

Board of Selectmen, June 5, 2012

MINUTE OF MEETING

BOARD OF SELECTMEN

JUNE 5, 2012

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

Patricia A. Vinchesi, Town Administrator

Press: WATD, Scituate Mariner

The meeting was called to order at 6:30 PM.

ACCEPTANCE OF AGENDA

Mr. Danehey made a MOTION that the Board of Selectmen ACCEPT the Agenda, as amended to include items #5a – One Day Wine & Malt Beverages License and #19a – “Official Signing of Documents in Open Session”. SECONDED by Mr. Murray. No discussion. Unanimous vote. (4-0)

TOWN OF SCITUATE EMPLOYEE RECOGNITION AWARDS

The Board of Selectmen and Department Heads presented awards to employees for five, ten, fifteen, twenty, twenty-five and thirty years of service to the Town of Scituate. Mr. Norton noted that many times the work of Town employees goes unrecognized and that this is an opportunity for the Selectmen and the Town Administrator to thank these employees for their dedication and hard work.

WALK-IN PERIOD

Mr. Vegnani read “Guidelines for Walk-Ins” into the record. A copy of this document may be found at the conclusion of these minutes.

Ms. Ellen Bernardi, 616 Hatherly Road, asked if the Board of Selectmen will ultimately determine the future use of the Town owned building located at 44 Jericho Road?

Mr. Norton answered “yes”. Ms. Bernardi requested agenda time to address the Selectmen prior to a decision being made on the property. She has conducted research and spoken to the MBTA about the property and would like to present a plan to the Selectmen that would benefit the townspeople. Mr. Norton suggested that Ms. Bernardi write a letter to the Selectmen requesting agenda time and assured her that the Board would not be making a final decision on the property in the next two weeks.

The Selectmen noted the number public meetings that had taken place regarding this property over the past year, as well as the recent public survey conducted by the Pier 44 Committee.

DISCUSSION/ VOTE/ One Day Wine & Malt Beverages License/ Foyer of Charity/ 74 Hollett Street

Ms. Florence Ely, 5 Fourth Avenue, and Ms. Ann Rouleau, 21 Mann Lot Road, were present and spoke about the event taking place at the Foyer of Charity.

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to GRANT a One Day Wine & Malt Beverages License to the Foyer of Charity, 74 Hollett Street, for a garden party anniversary celebration and fundraiser on Saturday, June 23, 2012 from 5 PM to 8 PM. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (4-0)

5a. DISCUSSION/ VOTE/ One Day Wine & Malt Beverages License/ Scituate Maritime Center/ Edward Foster Road/ D. Twigg

Mr. Twigg was not present. This item was held until later in the meeting.

DISCUSSION/ VOTE/ Special Permit/ Knights of Columbus Annual Carnival

Mr. William Limbacher, Knights of Columbus, was present and assured the Board that the carnival would be "identical" in its operation this year to that of past years. Mr. Vegnani noted comments submitted by the Police Chief. Mr. Limbacher stated that he had met with the Chief and will comply with his suggestions. Mr. Murray asked for clarification on the dates of the carnival – July 16 – July 22 on Cole Parkway. The Harbormaster is requesting additional security for the marina area. Ms. Vinchesi noted that all comments from Department Heads are submitted to the applicant after the Board votes on the Special Permit.

Mr. Murray made a MOTION that the Board of Selectmen VOTE to GRANT the Special Event Permit for the Knights of Columbus annual carnival from July 16 to July 22, 2012 from 7 – 11 PM in accordance with all conditions set forth by Town departments and the Town Administrator. The Selectmen VOTED to GRANT the Knights of Columbus the use of Cole Parkway for this event. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (4-0)

DISCUSSION/ VOTE/ Outdoor Entertainment Permit/ 85 Brunswick St./ Humarock

This item was postponed, at the request of the applicant, to the June 19, 2012 meeting.

DISCUSSION/ Gulf of Maine Award/ J. DeBarros/ S. Wood

Mr. James DeBarros, Supervisor/ Water Division, and Ms. Samantha Wood, North and South Rivers Watershed Association(NSRWA) were present at tonight's meeting to announce that the Scituate Water Division was awarded the Gulf of Maine Council's 2012 Sustainable Communities Award for their work improving the viability of the First Herring River watershed. The Council chose the Town of Scituate for this prestigious award over many other communities from Massachusetts, New Hampshire, Maine, New Brunswick and Nova Scotia. A plaque will be presented at an awards ceremony in New Brunswick this week and brought back to Scituate. Ms. Wood thanked Mr. DeBarros and Mr. Al Bangert, Director / Department of Public Works, for their efforts in "bringing back the fish(herring)". Mr. Danehey complimented the efforts of these groups and asked about possible fishing restrictions on these herring. Ms. Wood stated that the "taking of" herring is banned in Massachusetts. Discussion continued on the smaller size herring comprising a "food base" for larger fish. Mr. Murray noted that this is an indicator of the health of our entire water system. Hopefully, this is a "step in the right" direction for the commercial fishing industry, as well. Mr. Norton thanked the Water Division and the NSRWA for their work on this and other projects.

DISCUSSION/ VOTE/ AWARD OF CONTRACTS/ Department of Public Works

Blossom Street / K. Cafferty

Mr. Vegnani confirmed that this contract was within the department's estimate.

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to AWARD the contract for the roadway improvements for Blossom Street, contract #12-SA-07 to T.L. Edwards, Inc. of Avon, Massachusetts for a total bid price of \$36,740.00 with payment to be made at the unit prices and/or lump sum prices pending receipt of a certificate of insurance, 100% performance and 100% labor and materials bond. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (4-0)

Paving Contract/ A. Bangert - postponed to 6/19/12 meeting

5a. DISCUSSION/ VOTE/ One Day Wine & Malt Beverages License/ Scituate Maritime Center/ Edward Foster Road/ D. Twigg

Mr. Dan Twigg, 22 Collier Road, is having an art opening at the Scituate Maritime Center on June 7, 2012 from 5 to 8 PM and would like to serve beer and wine. Mr. Murray confirmed that Mr. Twigg had spoken to

the Maritime Center about this request. Mr. Twigg answered "yes".

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to GRANT a One Day Wine and Malt Beverages License to Daniel Twigg for an "art opening" to be held on Thursday, June 7, 2012 at the Scituate Maritime Center, 119 Edward Foster Road, from 5 PM to 8 PM pending receipt of a liability insurance certificate to be supplied by the applicant. SECONDED by Mr. Murray. No discussion. Unanimous vote. (4-0)

Mr. Norton asked that in the future, the Selectmen's office be given more "lead time" on requests of this kind.

DISCUSSION/ VOTE/ HUNTING ON TOWN OF SCITUATE CONSERVATION LAND

Mr. Norton stated that due to recent purchases of Conservation land in the West End, the Town needs to examine land use in this area. Ms. Karen Connolly, 30 Roundtree Lane, thanked the Board for placing this item on the Agenda and spoke of a current Town by-law regarding hunting and shooting in the West End. She believes that the Conservation Commission should look at the best use of its land as well as how to install effective measures of communicating with residents regarding land use. It was noted that if a by-law change is recommended, it could be taken up as early as a fall 2012 Special Town Meeting. Ms. Connolly further noted that the applications for these West End properties do not reference hunting and shooting – that topic is only addressed under an old by-law. At the very least, she believes the properties should be posted with signs. She wants people to have access to the properties, but they should be very clear on the rules and regulations pertaining to these lands. Mr. Vegnani stated that the Town also follows Massachusetts General Laws on hunting and shooting. Maybe it would be possible to get some signs up right away. Mr. Bangert will check with Conservation. Mr. Murray thanked Ms. Connolly for bringing this topic forward and he also thanked Conservation Commission members for being present at tonight's meeting. He noted that the Commission will be holding public meetings on this topic. The Board will send memorandums to the Conservation Commission and the By-Law Review Committee asking them to review the current by-law and to make recommendations.

Mr. Vegnani made a MOTION that the Board of Selectmen REQUEST an opinion from the Conservation Commission regarding hunting as it relates to writing new Conservation restrictions and/or reviewing existing restrictions. SECONDED by Mr. Murray. Discussion – Mr. Ernie Foster, 109 Clapp Road, stated that the Massachusetts Department of Fisheries and Wildlife would be a great resource on this topic. No further discussion. Unanimous vote. (4-0)

Mr. Vegnani made a MOTION that the Board of Selectmen REQUEST that the By-Law Review Committee review General By-Law 30100 Public Safety, Section 30110 "Firearms" and make recommendations on any revisions, edits or changes that may

be necessitated. SECONDED by Mr. Danehey. Discussion – Mr. Norton encouraged interested parties to attend Conservation Commission and By-law Review Committee public meetings on this topic. No further discussion. Unanimous vote. (4-0)

11. DISCUSSION/ VOTE/ FY2013 Liability Insurance Contracts/ T. Administrator

Ms. Vinchesi referenced her memorandum dated May 20, 2012 describing the bid process for the Town's general liability and police and fire accident coverage. The budget for insurance was increased due to some losses and the December 2010 storm. She noted that market rates for insurance have increased. Favorable bid responses were received and it was noted that general liability insurance will realize a surplus.

Mr. Vegnani made a MOTION that the Board of Selectmen AWARD its property insurance including public employees blanket bond/ crime insurance, boiler and machinery, commercial general liability insurance

including ambulance/ EMT professional liability, automobile insurance, public officials liability insurance, police professional liability insurance, excess liability insurance, school board liability insurance, to the Massachusetts Inter-local Insurance Association (MIIA) for a bid price of \$286,504 for FY13. SECONDED by Mr. Murray. No discussion. Unanimous vote. (4-0)

Mr. Vegnani made a MOTION that the Board of Selectmen AWARD its marina liability protection and indemnity coverage to CNA Insurance Company, through MIIA, for a bid price of \$16,300 for FY13. SECONDED by Mr. Murray. No discussion. Unanimous vote. (4-0)

Mr. Vegnani made a MOTION that the Board of Selectmen AWARD its Fire and Police accident coverage to VFIS through Metras Insurance Agency, for a bid price of \$72,775 for FY13. SECONDED by Mr. Murray. No discussion. Unanimous vote. (4-0)

12.DISCUSSION/VOTE/ Addendum to Ellis Estate License Agreement/ T. Administrator

The Town Administrator explained that the Scituate Arts Association, tenants at the Ellis estate, have been experiencing difficulty applying for various grants because the Town owns the building. Town Counsel has reviewed the license agreement and written an addendum that will allow them to make grant applications in the future. Mr. Vegnani read the amendment (attached at the end of these minutes). Ms. Janet Cornacchio, 30 Pheasant Hill Drive and President of the Scituate Arts Association, asked if the term on license agreement was “self-renewing”? Ms. Vinchesi stated that there is a term limit on the license. Discussion continued with Mr. Danehey on renewing the term of the license agreement.

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to APPROVE the addendum to the License Agreement between the Scituate Arts Association and the Town of Scituate allowing it to act as the Town’s agent in applying for and administering grants to enhance the Ellis Estate provided that the Town will reimburse the Association for any improvements made to the premises through said grants received by the Association and with the provisions and exceptions noted in the addendum. SECONDED by Murray. No discussion. Unanimous vote. (4-0)

13. DISCUSSION/ VOTE/ Sewer Betterment Deferral/ #12-1

Mr. Murray made a MOTION that the Board of Selectmen VOTE to GRANT Sewer Betterment Deferral #12-1. SECONDED by Mr. Danehey. Discussion – Mr. Vegnani asked for clarification on the sewer betterment deferral process. A financial situation allows a deferral and interest is charged back to the homeowner. No further discussion. Unanimous vote. (4-0)

14. ACCEPT RESIGNATION/ Treasurer Collector

Mr. Vegnani read Ms. Jane Lepardo’s letter of resignation from her position as Treasurer Collector for the Town of Scituate. Mr. Norton thanked and acknowledged Ms. Lepardo’s service to the Town and wished her success in her new job in Cohasset.

Mr. Danehey made a MOTION that the Board of Selectmen ACCEPT, with regret, the resignation of Jane Lepardo, Treasurer/Collector, and further that the Board thank her for her service to the Town of Scituate. SECONDED by Mr. Murray. No discussion. Unanimous vote. (4-0)

15. ASSIGN/ Committee, Commission, Board and Council Liaison Positions/ Selectmen

The Board of Selectmen chose liaison positions.

16. ACCEPT GIFT/ Recipient: Scituate Veterans Advisory Council/Donor: Military Friends Foundation

Mr. Joseph Kelley, Chairman of the Scituate Veterans Advisory Council, petitioned the Military Friends Foundation in an effort to receive funding for the Council’s outreach program. The Council recently

received a check from the Foundation for \$1,000. Mr. Norton noted that this same Foundation honored Mr. Kelley and his family at a special ceremony in Boston. Mr. Kelley stated that the Council has forwarded a “thank

you” note to the Foundation. Part of the outreach program is to provide Veterans with gift cards for local food stores. Mr. Vegnani thanked Mr. Kelley and the Council for their work.

17. Annual Appointment Process/ Announce Vacancies on Committees, Commissions, Boards and Councils

Mr. Vegnani announced the vacancies. The Board discussed the Alternate Member on the Planning Board and the interview and appointment process.

18. OTHER BUSINESS/ Board of Selectmen

The Selectmen welcomed Mr. Murray back for another term on the Board of Selectmen. Mr. Murray thanked the Board and the candidates for “throwing in their hats” and running for office. Mr. Danehey noted that the Town of Scituate “welcome sign” has been restored to its spot at the Town Pier. He noted that the Chamber of Commerce donated \$500 to the SANDS group which aids residents after Scituate storm events. Mr. Vegnani noted the success of the Scituate lacrosse and tennis teams. He complimented Veterans Service Officer, Don Knapp, and others for the success of the recent Memorial Day Parade. He also noted that Zach Brazao, our cable television videographer, will soon be a Scituate High School graduate and then is off to Harvard University. The Selectmen thanked Zach and noted his many accomplishments.

Mr. Norton spoke about the new sewer regulations for the Town which will be presented by the Department of Public Works at the July 10, 2012 Selectmen’s Meeting. The Board concurred that they would not grant any emergency sewer tie-ins until the new regulations go into effect.

Ms. Ann Burbine announced that she would be attending a transportation summit, on the Town’s behalf, that will take place on June 10, 2012 at South Station at 2 PM. Discussion continued on the MBTA’s reducing the Greenbush Line’s weekend train service.

Mr. Norton announced a “public facilities master plan” kick off meeting to be held at the Scituate Harbor Community Building, 44 Jericho Road, on Monday, June 18, 2012 from 6:30 to 9:30 PM. Many of the committees and boards have been invited and the meeting is open to the general public. This will clarify the plans for \$375,000 feasibility study for Town and School buildings. Mr. Vegnani explained that this is not a meeting to discuss the future use of the Harbor Community Building.

19. MINUTES – Pending Executive Session Minutes – 6/7/11, 9/21/11, 10/4/11, 10/18/11, 1/17/12

Mr. Murray made a MOTION that the Board of Selectmen VOTE NOT TO RELEASE Executive Session minutes for the following dates: June 7, 2011, September 21, 2011, October 4, 2011, October 18, 2011 and January 17, 2012 as these items are still pending or under Town consideration. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (4-0)

19a. Official Signing of Documents in Open Session

The Board signed documents.

20. ADJOURNMENT

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to ADJOURN the meeting at 8:00 PM. SECONDED by Mr. Murray. No discussion. Unanimous vote. (4-0)

BOARD OF SELECTMEN

Joseph P. Norton, Chairman

John F. Danehey

Shawn Harris

Richard W. Murray

Anthony V. Vegnani

Respectfully submitted,

Kimberley A. Donovan
Executive Assistant