

TOWN OF SCITUATE  
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**Advisory Committee Meeting Minutes**  
**Thursday, August 31, 2023**  
**Scituate Town Library Community Room, 85 Branch St – 7:00 pm**

**Committee Members Present:** Jamie Gilmore; Chair, Elise Russo, Vice-Chair; Lynda Ferguson, Dan McGuiggin, Patrice Metro, Conor Doherty and Missy Seidel

**Committee Members Not in Attendance:**  
Jerry Kelly, Marc DiCosimo

**Also in Attendance:** Nancy Holt, Finance Director/Town Accountant; Sandy Allen, Petitioner; Thomas Raab, Director of School Finance and Business, Amy Walkey, Conservation and Natural Resource Officer; Dan Fennelly, Community Preservation Chair; Chris Carchia, Capital Planning Chair; Natural Resource Police Officer Craig Keefe; Frank Snow, Conservation Commission Chair; Patricia Lambert; Planning Board

Mr. Gilmore called the meeting to order at 7:00 p.m.

**Ms. Russo made a motion to accept the agenda which was seconded by Mr. McGuiggin and voted unanimously in favor (7-0).**

**Ms. Seidel made a motion to accept the minutes as amended of the July 10, 2023 meeting which was seconded by Mr. McGuiggin. The minutes were voted majority in favor (6-0-1).**

*Re-organization of Advisory Committee*

Mr. Gilmore asked the members to consider nominations and the re-organization will take place at the next meeting on September 14, 2023.

*Review of October 16, 2013 Special Town Meeting Articles*

*Community Preservation Projects – Dan Fennelly, Chair of Community Preservation Committee*

Mr. Fennelly informed members that there was only one project and he proceeded to briefly review the financials to date. He noted the balance in the Community Housing reserve and he was hopeful that applications would be received for that purpose. He stated collections were \$23M and the state match was \$10M since inception. He commented that there were two projects that had been withdrawn including a field feasibility study behind the Purple Dinosaur

playground due to inadequate suitable land at the site and a feasibility study on pickle ball courts due to further refinement on location and whether to re-use existing tennis courts or build new courts.

He provided a summary of the history of the high school tennis court project. The project that is coming forward for special town meeting is for final design, permitting and bidding of the high school tennis courts. A final application for construction of the courts would likely be presented to the annual town meeting.

Mr. Doherty asked if the pickle ball project could be rolled into the high school tennis courts and Mr. Fennelly said no. He stated the issue is the location for the pickleball courts. Mr. McGuiggin asked if the high school project would allow the high school teams to play on that campus rather than having to travel to the courts at the old Gates School and Mr. Fennelly replied in the affirmative.

Ms. Ferguson asked why behind the Town Hall was not approved by the Select Board for pickleball courts and Mr. Fennelly said it was disruptive to Town Hall employees. Ms. Russo asked if there is any further project proposed for the property behind the Purple Dinosaur Park and Mr. Fennelly said not at this time.

#### *Capital Projects – Chris Carchia, Chair of Capital Planning Committee*

Mr. Carchia informed members that there were three capital projects and the Capital Planning Committee unanimously recommended \$3.5M for water main replacement. Mr. Gilmore asked if that was part of the ongoing water main projects and Mr. Carchia replied in the affirmative. Mr. Carchia said the second project was additional funds for phase 2 of the high school locker room project which was the same amount that was being rescinded for the high school roof and it also was recommended unanimously by the Committee. He said the final project was for video security server upgrades at the Public Safety Complex and some other security upgrades. The project was moved forward unexpectedly due to repeated failures in the equipment recently. The \$302,803 for the equipment was unanimously approved by the Committee.

Mr. Carchia noted that the Capital Planning Committee also reviewed the \$7M seawall replacement petition article. He stated that there is a need to do the project but the request is not backed up by any real supportive financial data. He noted the committee members acknowledged it was only an authorization to borrow but it was not appropriate to move it forward until a better estimate is available. He stated the members voted unanimously not to support the petition article.

Ms. Metro asked if this was common for a petition article for \$7M to be brought forward and Ms. Holt said no but the same petitioner had brought forward a \$2M seawall article in 2015 which was approved and to date has never been spent as it was not allocated to a project. Mr. Doherty commented that he had walked that area and the wall was in very poor shape. Ms. Metro asked if all the wall belonged to the town or if there were private sections and Mr. Carchia said it was a public wall.

*Transfer to Conservation Fund for Maintenance, Improvement & Protection of Open Spaces – Amy Walkey, Conservation and Natural Resource Officer*

Ms. Walkey stated that the Conservation Commission asked her to submit this article on their behalf to replenish the Conservation Fund so they can make repairs and manage the properties. Ms. Ferguson asked for detail on the expenses. Mr. Snow noted the trails, picnic areas and parking areas are getting well used and that these areas need to be maintained. Mr. Snow stated that a number of their projects have been funded with CPA funds. He stated there is a good group of volunteers that walks the trails and maintains them but not as much in the Driftway Park.

Ms. Seidel asked if there was a past fund and Ms. Walkey responded there is currently a fund with \$15,000 in it. Mr. Gilmore asked if they would return to ask for more and Ms. Walkey said they would return. Ms. Ferguson asked if this should be appropriated annually and Ms. Walkey acknowledged the point but for now they just want to get started.

*Petition Article for Revision to General Bylaws Section 30460 – Leash Law - Sandy Allen, Petitioner*

Ms. Allen informed members that she had moved into town three years ago and had adopted a dog and explained her walking experiences with the animal. She stated that she wanted to amend the general bylaws to allow dogs to be under the owner's control. She noted that the first citation for having a dog off a leash is a \$50 fine and the second citation is \$100. She stated she was cited twice for having her dog off leash but she did have the dog under control through an e-collar. She said she did understand that "under owner's control" may be interpreted differently by people. She stated that Hingham, Cohasset and Norwell have more leniency in their leash laws.

Officer Keefe stated that the petitioner's intentions are good but from the town perspective it is taking a poor situation and making it worse. He said he was talking to the Hingham officer today and she was trying to eliminate it and it was eliminated in Wampanoag State Park. Ms. Ferguson stated that in her experience that dogs that are restrained all the time become more aggressive. She asked if there were days when dogs could be off leash so people who are afraid of dogs would know not to be in that area on that day.

Mr. McGuiggin commented that dogs cannot be off leash because you are exposing them and yourself to tremendous risk. He stated that the animal control officer does not know all the dogs in the town and the onus is on the owner and not the town. Mr. Doherty noted that there are people who have a crippling fear of dogs even if they are not doing anything. Mr. Gilmore stated that the bylaws cannot have ambiguity allowing interpretation depending on who has the position of the animal control officer. Mr. Gilmore asked about the revenue from tickets and Officer Keefe responded that his warnings are 20:1 and enforcement protects the animal from getting lost or injured as well as other people and dogs.

Mr. Doherty asked how many off leash bites had occurred. Officer Keefe responded that there were three this week. Officer Keefe said he had another complaint about commercial dog walkers who have eight dogs and just let them off leash in the conservation areas. He stated that there is a leash law and it is still out of control. Ms. Russo asked whose right is more important the person walking or the dog. Mr. Snow stated that dogs have to be on leash on conservation properties. Mr. Gilmore recommended that Ms. Allen speak with the Moderator and consider

redrafting the article based on the discussions during the meeting.

#### *Discuss Special Town Meeting Articles*

Ms. Holt quickly reviewed the special town meeting articles and Mr. Gilmore asked for an updated copy for the next meeting.

#### *Articles*

1. Unpaid Prior Year Bills
2. Compensation of Elected Officials – Town Clerk +\$3,550 (funds were budgeted but a statute is limiting her registrar of voters stipend increase)
3. FY24 Budget Reconciliations – still to be confirmed by Select Board at their 9/12/23 meeting
4. Establishment of Opioid Stabilization Fund (legislation was not passed to reserve these funds so they closed out to Free Cash and need to be recaptured and set-aside for the purposes allowed by the settlement agreements) and establishment of PFAS Stabilization Fund for the same reasons.
5. Old Stockbridge Landfill – additional funds required for DEP study
6. Maintenance, Improvement of Open Spaces – presented earlier by Ms. Walkey & Mr. Snow
7. Grant Matches as listed
8. Transfers to Reserves -still to be confirmed by Select Board at their 9/12/23 meeting
9. Retirement of Debt (Widows Walk and potentially high school roof replacement - still to be confirmed by Select Board at their 9/12/23 meeting
10. Rescission of Borrowing Authorizations – IP'd from April plus unused balance of high school roof
11. Capital Plan – presented earlier by Mr. Carchia
12. Community Preservation Committee – presented earlier by Mr. Fennelly
13. Amend a 1961 street acceptance vote for spelling error
14. Remove Police Officers from Civil Service - bargained with unit and has their support; language being tweaked with Town Counsel
15. Petition - \$7M for Cedar Point Seawall – petitioner will present at 9/14/23 Advisory Committee
16. Petition – Amend General Bylaws Section 30460 Leash Law to allow for voice control - presented earlier by Ms. Allen

#### *Discuss/Vote FY25 Budget Hearing Process*

Ms. Holt asked members to block out the dates on their calendar for the budget meetings based on the provided schedule.

#### *Discuss/Vote Meeting Format of FY25 Budget Meetings*

Mr. Gilmore stated he supports ZOOM as it is easier for a quorum and that the hybrid is too taxing. Mr. Carchia asked if members found that participation is lacking in a ZOOM format. Ms. Ferguson commented that she prefers that meetings that involve votes should be in person. Ms. Russo stated that she preferred the ZOOM format for its efficiency with occasional in-person meetings for committee relationships. Ms. Metro concurred noting that meetings with votes

could be in person.

**Ms. Russo made a motion to conduct meetings in ZOOM with the occasional in person meetings as recommended by the Chair which was seconded by Mr. McGuiggin; the Committee voted unanimously in favor (7-0).**

*Other Business*

None

**Mr. McGuiggin made a motion to adjourn the meeting which was seconded by Ms. Metro at 8:52 p.m.; the Committee voted unanimously in favor (7-0).**

Respectfully Submitted,

Nancy Holt  
Recorder