

**Meeting Minutes  
Board of Selectmen  
Tuesday, March 25, 2014**

**In Attendance:** Shaw Harris, Chairman; Richard Murray; Anthony Vegnani; Martin O'Toole.

**Also in Attendance:** Patricia A. Vinchesi, Town Administrator

Mr. Danehey joined the meeting at 7:34 during MAPC Study

**Meeting Called to Order at 7:05 PM**

**Acceptance of Agenda.**

**Mr. Murray made a MOTION to accept agenda for the March 25, 2014 meeting. Mr. O'Toole SECONDED. All in favor. Unanimous vote (4-0).**

Donna Bangert was here to announce Ship Shape Day, which will be held on April 12, 2014. She explained the parameters of the procedures of the day. The Board of Selectmen thanked her very much for her efforts not only this year, but for the last several years.

The Selectmen encouraged all groups to get out and help with Ship Shape Day – sports teams, anyone needing Community Service, etc.

Mr. Harris took an opportunity to introduced Scout Jake Dwyer who was in the audience, along with his father, John.

**Report of the Town Administrator.** The Town Administrator introduced the Board of Selectmen's new Assistant Lorraine Devin, who was sitting in the audience. She thanked Sheila Manning and Michele Seghezzi for doing double duty in the offices during the interim. Ms. Vinchesi also mentioned that April 1, 2014 was the Board of Health Director, Jennifer Sullivan's final day after 27 years with the Town. A reverse 911 went out on another detonating incident behind Hatherly Country Club today. This was the third bullet-shaped artillery device found in Scituate. State Police bomb squad was on scene. Residents should contact Police if they come across one. Finally, in preparation for Town Meeting, the Warrant has been posted on the website.

**Discussion/Vote/Use of Town Common for Vigil.** This Special Event has been reviewed by various Departments. Parking and traffic control important, as this will take place (weather permitting) on the Town Common. March 30<sup>th</sup> – 6:30 – 8 PM , sponsored by the Clergy Association. This is to increase drug awareness and substance abuse incidents and to support all those who have been touched by this .

**Mr. O'Toole made a MOTION that the Board of Selectmen vote to approve the Community Vigil on the Town Common Sunday, March 30 from 6:30 to 8 PM. SECONDED by Mr. Murray. All in favor. Unanimous vote (4-0).**

**Discussion/Vote Common Victualler License for Quench Juicery.** Patrick Farr, owner, was in attendance to speak about his plan for his shop. 76A Front Street is the proposed location. Renovating at present. Juices and smoothies as well as small breakfast items will be served. 8 AM to 6 PM Monday through Friday. Seating for 12 to 15 people. Free WiFi.

**Mr. Vegnani made a MOTION that the Board of Selectmen vote to approve the Common Victualler License for Quench Juicery through December 31, 2014. Mr. O'Toole SECONDED. All in favor. Unanimous vote (4-0).**

**Discussion/MAPC Study review with the Economic Development Commission.** Chris McConaughy, Chairman of the EDC was present to introduce Mr. Matt Smith, Senior Regional Planner, MAPC and Project Manager for the Scituate Economic Development Study. This is Phase I.

The purpose of this study is to identify demographic and economic trends within Scituate and the region so that the Town can set a strategic course to grow its economic base to improve fiscal stability while building on and respecting the existing strengths and character of the community. Demographic and economic trends of the region were taken into consideration as well as population trends.

**Discuss/Vote – Public Hearing Layout of Walnut Tree Hill Subdivision.** Update on further research on alternative options for Walnut Tree Hill. Kevin Cafferty, Acting DPW Director, present to talk about this project. At their last meeting, the Board asked Kevin to research different options along with costs for residents to consider. Four alternatives: Full depth reconstruction; grind and overlay; apply an overlay; micro-surface. At this point, we have not received signatures of 75% of the residents of that development in support of acceptance as a public way. Mr. Vegnani stated that the a representative group of residents have done their due diligence and through no fault of their own, after ten years, this has not moved forward. Mr. Murray mentioned, as did Mr. Harris, that the current staff of DPW and the Town Administrator in no way are at fault for this situation. The Bond issue delayed the project for three years. Modern Continental, the developer, went out of business. 75% of residents must be on board before this is on the Town Meeting warrant. It will be voted to accept as is with the realization that, like any residential road in Town, it will be patched only. Mr. Danehey explained that he cannot vote to support this due to the other residents who have had to follow a process outlined by the Street Acceptance Committee. He feels it is unfair to them. Folks should realize that residential roads are the last on the list to be repaired. This will be accepted as is, with the possibility of no major repairs – patch work only for many, many years. Mr. Bangert explained that residential areas are last on the list. Primary and secondary roads are priority. The consensus from the residents in attendance is to move forward to Town Meeting to accept these roads as public ways as is.

**Mr. Murray made a MOTION to order the layout of Walnut Tree Hill Subdivision; Garrison Drive, Walnut Hill Drive, Woodworth Lane, Bridle Lane and Greenbriar Way, as public ways, said ways bounded and described in accordance with a plan to be filed with the office of the Town Clerk at least ten days prior to the date of the Annual Town Meeting, contingent upon gaining 75% of the residents signatures as required by Town process. SECONDED by Mr. Vegnani. Vote 4-1. Mr. Danehey opposed.**

**Mr. Murray made a MOTION to accept the Walnut Tree Hill Subdivision – Garrison Drive, Walnut Hill Drive, Woodworth Lane, Bridle Lane and Greenbriar Way, as public ways with no betterment assessed. Mr. Vegnani SECONDED. Vote 4-1. Mr. Danehey opposed.**

**Discuss/Vote Fee Change Rental of Scituate Maritime Center** – Harbormaster Mark Patterson was in attendance to discuss an increase in the amount charged for the rental of the SMC. He is suggesting \$600 for non-residents and \$450 for residents. After extensive research on the surrounding communities and what they charge for similar facilities, it was determined that these amounts are in the same range.

**Mr. Danehey made a MOTION that the Board vote the recommended fees of the Harbormaster for the rental of the Scituate Maritime Center. \$600 for non-residents and \$450 for residents. Mr. Murray SECONDED. All in favor. Unanimous vote (5-0).**

**Discuss/Vote Conflict of Interest Determination – Waterways Commission.** This item has been postponed to the next meeting.

**Discuss/Vote Davis Parking Lot Permit Renewal – Humarock.** This is the Annual Permit renewal for Davis Parking Lot located in Humarock.

**Mr. Vegnani made a MOTION that the Board of Selectmen approve the Davis Parking Lot Permit. Mr. O’Toole SECONDED. All in favor. Unanimous vote (5-0).**

**Discussion/Vote Potential Ballot Questions for May 31 Town Election.** Discussion centered around two questions concerning the repair of seawalls in Scituate to be placed on the ballot in order to ascertain how the residents feel seawall repairs should be addressed.

Question 1 – debt exclusion override. The Board felt that the wording should contain a time frame (say 20 years) and the background should note that repairs are estimated to be \$52 million.

Question 2 – betterments – the Board felt it should be made clear that all residents share in this cost and that betterments apply to everyone.

Mr. Danehey said that he was meeting with Coastal Coalition tomorrow night and he will ask for their input for a vote on April 8th. This should be made clear that these are non-binding questions – make sure this is clear.

**Discussion/Vote Acting Town Administrator.** This is a Charter requirement. Mass Municipal Management Association developed a standard contract form with language that provides that the person is held harmless – provides protection. The person named in this contract is Albert Bangert.

**Mr. Danehey made a MOTION that the Board vote to approve the Acting Town Administrator contract for Albert Bangert through June 30, 2017. Mr. Murray SECONDED.**

Discussion: Martin O'Toole questioned whether or not Al Bangert was still an employee. Ms. Vinchesi stated that he was. Mr. Vegnani questioned the term, and the Town Administrator explained that it must run with the same time frame as the Town Administrator's contract. However, there is some flexibility to change time-frame.

**The Chairman called for a vote. All in favor. Unanimous vote (5-0).**

**Discuss/Vote Town Meeting Items – CPC Projects.** Damon Preserve: The Board discussed this at their last meeting. Mr. Vegnani updated the Board on this property. He met with the seller regarding a Recreation component on this land. It is not an option - open space only. The family was very firm on this. Mr. Vegnani noted the protection of aquifer is a component as well.

Mr. Danehey stated again that the Town has purchased a lot of open space with conservation restrictions. What the seller wants versus what the Town needs must be factored in. We still do not have trails on the land we have previously purchased. Mr. O'Toole agrees with Selectman Danehey. Some part of this should be for recreation.

**Mr. Murray made a MOTION that the board support the CPC project for the Damon Preserve. Mr. Vegnani SECONDED. Vote 3-2. Mr. Danehey and Mr. O'Toole opposed.**

Bailey-Ellis House: \$79,000 to address drainage issues. Mr. Vegnani reiterated his feeling that the basement portion of this project is unnecessary to address the drainage issue. Mr. Danehey is in agreement.

**Mr. Danehey made a MOTION that the Board vote to not support the CPC project for the Bailey Ellis House. Mr. Vegnani SECONDED. Vote 2-3. Mr. Murray, Mr. O'Toole and Mr. Harris opposed.**

**Mr. Murray made a MOTION to support this project. Mr. O'Toole SECONDED. Vote 3-2. Mr. Danehey and Mr. Vegnani opposed.**

**Other Business: Acceptance of Minutes.**

**Mr. Danehey made a MOTION to accept the Minutes of March 4, 2014 and the Executive Session Minutes of March 4, 2014. Mr. Vegnani SECONDED. All in favor. Unanimous vote. (5-0).**

Mr. Murray mentioned the Science Spectacular to be held on Thursday, April 10<sup>th</sup>. Mr. Murray will be giving a little talk at 7 PM along with others.

Mr. Danehey met with Scituate merchants along with the Chair of EDC. Parking issues were discussed in Cole Parkway and on Front Street. Mr. Danehey mentioned that the parking of trucks and vehicles as well as the docks, which needs to be addressed. Bob Warner said he had documentation on this issue which he would be happy to provide.

On another note, residents have asked the status of the Veterans Advisory Council and Mr. Danehey noted that this committee needs to be restructured.

Mr. Vegnani made note of two public meetings coming up – EDC with regard to the MAPC study and the School’s public meeting on April 2<sup>nd</sup> to discuss options on a new middle school. He also noted that a Financial forecasting meeting was held tonight with the School and we are moving forward with the budget.

Kudos to the St. Patrick’s Day Parade Committee on an excellent job this year .

Mr. O’Toole noted the Vigil on Sunday and the importance of supporting this event.

Mr. Danehey wanted to thank DPW for putting up the flags for the St. Patrick’s Day parade.

Mr. Harris wanted to thank Mr. Kelley for all his hard work.

Meeting adjourned to move into Executive Session at 9:15 PM.

**Mr. Danehey made a MOTION to move into 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 public body and the chair so declares relating to AMP – TOSCA – FIRE. The Board will reconvene in Open Session. Mr. Murray SECONDED. All in favor. Unanimous vote (5-0).**

Roll Call: Mr. Murray, present; Mr. Danehey, present; Mr. Harris, present; Mr. Vegnani, present; Mr. O’Toole, present.

Respectfully submitted,

Sheila M. Manning  
Assistant to the Town Administrator

List of Backup Materials for Meeting of March 25, 2014:

Special Event Application  
Common Victullar Application  
MAPC Development Study  
Report from DPW re Walnut Tree Hill Subdivision  
Memo from Harbormaster re SMC fees  
Conflict of Interest statements from Waterways Commission members  
Application from Mrs. Davis for Humarock Parking Lot  
Potential Ballot Questions re seawall repairs  
Meeting Minutes

