

MINUTES OF MEETING

BOARD OF SELECTMEN

JUNE 18, 2013

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

Patricia A. Vinchesi, Town Administrator

Press: Globe South, Scituate Mariner

1. The meeting was called to order at 7:05 PM.
2. ACCEPTANCE OF AGENDA/ WALK-IN PERIOD

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to ACCEPT the amended Agenda for June 18, 2013. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (5-0)

There were no walk-ins this evening.

3. DISCUSSION/ VOTE/ Outdoor Entertainment Permit/ 86 First Parish Road/ C. Brady

Mr. and Mrs. Brady explained that the permit will be for their daughter's wedding reception to be held at their home. Mr. Harris reminded them to notify their neighbors of the event. The Chief of Police will not allow outdoor entertainment permits beyond 11 PM.

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to GRANT an Outdoor Entertainment Permit to Cara Brady, 86 First Parish Road, for Saturday, August 10, 2013 from 3 PM to 11 PM for a small band (fiddle, guitar, drums) and a disc jockey. Abutter notification is a requirement of this permit. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

4. DISCUSSION/ Award Contracts (a) Cedar Point Seawall, (b) Repairs & Updates for Hickory Lane and Persimmon Drive, (c) Repairs & Updates to Pine View Drive and Pine View Circle/ K. Cafferty

Kevin Cafferty, DPW/Engineering Division was present. Improvements making a private way public are paid via resident betterments who live on that "way".

- (a) Cedar Point Seawall – will be raised up to protect the parking lot and built out to dissipate wave action. Discussion on the Request for Proposal. The project will commence this summer and potential impacts on the residents were discussed.

Mr. O'Toole made a MOTION that the Board of Selectmen VOTE to AWARD the contract for the Seawall at the Lighthouse on Cedar Point to RDA for a cost not to exceed \$717,524. SECONDED by Mr. Danehey. Discussion - grant monies. No further discussion. Unanimous vote. (5-0)

- (b) Repairs and Updates for Hickory Lane and Persimmon Drive

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to AWARD the contract for repairs and updates for Hickory Lane and Persimmon Drive to T L Edwards for a cost not to exceed \$95,560. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

- (c) Repairs & Updates to Pine View Drive and Pine View Circe – postpone to 7/9/13 because residents are considering the installation of a natural gas line on their road.

6.DISCUSSION/ VOTE/ Sewer Rate Increase/ A. Bangert

Mr. Bangert, Director/DPW, stated that the sewer rate has not increased since 2011 and he recommends a "modest" 2% increase as of July 1st. Scituate has the lowest sewer rate of any community from Boston to Cape Cod and will still be the lowest even after this increase. He stressed the importance of keeping enough funds in this enterprise fund in the event of any kind of emergency.

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to INCREASE Sewer Service and Usage Rates by 2% effective July 1, 2013. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (5-0)

7. DISCUSSION/ VOTE/ FY13 Year End Transfers/ Town Administrator

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to Transfer \$18,930 from Veterans Purchase of Services to Personal Services. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to Transfer \$8,500 from Accounting Personal Services to Purchase of Services. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (5-0)

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to Transfer \$7,500 from Unemployment to Police Purchase of Services. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (5-0)

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to Transfer \$14,700 from IT Purchase of Services to Police Materials & Supplies. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to Transfer a total of \$99,000 for Chief Retirement from the following accounts to Police Personal Services: Conservation Personal Services (\$2,380), Assessor's Personal Services (\$4,180), Treasurer/Collector Personal Services (\$2,950), Town Clerk Personal Services (\$1,180), Board of Health Personal Services (\$2,940), Library Personal Services(\$5,000), Contract Bargaining & Other Services(\$43,570), Treasurer/Collector Purchase of Services (\$17,000), Conservation Purchase of Services (\$18,000) and DPW Personnel Services (\$1,800). SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (5-0)

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to Transfer \$2,600 from Public Grounds Personal Services to Highway Personal Services. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to Transfer \$745 from the Reserve Fund to the Advisory Committee. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to Transfer \$1,878 from the Reserve Fund to Engineering Personal Services. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (5-0)

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to Transfer \$75,000 from Employee Benefits to OPEB. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to Transfer \$50,000 from Employee Benefits to Worker's Compensation. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

5. 7:30 PM/ DISCUSSION/ VOTE/ RETAIL LICENSE TRANSFER/ The Winery/ 366 Gannett Rd

Mr. O'Toole read the newspaper notice. Tracy Colameco, applicant, and Colleen Weiner, owner of The Winery, were present. Mr. Harris noted Ms. Colameco's

excellent business plan. Ms. Colameco stated that she would like her selling hours to be 10AM to 8 PM Monday through Saturday and 12 PM to 6 PM on Sundays. She is interested in selling wine and gift baskets. She has a master's in accounting and has handled the "books" for her husband's tree service business for years. She also has an intermediate certificate through the "Wine and Spirit Trust". Mr. Vegnani noted that the Selectmen follow guidelines for the sale of alcoholic beverages very strictly. Ms. Colameco stated that she and her employees will all be TIPS certified.

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to GRANT the transfer of the Retail Wine and Malt Beverages License from Daniel and Colleen Weiner d/b/a The Weinery to Still Waters Wine & Gourmet LLC for the premises located at 366 Gannett Road, Scituate, Massachusetts, described as an 800 foot retail space with an additional 600 square foot storage area. The store abuts a lawyer's office and faces Gannett Road. Hours of sales will be Monday through Saturday 10 AM to 8 PM and Sundays from 12 PM to 6 PM. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (5-0)

8. DISCUSSION/ FOURTH OF JULY OBSERVANCE REGULATIONS/ Chief Stewart/
Chief Judge

Chief Judge and Chief Stewart have worked with the Town Administrator to create a comprehensive flyer outlining what is and what is not allowed over the July 3rd/July 4th holiday in Humarock/Scituate. The Chiefs and the Town Administrator also met with the press last week to make certain that this information was distributed well in advance of the holiday. Chief Judge stated that his department also delivered the flyers to every residence in Humarock last week. Mr. Vegnani read the flyer into the record (attached). Mr. Murray asked if Scituate is charged by the Sherriff's department for their personnel over the holiday. Yes. The strong message from Town officials is "no bonfires". Mr. Harris thanked the Chiefs for their considerable time and effort on this matter.

9. Chief of Police Selection Process/ T. Administrator

Mr. Harris stated that the current Chief of Police, Brian Stewart, submitted a letter stating his intent to retire on June 30th. He will stay on as the Interim Chief during the selection process for a new chief. Ms. Vinchesi thanked the Chief for his "dedication and unquestionable integrity" for the past thirty-nine years on the Scituate Police Department. She and the Chief have had a "mutually collaborative relationship". Ms. Vinchesi stated that most department heads, with the exception of three positions, are appointed by the Town Administrator. The Chief of Police, appointed by the Town Administrator, is an extremely important position and this will be a very open and transparent police chief search process. Ms. Vinchesi explained the two part

process to set up the search team, advertising of the position, assessment center and the resulting report. Applications are due by July 18, 2013 and the next Chief must live in Scituate or within fifteen miles of Town. A reception will be held to meet the final candidates and they will also have the opportunity to spend time at our station. Police Union Representative, Officer Mark Thompson, has approved the search process. Mr. Harris and Mr. Vegnani volunteered to be the Selectmen's representatives on the search committee. The Selectmen will submit three names to the Town Administrator for resident participants. Ms. Vinchesi thanked Chief Stewart for staying on through the selection process and the Board thanked him for his years of service to the Town.

10. ANNUAL APPOINTMENT PROCESS

Mr. Harris explained that many of the appointments will be made this evening and the process will also take place at the meeting on July 9th.

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Patricia A. Vinchesi Affirmative Action Officer, Fair Housing Officer, Local Auction Permit Agent and State Ethics Commission Representative. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Donald Knapp Agent of Veterans Benefits/ Custodian of Veterans Graves contingent upon continued satisfactory performance in accordance with his FY14 goals and objectives. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Anthony Gentile, Jr. to the Animal Control Board. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Donna Bangert and Andrea Steele to the Beautification Commission. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Rich Long and Kathy Boluch as full members and Michael Davis an Associate Member of the Cable Television Committee. SECONDED by Mr. Murray. No discussion. O'Toole, Harris, Murray and Danehey voted in favor of the motion. Mr. Vegnani did not vote. (4-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Robert Yorke to the Commission on Disabilities. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Harvey Gates, (Historic)David Smith, Robert McCarry (co-liaisons/Recreation), William Limbacher (Planning Board), Michael Collins (Housing Authority), Frank Snow (Conservation), Lisa Fenton ("at large"), Marla Minier ("at large"), Joshua McKain ("at large") and Camille Wells ("at large"). SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. Murray made a MOTION that the Board of Selectmen APPOINT Lisa Caisse and William Schmid to the Conservation Commission. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Todd Reardon and Richard Ramponi as Constables. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Ann Burbine and Monte Newman to the Economic Development Committee. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Paul Murphy Fence Viewer. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Neil Duggan Field Driver. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Arthur Beale a full member and Michael Cuneo an Associate Member of the Historic Commission. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Lieutenant Detective W. Michael Stewart Licensing Agent. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Albert Bangert as MBTA Advisory Board Representative. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Joseph P. Norton, Jr. to the North River Commission. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Carl Campagna to the Public Building Commission. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Chris Roberts to the Recreation Commission. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Doreen Lang, Patrice Maye and Lisa Grize to the Scituate Cultural Council. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Paul Murphy to the Seawall Committee. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. Murray made a MOTION that the Board of Selectmen APPOINT Ann Burbine to the South Shore Coalition. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Shawn Harris, Mark Sandham, William Limbacher and Kevin Cafferty to the Street Acceptance Committee. SECONDED by Mr. Vegnani. No discussion. O'Toole, Vegnani, Murray and Danehey all voting "yes". Mr. Harris did not vote. (4-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Albert Bangert Surveyor of Lumber/ Measurer of Wood and Bark. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Mary Sancinito Assistant Town Accountant contingent upon continued satisfactory performance with her FY14 goals and objectives. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Alfred Elliot (Fire Department), Mark Thompson (Police Department), Kevin Cafferty (DPW), Dorothy Cook and Karen McDonald. SECONDED by Mr. Danehey. No discussion. Unanimous vote (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT James Bailey to

Veterans Advisory Council. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT John Clarkeson to the Water Resource Committee. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Edward Tibbetts (full member), Frank Lynch (1st Alternate) and Anthony Bucchere (2nd Alternate) to the Zoning Board of Appeals. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

Mr. Murray made a MOTION that the Board of Selectmen VOTE that all current appointments extend to July 9, 2013. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (5-0)

11. REPORT/ Town Administrator

Ms. Vinchesi reported that the seawall breach, a result of the December 2010 storm is being repaired. Mr. Danehey inquired about the DPW restoring beach parking at that location. Mr. Harris and Ms. Vinchesi recently attended the first meeting of the "new" School Building Committee. Lifeguard interviews are being held, but the Recreation Department is still not at full lifeguard staffing for the summer. A mock lifeguard exercise will be held on June 22nd. Lifeguards begin work on Friday, June 28th with the exception of Sand Hills Beach. Ms. Vinchesi spoke about Christian's law in terms of swimming strength testing for children with challenges. Mr. Murray asked if this law would affect boaters, as well. Ms. Vinchesi will check. Ms. Vinchesi stated that the interim measure of having seven departments report to Mr. Bangert after the many winter storm events ended on Friday, June 14, 2013. She thanked Mr. Bangert and Mr. Cafferty for their assistance during this very busy time. Ms. Vinchesi also thanked the Renewable Energy Committee for their work on the solar array project, which broke ground atop the capped landfill today. The solar array will also have an educational component. The Town of Scituate will be the first town in the Commonwealth to have 100% of its electricity generated by renewable energy. The Zoning Board of Appeals' (ZBA) cellular tower hearing scheduled for June 20th has been postponed to July 18th. The applicant will pay the fee for a consultant to review the application on the ZBA's behalf.

12. OTHER BUSINESS

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ACCEPT the

Minutes of July 17, 2012. SECONDED by Mr. Murray. No discussion. Vote – Danehey, Vegnani, Harris and Murray voted in favor of the motion. Mr. O'Toole did not vote. (4-0)

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ACCEPT the Minutes of June 4, 2013. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

Correspondence – Mr. O'Toole read a letter dated May 31, 2013 in which the Cedar Point Association thanked volunteers for the recent clean-up of the area as well as the Beautification Commission for the plantings. Mr. Danehey announced an opening on the Library Board of Trustees. Mr. Murray announced the restored service of the Quincy to Boston ferry. He noted the excellence of Scituate Schools in terms of chorus and art and a recent 2nd grade trip with students to Scituate Fire Station headquarters. He noted a recent article in the Boston Globe regarding the issue of climate change. Mr. O'Toole complimented the School Department on the excellence of this year's High School graduation. He noted an article in the Patriot Ledger on June 11th which discussed digital antenna systems for those who cannot pay for cable television. The Gannett Grill in North Scituate recently underwent a very nice renovation. Mr. Vegnani noted the recent awards ceremony at Scituate High School where over \$150,000 scholarships were distributed to the seniors. He complimented Principal Wargo and Superintendent McCarthy on their speeches at commencement. He also noted the recent Gates Intermediate School's music festival. Mr. Harris also applauded this year's High School graduation. Due to graduation activities, he was unable to attend the recent Chesapeake and Shannon historic event in Scituate, which was hosted by Mat Brown and others from the Historical Society.

13. EXECUTIVE SESSION – To discuss strategy with respect to collective bargaining if an Open Meeting may have a detrimental effect on the bargaining position of the Town – Police, Fire, AMP, DPW and TOSCA unions.

Mr. Harris stated the reason for calling Executive Session (above) and that the Selectmen would not be returning to Regular Session this evening.

The Board of Selectmen VOTED to ENTER Executive Session to discuss strategy with respect to collective bargaining if an Open Meeting may have detrimental effect on the bargaining position of the Town – Police, Fire, AMP, DPW and TOSCA unions. Roll call was taken at 9:05 PM with Shawn Harris, John F. Danehey, Martin J. O'Toole, Richard W. Murray and Anthony V. Vegnani all answering "yes".

Page Ten

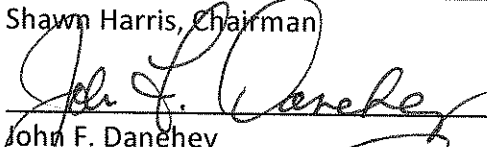
Board of Selectmen – Minutes of Meeting – 6/18/13

14. ADJOURNMENT & SIGNING OF DOCUMENTS

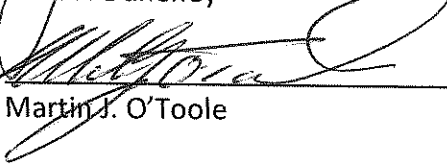
Regular Session was adjourned at 9:05 PM and documents were signed.

BOARD OF SELECTMEN

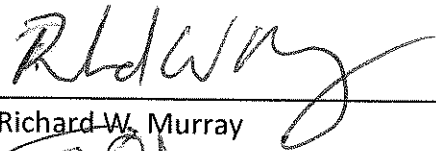
Shawn Harris, Chairman



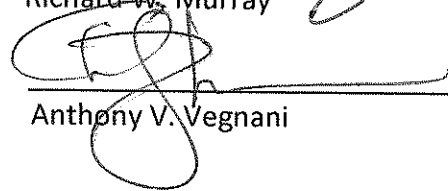
John F. Danehey



Martin J. O'Toole



Richard W. Murray



Anthony V. Vegnani

Respectfully submitted,



Kimberley A. Donovan, Executive Assistant

June 18, 2013 Board of Selectmen's Meeting – List of Documents

Request for Outdoor Entertainment – Brady/ 86 First Parish Road

Topic: Contract Award – Seawall at Cedar Point

Topic: Contract Award – Repairs & Updates to Hickory Lane and Persimmon Drive

Topic: Contract Award – Repairs & Updates to Pine View Drive and Pine View Circle

Application materials for Retail Liquor License Transfer – 366 Gannett Road – (newspaper advertisement, application, State LLC papers, lease, manager application, CORI Request Form, Personal Information Form, Purchase Agreement, LLC Vote, Still Waters Wine & Gourmet Business Plan

Topic: Sewer Rate Increase, Sewer Revenue and Expense History

F13 Year-End Transfers Spread Sheet and Memorandum on same from T. Administrator

“July 4th Holiday Observance” flyer

Letter dated 6/10/13 Tena Kerns, Esquire re: 20 Alden Street, Humarock

Memorandum dated 6/14/13 from T. Administrator re: Chief of Police Retirement/ Search Process

Police Chief Position Vacancy document

Memorandum dated 6/14/13 from Officer Mark Thompson re: Chief of Police Position

Retirement letter dated 6/3/13 from Chief Brian Stewart

Annual Appointment documents for vote

FY14 Board and Committee Vacancies

Memorandum dated 6/18/13 from Chris Roberts, Chairman/ Recreation Commission

Letter dated 5/31/13 from Cedar Point Association

Minutes – July 17, 2012