

Date: June 13, 2022

Date Minutes Approved: 12-05-22

TOWN CLERK

2022 DEC -6 PM 1:45

DUXBURY, MASS.

OPEN SESSION MINUTES

DUXBURY SELECTBOARD

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

Absent:

Staff: Nancy O'Connor, Executive Assistant (via remote); and Michelle Seda-Stotts, Administrative Assistant

Others: Ryan Trahan, President, Environmental Partners Group, LLC; Adam S. Kran, P.E., Environmental Partners Group, LLC; Kevin Rathbun, Senior P.E, Environmental Partners Group, LLC; George Wadsworth, Water & Sewer Advisory Board; Peter Mackin, Superintendent, Water Dept.; Steve Farrell, Duxbury for Ukraine; Peter Dalton, Save Our Bay; Tony Kelso, Town Historian; Sean Healy, Weston & Sampson, Inc.

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 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

During open forum Ms. MacNab inquired about an update on the Rec. Director position and where it stands. Ms. O'Connor stated she would look into it first thing tomorrow. Mr. Guitart inquired about the Planner position and the Conservation Agent. Ms. MacNab responded it is all on schedule. Mr. Flynn gave some feedback from the Plymouth County Advisory Committee, stating that the Planner position needs to be filled as soon as possible due to increasing prices.

IV NEW BUSINESS

Review and Discussion of Draft Master Plan & Water Quality Study – presented by Adam S. Kran, P.E., Environmental Partners Group, LLC.

Mr. Trahan began the presentation by introducing Mr. Kran and Mr. Rathbun, and then began with the Master Plan & Water Quality Study. Mr. Trahan discussed the scope, Background and Distribution System – including the system description, supply and demand, storage, and the distribution system modeling and assessment; Water Quality, and the Capital Improvement Program. Mr. Rathbun gave a

quick system description of the water distribution system. He discussed the supply and demand of the wells, noting that the Depot Street Well and the Partridge Road Well are at zero supply capacity due to rising water quality issues. Duxbury is above the average use per day and over its permitted use limit. They recommended submitting an RGPCD (Residential Gallons Per Capita per Date) Plan to MassDEP. In order to remain in compliance with the permit, they recommend we commission a study to identify all the necessary pieces of data, and submit that plan to MassDEP. Mr. Rathbun discussed storage assessment and recommendations to improve. The results of the Hydraulic deficiencies result in upgrading the water mains. Mr. Guitart inquired about the MassDEP limit of 65gpd and how long has this violation been going on. Mr. Mackin responded to Mr. Guitart questions. Mr. Kran also expanded on Mr. Mackin's response by stating that the decrease in limits were very recently dropped and why the DEP has not begun to impose penalties. Mr. McGee inquired what is asbestos cement. Mr. Kran responded that it is a pipeline material, commonly used in the 70's era, in wet form it is not hazardous, but when you try to remove it in dry form that is when it becomes hazardous. The changing of the pipeline is more because it has reached its usefulness. Mr. Flynn commented that the removal of the asbestos pipe has been completed. Mr. Flynn summed it up by stating that 17 years and 60 million dollars will get all the recommendations that have been given to us by these consultants. Mr. Khan continued with the water quality of the presentation, suggesting PFAS removal at the Partridge Well and reserve space for PFAS treatment for the Depot Well. Mr. Khan discussed the Iron and Manganese in each of the wells, he recommended a combined metal removal treatment facility for Tremont and Depot Wells and suggested treatment for the Lakeshore well. Mr. Khan then discussed the capital improvement plan, phase 1, 2, 3 and 4, and the different costs for each. Mr. Guitart inquired about the lead service line inventory. Mr. Khan responded it is required by the EPA to have an updated inventory. Mr. Mackin commented that they do have some records, but Duxbury is on a three-year waiver rotation. Lead tests have been very low. Mr. McGee commented that we look to find some grants that can help with the cost. Ms. Ladd Fiorini inquired about new wells going onto the master plan and is it cost effective? Mr. Mackin responded that there is no guarantee that there will be no PFAS in it. Mr. Trahan commented that it is a 3-5 year process to develop a new well, then constructing a pumping station, and still have the same costs. You cannot be sure of what kind of water quality you will get. Mr. Guitart thanked them for taking the time to review the process and further discussion will need to be had to continue with the plan.

Review and Discussion of PFAS testing results at the former McNeil Dump – Weston & Sampson, Inc.

Mr. Sean Healy, of Weston & Sampson Inc., was there to discuss the preliminary testing that was done for the Duxbury Land Fill, not the McNeil Dump. When PFAS was detected, the DEP asked the town to test their monitoring well network for PFAS. Those are the results he is bringing forth today. The McNeil dump was held up in the process by the DEP. Everything is now approved, and they should be doing the McNeil dump in July. Mr. Healy did have the results of the Duxbury landfill from testing done in May. The DEP will want to see more wells. Mr. McGee was concerned about the costs to private well owners. Mr. Healy said he would address with DEP. Ms. MacNab wanted to confirm when the results will be available. Mr. Healy stated not until August. Mr. Guitart thanked him for his report.

Discussion regarding approval of Heritage Fund expenditure request by Senior Center expenditure request:

Mr. Tony Kelso and Ms. Reagan Roderigues, Program coordinators at the Senior Center, presented their request to the Selectboard. Mr. Kelso and Ms. Roderigues gave a brief description of the event.

Mr. McGee read the following:

History of the Fund: The Duxbury Heritage Fund was created in 1989 for the purpose of the promotion of the Town of Duxbury's natural, historical and cultural heritage.

Town Counsel at that time applied for a Special Act authorizing the establishment of such fund (see attached letter dated 12/30/88), but the DOR's letter of April 6, 1989 stated that a special act was not necessary. Under current existing law, the Board of Selectmen could accept a gift from a donor and establish a trust with the Board of Selectmen as Trustees. The Donor would dictate the trust fund rules regulating the operation of the trust such as instructing that interest only be expended and delineating allowable purposes for expenditures.

The Duxbury Heritage Fund was established with a \$14,000 donation. Nothing has been expended from this account.

The current balance is as follows:

Initial deposit (un-expendable amount): \$14,000.00

Interest (expendable amount): \$43,372.34

The attached funding request dated May 4, 2022 from Regan Rodrigues and Tony Kelso, Program Coordinators at the Duxbury Senior Center, meets the criteria.

Mr. McGee moved that the Selectboard approve the requested expenditure in the amount of \$1,200 to the Duxbury Senior Center for their upcoming historical events as presented.

Seconded by Ms. MacNab Vote: 5:0:0

Discussion regarding Duxbury for Ukraine – temporary sign request

Mr. Farrell made a presentation to the Selectboard. Mr. McGee commented about the situation in Ukraine and the need for signage on public property. Ms. MacNab stated that under 601.8.7 in the Zoning by-laws there is a provision for exempted signs which states that: temporary signs erected for any charitable or religious cause or allowed by the Board of Selectmen. Not to exceed thirty-days. Ms. MacNab stated that because it is a charitable cause it can be allowed. Ms. Ladd Fiorini inquired about where he was looking to place these on Town owned land. Mr. Farrell replied he was instructed by the zoning officer Jim Wasielewski in order to put signs on Town owned land he would need to request permission from the Board of Selectmen. Mr. Farrell stated that there are many residents of Duxbury who have shown interest in supporting the efforts of Ukraine, and these signs can help getting the word out. Ms. O'Connor helped to clarify where they can and cannot be placed and the time frame of thirty days. Historically this is how we have done this process in the event someone should question the signs. Mr. Guitart requested a motion.

Mr. McGee moved that the Selectboard permit the placing of lawn signs requested by Mr. Farrell in his letter dated June 1, 2022 on behalf of **Duxbury for Ukraine**, a non-profit charitable organization, in accordance with the Zoning Bylaws Section 601.8.7. Exempted Signs which states "*Temporary signs*

erected for any charitable or religious cause or allowed by the Board of Selectmen,” contingent upon the following conditions:

- 1) Placement of a total of not more than 36 signs (18” X 24”) as described in the request dated June 1, 2022 (not including requests for State Highways);
- 2) Displayed at the following locations:
 - a) Joe Shea Rotary near Exit 22 (old Exit 11)
 - b) West Street/Route 14 Intersection
 - c) Saint George Street, Route 3A Intersection
 - d) Saint George Street – Millbrook Commercial Zone
 - e) Snug Harbor Commercial Zone
 - f) Blue Fish River Park
 - g) Saint George Street/Washington Street flagpole
 - h) Park Street/Tremont Street Intersection
 - i) Tobey Garden Street/Tremont Street Intersection
 - j) Valley Street/Franklin Street Intersection (Thadeus Chandler Sanctuary)
 - k) High Street/Route 53 Intersection
 - l) Berrybrook Fields
 - m) Tarkiln Center Play Fields
 - n) Powder Point Bridge at Powder Point Ave/King Caesar Road Intersection
 - o) Public buildings: Police, Fire, Library, Harbormaster, Transfer Station, PAC and Chandler, Alden, Middle and High Schools

(When placing the signs please be careful not to block any motorist sightlines)
- 3) Signs can be displayed for the period of up to 30 days. *(including signs on Private Property)*

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

Discussion regarding Save Our Bay – temporary signage request

Mr. Dalton was there to discuss the Save Our Bay sign request and gave a brief presentation.

Mr. Guitart commented that as a Selectboard they are working hard for this cause and are in total support of this request.

Mr. McGee moved that the Selectboard permit the placing of lawn signs requested by Mr. Peter Dalton in his email dated June 6, 2022 on behalf of **Save Our Bay**, a non-profit charitable organization, in accordance with the Zoning Bylaws Section 601.8.7. Exempted Signs which states “*Temporary signs erected for any charitable or religious cause or allowed by the Board of Selectmen,”* contingent upon the following conditions:

- 1) Placement of signs (18” X 24”) as described in the request dated June 6, 2022 (not including Bumpus Park as that is private property);
- 2) Displayed at the following locations:
 - p) Library
 - q) Town Pier
 - r) Transfer Station
 - s) Rotary & Hall’s Corner

- t) Town Hall
 - u) Howland's Landing
 - v) Entrance to Powder Point Bridge (at King Caesar Rd and Powder Point Ave)
 - w) Bay Farm Trails
 - x) Fire Station Headquarters
 - y) Bluefish River Bridge
 - z) Bluefish Rotary (flagpole at Washington St and Saint George St)
- (When placing the signs please be careful not to block any motorist sightlines)*

3) Signs can be displayed for the period of up to 30 days. *(including signs on Private Property)*

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

V TOWN MANAGER'S REPORT - Not Available

VI COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS

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

Conservation Commission

Holly Morris	FY23 Re-Appointment	06-30-2025
Corey Wisneski	FY23 Re-Appointment	06-30-2025
Scott Zoltowski	FY23 Re-Appointment	06-30-2025

Highway Safety Committee

Phillip Tucker	FY23 Re-Appointment	06-30-2025
Neal Frangesh	FY23 Re-Appointment	06-30-2025

Seconded by Ms. MacNab Vote: 5:0:0

The following boards/committees have available seats:

<i>Alternative Energy Committee</i>	-	<i>one seat</i>
<i>Duxbury Seawall Committee</i>	-	<i>one seat</i>
<i>Local Historic District Commission</i>	-	<i>one seat</i>
<i>MBTA Advisory Board</i>	-	<i>one seat</i>
<i>Nuclear Advisory Committee</i>	-	<i>one seat</i>
<i>Recreation Activities 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.

VII ONE-DAY LIQUOR LICENSE REQUESTS - None

VIII EVENT PERMITS

07/04/22 4th of July Parade

Mr. McGee moved that the **Town of Duxbury Fourth of July Committee** is granted permission to hold the annual Fourth of July Parade and related events on Monday, July 4, 2022 in the Town of Duxbury, contingent upon the conditions of the license.

Seconded by Mr. Flynn Vote: 4:0:1 (Ms. MacNab-abstained)

IX MINUTES

Mr. McGee moved to approve the 05/23/22 Selectboard's Executive Session Minutes, with the contents to remain confidential until the need has passed.

Seconded by Mr. Flynn Vote: 4:0:1 (Mr. McGee-abstained, not present for meeting)

Mr. McGee moved to approve the 03/28/22, as presented, and the 05/16/22, as amended, Selectboard's Executive Session Minutes.

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

X ANNOUNCEMENTS

1) Juneteenth Independence Day Holiday

Town Hall offices will be closed on Monday, June 20, 2022 in observance of the Juneteenth (June 19) State holiday. On July 24, 2020, Governor Baker signed legislation to include this date as a State holiday. "Juneteenth Independence Day" is commonly referred to as "Juneteenth", commemorating June 19, 1865, the official end of slavery in the United States.

2) Next Scheduled Selectboard's Meeting will be on Monday, June 27, 2022 at 7:00pm.

XII ADJOURNMENT

Mr. McGee moved that the Board of Selectmen adjourn at approximately 9:05pm.

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

Minutes submitted by Michelle Seda-Stotts

LIST OF DOCUMENTS

- 1) BOS Agenda
- 2) Documents regarding PFAS testing for McNeil Dump
- 3) Heritage Fund expenditure request
- 4) Duxbury for Ukraine Signage request
- 5) Save Our Bay temporary signage request
- 6) FY23 Appointments/Re-appointments/Resignations
- 7) 4th of July Event Permit request
- 8) Minutes
- 9) Announcements