

**Meeting Minutes
Board of Selectmen
August 19, 2014**

In Attendance: Chairman John Danehey, Vice-Chairman Shawn Harris, Martin O’Toole, Anthony Vegnani.

Also in Attendance: Patricia Vinchesi, Town Administrator

The meeting was called to order at 7:01 p.m.

Acceptance of Agenda – The Board voted unanimously (4-0) to accept the agenda as presented

There were no Walk-ins.

REPORT OF THE TOWN ADMINISTRATOR:

The Community Rating System meeting tonight is being coordinated by the Conservation and Natural Resources Officer and our new Coastal Resource Officer who will advise attendees on the Town’s policies and procedures as well as provide information on flood planning response, prevention and insurance. Last Thursday there was a meeting of the Marshfield Coastal Coalition to discuss status of FEMA appeals. A scientific panel will be established and the Town will get to choose two people to represent Scituate on the panel. The Town of Scituate has more coastal issues than any other town in Massachusetts. Scituate has elevated approximately 100 homes since 1978. This work is important to the Town. Ms. Vinchesi expressed her thanks to Senator Hedlund’s office relative to legislation filed recently regarding Pension Obligation ZBonds. Discussions to amend the use restrictions for the Scituate Harbor Community Building are ongoing. Town Counsel Jim Toomey is working with the MBTA on this issue and a decision is expected soon. The MBTA has agreed to allow the Town to use the building for other town uses such as potential library space or swing space for other town departments

The annual DPW “Touch a Truck” Day is schedule for this coming Friday and it is a great community event for children. The fire and police departments are hosting a public safety day on September 27, 2014 and it will be open to the public. A variety of events are in the planning stages and more information will be forthcoming. Ms. Vinchesi is on vacation next week.

SCHEDULED ITEMS:

Transfer Common Victuallar JW Burger Bar – Mike Tondorf

Chairman Danehey recused himself from the discussion and left the room at 7:06 pm.

Mike Tondorf is the new owner of JW's Burger Bar and would like the new transition to be as smooth as possible. Nothing is changing with the staff. The plan will be to branch out and be creative with some additional menu items. The ABCC requires additional paperwork that should be completed soon. It will not be closed for the transition and the hours will remain the same.

Move to transfer the Common Victualler License to Grateful Haven LLC dba JW's Burger Bar. Unanimous Vote (3-0) by Selectman Vegnani, Selectmen Harris and Selectmen O'Toole (Chairman Danehey recused himself and did not vote.)

Entertainment License Indoor & Outdoor JW's Burger Bar – Mike Tondorf

Move to grant an indoor entertainment license for an acoustic guitar and singer to Grateful Haven LLC dba JW's Burger Bar Monday to Sunday 9 am to 11 pm. Unanimous Vote (3-0) by Selectman Vegnani, Selectman Harris and Selectman O'Toole (Chairman Danehey recused himself and did not vote.)

Move to grant/ an outdoor entertainment license for an acoustic guitar and singer to Grateful Haven LLC dba JW's Burger Bar Monday to Sunday, May to October, 12 pm to 8 pm. Unanimous Vote (3-0) by Selectman Vegnani, Selectman Harris and Selectman O'Toole (Chairman Danehey recused himself and did not vote.)

Chairman Danehey returned to the meeting at 7:23 p.m.

Request to Move Chief Justice Cushing Boulder/Plaque – Robert Chessia

Mr. Chessia provided members with the details surrounding the required move of the Boulder with Board members. The boulder includes a valuable plaque and it was in a previous location where no one could see it. Community Preservation funds were allocated for the restoration and for a bench and the Historical Society will cover any additional expenses.

Move to grant approval to move the Chief Justice Cushing Boulder/Plaque from its current location at the Scituate Historical Society to the Grist Mill location 20 feet from the street and east of the cross walk. Unanimous Vote (4-0).

NEW BUSINESS

1. One Day Liquor License for the following:
 - Ellen MacKenzie Catering – September 4 SMC, 4:30 pm-8:30 p.m.

Move to grant Ellen Mackenzie a one day beer and wine for an event September 4 at SMC 4:30 – 8:30 p.m. Unanimous Vote (4-0).

2. Selectman Vacancy

1. Selectman Vacancy – Date of Special Election

There are four options to fill the Selectmen Vacancy reviewed at the last Selectmen's meeting.

Kathy Curran, Town Clerk, explained that separate ballots will be required and additional election workers would be needed to meet the 24 election worker requirements. The cost would be approximately \$5,700 to have the Selectman election the November 4, 2014 state election.

If a Special Election was chosen on a separate day, the cost would be between \$8 and \$9,000.

Residents can file a petition to call a special election to fill the vacancy which would also cost between \$8,000-\$9,000.

If the election were held in January, 2015 there would be no additional cost. The May election would be right around the corner for the person to run again.

Board members discussed the various options, pros and cons, to having the election now or waiting a few months. Board members agreed that having five members was ideal and that the November election would also have a large voter turnout and many more citizens would likely turnout for the vote.

Move that the Board of Selectmen hold a Special Town Election to fill the vacant Selectmen position for the remainder of the term, which expires at the Annual Town Election of May 2015, and further that this Special Town Election take place with the State Election on November 4, 2014. Unanimous vote (4-0).

Move that the vacancy of the selectmen position be placed on the ballot of the November 4, 2014 Special Town Election. Unanimous vote (4-0).

2. Polling Hours for Special Election

Move to approve the polling hours are set from 7:00 a.m. to 8:00 p.m. for the State and Special Town Election to be held on November 4, 2014 at the Scituate High School gymnasium. Unanimous vote (4-0).

Ms. Curran stated that papers will be ready tomorrow (8/20) afternoon in the Town Clerk's office. Interested candidates need 100 certified signatures submitted to the Town Clerk's office by September 16, 2014 before 5:00 p.m.

3. VOTE APPOINTMENTS

1. Board/Committee Appointments

a) Conservation Commission

Move to appoint John Hannon to the Conservation Commission for a term of three years or until a successor is named. Unanimous Vote (4-0).

b) Zoning Board

Move to appoint John Hallin to the Zoning Board for a 3 year term or until a successor is named. Unanimous Vote (4-0).

c) Affordable Housing Trust

Tabled to future Board of Selectmen meeting.

d) Traffic Rules & Regulations

Move to appoint Dorothy Cook to the Traffic Rules and Regulations Committee for a term of one year or until a successor is named. Unanimous Vote (4-0)

Move to appoint Paul Fantasia to the Traffic Rules and Regulations Committee for a term of one year or until a successor is named. Unanimous Vote (4-0)

OTHER BUSINESS:

1. Correspondence - There was no correspondence to review.

2. Vote Executive Session minutes:

Move to not release Executive Session Minutes for 4/29/14 since the matters discussed are still pending at this time. Unanimous Vote (4-0).

General Announcements

Selectman O'Toole – Scituate DPW day will be Wednesday, August 27th. Come on down!

Selectman Vegnani – Congratulations to the 12 A Little league team who won the District 8 Championship. Congratulations are also due to the 12B team for a fantastic season.

Chairman Danehey – Saturday is the parade of horrors in Humarock and the Sand Hills parade will be on Sunday Labor Day weekend. School opens two weeks from today so drive carefully with children and busses.

3. Adjournment and Signing of Documents

Meeting was adjourned at 7:55 p.m. to sign documents and go into Executive Session.

EXECUTIVE SESSION:

1. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. – St. Peter

List of Documents August 19, 2014 Board of Selectmen Meeting:

Common Victualler Grateful Haven LLC, dba JW's Backyard Burger Bar
Indoor/Outdoor Entertainment License Grateful Haven LLC, dba JW's Backyard Burger Bar
Letter and map for move of Chief Justice Cushing boulder and plaque
One Day Liquor License Request from Ellen MacKenzie Catering for SMC 9/4/15
Letter from Kathleen Curran, Town Clerk, outlining costs for additional election & workers
Letter from Kathleen Curran, Town Clerk requesting polling hours
Board Committee Applicants & Renewals spreadsheet
Board of Selectmen Minutes Tuesday, August 19, 2014

BOARD OF SELECTMEN

John F. Danehey, Chairman

Shawn Harris, Vice Chairman

Martin J. O'Toole

Anthony V. Vegnani

Respectfully Submitted,

Lorraine A. Devin
Executive Assistant