

Date: March 4, 2019

Date Minutes Approved: March 25, 2019

TOWN CLERK

BOARD OF SELECTMEN

2019 MAR 26 PM 1:49
OPEN SESSION MINUTES
DUXBURY, MASS.

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

Absent: None

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

Jeannie Horne, HR Director; and Fred Duprere, Esq., Labor Counsel, attended Executive Session only

CONVENED IN OPEN SESSION –

I. CALL TO ORDER The meeting was called to order at approximately 6:15 p.m.

II. 6:15 PM – EXECUTIVE SESSION

VOTE TO ENTER EXECUTIVE SESSION

Mr. Madigan moved that we go into Executive Session to discuss strategy with respect to collective bargaining since an open meeting may have a detrimental effect on the Town's bargaining position, if the Chair so declares, in accordance with Mass. General Laws Chapter 30A, Section 21, and that the Board reconvene in Open Session on or about 7:00 PM.

As Chair, Mr. Flynn declared that the necessity for an Executive Session is to discuss strategy with respect to collective bargaining, as to do so in an Open Session may have a detrimental effect on the Town's bargaining position.

Mr. Dahlen seconded the motion.

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

ADJOURNED EXECUTIVE SESSION & RE-CONVENED IN OPEN SESSION

At approximately 6:55p.m., after completing the business of the Executive Session, Mr. Madigan moved that the Board adjourn the Executive Session and immediately re-convene in Open Session at approximately 7:00pm. Mr. Dahlen seconded the motion.

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

III. OPEN FORUM Nothing brought forward.

IV. NEW BUSINESS

Police Department staffing matter

Chief Matthew Clancy was in attendance to discuss his current status. He commented that he has been in law enforcement for 38 years and 10 years in Duxbury as police chief. He further stated that in consideration of personal needs and goals, he is planning to retire in July, 2019. Chief Clancy mentioned that he felt that it was mission accomplished with the support of prior Town Manager Richard MacDonald and followed through with current Town Manager René Read. He continued to

say that there are well-qualified individuals from within with the same management style, and the department will be well situated for years to come. Chief Clancy thanked Mr. Read and the Board of Selectmen and commended their leadership and stated that he felt fortunate to work in a community led by professionals. Chief Clancy also mentioned that the community welcomed him from day one and thanked the community for that. He stated that he is looking forward to family time and that it has been an honor and a privilege to work in Duxbury. Mr. Flynn thanked Chief Clancy and stated that he has done wonders for the Town and wished him the best. Mr. Madigan also commented to Chief Clancy that he ran his office very well and very professionally, and it's been a fantastic ten years. Mr. Read said that Chief Clancy was the best chief he has ever worked with and that he is leaving enormous shoes to fill.

Discussion regarding Fire Department – Declaration of Surplus Items

Chief Kevin Nord is asking the Selectmen to declare as surplus old SCBA air-paks, and he is requesting permission to dispose of by distributing to various municipal training organizations as training air-paks. These air-paks were originally purchased with a Federal Grant and have no trade-in value.

Mr. Madigan moved to declare as surplus (29) Scott SCBA 4500 Air-paks (self-contained breathing apparatus) and (42) 30 minute cylinders, as presented. Seconded by Mr. Dahlen Vote: 3:0:0

Discussion and review pertaining to new utility poles on Alden

Mr. Madigan moved that the Board of Selectmen authorize the installation of one (1) new pole and the relocation of one (1) pole on Alden Street, with the condition that Verizon New England, Inc. and/or NStar Electric Company (d/b/a Eversource Energy) contact the Duxbury Department of Public Works at least 48-hours prior to the commencement of the project along with other conditions that may be requested by the Board of Selectmen. Seconded by Mr. Dahlen Vote: 3:0:0

Discussion and Review of Seasonal Licenses

Duxbury Beach Park II (Blakeman's)

Mr. Madigan moved that the Board of Selectmen, as the Local Licensing Authority, approve and renew the following Seasonal On-Premises Wine & Malt Beverages License issued to Duxbury Beach Park 2 (License #: 00034-RS-0300) for the calendar year 2019, subject to satisfactory inspection by the Town, submission of all required documents, and payment of all funds/fees owed to the Town of Duxbury, and to the conditions on the license. Seconded by Mr. Flynn 2:0:1 (Mr. Dahlen abstained)

Mr. Madigan moved that the Board of Selectmen renew the Common Victualler License and General License (for Parking) issued to Duxbury Beach Park 2 for the year 2019, subject to the receipt of all renewal paperwork and payment of all funds/fees owed to the Town of Duxbury. Seconded by Mr. Flynn 2:0:1 (Mr. Dahlen abstained)

Duxbury Package Store

Mr. Madigan moved that the Board of Selectmen, as the Local Licensing Authority, approve and renew the Seasonal Off-Premises All Kinds of Alcohol Beverages license issued to Duxbury Package Store, Inc. (License #: 00046-PK-0300) effective from April 1, 2019 through January 15, 2020, subject to satisfactory inspection by the Town, submission of all required documents, and payment of all funds/fees owed to the Town of Duxbury, and to the conditions on the license. Seconded by Mr. Dahlen Vote: 3:0:0

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

Article 6 – Capital Budget

Mr. Read stated that he is asking the Selectmen to make a recommendation on Line items 7, 10 and 12 in accordance with the Finance Committee's recommendation.

Mr. Madigan moved that the Board of Selectmen support the 2019 ATM Article #6 regarding Line items 7, 10 and 12 in the amounts recommended by the Finance Committee (#7 for \$46,509; #10 for 28,000; and #12 44,295), as presented. Seconded by Mr. Dahlen Vote: 3:0:0

Article #14 – Funding of engineering and design work related to the proposed DPW facility

Mr. Dahlen mentioned that there is some concern about a lot of big projects and are they prioritized. Mr. Read replied that he would recommend assigning a Board member to the Building Study Group. The Board consented to Mr. Dahlen being the liaison to the Building Study Group for this project.

Mr. Madigan moved that the Board of Selectmen support the 2019 ATM Article #14 regarding funding of engineering and design work related to the proposed DPW facility in the amount of \$1,400,000, as presented. Seconded by Mr. Dahlen Vote: 3:0:0

Article #24 – Citizens' Petition – Expand the size of the Board of Selectmen by Increasing its Membership from three to five

Mr. Read began by stating that the Finance Committee has voted to Indefinitely Postpone because this article is not technically correct relating to a petition to State legislature. The proponent submitted an amendment, which is being reviewed by Town Counsel and the Moderator to see if it is within the scope of the original article and provides sufficient notice to residents. Mr. Madigan commented that this should be postponed until written correctly and can be brought back next year.

Resident Paul McCormick spoke stating that Mr. Oktay (proponent) spoke with a lawyer at the State level to change the motion to "To see if the Town will expand the size of the Board of Selectmen by increasing its membership from three to five (by petitioning the General Court of the Commonwealth of Massachusetts to enact special legislation for a change in the composition of the Town of Duxbury Board of Selectmen. Said special law to be subject to approval by a majority vote at the first town wide general election held following this enactment); or take any action in relation thereto.

Mr. Madigan said the wording might be correct, but can't get on the ballot.

Mr. McCormick replied that it would be on the 2020 ballot and in 2021 would get two new selectmen.

Mr. Dahlen commented that the people who will determine if this is within the scope are Town Counsel and the Moderator.

Mr. Madigan suggested putting off voting until Saturday morning of Annual Town Meeting.

V TOWN MANAGER'S REPORT

Mr. Read stated that he is getting ready for Town Meeting.

VI COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS - None

VII ONE-DAY LIQUOR LICENSE REQUESTS - None

VIII EVENT PERMITS - None

IX MINUTES - To be presented at next meeting.

X ANNOUNCEMENTS

XI ADJOURNMENT

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

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

Minutes submitted by Nancy O'Connor

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

- 1) *Agenda*
- 2) *Executive Session motion*
- 3) *FD – Documentation regarding surplus items*
- 4) *Seasonal licenses documentation*
- 5) *ATM Warrant*
- 6) *Announcements*