

Date: May 18, 2015

Date Minutes Approved: June 1, 2015

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

6:00 p.m. -- Site visit to 705 Temple Street – Merry Residence (for the purpose of recognizing Mr. Merry on the occasion of his 100th Birthday)

The meeting was called to order at 6:00 PM at the residence of Mr. Stanley Merry, 705 Temple ST, Duxbury.

Re-convened at 7:00 PM in the Mural Room at the Duxbury Town Hall.

Mr. Flynn began the televised portion of the meeting by explaining that the Selectmen had convened at Mr. Stanley H. Merry’s residence to present Mr. Merry with a proclamation in honor of his upcoming centennial birthday on May 22, 2015. State Representative Josh Cutler was also in attendance and presented birthday greetings from Governor Baker. Mr. Flynn read the proclamation; a copy of which will be filed and posted with the minutes.

II OPEN FORUM - nothing was brought forward for discussion

III NEW BUSINESS

Discussion pertaining to the review and approval of Amended Aquaculture Regulations

Present for this item of business were Harbormaster Don Beers and Mr. John Brawley an industry representative (aquaculturist), a member of the Shellfish Advisory Committee, and a marine biologist, who works closely with the Commonwealth of Massachusetts’s Division of Marine Fisheries in development of the vibrio management plan for shellfish.

Harbormaster Beers explained that for several years the aquaculturists have been harvesting their catch and taking it to floats where they process and cull the catch before taking the shellfish to market. Tonight’s request is to bring the written guidelines into compliance with current and recommended practices.

Mr. Brawley explained that current Massachusetts General Laws restrict what the aquaculturists do to their leased areas. The floats are not on the licensed areas because of the anchorage in the area. So this amendment would recognize the floats that the aquaculturists are using to process the catch “as part of their licensed area” and amends the language of “Section 8.2 License Area Defined” accordingly.

Mr. Flynn noted that the memorandum from Mr. Hoban, Chair of the Shellfish Advisory Committee, indicates that this matter was discussed at the Committee's March 24, 2015 meeting and unanimously recommended.

Mr. Madigan moved that the Board of Selectmen approve of the amendment to the current existing aquaculture regulations "Section 8.2 License Area Defined" to allow for the landing of oysters on floats that would comply with expected rulings of the Commonwealth's Division of Marine Fisheries. Second by Mr. Dahlen. VOTE: 3:0:0.

Discussion pertaining to Declaration of Fire Department Engine as surplus

Mr. Madigan moved to declare the Fire Department's 2005 Pierce 1500 GPM pumping engine (VIN #4P1CA01S25A004943) as surplus in order to allow this vehicle to be traded in to offset the cost of a new vehicle. Second by Mr. Dahlen. VOTE: 3:0:0.

IV CONTRACT REVIEW

Contract with UMass / Collins Center for Survey and Consulting Services

Mr. Read explained that this was approved by the Town Meeting voters under the Personnel Plan. He said "The Center will provide examples of related best practices used in other municipalities, review in detail Duxbury's compensation policies and practices to evaluate if they are consistent, appropriate and support succession planning, attraction and retention of employees. The Center will review the structure and how employees are paid regarding longevity in position and with the Town. The Center will review the relationship between union and nonunion classification plans."

Mr. Madigan moved that the Board of Selectmen execute the Professional Service Agreement between the Town of Duxbury and UMass Boston, represented by the Edward J. Collins, Jr. Center for Public Management, for survey and consultation services for a total cost of \$4,000. Second by Mr. Dahlen. VOTE: 3:0:0.

V TOWN MANAGER'S REPORT

Mr. Read reporting on the following items:

1. Mutt Mitts

Mr. Read stated that the mutt mitts program is working well. In August or September he intends to re-visit the issue of the locations where the containers are located. Recently a concern was brought to his attention about an area of Route 14 near the round-about so that area is under consideration.

2. Piping Plover & Duxbury Beach Update:

Piping Plovers: Last week Mr. Read had reported that there were 12 nests. As of this evening, there are currently 16 nests. There are now 20 pairs of piping plovers, so it is likely there will be more nests shortly. As of this date, there are no nests directly impacting access over the 1st or 2nd crossovers.

Beach Update Regarding the ORV (Off Road Vehicle) Corridor: Just a warning to use caution when driving on the off-road vehicle corridor on the beach. Due to the lack of recent rainfall the sand is extremely soft, esp. on the shoulders, and it is easy to get stuck.

VI COMMITTEE APPOINTMENTS/RE-APPOINTMENTS/ RESIGNATION - none

VII ONE-DAY LIQUOR LICENSE REQUESTS

[For Event Permits and One-Day Liquor Licenses, departmental reviews of the requests were done. There were no objections and departmental feedback was incorporated into the conditions listed on the permit or license.]

06-07-15 Art Complex Museum – Artist Reception

Mr. Madigan moved that the Board of Selectmen grant to Ms. Doris Collins, as a representative of the Duxbury Art Complex Museum, a One-Day Wine & Malt License to hold an artist reception on Sunday, June 7, 2015 from 1:30 PM to 3:30 PM at the Art Complex Museum, 189 Alden Street, contingent upon the conditions on the license. Second by Mr. Dahlen. VOTE: 3:0:0.

05-23-15 Island Creek Oysters Wine Tasting

Mr. Madigan moved that the Board of Selectmen grant to Ms. Annie McNamara, Director of Consumer Sales/Marketing of Island Creek Oysters, a One-Day Wine & Malt License to hold a wine sampling on Saturday, May 23, 2015 from 2:00pm to 4:00pm at the Island Creek Oysters retail store, 296 Parks Street, contingent upon the conditions on the license. Second by Mr. Dahlen. VOTE: 3:0:0.

VIII EVENT PERMITS

09-26-15 Duxbury Beach Triathlon

Mr. Madigan moved that the Board of Selectmen grant to Mr. Brian Noyes, as a representative of the Duxbury Beach Triathlon, permission to hold a triathlon event in Duxbury on Saturday, September 26, 2015, beginning at 10:00am, contingent on the conditions on the permit. Second by Mr. Dahlen. VOTE: 3:0:0.

IX MINUTES

Mr. Madigan moved to approve the 04-23-15 and the 05-11-15 Selectmen's Open Session Minutes, as presented. Second by Mr. Dahlen. VOTE: 3:0:0.

X ANNOUNCEMENTS

Mr. Madigan read the announcements including:

1. The details about an upcoming informational forum on **Heroin & Opiate Abuse Forum sponsored by Rep. Tom Calter and Rep. Josh Cutler.**
2. The details of **Pine Fest 2015**, which can be found on: www.pinebarrensalliance.org
3. **A Call for Volunteers for a Town Board or Committee:** Please complete a Talent Bank form. The form can be downloaded from the Board and Committee page on the Town website or obtained from the Selectmen's Office.

4. **Memorial Day:** Is on Monday, May 25th. Town Hall will be closed for the holiday. The annual Memorial Day parade will begin at 10 AM at the Myles Standish Cemetery, go through Hall's Corner, up Depot ST to the First Parish Church. A service at the First Parish Church will then be held and following that there will be military services at the Veteran's Memorial at Mayflower Cemetery. After that, the public is cordially invited to visit the Legion for refreshments and to honor those Veterans in attendance.

5. **Next Scheduled Selectmen's Meeting is on:** Monday, June 1, 2015.

X BONUS SHELLFISH SEASON (for June)

Mr. Madigan moved that the Board of Selectmen declare a temporary Bonus Shellfish Season for the commercial harvesting of quahogs for the month of June, 2015 in accordance with posted Attachments A & B. Second by Mr. Dahlen. VOTE: 3:0:0.

XII ADJOURNMENT

At approximately 7:19 PM, Mr. Madigan moved that the Board adjourn. Second by Mr. Dahlen. VOTE: 3:0:0.

Minutes respectfully submitted by C. Anne Murray

LIST OF DOCUMENTS FOR 05-18-15 SELECTMEN'S MEETING (DOCUMENTS LOCATED IN THE SELECTMEN'S OFFICE FILES.)

1. *Agenda for 05-18-15 Selectmen's Meeting*
2. *OPEN FORUM: no documents*
3. *NEW BUSINESS:*
 - a. *Stanley H. Merry Centennial Proclamation*
 - b. *Amendment to Aquaculture Regulations: Coversheet with draft motion, 05-13-15 Memorandum from A.P. Hoban, Chair of Shellfish Advisory Committee*
 - c. *Declaration of Surplus Item(Fire Dept. engine): Coversheet with draft motion.*
4. *CONTRACT(S): Coversheet with some background information and a suggested motion, a copy of the contract, 12-19-14 Cover letter to HR Director and attached Survey and Consultation Services.*
5. *TOWN MANAGER REPORT (Potential Items): 05-18-15 Town Manager's Report*
6. *COMMITTEE APPOINTMENTS-RE-APPOINTMENTS /RESIGNATIONS: none*
7. *ONE-DAY LIQUOR LICENSE REQUESTS: [For each the packet included the ODLL application and other details provided about the event, results of the department feedback received, and a drafted ODLL incorporating the conditions indicated.]*
06-07-15 Duxbury Art Museum Complex –Artist Reception and 05-23-15 Island Creek Oysters Wine Sampling

8. *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.
09-26-15 Duxbury Beach Triathlon*
9. *MINUTES: 04-27-15 Selectmen's Minutes –Draft and 05-11-15 Selectmen's Minutes-Draft*
10. *SUGGESTED ANNOUNCEMENTS for 05-18-15.*
11. *BONUS SHELLFISH SEASON (for June 2015)*