

**MEETING MINUTES
BOARD OF SELECTMEN
June 4, 2019**

Present: Anthony Vegnani, Chairman, Shawn Harris, Vice Chairman, Karen Canfield, Clerk, Karen Connolly, Maura Curran

Also present: James Boudreau, Town Administrator

The Meeting was called to order at 7:02 p.m.

Acceptance of Agenda

Ms. Canfield made a motion to accept the agenda for June 4, 2019

Second by Mr. Harris Unanimous vote (5-0)

WALK INS – Freya Schlegal, 9 Westgate Lane, is looking for an update on the Egypt Beach Parking Lot. She said residents are irate about the lack of progress. Mr. Vegnani said it was not the town's intention to not have the parking lot completed by Memorial Day. The material was bad and the contractor needed to order the correct material. Only a few people used the shuttle service that the town provided. Mr. Vegnani apologized for the delay. Mr. Boudreau said the lot is drying out and cannot put the base coat down until it dries. The base coat will be done tomorrow and then the water line, weather permitting.

REPORT OF THE TOWN ADMINISTRATOR-A boat caught on fire at the fuel dock today. Quick action by the Harbormasters office pulled the boat off the dock to a mooring. A husband, wife, three children and seven town employees were taken to the hospital today. This could have been a lot worse. Ironically the exercise was completed for the day and this is why we need the fire boat. Fortunately, we got lucky and nobody was badly hurt. The Fire, Police and Harbormasters offices worked very well together.

The Town Hall will be closed on Friday for ALICE training. Scituate Police will go office to office. This is not in response to the recent municipal shootings, this was planned in advance. All off site locations will be trained also.

The Cedar Point project contract was awarded to Woodward and Curran with options for the town. The options will be provided to remove I/I from the sewer system. The timeline is uncertain and based on tides and weather.

The water line will be completed before the fall. This will be ongoing all summer. The flushing program is completed for the season. Mr. Cafferty will get the schedule from the water department as soon as possible. Oceanside paving ½ was a requirement when the gas company put in the gas line. It was all paid for by the gas company. The wind turbine was down for repair. It has missed its quota for the 7th year in a row with production shortfall. The noise testing was completed for one night. When conditions are right we will continue with the noise testing.

Cole Hawkins passed away suddenly this weekend. He touched thousands of lives in our community and we express our condolences to the Hawkins family.

Mr. Boudreau said it will cost the town about \$5,000 for the recount. Mr. Boudreau said the required signatures were provided for the recount. Mr. Boudreau's experience was a minimal change has resulted. Mr. Vegnani said it is a citizen's right.

The sign in front of the public safety complex was discussed in prior meetings. Mr. Boudreau said the sign will be used for public safety and weather related issues. Ms. Connolly asked who will be responsible for programming the sign. Mr. Boudreau will work on a policy and improve this.

SCHEDULED ITEMS:

The 7:50 agenda topic for Go Green will not be discussed this evening it will be postponed.

New Hawker Peddler License, The Beacon Coffee Truck, Shane McNamara

Mr. McNamara will be serving tea and cold brew coffee and pre prepared food out of a food truck. The hotdog vendor is no longer at the lighthouse so he would like to be there. He would also like to travel around to the beaches throughout the week. Everything he will use will be recyclable. He will provide trash barrels outside the truck. Red eye roaster in Hingham will be where the coffee products will come from. Ms. Canfield and Ms. Curran think it is a great idea. Mr. Harris wished him good luck. Mr. Vegnani said some neighbors may have some concerns at the lighthouse. Mr. McNamara said if it's a concern he will move. Mr. Vegnani said there were some past complaints. If people complain we will need to reconsider. Freya Schlegal, 9 Westgate Lane requests a green solution to the cups. Mr. McNamara said he has already considered this.

Move to grant The Beacon Truck a Hawker Peddler's License seasonally April through October in accordance with Selectmen's Policy and inspection by the Board of Health. Motion by Ms. Canfield second by Mr. Harris. Unanimous Vote (5-0)

Move to allow The Beacon Truck to park at the Scituate Lighthouse Parking Lot April through October Friday through Sunday 8:00 am-12:00 pm and July 3rd and 4th (Wednesday and Thursday) without moving the vehicle to another location. Move to allow The Beacon Truck weekend afternoons and weekdays (8:00am-1:00pm) to drive to the public beaches (Minot, Egypt, Sandhill's, Peggotty and Humarock) serve customers and move on. Motion by Ms. Canfield second by Ms. Curran Unanimous Vote (5-0)

FEMA Disaster Consultant Contract, Sean McCarthy, DPW Town Engineer

This is a MEMA recommendation that we engage a consultant at this point in the process. This was advertised through the central register and done in conjunction with the Coastal Resource Manager. Each of the construction contracts will come before the Board as they are ready. This will accelerate the reimbursements. This is damage over four major storms since 2012. The Town pays 25% of the cost. Mr. Harris asked that we look at vulnerable areas such as Sand Hills where the sea wall may have sunk down a bit and may not protect as well as it has in the past. Mr. McCarthy said they will look at vulnerabilities. Ms. Curran asked about the timeline and if we are in any danger of losing reimbursement. Mr. McCarthy said we have to move forward with working on the projects to demonstrate our work to get this done. The consultant will help us prioritize the projects.

Move that the Board of Selectmen award the contract to provide FEMA Consulting and Grant Administration Services to Tetra Tech Incorporated on a Time and Materials basis not to exceed \$300,000.00. (\$75,000.00 town) Motion by Ms. Canfield second by Ms. Curran Unanimous Vote (5-0)

Inspections Department Permit Fee Schedule, Permit Fees for New Construction, Compensation for Outside Inspectors, Bob Vogel, Building Commissioner

Mr. Washburn was asked by the Advisory Committee to look at all department fee schedules. They gathered all information on fees and performed a comparative analysis with other towns. Mr. Vogel's staff has done a detailed analysis of surrounding towns and these fees have not been touched in 10 years. We need to keep these fees current to support the department. There has been an uptick in projects and this is important to ensure the department has the resources it needs to do its job. Mr. Vogel discussed the details with the Board. They are asking the Selectmen to consider the fee schedule change adjustments, the computation for construction and compensation for outside inspectors. Mr. Vogel reviewed Building permit fees, electrical permit fees, and plumbing permit fees with the Board. It adds approximately 10% across the board. Ms. Connolly asked when the last time Marshfield changed their rates. Mr. Vogel said 2016. Ms. Curran said the public should know we are 17-20% lower than all surrounding towns. Christine Walsh asked when this was last looked at. Mr. Vogel said 2005.

Motion to approve that the Town of Scituate Permit Fee Schedule be adjusted to match the permit fee schedule of the town of Marshfield except the pool fee effective immediately.

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

Motion to approve the basis for default computation of building permit fees based on construction cost be adjusted from the current \$100 per square foot of construction to \$150 per square foot of construction for conditioned space; \$75 per square foot of garage space; and \$25 per square foot of porch or deck effective immediately. Motion by Ms. Canfield second by Mr. Harris Unanimous Vote (5-0)

Compensation for inspectors is under the management of the Town Administrator so no vote is required by the Board of Selectmen.

Go Green Water Connection Fee, Tim Lopes, Owner

Mr. Vegnani said this topic will be moved to a future Selectmen meeting.

Room Tax, Lynda Ferguson, Owner, Inn at Scituate Harbor

Ms. Ferguson is here to ask that the short term rental tax not be implemented on July 1, 2019. The article should be invalidated. She was not informed by the Town that this tax would be implemented. No one reached out to the Chamber of Commerce. When the meals tax was implemented there was good communication and everyone knew. This article had no such vetting or notification. Currently less than half the state has implemented this tax. Cohasset, Marshfield, and Hull are at 4% and Scituate is at 6%. . The website for the state says "Under Construction". She feels taxing people without telling them is not okay. There is no way to manage the room tax for home rentals in Scituate.

Mr. Vegnani said he loves the Inn and it is great. The Inn is a wonderful part of our community. There was nothing intentional against the Inn. Was it a money grab? Yes a little bit but there was nothing done to make it bad for the Inn. It was discussed Ms. Ferguson said the room tax was not on the agenda the agenda item said warrant articles. Ms. Canfield asked to bring this issue up and has spoken with Ms. Ferguson. The original article was well discussed and well vetted. It was a huge mistake not to discuss it with the owners of the Inn ahead of time. Ms. Ferguson said it is unfair to institute a tax higher than surrounding towns. Ms. Canfield is supportive of this tax. Ms. Canfield said at Town meeting it would be neutral to the community and she never intended to harm the business community. There were unintended

consequences. This business owner is entitled to bring this before the Board of Selectmen. We need to put safeguards in place for future changes. Ms. Curran apologized for not being aware of the impact on the Inn. She looked at it more as a tax on AIRBNB's. Ms. Ferguson is not opposed of being taxed. Mr. Boudreau is not aware of the Board of Selectmen overriding the vote at Town Meeting. He will check with Town Counsel. Ms. Canfield did check with the Department of Revenue and it can be changed every 12 months at a future Town Meeting. Ms. Connolly asked if there is a definition of what implementation means? Does it mean that it applies to any reservation made at that date? Mr. Vegnani said we could have done a better job communicating this to the community. Mr. Vegnani said other communities have had to pay tax and Scituate has not had to pay and this is an advantage. Mr. Vegnani doesn't think there is anything we can do but he will have this checked. Mr. Harris said what is the harm in trying to extend the date. We will try to institute this after consulting with Town Counsel. It will take a vote at Town Meeting to change the % if the Board chooses to do this. Ms. Ferguson asked for better communication. Ms. Connolly asked what the consequences are if we do not implement this. Ms. Holt said we do not have the option since it is collected by the State. Mr. Boudreau said an abatement would be the decision of the Board of Assessors but let's see what Town Counsel says first.

Widows Walk Golf Committee, Mark Joyce & Mark Bissell, Committee Members

Mark Joyce provided the following overview. The golf committee was put together six months ago and the group is very active looking at all angles and doing a great job. The bond was paid off and now there may be money to invest back into the golf course. Mark Bissell thanked the Board for letting them serve on the Committee. Mark Joyce provided a presentation to the Board. The committee provided an overview of Widows Walk. The committee provided visuals of the vision they have for the golf course clubhouse and the landscaping out front. The group would like to create a Widows Walk Social Platform and link into Golf now, etc. They would like to really promote the course and drive revenues up. They believe they can create linkage to other businesses in Town from a synergy perspective to promote the Town. This is a Town asset and there have been 50 days of rain already this year. The overall life of the facility to pay off the debt shows if we get the asset up where it should be we can have a good return on investment.

Mark Bissell said it has been a busy five months. The Town outsources to IGM and they feel the course is not up to where it should be. There has been some positive improvement already with meetings with IGM already. Although there is a sense of community at Widows it is not that clearly defined. The Town has not had tournaments at Widows Walk other than once a year. They are suggesting that the Inner Club be established for about 7 rounds a year. It was a great success the first time around. There are improvements in sales of punch cards and they are excited with the increase of sales. They established weekly newsletter. The open rate is very high. With effort the returns are starting to pay off. The goal is to earn the money before it is spent. They are working to increase the value of the asset to the Town. They want to fund by golf operations revenue not by tax dollars.

We need to make improvements with revenue from golf operations. The goal is for annual spending of \$150K or less per year. A RFP was approved at Town Meeting a couple of years ago and it is out to bid. There are some capital expenses that need to be made that are important in the grand scheme of things. They are here tonight to ask for support for the Triple Play.

Mr. Harris thanked the committee for all their hard work. Widows Walk was always an asset. Ms. Curran thanked the group and said the marketing efforts are outstanding. Safety is a priority for her with the fencing and the parking lot. Mr. Boudreau said some clean-up work can begin July 1st. The clean-up work does not fall under the purview of the DPW or IGM. The parking lot clean-up work needs to be done. The frontage needs tender loving care. Mr. Joyce said the entrance is dangerous and we should consider on

entrance. Ms. Curran said she is so impressed with this group and the commitment of the members. Ms. Connolly shares the frustration of whose responsibility it is to maintain the landscaping. It is good the committee got formed before the money was spent that was approved at Town Meeting. Ms. Canfield said she loves this group and they presented a lot of information. Getting on track for November is a great goal. We do need to address some things for this summer. The technology piece is important to do as soon as possible. Mr. Joyce's daughter has volunteered to do some computer work as a computer science major for Widows Walk. Mr. Harris asked about the paving and the maintenance of the paving. If done to the right depth it should last a long time. We will have to put in storm water and that will add a lot of money to the cost. Mr. Harris aid we don't want to change anything after it is done. Mr. Vegnani said this is long overdue and we have been looking at this for a long time. This needs to be done and we have the right committee in place. The RFP will be back mid-July. The financial picture has changed over the years and we need to make sure the debt structure will work. The committee got together with the Finance Director to review this. The last three years have been challenging. Mr. Joyce said the loss in revenue is the facility as well. Mr. Vegnani said we are not looking to make money but maintain it at the level it needs to be. The safety concerns have to be addressed right away. The holes have to be filled in the parking lot. Mr. Boudreau said the RFP only deals with the clubhouse and parking lot. Bob Sanderson, Golf Club Director said the irrigation was mentioned by IGM and has a useful life of 25 years. We are 22 years in now but we can make necessary repairs to keep it going as it is now. Water supply was a concern. The pond on 9, if it tests well, we could pump that up in the irrigation pond. We should prioritize the curb appeal and a functional club house. Mark Donofrio was on the advisory committee when the enterprise fund was formed. When it was presented this debt was not supposed to be a problem. He is glad to hear that the debt is paid off. He would encourage a very strong capital plan for the future without having to go back and borrow money. Monte Newman, said the point he makes is very good. As a committee they can only do so much. Someone in town has to guide them through the next step. We have a lot of approvals between now and November. Who is going to give the committee the authorization to move forward. Mr. Vegnani said the RFP is out and when it comes back the town will decide when it happens.

FY19 Year End Transfers, Nancy Holt, Finance Director & Town Accountant

Mike (IT Director) joined Ms. Holt. Mr. Vegnani welcomed him aboard. Ms. Holt reviewed all of the year end transfers with the Board.

Move to transfer from the available FY 2019 General Fund budget lines as listed on the provided spreadsheet to other FY 2019 General Fund budget lines a total amount of \$125,007 pursuant to MGL Chapter 44B §33. Motion by Ms. Curran second by Ms. Canfield Unanimous Vote (5-0)

Scituate Recreation Special Exempt Employees

Move that the Board of Selectmen, as required by Massachusetts

G. L. c. 268 A, have reviewed the disclosure forms from the following municipal employees who seek to provide personal services to Scituate Recreation. The exemption under section §20 (b) is approved for the following municipal employees:

**Andrew Barlow
Michael Barba
Caroline Burns
Erin Culbert
Elizabeth Dorgan
Brian Hurcombe
Molly Scott**

**Ellen Burke
David Jordan
Amanda Kruggel
Craig Parkins
Matthew B. Poirier
Morgan Seghezzi
Lisa Howell**

**Christine Kane
Jonathon Schindler**

Kathleen McCarthy

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

Vertex Contract for Owner Project Manager (OPM) Services Senior Center \$463,770, Jim Boudreau, Town Administrator

This is for the Owner Project Manager services (OPM).

Move to award a contract to The Vertex Companies, Inc. for Owner's Project Manager (OPM) Services of Construction Documents, Bidding, Construction and Close-out relevant to the Community Campus for Senior Center and Recreational Facilities in the amount of \$463,770; such vote contingent on outcome of ballot vote recount. Motion by Ms. Curran second by Mr. Harris Unanimous Vote (5-0)

Gordon Price, Mann Lot Road said Kathy Gardner and her staff are doing a phenomenal job with the recount and they are determined to do this correctly and appropriately.

Construction Administration Contract to Bargmann, Hendrie & Archetype Inc. for Senior Center, Jim Boudreau, Town Administrator

This is for the construction documents and oversight. This also includes the traffic study and additional site survey.

Move to award a contract to Bargman Hendire & Archetype, Inc. for construction, administration, bidding assistance and prequalification for Community Campus for Senior Center & Recreational Facilities Project in the amount of \$340,500 such vote contingent on ballot vote recount. Motion by Ms. Curran second by Mr. Harris Unanimous Vote (5-0)

Release Library Project contingency funds up to \$13,875 for lower level door handicap accessibility needs, Jim Boudreau, Town Administrator

There will be a couple hundred thousand left after this expense. The ADA walkway is ready to go and should be completed by the end of the month. The crosswalk on Branch Street needs to be done also for \$4200 and it is included in this cost. Ms. Connolly said when there are public meetings that door needs to be unlocked. She thinks the staff will go crazy if the buzzer keeps going off. Patricia Lambert, Alexander Way said that door is for people to leave the building.

Move to release Library project funds in the amount of \$12,875 to complete the ADA walkway, crosswalk at Branch Street and install the video intercom system and remote access controls. Motion by Ms. Canfield second by Ms. Connolly Unanimous Vote (5-0)

Appoint Special Legal Counsel for Senior Center Recount on 6/20/19, Jim Boudreau, Town Administrator

Rich Bowen has agreed to do this. The Board of Selectmen has to approve this. He watches and explains to the Town Clerk what to do if there is a question or problem. Gordon Price, Mann Lot Road thinks it's wonderful he has donated his time. The other expenses are \$5,000 for the recount.

Move to approve an appointment of Special Legal Counsel for the recount of Question 1 Debt Exclusion from the Scituate Town Election held May 18, 2019. Motion by Ms. Curran second by Mr. Harris Unanimous Vote (5-0)

NEW BUSINESS:

1. One Day Wine & Malt Licenses

1. RIVA @ SMC on 7/14 11 a.m. – 3 p.m.
 2. Kates Table @ SMC on 7/18 5:30 – 9:30 p.m.
 3. Taylor Made Bartending @ SMC on 6/15 6:00 – 10:00 p.m.
- **Move that the Board of Selectmen approve One-Day Wine & Malt licenses to Taylor Made Bartenders for an event at the Scituate Maritime Center on June 15, 2019 from 6:00pm-10:00pm Motion by Ms. Canfield second by Ms. Curran Unanimous Vote (5-0)**
 - **Move that the Board of Selectmen approve One-Day Wine & Malt licenses to Riva Restaurant for an event at the Scituate Maritime Center on July 14, 2019 from 11:00am-3:00pm Motion by Ms. Canfield second by Mr. Harris Unanimous Vote (5-0)**
 - **Move that the Board of Selectmen approve One-Day Wine & Malt licenses to Kate's Table for an event at the Scituate Maritime Center on July 18, 2019 from 5:30pm-9:30pm Motion by Ms. Canfield second by Mr. Harris Unanimous Vote (5-0)**

2. Election Poll Workers

Move to appoint election poll workers from the Town Clerk's supplemental list and the democrat list. Motion by Ms. Curran second by Mr. Harris Unanimous Vote (5-0)

3. Selectmen Liaison Positions

The Selectmen will review and decide at the next meeting. Mr. Vegnani will be the liaison for the Advisory Committee and Plymouth County Advisory Board. Ms. Connolly has agreed to be the Selectmen representative on the new Scituate Harbor Sustainability & Resiliency Master Plan Task Force.

OTHER BUSINESS:

1. Liaison Reports

Ms. Curran said the AHT will be putting some options together to come before the Board of Selectmen.

Mr. Vegnani would like to invite the EDC in to get ask them to think about the use of the Old Gates School to see what can be done with the property.

2. Correspondence

Scituate Library Foundation Capital Campaign Finale Celebration on 6/7 @ 7 p.m. Barker Tavern \$75 per ticket.

Notice of Public Meeting Recount on 6/20/19 at 12 noon Scituate High school Gymnasium

3. Approval of Meeting Minutes

Amend minutes that Karen Canfield was present and Ms. Connolly was in attendance.

Move to accept the minutes for the May 21, 2019 Board of Selectmen Meetings. Motion by Ms. Canfield second by Ms. Curran Unanimous Vote (5-0)

Mr. Vegnani congratulated all of the 2019 Scituate High School graduates. There are a lot of playoff games coming up. Check out the schedules and support the teams.

4. Adjournment and Signing of Documents

**Ms. Curran made a motion to adjourn the meeting at 10:25 p.m. Second by Mr. Harris
Unanimous Vote (5- 0)**

Respectfully Submitted,

Lorraine Devin, Recorder

List of Documents for June 4, 2019 Board of Selectmen Meeting

- Agenda
- New Hawker Peddler License, The Beacon Coffee Truck Application
- FEMA Disaster Consultant Contract
- Inspections Department Permit Fee Schedule, Permit Fees for New Construction, Compensation for Outside Inspectors
- Go Green Water Connection Fee no backup moved to future meeting
- Room Tax Discussion
- Widows Walk Golf Committee Presentation & Information
- FY19 Year End Transfers
- Scituate Recreation Special Exempt Employees
- Vertex Contract for Owner Project Manager (OPM) Services
- Construction Administration Contract to Bargmann, Hendrie & Archetype Inc. for Senior Center
- Release Library Project contingency funds up to \$13,875 for lower level door handicap accessibility needs
- One Day Wine & Malt License Requests
- Appointment of Election Poll Workers
- Selectmen Liaison Positions
- Correspondence
 - Scituate Fire Department 81st Annual Firefighter Memorial Service on Sunday June 9, 2019, 9:30 a.m. @ Lawson Common
 - Capital Campaign finale Celebration Scituate Library Foundation, Friday, June 7th @ Barker Tavern 7 p.m. \$75 per ticket
 - Notice of Public Meeting for Recount June 20, 2019 12 p.m. High School gymnasium
- Acceptance of Meeting Minutes for May 21st, 2019

Board of Selectmen Meeting Minutes for June 4, 2019

BOARD OF SELECTMEN

Anthony V. Vegnani, Chairman

Shawn Harris, Vice Chairman

Karen B. Canfield, Clerk

Karen E. Connolly

Maura C. Curran