

Date: December 16, 2019

Date Minutes Approved: January 6, 2020

BOARD OF SELECTMEN MINUTES

TOWN CLERK
2020 JAN -8 AM 9:42
DUXBURY, MASS.
OPEN SESSION

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

Absent: Shawn Dahlen, Clerk.

Staff: René J. Read, Town Manager; John Q. Adams, Finance Director, and C. Anne Murray, Administrative Assistant

I CALL TO ORDER

The meeting was called to order in Open Session at 7:00 PM in the Duxbury Town Hall (Mural RM).

II OPEN FORUM - Nothing was brought forward.

III NEW BUSINESS

7:01 p.m. Public Hearing: 2020 Aquaculture Float Applications (aquaculture float area, DBMS upweller float area, and federal anchorage float area license applications)

Per State requirements, on an annual basis, the Board of Selectmen has to grant a permit for the floats where processing of the aquaculture products is done. The floats are in 3 designated areas: Designated Aquaculture Area, Federal Anchorage, and DBMS Upweller –Aquaculture Float.

Mr. Flynn moved that the Board of Selectmen open the aquaculture float license public hearing advertised in the *Duxbury Clipper* on December 4, 2019 regarding aquaculture float license applications from the aquaculture grant holders named in the notice. Second by Mr. Madigan.
VOTE: 2:0:0.

The Chair recognized Mr. Al Hoban, Chair of the Shellfish Advisory Committee (SAC). Mr. Hoban referred to his Aquaculture Float Applications memorandum dated 12-02-19. The gist was that in accordance with the Shellfish Aquaculture Grant Regulations the SAC held a public hearing on November 20, 2019 to review and discuss the aquaculture float applications. The SAC voted to recommend to the Selectmen that they approve the applications in the three designated areas, pending all Federal, State, and local reviews and approvals.

Chair asked if anyone from the public had any questions or comments. There were no comments from the public.

Mr. Flynn moved that the Board of Selectmen approve the float license applications submitted by the following applicants:

Arthur Bennett, William Bennett, Mark Bouthillier, Brad Doyle, Scott Doyle, Michael George, Stephen Gilbert, Joseph Grady, Christian Horne, Robert Knecht, Benjamin Lloyd, Victoria

Lloyd, John McCluskey, William McCormick, Donald Merry, Gregory Morris, Christopher Phillips, Peter Prime, Charles White, Brian Zec
and, as required by MGL 130 sec 57-68, grant permission to conduct activities as outlined by the Management Plan- (Designated Aquaculture Area, Federal Anchorage, DBMS Upweller–Aquaculture Float) pending all Federal, State, and local reviews and approvals. Second by Mr. Madigan. VOTE: 2:0:0.

Mr. Flynn moved that the Board of Selectmen close the aquaculture float license public hearing advertised in the Duxbury Clipper on December 4, 2019 regarding aquaculture float license applications from the aquaculture grant holders named in the notice. Second by Mr. Madigan. VOTE: 2:0:0.

7:02 p.m. Fee Hearing regarding the following departments:

Tonight's fee hearing was advertised in *the Duxbury Clipper* on November 27 and December 4, 2019.

The proposed fees were reviewed by the Fiscal Advisory Committee at their meetings on December 9, 2019, and they unanimously voted in favor of all fee increases.

Mr. Flynn moved that the Board of Selectmen open the public hearing regarding the proposed fee changes for:

Town Clerk

Planning

DPW/Transfer Station

Second by: Mr. Madigan. Vote: 2:0:0.

The Chair called on the Department Representative to explain the proposed fee changes.

Town Clerk Fees:

Ms. Susan Kelley, Town Clerk, proposed the following fee reductions, increases / new fees, and reductions:

- **Reductions:** There are 5 reductions recommended with the first 4 for compliance with Public Records Law.
 - a. Lists –Voter / Residency List Reduced from \$30. To \$0.
 - b. Lists-Business Certificate List Reduced from \$30 to \$0.
 - c. List – Dog List Reduced from \$30. To \$0.
 - d. Copying Records Reduced from \$5.00 /project to \$.05 /page
 - e. Street List –non-resident price reduce from \$20. to \$10 (same as resident)
- **Increases / New Fees:**
 - a. Late fee for non-licensure /dog New annual fee of \$25. To be assessed on May 1st
 - b. Dog Walking Permits Discussion of this will be later in the meeting.

Chair asked if anyone from the public wished to comment, but no one did.

Mr. Madigan asked for some clarification as to what effect the reductions would have on revenue or about how many are requested a year.

Ms. Kelley said that voter lists rarely get a request, except from candidates and candidates receive them for free; residency lists are requested for Head of Household mailings maybe about 5 per year; Business Certificate Lists are not requested very often; and non-residents purchasing a street list is maybe 5 per year. So minimal revenue loss.

Regarding an increase in the Late Fee for non-licensure of dog(s): Ms. Kelley said it has been past practice to charge \$5.00 to people who have not licensed their dog in a timely manner. She checked with other communities and their late fee for non-licensure of dog(s) ranged from \$10-\$50 so her request is for \$25 late fee for non-licensure per dog to be effective April 1st.

Mr. Flynn moved that the Board of Selectmen approve the recommendations of the Town Clerk, without dealing with the dog walking permits. Second by Mr. Madigan. VOTE: 2:0:0.

[Editorial Note: New Town Clerk fees to be effective January 1, 2020, unless specifically stated otherwise.]

Planning Dept. Fees

Planning Director Valerie Massard was not available. Based on her memorandum, Mr. Read said the Planning Department is requesting a formalization of the fee schedule and to provide consistent fees to town-generated printed GIS maps as follows:

\$0.05 per B&W 8 ½" x 11"
\$0.10 per color 8 ½" x 11"
\$0.10 per B&W 11" x 17"
\$0.25 per color 11" x 17"
\$3.00 per B&W 24" x 36"
\$5.00 per color 24"x 36"

Full-printed copies of the Subdivision Rules and Regulations and Zoning
Bylaws \$20.00.

Note: Both can be accessed online and at the Duxbury Free Library for free.

Full-printed copies of completed Town Plans, or sections thereof –
Comprehensive Plan, Hazard Mitigation Plan, MVP Plan, Housing Production
Plan, Coastal studies, etc. \$20.00

Note: The above plans can be accessed online and at the Duxbury Free Library for free.

Mr. James Lampert, member of the Fiscal Advisory Committee (FAC), mentioned that the FAC did support the proposed fees. He added that Ms. Massard did a lot of work to try to bring the copying fees in line with the State regulations, which aren't always very clear. There was also an attempt to make sure the fees across the board will be the same for each department.

Mr. Flynn moved the Board of Selectmen approve the Planning Department fees, as presented. Second by Mr. Madigan. VOTE: 2:0:0.

Transfer Station Fees:

DPW Director Peter Buttkus explained that the Town had been hit with increases to solid waste disposal costs across the board. He cited the following increases:

CATEGORY	Prior Cost	Increased Cost
Solid Waste		Unbudget \$29 /ton increase
C&D		\$20/ Ton increase
Paper	\$ 0	\$75/ton
Cardboard		\$20/ Ton increase \$45 / ton (not incl. trucking fees)

In an effort to balance the budget the recommendation is to increase the Transfer Station fees effective 01-01-2020 as shown (in the "Recommended Increase To" column) below:

PROPOSED RATE INCREASES (EFFECTIVE 1-1-		
TYPE	CURRENT \$	RECOMMENDED INCREASE TO
SS Disposal - C & D	\$.10 cents per lb or \$200 per ton	\$.30 cents per lb or \$600 per ton
Mattresses and Box Springs	\$30.00 each	\$40.00 each
Tires	\$5.00 reg / \$10.00 lg	\$10.00 all sizes
Large Upholstered Furniture	\$15.00 per item	\$40.00 per item
White Goods	\$10.00 per item	\$20.00 per item
PAYT Bags (Large Blue)	\$1.50 per bag (or \$7.50 per sleeve of 5)	\$2.00 per bag (or \$10.00 per sleeve of 5)
PAYT Bags (Small Blue)	\$1.00 per bag (or \$5.00 per sleeve of 5)	\$1.25 per bag (or \$6.25 per sleeve of 5)
Transfer Station Stickers		
Regular	\$55.00	\$105.00
Sr. Stickers	\$25.00	\$45.00

In the Transfer Station memorandum it was mentioned that The Mall is currently losing 58% revenue. Mr. Flynn asked for some clarification. Mr. Buttkus explained that when people drop off items for The Mall if those items are not taken, then the Town has to dispose of them (in C&D) and must pay the costs of doing so. Mr. Adams added that he looked at the C&D revenue versus the C&D expenses, and that is how the lost revenue for The Mall was calculated.

Single stream recycling started about 13 years ago, and that saved a lot of money. Pay-As-You-Throw (PAYT) went into effect about 12 years ago, and that also saved a lot of money. The reality is, however, that the markets are changing and likely to continue to change because (a) landfills are closing and (b) DEP is not allowing more trash-to-energy plants, like SEMASS, to be built.

Mr. Madigan noted that the sticker fee prior to single-stream recycling was \$125 per year. So we are now having to pay to send trash out versus being paid for recycling.

Mr. Baldwin, 110 High ST, asked what the cost was for items being thrown in the bin? Mr. Buttkus said glass is the most expensive at \$85 / ton. That is because SEMASS will not accept glass. Mr. Baldwin suggested that reduce costs the Town should allow non-residents to take things from The Mall, but not to drop off items.

Mr. Lampert said the FAC questioned if the increased fees would allow The Mall to stay open. Mr. Buttkus thought they would. There were some comments the gist of which were that The Mall is very popular. So the Board would like to keep The Mall open.

To recap Mr. Madigan summarized the transfer station fees as follows:

- The Transfer Station sticker is being increased from \$55 / year to \$105./ year.
- The Senior Transfer Station sticker is being increased from \$25 /year to \$45/year.
- The cost of PAYT bags are being increased by about one-third. It was noted that this would be the first increase in the cost of the bags since the start of the program.

Mr. Flynn moved that the Board of Selectmen approve the DPW Transfer Station Fees, less closing The Mall *(as presented, with the new fees to be effective January 1, 2020)*. Second by Mr. Madigan.

VOTE: 2:0:0

Mr. Flynn moved that the Board of Selectmen recess the public hearing until after the budget presentation. Second by Mr. Madigan. VOTE: 2:0:0.

Town Manager's FY21 Budget Presentation

The Town Manager provided a written narrative along with spreadsheets of the recommended FY21 Operating Budget and an associated 5-Year Revenue Analysis. He read the narrative for the benefit of viewers. Some of the points covered in the narrative were the following:

- The recommended FY21 budget presented this evening is balanced and without a recommendation for an override to do so. He noted that the specific budget lines the Finance Committee and School Committee still needed to vote on and said that depending on those votes, adjustments may be needed.
- Staffing:
 - 2.5 Full-Time Employees (FTE's) are being reduced in this budget.
 - One vacancy in DPW administration is not being filled;
 - One Full-Time position in Assessing will be reduced to Part-time.
 - 1 new FT position, Chief Information Officer, to lead a town-wide ID department.
 - Not funded again: Requests for 3 new firefighters and 3 new police officers plus a number of general expense increases.
- Natural Resource Officer (NRO): This position's salary (not the benefits) were reimbursed by the Duxbury Beach Association. For FY21 and going forward, the NRO position will be handled as a Duxbury Beach Reservation, Inc. (DBR) employee.
- Biggest Budget Busters:
 - Transfer Station Costs: This is due in part to the China Sword Policy, which impacts what would be accepted for recycling. In addition, The Commonwealth of

Massachusetts is mandating the capping landfills and not allowing the opening of additional plants. The result is increased disposal costs and trucking costs for disposal of waste. This has necessitated increasing transfer station fees by \$400,000 to balance the Transfer Station budget.

- Pension Costs: Ply. County Retirement Board is using new mortality tables and seeking to reduce its discount rate resulting in a 13% increase to the Town of Duxbury. Double-digit increases are anticipated in the future.
- Taxation:
 - Taxation revenue provides over 79% of the revenue required to balance the budget.
 - New growth (i.e., additional revenue derived from new construction or improvements to existing property) for FY20 was estimated at \$1,380,165 and for FY21 estimated as \$1,428,078. The amount of new growth has been declining since it peaked in 2007.
- State Aid: Makes up 8% of the revenue. State funding continues to remain fairly flat. State Aid increases have been mostly offset by State assessments to the Town for a 5-year net State Aid average of 2.3%.
- Local Receipts: Local Receipts account for 11.6% of the revenue. For budgeting purposes the local receipts estimate is based on 89.5% of the 2019 actual local receipts figure plus the estimated increase in the Transfer Station fees of \$400,000 effective January 1, 2020.
- Expenditures:
 - FY21 Budget totals \$81,697,801.
 - FY21 Water Enterprise Fund Budget totals \$2,598,268. Combined total of \$84,296,069.
 - The School's operating budget increase is only 2.47% compared to the Town's operating budget increase of 4.51%. Two factors explain the disparity: (1) the escalation in transfer station costs and fees and (2) the new Town-wide Chief Information Officer for a shared IT Dept. that is shown on the Town-side budget.
- SUMMARY: The budget is as close to a level-services budget as we can fund with ongoing, renewable revenues.
- CAPITAL IMPROVEMENT PROGRAM: This year's capital requests total \$2,843,324 or \$2,544,163 General Fund requests and \$296,161 Water Fund requests. Included in the Capital Budget Requests from the General Fund are \$822,400 to complete the Chandler School HVAC modernization and \$380,620 to convert our Public Safety radio communications to digital. Borrowing will be recommended for these two capital requests as the dollar amounts are larger than the Free Cash available in the annual capital plan. The Fiscal Advisory Committee (FAC) is reviewing the capital requests. While the value of all the requests are recognized, it is unfeasible to fund all of them.
- Water Enterprise Fund: The operating budget for FY21 is \$2,053,774 or approximately 2.98% higher than FY20. The Debt Service budget will decrease 8.12% from FY20. The PCE pipe replacement project contracts have been signed. This will slightly increase debt as long-term borrowing will be required upon its completion in FY21, which means the first debt payment will probably not hit the Water Dept. budget until FY22. This year in addition to the usual water main replacements the Water Department requested 2 vehicle replacements.
- Setting the Stage for FY21: While the Town has been able to provide services at the levels expected it is becoming an ever-growing challenge. Duxbury's Public Safety Departments (Fire, Police and DPW) have been stretched for some time. The School Department is also facing tough challenges, but we believe that we will be able to meet our needs at the most basic level. Conversations concerning the need for an override will certainly continue into next year.

Mr. Flynn publically acknowledged and thanked the Town Manager, Dept. Heads and the School Dept. for their efforts to develop this budget.

Superintendent of Schools John Antonucci mentioned the schools felt it was important to meet the budget guidelines provided this year. He added, however, that this is not a budget to be celebrated as we can survive this year, but it is not sustainable.

Mr. Madigan pointed out the good news was that an override would not be requested this year. In future years there will be a decrease in the debt limit, so voters may be asked to "kick money back in" to help grow the Town and the Schools.

Ms. Julia Adams from the School Committee raised some questions regarding the process and the strategic planning. She said her understanding is that departments were to develop 2 budgets: (1) to meet the 2.25% estimated growth in municipal revenue and (2) a budget to include strategic priorities for each department. She noted that the School Department had done that but she hadn't heard much about the Town's secondary budget. Mr. Madigan responded that was what the Town Manager had referred to when mentioning that the Fire and Police Departments had requested additional staff, but those requests could not be fulfilled. The third main area was whether to increase fees for the Transfer Station or whether we somehow try to pick up the additional costs. So just as the School Dept. had things that they felt were needed but could not be funded; likewise these and other Town requests could not be funded.

Ms. Adams said her concern is that we will be in the same position next year. Mr. Madigan said that next year (1) we will not have the funds available from Free Cash that were available this year to supplement the operating budget and (2) that debt outside the 2.5 % limit will be dropping off. Mr. Adams added that it is likely the budget process will be similar next year. He also explained that on the Town side there were some personnel turnovers in the smaller departments so those were handled by the Finance Committee liaisons and the Dept. Heads and not publicized. The larger staffing issues in the Public Safety and DPW Depts. were publicized.

Ms. Adams also questioned the strategic planning done by the Town. Finance Director Adams said that with the debt service dropping off then the Town will look at potentially 2 budget scenarios with those debt savings in mind. Mr. Read added that on the Town side there are discussions with the Dept. Heads of priorities in developing the budget. For example, if the Fire Chief has a concern with run times, then that is certainly evaluated to determine how to fund it.

Ms. Adams suggested that there be more of an open forum discussion for all the departments to understand the strategic planning of both the Town and the School Administration for a better understanding. She acknowledged that the 5-year forecast provided by the Finance Director was very helpful.

Town Manager Read noted that there is strategic planning in the Capital Budget, esp. with the Facilities' Plan. Ms. Adams agreed that on the Capital side the strategic planning is there. She feels it strategic planning should be extended to the operating budget.

Shelia Lynch-Benttinen, West ST, asked whether the Town has a plan for storm management. Mr. Read said the stabilization fund is the Town's "raining day" fund. Beyond that Planning Director

Valerie Massard is spearheading that effort, in conjunction with the Town Manager, DPW Director, Municipal Services Director, the Conservation Administrator and others as needed. She is exploring grants and the needs of the community in dealing with those longer-term climate change issues.

7:05 p.m. Continued Fee Hearing regarding Dog Walking Permits

Mr. Flynn moved to continue the fee hearing regarding the Dog Walking Permits. Second by Mr. Madigan. VOTE: 2:0:0.

Present for this item of business were Town Clerk Susan Kelley, Conservation Administrator Joe Grady, and Animal Control Officer Eddy Ramos.

Mr. Read read his "Dog Walking Permits" memorandum to the Board dated December 13, 2019. Some of the highlighted points:

- Currently there are 1,811 licensed dogs and 1,360 unlicensed dogs in Duxbury (based on vaccination information the Town receives). Mr. Read stressed "It is the law to license your dog."
- Late fees for dog licenses currently are \$5 with the increased being proposed to \$25. The increase was approved by the Fiscal Advisory Committee. The penalty for not licensing a dog is \$50.
- Based on discussions with staff the recommendation was to expand the Dog Walking Permit, which had been limited to Duxbury Beach, to all Town-owned and Conservation lands. With a proposed fee increase of \$10 for residents (no charge for age 70 or older) and \$25 for non-residents. The purpose of the fee increase is to help defray the \$32,000 cost of the Mutt Mitt bags and disposal costs. Signup for the program will be online, over-the-counter at the Town Clerk's Dept. or via mail to provide as many options as possible.
- In conjunction with the expanded program appropriate signage would be added to the Conservation / Town-owned properties.

Town Clerk Susan Kelley mentioned the following:

- Draft Dog Walking Permit Rules & Regulations. The Selectmen's packets included a Draft of the Dog Walking Permit Rules and Regulations dated 12-13-19. Since Friday there were some minor grammatical, formatting, and reference changes which do not affect the spirit of the document. The current draft is dated 12-16-19.

Regarding discussion points from the last meeting, she addressed the following:

- Displaying the Dog Walking Permit: The requirement that the dog owner /walker had to wear a permit has been removed. Only the dog will be required to wear the Dog Walking Permit.
- Visiting Dogs Late in the Day: Concern was with someone who shows up late in the day to visit without the ability to go to Town Hall for a permit. The individual can pay online. A receipt is sent to their email. As long as they can show proof of payment (perhaps on their cellphone) and that the dog is licensed they will be in compliance.
- Maps of Town-Owned and Conservation Properties: There are over 300 Town-owned /Conservation properties. She can provide a link to the Conservation properties map. She plans to add a list of the properties which require dog walking permits on the Town website under the link for Dog Walking Permits, which will list about 13 properties which are where the major walking trails are.

- Enforcement for non-licensed dogs: Since November the Town purchased a license-tracking program. It allows tracking of expired licenses, of expired rabies certificates, of late fees and of non-criminal fines. She feels that we should start fresh and grant amnesty for the past, but going forward assess late fees and the non-licensure fee. New residents who just moved to Duxbury would not be charged a late fee. As of April 1st notification of the late fee would be sent to those who have vaccinated but not licensed their dog(s). As of May 1st a non-criminal citation (non-licensure notice with fine notification) would be mailed. If unpaid after 21 days, a list of names could be sent to the Plymouth County District Court, which could result in an arrest warrant. Hopefully, we won't need to go that far.

Mr. Jim Lampert, FAC member, suggested that the Board needs to look at 2 aspects: (1) what fee do you set? and (2) what dog walking rules and regulations do you set? He questioned whether the Board should set the differential fees between resident and non-resident for the dog walking permit. His concern was adding a greater non-resident fee might impact the number of beach stickers purchased. Regarding the Rules and Regulations, he previously had concerns, but having worked with the staff he is satisfied with the end result.

In response to the beach sticker concern, Mr. Read suggested that the beach stickers' sales will be effected by the endangered species and the individuals' past experiences. He noted that after this past summer's beach closures, the budget has been adjusted to take a reduction in beach sticker sales into consideration.

Ms. Susan Curtis, High ST, pointed out that almost 40% of the dog owners in Duxbury are not licensing their dogs, and it is a Massachusetts law. By her estimate, that would be about \$22,000 in dog licensure revenue. She also suggested that many of those dogs are the ones running free, not being picked up after, and ending up in the Animal Shelter. So basically the people who follow the rules get penalized for those who do not. She advocated for only having one dog permit by increasing the licensing fee by \$3 and that plus with licensure of unlicensed dogs should cover the revenue needed. She also feels that there is no way that one Animal Control Officer can enforce all the areas, esp. for the non-residents using the Duxbury areas. She pointed out in Hingham there dog walking areas have one way in and one way out. Duxbury's areas do not have that layout.

In response, Mr. Read pointed out that to raise the fees for dog licensure would require Town Meeting action, and there is not an article to do so. After discussion with the staff, it was agreed to proceed with the program outlined tonight focusing on capturing more of the unlicensed dogs.

Ms. Shelia Lynch-Benttinen, West ST, while complimenting ACO Eddy Ramos suggested that one person can't possibly enforce all the added areas. She questioned whether Police Officers could also enforce the dog walking rules. In response, Ms. Kelley said the way the bylaw is written currently the Animal Control Officer (ACO) is the primary enforcement person. However the bylaw also provides, that as appointed by the Town Manager the following are also enforcement officers for the dog rules and regulations: the Health Agent, the Conservation Administrator, the Harbormaster, the Asst. Harbormaster, the Coastal Natural Resource Dept. Personnel and Duxbury Police Officers. As a follow-up, Ms. Lynch-Benttinen suggested a letter be sent to personnel reminding them of their responsibility. Mr. Read said that the personnel are well aware of this responsibility.

ACO Eddy Ramos mentioned that several towns that have started similar programs. The general trend has been to increase the dog licensure because if individuals don't they will get a fine mailed to them. It will take about a year to know the results, but greater compliance is expected.

Ms. Karen Barry, FAC member, mentioned that with the new program there is much more sharing of the information regarding the rabies certificates and whether a dog is licensed. She does feel that increasing the licensing fee with the late fees and non-licensure fine should come close to covering the costs. She understands the need for Town Meeting action, but would like increasing the dog license fee to be re-visited next year. Hopefully just having the conversation and through some social media posting there will be greater awareness in the community of the dog licensure requirement.

Mr. Flynn moved that the Board of Selectmen approve the Dog Walking Permit fees in the amount of \$10 for residents, no charge for seniors 70 years of age or older, and \$25 for non-residents and a \$25 late (dog licensure) fee with the new fees to be effective January 1, 2020. Second by Mr. Madigan. VOTE: 2:0:0.

Mr. Flynn moved that the Board of Selectmen close the public hearing. Second by Mr. Madigan. VOTE: 2:0:0.

The Town Clerk mentioned the dog walking tags have been ordered and should be received by next Wednesday. She added that she was open to revisiting the fees next year.

Mr. Madigan moved that the Board of Selectmen to accept the Dog Walking Permit Rules & Regulations per the draft of 12-16-19. Second by Mr. Flynn. VOTE: 2:0:0.

Discussion regarding declaration of surplus property

The Board was asked to declare as surplus in order to dispose of, sell or donate: 1400 yards of compost, with a value of approximately \$20,000.00 to be disposed of in accordance with MGL Chap. 30b and the Town of Duxbury Rules and Regulations.

Mr. Flynn moved to declare as surplus 1400 yards of compost as presented and describe in an email dated December 5, 2019 from Scott Lambiase, Director of Municipal Services, in order to allow this item to be disposed of, sold or donated, all in accordance with M.G.L. c.30b and the Town's rules and regulations. Second by Mr. Madigan. VOTE: 2:0:0.

IV TOWN MANAGER'S REPORT

Town Manager René Read mentioned the following:

The Purchase and Sale Agreement (P&S) for 761 Temple ST (the "Harrington property") was received today. Under Chap 61A the Town has a 120-day right of first refusal regarding the purchase of the property or assigning its right of first refusal to another organization / individual. This property has two pieces for consideration by the Town: one priced at \$750,000 and the other priced at \$1.5 million. The Chap. 61A pieces are one piece that is the 3 lots on the corner and the other that is the pasture land. The remaining two pieces have to do with non-Chap. 61A property and are the lot with the house on it and the wetlands area. The buyer's plans for the properties is not known, but it is the same buyer as the

previous P&S. Mr. Read mentioned that typically the Town would only be considering whether it made financial sense for the Town to purchase the property; not what another buyer's intention might be. The deadline for the Town's decision would be April 14, 2020, but we would want the Board to act on it before that because if there is to be a purchase it would require Town Meeting authorization. If necessary, it is hoped that could be accomplished at the scheduled March 2020 Annual Town Meeting, instead of requiring the scheduling of another Special Town Meeting.

The Town had also received a P&S regarding the East ST ("Loring property"), which was mentioned at a recent Selectmen's meeting. The price of the East ST property was \$785,000. This Chap. 61A would require a Town Meeting action prior to the scheduled March 2020 Annual Town Meeting. That is why a hearing is needed and then a determination can be made regarding the need for a Special Town Meeting in February, 2020 regarding the East ST property.

Mr. Read forwarded the P&S Agreements for both properties to Town Counsel for review. He said we are going to try to see if we can get a hearing set for either January 6th or 13th regarding both of the properties.

The bottom line is if there is an entity or an individual interested in purchasing the property they are encouraged to get in touch with the Town Manager's Office as soon as possible.

V COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/ RESIGNATION

Board of Registrars – Appointments

Mr. Flynn moved to appoint Ms. Nancy C. Melia as the Democratic Representative to the Board of Registrars for a term to expire April 1, 2021 and Mr. Jeffrey L. Schofield as the Republican Representative for a term to expire April 1, 2020. Second by Mr. Madigan. VOTE: 2:0:0.

Mr. Flynn noted that recommendations to fill the open Democratic and Republican representative seats were passed along by the Town Clerk. The Town Clerk noted that Mr. Schofield has indicated his willingness to be re-appointed when his initial term ends. It was also indicated that Ms. Linda Salvati, Assistant Town Clerk, was named as an Assistant Registrar until such time as representatives from both parties were named. So with the above appointments Ms. Salvati's appointment to the Registrars of Voters will end.

Council on Aging Board and Associates - Appointments

Mr. Flynn moved to reappoint Ms. Cheryl Ross, Ms. Patti Ryan and Ms. CeCe Frame as members of the Council on Aging all to terms to expire 06-30-2022 (T2) and appoint Ms. Kathy Capraro as a member for a term to expire 6-30-2022 (T1). Second by Mr. Madigan. VOTE: 2:0:0.

Mr. Flynn mentioned with the above appointments the COA Board –Members- are fully staffed.

Council on Aging ALTERNATES -Appointments

Mr. Flynn moved to appoint Ms. Leslie McCarthy, Ms. Regan Roderigues, Mr. Dwight Shepard and Mr. Frederick Von Barga as Council on Aging Alternates. All for terms due to expire on 6-30-2021 (T1). Second by Mr. Madigan. VOTE: 2:0:0.

With the above-reference appointments the COA –Alternates are fully staffed.

VI ONE-DAY LIQUOR LICENSE REQUESTS -none

VII EVENT PERMITS -none

VIII MINUTES

Executive Session Minutes: none

Open Session Minutes: 12/02/19 – Draft

Mr. Flynn moved that the Board of Selectmen approve the 12-02-19 Selectmen's Minutes, as presented. Second by Mr. Madigan. VOTE: 2:0:0.

IX ANNOUNCEMENTS

Mr. Flynn made the following announcements:

1) Holiday Town Hall Closures:

The Town Hall will be closing at 12 Noon on Tuesday, December 24 and will be closed all day on December 25. It will also be closing at 4 pm on Tuesday, December 31 and will be closed all day on Wednesday, January 1.

Check the Town website for other holiday closures of the Senior Center, Duxbury Free Library, Percy Walker Pool and the Transfer Station.

2) Next Scheduled Selectmen's Meeting will be on Monday, January 6, 2020.

X BONUS SHELLFISH SEASON (for January, 2020)

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

- 1) for the commercial harvesting of **soft-shelled clams** for the month of **January, 2020** in accordance with posted Attachments B & C; and
- 2) for the commercial harvesting of **quahog clams** for the month of **January, 2020** in accordance with posted Attachments A & C; and
- 3) for the recreational harvesting of **soft-shelled clams** for the month of **January, 2020** in accordance with posted Attachment D.

Second by Mr. Madigan. VOTE: 2:0:0.

XI ADJOURNMENT

At approximately 8:30 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 12-16-19 SELECTMEN'S MEETING:

1. *Agenda for 12-16-19 Selectmen's Meeting*
2. *OPEN FORUM: none*
3. *NEW BUSINESS:*
 - a) *Aquaculture Float Hearing documents*
 - b) *Fee Hearings: Town Clerk Fees, Planning Dept. Fees, and DPW Transfer Station Fees memoranda*
 - c) *Town Manager FY21 Budget Presentation: Written narrative, FY21 Operating Budget Spreadsheet, and 5-Year Budget Projections Spreadsheet.*
 - d) *Dog Walking Permit –Draft: Dog Walking Permit Rules & Regs. Brochure 12-13-19 draft; and Town Manager "Dog Walking Permits" memorandum added 12-13-19.*
 - e) *Declaration of Surplus; 1400 yds. of compost*
4. *TOWN MANAGER REPORT: no documents.*
5. *COMMITTEE APPOINTMENTS/REAPPOINTMENTS – sheet dated 12-16-19*
6. *ONE-DAY LIQUOR LICENSES: none*
7. *EVENT PERMITS: none*
8. *MINUTES: EXECUTIVE SESSION: none;*
OPEN SESSION MINUTES: 12-02-19 -Draft
9. *SUGGESTED ANNOUNCEMENTS for 12-16-19*
10. *BONUS SHELLFISH SEASON for January, 2020 -paperwork*

