

**MEETING MINUTES
BOARD OF SELECTMEN
June 6, 2017**

Present: Martin J. O'Toole, Chairman, Anthony V. Vegnani, Vice Chairman, Maura Curran, John Danehey, Shawn Harris

Al Bangert, Acting Town Administrator

The Meeting was called to order at 6:10 p.m.

Acceptance of Agenda

Mr. Vegnani made a motion to accept the agenda for June 6, 2017, Second by Mr. Harris, all in favor. Unanimous vote (5-0).

REORGANIZATION OF THE BOARD OF SELECTMEN

The Board of Selectmen thanked Chairman O'Toole for his service to the town and each took some time to recognize his contributions to the town. Mr. Danehey presented Mr. O'Toole with a gift for serving as Chairman for the past year.

Mr. Danehey nominated Ms. Curran as the new Chairman and second by Mr. Vegnani
Unanimous Vote (5-0)

Mr. Danehey nominated Mr. Vegnani as Vice Chairman and second by Mr. Harris Unanimous
Vote (5-0)

Ms. Curran nominated Mr. Danehey as the Clerk and second by Mr. Harris Unanimous Vote (5-0)

EXECUTIVE SESSION

Chairman Curran stated that the board would move into executive session to consider the purchase, exchange, lease or value of real property for the Ellis property since open session could have a detrimental effect. The board will reconvene in open session.

Move that the Board of Selectmen go into Executive Session to consider the purchase, exchange, lease or value of real property and reconvene in open session – Ellis Property

Roll Call Vote to move into Executive Session at 6:30

Mr. O'Toole - yes

Mr. Vegnani - yes

Ms. Curran - yes

Mr. Danehey - yes

Mr. Harris - yes

The Selectmen made a motion to reconvene in open session at 6:55 p.m. Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (5-0)

WALK INS

Patricia Lambert 14 Alexander Place asked the board what is the response to the Assistant Attorney General's letter. Ms. Lambert asked for an end date of when this will be resolved. What Ms. Lambert is most concerned with is the board agreed to transfer 6 acres of land but what about the additional land. There are technicalities in the letter the Selectmen do not agree with. The Selectmen agree in order to not prolong negotiation to save the tax payers money. It is blatantly false that this board delayed any response. The Assistant Attorney General (AAG) sent the letter out to the public and it has not been received by the Selectmen. Mr. Vegnani said he does not agree with the attorney general. We agreed we would not spend hundreds of thousands of dollars in court and legal fees. There was nothing wrongly done about putting the public safety building on that land. Mr. Danehey is amazed that the school committee is not aware that the land is held by the school committee. Ms. Lambert said the conversation said they were not involved in the decision. Mr. Danehey said it is not their authority to be involved in the negotiation with the Attorney General. Andrea Hunt, 66 Mann Lot Road said the AG got in touch with Mrs. Hunt and she sent them the letter and asked if the letter could be shared and they were told yes the letter could be publicized. Mr. Toomey had discussed with the AAG that the letter would come to him to review for review. The AAG apologized because she did not follow the procedure that was agreed upon and it was unprofessional to blind side the Selectmen and Mr. Toomey. The letter should not have been released. Ms. Hunt said the issue is the 14 acres under the care and control of the school committee. They have not taken a vote on the remaining 14 acres. Mrs. Hunt's question to the School Committee asked why the land has not been returned to conservation. They would like to see the 14 acres move forward back to conservation. They want the whole package to go 97 acres and the 14 acres in a conservation restriction. Steve Bjorklund, 38 Ladds Way asked if the Selectmen were going to utilize there errors and omissions policies on the three legal opinions. Ms. Curran said this is a debate that happens in the court of law. Mr. Toomey said that all the opinions are clear and correct and nothing went wrong. Mr. Vegnani said to Mr. Bjorklund there is no place for slanderous talk like that. Mr. Danehey said this goes right to the SJC and it renders an issue that will have to be decided. How do you look at property prior to article 97 and it would cost up to \$100's of thousands of dollars. This board has done nothing but work hard for the benefit of the community. There are no cases on point to this. Keith Walo, 200 Country Way said the board can disagree but the town voted to take the land back at Town Meeting. The Selectmen said this decision lies with the school committee and not the Board of Selectmen.

REPORT OF THE ACTING TOWN ADMINISTRATOR Al Bangert

1. Public Facilities Update

Library- We have a temporary Certificate of Occupancy. (There are no safety issues or use restrictions involved; just waiting on punch lists and commissioning reports) The Library will open to the Public Monday June 12, at 9:00am.

SHCB- The temporary Library has vacated the space. The building is mostly cleared out and scheduled to be used in the same capacity it was; before the Library moved there. There is some HVAC replacement and Roof work schedule for June but, we should be able to co-exist with any users of the space.

PSC- Open and operating well. Working on many finishing touches. New plantings and landscaping are happening now. New Custodian is on site (Nick Ribeiro) and working hard to protect our investment.

Middle School- Project continues to be on schedule. They are creating punch list in certain areas. Finish paving is scheduled June 26-July 7. Pavement will impact vehicle flow to Town Hall but not restrict it. Furniture for the building will begin arriving Aug 1.

Old Police Station- Proper building and Hazmat assessments have begun. Working through logistics of moving antenna server room, out of the building and into a shed at the base of the Cell Tower.

Mr. Danehey asked that the stone of the officer that was shot needs to be relocated to the new Public Safety Complex. Mr. Bangert will follow up on that.

Senior Center-

The senior study four sites are being reviewed. The group has come back and developed two options on each site and the results will be presented on July 11, 2017 Selectmen meeting. It looks like a very thorough study. Mr. Danehey asked for a bigger venue for that Selectmen meeting. Lorraine Devin will follow up on that.

Mr. Bangert said that the Mordecai Lincoln project will be underway soon and the road will be closed during the work period.

SCHEDULED ITEMS:

Special Event, Knights of Columbus Carnival, Bill Limbacher & Mark Brady

July 11-July 15th will be the dates for the carnival. Everything will be the same as it has been. This year we will address the traffic flow on Cole Parkway. Mr. Limbacher will meet with Sgt. Gilmartin on site and come to an agreement. There is a new vendor this year to change the rides up for the kids. This year it will be Fiesta and fireworks will be held on Friday and Saturday night.

Move to approve a Special Event Permit to William Limbacher for the Knights of Columbus Carnival from July 11- July 15, 2017 with set up on July 10 and take down on July 15th in Cole Parkway. Motion by Mr. Danehey Second by Mr. Vegnani Unanimous Vote (5-0)

Mr. Vegnani thanked the Knights of Columbus for all they give back to the community and stated this is their major fundraiser of the year.

Outdoor Entertainment Permits

1. 114 Tilden Road on 6/10/17 from 7-11 pm for Peter Kelly-Detwiler
Peter is on the Board of North River Watershed and this will be a party and they expect 100-150 people and it brings in \$4000-\$5000.

Move to grant an outdoor entertainment permit for a live band to Peter Kelly Detwiler located at 114 Tilden Road on 6/10/17 from 7 pm to 11 pm. Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (5-0)

2. 18 Webster Street on 7/1/17 from 6-11 pm for Patricia Davis
This is for her brother's wedding.

Move to grant an outdoor entertainment permit for a D.J. to Patricia Davis located at 18 Webster Street, Humarock on 7/1/17 from 6 pm to 11:00 pm. Motion by Mr. Danehey Second by Mr. Harris Unanimous Vote (5-0)

3. 68 Glades Road on 8/19/17 from 4:30-11 pm for Bill McAusland
Applying for permit for their wedding.

Move to grant an outdoor entertainment permit for a D.J. to Bill MacAusland located at 68 Glades Road on 8/19/17 from 4:30 to 11 :00 pm for a wedding. Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (5-0)

4. 117 Gilson Road on 8/5/17 from 4-8 pm for Dianne Wells
This is for a lobster fest for their sailing club.

Move to grant an outdoor entertainment permit for a 4 piece band to Dianne Wells located at 117 Gilson Road on 8/5/17 from 4:00 pm to 8:00 pm. Motion by Mr. O'Toole Second by Mr. Harris Unanimous Vote (5-0)

5. 24 Buttonwood Lane on 9/2/17 from 5-11 pm for Ashley Jones
Ashley is getting married and having her wedding.

Move to grant an outdoor entertainment permit for a live band to Ashley Jones located at 24 Buttonwood Lane on 9/2/17 from 5:00 pm to 11 :00 pm. Motion by Mr. O'Toole Second by Mr. Harris Unanimous Vote (5-0)

6. 138 Old Oaken Bucket Road on 6/17/17 from 5-9 pm for William Spedden
Wedding for their son in their backyard.

Move to grant an outdoor entertainment permit for a D.J. to William Spedden located at 138 Old Oaken Bucket Road on 6/17/17 from 5:00 pm to 9:00 pm for a wedding. Motion by Mr. O'Toole Second by Mr. Harris Unanimous Vote (5-0)

New Common Victualler License Crocetti Too, Michael Feroli

Crocetti's is out of East Bridgewater and they would like to sell seafood, have a butcher shop and sell sandwiches. Crocetti's has been in existence since the 90's.

Move that the Board of Selectmen approve a new Common Victualler's License for Crocetti Too located at 259 Stockbridge Road Scituate, MA pending Board of Health approval. Motion by Mr. Danehey Second by Mr. Vegnani Unanimous Vote (5-0)

PJ's Country House, Kara Tondorf

1. PUBLIC HEARING Transfer of Liquor License

The current owners of PJ's has been there since 1935 and will be retiring. The employees will be staying and working for the Tondorf's. There will be a slow transition and it will be spruced up a bit. It started as Dutchland Farms and then Howard Johnsons, then become PJ's.

Move that the Board of Selectmen approve the transfer of the On Premise Restaurant All Alcoholic Beverages Annual Liquor License from PJ's Country House to Kansha Restaurant Group, Inc. d/b/a PJ's Country House pending successful closing for sale of business and ABCC approval. The 6,318 square foot space is located at 227 Chief Justice Cushing Highway, Scituate, MA and consists of 4,930 square feet on the 1st floor with 5 rooms and 2 bathrooms; 833 square feet on the second floor with 3 rooms and 1 bathroom and a 555 square foot basement with 2 rooms and parking areas in the front and on the sides of the building. Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (5-0)

2. Common Victualler & Entertainment License

Move that the Board of Selectmen approve the Common Victualler license for Kansha Restaurant Group, Inc. d/b/a PJ's Country House pending successful closing for sale of business & Board of Health approval. Motion by Mr. Danehey Second by Mr. Vegnani Unanimous Vote (5-0)

Move that the Board of Selectmen approve the indoor entertainment permit for Kansha Restaurant Group, Inc. d/b/a PJ's Country House Monday – Friday 12 pm – 1 am Saturday, Sunday 10 am – 1 am for DJ, 3-5 piece band, Acoustic music and amplified music pending successful closing for sale of business. Motion by Mr. Danehey Second by Mr. Harris Unanimous Vote (5-0)

Planning Board Alternate Position Vacancy

Mr. Gerald Wynne has resigned from the planning board.

Move that the Board of Selectmen approve the Alternate Planning Board vacant position be added to the September 16, 2017 special election ballot. Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (5-0)

Scituate Harbor Pedestrian Way Finding Signs, Laura Harbottle, Town Planner & Ann Burbine, Chair, Economic Development Commission

A sign will go opposite Maria's sub shop, another will be located down by the Town Pier, one at the corner of Riva, and lastly at the Harbormaster/launch/harborwalk area.

**Move to approve the locations of four pedestrian wayfinding signs as shown on the handout “Proposed Wayfinding Signs, Scituate Harbor” dated May 31, 2017.
Motion by Mr. Danehey Second by Mr. Vegnani Unanimous Vote (5-0)**

Ms. Burbine thanked the people who attended the Greenbush visioning session and they would like to have one for North Scituate next. Mr. Danehey would like to ask the EDC to have a meeting with the businesses in Greenbush to see their vision as well.

DPW CONTRACTS, Kevin Cafferty, DPW Superintendent & Sean McCarthy, Town Engineer
Mr. McCarthy reviewed the two contracts with the Board and reviewed the purpose of each.

1. Capital Paper Recycling \$65,000

Move that the Board of Selectmen award the contract to provide pickup and processing of recyclable materials at the Scituate Transfer Station to Capital Paper Recycling of Weymouth, MA for an amount not to exceed \$65,000.00. Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (5-0)

2. Granular Activated Carbon Exchange \$115,750

This contract will replace the whole filter in the August/September time frame. This is the last pool in the furthest building. The filter is dropping in effectiveness. The new one will be good 5-7 years. This is a recurring maintenance item.

**Move that the Board of Selectmen award the contract to furnish and exchange the granular activated carbon at the Scituate Water Treatment Facility to Carbon Activated Corporation for \$115,750.00.
Motion by Mr. Danehey Second by Mr. Vegnani Unanimous Vote (5-0)**

Mr. Harris asked Sean McCarthy to provide an update on the paving for Kent Street. The paving will be from St. Mary's up to the waste water treatment plant. They mill it and then there will be raised castings. There will be some lead time before it is paved. Then the finished pavement is done. Everything under Kent Street is replaced and there should be no need to dig it up after it is paved. Ms. Curran asked for a full listing of all the roads being done this summer. Mr. Harris asked Sean to take a ride up Common Street. Keith Walo asked about the sign that was put up next to the Coast Guard station since it fell over and was broken. Dick Eckhouse, 12 Meeting House Lane asked what is the alternate route. Stockbridge Road will be the alternate route. The DPW will post the alternate route when Kent Street is done. From start to finish it will take about a month for the whole project barring any delays. Ms. Curran asked if we could get this done before July 2nd.

Pledge of License for Untold Brewing, LLC

Matt Elder, owner Untold Brewing, LLC was asked by the bank to pledge the license.

Move that the Board of Selectmen approve the pledge of license for Untold Brewing, LLC. Motion by Mr. Danehey Second by Mr. Harris Unanimous Vote (5-0)

Proclamation Race Amity Day June 11, 2017

Mr. Danehey read the Town of Scituate proclamation for Race Amity Day.

NEW BUSINESS:

1. DISCUSS/VOTE One Day Liquor Licenses

- a. Kates Table @ SMC 7/15 from 5:30-9:30 pm for a birthday party

Move that the Board of Selectmen approve a One Day Wine & Malt license to Kate's Table for a birthday party to be held at the Scituate Maritime Center located at 119 Edward Foster Road on Saturday, July 15, 2017 from 5:30 pm to 9:30 pm. Motion by Mr. Vegnani Second by Mr. O'Toole Unanimous Vote (5-0)

- b. Ellen McKenzie @ SMC 6/18 from 11 – 4 pm for a memorial service

Move that the Board of Selectmen approve a One Day Wine & Malt license to Ellen Mackenzie for a Memorial Service to be held at the Scituate Maritime Center located at 119 Edward Foster Road on Sunday, June 18, 2017 from 11:00 am to 4:00 pm. Motion by Mr. Vegnani Second by Mr. Harris Unanimous Vote (5-0)

- c. Ellen McKenzie @ SMC 6/11 from 11 – 4 pm for a memorial service

Move that the Board of Selectmen approve a One Day Wine & Malt license to Ellen Mackenzie for a Memorial Service to be held at the Scituate Maritime Center located at 119 Edward Foster Road on Sunday, June 11, 2017 from 11:00 am to 4:00 pm. Motion by Mr. Vegnani Second by Mr. O'Toole Unanimous Vote (5-0)

2. Board & Committee Appointments

1. Sister City Cork County Ireland

The Selectmen said all of the candidates were excellent and it is a difficult job selecting the committee members. Thank you to everyone who showed interest and applied. There will be more opportunities in upcoming years to participate.

- **Move to appoint Carol Sullivan-Hanley to the Sister City Ireland Cork County Committee for a term of one year or until a successor is named. Motion by Mr. Danehey Second by Mr. Vegnani Unanimous Vote (5-0)**
- **Move to appoint Brenda O'Connor to the Sister City Ireland Cork County Committee for a term of two years or until a successor is named. Motion by Mr. Danehey Second by Mr. Harris Unanimous Vote (5-0)**
- **Move to appoint Audrey Donovan to the Sister City Ireland Cork County Committee for a term of two years or until a successor is named. Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (5-0)**

- **Move to appoint John Sullivan to the Sister City Ireland Cork County Committee for a term of one year or until a successor is named. Motion by Mr. O'Toole Second by Mr. Danehey Unanimous Vote (5-0)**
 - **Move to appoint Katie Miller to the Sister City Ireland Cork County Committee for a term of one year or until a successor is named. Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (5-0)**
 - **Move to appoint Siobhan Hunter to the Sister City Ireland Cork County Committee for a term of two years or until a successor is named. Motion by Mr. O'Toole Second by Mr. Harris Unanimous Vote (5-0)**
 - **Move to appoint Peter Mehegan to the Sister City Ireland Cork County Committee for a term of one year or until a successor is named. Motion by Mr. Danehey Second by Mr. Vegnani Unanimous Vote (5-0)**
 - **Move to appoint Kevin Callanan to the Sister City Ireland Cork County Committee for a term of two years or until a successor is named. Motion by Mr. Harris Second by Mr. Danehey Unanimous Vote (5-0)**
 - **Move to appoint Pat Jacquart as the Sucy-en-Brie Sister City committee member for a term of two years or until a successor is named. Motion by Mr. Vegnani Second by Mr. O'Toole Unanimous Vote (5-0)**
 - **Move to appoint Brendan Murphy as the Economic Development Commission committee member for a term of two years or until a successor is named. Motion by Mr. Vegnani Second by Mr. Harris Unanimous Vote (5-0)**
 - **Move to appoint Richard Hebert as the School Committee member for a term of two years or until a successor is named. Motion by Mr. Vegnani Second by Mr. Harris Unanimous Vote (5-0)**
 - **Move to appoint Christine Walsh as the Chamber of Commerce member for a term of two years or until a successor is named. Motion by Mr. Vegnani Second by Mr. O'Toole Unanimous Vote (5-0)**
 - **Move to appoint Patrice Maye as the Scituate Harbor Cultural District member for a term of two years or until a successor is named. Motion by Mr. Vegnani Second by Mr. Harris Unanimous Vote (5-0)**
 - **Move to appoint Brian Houlihan as the Harbor Merchants Association member for a term of two years or until a successor is named. Motion by Mr. O'Toole second by Mr. Vegnani Unanimous Vote (5-0)**
2. Move to appoint the following individuals for a term of one year or until a successor is named:
- Agent of Veterans Benefits - Donald Knapp
 - Affirmative Action Officer – Stephen Salk

- Archivist – Betty Foster
- Citizen Representative to the Scholarship committee – Judith Byrne-Ariel
- Custodian of Tax Title Property – Pamela Avitabile
- Custodian of Veterans Graves – Donald Knapp
- Fair Housing Officer – Patricia Vinchesi
- Fence Viewer – Paul Murphy
- Field Driver – Neil Duggan
- Insurance Advisory Committee – Paul Scott Retiree Representative
- Licensing Agent – Sgt. Gerald O’Brien
- Local Auction Permit Agent – Pamela Avitabile
- Massachusetts Bay Transportation Authority – Al Bangert
- Massachusetts Port Authority Advisory Committee Representative – Gary Banks
- Logan Airport Community Advisory Committee Representative – Gary Banks
- Metropolitan Area Planning Council – Patricia Vinchesi and Al Bangert as Alternate Member
- Plymouth County Advisory Board – Maura Curran, Chairman Board of Selectmen
- South Shore Recycling Cooperative – Sean McCarthy
- State Ethics Commission – Patricia Vinchesi
- Surveyor of Lumber/Measurer of Wood and Bark – Al Bangert

4. Drain Layers License Renewals

- a. Avon Septic and Pumping LLC aka: J. Aiello Trucking

Move to approve a renewal of the Drain Layers License to Avon Septic and Pumping, LLC (aka J. Aiello Trucking) subject to verification of DPW with insurance coverage updated and current. Motion by Mr. Danehey Second by Mr. O’Toole Unanimous Vote (5-0)

5. Pedicab License Renewal

Move that the Board of Selectmen approve the 2017 Pedicab License renewal for The Gava Group, Inc. Motion by Mr. Harris Second by Mr. Vegnani Unanimous Vote (5-0)

6. Board of Selectmen Liaison Positions

The Board reviewed the liaison position that were previously assigned to Mr. O’Toole and agreed on the following liaisons:

Advisory Committee – Maura Curran

Animal Control Board – John Danehey

Cable TV – Shawn Harris
Community Preservation Act Committee – Anthony Vegnani
Council on Aging – John Danehey
Plymouth County Advisory Board – Maura Curran
Street Acceptance Committee – Maura Curran
Veterans Advisory Council – Anthony Vegnani
All other liaison positions will remain the same.

OTHER BUSINESS:

1. **Correspondence** no correspondence for this meeting was received.

2. Approval of Meeting Minutes

Move to accept the meeting minutes for the Board of Selectmen meetings held on April 18, 2017, April 26, 2017, May 11, 2017 and May 16, 2017. Motion by John Danehey Second by Mr. O'Toole Ms. Curran abstained from 5/16 meeting. Unanimous Vote (5-0)

Mr. Danehey was approached by a donor to put up a 100 foot flag pole at the football field. Mr. Danehey said that SCICOH is looking to use the old fire station for storage of football equipment. Mr. Bangert will discuss these two requests with Patricia Vinchesi.

Mr. Vegnani said LaCrosse is in the playoffs, tennis team and baseball are all doing great. They all had a great season. Please get out and support the teams. The Special Olympics were held this past weekend and Betsy Callahan dedicated the last 20 years holding these track events and Mr. Vegnani would like to publicly thanking her for her service to the Town of Scituate. Many thanks to Betsy Callahan.

Mr. Harris was speaking with the Harbormaster and the Assistant Harbormaster about thirty new moorings were given out to people. Ms. Curran said the coastal advisory commission will be coming into the June 20th meeting to report to the board. Congratulations to all the Scituate High School graduates along with all the college graduates.

Mr. O'Toole said it has been an honor and a privilege to serve the people of Scituate and work with the town employees.

3. Adjournment and Signing of Documents

Motion by Mr. O'Toole second by Mr. Danehey meeting adjourned at 8:42 p.m. Unanimous Vote (5-0)

Respectfully Submitted,

Lorraine Devin, Recorder

LIST OF DOCUMENTS FOR MAY 16, 2017 BOARD OF SELECTMEN MEETING

- Agenda
- Knights of Columbus Carnival Special Event
- Outdoor Entertainment Permits (6)
- Common Victualler License Application Crocetti's Too
- Common Victualler Application and Entertainment License for Kansha Restaurant Group, Inc. d/b/a PJ's Country House
- Transfer of Liquor License for Kansha Restaurant Group, Inc. d/b/a PJ's Country House
- Planning Board Alternate Position Vacancy
- Approval for four pedestrian wayfinding signs in Scituate Harbor
- Capital Paper Recycling Contract
- Granular Activated Carbon Exchange Contract
- Proclamation for Race Amity Day
- One Day Wine & Malt Licenses (3)
- Sister City Ireland Cork County appointments
- Board & Committee Appointments
- Renewal of Drain Layers License Avon Septic & Pumping (aka J. Aiello Trucking)
- Pedicab License Renewal
- Selectmen Liaison Positions
- Acceptance of Board of Selectmen meeting minutes for 4/18/17, 4/26/17, 5/11/17 and 5/16/17

Board of Selectmen Meeting Minutes for June 6, 2017

BOARD OF SELECTMEN

Maura C. Curran, Chairman

Anthony V. Vegnani, Vice Chairman

John F. Danehey, Clerk

Shawn Harris