

## MINUTES OF MEETING

### BOARD OF SELECTMEN

OCTOBER 2, 2012

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

Patricia A. Vinchesi, Town Administrator

James Toomey, Town Counsel

1. The meeting was called to order at 7:00 PM.
2. ACCEPTANCE OF AGENDA/ WALK-IN PERIOD

**Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to ACCEPT the Agenda for October 2, 2012 and to POSTPONE Agenda #5 – “Discussion/ Humarock Public Beach Boundaries”. SECONDED by Mr. Murray. No discussion. Unanimous vote. (4-0)**

Walk-Ins – Tom Thompson, 149 Gilson Road, spoke about the negative health effects residents in his neighborhood are experiencing from the wind turbine. He spoke about recent high resident attendance on this same topic at a Board of Health meeting and the detrimental effect of the “flickers from the turbine”. He asked for a “quick resolution for the discontinuance of the industrial turbine”. David Dardi, 122 Gilson Road, stated that his home is 3,200 feet from the turbine and that he is “woken three to four nights a week with pressure in the room from the turbine”. He senses vibrations in the house and gets no relief from closing windows and turning on fans. Joann Bianchini, 122 Gilson Road, stated that she was recording tonight’s meeting and that she is also “experiencing the shadow flicker”. She feels the public was “misinformed” about the effects of the turbine. Bruce Beagley, 68 Collier Road, has lived in Scituate for 20 years and is 1,100 yards from the turbine. He said the noise from the turbine on certain evenings is like a jet engine. Deep sleep is being disturbed. He is pro wind energy, but these “giant industrial turbines don’t have any business near residential areas”. Gerry Kelly, 56 Moorland Road, lives 1,000 yards from the turbine and spoke about shadow flicker, “infrasound and the noise – it is like a bad movie”.

Mr. Danehey entered the meeting at 7:15 PM.

Steven Trip, 30 Marshfield Avenue, expressed disappointment that agenda #5 had been postponed this evening. Seana Calhoun, 47 Moorland Road, lives 2,700 yards from the

turbine with her husband, daughter and dog. "It is not so much what you can hear, but what you cannot hear. This could be another cancer growing." The peace and quiet of being outside has been taken away, Ms. Calhoun said. Her daughter is awakened and she herself is dizzy from the flicker. "I am very disappointed that the Town would do this to its residents. Please listen with an open mind. It bothers the animals, too." Paul Ohrenberger, 127 Gilson Road, lives 3,300 yards from the turbine and the noise prevents him from falling asleep. The noise is muffled on the ocean side of his home, but the street side is very different. "Ask the Board of Health to make this a number one priority."

3. DISCUSSION/ VOTE/ Walnut Tree Hill Subdivision/ J. Toomey – Town Counsel

Jim Toomey, Town Counsel, and Laura Harbottle, Town Planner, discussed what is needed for contractor's bonding and surety on finishing this subdivision. Their recommendation is that the Selectmen vote the following motion. The work has already begun and will be completed by mid-November 2012. Mr. Vegnani thanked Ms. Harbottle for her considerable work on this project.

**Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ACCEPT the First Amendment to the Tripartite Completion and Settlement Agreement for the Walnut Tree Hill Subdivision. SECONDED by Mr. Harris. No discussion. Danehey, Harris, Norton and Vegnani voted "in favor" of the motion. Mr. Murray did not vote. (4-0)**

4. DISCUSSION/ VOTE/ Patriot Ledger alleged Open Meeting Law Repsonse/ J. Toomey

Jim Toomey, Town Counsel, presented a draft response to the Board for their review. The draft letter explains the process and the reasons why the Selectmen held the Housing Authority matter in Executive Session.

**Mr. Murray made a MOTION that the Board of Selectmen VOTE to ACCEPT the response drafted by Town Counsel. SECONDED by Mr. Harris. No discussion. Murray, Harris, Norton and Vegnani voted "in favor of the motion". Mr. Danehey did not vote because he was not present for the original vote on this matter. (4-0)**

Mr. Toomey exited the meeting at 7:38 PM.

6.DISCUSSION/ VOTE/ WATER RATES/ A. Bangert, Director, Department of Public Works

Al Bangert, Director/ DPW; Jim DeBarros, Supervisor/ Water Division; Kevin Cafferty, Supervision/ Engineering Division and John Clarkeson, Chairman of the Water Resource

Committee were present at tonight's meeting. Mr. Bangert recommends a water rate increase to pay for new water main piping infrastructure. He presented cross sections of 6" and 8" pipes corroded with iron and manganese deposits (tuberculation). The Town is having a problem with 33 miles of pipes installed up to 1935. He explained that a disruption in the system, i.e. water main break, an open hydrant, etc. disrupts the clear water coming from the pipes at the Water Treatment Plant and residents get "brown water" in their homes. He showed examples of the new pipes of which 7 miles have already been replaced or lined and another 2.5 miles are now under construction in the Musquashicut Pond area. He suggests accelerating the replacement program along with the installation of a manganese system at the Treatment Plant for which approximately \$12.6 million is needed. It would mean an increase of 35% to the current water rates. Mr. Bangert noted that Scituate's water rates are very low in comparison to surrounding communities. Discussion continued on the 5% yearly increase to water rates not being enough to get this work done aggressively. Some of the Selectmen raised concerns over such a large increase. Mr. Clarkeson spoke about splitting the water rate between the service charge and the basic usage fee – "this would give the user some control over their rates by splitting it". He noted that these materials should have been replaced years ago. "Pipe that costs a million dollar to replace right now, will cost \$1.25 million in a few years." "What is beneath the pavement is often neglected." The Selectmen decided not to vote on this item this evening because they would like to discuss this topic in more detail with Mr. Bangert and Mr. DeBarros. Mr. Harris noted that the Town is currently looking at many projects and this would "potentially be an override for residents".

10. ACCEPT RESIGNATION/ Recreation Associate/ Community Preservation Act Comm.

**Mr. Harris made a MOTION that the Board of Selectmen ACCEPT the Resignation of Richard Lane from the Recreation Commission (Associate Position) and from the Community Preservation Act Committee (Recreation Position) and further that the Board thank Mr. Lane for volunteering his time to both groups. SECONDED BY Mr. Murray. No discussion. Unanimous vote. (5-0)**

11. PROCLAMATION/ United Nations Day (October 24, 2012)

Mr. Vegnani read the United Nations Day proclamation.

6.PRESENTATION/ Gates Intermediate School "Findings"/ Durkee Brown Architects

Doug Brown and Ashley Prestor, Durkee Brown, presented their "findings" on the Gates Intermediate School via a PowerPoint presentation. The grounds and fields of the School were not included in the study. "There are no critical deficiencies in the building-

it has good bones.” Three design options were presented. Senior Center space and square footage cost comparison between refurbishing the school versus Town offices, etc. were discussed. The Board of Selectmen and members of the Public Building Commission will meet in a few weeks and the Board will then forward their “preferred plan” to Durkee Brown for further review.

8. DISCUSSION/ VOTE/ BOARD OF SELECTMEN FINANCIAL POLICIES/ T. Administrator

Ms. Vinchesi explained the importance of the Board adopting this document especially in regard to improving the Town’s bond rating with Standard and Poors. The Treasurer follows these guidelines and is in agreement with the policies. Mr. Vegnani suggested some wording changes since the document suggests “guidelines”. The Town Administrator will make the changes in some of the definitive statements (“try to”, “goal”, “may”).

**Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to ACCEPT the Financial Polices as outlined after a review of the wording of some of the definitive statements. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)**

9. DISCUSSION/ UPDATE/ November 13, 2012 Special Town Meeting Articles

Fourteen (14) Articles for the Special Town Meeting were presented by the Town Administrator. The Board will vote to support or not to support these Articles at their October 16, 2012 meeting.

12. OTHER BUSINESS – Correspondence

No correspondence. Mr. Danehey expressed concern over the musical instrument rental program run by a private company through the School Department. Mr. Vegnani stated that 40-50 people recently attended a meeting regarding the Town’s new “master plan”. Two cases of EEE have been found in Marshfield. Residents should take precautions when spending time out of doors.

13. REPORT/ Town Administrator

The Town Administrator wants to set a date for the Board’s annual retreat for a Saturday morning in November.

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14. ADJOURNMENT & SIGNING OF DOCUMENT

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ADJOURN the Meeting and SIGN documents at 9:56 PM. SECONDED by Mr. Harris. No discussion. Unanimous vote. (5-0)

BOARD OF SELECTMEN

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Joseph P. Norton, Chairman

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John F. Danahy

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Shawn Harris

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Richard W. Murray

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Anthony V. Vagnani

Respectfully submitted,

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Kimberley A. Donovan  
Executive Assistant

## October 2, 2012 Board of Selectmen's Meeting – List of Documents

- Letter dated September 20, 2012 from Town Counsel re: Walnut Tree Hill Subdivision
- Draft letter dated September 27, 2012 from Town Counsel re: OML complaint –  
Patriot Ledger
- Memorandum from Water Resource Committee dated 9/25/12
- "Topic: Water Rate Increase" – A. Bangert dated 10/2/12
- Letter of resignation from Richard Lane dated 9/14/12
- United Nations Day Proclamation
- "Durkee Brown Presentation on Gates Middle School Structural Analysis and Town Hall Programming"
- "Program"/ Durkee Brown & Plans
- Town of Scituate "Financial Policies"
- Draft Warrant of Special Town Meeting Articles – 11/18/12
- "Selected Background Information for 11/18/12 STM" / T. Administrator
- Report of the Town Administrator – October 2012