

Date: August 27, 2018

Date Minutes Approved: September 17, 2018

TOWN CLERK

2018 SEP 20 PM 2:18

DUXBURY, MASS.

BOARD OF SELECTMEN

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

CONVENED IN OPEN SESSION –

I. CALL TO ORDER The meeting was called to order at approximately 6:30 p.m.

II. EXECUTIVE SESSION

Mr. Madigan moved we go into executive session to discuss matters regarding the King Caesar Fund, [specifically case: 62760 (BF) and any other administrative aspects, if necessary], which are of a confidential nature, as the fund's purpose is to provide medical relief for the financially-needy residents of Duxbury, in accordance with Mass. General Laws Chapter 30a, Section 21, and to adjourn Executive Session upon the completion of the matter and reconvene in Open Session on or about 7:00 PM. Seconded by: Mr. Dahlen Vote: 3:0:0

Mr. Flynn declared that due to medical confidentiality it is necessary for King Caesar Fund cases to be discussed in an Executive Session.

Mr. Madigan moved to adjourn Executive Session and reconvene in Open Session at 7:00 PM. Seconded by Mr. Dahlen Vote: 3:0:0

III. OPEN FORUM Nothing brought forward.

IV. NEW BUSINESS

Fire Department Years of Service Awards and other Recognitions – presented by Chief Nord

Chief Nord stated that the fire department annually recognizes individuals publically for their service.

The following individuals recognized were as follows:

Mr. Pieter Van Slyck was honored after 32 years of distinguished service as a call firefighter; Kevin Doane and Dana Jagielski of Dispatch were recognized for five years of service; Dennis Mikkola and Keith Nette were recognized for ten years of service; Administrative Assistant Mary Leach was given the Award of Merit; Deputy Chief Chris West, Doug Cunningham, Chuck Nudd, Jeff Chandler, and Keith Nette were all given an Award of Citation for work on the Apparatus Committee (which involves pumping engine design and specs); Deputy Chief Chris West, Captains John Guilderson, PJ Hussey, Brian Monahan, Robert Reardon and Robert Tripp, FFs Chuck Nudd, William (Buzz) Wadsworth, Ean Connell, Doug Cunningham, Alex Merry, Michael Gillis, Tim Geary, Harry Mathews, John Montosi, Kirsten Piper, Keith Nette, Dennis Mikkola, Jack Ahearn, Michael Cardoza, Jeff Chandler, Justin Stratton, Jen Baldock, Pieter Van Slyck, Steve Laaper and Jeff Arcieri along with Dispatchers Michael Mahoney, Joe Crean, Mathew Tucker, Kevin Doane, Chris O'Brien, Dana

Jagieski, Matthew Riggins, Jen Fischer, Chris Sirois, Neil Whitley, Julie Craig, Robert Inglis, Jim Shea, Sean Colby and Stephanie Lenihan were presented with Commendations for performing in an outstanding manner during adverse conditions during the March storms.

The Board of Selectmen thanked everyone for their service to the Town of Duxbury.

Discussion regarding Cemetery Department request to use Mayflower Care & Improvement Fund

Mr. Bob Hayes, of the Cemetery Trustees, first introduced Mr. Chip Locketti, our new Cemetery Superintendent. Mr. Hayes continued to state that Chip has been at the cemetery for a number of years (previously as the Cemetery Foreman), and he is glad that Chip is here. Mr. Hayes informed the Selectmen that this request is for the removal of five trees that have been deemed dangerous or damaged.

Mr. Madigan moved that the Board of Selectmen approve the use of a portion of the interest from the Mayflower Care and Improvement Fund to fund the removal of five (5) trees at an estimated cost of \$20,000. Seconded by Mr. Dahlen Vote: 3:0:0

Discussion pertaining to Special Town Meeting Articles as follows:

Citizen's Petition – Amend Zoning Bylaws – Proposal to Add New Special Permitted Use Under Section 410 Residential Compatibility District

Dr. Dan Hebert was in attendance as he is the proponent of this citizens' petition. He is proposing to amend the zoning bylaws under subsection 410.3 by adding a new special permitted use as follows: "12. Veterinary Hospital for the care and treatment of domestic animals," which pertains to his animal hospital located on Depot Street. He continued to say that the clinic has only expanded 1/3 of its space since 1963, and the population is growing. He is trying to expand within the building rather than move. He continued to say that all abutters and extended neighbors have been involved.

Mr. Madigan asked about adding parking. Dr. Hebert responded that the parking lot will be larger and will be moved around back and will add permeable pavements. Dr. Hebert also mentioned that there will be no kennels outside and no 24 hour care.

Mr. Madigan moved that the Board of Selectmen recommend Article 6 – Citizens' Petition to amend zoning by-laws and proposal to add new special permitted use under Section 410 residential compatibility district.

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

Citizens' Petition – Amend Zoning Bylaws – Proposal to Establish a Neighborhood Business Light Zoning District

Mr. Chris Sherman, President of Island Creek Oysters, was in attendance as he is the proponent of this petition. He is proposing to amend the Classes of Districts to include a Neighborhood Business Light District, which pertains to a portion of their property located on Washington Street (old Battelle property). Mr. Sherman stated that he understands the sensitivity to the Washington Street façade and the concern for the historic nature of the buildings – especially the Nathaniel Winsor House – which they want to limit the commercial development of those properties and put into a historic district. Mr. Sherman continued to say that this zoning amendment would allow lighter commercial businesses/retail, which would protect the streetscape. He further stated that the two buildings would be kept as professional offices, with one building potentially sold to Waterfront Realty, which would create two apartments to provide alternative housing. Mr. Dahlen asked if both lots in historic district.

Mr. Sherman replied that both will go into historic district, which will be included in an MOU (Memorandum of Understanding) to the Town.

Mr. Madigan moved to recommend Article 7 – Citizens' Petition to amend zoning by-laws and proposal to establish a neighborhood business light zoning district.

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

Discussion regarding Seawall Articles

Ms. Alicia Babcock, Chair of the Duxbury Seawall Committee, attended to address the Finance Committee's vote on the related articles, since the Finance Committee voted against two of the three articles. Ms. Babcock stated that without the seawall being repaired for the winter, they will be in bad shape. She continued to say that peer review is a common practice for a project of this size, and the Seawall Committee want a peer review for lack of experience with Amory Engineering.

Mr. Read responded that the Finance Committee reviewed all articles and voted unanimously to support the easement article. He continued to say that the Finance Committee likes certainty and couldn't determine if spending \$65,000 on stones would help, which Pat Brennan of Amory Engineering could not guarantee. He further stated that the Finance Committee voted unanimously not to support the peer review article as the cost was almost half the cost of the engineer.

Mrs. Betsy Sullivan, Chair of the Finance Committee, responded that all of the money was coming from stabilization, which is the fund of last resort, and which would have to be refunded by free cash, otherwise it will negatively impact our bond rating. She continued to address the repairs and that the Committee was not convinced that the money would cover its intent and didn't get the feeling that the stones would protect that portion of the seawall. Mrs. Sullivan then addressed the peer review article. She remarked that we haven't figured out how to pay for it – FEMA, State, betterments, or residents, so why take money out of stabilization. She continued to say that the Committee felt strongly that the Town has hired a capable engineer with good credentials.

Mr. Read replied that ultimately it will be our fellow residents who will make the recommendation.

Discussion regarding fiscal policies – presentation by John Q. Adams, Finance Director

Mr. Adams provided the Selectmen with a copy of both the old policy adopted by the Selectmen in 2013 and the newly revised policy, most recently adopted by the Finance Committee and Fiscal Advisory committee August 23, 2018. He stated that the purpose of the revised financial objectives was to remove obsolete references, to incorporate new by-laws and quantifiable benchmarks. He further stated that reserves need to be properly funded, and we need to provide consistent application of free cash to keep up our bond rating. Mrs. Sullivan also commented that it became evident at last year's Annual town Meeting as to why the budget is built the way it is. She continued to say that these policies were needed to set up benchmarks and to review at five years with the hope that it will provide a codified guideline when building the budget for best practices.

Mr. Flynn remarked that he would like to see the policies reviewed once a year on an annual basis so they are always in our purview. Mr. Flynn further requested that the motion include an annual review by both the Finance Committee and the Selectmen.

Mr. Madigan moved that the Board of Selectmen adopt the Town of Duxbury, Massachusetts Financial Management Policies & Objectives – Finance Committee 2018 (Revised from 2013), as presented, and

which will also include an annual review and vote by both the Finance Committee and the Board of Selectmen. Seconded by Mr. Dahlen. Vote: 3:0:0

V TOWN MANAGER'S REPORT

Mr. Read mentioned that they will be having the first FEMA conference call tomorrow (August 28) to discuss the process and procedures related to the March storm.

Mr. Read also thanked the DPW, Fire Department and Nancy O'Connor for their work on the Boston 25 Zip Trip (held on 8/24/18).

VI COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS

Mr. Madigan moved that the Board of Selectmen appoint Michael J. Cole to the Historical Commission to fill an unexpired term due to expire on 6/30/20. Seconded by Mr. Dahlen Vote: 3:0:0

Mr. Madigan moved that the Board of Selectmen appoint Joanne Moore as the Duxbury delegate to the Old Colony Elder Services Board for a term to expire as of June 30, 2019. Seconded by Mr. Dahlen Vote: 3:0:0

Mr. Madigan moved that the Board of Selectmen appoint Steve Marshall to the Sidewalk & Bike Path Committee to fill an unexpired term due to expire on 6/30/20. Seconded by Mr. Dahlen Vote: 3:0:0

Mr. Madigan moved that the Board of Selectmen appoint Jim Fiset to the Sidewalk & Bike Path Committee to fill an unexpired term due to expire on 6/30/19. Seconded by Mr. Dahlen Vote: 3:0:0

VII ONE-DAY LIQUOR LICENSE REQUESTS

10/13/18 Duxbury Rural & Historical Society – Maritime Festival Tavern Night

Mr. Madigan moved that Ms. Erin McGough, as a representative of the Duxbury Rural & Historical Society, is granted a One-Day Wine & Malt License for their Duxbury Maritime Festival – Tavern Night on Saturday, October 13, 2018 at the Nathaniel Winsor Jr. House, 479 Washington Street, from 6:00 PM to 8:00 PM, contingent upon the conditions of the license. Seconded by Mr. Dahlen Vote: 3:0:0

VIII EVENT PERMITS

10/13/18 Duxbury Rural & Historical Society – Maritime Festival Historic Event

Mr. Madigan moved that Ms. Erin McGough, as a representative of the Duxbury Rural & Historical Society, is granted an Event Permit for their Duxbury Maritime Festival on Saturday, October 13, 2018 at the Nathaniel Winsor Jr. House, 479 Washington Street, from 10:00 AM to 4:00 PM, contingent upon the conditions of the event permit. Seconded by Mr. Dahlen Vote: 3:0:0

IX MINUTES

Mr. Madigan moved that the Board of Selectmen approve the 08/06/18 Selectmen's Executive Session Minutes, as presented, with the contents to remain confidential until the need has passed. Seconded by Mr. Dahlen Vote: 3:0:0

X ANNOUNCEMENTS

1. Duxbury Beach Party:

The Duxbury Beach Party will be on Saturday, September 1, 2018 from 4 PM to 10 PM. There will be a special kid zone and entertainment by The Waves. The bonfire will be lit at about 7:30 PM. Beach Parking rules apply – you must have a sticker in the lot or on the beach. There will also be parking at Duxbury Beach Park, 260 Gurnet Road, free to Duxbury residents with identification. After 7 PM the access road from the bridge to Duxbury Beach Park will be closed to all vehicles, so after that time please access Duxbury Beach Park via Rte. 139.

2. State Primary Election:

Tuesday, September 4, 2018. Polls open from 7am – 8pm located at the Lt. Timothy J. Steele Athletic Building, 130 Saint George Street.

3. Special Town Meeting:

There will be a Special Town Meeting on Thursday, September 6 at 7:00pm at the Performing Arts Center, 73 Alden Street. All Duxbury registered voters are encouraged to attend.

4. Flu Clinic –Open to Duxbury Residents:

There will be a Flu Clinic in the Town Hall (Mural Room) on Monday, September 17, 2018 from 11am to 1pm. Please bring your insurance card. If you have any questions, please contact the Duxbury Board of Health (Ext. 6011).

5. Next Selectmen's Meeting is on: Monday, September 17, 2018.

XI BONUS SHELLFISH SEASON (for September, 2018)

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

- 1) the commercial harvesting of softshell clams for the month of SEPTEMBER, 2018 in accordance with posted Attachments B & C.
- 2) the commercial harvesting of quahog clams for the month of SEPTEMBER, 2018 in accordance with posted Attachments A & C.

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

XII ADJOURNMENT

At approximately 8:25 p.m., 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 documentation kept in Confidential files*
- 3) Documentation regarding Cemetery Department request*
- 4) Special Town Meeting Warrant*
- 5) Handout from Dr. Hebert*
- 6) Documentation regarding financial policies*
- 7) Committee Appointments*
- 8) ODLL request*
- 9) Event Permit request*
- 10) Draft Minutes*
- 11) Announcements*
- 12) Bonus Shellfish*