

**Date:** August 22, 2022

**Date Minutes Approved:** 01/04/2023

TOWN CLERK

2023 JAN -9 AM 9:17

DUXBURY, MASS.

OPEN SESSION MINUTES

## **DUXBURY SELECTBOARD**

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

**Absent:**

**Staff:** Renè Read Town Manager; and Michelle Seda-Stotts, Principal Assistant

**Others:** Joe Grady, Conservation Administrator; Nancy Rufo, Conservation Assistant; Tag Carpenter, Historical Commission, Chair;

## **CONVENED IN OPEN SESSION**

**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 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](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 ALLIGIANCE**

**III. OPEN FORUM** - Nothing was brought forward.

## **IV. NEW BUSINESS**

### ***Recognition of Joe Grady upon his retirement***

Mr. Guitart presented the Proclamation to Mr. Grady. Mr. Grady stated that all was accomplished with many people. He thanked his family, his staff and the Town of Duxbury. He was thankful for all that has been accomplished and for the incredible, dedicated, talented and life long friends he has made. He thanked the community for all their support and hopes they will continue to support Nancy Rufo as the new administrator. Mr. Guitart thanked him for all he has done for the Town of Duxbury.

### ***Discussion with CPC regarding surcharge fee – presented by Tag Carpenter***

Mr. Carpenter presented for Ms. Morris and provided a background of the request for the CPA surcharge. The CPC is pursuing a 3% surcharge to help with the acquired debt. Ms. MacNab stated she is in favor of this increase which would lead to an increase in state matching funds. Mr. McGee comment on using the ClearGov software to show how this would impact everyone and how much it will cost them. The Selectboard is supportive of this article for the Special Town Meeting. Mr. Guitart thanked Mr. Carpenter.

***Acceptance of Donation of bench for Harbormaster***

Mr. Guitart stated that the Shellfish Advisory Committee is donating a bench to be placed at the town pier in memory of Patrick McCluskey the late son of Robin and John McCluskey. Patrick grew up in Duxbury and worked on his father's oyster farm.

Mr. McGee moved that the Selectboard accept, with gratitude, the donation of the memorial bench at the town pier.

*Seconded by Ms. MacNab      Vote: 4:0:0*

***Acceptance of Donation of Picnic Table for Shipyard Lane Beach***

The family of long-time resident Martha North is donating a picnic table to be placed at Shipyard Lane Beach – a location enjoyed by Ms. North and is a meaningful place for her. Ms. North is terminally ill and her family is donating this special gift.

Mr. McGee moved that the Selectboard accept, with gratitude, the donation of a picnic table for Shipyard Lane Beach.

*Seconded by Ms. MacNab      Vote: 4:0:0*

***Acceptance of Donation of funding for Tarkiln pickleball courts***

Mr. Studley, Recreation Director, presented to the Selectboard and read his letter to the Selectboard on behalf of the Friends of Duxbury Pickleball, 501c-3 organization, which has been holding fundraising events throughout the year. Due to their hard work and dedication, they have raised the funds for the repair for 3 of the 6 courts. They have contracted East Coast Sports surfaces to repair, resurface and repaint the courts. Friends of Duxbury Pickleball will be paying the contractor directly. The project will be overseen by the Recreational Director.

Mr. McGee moved that the Selectboard accept , with gratitude, the donation to repair the turf at three of the Pickleball courts in Tarkiln park.

*Seconded by Ms. MacNab      Vote: 4:0:0*

***Discussion regarding vote to Open 10/17/22 Special Town Meeting Warrant and Call for Articles***

Mr. McGee moved that the Selectboard vote to open the October 17, 2022 Special Town Meeting Warrant. *Seconded by Ms. MacNab      Vote: 4:0:0*

Call for Article – October 17, 2022 Special Town Meeting

The Selectboard invite citizens to submit article for the October 17, 2022 Special Town Meeting.

Article must be submitted to the Town Manager's Office by 12:30pm on Friday, September 2, 2022. The complete article language and a brief explanation of the article are required.

Please contact Michelle Seda-Stotts at 781-934-100 x5402 with any questions.

## **V. TOWN MANAGER'S REPORT**

Mr. Read shared the following:

### **Duxbury Beach**

The following information has been provided to our office by Duxbury Beach Reservation.

#### **Piping Plover Activity**

- Unfledged Broods: 0
- Fledged Broods: 30

The last piping plover brood present on the beach has fledged. The restricted area and 5 MPH zone south of the bridge were taken down over the weekend after flight was confirmed.

#### **Tern Activity**

We have seen an increase in fledging activity within our tern colonies over the past several days which has allowed for the expansion of the OSV area at Crossover 2 over the weekend due to some of this fledging activity.

#### **Status of Today's Date**

Crossover 1: Closed  
Crossover 2: Open (Capacity: 250 vehicles – 125 residents, 125 non-residents)  
Crossover 3: Open, if necessary (Capacity: 60 vehicles – 30 residents, 30 non-residents)  
Cutouts: All cutouts open

As noted above, access to the Off-Road Vehicle corridor could change on a daily basis and we will be updated if any sudden changes occur. Up to date information 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 accounts are monitored 24/7 and is for outbound informational purposes only.

Mr. Guitart gave a brief update on the PFAS testing and their results.

Ms. MacNab gave a brief update about the East Street bog and our new Conservation Administrator was all over it. Ms. Rufo stated she would update the Selectboard shortly.

## **VI COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS**

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

### **Economic Advisory Committee**

Susan Casale	FY23 Appointment	06-30-2025
Charles Gable	FY23 Appointment	06-30-2025

Seconded by Ms. MacNab      Vote: 4:0:0

**The following boards/committees have available seats:**

Duxbury Seawall Committee	-	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**

**9/10/22 Duxbury Food & Wine Festival – Wine Stroll**

Mr. McGee moved that **Ms. Marie Van Slyck**, as a representative of the **Duxbury Food & Wine Festival**, is granted a One-Day Wine & Malt License for the “**Festival Wine Stroll**” on Saturday, September 10, 2022 from 3:00 PM - 6:00 PM, at the Alden House Historic site, 105 Alden Street, Duxbury, contingent upon the conditions of the licenses.

Seconded by Ms. MacNab      Vote: 4:0:0

**Duxbury Beach Reservation – Beach Ball 2022**

Mr. McGee moved that **Ms. Cris Luttazi**, Executive Director and as a representative of the **Duxbury Beach Reservation, Inc.**, is granted a One-Day All Alcoholic License to hold their DBR Beach Ball 2022 on Saturday, September 10, 2022 at the Caterer's Parking Lot – Duxbury Beach Park, from 6:30 p.m. to 10:30 p.m., contingent upon the conditions of the license.

Seconded by Mr. Flynn      Vote: 4:0:0

**VIII.   EVENT PERMITS      -      None**

**IX.      MINUTES**

Mr. McGee moved to approve the **07/25/22** Selectboard's Executive Session Minutes, as presented.  
Ms. MacNab requested the **08/08/22** Executive Session minutes be held for review and amendment.

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

Mr. McGee moved to approve the **05/02/22** Selectboard's Open Session Minutes, as presented.

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

**X. ANNOUNCEMENTS**

- 1) **Next Scheduled Selectboard's Meeting** will be on Monday, August 29, 2022 at 6:00pm at the Duxbury Senior Center - Ellison Room, 10 Mayflower Street. It will be a joint budget meeting with the Finance Committee, Fiscal Advisory Committee and the School Committee.

**XI. BONUS SHELLFISH (Month of September)**

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

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

*Seconded by Ms. MacNab      Vote: 4:0:0*

**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 MacNab-aye; Mr. McGee-aye and Mr. Flynn-aye.*

*Minutes submitted by Michelle Seda-Stotts*

**LIST OF DOCUMENTS**

- 1) BOS Agenda
- 2) Recognition of Joe Grady's retirement - Certificate
- 3) Discussion with CPC regarding surcharge fee
- 4) Thank you letter for bench donation to Shellfish Advisory Committee
- 5) Thank you letter for Picnic Table Donation – Jennifer Soliman
- 6) Thank you letter for Pickleball Court Donation – Friends of Duxbury Pickleball
- 7) Motion to Open 10/17/22 Special Town Meeting
- 8) Appointments/Re-Appointments/Resignations
- 9) ODLL – Duxbury Food & Wine Festival – Wine Stroll
- 10) ODLL – DBR – Beach Ball 2022
- 11) Minutes for Approval
- 12) Announcements
- 13) Bonus Shellfish Season – September, 2022