

Date: August 26, 2019

Date Minutes Approved: September 30, 2019

TOWN CLERK
2019 OCT -1 PM 2:59
DUXBURY, MASS.

BOARD OF SELECTMEN

Present: Mr. Madigan, Chair; Mr. Flynn, Vice Chair; and Mr. Dahlen, Clerk

Absent: René J. Read, Town Manager

Staff: Nancy O'Connor, Executive Assistant

CONVENED IN OPEN SESSION –

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

II. OPEN FORUM Nothing brought forward.

III. NEW BUSINESS

7:01pm Hearing regarding review of Liquor License Compliance Violations – Halls Corner Store
Police Chief McDonald provided background information stating that on July 25, 2019 detectives and two underage operatives conducted compliance checks at every package store in town, and one store (Halls Corner Store) sold to one of the operatives. He continued to say that since this was a first time violation, and in accordance with the rules and regulations, recommended the minimum sanction of a written warning along with TIPS re-certification training for the employee(s) involved.

Ms. Viktoria Patel offered her apologies to the Selectmen and will train the employee(s) to better check IDs. She further remarked that their system asks for a birthdate, but will look into purchasing an ID scanner so this does not happen again in the future.

Mr. Dahlen moved that the Board of Selectmen recommend that a written warning be issued to Halls Corner Store in violation of the Town's liquor license compliance rules and regulations, and that Halls Corner Store must submit within 45 days a new TIPS training certificate for the violating employee(s). Seconded by Mr. Flynn Vote: 3:0:0

Discussion pertaining to Cedar Crest Conservation Restriction – presented by Joe Grady

Mr. Grady stated that this is the second part of the Merry purchases and when using CPC funds, a conservation restriction is required on the property. He continued to say that this property is 88 acres near Templewood Drive, and the Wildlands Trust will hold the conservation restriction and inspect on an annual basis.

Mr. Dahlen moved that the Board of Selectmen vote to grant and approve Conservation Restriction No. 42 for the premises known as Cedar Crest located at Temple Street from the Town of Duxbury, acting by and through its Conservation Commission, to the Wildlands Trust, Inc., pursuant to Section 32 of MGL Chapter 184, as presented. Seconded by Mr. Flynn Vote: 3:0:0

Request for letter to Nuclear Regulatory Commission (NRC) regarding Pilgrim Nuclear Power Station's License Transfer – presented by Mary Lampert – Duxbury Nuclear Advisory Committee

Mrs. Mary Lampert, Chair of the Nuclear Advisory Committee, stated that this request is important since on 8/22 the NRC issued an order granting the transfer to Holtec. She then mentioned that the motions filed to intervene beginning in February have all been timely and in accordance with regulations. She continued to say that it's important that the hearing go forward before transferring is finalized. She also remarked that it's clear that Holtec does not have sufficient funds to do the job – meaning that the Commonwealth will be stuck with the bill or that contaminants would remain on site; that there has not been a site assessment to see what is on site to find out what cleanup will be (it's in our interests to know what's there); and the NRC stated that Oyster Creek mentioned that Holtec has been caught lying to New Jersey, bribing employees, and the contractor from Montreal has been accused of bribery, and World Bank has refused to fund contracts. Mrs. Lampert said that if there is a history of malfeasance, the NRC should look into that, and hopefully the NRC will care about public comment with added pressure. Mr. Madigan asked if Holtec had any decommissioning experience. Mrs. Lampert replied no.

Mr. Dahlen moved that the Board of Selectmen submit a letter to the NRC advocating that the NRC stay the August 22, 2019 order regarding the license transfer from Entergy Nuclear Operations, Inc. to Holtec International and Holtec Decommissioning International for the decommissioning of the Pilgrim Nuclear Power Station (PNPS) until after all petitions and motions filed have been heard. Seconded by Mr. Flynn Vote: 3:0:0

Mr. Dahlen moved that the Board of Selectmen submit a letter to Governor Charlie Baker asking the Governor to also submit a letter to the NRC advocating that the NRC stay the August 22, 2019 order regarding the license transfer from Entergy Nuclear Operations, Inc. to Holtec International and Holtec Decommissioning International for the decommissioning of the Pilgrim Nuclear Power Station (PNPS) until after all petitions and motions filed have been heard. Seconded by Mr. Flynn Vote: 3:0:0

IV COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS

Mr. Flynn moved that the Board of Selectmen appoint or re-appoint the following Board/Committee members with terms to expire as indicated: Seconded by Mr. Dahlen Vote: 3:0:0

Board of Health -	Melissa Brown-Rosenblatt (Appointment)	Term to expire 6/30/22
	Nicholas C. Leing (Appointment as Alternate)	Term to expire 6/30/22

Historical Commission –		
	Edward Mayo (Appointment)	Term to expire 6/30/22

Local Historic District Commission –		
	Evelyn A. Walker (Appointment as Alternate)	Term to expire 6/30/22
	John E. Bates (Appointment as Alternate)	Term to expire 6/30/22

Sidewalk & Bike Path Committee –		
	Frank Turner (Appointment)	Term to expire 6/30/20
	Dan Coughlin (Appointment)	Term to expire 6/30/22
	Richard S. Prone (Appointment)	Term to expire 6/30/22

Mr. Dahlen stated that Mr. Clint Watson has resigned from the Board of Health, which he served on from FY04 through FY19. The Selectmen thanked Mr. Watson for his years of service to the Town.

V ONE-DAY LIQUOR LICENSE REQUESTS

09/14/19 Miramar Evening Under the Moon Fundraiser

Mr. Dahlen moved that Reverend Thomas Griffith, as a representative of Miramar Retreat Center, is granted a One-Day Wine & Malt License to hold a summer fundraising event “*Evening Under the Moon*” at 121 Parks Street on Saturday, September 14, 2019 from 6:00 PM to 8:30 PM, subject to the conditions of the license. Seconded by Mr. Flynn Vote: 3:0:0

VI EVENT PERMITS

09/14/19 Annual Rotary Club Duck Race

Mr. Dahlen moved that Mr. Paul Brogna, as representative of the Duxbury Rotary Club, is granted permission to hold a Duck Race on Saturday, September 14, 2019 from 9:00am to 1:00pm (approx.) in Blue Fish River at Blue Fish Bridge located on Washington Street, subject to the conditions of the permit. Seconded by Mr. Flynn Vote: 3:0:0

10/19/19 Bay Farm Montessori 15th Annual 5k Run by the Bay

Mr. Dahlen moved that Anne Marie Winchester, as a representative of South Shore Race Management for Bay Farm Montessori Academy, is granted a permit to hold the 15th Annual 5K Run by the Bay on Saturday, October 19, 2019 from 8:00AM to 12:00 PM, beginning and ending at the Bay Farm Montessori School, subject to the conditions of the permit. Seconded by Mr. Flynn Vote: 3:0:0

VII MINUTES

Executive Session Minutes: 7/15/19

Mr. Dahlen moved that the Board of Selectmen approve the 07/15/19 Executive Session Minutes, as presented, with the contents to remain confidential until the need for confidentiality has passed. Seconded by Mr. Flynn Vote: 3:0:0

Open Session Minutes: 7/15/19, 7/29/19, and 8/12/19

Mr. Dahlen moved that the Board of Selectmen approve the 7/15/19 Selectmen’s Minutes and the 7/29/19 Selectmen’s Minutes, as presented. Seconded by Mr. Flynn Vote: 3:0:0

Mr. Madigan moved that the Board of Selectmen approve the 8/12/19 Selectmen’s Minutes, as presented. Seconded by Mr. Flynn Vote: 2:0:1 (Mr. Dahlen abstained as he was not present until after administrative items were voted on)

VIII ANNOUNCEMENTS

1) Draft Comprehensive Plan:

A draft of the Envision Duxbury Comprehensive Plan is now available for review and public comment. Copies are available at the Planning Department, the Duxbury Free Library, and online on the Duxbury Town website (www.town.duxbury.ma.us). Written comments should be submitted by email, mail or hand-delivered to the Planning Department by the end of September.

2) Annual Duxbury Labor Day Beach Party & Bonfire

The Annual Duxbury Beach Party & Bonfire will be held on Saturday, August 31st from 4 pm to 10 pm on Duxbury Beach. There will be entertainment provided by The Waves from 6 PM -10 PM. The bonfire will be lit about 7:30 pm.

3) Fall 2019 Life-Long Learning Registration

There will be a reception and registration for the Fall 2019 Life-Long Learning Courses on Tuesday, September 10th from 3 PM – 4:30 PM at the Duxbury Senior Center, 10 Mayflower Street. Registration will continue on Wed. and Thurs., Sept. 11th and 12th from 10 AM to Noon.

4) Next Scheduled Selectmen's Meeting will be on Monday, September 9, 2019.

IX BONUS SHELLFISH SEASON (September 2019)

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

- 1) for the commercial harvesting of softshell clams for the month of September, 2019 in accordance with posted Attachments B & C; and
- 2) the commercial harvesting of quahog clams for the month of September 2019 in accordance with posted Attachments A & C.

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

X ADJOURNMENT

At approximately 7:25pm, Mr. Dahlen moved that the Board adjourn.

Seconded by Mr. Flynn 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) *Hearing Info – Liquor License Violation*
- 3) *CR – Cedar Crest*
- 4) *NRC documentation*
- 5) *Committee Appointments/resignations*
- 6) *ODLL*
- 7) *Event Permits*
- 8) *Minutes (Exec. Session Minutes kept separately)*
- 9) *Announcements*
- 10) *Bonus Shellfish (September)*