

Board of Selectmen, March 27, 2012
TOWN OF SCITUATE MASSACHUSETTS

MINUTES OF MEETING

BOARD OF SELECTMEN

MARCH 27, 2012

Present: Anthony V. Vegnani, Chairman; John F. Danehey, Shawn Harris,
Richard W. Murray, Joseph P. Norton

Patricia A. Vinchesi, Town Administrator
Chief Brian Stewart, Scituate Police Department

1. The meeting was called to order at 7:08 PM.

2. ACCEPTANCE OF AGENDA

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ACCEPT the Amended Agenda for March 27, 2012 to include: 7a "Vote to Ratify Public Employee Committee (PEC) Agreement" and 9a "Housing Authority Freezing of Funds". SECONDED by Mr. Harris. No discussion. Unanimous vote. (4-0) Mr. Danehey was not present for the vote.

3. DISCUSSION/ VOTE/ ONE-DAY WINE & MALT BEVERAGES LICENSES (2)

Scituate High School students have been participating in the Appalachia Service Project for the past 5-10 years. This will be a fundraising event for the Project. Parent Kathy Harris and her daughter, Melissa – first time Project participant, were present at tonight's meeting.

Mr. Norton made a MOTION that the Board of Selectmen VOTE to GRANT a One Day Wine & Malt Beverages License for a fundraising event for the Appalachia Service Project on Saturday, April 14, 2012 from 6 PM to 11 PM at St. Mary's Parish Center, One Kent Street, Scituate Harbor. SECONDED by Mr. Murray. No discussion. Unanimous vote. (4-0) Mr. Danehey was not present for the vote.

Phyllis Gill presented an application for a One Day Wine & Malt Beverages License for her 75th birthday party to be held at the Harbor Community Building. It will be catered by Ellen Mackenzie who has provided the liquor liability insurance for the event.

Mr. Norton made a MOTION that the Board of Selectmen VOTE to GRANT a One Day Wine & Malt Beverages license for a private birthday party to be held on May 5, 2012 from 5 PM to 9 PM at the Scituate Harbor Community Building, 44 Jericho Road. SECONDED by Mr. Harris. No discussion. Unanimous vote. (4-0) Mr. Danehey was not present for the vote.

4. MEET APPLICANTS/ Water Resource Committee & Veterans Advisory Council

Becky Malamut – Water Resource Committee – stated that she is interested in filling the vacancy on the Water Resource Committee. Mr. Vegnani noted Ms. Malamut's impressive resume in terms of her experience in environmental and conservation areas.

Veterans Advisory Council – The Board stated that the By-Laws for the Council have been established and there are currently 15 applications for 15 positions on the Council. Discussion continued on the length terms (1, 2 or 3 years), the first meeting and election of a chairperson and the posting and recording of minutes for each meeting.

5.WALK-IN PERIOD – No “walk-ins” this evening.

Mr. Danehey entered the meeting at approximately 7:45 PM.

6.DISCUSSION/ VOTE/ Beach Trash Pick-Up/ A. Bangert

Al Bangert, Director/Department of Public Works, gave an update on improvements to the Minot Beach Parking Lots and future improvements to be made to the Peggotty Beach Parking Lot. He spoke about a new plan for trash collection at our beaches – the “carry in – carry out” approach, which is used by many beach communities along the south shore and Cape Cod. Currently, Scituate places large trash barrels at the beach entrances, which are often overflowing by Monday mornings. Placing a small dumpster in each parking lot, which will be emptied on Fridays and Mondays by a trash hauler, is also a part of the new plan. Lifeguards will be asked to remind patrons to carry their trash off the beach. Potential violations of dumpster use were discussed. The Board concurred that this new policy should be tried at one of the beaches for half the summer to determine its success. Sticker sales (beach and transfer station) will take place during normal, Town Hall business hours. In addition, there is a computer, self-service “kiosk” in the Town Hall lobby for stickers. The “mail in” program is still in effect.

7. DISCUSSION/ VOTE/ Hawker Peddler’s Policy/ T. Administrator & Exec. Assistant/BOS

Ms. Vinchesi stated that the applications for Hawker Peddler’s licenses has greatly increased over the past year and it was time to revise the Board’s current policy and application process. Hawker Peddler’s will be required to have a State Hawker Peddler’s License in addition to complying with our local policy. The policy contains a “radius” piece which will not allow sale of a similar item within 300’ of an establishment already selling such an item. Discussion with current licensees in terms of State licenses, grandfathered licenses and special events. It was noted that the

Executive Assistant, Chief of Police and Traffic Enforcement Officer did a lot of research work on the proposed policy.

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ADOPT Operational Policy #53-12 with following modifications: Page 1, Section II “General Guidelines for All Hawker and Peddlers in the Town of Scituate, Line 2 – change 500 feet to 300 feet; specify Minot Beach Parking Lot and add additional locations as agreed upon by the Board of Selectmen. SECONDED by Mr. Danehey. Discussion – Marilyn Howe, Sands End Café/ Humarock, stated that the Selectmen have issued a Hawker Peddler’s License for the past two years to a vendor selling similar products within 260’ of her restaurant. She asked the Board to think about the impact of this on her business. No further discussion. Unanimous vote. (5-0)

Mr. Murray made a MOTION that the Board of Selectmen VOTE to set the fee for a Hawker Peddler License at \$50.00. SECONDED by Mr. Harris. Discussion – Mr. Vegnani feels that this is a “big jump” in the license fee (from \$15/year to \$50/year). Mr. Murray noted how much work office employees must spend on processing this particular license in addition to enforcement measures. Ms. Ellen DeLuca, Steelwagon Franks, spoke about the additional expense of the State License and CORI evaluation. No further discussion. Murray, Harris, Norton and Danehey voted “in favor” of the motion. Mr. Vegnani voted “no”. The motion carries (4-1).

7a. VOTE TO RATIFY PUBLIC EMPLOYEE COMMITTEE (PEC) AGREEMENT

Mr. Vegnani stated that both sides (Town side and employee group) have come to an agreement on a mutually acceptable health insurance plan for the employees. The employees will have a choice of two(2) plans. There will be an increase in co-payments, but no deductibles. Ms. Vinchesi stated that the Public Employee Committee (PEC) voted unanimously in favor of the Agreement and she thanked the members of the Committee, especially Jamie Ford of the Teacher’s Association. “Not everyone is happy, but it does benefit both sides.” It is a three(3) year agreement which provides for reimbursements for certain procedures and sets up a “flexible spending” account for employees. Barry Shea, Firefighter’s union

representative, stated that it was hoped that other options could have been explored. He said that what was finally voted was better than what was originally put forward by the Town. "Health insurance used to be thought of as a benefit – not an additional expense." Mr. Norton spoke about both the private and public sectors facing rising costs in health insurance each year. Mr. Harris does not remember a more sensitive issue coming before the Board since the time he became a Selectman. He approached this matter as if every Town employee personally worked for himself – "we tried to do the best for everyone".

Mr. Murray made a MOTION that the Board of Selectmen VOTE to APPROVE the Memorandum of Agreement between the Town and the Public Employee Committee pursuant to Massachusetts General Laws Chapter 32B, Sections 21-23 and CMR 52.00 – 52.07 effective July 1, 2012 through June 30, 2015. SECONDED by Mr. Norton. Unanimous vote. (4-0) Mr. Danehey did not vote.

8. ASSIGNMENT OF ARTICLES/ Board of Selectmen & Preparation Document for Annual Town Meeting – Town Administrator

The Selectmen chose the Articles they will speak at the Annual Town Meeting.

The Town Administrator distributed a document titled "Selected Background Information for April 9, 2012 Annual Town Meeting Articles (updated 3/22/12)" to the Board of Selectmen.

9.DISCUSSION/ VOTE/ Drainlayer License Renewals

Mr. Harris made a MOTION that the Board of Selectmen VOTE to GRANT the following drainlayer licenses renewals: E. L. Margetts & Sons, Inc., All Town, Inc., James Rorke – Excavating. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

9a. HOUSING AUTHORITY FREEZING OF FUNDS

Discussion on the State "freezing" Scituate Housing Authority funds due to two Authority members not signing specific documents. Our Town Counsel is working with these two members right now. It was noted that the Scituate Housing Authority is an elected body.

10.APPOINTMENTS/ Water Resource Committee & Veterans Advisory Council

Mr. Murray made a MOTION that the Board of Selectmen VOTE to APPOINT Becky Malamut to the Water Resource Committee. SECONDED by Mr. Harris. No discussion. Unanimous vote. (5-0)

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to APPOINT the following individuals to the Veterans Advisory Council for a one year term: Dennis Badore, Edward Covell, Thomas Edwards, Richard Faust, Vincent Fontaine, James Hunt, Richard Johnson, Joseph Kelley, Karen Kelley, Jack Manning, Robert McHugh, John Miller, Michael Scott, Ben Summers and Robert Young. SECONDED by Mr. Harris. No discussion. Unanimous vote. (5-0)

11. ACCEPT RESIGNATION/ Pier 44 Committee

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ACCEPT the resignation of Gabrielle Dorsey from the Pier 44 Committee and further that the Board thank Ms. Dorsey for lending her time and expertise to the Committee and the Town of Scituate. SECONDED by Mr. Harris. No discussion. Unanimous vote. (5-0)

12.OTHER BUSINESS

Mr. Murray announced that the Seaport Advisory Council will hold their next meeting at the Scituate Maritime Center. Mr. Norton noted that Wampatuck School students will be recognized for their fundraising

efforts by the South Shore Community Action Council tomorrow evening. Mr. Vegnani recognized the efforts of the Chamber of Commerce and specifically, Ed Kelly, on the recent St. Patrick's Day Parade. He also announced that the Annual Town Meeting will be held on April 9, 2012.

13. CORRESPONDENCE – none

14. MINUTES

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ACCEPT the Executive Session Minutes of February 28, 2012. SECONDED by Mr. Harris. No discussion. Unanimous vote. (3-0) Mr. Danehey and Mr. Norton did not vote.

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ACCEPT the Regular Session and Executive Session Minutes of March 20, 2012. SECONDED by Mr. Norton. No discussion. Unanimous vote. (4-0) Mr. Danehey did not vote.

15. EXECUTIVE SESSION to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigating position. – This Executive Session was cancelled.

16. ADJOURNMENT

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ADJOURN the Meeting at 9:02 PM. SECONDED by Mr. Harris. No discussion. Unanimous vote. (5-0)

BOARD OF SELECTMEN

Anthony V. Vegnani, Chairman

John F. Danehey

Shawn Harris

Richard W. Murray

Joseph P. Norton

Respectfully submitted,

Kimberley A. Donovan
Executive Assistant