

**MEETING MINUTES
BOARD OF SELECTMEN
December 19, 2017**

Present: Maura Curran, Chairman, Anthony V. Vegnani, Vice Chairman, Shawn Harris, Karen Canfield

John Danehey not in attendance at start of meeting

Also present: Al Bangert, Acting Town Administrator

The Meeting was called to order at 7:04 p.m.

Acceptance of Agenda

**Mr. Vegnani made a motion to accept the agenda for December 19, 2017
Second by Mr. Harris, all in favor. Unanimous vote (4-0)**

WALK INS - None

REPORT OF THE ACTING TOWN ADMINISTRATOR

The five year capital plan is prepared and will be distributed shortly in preparation for the Annual Town Meeting. Nancy Holt and Al Bangert reviewed in detail and are recommending \$10M in capital projects after review of the \$20M in requests received. The majority in the enterprise funds. Details will be reviewed with the Selectmen.

The operating budgets were all submitted on time by the departments. Ms. Holt compiled them and compared to the forecasting committee revenues. There was a gap of \$600,000 so all budgets were reviewed with 21 departments over several weeks to close the gap. The budgets will be reviewed at upcoming Selectmen meetings with each department. All the goals and objectives of each department were reviewed.

The Ellis property plan was submitted to the Attorney General and they have granted an extension of time to the Town of Scituate. There will be a warrant article for the Annual Town Meeting. The local legislatures will have a quick legislation article moved forward. The senior center request for services for an OPM will be issued. An article will move forward to Town Meeting. Mr. Harris asked how the process will take place. The Public Building Commission will be involved in the process like the library. Two members of the COA will be appointed and the PBC will review the applications and negotiate the contract with the Town Administrator and then the OPM may begin the work. We have money to select the architectural firm. At Spring Town Meeting there will be an article to hire the architect in late April to prepare for town meeting in the Fall. About \$570,000 will be committed to the project.

Steve Jarzembowski is retiring and we have ten applicants with excellent credentials. The top three candidates are being interviewed by a member of the Board of Assessors, Nancy Holt and Steve Jarzembowski. Jim Boudreau will wrap this up in January when he arrives.

We were awarded a grant from MIIA.

This is the very last year we will see the docks stacked up in Cole Parkway. In the future the docks will remain in the water and deicers will be placed on the docks.

The new Town Administrator stopped in today to complete some paperwork. He will be in and out next week but will report full time on January 2, 2018.

Ms. Curran thanked Mr. Bangert and Nancy Holt for all the budgetary work they did. Ms. Curran thanked Mr. Bangert and said he was great to work with over the last couple of months. Mr. Vegnani said they were on Advisory together 20 years ago and he was very qualified to step in and he doesn't know what we would have done without him. He appreciates Al stepping up and all the work he has done. Mr. Harris said how smooth everything went. Mr. Bangert said he was astounded at the excellent staff and their dedication to the job every day. It was wonderful to see.

Gordon Price 48 Mann Lot Road asked if it is the intention that the members of the Public Building Commission (PBC) have voting privileges. Mr. Bangert said yes that two user members would be appointed to the PBC. Dr. Price thanked Al Bangert for the support he has given to the Council on Aging and his work the past two years.

SCHEDULED ITEMS:

Library Donation, Jessi Finnie, Library Director

Ms. Finnie said Ms. Glaven was a wonderful person and she gave to many charitable organizations regionally and nationally. This donation will help people like her. She used the library as a path to grow as a person. She had a quick wit and enjoyed speaking with the staff. She lived her life to the fullest and the library appreciates her donation to the library. Ms. Finnie thanked Ms. Glaven. Ms. Finnie will reach out to her estate and she will find out if she were to be recognized what the priority would be so the library may honor her.

Move that the Board of Selectmen accept a donation from the estate of Ms. Eileen Glaven to the Scituate Town Library. Motion by Ms. Canfield Second by Mr. Harris Unanimous Vote (4-0)

The Voyage New Year's Eve Liquor License extension request, Keith O'Callaghan, Owner
The Selectmen asked Keith to notify the abutters.

Move that the Board of Selectmen extend the liquor license hours for The Voyage Restaurant to 1 a.m. on January 1, 2018 for New Year's Eve. Motion by Mr. Vegnani second by Mr. Harris Unanimous Vote (4-0)

Proposed Flu Clinic Revolving Fund General Bylaw Amendment, Jennifer Keefe, Board of Health Director

The Board of Health administers a flu clinic. Our nurse would like to expand our offerings to vaccines such as pneumonia and shingles.

Motion to turn over general bylaw article on proposed expansion of the flu clinic revolving fund to the Board of Health for review and recommendation. Motion by Mr. Vegnani second by Mr. Harris Unanimous Vote (4-0)

Proposed Zoning Map Amendment for Extension of Business District and Overlay District, Brad Washburn, Director of Planning & Development

A property owner has requested this change to recognize the business use that is there now. There is an existing medical building and a parking lot. This will be a public hearing and eventually go to Town Meeting.

Motion to turn over zoning article on proposed extension to the business district to the planning board for a review and recommendation in accordance with MGL CHAPTER 40A. Motion by Mr. Vegnani second by Mr. Harris Unanimous Vote (4-0)

Mr. Danehey arrived at the meeting at 7:33 p.m.

Naming Old Gates Gym & Recreation Sign, Maura Glancy, Director, Scituate Recreation
Mr. Danehey was involved in the rededication of the Gates gym in 2010. There was a WWII plaque that had been there and moved to the high school. Mr. Danehey read the names on the plaque. Ms. Glancy said there is also the Gates field that gets confused with the new Gates School. Ms. Canfield asked if the entrance to the field was on Cudworth. Ms. Glancy said yes there is only the one entrance. Mr. Danehey is suggesting the name could be the Veterans Memorial gymnasium. Mr. Vegnani suggests we publicize the information and vote at the next Selectmen meeting on January 9, 2018.

50 Country Way Sewer Requirements, Steven Guard, Attorney

Attorney Steven Guard submitted a letter and attachments regarding 50 Country Way. The special permit is dated May 2015 and the DPW letter was December 15, 2016 and took them a bit by surprise. The board asked Mr. Cafferty to explain. Mr. Cafferty said the planning board approved but it was subject to review by DPW and meeting their requirements. Ms. Karen Joseph of the planning board read paragraph 26 & 27 of the planning board decision that states the requirement to pay for any additional upgrades. Mr. Cafferty had a study done and they were concerned about the last 60 feet of the run. Mr. Guard said the Weston and Sampson report says it is nearing capacity and does not say it will overflow. Mr. Cafferty said the added flow would put additional pressure on it. The flow is fine for what is there now. Peter Genta Manager Greenbush Station LLCMPG Capital LLC also attended the meeting. Attorney Guard says this seems unfair that this project bear the expense of improving the sewer infrastructure in the area. Ms. Canfield said adding 25 units impacts the existing pipes. Mr. Jenta bought this interest two years ago prior to the DPW letter. The report said we would hit 97% capacity that would be sufficient flow. Ms. Canfield said the report recommended expanding the system. Mr. Danehey said when a business wants to augment the use there is a special permit process where you do need to pay for improvements under a special permit. Mr. Danehey feels the expanded language should be under the sewer paragraph as it is in the water on the special permit. Mr. Guard said the last 60 feet of pipe will cost \$65,000-\$80,000. Mr. Guard said if this issue arose during the 14 month permitting period paragraph 26 would look like paragraph 27. Mr. Cafferty said it was brought up that the sewer would be looked at. Mr. Guard said there was no discussion that the improvement would be at the owners cost. The preconstruction meeting was the end of 2016. Mr. Morse had a lot of conversations with different town departments. Mr. Morse said he has been on the project since 2012. During the permitting he submitted a dozen set of plans that were distributed to all town departments and received very specific comments regarding the water and was addressed. They also were aware there were significant fees with sewer. Mr. Morse discussed the fees but none of the correspondence of a yearlong period included any inclination that a public sewer pipe upgrade would be required. There were no other infrastructure requirements to other projects in Greenbush either. Ms. Karen Joseph said the preconstruction meetings were held in January 2017. Ms. Joseph said it is not mentioned in the preconstruction meeting notes regarding the sewer.

They are asking the Sewer Commissioners to waive the additional costs required for the project. Ms. Curran said paragraphs 26 and 27 are very different in the notes and she can see how it is a little blurry but it is clear that it is subject to all the conditions of the DPW. Mr. Genta was under the impression that it was a negotiation and there were discussions. Mr. Genta was under the impression that the \$240,740 was what would be paid. He was taken aback when the town wanted them to do the work. Mr. Bangert said this permit lays out a number of things the developer must do to put the system in place. The sewer requirement does not have that degree of data. This was not as explicit. Mr. Vegnani said we may need to negotiate this and come to some agreement on how to move forward. Mr. Genta is not opposed to partnering with the town to accomplish this. Ms. Joseph said there was a sequence of construction that is documented. There are water meters for each building. Ms. Curran said there is an inclination to negotiate and cost share to be equal. Mr. Vegnani suggests Mr. Genta and Attorney Guard see what the costs would be for the sewer and come back to negotiate. Mr. Genta would like to proceed with the

water connection. Mr. Cafferty will check with the water department tomorrow. Mr. Cafferty and Mr. Genta will work on this. This will be put on the January 9, 2018 Selectmen meeting agenda.

The Selectmen are taking a 5 minute break at 8:46 p.m.
The meeting was back in session at 8:50 p.m.

DPW Contracts, Kevin Cafferty, Director, DPW

1. Engineering & Design for the Phase 3C Water main Replacement Project \$48,200
This is the last piece of the water project that includes Oceanside Drive and service transfers. The new pipes were put in but the services were not moved over to the new pipes so they can deactivate the old pipes on Booth Hill, Gannet, Mann Lot and Ocean Ave. Mr. Harris is concerned that the roads that were done are still not paved. Mr. Cafferty said we delayed paving the roads due to the drought. The connections were done this year and paving will begin in the spring.

Move that the Board of Selectmen award the contract for Engineering Design Services for the Phase 3C Water Main Design to Weston & Sampson of Peabody, MA for an amount not to exceed \$48,200.00. Motion by Ms. Canfield second by Mr. Vegnani Unanimous Vote (5-0)

2. Engineering Services for MS-4 Storm Water Management Program Notice of Intent & Supporting Permitting \$56,800

The DEP and EPA put in new regulations about MS4 our storm water catch basins and one of the requirements are updates to our system to comply with these new regulations. We want to be in compliance. Our town engineer Sean McCarthy will be heading up this project. Mr. McCarthy said we are already beginning the improvements. GIS mapping will be required and it will happen over many years. Horsley Witten has done a lot of storm water drainage work.

Move that the Board of Selectmen award the contract to provide professional Engineering services for the MS-4 Notice of Intent submission to the Horsley Witten Group for \$56,880.00. Motion by Mr. Danehey second by Mr. Vegnani Unanimous Vote (5-0)

3. Engineering & Permitting Services for the Dolan Well Field \$129,700

The DPW felt that Weston and Sampson was the best contractor for this project. Money was allocated in the 2017 Annual Town Meeting for this. The DPW met with the DEP and they pointed out the proximity to the railroad tracks, etc. Mr. Danehey asked Mr. Cafferty and Mr. McCarthy to look at the old Abbey field on the Driftway and see if there is a well there.

Move that the Board of Selectmen award the contract for providing Engineering and Permitting Services for the design and permitting of a drinking water well field on the former Dolan Property to Weston & Sampson of Peabody, MA. For \$129,700.00. Motion by Mr. Harris second by Ms. Canfield Unanimous Vote (5-0)

Intersection of Lotus Ave and Kings Way 4 Way Stop, Chris Bagley, Chairman, Traffic Rules & Regulations and Sean McCarthy, Town Engineer
Traffic Rules & Regulations said there was a sign wrongly installed there at one time and the neighbors are looking for a four way stop. Ms. Curran asked if the police were on board and Mr. Bagley said yes.

Motion to have the Engineering Department install the appropriate signage and line painting, and have the Town of Scituate Traffic Schedule reflect Lotus Ave. traffic come to a stop in a Southwesterly direction at Kings Way. Thus making the intersection of Lotus Ave and Kings Way a four way stop. Motion by Mr. Danehey second by Mr. Vegnani Unanimous Vote (5-0)

OLD BUSINESS:

Town Meeting Dates MA General Law, Bylaw & Town Charter, Lorraine Devin, Executive Assistant Board of Selectmen

Ms. Devin provided the Board of Selectmen with a copy of MA General Law, Town Charter and the Town Bylaw regarding the rules to determine Town Meeting Dates. A change to the bylaw would be necessary if the Selectmen are looking for more flexibility in scheduling town meeting. The Selectmen will review the material and determine if they would like to present any changes at a future town meeting.

NEW BUSINESS:

1. Board and Committee Appointment
 - Republican Town Committee
Move to appoint Conley W. Ford as temporary registrar to the Board Registrars, for a term that expires in 2019. Motion by Mr. Vegnani second by Mr. Danehey Unanimous Vote (5-0)
2. Close Annual & Special Town Meeting Warrant
Move that the Board of Selectmen close the warrant for the April 9, 2018 Annual and Special Town Meeting at 9:20 p.m. Motion by Mr. Vegnani second by Ms. Canfield Unanimous Vote (5-0)

3. 2018 Town of Scituate Annual License Renewals

MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE FOLLOWING RESTAURANT ALL ALCOHOL LICENSES FOR 2018:

Satuit Post/VFW Post #3169
Widows Walk
ORO Restaurant

Motion by Mr. Danehey second by Mr. Vegnani Unanimous Vote (5-0)

MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE FOLLOWING RETAIL PACKAGE STORE WINE & MALT LICENSES FOR 2018:

Mullaney's Fish Market Corp.

Motion by Mr. Danehey second by Mr. Vegnani Unanimous Vote (5-0)

MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE FOLLOWING CLUB ALL ALCOHOL LICENSES FOR 2018

Hatherly Golf Club

Motion by Mr. Danehey second by Ms. Curran Unanimous Vote (5-0)

MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE FOLLOWING ANNUAL FARMERS SERIES POURING PERMIT FOR MALT LICENSE FOR 2018

Untold Brewing

Motion by Mr. Danehey second by Mr. Vegnani Unanimous Vote (5-0)

MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE FOLLOWING COMMON VICTUALLER LICENSES FOR 2018:

ORO Restaurant
Hatherly Golf Club
Satuit Post/VFW #3169
Widows Walk
South Shore Cinemas
Mullaney's Fish Market Corp
Untold Brewing
Creyo Frozen Yogurt
Riva Pizzeria
Crocetti Too

The Silent Chef
Marylou's News
The Fresh Feast
Lucky Finn Café
Nona's Homemade
Oceanside Inn
Inn at Scituate Harbor Inc.

Motion by Mr. Danehey second by Mr. Harris Unanimous Vote (5-0)

MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE FOLLOWING ENTERTAINMENT LICENSES FOR 2018:

Untold Brewing
Lucky Finn Café
Satuit Post/VFW#3169
Hatherly Golf Club

Motion by Mr. Danehey second by Mr. Harris Unanimous Vote (5-0)

MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE FOLLOWING CLASS II LICENSES FOR 2018

Larry A. Finnie

Motion by Mr. Danehey second by Mr. Harris Unanimous Vote (5-0)

MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE FOLLOWING CLASS III LICENSES FOR 2018

Ryan Alan, LLC.

Motion by Mr. Danehey second by Mr. Vegnani Unanimous Vote (4-0) Mr. Harris abstained from voting

MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE MOVIE THEATER LICENSE FOR 2018

South Shore Cinemas

Motion by Mr. Danehey second by Mr. Harris Unanimous Vote (5-0)

MOVE THAT THE BOARD OF SELECTMENT VOTE TO RENEW THE BOWLING AND ELECTRONIC GAMIN LICENSE FOR 2018

Satuit Bowlaway

Motion by Mr. Danehey second by Mr. Harris Unanimous Vote (5-0)

MOVE THAT THE BOARD OF SELECTMEN VOTE TO ISSUE A BED & BREAKFAST LICENSE FOR 2018

Cliffside
Oceanside Inn

Motion by Mr. Danehey second by Mr. Harris Unanimous Vote (5-0)

MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE INNKEEPERS LICENSE FOR 2018

The Inn at Scituate Harbor

Motion by Mr. Danehey second by Mr. Vegnani Unanimous Vote (5-0)

OTHER BUSINESS:

1. Correspondence
Steve Jarzembowski retirement dinner at the Barker Tavern on January 10, 2017.
2. Approval of Meeting Minutes
Move to accept the meeting minutes for the Board of Selectmen meeting held on December 5th, 2017. Motion by Mr. Danehey second by Mr. Vegnani Unanimous Vote (4-0) Ms. Curran Abstained

Move to accept the meeting minutes for the Board of Selectmen meeting held on November 14th, 2017. Motion by Mr. Danehey second by Mr. Vegnani Unanimous Vote (4-0) Mr. Harris Abstained

Wreaths Across America was wonderful this weekend and Ms. Canfield thanked everyone who participated.

Mr. Vegnani asked to support the local shops for holiday shopping and support the local teams.

Mr. Danehey was coaching his son's team and was late to the meeting tonight. It was nice of the high school team to allow them to be out on the floor tonight at half time. Mr. Danehey wished everyone a Merry Christmas and Happy Hanukkah.

Ms. Curran said on Friday the Affordable Housing Trust closed on Stockbridge Road property and thanked the members of the Affordable Housing Trust for all their hard work. Ms. Curran wanted to remind people to support the food pantry and Scituate Community Christmas. Ms. Curran thanked those involved in collecting for the employees of Jaime's who were displaced due to the fire.

Mr. Danehey thanked Al Bangert for stepping up to fill in for the Town Administrator.

3. Adjournment and signing of documents

Motion to adjourn at 9:32 p.m. by Mr. Danehey second by Mr. Harris. Unanimous Vote (5-0)

Respectfully Submitted,

Lorraine Devin, Recorder

List of Documents for December 19, 2017 Board of Selectmen Meeting

- Agenda
- Acceptance of Donation from Eileen Glaven to Scituate Town Library
- The Voyage New Year's Eve Liquor License Extension
- Naming of Old Gates School and Gymnasium
- Proposed Flu Clinic Revolving Fund General Bylaw Amendment
- Proposed Zoning Map Amendment
- Steven M. Guard Attorney at Law for 50 Country Way
- Engineering and Design for the Phase 3C Watermain Replacement Project
- MS-4 Notice of Intent and Supporting Permitting for Mass DEP and EPA Stormwater Phase II Final Rule
- Engineering and Permitting Services for the Dolan Well Field
- Letter to change the Town Meeting Date
- Appointment of temporary registrar Conley W. Ford on the recommendation of the Republican Town Committee

Board of Selectmen Meeting Minutes for December 19, 2017

BOARD OF SELECTMEN

Maura C. Curran, Chairman

Anthony V. Vegnani, Vice Chairman

John F. Danehey, Clerk

Karen B. Canfield

Shawn Harris