, 2012 from 7:00 PM – 10:00 PM and October 20, 2012 from 7:00 PM – 10:00 PM. Second by Mr. Dahlen. Vote 3:0:0.

Duxbury Rural & Historical Society – Private Function, September 9, 2012

Mr. Madigan moved that the Board of Selectmen vote to grant Ms. Alison Arnold, as a representative of the Duxbury Rural & Historical Society, a One-Day All-Alcohol Liquor License to hold a private function at the Nathaniel Winsor, Jr. House, 479 Washington Street, from 12:00 noon to 3:00 PM on Sunday, September 9, 2012. Second Mr. Dahlen. Vote 3:0:0.

Duxbury Rural & Historical Society – Private Function, September 15, 2012

Mr. Madigan moved that the Board of Selectmen vote to grant Ms. Alison Arnold, as a representative of the Duxbury Rural & Historical Society, a One-Day All-Alcohol Liquor License to hold a private function at the Nathaniel Winsor, Jr. House, 479 Washington Street, from 3:00 PM to 5:00 PM on Saturday, September 15, 2012. Second Mr. Dahlen. Vote 3:0:0

EVENT PERMITS -

Amy Williamson Burns - Beach Bridge Walk, September 9, 2012

(Editor's note – This is a family and friends function consisting of approximately 40-75 people. The walk route is from the north end of the resident beach lot, across the Powder Point Bridge and back).

Mr. Madigan moved that the Board of Selectmen vote to grant Ms. Amy Williamson Burns a permit to hold a Beach/ Bridge Walk on Sunday, September 9, 2012 from 8:30 AM until 9:30 AM. Second by Mr. Dahlen. Vote 3:0:0.

Pilgrim Church – CROP Hunger Walk, October 14, 2012

Mr. Madigan moved that the Board of Selectmen vote to grant Ms. Kathy Leaf, on behalf of the Pilgrim Church, a permit to hold the 4th annual CROP Hunger Walk on Sunday October 14, 2012 beginning at 11:00 AM and ending at approximately 12 noon. Second by Mr. Dahlen. Vote 3:0:0.

Bay Farm Montessori Academy – Run by the Bay, November 4, 2012

Mr. Madigan moved that the Board of Selectmen vote to grant Jos Wanschers, as a representative of the Bay Farm Montessori Academy, a permit to hold the 8th Annual 5K Run by the Bay on Sunday, November 4, 2012 from 8:30 AM – 12 noon. Second by Mr. Dahlen. Vote 3:0:0.

TOWN MANAGER'S BRIEF

Mr. MacDonald mentioned the following items:

- 1) **Police Officer Promotion** - Duxbury Police Officer Dan Brown has been promoted to Detective filling a vacancy on the force. He joins Detective Dennis McKinney bringing the number of detectives to 2.
- 2) **Pine Street Water Main Project** - The notice of intent for the Pine Street Water Main project will be filed later in the week.
- 3) **EEE Update** – While neighboring Towns have tested positive for human biting mosquitos infected with EEE, Duxbury has not yet been affected. Mr. MacDonald will keep the Board and public informed as information becomes available.
- 4) **Conservation Grant** – Joe Grady received \$3,500 for a Forest Stewardship Grant from the State of Massachusetts
- 5) **Animal Shelter Donation** – A \$200 donation was given to the Animal Shelter in care of Eddy Ramos. Mr. MacDonald read a letter from Ms. Patricia Benjamin of 70 Parks Street who expressed her gratitude for Mr. Ramos' assistance in finding a dog for her family and helping track down the dog when it had run loose. Mr. MacDonald asked the Board to accept Ms. Benjamin's gift.

Mr. Madigan moved that the Board of Selectmen accept a gift in the amount of \$200 given to the Duxbury Animal Shelter. Second by Mr. Dahlen. Vote 3:0:0.

It was also mentioned that the Canine Committee will be meeting Wednesday, September 12, 2012 at 6:30PM at the Senior Center to hear public comment on matters of concern.

- 6) **Standard & Poor's/Bonding** - Mr. MacDonald, Mr. Madden, Treasurer Tom Connolly and Assessor Steve Dunn had a conversation with Standard & Poor's and the Town's financial advisors at Eastern Bank regarding the bonding of \$83 million to be used for the school, crematory, police and fire projects. Mr. MacDonald turned the floor over to Mr. Madden for a briefing on the conversation.

Mr. Madden stated that the conversation went well. The effort to bond \$83 million was a much smoother process than that experienced in the past when the town sought bonding of \$14 million. Standard and Poor's did not have many questions for the management team present for the call. They were interested in any challenges the Town has faced or changes in policies and procedures; there have been none.

The expectation is to go to market on September 6, 2012 to bond the funds for the school study for a period of 2 years and the \$70 million for school construction for a longer term of 25 years.

Mr. Madigan asked if the estimate of the financial effects on the residents would be available. Mr. Madden stated that they would be available and while initial estimates were based on a rate of 4 ¼%, he hoped that the rate received will be somewhat less.

Mr. MacDonald mentioned that 7 years ago, fiscal policies were met with resistance. After the conversation with S & P, he is proud of those policies and thanked the management team and citizens.

ANNOUNCEMENTS –

Mr. Madigan mentioned the following:

- 1) Battelle Lab will hold its Annual Duxbury Beach Sweep on Saturday, September 22 from 9AM – 12 noon.
- 2) The 375th Committee will be holding an “Open House Tour” on September 16th from 1-4PM. The event is free to the public. Houses that will be open for the tour include:
 - a. Alden House
 - b. King Caesar House
 - c. Gershom Bradford House
 - d. Miramar Retreat Center
 - e. The Sisters of St Margaret’s
 - f. The Myles Standish Monument (being opened especially for this tour).
- 3) Among the many classes offered by the Lifelong Learning program, in conjunction with the 375th Committee, they have put together a special lecture series titled “Chapters in the History of Duxbury”. This is a 6 week lecture series beginning on September 29. Registration begins Monday, September 10 from 5-7 PM at the Duxbury Senior Center. The cost is \$25 for all 6 lectures in the series.

MINUTES - None

COMMITTEE RESIGNATIONS AND APPOINTMENTS/RE-APPOINTMENTS - None

BONUS SHELLFISH SEASON

Mr. Madigan 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, 2012 in accordance with posted Attachments B & C; and
2. For the commercial harvesting of quahog clams for the month of September, 2012 in accordance with posted Attachments A & C.

Second by Mr. Dahlen. Vote 3:0:0.

OTHER –

Mr. Madigan stated that he would like to add meetings to the proposed fall schedule to discuss the budget.

Mr. Flynn stated that meetings could be added at any time and inquired when the budget might be ready for review.

Mr. Madden stated that the budgets are due to him by September 6. There would be hearings with each department the following week, after which a presentation for the Selectmen could be scheduled.

Mr. MacDonald stated that he preferred to meet with department heads once the budget has been analyzed and before the presentation to the Selectmen.

Mr. Madigan stated that he would like to see an overview by department. He would like to meet with the Department Heads to discuss the priorities of their departments.

Mr. Dahlen stated that once the breakdown of the budget is complete, he would like to discuss the spending of discretionary funds.

Mr. Flynn indicated he would like to look at big picture items while Mr. Madigan was interested in new initiatives.

Mr. Dahlen spoke briefly about the importance of the schedule leading up to the Annual Town Meeting and ensuring that Town Counsel is amenable with that timetable.

Mr. MacDonald stated that at this point, he was not aware of any Articles being brought forth.

ADJOURNMENT

At 7:46 PM, Mr. Madigan moved that the Board adjourn. Second by Mr. Dahlen. Vote 3:0:0.

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LIST OF DOCUMENTS FOR OPEN SESSION MEETING

- 1) *Memo from Chief Kevin Nord regarding promotion of Captain Brian Monahan*
- 2) *Memo from DPW Director Peter Buttkus regarding the declaration of crematory retorts as surplus*
- 3) *License Amendment Request - Jake's Hot Dogs*
- 4) *Duxbury Nuclear Advisory Committee memo to the Board of Selectmen, "Draft" letter to MEMA, FEMA, NRC and Entergy for Selectmen review and signature, Attachment to be included with letter to appropriate authorities.*
- 5) *One-Day Wine & Malt License – 375th Committee, September 8, 2012*
- 6) *One-Day Wine & Malt License – 375th Committee, October 20, 2012*
- 7) *One-Day All Alcohol License – Duxbury Rural & Historical Society, private function, September 9, 2012*
- 8) *One-Day All Alcohol License – Duxbury Rural & Historical Society, private function, September 15, 2012*
- 9) *Event Permit – Amy Williamson Burns, Beach/Bridge Walk, September 9, 2012*
- 10) *Event Permit – Pilgrim Church, CROP Hunger Walk, October 14, 2012*
- 11) *Event Permit – Council on Aging, Fun Run, September 15, 2012*
- 12) *Event Permit – Bay Farm Montessori Academy, Run by the Bay, November 4, 2012*
- 13) *Letter from resident Patricia Benjamin regarding donation to the Animal Shelter*
- 14) *Bonus Shellfish Season, September 2012*