

**Meeting Minutes
Board of Selectmen
March 24, 2015**

In Attendance: Chairman John Danehey, Vice Chairman Shawn Harris, Martin O'Toole, Maura Curran and Anthony Vegnani

Also in Attendance: Patricia Vinchesi, Town Administrator

The meeting was called to order at 7:04 p.m.

Acceptance of Agenda –Motion to accept the agenda by Mr. OToole Second by Mr. Harris. The Board voted unanimously (5-0) to accept the agenda as presented

Walk Ins -

Mr. Fred Dorr, 36 Indian Trail read a prepared statement related to the seawall and shore protection with a recommendation for WADS and a proposed strategic plan.

Mr. Harris said he has discussed this with our Coastal Resource Officer in the past.

Ann Burbine, 10 Pennycress Road here for the South Shore Coalition meeting at Town Hall to discuss the potential for a toll road for Route 3A. This would be funded by private sources not the State of MA. A legislative breakfast will be held Friday, April 10, 2015 at the Braintree Town Hall to discuss transportation.

Report of the Town Administrator -

The Town of Scituate is receiving an award this week for recycling. Kevin Cafferty said we had the lowest per tonnage of trash per capita on the South Shore.

This is the second to last meeting before Town Meeting. The advisory committee booklet will be ready by Tuesday and will be posted on the Town website. The warrant is on the website and was posted in the Scituate Mariner.

The Town's appeal with the scientific resolution panel will be Thursday, April 2, 2015 and we will present our reasons why we feel the panel's appeal should be rejected. The turn-around time for this is 4-6 weeks.

SCHEDULED ITEMS:

Renewal of Seasonal Wine & Malt License for Sand Hills General Store, Frank Colpoys, Attorney & Daniel McAdam, Owner

Frank Colpoys said this is the third time we have come before the Board for the original seasonal license and then an extension to January 15, 2015. Now we are here to request the full Seasonal Beer and Wine license. There have been no issues with the seasonal license. Mr. Vegnani said he has been to the store and they are doing a good job. Mr. Harris said he agrees they are doing a good job. Ms. Curran asked what percentage of sales are due to the beer and wine seasonal license. Mr. McAdam said sales were improved by 35% overall because everything is there now. The beer and wine is only 10% of the sales. Mr. O'Toole would love to say have it for the year but we have no more annual licenses available. Mr. Danehey said that they have done a fabulous job with the store and it is now a community store not a package store. Sand Hills offered free coffee and doughnuts after the storm to the residents in the area. The owners have exceeded expectations putting in the electronic scanner for licenses and giving back to the community.

Move that the Board of Selectmen vote to renew Sand Hills General Store's Seasonal Wine & Malt License from April 1, 2015 through January 15, 2016. Motion by Mr. O'Toole second by Mr. Vegnani Unanimous Vote (5-0)

Waterways Commission change to Liability Insurance Requirement, Peter Toppan, Vice Chairman, Waterways Commission

Mr. Harris asked if you have a \$25,000 boat what would it cost for insurance? Mr. Toppan said it would cost nothing additional with his existing insurance policy on his boat. Not every carrier may carry it this way. Mr. Vegnani asked why a 14 foot boat would not require insurance? Mr. Toppan said a 14 foot would not do much damage and this is consistent with policies of other communities.

This is an amendment to the original vote on November 18, 2014 provided by the Waterways Commission.

Move that the Board of Selectmen accept a change to the mooring regulations to read "Liability or Protection & Indemnity insurance in the amount of at least \$250,000 shall be required on all motorized or self-propelled vessels over 16 feet in length whose owners lease slips, berths , moorings, or seasonal launch privileges in the Harbor. A certificate of the insurance from the insurance agent naming the Town of Scituate as ' additional insured ' must be submitted to the Harbormaster before the annual lease is granted." Motion by Mr. Vegnani Second by Mr. Harris Unanimous Vote (5-0)

Bond Anticipation Note, Pam Avitabile, Treasurer/Collector

Pam Avitabile, Treasurer/Collector reviewed the Bond Anticipation Note information with the Board of Selectmen. After a brief discussion the Board voted as follows:

Voted: to approve the sale of the \$9,043,000 0.75 percent General Obligation Bond Anticipation Notes (the "Notes") of the Town dated March 27, 2015, and payable June 30,

2015, to TD Securities (USA) LLC, at par and accrued interest, if any, plus a premium of \$15,553.96.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated February 26, 2015, and a final Official Statement dated March 11, 2015, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures in such form as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the agenda for the meeting, a copy of which is attached hereto, was posted on the bulletin board of the town at least 24 hours before the meeting in compliance with Section 7-11 of the Town Charter.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Mr. O'Toole read the vote by the Board of Selectmen for the Bond Anticipation Note.

Motion by Mr. O'Toole Second by Mr. Vegnani Unanimous Vote (5-0)

**GATRA Public Transit Discussion, Patricia Vinchesi, Town Administrator
Postponed tentatively to next meeting.**

Mr. Danehey said he apologized for allowing Mr. Dorr to speak about an item he sells during the walk in period. Mr. Danehey stated that Mr. Dorr sells these WADS and it is inappropriate for him to come into the meeting and present items he sells.

Adaptive Building Reuse Committee Charge, Patricia Vinchesi, Town Administrator

Ms. Vinchesi said the Public Buildings Committee did a wonderful job putting together the options for public buildings. This charge was developed and we are looking for the Board to review the charge so we can move forward. Ms. Vinchesi said this group would undertake a comprehensive analysis of potential reuses for Gates Middle School, Police Station, Fire Station 3, Town Hall and Senior Center. The analyses should include future uses for the town as well as the potential benefits of disposing of any of these properties. The Committee's work should include, but not be limited to the following:

1. Develop conceptual plans denoting each potential option with an attendant cost/benefit analysis for each recommended action.
2. Evaluate building condition and structural integrity to determine if further investment is warranted; this has already been completed for the Gates Middle School.
3. Incorporate and insure a robust public input component through surveying, analysis, meetings and any other means deemed necessary by the Group
4. Review existing plans, studies, conduct site tours, conduct appraisals, and obtain other information as needed to support the analyses.
5. Obtain/Develop a needs assessment which would include efficient operations, location and adequate office space for all effected town departments and functions.
6. The Recreation Department has lost its home at Scituate High School as a result of the new middle school project. It will be relocated to the Gates Middle School Gymnasium until a decision is made about the final use of the Gates School building. Final recommendations by the committee need to include alternatives for a permanent home for this department.

Mr. Vegnani said if any type of external resources and funding is needed for this project that they come back before the Board of Selectmen. Ms. Curran said she liked that public input would be considered. Mr. Harris asked if there was any idea how many people would be needed. Ms. Vinchesi said it would be a Board of seven individuals. Mr. Danehey said he felt the Recreation Department should be included. Ms. Vinchesi said when you have people come from other committees they are torn between their own committees and this new committee.

Move that the Board of Selectmen approve the establishment of an Adaptive Building Reuse Committee. Motion by Mr. Vegnani Second by Mr. O'Toole Unanimous Vote (5-0)

Coastal Advisory Commission Charge, Patricia Vinchesi, Town Administrator

Ms. Curran said foreshore protection planning is important to the community and thanked the Town Administrator for expediting this. Ms. Curran would like all the options review and a full comprehensive plan of action developed. Coastal Coalition is a community outreach group where this is a group appointed by the Board of Selectmen to develop a comprehensive plan to research options, participate as an education and outreach organization, develop and monitor bench marks, seek subject matter experts to assist the Town with this plan, develop policies and bylaws for foreshore protection, prepare grants for helping to fund the recommendations. Mr. Vegnani said Selectmen Murray started something like this before he left the Board. Ms. Curran reached out to him and received some local names that would be good subject matter experts for this committee. Mr. Danehey said he was curious why a boating community representative would be necessary? He also asked where an evaluation of existing seawalls was included in this charge. He feels the existing seawalls needs to be in the charge as #7 under specific responsibilities. This is a long term committee to advise the Board of Selectmen. The Seawall Committee could be a sub-committee. Mr. Vegnani said the scope of this is huge. Ms. Vinchesi said we actually need a beach committee where so many issues are arising for our beaches. We are a Town of many committees but we have many responsibilities. Mr. Harris asked if we would be looked upon more favorably for grants. Ms. Vinchesi said she could envision this group working with other communities for regional issues.

Mr. Danehey suggested that we look at this charge and make some modifications to put on a future April 7, 2015 agenda. No vote was taken at this meeting.

Ms. Vinchesi suggests an open meeting to invite the public to discuss all our boards and committees prior to our next annual appointments.

OPEB, Nancy Holt, Town Accountant & Patricia Vinchesi, Town Administrator

OPEB stands for Other Post-Employment Benefits (OPEB) The Town has a liability of \$65M of employees in retirement. We only started funding this in 2011. This has always been in existence but we needed to recognize this in the public sector since 2008 when the first actuary study was required. Special legislation to adopt trust funds began. Investors are asking what the Town is doing to address the liabilities. Mr. Vegnani said when someone retires the Town is responsible for their health insurance until they pass away and their surviving spouse. The way we have dealt with it in the past is we deal with it as we go. Now the Investors are looking for Towns to fund this in advance. You can dramatically decrease your liability by funding it. Mr. Danehey said he would need a lot more information about employees and how it would affect them before he could make decision on this. Ms. Holt reviewed the presentation “*Trusting Your Trust Fund part 6 OPEB: What Select boards Need to Know*” which was presented November 13, 2014 by Mr. D. Abrahams, CPA and options available to the Board.

The Board can vote to establish the irrevocable trust. The Board would like to review this in more detail and add this to the agenda for the next meeting on April 7, 2015.

DISCUSS/ASSIGN Special Town Meeting & Annual Town Meeting Warrant Articles

The Board of Selectmen reviewed the list of Special and Annual Town meeting articles to determine which Board member would present the article at Town Meeting.

List of Special Town Meeting and Annual Town Meeting Articles April 13, 2015

Special Town Meeting – John Danehey 1-10

1. Unpaid Bill FY 14
2. Recovery and Remediation Costs – Blizzards and Storms of 2015
3. Snow Removal Deficit
4. Fiscal Year 2015 Budget Balancing
5. Fiscal Year 2015 Sewer Expenses
6. Fiscal Year 2015 Water Expense
7. Sewer Debt Pay down
8. Establishment of Sewer Enterprise Capital Stabilization
9. Establishment of Water Enterprise Capital Stabilization
10. Energy Rebate – School Painting

Annual Town Meeting

1. Compensation of Elected Officials – John Danehey
2. Reauthorization of Revolving Funds – John Danehey

3. Fiscal Year 2016 Capital Improvement Plan and Transfers to Capital Stabilization Fund – Maura Curran
4. Fiscal Year 2016 Operating Budget – John Danehey
5. Waterways Enterprise Fund – Martin O’Toole
6. Golf Course Enterprise Fund – Martin O’Toole
7. Wastewater Enterprise Fund – Martin O’Toole
8. Transfer Station Enterprise Fund – Martin O’Toole
9. Water Enterprise Fund – Martin O’Toole
10. Stabilization Fund Excess Levy – Shawn Harris
11. Community Preservation Act – Shawn Harris
12. Community Preservation Act Reconciliations – Tony Vegnani
13. Massachusetts General Laws Chapter 91 Liability – Tony Vegnani
14. Donation of Land – Musquashicut – Tony Vegnani
15. Clapp Road Land Swap – Tony Vegnani
16. Zoning Amendment – Building Height and Setback in Flood Zones – Tony Vegnani
17. Zoning Amendment - Establish Maximum Size for Accessory Dwellings – Maura Curran
18. Petition Article – Seawall Funding Citizens Article – John Danehey
19. Petition Article Zone Change – Maura Curran

Mr. Vegnani stepped out of the meeting at 8:50

NEW BUSINESS

1. Board & Committee Appointments

- a) Bylaw Review Committee

Move to re-appoint Greg Harris to the Bylaw Review Committee for a term of three years or until a successor is named. Motion by Mr. O’Toole Second by Ms. Curran Unanimous Vote (4-0)

- b) Election Worker

Move to appoint Election Worker Karen Frey. Motion by Mr. O’Toole Second by Mr. Harris (Unanimous Vote 4-0)

2. DISCUSS/VOTE One Day Beer/Wine License

- a) Silent Chef, SMC, May 30, 2015 12 p.m.-4 p.m.

Move to grant Silent Chef a one day beer and wine license for a Memorial Service to be held at Scituate Maritime Center on May 30, 2015 from 12-4 pm Motion by Mr. Harris Second by Ms. Curran Unanimous Vote (4-0)

Mr. Vegnani returned to the meeting at 8:54 p.m.

- b) Hospitable Hostess, SMC, May 31, 2015 11 a.m.-3 p.m.

Move to grant Hospitable Hostess a one day beer and wine license for an Anniversary Party to be held at Scituate Maritime Center on May 31, 2015 from 11-3 pm Motion by Mr. Harris Second by Mr. O’Toole Unanimous Vote (5-0)

3. **DISCUSS/VOTE** Annual License Renewal

a) Davis Parking Lot

Move that the Board of Selectmen approve the annual Davis Parking lot license.

Motion by Mr. Harris Second by Mr. O'Toole Unanimous Vote (5-0)

4. **DISCUSS/VOTE** Sewer postponed to next meeting

OTHER BUSINESS:

There is no correspondence received for this meeting.

Mr. O'Toole asked if anyone would be interested in carrying the Selectmen banner for the St. Patrick's Day parade. Mr. Danehey said he could find some kids to carry the banner.

Mr. O'Toole said there are going to be some residents running in the Boston Marathon and there is a fundraiser March 28 at the Widows Walk Golf Course at 7 p.m. and is accepting donations. It is \$20 at the door and there will be food, music, door prizes and games.

Mr. Vegnani said he attended the harbor merchants meeting about Heritage Days and we are moving in the right direction. It is in August and we are working out the details. Communication is the important thing. There are some concerns that need to be worked out.

Citizen of the Year dinner honoring Ann Marie Galvin was held Thursday evening and it was a wonderful night. Ann Marie Galvin said it was a team effort. Mr. Vegnani congratulates Ann Marie Galvin and thanks her for all her work on behalf of the Town.

Maura Curran echoed the great work of Ann Marie Galvin and Greg Ranieri for all their outstanding work and thanked the Scituate Mariner for hosting the event.

Mr. Harris was contacted by people for activity occurring at Peggotty Beach. It is a public/private situation. The residents have material moved at their expense in front of their homes. The Town is going to level it off and something may need to be done in front of the homes as well. The berm is pretty high and it needs to be addressed. The Town cleaned the parking lot with permission from Conservation. It has not been graded yet. Nothing will be done until Conservation reviews the situation.

Mr. Danehey went to a fundraiser for sister city Sucey en Brie and they are exploring another sister city relationship with Ireland in the Cork area. On Friday, March 27, 2015 the Mad Hatters fundraiser for the parade will be at the Barker Tavern at 7pm and the cost is \$40 and the St. Pats Plunge will be April 11, 2015 to raise funds.

Mr. Danehey wanted to recognize Patricia Mertz who recently passed for her kindness through the neighborhood of Sand Hills.

Motion by Mr. Vegnani and Second by Mr. O'Toole to adjourn the meeting at 9:07 p.m.
Unanimous Vote (5-0)

Board of Selectmen Minutes Tuesday, March 24, 2015

BOARD OF SELECTMEN

John F. Danehey, Chairman

Shawn Harris, Vice Chairman

Martin J. O'Toole

Maura C. Curran

Anthony V. Vegnani

Respectfully Submitted,

Lorraine A. Devin
Recorder