

Date: January 7, 2019

Date Minutes Approved: January 14, 2019

TOWN CLERK

2019 JAN 15 PM 12:26

OPEN SESSION MINUTES
DUXBURY, MASS.

BOARD OF SELECTMEN

Present: Theodore J. Flynn, Chair; Shawn Dahlen, Vice Chair; and David Madigan, Clerk

Absent: None

Staff: René J. Read, Town Manager; and Nancy O'Connor, Executive Assistant

CONVENED IN OPEN SESSION –

I. CALL TO ORDER The meeting was called to order at approximately 6:30 p.m.

II. 6:30 PM – EXECUTIVE SESSION

VOTE TO ENTER EXECUTIVE SESSION

Mr. Madigan moved that we go into Executive Session to discuss strategy with respect to potential litigation since an open meeting may have a detrimental effect on the Town's litigating position, if the Chair so declares, regarding the following:

Town of Duxbury v. Quakewrap and C.White Marine

in accordance with Mass. General Laws Chapter 30A, Section 21, and that the Board reconvene in Open Session on or about 7:00 PM.

As Chair, Mr. Flynn declared that the necessity for an Executive Session is to discuss strategy with respect to litigation, as to do so in an Open Session may have a detrimental effect on the Town's litigating position.

Mr. Dahlen seconded the motion.

ROLL CALL VOTE: Mr. Flynn-Aye; Mr. Dahlen-Aye; and Mr. Madigan-Aye

ADJOURNED EXECUTIVE SESSION & RE-CONVENED IN OPEN SESSION

At approximately 6:50 p.m., after completing the business of the Executive Session, Mr. Madigan moved that the Board adjourn the Executive Session and immediately re-convene in Open Session at approximately 7:00pm. Mr. Dahlen seconded the motion.

ROLL CALL VOTE: Mr. Flynn-Aye; Mr. Dahlen-Aye; and Mr. Madigan-Aye

III. OPEN FORUM Nothing brought forward.

IV. NEW BUSINESS

7:01pm Water & Sewer Commissioners – Marshfield Commitment M-2019-1

Mr. Madigan moved 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 Mr. Dahlen Vote: 3:0:0

Marshfield Water Commitment M-2019-1 - This is the commitment to collect the amount billed to the Town of Marshfield for Marshfield Residents receiving Duxbury Water.

Mr. Madigan moved that the Board of Water & Sewer Commissioners instruct the Treasurer to collect the total amount of \$17,002.93 for water charges for Commitment M-2019-1.

Seconded by Mr. Dahlen Vote: 3:0:0

Mr. Madigan moved that the Board adjourn their meeting as Water & Sewer Commissioners and re-convene as Selectmen. Seconded by Mr. Dahlen Vote: 3:0:0

Discussion pertaining to the authorization of members of the Nuclear Advisory Committee to represent the Board of Selectmen at Pilgrim Nuclear Power Station Decommissioning Meetings

Mrs. Mary Lampert, as representative of the Nuclear Advisory Committee, presented information to the Selectmen regarding the closing and decommissioning of the Pilgrim Nuclear Power Station along with questions to be asked at upcoming meetings on January 8 (teleconference) and January 15 (meeting in Plymouth). Mrs. Lampert stated that Pilgrim will close May 31 this year and decommissioning will then commence. She further mentioned that there are concerns: Finances for cleanup so waste does not pollute the bay; if there isn't enough money, both Entergy and the new owner are limited liability companies, so no liability to the parent company; and the effects on us from a safety and economic point of view. Mrs. Lampert continued to say that Holtec's (proposed new owner) decommissioning plan is 8 years, whereas, Pilgrim's plan is 60 years, and it's an advantage to decommission more quickly. She further stated that the spent fuel will remain on site in dry casks and will be moved to higher ground due to sea level rise and climate change. There will not be an off-site repository. She also informed the Selectmen that the Town of Plymouth is hoping to get \$2,000,000 for emergency planning, and she feels that we should ask for money too and shouldn't be ignored because parts of Duxbury are closer to Pilgrim than parts of Plymouth. Mrs. Lampert will provide the Selectmen with an update after the meetings.

Mr. Madigan moved that the Board of Selectmen authorize members of the Duxbury Nuclear Advisory Committee to attend and/or ask questions on the Town's behalf at any meetings regarding the decommissioning of the Pilgrim Nuclear Power Station and/or the transfer of the license from Entergy to Holtec regarding the Pilgrim Nuclear Station with the understanding that the Duxbury Nuclear Advisory Committee provides timely updates to the Board of Selectmen regarding any information learned. Seconded by Mr. Dahlen Vote: 3:0:0

Presentation by the Sidewalk & Bike Path Committee – Thomas Nee, Chair

Mr. Nee and members of the committee presented the Selectmen with a Power Point presentation regarding the Committee's History & Mission, Proposed Name Change to Walk & Bike Path Committee, and Projects (Alden Street/Railroad Ave/Saint George Street/Millbrook; Duxbury crosstown path linking schools; Washington Street – walking path from Island Creek Oysters to Surplus Street; and Hall's Corner). He stated that they want to promote more walking and bike paths where people of all abilities can walk, jog and bicycle. Ms. Nancy Armington Johnson spoke about the proposed path connecting Alden Street, Railroad Avenue, and Saint George Street in the Millbrook

area. She further discussed some of the obstacles involved in the planning (for example - existing parking spaces and the uncertainty of the DuxPlux) and said that they may consider the other side of Railroad Avenue. Mr. Jim Fiset discussed a crosstown path connecting Chandler School to the Alden/MS/HS complex through existing Town/Conservation property walking paths. Mr. Steve Marshall proposed a walking path (not a sidewalk with a raised curb) from Island Creek Oysters to Surplus Street. He continued to say that they will work with other committees and possibly have a community forum.

Mr. Nee asked the Selectmen for guidance about their mission and possible funding. Mr. Read recommended that they talk with the Planning Board and Valerie Massard, Planning Director, for guidance as well as applying for grant money. Mr. Flynn thanked them for a very comprehensive report. Resident Mr. Frank Turner asked about "complete" streets stating that there would be a lot of funding. Mr. Read responded that he had discussed with Ms. Massard a while back, and will have to look into.

V TOWN MANAGER'S REPORT

Mr. Read stated that the FY20 budget is completed and balanced, and warrant development is well under way. He continued to say that the warrant will be forwarded to Town Counsel for review and should have a draft to the Selectmen for their meeting next Monday (January 14). He asked the Selectmen if he can talk with Mr. Dahlen to discuss the order of articles, which there are a total of approximately 43. He further mentioned that there is a Fiscal Advisory Committee meeting tomorrow night (Tuesday, January 8) and that they should have all their final votes in.

VI COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS

Mr. Madigan moved that the Board of Selectmen appoint Wendell Cerne to the Alternative Energy Committee to fill an expired seat due to expire on 6/30/2020. Seconded by Mr. Dahlen Vote: 3:0:0

Mr. Madigan moved that the Board of Selectmen appoint Becky Katz Brown to the Council on Aging Board to fill an unexpired seat due to expire on 6/30/2019. Seconded by Mr. Dahlen. Vote: 3:0:0

VII ONE-DAY LIQUOR LICENSE REQUESTS

02/02/19 Duxbury Art Association's Winter Juried Show Reception

Mr. Madigan moved that Ms. Mandy Fariello, as a representative of the Duxbury Art Association, is granted a One-Day All-Alcoholic License to hold a reception on Saturday, February 2, 2019 from 5:30pm to 9:00pm at the Art Complex Museum, 189 Alden Street, subject to the conditions of the license. Seconded by Mr. Dahlen Vote: 3:0:0

VIII EVENT PERMITS

06/09/19 Duxbury Fitness 5K

Mr. Madigan moved that Ms. Anne Marie Winchester, as a representative of South Shore Race Management, LLC, is granted permission to hold the Duxbury Fitness 5K Road Race in Duxbury on Sunday, June 9, 2019 from 9:00am to 11:00am contingent upon the conditions of the permit. Seconded by Mr. Dahlen Vote: 3:0:0

IX MINUTES

Mr. Madigan moved to approve the 12/17/18 Selectmen's Executive Session Minutes, as presented, with the contents to remain confidential until the need has passed.

Seconded by Mr. Dahlen. Vote: 3:0:0

Mr. Madigan moved that the Board of Selectmen approve the 12/17/18 Selectmen's Open Session Minutes, as presented. Seconded by Mr. Dahlen Vote: 3:0:0

X ANNOUNCEMENTS

1. Waiting Lists for Commercial Mussel & Razor Clam Licenses:

Just a reminder that individuals on the Waiting Lists for Commercial Mussel and Razor Clam Licenses must renew their application annually within the month of January. The sign-up sheets are posted in the Selectmen's office.

2) Black Tie Bingo - Black Tie Bingo will be on Saturday, January 26, 2019 from 6 – 10 PM at the Duxbury Senior Center. This is a fundraiser for the fuel assistance program. Tickets are \$50 per person and can be purchased at the Senior Center. Come have an evening of fun and support a good cause.

3) Upcoming Duxbury Senior Center Focus Group Meetings:

The Duxbury Senior Center staff is excited about the new space and want to make sure it meets your needs! Please join them for the following upcoming focus groups! Your input is greatly appreciated

Men's Activities focus group. January 9 @ 3:00 PM at the Duxbury American Legion, 5 West Street, Duxbury.

Travel/adventure/outdoor activities focus group. January 11 @ 12:00 PM at the Duxbury Senior Center. Lunch provided

RSVP to Joanne Moore 781-934-5774 x 5700 or joannemoore@duxburycoa.com

4) Brush Burning Permits are now available: Information about Brush Burning Permits is posted on the Town website on the Fire Department webpage.

5) Next Scheduled Selectmen's Meeting is on: Monday, January 14, 2019.

XI ADJOURNMENT

At approximately 8:30pm, Mr. Madigan moved that the Board adjourn.

Seconded by Mr. Dahlen. Vote: 3:0:0

Minutes submitted by Nancy O'Connor

LIST OF DOCUMENTS (documents are kept in the Board of Selectmen files)

- 1) Agenda*
- 2) Executive Session motion*
- 3) Water & Sewer Commissioners – Agenda and documentation*
- 4) Documentation regarding Pilgrim Nuclear Power Station*
- 5) Presentation by Sidewalk & Bike Path Committee*
- 6) Committee appointments*
- 7) ODLL*
- 8) Event Permit*
- 9) Draft Minutes*
- 10) Announcements*