

Date: February 23, 2015

Date Minutes Approved: March 2, 2015

TOWN CLERK
15 SEP 23 AM 10:00
DUXBURY, MASS.

BOARD OF SELECTMEN MINUTES

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

Absent: David J. Madigan, Vice Chair

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

I **CALL TO ORDER** - The meeting was called to order at 7:00PM in the Mural Room.

II **OPEN FORUM** – Nothing was brought forward.

III **NEW BUSINESS**

Discussion regarding edits to and the execution of Purchase & Sale Agreement - Merry properties

Mr. Dahlen said that the Board recently signed the Purchase & Sales Agreement for the Merry properties, consisting of 19 parcels totaling 270 acres. However, one of those parcels at the end of Gifford Road adjacent to the Gifford bog has a separate trustee, who asked that it be excluded from the main Purchase & Sales Agreement. Therefore, it was decided to separate it into two Purchase & Sales Agreements: one for the bulk of the parcels and the other for that individual (2.7 acre) parcel.

Mr. Mangione questioned whether the price in the main Purchase and Sale had been reduced as well.

Mr. Dahlen confirmed the sale price in the main Purchase & Sales Agreement has been adjusted accordingly. He added that the 2.7 acre parcel had a valuation \$11,400 (based on his memory) because it was unbuildable. On Assessor's records its valuation is in low \$200,000s, but the parcel was denied by the Conservation Commission to be built on and it couldn't meet the Board of Health's setback requirements for a septic system. The original Purchase and Sale Agreement was based on a price of \$4,300./ acre so the price has been reduced by \$4,300./ acre times the 2.7 acres.

Mr. Flynn moved that the Board of Selectmen sign the latest version of the Purchase & Sale Agreement and approve it in the form attached with final changes to be approved at the Chair's discretion in consultation with Town Counsel, in case the seller has any issue with the changes. Second by Mr. Dahlen. Vote: 2:0:0.

Mr. Dahlen noted that he does not anticipate any changes, but since they had not heard back from the seller's attorney Town Counsel suggested the language which would give the Chair some discretion.

Discussion and certification of estimated seasonal population as required by the Alcoholic Beverages Control Commission (ABCC)

Mr. Dahlen explained that Massachusetts General Law Chapter 138 Section 17, requires that an estimate of temporary increased resident population shall be made prior to March 1st in any year, for the purpose of establishing a quota of seasonal liquor licenses that a Town may issue. We do this annually.

Mr. Flynn moved that the Board of Selectmen certify to the Alcohol Beverage Control Commission, based on information from the Assessor and the Town Clerk, that the estimated temporary resident total population as of July 10, 2015 will be 17,007 (Current population of 15,481 plus estimated increased summer population of 1526 = 17,007). Second by Mr. Dahlen. Vote: 2:0:0.

IV CONTRACTS

Discussion pertaining to the contract for consulting services relating to site review and inspection by Nover-Armstrong Associates, Inc., regarding a proposed pier located at 48 Grand View Avenue

Mr. Read explained engineering review in the amount of about \$1,000, related to a Conservation application in which the applicant pays for the services and the Selectmen sign off on the arrangement. So the authorization is needed in order for the services to proceed.

Mr. Flynn moved that the Board of Selectmen execute the Contract for consulting services relating to site review and inspection by Nover-Armstrong Associates, Inc. regarding a proposed pier located at 48 Grand View Avenue. Second by Mr. Dahlen. Vote: 2:0:0.

Discussion pertaining to the contract for the valuation and preparation of FY2016 Personal Property accounts by RRC (Real Estate Research Consultants, Inc.)

Mr. Read said that this contract is between the Town and Real Estate Research Consultants, Inc. and has to do with the Assessing Department. The services to be provided have to do with our annual maintenance program and will include:

1. The current data base is analyzed and all new accounts are identified;
2. Data collection and valuation;
3. Out of Business accounts are identified;
4. Applications for abatement are reviewed.

The contact is for \$5,000.

Mr. Flynn moved that the Board of Selectmen execute the Contract for the valuation and preparation of FY2016 Personal Property accounts by RRC (Real Estate Research Consultants, Inc.). Second by Mr. Dahlen. Vote: 2:0:0.

Discussion pertaining to the contract for the Percy Walker Pool project.

Mr. Read explained this contract as follows:

This is for the work related to the Percy Walker Pool, which will include: an acid wash of the interior pool tile, refilling of the pool water, balancing of the pool water, and restart of the filtration system. The contract is for \$58,000., which was awarded through the procurement process in accordance with MGL Chapter 149.

Mr. Flynn moved that the Board of Selectmen execute the contracts for the Percy Walker Pool project. Second by Mr. Dahlen. Vote: 2:0:0.

V TOWN MANAGER'S REPORT

Mr. Read reported on the following:

1. Percy Walker Pool Closure:

He said the Percy Walker Pool closed today for maintenance. This maintenance occurs once every five years, and past experience has shown us it is about a 5-week process. Notification to the public has been handled by the Recreation Department through notice in the Duxbury Clipper, the Department's Twitter feed, and by email through Active.net to all recreation/ pool customers and on the Town website. The estimate date of re-opening is March 31st.

2. Library Sprinkler Problem:

Mr. Read mentioned that on Tuesday, February 17th, a sprinkler pipe and two heads burst in a third floor bathroom at the Library. The water flooded bathrooms and carpet on the third and second floor and the room behind the elevator machine room. All the water was withdrawn within two hours. The sprinklers were repaired as well. We need to properly insulate the space above the ceiling before we rebuild it.

The library is open for business minus a few bathrooms. We have to rebuild ceilings in three or four bathrooms and to properly insulate the space above the ceilings before it is rebuilt. The adjuster will be onsite today and then we can develop a scope of work and a timeline.

Mr. Read added that Brian Cherry (Facilities Director) has been a wonderful addition and asset because about a week before a pipe broke at the Senior Center and Brian was onsite almost immediately. Chief Nord mentioned that Brian is often the second individual called and has been very responsive to any incidents to mitigate the damage.

3. Collapse of DPW Shed:

According to Mr. Read, on Thursday, February 19th, a roof collapse occurred at a DPW Shed located behind Town Hall. He provided the Board with a couple of pictures. It is a smaller facility (about 850 square feet) used for storage of seasonal equipment. An insurance claim has been made.

4. Fire at Bay Path:

Mr. Read mentioned that there was a fire at the Bay Path facility, which the Fire Department did an outstanding job not only putting out the fire but also handling the situation. In addition, they put out a robo-call warning residents of the potential dangers and reminding people to clear out their gas meters.

5. Snow Removal from Police Station Roof:

Mr. Read reported that Brian Cherry also coordinated the snow removal from the Police Station roof. The parapet on the building prevented the snow from blowing off so it was necessary to physically remove the snow.

VI COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/ RESIGNATION -There were no appointments / re-appointments made.

VII ONE-DAY LIQUOR LICENSE REQUESTS - There were no one-day liquor licenses for review.

VIII EVENT PERMITS

4-11-15 Duxbury Youth Baseball Opening Day Parade

Mr. Flynn moved that the Board of Selectmen grant to Mr. Jack O'Connor, as the President of Duxbury Youth Baseball, permission to conduct a parade on April 11, 2015 from 11:30AM PM to 1:30 PM, from Chandler School to the Sinnott/Tarkiln baseball fields, subject to the conditions on the permit. Second by Mr. Dahlen. Vote: 2:0:0.

IX MINUTES

Executive Session Minutes: none

Open Session Minutes: January 12, 2015 and January 29, 2015 drafts

Mr. Flynn moved that the Board of Selectmen approve the 01-12-15 Selectmen's Minutes, as presented. Second by Mr. Dahlen. Vote: 2:0:0.

Mr. Flynn moved that the Board of Selectmen approve the 01-29-15 Selectmen's Minutes, as presented. Second by Mr. Dahlen. Vote: 2:0:0.

X ANNOUNCEMENTS

- 1. WARRANT AVAILABILITY:** "Final" warrants for the Annual Town Meeting and the Special Town Meeting, as posted by the Constable, are on the Town website in the Town News column and on the Town Clerk's page.

2. **& 3. TOWN MEETING & TABLE RESERVATIONS:** Reminder announcements were made regarding Duxbury's Annual Town Meeting on Saturday, March 14, 2015 starting at 9 AM and the procedure for the reservation of tables for Town Meeting.
4. **PERCY WALKER POOL CLOSURE:** As previously mentioned, the Percy Walker Pool will closed for maintenance on February 23rd. This maintenance occurs once every five years, and past experience has shown us it is about a 5 week process.
5. **Next Scheduled Selectmen's Meeting:**

The next Selectmen's meeting will be a **Pre-Town Meeting Walk Through at the Duxbury Senior Center (Ellison RM) on Monday, March 2, 2015 - 7:00 p.m.** Residents are invited to attend this informational session whether they have attended Town Meetings in the past or if they are new to the process and have never attended a Town Meeting previously.

Town officials, department heads, members of the Finance Committee and the Town Moderator will be available to walk through the articles and answer questions in an informal, comfortable public forum.

XI ADJOURNMENT

At approximately 7:19 P.M., Mr. Flynn moved that the Board adjourn. Second by Mr. Dahlen.
VOTE: 2:0:0.

Minutes respectfully submitted by C. Anne Murray

LIST OF DOCUMENTS FOR 02-23-15 SELECTMEN'S MEETING (ON FILE IN THE SELECTMEN'S FILES.)

1. *Agenda for 02-23-15 Selectmen's Meeting*
2. *OPEN FORUM: No documents.*
3. *NEW BUSINESS:*
 - a. *Merry Property Purchase & Sale Agreement*
 - b. *Seasonal Population Estimate: Coversheet with explanation and suggested motion*
4. *CONTRACTS:*
 - a. *Proposed pier -48 Grand View Ave. -Nover-Armstrong Associates, Inc.*
 - b. *Personal Property Valuation Contract: Coversheet with Suggested Motion; Cover memo from Stephen Dunn dated January 30, 2015 "Personal Property Valuation Contract"; Letter of Understanding regarding proposal from Real Estate Research Consultants, Inc. for signature by Selectmen Chair.*
 - c. *Percy Walker Pool Contract: Coversheet with Suggested Motion; Cover memo from Scott Lambiase dated February 19, 2015; Contract is extensive so copies of the full contact were in the Signature file (Full contract on file in Municipal Services or with Town Accountant.)*
5. *TOWN MANAGER'S REPORT: 02-23-15 Town Manager's Report*
6. *COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/ RESIGNATION -nothing*
7. *ONE-DAY LIQUOR LICENSE REQUESTS -nothing*

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8. *EVENT PERMITS: Event Application 4-11-15 Duxbury Youth Baseball Opening Day Parade; Dept. Feedback; Event Permit*
9. *MINUTES: Draft Minutes, Board of Selectmen Open Session January 12, 2015 and January 29, 2015.*
10. *ANNOUNCEMENTS: 02-23-15 Suggested Announcements*