

Date: July 19, 2021

Date Minutes Approved: 08/23/2021

TOWN CLERK

2021 AUG 24 PM 2:56

BOARD OF SELECTMEN

OPEN SESSION MINUTES
DUXBURY, MASS.

Present: Amy M. MacNab, Chair; Fernando Guitart, Vice Chair; Cynthia Ladd Fiorini, Clerk; Theodore J. Flynn; and Michael McGee

Absent: None

Staff: René Read, Town Manager; John Q. Adams, Finance Director; and Susan Kelley, Town Clerk

Others: Dr. Danielle Klingaman,, Interim Superintendent; Ms. Jennifer Cotton-Herman, DHS Assistant Principal; Mr. Bill Hewig, Esq., KP Law and Ms. Shirin Everett, KP Law.

CONVENED IN OPEN SESSION (*via remote participation of the Board members and staff*)

I. CALL TO ORDER This meeting was called to order at approximately 7:00 pm.
This Open Meeting is being conducted remotely consistent with Governor Baker's Executive Order of Chapter 20 of the Acts of 2021 dated June 16, 2021, An Act Relative to Extending Certain Covid-19 Measures Adopted During the State of Emergency regarding suspending certain provisions of the Open Meeting Law, G.L. c. 30A, §18, the Town of Duxbury's Board and/or Committee meetings will be conducted via remote participation to the greatest extent possible with members. For this meeting, members of the public who wish to watch the meeting may do so by joining the Zoom Webinar as noted on the agenda or by viewing the Duxbury Government Access Channels – Verizon 39 or Comcast 15. Viewers can visit www.pactv.org/duxbury for information about Duxbury programming including streaming on Duxbury YouTube, to watch replays and Video on Demand.

II PLEDGE OF ALLIGIANCE

III OPEN FORUM PUBLIC COMMENTS: No official "open forum" as these are remote meetings. No public comments via phone calls or emails were received during this meeting.

IV NEW BUSINESS

Discussion regarding Duxbury High "Portrait of a Graduate." The presentation was given by Dr. Danielle Klingaman, Interim Superintendent, and Ms. Jennifer Cotton-Herman, DHS Assistant Principal. The presentation explained the purpose and the process they took to develop the scope of work and sequence that incorporates the Portrait across all grade levels. Dr. Klingaman explained how it helped to identify the skills and attributes that Duxbury students should possess and embody as they graduate from their schools. Mr. Guitart inquired about how it was being used and Ms. Cotton-Herman explained how it starts from a very young age and is developed and improved upon as each child grows and learns at each grade level. Ms. MacNab wished them much success and the schools' success in developing this program of learning. Mr. Flynn also thanked them for including the Board of Selectmen in their presentation. Ms. MacNab asked if there was anything they could do to help and Dr. Klingaman responded, sharing the presentation with everyone so that they can become familiar with the program they are developing would be wonderful.

Ms. MacNab thanked them again and moved onto the next topic of discussion.

Discussion regarding Comcast cable renewal, presented by William Hewig, Esq.

Ms. Ladd Fiorini read the background on the Comcast cable renewal: A public hearing was held on Nov. 4, 2020 before the Selectmen along with all relevant parties (Selectmen, PACTV, School representatives, and Attorney William Hewig from KP Law). Negotiations of this license have been finalized and fully vetted by Attorney Hewig. He now recommends the Board's acceptance.

Ms. Ladd Fiorini questioned if this contract was only with Comcast, whereas, Mr. Read explained that this is a 10year contract that has been worked by counsel and is profitable. More discussion followed and it was agreed that contract was good to proceed.

Ms Ladd Fiorinin moved that the Board of Selectmen accepts and grants to Comcast Cable Communications Management, LLC, a Cable Television Renewal License pursuant to the Massachusetts Cable Law (M.G.L. c. 166A) and commencing August 1, 2021 for a term of ten (10) years, as presented.

Seconded by Mr. Flynn Roll Call Vote: Ms. MacNab-Aye; Mr. Flynn-Aye; Ms. Ladd Fiorini-Aye; Mr. McGee-Aye; and Mr. Guitart-Aye.

Discussion and review pertaining to a Local Initiative Program Regulatory Agreement for the Plover Hill project located on Lincoln Street between the Town of Duxbury, Duxbury Lincoln, LLC and the Department of Housing and Community Development:

Town Counsel has thoroughly reviewed the Regulatory Agreement, which now requires Board of Selectmen approval.

Kayla MacLeod from Sullivan & Comerford has provided written detail regarding the project. After further discussion it was agreed to sign off on the Agreement. Ms. Everett, attorney for KP Law was able to address the questions about how much actual low income housing Duxbury was going to build and Mr. Dacey from Champion builders was also able to answer questions regarding open space.

Ms. Ladd Fiorini moved that the Board of Selectmen approve the Local Initiative Program Regulation Agreement and Declaration of Restrictive Covenants for Ownership Project for the Plover Hill project located on Lincoln Street, and authorize the Board of Selectmen Chair to execute, as presented.

Seconded by Mr. Flynn Roll Call Vote: Ms. MacNab-Aye; Mr. Flynn-Aye; Ms. Ladd Fiorini-Aye; Mr. McGee-Aye; and Mr. Guitart-Aye.

Discussion pertaining to response letter to Mass Housing regarding Keene's Mill Village (continued from previous meeting)

The Selectmen were granted a 30day extension to respond to Mass Housing regarding Keene's Mill Village. After much discussion it was agreed to amend the letter and remove several paragraphs that did not suit the cause. Ms. Ladd Fiorini suggested several changes that would make the letter more effective and strongly suggestive of their decision not to support the project at hand. After much discussion it was agreed that the letter would be sent with the corrections made, as presented.

Ms. Ladd Fiorini moved that the Board of Selectmen support this site for the development of the proposed Keene's Mill Village 40B project located at 0 North Street, as presented.

Seconded by Mr. Flynn Roll Call: Ms. MacNab-Nay; Mr. Guitart-Nay; Ms. Ladd Fiorini-Nay; Mr. McGee-Nay; and Mr. Flynn-Nay.

Ms. Ladd Fiorini moved that the Board of Selectmen provide in writing their comments to MassHousing as amended regarding the proposed Keene's Mill Village 40B project located at 0 North Street.

Seconded by Mr. Flynn Roll Call: Ms. MacNab-Aye; Mr. Guitart-Aye; Ms. Ladd Fiorini-Aye; Mr. McGee-Nay; and Mr. Flynn-Nay.

Further discussion was had on the tone of the letter and several residents commented on the tone being adequate for the situation.

Discussion pertaining to In-Person meetings

Mr. Read began the discussion by stating that he had spoken with PACTV who are ready to go Live. Staffed is being trained to facilitate having Hybrid meetings. The Board of Selectmen schedule is as such:

July26-Meeting

August 2-Meeting

August23-Joint Meeting with Finance Committee, Fiscal Advisory Committee and School Committee

August 30-Meeting, In-Person, Tentatively.

Ms. MacNab asked how are we incorporating others? Still a work in progress and staff will be training for it next week. Ms. Ladd Fiorini would like to remain in Zoom/Webinar status. Feels that numbers are rising again. Mr. Read agreed that we will be following CDC rules.

VI TOWN MANAGER'S REPORT

Town Manager's Report

July 19, 2021

Facilities Director Update

Last week I was advised that our Facilities Director, Brian Cherry, has been offered and has accepted a new position at the Massachusetts Maritime Academy.

Brian will be here through the end of July and will start at MMA sometime in August.

Brian has been a tremendous asset to the Town during his tenure - he was the first employee I ever hired here and he went on to essentially create a department that was previously non-existent and then brought it to the highest levels of the industry standard.

Thankfully, Brian will be available to work through the transition process as needed.

He will be sorely missed and I sincerely wish him all the best in his future endeavors.

Duxbury Beach

Information provided to our office by Bradford Bower, Program Coordinator for Duxbury Beach Reservation, Coastal Ecology Program:

Piping Plover Activity

- PIPL Pairs: ~27
- Nests: 0
- PIPL Broods: 13
- Fledged Broods: 9

Status

- Crossovers remain closed
- There have been no changes to the Restricted Area over the last week
- Nighttime driving (after 8 p.m.) will remain closed for the foreseeable future

We no longer have any active PIPL nests. There are still several broods active on the beach, ranging from the North Poles to the Gurnet Guardhouse with the majority of the activity falling within the Off-Road Vehicle corridor. Many of the active broods are still a few weeks away from reaching fledging age. Since these are wild animals, we hope that at least one crossover may be open by mid-August. If circumstances allow for re-opening sooner, we will be sure to notify the public.

We remind motorists that speeding and passing along the back road are prohibited and caution should be exercised while driving.

Please note that access to the Off-Road Vehicle corridor could change on a daily basis. We will provide updated information if any sudden changes occur which can be found on the following social media outlets on a daily basis:

Twitter: @BeachDuxbury

Instagram: Duxbury_beach_ops

Please note that neither the Twitter or the Instagram is monitored 24/7 and is for outbound informational purposes only.

Rene' J. Read

Town Manager

VII COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS

Ms. Ladd Fiorini moved that the Board of Selectmen appoint or re-appoint for the following:

<u>Board / Committee</u>	<u>Appointment/Re-appointment/Resignation</u>	<u>Term</u>
<u>Audit Committee</u>		
Shannon Godden	FY22 Appointment	06-30-2022
<u>Board of Health</u>		
David Brumley	FY22 Re-Appointment	06-30-2024
Karen Tepper	FY22 Re-Appointment	06-30-2024
<u>Duxbury Seawall Committee</u>		
Tim Spellman	Resignation	

Seconded by Mr. Flynn Roll Call Vote: Ms. MacNab-Aye; Mr. Flynn-Aye; Ms. Ladd Fiorini-Aye; Mr. McGee-Aye; and Mr. Guitart-Aye.

The following boards/committees have available seats:

<i>Alternative Energy Committee</i>	-	<i>one seat</i>
<i>Design Review Board</i>	-	<i>one Alternate seat</i>
<i>Duxbury Bay Mgmt Commission</i>	-	<i>two seats</i>
<i>Duxbury Seawall Committee</i>	-	<i>one seat</i>
<i>Finance Committee</i>	-	<i>two seats</i>
<i>Historical Commission</i>	-	<i>one seats</i>
<i>Municipal Commission on Disability</i>	-	<i>one seat</i>
<i>Sidewalk & Bike Path Committee</i>	-	<i>one seat</i>

Comments:

If anyone is interested in volunteering on a board or committee, you are encouraged to fill out a Talent Bank form, which can be found on the Town's website under the Forms & Documents tab.

VIII ONE-DAY LIQUOR LICENSE REQUESTS

Ms. Ladd Fiorini moved that Ms. Marie Van Slyck, as a representative of **Duxbury Food and Wine Festival**, is granted a One-Day Wine & Malt License for the "**Festival Grand Tasting**" event on Saturday, August 28, 2021 located at Miramar Retreat Center, from 3:00pm to 6:00pm, contingent upon the conditions of the license.

Seconded by Mr. Flynn Roll Call Vote: Ms. MacNab-Aye; Mr. Flynn-Aye; Ms. Ladd Fiorini-Aye; Mr. McGee-Aye; and Mr. Guitart-Aye.

IX EVENT PERMITS None

X MINUTES

Ms Ladd Fiorini moved to accept the meeting minutes from July 12, 2021 as written.

Seconded by Mr. Flynn Roll Call Vote: Ms. MacNab-Aye; Mr. Flynn-Aye; Ms. Ladd Fiorini-Aye; Mr. McGee-Aye; and Mr. Guitart-Aye.

XI ANNOUNCEMENTS

- 1) **Next Scheduled Selectmen's Meeting** will be on Monday, July 26, 2021 at 7:00pm.

XII ADJOURNMENT

Ms. Ladd Fiorini moved that at approximately 9:00p.m., the Board of Selectmen adjourn.

Seconded by Mr. Flynn Roll Call Vote: Mr. Flynn-Aye; Ms. Ladd Fiorini-Aye; Mr. McGee-Aye; and Ms. MacNab-Aye

Minutes submitted by Michelle Seda-Stotts

LIST OF DOCUMENTS

- 1) Agenda*
- 2) Duxbury High School "Portrait of a Graduate" presentation*
- 3) Renewal Cable Television License*
- 4) Lincoln Street RA*
- 5) Drafted letter to MassHousing*
- 6) Town Manager's Report*
- 7) Boards & Committee Appointments*
- 8) ODLL – Duxbury Food & Wine Festival*
- 9) Minutes for July 12, 2021 meeting*
- 10) Announcements*