

MINUTES OF MEETING

BOARD OF SELECTMEN

NOVEMBER 12, 2013

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

Patricia A. Vinchesi, Town Administrator

1. The meeting was called to order at 7:00 PM.
2. ACCEPTANCE OF AGENDA/ WALK-IN PERIOD

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ACCEPT the AMENDED agenda for November 12, 2013. SECONDED BY Mr. O'Toole. No discussion. Unanimous vote. (5-0)

Walk-Ins – Bill Graham, 14 Tilden Avenue, Beth McGrath, 20 Tilden Avenue, and Tom Lunny, 125 Glades Road raised concerns about the October 1, 2013 vote taken by the Selectmen regarding parking on Glades Road. The item was not listed on the Selectmen's agenda for a vote that evening and the neighbors were unable to give input on this area, which they describe as "very busy" with pedestrian traffic. Discussion continued on the neighbors meeting with the Town engineers and the possibility of rescission of the Board's original vote. The Selectmen assured the residents that it is the Board's goal for "everyone to be heard and to discuss all matters openly".

3. 7:05 PM/ SETTING THE RESIDENTIAL FACTOR/ Board of Assessors

Stephen Jarzembowski, Director of Assessing, and Board of Assessors members – Steve Guard, Todd Glowac and Fred Avila were present. The public hearing notice was read by Mr. O'Toole. Mr. Guard stated that the Board of Assessors unanimously voted a "single rate" again this year. They discussed the differences between a "split rate" versus a "single rate" and the fact that many surrounding communities also have a single rate.

Mr. Murray made a MOTION that the Board of Selectmen VOTE to classify all the property in the Town of Scituate at "one". SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

4. APPOINTMENT/ NEW LICENSING AGENT

Chief Michael Stewart, Scituate Police Department, introduced Licensing Agent candidate, Sergeant Gerry O'Brien, who recently completed a three day course on licensing at Babson College. Mr. Danehey asked if our local establishments would continue to be examined for possibly liquor license infractions (underage drinking, etc.). Chief Stewart answered "yes, the Department just received a grant to do that".

Mr. Danehey made a MOTION that the Board of Selectmen APPOINT Sergeant Gerald O'Brien, Scituate Police Department, as the Town's Licensing Agent. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (5-0)

5. DISCUSSION/ VOTE/ NEW SEPTAGE DISPOSAL LICENSE/ Walsh

Andrew Spath was present on behalf of Septic Pro owner, Mike Walsh. The company has been re-named and all insurance is "up to date".

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to GRANT a Septage Disposal License to Septic Pro, Inc., 34 Crocker Lane, Cohasset, MA 02025. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

6. DISCUSSION/ VOTE/ IRISH MOSS SHED DONATION/ Historical Society/ D. Ball

Pam Martell and Dave Ball, Scituate Historical Society, asked that the Town donate the Irish Moss Shed, currently located at the Scituate Marine Park, to the Historical Society. Mr. Ball explained that they would like to move the Shed and attach it to the Irish Mossing room at the Maritime Museum, 301 Driftway. Currently, the Shed does not get any use by the public and this would be an opportunity for it to be viewed as part of the exhibit. The society has applied for Community Preservation Act funds to accomplish the move and it would be accomplished via a flatbed trailer and crane. Mr. Murray asked if the State might require the historic building to stay at its present site. Mr. Ball does not believe so. Discussion continued on whether the Historic Commission has deemed this a "historic building". Mr. Vegnani asked if the Town might want to retain ownership of the building. Mr. Ball stated that the Society would be willing to donate \$1 for ownership of the building (similar to what was done for the GAR Hall). Mr. Ball stated that tonight's request is the first in a process in which the Planning Board will also participate. He simply wanted to get a "sense" from the Board before moving forward. Mr. Murray believes the "sense" of the Board is favorable, but they would also like to check with Town Counsel on the ownership "piece". No vote was taken this evening.

7. DISCUSSION/ HUNTER'S POND DAM/ Removal & Fish Passage Restoration/ A. Bangert

Al Bangert, DPW Director, Nick Wildman – State Department of Fisheries & Wildlife, Eric Hutchens – NOAA, Pat Gallivan – Conservation Agent, Paul Shea – Conservation consultant were present at tonight's meeting. Mr. Bangert spoke about this historic dam located on the boundary between Cohasset and Scituate. The Town owns the road that goes over the dam and the culvert under the dam, but not the dam itself. The owner of the dam is not interested in having a safety inspection or undertaking repairs on the dam. A recent grant was awarded to research options for the dam. Abutters to the property were contacted, as well. Mr. Wildman gave a PowerPoint presentation which concluded that the best option going forward would be to remove the dam and return this area to a "rivering state" as opposed to a pond. "Visually it will not be very different from what is currently there." This plan would be advantageous for the herring in the river, the nearby historical properties and the roadway could be expanded for recreational use. There are opportunities to apply for grant monies to cover the \$450,000 cost to accomplish removing the dam. Dam removal also is a good way to mitigate damages from large storm events. The Town's commitment would be assisting the dam's property owner to apply for federal grants. There is a possibility of Community Preservation Act funding, as well. The Town will save money by not having to repair the culvert. Mr. Bangert stated that it will be "less expensive for everyone" and even the abutters have commented that "the pond is no longer the way it was 40 years ago" (it has filled in with vegetation). Mr. Vegnani asked if the abutters had any complaints with this plan. Mr. Wildman stated that they did not like the mudflats that result briefly after a dam removal. He noted that the mudflats quickly disappear as the vegetation fills in.

Mr. Murray made a MOTION that the Board of Selectmen VOTE their CONTINUED SUPPORT of the Hunter's Pond/ Bound Brook project team as they pursue this grant and other funding opportunities. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (5-0)

10. 8:00 PM/ PUBLIC HEARING/ Liquor License Transfer/ Inn at Scituate Harbor to Seasmoke LLC/ 7 Beaver Dam Road

Mr. Danehey recused himself for this agenda item and left the Hearing Room. Mr. Harris disclosed that his business accountant is also the Inn's accountant. The remaining Board members did not have a problem with Mr. Harris' information and he(Harris) remained seated for this agenda item. Mr. O'Toole read the newspaper advertisement. Robin King (applicant), 130 Vernon Road and Bruce Leaver (Inn At Scituate Harbor representative), 52 Scituate Avenue, were present at tonight's meeting. Mr. King owns ORO Restaurant in Scituate and would like to like to operate the restaurant at the Inn in

a similar manner – “great food, service and atmosphere”. He will lease the restaurant area from the Inn. Hours were discussed. Mr. King plans to be open for dinner initially and lunch in the future.

Mr. Murray made a MOTION that the Board of Selectmen VOTE to GRANT the transfer of the Common Victualler/All Kinds of Alcoholic Beverages License held by the Inn at Scituate Harobr, Inc., 7 Beaver Dam Road, Scituate, Massachusetts to Seasmoke LLC, 130 Vernon Road, Scituate, Massachusetts for the premises located at 7 Beaver Dam Road on the bottom floor of the Inn at Scituate Harbor consisting of a lounge area with 55 seats and 15 additional seats at the bar. An outdoor patio has 25 seats. There are two entrances/exits: one to the lobby of the Inn and the other to the patio/sidewalk (gated). There are a total of 7 entrances/exits to the building. Hours – 12 PM to 12 AM Monday through Saturday. Sundays 12 PM to 12 AM. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (4-0) Murray, Vegnani, Harris and O’Toole voting. Mr. Danehey did not vote.

Mr. Danehey re-entered the meeting.

8. UPDATE/ NEW TOWN WEBSITE/ W. Sheehan

Bill Sheehan, IT Director, stated that the Town has a new e-mail domain “.gov” and a new website. He spoke about the different features of the new website: easy navigation to departmental links, emergency preparedness information, citizen action center, homepage and departmental calendars and “on line” services providing links to beach stickers, parking tickets, GIS, etc. E-mail “blasts” can be specified by areas of interest. Staff has been trained on how to update their own departmental website links. Ms. Vinchesi noted that Mr. Sheehan put the e-mail “piece” on the “fast track” due to technical problems with the old domain.

9. STATUS/ Harbor Community Building/ 44 Jericho Road/ Kevin Kelly

Kevin Kelly, Facilities Director, updated the Board on the rehabilitation of the building. The HVAC and fire alarm systems are functioning. Plumbing has been restored in the front restrooms, roof work is close to completion, interior sheet rock(next week), mold remediation(end of November), kitchen and restroom carpentry (early December), new carpet (end of November), lighting and switch updates (by December 5th) and food work area – not for cooking, but sink will be added(first week in December). He hopes that everything will be completed by December 13th. Ms. Vinchesi noted that a building usage plan including application procedures, fees, restrictions, regulations, hours and an on-line calendar needs to be voted by the Board. Mr. Vegnani asked if the timeline

could be moved up because of the interest in using this facility. Ms. Vinchesi reminded that the Board needs to vote a use policy first.

11.DISCUSSION/ POLICY FOR ACCEPTING LAND / T. Administrator

Ms. Vinchesi reviewed a memorandum she submitted to the Board in August 2012 regarding a policy for accepting donated land. The Town receives frequent requests to accept land. Ms. Vinchesi reviewed the pros and cons and information she acquired from other Towns on this practice. Since the majority of donated land is unbuildable, the requests first go to the Conservation Commission to determine their interest in individual properties. Frank Snow, Conservation Commission Chairman, stated that in most cases the Commission does want to accept parcels especially if they are contiguous with other Conservation land. Parcels that contain hazardous materials are usually turned down. Mr. Danehey spoke about accepting parcels for possible affordable housing projects. He also asked about a map that indicates conservation parcels that have already been accepted. Pat Gallivan, Conservation Agent, stated that the Town's new software will be able to provide that type of map.

12. DISCUSSION/ VOTE/ FY2015 BUDGET SCHEDULE

Ms. Vinchesi has asked the Selectmen to annually review and vote the new fiscal year's budget schedule for the past five years. The Advisory Committee will be meeting every week this year. Discussion continued on the order in which the Selectmen(first) and Advisory Committee(second) hear budgets. Mr. Murray raised concern that the Selectmen may not receive Advisory's financial advice in advance of hearing budgets. Mr. Danehey reminded that the Selectmen vote the budgets at the very end of the entire process.

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ACCEPT the FY2015 Budget Schedule as presented. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

13. ACCEPTANCE OF GIFT/ Harbormaster's Office

Mr. Murray noted that in addition to the PJ Steverman Golf Classic and the Friends of Scituate Recreation, Joe McCluskey, 100 Pratt Road, also made a substantial contribution to this gift. Mr. Harris noted the generous donations made by the Steverman family over the past fourteen years.

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ACCEPT, on the Town's behalf, the kind gift of \$5,200 from the PJ Steverman Golf Classic and the Friends of Scituate Recreation. The gift will be used by the Harbormaster's office for the purchase of lifejackets and storage. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

14. REPORT & "The Week Ahead"/ Town Administrator

Ms. Vinchesi gave Department Heads budget instructions last week and departmental budgets must be submitted by December 12th. Both appeals filed regarding the flood insurance maps met the FEMA's criteria and the Town will be contacted in the future with any questions they may have. Dorr & Whittier were chosen to do the schematic design for the public safety complex. 90% of the design will not be site specific (three locations are being considered). Ms. Vinchesi reviewed personnel vacancies and interview schedules. Additional staff members will be added to the Council on Aging.

15. OTHER BUSINESS, CORRESPONDENCE, REGULAR SESSION MINUTES – October 29, 2013, October 31, 2013 and November 4, 2013

Mr. Vegnani read a letter commending Kevin Cafferty, Engineering Division Supervisor, on his assistance during the sewer expansion project.

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to ACCEPT the Regular Session minutes for October 29, 2013 and November 4, 2013. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ACCEPT the Regular Session minutes for October 31, 2013. SECONDED by Mr. O'Toole. No discussion. Voted (4-0). Danehey, O'Toole, Harris and Murray voting. Mr. Vegnani did not vote.

Mr. Murray recently served on a panel with Representative Jim Cantwell and national and international representatives to discuss seawalls, foreshore protection, disaster management, etc. The panel discussed both local, national and international initiatives and the need for United States involvement at the Federal level. Mr. Vegnani thanked residents for attending the recent Special Town Meeting. He noted the "great turnout" at the recent CORSE gala event. He congratulated the 8th grade football team, the cheerleaders and girl's soccer team. Mr. O'Toole and Mr. Harris attended the Veteran's ceremony at the GAR Hall yesterday. Mr. O'Toole noted that World War II veterans were in attendance as well as Jenkins School children and the Girl Scouts. Scituate Food Pantry calendars are available for a \$25 donation at the Jack Conway office in the

Harbor, Hennessy News, etc. Funding cutbacks have greatly affected this organization and Mr. O'Toole encouraged everyone to buy a calendar.

16. EXECUTIVE SESSION – Mr. Harris announced that the Board of Selectmen would enter Executive Session to consider the purchase, exchange, lease or value of real property because an Open Meeting will have a detrimental effect on the negotiating position of the public body – Conservation Restrictions and that the Board would not return to Regular Session this evening.

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ENTER Executive Session to consider the purchase, exchange, lease or value of real property because an Open Meeting will have a detrimental effect on the negotiating position of the public body – conservation restrictions. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

The Board of Selectmen entered into Executive Session via roll call at 9:12 PM with Shawn Harris, John F. Danehey, Richard W. Murray, Martin J. O'Toole and Anthony V. Vegnani all answering "yes".

17. ADJOURNMENT & SIGNING OF DOCUMENTS

The Regular Session was adjourned at 9:12 PM and documents were signed.

BOARD OF SELECTMEN

Shawn Harris, Chairman

Martin J. O'Toole

John F. Danehey

Anthony V. Vegnani

Richard W. Murray

Respectfully submitted,

Kimberley A. Donovan
Executive Assistant

List of Documents for Board of Selectmen's Meeting – 11/12/13

- public hearing newspaper notice – Assessors
- FY2014 Tax Rate Shift
- Shifting the Tax Burden
- Report #47 – “State Class Totals Report/ FY2014”
- Septic Pro Inc. application for septage disposal license
- e-mail from David Ball dated 10/17/13 re: Irish Moss Shed
- Topic: Discussion – Hunter's Pond/ Bound Brook Project
- public hearing newspaper notice – Transfer of Liquor license
- application materials for liquor license transfer
- draft policy for donations of Town land – memorandum dated 8/29/12 –
T. Administrator
- Memorandum dated 11/5/13 from T. Administrator re: Budget Process
- “Budget Guide and Instruction Manual – FY2015
- “Selectmen, Advisory & Capital Planning Committee Budget Meeting Schedule – FY15
- Capital Budgeting Process
- Letter dated 10/22/13 from Anna Steverman Shea re: donation of \$5,200 for
lifejackets and their storage to the Harbormaster's office
- Letter from MaryAnn Callaghan thanking K. Cafferty for sewer work
- Regular Session Minutes for October 29, 2013, October 31, 2013 and
November 4, 2013

