

**Date: March 20, 2013**

**Date Minutes Approved: March 25, 2013**

**BOARD OF SELECTMEN MINUTES**

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

**Absent:**

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

**CONVENED IN OPEN SESSION**

The meeting was called to order at 8:00 A.M. in the Mural Room.

**VOTE TO ENTER EXECUTIVE SESSION**

Upon convening the meeting, the Chair entertained a motion to enter Executive Session. Mr. Madigan moved that the Board enter Executive to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel, and then to reconvene in Open Session immediately following, in accordance with Mass General Laws Chapter 30A, Section 21.

As Chair, Mr. Flynn declared the need to enter Executive Session to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions with non-union personnel, as to do so in open session may have a detrimental effect on the Town's bargaining position. Second by Mr. Dahlen. Roll Call Vote: Mr. Flynn – aye; Mr. Dahlen– aye; Mr. Madigan– aye.

The Board entered Executive Session.

**RECONVENED IN OPEN SESSION**

The Executive Session was adjourned and the Open Session meeting reconvened at 8:48 AM after the public entered the room.

**OPEN FORUM** --nothing was brought forward.

**AMENDMENT TO GENERAL LICENSE – JAKE'S DOGS**

Mr. Madigan moved that the Board of Selectmen amend the general license granted to Jake Genereux, d/b/a Jake's Dogs, to grant permission to Jake Genereux to operate his hot dog stand at the Ray Coppens Soccer Fields during Spring Mini-Soccer season on Sundays from 11:00 AM until 3:00 PM, from March 24, 2013 through May 19, 2013, and at the Sinnott and Dewing Baseball Fields (near the Tarkiln Community Center) on weeknight's from 4:30 PM to 8:30 PM from Monday, April 29, 2013 through August 31, 2012 and during tournaments in conjunction with the Duxbury Youth Baseball program, contingent upon a letter of support from the Directors of Duxbury Youth Soccer and Duxbury Youth Baseball. Second by Mr. Dahlen. Vote: 3:0:0.

Mr. Madigan briefly explained that a license had previously been grant to Jake Genereux to sell hot dogs from a cart at the Town Pier. Therefore, a change in location does require approval of an amendment to the license.

## **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 LICENSE REQUESTS**

*First Parish Church – Dinner Dance, March 23, 2013*

Mr. Madigan moved that the Board of Selectmen grant to Mr. Ted Lillys, as a representative of the First Parish Church of Duxbury a One-Day Wine & Malt License to hold a Spring Fundraiser Dinner Dance from 6:30 PM to 11:00 PM on Saturday, March 23, 2013 at the First Parish Church, 842 Tremont Street, contingent upon the conditions on the license. Second by Mr. Dahlen. Vote: 3:0:0.

*Duxbury Art Complex Museum – NE Society of Botanical Artists Reception, May 19, 2013*

Mr. Madigan moved that the Board of Selectmen grant to Ms. Doris Collins, as a representative of the Duxbury Art Museum, a One-Day Wine & Malt License to hold a reception for the New England Society of Botanical Artists on Sunday, May 19, 2013 from 1:30 PM to 3:30 PM at the Art Complex Museum (186 Alden Street), contingent upon the conditions on the license. Second by Mr. Dahlen. Vote: 3:0:0.

*Duxbury Art Complex Museum – Artist Reception, June 2, 2013*

Mr. Madigan moved that the Board of Selectmen grant to Ms. Doris Collins, as a representative of the Duxbury Art Museum, a One-Day Wine & Malt License to hold a reception for an Artist Reception on Sunday, June 2, 2013 from 1:30 PM to 3:30 PM at the Art Complex Museum (186 Alden Street), contingent upon the conditions on the license. Second by Mr. Dahlen. Vote: 3:0:0.

### **EVENT PERMITS**

*The Duxbury Family Fitness Fair 5K Walk/Run Event –April 21, 2013*

Mr. Madigan moved that the Board of Selectmen grant to Ms. Kathleen Maney-Needel, as a representative of the Duxbury Community Partnership for Children, permission to hold a 5K Run and a Fitness Awareness Program at the Chandler School on Sunday, April 21, 2013 from 8:00 AM to 11:00 AM, contingent upon the conditions upon the permit. Second by Mr. Dahlen. Vote: 3:0:0.

*2013 Duxbury Youth Baseball Parade - April 27, 2013*

Mr. Madigan moved the Board of Selectmen grant to Mr. Jack O'Connor, as the President of Duxbury Youth Baseball, permission to conduct a parade on April 27, 2013 from 12:00 PM to 4:00 PM, with a rain date of April 28, 2013, from Chandler School to the Sinnott /Tarkiln baseball fields, contingent upon the conditions on the license. Second by Mr. Dahlen. Vote: 3:0:0.

*Lt. Timothy J. Steele Road Race –May 18, 2013*

Mr. Madigan moved that the Board of Selectmen grant to Mr. Jeffrey Bishop, as a representative of the Holy Family Knights of Columbus, permission to hold the Lt. Timothy J. Steele Scholarship (Fund Raiser) Road Race on May 18, 2013 from 7:00 A.M. to 11:00 A.M., contingent upon the conditions on the permit. Second by Mr. Dahlen. Vote: 3:0:0.

*2nd Annual Sheehan Orthodontics 5K- June 9, 2013*

Mr. Madigan moved that the Board of Selectmen grant to Ms. Anne Marie Winchester, as a representative of the South Shore Race Management, LLC, permission to hold the 2nd Annual Sheehan Orthodontics 5K in Duxbury on Sunday, June 9, 2013, from 7:00 AM to 10:00 AM and, contingent upon the conditions on the license. Second by Mr. Dahlen. Vote: 3:0:0.

**TOWN MANAGER'S BRIEF**

Mr. MacDonald mentioned the following items:

- 1. Incident at Powder Point Bridge** – Mr. MacDonald thanked all the Town personnel who responded to the incident at the Powder Point Bridge. Fortunately they were able to rescue the drivers and to prevent any hazardous waste damage to Duxbury Bay.
- 2. Storm Assessment:** The Town Manager said that Chief Nord is gathering the data regarding the storm costs. The Town will be filing a claim with FEMA, but it is a long process.
- 3. Meeting with Bay Ave./ Plymouth Ave. Residents:** Mr. MacDonald said he recently met with some residents of the Bay Avenue / Plymouth Avenue area to discuss some of the drainage issues in the area. He said that much of the problem is due to a breach in the seawall in Marshfield. The Town will be trying to coordinate efforts to mitigate the problem.

**ANNOUNCEMENTS**

Mr. Madigan made announcements about the upcoming Town Election on Saturday, March 23, 2013, and repeated an announcement about tree debris (no stumps) being accepted at the Transfer Station through March 31<sup>st</sup>.

Mr. MacDonald added that he will assess whether the Transfer Station deadline for accepting tree limbs / branches needs to be extended.

**MINUTES**

Mr. Dahlen moved that the Board of Selectmen approve the 02-27-13 Selectmen Minutes, as presented. Second by Mr. Flynn. Vote: 2:0:1. (*Mr. Madigan abstained as he was not present at that meeting.*)

Mr. Madigan moved that the Board of Selectmen approve the 03-09-13 Selectmen Minutes, as presented. Second by Mr. Dahlen. Vote: 3:0:0.

Mr. Dahlen moved that the Board of Selectmen approve the 03-11-13 Selectmen Minutes, as presented. Second by Mr. Flynn. Vote: 2:0:1. (*Mr. Madigan abstained as he was not present at that meeting.*)

**COMMITTEE APPOINTMENTS / RE-APPOINTMENTS**

Mr. Madigan moved to appoint Mr. Ted (Edward A.) Weihman to the Historical Commission to fill an unexpired term due to expire on June 30, 2014. Second by Mr. Dahlen. Vote: 3:0:0.

Mr. Madigan announced that the Moderator recently appointed Mr. Stephen O. Shay to the Personnel Board to fill an unexpired term due to expire on June 30, 2014.

Mr. Madigan mentioned that Mr. Rob Molla recently resigned from the Personnel Board. Mr. Molla had served on the Personnel Board since 2005, and he extended the Selectmen's thanks to Mr. Molla for his service.

Before concluding the meeting Mr. Flynn mentioned that the Board of Selectmen would be meeting on Monday, March 25<sup>th</sup> at 8:00 AM in the Mural Room for a review of Town Meeting and to discuss how Town Meeting might be streamlined.

## **ADJOURNMENT**

At approximately 9:00 AM, Mr. Madigan moved that the Board adjourn. Second by Mr. Dahlen. VOTE: 3:0:0.

Minutes prepared by: C. Anne Murray

## **LIST OF DOCUMENTS FOR OPEN SESSION MEETING**

1. *March 20, 2013 Selectmen's Agenda*
2. *Executive Session Items moved to Executive Session File and listed there.*
3. *Amendment to General License –Jake's Dogs –packet including the request from Jake Genereux, Emailed confirmations from the Dux. Youth Soccer organizer and Duxbury Youth Baseball President, and departmental feedback.*
4. *One-Day Liquor License packet for First Parish Church – Dinner Dance, March 23, 2013: Application materials and departmental feedback.*
5. *One-Day Liquor License packet for Duxbury Art Complex Museum – NE Society of Botanical Artists Reception, May 19, 2013: Application materials and departmental feedback.*
6. *One-Day Liquor License packet for Duxbury Art Complex Museum –Artists Reception, June 2, 2013: Application materials and departmental feedback.*
7. *Event Permit Packet for: The Duxbury Family Fitness Fair 5K Walk/Run Event –April 21, 2013: Application materials and departmental feedback.*
8. *Event Permit Packet for: 2013 Duxbury Youth Baseball Parade - April 27, 2013 : Application materials and departmental feedback.*
9. *Event Permit Packet for: Lt. Timothy J. Steele Road Race –May 18, 2013: Application materials and departmental feedback.*
10. *Event Permit Packet for: 2nd Annual Sheehan Orthodontics 5K- June 9, 2013: Application materials and departmental feedback.*
11. *Suggested Announcements for 03-20-13*
12. *MINUTES: 02-27-13 Selectmen's Minutes-DRAFT; 03-09-13 Selectmen's Minutes –DRAFT; and 03-11-13 Selectmen's Minutes-DRAFT*
13. *Board and Committee Appointment sheet: Historical Commission*
14. *Moderator Appointment Sheet: Personnel Board*