

**MEETING MINUTES  
BOARD OF SELECTMEN  
December 5, 2017**

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

Maura Curran not in attendance

Also present: Al Bangert, Acting Town Administrator

The Meeting was called to order at 7:05 p.m.

**Acceptance of Agenda**

**Mr. Harris made a motion to accept the agenda for December 5, 2017**

**Second by Mr. Danehey, all in favor. Unanimous vote (4-0)**

**WALK INS - None**

**REPORT OF THE ACTING TOWN ADMINISTRATOR**

We have an RFP out for an OPM for the Senior Center project. We will be ready to request funding at the Annual Town Meeting for architectural services for the new senior center. At the Fall Town Meeting we would request funding for the Senior Center Project. The chairman of the Council on Aging will participate.

We have a new old building in Town. The central fire station is being repurposed to offices for the Health Department and Social Services. There is work going on there to create good accessible work space and they will be in by this spring. Central garage is being repurposed one bay for the school to use for minor bus repairs no heavy duty work. The second bay will be for the facilities department and the third bay will be used by the grounds department for a snow plow machine & lawn mower used in this area. The building will be put back into good use.

Nancy Holt and all departments did an excellent job getting all their budgets in on time so Nancy could present the information to Al Bangert and Jim Boudreau. Mr. Vegnani said Mr. Boudreau will be starting here as the new Town Administrator after New Year's.

**SCHEDULED ITEMS:**

**General Bylaw Amendment article to Section 20730 Capital Planning Committee, Kathy Curran, Town Clerk**

Ms. Curran provided the Selectmen a copy of the Charter and the General Bylaws that reflects a discrepancy in the number of Moderator appointments to the Capital Planning Committee. Charter states 5 members and the General Bylaws state 4. She is asking that this be placed on the warrant to correct the error. This is a housekeeping item.

Mr. Vegnani and Mr. Danehey asked Ms. Devin to check with the school department to see where the plaque is that was outside the old Gates gym dedicating it to WWII Veterans. Ms. Devin will look into it and get back to the Selectmen. The Selectmen want to rename the old Gates School and update google maps etc. with the correct information.

### **Waterways Commission Dredging Request, Fran McMillan, Chairman, Waterways Commission**

At its regularly scheduled and posted meeting on October 4th 2017, the Scituate Waterways Commission discussed the potential dangers to mariners transiting the entrance to the South River from the main channel. This area is prone to strong, fast moving currents and the water levels are increasingly lower year over year due to shoaling, making the channel almost impassable for both commercial and recreational boaters at low tide. The particular area serves as the only entrance/exit to the South River which houses approximately 440 boats. This count includes both commercial and recreational boats at marinas, moorings and private docks along the South River.

Since most mariners are taught that if you are within the channel you should have adequate water depth available (free of obstructions) for normal draft vessels, these lower sounding levels within the channel make transiting this area a potentially dangerous situation.

Currently Nancy Durfee from the town is working on getting maintenance dredge permits in place for the South River from the Sea Street Bridge to the mouth of Massachusetts Bay. This area described above is within the scope of her permit process.

This is of significant importance to the Waterways Commission. The purpose of Mr. McMillan coming before the Selectmen and writing a letter is to highlight this and ask that the Selectmen begin, with some urgency, the appropriation process for funding the project, specifically for this area designated as a high priority.

The permits and funding has been tied to another project. Ms. Durfee has done the analysis and they wanted to keep it in the same system where the material comes from. Ms. Durfee has done due diligence to obtain easements. Ms. Durfee said we have to tie it into all the projects including Humarock. We have the permits in North Scituate. We have an environmental bond bill that the governor did not sign. There will be more meetings in January to try to keep the funding source alive. Mass DCR and Seaport funding have dried up. If it does not have an economic benefit communities will not receive funding for dredging. The criteria for economic benefit are Deep Sea Port, large cargo commercial boating, large fishing fleets, etc. Mr. Harris said this is not encouraging. The public funding requires a public benefit and with that becomes

the easements. The problem is that Humarock is not a public beach and easements are required. Another opportunity was an emergency situation where we were allowed to do it that one time to dump slightly off shore. A regional approach was discussed similar to Barnstable County who has a dredge system on a rolling schedule. Plymouth County tried it and maybe we can reopen the discussion to try it. A preliminary permit meeting will be held within the next month and a permit will be required to do the mouth of the river. Fran McMillen said we may have to use Waterways funds. Mr. Mone said Barnstable County dredge tried this two years ago and there were problems. Mr. Harris asked whose dredge boat was on the canal. Mr. Mone said it was the Army Corps of Engineers who is responsible for the canal. Ms. Canfield asked timing was what the window is to do the dredging and the reply was yes. Scituate is working with Marshfield all along with this project and it would be cost shared. Howie Krutzberg 143 Edward Foster Road asked if we should consider going back to our State Rep Jim Cantwell due to the safety concern rather than just economic development. Ms. Durfee and Mr. Mone have been in touch with Representative Cantwell on this subject. Mr. Danehey said it may be helpful to contact Bob Galvin who is an attorney who worked with Marshfield on the beach side at Rexhame and he believes Humarock is in the same situation. The case in Marshfield said the homeowner did not own to the low tide line. Mr. Danehey said that Scituate should consider looking into this. Ms. Holt said there are several appropriations \$136,000, \$30,000 and a \$200,000 authorization for dredging. Mr. McMillen said Waterways wanted to inform the Selectmen that this is a safety issue. Ms. Durfee said the piece that needs to be done sooner rather than later is about 2 miles and the cost is \$3-5 million. Mr. Vegnani asked Ms. Durfee to keep the board updated on progress.

### **Donation to Scituate Town Library**

Scituate Resident Michael J. Goulding passed away in November 2016. Northern Oaks (and owner Steve Leach) would like to donate a 15 foot Tulip Tree to be planted in Mr. Goulding's memory on the East side of the library building.

Ms. Canfield said people wanted to honor Michael Goulding and his passions were reading and nature. The family has requested a reflection garden behind the library. The architect is working with the family to find a location.

**Move that the Board of Selectmen accept a donation in memory of Michael J. Goulding to the Scituate Town Library. Motion by Ms. Canfield Second by Mr. Danehey Unanimous Vote (4-0)**

### **FY19 Budget Meeting Schedule, Nancy Holt, Finance Director/Town Accountant**

Ms. Holt provided the FY19 Budget meeting schedule to the Selectmen. Ms. Holt, Ms. Devin and Ms. Seghezzi prepared the timeline that was also reviewed by all departments. The financial forecast committee met on November 7, 2017. Preliminary numbers were given to the Town and the School. When state #'s come in they will be given out.

**Move to approve the FY19 Budget Meeting Schedule. Motion by Ms. Canfield Second by Mr. Harris Unanimous Vote (4-0)**

**Scituate Police Department Axon Contract up to \$98,269.20,**  
M. Stewart, Chief of Police & M. Thompson, Deputy Chief of Police

Chief Stewart said batons and pepper spray are currently used in lieu of a side arm and they are not effective. The department needs a second good option to use. Tasers are used throughout the Commonwealth. We need a less lethal option to use other than the side arm. Funding has been explored and this kept getting bumped in the capital plan. We have an alternative funding arrangement for the first payment to use the law enforcement trust fund which is a legitimate use of those funds. The rest of the payments will be made through the police budget. This requests that the Board of Selectmen award the contract for Electronic Control Weapons for deployment in the Scituate Police Department. A policy will be established for the use of the Taser. There is a significant amount of training that has to be done. The policy will fit into future accreditation plans. Ms. Canfield asked how long the Tasers last. Deputy Thompson said everything is under warranty for five years at no additional cost. At the end of five years the department will reevaluate depending on the technology. The six hour initial training is included in this contract. Subsequent training will be held in house. Deputy Thompson said this is a purchase not a lease. The five year payment plan helps police departments.

This is a five-year contract as outlined in the Taser 60 program. The total value of the contract is \$98,269.20. The department will be invoiced annually in the amount of \$19,440.00. Year-1 expenses are to be funded through the department's Federal Law Enforcement Trust Fund account. Year's 2 through 5 will be subsequent requests to be absorbed through the departments operating budget.

The Taser 60 program does have a non-appropriation clause which allows for the termination of the contract should future funding not be approved.

Chief Stewart recommends awarding the contract to Axon Corporation of Scottsdale, AZ. Axon is the leading provider of electronic control weapons and a responsive vendor under the Charlotte Cooperative Procurement program which the Town of Scituate is a member.

Deputy Thompson said that information is downloaded from the Tasers and can be tracked.

**Move that the Board of Selectmen vote to award the contract for the procurement of TASER electronic control weapons (Contract# 18-P0-10) to Axon Corporation of Scottsdale, AZ in the amount of \$98,269.20 as specified in their quotation dated November 27th 2017. Motion by Mr. Danehey Second by Ms. Canfield Unanimous Vote (4-0)**

## **OLD BUSINESS:**

**Continuance of Public Hearing Humarock Seafood dba Nautical II**, Stephen Leaman applicant and Jon Aieta, Attorney

Attorney Aieta said a month ago on November 7, 2017 Humarock Seafood dba Nautical II was before the Selectmen. Since that time they have attended the Planning Board meeting. The applicant had two applications in front of the Planning Board. 1) Site Plan Administrative Review – This application was filed this past summer and the Board requested additional information, some of which has been provided i.e. the lease. 2) Site Plan Waiver – The applicant filed for a site plan waiver for a restaurant and bar with 16 seats. He indicated that there would be minor interior changes to the building and the use was a by right use for the business district. He indicated there would be minimal impact to the neighborhood. The Board did not agree and denied the waiver which is attached. The original Site Plan Review application is continued to January 11, 2018 at 7:00 pm. Attorney Aieta asked for a continuance. Ann Burbine, 10 Pennycress Road stipulated that it was in the purview of the planning board and there are parking, health, fire and building issues to be figured out. It is a steel building that is rotted out underneath. The Planning Board has serious concerns about the application and they have real issues. Mr. Leaman said the boats are not on their property. He will have engineers attend the planning board meeting to address their concerns. Nothing has been done because Laura Harbottle said no work can be done until the planning board approval is received.

**Move that the Board of Selectmen approve the continuance of a public hearing for a new all alcohol license application for Humarock Seafood LLC d/b/a Nautical II until the January 23, 2018 Board of Selectmen meeting. Motion by Mr. Harris second by Ms. Canfield Unanimous Vote (4-0)**

**2018 Board of Selectmen Meeting Dates**, Lorraine Devin, Executive Assistant to the Board of Selectmen

Ms. Devin presented the Board of Selectmen with a schedule for the 2018 Selectmen meetings taking into account their feedback from the last meeting. Ms. Devin also provided a copy to Mr. Boudreau to provide him an opportunity to review the schedule. The Selectmen reviewed the meeting schedule and are in agreement. Ms. Devin will publicize the schedule.

**Set Annual Town Meeting and Town Election Dates**

**Move to set the Annual Town meeting date for Monday, April 9, 2018 and the Town Election date for Saturday, May 19, 2018. Motion by Mr. Danehey second by Ms. Canfield Unanimous Vote (4-0)**

**NEW BUSINESS:**

**1. One Day Liquor Licenses**

- a. Taylor Made Bartending @ Native, 12/9/17 from 2:00 – 6:00 p.m.

The request was changed from 3-7 pm to 2-6 pm by Taylor Tibbetts of Taylor Made Bartending to Ms. Canfield on 12/5/17.

**Move that the Board of Selectmen approve a One Day Wine & Malt license for an open house located at Native, 51 Front Street to Taylor Made Bartenders on Saturday, December 9, 2017 from 2:00 p.m. to 6:00 p.m. Motion by Mr. Danehey second by Ms. Canfield Unanimous Vote (4-0)**

**2. RENEW ANNUAL LICENSES FOR 2018**

**MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE FOLLOWING RESTAURANT ALL ALCOHOL LICENSES FOR 2018:**

The Barker Tavern  
Riva Restaurant  
Satuit Tavern  
The River Club  
The Mill Wharf  
Hook & Harvest  
Galley  
TK O'Malley's  
Rivershed  
The Voyage  
Jamies Pub

**Motion by Mr. Harris Second by Ms. Canfield Unanimous Vote (4-0)**

**MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE FOLLOWING RESTAURANT WINE & MALT LICENSES FOR 2018:**

Cosmo's Café

**Motion by Mr. Harris Second by Ms. Canfield Unanimous Vote (4-0)**

**MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE FOLLOWING RETAIL PACKAGE STORE ALL ALCOHOL LICENSES FOR 2018:**

Harborside Wines & Spirits  
Reynolds Package Store  
Scituate Package Store

Still Waters Wine & Gourmet LLC

**Motion by Mr. Harris Second by Ms. Canfield Unanimous Vote (4-0)**

**MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE  
FOLLOWING RETAIL PACKAGE STORE WINE & MALT LICENSES FOR 2018:**

7 Eleven

O'Callaghan's Package Store, LLC.

The Village Market

Sand Hills General Store

**Motion by Mr. Harris Second by Ms. Canfield Unanimous Vote (4-0)**

**MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE  
FOLLOWING CLUB ALL ALCOHOL LICENSES FOR 2018**

Scituate Country Club

Scituate Harbor Yacht Club

**Motion by Mr. Harris Second by Ms. Canfield Unanimous Vote (4-0)**

**MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE  
FOLLOWING CLUB WINE & MALT LICENSES FOR 2018**

Scituate Racquet & Fitness

**Motion by Mr. Harris Second by Ms. Canfield Unanimous Vote (4-0)**

**MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE  
FOLLOWING COMMON VICTUALLER LICENSES FOR 2018:**

Circe's Grotto

Coffee Corner

CP's Woodfired Pizza

Dad's Place

Dribbles

Driftway Dunkin Donuts

Egypt Country Store

Harbor Donuts

Hennessey News

Harbor House

Front Street Gourmet

Hook & Harvest

Jamie's Pub

Sam's on the Harbor

Maria's

Morning Glories Bakery

O'Callaghan's Retail Package Store, LLC  
O'Callaghan's dba The Voyage  
Quench Juicery  
Ronnie Shone General Store  
Scituate China Gourmet  
Sand Hills General Store  
The Barker Tavern  
Riva Restaurant  
Scituate Tavern  
Cosmo's Caffé  
The River Club  
The Mill Wharf  
The Village Market  
Reynold's Package Store  
Scituate Racquet & Fitness  
Scituate Country Club  
Scituate Harbor Yacht Club  
7 Eleven  
Galley  
TK O'Malley's  
Wilbur's North  
Rivershed

**Motion by Mr. Harris Second by Mr. Danehey Unanimous Vote (4-0)**

**MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE  
FOLLOWING ENTERTAINMENT LICENSES FOR 2018:**

The Barker Tavern  
Riva Restaurant  
Hook & Harvest  
The River Club  
Scituate Country Club  
Scituate Harbor Yacht Club  
TK O'Malley's  
The Mill Wharf  
Galley  
Rivershed  
The Voyage  
Jamies Pub

**Motion by Mr. Harris Second by Mr. Danehey Unanimous Vote (4-0)**



**MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE FOLLOWING CLASS II LICENSES FOR 2018**

Seacrest Auto  
Driftway Auto, Inc.  
McBrien's Diagnostic Repair  
Scituate Shell, Inc.

**Motion by Mr. Danehey Second by Ms. Canfield All in Favor Mr. Danehey, Ms. Canfield and Mr. Vegnani (3-0) Motion passes. Abstained from voting Mr. Harris**

**MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE FOLLOWING CLASS III LICENSES FOR 2018**

Ray's Repair Shop

**Motion by Mr. Danehey second by Ms. Canfield Unanimous Vote (4-0)**

**MOVE THAT THE BOARD OF SELECTMEN VOTE TO RENEW THE FOLLOWING SEPTAGE DISPOSAL LICENSES FOR 2018**

All Town, Inc.  
Rosano Davis  
P.F. Spencer  
Spirito Environmental Services  
Ronneby Inc. d/b/a K.R. Anderson Pumping Co.

**Motion by Mr. Danehey second by Ms. Canfield Unanimous Vote (4-0)**

Ms. Devin thanked the building department Neil Duggan and Maureen Galvin, Deputy Chief Al Elliot, Sgt. Jerry O'Brien, Board of Health Jennifer Keefe and Joan Schmid, Antonetta Fopiano and Dianne Wells in the Selectmen's office, and Michele Seghezzi in the Town Administrator's office for all of their help with inspections and annual renewals. Ms. Devin also thanked the business owners for getting all of their paperwork together and in on time for annual licensing renewals and their cooperation with inspections. The Selectmen thanked everyone involved.

**3. Open Annual Town Meeting and Special Town Meeting Warrant**

**Move that the Board of Selectmen open the Annual and Special Town Meeting Warrant for the April 9, 2018 Annual and Special Town Meeting at 8:19 p.m.  
Motion by Mr. Danehey second by Mr. Harris Unanimous Vote (4-0)**

**OTHER BUSINESS:**

1. Correspondence

Thank you note from Jane McGovern, 15 Collier Avenue, for Senior Center staff support for her elderly mother's extended stay in Scituate. The Selectmen thanked the staff for their great work at the Senior Center.

## 2. Approval of Meeting Minutes

**Move to accept the meeting minutes for the Board of Selectmen meeting held on November 21st, 2017. Motion by Mr. Danehey second by Ms. Canfield Unanimous Vote (4-0)**

Mr. Vegnani said the new flag pole was installed and the board would like to thank Tony Meschini who donated the gorgeous pole and flag to our community. It will get decades of use. Congratulations to the football team who held their game at Fenway Park. It was a great turnout from the town and a great game. Congratulations to the football team for a great year.

Mr. Danehey said there will be a plaque placed at the flag pole recognizing the donation in the near future.

Mr. Vegnani said First Friday in the harbor was excellent and enjoyed by all. It was great to see people supporting the local shops.

Mr. Harris thanked the Scituate Police and Fire Departments for their outstanding work at an incident that occurred on Friday, December 1, 2017. He was impressed by the work that the fire and police departments did that evening and would like a letter put in their files. Mr. Harris read the names of the police and fire departments that helped with the incident. Police and fire were there working due to a vehicle accidentally hitting a resident's outdoor oil tank that caused a leak. The fire department stopped the leak with minimal release of oil preventing 150 gallons of oil from spilling everywhere. The police department calmly spoke with the residents, homeowner and driver of the vehicle making sure everyone was cared for and calmed down. Mr. Harris asked that a copy of this letter be placed in their personnel folder to commend them for a job well done. He was very impressed with their professionalism in handling this incident.

Firefighters on scene were:

Captain Patrick Reilly

Fire Fighter Mike Regan

Fire Fighter Jodi Corrigan

Fire Fighter Chris Collins

Fire Fighter Thomas Doyle

Police Officers on scene were:

Sgt. Bulman

Officer Mike Prouty

Office Taylor Billings

Mr. Bangert said he will pass it along to the Chiefs for the employee files.

3. Adjournment and signing of documents

**Motion to adjourn at 8:26 p.m. by Mr. Danehey second by Mr. Vegnani.  
Unanimous Vote (4-0)**

Respectfully Submitted,

Lorraine Devin, Recorder

## List of Documents for December 5, 2017 Board of Selectmen Meeting

- Agenda
- General Bylaw Amendment article for the 2018 Annual Town Meeting to Section 20730 Capital Planning Committee
- Scituate Waterways Commission transition the entrance to the South River from the main channel.
- Acceptance of Donation to Scituate Town Library
- FY19 Budget Meeting Schedule
- Letter for the deployment for Electronic Control Weapons in the Scituate Police Department
- New all alcohol license and a Common Vic License for Humarock Seafood LLC d/b/a Nautical II
- 2018 Board of Selectmen Meeting Schedule
- Set Annual Town Meeting and Town Election Dates
- Approval for a One Day Wien & Malt License for Taylor Made Bartenders
- Vote Annual License Renewals for 2018
- Open Annual and Special Town Meeting Warrant
- Correspondenc
  - Email regarding Scituate Senior Center Services and Staff
  - Acceptance of Board of Selectmen Meeting Minutes

## Board of Selectmen Meeting Minutes for December 5, 2017

### BOARD OF SELECTMEN

not in attendance

Maura C. Curran, Chairman

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Anthony V. Vegnani, Vice Chairman

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John F. Danehey, Clerk

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Karen B. Canfield

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Shawn Harris