

Date: May 11, 2015

Date Minutes Approved: May 18, 2015

BOARD OF SELECTMEN MINUTES

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

Absent: None

Staff: René J. Read, Town Manager; and Nancy O'Connor, Executive Assistant

CONVENED IN OPEN SESSION –

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

II. OPEN FORUM Nothing brought forward.

III. NEW BUSINESS

Discussion pertaining to the Land Disposition agreement regarding the Grange property

Mr. Madigan moved that the Board of Selectmen execute the Land Disposition Agreement between South Shore Habitat for Humanity, Inc. and the Town of Duxbury regarding the Grange Hall Site located at 153 & 159 Franklin Street for the purchase price amount of One Dollar. Mr. Read stated that this was the old Grange building and Fire Station. The buildings were demolished and the two lots were combined to allow for the building of one, single-family home. There was an RFP, and South Shore Habitat for Humanity was the successful bidder. Seconded by Mr. Dahlen. Vote: 3:0:0

Discussion pertaining to review and approval of Island Creek closing documents

Mr. Read stated that the Island Creek Village North is a residential housing project comprised of approximately 15 ½ acres and will provide 94 Units of affordable age restricted 55+ housing consisting of three 36-unit buildings, a pool, and twelve three-bedroom row houses clustered within three buildings. Ms. Courtney Koslow, of Beacon Communities, explained that they are working on the first phase of the project. As a part of their financing, Ms. Koslow further explained that the loan was approved at Town Meeting in the amount of \$50,000 and is being split between two phases. She also stated that the State housing department requires town contribution. Mr. Madigan moved that the Board of Selectmen execute the Record of Vote of the Duxbury Board of Selectmen to approve the loan given by the Town to ICVN Age Restricted LLC in the amount of \$25,000 for the Island Creek Village North development along with associated documents, and to authorize the Town Manager and the Board of Selectmen Chair to take all actions on behalf of the Town, as further described in detail in the Record of Vote. Seconded by Mr. Dahlen. Vote: 3:0:0

IV CONTRACTS

Change order from Abacus Architects + Planners regarding Feinberg Bog Road/Temple St. Development

Mr. Madigan moved that the Board of Selectmen execute the Change Order 2 between Abacus Architects + Planners and the Town of Duxbury regarding design and development services for the Feinberg Bog Road/Temple Street Development project in the amount of \$22,100. Mrs. Diane Bartlett explained that this was needed for the new configuration/design of the roadway. Seconded by Mr. Dahlen. Vote: 3:0:0

Contract with Applied Geographics, Inc. regarding map annotation modifications

Mr. Madigan moved that the Board of Selectmen execute the Contract between Applied Geographics, Inc. and the Town of Duxbury regarding map annotation modification services as described in Applied Geographics, Inc.'s Statement of Work in the amount of \$1,200. Mr. Flynn asked what department this pertains to, and Mr. Dahlen stated that it was the Assessor's Department. Seconded by Mr. Dahlen. Vote: 3:0:0

Mrs. Diane Bartlett spoke to thank the Town Manager and the Board of Selectmen for their assistance and time regarding the various affordable housing projects. She and the DAHT are greatly appreciative of their efforts.

V. TOWN MANAGER'S REPORT

Island Creek

Counsel has advised that by virtue of the Global Participation Agreement, the Town is not actually signing any deal-specific documents; however, it is a party to the documents and the transaction. The March 24, 2014 vote required further approval of the Selectmen as to the terms of the transaction. This new vote provides for the Selectmen's approval of the deal-terms because it references the deal documents to which the Town is a party. The vote also ratifies your signature to the Global Participation Agreement.

The Island Creek Village North (ICVN) project consists of seven residential and three auxiliary buildings located on a 15.45 acre parcel at 32 Tremont Street. The Project includes one 94 Unit affordable age restricted 55+ building, three 36-unit buildings, a pool, and twelve three-bedroom row houses clustered within three buildings. For the purpose of this proposal the Project's site development, including the associated driveways, parking and the various utilities.

Paving/Dredging

As you may recall, the voters at the March 2015 Annual Town Meeting approved the funding for a number of capital projects including the re-paving of Mattakeesett Court. As you know, we will be dredging this fall. As a result of this project (and the possibility of increased demands to be placed on the parking area), we have decided to postpone the re-paving of Mattakeesett Court until the spring of 2016.

Duxbury Beach Update

You will recall that two years ago I committed myself to advising the public of the arrival of the Piping Plovers to our shore. As has been the case for many generations, the Plovers have returned and there are currently 15 established pair on Duxbury Beach and 9 nests. All of these nests are between the areas North of Blakeman's building down to just north of the 2nd crossover. The incubation clock and hatch date are established once 4 eggs are laid (in rare cases a 3 eggs nest could be laid, but usually the result of a re-nest). Once the eggs are laid, there are approximately 28 days until hatch which is followed by a similar period of time until the chicks fledge. Our earliest nest could hatch approximately Monday May 25 to Wednesday May 27.

As of this moment the 2 ORV access ramps (crossovers) are not threatened to close. Please note that the beach is open for patrons to enjoy.

Dredging Update

Last week the Army Corps advised our office that they have nearly completed their Plans and Specs and have determined their Acquisition Strategy for the project and it will be an unrestricted Invitation for Bids (i.e. meaning there will be no set aside for small business). Today the Corps issued a pre-solicitation notice and the solicitation will go forward later this month.

Synopsis:

The U.S. Army Corps of Engineers, New England District will be issuing an Invitation for Bids for Maintenance Dredging of the Federal Navigation Project (FNP) in Duxbury Harbor, Duxbury, MA. This will be an unrestricted competitive requirement. The NAICS code for this procurement is 237990. The estimated construction cost is expected to range from \$1,000,000.00 to \$5,000,000.00.

The work of this project consists of maintenance dredging of the FNP which consists of an, 8 feet deep, 100 feet

wide and 1 mile long, entrance channel; and, an 8 feet deep, 21 acre anchorage in the inner harbor. A total of about 200,000 cubic yards (c.y.) of predominantly silt-clay will be dredged by mechanical dredge. A closed bucket will be required while dredging in the silty material to minimize turbidity adjacent to the dredge. The dredged sediment will be transported to, and placed at, the Cape Cod Bay Disposal Site (CCBDS) located approximately 20 nautical miles (one-way) from Duxbury Harbor. The anticipated work window is September 1, 2015 to December 31, 2015. Due to environmental concerns, the CCBDS closes on January 1, 2016; therefore, all work in this contract will be required to be completed by that date. Under this contract the successful offer or will be required to provide the equipment, personnel and materials required for the removal of about 200,000 cy of material as described herein from the FNP and placement of the dredged material at the CCBDS within the specified timeframe. Given the project constraints, it is estimated that the contractor will need to meet or exceed a production rate of about 75,000 cubic yards per month to successfully complete the project within the performance period.

It is the Government's intent to contract this work to an offer or who can demonstrate a production rate (i.e. dredging and dredged material disposal) of at least 75,000 cy per month via mechanical dredging and disposal at an open ocean disposal area on at least one project in the past five years. This requirement will be included in the solicitation as a definitive responsibility criterion, to be demonstrated by the low bidder following the bid opening and prior award.

This is not a request for proposals at this time. The solicitation requirements, contract documents (to include instructions for submission and definitive responsibility criterion) and the response date will be available on or about May 28, 2015.

VI. COMMITTEE APPOINTMENT/RE-APPOINTMENTS/RESIGNATION

Mr. Flynn moved that the Board appoint Dimitri Theodossiou as an alternate on the Zoning Board of Appeals. Seconded by Mr. Madigan. Vote: 3:0:0

VII. ONE-DAY LIQUOR LICENSE REQUESTS

06-06-15 Duxbury Lions Club Clambake (*postponed, therefore, not voted on*)

08-01-15 Miramar Retreat Center – Some Enchanted Evening

Mr. Madigan moved that the Board of Selectmen grant Reverend Thomas Griffith, as representative of Miramar Retreat Center, a one-day all-alcoholic license to hold a fundraising dinner dance “Some Enchanted Evening” at 121 Parks Street on Saturday, August 1, 2015 from 5-9pm subject to the conditions in the license. Seconded by Mr. Dahlen. Vote: 3:0:0

VIII. EVENT PERMITS *None Presented.*

IX. MINUTES

Executive Session Minutes: *None Presented.*

Open Session Minutes: *None Presented.*

X. ANNOUNCEMENTS

1. Rep. Tom Calter and Rep. Josh Cutler Hosting Heroin & Opiate Abuse Forum

This informational forum will be held at the Duxbury Free Library on Thursday, May 21, 2015 from 7-9pm. Advanced registration is requested by phone at 781-934-2721 or online at www.duxburyfreelibrary.org.

2. Community Garden Club of Duxbury annual Plant Sale -- Saturday, May 16, 2015 on the Duxbury Town Green from 9:00am – Noon. Please no parking on Harden Hill Road. Parking is available at the Girl Scout House.

3. Next Scheduled Selectmen's Meeting is on: Monday, May 18, 2015.

XI. ADJOURNMENT

At approximately 7:17pm Mr. Madigan moved that the Board adjourn. Seconded by Mr. Dahlen. Vote: 3:0:0

Respectfully submitted by Nancy O'Connor

LIST OF DOCUMENTS (documents are kept in the Board of Selectmen files)

- 1) Agenda
- 2) Land Disposition Agreement and related documents – Grange site
- 3) Island Creek Village North closing documents including BOS Vote
- 4) Contracts – Abacus Architects and also Applied Geographics
- 5) Town Manager's Report
- 6) ZBA Appointment
- 7) One-day liquor licenses
- 8) Announcements