

Date: June 27, 2022

Date Minutes Approved: 09/26/22

TOWN CLERK

2022 SEP 27 AM 10:24

DUXBURY MASS
OPEN SESSION MINUTES

DUXBURY SELECTBOARD

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

Absent: Fernando Guitart, Chair.

Staff: John Q. Adams, Acting Town Manager; Michelle Seda-Stotts, Administrative Assistant

Others: Chief Nord, DFD; Chip Locketti, Cemetery Director; Robert Hayes, Cemetery Trustee; Peter Buttkus, DPW Director; Cris Lustazi, DBR Exec Director (Via Remote); Deputy Chief Rob Reardon, DFD;

CONVENED IN OPEN SESSION

I. CALL TO ORDER This meeting was called to order at approximately 7:10 pm. *Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and, as a courtesy, via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public and board members, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law. 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 for information about Duxbury programming including streaming on Duxbury You Tube, to watch replays and Video on Demand.*

II PLEDGE OF ALLIGIANCE

III OPEN FORUM PUBLIC COMMENTS

IV NEW BUSINESS

Recognition of Chief Kevin Nord on his retirement.

Ms. Ladd Fiorini began by recognizing Chief Nord on his retirement. Mr. McGee read the Proclamation for Chief Kevin Nord. Chief Nord was honored, grateful and thankful for the many years of service and everyone he was able to work with.

7:05 Public Hearing – discussion regarding proposed new fees – Cemetery Department

Mr. McGee moved that the Selectboard open the public hearing regarding proposed fee changes for the Cemetery Department.

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

Mr. Chip Locketti presented the proposed Cemetery fee changes: 1) The increase in fee for sale of burial rights to non-residents, per grave. 2) Addition of separate charge for the Town supplied greens

and lowering device. 3) Adjustment of charge for "Winter" staff services. 4) Increase/reduction in fees for crematory services. 5) Allocation of burial rights fees among cemetery funds.

Ms. MacNab inquired about the wooden caskets. Mr. Locketti responded that it was a starting point to see how it goes. Mr. Adams inquired about the start date of the fee changes on August 1, 2022. Mr. Locketti responded that it is much like a business and he needs to give funeral homes time to adjust their prices. Mr. Hayes, Board of Trustees, Chair, commented on the allocation for non-residents is for burials not cremations. He expressed the desire to allocate the funds to the sale of burial rights.

Mr. McGee moved that the Selectboard approve the Cemetery/Crematory fees as listed in a memorandum dated April 29, 2022 from Robert Hayes, Chair of the Cemetery Trust, and Chip Locketti, Director, and as recommended by the Fiscal Advisory Committee, with new fees starting effective August 1, 2022.

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

Mr. McGee moved that the Selectboard close the public hearing regarding the proposed fee changes.

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

Discussion regarding Duxbury Beach Lease

Ms. Luttazi was present via remote to answer any questions. Mr. McGee inquired about the track changes and who is monitoring them and if counsel had reviewed these changes. Ms. Luttazi responded they are tracked by the DBR, and they are reviewed by beach operations and Mr. Read, who then distributes them to Department heads as required. All the comments get reviewed and discussed, and edits are made accordingly. Ms. MacNab inquired at which stage where they in, beginning or end. Ms. Luttazi responded at the end, all approvals have been made and accepted by all. You are looking at final documents. Mr. McGee inquired if Town Counsel has reviewed this now or in the past. Mr. Adams said in the past it has been reviewed by counsel, unless there are specific changes to be made. Ms. Luttazi responded that it was nothing that required counsel, the only changes would be the date and the amount. Ms. MacNab inquired if it was exactly the same as last year, except for date and amount. Ms. Luttazi confirmed. Mr. McGee commented that he would like to have had this discussion sooner than the present date, perhaps in the fall or winter prior to the season. Mr. Adams understood wanting to do this, however, we could plan to review earlier. Ms. Ladd Fiorini agreed that for this year it is the same document and understanding as previous years. Ms. Luttazi stated that September 20th was the date that the lease was sent for review and consideration. DBR always begins the process early because they run on the Town's fiscal year and that is usually half of this year and half of next year's budget. Ms. Ladd Fiorini agreed that it is a conversation they can have earlier and it is on the Selectboard's list of topics to discuss.

Mr. McGee moved that the Selectboard execute the lease between the Duxbury Beach Reservation, Inc. and the Town of Duxbury with a term beginning July 1, 2022 and ending on June 30, 2023 in the amount of \$950,000.

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

Ms. Luttazi sent a Thank you, on behalf of the DBR, to the good Samaritan that gave out waters to their monitors on the beach this past weekend. It was a very kind and thoughtful gesture. Mr. McGee also took the opportunity to congratulate Ms. Luttazi for the Duxbury Beach Crossover Restoration Project being selected as a best restored beach due to its incorporation of resiliency, ecological and recreational benefits. Ms. Luttazi said it was a national honor, only 4 picked, right up there with Wai Kai Kai. The Selectboard were thankful for all they do.

Discussion regarding Municipal Relief and/or Reserve Fund Transfer

Mr. Adams was present to discuss the various Fund transfers and reviewed all amounts.

Ms. MacNab inquired about the utilities and the increase in them and how they were going to handle. Mr. Cushing responded that the problem was fixed so there shouldn't be any other issues. The other was an unanticipated maternity leave. Ms. MacNab inquired about the treasurer collector expenses, and why the increase. Mr. Adams responded that it was mostly the City Hall systems and extra fulfillment fees. Ms. MacNab inquired about the sewer bill increase. Mr. Adams stated that the volatility varies from year to year. Mr. Mackin also commented on the volatility of the Marshfield sewer bill, stating that it was his understanding that it was part of the intermunicipal agreement where we are responsible for a certain portion of their capital improvements. Based on their entire sewer system. Duxbury waste is treated by Marshfield. Ms. MacNab inquired if the Finance Committee had reviewed these. Mr. Adams said yes, and it was unanimously excepted as written.

Mr. McGee moved that the Selectboard approve the Municipal Relief and/or Reserve Fund Transfers, as presented.

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

7:30PM Water & Sewer Commissioners – FY22 Marshfield Commitment #2

Mr. McGee moved that the Selectboard adjourn the meeting as Selectboard in order to meet as the Water & Sewer Commissioners, with the intent of reconvening as the Selectboard afterward.

Seconded by Mr. Flynn *Vote: 5:0:0*

Marshfield Water Commitment M-2022-2

This is the commitment to collect the amount billed to the Town of Marshfield for Marshfield residents receiving Duxbury water.

Mr. McGee moved that the Board of Water & Sewer Commissioners instruct the Treasurer to collect the total amount of \$9,890.08 for water charges for Commitment M-2022-2.

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

Mr. McGee moved that the Water & Sewer Commissioners adjourn and re-convene as the Selectboard.

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

Acceptance of Donation from the Copeland Family Foundation, Inc. for the Animal Shelter

Ms. Ladd Fiorini read the following: The Copeland Family Foundation has made a \$6,000.00 donation to the Duxbury Animal Shelter. They have made several similarly large gifts in the past. The money can be used for medical and other needs of the animals at the Duxbury Animal Shelter.

Mr. McGee moved that the Selectboard accept, with gratitude, the Copeland Family Foundation, Inc., donation of \$6,000.00 for the Duxbury Animal Shelter.

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

V TOWN MANAGER'S REPORT

Mr. Adams shared the following:

1. Position of Fire Chief has been awarded to and accepted by Rob Reardon and the deputy chief has been awarded to and accepted by Brian Monahan (Eff 7/15/22). There will be a planned ceremony prior to the swearing in to which the board is invited. (Chief Nord will provide more details later.) Chief Nord and I also appointed Keith Nette to the rank of Captain to assume the duties of the administrative Captain's position (Eff 7/18/22).
2. News regarding The Regional Old Colony Communications Center a/k/a the ROCCC:
 - State 911 has announced their FY 23 development grant awards in time for the start of the fiscal year and we were very successful in the competitive grant process again. We have been awarded almost \$2.4M this coming year.
 - The State will also be funding the full salaries for our Director and Deputy Director.
 - In addition, we received over one million dollars for equipment and software.
 - And lastly, for those that haven't already heard, House Bill 3748 was signed by the Governor on June 17th (under Chapter 84 Acts of 2022) allowing us to operate the ROCCC as an Enterprise Fund.
3. The position of Town Planner has been awarded and accepted approximate starting date will be mid to late July.
4. We have put together a Recreation Director Hiring plan to replace the soon to be retired Gordon Cushing. The job was posted last week and the hiring timeline will put a Recreation Director OR at least an Acting Recreation Director in place by Gordon's last day.
5. A hiring team is currently reviewing the candidate pool for a Conservation Administrator to replace the soon to be retired Joe Grady.
6. Work has begun on the turf field as of today. Demo of the existing field will take place prior to July 4th and track work is scheduled to begin after the July 4th weekend. The Staging area will be in the parking lot by the bleachers.
7. Opioid Settlement – The Town will begin to receive annual installments resulting from the Opioid settlement this coming July and August. We are estimated to receive over \$786K in

average, but not equal, installments of around \$46K from 2022 to 2038. Our first installments to come in over July and August should be around \$133K.

- a. Currently these monies would belong to the General Fund and would have to be certified as Free Cash before we could appropriate and use these funds. However, the supplemental budget bill that was drafted by Governor Baker included some Municipal Finance legislation that would allow one-time monies for specific purposes to be placed in a separate fund as a "Receipts Reserved for Appropriation" which means that the funds would need to be on hand before you could appropriate them.
- b. I have discussed with René the thought of putting together a working group that would address the following:
 - i. How best to expend these monies within the guidelines from the Commonwealth.
 - ii. Leverage existing programs or pool money with regional programs to get the most of these funds.
 - iii. Put together a long-term spending plan based on the length of time these funds would be received.
 - iv. Draft Articles for Town Meeting on the appropriation of funds for this purpose.
 - v. Oversee the spending of these funds to make sure they are made in accordance with guidelines from the Commonwealth.
 - vi. Prepare required reports as put forth by the Commonwealth and oversee the proper retention of documents.
- c. The makeup of the working group would be representatives from non-profit organizations such as PCO hope, and DSU, FD, PD, BOH, and DPS.
PCO = Plymouth County Outreach
Hope=Help, Outreach, Prevention, Education

VI COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS

Mr. McGee moved that the Selectboard recognize the following appointments/re-appointments:

Alternative Energy Committee

Adam Earle	FY23 Appointment	06-30-2025
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Audit Committee

Jerry Pisani	FY23 Re-Appointment	06-30-2023
Frank M. Holden	FY23 Re-Appointment	06-30-2023

(Zoning) Board of Appeals

Borys Goynycz (Alternate)	FY23 Re-Appointment	06-30-2023
Philip Thorn (Alternate)	FY23 Re-Appointment	06-30-2023
Tanya Trevisan (Alternate)	FY23 Re-Appointment	06-30-2023

Board of Health

Melissa Brown-Rosenblatt	FY23 Re-Appointment	06-30-2025
Nicholas C. Leing	FY23 Re-Appointment	06-30-2025

Burial Agent to the Board of Health

Susan C. Kelley	FY23 Re-Appointment	06-30-2023
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Open Space Committee

Rich Holmes	FY23 Appointment	06-30-2025
Pat Loring	FY23 Re-Appointment	06-30-2025
Boyd Boynton	FY23 Re-Appointment	06-30-2025

South Shore Recycling Cooperative

Peter Buttkus, DPW Director	FY23 Re-Appointment	06-30-2025
Norm Smith, DPW Oper. Mngr.	FY23 Re-Appointment	06-30-2025

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

The following boards/committees have available seats:

Duxbury Seawall Committee	-	one seat
Economic Advisory Committee	-	one seat
MBTA Advisory Board	-	one seat
Sidewalk & Bike Path Committee	-	one seat

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.

VII ONE-DAY LIQUOR LICENSE REQUESTS

Mr. McGee moved that Ms. Laura Hay, as a representative of the **South Shore Conservatory's Duxbury Music Festival**, is granted a One-Day Wine & Malt License for their **Live Performances** to be held at the South Shore Conservatory – Ellison Center for the Arts, 64 Saint George Street, on July 07, 10, 11, 13 & 15, 2022 from 6:30pm to 8:30pm, contingent upon the conditions of the licenses.

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

Mr. McGee moved that **Mr. Christopher Barry**, as a representative of the **Friends of the Duxbury Council on Aging**, is granted a One-Day Wine & Malt License for their Golf Tournament Reception on Monday, September 19, 2022 at the Duxbury Senior Center, 10 Mayflower Street, from 5:00PM – 9:00PM, contingent upon the conditions of the license.

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

VIII EVENT PERMITS - *None*

IX MINUTES - *None*

X ANNOUNCEMENTS

1) Office closure – July 4th holiday

Town Hall offices will be closed on Monday, July 4, 2022, in observance of the holiday.

2) Next Scheduled Selectboard's Meeting will be on Monday, July 11, 2022 at 7:00pm.

XI BONUS SHELLFISH (Month of July)

Mr. McGee moved that the Selectboard declare a temporary Bonus Shellfish Season for:

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

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

XII ADJOURNMENT

Mr. McGee moved that the Board of Selectmen adjourn at approximately 8:15pm.

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

Minutes submitted by Michelle Seda-Stotts

LIST OF DOCUMENTS

- 1) BOS Agenda
- 2) Recognition for Chief Kevin Nord
- 3) Memo to Selectboard regarding Cemetery Fee Changes
- 4) Duxbury Beach Lease
- 5) Water & Sewer Commitment M-2022-2
- 6) Letter from Copeland Family for Animal Shelter Donation
- 7) Appointments/Re-Appointments/Resignations
- 8) ODLL – SSC Duxbury Music Festival
- 9) ODLL – Friends of the COA – Golf Tournament Reception
- 10) Announcements
- 11) Bonus Shellfish Season – July, 2022

5. NEW BUSINESS

7:05 p.m. Public Hearing in re: Fees

7:10 p.m. Public Hearing – Transfer of Liquor License (*Milepost to Bluefish River Tavern*)

Discussion pertaining to Municipal Relief and/or Reserve Fund Transfers; *and*

Discussion pertaining to Plymouth County Retirement Association 5% Local COLA Option

Presented by John Q. Adams

Discussion with Council on Aging regarding a proposed new Duxbury Age and Dementia Friendly Task Force Committee; and

Recognition of Council on Aging Volunteers - *Presented by Joanne Moore*

Discussion and signing of Duxbury Beach Lease FY24

Discussion with Coastal Resiliency Task Force

6. COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/ RESIGNATION

Duxbury Cultural Council

Historical Commission

Highway Safety Committee

Alternative Energy Committee

Design Review Board

King Caesar Advisory Committee

Open Space Committee

Nuclear Advisory Committee

7. ONE-DAY LIQUOR LICENSE REQUESTS

7/7/23 South Shore Conservatory – Sinta Quartet Performance

July 16, 18 & 21, 2023 South Shore Conservatory – Duxbury Music Festival

8. MINUTES

Open Session Minutes: 04/10/23 and 06/12/23

9. ANNOUNCEMENTS

10. BONUS SHELLFISH SEASON (July 2023)

11. ADJOURNMENT