

**Date: March 12, 2016**

*Date Minutes Approved: March 28, 2016*

## **BOARD OF SELECTMEN MINUTES**

**Present:** Theodore J. Flynn, Chair; and David J. Madigan, Clerk.

**Absent:** Shawn Dahlen, Vice Chair (*arrived at 8:25 AM*)

**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 8:14 AM in Open Session at the Performing Arts Center (in the Cafeteria), 73 Alden ST, Duxbury MA prior to Annual Town Meeting and then continuing in the main hall through the Special and Annual Town Meetings.

Also convening with the Selectmen was the Finance Committee, which was called to order by Ms. Betsy Sullivan, the Finance Committee Chair, with a quorum of 7 members. Present were: Ms. Betsy Sullivan, Ms. Eleanor McKay, Mr. Mark Kelly, Mr. Lawrence Friedman, Mr. Adam Earle, Mr. Nathaniel Taylor, and Ms. Kathleen Glynn. Absent were Mr. Thomas Sheehan and Mr. Frank Mangione.

### **II NEW BUSINESS**

**Discussion and review of the Local Historic District Commission's report from their public hearing on March 10, 2016 regarding proposed historic districts.**

*[Editorial Note: At their February 1, 2016 meeting, the Selectmen had discussed and voted to support Articles #36 through #39 for Amending the Historic District Maps to include 91 Bay View Road, 120 Bay Road, 233 Powder Point Avenue, and 1250 Tremont ST, but the Board decided to revisit these articles after receipt of a decision from the Massachusetts Historical Commission and a report from a LHDC on the Public Hearing on March 10, 2016.]*

Present for this item of business were members of the Local Historic District Commission (LHDC). Ms. Pam Campbell Smith gave an overview of the LHDC report regarding the March 10, 2016. She mentioned there were 11 attendees: 5 members of the public and 6 LHDC members. Those in attendance were all in favor of the properties being added as local historic districts. No one spoke in opposition; nor were any opposing comments received. Given that the rest of the meeting was spent discussing how to improve awareness. It was decided more articles should be published in the Clipper to educate the public and that each attendee would be an ambassador for encouraging participation.

Mr. Peter Smith, Chair of the LHDC, commented that people tend to confuse the Historic Commission and the Local Historic District Commission.

Mr. Madigan moved that the Board of Selectmen support the 2016 articles #36 through #39 to AMEND HISTORIC DISTRICT MAP for the following properties 91 Bay View Road, 120 Bay Road, 233 Powder Point Avenue, and 1250 Tremont Street. Second by Mr. Flynn. VOTE: 2:0:0.

**Discussion and review pertaining to Bond Anticipation Notes (BAN).**

Finance Director John Madden requested that the Selectmen approve a rollover of a Bond Anticipation Note (BAN) in the amount of \$200,000 regarding the purchase of a pumping engine for the Fire Department.

Mr. Madigan moved that the Board of Selectmen approve the rollover of a Bond Anticipation Note (BAN) in the amount of \$200,000 for the purpose of purchasing a pumping engine for the Fire Department. Second by Mr. Flynn. VOTE: 2:0:0.

**Discussion and review regarding correct license name for Millbrook Auto Class II license. (added)**

Ms. Murray explained that the Selectmen approved the issuance of the license at their meeting of February 29, 2016 with the motion indicating that the Class II license be issued to Shawn Boyd, d/b/a Millbrook Auto Sales, which was what was on his general license application. It turned out Mr. Boyd already has a business listing on the State licensing records as "1620 Auto, Inc." and when he went to the Registry it posed a problem that this business entity was not referred to on the license. Therefore, the Board is being asked to re-vote this matter with a slight name change so that a revised license can be issued.

Mr. Madigan moved that the Board of Selectmen issue to Shawn Boyd, principal of 1620 Auto, Inc. d/b/a Millbrook Auto Sales, a Class II Used Auto Dealer's License to operate at 1474 Tremont Street, Duxbury contingent on submission of all required application materials and fees, and final inspection and permitting by all appropriate Town departments. Second by Mr. Flynn. VOTE: 2:0:0.

**To deliberate, discuss, and/or vote on any issues that might be raised at Annual Town Meeting or Special Town Meeting for which a Board of Selectmen response might be appropriate.**

Mr. Read explained that late on Friday afternoon Nina Pickering-Cook of Anderson & Kreiger noticed that the article and explanation language conflict with the proposed Bylaw. A motion could be made to amend the main motion, but there was not enough time to prepare hand-outs on such a motion. The concern is that confusion that may arise, which would only serve to defeat the purpose. Therefore, it was felt it would be better to recommend indefinite postponement and to bring the article back at a future Town Meeting.

Mr. Madigan moved that the Board of Selectmen recommend indefinitely postpone of 2016 ATM Article 4B. Second by Mr. Flynn. VOTE: 2:0:0.

Ms. Sullivan moved that the Finance Committee recommend indefinitely postpone of 2016 ATM Article 4B. Second by Ms. Glynn. VOTE: 7:0:0.

**Discussion and review pertaining to closing documents related to Gurnet Road Land Donation.**

This was on the March 7, 2016 agenda, but a correction to the parcel numbers was needed. The correct parcel numbers are 137-901-095 and 137-007-000.

Mr. Madigan moved that the Board of Selectmen approve the Real Property Donation Agreement for a gift of land from the owners of Parcel #137-901-095 and Parcel #137-007-000 located on the westerly side of Gurnet Road to the Town of Duxbury, as presented. Second by Mr. Flynn. VOTE: 2:0:0.

## **XI     ADJOURNMENT**

At approximately 8:24 AM., Mr. Madigan moved that the Board recess and adjourn in conjunction with the Annual Town Meeting. Second by Mr. Flynn. VOTE: 2:0:0.

Mr. Dahlen arrived just as the Selectmen finished the above-referenced business and were preparing to return to the main hall for the start of the Annual Town Meeting.

Minutes respectfully submitted by: C. Anne Murray

### ***LIST OF DOCUMENTS FOR 03-12-16 SELECTMEN'S MEETING (DOCUMENTS LOCATED IN THE SELECTMEN'S OFFICE FILES.)***

1.     *Agenda for 03-12-09 Selectmen's Meeting -Revised*
2.     *NEW BUSINESS:*
- a.     *Discussion and review pertaining to closing documents related to Gurnet Road Land Donation. Coversheet with suggested motion; Real Property Donation Agreement for #137-901-095 and #137-007-000; Map showing the parcels.*
- b.     *Discussion and review of the Local Historic District Commission's report from their public hearing on March 10, 2016 regarding proposed historic districts. Coversheet with explanation and suggested motion; 02-01-16 Extracted BOS Minutes; 01-26-16 Planning Board decision; 03-09-16 MA Historical Commission vote; 03-10-16 LHDC report on the March 10, 2016 Public Hearing.*
- c.     *Discussion and review pertaining to Bond Anticipation Notes (BAN). Suggested Motion; Bond Anticipation Note and Certificate and Designation document.*
- d.     *Discussion and review regarding correct license name for Millbrook Auto Class II license. (added): Coversheet with explanation and suggested motion and copy of corrected license*
- e.     *To deliberate, discuss, and/or vote on any issues that might be raised at Annual Town Meeting or Special Town Meeting for which a Board of Selectmen response might be appropriate. Email from René J. Read explaining the suggestion to IP 2016 ATM Article 4B – Personnel Plan Amendment.*
- f.     *Adjournment –suggested motion.*