

Selectmen's Meeting  
Tuesday, May 13, 2014  
Selectmen's Meeting Room  
Minutes

The meeting was called to order at 7:02 p.m. and the following members were present: Shawn Harris, Chairman, Anthony Vegnani, Vice-Chairman, Richard Murray, Martin O'Toole, and John Danehey.

Also present was Al Bangert, Acting Town Administrator.

**ACCEPTANCE OF AGENDA**

Motion made and seconded to accept the agenda as presented. (Unanimous Vote 5-0)

No Walk ins

**REPORT OF THE ACTING TOWN ADMINISTRATOR**, Al Bangert.

Kevin Cafferty will update status of the water main work tonight. The Town will be advertising jobs in the highway, sewer and grounds departments. These will be good long term jobs with benefits. We are looking for 4-5 good people for a wide variety of positions.

The wind turbine has an electrical fault. We are working with the manufacturer to chase down the faults. Everyone is working diligently to fix the problem. The Town is protected with guarantees and will be reimbursed. In year 1 we netted \$183K and in year 2 it was \$235K. Of the \$235K, 191K went into the revolving fund and \$44K to tax revenue. We are now beginning year 3. The solar panels netted \$141K already in year 1. Arrangements with South Shore Vocational and National Grid are already in place.

**SCHEDULED ITEMS:**

**DISCUSS/VOTE** Seasonal Liquor License – SAI Convenience Corp dba Dad's Place

Mr. Patelle would like to grow their business and feel it would be convenient for the neighborhood. Everyone asks the store to carry beer and wine. The owners have a petition where 80 people signed it in support of carrying beer & wine. In 2011 they bought the business and purchased the real estate as well in 2013. They have a real commitment to the store and the neighborhood.

Selectman Vegnani is against this and is not in favor of another liquor store where there are so many children in the area. Selectmen Vegnani did not support the last application either. It is nothing against the owners personally. Selectman Murray does not support an additional liquor license. It is a neighborhood store and he prefers the town keep it to that one for the time being.

Selectman O'Toole voted to support the other license as a test area for a seasonal license. Attorney Herndon said these owners have a greater investment in their business and have owned it longer than the other business in town that was approved for a seasonal liquor license. The owners do have cameras installed inside and outside the store. Selectman Vegnani said this store is located in a more residential area. The owners said this would be in the back of the store not near the front. Selectman Harris said for years the store has survived without selling beer and wine and he cannot support this seasonal license. Mr. Herndon said they will be competing against a store close by where a seasonal license was granted. Selectman Danehey said his biggest fear is every store is going to come in and ask for a beer and wine license. Selectman Danehey said he wants to see the stores thrive. Selectman Danehey does support the request since the owners have vested themselves by purchasing the building.

Cheryl Sipola, 2 Holly Road, is representing the neighborhood and is opposing the license since it is a family neighborhood. Children infant to 10 years old walking with parents along Hatherly want a neighborhood store. Also school bus stop and summer camp stop there. Alcohol so close would be a risk. Traffic would be impacted and feels this would cause more of a traffic issue. Ms. Sipola feels crime and underage drinking would be a problem. Selling alcohol in a local convenience store sends the wrong message to kids. The store has been great neighbors but residents do not want beer and wine sold in the neighborhood. Three years ago the homes in the area were broken into and robbed. Alcohol sales may encourage crime in the area.

Paul Scott, 359 Country Way, sent a letter and pointed out on 2 different occasions the town overwhelmingly rejected the sale of alcohol in variety stores. This was voted down at several town meetings.

Sheila Barrett and mother Jane Kennedy, 10 Oakhurst Road, live in the area. The neighborhood should not get in the way of the benefit of the store. My great grandmother's house has been there a long time. Our family is right next door and feels it is experimental and the store should be successful.

**Motion made and seconded to not grant Dad's Place a liquor license. Four voted against (Selectman Vegnani, Selectman Murray, Chairman Harris, Selectman O'Toole) and one voted in favor (Selectman Danehey). Motion not granted.**

**DISCUSS/VOTE** Beer and Wine License –Westport Winery-Farmer's Market

This company sold wine at the farmer's market last year and there were no problems. No samples are allowed to be served on St. Mary's property.

**Motion made and seconded to grant a Farmers Market Beer & Wine license to Westport Rivers Vineyard & Winery for the Scituate Farmers Market which runs every Wednesday from June 25, 2014 – October 29, 2014 from 3:00 p.m. to 7:00 p.m. (Unanimous Vote 5-0)**

**DISCUSS/VOTE** One Day Liquor License – Riva’s – May 15

**Motion made and seconded to grant a one day beer & wine license for Riva’s for event at the Maritime Center on May 15, 2014 from 6:00 p.m. to 10:00 p.m. (Unanimous Vote 5-0)**

**DISCUSS/VOTE** One Day Liquor License – Front Street Gourmet – May 24

**Motion made and seconded to grant a one day beer & wine license for Front Street Gourmet for event at the Maritime Center on May 24, 2014 from 2:00 p.m. to 8:00 p.m. Four Selectmen voted in favor (Selectman Vegnani, Selectman Murray, Chairman Harris, Selectman O’Toole and One (Selectman Danehey) abstained.**

### **Dave Ball, Memorial for Lighthouse Point**

Bob Gallagher, Lighthouse Keeper and David Ball, Historical Society discussed a proposed memorial brick project at the lighthouse. They would like to start at the flagpole. Dave has spoken to Joe Buckley at Harbor Masters Office about the company they used. If the town is interested in proceeding we could use the same company. Brad White runs burial at sea business and contacted David Ball about partnering. Funds would go into lighthouse rental account for all repairs and maintenance for the lighthouse. Webcams at the lighthouse are down right now. They receive a lot of messages about webcams being down at the lighthouse. Nearly 80K users have come through the blog which is pretty popular. The lighthouse keeper would like to expand the educational aspect of the lighthouse and this is where the money could be directed toward. Selectman Murray encouraged Mr. Ball to continue research on this and thought it was premature to discuss where the funds would go. Selectman Danehey would be concerned with any water and destruction of bricks vs cobblestone or granite. Selectman Vegnani said he would like to see a defined capital goal stating what the funds would be used to purchase. Selectman Murray discussed capital outlay and suggested they develop a funding model since there are options. Mr. Bangert suggested they could sell the bricks and then donate the project to the town as another option.

**DISCUSS/APPROVE/NOT APROVE** Request for Additional Water Abatement

Fred Boyajian, 92 Marion Road

Mr. Boyajian happened to be the owner of record when something happened on the property. He just cannot believe 1.9m gallons of water could have gone through Marion Rd. Shawn Harris said the meter was tested and was working. Selectman Vegnani stated they know there was a water leak and the water was gushing out. Chairman Harris said there is some responsibility on the home owner. Selectman Murray said that is a lot of water. Mr. Bangert said in the empty house water was running. When pipes break they burst and thaw or a seam will split. When the warm weather comes you’ll see a little bit of water coming out of the ground then it bursts. It is very likely that this happened. If the house was empty all through the spring why was the water running? Mr. Boyajian said the break was inside the foundation. Selectman O’Toole said they adjusted 100% of the sewer and 25% of the water bill at a previous meeting. Selectman

Danehey said water can find its way since this break happened in the house. Typically, the Selectmen have given a 25% discount on an issue like this. Mr. Boyajian feels he should get the benefit of the doubt. Selectman Murray said water can go underground and go away pretty fast. Selectman O'Toole stated based on the time frame the leak was there it adds up. Mr. Boyajian stated there is no one in the house and feels it is impossible to use that much water. It is unknown to anyone. The water main was broken and was replaced immediately. Selectman Vegnani said it is a lot of water to get your arms around. Mr. Boyajian read his attorney's Mr. Marabito's letter point #7 to the Board of Selectmen. He is offering to pay a reduced rate.

**Motion mad and was seconded to not grant an additional water abatement for 92 Marion Road. (Unanimous Vote 5-0)**

Disclosure of Interest: David Glancy

**Motion made and seconded to approve Mr. David Glancy to the Waterways Commission**

**Selectman Murray abstained and left the room. Four voted in favor (Selectman Vegnani, Chairman Harris, Selectman O'Toole, and Selectman Danehey).**

**DISCUSS/APPROVE** Application for Sewer Betterment Deferral Parcel ID 14-1-49-0-R

**Motion made and seconded to approve a sewer betterment deferral for Parcel ID 14-1-49-0-R. (Unanimous Vote 5-0)**

**DISCUSS /VOTE:** Contract Awards with Kevin Cafferty, Acting DPW Director  
Cushing & Wampanoag Basketball Courts, F. Riley Construction, Hingham \$69,900.00

Kevin Cafferty said the bid package was put together and advertised in the central register. One bid was received back after advertisement in the local paper and registry. Kevin provided an overview of the project. Remove all existing asphalt. Wampanoag will be larger and entire sub base will be taken out and new gravel added then pave and install basketball courts. The courts will be full sized basketball court. Cushing will be redone. They are both currently in rough shape. CPC money will cover both of these projects. Humarock project will go out to bid separately.

**Motion made and seconded that the Board of Selectmen award the contract to remove and replace the existing basketball courts located at the Cushing and Wampanoag Schools to F. Riley Construction, Hingham for a lump sum fee of \$69,900.00. (Unanimous Vote 5-0)**

**DISCUSS/VOTE** Solar Contract Amendments with Al Bangert, Special Projects Director

Al Bangert reviewed bank changes required but have no impact to the Town of Scituate. The documents have been prepared with their lawyer and Mark Kalpin, our attorney. Our legal fees have to be paid for by the party who initiated this request so there is no charge to the Town.

**Motion made and seconded that the Board of Selectmen agree to sign the Third Amendment to the Net Metering Power Sales Agreement and the two documents entitled Consent and Agreement to Collateral Assignment. (Unanimous Vote 5-0)**

**NEW BUSINESS**

**DISCUSS/VOTE** Drain Layer's License – Jim Merritt, Pond Corporation

**Motion made and seconded to grant a drain layer's license renewal for Pond Corp. (Unanimous Vote 5-0)**

Program for Memorial Day May 26, 2014 Chairman Harris read overview of the Memorial Day program.

**OTHER BUSINESS:**

Kevin Cafferty gave overview of current projects. Water work began on Glades Road and is ongoing. The contractor has made a lot of progress down to Tilden Ave and to the end of Glades. Rock was included in the contract. This area should be complete before July 4<sup>th</sup> with temporary patch until next spring.

Woodland Rd is ongoing and ½ the pipe installed. Pressure testing by next Wednesday. Two to three weeks to complete

Lighthouse Road is ongoing. Taking out old waterline and installing new waterline in its place. Surface waterline ½ away around the point right now.

Starting work on Front Street and working on Allen Place. Contractor approached and offered to do some of the work at night 11 pm – 7 am Monday thru Friday night on Front Street itself. Sent to Chamber of Commerce and the business owners are in support of that. Talking with the residents and would like the Boards opinions. Will start at 11 pm but would not shut the water off unless grave problem. This would be for one week and then finish Front Street starting next Monday. Selectman Murray said it would be quicker and even though they would be impacted would be more efficient in the evening. The alternative is one lane on Front Street during the day. These pipes run from Front Street to Hazel Ave. Selectman Danehey suggested fixing cross walks while the project is in progress. Leaflet to residents and web email should both be done.

Lights at Gannet and Hatherly new conduits installed. Lights need to be rewired and should be up and working in two weeks.

The board thanked Kevin Cafferty for coming and reporting the status.

Selectman Murray has been attending some of the little league games and fields look marvelous.

Selectman Danehey wants to commend the Commission on Disabilities appeal to the MBTA to make the sidewalk accessible near the Greenbush train station. Also on Jericho Road the walking path trail looks great. Many thanks to everyone who worked on the project and the CPC. In every case the sidewalks are handicap accessible even with the telephone poles. Fun Run on Sunday at 9am 5K Scituate Beach Association.

Chairman Harris mentioned last weekend there was a run/walk and he could have avoided it. It would be helpful if there were signs to indicate the event so residents could avoid the area if they chose.

Selectman Vegnani wants to congratulate all the athletes for the Special Olympics. Betsy Callahan does a great job with that program. This Thursday night the lights were installed on the baseball field and there is a ceremony and the biggest donator was the Reidy Foundation. It is at 6:30 p.m. Thursday night. Scituate girl's lacrosse team was in the Boston Globe top 20. Economic Development Committee meeting is next Tuesday May 20, 2014 at the Scituate Harbor Community Building.

Chairman Harris mentioned the Reidy's will be having a gathering after the dedication of the lights at the baseball field. The MBTA publicly advertised the sale of 2 ½ acres of the parking area.

Motion was made and seconded to accept the minutes of March 25, 2014, April 29, 2014 and April 29, 2014 Executive Session. (Unanimous Vote 5-0)

The Board voted to adjourn the meeting at 9:06 p.m.

Lorraine Devin  
Executive Assistant

### **List of Documents for May 13, 2014 Board of Selectmen's Meeting**

- Agenda
- Seasonal Liquor License - SAI Convenience Corp dba Dad's Place
- Westport Winery Farmer's Market Beer and Wine License
- One Day Beer and Wine License Riva
- One Day Beer and Wine License Front St. Gourmet
- Memorial for Lighthouse point
- Request for Water abatement 92 Marion Rd.
- Disclosure of Interest David Glancy
- Sewer Betterment deferral Parcel ID 14-1-49-0-R
- Contract Awards Cushing & Wampatuck Basketball Courts
- Solar Contract Amendments
- Drain Layer's License Renewal
- Program for Memorial Day