

Selectmen's Meeting
Tuesday, April 29, 2014
Selectmen's Meeting Room
Minutes

The meeting was called to order at 7:00 p.m. and the following members were present: Shawn Harris, Chairman, Anthony Vegnani, Vice-Chairman, Martin O'Toole, and John Danehey.

Not Present: Richard Murray.

Also present was Patricia Vinchesi, Town Administrator.

ACCEPTANCE OF AGENDA

The Board voted to accept the agenda as presented.

WALK INS- No Walk ins

REPORT OF THE TOWN ADMINISTRATOR

- AMP and TOSCA contracts announcement

Settled 2 union contracts. Ms. Vinchesi extended thanks to union negotiating teams. It was a mutually beneficial process. Four year agreements benefit employees and Town. 1.5, 1.75, 2.0 & 2.0 one more union to negotiate with.

- Annual Appointments

Annual appointments are coming up and we are starting to ask for more information from board chairs. We will publicize more than last year. We encourage people to submit their names for any boards of committees. An article will be put in the Mariner. End of May appointments will be made. John Danehey would like to know of their member's attendance and how many meetings have been missed. Tony mentioned no automatic renewals. He would like to see opportunities for people to apply. Six year rule was discussed sometimes people go over because of lack of interest.

- Revenue Committee

Three people were asked to serve on the revenue committee. Revenue committee charged at looking at all town revenues and debt. Joe Norton will be chairing this committee along with Jeff Burns and Dave Capelle, Chair of capital planning committee.

- DOR Study

The Department of Revenue is doing a management study for organizational structure of Town and time frames of Town meeting, operating cycle and budget. They met today with town employees, Board of Selectmen, and committee chairs.

- TA Items Pending and Schedule

Patricia 5/12 to end of May Tricia will be gone and Al Bangert will be filling in as Town Administrator.

Town hall closed 8:30-12 noon tomorrow for Alice Training for all town hall employees.
Selectmen will be transitioning to Tablets at next Board of Selectmen meeting.
Wind Turbine will be up and working tomorrow.
RFP for Wi-Fi in the harbor will be going out.

SCHEDULED ITEMS:

Water Conservation Week Proclamation: John Clarkeson, Chair, Water Resources Committee

Joining communities across the country, we will have a big celebration Saturday May 10, 2014. There will be tours of the facility and educational information sessions for citizens about pipeline replacement. Families are invited and will receive water conservation steps they can take at home. Research information will be available. Selectmen O'Toole read the proclamation declaring May 4 through May 10 Drinking Water Week.

DISCUSS/VOTE One Day Beer and Wine, Inly School – May 17

Motion was made and seconded to grant a one day beer & wine license for Lavishly Done Catering & Event Planning for event at the Inly School on May 17, 2014 from 7 p.m. to 10 p.m. (Unanimous Vote 4-0)

DISCUSS/VOTE Common Victualler License- Lucky Finn Café

Table item for another meeting

DISCUSS/VOTE Outdoor Entertainment License Requests: T.K. O'Malley's – May 2 and Annual Outdoor Entertainment License Renewal

Walter Collins, Rich Linehan, and Jeff De Lisi, Ohrenberger and Associates were representing TK O'Malley's.

- 1) Motion made and seconded to grant a one day Outdoor/Patio Entertainment license to TK O'Malleys for one acoustic performer on May 2, 2014 from 5 p.m. to 9 p.m. on the sidewalk in front of TK O'Malley's for the Scituate Harbor Art walk. (Unanimous Vote 4-0)

Mr. Danehey expressed his concern about the hours. Mr. Vegnani also expressed his concern regarding the late hours requested. The Selectmen suggested that the hours stop at 10 pm get some feedback and go from there. Mr. Harris said Mr. Murray is in favor of the license but concerned about the late hour request also. Rich Linehan is accessible to the surrounding community members if anyone needs to speak to someone about any issues that arise.

The Selectmen opened discussion to the residents in attendance;

Henry Lynch 15 Beaver Dam Road spoke about his concern with the loud music and said it is aggravating. He can hear people talking on the pier.

Marjorie Leary Front Street spoke about how upset the resident is about Tesoro and now is against TK O'Malley's getting approval. Living there full time for many years, she can hear TK O'Malleys now without the outside music. Doesn't think Scituate needs more noise in the harbor.

Ed Leary, 199 Front Street, TK's does have an indoor license and doors are left open with speakers piled outside the doors. Consistent pattern of disregard for what's right. Mr. Leary said he cannot sit out on their decks without hearing the music blasting with Trivia and karaoke.

Carol Fitzgibbon, First Cliff Association said it is a different standard for the Maritime center. When they held a function, they were told that the band could not play on the deck and had to play inside and the reason for it was not to disturb the neighbors. The time cut off was 10:30. Her problem is mostly with Monday thru Thursday because people work. Music until 11 pm through the week is too late. Weekends is a different matter. TK's back against the harbor and the music travels and impacts first cliff as well as the harbor. Mill Wharf will want to do the same thing. Ms. Fitzgibbon would like the board to consider weekends only at first. Also the Scituate Maritime Center policy should be addressed since it is unfair.

Elizabeth Peti 172 Edward Foster Road First Cliff would like the board to consider weekends only. She can hear the yacht club members and kids playing already.

Eileen Glavin, Harbor Heights Road, concerned about more noise in the harbor and clientele that might come in now with music.

Geber Jackson, 15 Beaver Dam Road, said it changes the culture in the harbor and lots of people at TK O'Malleys and is very concerned adding music and having people sit around and drink more. Requests conservative guidelines for the music. Amplification is a big deal and would like to keep it to a minimum.

Mary Ellis Loring, 11 Commerce Terrace, stated she can hear people laughing all the time and feels it will change the character of the harbor to have the outdoor music. Boaters are not going to be interested in listening to the music.

- 2) Motion made and seconded to grant an Outdoor/Patio Entertainment license to TK O'Malley's for acoustic guitar music and singers. Monday thru Wednesday 4 pm – 10 pm and Thursday thru Sunday 12 pm – 10 pm. (Unanimous Vote 4-0)

DISCUSS/VOTE Clapp Road: Acceptance Donation of Land

Motion made and seconded to accept the conveyance of 8.9 acres of land at 214 Clapp Road on behalf of the Town of Scituate. (Unanimous Vote 4-0)

Laura Harbottle Town Planner explained the piece of land to the Board of Selectmen. Highly regulated piece of land. Mr. Matthew Watsky presented the proposal to the Board of Selectmen and stated that the land will have a permanent conservation restriction on it with passive recreation uses permissible.

NEW BUSINESS

1. **DISCUSS/VOTE** Polling Hours Annual Town Election
Motion made and seconded to approve the polling hours for the Annual Town Election to be held on Saturday, May 31, 2014 be set for the hours of 8:00 a.m. to 5:00 p.m. (Unanimous Vote 4-0)
2. **VOTE:** Annual Town Election Warrant
Motion made and seconded to approve the Scituate Town Warrant for the 2014 Annual Town Election to be held on Saturday, May 31, 2014. (Unanimous Vote 4-0)
3. **DISCUSS:** Dates for BOS Retreat
The Town Administrator would like the Board of Selectmen to look at some dates in June. Patricia Vinchesi will email some options including June 28 and confirm with selectmen.

Selectman Danehey wanted to thank Donna Bangert for her work on Ship Shape Day cleanup. Much appreciated to everyone who participated with Ship Shape Day. Selectmen Danehey thanked Ann Burbine for distributing flyers for South Shore Coalition and hosting the Legislative Breakfast.

Selectman O'Toole said that on May 10 from 2-5 pm there is a festival in North Scituate sponsored by some local businesses.

Selectman Vegnani cautioned people to drive slowly around ball fields and swing by and catch a game. Enjoy first Friday in the harbor to support the local merchants.

Ms. Vinchesi met with Representative Cantwell to speak about issues important to Scituate. Mr. Bangert attended a lecture in Philadelphia, PA to speak.

OTHER BUSINESS:

1. Correspondence, Acceptance of Minutes: March 25, 2014 Executive Session, April 8, 2014
Motion made and seconded to accept the Board of Selectmen meeting minutes for March 25, 2014 Executive Session, and April 8, 2014 meeting. (Unanimous Vote 4-0)
2. Adjournment and Signing of Documents

The Board voted by roll call vote to adjourn the open meeting at 8:40 p.m. and move into Executive Session.

Lorraine Devin
Executive Assistant

List of Documents for April 29, 2014 Board of Selectmen Meeting

- Agenda
- TA Items Pending
- Drinking water week
- One day beer and wine application Lavishly Dunn, 5/17/14
- Lucky Finn Site Plan Waiver
- TK O'Malley's outdoor entertainment application
- Acceptance of land, Benjamin Studley Farm gift of 8.9 acres
- Polling hours request for the annual town election
- Approval of Scituate Town Warrant for 2014 Annual Town Election
- Letter to the editor
- Executive Session minutes for March 25, 2014
- Executive Session backup