

Board of Selectmen Meeting Minutes

Tuesday, May 12, 2020

Facilitated @ Scituate Town Hall, 600 Chief Justice Cushing Highway with Remote Participation due to COVID- 19 Emergency

In attendance on site: Mr. Vegnani, Chairman, Mr. Harris. Vice Chairman

In attendance via remote participation: Ms. Canfield, Ms. Connolly and Ms. Curran

Also in attendance on site: Mr. Boudreau, Town Administrator

MEETING CALLED TO ORDER/ACCEPTANCE OF AGENDA

Mr. Harris made a motion to accept the agenda for May 12, 2020 at 7:11 p.m.

Second by Ms. Curran Unanimous vote (5-0)

Roll Call Vote:

Vegnani yes

Harris yes

Canfield yes

Connolly yes

Curran yes

Mr. Vegnani reviewed the call in procedures for any resident who would like to participate in the meeting by commenting or asking questions.

REPORT OF THE TOWN ADMINISTRATOR:

1. Two Additional cases today and three additional antibody cases yesterday. We have 94 cases in the Town of Scituate. In addition, they have finished testing all of the residents at the Life Care Center. There are 90 residents and we have 52 positive cases and 38 negative. A resident at the Life Care Center passed away on Thursday. This resident had been admitted to the hospital on March 9 and finally succumbed to the disease. There was an additional death early in the pandemic at the Center. Those residents testing positive are segregated in a separate unit from those testing negative. These do not count as "Scituate Cases" as they will be assigned to the hometown of the resident testing positive. The Center is testing all of its residents and staff, so we expect that number to go up. They are quarantining in the Center and working closely with DPH and our Board of Health.
2. The Big news since last week is that the Governor has mandated the use of masks for any one over the age of 2 whether indoor or outdoor, and is unable to or does not maintain a distance of approximately six feet from every other person shall cover their mouth and nose with a mask or cloth face covering, except where a person is unable to wear a mask or face covering due to a medical condition. Enforcement will be by local law enforcement and the BOH and violators can be subject to a fine of up to \$300. When taking a mask off, do not touch the mask itself, but remove it by the strings or elastic holding it in place. Once you remove the mask, wash your hands thoroughly.
3. The Governor has issued guidance on the phases of re-opening the economy. There will be four phases:

Phase 1: Start – Limited openings with severe restrictions.
Phase 2: Cautious – More openings allowed with restrictions and capacity limits
Phase 3: Vigilant – Still more loosening of requirements with additional openings

Phase 4: New Normal – After the development of a vaccine.

There has been no guidance yet as to what type of business will be able to open in what phase. The LT governor said some of that guidance should be out this week.

4. Election – June 13, hours 9 AM – 2 PM. We urge people to early vote by mail. Go to the Town Clerk page on the town web site and you can get the early voting form. Complete it and mail it in and we will send you a ballot. If you do not have internet capability, the forms are available at the main entrance to the Town Hall.
5. Town Meeting has been postponed again from May 11 to June 8. The law gives the Moderator the authority to postpone Town Meeting for up to 30 days at a time. I do not believe at this point that the restrictions on large gatherings will be lifted sufficiently by then to allow TM on June 8, nor do I think that we will have budget numbers from the state. I would anticipate a further postponement to the end of June.
6. We have finally received some guidance from the state on “Boating and various other marine and inland waterway related activities”. In a nutshell, it looks to me that under these guidelines we will be able to open the marina on May 15. For “Recreational boating”
 - a. The safe operation of recreational boats is permitted under the following guidelines:
 - i. Only persons from the same household should be together on a boat at one time.
 - ii. No gathering or groups of persons from multiple households will be permitted on boat ramps, docks, piers, etc., and all users shall practice strict social distancing
 - iii. All recreational crafts shall remain a safe distance apart. Tying boats or other crafts together is prohibited
 - iv. All recreational boating is subject to the discretion of local officials, harbor masters and law enforcement
 - v. All local rules, regulations, laws and coast guard requirements still apply

I sent that guidance to the Health Director and Harbor Master and we will be drawing up our requirements and sending them out to boaters. I believe given the Governor’s new directive on masks that we will be requiring masks on floats and piers of the marina.

7. Right after Thursday’s broadcast where I spoke of the Golf course preparing to re-open when the Governor gives the go ahead, Governor Baker gave the go ahead and opened golf courses with restrictions. Tee time intervals are lengthened to 15 minutes between groups, carts are not allowed, reservations and payments remotely and you must remain in your car until 15 prior to your tee time, bunkers will not be raked and golfers must maintain social distancing at all times. We have already installed new devices on the flags that will allow you to retrieve your golf ball without touching the flagstick. Hook and putter. We are in the process of installing a new POS system for tee time reservations and payments. That should be in place by the end of this week.
8. Beach parking – enforcement beginning May 15. Usually it starts on 6/1. We are preparing for opening the beaches with lifeguards. We will have porta-potties, but will see if the new regulations will allow them. Parking will be reduced at all the beach parking lots to prevent overcrowding on the beaches. We are looking for additional guidance from the state, which we have been told, will be forthcoming. Big issue will be enforcement of social distancing, etc. on the beaches this summer if it is going to be required.

9. Paving is ongoing. Mann Lot has been completely rebuilt and widened in some areas. The base coat is down. We will let this sit for a while and see if we get any settling before we put on the base coat. Sidewalk work is ongoing on First Parish. I have directed the Police Department to pay attention to the newly paved roads as speeds invariably increase when we pave. Forewarned is forearmed.
10. Teenagers need to stay out of our closed parks and playgrounds! Have received complaints and seen teenagers playing basketball and congregating at the skate park and other closed parks. Please do not make us start issuing citations! These are \$300 each. Stay out of these areas and wear a mask if not social distancing.

Ms. Connolly asked about the status of Go Green. The fire hazards are caused by the non-processed debris that is there. He had a grinder and loader down there today and he committed to have it ground by the end of the week. This minimizes the fire hazard. Mr. Lopes is putting together a plan to put the facility in compliance. Mr. Boudreau said we need to have the plan by the end of the week. If the Selectmen agree to the plan he will be held accountable or the lease would be revoked.

Mr. Vegnani said he agrees with Mr. Harris that we want to allow people on the beach as long as people can social distance.

Ms. Canfield said the Beach Commission is scheduling a meeting shortly to explore visuals and enhance the requirement for social distancing. Mr. Boudreau said we have the social distancing signs that will be posted on every beach.

Ms. Curran asked how the lifeguards will monitor the entire beach. Mr. Vegnani said this pertains to swimming and sitting on the beach is not going to be monitored by the lifeguards.

SCHEDULED ITEMS:

Donation to Scituate Fire Department for Boat Fire Pump, John Murphy, Fire Chief

Chief Murphy discussed the donations received and he reached the amount that were needed. Donations were received from Columbia Gas, Petrocelli, Mike Lynn, EMPG grant, Scituate Harbor Marina, Roht Marine, Mill Wharf Marina, Herring River Marine, Scituate Maritime Center Foundation, National Grid, and Scituate Boat Works. The Selectmen thanked the Fire Chief for soliciting these donations for the upgraded pump. Ms. Canfield said we do have to be cautious relying on donations to cover the costs. Mr. Boudreau said the boat would have had a pump on it but it was decided that an upgraded pump would be an improvement and be more useful. Mr. Harris asked when we will take delivery on the boat. Chief Murphy said he is hoping to see this by July 1st. They will move forward as best they can with COVID 19 rules to separate workers. It was originally mid June.

Move that the Board of Selectmen accept a donations totaling \$19,884 from several marine related businesses to the Scituate Fire Department towards the purchase of a fire pump, Diesel powered engine, & associated installation costs. Motion by Ms. Curran second by Mr. Harris Unanimous Vote (5-0) The Selectmen voted to correct the amount to \$19,884.

Roll Call Vote:

Vegnani yes

Harris yes

Canfield yes

Connolly yes

Curran yes

PLANT Scituate, Systke Humphrey, Beautification Commission

Systke Humphrey, 8 Ladds Way is representing the Beautification Commission and thanked the Selectmen for the invitation to participate in the meeting. 50 Adopt A Lot volunteers are maintaining the gardens around Scituate while complying with Board of Health regulations surrounding COVID 19. Mary AnnPalieko and Leslie Dienel have organized letters to the merchants to see if they will be interested in doing the flower boxes this year. Merchants have already contacted Beautification about having the boxes done. PLANT Scituate kickoff will be coming up and the Commission is asking residents and businesses to plant Marigolds throughout town to celebrate the uniqueness of our community. The Selectmen thanked Systke and the Beautification Commission.

Memorial Day Observance Update, Don Knapp, Veterans Agent

Don Knapp participated via conference call to update the Memorial Day plan. The parade ceremony has been cancelled due to the current guidelines due to COVID 19. The town will be honoring our veterans by placing flags on the graves of Veterans. Ms. Curran asked about the laying of the wreath at sea. Mr. Knapp said he does not believe they are going to do that this year. Mr. Knapp said he does not know but he can check to see if we could still do that. He will check on that tomorrow. Mr. Vegnani said maybe we could get more boats. Ms. Connolly asked if we could do some type of recognition such as have the churches ring bells, moment of silence, etc. Ms. Canfield said that Kim Stewart, Chair of the Veterans Services Advisory Council is working on some things to honor the Veterans. Ms. Stewart will work with Mr. Knapp to coordinate the volunteers.

Bond Anticipation Note for various projects \$12.5M, Pam Avitabile, Treasurer/Collector

Ms. Holt represented Pam Avitabile at the meeting tonight. On April 29, 2020, the Town of Scituate sold \$12,510,000 in Bond Anticipation Notes for the following Authorized Purposes:

Project Description	Authorization	This Issue
General Fund		
HS Fields Complex	Art 3D, ATM 4/2019	\$1,500,000
Foreshore Protection	Art 3G, ATM 4/2019	\$300,000
Senior Center & Recreation Facility	Art 1, STM 5/2019	\$7,000,000
Total General Fund		\$8,800,000
Community Preservation		
HS Fields Complex	Art 11-12, ATM 4/2019	\$3,080,000
Total Community Preservation		\$3,080,000

Sewer Enterprise		
Cedar Point Project	Art 3FF, ATM 4/2017	\$200,000
Total Sewer Enterprise		\$200,000
Waterways Enterprise		
Replace Unit #3 with fire pump	Art 3UU, ATM 4/2018	\$430,000
Total Waterways Enterprise		\$430,000
Grand Total All Funds		\$12,510,000

On Wednesday, April 22nd Pam Avitabile, Jim Boudreau, Nancy Holt and the town's financial advisors from Hilltop Securities had a conference call with Standard and Poor's for a bond rating review update. Standard and Poor's Rating Services affirmed the Town's AA+ long-term rating and assigned its SP-1+ short-term rating to this borrowing. The rating agency cited the Town's very strong economy, strong management, strong budgetary performance, and very strong liquidity as positive credit factor.

The Town received 5 bids. The winning bid was submitted by TD Securities at a coupon interest rate of 1.50% and a premium amount of \$50,415.30.00 for a net interest rate of .7746%.

This issue of notes are scheduled to mature on December 11, 2020. At that time the notes will be permanently financed as a bond issuance.

Vote to approve the sale of General Obligation Bond Anticipation Notes \$12,510,000

Ms. Canfield read the Vote of the Board of Selectmen

I, the Clerk of the Board of Selectmen of the Town of Scituate, Massachusetts, certify that at a meeting of the board held May 12, 2020, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of a \$12,510,000 1.50 percent General Obligation Bond Anticipation Note (the "Notes") of the Town dated May 21, 2020, and payable December 11, 2020 to TD Securities (USA) LLC at par and accrued interest plus a premium of \$50,415.30.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated April 22, 2020 and a final Official Statement dated April 29, 2020, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking

in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§ 18-25 as amended, further suspended, supplemented or modified by the Executive Order of the Governor of The Commonwealth of Massachusetts Suspending Certain Provisions of the Open Meeting Law, Chapter 30A, §20 dated March 12, 2020. Dated: May 12, 2020

Move to approve the sale of the General Obligation Bond Anticipation Notes \$12,510,000

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

Roll Call Vote:

Vegnani yes

Harris yes

Canfield yes

Connolly yes

Curran yes

Economic Development Commission & Committee Re-Opening Plan, Sue DiPesa, Chair, EDC

Ms. DiPesa said the committee meets three days per week to help local businesses re-open. A presentation was provided to the Board of Selectmen. There is a large group of volunteers helping with this project from SANDS, Scituate Education Foundation, Board of Selectmen North Scituate Merchants, Friends of North Scituate, Chamber of Commerce, Economic Development Commission, Harbor Merchants Association, West Cork Sister City Committee, Scituate Community Christmas and the group will be reaching out to other Boards and Committee's in Scituate. There were five sub committees created; Safety, Business, Marketing/Communications, Event Planning, Marine. The estimated costs totals \$5,000 with contributions from the Chamber of Commerce, Harbor Business Association and the balance from the Economic Development Commission (EDC). Ms. Canfield and Ms. Connolly said it was heartwarming for this group to come together and help support the businesses in town. Ms. Curran said it was well thought out and is something we need to jump-start everything. It is a great role for our EDC. Mr. Harris said this is exactly what the EDC is in place for and asked if any of our neighbors are doing anything in this area. Ms. DiPesa said there are other EDC's in other communities but she is not aware of any plans of this type in other communities. Ms.

DiPesa said Plymouth 400 is an amazing group and they have a lot more in place since they are such a tourist community. Ms. DiPesa has taken some information from them. Mr. Vegnani said a great group of people are working on this committee. Mr. Vegnani said he appreciates the group being proactive. Ms. Canfield said nothing will move forward without meeting Board of Health guidelines. The Selectmen thanked Ms. DiPesa and her committee for all their hard work. Although a vote is not required, the Selectmen support the EDC moving forward with this initiative.

Out of Network Costs COVID-19 Ambulance, Nancy Holt, Finance Director/Town Accountant

The Town received some funds from the CARES Act. If the Board agrees to the terms and conditions we can keep the funds. The Board will need to vote on this tonight. On April 21, 2020, the Town received \$25,023.73 in CARES Provider Relief funds due to its previous receipts of Medicare funds for ambulance transports. These funds have terms and conditions to which the Town must comply if it chooses to retain the funds. If the Town chooses not to comply, it has to return the funds within 30 days. The funds can only be used for health care related expenses used to prevent, prepare for and respond to Coronavirus, which I identify very narrowly to be those costs associated with PPE and other limited expenses incurred by the Scituate Fire Department. Additionally, these funds can be used to make whole the provider for lost revenue resulting from COVID-19 related services. In the Town's case, this would be the loss of revenue from the balance billing between in-network and out-of-network rates for ambulance transports. If the Town accepts the funds, the terms and conditions bar the Town from balance billing the difference between an in-network payment by an insurance provider and the Town's out-of-network rate specific to a COVID-19 transport. The Town may still balance bill for deductibles and co-pays for these runs for those insurers have not already waived them.

The Board of Selectmen would need to vote to not balance bill in these cases but our third party biller, Comstar, advised that transports be coded based on diagnosis and not symptoms. Since few people are diagnosed as having COVID-19 prior to transport, the Town did not have a way to identify these runs definitively to ensure compliance. Comstar reported that of their 200 clients, they had only had three patients transported with a diagnosis code of COVID-19. This raised concern that the Town would not be able to comply with the terms and conditions. Due to the varied nature of in-network rates of the 400+ insurance plans that Comstar regularly deals with as compared to the Town's rate, there is not a way to quantify the amount that would not be balance billed.

The Town has received additional information from Comstar that some insurance providers are now coding their payments indicating that the transport was COVID-19 related which should assist the Town in identification of these runs. Comstar has also created coding in the processing of these runs which will enable the Town to know how much has not been billed and utilize the relief funds to make the Town whole for the service provided.

Ms. Holt said that this is giving relief to the individual that got the disease and to help the health care provider (the ambulance community) whole and give them a break. It was based on the amount of Medicare funds we received in 2019. It would be effective the date we received the funds. Ms. Holt said there are HIPPA issues here and we should not reach out to the patients.

Move to not balance bill any patient for the difference between an insurer's in-network payment and the Town's out-of-network rate for ambulance transport when it is related to a diagnosed, presumptive or suspected case of COVID-19 effective as of April 21, 2020. Motion by Mr. Harris second by Ms. Canfield Unanimous Vote (5-0)

Roll Call Vote:

Vegnani yes

Harris yes

Canfield yes

Connolly yes

Curran yes

NEW BUSINSS:

1. Hawker Peddler License Renewal

a. Burt's Ice Cream

Move that the Board of Selectmen approve Hawker Peddler Licenses to Burt's Ice Cream for the 2020 season. Motion by Mr. Harris second by Ms. Curran (Unanimous Vote 5-0)

Roll Call Vote:

Vegnani yes

Harris yes

Canfield yes

Connolly yes

Curran yes

2. Seasonal Liquor License Renewal

a. Scituate Beach Association

Move that the Board of Selectmen approve the renewal for an On Premise Seasonal Club All Alcohol Beverage License to The Scituate Beach Association pending final Fire Inspection. Motion by Mr. Harris second by Ms. Curran Unanimous Vote (5-0)

Roll Call Vote:

Vegnani yes

Harris yes

Canfield yes

Connolly yes

Curran yes

Move that the Board of Selectmen approved the indoor entertainment license for the Scituate Beach Association Monday thru Sunday 12 p.m. to 12 a.m. pending final Fire Inspection. Motion by Mr. Harris second by Ms. Curran Unanimous Vote (5-0)

Roll Call Vote:

Vegnani yes

Harris yes

Canfield yes

Connolly yes

Curran yes

OTHER BUSINESS:

1. Liaison Reports

Ms. Connolly said CPC received notification from the Department of Revenue that the matching funds from the state are expected to be 11% rather than 37%. The amount of activity may be down a lot. It really affects the buckets that were set aside. The bad news is COVID is hitting the bottom line. Ms. Holt said the good news is none of this will affect the pending projects for Scituate.

Ms. Canfield provided an update:

- a. The Council on Aging will be holding their first meeting in quite a while. They have been working hard remotely to service seniors.
- b. The Library Trustees will be having a meeting soon also.

Mr. Vegnani was on a call with the Plymouth County Financial advisors and they did not have any impact if the Commissioners chose to disburse the federal funds or not. There is a financial forecasting meeting this week on Friday at 8:30 a.m. and Mr. Vegnani met with Ms. Holt and Mr. Boudreau to look at projections depending on state funding and looking at line items that will be impacted as well for FY2021 budget. SCTV will record the meeting.

2. Correspondence

No correspondence received.

3. Approval of Meeting Minutes

Move to accept the meeting minutes for the Board of Selectmen meeting held on April 28, 2020. Motion by Mr. Harris Second by Ms. Canfield Unanimous Vote (5-0)

Roll Call Vote:

Vegnani yes

Harris yes

Canfield yes

Connolly yes

Curran yes

4. Adjournment and Signing of Documents

Motion to adjourn the meeting at 8:54 p.m. by Mr. Harris second by Ms. Curran Unanimous Vote (5-0)

Roll Call Vote:

Vegnani yes

Harris yes

Canfield yes

Connolly yes

Curran yes

Respectfully Submitted,

Lorraine Devin, Recorder

List of Documents for May 12, 2020 Board of Selectmen Meeting

- Agenda
- Donation to Scituate Fire Department for Fire Boat Pump and list of donors
- PLANT Scituate Beautification information and FAQ's document
- Memorial Day Observance update from Veterans Agent no document provided
- Gond Anticipation Note for various projects \$12.5M
- Economic Development team presentation for Re-Opening Plan
- Out of Network Costs COVID-19 Ambulance and spread sheet with costs
- Correspondence
 - Nothing received for this meeting
- Approval of Meeting Minutes for April 28, 2020

BOARD OF SELECTMEN

Anthony V. Vegnani, Chairman

Shawn Harris, Vice Chairman

Karen B. Canfield, Clerk

Karen E. Connolly

Maura C. Curran