

Date: February 1, 2021

Date Minutes Approved: February 8, 2021

TOWN CLERK

BOARD OF SELECTMEN

2021 FEB -9 AM 8:54

OPEN SESSION MINUTES

DUXBURY, MASS.

Present: Theodore J. Flynn, Chair; David J. Madigan, Vice Chair; and Amy M. MacNab, Clerk

Staff: René Read, Town Manager; John Q. Adams, Finance Director; and Nancy O'Connor, Executive Assistant

Others: Jeannie Horne, HR Director; Fire Chief Kevin Nord; ROCCC Director Mike Mahoney; Joanne Moore, COA Director; Police Chief Steve McDonald; Moderator John Tuffy; Town Clerk Susan Kelley; Harbormaster Jake Emerson

CONVENED IN OPEN SESSION *(via remote participation of the Board members and staff)*

I. CALL TO ORDER This meeting was called to order at approximately 6:30 pm.
This Open Meeting is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the COVID-19 Virus. In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed and encouraged to participate remotely. The Order, which you can find posted on our agenda, allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting. For public access – please email at occonnor@town.duxbury.ma.us or call-in at 781-934-1100 x5400 for questions or comments. This meeting convened via Zoom video conference produced and recorded by PACTV, and viewed live on the Duxbury Government Access Channels – Verizon 39 or Comcast 15; or visit www.pactv.org/duxbury for Duxbury programming, replays and on-demand.

II 6:30PM – EXECUTIVE SESSION

Ms. MacNab moved we go into Executive Session for the following purposes:

To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel,

If the Chair so declares, in accordance with Mass. General Laws Chapter 30A, section 21, and that the Board will adjourn and re-convene in Open Session on or about 7:00pm immediately after the completion of this Executive Session.

“Mr. Flynn, as Chair, declared the necessity for an Executive Session to conduct strategy sessions in preparation for contract negotiations with non-union personnel, as to do so in an Open Session may have a detrimental effect on the Town's bargaining, strategizing, and negotiating position.”

Seconded by Mr. Madigan Roll Call Vote: Mr. Flynn-Aye; Mr. Madigan-Aye; Ms. MacNab-Aye

After the business of the Executive Session was concluded, Ms. MacNab moved that at approximately 6:55PM, the Board of Selectmen adjourn the Executive Session and reconvene in Open Session at or around 7:00pm.

Seconded by Mr. Madigan Roll Call Vote: Mr. Flynn-Aye; Mr. Madigan-Aye; and Ms. MacNab-Aye

III. OPEN FORUM/PUBLIC COMMENTS: No official “open forum” as these are remote meetings. No public comments via phone calls or emails were received during this meeting.

IV. NEW BUSINESS

Discussion pertaining to Prejudice Free Duxbury

Mr. Flynn introduced Ms. Karen Wong, member, and Mr. Maarten Hemsley, Chair, of the Prejudice Free Duxbury Steering Committee.

Mr. Hemsley began by stating that he is also a member of the Rotary Club, and is now the Chair of the Prejudice Free Duxbury Steering Committee, which was formed last summer in response to racial incidents across the country and here in Duxbury. He said that they have launched an event with the Interfaith Council/Rev. Catherine Cullen, and they are talking with other organizations in Duxbury and in other towns. He remarked that he has met with Police Chief McDonald and School Superintendent Dr. Antonucci and that he is encouraged by residents who seek a more inclusive community. He also commented that they are really excited that the Board of Selectmen are willing to listen. Ms. Wong stated that Maarten has done a great job, and she will answer any questions.

Ms. MacNab thanked them for their wonderful effort and would like to see a partnership established such as maybe having a Selectmen liaison. Ms. Wong added that that’s the model we want to have with groups in Town in order to work together – such as partnerships with the schools, Senior Center and other groups.

Mr. Madigan read into the record:

The Duxbury Board of Selectmen is committed to ensuring that our town is a safe and welcoming community that embraces diversity, equity, and inclusion. We unequivocally condemn discrimination in all its forms. As elected leaders, we recognize our responsibility to understand and address racial inequality and all other forms of discrimination in Duxbury.

Change starts at the local level, and better understanding and action in our own community can contribute to effective systemic change at the regional, state, and national levels. To that end, we will work to educate ourselves, town employees, and town residents on social and racial justice issues.

We will review our existing policies, practices, and procedures, and where necessary, we will enact changes to begin to build a stronger, more equitable community, including efforts to hire and retain a more diverse workforce.

We will work to ensure that Duxbury is a place where all individuals can live happily, free of fear, and with equal access to opportunities, regardless of race, religion, class, ethnicity, age, ability, sexual orientation or gender identity.

Moved by Ms. MacNab; Seconded by Mr. Madigan

Roll Call Vote: Mr. Flynn-Aye; Mr. Madigan-Aye; and Ms. MacNab-Aye

Mr. Flynn recommended that in this partnership, would Ms. MacNab like to be the Board of Selectmen's liaison. Ms. MacNab replied yes.

Ms. Wong thanked the Board for doing this as a lot of members of community will feel embraced by this statement. Ms. MacNab said she looks forward to keeping this conversation going.

Mr. Madigan also mentioned that it has been hard for the Town to find a diverse work force, and we will have to work more proactively to find qualified applicants. Ms. Wong added that there are a lot of resources to help in that end. Both Ms. Wong and Mr. Hemsley thanked the Selectmen.

Discussions pertaining to Hiring Recommendations – presented by Jeannie Horne, HR Director

Mr. Read read his memo into the record as follows:

Dear Members,

As you will recall, following a discussion with the Board on January 11th, I advised the Board that I would be instituting a hiring "frost." This coincides with our current standard hiring practice when presented with a vacancy of having a Department Head review the given staffing needs of a department, the related costs associated with a position and determine whether the job can be accomplished on a full-time or a part-time basis (under 20 hours). If the position cannot be filled with a part-time employee, the department head provides a business case for a full-time position. In all cases, each position is carefully examined before the job is posted and the department head meets with the Town Manager, Finance Director and Human Resources Director to present the case and review if there might be other ways to adjust the position.

As a result of the recent hiring "frost," I am bringing forward several positions (please see attached) which have all been through the aforementioned process to make you aware that these positions are necessary, have been reviewed as described above, and are in need of filling.

As always, if you have any questions, please let me know.

Mr. Madigan asked if this was a list of offers. Ms. Horne responded that at the last Selectmen's meeting, they provided a list of open, pending and posted positions, but that this list are positions that have not been posted yet in order to make our internal practice more public.

Ms. MacNab asked Joanne Moore, COA Director, why we need to fill the listed position (Program Coordinator-Admin part-time) when the Senior Center is predominantly closed especially given that some were furloughed. Ms. Moore answered that the previous person in this position left in July and over the last ten months there has been a lot of programming through Zoom, so this person would help with that and report to the State. She also noted that while the building is closed, they are very busy in the building preparing meals, providing transportation, conducting their day program, and the pea pod program.

Ms. MacNab then asked that when we get back to normal would this position be transitioned. Ms. Moore replied that she didn't think Zoom would ever go away as some people are home bound and use

this service. Mr. Madigan commented that this sounds like a necessary position so we don't lose touch with the people we are serving.

Ms. MacNab noted a concern that the ROCCC Deputy Director position was not yet approved by Town Meeting. She also commented that while this is a grant-funded position, that may not be forever. She recommended holding this position up until it is open for hire. Mr. Madigan suggested that Mike Mahoney (ROCCC Director) respond to that since we are adding additional towns, which would be shared costs.

Mr. Mahoney stated that the Deputy Director position has been planned for years and will be 911 grant-funded for at least six years (three years per community). He was concerned not having this position would jeopardize future grant funding especially with Hanover coming on, which would be their biggest town. He added that it was their goal that salaries would be fully funded by the towns served, and the more towns are added, the more the costs are distributed and expenses can be deferred to those member towns.

Ms. MacNab remarked that there was still a cost to the resident tax payer as we still incur the cost of benefits, which is still an impact. She also mentioned that the Finance Committee is looking into this and their recommendation would be a good one along with the upcoming compensation study. She asked if it makes sense to table this position until we get the Finance Committee information.

Chief Nord responded that they have diligently explained the process to the Finance Committee. He stated that three years ago they built a marketing plan to attract other towns to offset our cost, and if we don't support management, it will fail. He continued to say that they have passed many hurdles with the State 911, and one such hurdle is that we couldn't hire because this position wasn't in our Personnel Policies – so we lost six months of the grant due to this snag in Town government. He explained that we have accepted these other towns knowing we have a position on the way; otherwise, we would have to turn towns away. He mentioned that the Finance Committee has been struggling to understand their operation, which has grown to include seven towns. And he said these towns expect a level of service and that Mike cannot do that himself as he is on the road more because he has to answer to these other towns and their budgets. Chief Nord said that we are selling a product, which is public safety, and if we are missing the middle layer of the administration, we would be in dire straits if this does not get approved.

Mr. Adams clarified that the Finance Committee did approve the ROCCC budget, which included the Deputy Director position. He also confirmed that the expenses would be allocated to the other towns, which takes into consideration salaries, benefits and OPEB. Chief Nord commented that he had been speaking with both Frank and Jerry (Finance Committee) and knew that the budget was approved. Mr. Mahoney confirmed that the benefits would be spread across the other member communities. Ms. MacNab asked if there was a business case we could base this on.

Mr. Mahoney replied that they are doing the compensation/classification study, and also noted that we are the largest regional dispatch in all of Southeastern MA and without a Deputy Director – all other regional dispatch centers have deputy directors. He also confirmed that 911 finds it necessary to have middle management.

Chief Nord remarked that they have a business plan to offer a new member, and that is why they are so successful. He noted that this position is the last installment of that plan. Ms. Horne pointed out that if Mr. Mahoney was no longer available for whatever reason, we need a backup for good business sense.

Mr. Flynn commented that the jobs passed through the Finance Committee with the Deputy Director position needing to be approved by Town Meeting, and that all salaries and benefits would be covered by participating towns. Chief Nord added that the grant would cover the first six years. Mr. Flynn responded that he has no problem with this. Mr. Madigan agreed with Mr. Flynn and supported this position.

Ms. MacNab noted that she was not saying that she was opposed, but that the Finance Committee was waiting for more information so she was just seeking additional time so they can weigh in. Chief Nord stated that he did speak with Betsy Sullivan (FC Chair) last week, and after that conversation thought it was fine as he hasn't heard back.

Ms. MacNab asked what the pay grade would be. Ms. Horne responded that this would be a grade 9. Ms. MacNab then asked if that was appropriate. Ms. Horne replied that when we examine positions, we examine both internal and external equity based on the level of responsibility, risks and compensation.

Mr. Flynn suggested that Chief Nord talk with Ms. Sullivan to make sure issues are complete. Ms. MacNab stated that she was still concerned about the position being at a grade 9. Mr. Madigan suggested making a motion subject to any Finance Committee questions.

Motion:

Ms. MacNab moved that the Board of Selectmen endorse and approve of the following hiring positions listed with the ROCCC Deputy Director position to be discussed at our next meeting.

Dept.	Hiring Requests as of January 29, 2021	Reason	External or Internal Hire	Part Time*/Full Time**	Start Date
Town Manager/BOS	Department Assistant, Personnel Policies, Grade 3	Retirement of Administrative Assistant, Personnel Policies, Grade 4	TBD	Full-Time (37.5 hours per week)	TBD
Police	Police Officer, Police (civil service)	Resignation; Chief McDonald sees this job as an open posting b/c vacancy left department below normal staffing levels	TBD	Full-Time (40 hours per week)	TBD
Police	Police Officer, Police (civil service)	Resignation; Chief McDonald sees this job as an open posting b/c vacancy left department below normal staffing levels	TBD	Full-Time (40 hours per week)	TBD
ROCCC	Deputy Director, ROCCC	Grant funded, needed to meet complex regional demands, pending Art. 4 ATM approval to add job to Personnel Policies	TBD	Full-Time (40 hours per week)	TBD
ROCCC	Part-time Public Safety Dispatcher (rolling posting / to be hired as needed like Recreation Specialist, Lifeguard and Special Police Officer hires)	To gauge interest, hire and train candidates who can transition to full-time as needed for Hanover's transition	TBD	Part-time	TBD
COA	Program Coord.—Admin., Personnel Policies, Grade 3	Formula grant funded, backfills resignation from 19 hr. position, assist w/Zoom process; registration, payments, documentation, implementation, evaluation	TBD	Part-time	TBD
Harbor	Seasonal Harbormaster Assistant (estimate 5 new hires)		TBD	Temporary, Part-Time	TBD

Seconded by Mr. Madigan Roll Call Vote: Mr. Flynn-Aye; Mr. Madigan-Aye; and Ms. MacNab-Aye

Discussions pertaining to date of Annual and Special Town Meetings

Mr. Read invited Moderator John Tuffy to talk about the dates of Town Meeting along with Attorney Jeff Blake and Town Clerk Susan Kelley to discuss the technical aspects.

Mr. Tuffy stated that he felt that holding Town Meeting six weeks from now was not a good decision with Covid fears, and he felt that people with those concerns may not come out. He said that he hopes we can pick a date in May as we see vaccinations being started and hopefully more people would be vaccinated by then.

Mr. Flynn asked about the issue of the election, which comes two weeks after Town Meeting.

Ms. Kelley responded that she spoke with Attorney Blake who recommended not postponing the election because it is tied to our bylaw, which would require either special legislation or a court order to change the date. She further stated that the timeline dates are already in process and the timing to make a change now would have to be done before Friday (Feb 5).

Attorney Blake commented that Ms. Kelley was correct. He pointed out that last year there was legislation for one year only that allowed town election dates to be changed and they did allow Town Meeting dates to be changed. Now we will have the election before Town Meeting.

Ms. MacNab asked about having the current Board making recommendations with a new Board coming in before Town Meeting. Attorney Blake responded that there is the capability in the law to postpone for 30 days if we post the warrant for March 13, 2021 and then see how the situation is at that time and postpone then. He said at least it's an option. Ms. MacNab added that the later we can push the date the better to allow more people to get vaccinated as it is not viable for the March date – too risky.

Mr. Flynn asked if the school was available for May 15/16. Mr. Read responded that he would have to check.

Ms. MacNab asked about holding TM outside. Mr. Read pointed out that there are many factors such as weather, access to WiFi, and the ability for PACTV to set up so people can watch live. He remarked that it worked out well the last time as people were spread out/socially distant and the masking requirement.

Mr. Flynn asked if the Moderator and the Town Clerk were good with a Town Meeting date of May 15. Mr. Tuffy replied yes, and Ms. Kelley replied yes.

Ms. MacNab moved that the Board of Selectmen move the date of the Annual and Special Town Meetings to Saturday, May 15, 2021.

Seconded by Mr. Madigan Roll Call Vote: Mr. Flynn-Aye; Mr. Madigan-Nay; and Ms. MacNab-Aye

V. TOWN MANAGER'S REPORT

Mr. Read stated that Chief Nord, Health Agent Tracy Mayo, and COA Director Joanne Moore have been working on a vaccination clinic in collaboration with Pembroke and Hanover for residents over the age of 75. He said that they are waiting for more information in order to get the location pinned down. He is encouraging all persons residing in Duxbury over the age of 75 years old to contact the Duxbury Senior Center (781-934-5774 x5703) in advance so that we can have that information on file to register for the vaccine. Once the location and dates have been determined, the Senior Center will contact everyone to schedule an appointment.

Ms. MacNab asked if this partnership was only for 75 years and older. Mr. Read replied yes. Ms. MacNab then asked if this would transition to all populations. Mr. Read answered that we are working through that as the phasing is dictated by the State. Chief Nord confirmed that 75 years and older are vaccine eligible now in Phase II timeline starting the first week of February. He also mentioned that the State is in the process of setting up mega clinics (such as Gillette Stadium and Fenway Park) along with private enterprises such as CVS, other pharmacies, and doctors' offices who will also be rolling out the vaccines. Chief Nord stated that Health Agent Tracy Mayo ordered 4000 vaccines today, but that there is a shortage of the Moderna vaccine, and we don't have the facilities for the Pfizer vaccine.

Ms. MacNab asked if it was possible to get updates periodically. Mr. Read said yes, new information will be pushed out at Board meetings and through the Town's website.

Vaccine information can also be found at: www.mass.gov/info-details/covid-19-vaccinations-locations

VI. COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS None

VII. ONE-DAY LIQUOR LICENSE REQUESTS - None

VIII. EVENT PERMITS - None

IX. MINUTES

Ms. MacNab moved that the Board of Selectmen approves the 01/25/21 Selectmen's Open Session Minutes, as presented.

Seconded by Mr. Madigan. Mr. Flynn-Aye; Mr. Madigan-Aye; Ms. MacNab-Aye

X. ANNOUNCEMENTS

1) **2021 Dog Licenses and Beach/Conservation land walking permits** are now available. Payment can be made online, via the town clerk's drop box behind Town Hall or US mail.

2) **2021 Annual Street List/Census forms have been sent.** Please review the information, sign the form and return it to the Town Clerk. This census is not the same as the federal census that was completed last fall. The information is used to compile the annual list of residents and to update the voter registration files.

3) Next Scheduled Selectmen's Meeting will be on Monday, February 8, 2021 at 7:00pm.

XI ADJOURNMENT

Mr. Madigan moved that at approximately 8:02PM, the Board of Selectmen adjourn.

Seconded by Ms. MacNab Roll Call Vote: Mr. Flynn-Aye; Mr. Madigan-Aye; and Ms. MacNab-Aye

Minutes submitted by Nancy O'Connor

LIST OF DOCUMENTS

- 1) Agenda*
- 2) Executive Session motion (materials kept separately)*
- 3) Documentation related to Prejudice Free Duxbury*
- 4) Documentation related to Hiring Recommendations*
- 5) Minutes*
- 6) Announcements*