

TOWN OF SCITUATE
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**Advisory Committee Meeting Minutes
Tuesday, October 13, 2020
Zoom Video/Audio Conference -- 7:00 pm**

Meeting conducted pursuant to the March 12, 2020 modifications to the Open Meeting Law made by Governor Baker pursuant to the state of emergency due to COVID-19.

Committee Members Present: Jerry Kelly; Chair, Jamie Gilmore, Dan McGuiggin, Lynda Ferguson, Elise Russo, Lincoln Heineman, Missy Seidel

Also in Attendance: Nancy Holt, Finance Director; Jim Boudreau, Town Administrator, Jerrilyn Quinlan; Scituate Resident - 317 Old Oaken Bucket Rd , Janice Lindholm; School Committee Liaison, Dan Fenelly; Community Preservation Committee

Committee Members Not In Attendance: Patrice Metro, Mike Westort

Jerry Kelly called the meeting to order at 7:04 p.m.

Jerry Kelly made a motion to approve the agenda, which was seconded by Lincoln Heineman, Voted majority in favor (7-0) to accept the agenda as submitted by roll call vote; UNANIMOUS

- **Selected Background Information**

Mr. Kelly told the board that we would be reviewing the warrant for the upcoming Special Town Meeting, scheduled for November 16th, 2020.

Jerry asked Town Administrator, Jim Boudreau to explain how social distancing will work during this event. Jim stated that this will be set up to meet social distancing requirements with chairs each 6 feet apart, and over flow rooms with speakers. No remote participation is allowed as stated by The Commonwealth. Mr. Kelly asked if the members of the Advisory Committee if they felt comfortable attending the meeting with these arrangements in place. All committee members agreed to be there other than Elise.

- **Article 8 - Community Preservation**

Dan Fennelly of The Community Preservation Committee spoke on where his committee is and where the funds are standing. The FISCAL 2021 Recommended Budget Report from The Community Preservation Committee was shared.

Mr. Fennelly informed the Advisory Committee that the net is at \$1.875 million. He pointed out that they never go more than 2.5%. They spent most of the money last year on the high school fields project and the committee voted for paying that loan over 10 years as they felt it would be less of a burden on the committee each year. There is currently \$2,827,000 to spend.

Mr. Fennelly also spoke about the projects for The Special Town Meeting. The restoration of the 1924 Scituate firetruck estimate for adding in ladders and other parts came back high. His board asked the Fire Department to look in to other options and came back with a price of \$62,550. This project is estimated to take between 6 months and a year. Ownership will be transferred to the town and will be used for parades and town events. It is currently being discussed where in town the restored truck will be housed.

Mr. Fennelly also informed the board of two items of up to \$7,000 in legal fees and \$9,000 in closing costs due to historic and conservation restrictions. If this money is not spent it will go back to funds for future use. Lincoln Heinman asked Dan to explain what a historic restriction was. Dan explained it as The Historic Society holding to preserve the property and the buildings on the property under historic preservation.

Mr. Kelly made a motion to vote on Article 8, which was seconded by Jamie Gilmore, voted all in favor by roll call vote (7-0); UNANIMOUS.

Jamie Gilmore offered to write up Article 8.

- **Special Town Meeting Warrant**

- **Article 1 – Unpaid Bills**

Town Administrator, Jim Boudreau and Finance Director, Nancy Holt spoke on Article 1. Mr. Boudreau explained this as bills received towards the end of the year can be transferred over to pay the next fiscal year.

Mr. Kelly made a motion to vote on Article 1, which was seconded by Dan McGuiggin, voted all in favor by roll call vote (7-0); UNANIMOUS.

Jerry Kelly offered to write up Article 1.

- **Article 2 – Fiscal Year 2012 Budget Reconciliations**

Town Administrator, Jim Boudreau spoke on Article 2. Elise asked Mr. Boudreau what retained earnings was on Widows Walk. Nancy Holt provided the committee with the amount of \$216,265 and all were very happy with this amount.

Mr. Boudreau stated that he feels like Ian is doing a very good job done there. Jerry stated that he continues to be disappointed on the Massachusetts Retirement Assessment and indicated no response to his comment was necessary.

Mr. Kelly made a motion to vote on Article 2, which was seconded by Dan McGuiggin, voted all in favor by roll call vote (7-0); UNANIMOUS.

Jerry Kelly offered to write up Article 2.

- **Article 3 – Full-Day Kindergarten for Fiscal Year 2021**

School Committee Liaison, Janice Lindblom, spoke on the topic of Full Day Kindergarten that the residents of The Town of Scituate would like free kindergarten tuition. Ms. Lindblom stated that many other nearby towns have done this already. Jamie Gilmore asked Janice how many kindergarteners the town typically has. Ms.

Lindbolm responded that there is usually a few hundred with each year topping out. Elise Russo asked if her understanding was correct and that the \$3500 tuition per student multiplied by the number of students attending Kindergarten would be the amount that the town would be responsible. Miss Lindbolm confirmed that this was correct. Janice then reminded the committee that by law the town has to offer the half day option and that is becoming a smaller number each year. The town charges \$3500 for each child that stays for the second half of the day and that money covers the salaries of this program. Mr. Boudreau says this is a one year hold due to Covid's hybrid program.

Nancy has a corona relief funds request as it's not a revenue replacement so mentioned possibly waiting to get the answer to this before deciding if the article will stay or not. Jim also suggested that we need the article be reworded. It was agreed upon by the committee members to discuss this at a future date as the Superintendent would probably want the board to have full knowledge on this prior to voting.

Mr. Kelly made a motion to table this discussion to be considered in the future to vote, which was seconded by Jamie Gilmore, voted all in favor by roll call vote (7-0); UNANIMOUS.

Mike Westort will write up Article 3 once it's been voted on.

➤ **Article 4 – Transfer to Reserves**

Finance Director, Nancy Holt, spoke on the 2016 reimbursement swept in to the capitalization fund to have in the pipeline for FEMA Funds. Nancy gave the final dollar amount of \$1,118,658.

Jerry Kelly asked if the OPEB gives us a risk item for our bond rating as underfunding may be mentioned in the town's bond rating. Nancy confirmed that this is the case. Lincoln Heinman asked Nancy if this was in an attempt to match anything or was it just what was recouped to which Nancy stated that this was just what was recouped.

Mr. Kelly made a motion to approve Article 4, which was seconded by Dan McGuiggin, voted all in favor by roll call vote (7-0); UNANIMOUS.

Jerry Kelly offered to write up Article 4.

➤ **Article 5 – Retirement of Debt**

Mr. Boudreau stated that we have \$1.6 million to borrow and that we had promised to pay it down quickly. He then proposed that we pay \$xx,xxxx.

Mr. Kelly made a motion to approve Article 5, which was seconded by Jamie Gilmore, voted all in favor by roll call vote (7-0); UNANIMOUS.

Dan McGuiggin offered to write up Article 5.

➤ **Article 6 – Recission of Borrowing Authorizations**

Miss Holt stated that this does not mean we aren't going to pursue the FEMA funds for the Third Cliff Revetment, we just have not gotten the loan as of yet. Nancy said that we can reapply at a later date or fund the whole amount ourselves. Mr. Boudreau stated that this is just getting the books cleaned up by getting off some bonding items that are no longer required.

Mr. Kelly made a motion to approve Article 6, which was seconded by Lincoln Heinman, voted majority in favor by roll call vote (7-0); UNANIMOUS. Jerry offered to write up Article 6.

➤ **Article 7 – Capital Improvement Plan**

It was agreed on by the board to wait to receive more information before discussing was best.

➤ **Article 9 – SPED Account**

Mr. Boudreau informed the board that this is not in regards to the funding, just establishing the account. He suggested this be created to have a fund to draw from if needed as the SPED costs are high and the situations are so unpredictable. The state does reimburse these costs partially but that is not given until the following year. Nancy Holt reported that there is \$3.48 million in free cash to which Jim informed the board that this higher than normal amount was due to enforced Covid cutbacks.

Mr. Kelly made a motion to approve Article 9, which was seconded by Dan McGuiggin, voted all in favor by roll call vote (7-0); UNANIMOUS. Lincoln Heinman offered to write up Article 9.

➤ **Article 10 – Dog Licenses at No Cost to People Over 70 Whether or Not They Own The Dog**

No questions or comments on this.

Mr. Kelly made a motion to approve Article 10, which was seconded by Jamie Gilmore, voted all in favor by roll call vote (7-0); UNANIMOUS. Missy Seidel offered to write up Article 10.

➤ **Article 11 – Sale/Lease of Council of Aging and Minot Fire Station Properties**

Mr. Boudreau spoke on Article 11, which was a topic left over from the Annual Town Meeting that was not taken up. There is not a lot of use for these buildings and there are no plans for them as they deteriorate while on the books. The savings can be used to offset the costs of The Senior Center project. The renovation cost would be too much for any other departments to move in to these buildings.

Mr. Kelly made a motion to approve Article 11, which was seconded by Dan McGuiggin, voted all in favor by roll call vote (7-0); UNANIMOUS. Dan McGuiggin agreed to write up the sale of these properties.

➤ **Article 12 – Cell Tower Leases**

Jim Boudreau told the board that this would include two towers after Mr. Kelly asked. Mr. Heinman stated that although he feels this a great way to achieve money for the town, he is concerned that 25 years is a long lease as we don't know what the technology will be that far in to the future. Mr. Boudreau said that this states "up" to 25 years but our current leases have expired. Mr. Gilmore stated that he feels this gives The Selectmen the opportunity to make good decisions. Mr. Kelly asked Mr. Boudreau if he was able to limit the payoff time and his response was that that would be up to the company. Mr. Kelly stated that he thinks that the cell tower at the Town Hall would make expanding the athletic fields or adding additional schools

impossible. Mr. Boudreau responded to that statement that there isn't enough space even currently.

Mr. Kelly made a motion to approve Article 12, which was seconded by Jamie Gilmore, Voted Majority In Favor by roll call vote (5-2) as Lincoln Heinman and Jerry Kelly voted no; Motion Passes.

Dan McGuiggin offered to write up Article 12.

➤ **Article 13 – Zoning Bylaw Amendment – Signs (Section 710)**

Mr. Boudreau reminded the board of the previous discussion on this. Andrew Goodrich, who is no longer on the committee, was a big proposer on this. Jim then stated that our signs are illegal and we are not compliant. We do not have a choice is the bottom line. Lincoln Heinman said that he feels we do have a choice but agrees that we do need to change the town bylaws. He stated that he feels in Section 10.2, Part E, where it talks about the 60 days limit, causes an issue for residents who have signs up for primary needing to take down for a couple of days to then put back up for elections. Mr. Heinman said he would like to see this written as 90 days. Mr. Heinman then stated that people would argue that 60 days is not enough time to have signs up such as "Black Lives Matter". Mr. Heinman's second issue with this is Part B, where it states that signs must be 10 feet from pavement, as he feels this is too big of a distance. Mr. Kelly stated that he agreed with Lincoln but is something we will all need to accept. Mr. Boudreau told the board that leniency has been given to businesses and not enforced as strictly as should be as businesses are already facing such a hit with Covid restrictions in place. Jamie Gilmore asked that this discussion be tabled until the board can hear from the Selectmen on their thoughts. Mr. Kelly agreed and there were no objections from the board.

Lynda Ferguson will write up Article 13 once it's voted on.

➤ **Article 14 – Acceptance of Public Way – Studley Farm Road**

Mr. Kelly explained to the board that Studley Farm Road was on the north side of Clapp Road, east of the Cedar Street split, and west of the Bates Lane conservation land the committee voted. He said that The Street Acceptance Committee has done all that they can to meet requirements given by the town and have voted unanimously. Mr. Boudreau stated that the board will have to wait to vote until the planning board does. **Mr. Kelly responded with a motion to accept Article 15 contingent on The Planning Board's approval since Mr. Boudreau sees no issue and the street acceptance agrees, which was seconded by Jamie Gilmore, voted all in favor by roll call vote (7-0); UNANIMOUS.**

Jamie Gilmore offered to write up Article 14.

➤ **Article 15 – Amend General Bylaws to be Gender Neutral**

Jim Boudreau informed the board that this article is to amend the Town's General Bylaws to change all gender specific pronouns to gender neutral pronouns.

Mr. Kelly made a motion to accept Article 15 as rewritten by Nancy Holt, which was seconded by Jamie Gilmore, voted all in favor by roll call vote (7-0); UNANIMOUS.

Elise offered to write up Article 15.

➤ **Article 16 – Petition-South Shore Community Action Council**

- Lincoln Heineman informed the meeting he would be recusing himself from consideration of Article 16 since he serves as a member of South Shore Community Action Council's Board of Directors. He left the meeting, and returned at the conclusion of discussion on Article 16

Mr. Kelly asked Nancy Holt if this could be voted on as the petitioner is not present and has not responded to any attempts of communication. Nancy informed Jerry that the Board of Selectmen wasn't comfortable removing this just yet as it was submitted as a petition. The South Shore Community Action Council was also contacted with no return call either. The South Shore Community Action Council was explained to the board as a nonprofit organization with a mission to eliminate poverty by providing in many ways such as heat, clothes, schooling and school supplies. Lynda Ferguson spoke on her thoughts on this article as she feels that if we give to this organization, we will be asked to do so from many other ones as well. Mr. Gilmore stated that this is a group that gives more to Scituate Residents than they are asking the town for (\$5,000). Mr. Gilmore informed the board that the town has given to this organization in previous years and he feels it's worthy. Lynda's thoughts are that if the government gives the organization money and local organizations such as The Scituate Food Pantry does not receive that same government assistance yet only provides for Scituate Residents that the town should give to the more local organization. Jamie then stated that in times like this we should not even be questioning this. Elise Russo asked what it means not having the petitioner on the call. Jamie informed her that this was mostly likely due to personal issues. No further discussion to be had.

Mr. Kelly made a motion to accept Article 16, which was seconded by Jamie Gilmore, voted majority in favor by roll call vote (5-1) as Lynda Ferguson voted no; Motion Passes.

Jamie Gilmore offered to write up Article 16.

- **New Business**

Jerry stated that the board will meet at 6 p.m. on November 16 prior to the Special Town Meeting's start. In addition, the board will meet briefly on Wednesday, October 21 at 7 p.m. to discuss the articles that weren't able to be moved tonight as the booklet is due October 30th.

Elise Russo stated that she would not be attending the 10/21 meeting.

- **Adjournment**

Mr. Kelly made a motion to adjourn the meeting at 8:46 p.m., which was seconded by Jamie Gilmore, voted all in favor by roll call vote (7-0); UNANIMOUS.