

Date: October 7, 2019

Date Minutes Approved: October 21, 2019

TOWN CLERK

BOARD OF SELECTMEN

2019 OCT 23 PM 12:22
OPEN SESSION MINUTES
DUXBURY, MASS.

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

Absent: Mr. Madigan, Chair

Staff: Mr. René Read, Town Manager; John Q. Adams, Finance Director (Executive Session only); Nancy O'Connor, Executive Assistant; and Jeannie Horne, HR Director

Others: None

CONVENED IN OPEN SESSION –

I. CALL TO ORDER The meeting was called to order at approximately 6:00 p.m.

II. 6:00 PM – EXECUTIVE SESSION

VOTE TO ENTER EXECUTIVE SESSION

Mr. Dahlen 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 Vice 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. Flynn seconded the motion.

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

ADJOURNED EXECUTIVE SESSION & RE-CONVENED IN OPEN SESSION

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

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

III. OPEN FORUM Nothing brought forward.

IV. NEW BUSINESS

Police Department - Promotional Swearing-In and Introduction of new School Resource Officer

Police Chief Steve McDonald thanked the Selectmen and the Town Manager for allowing them to conduct these promotions and proudly announced the promotional swearing-in of Deputy Chief Michael Carbone, Lieutenant Daniel Brown and Sergeant J. Nickolas Jamali.

Mr. Dahlen moved that the Board of Selectmen approve the renewal of Duxbury Oyster Company LLC, John McCluskey, Manager, of 540 Temple Street, for Aquaculture Lease NAE-2006-1163, 9732-2 for ten (10) years. Seconded by Mr. Flynn Vote: 2:0:0

Close Public Hearing:

Mr. Dahlen moved that the Board of Selectmen close the public hearing. Seconded by Mr. Flynn Vote: 2:0:0

7:02pm Water and Sewer Commissioners: Water & Sewer Commitment FY20 #1

Mr. Dahlen moved that the Board of Selectmen adjourn the meeting as Selectmen in order to meet as the Water & Sewer Commissioners, with the intent of re-convening as Selectmen afterward. Seconded by Mr. Flynn Vote: 3:0:0

Mr. Dahlen moved that the Board of Water & Sewer Commissioners instruct the Treasurer to collect the total of \$990,432.03 for water and sewer usage and the total of \$750.00 for water service charges for the Water and Sewer Commitment #1 of FY20. Seconded by Mr. Flynn Vote: 2:0:0

Mr. Dahlen moved that the Board adjourn their meeting as Water & Sewer Commissioners and re-convene as Selectmen. Seconded by Mr. Flynn 2:0:0

Discussions pertaining to Collective Bargaining regarding Duxbury Police Commanders Association, MCOP Local 376 – presented by Jeannie Horne, HR Director

Ms. Horne informed the Selectmen that they entered into a settlement agreement with the Police Commanders Association, MCOP Local 376 covering a term from July 1, 2019 through June 30, 2022, with a first year wage increase of 2%, second year 2.5% and third year 2.5%. She further stated that the current \$2,000 yearly stipend for being available for calls after regular work hours will be included in the calculation of the overtime rate; that there is an added third step; agency fee language removed (not lawful); added new language that dating, romantic or intimate relations between supervisors and subordinate employees is expressly prohibited; Bachelor's degree incentive shall be 20% and Master's degree incentive shall be 25%; longevity for those who do not receive an educational incentive shall receive 5% (increased from 3%) after 15 years of service; amend sick leave language to reflect lieutenant's average; add Pregnant Workers Fairness Act; and add Domestic Violence Leave Act.

Mr. Dahlen moved that the Board of Selectmen approve and adopt the Settlement Agreement by and between the Town of Duxbury and the Duxbury Police Commander Association, MCOP, Local 376, in accordance with the proposed Agreement. Seconded by Mr. Flynn Vote: 2:0:0

Open ATM/STM Warrants for the March 14, 2020 Annual Town Meeting and Call for Articles

Mr. Dahlen moved that the Board of Selectmen vote to open the March 14, 2020 Annual Town Meeting and Special Town Meeting warrants. Seconded by Mr. Flynn Vote: 2:0:0

Call for Articles

Mr. Dahlen stated that the Board of Selectmen invites citizens to submit articles for the 2020 Annual Town Meeting. Articles must be submitted to the Town Manager's Office by 12:00 Noon on Monday, December 2, 2019. The complete article language and a brief explanation of the article are required. Please contact Nancy O'Connor at 781-934-1100 x 5401 with any questions.

Friday, October 25, 2019

Saturday, October 26, 2019

Friday, November 1, 2019

Saturday, November 2, 2019

Seconded by Mr. Flynn Vote: 2:0:0

VIII MINUTES

Executive Session Minutes

Mr. Dahlen moved that the Board of Selectmen approve the 9/30/19 Executive Session Selectmen's Minutes, as written, with the contents to remain sealed due to medical confidentiality.

Seconded by Mr. Flynn 2:0:0

Open Session Minutes

Mr. Dahlen moved that the Board of Selectmen approve the 8/15/19 and 9/30/19 Selectmen's Minutes, as presented. Seconded by Mr. Flynn Vote: 2:0:0

IX ANNOUNCEMENTS

1. Columbus Day

The Town Hall will be closed on October 14, 2019 in observance of Columbus Day. There will not be a Selectmen's Meeting that evening.

2. Next regularly scheduled Selectmen's meeting will be on Monday, October 21, 2019.

X ADJOURNMENT

At approximately 7:25 pm, Mr. Dahlen moved that the Board adjourn. Seconded by Mr. Flynn
Vote: 2:0:0

Minutes submitted by Nancy O'Connor

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

- 1) *Agenda*
- 2) *Executive Session motion (documents kept in separate confidential folder)*
- 3) *Aquaculture Hearing documentation*
- 4) *Water & Sewer Commissioners agenda and documentation*
- 5) *Committee Resignation*
- 6) *ODLLs*
- 7) *Executive Session minutes (kept in separate confidential folder)*
- 8) *Open Session Minutes*
- 9) *Announcements*