

**Date: November 27, 2017**

*Date Minutes Approved: December 11, 2017*

TOWN CLERK

**BOARD OF SELECTMEN MINUTES**

2018 OCT 23 PM 3:27

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

**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 6:30 pm in Open Session in the Duxbury Town Hall (Mural RM), 878 Tremont ST, Duxbury. Upon convening, the Board entered Executive Session.

**II 6:30 PM EXECUTIVE SESSION:**

To consider the purchase, exchange, lease or value of real estate as to do so in open session may have a detrimental effect on the negotiating position of the Town.

Mr. Flynn moved that the Board of Selectmen go into Executive Session to consider the purchase, exchange, lease or value of real property, and to reconvene in open session immediately afterward, in accordance with Mass. General Laws Chapter 30a, Section 21. Second by Mr. Madigan.

As Chair, Mr. Dahlen declared the necessity for the Executive Session because discussions regarding the purchase, exchange, lease or value of real property in open session could be detrimental to the Town's negotiating position and/or strategy.

ROLL CALL VOTE: Mr. Flynn -aye; Mr. Dahlen -aye; Mr. Madigan -aye.

**ADJOURN EXECUTIVE SESSION AND RECONVENE IN OPEN SESSION:**

Mr. Flynn moved that the Board of Selectmen adjourn Executive Session and reconvene in Open Session. Second by Mr. Madigan. ROLL CALL VOTE: Mr. Flynn -aye; Mr. Dahlen -aye; Mr. Madigan -aye.

**RECONVENED IN OPEN SESSION AT 7:00 PM.**

Mr. Dahlen began by mentioning that the Board was in an Executive Session regarding some potential land purchases, which it is hoped can be brought before Town Meeting. Once purchase and sale agreements are signed, then the information will be public.

**III. OPEN FORUM - nothing was brought forward.**

**IV NEW BUSINESS**

**7:01 PM Public Hearing: 2018 Aquaculture Float Applications (aquaculture float area, DBMS upweller float area, and federal anchorage float area license applications)**

Mr. Flynn moved that the Board of Selectmen open the aquaculture public hearing advertised in the Duxbury Clipper on November 15, 2017 regarding aquaculture float license applications from the aquaculture grant holders named in the notice. Second by Mr. Madigan. VOTE: 3:0:0.

Mr. Alan Hoban, Chair of the Shellfish Advisory Committee, said that the Shellfish Advisory Committee held a posted, public meeting on November 8, 2017 to discuss the applications for the Aquaculture floats. The Committee voted unanimously to recommend to the Board of Selectmen that they approve the applications as provided and required by MGL Chap. 130 Sec 57-68 to conduct activities as outlined by the Management Plan –(Designated Aquaculture Area, Federal Anchorage, DBMS Upweller-Aquaculture Float) pending all Federal, State, and local reviews and approvals.

By way of explanation, Mr. Dahlen mentioned that this is the area approved for the sorting, processing, and upwelling of oysters or other shellfish on floats in Duxbury Bay. There are three locations involved: the designated aquaculture area in Snug Harbor, the Federal Anchorage, and the Duxbury Bay Maritime School's (DBMS's) upweller float.

At this point, Mr. Dahlen said that it had not occurred to him before but since he is a director at the DBMS and they do get some funds from the upweller floats, he would recuse himself from the discussion and vote.

There were no comments from the public.

Mr. Flynn moved that the Board of Selectmen approve the float license applications submitted by the following applicants:

Arthur Bennett, William Bennett, John Brawley, Brad Doyle, Scott Doyle, Michael George, Stephen Gilbert, Joseph Grady, Christian Horne, Robert Knecht, Benjamin Lloyd, John McCluskey, William McCormick, Donald Merry, Gregory Morris, Christopher Phillips, Peter Prime, Charles White, Brian Zec

and, as required by MGL 130 sec 57-68, grant permission to conduct activities as outlined by the Management Plan- (Designated Aquaculture Area, Federal Anchorage, DBMS Upweller-AQUACULTURE FLOAT) pending all Federal, State, and local reviews and approvals.

Second by Mr. Madigan. VOTE: 2:0:0. *(Mr. Dahlen recused himself and did not vote.)*

Mr. Flynn moved that the Board of Selectmen close the aquaculture public hearing advertised in the Duxbury Clipper on November 15, 2017 regarding aquaculture float license applications from the aquaculture grant holders named in the notice. Mr. Madigan. VOTE: 2:0:0.

#### **IV TOWN MANAGER'S REPORT**

Mr. Read reported on the following:

- Holly Days – Mr. Read mentioned that the annual Holly Days event was well attended. He extended his thanks to all who made it a success, esp. the Public Safety officials.
- Budget – The Town Manager reported that the Finance Committee has almost completed its review of the FY19 Budget. He expects to be presenting the budget at one of the upcoming December Selectmen's Meetings (on either 12/11/17 or 12/18/17).

- Warrant Articles – Mr. Read said that he doesn't have a final count yet of the number of articles. Selectmen will be announcing the deadline for article submission is this Friday at 12:30 PM.
- Transfer Station: Mr. Read said that the change in the recycling has been working smoothly as residents become more familiar with it. He noted that they have had additional staff on to assist with the transition, but will be cutting back as the need decreases.

Mr. Flynn suggested moving the cardboard recycling from the right side to the left with the others might be a better arrangement. In response Mr. Read said that the first phase was to make the change for the immediate financial savings and to get people educated about it. He added that as a second phase, they are looking into possible reconfigurations, but that also depends on what the EPA will allow. Mr. Read strongly recommended that residents presort their recyclables before heading to the Transfer Station as that will speed up the process for everyone.

## **V COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/ RESIGNATION**

### ***RESIGNATION(S):***

Mr. Flynn mentioned that Jennifer (Cole) Garnache has resigned from the Sidewalk and Bike Path Committee. Her term was to run until June 30, 2019.

### ***APPOINTMENTS / RE-APPOINTMENTS:***

#### ***Alternative Energy Committee***

Mr. Flynn moved to appoint James White to the Alternative Energy Committee to fill an unexpired term due to expire as of June 30, 2019. Second by Mr. Madigan. VOTE: 3:0:0.

With the above appointment the Alternative Energy Committee will be fully staffed.

#### ***Economic Advisory Committee***

Mr. Flynn moved to appoint Clark Hinkley as an At-Large Representative to the Economy Advisory Committee for a term to expire as of June 30, 2020. Second by Mr. Madigan. VOTE: 3:0:0.

#### ***Local Historic District Commission***

Mr. Flynn moved to appoint Philip Tuck as an Alternate to the Local Historic District Commission for a term to expire as of June 30, 2020. Second by Mr. Madigan. VOTE: 3:0:0.

Mr. Flynn added in explanation, that when the LHDC was established section 12.4.3 of the General Bylaws does state "The Board of Selectmen may at its sole discretion, appoint up to a maximum of four (4) alternate members to the Commission for three (3) years..." Request for Mr. Tuck's appointment as an Alternate was made by the Chair of the LHDC. Mr. Tuck has been attending the LHDC meetings and has expressed his interest in the appointment.

*Open Space Committee*

Mr. Flynn moved to appoint Ms. Melissa Rosenblatt to the Open Space Committee to fill an unexpired seat due to expire June 30, 2018. Second by Mr. Madigan. VOTE: 3:0:0.

With the above-referenced appointment the Open Space Committee will be fully staffed.

*Sidewalk and Bike Path Committee*

Mr. Flynn moved to appoint Ms. Kerri Cochrane to the Sidewalk and Bike Path Committee to fill an unexpired term due to expire as of June 30, 2019. Second by Mr. Madigan. VOTE: 3:0:0.

Mr. Flynn mentioned that with the above-appointments the Sidewalk & Bike Path Committee will still have two open seats: one for a term to expire in June 2018 and the other with a term to expire in June, 2019.

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

**VII EVENT PERMITS**

4/07/18 Duxbury Youth Baseball Opening Day Parade

Mr. Flynn moved that the Board of Selectmen grant to Mr. Dave Massingham, as the President of Duxbury Youth Baseball, is granted permission to conduct a parade on Saturday, April 7, 2018 from 11:30AM PM to 12:45 PM (approx.), from Chandler School to the Sinnott/Tarkiln baseball fields, subject to the conditions on the permit. Second by Mr. Madigan. VOTE: 3:0:0.

**VIII MINUTES**

**Executive Session Minutes:** none

**Open Session Minutes:** 11/13/17 Selectmen's Minutes – Draft

Mr. Flynn moved that the Board of Selectmen approve the 11/13/17 Selectmen's Minutes, as presented. Second by Mr. Madigan. VOTE: 3:0:0.

**IX ANNOUNCEMENTS**

Mr. Flynn made the following announcements:

**1. Deadline for 2018 Annual Town Meeting Warrant Articles**

Reminder: Warrant articles for the 2018 Annual Town Meeting must be submitted to the Town Manager's Office **by 12:30 PM on December 1, 2017**. The complete article language and a brief explanation of the article are required. You can contact the Town Manager's/ Selectmen's Office at 781-934-1100 x 6016 with any questions or for assistance. The staff will work with citizens or boards and committees to see that they are directed appropriately.

**2. COA Holiday White Elephant Sale**

On December 4-6<sup>th</sup> from 9 AM – 3 PM there will be a Holiday White Elephant Sale at the Duxbury Senior Center in the Library.

**3. Next Board of Selectmen's meeting: December 11, 2017**

**X BONUS SHELLFISH SEASON (for December, 2017)**

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

- 1) the **commercial** harvesting of **softshell clams** for the month of **December, 2017** in accordance with posted Attachments B & C.
- 2) the **commercial** harvesting of **quahog clams** for the month of **December, 2017** in accordance with posted Attachments A & C.
- 3) the **recreational** harvesting of **softshell clams** for the month of **December, 2017** in accordance with posted Attachment D.

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

**XI ADJOURNMENT**

At approximately 7:18 PM, Mr. Flynn moved that the Board adjourn the meeting. Second by Mr. Madigan. VOTE: 3:0:0.

Minutes respectfully submitted by: C. Anne Murray

***LIST OF DOCUMENTS FOR 11-27-17 SELECTMEN'S MEETING***

1. *Agenda for: 11-27-17 Selectmen's Meeting*
2. *EXECUTIVE SESSION DOCUMENTS: See Executive Session Minutes*
3. *OPEN FORUM: no documents*
4. *NEW BUSINESS:*
  - Public Hearing: 2018 Aquaculture Float Applications: Coversheet with explanation; suggested motion for the public hearing and approval of the float licenses; 11-22-17 Memorandum from Alan P. Hoban, Chair of the Shellfish Advisory Committee; copy of the Management Plan (Designated Aquaculture Float Area); Float License Applications on file; and 11-15-17 Legal Notice published in Duxbury Clipper.*
5. *Town Manager's Report: no documents.*
6. *APPTS./Re-APPTS/RESIGNATIONS: 11-27-17 Resignations from Sidewalk and Bike Path Committee and 11-27-17 Appointment Sheet: Alternative Energy Committee, Economic Advisory Committee, Local Historic District Commission, Open Space Committee, Sidewalk and Bike Path Committee*
7. *ODLLs: none*
8. *EVENT PERMITS: Packets including draft permit, Dept. Head Feedback, and the application materials for 04-07-18 DYB Opening Day Parade*
9. *MINUTES:*
  - a. EXECUTIVE SESSION: none*
  - b. OPEN SESSION: 11-13-17 Selectmen's Minutes- Draft*
10. *ANNOUNCEMENTS: Suggested Announcements for 11-27-17*