**Date: September 24, 2018**

*Date Minutes Approved: October 15, 2018*

**BOARD OF SELECTMEN MINUTES**

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

**Absent:** (none)

**Staff:** René J. Read, Town Manager; and C. Anne Murray, Administrative Assistant

**I CALL TO ORDER**

The meeting was called to order at 7:00 PM in the Mural Room at the Duxbury Town Hall.

**II OPEN FORUM -**Nothing brought forward.

**III NEW BUSINESS**

**Recognition of Rep. Cutler and Sen. O’Connor for their assistance to the Town of Duxbury**

Both State Representative Josh Cutler and State Senator Patrick O’Connor were in attendance.

Chair Ted Flynn said that the Board wanted to publically recognize both State Representative Josh Cutler and State Senator Patrick O’Connor for their outstanding work on the part of their constituents. He gave an overview of some of the things Duxbury’s legislators had done by mentioning the following:

* $35,000. To the Town of Duxbury for the purchase of a new aquatic weed harvester for much needed use in Island Creek and other area ponds;
* $40,000. To the Towns of Duxbury, Marshfield, and Scituate for the joint purchase of a mobile de-watering pump. This critical piece of equipment will allow our fire departments to provide assistance as needed to residents during flooding emergencies.
* $50,000. To the Town of Duxbury for accessibility improvements at the Duxbury Senior Center.
* $1.5 million earmark for the Town of Duxbury for costs associated with coastal infrastructure improvements. While we recognize that this is a bond authorization, rather than a budget appropriation and as such ultimately under the Governor’s authority, your advocacy was crucial in getting it to the Governor’s desk.

He also mentioned that the Board appreciated their communication on legislative issues and their willingness to listen to the Town’s concerns.

State Rep. Josh Cutler thanked the Selectmen. He mentioned that all of those accomplishments came about because of the Town officials, elected officials and local folks bring issues to them and work with them. He also acknowledged his colleague, Sen. O’Connor, and how much he has enjoyed working with him. He pointed out that unlike the issues seen on the national level, theirs is a bipartisan effort that works and gets things done.

Senator O’Connor said he gets a lot of satisfaction hearing that residents are happy with the community. He understands with growing liabilities and health insurance increases that it is harder to manage budgets. He is glad to be part of a team effort to bring some financial assistance from the State to help with some one-time purchases and shoring up of coastal infrastructure. Sen. O’Connor said it is all about working together with a common goal of making Duxbury a better place to live, work and raise a family.

He added it has been an honor to work with State Rep. Cutler and with former State Rep. Tom Calter for the period he was a State legislator. And that he appreciates the input from the Town officials in letting them know what is needed.

Mr. Flynn also thanked the legislators for their help with the recent bridge concerns in Marshfield that would have put Plymouth residents and Duxbury resident in jeopardy as fire apparatus would not be able to get to them. The bridge issue is crucial to two upcoming projects: (1) the shoring up of the Duxbury seawall and (2) the Duxbury Beach Reservation, Inc.’s coastal restoration project, which is just getting underway.

Town Manager Read added that he also appreciates when State Rep. Cutler and Senator O’Connor have shown up; not just at the ceremonial occasions, but at other meetings when it helps to show the Town has support at the legislative level.

Chairman Flynn presented each of the legislators with a letter of commendation signed by the Board.

**Call for November State Election**

Mr. Madigan moved that the Board of Selectmen directs either of the Constables of the Town of Duxbury to notify and warn the inhabitants of Duxbury who are qualified to vote in the State Election to vote at Precincts One through Six at the Lt. Timothy J. Steele Athletic Building, 130 Saint George Street, Duxbury, Massachusetts on Tuesday, the 6th Day of November, 2018 from 7:00 A.M. to 8:00 P.M. Second by Mr. Dahlen. VOTE: 3:0:0.

**IV TOWN MANAGER’S REPORT**

Mr. Read reported on the following items:

1. **Canal Street Bridge**

He mentioned that Planning Director Valerie Massard spoke with staff at District 5’s Bridge Division at MassHighway.  A design has been formally submitted to MassDOT for strengthening the Canal Street Bridge.  An internal meeting with the designer and the contractor at District 5 will take place on Tuesday (9/25) at which point the contractor will be asked to price out the work after some minor details are reviewed.  The response to the $600,000 estimate is “that number appears to be very high for what is being proposed.”

1. **Capital Budget Presentation – Joint Meeting:**

As was done last year, there will be a joint meeting of the Board of Selectmen, Finance Committee, Fiscal Advisory Committee and School Committee scheduled in October to hear the capital budget presentations. He mentioned October 15th or October 22nd as potential dates with the joint meeting to be at the Duxbury Senior Center.

1. **Dam & Seawall Grant:**

The Town Manager said he spoke with Bill Hinkley, Program Administrator in the Executive Office of Energy and Environmental Affairs, who oversees the Dam and Seawall Repair or Removal Program.

Mr. Hinkley told the Town Manager that the proposals have all been evaluated and funding recommendations have been made.  The recommendations were forwarded to the Secretary of Environmental Affairs and following that, they will be forwarded to the Governor for his approval.  Twenty nine (29) communities applied for a total project amount of just over $22 million dollars’ worth of work.  Only a couple of communities had applied for the full amount.  There is no specific timeline for notice of approval or denial other than “hopefully October.”  He did tell me that award notification went out late last year and they are hoping to avoid that problem this year.

As a comparison, last year the program awarded $11.5 Million for twenty two (22) dam and seawall Projects.

1. **Revetment Armoring Materials:**

Mr. Read reported that the armoring boulders for the temporary seawall repair have been delivered to the site. They will begin placing the armoring boulders on Friday.

Questions from the Board:

**Regarding Grant Money for Seawall Repairs:** Mr. Dahlen asked if the grant money could be used for the tow-slope of the entire length vs. the FEMA money which can only be used just for repairs of the damaged sections. Mr. Read said that he believes the grant monies can be used for the tow-slope for the entire wall. He said that he also met with FEMA last week and they will be trying to combine the funding from both sources as part of the FEMA project. He needs more details before the exact mechanism can be worked out and to determine how much funding will be requested at the March 2019 Town Meeting.

**Understanding Regarding Bridge Cost Sharing:** Mr. Dahlen asked if any agreement has been reached on the cost sharing regarding the costs for shoring up the Marshfield bridge. Mr. Read said no agreement has been reached yet.

1. **Recorded Non-Exercise of Right of First Refusal (761 Temple ST –a Chap. 61A property)**

Mr. Read said a resident had called regarding a matter the Board had previously acted on. The owner was trying to convey a property from one LLC to another. The Board had voted on and filed a Notice of Non-Exercise of Right of First Refusal Pursuant to Chap. 61A, which basically means the Board was not interested in purchasing the property. In the Board’s motion it specified the property address, street address, and the parcel id, without noting the LLC name. In this case, however, there is a change in the LLC name and what is not known is whether the documents have to be revised to accomplish the same thing but with the new LLC name. So he asked the Board to vote to allow him to work through this matter with Town Counsel to try to resolve it on behalf of the Board.

Mr. Madigan moved that the Board of Selectmen authorizes Town Manager René Read and Town Counsel to work together to resolve any issues (regarding 761 Temple ST) Notice of Non-Exercise of Right of First Refusal pursuant to Chap. 61A (as described). Second by Mr. Dahlen. VOTE: 3:0:0.

Mr. Madigan brought up another issue of concern. He mentioned that there are a lot of issues with cell phone coverage in Duxbury. He recommended that the Board send a letter to the cell phone providers to see if there is a solution to the problem of dropped calls in areas such as: Hall’s Corner, Washington ST, Duxbury Beach, and the LT. Timothy J. Steele Building, etc. He noted that the poor cellphone coverage has health implications noting that diabetics can use cellphones to access their insulin pumps, but the lack of coverage makes this impossible in areas of Duxbury.

Mr. Dahlen voiced his favor for this. He said that there has not been pushback from the town regarding adding cell tower locations, and he would welcome having the cellphone providers come in to talk to the Board about this matter.

It was mentioned that the Board of Appeals had approved an application for another cell tower many years ago, but then the applicant never moved forward with the construction of the proposed cell tower.

Mr. Madigan moved that a letter be composed on behalf of Board of Selectmen to be sent to the various cell phone carriers that service Duxbury. Second by Mr. Dahlen. VOTE: 3:0:0.

**V COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/ RESIGNATION**  -*none*

**VI ONE-DAY LIQUOR LICENSE REQUESTS**  -*none*

**VII EVENT PERMITS**

***10-06-18 DHS Cheerleaders’ Fall Festival***

Mr. Madigan moved the Board of Selectmen grant to Ms. Jennifer Carley, as a representative of the Duxbury High School Cheerleaders, permission to hold their Fall Festival from 10:00 AM – 2:00 PM on Saturday, October 6, 2018, at JEM Equestrian, 655 Franklin ST, contingent on the conditions on the permit. Second by Mr. Dahlen. VOTE: 3:0:0.

***10-13-18 Winsor House – Wedding***

Mr. Madigan moved the Board of Selectmen grant to Mr. Charles Weilbrenner, as representative of Modern Family Associates DBA The Winsor House Inn, an Event Permit for entertainment for a wedding and reception, to be held outdoors at The Winsor House Inn on Saturday, October 13, 2018 from 2:00 pm to 6:00 pm, contingent on the conditions on the permit. Second by Mr. Dahlen. VOTE: 3:0:0.

**VIII MINUTES**

Executive Session Minutes: *none*

Open Session Minutes: 09-17-18 Selectmen’s Minutes –Draft

Mr. Madigan moved that the Board of Selectmen approve the 09-17-18 Selectmen’s Minutes, as presented. Second by Mr. Dahlen. VOTE: 3:0:0.

**IX ANNOUNCEMENTS**

Mr. Madigan made the following announcements:

1. **Duxbury Litter Sweep**

TheAnnual Duxbury FALL Litter Sweep will be held on Saturday, September 29, 2018 from

8 a.m. to 4 p.m. Registration and trash bags will be available at the Tarkiln Building. For more information see: [www.duxburylitterpatrol.com](http://www.duxburylitterpatrol.com) or email [duxburylitterpatrol@gmail.com](mailto:duxburylitterpatrol@gmail.com).

The past Litter Sweeps have collected 60-125 bags so upwards of 2000 pounds of litter has been removed. Many hands are needed so please help.

1. **Duxbury Beach Coastsweep 2018**

The Duxbury Beach Coastsweep will be held on Saturday, September 29th, in conjunction with Duxbury Litter Sweep, from 9 AM – Noon. Visit [www.duxburybeach.com](http://www.duxburybeach.com) to sign up, and then meet at the east end of the Powder Point Bridge on the day.

1. **PACTV Candidate Forums in October**

PACTV will be airing Candidate Forums in early October on the Duxbury government channel. Because of this, daytime shows & nighttime meeting replays will be bumped through October.

It won’t affect the live airings of meetings.  Below are the times that PACTV be airing the Candidate Forums on Comcast 15/Verizon 39:

**Tuesdays & Thursdays from 8AM-10AM**

**Tuesdays at 8PM**

**Fridays from 1PM-3PM & 8PM**

**Sundays at 8PM**

Note that Video on Demand will remain as normal.

1. **Next Selectmen’s Meeting is on:** Monday, October 15, 2018; unless there is something time sensitive, in which case a meeting will be posted.

**X BONUS SHELLFISH SEASON (for October, 2018)**

Mr. Madigan moved that the Board of Selectmen declare a temporary Bonus Shellfish Season for:

1. the commercial harvesting of **softshell clams** for the month of **October, 2018** in accordance with posted Attachments B & C.
2. the commercial harvesting of **quahog clams** for the month of **October, 2018** in accordance with posted Attachments A & C.

Second by Mr. Dahlen. VOTE: 3:0:0.

**XI ADJOURNMENT**

At approximately 7:20 pm, Mr. Madigan moved that the Board adjourn. Second by Mr. Dahlen. VOTE: 3:0:0.

Minutes prepared by: C. Anne Murray

***LIST OF DOCUMENTS FOR 09-24-18 Selectmen’s MEETING (DOCUMENTS LOCATED IN THE SELECTMEN’S OFFICE FILES.)***

1. *Agenda for 09-24-18 Selectmen’s Meeting*
2. *OPEN FORUM: no documents*
3. *NEW BUSINESS:*
   1. *Recognition of Cutler and O’Connor –Prepared letters of commendation.*
   2. *Call for November State Election –Suggested Motion.*
4. *TOWN MANAGER REPORT: 09-24-18 Town Manager’s Report*
5. *EVENT PERMITS: For each of the following events the packet included the Event Permit application and other details provided about the event, route maps, if applicable, results of the department feedback received, and a drafted Event Permit incorporating the conditions indicated.*

*10-06-18 DHS Cheerleaders’ Fall Festival*

*10-13-18 Winsor House – Wedding*

1. *SUGGESTED ANNOUNCEMENTS for 09-24-18.*
2. *MINUTES: OPEN SESSION MINUTES: Suggested Motion and Draft of 09-17-18 Selectmen’s Minutes.*