

Date: July 8, 2019

Date Minutes Approved: July 29, 2019

TOWN CLERK

2019 AUG -8 PM 2:43

BOARD OF SELECTMEN MINUTES

OPEN SESSION MINUTES

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

Absent: Shawn Dahlen, Clerk.

Staff: René J. Read, Town Manager; 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

Vote to Open Warrant for August 12, 2019 Special Town Meeting (STM) and Call for Articles

Mr. Madigan introduced this item of business by mentioning the Selectmen had discussed having a Special Town Meeting (STM) at their last meeting. The intention being to hopefully limit it to two articles, which would be for the Town to accept the State rules on setting speed limits so the Town has the authority to determine some of the speed limits.

Mr. Flynn moved that the Board of Selectmen vote to open the August 12, 2019 Special Town Meeting warrant. Second by Mr. Madigan. VOTE: 2:0:0.

Call for Articles for August 12, 2019 Special Town Meeting:

Mr. Madigan said the Board of Selectmen invites citizens to submit articles for the August 12, 2019 Special Town Meeting. Articles must be submitted to the Town Manager's Office by 12:00 PM on Monday, July 15, 2019. The complete article language and a brief explanation of the article are required. Please contact Nancy O'Connor at 781-934-1100; Ext. 5401 with any questions.

Discussion pertaining to Special Town Meeting

The Town Manager then went over the calendar related to Special Town Meeting. He mentioned the following:

- | | |
|-----------------|--|
| July 8, 2019 | -The Board of Selectmen opens the STM Warrant. |
| July 10, 2019 | -The Call for Articles will be published in the <i>Duxbury Clipper</i> . |
| July 11, 2019 | - The Finance Committee will meet to review any articles received to date. If necessary, the Finance Committee will meeting again to review any additional articles. |
| July 15, 2019 | - The Board of Selectmen will close the STM Warrant, vote on any articles, and sign the STM warrant. |
| July 24, 2019 | - STM warrant to be published in the <i>Duxbury Clipper</i> . |
| August 12, 2019 | - Special Town Meeting (STM) will be held at the Performing Arts Center (PAC), 73 Alden Street, Duxbury beginning at 7:00 PM. |

Mr. Read mentioned that although the Board could technically open and close the warrant on the same evening, it was decided to follow past practice and do a call for articles in case a citizen has a pressing article to bring forward. He did mention, however, that the intention of the Board was for a singular focus on the two traffic articles.

Mr. Madigan moved the Board support STM ARTICLE 1 – ACCEPTANCE OF SECTION 17C OF CHAPTER 90 OF THE GENERAL LAWS “To see if the Town will vote to accept Section 17C of Chapter 90 of the General Laws, which would authorize the Select Board to establish a speed limit of 25 miles per hour within thickly settled or business districts within the Town, or take any other action relative thereto.” Second by Mr. Flynn. VOTE: 2:0:0.

Mr. Madigan explained that acceptance of this article would allow the Town to go to the 25 mph speed limit. He added that there are restrictions as to where this would be allowed. He recalled the restrictions include in areas where there are houses are within 200 ft. of each other or the road, or any business section where there is a significant amount of pedestrian traffic.

Mr. Madigan moved that the Board support STM ARTICLE 2 – ACCEPTANCE OF SECTION 18B OF CHAPTER 90 OF THE GENERAL LAWS which reads as follows: “To see if the Town will vote to accept section 18B of Chapter 90 of the General Laws, which would authorize the Select Board to establish safety zones within the Town with a speed limit of 20 miles per hour, or take any other action relative thereto.” Second by Mr. Flynn. VOTE: 2:0:0.

Mr. Madigan said support for this article would allow the Town in special situations to lower speed limit to 20 mph; the lowest allowed. He noted that this may be done only after approval by the State. Mr. Read added that there are also set parameters as to where the 20 mph limit could be implemented. The parameters include the requirement of an engineering study to validate that the 20 mph limit is needed.

Mr. Read said that he might have the Board re-vote the articles at the next meeting as Mr. Dahlen might want to weigh in on them as well.

Acceptance of Donation from Copeland Family Foundation, Inc. for Animal Shelter

Mr. Madigan mentioned the Town has received a \$6,000 donation from the Copeland Family Foundation for the Duxbury Animal Shelter. The donation helps with the cost of running the Duxbury Animal Shelter and the Town is most grateful for this support, which has been received annually.

Mr. Flynn moved that the Board accept, with gratitude, the Copeland Family Foundation, Inc., donation of \$6,000.00 for the Duxbury Animal Shelter. Second by Mr. Madigan. VOTE: 2:0:0.

IV TOWN MANAGER’S REPORT

Mr. Read mentioned that the office received a number of calls or emails seeking information about the beach stickers. They have include about ten requests for refunds for beach stickers given the recent beach closures. So he wanted to provide an update to the Board, and mentioned the following:

- Beach stickers are non-refundable. He acknowledged that six years ago the Town did issue some refunds, but that was because at that time the sales of the beach stickers did continue when it was known that the beach would be closed. So for those who bought stickers within the 4-day window during which it was known a beach closure was eminent refunds were allowed.
- Since that time the Town makes periodic updates via hand-outs, social media, websites and a variety of other communication methods on the status of the beach including the number of birds/nests, the potential (adverse) impacts their presence could have on the beach-going public, estimated reductions in the number of vehicles allowed in the ORV corridor and possible closures. The purpose in providing this information was to make the public acutely aware that the potential for limited or prohibited access existed prior to purchasing a sticker.
- He also shared some of the questions received and answers given:

Question: May I have a refund?

Answer: *There are no refunds. That is clearly stated on both the online applications and the hardcopy applications.*

Question: When will the beach re-open?

Answer: *The beach will be re-opened as soon as the birds fledge.*

The short version: The re-opening will be on or about August 1st – give or take a 2-3 days.

The longer version: Per information from the Endangered Species Officer there are 10 active broods. There are 3 nests due to hatch soon. There is a Piping Plover brood near the 1st Crossover. That brood is 12 days old, and it usually takes the chicks 28-35 days to fledge. There are also Least Terns on the beach and they could also impact the ORV portion. The Least Terns are on the threatened species list. Since these are wild animals, it is impossible to predict or guarantee a certain date.

- Parking issues: *Parking enforcement has picked up. This topic will be discussed at the July 15th Selectmen's Meeting when the Duxbury Police will be available to explain what is being done.*

Mr. Tom Moylan, 103 Hitty Tom RD, addressed the Board regarding the beach parking issue. He mentioned that he and his wife, who was also present, retired and moved to Duxbury. He said they love the beach and go to it frequently. He said that he has seen a number of non-resident stickered vehicles parked in the resident-only lot, as recently as within the past week.

V COMMITTEE APPOINTMENTS / RE-APPOINTMENTS / RESIGNATIONS

Mr. Flynn moved to appoint / re-appoint the following individuals to the boards / committees indicated for the terms indicated (see table). Second by Mr. Madigan. VOTE: 2:0:0.

COMMITTEE / Names	Appointed or Reappointed	Special Position Designation	TERM EXPIRES	MOTION	SECOND	VOTE
*Agricultural Commission						
Gregory D. Morris	Re-appt.		06-30-22	T. Flynn	D. Madigan	2:0:0
Orie Fontaine	Re-appt.					
*Board of Health						
Melissa Brown-Rosenblatt	Appt.	BOH Alternate	06-30-22	T. Flynn	D. Madigan	2:0:0

COMMITTEE / Names	Appointed or Reappointed	Special Position Designation	TERM EXPIRES	MOTION	SECOND	VOTE
*Burial Agent to the Board of Health						
Susan C. Kelley	Re-appt.		06-30-22	T. Flynn	D. Madigan	2:0:0
*MBTA Advisory Board						
Richard S. Prone	Re-appt.		06-30-22	T. Flynn	D. Madigan	2:0:0
*Recreation Activities Comm.						
Peter Andrew	Re-appt.		06-30-22	T. Flynn	D. Madigan	2:0:0
*Shellfish Advisory Committee (SAC)						
Jake Emerson	Re-appt.	<i>Ex Officio</i>	06-30-22	T. Flynn	D. Madigan	2:0:0

**Board or Committee is now fully staffed.*

OPEN BOARD AND COMMITTEE SEATS:

Mr. Flynn announced the following: Duxbury is seeking a registered Duxbury voter to serve as its delegate to the **South Shore Community Action Council (SSCAC)**.

The South Shore Community Action Council is a private, non-profit funded through federal, state, private, and local sources. The Council provides a range of critical service to low-income individuals and families on the South Shore, and has worked to combat the root causes of poverty in South Shore communities. Any registered Duxbury voter interested in serving as the Duxbury/Hanover delegate to the South Shore Community Action Council, please fill out a Talent Bank form available on the Town website or from the Selectmen's office.

Mr. Madigan asked about open seats on other boards and committee. Without having a list, Ms. Murray provided the following information about board/committee open seats:

Design Review Board: 1 Alternate seat -

The Design Review Board does have an order of preference: Architect, Landscape Architect, etc. and complete information as to the order of preference is on the Town website.

Alternative Energy Committee: 2 open seats.

Sidewalk & Bike Path Committee: 3 open seats.

Nuclear Advisory Committee: 2 open seats

Interested registered Duxbury voters were encouraged to complete a Talent Bank form found on the Town website or available from the Selectmen's Office.

VI ONE-DAY LIQUOR LICENSE REQUESTS

08/19/19 Friends of COA Golf Tournament Reception

Mr. Flynn moved that the Board of Selectmen grant to Mr. Chris Barry, as a representative of the Friends of the Duxbury Council on Aging, a One-Day Wine & Malt License for a Golf Tournament Reception on Monday, August 19, 2019 at the Duxbury Senior Center, 10 Mayflower ST, from 5:00 pm -9:30 pm, subject to the conditions on the license. Second by Mr. Madigan. VOTE: 2:0:0.

VII EVENTS - none

VII MINUTES - none

IX ANNOUNCEMENTS

Mr. Flynn announced the following:

1) Senior Center Ribbon-Cutting Ceremony

On Friday, July 12, 2019 there will be a ribbon-cutting ceremony at the Duxbury Senior Center to celebrate the new addition. The ceremony will be from 9:00 AM to 10:00 AM. The public is invited to attend.

2) Special Town Meeting:

A Special Town Meeting will be held on Monday, August 12, 2019 starting at 7:00 PM at the Performing Arts Center, 73 Alden ST. All registered Duxbury voters are encouraged to attend.

The Warrants will posted on the Town website and will be available at the meeting.

3) Next Regularly Scheduled Selectmen's Meeting will be on Monday, July 15, 2019.

X ADJOURNMENT

At approximately 7:17 pm, Mr. Flynn moved the Board of Selectmen adjourn. Second by Mr. Madigan.

VOTE: 2:0:0.

Minutes prepared by: C. Anne Murray

LIST OF DOCUMENTS FOR 07-08-19 SELECTMEN'S MEETING (Documents located in the selectmen's office files.)

- a. *Agenda for 07-08-19 Selectmen's Meeting*
- b. *OPEN FORUM: no documents*
- c. *NEW BUSINESS:*
 - 1. *Vote to Open Warrant for August 12, 2019 STM and Call for Articles-drafted motion and Call for Articles notice.*
 - 2. *Discussion pertaining to STM: calendar related to STM and copies of two drafted articles*
 - 3. *Acceptance of Copeland Family Foundation donation: Copy of the letter and check and draft motion.*
- d. *TOWN MANAGER REPORT: 07-08-19 Town Manager Report*
- e. *COMMITTEE APPOINTMENTS/REAPPOINTMENTS: 07-08-19 Appointments / Re-appointments sheet*

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
- f. *ONE-DAY LIQUOR LICENSES:*
- g. *08/19/19 Friends of COA Golf Tournament Reception*
- h. *EVENT PERMIT(S): none.*
- i. *MINUTES: EXECUTIVE SESSION: none;*
OPEN SESSION MINUTES: none.
- j. *SUGGESTED ANNOUNCEMENTS for 07-08-19.*

