

**MEETING OF THE SELECT BOARD
TUESDAY, MARCH 7, 2023 6:30 p.m.
SELECT BOARD HEARING ROOM – TOWN HALL**

In attendance Anthony Vegnani, Chair Andrew Goodrich, Vice Chair, Karen Canfield

Also, in attendance, Jim Boudreau, Town Administrator

Karen Connolly and Maura Curran were not in attendance this evening.

MEETING CALLED TO ORDER/ACCEPTANCE OF AGENDA

A motion was made by Ms. Canfield at 6:35 p.m. to accept the agenda for March 7, 2023 second by Mr. Goodrich Unanimous Vote (3-0)

Mr. Vegnani read the following statement:

The Scituate Select Board is committed to providing an environment of respect during meetings. We ask all members to interact in a polite manner even when there is disagreement.

We value the participation of our community and want all participants, including marginalized and minoritized communities, to feel welcomed and respected.

We ask our committee members, and all who participate, to commit to these standards to support and respect our community.

WALK INS – None

REPORT OF THE TOWN ADMINISTRATOR-

1. Water update. We are at +6", last week we were +4.5". Tack factory Pond is at +6.5" up from +5.25". Average daily demand was at 1.171 MGD up from last week at 998,571 TGD. Some of this increase was caused by a large water main break (8" pipe) at the intersection of Turner and Otis. This is one of the lowest points in the system and led to brown water issues and low pressure throughout the system. More than 470,000 gallons of water was lost in this break. The water department did an outstanding job in lousy weather conditions to locate and repair the leak. I would also like to thank the SPD who were instrumental in helping the water department locate the leak.

Rainfall over the last 7 days was .84" measured at the Plant.

As has been discussed at prior meetings of the Select Board, the Department continues to work on getting a full-scale pilot program up and running at the treatment for removal of iron and manganese from the water in the reservoir. A contract has been awarded to Woodward and Curran (previously reported Tighe and Bond) and we expect to have the system on line for the summer months when water use is heaviest.

Bids were opened for the Rte3A water main project last week. 8 contractors bid on the project. The apparent low bidder was less than the estimate for the job provided by contractor. Our consultant is reviewing the bids for compliance and will be making a recommendation to the Board for approval in the next several weeks. This is the installation of a raw water line from OOB to the site of the new water

treatment plant. It also entails the replacement of the service line on 3A that supplies water to the residents of 3A.

2. Here we go! The Town's Annual Saint Patrick's Day parade will kick off on Sunday, March 19 at 1:00 pm. The parade starts at the intersection of Cudworth and First Parish, proceeds down First Parish to the Harbor and ends at the Harbor Community Building. This is a great event and we are hoping for great weather and a large turn-out of happy revelers to come and enjoy the parade. Details at weloveaparade.com
3. To all the dog walkers and walkers at Widow's Walk Golf Course, Sunday, March 19th will be the last day that the course is open for walkers. Beginning on Monday, March 20th, the course staff will begin readying the course for a tentative opening date of March 31st, weather dependent.
4. The Annual Town Election will be held on May 20, 2023 at Scituate High School. Nomination papers are available in the Town Clerk's Office for any registered voter interested in running for an elected position. Please call the Town Clerk's office at 781-545-9743 if you are interested in taking out nomination papers. Papers must be returned with at least 100 signatures of registered voters for certification by the Town Clerk by 5:00pm on March 31, 2023.
5. The on-line questionnaire regarding what kinds of things people would like to see at the park at the former Pier 44 is now closed and we were lucky to have almost 1400 responses. The results of the questionnaire can be found on the SHARC page of the town website. There is still time to make your voice heard. The Town will be holding two public information sessions tomorrow, March 7th at the library. The first session will be at 11:00 am and the second will be at 7:00 pm. As has been mentioned, the Town has conducted two resident surveys on the former Pier 44 Property. The first survey asked residents what they wanted to see at the site and the response was heavily in favor of some type of park. This survey will guide us towards the type of park that people are looking for.
6. Our Energy consultant, Good Energy, along with a member from our Community Choice Aggregation Committee, will be hosting a live presentation via Zoom and Facebook Live, on Wednesday, March 22nd at 6:30 PM. This presentation will include Frequently Asked Questions about the electricity program options. The session will be recorded and available on the town website as well.
7. Please be advised that per the Division of Marine Fisheries, the Clam Flats have been re-opened. They have been closed due to a sewer overflow at the Rockland Wastewater Treatment Plant.
8. We received the bids to replace the 1831 Lantern Room and associated work on the Scituate Lighthouse last week. Two bids were submitted. The apparent low bid is well within the appropriation approved for the project at Town Meeting. Our OPM will now be checking references and reviewing the bid prior to awarding the contract. The project is still scheduled to be completed this summer.
9. If you are down in Cole Parkway you will see a conex trailer parked in the spaces for the harbormaster. The old docks have been removed and the new ones are being installed by the contractor. There is a new traffic pattern established in Cole Parkway during the project. Please be aware of this when driving through Cole Parkway. This project is being funded through grants from the Commonwealth of Massachusetts and the Town's Waterways Fund. The waterways fund is funded with user fees from boaters using moorings and slips in the harbor and for using the waterways in general.

10. Meetings

- a. Monday-Con Com
- b. Tuesday-Select Board and Pier 44 Public information session
- c. Wednesday-Commission on Disabilities, ZBA hearing on proposed 40B on OOB
- d. Thursday-Planning Board and Advisory Committee

SCHEDULED ITEMS:

Outdoor Entertainment Permit, EmpowerHer Luminaria May 12, 5-9 p.m. acoustic musicians, Kelly Jo Sunday, Organizer

The applicant submitted a special event application to the Select Board/Town Administrator's office.

Move to grant an Outdoor Entertainment Permit to empowerHER for the Mother's Day Luminaria event at the Lighthouse on Friday, May 12, 2023 from 5:00pm – 9:00pm with entertainment being provided by acoustic musicians, pending approval of the special event permit. Motion by Ms. Canfield second by Mr. Goodrich Unanimous Vote (3-0)

INTERVIEW Diversity, Equity, Inclusion (DEI) Committee Town Representative Applicant, Kristina Gilberti, Scituate Town Library

Kristina Gilberti is interested in the staff representative position on the DEI committee. She is an advocate for equity and teamwork is important. She is currently a steward for the union at the library.

Sewer Betterment Abatement Parcel ID 48-02-003, Nancy Holt, Finance Director/Town Accountant, Joe Divito, Assessor, Pam Avitabile, Treasurer/Collector

Ms. Holt reviewed a timeline for the detail of the events leading to this request involving 9 Hughey Road and 11 Hughey Road. At this time, both former Town Counsel Cindy Amara and current Town Counsel Kevin Freytag have recommended that the remaining unpaid sewer betterment on parcel 48-02-003 of \$7,809.92 be abated.

Move that the remaining unpaid sewer betterment on parcel 48-02-003 of \$7,809.92 be abated as advised by Town Counsel. Motion by Mr. Goodrich second by Ms. Canfield Unanimous Vote (3-0)

UPDATE/REVIEW Disposition of Tax Title Possessions, Nancy Holt, Finance Director/Town Accountant, Joe Divito, Assessor, Pam Avitabile, Treasurer/Collector

Ms. Holt reviewed a presentation prepared by the team. The Treasurer/Collector has the authority to move forward with an auction. The Select Board reviewed a list of the nineteen properties with comments from all Town departments. We have an auction house under contract currently. Ms. Avitabile will move forward with the sale of the property late spring/early summer barring any objection from the Board. The Board had some concerns with some of the parcels of land. Mr. Vegnani said he would like to have the two missing Board members weigh in on this and asked Ms. Holt and Ms. Avitabile not to move forward with anything for a couple of weeks.

DPW Sewer Department, Kevin Cafferty, DPW Director, Wil Branton, Sewer Superintendent

- Scituate Sewer Rehabilitation Bid Award for I/I Repairs to National Water Main Cleaning Co \$2,787,825

Mr. Cafferty reviewed the project with the Select Board to improve Sewer Inflow and infiltration (I/I). If there is an impact to residents it would limit the resident about 6 hours and they will be notified in advance. 600 services will be addressed. Oversight will be done by Environmental Partners, Rich Barry. Identified leaks will be repaired. This is the area between Egypt Beach parking lot down to the lighthouse and many of the side streets addressing the worst areas. It is an \$8.8M project if we do all the laterals. With the camera work done they identified the worst leaks. Mr. Branton said the alternate is to extend the liner out into the laterals. This will line from the main as close as we can to the house. Mr. Vegnani would like to know how this project will improve the I/I. We are at 76% of sewer capacity currently. Sewer was at 100% prior to the Cedar Point project. Only 30% of town is on sewer. 130 million gallons are on sewer. 2/3 of what we treat is not from resident homes.

Move that the Select Board award the Scituate Sewer Rehabilitation Base Bid and Alternative A bid to National Water Main Cleaning Co. to provide sewer repairs and sealing to an area outlined from Egypt Beach to Oceanside Drive in the amount of \$2,787,825.

Motion by Mr. Goodrich second by Ms. Canfield Unanimous Vote (3-0)

- Sewer System Evaluation Survey (SSES) amend contract \$376,040 technical services and construction oversight

Move to approve the amended October 20, 2020 Scituate I+I SSES Contract # 20-SS-44 for an amount not to exceed of \$376,040 in compensation for providing the services described in the January 27, 2023 SSES Program Construction Phase Services Scope of Work and Fee Proposal Motion by Ms. Canfield second by Mr. Goodrich Unanimous Vote (3-0)

Sewer Betterment Abatements Cedar Point Parcel ID's 46-02-001 & 46-01-042, Jim Boudreau, Town Administrator

Two applications for sewer betterment abatements have been received for parcel ID 46-02-001, 88 Rebecca Road and parcel ID 46-01-042, 27 Lighthouse Road.

The application for 88 Rebecca Road is claiming out of pocket costs due to the project. This is not applicable to the assessment of the betterment and therefore it is recommended that the betterment application be denied.

The application for 27 Lighthouse Road is claiming out of pocket costs due to the project as well. This application also asserts that due to the shortness of the connection, the betterment assessment should be reduced. The out of pocket costs are not applicable to the assessment of the betterment. The assessment of the betterment pursuant to the Sewer Regulations is based on units and 27 Lighthouse is a single unit and therefore assessed in the same amount as all of the other residential units in affected project area. For these reasons, it is recommended that the abatement be denied.

Move to deny the sewer betterment abatement applications for parcel ID 46-02-001, 88 Rebecca Road and parcel ID 46-01-042, 27 Lighthouse Road and send a letter as previously reviewed by Town Counsel outlining the reasons for the denial. Motion by Mr. Goodrich second by Ms. Canfield Unanimous Vote (3-0)

~~Proposed Regional Hazard Waste Depot, Claire Galkouski, South Shore Recycling Cooperative~~ Will be rescheduled to a future meeting.

Contract Campbell Construction Group LLC, \$1,116,340 for Restoration of Historic Scituate Lighthouse, Jim Boudreau, Town Administrator

Rick Pomroy, OPM for the project provided an update on the restoration of the lighthouse. A reporter from the Boston Globe, Tom Farragher recorded this section of the meeting. Nine references were received for the bidder. Historical building certification was reviewed for this project. The Spencer Preservation Group, the architect for the project has a great relationship with Campbell Construction Group, LLC. The contractor schedule can begin in 30 days with notice to proceed after the contract is signed and documentation received over the next two weeks. The jetty will still be accessible and maintained throughout the project. There may be a couple of days where access may be restricted. This is built into the bid documents. Mr. Vegnani would like the area open as long as possible and only be restricted when needed for work to be done. Mr. Pomroy said he will work with the contractor to limit the scaffolding.

Move to award a contract to Campbell Construction Group, LLC in the amount of \$1,116,340.00 for the restoration of the Historic Scituate Lighthouse. Motion by Mr. Goodrich second by Ms. Canfield Unanimous Vote (3-0)

Management of Historical Properties, Jim Boudreau, Town Administrator & Nancy Holt, Finance Director/Town Accountant

The lighthouse lease is from 1994 and has expired. Ms. Holt would like to get the paperwork in order for the management of the historical properties. Anything that has expired has to go out to bid. The properties that are missing written agreements the Board will decide who is responsible for what. This came up again with the lighthouse with the insurance, who has the care and maintenance but the document was expired. The damage to Cudworth house ins another example and we want to close those loops. Mr. Vegnani said it makes perfect sense to get everything up to date. This has nothing to do with the current care & maintenance, we are trying to close the loop on the paperwork. Gigi Mirachi said she is more than happy to work with Ms. Holt on this project. Ms. Holt said no vote is needed on this topic. The Board supports Ms. Holt moving forward with the Historical Society.

- **Mordecai Lincoln Property**

Jim Glinski said the Historical Commission will be meeting with a State agency to review and discuss the Mordecai Lincoln Property that specializes in historic properties in Massachusetts. They feel it is the most important historical property in the Town of Scituate. After this review we will have some better idea of the use of the property. Jack Whitaker is an associate member of the Historic Commission and the liaison to CPC. Mr. Vegnani asked that a meeting be pulled together to discuss this property and future use with input from all stakeholders.

- **VOTE Declaration of Contents of Property Surplus**

The Select Board will hold off on this vote until discussion with the rest of the Board and the other stakeholders.

- **Discussion Future Plans**

A meeting will be arranged with all stakeholders to discuss the Mordecai Lincoln property and contents.

Warrant for Special & Annual Town Meeting

Mr. Vegnani, on behalf of the Select Board would like a new position for the Conservation & Planning departments and communication is another area they would like to see a consultant, etc. The Board would like to allocate a lump sum of money for this. Internal and external communication flow improvement is what the Board would like to see. The Board would like to hire a communication Public Relations firm. The Board wants to allocate \$100,000 to these two initiatives. Mr. Boudreau suggests ½ in technical services and ½ in inspections. The other \$83,104 can be added to collective bargaining.

- Article 4 Operating Budget Warrant Article for Annual Town Meeting

Please see the updated FY24 forecast voted by the Financial Forecast Committee at their February 28, 2023 meeting. The Financial Forecast Committee voted unanimously to add a new shared position of a Second School Resource/Patrol Officer for \$100,000 with the additional available funds. The remaining revenue was split consistent with the formula with the Town departments receiving an additional \$183,104.

Due to two collective bargaining units not having contracts for FY24, the recommendation is to place the additional funding in the Contractual Bargaining line. A further budget adjustment could be made at the fall special town meeting if the collective bargaining has concluded.

Move to approve the Town Administrator recommended FY24 general fund operating budget (Article 4) as proposed with the amendments to shared costs as voted by the Financial Forecast Committee at their February 28, 2023 meeting and to allocate the additional \$83,104 in available revenue to the Contractual Bargaining line 1123532.530400, \$50,000 Town Administrator/Select Board Technical Services and \$50,000 to building inspector part time Salaries. Motion by Mr. Goodrich second by Ms. Canfield Unanimous Vote (3-0)

- Amend Article 7 Wastewater Enterprise Budget increase \$82,000 short term interest and facilities study

The FY24 Wastewater Enterprise budget did not include any funding for short term interest. With the award of the contract for the Oceanside I & I project without Clean Water Trust financing and the pending Facilities Study; short term interest needs to be added to the FY24 budget.

Based on the cash flow provided for the project and having the BAN come due half-way through the fiscal year; the estimated amount of short term interest is \$82,000. Barring any other budget savings or adjustments, this would require a 4% rate increase in addition to the one already needed for the FY24 budget as proposed.

There is significant retirement in the long term debt budget for the enterprise fund to accommodate the long term financing for the project but it does not start until FY25

The Board decided to wait until the Fall Special Town Meeting.

NEW BUSINESS:

DEI Committee Appointment

Kristina Gilberti, Scituate Town Library, Staff Member

The Chair said the Board will vote at a future meeting.

Sewer Betterment Deferral Parcel ID 14-01-049

Move to grant a sewer betterment deferral for current year taxes parcel id 14-01-049. Motion by Ms. Canfield second by Mr. Goodrich Unanimous Vote (3-0)

One Day Wine & Malt Licenses

Knights of Columbus @ St. Mary of the Nativity Parish Center on March 18th for St. Patrick's Boiled Dinner 5-7:00 p.m.

Move to approve a One-Day Wine & Malt License for the Knights of Columbus at St. Mary's Parish Center, for a private event on Saturday, March 18, 2023 from 5:30 PM to 8:00 PM. Motion by Ms. Canfield second by Mr. Goodrich Unanimous Vote (3-0)

Knights of Columbus St. Mary of the Nativity Parish Center on March 31st for Fish Fry 5-7:00 p.m.

Move to approve a One-Day Wine & Malt License for the Knights of Columbus at St. Mary's Parish Center for a private event on Friday, March 31, 2023 from 5:00 PM to 7:00 PM. Motion by Ms. Canfield second by Mr. Goodrich Unanimous Vote (3-0)

OTHER BUSINESS:

Liaison Reports

No reports this evening.

Correspondence

No correspondence this evening.

Approval of Meeting Minutes

Move to accept the minutes for the Select Board meeting held February 27, 2023 motion by Mr. Goodrich second by Ms. Canfield Unanimous Vote (3-0)

Adjournment and Signing of Documents

Motion to adjourn the meeting at 9:15 p.m. by Ms. Canfield second by Mr. Goodrich Unanimous Vote (3-0)

Respectfully Submitted,

Lorraine Devin, Recorder

List of Documents for the March 7, 2023 Select Board Meeting

- Agenda
- Upcoming Meetings & Events
- Outdoor Entertainment Permit, EmpowerHer Luminaria May 12, 5-9 p.m. acoustic musicians
- Diversity, Equity, Inclusion (DEI) Committee Town Representative Applicant, Kristina Gilberti, Scituate Town Library
- Sewer Betterment Abatement Parcel ID 48-02-003
- Disposition of Tax Title Possessions
- DPW Sewer Department, Kevin Cafferty, DPW Director, Wil Branton, Sewer Superintendent
 - Scituate Sewer Rehabilitation Bid Award for I/I Repairs to National Water Main Cleaning Co \$2,787,825
 - Sewer System Evaluation Survey (SSES) amend contract \$376,040 technical services and construction oversight
- Sewer Betterment Abatements Cedar Point Parcel ID's 46-02-001 & 46-01-042
- Contract Campbell Construction Group LLC, \$1,116,340 for Restoration of Historic Scituate Lighthouse
- Management of Historical Properties
 - Issuance of RFP for Management of Historical Properties
 - Mordecai Lincoln Property
 - Declaration of Contents of Property Surplus
- Warrant for Special & Annual Town Meeting
 - Article 4 Operating Budget Warrant Article for Annual Town Meeting
 - Amend Article 7 Wastewater Enterprise Budget increase \$82,000 short term interest and facilities study
- Sewer Betterment Deferral Parcel ID 14-01-049
- One Day Wine & Malt Licenses
 - Knights of Columbus @ St. Mary of the Nativity Parish Center on March 18th
 - Knights of Columbus St. Mary of the Nativity Parish Center on March 31st
- Meeting Minutes of February 27, 2023

Select Board Meeting Minutes for March 7, 2023

SELECT BOARD

Anthony V. Vegnani, Chair

Andrew W. Goodrich, Vice Chair

not in attendance

Maura C. Curran, Clerk

Karen B. Canfield

not in attendance

Karen E. Connolly