

**Date:** March 28, 2022

**Date Minutes Approved:** 06/13/22

TOWN CLERK  
2022 JUN 14 AM 9:03  
DUXBURY, MASS.

## **BOARD OF SELECTMEN**

## **OPEN SESSION MINUTES**

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

**Staff:** René Read, Town Manager; and Michelle Seda-Stotts, Administrative Assistant

**Others:** Susan Kelley, Town Clerk; Jeannie Horne-HR Director; Denise Garvin-Library Director; Lester Lloyd, Library Trustee-Chair; Martha Dennison, Library Trustee-Vice Chair; John Tuffy, Moderator; Jamie MacNab, Board of Assessors; Kathy Cleary, School Board Member; and Laurel Deacon, School Board Member.

### **CONVENED IN OPEN SESSION (*Via remote participation by Zoom*)**

**I. CALL TO ORDER** This meeting was called to order at approximately 7:00 pm. Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted via remote means in accordance with applicable law. Please note that this meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law. A transcript or other comprehensive record of proceedings will be available as soon as possible after the meeting. Members of the public who wish to watch the meeting may do so by viewing the Duxbury Government Access Channels – Verizon 39 or Comcast 15. Viewers can visit [www.pactv.org/duxbury](http://www.pactv.org/duxbury) for information about Duxbury programming including streaming on Duxbury You Tube, to watch replays and Video on Demand.

### **II. PLEDGE OF ALLEGIANCE**

#### **Swearing in of Elected Officials**

Ms. Susan Kelley, Town Clerk began the swearing in of Ms. Amy MacNab, Board of Selectmen; Mr. John Tuffy, as Moderator; Ms. Kathryn Cleary, School Board Committee, Ms. Laurel B. Deacon, School Board Committee; and Mr. James MacNab, Board of Assessors.

### **III. OPEN FORUM PUBLIC COMMENTS**

Mr. Flynn began the Open forum by stating he had the honor of working on the Strategic Plan in particular the need for more Cell phone towers in town. Mr. Read stated that he has had conversations with Municipal Services but he knows they need to revisit the lack of Cell towers. For instance, he has a friend that has a child with Diabetes and they use the phone to track his blood sugar level and not having cell service is an issue. Mr. Read would be happy to re-address the lack of cell towers in Duxbury. Ms. MacNab stated that in years past, cell towers were built by the phone companies, and as of late you just don't see it anymore. Mr. Read stated it was primarily due to the technology has changed so much that they are not required as much. We can look into a solution.

### **III. NEW BUSINESS**

Ms. MacNab stated the first order of business is the Re-organization of the Board. Ms. MacNab thanked the voters for voting her in again, and she was humbled and honored to serve as a Selectman. Ms. MacNab began by nominating Mr. Guitart for Chair of the Board of Selectmen. Mr. Guitart accepted.

*Seconded by Mr. Flynn.*

*Roll Call: Ms. MacNab-aye; Ms. Ladd Fiorini-aye; Mr. Flynn-aye; and Mr. McGee-aye.*

Mr. Guitart began with nominations for Vice Chair, in which, Ms. MacNab nominated Ms. Ladd Fiorini. Ms. Ladd Fiorini accepted the nomination. Mr. Flynn nominated Mr. McGee. Mr. McGee accepted and Mr. Guitart seconded for Mr. McGee and Mr. McGee seconded for Ms. Ladd Fiorini. All those in favor of Mr. McGee – Mr. Flynn-aye; and Mr. McGee-aye

All those in favor of Ms. Ladd Fiorini – Ms. MacNab-aye; Ms. Ladd Fiorini-aye; and Mr. Guitart-aye  
Mr. Guitart stepped down from his position as Vice Chair and renounced his position as Chair; and nominated Mr. McGee for Chair. Seconded by Mr. Flynn. Ms. MacNab re-nominated Mr. Guitart. Seconded by Ms. Ladd Fiorini. Ms. Ladd Fiorini asked why Mr. Guitart stepped down. Mr. Guitart stated that he wanted Mr. McGee to serve as Chair for his last year.

All in favor for Mr. Guitart – Ms. MacNab-aye; Ms. Ladd Fiorini-aye; Mr. Guitart-aye.

All in favor of Mr. McGee – Mr. McGee-aye; Mr. Flynn-abstained

Mr. Guitart asked for nominations for Clerk, Ms. MacNab nominated Mr. McGee, he accepted nomination.

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

#### ***7:05pm Water & Sewer Commissioners – Water Commitment #3 - 2022***

Mr. McGee move 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 Ms. MacNab.*      *Roll Call: Ms. MacNab-aye; Mr. Guitart-aye; Ms. Ladd Fiorini-aye; Mr. McGee-aye; and Mr. Flynn-aye.*

Mr. Guitart reviewed the Commitments and all were in agreement.

Mr. McGee moved that the Board of Water & Sewer Commissioners instruct the Treasurer to collect the following amount for water and sewer usage charges totaling **\$559,494.99** and for water service charges totaling **\$1,800.00** for Water and Sewer Commitment #3 of FY2022.

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

Ms. MacNab stated that Mr. Read is going to periodically provide us with a report of when our wells will be tested and those results.

Mr. McGee move that the Board adjourn their meeting as Water & Sewer Commissioners and re-convene as Selectmen.

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

***Discussion pertaining to Health Insurance Rates – presented by Ms. Jeannie Horne.***

Ms. Horne presented the Group, Health and Dental Insurance. Ms. Horne shared her memo to the Board:

The Town of Duxbury provides employees and retirees with education and wellness opportunities, and carefully manages the related insurance offerings and expenses. Commitment to long term health, preventative care and emergency room alternatives such as the Blue Care Line, telehealth, urgent care and minute clinics are always encouraged.

As a result of these efforts, our overall claims experience, prescription drug costs and plan expenses, the Insurance Committee recommends the following effective June 1, 2022:

- No rate change for Blue Cross Blue Shield HMO and PPO health insurance plans (Town pays 75% of the rate for employees and 50% for retirees).
- No rate change for Blue Cross Blue Shield Medex or Managed Blue for Seniors retiree health insurance plans (Town pays 50% of the rate for retirees). *Note: These plans run on a calendar year, so rates are set in October.*
- No rate change for Boston Mutual Basic Life Insurance (rates are set by the carrier, Town pays 75% for employees and 50% for retirees).
- No rate change for Delta Dental Premier Voluntary Enhanced Table or Delta Dental PPO Plus Premier Voluntary Enhanced dental insurance plan (rates are set by the carrier, employees and retirees pay 100% of the rate).

Attached for your review and vote is the FY23 insurance rate sheet. With your approval, this information will be provided to all benefit eligible employees, retirees and COBRA participants in April, leading up to our May 1 – 31 annual enrollment period. Typically, we host an in-person benefit fair with insurance providers answer questions and all benefit eligible employees, retirees, spouses, dependents and COBRA participants are encouraged to attend. However, we will be providing virtual plan education options again this year.

Mr. Guitart inquired about the Town's cost for the insurance coverage to its employees and Mr. Horne stated that there is no increase in the Town's cost. Ms. MacNab stated that rates have been held for several years, to which, Ms. Horne replied yes, it's been two years. Mr. Guitart inquired if the coverage was the same, in terms of what is offered and covered. Ms. Horne stated that there have been some enhancements, which include required changes under the Mass Law. Also, changing is the fitness reimbursement to include equipment. Ms. MacNab inquired about COBRA coverage and the cost associated with it. Ms. Horne stated that it is not required but it is a Federal Law to provide it. There are coverage options that individuals can seek out. Ms. MacNab inquired about them not doing the Benefit Fair. Ms. Horne stated that they are offering alternative Virtual Plan Education and it is more effective and readily available.



Mr. McGee moved that the Board of Selectmen accept the proposed group health, life and dental insurance rates effective June 1, 2022 as presented (or amended).

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

***Presentation by Library Trustee of Strategic Planning***

Ms. Lester Lloyd began the presentation by stating they are committed to making the library a welcoming place to all. They are achieving this by conducting a comprehensive of the interior and exterior of the library. They are also providing patrons with efficient online access points for library services and information. The library will offer broad collections, programs and opportunities for discussions by creating a cultural awareness within the library. They are creating a lifelong learning experience with programs, events and opportunities for learning and personal growth for people of all ages. But at the same time, they are more than just books to read, they are here to spark your creativity and imagination. Ms. MacNab was very pleased with the presentation, as well as, Mr. McGee. Ms. Ladd Fiorini was glad to see they are addressing both interior and exterior issues. Mr. Guitart was happy to hear of all that is new in the library and thanked them for the update.

***Update on in-person, virtual and hybrid meetings***

Mr. Read shared his memo with the Board, stating that we will continue to go hybrid until July 15, 2022. Mr. Guitart inquired if we could end going hybrid sooner. Ms. MacNab stated there is some benefit to attending virtually. It can become a cost saving factor when we are dealing with Counsel. Mr. Read commented that it will remain as it is right now, and we can address changing it as we get closer to July and whether Governor Baker extends the guidelines.

**V TOWN MANAGER'S REPORT**

Mr. Read read the following report:

**Road Elevation coastal resiliency project along Powder Point Road**

At your joint meeting with the Planning Board last week, I believe it was mentioned that available funding for the road elevation coastal resiliency project along Powder Point Road might be a low priority in terms of MVP Program grant funding. I discussed this with our project engineer, Leslie Fields from the Woods Hole Group, and she has advised me that she has "heard that the MVP Program will be generously funded this year, and we received positive feedback from the MVP coordinator when we discussed the Powder Point Road project." She summed it by saying that she "think(s) the project has a really good chance of getting funded."

**Frank Mangione – R.I.P.**

Last week, I receive notice that a dear friend to the Town of Duxbury and to many of us here, Frank Mangione, had passed away. His years of service to the Town were a tremendous benefit to us all and his contributions were always meaningful and thoughtful. Every year since I've been here, Frank was always kind enough to join the Finance Director and I in my office to review the budgets with the department heads. During our conversations we shared many thoughts and ideas and even more laughs

as we talked about numerous subjects well beyond the financial matters of the Town. To paraphrase sentiments expressed by Betsy Sullivan – Frank will be missed for his wisdom, grace and dedication to Duxbury and providing a quiet voice of reason in the midst of chaos. He was our friend in the truest sense of the word – I feel lucky to have known him and I will miss him.

### Election results

Along with offering my congratulations to the winners in this year's political races, I want to offer my sincerest thanks and gratitude to the voters for approving the ballot question for the new DPW facility. The Town is extremely appreciative of your support and we are excited to get the project underway.

On that note, I am providing you with a copy of the updated schedule from our engineers which incorporates their assumptions which are as follows:

- This schedule takes into consideration that full funding has been approved.
- Assumes that the funds will not be available until July. We hope to schedule some long lead items between now and July to make sure we can hit the ground running.
- We have increased the construction duration by 6 months to account for supply chain issues. As you have heard in the news over the last year, there have been significant delays in obtaining many types of materials. Contractors are advising that projects include this additional time to avoid schedule complications at the end of the project. This also helps to attract more bidders by providing a schedule that is reflective of the current market conditions.

### PFAS Information

The Water Department has provided the PFAS spreadsheet with the most recent round of testing. We had a mechanical failure at one of the Tremont Wells so we had to collect the samples in February instead of January with the others for the first quarter of 2022. Water is considered finished after it has been treated. The reason the Water Department put finished after Evergreen, Tremont, Mayflower and the Damon wells is that the finished water sample represents the raw water from the two wells that are manifolded together prior to chemical treatment & filtration. The State is only concerned with finished water analytical results now. During the initial and confirmatory rounds of sampling, the State required the Water Department to analyze the raw water and the finished water from each of the sources.

Source ID	Well Name	4/28/2021	5/20/2021	6/15/2021	7/26/2021	10/20/2021	1/24/2022	2/8/2022
100072	Evergreen Finished	1.88	N/D		2.29	2.28	4.39	
100070	Tremont Finished	N/D	N/S		N/D	N/D		N/D
100071	Mayflower Finished	4.11	3.77		2.02	2.20	6.26	
100073	Damon Finished	6.48	5.67		5.63	6.39	7.83	
10006	Partridge	75.9	4.25	105	82.1	79.9	83.2	
10005	Millbrook	N/S	5.17		3.41	3.67	5.93	
10003	Lake Shore Dr.	6.43	5.71		6.14	6.25	8.97	
10000	Depot	10.4	N/D		1.83	12.0	14.9	



**VI COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS - None**

**VII ONE-DAY LIQUOR LICENSE REQUESTS - None**

**VIII EVENT PERMITS**

***4-16-22 DBR Desserts for Duxbury***

Mr. McGee moved that **Ms. Cris Luttazi**, as a representative of the **Duxbury Beach Reservation, Inc.**, is granted permission to hold the **2<sup>nd</sup> Annual Desserts for Duxbury**, a Bake Sale fundraiser in the parking lot of Duxbury Beach Park on Saturday, April 16, 2022 from 10:00AM to 1:00PM, contingent upon the conditions of the license.

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

**IX MINUTES**

Mr. McGee moved to approve the 05/24/21 Selectmen's Executive Session Minutes, with the contents to remain confidential until the need has passed.

*Seconded by Ms. MacNab Roll Call Vote: Ms. MacNab-Aye; Mr. Guitart-Aye; Mr. McGee-Aye and Mr. Flynn-Aye; Ms. Ladd Fiorini-abstained. (She was not present for this meeting)*

Mr. McGee moved to approve the 03/21/22 Selectmen's Executive Session Minutes, with the contents to remain confidential until the need has passed.

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

**X ANNOUNCEMENTS**

Mr. McGee read the following announcements:

**1) 2022 Beach & Transfer Station Stickers**

New 2022 Beach and Transfer Station stickers (effective April 1, 2022-March 31, 2023) are now available to purchase. Stickers can be purchased online on the Town of Duxbury's website by visiting: [www.town.duxbury.ma.us](http://www.town.duxbury.ma.us) under the Treasurer/Collector's webpage, by clicking on Online Payments on the home page, by calling City Hall Systems at 508-381-5455, or by mailing in or dropping off an application and supporting documents to Stickers Department, Duxbury Town Hall, 878 Tremont Street, Duxbury, MA 02332. Applications are available on the Town website and behind Town Hall for your convenience.

**2) Recreational Shellfish** License applications are available on the Town's website under online payments. The current season expires 3/31/2022.

3) **2022 Dog licenses are available.** Reminder: All dogs over the age of 6 months must be licensed annually. There will be a late fee in the amount of \$25 assessed for each unlicensed dog as of April 1<sup>st</sup>.

4) **Next Scheduled Selectmen's Meeting** will be on Monday, April 4, 2022 at 7:00pm.

**XI. BONUS SHELLFISH (month of April)**

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

- 1) The commercial harvesting of softshell clams for the month of APRIL. Regulations as attached. (Please see Attachment B & C)
- 2) The commercial harvesting of quahog clams for the month of APRIL. Regulations as attached. (Please see Attachment A & C)

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

**XII ADJOURNMENT**

Mr. McGee moved that the Board of Selectmen adjourn at approximately 8:10pm.

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

*Minutes submitted by Michelle Seda-Stotts*

*LIST OF DOCUMENTS*

- 1) *BOS Agenda*
- 2) *Water & Sewer Commissioners Agenda*
- 3) *Memo regarding Group Health, Life and Dental Insurance*
- 4) *Memo regarding update on in-person, virtual and hybrid meetings*
- 5) *Event Permits*
- 6) *Minutes*
- 7) *Bonus Shellfish Season - April*
- 8) *Announcements*