

**MEETING MINUTES
BOARD OF SELECTMEN
October 17, 2017**

Present: Maura C. Curran, Chairman, Anthony V. Vegnani, Vice Chairman, Shawn Harris, John Danehey, Karen Canfield

Al Bangert, Acting Town Administrator

The Meeting was called to order at 7:02 p.m.

Acceptance of Agenda

**Mr. Vegnani made a motion to accept the agenda for October 17, 2017
Second by Mr. Harris, all in favor. Unanimous vote (5-0)**

WALK INS

Mr. David Dardi, 122 Gilson Road, played a tape recording of the sound he hears from the wind turbine recorded in his home in front of the window. Mr. Dardi provided a document to distribute to the Board of Selectmen. The first two page were visual sound waves. Pages 3-5 were Mr. Dardi's analysis of the wind speed town complaints he analyzed from the data provided by Mr. Bangert. There were 144 complaints and Mr. Dardi was 42 of those complaints.

REPORT OF THE ACTING TOWN ADMINISTRATOR

Mr. Bangert said the Old Gates Gymnasium is now available for play and we will be renting it on the weekends. The floor is now refinished and it is in great shape.

The track rebuild and football field are being pushed out to the spring town meeting since it is such a large project we want to do together.

The CPC project for the dog park that was approved is underway.

On October 26, 2017 at the Center for Performing Arts at Scituate High School at 6 p.m., there will be a Selectmen meeting to discuss the new Senior Center location. Everyone is welcome to attend.

We have completed the analysis for the land swap available for the Selectmen to review and this will be on the agenda for the November 7, 2017 Selectmen meeting.

SCHEDULED ITEMS:

25 Year Service Awards, John Murphy

The following employees Robert Rizzotto, Scituate Fire Fighter (8/22/92 hire date) and Captain William Sestito (10/19/92 hire date) both of the Scituate Fire Department are being recognized for 25 years of dedicated service to the Town of Scituate. The Board of Selectmen would like to thank these individuals for their many years of dedicated service to the Town of Scituate. Chief John Murphy presented service anniversary gifts to Fighfighter Rizzotto and Captain Sestito. Their names are engraved on a plaque in the Selectmen Hearing Room for employees with 25 years of service. Their leadership and commitment shows every day. We are proud to have them aboard. The Selectmen and Chief Murphy thanked them for their service.

Tootsie Roll Drive, Mark Sullivan, Knights of Columbus

Mark L. Sullivan is the Tootsie Roll Drive Coordinator for the Knights of Columbus for the last 13 years. It is a national program across the U.S. The money is used for children with intellectual disabilities. The money is collected throughout the Town of Scituate. Mr. Sullivan runs 40-50 men collecting between October 27th and 29th. The money is taken and given to the state. If anyone needs a grant in the amount of \$3000-\$4000 they can apply through the Knights of Columbus. Mr. Sullivan has collected close to \$90,000 and he wants people to be aware this funding is available. The Knights work with other charities to help families. Go on the Knights of Columbus website or any of the Knights and you can get in touch with Mark. Mr. Harris thanked Mark Sullivan and the Knights of Columbus for all they do for our community.

Vote to approve the Knights of Columbus Annual Tootsie Roll Drive from October 27-29, 2017 Friday thru Sunday at various locations in the Town of Scituate including various businesses and the Transfer Station. Motion by Mr. Vegnani second by Mr. Harris Unanimous Vote (5-0)

Mr. Danehey read the proclamation signed the by the Board of Selectmen and provided Mr. Sullivan with a copy.

Liquor License Change of DBA Kansha Restaurant Group, DBA PJ's, Kara Tondorf

Maryellen Weeks is representing Kara Tondorf this evening. They are requesting a change of DBA from PJ's Country House to Hook & Harvest. Ms. Weeks said they are looking to bring more farm to table options and fresh seafood to serve at the restaurant.

Move that the Board of Selectmen approve the DBA from PJ's Country House to Hook & Harvest. Motion by Mr. Harris second by Mr. Danehey Unanimous Vote (5-0)

Special Event Seaside Kitchen Tour, Susannah Adams, Scituate Education Foundation
Susannah is a board member and this is their first major fundraising event for this season. There will be five Scituate homes for a self-guided tour. The foundation has given out \$51,400 in grants to Scituate Public Schools and Council on Aging. They give grants to all ages. Their goal this year is to raise over \$60,000 this year. They have sold 100 tickets so far and they are hoping to sell 200 more tickets.

Move to approve the Seaside Kitchens Tour on 11/12/17 from 12 – 4 p.m. at 5 Scituate homes and the program/wristband pick up and ticket sales at the Scituate Harbor Community Building located at 44 Jericho Road from 9:30 a.m. to 1:30 p.m. Motion by Mr. Danehey second by Mr. Harris Unanimous Vote (5-0)

North Scituate Playground, Maura Glancy, Recreation Director
“Friends of Scituate Recreation”, Jeanine Chisholm and Caitlin Muro, attended the meeting. There have been many contributions to the Friends of Scituate Recreation for this playground. Jeanine and Caitlin are involved in fundraising and the design team and are part of Friends of Scituate Recreation. The money will be used for tables, benches, plaques, soccer nets and other playground equipment.

1. Acceptance of Donation

Donation to the Town of Scituate for the collection of donations to be used for the New Playground in No. Scituate. Picnic tables, benches, baby swings, sign for area is among the various added equipment the playground needs. Acceptance of donation valued at a total of \$22,793.92. Mr. Harris said his sister was involved in the playground that was at the high school and he has an idea how challenging it is to fund and build a playground. Mr. Harris thanked them for their work.

**Move that the Board of Selectmen accept the donation to the Town of Scituate to be used for various equipment need for the New No. Scituate Playground.
Motion by Mr. Harris second by Mr. Danehey**

2. Naming of Playground

The North Scituate Playground has been created to take the place of the Seaside Fun Playground that was located on the Scituate High School Campus. The thinking was to keep the same name for the new playground in No. Scituate. The overall consensus of the group is to call it the same name. Ms. Canfield was on the committee years ago. It was named for the fun of living in a seaside community. Mr. Danehey had a thought to name it after Susan Phippen who did so much for our community. Ms. Glancy said there were some large donations made by individuals

and there will be a plaque with the donations. Mr. Vegnani said the Town paid \$600,000 for the playground. Ann Burbine, Pennycress Road agrees that Sue Phippen was instrumental in the WPA building. Ms. Burbine said the Town may consider naming the WPA building the Susan Phippen WPA Building. The Selectmen said we do not have to decide tonight but suggest we table this to a future meeting. The Friends of Scituate Recreation wanted to honor the “Seaside Fun” name and Sue Phippen was instrumental in the building of the first Seaside Fun playground as well. This will be tabled to a future meeting.

Non-Emergency Tow Policy, Stephen Mone, Harbormaster

The Waterways Commission at the August 3, 2016 meeting a motion passed to implement this non-emergency tow policy by a unanimous vote with one abstention. Currently the harbormaster just tows boaters who need it and it ties up assets and there is a liability that goes along with it. Mr. Mone is not saying we stop towing altogether in emergencies. We need to look at the situations where people run out of gas for example. Mr. Danehey’s concern is when the harbormaster goes out to the boat and leaves before the tow company arrives. Mr. Mone said this is a non-emergency tow policy. If there was an emergency the harbormaster would tow the vehicle. Mr. Vegnani asked how often this happens. Mr. Mone said when he arrived it was so frequent he was shocked. People were calling from a dock to be towed to the boat yard. Dave Friedman, Oceanside Drive and Waterways Commission member said convenience tows should not be done by the harbormasters office. Mr Bangert said we are competing with businesses and this clarifies the role of the public entity. The harbormaster will always handle emergency situations. Ethan Moss is a Pembroke resident and owns the Sea Tow Company. The harbormaster needs to be available to perform emergency services and the Coast Guard has guidelines to determine emergency and non-emergency and distress vs distress. Without a policy it comes down to who answers the phone that day at the harbormasters office. Mr. Danehey said he agrees the harbormaster should not be tied up but wants response to emergencies.

Move to approve the Town of Scituate Nonemergency Tow Policy as written as written today October 17, 2017. Motion by Mr. Danehey second by Mr. Harris Unanimous Vote (5-0)

Verizon Small Cell Pole Attachment, Brad Washburn, Director of Planning & Development
Brad Washburn is here to update the Board of Selectmen with Verizon’s request for small cell pole attachments. Verizon Wireless is in the process of further developing its network through a system of so-called small cell antenna attachments to utility poles located in Town and State Rights-of-Way. The installations are generally limited to installing one Cylindrical Antenna, Remote Radio Head(s), and associated wires, cables, meter and junction boxes on a standard utility pole. There is no ground equipment proposed to be installed. There are 3 locations in the town of Scituate.

The small cell pole attachment program is being implemented throughout Massachusetts. My experiences in other communities has been to review the pole attachment in a manner consistent with cable providers, electrical utilities and landline telephone companies under Chapter 166 of the Massachusetts General Laws. The information provided to the planning board was too technical and they will be coming back to the October 26th Planning Board meeting. Verizon requested two in Humarock and one in the Harbor. After they finish with the planning board they do not have to come back to the Selectmen. The planning board asked how many more of these may be coming. There was no answer to that question at this time. They will be putting in the new poles, transferring the service and then removing the old pole. Mr. Harris said be sure they remove the old poles. The only place they have done this on the South Shore is Weymouth. They said there are no health impacts. Mr. Danehey said they look like transformers and he wanted to know the radius or “ring” where they anticipate improvement of cell service. Verizon said they did not have a tool to predict by how much it would improve. Mr. Washburn said they will ask further questions about this at the meeting. Mr. Vegnani said as long as there is not a health concern and it improves service that would be fine. The Selectmen asked that this be an order of condition to remove the old pole. Mr. Washburn said he would return to the area. Paul Barrett, 14 Michael Avenue thought this would be an unfair advantage to other companies. Gerry Kelly 56 Moreland Road said Verizon Wireless and Verizon are two different companies so this would not apply to an unfair advantage. Mr. Washburn said he would ask the company if this is available to other companies as well.

Widows Walk Golf Course Management Contract with IGM, Nancy Holt, Town Accountant/Finance Director

Nancy Holt said we have one one-year option left on our golf maintenance contract. At the end of this year the contract would need to go out to bid. Mr. Vegnani said this is not an unreasonable increase.

To extend contract #01-01-14G with International Golf Maintenance for the professional golf course maintenance of Widow’s Walk Golf Course for calendar year 2018 for an amount not to exceed \$504,477 as submitted in the response to the December 2013 RFP for professional golf course maintenance by International Golf Maintenance. Motion by Mr. Vegnani second by Mr. Harris Unanimous Vote (5-0)

CPC Applications, Karen Connolly, Chair, CPC

Ms. Connolly said it was very valuable to meet with the Selectmen to get their input prior to meeting as a CPC board. They felt the Selectmen input was very helpful to the process and hopes this continues.

ARTICLE 6. Community Preservation Act Reconciliations

To see if the Town will vote to rescind the balance of funds authorized but unexpended from prior Community Preservation projects, totaling \$273,319.55, and transfer said funds into the Community Preservation Committee reserve or General Fund Balance from which they were originally appropriated as the case may be, in accordance with the Community Preservation Act as follows:

Description/Project	ATM Authorization	Amount
Crosbie Land Acquisition	2011	\$216,787.05
Higgins McAllister Land Acquisition	2012	\$ 2,000.00
Bates Lane Parking	2012	\$ 43,500.50
Damon Preserve Acquisition	2014	\$ <u>11,032.00</u>
Total		\$273,319.55

Ms. Connolly said this money came from the open space reserve and will return to that fund.

ARTICLE 7. Community Preservation Act

To see if the Town will vote to hear and act on recommendations from the Community Preservation Committee (the CPC) to appropriate the sums of money as indicated below. Appropriations for the items below are to be expended first from any existing reserves for the purposes of such item, with any excess to be appropriated from Community Preservation unreserved funds. All such sums appropriated are further to be expended subject to all terms and conditions of the applications regarding such projects filed with the CPC and the votes of the CPC regarding approval of such items.

1. \$197,814.50 from Community Housing: Central Park Housing Window Replacement
2. \$ 79,850.50 from Unreserved Funds: Central Park Housing Window Replacement

Ms. Connolly said \$277,655 total amount would be funded and CPC is allowed by law to fund it. The CPC committee voted to complete this project because they did not want to leave it half done. Ms. Curran asked what the unreserved fund balance would be. Ms. Connolly said it is currently \$2.9M.

3. \$528,500.00 from Open Space: Parking and Access to CPC-acquired land
4. \$ 52,000.00 from Open Space: Mapping, Trails and signage for CPC and Town Conservation land

This is also being recommended at Town Meeting. Penny Scott Pipes is here to answer any questions. We need to give people access to it and it is time we provide that access. This can all be done at once and under one contract. Ms. Canfield said this supports the economic development for Scituate to complete this project. Mr. Vegnani thinks it is an outrageous

amount of money for parking spots and a wooden sign. Frank Snow, Chairman of the Conservation Commission discussed the plan for access ways and parking on open space properties at a cost of \$528,500. Mr. Snow has been working with Paul Scott to obtain some pricing for all properties. There is a rough budget for all the properties but they want the flexibility in case it is more for one area than another. Mr. Vegnani asked how much for the Damon property and Ms. Connolly said \$56,000 for this area. It is \$310,000 for the Appleton property and \$70,000 for McAllister and \$82,500 for Bates Lane. Ms. Connolly said this money is coming from open space reserve fund. There is \$691,000 before the rescissions are done which would be another \$273,000. Ms. Connolly said the warrant is done we could decide to reduce the amount on town hall floor otherwise CPC would have to revote this. The amount can be decreased on town hall floor. The CPC vote was unanimously in favor. We spent \$6M on land with no access and this will give the public access to the land and prices are going to increase. Mr. Snow explained the volunteer projects going on at other properties. Mr. Vegnani asked what will be done. Mr. Snow said there is clearing, trail marking, mapping, building roads and parking areas that cannot be done with volunteer help. The road access will be 30-40 feet wide removing stumps and subsoil, drainage added and gravel for the road. The parking would be 8-15 cars with packed service of gravel. Several hundred feet at each location will be parking and path access for a wheelchair. Mr. Vegnani asked what the most expensive part of the construction is and Mr. Snow said the clearing and fill are the most expensive part. Mr. Harris said he is in favor and asked if they could pick one and do it right. Ms. Canfield said we would lose the economy of scale for doing all of them at the same time. Penny Scott-Pipes said it gives them the flexibility to use the money needed for each area. The Crosby project is a major undertaking and culverts need to be put in and it is a wetlands area. Mr. Vegnani said these are the things we don't want to do to move funds around. Ms. Connolly said she understands it is expensive but these projects go on for years and years and don't get done. Mr. Danehey said we've spend \$6M to purchase this open space and we need to gain access. The space in Norwell is used so much and ours is not because there is no access. Mr. Danehey said it has to be accessible and this is a win-win even though it is expensive.

Marla Minier is here to discuss the trail maps. There are a lot of good trails already on the properties and trails were created on Higgins McAllister and Bates Lane is finished. There are many cart trails on the Damon property. This proposal is to make people feel safe in the woods with the trails mapped out so they know where they are. GIS/GPS technology will be used to map the trails and be part of the town website and you can access them with your mobile phone via a website. They want the citizenry to have access to all the beautiful land purchased over the years with signage and trail markers so emergency personnel could get to someone if needed. Much of this work has been done with so much volunteer work. Mr. Vegnani said \$38,000 is a shocking number for maps of the woods. Ms. Minier said physical wooden bridges/boardwalks are included in this proposal with volunteer labor. The town will own the GIS/GPS maps. QR

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codes would be provided at the locations to hold your phone up to see where you are located. A company does this but since they are local people they are doing it at a bargain rate. Ms. Minier reviewed the breakdown of the funding requested. There are approximately 11 miles that would be included along with the Ellis property and Driftway park area. There are seven parcels included in this proposal. This will be linked to Scituate historical trails when done. There will not be the technology that shows you are here. Ms. Connolly said you can put your phone to use the QR codes where they are available.

Ms. Curran thanked everyone for coming in and all their work.

Warrant Articles for November 14, 2017 Special Town Meeting

Ms. Holt spoke with the DOR this week about Article 3 and is awaiting an answer. If we can't use Widows Walk receipts we have to do it with Free Cash.

Mr. Bangert said we may want to hold off on Article 4 and he feels this needs more discussion and should be put on the Annual Town Meeting warrant in the spring. Mr. Vegnani said that makes sense. Mr. Chris Carchia, Stockbridge Road, Chairman Capital Planning feels this should be brought forth to Capital Planning. Mr. Carchia would like to broaden capital planning's input into this process. In the past they have felt they are a cursory piece of the project. Ms. Curran feels that is valid. Mr. Bangert feels this project is not well enough developed to bring before town meeting. This would not interfere of when we would be doing this anyway. In the Spring revenue would be coming in that could be used. Ms. Canfield said there are a lot of issues coming up with the golf course and she suggests establishing a committee to support that research. Mr. Harris also raised this in the past. Mr. Vegnani said there were many groups that were set up in the past. It may be a good time now to put a committee together. Mr. Carchia said it should be part of the five year capital plan For Widows Walk. The board could put together an ad-hoc committee that clearly defines the task. The board agrees to remove article 4 from the Special Town Meeting Warrant. Ms. Curran said since GATRA stops there as a public spot we may be able to access additional funding.

Mr. Vegnani asked Ms. Holt to look into Crosby property.

Article 12 Ms. Holt reviewed past years and suggests we remove this from the warrant. The Selectmen agreed to remove this article.

The Selectmen agreed to modify article 13 to strike 1) acquire real estate or and remove these words.

Move that the Board of Selectmen approve the warrant for the November 14, 2017 Special Town Meeting contingent upon any further changes by Town Counsel and/or the Town Administrator. Motion by Mr. Danehey second by Mr. Harris Unanimous Vote (5-0)

The board will take a short break at 9:29 p.m.

The board reconvened at 9:41 p.m.

MA State Lottery KENO Monitor 7-Eleven 337 Gannett Road

Mr. Bangert explained that the Lottery sent us a letter that they plan to install a KENO monitor at 7-Eleven at 337 Gannett Road.

The Board of Selectmen opted to not take any action on the KENO monitor.

OLD BUSINESS:

1. Approval of ADA Notice for Selectmen Policy

All public entities must provide information to the public, program participants, program beneficiaries, applicants and employees about the ADA and how it applies to the public entity. This notice will be posted in Town Hall, and on the website.

Move that the Board of Selectmen approve the ADA Notice to accompany the Town of Scituate Grievance Procedure Operational Policy #61-17 Motion by Mr. Vegnani Second by Mr. Danehey

2. Wind Turbine Analysis and Results

At the last meeting the Selectmen asked Mr. Bangert to put together some additional cost information. Ms. Curran said we have received good input from all sides. Mr. Bangert reviewed the costs with the Board of Selectmen.

At the October 3rd BOS meeting, the Board asked for information concerning the projected cost of ceasing turbine operations under certain conditions.

Question asked: *What would be the cost to the taxpayer of shutting down the wind turbine operation from 11PM to 6AM during the period April 15th through October 15th?*

- The cost to the taxpayer over the past summer would have been \$162,885. Over the past five years the annual cost would have been be \$150,000 +/- \$25,000 per year depending on wind and energy prices.¹

Follow-up question: *What percentage of the Town's revenue from the turbine does this represent?*

- This represents approximately two-thirds of the net taxpayer benefit received from the turbine operation in an average year.

Follow-up question: *How did you calculate the cost to the taxpayer?*

- Based upon 5 years of data, the production of energy by the turbine during the 6-month period of April through September averaged 1,300,000 +/- 250,000 kilowatt-hours (kWh).
- In the most recent 6-month period covering April 15 to October 15, production was higher than average, slightly exceeding 1.9 million kWh of which nighttime production between 11PM and 6AM was 571,126 kWh, or 30% of the production.
- If the increased curtailment were in place for the past 6 months, the Town would have owed Scituate Wind \$67,964 based on the lost production.²
- Additionally, over this same period, the rebate paid to the Town by National Grid was 16.62 cents per kWh or \$94,921.
- The total cost to the taxpayer this summer would have been \$162,885³. This represents 64% of the past 12 months of net taxpayer benefit due to increased curtailment.

Second question asked: *What if the turbine was shut down only under conditions when the wind blows from the west (i.e., from SSW thru NNW)?*

- During this past 6-month period, the wind blew from SSW to NNW between the hours of 11 pm and 6 am approximately 68% of the time. Hence, the cost to the taxpayers would have been \$110,762, or 46.5% of the past 12-months net benefits to the Town.
- After Mr. Bangert presented these facts Mr. Vegnani asked what we put in the fund and it is the net revenue minus the expense. Ms. Holt said a concern is there enough money to

¹ This estimate does not include the cost to implement the programming and is estimated using today's power rates, which are expected to increase over time. It also excludes additional maintenance spending required to protect the equipment during extended downtime and administrative costs to track the wind speed and project lost revenue every evening.

² The lost revenue is what the Town pays for power (9.4 cents/kWh, escalating to 9.9 cents/kWh next year) plus the lost value of Renewable Energy Credits (2.5 cents/kWh).

³ \$67,964 payment for lost production plus \$94,921 in lost rebates from NG.

offset the debt exclusion. The turbine contract is for 15 years and the debt is for 25 years. There are clauses to extend the contract by two five year periods. If we don't extend the contracts they could go out and sell the power to somebody else. At the end of 15 years we could negotiate lease payments. We are 6 years in as of right now. Ms. Holt said the solar array does not bring in as much money as the wind turbine. Ms. Curran said this is a tough discussion because Town Meeting approved the windmill. It is not easy because the Selectmen are trying to balance the needs of the Town and the health and well-being of the residents. Ms. Curran said we made some adjustments but they are not enough. Ms. Curran supports during this past 6-month period, the wind blew from SSW to NNW between the hours of 11 pm and 6 am approximately 68% of the time. Hence, the cost to the taxpayers would have been \$110,762, or 46.5% of the past 12-months net benefits to the Town. Mr. Harris suggests we have another test done by an independent company for wind speed, direction and noise. Ms. Canfield thinks given the financial impact of this we curtail the use from 11 pm to 6 am in the summertime. Mr. Vegnani is not opposed to this at all. We are a green community and it does what it is supposed to do. The noise is a very difficult situation. Mr. Vegnani said it is minimal the sound and he knows many people that live in that area that are not impacted but clearly some are impacted. Mr. Vegnani is all for finding the right period of time so people are not impacted and he supports that. If the testing comes back and we are still under the state minimum. Mr. Vegnani said if you shut it off there will not be any complaints. Mr. Vegnani said we are not going to shut it off completely. There is no easy solution but he is in support of tweaking it and trying to find out what to do. Mr. Bangert said the testing was done a year after construction and it was well below the state level. If it's in compliance we have the issue. Whether the state regulation is right or wrong is not our determination. It is no louder now than it was five years ago. Mr. Harris suggests another option may be mitigation. The windows for example in the homes by those being affected. Ms. Canfield said we should not delay relief to the residents that are affected by this while we do the research. Phyllis Karlsberg, 26 Hughes Road, asked when the testing was done there were big boxes at Widows Walk. The windmill is up high and the windmill is down low and she feels it does not make sense how the testing was done. Mr. Bangert said the Board of Health went to the DEP to determine the appropriate firm to do the testing. One of the firms was hired and the firm filed their protocol for testing that was reviewed by the DEP. The testing was done on the ground up at third cliff in the neighborhood that had an issue at night. The protocol was blessed by the State. Keith Walo, Country Way said there were some flaws in the testing and it needs to be done by an impartial group. Mr. Walo thinks there was a lawyer on the team who worked for the turbine people and he feels this is muddying the waters. Mr. Vegnani said sure send it along for the Selectmen to look at. Mr. Dardi said the DEP testing protocols should be 30 feet above the ground. It is difficult to have someone test with all the varied issues. Their tests don't take into account the whooshing noise. These complaints are real from himself and his neighbors. All showing non-compliance will do is get the Town off the hook financially. We have problems whether we are in compliance or not in compliance. Mr. Danehey said the money has been earmarked to help with electricity costs and offset the debt. \$100K has to be earmarked for the debt. The only problem with mitigation is

that every homeowner has a right to take their issue against the turbine company and this would be a very costly proposition. Mr. Harris wonders if the method of testing has changed in six years. Mr. Bangert said the only thing testing would do is to say it is not our problem. He feels we are kicking the can down the road and it will not come back with a solution. Mr. Vegnani said the whooshing noise is never going to go away. Mr. Dardi said Mr. Bangert is well aware that the wind turbine testing does not take into account amplitude modulation (the whooshing sound). Mr. Bangert said the test was designed for noise of factories and does not take into account wind turbines. Ms. Curran asked if the board is inclined to see if testing can be done. Gerry Kelly, 56 Moreland Road is an abutter to the wind turbine and is hearing challenged but can hear it regularly. He supports the testing. He asks the board to look to towns like Falmouth did to do the testing. He wants an independent company to do the testing. The manufacturer of the wind turbine is now bankrupt and they are not doing any work on noise mitigation. Mr. Walo agrees with John Danehey and there is a family that stays at school to do their homework because it is so bad.

Motion to hire an independent consultant to test the noise generated from the wind turbine. Motion by Mr. Vegnani second by Mr. Danehey Unanimous Vote (5-0)

NEW BUSINESS:

1. Addition of Selectmen Library Trustee Liaison position

Move that the Board of Selectmen add the Library Trustee Liaison position to the Committee List. Motion by Mr. Danehey second by Mr. Harris Unanimous Vote (5-0)

Move to appoint a Selectman Karen Canfield as the Library Trustee Liaison. Motion by Mr. Danehey second by Mr. Harris Vote in Favor Curran, Vegnani, Danehey and Harris Ms. Canfield Abstained Motion passes (4-0)

2. Drain Layers License Renewal

Move that the Board of Selectmen approve a renewal of a Drain Layers License to Cobra Enterprises Inc. Motion by Mr. Danehey second by Ms. Canfield Unanimous Vote (5-0)

3. One Day Liquor Licenses

- a. Silent Chef @ SMC 10/28 from 7-11 p.m.

Move that the Board of Selectmen approve a One Day Wine & Malt license at the Scituate Maritime Center located at 119 Edward Foster Road for the the Silent Chef on Saturday, October 28, 2017 from 7:00 p.m. to 11:00 p.m. Motion by Mr. Danehey second by Mr. Vegnani Unaniomus Vote (5-0)

OTHER BUSINESS:

1. Correspondence
No correspondence
2. Approval of Meeting Minutes

Move to accept the meeting minutes for the Board of Selectmen meetings held on October 3rd and October 11, 2017. Motion by Mr. Danehey second by Mr. Harris Unanimous Vote (5-0)

Move to accept and not release executive session meeting minutes for October 3rd and October 11, 2017 since matters discussed are still pending at this time. Motion by Mr. Danehey second by Mr. Vegnani Unanimous Vote (5-0)

EXECUTIVE SESSION:

1. To conduct contract negotiations with non-union personnel—Town Administrator

Move that the Board of Selectmen move into Executive Session to conduct contract negotiations with non-union personnel – Town Administrator position. The board will reconvene in open session.

This requires a roll call vote,

Ms. Curran yes
Mr. Vegnani yes
Mr. Danehey yes
Ms. Canfield yes
Mr. Harris yes

The Board moved into executive session at 10:55 p.m.
The Board reconvened in open session at 11:11 p.m.

OTHER BUSINESS CONTINUED:

1. Town Administrator Contract
Motion to accept the contract of employment with Town Administrator James M. Boudreau as written October 17, 2017 contract subject to agreed upon changes by James. M. Boudreau. Motion by Mr. Danehey second by Ms. Canfield Unanimous Vote (5-0)
2. Adjournment and signing of documents
Motion to adjourn at 11:15 pm by Mr. Vegnani second by Ms. Canfield Unanimous Vote (5-0)

Respectfully Submitted,

Lorraine Devin
20171017 bos minutes

List of Documents for October 17, 2017 Board of Selectmen Meeting

- Agenda
- Knights of Columbus Tootsie Roll Drive
- Change of DBA from PJ's Country House to Hook & Harvest
- ABCC Retail Alcoholic Beverages License Application
- Approval for Seaside Kitchens Tour
- Nonemergency Tow Policy
- International Golf Maintenance for Widow's Walk Golf Course
- CPC transfer of \$273,319.55 into the CPC reserve or General Fund
- Special Town Meeting Warrant
- KENO Monitor for 7 ELEVEN
- Approval to adopt an ADA notice to accompany the Town of Scituate Grievance Procedure Operation Policy
- Notice of Non-Discrimination Public Notice
- Cost to curtain turbine in summer evenings
- Cost to taxpayer of shutting down the wind turbine operation from 11PM to 6AM during the period April 15th through October 15th
- Addition of Selectmen Library Trustee Liaison Position
- Renewal of Drain Layers License
- Memo from Kevin Cafferty to William Branton regarding Drain Layer's License Renewal – 2107
- Proposal for Water Treatment Plant Chemical Feed-Equipment Replacement from Tighe & Bond
- Approval for One Day Wine & Malt License for Silent Chef
- Acceptance of Board of Selectmen Meeting Minutes for October 3, 2017 and October 11, 2017.
- Correspondence
 - Executive Session to conduct contract negotiations with non-union personnel – Town Administrator position
 - 2017/2018 Board of Selectmen Liaison Position Update: October 3, 2107
 - Letter from the Commonwealth of MA Office of the Attorney General to Patricia Lambert alleging a violation of the Open Meeting Law

Board of Selectmen Meeting Minutes for October 17, 2017

BOARD OF SELECTMEN

Maura C. Curran, Chairman

Anthony V. Vegnani, Vice Chairman

John F. Danehey, Clerk

Karen B. Canfield

Shawn Harris