

Date: December 2, 2013

Date Minutes Approved: December 16, 2013

BOARD OF SELECTMEN MINUTES

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

Absent: (none)

Staff: René J. Read, Town Manager; John Madden, Finance Director and C. Anne Murray, Administrative Assistant

CONVENED IN OPEN SESSION

The meeting was called to order at 7:02 PM in the Mural Room.

OPEN FORUM – Nothing was brought forward.

TAX CLASSIFICATION HEARING – Steve Dunn, Director of Assessing

Present for this item of business were the Board of Assessors: Ms. June E. Albritton, Chair; Ms. Linda M. Collari, Vice Chair; and Mr. Jamie (James G.) MacNab, Clerk; and Mr. Stephen J. Dunn, Director of Assessing.

Mr. Dahlen moved that the Board of Selectmen open the public hearing regarding the allocation of the FY 2014 tax levy among the various classes of property in the Town. Second by Mr. Flynn. Vote: 3:0:0.

Mr. Dunn spoke on behalf of the Board of Assessors. He read the Town of Duxbury FY 2014 Tax Classification Hearing Fact Sheet (copy inserted at the end of these minutes). The proposed single tax rate for FY 2014 is \$16.15 per one thousand of assessed valuation. This is a \$1.96 or 13.81% increase over the FY2013 tax rate of \$14.19 per one thousand of assessed valuation. Mr. Dunn said that the Board of Assessors had met and voted unanimously to recommend a tax rate of one. He added that the Town does not have enough of a commercial tax base to recommend a two-tier tax rate.

Mr. Dahlen moved that the Board of Selectmen vote to adopt a single tax rate for FY2014 by setting a residential factor of one. Second by Mr. Flynn. Vote: 3:0:0.

Mr. Dahlen moved that the Board of Selectmen close the public hearing regarding the allocation of the FY 2014 tax levy among the various classes of property in the Town. Second by Mr. Flynn. Vote: 3:0:0.

DUXBURY POLICE AWARDS PRESENTATIONS

Chief Matthew M. Clancy began the proceedings by reading some prepared remarks. He said “We prepare for the worst and hope for the best.” He mentioned that the Duxbury Police Department has

a policy to recognize exemplary service with various levels of awards. Two lieutenants and the Deputy Chief review the nominations for the awards and make recommendations to the Chief. Each award has specific criteria.

The recognitions awarded tonight are the result of two incidents:

1. The actions in response to the Boston Marathon Bombing in April, 2013; and
2. The actions in response to an armed home invasion with shots fired that occurred on May 21, 2012.

Chief Clancy then read a letter he received following the Boston Marathon bombings from Edward F. Davis, Commissioner of the Boston Police Department, commending the Duxbury Police Department's support.

Then Chief Clancy and Deputy Chief Stephen McDonald conducted the police awards presentation. Each individual being recognized was asked to step to the front where Deputy Chief McDonald presented the award while Chief Clancy spoke briefly about the actions the officer took to earn the performance recognition. He noted that all tonight's recipients will also receive a Department Challenge Coin.

The following recognitions were presented:

1. For actions in response to the Boston Marathon Bombings:

Gallantry Star: Officer Ryan Cavicchi and Officer Dan Brown

Exceptional Duty (Award): Sgt. Kristen Golden, Sgt. Dennis Symmonds, and Officer Thomas Johnson

2. For response and actions relating to an armed home invasion with shots fired on May 21, 2012 in Duxbury:

***Medal of Honor:** Sgt. Dennis Symmonds and Officer Ryan Cavicchi

Gallantry Star Award: Officer Mary Ellen Vidito and Officer Thomas Johnson

Exceptional Duty (Award): Officer Dennis McKenney and Lt. Roger Banfill

Chief Clancy also noted that Citations of Appreciation will be awarded to the following officers, who also participated in the May 21, 2012 home invasion: Lt. Lewis Chubb, Sgt. Mike Roberts, Sgt. Mike Carbone, Officer James Tougas, Officer Daniel McGonagle, Officer Chris Johnson, Officer Andrew Homestead, Officer Tim Wigmore, Special Officer Scott Kane, and Dispatcher Matthew Wiggins.

In awarding the recognitions Chief Clancy described them as follows:

The Gallantry Star is "an award for an act of distinguished bravery in the arrest of a person who is a major threat to the welfare of the community."

The Medal of Honor is "awarded for outstanding act in the line of duty at imminent personal hazard of life, with full knowledge of the risk involved." It is the highest recognition an officer can receive.

Each honoree was congratulated and thanked by the Board of Selectmen after the award was presented, and received a round of applause from the audience.

HISTORICAL COMMISSION: Myles Standish Homestead, 0 Marshall Street, Registry of Historic Places Application

Mr. Madigan indicated that the Board had received a letter from Terry Vose, Chair of the Duxbury Historical Commission, and asked Mr. Vose to explain the request.

Mr. Terry (Robert C.) Vose, III, Historical Commission Chair, explained that several years ago the late Joe Shea had asked him to pursue getting the Myles Standish Homestead Site listing on the National Register of Historic Places, and he is now getting around to doing that. He mentioned that the Historical Commission has unanimously supported doing so. He said that the process it takes about a year. He also noted that Duxbury has 10 sites that are already listed on the National Register of Historic Places. Mr. Vose requested a vote of support from the Selectmen for this project.

Mr. Dahlen moved that the Board of Selectmen support the Town of Duxbury Historical Commission in their application to the National Register of Historic Places to put the Myles Standish Homestead Site (on the National Register of Historic Places) as a historic site. Second by Mr. Flynn. Vote: 3:0:0.

BUDGET PRESENTATION

o DEPARTMENT OF PUBLIC WORKS (DPW)

Mr. Peter Buttkus, Duxbury DPW Director, presented the DPW budget.

He began by mentioning that the good news is that for FY' 15 the DPW operating budget, excluding the water enterprise, is down .09%. If you include the water enterprise, then it is only up .10%. For FY' 15 the DPW budget (including the water enterprise) is \$5,698,519. He noted that with regard to the salaries all the increases can be attributed to collective bargaining agreements, merit increases, and/or job reclassifications.

His remarks accompanied a PowerPoint presentation, which will be posted along with the minutes. The presentation gave an overview of the payroll and expenses for each of the departments within the DPW and show comparisons in relation to the budgeted FY 2013 amounts:

- **Central Building:** It was noted that there is a slight decrease in expenses (2.53%). Primarily due to energy costs being down slightly.
- **Tarkiln:** There was a more substantial decrease in expenses (-11.15%), which he also attributed to reduced energy costs. Mr. Madigan asked the Finance Director about the amount of the Tarkiln rents revenue. The Finance Director did not have the figures immediately available, but said it was in the \$2,000. to \$4000. range.
- **Animal Control:** The increase in the payroll line was due to a job reclassification and a merit increase. The expenses are projected to decrease by -8.86%. It was noted that the expenses are offset by revenues derived from fines and donations, esp. those from the Friends of the Animal Shelter.
- **Lands and Natural Resources (LNR):** There is a slight increase in the payroll line (2.59%) and the projected expenses show a reduction of -4.62%.

- Fuel Depot: The projected increase of .32% in the expenses is due to equipment repair.
- DPW Administration: The substantial reduction in the expenses (-34.86%) is in large part because the dam inspections will be over next year. They are required every five years.
- Vehicle Maintenance: The projected decrease in the expenses (-11.49%) can be attributed to several things. The first is that having all the mechanics under one roof has brought efficiencies to the department. It was also noted that standardizing the fleet to Chevys for smaller vehicles and Peterbuilt for larger trucks has helped reduce costs.
- Highway Dept.: There is a slight increase of 1.44% is projected for the expense side. In clarification it was mentioned that the Chapter 90 funds are actually used primarily for paving; not for the Highway Department budget.
- Snow & Ice: The Snow & Ice budget is the only budget that by law can be legally overspent, but in order to do so you must budget an equal to or greater amount than the previous year. Mr. Madden explained that the budget amount is artificially low, but this is the most prudent way given the municipal finance laws. It was noted that in Duxbury because much of the work is handled by the in-house staff it limits the need for outside contractors.
- Street Lights: This budget is also showing a slight decrease. The decrease can be attributed to a new electrical contract at more favorable rates.
- Transfer Station: A slight decrease in expenses (-1.81%) is projected. He noted that we are getting closer to a new contract with SEMASS, which should be in FY'16. It is anticipated that will bring a more significant decrease (est. to be between \$50,000. - \$70,000. reduction in solid waste costs). Mr. Madigan asked about the bag fees / stickers revenues. Mr. Madden said that overall the bag fees and sticker revenues are doing fairly well in meeting the operational costs.
- Sewer Dept.: Expenses are slightly down due to a number of things.
- Cemetery Dept.: The expenses are projected to increase 13.33%; mainly due to the cost of natural gas and electricity to run the new facility. It was pointed out, however, that the crematory has performed 360 more cremations over the past three years. That averages out to about \$90,000. in revenue, and the number of cremations seems to be steadily going up.
- Water Enterprise: The water enterprise budget is separate from the DPW budget and is funded through the water rates. The water enterprise budget is up slightly.

Mr. Madden, the Finance Director, made some overall comments about the DPW budgets. He pointed out that in the initial phases of new buildings you may see some increases due to the new systems in place. Overall most of the expenses are offset by the revenues. In concluding, Mr. Madden commented that Mr. Buttkus “does a great job and he really knows how to stretch a dollar.”

DISCUSSION PERTAINING TO STATEWIDE PUBLIC SAFETY MUTUAL AID – Fire Chief Kevin Nord

He said he was asking the Board of Selectmen to “opt in” to the statewide Public Safety Mutual Aid agreement. He gave a general overview of the background of this. He mentioned that this is somewhat similar to the mutual aid that the Fire Department operates under, but after Hurricane Katrina officials started to look at more of a statewide Public Safety Mutual Aid arrangement. The agreement lays out rights and responsibility for receiving and giving mutual aid statewide. As the Emergency Management Director he indicated that he hoped the Selectmen would support this

initiative. If we ever had a major situation this would allow the Town to receive aid from communities in other parts of the state. Likewise Duxbury would provide aid to other state areas to assist during disasters.

Mr. Dahlen moved that the Board of Selectmen vote to execute the Agreement on Statewide Public Mutual Aid (Chap. 40; Sect. 4J). Second by Mr. Flynn. Vote: 3:0:0.

Mr. Dahlen moved that the Board of Selectmen vote to execute the statewide Fire Mutual Aid Agreement. Second by Mr. Flynn. 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 License Requests and Event Permits – none.

Signature of Bond Anticipation Notes / Treasurer Thomas Connelly

Mr. Read mentioned that normally this would be an administrative function, but given he is new to his position he wasn't sure how the Board would prefer to handle banding. Therefore, he felt it appropriate to ask the Treasurer Mr. Connolly to explain this item of business.

Mr. Connolly explained that back at the March 10, 2012 Town Meeting, the Town voted on two articles (#27 and #28) regarding the Powder Point Bridge (hereafter "Bridge") repair (\$2,400,000.) and the Pine Street Water Main. (\$925,000.)

He then mentioned the following:

- We have already borrowed \$900,500. for the Bridge and \$400,000 on the water project.
- For this issue he intends to issue a Bond Anticipation Note (i.e., a BAN) of \$1,515,000. for the Bridge and \$478,000 for water mains =1,993,000 and to also renewing the \$900,000.
- There is a balance \$85,000. for the Bridge and \$45,000. for the water mains.
- We have already spent \$2,014,901.70 for the Bridge and \$878,910.78 for the water mains.
- He explained that he decided to issue a BAN because we just did a large bond for the new public safety buildings (Fire and Police Stations) and schools. He said he plans to issue the BAN to June, 2014 and got a rate of .60 %. He said he does know how much we might go out to bond because we have these two projects, but we might need to bond more for the schools.
- He said that he needs the Board to sign the Note, the Certificate and Designation and the Clerk's Certificate. He and the Town Clerk will also be signing them tomorrow.

Mr. Madden briefly cited some of the municipal laws that govern the specific purposes for which you can borrow.

Mr. Madigan asked what additional expenses are expect for the Bridge? Mr. Madden responded that we expect to use the full \$2.4 million.

The Finance Director also mentioned Duxbury bonded \$70 million, in conjunction with MSBA reimbursements, to get us to the Sept, 2014 school opening, which left an anticipated \$9 million of borrowing after the opening of the schools for the final punch list.

Mr. Dahlen said the school project will not be done for 12 months after the opening as there still will have to be the demolition of the other buildings and the building of the parking lots to be finished.

Mr. Madden mentioned we don't know what the final reimbursement will be. It could go up or down from the initial figures provided. It will be determined by MSBA in a final audit. The good news is the school project is being reimbursed as the project goes on; instead of at the end as it used to be.

TOWN MANAGER'S BRIEF

Town Manager René Read mentioned the following item(s):

1. **Holiday Arts & Crafts Fair by Youth:** The Duxbury Art Boosters are sponsoring a Holiday Arts & Crafts Fair by Youth on Saturday, December 7th from 10 AM to 3 PM at the Duxbury High School, 130 St. George Street, Duxbury. There will be 50+ tables of crafts made by youths ages 9 -19 from the South Shore and beyond. For more information visit: <http://www.promotingyouth.org/>

2. **2014 ATM Article Deadline Reminder:**

The Board of Selectmen invites citizens to submit articles for the 2014 Annual Town Meeting. Articles must be submitted to the Town Manager's Office by tomorrow, December 3, 2013 at 4:00 PM. Complete Article language and explanation required. Please contact Susan Kelley at 781-934-1100 x 5401 with questions.

ANNOUNCEMENTS

Mr. Dahlen read announcements about:

1. **2014 ATM Article Reminder:** This was the same information Mr. Read just conveyed.
2. **Next Scheduled Selectmen's Meeting:** Will be on Monday, December 9, 2013. Agenda will include the Town Manager's Budget Presentation and the Recreation Department Budget Presentation.

MINUTES

Mr. Dahlen moved that the Board of Selectmen approve the 04-22-13 Selectmen Minutes, as written. Second by Mr. Flynn. Vote: 3:0:0.

COMMITTEE APPOINTMENTS/RE-APPOINTMENTS – *None made this evening.*

ADJOURNMENT: At approximately 8:15 PM, Mr. Dahlen moved that the Board adjourn. Second by Mr. Flynn. VOTE: 3:0:0.

**TOWN OF DUXBURY
FY 2014 TAX CLASSIFICATION HEARING
FACT SHEET**

December 2, 2013

- 1) The total real and personal property assessed value for FY 2014 is \$3,276,537,630. This is a 1.92% increase from FY 2013.
- 2) The average single family home assessed value for FY 2014 is \$568,400. This is a 1.50% increase from FY 2013's average assessed value of \$560,000. The median 2014 single family home assessed value is \$460,700 which is a .17% decrease.
- 3) The total amount of revenue to be raised by both tax and non-tax sources for FY 2014 is \$76,476,142.81. This is a 15.15% increase from FY 2013. This revenue was derived from a tax base that consists of 6,075 units of real property and 600 units of personal property.
- 4) The tax levy for FY 2014 is \$52,916,082.72. This is a 16% increase over FY 2013 which includes a 366% or \$6,118,351 increase in Total Debt Exclusions. Under The Community Preservation Act (CPA) the Town will raise at the local level an additional 1% of the real property tax levy with \$100,000/Parcel of Residential property value being exempt from the surcharge. The CPA surcharge estimated revenue for FY 2014 is \$431,810 under authority of the CPC, a decrease of 67.46%.
- 5) The proposed single tax rate for FY 2014 is \$16.15 per one thousand of assessed valuation. This is a \$1.96 or 13.81% increase over the FY 2013 tax rate of 14.19.
- 6) The average single family home tax bill for FY 2014 is projected to be \$9,179.66. This is an increase of 15.52% over FY 2013. The CPA adds 1% to this average tax bill, or \$75.65. The median single family tax bill is \$7,440.31; and its 1% CPA surcharge is \$58.25.
- 7) The assessed value of the new construction and personal property new growth that took place during the twelve-month period from July 1, 2012 to June 30, 2013 is \$25,549,630. This translates into \$362,549 of increased tax levy capacity over the basic limits of Proposition 2 ½ and is a .83% decrease over last year's figure.
- 8) The Tax Classification law allows the Selectmen to increase the combined Commercial, Industrial and Personal property (CIP) share of the Town's tax base up to a maximum of 150% of what it is at current market value. This has the effect of reducing the share of the tax burden that is borne by the residential property class. Since the CIP property classes represent only 4.37% of Duxbury's tax base, even the maximum allowable tax shift to these classes produces a relatively negligible decrease in the tax burden of the residential property class.
- 9) That is, the full implementation of the Tax Classification Law in Duxbury would have the effect for residential properties of lowering the 2014 single tax rate of \$16.15 by thirty seven cents to \$15.78. At the same time it would increase the commercial tax rate by \$8.08, from \$16.15 to \$24.23.
- 10) To illustrate, if the maximum allowable tax burden shift were made from the residential property class to the CIP classes, its effect on the average residential assessed value of \$568,400 would be to reduce the \$9,179.66 tax bill by \$210.31. However, the tax bill for an average valued commercial property would be increased by \$6,061.62 to \$18,177.35.

LIST OF DOCUMENTS FOR 12-02-13 SELECTMEN'S MEETING

1. *Agenda for 12-02-13 Selectmen's Meeting*
2. *Tax Classification Hearing: Suggested motions; 11-27-13 Memo from the Board of Assessors and Stephen J. Dunn, Director of Assessing; Town of Duxbury –Assessing Department What If Scenario Worksheet; Comm. of Massachusetts Dept. of Revenue FY'14 Tax Levy Limitation FOR and Bureau of Accounts Classification Tax Allocation; and Town of Duxbury FY 2014 Tax Classification Hearing Fact Sheet. Legal Notice published 11-27-13 in the Duxbury Clipper.*
3. *Police Awards Presentation: Email from Chief Matthew Clancy providing the list of awards and personnel receiving them.*
4. *Letter from Robert C. ("Terry") Vose, III regarding requested support for nomination of the Myles Standish Homestead Site to be listed in the National Register of Historic Places.*
5. ***BUDGET PRESENTATION(S):***
 - DPW PowerPoint presentation & DPW Budget Summary –FY 2015 (dated 8-28-13)*
6. *Summaries of Mutual Aid Laws: M.G.L. Chapter 40, Section J: Statewide Public Safety Mutual Aid – Attachments A, B and Attachment C and Mutual Aid Attachment C "Opt-In" Form and a map of Massachusetts communities that are not in the statewide mutual aid OPT-IN Agreement.*
7. *One-Day Liquor Licenses: none*
8. *Event Permits – none.*
9. *Suggested Announcements for 12-02-13 BOS Meeting*
10. *MINUTES: Suggested Motion and 04-22-13 Selectmen's Minutes-DRAFT.*