

Date: January 30, 2023

Date Minutes Approved: 02/27/2023

TOWN CLERK

2023 FEB 28 AM 9:58

DUXBURY, MASS.

SELECTBOARD

OPEN SESSION MINUTES

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

Absent: Fernando Guitart, Chair

Staff: René Read, Town Manager; and Michelle Seda-Stotts, Principal Assistant.

Others: Nancy Rufo, CPC Administrator; Alicia Babcock-Palmieri, Seawall Committee.

CONVENED IN OPEN SESSION (*in-person and Via remote participation by Zoom*)

I. CALL TO ORDER This meeting was called to order at approximately 6:30 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. 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 for information about Duxbury programming including streaming on Duxbury You Tube, to watch replays and Video on Demand.

II. PLEDGE OF ALLIGIANCE

III. EXECUTIVE SESSION

6:30pm Executive Session – Pending Litigation

For the purpose of discussing strategy with respect to potential litigation, since an open meeting may have a detrimental effect on the strategizing and negotiating position of the Town.

Ms. Ladd Fiorini as Vice Chair declared, in accordance with Mass. General Laws Chapter 30A, section 21 and that the Selectboard will adjourn and re-convene in Open Session immediately after completion of this Executive Session.

“Ms. Ladd Fiorini, as Vice Chair, declared the necessity for an Executive Session to discuss strategy with respect to litigation, as to do so in an Open Session may have a detrimental effect on the Town’s strategizing, litigating, and negotiating position.”

Seconded by Ms. MacNab Roll Call Vote: Ms. Ladd Fiorini-Aye; Mr. McGee-aye; and Ms. MacNab-Aye (Mr. Flynn arrived after the opening of Executive Session.)

Motion To Adjourn Executive Session

After the business of Executive Session was completed, Mr. McGee moved that the Selectboard adjourn the Executive Session and re-convene in Open Session on or about 7:00pm.

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

IV OPEN FORUM PUBLIC COMMENTS

Ms. Babcock-Palmieri, commented on traffic flow on Gurnet Road, and the uneasiness of drivers due to the narrowness of the road. She spoke with Lt. Weiler to let the PD know of the situation and he said he would send a patrol periodically to make sure things are moving.

Mr. Flynn commented on the sad events that happened earlier this week, and wanted to thank all of the first responders for doing a phenomenal job under the sad circumstances. Mr. Flynn requested for a moment of silence for the family and all those affected by these events.

V NEW BUSINESS

Vote to Open and Close the February 28, 2023, Special Town Meeting

Mr. McGee moved that the Selectboard vote to open the Tuesday, February 28, 2023 Special Town Meeting warrant.

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

Ms. MacNab commented on the Special Town Meeting and the Citizen's petition. She encouraged all to get involved and to understand the implications this zoning change would do to their community, and to be sure they know to vote at the Special Town Meeting on Tuesday, February 28, 2023.

Mr. McGee moved that the Selectboard vote to close the Tuesday, February 28, 2023 Special Town Meeting warrant.

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

Discussion with Superintendent Danielle Klingaman, Ed. D regarding MSBA Statement of Interest – potential Alden restoration.

Dr. Klingaman began the presentation with an explanation of what is the MSBA (The Massachusetts School Building Authority) Dr. Klingaman explained that the Alden School has many repair issues that can be addressed with funding from the MSBA. Beginning the SOI is the first critical step to help partially fund the construction, renovation, addition or repair of municipally owned school facilities. The Alden School has boiler issues, roof issues, windows and HVAC issues. In order to submit the SOI, to be considered for assistance, we must have approval from the community and from the Selectboard, as well as, from the School Committee. The MSBA typically begins accepting applications in January, with a deadline in April. This is a four-phase process, during which the MSBA may seek additional or clarifying information. The MSBA wants to look at communities that are currently maintaining their buildings and have the ability to fund repairs if necessary. Due diligence begins after all SOI's have been submitted. From start to finish this can take about 6 to 7

years. The feasibility study will provide the information that we will need to decide if a renovation is appropriate or a full scale rebuild is necessary. Dr. Klingaman was hoping for a vote of approval to submit the SOI. Mr. Flynn recommended taking a vote to approve at this time. Ms. Ladd Fiorini inquired if after the approval they could decide to proceed on their own. Dr. Klingaman said yes, they could withdraw their application at any time. Dr. Klingaman stated that the feasibility study would be best done with the MSBA because of the cost involved. This also needs to be voted on at Town Meeting. The feasibility study would still be paid by the Town. It gives us a greatly detailed blueprint of what needs to be repaired.

Mr. McGee moved the Selectboard permit the School Department to submit a Statement Of Interest to the Massachusetts School Building Authority.

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

VI TOWN MANAGER'S REPORT

Mr. Read did not have anything to report at this time, he is currently working on the ATM/STM.

VII COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS

Mr. McGee moved that the Selectboard appoint or re-appoint the following:

Metropolitan Area Planning Council (MAPC)

| | | |
|---|-------------|------------|
| Christopher Ryan – fill an unexpired term, Delegate | Appointment | 06-30-2024 |
| Kristin Rappe – fill an unexpired term, Alternate | Appointment | 06-30-2024 |

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

The following boards/committees have available seats:

| | | |
|---------------------------------------|---|----------------------|
| Duxbury Seawall Committee | - | one seat |
| Local Historical District Commission- | | one seat (alternate) |
| 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 Employment & Volunteering tab.

VIII ONE-DAY LIQUOR LICENSE REQUESTS - None

IX EVENT PERMITS

05/20/23 Ragnar Relay New England 2023

Mr. McGee moved that Ms. Amber Sadlier, as representative of the Ragnar Events LLC is granted permission to conduct a portion of their Ragnar Relay New England 2023 in the Town of Duxbury on Saturday, May 20, 2023, from 3:30am to 11:00am, contingent upon the conditions of the permit.

Ms. MacNab suggested they take a closer look at the road race requests and the impact Ms. Sheehan, Powder Point Avenue, commented on the road races, going through Powder Point. The Town Manager had hoped to appoint a committee for these road races but that has not ensued. There was a moratorium placed on these races and only the races on the list were allowed to continue but no one has looked at these races and who runs them. The Best Buddies race goes through the center of Halls corner during one of the first summer mornings and it has impacted citizens. Mr. Read commented that the moratorium was put in place in lieu of the committee, and there have not been any issues.

Seconded by Mr. Flynn Vote: 3:0:1 Ms. MacNab abstained.

06/03/23 Best Buddies Challenge, Hyannis Port

Mr. McGee moved that Mr. Paul Curley, as representative of the Best Buddies Challenge – Hyannis Port, and participants in the 24th Annual Best Buddies Challenge bicycle ride to be held on Saturday, June 3, 2023 are granted permission to travel through Duxbury and to use the Duxbury Senior Center as a rest stop, contingent upon the conditions of the permit.

Mr. McGee inquired if they could re-route the race to **not** go through Halls Corner. Mr. Read said they could ask.

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

X MINUTES - None

XI ANNOUNCEMENTS

1) Next Scheduled Selectboard's Meeting will be on Monday, February 6, 2023 at 7pm.

XII ADJOURNMENT

Mr. McGee moved that the Board of Selectmen adjourn at approximately 7:50pm.

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

Minutes submitted by Michelle Seda-Stotts

LIST OF DOCUMENTS

- 1) SB Agenda*
- 2) Executive Session Motion*
- 3) Motion to Open/Close Special Town Meeting*
- 4) MSBA SOI Presentation*
- 5) Committee Appointments/Re-Appointments/Resignations*
- 6) Event Permit – Ragnar Relay New England 2023*
- 7) Event Permit – Best Buddies Challenge – Hyannis Port*
- 8) Announcements*