

**Date: January 27, 2020**

**Date Minutes Approved:**

**BOARD OF SELECTMEN**

TOWN CLERK  
OPEN SESSION MINUTES  
FEB -5 PM 1:40  
DUXBURY, MASS.

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

**Absent:** Shawn Dahlen, Clerk

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

**CONVENED IN OPEN SESSION –**

**I. CALL TO ORDER** The meeting was called to order at approximately 7:00 p.m.

**II. OPEN FORUM** Nothing presented

**III. NEW BUSINESS**

***Discussion pertaining to “Separate Operating Agreement” between the Town of Duxbury and Duxbury Beach Reservation***

Mr. Read began by stating that this agreement was the result of lengthy and productive discussions between the Town and Duxbury Beach Reservation (“DBR”) to define beach operation details and to figure out responsibilities. Mr. Read said that it was determined that the Town would be in charge of Enforcement Officers and Beach Rangers, and the DBR would take over the hiring and cost of the bird monitors. He continued to say that other expenses (such as parking/trash/vehicles repairs/etc.) were also discussed and agreements made as to the responsible party. Mr. Read commented that he was very pleased with the end result and sincerely thanked the DBR.

Mrs. Maggie Kearney, member of the DBR, remarked that she absolutely concurred with Mr. Read’s description, was also very happy that it all worked out, and was optimistic about the future.

Mr. Flynn moved that the Board of Selectmen execute the Separate Operating Agreement under the terms of the Lease Agreement dated June 27, 2019 between the Town of Duxbury (the “Town”) and the Duxbury Beach Reservation, Inc. (“DBR”), the parties enter into this separate agreement to outline the responsibilities for certain activities related to the maintenance, repair, or operation on Duxbury Beach under the Lease Agreement. Seconded by Mr. Madigan Vote: 2:0:0

***Discussion pertaining to Annual/Special Town Meeting Warrant Articles***

Mr. Read introduced the draft warrants for both the Annual and Special Town Meetings. He stated that the STM warrant had about 12 articles and the ATM warrant approximately 43 articles. Mr. Read then requested the Selectmen to choose a member to meet with Mr. Read to order the articles. Mr. Madigan was obliged to do so.

**IV TOWN MANAGER’S REPORT**

***CPC Meeting*** - Mr. Read informed everyone that the Conservation Preservation Committee (CPC) will be meeting on Thursday, February 6, 2020 at 7pm at the Senior Center (Ellison Room) in advance of Town Meeting to discuss financials and articles including the article calling for an increase in the CPA surcharge.

***Duxbury landfill site (McNeil dump)*** – Mr. Read mentioned that he met with Mr. Butkus, Mr. Mackin, Mr. Lambiase and Ms. Mayo to discuss along with the letter from the Duxbury Safe Water

committee. He stated that as a result, Mr. Buttkus would be contacting Weston & Sampson to obtain costs to monitor and close this site.

***Risk Management Award*** - Mr. Read commented that on Saturday, January 25, 2020, at the Massachusetts Municipal Association's Annual Meeting, the Town of Duxbury received the "Best Practice Innovators Award" from MIIA Risk Management Group. This marks the third Innovation Award earned by our well-established Risk Management Safety Committee. The award recognizes the level of Committee engagement from Town and School Departments, continuous efforts to find new ways to improve safety through trainings and webinars and applying what is learned to continuously improve our related processes. Specifically, sending job descriptions with pre-employment physicals and improving the process in which an injured employee comes in to pick up their indemnity checks. Mr. Read commended Jeannie Horne and Nancy O'Connor for their work on this committee.

**V COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/RESIGNATION - None**

**VI ONE-DAY LIQUOR LICENSE REQUESTS**

***February, 2020 – Bay Players of Duxbury (various dates)***

Mr. Flynn moved that Mr. Matthew Sherman, as a representative of The Bay Players of Duxbury, is granted One-Day Wine & Malt Licenses for the Bay Players live theater performances at the First Parish Unitarian Church located at 842 Tremont Street from 8:00pm to 10:30pm, on the following dates, which are all subject to the conditions of the licenses:

Friday, February 21, 2020

Saturday, February 22, 2020

Friday, February 28, 2020

Saturday, February 29, 2020

Seconded by Mr. Madigan Vote: 2:0:0

**VII EVENT PERMITS**

***9/26/20 Duxbury Beach Triathlon***

Mr. Flynn moved that Mr. Brian Noyes, as a representative of the Duxbury Beach Triathlon, is granted permission to hold a triathlon event in Duxbury on Saturday, September 26, 2020, beginning at 7:30am (with registration beginning at approximately 5:45am), contingent on the conditions of this permit.

Seconded by Mr. Madigan Vote: 2:0:0

**VIII MINUTES**

Mr. Flynn moved that the Board of Selectmen approve the 1/6/20 and 1/13/20 Selectmen's Minutes, as presented. Seconded by Mr. Madigan Vote: 2:0:0

**IX ANNOUNCEMENTS**

**1) Presidential Primary –Last Day to Register or Change Party Affiliation:**

The last day to register to vote in the Presidential Primary or to change your party affiliation for the Presidential Primary is **Wednesday, February 12, 2020**. The Town Clerk's office will remain open until 8 pm on that day to accept voter registrations.

**2) Open Seat on Duxbury Affordable Housing Trust:**

The Duxbury Affordable Housing Trust has an open seat for a term due to expire on June 30, 2020. Any interested parties are encouraged to fill out a Talent Bank form. You may contact the Selectmen's Office to have the form sent to you or you can find it at the top of the Boards and Committee webpage on the Town website.

**3) Waiting Lists for Commercial Mussel & Razor Clam Licenses:**

Last Call...individuals on the Waiting Lists for Commercial Mussel and Razor Clam Licenses must renew their application annually within the month of January. The sign-up sheets are posted in the Selectmen's office.

**4) Next Scheduled Selectmen's Meeting** will be on Monday, February 3, 2020.

**X BONUS SHELLFISH SEASON (for February, 2020)**

Mr. Flynn moved that the Board of Selectmen declare a temporary Bonus Shellfish Season for:

- 1) for the commercial harvesting of soft-shelled clams for the month of February, 2020 in accordance with posted Attachments B & C; and
- 2) for the commercial harvesting of quahog clams for the month of February, 2020 in accordance with posted Attachments A & C; and
- 3) for the recreational harvesting of soft-shelled clams for the month of February, 2020 in accordance with posted Attachment D.

Seconded by Mr. Madigan Vote: 2:0:0

**XI ADJOURNMENT**

At approximately 7:30pm, Mr. Flynn moved that the Board adjourn.

Seconded by Mr. Madigan Vote: 2:0:0

*Minutes submitted by Nancy O'Connor*

*[List of Documents on Next Page.]*

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

- 1) Agenda*
- 2) Documentation regarding beach agreement*
- 3) Warrant*
- 4) ODLLs*
- 5) Event Permit*
- 6) Draft Minutes*
- 7) Announcements*
- 8) Bonus Shellfish – February, 2020*