

Date: December 14, 2015

Date Minutes Approved: January 4, 2016

BOARD OF SELECTMEN

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

Absent: None

Staff: René J. Read, Town Manager; Nancy O'Connor, Executive Assistant; and John Madden, Finance Director (attended Open Session only)

CONVENED IN OPEN SESSION –

- I. CALL TO ORDER** - The meeting was called to order at 6:35pm in the Mural Room.
- II. 6:35PM EXECUTIVE SESSION**

VOTE TO ENTER EXECUTIVE SESSION

Mr. Madigan moved that the Board of Selectmen enter into an Executive Session for the purpose of discussing strategy with respect to pending Police Department litigation since an open meeting may have a detrimental effect on Town's litigating position of the Town, if the Chair so declares, in accordance with Mass. General Laws Chapter 30A, Section 21. This Executive Session will adjourn when completed and the Board will reconvene in Open Session on or about 7:00 PM. Seconded by Mr. Dahlen.

As Chair, Mr. Flynn declared the necessity for an Executive Session is due to the confidential nature of discussions pertaining to litigation.

ROLL CALL VOTE: Mr. Flynn -aye; Mr. Dahlen-aye; and Mr. Madigan-aye.

ADJOURNED EXECUTIVE SESSION & RE-CONVENED IN OPEN SESSION

Having completed the Executive Session business at approximately 6:50PM, Mr. Madigan moved that the Board of Selectmen adjourn the Executive Session and re-convene in Open Session at 7:00 PM. Seconded by Mr. Dahlen.

ROLL CALL VOTE: Mr. Madigan---aye; Mr. Flynn ---aye; and Mr. Dahlen---aye

III. OPEN FORUM Nothing brought forward.

IV. NEW BUSINESS

7:01pm WATER & SEWER COMMISSIONERS

ADJOURNED AS SELECTMEN & CONVENED AS WATER & SEWER COMMISSIONERS:

Mr. Madigan 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. Seconded by Mr. Dahlen. VOTE 3:0:0

Water Commitment

Mr. Madigan moved that the Board of Water & Sewer Commissioners instruct the Treasurer to collect the amount of \$999,845.31 for water and sewer charges. Seconded by Mr. Dahlen. VOTE 3:0:0

Discussion regarding water consumption bill (#123) for property located at 207 King Caesar Road

Mr. Madigan moved that a one-time discount in the amount of \$716.40 be granted regarding water bill (#123) associated with the property located at 207 King Caesar Road. Seconded by Mr. Dahlen. VOTE: 3:0:0

Discussion regarding water consumption bill (#5288) for property located at 10 Brewer Lane

Mr. Madigan moved that a one-time discount in the amount of \$477.08 be granted regarding water bill (#5288) associated with the property located at 10 Brewer Lane. Seconded by Mr. Dahlen. VOTE: 3:0:0

Discussion regarding water consumption bill (#253) for property located at 17 Linden Lane

Mr. Madigan moved that a one-time discount in the amount of \$1,046.43 be granted regarding water bill (#253) associated with the property located at 17 Linden Lane. Seconded by Mr. Dahlen. VOTE: 3:0:0

Discussion regarding water consumption bill (#492) for property located at 1018 Tremont Street

Mr. Madigan moved that a one-time discount in the amount of \$1,417.43 be granted regarding water bill (#492) associated with the property located at 1018 Tremont Street. Seconded by Mr. Dahlen. VOTE: 3:0:0

ADJOURN WATER & SEWER COMMISSIONERS & RE-CONVENE AS SELECTMEN

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

Discussion and review of Closing Documents regarding Merry donated parcels

Mr. Madigan moved that the Board of Selectmen execute the Record of Vote and the Acceptance by the Town of Duxbury as it relates to the donated Merry property consisting of approximately 9.8 acres of land and salt marsh further identified as Parcel 104-038-000 and Parcel 105-040-000.

Seconded by Mr. Dahlen. VOTE: 3:0:0

Discussion and review of North Hill Country Club bid recommendations

Mr. Read began the discussion stating that they have arrived at the culmination of the review process, which included Municipal Services Director- Scott Lambiase, Mr. Read, and Town Counsel, who has been involved every step of the way in this process. Mr. Read presented a detailed Memorandum outlining the process and how they arrived at their recommendation. (See Memorandum in Selectmen files.) Mr. Madigan stated that what stood out was Sterling's longevity of managing golf courses and their stable structure. Mr. Flynn asked to review the evaluations, and Mr. Read turned over the discussion to Mr. Scott Lambiase, Municipal Services Director, to explain the process.

Mr. Lambiase stated that the bid contained comparative criteria such as relevant experience, operational and organizational plan, and financial. Each subsection was scored by the Evaluation Committee (consisting of Brian Cherry, Facilities Director; Peter Buttkus, DPW Director; and Gordon Cushing, Recreation Director). Mr. Dahlen asked if the evaluation wording was included in the RFP. Mr. Lambiase replied that it was the exact wording. Mr. Flynn asked if the evaluators worked independently. Mr. Lambiase replied that they did work together and independently. Mr. Gordon Cushing, Recreation Director, then stated that they each received the non-price package, worked independently to rank, then met as a group, and provided the results to Mr. Lambiase.

Mr. Lambiase continued to say that after he received the evaluation results, he met with the Town Manager, Mr. Read; they put together the price proposals, and checked references. Mr. Madigan asked about the outcome of the references. Mr. Lambiase said that he checked references for Sterling and all said that Sterling was a pleasure to work with; they also had long standing ties in the communities with no contract disputes; and worked in harmony with the towns. Mr. Dahlen asked how many communities they were running golf courses. Mr. Lambiase replied that he contacted five and spoke with three that were similar in that they had 9-hole golf courses and management/concession contracts (Newton, Chelmsford, and Rockland). Mr. Madigan asked if anyone had submitted separate concessions. Mr. Lambiase responded that all bids were together and that all had

someone designated in their organization for concessions. Mr. Read stated that while Mr. Lambiase checked Sterling's references, he handled contacting Johnson's references. He contacted 13 communities, spoke with 9, and had a different result.

Mr. Read continued to say that this RFP was different than a standard IFB in that it wasn't all about the money, but the total proposal and the criteria key components.

Mr. Dahlen asked how this was reviewed by Town Counsel. Mr. Read replied very well and that they were involved from day one, reviewed the RFP by paragraph, and were included in the pre-bid meeting.

Mr. Madigan asked if Town Counsel reviewed the audited numbers to be sure they were correctly reported. Mr. Read replied that the entire packet was provided to Town Counsel. Mr. Madigan further mentioned that he thought each had an audit letter attached, but then stated that they were accountant compilations.

Mr. Flynn stated that there were differences in the proposal numbers. Mr. Read replied and identified the 5-year pricing proposals as follows:

Johnson Golf Management	\$445,000 with an average of \$89,000/year
Pilgrim Golf Management	\$329,000 with an average of \$65,800/year
Sterling Golf Management	\$262,817 with an average of \$52,563/year

Mr. Dahlen asked if the evaluations outweighed the monetary difference. Mr. Read replied correct.

Mr. Madigan moved to accept the proposal from Sterling Golf Management for a 5-year lease of North Hill Country Club as presented by René Read along with the 3-year option. Seconded by Mr. Dahlen. VOTE: 3:0:0

Vote to close ATM/STM Warrants

Mr. Read asked that the Board hold off closing the warrants until after the first of the year. Mr. Madigan asked how many articles were presented. Mr. Read responded that the number of articles was in the high 30's.

Presentation of Town Manager's Proposed Budget for FY17

Mr. Read presented to the Selectmen the FY17 Preliminary Budget as described in his detailed presentation (see presentation and spreadsheets in Selectmen's file). Mr. Read thanked Finance Director, John Madden, and the Finance Committee for their time and commitment in this process.

Annual renewal of other licenses (i.e., Common Victuallers, Class I & Class II, & other general licenses)

Mr. Madigan moved that the Board of Selectmen renew the licenses as presented for the year 2016, subject to the receipt of all renewal paperwork and payment of all funds/fees owed to the Town of Duxbury. Seconded by Mr. Dahlen. VOTE: 3:0:0

V **CONTRACTS** None presented

VI **TOWN MANAGER'S REPORT** (see presentation of FY17 budget)

VII **COMMITTEE APPOINTMENT/RE-APPOINTMENTS/RESIGNATION**

Mr. Madigan stated that Maggie and Bill Kearney were resigning from the 4th of July Committee and encouraged residents to complete a Talent Bank Form if interested in this committee.

Mr. Read said that it was great working with both Maggie and Bill and thanked them for their many years on this committee.

Mr. Madigan moved that the Board of Selectmen appoint the following to the Alternative Energy Committee:

Kevin Kingston	Appointment	to fill a term due to expire on 6/30/2016
Lois Wood	Appointment	6/30/2018

Seconded by Mr. Dahlen. VOTE: 3:0:0

VIII ONE-DAY LIQUOR LICENSE REQUESTS None presented.

IX EVENT PERMITS None presented.

X MINUTES

Executive Session Minutes: None were presented

Open Session Minutes: 12-07-15 Selectmen's Minutes –DRAFT

Mr. Madigan moved that the Board approve the 12-07-15 Selectmen's minutes as presented.

Seconded by Mr. Dahlen. VOTE 3:0:0

XI ANNOUNCEMENTS

1. Duxbury Town Hall Offices Closed

The Town Hall Offices will be closed at noon on Thursday, December 24th (Christmas Eve.) and all day on Friday, December 25th (Christmas) and all day on Friday, January 1st (New Year's Day).

2. Duxbury Free Library:

The Duxbury Free Library will close at 1:00 pm on Thursday, December 24th and reopen at its regular time on Monday, December 28th for the Christmas holiday. For New Year's Day the Library will close at 5:00 PM on Thursday, December 31st and reopen at its regular time on Sunday, January 3, 2016.

3. Metropolitan Area Planning Council (MAPC) Survey for Duxbury & Scituate residents and business owners:

Duxbury and Scituate residents and business owners are asked to fill out an online survey of just a dozen questions regarding climate change. The survey will be posted on the Town's website (www.duxbury.ma.us) and will help town leaders and the MAPC draft a coastal adaptation plan for the two coastal communities. *(The attached Patriot Ledger article provides further details.)*

4. Next Scheduled Selectmen's Meeting: will be on Monday, January 4, 2016.

Best wishes for the holidays and the New Year!

XII BONUS SHELLFISH SEASON (for January, 2016)

Mr. Madigan moved that the Board of Selectmen declare a temporary Bonus Shellfish Season for the commercial harvesting of quahogs for the month of January, 2016 in accordance with posted Attachments A & B. Seconded by Mr. Dahlen. VOTE: 3:0:0

XIII ADJOURNMENT

At approximately 8:15pm Mr. Madigan moved that the Board adjourn. Seconded by Mr. Dahlen. Vote: 3:0:0

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

Executive Session documents kept in confidential file until such time they are released.

- 1) Agenda – Board of Selectmen*
- 2) Agenda – Water & Sewer Commissioners and documents related thereto*
- 3) Documents related to Merry donated parcels*
- 4) Documents related to North Hill Country Club*
- 5) Documents related Proposed Budget for FY17*
- 6) Documents related to License Renewals*
- 7) Committee Appointments/Resignations*
- 8) Draft Minutes*
- 9) Announcements*
- 10) Bonus Shellfish*