

Date: June 22, 2020
Date Minutes Approved:

TOWN CLERK

2020 AUG 19 PM 4: 27

BOARD OF SELECTMEN

DUXBURY, MASS. OPEN SESSION MINUTES

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

Absent: Shawn Dahlen, Clerk (*resigned as of June 18, 2020*)

Staff: René Read, Town Manager; a John Q. Adams, Finance Director; and Nancy O'Connor, Executive Assistant

Others: Susan Kelly, Town Clerk; Paul Brogna and Jeff Lewis from the Highway Safety Advisory Committee

CONVENED IN OPEN SESSION (*via remote participation of the Board members and staff*)

I. CALL TO ORDER This meeting was called to order at approximately 1:309m.

Mr. Madigan, as Chair, read into the record the below referenced Governor Baker's order regarding updated provisions of the Open Meeting Law during this COVID-19 crisis, which information was also posted on the Selectmen's agenda. Mr. Madigan also confirmed and announced the above-listed members and staff participating in this remote meeting.

Welcome to the June 22, 2020 meeting of the Board of Selectmen. This Open Meeting is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the COVID-19 Virus. In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed and encouraged to participate remotely. The Order, which you can find posted on our agenda, allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting. For public access – please email at occonnor@town.duxbury.ma.us or call-in at 781-934-1100 x5400 for questions or comments.

This meeting is convening via Zoom video conference produced and recorded by PACTV, and can be viewed live on the Duxbury Government Access Channels – Verizon 39 or Comcast 15; or for those without cable, on PACTV's Prime streaming channel at PACTV.org/LIVE. This meeting will then be available via video on-demand on PACTV's website.

II. OPEN FORUM/PUBLIC COMMENTS: No official "open forum" as these are remote meetings. No public comments via phone calls were received during this meeting.

III. NEW BUSINESS

Discussion regarding restaurant applications to expand their outdoor dining

Blakeman's and the Sun Tavern have applied to expand their outdoor dining areas. These have all been reviewed by the Board of Health, Building Department, Fire Department, Police Department, and Town Manager's office. As previously authorized by the Selectmen, the Town Manager provided

temporary approval so that these establishments could open their businesses. These are temporary licenses, which will expire November 1, 2020 or until the Order is rescinded, whichever comes first.

Mr. Flynn moved that the Board of Selectmen, as the Local Licensing Authority, approve of the temporary expanded outdoor dining areas, in accordance with Governor Baker's Phase II COVID-19 Order No. 35 and all applicable laws, for the following establishments:

Blakeman's at Duxbury Beach Park (Liquor License #00034-RS-0300)

The Sun Tavern (Liquor License #00035-RS-0300)

Seconded by Mr. Madigan Mr. Madigan-Aye; Mr. Flynn – Aye

Discussion regarding speed reduction request on Shipyard Lane

At the 8/12/19 Special Town Meeting, Town Meeting voted in favor of Article 2 – Acceptance of Section 18B of Chapter 90 of the General Laws to designate "Safety Zones" and the reduction of the speed limit to 20 mph.

Mr. Paul Brogna and Mr. Jeff Lewis, both from the Highway Safety Advisory Committee, were in attendance. Mr. Brogna stated that the committee met on June 4 to discuss residents' concerns on Shipyard Lane. As a result, the committee has asked residents to cutback greenery to improve sight lines and, by letter to the Selectmen dated June 10, they are asking the Selectmen to designate this street a safety zone.

Mr. Lewis included that he spoke with the MassDOT District 5 engineer regarding their safety zone recommendation and to confirm that an engineering study was not appropriate for this designation as the criteria under Section 18B have been met.

Mr. Flynn moved that the Board of Selectmen vote to accept the recommendation of the Highway Safety Advisory Committee to designate Shipyard Lane as a "Safety Zone" and reduce the speed limit to 20 mph, as they find this road meets the criteria as allowed by Section 194 of Chapter 218 of the Acts of 2016 under Chapter 90, Section 18B, and further to authorize the Chair to sign and send notice of action to the Massachusetts Department of Transportation (MassDOT).

Seconded by Mr. Madigan Mr. Madigan-Aye; Mr. Flynn – Aye

Discussion regarding 3 Feinberg Bog Road Sale

Town Counsel has reviewed the Deed Rider and Resale Price Certificate, all which require Board of Selectmen approval and execution for the sale of 3 Feinberg Bog Road.

Mr. Flynn moved that the Board of Selectmen approve and execute the Affordable Housing Deed Rider and Resale Price Certificate for the property located at 3 Feinberg Bog Road, as presented.

Seconded by Mr. Madigan Mr. Madigan-Aye; Mr. Flynn – Aye

IV TOWN MANAGER'S REPORT

PCE Water pipe replacement – Mr. Read stated that Harrison Street water main work will be completed this week and will be re-paved. Heritage Lane work to start next week.

Town Meeting – Mr. Read mentioned that he has received emails from several parents regarding the budget process and the timing of Town Meeting, which is still scheduled for August 1. He thanked parents for reaching out.

Selectman Dahlen update – Mr. Read informed everyone that he received a letter from Selectman Shawn Dahlen resigning from his position, and now there is a vacancy on the Board. Mr. Read, Mr. Madigan, and Mr. Flynn all remarked that this is a sad day as Shawn was a tremendous volunteer for the entire community, and a great Selectman. We will all greatly miss him on the Board.

Special Town Election – Town Clerk Susan Kelley said that we can hold a Special Town Election to fill this vacancy along with the State Primary scheduled for September 1. She continued to say that they Selectmen would have to Call the Election at their next meeting, and if someone wishes to submit papers, they are due by July 15 and require 50 certified signatures. She also mentioned that the deadline to register to vote is August 12 and the Election Warrant will be posted by August 25. Absentee voting will be available.

V COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/RESIGNATION

Mr. Flynn moved that the following members be re-appointed as follows:

| <u>Board / Committee</u> | <u>Appointment/Re-appointment</u> | <u>Term</u> |
|--|--|--------------------|
| <u>Alternative Energy Committee</u> | <u>(Lew Segall-Chair / David J. Madigan -Liaison)</u> | |
| Wendell Cerne | Re-Appointment | 06-30-23 |
| Matt Cooney | Re-Appointment | 06-30-23 |
| <u>Conservation Commission</u> | <u>(Corey Wisneski-Chair)</u> | |
| Sam Butcher | Re-Appointment | 06-30-23 |
| Dr. Thomas J. Gill, III | Re-Appointment | 06-30-23 |
| <u>Duxbury Affordable Housing Trust</u> | <u>(Diane Bartlett-Chair / Shawn Dahlen -Liaison)</u> | |
| George Wadsworth | Re-Appointment | 06-30-23 |
| Matt Walsh | Re-Appointment | 06-30-23 |

Comments: The Alternative Energy Committee and the Duxbury Affordable Housing Trust have empty seats. 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.

Seconded by Mr. Madigan Roll Call Vote: Mr. Madigan-Aye; Mr. Flynn-Aye

VI ONE-DAY LIQUOR LICENSE REQUESTS - None

VII EVENT PERMITS - None

VIII MINUTES

Mr. Flynn moved that the Board of Selectmen approves the 6/8/20 and 6/15/20 Selectmen's Open Session minutes, as presented.

Seconded by Mr. Madigan Roll Call Vote: Mr. Madigan-Aye; Mr. Flynn-Aye

IX ANNOUNCEMENTS

1) Annual Town Election

The Duxbury Annual Town Election will take place on Saturday, June 27, 2020.

The polls for all Duxbury registered voters are located at the Timothy J. Steele Athletic Building, 130 Saint George Street, Duxbury.

The polls will be open from 10:00AM to 2:00PM.

Reminder that the Town Clerk is encouraging residents to vote by absentee ballot. Please either call or email the Town Clerk's office at 781-934-1100 x5450 or kelley@town.duxbury.ma.us. The last day to request an absentee ballot is today, Monday, June 22, 2020. Ballots may be returned by US Mail or dropped off in the drop box behind Town Hall and must be received by close of polls on Saturday, June 27.

2) Next Scheduled Selectmen's Meeting will be on Monday, June 29, 2020 at 9:30am and this Thursday, June 25, 2020 at 1:30pm for a joint meeting with the Finance Committee

X ADJOURNMENT

Mr. Flynn moved that the Board of Selectmen adjourn at approximately 9:55am.

Seconded by Mr. Madigan Roll Call Vote: Mr. Madigan-Aye; Mr. Flynn-Aye

Minutes submitted by Nancy O'Connor

LIST OF DOCUMENTS

- 1) Agenda*
- 2) Restaurant Outdoor dining documentation*
- 3) Shipyard Lane Speed reduction documentation*
- 4) Feinberg Bog sale documentation*
- 5) Committee Appointments*
- 6) Minutes*
- 7) Announcements*