

**MEETING MINUTES
BOARD OF SELECTMEN
February 3, 2016**

Present: Anthony Vegnani, Chairman, Shawn Harris, Martin O'Toole, Maura Curran

John Danehey was not in attendance at the start of the meeting but is expected to arrive later.

Patricia Vinchesi, Town Administrator

The Meeting was called to order at 7:00 p.m.

Acceptance of Agenda

Mr. O'Toole made a MOTION to accept the agenda for February 3, 2016. Second by Mr. Harris, all in favor. Unanimous vote (4-0).

Walk Ins – Andrew Boyle, 87 Hatherly Road and Adrienne Rowles, Foam Road, representing Friends of the Scituate Dog Park. Their plan is to bring a low to no cost dog park to the Town. Mr. Boyle would like to introduce the planning to the Board to let them know this is a new group in Town. The group is in the very initial stages of discussions. The group is looking for a piece of land to utilize for this dog park. A new Facebook page named "Friends of the Scituate Dog Park" was started for people to join. More information will be brought to the Board in the future.

Report of the Town Administrator – Patricia Vinchesi

Public Facilities Update

Town of Scituate Facebook page has updates for the Library and Public Safety Complex. The groundbreaking for the Middle School is scheduled for 2/10/16.

Police Station Cell Tower

We have a received a request to extend the lease on the cell tower. We will schedule this for an agenda item at a future meeting.

FEMA Update

It is the Town's understanding that FEMA is going to give the Woods Hole Group an opportunity to review the revised maps.

Ms. Vinchesi is chairing the Harbor Cultural District Committee and they have held their first meeting. More information will be forthcoming in the near future.

SCHEDULED ITEMS:

Annual Town Meeting Date/Location, Kathy Curran, Town Clerk & James Toomey, Town Counsel, MHTL, LLP

Election is scheduled for Saturday, May 21, 2016 and this date will not be changed. The primary for Senator Hedlund's seat is April 12, 2016.

The Superintendent of Schools, Mr. John McCarthy sent an email to the Town Administrator today to confirm the agreement to move Science Spectacular to April 13 at Scituate High School. Mr. McCarthy will have a custodial crew available that evening to set up for town meeting the following day. The school will provide a staging area for SciSpec volunteers and allow them to start setting up after lunch and before the end of school. We thank SciSpec organizers for their efforts to move the date of this major school and community event.

Town Meeting will take place as scheduled on Thursday, April 14th. Mr. McCarthy thanked the town administrator and Board of Selectmen for their efforts to find an alternate date. Mr. McCarthy recognized this was caused by the state's scheduling of the special election and limited the options for moving the town meeting date based upon other factors beyond the town's control.

Peter Toppan, 26 Clapp Road, one of the election workers who says a 6 pm start would not be possible for him to attend. Ms. Curran and Mr. Vegnani said this is a valid concern. Mr. Harris asked how many articles we have. Ms. Vinchesi said we have 28 articles scheduled. Chief Stewart said the elderly population should be considered as well and a 6 p.m. start is beneficial to them. The Board will think about this and discuss later in tonight's meeting.

Poll Hours for Primary (moved up from New Business on agenda)

Motion to set poll hours for the Presidential Primary to be held on Tuesday, March 1, 2016 at the Scituate High School gymnasium located at 606 Chief Justice Cushing Way. State election polls hours are 7:00 AM-8:00 PM. Motion by Mr. O'Toole Second by Mr. Harris Unanimous Vote (4-0)

Waterways User Maintenance Fee, Stephen Mone, Harbormaster

Harbormaster Mone is recommending we change the name to the Waterways User Maintenance Fee to be fair to all users of the Waterways. We have charged the slip rentals but not the mooring rentals this fee. Harbormaster Mone proposes we charge both slip and mooring rentals the fee.

Pete Toppan, 26 Clapp Road, Waterways Commission said at the last Waterways meeting the group voted to charge \$125 Waterways User Maintenance Fee to everyone both slips and moorings.

Harbormaster Mone said March 1st the bills go out and this would be included in the bill. Mr. O'Toole feels it should be the same for all.

- 1. Motion to approve the assessment of the \$125 Waterways User Maintenance Fee**
 - to private and public marina's for each slip and mooring**

- to each mooring permit holder including 10A moorings
- to 10A moorings marinas and permit holders on a float capacity basis to be determined by the Harbormaster

Motion by Ms. Curran Second by Mr. O'Toole Unanimous Vote (4-0)

Rescind Sand Hills General Store one day liquor license

Moved sooner up in the meeting from New Business #2

Move to rescind the Sand Hills General Store one day beer and wine licenses from January 26, 2016 – February 14, 2016. Motion by Mr. O'Toole Second by Ms. Curran Unanimous Vote (4-0)

Mr. Danehey joined the meeting at 7:52 p.m.

Liquor License Violations

In attendance were Police Chief Michael Stewart and Sgt. Gerry O'Brien, Scituate Police Department, Liquor Enforcement Officer. Sgt. O'Brien had a 20 year old operative who visited 16 establishments in Scituate. Of the 16 establishments, two were in violation. Reports provided by Sgt. O'Brien for Village Market and Stillwater Wine & gourmet are attached in the backup material.

Ray Peterson, Store Manager and Annie O'Donnell, Assistant Manager attended representing Jim McGinnis, Store Owner, Village Market

• **MFJ Market, Inc. d/b/a The Village Market,**

There is a full report of the incident at Village Market prepared by Sgt. Gerry O'Brien in the backup material. The cashier did not ask for identification. Sgt. O'Brien went into the manager's office. The cashier admitted to the mistake. The store manager and assistant manager attended this evenings Board of Selectmen meeting representing Village Market. Mr. O'Toole said he shops there all the time and there are underage cashiers. Mr. O'Toole has observed that older employees come over to ring in the alcohol. Mr. O'Toole suggested maybe one or two registers only process alcohol sales. Mr. Danehey said he is not inclined to let the store off easily on this occasion. Mr. Danehey was there over the holidays and noticed the store was very vigilant in carding people purchasing alcohol. Mr. Danehey said that Village Market is in danger of losing their liquor license. Mr. Harris is pro-business but stated we cannot have minors buying beer and wine. Mr. Harris suggested that a system be put in place at Village Market to prevent this from happening in the future. Ms. Curran feels that a system should be put in place to prevent this from happening in the future. The store manager takes it very seriously and has terminated the employee who violated store policy. Chief Stewart has concerns if it is that easy for a young teenager that is a cashier to put in a date of birth to bypass the computer system then there is a

problem. Chief Stewart recommends Alcohol should be served in one or two lines and that line is manned by an adult echoing Mr. O'Toole's suggestion.

Move that the Board of Selectmen find that a liquor license violation occurred on Thursday, January 7, 2016 at the Village Market, 71 Front Street, Scituate, MA. Motion by Mr. Danehey, Second by Mr. Harris Unanimous Vote (5-0)

Move that the Board of Selectmen vote to suspend the Retail Wine & Malt Beverages License held by the Village Market, 71 Front Street, Scituate, MA for Liquor License sales for 10 business days; beginning 2/4-2/13/16. Motion by Mr. Danehey, Second by Mr. Harris Unanimous Vote (5-0)

Mr. Vegnani asked that the police chief be contacted to review the new process in place and that the store owner attend a future Selectmen meeting to inform the board what policies and procedures were put in place to prevent this from happening in the future.

• **Stillwaters Wine & Gourmet, LLC, Ms. Tracy Colameco**

Mr. Vegnani said he was so disappointed to hear that Stillwaters had a violation since the all alcohol license was just approved. Sgt. O'Brien reviewed the incident as reported in the attached report. The employee admitted she did not ask for identification. Ms. Colameco was notified by the employee and she made a bad judgement call. The employee was TIPS certified and Ms. Colameco is embarrassed and upset that this occurred in her store. She has held a mandatory meeting with her employees, she instituted a new policy and had all employees sign the policy. Ms. Colameco spoke with Sand Hills and is looking to put in the \$4,000 system with \$600 a year licensing fees. The company is working on a mobile solution that Ms. Colameco is looking into for her store. Mr. Harris said he liked the steps Ms. Colameco has taken since this occurred. Mr. Danehey said it is embarrassing for Ms. Colameco and the Board of Selectmen since they had just spoken about it at a recent meeting. Mr. Danehey feels the system is worth the investment. Ms. Colameco wants to evaluate a few systems to see what is the best fit for her business. Mr. O'Toole said that Ms. Colameco should be able to ID every person who comes into the store in the interim. Ms. Curran said she was so disheartened that this violation occurred. Ms. Colameco reviewed her new policy with the Board. Ms. Curran said there has to be a MAC based system that will work for her.

Mr. Vegnani asked that the police chief be contacted to review the new process that will be put in place at Stillwaters Wine & Gourmet.

Move that the Board of Selectmen find that a liquor license violation occurred on Thursday, January 7, 2016 at Stillwaters Wine & Gourmet, LLC 366 Gannett Road, Scituate, MA. Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (5-0)

Move that the Board of Selectmen vote to suspend the All Alcohol License held by Stillwaters Wine & Gourmet, LLC, 366 Gannett Road, Scituate, MA for one day; Friday, February 5, 2016. Motion by Mr. Danehey fails.

Move that the Board of Selectmen vote to suspend the All Alcohol License held by Stillwaters Wine & Gourmet, LLC, 366 Gannett Road, Scituate, MA for one day; Thursday, February 4, 2016. Motion by Ms. Curran, Second by Mr. Harris Vote 4 in favor (Harris, Danehey, O'Toole, Curran) 1 opposed (Vegnani) Motion passes.

Selectmen took a short break at 8:45 p.m.

Selectmen reconvened at 8:50 p.m.

Mr. Vegnani revisited the start of Town Meeting Thursday, April 14th at 6:00 p.m.

Motion to rescind the vote of January 6, 2016 to start the annual Town Meeting at 6 p.m. Motion by Ms. Curran Second by Mr. O'Toole Unanimous Vote (5-0)

Motion to hold the Annual Town meeting on Thursday, April 14, 2016 at 7:00 p.m. Motion by Ms. Curran Second by Mr. O'Toole Unanimous Vote (5-0)

FY 17 Budgets

- **66 Waterways Enterprise**

Harbormaster Stephen Mone presented the operations budget for Waterways Enterprise. In FY17 mooring rules and regulations will be revisited and eliminate the gray areas. Close up the salt marsh mitigation project and remove debris from the marsh. The harbormaster office is being cleaned up and painted. The environmental police will be training the staff. The Board spoke with the Harbormaster regarding storing the docks at another location. The Harbormaster priced this out and it would be very expensive at approximately \$120,000. This money was not included in the budget. The docks storage at Cole Parkway is an ongoing issue for the Town. Mr. Danehey wants the harbormaster to find a more cost effective solution. Mr. Vegnani asked the harbormaster to develop some options for the dock storage and come back to the Board with recommendations. An additional \$20,000 is for the dredging of the river.

- **210 Police**

- Creation of Deputy Chief
- Removal from Civil Service

Chief Michael Stewart is proposing an organizational structure change for the Scituate Police Department. There are three lieutenants that report directly to the Chief of Police. The administrative lieutenant position works closely with the Chief

of Police. Several Towns have Deputy Chief position and the difference in salary is approximately \$15,000. The Deputy Chief position in Scituate currently falls under Civil Service. The Chief is meeting with the union to discuss the Deputy Chief position. This would be included in the FY17 budget.

Citizens Police Academy was very successful and there was a lot of attendance. In the past there were 15-18 applicants and weekly they would meet for three hours to train them. It is for citizens 18+. There is an internship at the High School for students who are interested in law enforcement. Sgt. Gilmartin runs the program and does an excellent job including court, ride-alongs, meeting the Town Administrator, etc. The purpose is to explain exactly what the police department does and how it operates. Lastly, there are two officers in training to become drug recognition experts. It is not widely accepted but it is in Massachusetts.

The Chief reviewed the budget. There are no new positions other than what we discussed. The department is filling vacancies that they currently have.

- **400 DPW Admin/Engineering**

Kevin Cafferty, DPW Director, Sean McCarthy, Town Engineer, Rick Mosca, Sewer Supervisor, Jim DeBarros, Water Supervisor attended the meeting to review their budgets. Mr. Cafferty provided a review of current and upcoming DPW projects. Mr. Vegnani said Mr. Mosca is working on the upgrades that were approved by the Board of Selectmen in the sewer department. Mr. DeBarros reviewed the water projects currently underway and planned worked in the near future. Sean McCarthy reviewed the Engineering budget with the Board. The Selectmen asked where the money could come from to improve the roads. Ms. Holt said the Chapter 90 funds could be used for road repair and drainage. Admin is level funded no changes.

- **400 DPW Highway/Grounds**

Mike Breen could not attend tonight due to a scheduling conflict. He is available to attend the next meeting. Mr. Cafferty was asked to review the budget. There is one vacancy and no new positions were added. This budget is level funded.

- **429 Public Grounds**

There was an extra position requested in this department. They desperately need another part time mechanic in this department. Ms. Vinchesi said if the money is available they will use it to add this position. Mr. Harris asked about the cherry picker and why no one is going up in this truck. Mr. Cafferty said we outsource some of the tree work but the department uses it for putting flags up, etc. The employees get nervous around the electrical wires so that is outsourced.

- **423 Snow/Ice**

The salt shed is filled and we have been out seven times due to freezing. We are under budget this year. Mr. Harris said the salt is doing a much better job on the frozen roads. Mr. Cafferty explained the difference between using salt & sand and we are much better off using the salt.

- **424 Streetlights**

Ms. Vinchesi said the Board has voted to buy the streetlights in FY17. There is \$110,000 budget item for acquisition. Some wind turbine revenue will be used to offset the streetlights cost. Mr. Danehey asked Mr. Cafferty to look at the new ornamental lights that are not working in Greenbush. Ms. Curran asked that we look at the lights in North Scituate that are not working.

- **65 Water Enterprise**

Mr. DeBarros provided an update on the current water projects in Scituate. The water department has received fewer complaints with brown water where the new pipes were installed. There are three new operators at the water treatment plant who replaced other employees. There are still two vacancies open. The search is ongoing with upcoming interviews. Mr. Cafferty is looking for the right people with the appropriate licenses to fill these positions. Mr. Vegnani reviewed this budget with Ms. Holt, Town Accountant. This will have a deficit that will be funded through retained earnings.

- **64 Sewer Enterprise**

Mr. Mosca will be taking money from retained earnings and allocating this for all the repairs and maintenance. There is a growing list of repairs and maintenance at the pumps and at the sewer station. Mr. Cafferty said Chain Pond is leaking and in need of replacement. The Sand Hills pump station requires physical maintenance just to get it up and running properly. The rates will need to be reviewed for FY18. The I&I is required by the DEP. Mr. Mosca said the new technologies are more energy efficient but it will take time to upgrade everything and see the positive results. Ms. Vinchesi and Mr. Vegnani discussed the stabilization fund.

- **63 Transfer Station**

Sean McCarthy said the transfer station is fully staffed and there are no new positions. This is level funded. Ms. Holt said we are selling stickers now at the lower rate. Ms. Vinchesi said the transfer station stickers were reduced to give the tax payers some relief. Ms. Holt said the transfer station did receive an award for recycling and this did reduce the hauling costs. Mr. Cafferty said now we are paying to get rid of recycling in some areas due to the commodity market.

Mr. Vegnani thanked everyone for reviewing the DPW budget with them.

NEW BUSINESS:

1. Poll Hours for Primary

Moved to beginning of the meeting.

2. One Day Liquor License

Moved to beginning of the meeting.

OTHER BUSINESS:

1. Correspondence
 - a) Town of Norwell Tick expert February 29, 2015 at 7 p.m.
 - b) Comcast Report of Complaint Data
 - c) South Shore Regional School District Financial Statements
 - d) Sucy-en-Brie Letter to Selectmen

2. Acceptance of Meeting Minutes

Move that the Board of Selectmen approve the Executive Session minutes for the January 20, 2016 Board of Selectmen meeting. Motion by Mr. Harris Second by Ms. Curran Unanimous Vote (5-0)

Move that the Board of Selectmen approve the meeting minutes for the January 20, 2016 Board of Selectmen meeting. Motion by Mr. Harris Second by Mr. Danehey Unanimous Vote (5-0)

Ms. Curran read a statement from Frank Snow Chairman of the Conservation Commission which stated: On February 17, 2016 at 7:00 p. at the Town Hall in the Selectmen's Hearing Room, 600 Chief Justice Cushing Highway, the Scituate Conservation Commission will hold a public meeting to discuss the possibility of a land swap of several acres including some of the town-owned Damon Open Space parcel and wooded land owned by the DuVoisin family. Parcels include in this proposed land swap abut Clapp Road, Conservation Way and Colonel Mansfield Drive. Abutters and other interested parties are invited to attend. Signed, Frank Snow, Chairman, Conservation Commission.

Mr. O'Toole found MMA very interesting and learned that Norwell, Hanover and part of Hanson were part of Scituate.

Mr. Danehey said the St. Patrick's Day parade fundraising has begun. The Scituate Harbor Business Association is sponsoring the parade. Support the election for Mayor to raise funds. Monday February 8, 2016 there is a fundraiser from 6:00-8:30 p.m. at the Mill Wharf.

Mr. Vegnani said there is the Winter Festival this Saturday at Widows Walk and should be a lot of fun. Mike Breen is the hockey coach and they are on a winning streak. Basketball and wrestling teams are playing great. Support the high school teams.

3. Adjournment and Signing of Documents

Move that the Board of Selectmen go into Executive Session to

- 1. Consider the purchase, exchange, lease or value of real property, and that the chair declare that an open meeting may have a detrimental effect on the negotiating position of the body – Greenbush.**

and

- 2. 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 – Fire.**

Motion to move into Executive Session at 10:30 p.m. and not reconvene the Board of Selectmen meeting in open session. Motion by Mr. Danehey Second by Mr. Harris Unanimous Vote (5-0)

Roll Call Vote:

Mr. Vegnani yes

Mr. Harris yes

Mr. Danehey yes

Mr. O'Toole yes

Ms. Curran yes

EXECUTIVE SESSION

1. To consider the purchase, exchange, lease or value of real property – Greenbush Station.
2. 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 – Fire.

List of Documents for February 3, 2016 Board of Selectmen Meeting

- Agenda
- Upcoming Meetings & Events
- Town Administrator Items Pending
- Discuss/Vote: Annual Town Meeting Date/Location; Waterways Use Maintenance Fee; The Village Market violation; Stillwaters violation
- Discuss/review FY 17 Budgets
- Discuss/Vote: poll hours for primary, one day liquor license

Board of Selectmen Meeting Minutes for February 3, 2016

BOARD OF SELECTMEN

Anthony V. Vegnani, Chairman

John F. Danehey, Vice Chairman

Maura C. Curran, Clerk

Shawn Harris

Martin J. O'Toole