

MINUTES OF MEETING

BOARD OF SELECTMEN

OCTOBER 29, 2013

Present: Shawn Harris, Chairman; John F. Danehey, Martin J. O'Toole,
Richard W. Murray, Anthony V. Vegnani

Patricia A. Vinchesi, Town Administrator

Press: Patriot Ledger

1. The meeting was called to order at 7:02 PM.
2. ACCEPTANCE OF AGENDA

Mr. Vegnani made a MOTION that the Board of Selectmen ACCEPT the Agenda for October 29, 2013. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Walk-ins – none

3. DISCUSSION/ VOTE/ SCHOOL BUS LEASE/ P. Donlan

Paul Donlan, Finance Director – School Department, went out to bid on 3 school buses in August in an effort to upgrade the aging fleet. A company from Maine, O'Connor Bus, won the bid and they then turned the lease over to Suntrust of Texas. The School Committee approved it, but the Town itself is the "entity" and thus, the Selectmen must vote on it. Leasing is more economical and there is a purchase clause in the lease agreement if the Schools choose to purchase the buses after 3 years. Mr. Harris spoke to a business friend that leases school buses about this particular lease and he (friend) said that this will be a good deal for the Town. Mr. Donlan explained that minor maintenance on the new buses will be done by the Town; the O'Connor Bus Company will handle major maintenance items. He also spoke about a plan to condense bus schedules through route timing and combining schools. A capital article from two years ago for \$90,000 will almost be enough to fund the lease (\$34,000/year for 3 years). Ms. Vinchesi noted that most school systems lease buses. Maura Curran, Advisory Committee Chairman, asked for clarification on funding leases from the Capital Plan.

Mr. O'Toole made a MOTION that the Board of Selectmen VOTE to ACCEPT and ENDORSE the "Resolution of Governing Body" (Exhibit C) as it pertains to Suntrust Equipment Finance & Leasing Corp. "Master Lease Agreement/ Lease Number 09218" for Scituate School Department buses. SECONDED by Mr. Murray. Mr. O'Toole read Exhibit C into the record (attached). No discussion. Unanimous vote. (5-0)

4. DISCUSSION/ VOTE/ STREET IMPROVEMENT BETTERMENTS/ Pine View & Cushing Estates/ A. Bangert

Al Bangert, Director/ Department of Public Works, explained the street acceptance process by which streets are improved to meet the Public Works standard via betterments paid by the abutters (who have “signed off”). Abutters can pay in one lump sum or spread payments out over 20 years with a 5% interest charge with a lien on the deed. If a home is sold during that time, the lien is typically “cleared” at the time of the sale. The cost of upgrading these streets was less than the original estimates and the resulting betterments are lower, as well.

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ORDER as follows: The total cost of the improvements to Persimmon Drive and Hickory Lane of \$96,047 is hereby determined, of which 100% is hereby assessed as betterments on the eighteen (18) properties abutting these streets, being those properties that benefit from the improvement project beyond the general advantage to the community. The final cost to be assessed per property as a betterment assessment is \$5,335.94 per property under Sections 1 and 2 of Chapter 80 of the General Laws. Said betterment assessments shall be certified to the Board of Assessors, to then be committed to the Tax Collector, pursuant to Section 4 of Chapter 80 of the General Laws. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ORDER as follows: The total cost of the improvements to Pine View Drive and Pine View Circle of \$132,038 is hereby determined, of which 100% is hereby assessed as betterments on the ten (10) properties abutting these streets, being those properties that benefit from the improvement project beyond the general advantage to the community. The final cost to be assessed per property as a betterment assessment is \$13,203.80 per property under Sections 1 and 2 of Chapter 80 of the General Laws. Said betterment assessments shall be certified to the Board of Assessors, to be committed to the Tax Collector, pursuant to Section 4 of Chapter 80 of the General Laws. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

Mr. Murray asked for an update on the Walnut Tree Hill Subdivision. Mr. Bangert stated that the subdivision has entered into the street acceptance process and work is ongoing with the developer’s bond company, abutters and the Planning Board.

5. DISCUSION/ VOTE/ SEWER BETERMENT/ 1A Musquashicut Pond/ A. Bangert

This part of the sewer expansion project began in 2009 and involves tying in 320 properties in the vicinity of Musquashicut Pond. The final “punch list” was just completed and the total cost came in well below the original estimate (\$500,000 under).

The project is complete and the Town is ready to initiate the betterments. The betterment will be \$18,886 and an \$11,934 privilege fee will be charged to 7 homes on Hatherly Road that were deemed emergency sewer tie-ins and already charged a tie-in fee (\$6,952). This is consistent with practices used in the first and second phases of sewer expansion. Mr. Vegnani asked if the change orders are included in the final number of the project? Mr. Bangert answered “yes” – they are included in total project cost of \$5,843,000. He noted that the contractor, Albanese Company, and the engineers, Weston & Sampson, all did a very good job. “It was a well- managed project.” Mr. Harris concurred.

Mr. Murray made a MOTION that the Board of Selectmen order as follows:

- 1. The total cost of the project of \$5,843,000 is hereby determined, of which 98.6% is hereby assessed as betterments and 1.4% as a privilege fee upon the parcels in the Musquashicut Pond Sewer Project area, being those who benefit from the project. The cost to be assessed per sewer unit as a betterment is \$18,886 under Section 15 of Chapter 83 of the General Laws. The cost to be assessed as a privilege fee is \$11,934 under Section 17 of Chapter 83 of the General Laws.**
- 2. Said amount is hereby certified to the Board of Assessors to be committed to the Tax Collector pursuant to Section 4 of Chapter 80 of the General Laws. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (5-0)**

Mr. Vegnani asked about future sewer expansion. Mr. Bangert answered that the next phase, according to a 2000 plan, will be portions of the Harbor and Tilden Road, but the engineers will be updating the plan and submit their findings mid-winter.

6. DISCUSSION/ VOTE/ SPECIAL TOWN MEETING ARTICLES

- Article 13 – Extension of Village Overlay Zoning District (by petition)

The Selectmen have received a letter from the petitioners’ lawyer stating that they will withdraw this article at the Special Town Meeting. The Selectmen will vote this article on the Special Town Meeting floor.

7. DISCUSSION/ Water Pipe Replacement Cost Impact with Override/ T. Administrator

Discussion on how to fund the \$22,000,000 to replace and improve the Town’s water infrastructure. The work will be done in stages and the Selectmen support an increase in water rates to fund the project. Scituate’s rates are currently in the bottom third of

all the surrounding towns. Nancy Holt, Finance Director/Town Accountant, provided information on the debt impact and has been in contact with the Department of Revenue. The Town has an option to create a stabilization fund for water infrastructure. A portion of the water rate increase can go into the capital water stabilization fund and it will be separated out in the water bill. The impact of water conservation was discussed. Mr. Danehey presented the “pros” and “cons” of funding the project via debt exclusion. Mr. Bangert spoke about Cohasset, Hingham and Hull all having similar problems with replacing very old water pipes. He also spoke about monthly radio water meter readings and how they will benefit the customers in terms of keeping track of their water usage.

Mr. Murray made a MOTION that the Board of Selectmen VOTE to SUPPORT Article 11 – Water Pipe Improvement and Replacement Project and that the funding come from the water rates. SECONDED by Mr. O’Toole. No discussion. Unanimous vote. (5-0)

Ms. Vinchesi suggested that Chairman Harris speak under Article 1 of the Special Town Meeting about where the first phase of water pipe improvements will take place (Harbor area). Mr. Bangert concurred and said the most water pipes break in the Harbor and at Lighthouse Point. Water and sewer projects will “dovetail”. Anthony Antonello, Advisory Committee member, stated that according to the Town Charter, projects like this should come out of the Capital Plan each year. Ms. Vinchesi explained that there is a five year rolling Capital Plan in which \$2 million to \$4 million has been slated for water main replacement. Water rates and debt have not allowed the Town to move forward at that level. “The pace of the work has not been enough to address the brown water to date. This has all been done according to the Charter.”

8. ASSIGNMENT OF SPECIAL TOWN MEETING ARTICLES/ Board of Selectmen

The Selectmen chose articles to speak to at the Special Town Meeting.

9. DISCUSSION/ VOTE/ ACCEPTANCE OF GIFT/ Mercury Sailboat/ Recreation Department

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to ACCEPT, on the Town’s behalf, a Cape Cod Mercury sailboat #446 for the Recreation Department’s sailing program. This generous gift was made by Martha Blanchard Twigg in memory of Gordon Jenkins and Bob Francis, who started the sailing program, and in honor of Mary King and Elizabeth Leach Welch, two of the program’s first instructors. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

10. APPOINTMENTS/ User Members/ Public Building Commission/ Police & Fire

Mr. Murray made a MOTION that the Board of Selectmen APPOINT the following individuals as “User Members” of the Public Building Commission: Police Department – Chief W. Michael Stewart, *Primary Member*, Sergeant Mark Thompson, *Alternate Member*, Fire Department – Deputy Chief John Murphy, *Primary Member*, Chief Richard Judge, *Alternate Member*. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

11. REPORT & “THE WEEK AHEAD”/ Town Administrator

Ms. Vinchesi attended a two hour meeting with Senators Markey and Warren, Congressmen Lynch and Keating, Representative Cantwell and others to discuss Scituate’s appeal submissions to FEMA. Legislation is being filed to delay the “roll out” of the Biggert Waters Act. The burden the FEMA flood insurance maps have placed on municipalities and homeowners was discussed. Some mathematical discrepancies have been noted regarding comparison to the 2009 FEMA maps. The Community Rating System (CRS), which has been in effect in Scituate for years, is gaining interest in coastal communities. She noted that the “Coastal Coalition has been great”.

Ms. Vinchesi noted that she is viewing tonight’s agenda packet on a “tablet”, which will be available to the Selectmen next month. IT Director, Bill Sheehan, will speak to the Board about the new Town website at the November 12th meeting.

Ms. Vinchesi noted a recent flyer distributed by Friends of Scituate Seniors regarding the inadequate space for the seniors in the proposed Gates School rehabilitation project. Unfortunately, the flyer contains some inaccuracies. She assured that the renderings presented by the architectural firm, Durkee Brown, were just preliminary and there will be no reduction in senior programming. A correction to the preliminary plans was made in terms of adding space for the Recreation Department’s Little People program. Senior Center space was modified because the building’s mechanical functions are housed elsewhere. A meeting between the Selectmen, the Council on Aging Chairman and Vice Chairman has been scheduled for October 31st at 3 PM in an effort to clarify these issues.

Ms. Vinchesi distributed a document to the Selectmen regarding her meeting with Representative Cantwell last week on the use restriction at 44 Jericho Road and future legislation on this matter. She noted letters from 7th grade students listing their concerns for the Town, such as traffic safety, graffiti, driving tests for senior citizens, crosswalks, etc.

12. OTHER BUSINESS – Correspondence and Regular Session Minutes for 7/23/13, 10/7/13 and 10/15/13 & Executive Session Minutes for 10/1/13

Mr. O'Toole commended the Town's engineering division. Mr. Murray noted a friend that lives at Wheeler Park who thinks the Housing Authority staff does an excellent job. Mr. Danehey announced Halloween in the Harbor, October 31st from 4 – 5:30 PM, Special Town Meeting on November 4th, 7 PM High School gymnasium, and November 11th, a special Veteran's Day event sponsored by the American Legion, at the GAR Hall at 11 AM. The Fireman's Ball is at the Barker Tavern on Friday evening. Mr. Murray welcomed Scituate High School students learning about local government to tonight's meeting. Mr. O'Toole spoke about First Friday events in Scituate Harbor and the need for storeowners to make certain patrons are not exiting their shops with open containers of alcohol. Mr. Harris will be meeting with shopkeepers, the Chamber of Commerce, Harbor Merchants Association and the Police Chief on this topic. Mr. Vegnani thanked the Coastal Coalition, Dave Ball and Representative Cantwell for their considerable work on the FEMA flood plain map issue. There will be a CORSE event this weekend. He spoke about the FACTS group drug grant and the "after game" events for students. The High School football team will play Friday night in Holliston and girls and boys soccer teams are in the playoffs.

Mr. Harris announced that the Treasurer Collector's office will remain open until 4 PM this Friday for people to pay their tax bills.

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ACCEPT the regular session minutes for July 23, 2013, October 7th and October 15th, 2013. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (5-0)

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ACCEPT the Executive Session Minutes for October 1, 2013 – No Release. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (5-0)

13. ADJOURNMENT & SIGNING OF DOCUMENTS

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ADJOURN the meeting at 8:41 PM and SIGN documents. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Page Seven

Board of Selectmen – Minutes of Meeting – 10/29/13

BOARD OF SELECTMEN

Shawn Harris, Chairman

John F. Danehey

Richard W. Murray

Martin J. O'Toole

Anthony V. Vegnani

Respectfully submitted,

Kimberley A. Donovan
Executive Assistant

List of documents for the October 31, 2013 Board of Selectmen's meeting:

School bus lease documents

Topic: Betterments for Four New Public Ways

Topic: Musquashicut Pond Sewer Betterments

Special Town Meeting warrant

Memorandum dated 10/23/13 from T. Administrator re: Water Main Work improvements

- funding possibilities, Tax Impact, Senior Circuit Breaker Tax Credit, e-mail dated 10/22/13 re: water main improvements tax impacts, Water Main Infrastructure Project, Capital Borrowing & Water Rate Increases, Water Rates for Average 4 person household

Motions for Special Town Meeting – 11/4/13

Letter and equipment attachment dated 10/7/13 re: gift of sailboat to Town

e-mail dated 10/24/13 re: User Members for Public Building Commission

Regular Session minutes for 7/23/13, 10/7/13, 10/15/13