

Date: December 10, 2018

Date Minutes Approved: December 17, 2018

TOWN CLERK

2018 DEC 20 AM 10:49

DUXBURY, MASS.

BOARD OF SELECTMEN MINUTES

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

Absent: (none)

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

Ms. Linda Brodie, Vice Chair of the Duxbury Bay Management Commission, and Mr. JR Kent, a member of DBMC, came to open forum to show the Selectmen and the public the first of three signs to be installed at a few places along Duxbury Bay. Funding for the signs was provided through a CPC article passed a few years ago. Ms. Brodie and Mr. Kent displayed the first of the signs, which will be placed at Howland's Landing. Ms. Brodie explained the sign will be laminated and contains a map of Duxbury Bay, several "ways to the water", and some historical facts about the property. The sign was well received by the Board and the audience, who applauded the work of the Duxbury Bay Management Commission.

III NEW BUSINESS

Joint discussion with the Board of Library Trustees regarding member vacancies

Present for this item of business were the following members of the Board of Library Trustees: Mr. Monty Healy, Chair, and Members: Ms. Karen O'Brien, Ms. Donna Ryan, Ms. Leah Petro, and Ms. Jane Robbins. Library Director Denise Garvin was also present.

Mr. Healy explained that two members of the Board of Library Trustees tendered their resignations: Cristin Mitchell and Donna Ryan (effective later this month). The Board of Trustees is an elected board. The vacancies pose a concern with respect to quorums. Therefore, until new members can be elected in the March Annual Town Election, in accordance with statute for filling vacancies (i.e., M.G.L. Chapter 41 Section 11), the Board of Library Trustees is asking that Hector Rodriguez be appointed as an interim member. He mentioned that they did have a second candidate in mind for the other seat, but due to a conflict that appointment is not being brought forward at this time. In accordance with the statute the vacancy can be filled by a roll call vote of the majority of both the Board of Library Trustees and the Board of Selectmen.

Mr. Madigan moved to appoint Hector Rodriguez for the open seat on the Board of Library Trustees until the next Town election and to have his appointment slip executed by the Chairs of the Board of Library Trustees and the Board of Selectmen. Second by Mr. Dahlen.

ROLL CALL VOTE of BOARD OF SELECTMEN:

Mr. Madigan -aye; Mr. Dahlen –aye; and Mr. Flynn –aye

ROLL CALL VOTE of BOARD OF LIBRARY TRUSTEES:

Mr. Healy –aye; Ms. O'Brien –aye; Ms. Ryan-Aye; Ms. Petro –aye; and Ms. Robbins –aye.

Discussion and review pertaining to Summer Street property – Approval of Deed from Affordable Housing Trust to Conservation Commission

Mr. Madigan moved that the Board of Selectmen approves the acceptance by the Conservation Commission of the deed to property located on Summer Street from the Duxbury Affordable Housing Trust, as approved at the March 10, 2018 Annual Town Meeting under Article 37, and to dedicate said parcel for conservation purposes in perpetuity. Second by Mr. Dahlen.

Before voting Mr. Dahlen spoke briefly about the background of this matter. The parcel on Summer Street was town-owned Conservation land and was turned over to the Duxbury Affordable Housing Trust (DAHT) as a potential development site for affordable housing. When DAHT had some perc testing done, it was learned it was in a high water table area and would require a mounded septic system. In addition, if a house were built it would have to be built on a mound. The other houses in the area are not. Given that the DAHT decided this would not be an appropriate parcel for development and therefore wish to convey the parcel to the Conservation Commission to be maintained as open space.

The Board then voted on the motion. VOTE: 3:0:0.

7:01 p.m. Liquor License Amendment Re: The Anchor – adding patio area

Mr. Flynn said the Board received an application for an alteration of the premises at The Anchor with the request being the addition of a patio section.

Mr. Madigan move that the Board of Selectmen open the advertised public hearing to consider an application for an Alteration of Licensed Premises to allow Wines and Malt Beverages to be served in a patio section containing approximately 80sf with three tables and eight seats for Ancaire289 Inc., d/b/a The Anchor, License No. 04037-RS-0300, Dermot Loftus, Manager, located at 289 Saint George Street, Duxbury, MA. Second by Mr. Dahlen. VOTE: 3:0:0.

Mr. Dermot Loftus, the applicant, identified himself and just re-iterated that he had in fact submitted an application to allow for the serving of alcohol (beer and wine) on a patio.

The Chair asked if anyone in the audience had any questions or comments. No one indicated they wanted to speak.

Mr. Dahlen pointed out that Anchor's hours of liquor service are 11 am to 11 pm. And Mr. Madigan noted that this would be for three tables on the Saint George Street side of the property.

Mr. Madigan moved that the Board of Selectmen, acting as the Local Licensing Authority, approve the application for an Alteration of Licensed Premises to allow Wines and Malt Beverages to be served in a patio section containing approximately 80sf with three tables and eight seats for Ancaire289 Inc.,

d/b/a The Anchor, License No. 04037-RS-0300, Dermot Loftus, Manager, located at 289 Saint George Street, Duxbury, MA, and which application is subject to all the required conditions of the ABCC and all of the Town's provisions. Second by Mr. Dahlen. VOTE: 3:0:0.

Mr. Madigan moved to close the public hearing. Second by Mr. Dahlen. VOTE: 3:0:0.

**Discussion and review of Liquor, CV, and Entertainment license conditions regarding:
*Chestnut Street Grille***

Town Manager René Read opened the discussion by mentioning that a number of concerns regarding the Chestnut Street Grille have been raised, and we asked that the applicant talk with the Duxbury Police Department and the Municipal Services Department.

Ms. Emily Walker, one of the owners of the Chestnut Street Grille, addressed the Board. She began by thanking those who have come out to support the business, and talked about how emotional this has been. She stressed the time and effort she puts into the business. What follows is a summary of her comments regarding some of the issues that have been raised:

- The Gate – She said that there is no regulations on the gate. In conversation with the Town departments they have agreed that when service is being provided on the patio the gate will be closed. However, when the patio is not in use the gate will be left open.
- Smoking (outside in the patio area): She spoke with the Board of Health for clarification of the regulations. They have explained that when tables and chairs are on the patio it is considered part of the restaurant and no smoking is allowed. When there is no service outside and the tables/chairs have been brought in, then it is a public area and people can smoke out there.
- Overcapacity Concerns/complaints: Her license allows for a 12-person seated capacity. She stated that 12 or less is the number of seats she puts out. She added that people are allowed to stand in the area with a drink, and there is no specific general capacity limit. She mentioned that one of the complaints was towards the end of a Wicked Good Cause fundraiser and the additional people standing were not there for too long. So she characterized the overcapacity situation as “misinformation.”
- Parking Lots / Parking Issues: She acknowledged that she can understand the frustration, but with the use of the cones she felt it had gotten better. They are private lots. None of the other landlords around them have issues, and while she does not want to have issues, she was uncertain as to what she could do.
- Complaint about not complying with Conditions: When they were approved for the patio there were conditions and one of the conditions was that the table and chairs had to be brought in by 8 PM. She said there was “one time” the table and chairs were out for a few minutes beyond 8 PM. While acknowledging it was documented with pictures and a Police report, she stressed this happened once and contended that the taking of the pictures posed a greater risk as pedestrians were almost hit.

- Comments that it is “not Family-Friendly”: She strongly disputed this. She spoke about how family-friendly the Chestnut Street Grille is by giving some examples.
- Suggestion of Earlier Closing: The standard license for serving is until 1 AM, and if the Selectmen make her close earlier, then that should be required for all license holders. She spoke about serving those who work later shifts, such as RNs and those who work in other area restaurants.
- Regarding a recent video: She mentioned that was her bartender’s last night and it was busy because patrons came to wish him well. She characterized it as a special situation vs. the norm. Later in the meeting in response to Selectmen Flynn she did said her entertainment license is for non-amplified music. Between sets they do have a juke box and she admitted it was loud.
- Younger (More Rowdy) Crowd Comments – She contended that was not the case.
- Doorman (a/k/a Bouncer) – She said on nights that she expects it might be particularly busy she does hire a Doorman. Included in his duties is to monitor the situation outside and to move patrons along. She plans to continue to hire a Doorman “on busy nights,” but said that it is not financially feasible for the business to hire one for every Friday and Saturday night.
- Installation of a Camera (Live stream vs. recording) – Her second suggestion for improving the outdoor situation was to install a live-stream camera, which would be monitored by the bartender. If people are loitering in the patio area, the bartender can then move them along. Ms. Walker was not willing to install a recording camera, even though the suggestion was made by Mr. Dahlen that a recording camera might be as much for the businesses protection vs. its defense.
- She said that in spite of her attempts she has never spoken “with the complainant.” The implication given was that there is only one party making complaints and that party has been unwilling to discuss the situation. *[Editorial Note: The Selectmen have received complaints from more than one party.]*
- She also mentioned her willingness to meet with Town officials and the difficulty in doing so.

Mr. Scott Lambiase, Director of Municipal Services, was asked to speak to explain some of the regulations. Mr. Lambiase mentioned the following:

- There have been meetings with Ms. Walker on several occasions to discuss the conditions of the license and to clarify the regulations.
- The Gate –There are no regulations regarding the gate. So agreed if nobody is out there to leave the gate open.
- Smoking – He explained that when food is being served on the patio there is NO smoking allowed, but when patio is not available, then it is a public sidewalk and people can smoke there. He feels Ms. Walker does understand the regulation. Municipal Services have agreed to additional spot checks.
- Over-Capacity: Other than the few complaints submitted to the Selectmen he has not been aware of that. This has been discussed with the licensee.
- Noise: The camera, a Doorman and signage should help with moving people along to keep the noise down.

Police Chief Matthew Clancy was asked for his comments about this situation. Chief Clancy spoke briefly mentioning that this is a neighborhood business district more closely abutting a residential neighborhood than some of the other establishments in town. He anticipated that when patios were approved that there might need to be some adjustments. He said he would prefer to hear from some of the individuals who have issues with the Chestnut Street Grille, before making any further comments.

He did said that he has heard from the licensee when issues have been raised and feels she is willing to work towards improvements.

The Board invited anyone who has had issues with the Chestnut Street Grille to come to the microphone.

Ms. Ilona Cabral, a resident of 18 Chestnut ST (above The Cleanist), spoke and mentioned the following:

- To set the record straight she said that there was not just one complainant. There was a group of abutters to the restaurant that decided it might be better to have one spokesperson and that is why the complaints have come mainly from one source.
- Parking Issues – She said that she had spoken with Mike Walker, Emily Walker’s father, early on and exchanged a few texts regarding the parking issue. He said that they would be addressing it, but said that not much has been done and now the patrons are driving over the cones used to reserve her parking spot.
- They have no problems with the family part of the restaurant, and never have. The issues occur later at night (not when families are likely to be there) when people are leaving or outside smoking. The noise is loud; even with her windows closed and TV on it is disturbing.
- Her teenage stepdaughter frequently is visiting, and she gets woken up a midnight or later by the yelling and swearing of those leaving the restaurant.
- They do not want to restaurant to fail, but they do want a solution to what they have experienced, and in her opinion the Walkers have not been proactively dealing with the ongoing situation. She said other than the early conversation with Mike Walker, nobody from the restaurant has approached her to even discuss the issues and she lives and works across the street.
- Asked by the Board what she might suggest, Ms. Cabral mentioned that during a meeting in May Emily Walker said that she would post small tactful, wooden signs in the patio area asking patrons not to park in the private lot. Ms. Cabral said instead there are small (5”x5) paper signs inside asking people to keep the noise down.
- She does not feel the owners have done as much as they could or should.

Ms. Emily Walker responded to some of the former speaker’s comments. As a new restaurant they were concerned to pursue the parking issues for fear of losing patronage. While acknowledging the parking issues are ongoing she characterize them as minor inconveniences. She also pointed out that Ms. Cabral moved in across the street after the restaurant was opened and therefore “she should have known what she was moving into.”

Ms. Siobhan Perenick, 24 Chestnut ST, addressed some of Ms. Walker’s earlier statements and the issues experienced as an abutter to the Chestnut Street Grille. She mentioned the following:

- She was glad the owner finally showed up as this issue has now been talked about several times.
- At no point have the abutters given to the Selectmen any “false information.”
- The Selectmen have received letters, photos and videos, not just from her, but from the other abutters as well. So she made it clear that she did not appreciate the characterizations that she is “the only complainant” and that “she is out to get them.”
- She pointed out that previously there was a restaurant there, i.e. Wildflowers. It was not just a breakfast place, but was also open at night. It had entertainment, but the entertainment was unamplified music. The current restaurant’s entertainment is for unamplified music, but they have (amplified) guitars and speakers.

- The Selectmen have been sent at least 4 videos, starting in the spring of 2017, from the Katz residence, across the street, with windows and doors closed, in which the music feels like it is her living room. So the noise situation was not just a recent situation.
- The few occasions that she or her husband were approached by the Walkers were during their work day. None of the Walkers have ever come to their residence to discuss their concerns.
- Ms. Walker had mentioned living in the neighborhood and not being disturbed. Ms. Perenick said Ms. Walker only moved into the neighborhood in November, and that she is usually at the restaurant when the disturbances have occurred; not trying to sleep.
- She characterized the behavior she has witnessed as people hooting and hollering outside.
- The egress behind the restaurant that goes to another residence and the Crossfit business has been blocked by vehicles so an ambulance could not get through.
- People who have parked in the private spaces of the area residents when ask to move refuse to do so.
- There is not one other restaurant in Duxbury that stays open past 11 pm. Nor is there a restaurant in Duxbury that abuts a residential neighborhood that is this close.
- Regarding the patio there has been more than one occasion that it was overcrowded and/or beyond 8 PM.
- She disputed the version of the story Ms. Walker gave with respect to the photos that were taken and the Police report filed.
- All they are asking is for the owner to follow the rules /conditions of the license and for the Town to enforce the restrictions (conditions). She pointed out that the Police do not do code enforcement, but can't call Mr. Lambiase for code enforcement outside of regular Town Hall hours. So she asked that the Town come up with an enforcement strategy.
- She suggested the Town put a camera on the Duxbury Housing Authority property to monitor the situation.

Ms. Walker spoke to respond to some of the comments:

- She felt it was unfair for her to be singled out for not showing up for the renewal hearing as no other business owners were expected to show up.
- She feels she is being "attacked" and feels the characterization that "she is a girl slinging drinks" is unfair and not the case.
- She would like to fix the situation but is uncertain as to how.
- She felt the discussion back and forth was not productive, and no longer felt it was appropriate to engage in it.

Mr. Wayne Dennison, 324 Standish ST (speaking as a citizen; not in his capacity as ZBA Chair): There are very limited commercial districts in Duxbury and the ability to run a commercial enterprise in a commercial district is appropriate. He drives by the business just about daily and nightly, and has been there on occasion. In his opinion, the Chestnut Street Grille is a well-run and thoughtful enterprise. While he enjoys some of the other Duxbury establishments, he said it is his kids' favorite restaurant. The owners are established residents and business owners in Duxbury, and he feels the restaurant is well run.

Chief Clancy was asked for his recommendations. The Chief said:

- From review of the Police activity the issue is primarily occurring when people are leaving in the later nighttime.
- So the recommendations he and Scott Lambiase have discussed is for better monitoring of the outside (patio area). He supports suggestions for the monitoring with a camera and a bouncer on

busy evenings to see if that will help, and he said that the Duxbury Police Department (DPD) is committed to doing more spot checks of the area.

- The second issue he hears about is the music. He said he has viewed the videos submitted, and he agreed the music is loud.
- For the time being he recommends letting the licensee monitor the patio and if they are not satisfied with the result to revisit modifying the entertainment license. He does not feel reducing the operating hours is warranted at this time.
- He feels that this licensee has been learning from experience and is willing to work with Town authorities and she should be given the opportunity to improve the situation.

Mr. Chuck Perenick, 24 Chestnut ST, said:

- We have done this (monitoring and documenting) the outdoor issues since a meeting in May.
- He characterized the DPD as running a cab service; hauling people home who have been disturbing the neighborhood (i.e., hooting and hollering) in the late evening. *[Editorial note: A response to this and clarification was given later in the meeting.]*
- The people are parking in the private spots of the residents and running over cones set up.
- There are nip bottles littering the area.
- Smoking is happening where smoking is not allowed.
- At the last meeting it seemed as if the Selectmen would be reducing the hours.
- The bouncer and the camera will be owned by the licensee, and without a recording camera, it will be one's word against the other.
- He suggested a police detail be required on Saturday nights.

Eileen Hogan, 212 Powder Point AV, mentioned:

- The night before Thanksgiving is a busy time everywhere in any Town as many kids come home for the holiday.
- In her opinion, the Walkers have created a "Cheers-like atmosphere." It has been needed in Duxbury. The other new restaurants have been a welcome addition to Duxbury. She suggested we need to embrace what is happening in the Town and it is wanted.
- Not sure of all the facts, but she does not feel the Town should start shutting down businesses without giving businesses a fair chance to improve things. However, she did mention that after an evening out, people can speak louder and acknowledged the concerns of the residents in the area. Overall, she feels that the parties should be able to work things out.
- The Walkers have been very supportive of the community.

Ms. Mary Biron, new resident of Duxbury for past few years, mentioned the following:

- She is a frequent patron of the Chestnut Street Grille, and has been made to feel welcome there.
- With respect to comments that it serves a younger crowd, she is a senior citizen and was one of the people there during the late night recently.
- There are often families at the restaurant in the earlier evening, and to her it is a nice atmosphere to see families there. Plus it is a more affordable restaurant in Duxbury.
- The waitresses and bartenders are very professional.
- She is in favor of the Chestnut Street Grille maintaining its alcohol license as is.

Ms. Maddie Clark, family residence is a 62 Lantern Lane, and she mentioned the following:

- She and her three siblings are all in their twenties. None live at home any more, but she frequently comes home to visit family.
- While she enjoys being taken to the other Duxbury establishments by her parents, the Chestnut Street Grille provides her with an affordable restaurant to treat her parents to dinner.
- When she is there later at night, it has been her experience that it is not a “kids’ bar.”

Selectmen Shawn Dahlen spoke and mentioned:

- That he is pro-business. He mentioned his own experience starting a business in Duxbury at a young age.
- He suggested that having a recording camera might be beneficial for both the residents and the business owner as it would actually document what is or isn’t happening versus just having a monitoring camera. As his remarks were directed to Ms. Walker, she responded by indicating she doesn’t want to be defensive and doesn’t believe she should have to install a recording camera. Feels it is her business and her choice.

Selectmen David Madigan feels the main issue is the noise. He suggested perhaps better signage might help encourage when patrons are leaving to respect the neighborhood. Directing a question to Chief Clancy he ask for clarification of the DPD’s involvement in “shuttling” patrons. Selectmen Flynn asked about what nights a bouncer is scheduled.

There was a brief discussion with the Board regarding the signage, the bouncers, and the staffing. Ms. Walker said in her opinion she has adequate signage. Her patronage varies from night to night but typically it is busier on Friday / Saturday nights. She is committed to keep the doors open until at least midnight, but if it is particularly slow she will close after that and before 1 AM. She hires a bouncer, at her discretion, based on what she believes will be a busy night, but not every Fri. / Sat. Her typical staff is 2 servers, 2 bartenders, 4 kitchen staff, and 2 managers. She spoke of her prior restaurant experience from waitress to bartender to interim General Manager at a 350-capacity restaurant in Plymouth.

In response to Mr. Madigan, Chief Clancy indicated that the recent report of DPD transporting anyone was the first he was aware of it. It was his understanding that these were Duxbury kids home for Thanksgiving. Sgt. Weiler was on duty. The kids had arranged for UBERs but there was a delay. The individuals all knew Sgt. Weiler from his days as the School Resource Officer. It was at Sgt. Weiler’s discretion that he felt it was appropriate to help them out and transport them out of the area. Ms. Walker added to the Chief’s comments by suggesting that it was not as some have characterized it, but a kind gesture. She suggested that people giving others rides should be embraced by the community as helping someone out and caring for the safety of others.

Mr. John Clark, 62 Lantern Lane and father of Maddie Clark, provided a further clarification. He said he is a patron of the Chestnut Street Grille; sometimes in the later evening. He said if it appears that someone has had too much to drink, then the staff will sometimes ask if one of the patrons can drive them home. He feels it is the staff taking responsibility to assure their and the public’s safety.

Mr. Madigan moved that the Board of Selectmen do not change the (liquor) license at this time.

Mr. Flynn suggested the motion also memorialize the agreements reached this evening by adding mention of :

- The licensee will continue to hire a bouncer when the licensee feels it is necessary;

- The licensee will put a camera behind the bar to monitor outside the establishment; and
- That as the licensee needs to respect the neighborhood by encouraging patrons to leave the establishment quickly and quietly; and
- With the understanding that the Board of Selectmen will be open to reviewing this in the future.

Before voting, Mr. Dahlen suggested that while Ms. Walker, as the licensee, should not feel like she has to defend herself. He suggested that she try to eliminate the issues /concerns that have been raised, and she protect herself by more diligently monitoring the situation outside so there are fewer complaints.

The following the discussion a revised motion was then made.

Mr. Madigan moved that the Board of Selectmen memorialize the agreements we have by

- Have a camera to monitor the outside; not to record the outside; and
- To have a bouncer on duty on busier nights; and
- To try to do whatever possible to reduce the noise of everybody leaving.

Second by Mr. Dahlen. VOTE: 3:0:0.

Discussion, review and approval of Annual Licenses (Common Victualler, General, Auto)

Coastal Café –Common Victualler Renewal

Mr. Dahlen recused himself. (This establishment is run by a family member of Mr. Dahlen's.)

Mr. Madigan moved that the Board of Selectmen renew the following common victualler license, as presented below* for the year 2019, subject to satisfactory inspection by the Municipal Services Department, receipt of all renewal requirements and payment of all funds/fees owed to the Town of Duxbury. Second by Mr. Flynn. VOTE: 3:0:0.

*Common Victualler: Coastal Café

Other Class Two Auto Licenses, General Licenses, and Common Victualler Licenses:

Mr. Madigan moved that the Board of Selectmen renew the following class II auto, common victualler, and general licenses as presented on the attached list (*shown below*) for the year 2019 (excluding Coastal Café), subject to satisfactory inspection by the Municipal Services Department, receipt of all renewal requirements and payment of all funds/fees owed to the Town of Duxbury.

CLASS TWO AUTO

Bayside Marine Corp.
New Duxbury Auto Sales
Saint George St. Garage
Millbrook Auto Sales

GENERAL

Shinetti's Grill
Surf Dogz

COMMON VICTUALLER

Alden Elementary School

COMMON VICTUALLER (Cont.)

Bay Path at Duxbury
Benchwarmer Sub Shop
Chandler School
Bongi's Turkey Roost, Inc.
Crossroads for Kids, Inc.
Depot Street Market
D'Orazio's
Dunkin Donuts, 5 Chestnut St
Duxbury Deli
Duxbury High School/non profit
Duxbury Middle School/non profit
Duxbury Pizza

Board of Selectmen

Date: December 10, 2018

Page 10

Duxbury Senior Center/non profit
Snug Harbor Fish Company
Farfar's Danish Ice Cream
First Parish Church/non profit
French Memories
The Green Light
Gunther Tooties
Holy Family Church/non profit
Miramar Retreat/ non profit

My Little Bakery
OROPA, LLC
Scoops, The Ice Cream Shop
Uncommon Grounds
The Foodsmith, LLC
Fire & Stone Trattoria and Pizza Bar
Dunkin Donuts, Tremont St
Island Creek Oysters (Park St)

IV TOWN MANAGER'S REPORT

Town Manager René Read mentioned the following items:

1. FY2020 Budget:

- Mr. Read said he provided his (i.e., the Town Manager's) recommendations to the Finance Committee and the Board of Selectmen about a week ago. He handout to the Board a spreadsheet (overview of budget line items) entitled "Town of Duxbury Operating Budget –Fiscal Year 2020" and a spreadsheet (revenue forecast) entitled "Town of Duxbury 5 Year Budget Projections 2020-2024" to provide an overview.
- All but three line items have been approved by the Finance Committee. The three that remain are:
 - Fire Liability and Insurance Costs (line 86) – They were waiting for some additional information.
 - School Salaries & Expenses line –It was felt the School Committee should have the opportunity to vote on this first and then it will be brought to the Finance Committee for a vote. The School Committee should be voting on it at their meeting on December 19th and the Finance Committee will take it up on December 20th with the Superintendent and School Committee invited to attend. There were just some questions about the School's Information Technology line item and the cost of Collective Bargaining. Mr. Read indicated that the School Administration seems to have accepted the level service budget.
- Town Manager Read said he will be making a more formal presentation of the budget to the Selectmen either on December 17th or at a Selectmen's meeting in January. He also mentioned that at that time there may be a discussion of the possibility of a FY'21 operating budget override. The Town has not seen an operating override in 28 years. The more recent overrides were debt exclusions.

2. Canal Street Bridge:

Mr. Read was happy to report that the Canal Street Bridge project is now complete. The Bridge now has an 80-ton weight limit.

3. PCE Water Pipe Replacement:

Town Manager Read said that he, DPW Director Peter Buttkus, and Water Superintendent Peter Mackin met with a group of residents, who had raised the concern. He said initially it was thought that there were 8 remaining locations to be replaced, but it is now believed to be only 5 locations.

He said initially \$100,000 was approved annually for the PCE replacement but that was increased to \$150,000 per year several years ago. He said that the Town is reviewing the dollar figures to see if it is feasible to do the entire remaining project all at once or if it needs to be phased. It will be reviewed at the staff level first and then be brought to both the Finance Committee and the Selectmen as a potential warrant article.

4. FEMA:

With regard to the seawall, Mr. Read said there was a meeting with FEMA this morning in preparation for a meeting with the Coastal Taskforce to be scheduled after January 1st. He mentioned that at the Selectmen's Meeting on Monday, December 17th there will be further discussion of the seawall issue in an Executive Session, and there may be an Open Session follow up to that. He also mentioned that he had send an email to Ms. Alicia Babcock, Chair of the Duxbury Seawall Committee to suggest that the Committee members might want to attend the Finance Committee Meeting on December 19th. At that meeting, Attorney Shirin Everett of KP Law will be there to explain the easement process.

V COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/ RESIGNATION

Finance Committee and Council on Aging Board Resignations

Mr. Flynn announced the following resignations:

- Mr. Larry Friedman from the Finance Committee due to personal and personal reasons. His term is to 06-30-2021. The Moderator is reviewing Talent Bank forms.
- Ms. Susan Kelley from the Council on Aging Board for personal reasons. While serving on the Board Ms. Kelly served as its secretary. Her term was to 06-30-2019.

Alternative Energy Committee –Appointment(s)

Mr. Madigan moved to appoint Mr. Matt Koenig to the Alternative Energy Committee for a term to expire 06-30-2021. Second by Mr. Dahlen. VOTE: 3:0:0.

VI ONE-DAY LIQUOR LICENSE REQUESTS None

VII EVENT PERMITS None

VIII MINUTES

Executive Session Minutes: 11/19/18 – Drafts

Mr. Madigan moved to approve the 11-19-18 Selectmen's Executive Session Minutes (a & b), as presented, with the contents to remain confidential until the need has passed. Second by Mr. Dahlen. VOTE: 3:0:0.

Open Session Minutes: 11/19/18 and 11/26/18 - Drafts

Board of Selectmen

Date: December 10, 2018

Page 12

Mr. Madigan moved that the Board of Selectmen approve the 11-19-18 and the 11-26-18 Selectmen's Minutes, as presented. Second by Mr. Dahlen. VOTE: 3:0:0.

IX ANNOUNCEMENTS

Mr. Madigan made the following announcement:

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

(Unless something time sensitive has to be acted on, the December 17th meeting will be the last scheduled Selectmen's meeting in December due to the holidays.)

X ADJOURNMENT

At approximately 8:25 pm, Mr. Madigan moved that the Board adjourn. Second by Mr. Dahlen. VOTE: 3:0:0.

Minutes prepared by: C. Anne Murray

LIST OF DOCUMENTS FOR 12-10-18 SELECTMEN'S MEETING (DOCUMENTS LOCATED IN THE SELECTMEN'S OFFICE FILES.)

1. *Agenda for 12-10-18 Selectmen's Meeting*
2. *OPEN FORUM: no documents*
3. *NEW BUSINESS:*
 - a. *Joint Discussion with BD of Library Trustees - Vacancies –Coversheet with background explanation and Suggested Motion, Copy of MGL Chap. 41 Sect. 11 –Appointment to fill vacancy in town office, and original posting of 12-10-18 Selectmen's Agenda on 11/26/2018*
 - b. *Summer Street Property –Coversheet with background (2018 ATM Art. 37) and Suggested Motion, and Copy of Quitclaim Deed.*
 - c. *Public Hearing –Alteration of Premises – The Anchor –Coversheet with suggested motions for the Public Hearing, copy of Licensing Authority Certification, copy of Retail Alcohol Beverages License Application, copy of Public Hearing Notice published 11-28-19 in the Duxbury Clipper, copy of Applicant's Statement, copy of Amendment – Change of Premises Information, Copy of Corporate Vote (Ancaire 289, Inc., schematic showing the building and the patio area, copy of drafted license for approval and copy of conditions for said license.*
 - d. *Chestnut Street Grille –discussion pertaining to current liquor license and entertainment licenses due to a number of complaints: Spreadsheet of all on premise licenses, copies of letters of support received and copies of letters in opposition (complaints), and current dispatch log from 11/22/18, and map illustrating Neighborhood Business1 and Neighborhood Business 2 districts in Hall's Corner area.*
 - e. *License Renewals: Suggested motion with list of establishments provided; and 2nd License Renewal just for Coastal Café.*
4. *TOWN MANAGER REPORT: 2 Handouts: Duxbury Operating Budget FY2020 spreadsheet and Duxbury 5-Year Budget Projects (2020-2024)*
5. *EVENT PERMITS: For each of the following events 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. –none.*

Board of Selectmen

Date: December 10, 2018

Page 13

6. *MINUTES: EXECUTIVE SESSION: Suggested Motion and 11-19-18 Executive Session Selectmen's Minutes (a) and (b) –DRAFTS;
OPEN SESSION MINUTES: Suggested Motion and 11-19-18 Selectmen's Minutes-DRAFT and 11-26-19 Selectmen's Minutes -DRAFT.*
7. *SUGGESTED ANNOUNCEMENTS for 12-10-18.*