

Date: December 1, 2014

Date Minutes Approved:

BOARD OF SELECTMEN MINUTES

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

Absent:

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

I. CONVENED IN OPEN SESSION

The meeting was called to order at 7:00 PM in Open Session.

II OPEN FORUM - Nothing was brought forward.

III NEW BUSINESS

7:01 PM WATER & SEWER COMMISSIONERS: Discuss Lifting Voluntary Water Ban

ADJOURN AS SELECTMEN & CONVENE AS WATER & SEWER COMMISSIONERS:

Mr. Flynn moved that the Board of Selectmen adjourn the meeting as Selectmen in order to meet as the Water & Sewer Commissioners, with the intent of re-convening as Selectmen afterward. Second by Mr. Madigan. VOTE: 3:0:0.

Mr. Peter Mackin, Duxbury Water Superintendent, recommended to the Board the lifting of the voluntary water ban.

Mr. Flynn moved that the Board of Water & Sewer Commissions lift the voluntary ban on outdoor watering, effective immediately. Second by Mr. Madigan. VOTE: 3:0:0.

ADJOURN AS WATER & SEWER COMMISSIONERS & RE-CONVENE AS SELECTMEN

Mr. Flynn moved that the Board adjourn their meeting as Water & Sewer Commissioners and re-convene as Selectmen. Second by Mr. Madigan. VOTE: 3:0:0.

Discussion pertaining to petition for one new pole & three relocated poles on Winter Street - new pole 373/7S & relocated poles 373/8; 373/11 and 373/12

As background Mr. Read explained that a petition was received from Verizon for placement of one new pole and relocation of 3 other poles on Winter Street, which will be required due to the MassDOT road configuration project #603462 (i.e., Duxbury- Intersection Improvements At Kingstown Way (Route 53) & Winter Street).

Mr. Read mentioned an administrative hearing was held at 9:00 AM on November 25, 2014 in the Town Manager's office for which notifications were sent to the abutters by certified mail. In addition, a legal notice was published in the Duxbury Clipper on November 19, 2014 and on November 26, 2014. The project meets all the concerns of the abutters. One abutter did attend the hearing to make sure he understood where the poles were going to be. The plans were explained to him and he was satisfied. Mr. Read recommended the following as a standard condition "that prior to commencement of this project, Verizon New England, Inc. and/or NSTAR Electric Company contact the Duxbury Department of Public Works and make them aware of the pole installation project commencing at this location."

In response to an inquiry from the Chair, Mr. Read indicated that the poles were being placed in conjunction with the Rte. 53 – Winter ST roundabout project. He confirmed that all the work will be done within the roads' right of way.

Mr. Flynn moved that the Board of Selectmen authorize the installation of one (1) new pole (#373/7S) on Winter ST and the relocation of three (3) poles (i.e., poles 373/8; 373/11 and 373/12) on Winter Street due to the MassDOT road reconfiguration Project #603462, with the condition that Verizon New England, Inc. and/or NSTAR Electric Company contact the Duxbury Department of Public Works at least 48-hours prior to the commencement of the project along with other conditions that may be requested by the Board. Second by Mr. Madigan. VOTE: 3:0:0.

Discussion pertaining to Remaining MS/HS School Project Bonding

As a lead in to the discussion, Mr. Dahlen mentioned that in September, 2012 the Town bonded \$83 million for four municipal projects: the new police station, the renovations to the fire station, the new crematory, and the co-located Duxbury Middle School (DMS) / Duxbury High School. Of the \$83 million, \$70 million was related to the new DMS/DHS project. It was known at the time that there would be the need to bond an additional +/- \$7 million at some point. The full amount couldn't be bonded at the time of the original bond because of arbitrage and because the exact dollar amounts were not known. He explained that the Town does expect the Massachusetts School Building Authority (MSBA) to reimburse the Town for 45% of the school project cost. He added, however, that the 45% reimbursement would only be on what the MSBA determines are the reimbursable items. As an example, he mentioned that the field house, which was included in the project is a non-reimbursable expense and that cost about \$5 million.

What prompts tonight's discussion is the School Building Committee (SBC) is coming up to a decision point to estimate the remaining cost of the project.

Mr. Dahlen said the total cost of the school project was \$128,356,158., which was approved by the voters. The anticipated MSBA share is \$77,457,808. To date the SCB estimates the project will be finished with an estimated \$2.7 million under the budgeted amount, but even though the overall project will be under the budgeted amount it appears that we will be \$508,000. over what was anticipated as the Town's share. Contingencies were built into the budget, but there are several needs that have to be addressed. Mr. Dahlen mentioned as examples that there is no A/C or humidification in the cafeteria area, the workout area and the music room areas. The SBC is looking at (a) modifications to cover some of these areas but those will be at an added cost and (b) looking at additional costs for areas not covered

by the modification. He also mentioned the other big item is whether an added field, which was in the project, will be a grass field or a turf field. A turf field would be about a half a million more than a grass field, but there needs to be a discussion of whether that expense makes sense from a user perspective and a long-term maintenance perspective. That is an issue that the SBC will be deciding with feedback from the School Committee, the Recreation Department, and others after a cost benefit analysis. He said that while the overall project looks to be under-budget, they do recognize the added costs do affect the taxpayer because of the borrowing involved. He stressed that the SBC has only made one slight modification from the scope of the project, and that was to move AC unit back from the front of the school so it is less visible.

So having given that overview, Mr. Dahlen said the bottom line is there will be between \$7 million^{+/-} dollars to still be borrowed. The questions that remain are when to bond, how to bond (term) and how much to bond. With that he turned the discussion over to the Finance Director.

Finance Director John Madden re-iterated some of the same figures Mr. Dahlen had given. He added:

- The original bond for the school portion was a 25-year bond.
- It is a decreasing bond, which means that the principal stays the same but the interest declines over time. (He noted that this is different from a mortgage arrangement.)
- He indicated that the costs of the school-related items since the inception have affect about \$1.77 of the tax rate.
- Going into FY 16 that figure will be \$1.56 for a decrease of 21 cents.
- Some of the debt for other projects the Town has bonded in the past will be rolling off in the coming years.

Finance Director John Madden's recommendation to the Board was for approval to bond \$4 million for a term of ten years and then to hold off for a year or two before bonding the remaining portion. He suggested that following this recommendation would:

- (a) allow the Town to take advantage of favorable interest rates.
- (b) provide a smoothing effect for the tax payer. He point out that to bond for a longer term would dramatically change the rate of the bond.
- (c) Allow the final figures to be determined so that we don't over bond.
- (d) And takes into consideration the Town's future needs, so a 10-year term bond would allow for a quick pay down of the current debt, which will help the Town be in a better position to build the much-needed DPW facility and an expansion to the Senior Center to meet those future needs, and hit the taxpayer after some of the current debt has expired.

Mr. Dahlen seemed to be in agreement with splitting the remaining amount to be bonded, but advocated for a longer term of 25-years bond (or 22-years to match the remaining term of the current school bond). He felt that given the recent tax increases this would have less of an impact on the tax bills, even though it would cost more given the longer term.

There was a considerable back and forth discussion by Mr. Madden, members of the Board, and audience members of how these various scenarios would affect the actual tax rates over the upcoming years. While the matter was being discussed two sheets were projected (i.e., a spreadsheet by the Finance Director to show the gross debt service over time and another document prepared by Mr. Dahlen showing Duxbury Real Estate Tax talking points). During the discussion the Board did also respond to some questions from the public.

Mr. Fernando Guitart mentioned that he and others have met with Mr. Read and Mr. Madden recently. He wanted to acknowledge how helpful and open they have been in explaining the Town's financial issues.

He asked if the Board could discuss in more dollar and cents terms what the various scenarios might mean for the taxpayer. He said he understands that it is a difficult balance trying to do with is in the best interest financial interests of the Town while at the same time trying to minimize the effect to the taxpayers, but he urged the Board to keep in mind the substantial recent increases to the taxpayers when making these decisions.

Mr. Madigan indicated that he understood the Finance Director is making his recommendation knowing that future debt will have to be taken on when the future projects, i.e. the DPW facility and COA expansion, can't be put off any longer. He suggested that perhaps the question should be: Whether this year the Town should do a 10-year bond so the debt rolls off faster, and then next year whether the Town should do a longer-term bond to correspond with the remaining term of the current school bonding? He asked Mr. Madden to look at the figures to see if that scenario could be modeled to provide some figures.

Mr. Flynn said that "we all are experiencing a big hit." The reality is that operational costs go up and there is not much that can be done about that. He sees the goal of the Board as trying to keep the debt level as flat as possible.

An unidentified audience member indicated that he appreciated the presentation. He asked the following questions and received the following answers:

- 1) He questioned the 2 ½ % levy increase every year and asked whether less than 2 ½% is possible? Mr. Madden explained that it is a formula with 2 ½% as the maximum allowed. Mr. Madden added that beyond the taxes the Town can only look to what it receives in State Aid and Local Receipts and neither of those sources have been sufficient to warrant less than the 2 ½%, otherwise services would be dramatically impacted.
- 2) He mentioned that it was also noted that between FY'14 and FY'15 the tax rate has gone down, but the base grew due to increased home values. He asked how the assessed values are determined? Mr. Madigan and Mr. Dahlen explained that the Assessor does the assessment based on the real estate sales on an annual basis and each property is reviewed on an annual basis. It was also mentioned that the state must agree with the Town's the assessment.
- 3) He asked if the MSBA reimbursement on the school project has been received? Mr. Dahlen said that the Town has been receiving the MSBA reimbursements on a monthly basis.

It should be noted that at several points during the discussion it was mentioned that there are a number of unknowns which make having exact figures difficult. Some of the unknowns are:

- We don't know exactly what the bond rate will be,
- We don't know what the premium might be,
- We don't know what the final school costs will be; and
- We don't know what the final MSBA reimbursement will be.

Board of Selectmen

Date: December 1, 2014

Page | 5

No further action was taken and the Board moved on to other business.

Annual liquor license renewals

Mr. Flynn moved that the Board of Selectmen renew the following liquor licenses for the year 2015, subject to satisfactory inspection by the Municipal Services Department, proof of liquor liability and Workers Compensation insurance, payment of all funds/fees owed to the Town of Duxbury; and proof of server training:

Common Victualler & All-Alcoholic Beverages

Mile Post Tavern
North Hill Country Club
Sun Tavern
Tsang's Café
Wildflower Café

Inn-holder: All-Alcoholic Beverages

Winsor House Inn

Club: All-Alcoholic Beverages

Duxbury Veteran's Club
Village at Duxbury
Duxbury Yacht Club – 23 Mattakeesett Court
Duxbury Yacht Club – 70 Fairway Lane
Duxbury Yacht Club – 489 Washington Street

Retail: All-Alcoholic Beverages

Bennett's General Store
Cellar D'Or
Duxbury Wine & Spirits
Millbrook Market
Osborn's Country Store

Retail: Wine & Malt Only

Bo'-Tes
Foodies Duxbury Market
Halls Corner Store
Duxbury Package Store
Snug Harbor Wine

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

The license renewal for Duxbury Bay Maritime School:

It was mentioned that Mr. Dahlen is on the Board of Directors of the Duxbury Bay Maritime School and therefore Mr. Dahlen indicated he would abstain from voting on this license.

Mr. Flynn moved that the Board of Selectmen renew the following liquor license for the year 2015, subject to satisfactory inspection by the Municipal Services Department, proof of liquor liability and Workers Compensation insurance, payment of all funds owed to the Town; and proof of server training:

Club: All-Alcoholic Beverages

Duxbury Bay Maritime School

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

IV TOWN MANAGER’S REPORT

Mr. Read reported on the following topics:

1) Warrant & Budget

Mr. Read anticipates having a warrant for the Board’s review at their meeting on December 15th. He also will be providing copies of the preliminary budget to the Board on December 12th.

2) Hall’s Corner Economic Development Study Market Analysis Public Open House:

On Monday, December 8th from 6 -7 pm in the Mural Room, Amanda Chisholm, Regional Planner from the Metropolitan Area Planning Council (MAPC), will be holding a public open house regarding the Hall’s Corner Economic Development Study Market Analysis and Existing Conditions Report. The public is invited to come and learn more about the plan and to weigh in with its thoughts prior to a formal presentation to the Planning Board and the Board of Selectmen.

3) Coastal Community Resilience Grant Award:

The Town Manager mentioned he learned the Town of Duxbury was awarded a Coastal Community Resilience Grant Award in the amount of \$206,250. This was a grant application prepared by the Duxbury Beach Reservation. The grant will allow for the study of the effects of waves, tides and the movement of sand and other sediment on both the ocean and bay sides of Duxbury Beach to understand existing conditions and potential impacts from future storms and sea level rise.

He added that only 11 communities in Massachusetts received the grant, and Duxbury received the 2nd highest grant in the state.

V COMMITTEE APPOINTMENTS / RE-APPOINTMENTS / RESIGNATIONS

Board of Selectmen

Date: December 1, 2014

Page | 7

Mr. Flynn said that there are no appointments or re-appointments or resignations to be made or announced this evening. He did, however, mention that the Board is still seeking candidates to serve on the Duxbury Friends of the Plymouth 400th (DFP 400th) Committee. He encouraged anyone who is interested to fill out a Talent Bank form, which is available on the Town website (www.town.duxbury.ma.us) or at the Selectmen's Office.

VI ONE-DAY LIQUOR LICENSES – none tonight.

VII EVENT PERMITS

04-04-15 Friends of the Council on Aging Half Marathon

Mr. Flynn moved that the Board of Selectmen grant to Mrs. Maureen Connolly, as a representative of the Friends of the Council on Aging, permission to hold the 3rd Annual Duxbury Half Marathon to raise money for the Alzheimer's Respite Program, on Saturday, April 4, 2015 at 7:30 AM, beginning and ending at the Duxbury Senior Center, 10 Mayflower Street, contingent upon the conditions on the permit. Second by Mr. Madigan. VOTE: 3:0:0.

VIII MINUTES

There were no Executive Session or Open Session Minutes for review and approval this evening.

IX ANNOUNCEMENTS - none this evening.

X ADJOURNMENT

At approximately 8:15 p.m., Mr. Flynn moved that the Board adjourn. Second by Mr. Madigan. VOTE: 3:0:0.

Minutes prepared by: C. Anne Murray

LIST OF DOCUMENTS FOR 12-01-14 SELECTMEN'S MEETING (DOCUMENTS LOCATED IN THE SELECTMEN'S OFFICE FILES.)

1. *Agenda for 12-01-14 Selectmen's Meeting*
2. *OPEN FORUM: no documents*
3. *NEW BUSINESS:*
 - a. *Water & Sewer Commissioners- Lift Water Ban: Coversheet with suggested motions*
 - b. *Discussion RE: Poles (1 new +3 relocations) –Winter ST: Packet including Background and suggested motion, Memorandum from René Read dated 11-25-14 regarding the pole hearing, copies of Orders for Joint or Identical Pole Location; Utility Pole Hearing Minutes 11-25-14; 11-25-13 Hearing Sign-in Sheet; Published Notice of hearing; and copy of site plan.*
 - c. *Discussion pertaining to Remaining DMS/DHS School Project Bonding: 11-28-14 Memorandum from John Madden, Finance Director RE: "Bonding for the MS/HS Project"; Spreadsheet of gross debt service from Finance Director (projected during the meeting); and Handout "Duxbury RE Tax Talking Points" prepared by Shawn Dahlen.*
 - d. *Annual Liquor License Renewals: Suggested Motions.*

4. *TOWN MANAGER'S REPORT: (a) Announcement about MAPC's public open house RE: Hall's Corner Economic Development Study Market Analysis and Existing Conditions Report. and (b) Commonwealth of Mass. Announcement of Grant Awards to Combat Climate Change Impacts in Coastal Communities, i.e. the Coastal Community Resilience Grant Program.*
5. *APPOINTMENTS /RE-APPOINTMENTS & RESIGNATIONS: Announcement RE: seeking candidates for Duxbury Friends of Plymouth 400th Committee.*
6. *EVENT PERMITS: For each event there was a packet of information including the drafted permit and event information and if appropriate route map.
04-04-15 COA 3rd Annual Duxbury Half Marathon.*
7. *MINUTES: none.*
8. *ANNOUNCEMENTS: 12-01-14 Suggested Announcement Sheet*