

**MEETING MINUTES  
BOARD OF SELECTMEN  
May 21, 2019**

Present: Maura Curran, Vice Chair, Karen Canfield, Shawn Harris, Anthony Vegnani, Karen Connolly  
Also present: James Boudreau, Town Administrator

The Meeting was called to order at 7:00p.m.

**Acceptance of Agenda**

**Mr. Vegnani made a motion to accept the agenda for May 13, 2019**

**Second by Ms. Canfield Unanimous vote (4-0)**

**Ms. Curran welcomed Karen Connolly to the Board of Selectmen. Karen Connolly recognized John Danehey and thanked him for all his good work over the years. Ms. Connolly thanked everyone for coming out to vote.**

**REORGANIZATION OF THE BOARD OF SELECTMEN**

**The Board talked about reorganizing and nominating a new Chairman, Vice Chairman and Clerk.**

**Mr. Harris made a motion to nominate Mr. Vegnani as Chair of the Board of Selectmen second by Ms. Canfield. Unanimous Vote (5-0)**

**Motion by Ms. Canfield second by Mr. Vegnani to appoint Mr. Harris as Vice Chair of the Board of Selectmen. Unanimous Vote (5-0)**

**Motion by Mr. Vegnani second by Mr. Harris to appoint Karen Canfield as the Clerk. Unanimous Vote (5-0)**

**WALK INS –**

Jennifer Kuhn, 20 Carrie Litchfield Lane asked Ms. Connolly what her opinion was on the new senior center. Ms. Connolly is in favor of the new Senior Center. Ms. Kuhn asked if a schedule was available for the pipe replacement project. Mr. Vegnani said we do not have a schedule at this time to complete the final phase. Mr. Cafferty said a temporary line is being put in place on Oceanside Drive. There will be a contractor's schedule coming out that will outline the schedule. Ms. Kuhn asked how many phases there are. Mr. Vegnani said there are five phases and we are on Phase 3C.

**REPORT OF THE TOWN ADMINISTRATOR**

Egypt Beach Parking Lot is delayed due to the weather and is running behind. The paving schedule is off. We will get it done as quickly as we can. It will not be ready for this weekend. Ms. Curran asked for notification that the parking lot will not be available this weekend.

The water main flushing is continuing through the end of May. A report will be provided to the Board of where the flushing and pigging was done. We will survey the residents to see if they noticed an impact.

The senior center project will be going before the Planning Board soon. It will be going on one of the June agenda's. Estimated construction should be around October, 2019.

Mr. Vegnani said we have not done a lot of flushing in the past. The senior center will be discussed by the Board of Selectmen about the property and the old Council on Aging building.

Jennifer Kuhn, 20 Carrie Litchfield Lane asked if there is a date for the demolition. Mr. Vegnani and Mr. Boudreau said no there is no date yet. Ms. Kuhn asked if residents would be allowed to dismantle the building. Mr. Vegnani said the Board will think about this.

### **SCHEDULED ITEMS:**

**RECOGNITION** Antonia Snee, Scituate Town Library 25 years of service & Theresa Duggan, Dispatcher 35 years of service, Public Safety Communications Center

Antonia Snee, Scituate Town Library 25 years of service will be postponed to a future meeting.

Chief Michael Stewart is here to acknowledge dispatcher Terry Duggan on 35 years of service. Dispatcher Duggan has been with the Police Department for 35 years and has seen the technological changes in dispatch over the years to the new generation 911 system. She was one of the first dispatchers that were cross trained to handle police and fire on the new system. Chief Stewart has the utmost respect for the dispatchers. Terry has done an outstanding job. Mr. Vegnani thanked Ms. Duggan for her service to the Town. Ms. Curran thanked Ms. Duggan and would like to speak with her about how dispatch has changed with the new Public Safety Complex and the Communications Center. Ms. Duggan said we have adapted and will be training the new young dispatchers. Mr. Boudreau reviewed all of the changes the Dispatch group has encountered over the last couple of years and they have done a great job. Mr. Harris has a lot of respect for the dispatchers and the job is a lot of pressure. He thanked Ms. Duggan for her service to the Town of Scituate.

### **Joint Appointment for Scituate Housing Authority, Scituate Housing Authority (SHA)**

A member resigned that was appointed by the Department of Housing and Community Development (DHCD).

The SHA board has requested that the Department of Housing and Community Development appoint Jill Caffrey to the state appointee position as it is vacant at this time.

The Scituate Housing Authority notified DHCD of the vacancy of the state appointee position on 1/24/19. The law allows the Board of Selectmen to appoint a member to the Local Housing Authority Board if the DHCD has not filled a vacancy in the state-appointee seat within 120 days or by (5/24/19).

SHA would prefer to have Jill appointed by the Selectmen as the state appointee for the term of 4 years and 8 months as stated in the attached notice, effective May 24, 2019.

**Move to appoint Jill Caffrey as the State Appointee to the Board of the Scituate Housing Authority for a term of 4 years and 8 months effective May 24, 2019. Motion by Ms. Canfield second by Mr. Harris**

### **Roll Call Vote**

Mr. Stephen Coulter Yes

Mr. Jon Duane Yes

Ms. Tamara Durante Yes

Ms. Jill Caffrey Yes

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**Roll Call Vote**

Ms. Cantwell Yes  
Ms. Connolly Yes  
Ms. Curran Yes  
Mr. Harris Yes  
Mr. Vegnani Yes

**Outdoor Entertainment Permit, Harbor Methodist Church, Bob Amweg**

Bob Amweg is here on behalf of the church and would like to hold a family friendly affordable dinner on First Friday. It will be \$10 for adults and \$6 for children for the Fish Fry events. We are asking for music the nights of the Fish Fry dinners.

**Move to grant an outdoor entertainment permit to Bob Amweg/Harbor United Methodist Church located at 55 First Parish Road for live music on June 7<sup>th</sup>, July 5<sup>th</sup> and September 6<sup>th</sup>, 2019 from 6:00 pm - 8:00 pm. Motion by Ms. Curran second by Mr. Harris Unanimous Vote (5-0)**

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

Mark Brady said this is the 66<sup>th</sup> year the Knights of Columbus will run the carnival July 9<sup>th</sup> to July 14<sup>th</sup>. They have met with the DPW regarding the new requirements and will be meeting with Sgt. Gilmartin. The vehicles parked at Marshfield Fairground's last year. Mr. Harris asked if we needed to change the signs for traffic flow last year. Mark Brady said there was no change and on issues. The Knights of Columbus said everything they do for fundraising they give back to the community with Community Christmas, Athletic team sponsorship, scholarships, etc. This fundraiser is what keeps the engine running. Mr. Vegnani said the Knights are always right there for a family in need and do a lot for the community.

**Move to approve a Special Event Permit to William Limbacher for the Knights of Columbus Carnival from July 9, 2018 to July 14, 2018 with set up on July 8<sup>th</sup> and take down on July 14<sup>th</sup> in Cole Parkway. Pending Certificate of Liability Insurance Motion by Ms. Curran second by Mr. Harris Unanimous Vote (5-0)**

**Move to waive the Special Event Fee for the 2019 Knights of Columbus Carnival all other departmental fees will apply Motion by Mr. Harris second by Ms. Canfield Unanimous Vote (5-0)**

**Memorial Day Event, Don Knapp, Veteran's Agent**

The Town of Scituate and the Veteran Services Department extends an invitation to participate in our Annual Memorial Day Parade and Ceremonies to be held on Monday, May 27, 2019

The Ceremonies will begin at 8am with the flotilla underway leaving from the Harbormaster's Office for the throwing of wreath to honor those "lost at Sea" (this event takes place at sea). Then all participants in the parade will form between 10:00 -10:30 AM at the Scituate Town Hall, 600 Chief Justice Cushing Highway. The parade will step off at 10:30 AM sharp and proceed down First Parish Road to Lawson Common. The Lawson Common Ceremony will begin at @ 11:15am. In the event of inclement weather the ceremony will be held at the G.A.R. Hall at 11am (this would be a ceremony only event with limited seating of 100). There will be handicap parking at the east end of the Common. If you require assistance or have any questions concerning the parking, please do not hesitate to ask any uniformed police officer at the event. Mr. Knapp reviewed the schedule of events with the Board.

**South River Dredge Contract** up to \$816,495, Howie Kreutzberg, Vice Chair, Waterways Commission The State of MA, Marshfield and Scituate are all working together. The Massworks grant was matched by Scituate and Marshfield and went out to bid last fall. This is a very challenging area and project. The dredging material is barged out and cannot be reused. Mr. Boudreau said there will be no work done on the weekends. There may be some disruption during the week with the barge going in and out. Waterways is planning a public meeting, an article in the Mariner also. Ms. Connolly asked where the dredging material will be going. Mr. Kreutzberg said it has to go to the offshore site. Mr. Boudreau said unfortunately, this material is not suitable for what we need for the beaches. Mr. Vegnani said the Town is only responsible for \$277,500.

**Move that the Board of Selectmen award the contract to dredge the South River to Burnham Associates of Salem, MA for \$816,495.00. Motion by Ms. Canfield second by Mr. Harris Unanimous Vote (5-0)**

**Municipal Marina Pedestal Project**, Howie Kreutzberg, Vice Chair, Waterways Commission Mr. Kreutzberg said this is a big marina project. The pedestals were severely impacted by the storms. We have 76 new pedestals and the installation is well underway. Chief Murphy has been instrumental in helping with FEMA reimbursement for the storm damage. The pedestals are made from stainless steel and stick up as a utility pole on the docks for boats to use. Estimated completion for Cole Parkway is this week and then they will begin at the maritime center beginning next week. There will be little disruption to the boaters. Sean McCarthy Town Engineer pushed the manufacturer to make sure the pedestals would be in on time. The Harbormasters office did a lot of work on this also with all the moving parts. This is a capital item from Waterways.

**Water Resources Commission Proposal for Multi-Unit Buildings**, Becky Malamut, Chair Ms. Malamut introduced the Water Resources Commission members in the audience. When the rates were adjusted in the fall the WRC looked at multi-family dwellings. Currently they have two options where you pay for one meter for each unit or one connection using a master meter. The WRC is trying to shift the model to one meter for each unit so people are not paying for everyone's water. The WRC recommendation is to have one meter for each unit. Town Counsel had some concerns and there is no requirement for this. WRC wants to allow two different options for rental units. They would still allow a master meter but the connection fees are required for each unit. Billing unit occupants in larger developments will be administratively difficult. She would bill the owner and let the owner bill his/her tenants. I have shared this concern with Sean Anderson and his staff in the DPW Water Department and they seem confident they can handle it.

Ms. Curran is concerned about the amount of the connection fee of \$14,000 per unit and thinks it is excessive. Ms. Malamut said we currently charge by the size of the pipe. She did not look at adjusting the number based on the size pipe for connection fees. The bigger issue is conservation of water. You would pay for the one master meter and then the size of the pipe currently. Ms. Malamut said each person that owns a residential home pays a \$14,000 connection fee. Other towns charge a \$4,000 connection fee for each unit. Ms. Canfield said we have one of the highest connection rates now and asked if the WRC has received input from the planning and development department and the economic development impact. She would like to see the WRC meet with the Director of Planning and Development and the Economic Development Commission. The impact on our affordable housing goals should also be reviewed. Lawson Green, Senior housing project should be reviewed so we are not be pricing them out. Martha Cook said the Affordable Housing would be fairer to pay my water usage at the individual rater rather

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than the higher rate at the aggregate rate. Ms. Canfield said she understands that but it's the connection fee that needs to be considered. Mr. Vegnani said the Town has the need for money up front for our infrastructure from the developer. Mr. Boudreau said the Housing Appeals Committee may not uphold the policy for 40B projects. The Water/Sewer Commissioners could make adjustments for the 40B projects. Ms. Curran would like to do this all together and compare to other Towns. She would like to talk to Nancy Holt, Kevin Cafferty, etc. about this big picture and the overall charges. Mr. Vegnani asked for the paperwork from the rate changes and run the numbers for this proposal to see how this fits in the big picture. Mr. Vegnani said the Board likes the policy of the individual metering but they need to look at the overall rate structure so we are not overcharging.

Debbie Smith Moody said everyone is getting hung up on the 40B. If there are 4 units only those 4 units get a lower rate the rest of the complex would pay the higher rate. Mr. Vegnani said we need to look at the whole rate structure. Erin McLaughlin said there is an infinite amount of sewer and water in this town and asked where we are at sewer capacity. Mr. Vegnani said we are at 98% right now. She asked if there will be a moratorium. Mr. Vegnani said this will need to be discussed. Mr. Vegnani said it is unfair to look at this right now with the amount of water we have received. Jacqueline ?? said the WRC said all the development on Hatherly with the Toll Brothers project. Mr. Vegnani said Toll Brothers is already done. The question was asked what Toll Brothers paid for water and sewer connections and Mr. Vegnani said he did not have that information available at the meeting. Mr. Vegnani suggested two Board members meet with WRC, DPW, Planning & Development and Nancy Holt to come back and make a recommendation to the Board. Karen Canfield and Karen Connolly agreed to be the contacts for this meeting. There was no vote taken at this meeting.

**Sewer Tie in Request for Bittersweet Lane & Longmeadow Road, Leo Costello, Owner & Paul Mirabito, Ross Engineering**

Adam Wade, 36 Ann Vinal Road, asked to have a copy of the map. Ms. Devin provided a copy of the map. Mr. Vegnani said the last couple of months the Waste Water Enterprise fund is financially challenged. Part of the plan is to let some people connect to the sewer system that already exists. At the last meeting the Board allowed a single home and a project that had a hookup for the 1990's. Leo Costello has been in before to request connection to the sewer system. We need to keep the enterprise fund financially secure and not exceed capacity at the plant. Mr. Harris said Mr. Costello has been before us in the past a few times. Mr. Maribito said there are a total of 14 homes they are requesting be added to town sewer. There would be no cost to the Town for this request. The Selectmen received a letter from one of the residents on the street, Maureen Hurley who is in support of this project. Mr. Vegnani asked if there is any reason why this is necessary for this street. Mr. Maribito said this is in the watershed. From an environmental point of view this is a benefit to the water supply. The ground water is very high in this area also. Ms. Connolly would like to know how many neighborhoods that have sewer running by them could use the same logic. If we didn't have a capacity problem we'd hook everyone up. Mr. Mirabito said Mr. Costello will tie the homes in at his own expense subject to capacity. The infrastructure would be in place and only tie in if there is capacity. They would like to tie in 9 Longmeadow at this time. Mr. Harris said there is a stub at the end of Ann Vinal. Mr. Harris asked if there was stub on Bittersweet and Mr. Mirabito said yes there is a stub there. There is a line on Ann Vinal Road to the four way intersection. Mr. Harris said there are stubs for every home along Ann Vinal that were put in place and one on Bittersweet. If the sewer extension is there people can connect. Mr. Cafferty said if there are no stubs to the houses you cannot tie in to the main. This would be pump systems. Will Branton, Sewer Supervisor said we are currently at 93.8% at the plant and with all projects approved we will be at 98.8% of our capacity. Month to month numbers change as much as 8% due to the weather Inflow and Infiltration (I/I). Each month Mr. Branton has to calculate the rolling average and if exceeded there are a lot of consequences. The greatest monthly change occurred in November, 2018. He is hoping the

average goes down as temperatures rise. Ms. Canfield said based on Mr. Brantons current update assumes everything is online but does not take into account I/I projects. Adam Wade, 36 Ann Vinal lives on the corner of Bittersweet Lane. He is concerned about increased traffic in the cul de sac. Mr. Costello said they access the lots from Longmeadow Road. The neighbors fear is the street will be opened up. Mr. Maribito said there are a lot of wetlands there you can't build on and the Town has a large pipe there so you cannot build on those lots. Mr. Costello would never consider cutting through the cul de sac to make it a road. This is the neighborhood concern.

Mr. Wade has google maps and it looks different than the map provided at the meeting. There appears to be eight buildable lots based on google maps.

Mr. Matthew McLaughlin, 9 Bittersweet Drive asked if these lots can be subdivided. Mr. Maribito said this is an old plan and this is not a new subdivision.

Eileen Knight, 24 Bittersweet said Mr. Costello came to her home and told her one thing and did another. She wants to know what can be done to guarantee what can be done so this does not happen. If this was allowed it would be public sewer.

Ms. Canfield understands the residents' concerns but to have the sewer line put in for free is a benefit to the residents. Ms. Canfield asked if Mr. Costello would consider a deed restriction to keep it as a cul de sac. Mr. Costello said yes he would agree to the deed restriction.

Erin Coughlin 9 Bittersweet Drive asked if anyone on the Board is an abutter and nobody on the Board is an abutter. Mr. Harris does business with Mr. Costello. Mr. Harris sees this as a benefit to the residents.

Mr. Wade was not following the fees for connection. If you connect you pay sewer privilege fees.

Mr. Cafferty said Mr. Costello will leave a stub in the road; each home would need to purchase a pump system and have it installed.

The Board of Selectmen could require that he put a deed restriction on before he can connect to the system. The neighbors need to get together with Mr. Costello and talk about future development.

Livy Carroll, 14 Bittersweet Drive would be interested on being on the sewer system.

Mr. Wade said the map is not accurate and it does not show homes that have been there for several years. Mr. Vegnani's opinion is the neighborhood has to discuss the issue. He does not think it is responsible to approve this at this time based on the sewer capacity at this point until we get some of the I/I numbers done. Ms. Connolly is concerned from a policy point of view how many homes are off a main street where sewer runs that would like to connect also. She would rather know how many more homes are off of these main streets and shouldn't there be a system for people to get in line. We're still waiting on North Scituate. Mr. Harris asked if there was a house that is not on the map that Mr. Mirabito provided. Mr. Vegnani said the difference here is Mr. Costello is willing to pay the infrastructure cost for this request. Mr. Harris said this could have been before us a year ago and then six months ago and now we are here. Ms. Curran asked if there was a way to approve the one hookup he needs rather than the 14 hookups. Is there a way to stage it? Mr. Boudreau said the issue would be if the line was installed we would need to allow everyone to connect. Mr. Mirabito suggests that Leo put the line in and when the capacity is available then the residents could connect. It could remain private for a certain amount of time. The Selectmen discussed the options. Ms. Canfield would like to make sure we have the correct

updated map with all residences included. Mr. Boudreau said even if we have the capacity there needs to be an agreement with the residents. Mr. Harris asked if Mr. Costello fix and I/I project would that be considered. Mr. Vegnani suggests Mr. Costello meet with the neighbors and come to an agreement. He thinks the Sewer Capacity is way too high right now so needs to wait. Mr. Vegnani also suggests that Mr. Costello get together with DPW to see how it would be possible to connect one home.

**Move to approve the extension of the existing sewer line to 10 homes on Bittersweet Lane (10, 11, 14, 15, 20, 21, 24, 25, 30 and 31) and 4 homes on Longmeadow Road (3, 9, 29 and 29R) meeting all requirements of the Town of Scituate Sewer Department. Motion by Mr. Harris no second motion fails.**

**Appointment of Special Labor Counsel, Jim Boudreau, Town Administrator**

**Move to approve an appointment of Special Labor Counsel Hugh Curran. Motion by Mr. Harris second by Ms. Canfield Unanimous Vote (5-0)**

### **NEW BUSINESS:**

**1. One Day Wine & Malt Licenses**

1. Taylor Made Bartending @ SMC on 5/25 12 – 4 p.m.
2. RIVA @ SMC on 6/1 11 a.m. – 3 p.m.

**Move that the Board of Selectmen approve One-Day Wine & Malt licenses to Taylor Made Bartending for an event at the Scituate Maritime Center on May 25, 2019 from 12:00 pm-4:00 pm Motion by Ms. Canfield second by Ms. Curran Unanimous Vote (5-0)**

**Move that the Board of Selectmen approve One-Day Wine & Malt licenses to Riva Restaurant for an event at the Scituate Maritime Center on June 1, 2019 from 11:00 am-3:00 pm Motion by Ms. Canfield second by Ms. Curran Unanimous Vote (5-0)**

**2. Annual License Renewals**

- Davis Parking Lot License Humarock

**Move that the Board of Selectmen approve the Parking Lot License to Davis Family Trust, Davis Parking Lot for the 2019 season Motion by Mr. Harris second by Ms. Curran Unanimous Vote (5-0)**

- Hawker Peddler Licenses:
  - Ahmad Alkhatatbih dba Zack's Ice Cream
  - Burt's Ice Cream
  - South Shore Refreshments, LLC dba Del's Lemonade
  - Nona's Homemade Inc.

**Move that the Board of Selectmen approve Hawker Peddler Licenses for the following:**

- South Shore Refreshments LLC, dba Del's Lemonade for the 2019 season
- Burt's Ice Cream for the 2019 season
- Ahmad Alkhatatbih, dba Zack's Ice Cream for the 2019 season
- Nona's Homemade, Inc. for the 2019 season

**Motion by Ms. Canfield second by Mr. Harris Unanimous Vote (5-0)**

## **OTHER BUSINESS:**

### 1. Liaison Reports

- Conservation working on trail parking lots.
- Shellfish Advisory Committee has been on fire and started preliminary engineering, title searches, etc. They are enthusiastic and talking about the process. We may partner with Cohasset.
- Widows Walk is an enthusiastic committee and will be coming to a future Selectman meeting.

### 2. Correspondence

- ABCC Hearing for Jamie's Pub on 5/21/19 at 12 noon.
- Scituate Fire Department annual memorial service June 9, 2019 at Lawson Common at 9:30 a.m. with breakfast beforehand.

### 3. Approval of Meeting Minutes

**Move to accept the minutes for the May 7<sup>th</sup> and May 13<sup>th</sup>, 2019 Board of Selectmen Meetings. Motion by Ms. Canfield second by Mr. Harris Unanimous Vote (4-0) Ms. Connolly abstained since she was not a Selectman at the time and did not attend the meetings.**

### 4. Adjournment and Signing of Documents

**Ms. Curran made a motion to adjourn the meeting at 9:38 p.m. Second by Mr. Harris Unanimous Vote (5- 0)**

Respectfully Submitted,

Lorraine Devin, Recorder



## **List of Documents for May 21, 2019 Board of Selectmen Meeting**

- Agenda
- Approval of Meeting Minutes for May 7<sup>th</sup> & May 13<sup>th</sup> , 2019
- Theresa Duggan 35 years of service
- Joint appointment for Scituate Housing Authority
- Outdoor Entertainment Permit for Harbor Methodist Church for June 7<sup>th</sup>, July 5<sup>th</sup>, September 6<sup>th</sup> from 6-8 p.m.
- Knights of Columbus Carnival from July 8<sup>th</sup> to July 14<sup>th</sup> in Cole Parkway & waiver of special event \$100 fee
- Memorial Day Observance plan
- South River Dredging Project contract
- Water Resources Commission Proposal Water Connection Multi Unit Buildings
- Sewer Tie In Request for Bittersweet Lane & Longmeadow Road
- Appointment of Special Labor Counsel
- One Day Wine & Malt Licenses
- Seasonal Parking Lot License Renewal
- 2019 Hawker Peddler License Renewals
- Correspondence
  - Scituate Fire Department 81<sup>st</sup> Annual Firefighter Memorial Service on Sunday June 9, 2019, 9:30 a.m. @ Lawson Common
  - ABCC Hearing for Jamies Pub Gannett Grill 5/21 @ 12 noon for application to suspend license due to fire
- Acceptance of Meeting Minutes for May 7<sup>th</sup> and May 13<sup>th</sup> , 2019

## Board of Selectmen Meeting Minutes for May 21, 2019

### BOARD OF SELECTMEN

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Anthony V. Vegnani, Chairman

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Shawn Harris, Vice Chairman

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Karen B. Canfield, Clerk

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Karen E. Connolly

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Maura C. Curran