

Date: February 4, 2019

Date Minutes Approved: February 11, 2019

TOWN CLERK

2019 FEB 12 PM 1:03

BOARD OF SELECTMEN MINUTES

DUXBURY, MASS.

Present: Shawn Dahlen, Vice Chair / (Acting Chair); and David J. Madigan, Clerk.

Absent: Theodore J. Flynn, Chair;

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

I CALL TO ORDER

The meeting was called to order at 7:00 PM in the Mural Room at the Duxbury Town Hall.

II OPEN FORUM - nothing was brought forward.

III NEW BUSINESS

7:01 Water & Sewer Commissioners

MOTION TO ADJOURN AS SELECTMEN & CONVENE 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. Second by Mr. Dahlen. VOTE: 2:0:0.

Rescission RE: Commitment #2 –FY19

Mr. Madigan provided a brief explanation by mentioning this was a timing issue. The payment was received from the customer, but a lien had been placed. This rescission to the commitment will authorize the Treasurer to make the necessary adjustment on the accounting records.

Mr. Madigan moved that the Board of Water & Sewer Commissioners instruct the Treasurer to rescind charges on Bill #856 issued to the customer at 188 West ST, Duxbury MA due a clerical payment posting error in the amount of - \$1,067.04 for water and sewer charges for Commitment #2 –FY'19. Second by Mr. Dahlen. VOTE: 2:0:0/

MOTION TO ADJOURN AS 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. Second by Mr. Dahlen. VOTE: 2:0:0.

Review and vote on the following Annual Town Meeting Warrant Articles:

1 Election of Officers

Mr. Read noted that this is an annual article and although this article does not require approval, but he is asking the Selectmen to vote on it.

Mr. Madigan moved that the Board of Selectmen support 2019 ATM Art. 1 -Election of Officers, as presented. Second by Mr. Dahlen. VOTE: 2:0:0.

2 Reports

This is a routine article which allows for various reports to be given during Annual Town Meeting. Mr. Read said he does anticipate that in addition to the standard reports from the Finance Committee and Fiscal Advisory Committee, there will be a report from the IT Steering Committee and there may be others.

Mr. Madigan moved that the Board of Selectmen support 2019 ATM Art. 2 —Reports from Town officials, boards, committees, and commission for Annual Town Meeting. Second by Mr. Dahlen. VOTE: 2:0:0.

3 Compensation of Elected Officials

Mr. Read said that he will be presenting the budget on February 25th, but all of these figures have been included in the budget and have been reviewed by the Finance Committee. (It was noted that the Selectmen take no position on salaries marked with an *.

Mr. Madigan moved that the Board of Selectmen support 2019 ATM Art. 4 —Compensation of Elected Officials, for Assessors and Town Clerk, as presented. Second by Mr. Dahlen. VOTE: 2:0:0.

4 Union Contracts

Mr. Read recommended the vote be to Indefinitely Postpone (IP) this article as there will be no contracts to be approved.

Mr. Madigan moved that the Board of Selectmen support Indefinite Postponement of 2019 ATM Art. 8 — Union Contracts. Second by Mr. Dahlen. VOTE: 2:0:0.

9 Electronic Balloting

Mr. Adams indicated that in order to allow for the costs of electronic balloting an appropriation of \$35,000.is needed.

Mr. Madigan moved that the Board of Selectmen support 2019 ATM Art. 9 — Electronic Balloting in the amount of \$35,000 for approval at Annual Town Meeting. Second by Mr. Dahlen. VOTE: 2:0:0.

11 Fourth of July Appropriation

Mr. Read indicated the amount of the appropriation would be \$15,000.

Mr. Madigan moved that the Board of Selectmen support 2019 ATM Art. 11 — Fourth of July Appropriation in the amount of \$15,000 for approval at Annual Town Meeting. Second by Mr. Dahlen. VOTE: 2:0:0.

17 Establish a Capital Improvement Stabilization Fund

Finance Director John Q. Adams is recommending the establishment of a Capital Improvement Stabilization Fund so that remaining capital funds that were authorized, but were not needed for the specific project can be deposited into this Capital Improvement Stabilization Fund; instead of going into the General Fund Operating Budget. So the debt service under the Prop. 2 ½ level would be kept aside for future capital projects, instead of going in to the Operating Budget. When used for new future capital projects it would still require a 2/3 vote for authorization of the funding to come from the Capital Improvement Stabilization Fund. Mr. Adams also explained that municipal finance laws are fairly strict on what remaining capital funds can be used for, and while the monies in this type of account would still have to meet certain guidelines there would be slightly greater flexibility, plus the advantage of not having to track small individual accounts.

Both Mr. Madigan and Mr. Dahlen expressed support for the setting up of a Capital Improvement Stabilization Fund.

Mr. Madigan moved that the Board of Selectmen support 2019 ATM Art. 17— Establish a Capital Improvement Stabilization Fund at Annual Town Meeting.. Second by Mr. Dahlen. VOTE: 2:0:0.

18 Appropriate Funds into the Capital Improvement Stabilization Fund

Mr. Read referred the Selectmen to a handout provided by the Finance Director, which shows the remaining surplus funds from nine capital projects with the total balance of \$144,571.46. So instead of having all these projects lying around Mr. Adams recommends appropriating the funds in to the Capital Improvement Stabilization Fund to consolidate them in to one account. Monies in these capital accounts, under municipal finance laws, can only be used for similar capital projects.

Mr. Madigan moved that the Board of Selectmen support 2019 ATM Art. 18 Appropriate Funds into the Capital Improvement Stabilization Fund coming from Land Acquisition-Conservation Commission; Pool, Chandler School Roof; DMS & DHS Feasibility Study; Crematory /Cemetery Office Facility; Fire Station Design; Police Station Design; DMS & DHS Schematic Design; and DMS & DHS Construction for a total amount of \$144,571.46. Second by Mr. Dahlen. VOTE: 2:0:0.

19 Increase the Amount of the Ambulance Receipts Reserved for Appropriation Account

Mr. Adams explained that this account is a Receipts Reserved for Appropriation Account and was first approved in March 2015 Art. 32 was approved under Chap. 40 Sect. 5F. The Town has been funding it in the amount of \$50K since. In 2018 the Ambulance fees were increased so it was felt that this account should also be increased from \$50K to \$100,000. In an aside he mentioned that 50% can probably cover 1/3 of the cost of an ambulance so it is anticipated that the \$100K should cover about 60% of an ambulance's cost. The funds can only be used for an ambulance.

Mr. Madigan moved that the Board of Selectmen support 2019 ATM Art. 19— Increase the Amount of the Ambulance Receipts Reserved for Appropriation Account from \$50,000 to \$100,000, as presented. Second by Mr. Dahlen. VOTE: 2:0:0.

20 Amend General Bylaws – Enforcement of Tax Regulations and Authority for Partial Tax Payments

Town Manager René Read explained that this was passed by the voters last year, but the language was not accepted by the Attorney General's Office as they indicated it was not specific enough regarding the term of the loan and the interested to be paid so everyone would be treated the same way. So the article is being presented again with more specific language after reviewed by Town Counsel, who has taking into consideration the feedback provided by the Attorney General's Office.

Mr. Dahlen expressed some concern, but that was allayed when Mr. Madigan noted there is language with the article limiting the timeframe to no more than 10 years.

Mr. Madigan moved that the Board of Selectmen support 2019 ATM Art. 20 — Amend General Bylaws – Enforcement of Tax Regulations and Authority for Partial Tax Payments with more specific language than was passed at last year's Annual Town Meeting,. Second by Mr. Dahlen. VOTE: 2:0:0.

Review and vote on the following Special Town Meeting Warrant Articles:

Note: The 2019 Special Town Meeting Warrant dated 02-04-19 was what the Board was reviewing and voting on.

STM 1 – Supplemental Appropriations

Mr. Read suggested that the Board postpone voting on this article as the Finance Committee has not voted on it yet. He mentioned they are aware of supplemental appropriations being requested by the Fire Department for \$14,000 match needed to supplement a \$280,000 grant for self-breathing apparatus clothing, the Police Dept. for Harbormaster part-time and seasonal salaries and Harbormaster for 5 storm damaged floats. Those are the items that Mr. Adams is aware of so we are holding off until next week in case any other items come up. Vote postponed until next meeting.

STM 2 – Unpaid Bills

Mr. Read said that this is a standard article so that bills received after the close of the fiscal year could be authorized for payment. The outstanding bills were listed in the warrant. The Board questioned what the Hunter systems bill was for and was told it was an expense for imaging cameras at the Police Department.

Mr. Madigan moved that the Board of Selectmen support 2019 STM Art. 2 —Unpaid Bills for the following: Associated Elevator \$1,255.00; EverSource \$11.33; Lowes \$14.71; Garrity and Knisely \$4,050.00; Quest Diagnostics \$53.30; Clipper Press \$80.00; Hunter Systems \$4,414.95; Collari Automotive, Inc. \$120.00; Matthews International \$9.82, as presented. Second by Mr. Dahlen. VOTE: 2:0:0.

STM 3 – Funding of Weed Harvester

Conservation Agent Joe Grady explained that the request under this article is for \$42,000 needed to fund a new weed harvester to replace one that is 19 years old and no longer working. He mentioned that State Rep. Josh Cutler had included an earmark of \$35,000 in the State budget towards a weed harvester for Duxbury. The total cost for the machine is \$77K, so minus the \$35K earmark that still leaves the balance of \$42K needed. Mr. Grady also noted that the request is in the STM warrant because the State funds must be used in this fiscal year.

In response to questions from the Board, Mr. Grady mentioned that the weed harvester was originally purchased 100% with State funds with the idea that it would be shared between Duxbury, Hanson, and Pembroke. It turned out that it didn't really work in the intended water bodies in Hanson and Pembroke so it has been primarily used by Duxbury.

Mr. Madigan moved that the Board of Selectmen support 2019 STM Art. 3 —Funding of a Weed Harvester with the appropriation of \$42,000, as presented. Second by Mr. Dahlen. VOTE: 2:0:0.

STM 4 – Funding of engineering and design work related to the Powder Point Bridge (postponed)

Mr. Read recommending postponement of STM Art. 4 as a conversation about this will occur tomorrow night at the Finance Committee Meeting, which will be televised. He suggests that the Selectmen might want to attend or watch the televised meeting before taking a position on this article. The article was postponed until a future meeting.

STM 5 – Powder Point Bridge capital project funding

In last year's STM the Selectmen wanted to payoff about \$190K, but then in March after the storms that damaged the seawall, the Town re-allocated the monies to help stabilize the seawall. So the Town just made the minimum payment to roll the note over. That was the last year it could be rolled over. So now have to long-term debt it or pay it off, and the Finance Director is recommending it be paid off with free cash.

Mr. Madigan moved that the Board of Selectmen support 2019 STM Art. 5 — Powder Point Bridge capital project funding to payoff the short-term debt of \$185,000. Second by Mr. Dahlen. VOTE: 2:0:0.

STM 6 – Assessor’s legal and appraisal services

Mr. Read said that this article would authorize the transfer of funds from the overlay and reserve account to the Assessor’s legal and appraisal services for ATB hearings. He explained that Mr. Stephen Dunn, Assessing Director, has anticipated that there will be a need for this funding with the request being for \$20,000.

Mr. Madigan moved that the Board of Selectmen support 2019 STM Art. 6 — Assessor’s legal and appraisal services in the amount of \$20,000. Second by Mr. Dahlen. VOTE: 2:0:0.

STM 7 – Special Education Reserve Fund

Mr. Read indicated the amount recommended is \$139,105.

Mr. Madigan moved that the Board of Selectmen recommend for approval STM 7 – Special Education Reserve Fund in the amount of \$139,105. Second by Mr. Dahlen. VOTE: 2:0:0.

Mr. Adams was not sure of what the total is amount is currently.

STM 8 – Pension Reserve Fund

Mr. Adams said that in accordance with the Town’s Financial Policies 0.125% of the Total General Fund Operating Revenues are to be allocated to the Pension Reserve Fund. Therefore, The recommendation is for \$91,000 from Free Cash to bring the Pension Reserve Fund total to approximately \$1.3 Million. He explained that this fund is like a stabilization fund so if there is a spike in the pension assessment due to poor investment or a change in actuarial values this fund will be there to lessen a big change in the amount to be budgeted.

Mr. Madigan moved that the Board of Selectmen support 2019 STM Art. 8 — Pension Reserve Fund in the amount of \$91,000. Second by Mr. Dahlen. VOTE: 2:0:0.

STM 9 – Other Post-Employment Benefits

Mr. Read said that the recommended amount is \$300,000 to come from Free Cash. Mr. Adams added that this is the annual funding to the Town’s OPEB liability as recommended by the Town’s actuarial.

Mr. Madigan moved that the Board of Selectmen recommend for approval 2019 STM Art. 9 — Other Post-Employment Benefits a contribution of \$300,000 to the Other Post-Employment Benefit Trust. Second by Mr. Dahlen. VOTE: 2:0:0.

STM 10 - Accrued Liabilities and Compensated Absences Fund

Mr. Read indicated the recommended amount is \$35,000. Mr. Adams explained that the \$35,000 is being recommended in accordance with the Town’s Financial Policies. He explained how it was determined that \$35,000 was the needed dollar amount to bring the balance up to the recommended percentage.

Mr. Madigan moved that the Board of Selectmen recommend for approval 2019 STM Art. 10 — Accrued Liabilities and Compensated Absences Fund a contribution of \$300,000. Second by Mr. Dahlen. VOTE: 2:0:0.

STM 11 – Unemployment Fund

The recommended amount, based on the Town's Financial Policies and the anticipated balance at the end of June, 2019, is \$30,000.

Mr. Madigan moved that the Board of Selectmen recommend for approval 2019 STM Art. 11— Accrued Liabilities and Compensated Absences Fund a contribution of \$30,000. Second by Mr. Dahlen. VOTE: 2:0:0.

STM 12 – Stabilization Fund

Mr. Adams said as was agreed whatever was taken out of the Stabilization Fund at the Special Town Meeting in the Fall of 2018 would be reimbursed to the Stabilization Fund. The amount taken out was \$605,000 and that is the amount recommended to be put back in.

He added that the Town's Financial Policies recommend the Stabilization Fund be between 5 to 10% of General Fund Operating Expenditures. It is currently at 5.3% and with estimated interest he anticipates it will be up to 6.16 % by the end of the fiscal year.

Mr. Madigan moved that the Board of Selectmen recommend for approval 2019 STM Art. 12— Stabilization Fund a contribution of \$605,000 that replaces all the reserves depleted in the September (Special Town) Meeting of 2018. Second by Mr. Dahlen. VOTE: 2:0:0.

IV TOWN MANAGER'S REPORT

Town Manager René Read mentioned the following items:

1. "One-Liners" Spreadsheet:

On the 11" x 17" spreadsheet handed out headed "March 9, 2018 ATM Warrant Info., List of Articles and Votes" the highlighted lines are the articles to be reviewed and voted on tonight. The sheet also shows the votes that have been taken by the Selectmen and Finance Committee so far and the schedule of remaining articles to be reviewed.

2. Tomorrow Night's Finance Committee Meeting

Mr. Read mentioned that at tomorrow night's Finance Committee the Board of Selectmen, Fiscal Advisory Committee, Board of Health, DPW Building Study Group, Duxbury Seawall Committee. Presentations will be made regarding the following projects by the engineers who have been working on them:

- PCE pipe replacement
- Powder Point Bridge Design and Engineering

- DPW Facility Design and Engineering
- Duxbury Seawall

The meeting will be televised on the local Duxbury cable channels for those who want to watch from home.

V COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/ RESIGNATION -none

VI ONE-DAY LIQUOR LICENSE REQUESTS - none

VII EVENT PERMITS - none

VIII MINUTES

Executive Session Minutes:

Open Session Minutes: 01-28-19 Minutes – Draft

Mr. Madigan moved to approve the 01-28-19 Selectmen's Minutes (Open Session) as presented. Second by Mr. Dahlen. VOTE: 2:0:0.

IX ANNOUNCEMENTS

Mr. Madigan made the following announcements:

1) Table Reservations For Town Meeting:

If you are or your organization is interested in reserving a table to display information at the Duxbury Town Meeting on Saturday, March 9th, please contact the Board of Selectmen office (Ext. 5402). Tables are limited and will be assigned on a first-come, first-serve basis with preference given to Duxbury boards and committees and Duxbury civic organizations.

2) Town Website:

Please note on the home page of the Town website there are several tabs citizens should be aware of:

- 1) **NEWS** – You will find here informational flyers or other posted news.
- 2) **SOCIAL NEWS** – You will find here Duxbury Government Tweets and links to other twitter feeds from other Duxbury Departments, including Fire, Police, Harbormaster, Public Schools, Library, Senior Center, Recreation and the Pool.
- 3) **E-ALERTS** – This is where you sign-up online to receive Emergency Phone &/or Text Notifications and /or Email News and Announcements. To receive information regarding storm emergencies you should sign up.
The Town website is www.town.duxbury.ma.us.

3) Next Scheduled Selectmen's Meeting: The Selectmen will be attending a joint meeting with the Finance Committee, the Fiscal Advisory Committee and some other Committees / individuals on Tuesday, February 5th at the Senior Center regarding some of the warrant articles. The next regular Selectmen's Meeting will be on Monday, February 11, 2019.

X ADJOURNMENT

At approximately 7:45 pm, Mr. Madigan moved that the Board adjourn. Second by Mr. Dahlen.
VOTE: 2:0:0.

Minutes prepared by: C. Anne Murray

LIST OF DOCUMENTS FOR 02-04-19 SELECTMEN'S MEETING (DOCUMENTS LOCATED IN THE SELECTMEN'S OFFICE FILES.)

1. *Agenda for 02-04-19 Selectmen's Meeting*
2. *OPEN FORUM: no documents*
3. *NEW BUSINESS:*
7:01 PM –Water and Sewer Commissioners: Coversheet with suggested motions for adjourning Selectmen's Meeting and convening as Water & Sewer Commissioners, Suggested Motion for Revised Commitment #2-FY19, and for adjourning W&S Commissions and reconvening as Selectmen.
 - a. *Annual Town Meeting Warrant –Coversheet Suggested ATM /STM Motion language;, 01-11-19 ATM Warrant –DRAFT, 02-04-19 One-liners ATM WARRANT Spreadsheet;*
 - b. *Special Town Meeting Warrant -02-04-19 STM Warrant*
4. *TOWN MANAGER REPORT:*
For each of the following ODLL AND EVENT REQUESTS the packet included the Event Permit application and other details provided about the event, route maps, if applicable, results of the department feedback received, and a drafted Event Permit incorporating the conditions indicated
5. *ONE-DAY LIQUOR LICENSES: none*
6. *EVENT PERMITS: None*
7. *MINUTES: EXECUTIVE SESSION: none; OPEN SESSION MINUTES: Suggested Motion and 01-28-19 Selectmen's Minutes-DRAFT.*
8. *SUGGESTED ANNOUNCEMENTS for 02-04-19.*

