

MINUTES OF MEETING

BOARD OF SELECTMEN

AUGUST 6, 2013

Present: Shawn Harris, Chairman; John F. Danehey, Martin J. O'Toole, Anthony V. Vegnani

Patricia A. Vinchesi, Town Administrator

Press: Patriot Ledger, Scituate Mariner , WATD

1. The meeting was called to order at 7:06 PM.
2. ACCEPTANCE OF AGENDA/ WALK-IN PERIOD

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to ACCEPT the Agenda for August 6, 2013. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

Walk-Ins – Ann Burbine, 10 Pennycross Road, thanked the Scituate Fire Department and Police Department, Department of Public Works and the Selectmen for a very successful and well attended Heritage Days.

3. DISCUSSION/ VOTE/ MEMORIAL SIGN/ COBY'S RUN

Donald Knapp, Veterans Service Officer, noted the request for a memorial sign for veteran Coby Cutler to be placed on a separate pole by the street sign for a new development called Coby's Run. The pole and sign will be erected by the Department of Public Works. Mr. Danehey explained that Coby Cutler was a United States Marine who died in the line of service and he will be remembered along with other individuals that have memorials of this kind throughout the Town.

Mr. O'Toole made a MOTION that the Board of Selectmen VOTE to GRANT permission for a Veteran Memorial plaque to be erected next to the Coby's Run sign post. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (4-0)

Mr. Harris announced that agenda items 5 and 6 would be taken at this time and that item 4 would follow.

5. PRESENTATION/ DISCUSSION/ NEW FEMA FLOOD MAPS/ Conservation, Building and Planning Staff

Mr. Harris introduced Neil Duggan, Building Inspector/ Zoning Enforcement Officer; Pat Gallivan, Conservation Agent, and Laura Harbottle, Town Planner. He asked these staff

members to explain the implications of the new federal flood plain maps. Mr. Duggan stated that Town Meeting voted to adopt the new flood plain maps as of July 17, 2012. Those maps were similar to the 2003 flood plain maps. The Town recently received updated maps. "Scituate was not singled out, although we do tend receive the most (coastal) damage of all the communities in Plymouth County." FEMA held one regional meeting on June 6, 2013 that Pat Gallivan attended. A PowerPoint presentation was given with no specific information on where they(FEMA) acquired elevation data. Mr. Duggan stated that the Town needs answers on where FEMA came up with the data and how it is applied. "Some of the changes(on the maps) are so extreme. For example, Town Way Extension, which has sustained much damage in major storms was reduced from a 17' elevation to 16' based on mean sea level." Mr. Duggan spoke about some of the major storms that have affected Scituate in the last 120 years. He believes 500 homes will be affected by these new maps. Town Hall staff needs to meet with FEMA map officials soon because the statutory appeal period ends on October 17, 2013. No extensions will be granted. Mr. Gallivan stated that Conservation is assisting residents with finding their properties on the maps. Community Rating System (CRS) members are extremely knowledgeable about the maps and he is directing residents to their website. Ms. Harbottle stated that these new maps add one half square mile to the flood zone and .6 square miles to the velocity zone. If residents in these areas carry a mortgage on their home, they will have to get flood insurance. She spoke about the 2012 Biggert-Waters Act and the fact that non-compliance may greatly affect residential rates. She spoke about the Town's outreach efforts in terms of placing the maps on the Town website and requesting another set of maps to be placed at the public library. She has some information for the residents on the extremely complex and technical appeal process. Mr. Vegnani asked how the Town could help the residents. Town appeals and resident appeals were discussed as well as the associated costs. Ms. Harbottle believes a coastal geologist would need to be hired. Mr. O'Toole noted the importance of "getting the word out" to residents regarding the flood plain maps.

Mr. Harris remembers similar concern over flood maps 6 or 7 years ago and then the concerns seemed to subside. "What is different this time?" Mr. Duggan thinks the Biggert-Waters Act is the difference and is honestly a much larger concern than the maps themselves. Ms. Vinchesi stated that the Town will soon meet with FEMA officials, homeowners should contact their insurance agents and Congressman Lynch's office has been contacted to request an extension on the appeal period. (It was later confirmed by Representative Cantwell that the appeal period cannot be extended.) She noted that she, Town Hall staff and Representative Cantwell met on this topic last week. Additionally, Ms. Vinchesi has contact information on a coastal geologist who has had success in appeals. Cape Cod has received new maps, as well. "We have a lot of what Mr. Ball will recommend this evening already in place. The Town is not the enemy here. The Federal government issued these maps. Duxbury, Marshfield and Scituate are

particularly singled out on these new maps.” Representative Jim Cantwell is impressed by what Scituate has already done on this matter and reaffirmed that a meeting with FEMA and Town Hall staff would be held later this week or early next week in Boston. “We don’t have the maps in specificity right now, which is making things very difficult. We need technical assistance. Over 1,200 homes have flood insurance in Scituate right now. FEMA has promised to hold a public forum on the maps next month.” He has also spoken to Congressman Lynch’s office. He noted the importance of the work of the Town’s Seawall Committee. He also noted the important work of Doris Crary, member of the CRS, who lead a huge effort in Marshfield for funding the raising up of homes and is doing the same in Scituate. Ann Burbine stated that a prior map indicated that her home was in the flood plain. She hired an engineer, appealed it and won. Catherine McNiff, 146 Turner Road, stated that she has elevation certificates on her home – will they be grandfathered? Mr. Duggan believes they will be grandfathered “for now”. Mr. Danehey believes the Biggert-Waters Act will take away the grandfathered status.

6. DISCUSSION/ FEMA FLOOD MAPS & Biggert-Waters Flood Insurance Act of 2012/
David Ball

David Ball, 44 Rebecca Road, and Ted Good, 21 Grasshopper Lane, were at tonight’s meeting. Mr. Ball thanked the beach associations for making this year’s luminaria along the coastline the best ever. Mr. Good serves on the Coastal Coalition and is a member of the North Scituate Beach Association. He has found that many residents are unaware of the new flood plain maps. Some residents are resigned to just pay the increase and others are shocked at the potential increase to their flood insurance. “Everything south of Gannett Road is in the new flood plain map.” He noted that seasonal homes will lose protection under the Biggert-Waters Act. He spoke about a “door to door” notification process in the Minot area that worked regarding storm information. He would like to do the same for on this topic and expressed urgency that it happen prior to seasonal residents leaving. Representative Cantwell stated that an appeal of the map amendment is the only available “avenue”. Mr. Danehey and Ms. Vinchesi endorsed the “door to door” approach and offered Town Hall’s assistance. Mary Jenkins, First Cliff resident, asked “what changed in one year (on the maps)?” All agreed that this would be an excellent question to ask FEMA. Mr. Ball stated that FEMA representatives have been very responsive to his many questions. He has also spoken to two companies that have experience in appealing maps such as this. The “ballpark” cost for them to represent a neighborhood would be \$20,000. It was noted that the maps will not go into effect until June 2014. He suggested that the Town appeal the maps and listed 7 points that would aide in such an effort – including the Jericho Road drainage system and seawalls work. He noted that FEMA said the flood plain was expanded on the Driftway and Kent Street due to water being driven inland during hurricane Sandy. Doris Crary spoke about topographical errors on the maps and the possibility that Sandy was “more than a one hundred year storm”.

Mr. Ball continued to speak about the Biggert-Waters Act as being very complex and being implemented in a “phased” approach. The first phase began in January 2013 when summer residents received notices from FEMA that their flood insurance would increase by 25%. The second phase begins on October 1, 2013 when flood insurance for businesses will increase by 25% until they reach “actuarial rates”. He noted that Scituate Harbor businesses will be hit very hard by this. He noted that people buying homes in the flood zone right now will be paying actuarial rates right away. He read a portion of a letter from Maxine Waters, one of the people who “penned” the Act. Another phase will be implemented in January 2014 and calls for the “elimination of “grandfathered” home flood insurance rates”. The homes will have a 20% increase per year. “This is a problem nationwide (for coastal communities).” He encouraged the Selectmen and residents to make telephone calls to their congressmen. He gave information on a helpful website – Google/ St. Charles Parish Flood Maps. Louisiana has four bills before congress to get the Biggert-Waters Act changed. He complimented Ms. Harbottle on posting a lot of important information on the Town website. Ms. Crary noted that when the Act was passed, it was thought only 10% of the United States had older structures, but New England has 45% and Scituate and Marshfield could have even higher percentage rates. Mr. Harris thanked everyone for attending tonight’s meeting and summarized saying that Town Hall staff will meet with FEMA in the next week and that a public meeting will be held by FEMA in early September.

4. DISCUSSION/ AWARD INFORMATION TECHNOLOGY CONTRACT/ B. Sheehan

Bill Sheehan, IT Director, listed the various permitting functions the new software will cover. This item was approved in the Capital Plan and is the first in a two year initiative. Year two will be requested under the FY15 Capital Plan. It is a fully integrated system and the general public will be able to log on themselves and get many of their questions answered. The annual maintenance and hosting fees will come out of the IT budget. Many other cities and towns have this software and like it. Mr. Harris asked if continual improvements would be made to the software over the next two years? Mr. Sheehan answered “yes”.

Mr. Danehey made a MOTION that the Board of Selectmen AWARD the contract to “View Permit” for \$58,700.00 for Fiscal Year 2014. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (5-0)

Mr. Danehey exited the meeting at approximately 8:30 PM.

7. UPDATE/ Public Facilities Master Plan Steering Committee

Committee members Karen Pritchard(Chairman), Rich Hebert, Bill Limbacher and Marla Minier were present. Mr. Harris gave an overview of the Committee's work since January 2013 in terms of building tours, interviews of Town employees and tours of municipal buildings in surrounding towns. He also spoke about Durkee Brown architects presentation on possible renovations to the Gates Intermediate School for a new Town Hall complex. A public safety facility was also discussed. Ms. Prichard stated that the Committee has a diverse membership and over the months has evolved from members with individual interests into a more "cohesive" group. Mr. Limbacher spoke about lists that were compiled detailing windows, doors, HVAC, mechanicals at each municipal building. Committee members were given a tour by the staff who spoke about space utilization, paper storage, operations, etc. "The Police Station really surprised us! Last February's blizzard knocked out their generator and isolated the Town for a while." A new Fire Department building is needed to improve response time to certain areas of Town. Our local cable television documented many of these tours and they are available on the local cable access station. It appears that there has been a "general lack of upgrades as the structures have aged". Public safety and space needs must be addressed now. Mr. Hebert believes the Committee members are "fact finders" and the employees interviewed are "all working under a 'make do' situation". For example, the Veteran's office has no space for private conversations and the Brook Street, Council on Aging building, has heat and AC problems. Ms. Prichard spoke specifically about the fifteen(15) year old Hingham Town Hall (a renovated school building) and the Duxbury Police Station. This 15,000 square foot station opened in April 2013 and Committee members were able to speak to a Police lieutenant in charge of operations at this facility. Mr. Hebert noted that the Hingham Police Department are not happy being part of the their Town Hall complex. Ms. Pritchard spoke about Duxbury's very large senior center, which is isolated from other Town buildings. There are "pros and cons" to this arrangement. Committee members will continue taking tours of other facilities.

Ms. Pritchard said that the Gates Intermediate School renovations are "intriguing". It may turn out that some properties should not be fixed at all. A financial analysis is needed to properly consider all the different options. Ms. Pritchard spoke about the appeal of "marrying" common interests with the functions of the stakeholders and isolation versus bringing all different groups together in a building. The Committee will gather whatever financial information is available – even if it is outdated. Mr. O'Toole and Ms. Vinchesi complimented the Committee on their work. It was noted that more direction will be available when the School decision is made. Ms. Pritchard believes the Committee will report to the Selectmen again in November/December 2013.

8. DISCUSSION/ VOTE/ AMBULANCE BILL ABATEMENTS/ Chief Richard Judge

Chief Richard Judge, Scituate Fire Department, explained the ambulance bill collection process. Historically, if the Town does not receive payment after six months of trying to collect on a bill, we find that we rarely get a payment. Mr. Vegnani asked for the total amount billed for 2003 for ambulance runs. Chief Judge answered approximately \$500,000. Mr. Vegnani noted that this abatement is 15% - 20% of that amount. Chief Judge explained that collection on ambulance bills has greatly improved since 2003 with a computerized billing system and the fact that most people now have insurance. Discussion continued on maximum rates. Mr. O'Toole asked if these abatements are a "direct hit" to the Fire Department's budget? Chief Judge answered "no". Representative Cantwell stated that ambulance costs, in general, are a big issue at the State level and he knows of many cities and towns having receivables problems. He has sponsored some bills on this very topic and he recognized Chief Judge for being out in front of this issue.

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to ABATE ambulance bills for 2003 in the amount of \$81,778.74. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (3-0)

9. DISCUSSION/VOTE One Day Wine & Malt Beverages Licenses/ Scituate Maritime Ctr.

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to GRANT One Day Wine & Malt Beverages Licenses for pre-approved caterers/bartending services at the Scituate Maritime Center, Edward Foster Road, per the list provided by the Scituate Maritime Center and an additional ten(10) licenses to be held for events not yet scheduled. Licenses granted on the condition of receipt of a certificate of insurance for each event. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (3-0)

10. ACCEPT GIFT/ Recreation Department

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to ACCEPT the gift of \$400.00 from the Scituate Health Service, Inc. on the behalf of Scituate's Recreation Department to be used to stock lifeguard medical kits. The Board thanks Scituate Health Service for their generous donation. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (3-0)

11. ACCEPT RESIGNATION/ Public Facilities Master Plan Steering Committee

Mr. O'Toole made a MOTION that the Board of Selectmen VOTE to ACCEPT the resignation of Paul Scott from the Public Facilities Master Plan Steering Committee

and further to thank Mr. Scott for sharing his time and expertise with the Committee and the Town of Scituate. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (3-0)

12. REPORT/ Town Administrator/ "Week Ahead"

The Town Administrator said that Durkee Brown's revised estimate for rehabilitating the Gates Intermediate School is \$21,500,000. She will find out whether the renovations can be done via a "phased" approach. There is no more money in Durkee Brown's original contract and another Request for Proposal will be necessary in order to get schematic designs of the building.

Ms. Vinchesi stated that a regional meeting on seawall and dam projects was held by the State at Town Hall today. She noted that Scituate has done excellent work already on its seawall prioritization and thanks went out to Representative Jim Cantwell for his efforts in filing seawall legislation. The deadline for a seawall grant is August 31st and Representative Cantwell stated that "they are looking for shovel ready" projects. The Town Administrator is receiving updates twice a week on turbine testing. They expect to proceed with the sampling in the next couple of weeks pending weather conditions. This testing has "narrowly defined areas" and the Town may need to look at some other data testing. Ms. Vinchesi showed an old photograph to the Selectmen picturing Peter Cook and then Governor Sergeant signing a proclamation for Scituate's first Heritage Days.

Mr. Vegnani noted that another Zoning Board of Appeals meeting will be held next week regarding the cellular tower. He recently attended an Eagle Scout ceremony for Jack Carrs and noted the outstanding character of these Scouts. Mr. Vegnani thanked the Chamber of Commerce for a great Heritage Days and the music venue, as well. He gave an update on the baseball teams and a recent evening of music with a local band, "The Gathering".

Mr. O'Toole attended the opening ceremonies of Heritage Days along with Representative Cantwell. He thanked the Chamber of Commerce. Mr. Harris recently played in the Knights of Columbus charity golf tournament.

Mr. O'Toole read a letter from a resident complimenting the Fire Department on their quick work putting out a fire in his garage. Mr. O'Toole read a letter from the Secretary of the Commonwealth regarding the Men of Kent's designation on the National Register of Historic Places. Mr. Vegnani noted former Selectman Susan Phippen's considerable work to obtain this prestigious designation.

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Board of Selectmen – Minutes of Meeting – 8/6/13

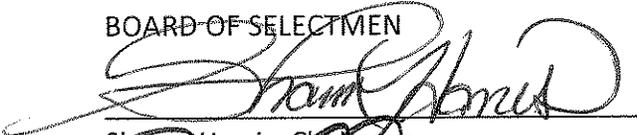
Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to ACCEPT the Regular Session minutes of October 16, 2012. SECONDED by Mr. Harris. No discussion. Voted (2-0) Mr. O'Toole did not vote.

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to ACCEPT the Regular Session minutes of July 9, 2013. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (3-0)

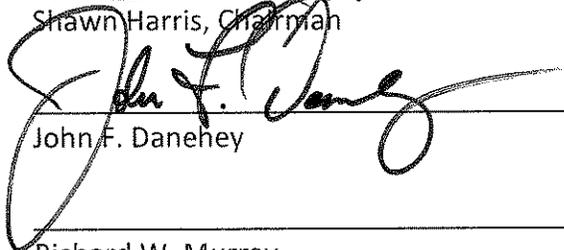
14. ADJOURNMENT & SIGN DOCUMENTS

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to ADJOURN the meeting at 9:35 PM. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (3-0)

BOARD OF SELECTMEN

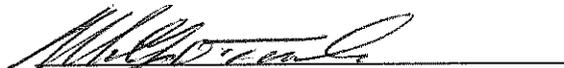


Shawn Harris, Chairman

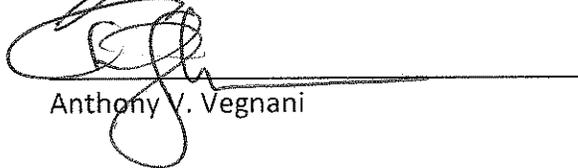


John F. Danehey

Richard W. Murray



Martin O'Toole



Anthony V. Vegnani

Respectfully submitted,



Kimberley A. Donovan
Executive Assistant

August 6, 2013 – Board of Selectmen’s Meeting – List of Documents

- Letter dated 7/22/13 from Mr. and Mrs. Hogan re: Coby Cutler memorial sign
- Coby Cutler drawing of actual sign
- Independent Contract Agreement – ViewPermit software/ Information Technology Dept.
- Memorandum dated 8/2/13 re: FIRM Maps from N. Duggan, L. Harbottle, P. Gallivan and P. Vinchesi with exhibits , FAQs provided by FEMA
- Documents provided by David Ball / 8/6/13 re: Biggert-Waters Discussion Points and FEMA information documents, Timeline, newspaper article re: Flood insurance
- Overview document provided by Public Facilities Master Plan Steering Committee re: their presentation to the Selectmen on 8/6/13
- “Ambulance Abatements” document written by T. Administrator
- Town of Scituate, MA “Management Letter” dated 6/30/12
- Updated list of Scituate Marine Park events requiring a One Day Wine & Malt Beverages License
- Letter dated 7/24/13 from J. Vitelli, Director, Recreation Department re: money donation
- Letter dated 7/25/13 from Paul Scott re: his resignation from the Public Facilities Master Plan Steering Committee
- “Renovation of Gates MS into Town Hall” submitted by Durkee Brown architects
- Letter dated 7/25/13 from Sec. of State re: National Register of Historic Places designation for the Men of Kent Cemetery
- document from the State re: the “effects and benefits of listing” a property on the Register
- Certificate naming Men of Kent Cemetery to the National Register of Historic Places
- Regular Session minutes for October 16, 2012 and July 9, 2013