



**Advisory Committee  
Meeting Minutes  
Thursday, October 3, 2019  
Community Room, Scituate Public Library  
7:00 pm**

**Committee Members Present: Jerry Kelly, Chair (Remote Access), Mike Westort, Vice Chair; Lincoln Heineman; Jamie Gilmore; Patrice Metro; Elise Russo, Andrew Goodrich**

**Committee Members not present: Dan McGuiggin and Sean deLacy**

**Also in Attendance: Jim Boudreau, Town Administrator; Nancy Holt, Finance Director, Dan Fennelly, acting Chair CPC; Karen Joseph, Town Planner; Chris Carchia, Capital Planning Chair; Andrew Fanno, D'Ambrosio Brown; Ann Burbine, Planning Board Chair, Ken Duval, Humarock petitioner**

Mike Westort ran the meeting since Jerry Kelly was attending via remote access and he called the meeting to order at 7:03 PM.

**Lincoln Heineman made a motion to approve the agenda; seconded by Mike Westort; Unanimous vote (6-0)**

Mike announced that the Committee was going to take the agenda items out of order

**ARTICLE 5. Community Preservation Act:** Dan Fennelly, Acting Chair, Community Preservation

Dan said that CPC had \$2.8 million in available funds recommended for spending this year.

The Community Preservation Committee has two recommended projects for consideration by Special Town Meeting totaling \$90,000.

**Stone Mile Markers \$5,000**

Restoration of all three 1920 markers that were put up for the 300 year anniversary of the pilgrim landing. There are 85 markers in total along highways and Scituate has 3 of them, All 3 are missing plaques with the seal of Plymouth county and 2 need relocation.

This item was unanimously approved by CPC

**North Scituate Train Canopy \$85,000**

This is Phase 2 of a project that was started in 2011. Friends of North Scituate Village want to restore the canopy and install lighting. Want to add a tables and finish surfacing all the way to the train tracks to make the area larger. Would like to add trash receptacles and a 3 sided sign that will

have information on the history of North Scituate Train station and maps pointing out historic locations. This project should come in less than estimated.

*Lincoln asked if the Town owned the canopy, Dan and Ann Burbine said yes. Lincoln further asked why this is being presented now rather than the Annual Town Meeting. Dan said that the Committee thought that spreading out the projects made more sense.*

*Mike asked why the project was stalled for 7 years, Dan said there were issues with expanding the surface and that they ran out of money.*

### **ARTICLE 3. Capital Improvement Plan: Chris Carchia, Chair Capital Planning**

They were not able to vote because they did not have quorum at the last two meetings. Advisory decided to vote as it stands

Design, Engineering & Replacement of Water Pipes – This \$3M project will focus on eliminating another source of brown water in the 2” galvanized pipes that are too small for hydrants to allow a flushing program to be effective in some areas of Town. The project would also install additional valves and hydrants in areas identified as lacking in the ongoing flushing program. The funding for this project would be from borrowing with the associated debt service supported Water Enterprise revenues.

Will replace 2 inch galvanized pipe and dead ends that are currently not able to be flushed.

*Mike Westort asked if this included repaving the whole road, Jim Boudreau said no. The money will only repair part of the road [where pipe was put in], Chapter 9 funds would have to be used to resurface roads that need it.*

Humarock Fire Station Apparatus Bay \$98,875 – This project was put out to bid but there were insufficient funds to complete the project due to escalating costs and additional electrical, site and tight tank needs. The funding for this project would be from free cash.

The lowest construction bid came in higher than expected. There was some discussion on how the estimate/proposal could have been so far off.

Information Technology Upgrades & Licensing \$192,585 – The new Director of Information Technology has discovered security and licensing issues that require immediate remediation for the Town to continue operations. The funding for this project would be from free cash.

The Town is deficient in upgrades and licensing. Capital thought the request was written well and it all made sense.

*Mike asked if we were worried that we don't really need them as we have lived without them. Chris said they were necessary, it is security and we are currently not in compliance. We are also running out of server space. Jim Boudreau said this only includes the items we need to get done.*

*Lincoln asked about further requests, Nancy said that Mike Minchello had already submitted his Capital Plan.*

*Andrew Goodrich said the diligence on the request was excellent.*

Jerry added that with the new platform, we can move to the cloud for emails which will free up storage.

Security Upgrades to Town Facilities \$314,270 – The April 2019 annual town meeting appropriated funds for security upgrades to school facilities for which a contract has been awarded. At the time, the Town facilities were delayed until the fall special town meeting until additional funds were available. The funding for this project would be from free cash, various retained earnings (\$26,000) and the recreation revolving fund.

*Andrew asked what the deficiency was, Jim said there is no security, panic alarms, cameras, etc.*

*Mike asked if it was necessary, Jim said this is us being proactive,*

*Jamie asked where the recommendation came from and Jim said that a consultant and the police department were advising the Town.*

*Andrew asked if it made more sense to make the changes after we completed the Facilities study, Jim said we cannot wait, we have security deficiencies and we have an obligation to fix them and that the buildings we are putting security in are not included in the facilities study.*

*Jamie said this is about taking care of our existing employees.*

*Andrew thought the prices were high and that the Town could hire policemen instead.*

**Jim said he would get the break down for the Committee.**

Facilities Study of Town Buildings \$208,225 – A Request for Proposals was issued for the evaluation of all Town facilities (25) not currently undergoing a separate facility study and development of a 20 year maintenance plan for those buildings. This included Scituate High School, Jenkins School and several of the historical buildings owned by the Town. There were two respondents to the RFP and the lowest price received for a firm that can do the work was \$208,225. The funding for this project would be from free cash and other available articles.

These buildings are not under another study currently like Cushing, Hatherly, Water Treatment and the Senior Center.

*Mike asked when the last time it was done, Nancy said we never had an all-inclusive like this one*

*Andrew asked how many other towns did this, Nancy said only Acton as far as she knows. Most of the towns do this on a rolling basis.*

*Jamie thought it was a good idea, he felt that we have not been addressing these issues.*

Water Meter Replacement \$175,000 – Due to the new developments and ongoing water pipe replacement work, the Water Department has nearly exhausted their water meter replacement funds and only has \$5,500 remaining. In FY19, the Department spent \$100,000 on water meters. There was a FY20 capital project but it was not recommended due to cost constraints and the priority of other projects. The funding for this project would be from Water Enterprise retained earnings.

Chris said that we did not fund this in the last Capital Plan, so they need to replenish their supply of meters going forward. Will still have \$770,000 in retained earnings.

The meters will have a \$500 fee to new customers.

Available money left from Articles:

\$100,000.00

\$ 6,400.50

\$ 26,000.00

Chris said that Capital will post a meeting for this Wednesday to vote on the above items and will notify the Advisory Commission of the result of the voting, but thinks that all the items will pass.

**ARTICLE 8. Amend Zoning Map to Extend Humarock Village Residential Overlay Zoning District:** Attorney Andrew Fanno, D'Ambrosio Brown

This article is sponsored by the Planning Board and was previously a citizen's petition to amend the Zoning Map by amending the Zoning District shown as the Humarock Village Residential Overlay Zoning District to include all of the parcel shown on the plan entitled "Proposed Extension of Humarock Village Residential Overlay District Scituate, Massachusetts" prepared by Morse Engineering, Inc. dated August 31, 2018, and identified on the Town of Scituate Assessor's Maps as Parcel ID: 72-19-5. An updated map has not yet been provided.

Attorney Andrew Fanno, explained that the LLC is asking for a zoning change because a portion of the parcel is not included in the overlay district and that it was of no economic benefit for the owner. He said that since the last meeting it has received unanimous support from the Planning Board. He added that it will spur economic development.

*Lincoln asked why it was uneconomic if we did not change the zoning, Ken Duval said that the steel building is barely used. Lincoln asked if they were operating at a loss, Ken said yes. Andrew said it would make the property more economical to move it into the overly district. Lincoln asked about their intention, Andrew said the intention would be multi-family, residential, or restaurants. He said, currently there is no specific plan, but they will keep part of the Marina operational.*

*Mike asked why the Planning Board is sponsoring, Karen Joseph said that they felt they created the problem. The previous owner asked that the parcel be taken out of overly district, it was the Planning Board's original intent to keep it in so they are trying to correct the issue.*

*Lincoln said the intent is probably to have condominiums there, which is in the flood plan so we may not want to encourage people to move into a flood zone. It was discussed that any development would have to go through the proper channels.*

The Planning Board had voted unanimously to approve this item.

**ARTICLE 6. Zoning Bylaw Amendment – Signs (Section 710),** Karen Joseph

This article will amend Section 710 of the Zoning Bylaws relevant to Temporary Signs as on file in the Town Clerk's Office and discussed during the Planning Board's September 26, 2019 public hearing.

Karen explained that we are making changes because we do not want a lawsuit. Current case law considers them temporary signs. We currently have a 30 day by-law and the ACLU says 60 days, so we are changing to meet the ACLU requirements.

*Patrice asked about the signage on the property of the house located on Grove Street in Norwell and if this would prevent this situation in Scituate. Karen Joseph did not know the answer.*

Ann Burbine explained that:

- After 30 days you have to take down banners that are not political signs
- Political signs have to come down 3 days after the election

*There was some confusion regarding the language, it was discussed that the items in the by-law were independent. There was also discussion regarding the definition of temporary signs. Jamie asked that the items get labeled with the specific type of sign/banner.*

*Patrice suggested changing A and C to 60 days so they are all the same.*

Andrew Goodrich asked if he should recuse himself. The Committee and Jim Boudreau did not feel it was necessary. Lincoln said he could confirm with State Ethics Committee Attorney of the Day.

Karen said that they are still waiting for Town Counsel to approve the language.

Karen added that political signs were being treated differently and will now be considered temporary signs and this may have to be fine-tuned for the Spring Town Meeting.

**The Advisory Committee decided that this item will be tabled and a vote will be taken on the floor of Town Meeting.**

#### **ARTICLE 7. Zoning Bylaw Amendment – Greenbush/Driftway**

This article is to address housekeeping items in several Sections of the Zoning Bylaws relevant to Greenbush/Driftway as on file in the Town Clerk's Office and discussed during the Planning Board's September 26, 2019 public hearing.

Karen Joseph said that the major changes are the following and that they will make the document more user friendly:

- The definitions have been moved into the right section.
- Allowed for child care facilities
- Clarified by adding "mixed use buildings"
- Added boat storage
- Made a few corrections to typos
- Design Standards moved into correct section
- Clarified Structured Parking

*Lincoln said he noticed some typos in the new language, he thought it should be reviewed one more time.*

*Jamie said on page 80, there was a sentence deleted about storm water and wanted to know why, Karen Joseph said it should not contain language around the Town giving an opinion statement and it is already in the storm water by-laws.*

*Lincoln asked about the change in the DCF district to allow a special permit, Karen said that it was always the Planning Board decision and it was just a clarification.*

*Lincoln asked about the language regarding shared driveways (serving 2 people) that now read that they had to be 12 feet in width instead of a max of 16 feet, he was wondering how they got to 12 feet, Karen said they have a common driveway by-law.*

#### Articles Votes:

#### **Article 1: Unpaid Bills/Amounts Due Town**

Advisory Committee Roll Call Vote:

Patrice Metro: In Favor  
Lincoln Heineman: In Favor  
Elise Russo: In Favor  
Michael Westort: In Favor  
Andrew Goodrich: In Favor  
Jamie Gilmore: In Favor  
Gerald Kelly: in Favor

**Unanimous Vote (7-0) of approving Article 1**

**Article 2: Fiscal Year 2020 Budget Reconciliations**

Advisory Committee Roll Call Vote:

Patrice Metro: In Favor  
Lincoln Heineman: In Favor  
Elise Russo: In Favor  
Michael Westort: In Favor  
Andrew Goodrich: In Favor  
Jamie Gilmore: In Favor  
Gerald Kelly: in Favor

**Unanimous Vote (7-0) of approving Article 2**

**Article 3: Capital Improvement Plan, items 1,2,4,5,6**

Advisory Committee Roll Call Vote:

Patrice Metro: In Favor  
Lincoln Heineman: In Favor  
Elise Russo: In Favor  
Michael Westort: In Favor  
Andrew Goodrich: In Favor  
Jamie Gilmore: In Favor  
Gerald Kelly: in Favor

**Unanimous Vote (7-0) of approving Article 3 excluding item 3**

**Article 3: Capital Improvement Plan -- Item 3, Security Upgrades to Town Facilities**

Advisory Committee Roll Call Vote:

Patrice Metro: In Favor  
Lincoln Heineman: In Favor  
Elise Russo: In Favor  
Michael Westort: In Favor  
Andrew Goodrich: Opposed  
Jamie Gilmore: In Favor  
Gerald Kelly: in Favor

**Majority in Favor (6-1) of approving Article 3 -- Item 3**

Discussion: Jamie Gilmore said that the proposal had been vetted by both a consultant and Deputy

*Chief Thompson. Patrice Metro agreed.*

*Jim Boudreau added that he, as well as Kevin Kelly, Nancy Holt, and 2 people from IT have also reviewed it.*

*Jim also stated that we went of the State Bid and that they were “hard” bids which meant you buy off the State Schedules (State supplied pricing)*

*Andrew Goodrich wanted to see the breakdown of prices.*

#### **Article 4: Acceptance of Loan – Third Cliff Subsidized Storm Repairs**

**Lincoln Heineman made a motion to hold the vote until Town Meeting, seconded by Patrice Metro.**

##### Advisory Committee Roll Call Vote:

Patrice Metro: In Favor  
Lincoln Heineman: In Favor  
Elise Russo: In Favor  
Michael Westort: In Favor  
Andrew Goodrich: In Favor  
Jamie Gilmore: In Favor  
Gerald Kelly: in Favor

**Unanimous Vote (7-0) to postpone the vote for Article 4 until Town Meeting.**

Discussion: *The item may be removed in FEMA reimbursement is not received in time*

#### **Article 5: Community Preservation Act**

##### Advisory Committee Roll Call Vote:

Patrice Metro: In Favor  
Lincoln Heineman: In Favor  
Elise Russo: In Favor  
Michael Westort: In Favor  
Andrew Goodrich: Opposed  
Jamie Gilmore: In Favor  
Gerald Kelly: in Favor

**Majority in Favor (6-1) of approving Article 5**

Discussion: *Andrew Goodrich thought that the proposed \$85,000 to renovate the North Scituate Train Canopy did not add value to the area and that the Town could possibly do something bigger at a later time.*

#### **Article 6: Zoning Bylaw Amendment—Signs**

**Lincoln Heineman made a motion to hold the vote until the language is clarified and the article is reviewed by Town Counsel, seconded by Jamie Gilmore.**

##### Advisory Committee Roll Call Vote:

Patrice Metro: In Favor  
Lincoln Heineman: In Favor  
Elise Russo: In Favor  
Michael Westort: In Favor  
Andrew Goodrich: In Favor  
Jamie Gilmore: In Favor  
Gerald Kelly: Opposed

**Majority in Favor (6-1) of postponing the vote for approving Article 6**

**Article 7: Zoning Bylaw Amendment**

Advisory Committee Roll Call Vote:

Patrice Metro: In Favor  
Lincoln Heineman: In Favor  
Elise Russo: In Favor  
Michael Westort: In Favor  
Andrew Goodrich: In Favor  
Jamie Gilmore: In Favor  
Gerald Kelly: In Favor

**Unanimous Vote (7-0) of approving Article 7**

*Discussion: Lincoln Heineman suggested adding the 108 page red line version to the Advisory Booklet. People in the audience at Town Meeting will want to see what they are voting on and you cannot have a discussion without specific page numbers.*

*Patrice said they could look online prior to the meeting and that they would not be able to digest all the information if it was handed out at Town Meeting.*

*Mike Westort asked if it could be projected on the screen, but Nancy thought the screen was too small to read.*

*Jamie said they were not substantive changes, the information is just more organized now.*

*Andrew Goodrich thought it could be made available in multiple places on line for everyone to have the opportunity to see before Town Meeting.*

**Article 8: Zoning Bylaw Amendment – Amend Zoning map to Extend Humarock Village**

Advisory Committee Roll Call Vote:

Patrice Metro: In Favor  
Lincoln Heineman: Opposed  
Elise Russo: In Favor  
Michael Westort: In Favor  
Andrew Goodrich: In Favor  
Jamie Gilmore: In Favor  
Gerald Kelly: Opposed

**Majority in Favor (5-2) of approving Article 8**

## **Article 9: Council of Aging – Amend General Bylaws**

### Advisory Committee Roll Call Vote:

Patrice Metro: In Favor  
Lincoln Heineman: In Favor  
Elise Russo: In Favor  
Michael Westort: In Favor  
Andrew Goodrich: In Favor  
Jamie Gilmore: In Favor  
Gerald Kelly: In Favor

### **Unanimous Vote (7-0) of approving Article 9**

## **Article 10: Plastic Bag Reduction – Amend General Bylaws**

### Advisory Committee Roll Call Vote:

Patrice Metro: In Favor  
Lincoln Heineman: In Favor  
Elise Russo: In Favor  
Michael Westort: In Favor  
Andrew Goodrich: Opposed  
Jamie Gilmore: In Favor  
Gerald Kelly: in Favor

### **Majority in Favor (6-1) of approving Article 10**

## **Article 11: Gold Star Parents Exemptions**

### Advisory Committee Roll Call Vote:

Patrice Metro: In Favor  
Lincoln Heineman: In Favor  
Elise Russo: In Favor  
Michael Westort: In Favor  
Andrew Goodrich: In Favor  
Jamie Gilmore: In Favor  
Gerald Kelly: In Favor

### **Unanimous Vote (7-0) of approving Article 11**

## **Article 12: Bylaw for Water Moratorium**

### Advisory Committee Roll Call Vote:

Patrice Metro: Opposed  
Lincoln Heineman: In Favor  
Elise Russo: In Favor  
Michael Westort: Opposed  
Andrew Goodrich: Opposed  
Jamie Gilmore: Opposed  
Gerald Kelly: in Favor

**Majority NOT in Favor (4-3) of approving Article 12**

**Article 13: Petition Legislation for Water Moratorium**

Advisory Committee Roll Call Vote:

Patrice Metro: Opposed  
Lincoln Heineman: In Favor  
Elise Russo: In Favor  
Michael Westort: Opposed  
Andrew Goodrich: Opposed  
Jamie Gilmore: Opposed  
Gerald Kelly: in Favor

**Majority NOT in Favor (4-3) of approving Article 13**

**Article 14: Petition Legislation for Water Commission**

Advisory Committee Roll Call Vote:

Patrice Metro: Opposed  
Lincoln Heineman: Opposed  
Elise Russo: In Favor  
Michael Westort: Opposed  
Andrew Goodrich: In Favor  
Jamie Gilmore: Opposed  
Gerald Kelly: in Favor

**Majority NOT in Favor (4-3) of approving Article 13**

Lianne to send out:

- Send out new warrant and background information
- Lianne to send out meeting dates or chair contact information

Liaisons Update:

Lincoln is moving to EDC  
Capital Planning: Elise  
Waterways and Widow Walk: Dan  
Public Building: Andrew

**Lincoln Heineman made motion to approve the minutes from the September 26, 2019 meeting with non-substantive changes, seconded by Mike Westort; Unanimous Vote (7-0)**

Advisory Committee Roll Call Vote:

Patrice Metro: In Favor  
Lincoln Heineman: In Favor  
Elise Russo: In Favor  
Michael Westort: In Favor  
Andrew Goodrich: In Favor  
Jamie Gilmore: In Favor  
Gerald Kelly: In Favor

**Mike Westort made a motion to adjourn the meeting at 8:56 PM, Lincoln Heineman**

**seconded the motion; Unanimous Vote (7-0).**

Advisory Committee Roll Call Vote:

Patrice Metro: In Favor  
Lincoln Heineman: In Favor  
Elise Russo: In Favor  
Michael Westort: In Favor  
Andrew Goodrich: In Favor  
Jamie Gilmore: In Favor  
Gerald Kelly: In Favor

Respectfully Submitted,  
Lianne Cataldo (Recording Secretary)

Referenced Materials:

- Agenda
- Minutes
- Draft Warrant
- Background Information
- Capital Projects Submissions
- CPC documents

**Outstanding Items:**

- The next chairman of the Committee attend the Association of Town Finance Committees training
- Security Upgrades to Town Facilities , Jim said he would get the break down.