

**MEETING MINUTES
BOARD OF SELECTMEN
JUNE 25, 2019**

Present: Anthony Vegnani, Chairman, Shawn Harris, Vice Chairman, Karen Canfield, Clerk, Karen Connolly, Maura Curran

Also present: James Boudreau, Town Administrator

Senator Patrick O'Connor

MEETING CALLED TO ORDER AT 7:00 PM

Acceptance of Agenda

Move to accept the agenda for the June 25, 2019 meeting.

Motion by Mr. Harris, Second by Ms. Canfield Unanimous (5-0)

WALK INS

Ms. Curran, Town Clerk wanted to thank all those involved in the recount on June 20th. We had never participated in this before and the registrars Conley Ford and Bill Francis shared their knowledge. Thank you to DPW, Tom Greim, Officer Stenbeck, and to the High School staff. Thank you to Richard Bowen for overseeing the recount along with Town Counsel, Cindy Amara, Lianne Cataldo, Recording Secretary and Nancy Holt, Finance Director. Everyone was amazing. The final tallies were basically the same. Mr. Vegnani confirmed that there was no change in the total vote and it passes. The Board thanked Ms. Curran and Mr. Bowen for volunteering his time which saved the town thousands.

Gordon Price, 48 Mann Lott Rd. Kathy Gardner ran a flawless recount and it ran very smoothly. The entire staff were wonderful. Build a Campus is moving into a capital campaign – a one year campaign- and we hope to be as successful as the library was. We hope to kick off in July/August and hold a big event in September. He requested if they could do a walk- through of Gates to see if there any things to sell. Mr. Boudreau noted that all items have to sold at a public auction and goes to the general fund. They will be looking at naming opportunities similar to the library and we will be coming back to present to the Board of Selectmen.

Lynda Ferguson, 57 Kings Way, Ms. Ferguson was recently in regarding the short term rental tax that is scheduled to go into effect on July 1st. She had asked if they could reconsider and she hasn't heard anything from the Town. She feels there was false information out there. Mr. Vegnani said that there was no violation in Open meeting law and no false information given. Mr. Boudreau said Town Counsel said vote is valid and according to the Department of Revenue we can't vote again for another 12 months. The rental tax will go into effect on July 1st.

Ms. Ferguson asked if this can be re-visited in the spring. She feels this is a huge competitive disadvantage to her business and all Air bnb's. She is concerned that there's been no communication from the Town on this. Mr. Vegnani noted that everyone pays taxes to the State and this is a state requirement that businesses register with the state.

David Dardi, 122 Gilson Rd. He has returned from his winter home and is back to being woken up. He is concerned with how long the testing will take and that only ¼ of the testing has been done so far.

REPORT OF THE TOWN ADMINISTRATOR

The ADA transition plan is well underway – we voted the money at Town Meeting and we also received a \$50,000 grant from the State. They are finishing up review of Town buildings and then will go to streets, sidewalks, parks. We will be done by end of summer. The Commission on Disabilities will also be involved in the process.

We are working with the State on a “Love Clicks” Campaign to encourage wearing seat belts. We receive \$50/vehicle for every sticker we put on our Town vehicles.

Egypt beach paving is scheduled for tomorrow, weather dependent. We will stripe as soon as possible, but we have to let it sit for a while. It can be used immediately and we will mark off the handicap spots.

The Dog Park is scheduled to be done mid-July and is ahead of schedule.

SCHEDULED ITEMS:

RECOGNITION First Responders from Boat Fire, Chief Murphy, Stephen Mone, Harbormaster John Ward, Michael Ward, Andrew Geagea, and Paul Sullivan

They wish to recognize these 4 gentlemen for their efforts in the boat fire. We had 5 victims hurt and many challenges but the actions of these four saved lives. Chief recognized Paul Sullivan as he called 911, he closed the door to the fuel pump, grabbed an extinguisher and tried to extinguish the fire. His execution minimized the impact which could have been much worse. The three Assistant Harbormasters arrived on scene – John Ward, Michael Ward, and Andrew Geagea– and they cleared the dock and towed the boat out into the water onto a nearby mooring and minimized further property damage. They saved property damage and helped save lives.

Senator Patrick O'Connor was in attendance and wanted to personally thank these gentlemen for their heroism. He presented a citation to each one of them from the Ma State Senate in recognition on of their bravery on June 4, 2019. Chief Murphy passed along a thank you from the King family for their help on this day. Mr. Mone thanked his staff for their amazing work.

Ms. Curran was so impressed with this group and their composure to act in this situation. She thanked them for serving the community. Ms. Connolly said this was extraordinary and thanked them. Ms. Canfield and Mr. Harris both offered their thanks. Mr. Vegnani added that most kids would have grabbed their cell phone and they jumped into action. We appreciate it and we are very proud of you.

DISCUSS/VOTE Cudworth Cemetery Project - Award Contract, Al Bangert Special Projects, Sean McCarthy, Engineer

Mr. Bangert said that Cudworth is quite full and almost out of direct burial locations. We created a cremation garden in 2015 which accommodates up to 62 urns. DPW wanted to explore alternatives to expand burial space. After looking at options, we looked at pre-burying vaults which would make things easier in the winter. This project will be built along the Little League Field which is currently brush. We will remove the stone wall, put in a decorative fence, and add landscape plantings. Nothing will be taken away from the baseball field. We will install 77 new burial vaults and we will install an above ground concrete structure (columbarium) to hold ashes. This project doesn't include the columbarium, however, we have a resident who wishes to make a donation for the columbarium structure. Six bids were received and we chose Dandel Construction of Hanson. We have \$297,000 available for this project. It will be managed by DPW and Paul Scott as the hands on person to assist DPW. Ms. Canfield asked for clarification on the pathway – Mr. Bangert said it will be a new black top driveway. Mr. Bangert confirmed the landscaping is included. Ms. Connolly asked how long this will cover our needs. Mr. Bangert feels it will meet our needs for about 10 years. We should start in July and be done in the fall. Ms. Curran asked why the prices were very staggered - Mr. Bangert said it's a sign of the times. She asked about the fencing – it will be a 5' iron fence. Mr. Vegnani asked if this will put this property at capacity. Ten years from now we will have to expand to another location.

Move that the Board of Selectmen award the contract for the Cudworth Cemetery Improvements project (Contract 15-PG-93-2) to Dandel Construction, Incorporated of Hanson, MA in the amount of \$ 212,874 as specified in their bid response dated May 22, 2019.

Motion By: Ms. Curran

Second By: Mr. Harris

Unanimous (5-0)

UPDATE Wind Turbine, Al Bangert

The Turbine was put in operation in March 2012. In 2014 we began to hear comments of whooshing sound. We did a study and determined some conditions that generated annoyances. The Board elected in 2017 to shut down the turbine in those conditions from 11 PM – 6 AM from June 1 – October 15th. In May of 2019 the Board awarded a \$50,000 contract to Epsilon Associates to do a wind turbine compliance study. Epsilon worked with the DEP to establish an agreed upon “Sound Level Compliance Monitoring Protocol” involving 4 Scituate locations during 4 weeknights when specified wind conditions were met.

Epsilon will continue to do testing, they monitor daily, and have 3 tests yet to do. They have to test when the wind conditions are met. We were billed \$14,000 for that one night of testing. Ms. Connolly asked for clarification from Mr. Bangert on when the testing is done. Ms. Curran asked how we determine the conditions. One summer we logged all the complaints and we did correlate complaints to something measurable. This is how we determined the first set of conditions that we now use to shut down the turbine. Ms. Curran asked the locations that are affected– McKeever, Dardi, Karlsberg, and Vitalli residences. Mr. Harris asked if we have learned anything new if we were to build today. DEP convened a task force in 2012-2013 met and they concluded that there

are some changes needed at some point. Nothing has come from it as of yet. Mr. Vegnani noted how many turbines are in Ireland – they don't mitigate anything but said people can hear it. The goal is to have some conclusive results from Epsilon. The frustration is the time that it takes to perform the testing. Mr. Bangert said we could change the contract and go out and do four different conditions rather than wait for the ideal. Mr. Vegnani noted that it was unanimously supported at town meeting and the town wanted a green energy source. Hopefully we can come to some conclusion.

Mr. Dardi, 122 Gilson Rd. DEP regulation is the only controlling factor – it was never written to take into consideration the sound from wind turbines. Lauren Carlson with DEP came out with a conclusion that meters should be changed. DEP's regulations do find violations when it's a gross problem. Now because some towns have found violations, the DEP regulations have been modified which he feels are ineffective. They are averaging data which is ineffective. He doubts that a violation will be found here in Scituate under the current regulations. Mr. Dardi has not been able to talk with DEP. Mr. Bangert said we had shut down the turbine in certain situations but it stopped working. He feels it affects people and should not continue. He asks that we shut it down at night during the summer. Mr. Vegnani asked Mr. Dardi to report extreme noise so that we can go to Wind Turbine to ask for data. Mr. Bangert will look into last week's conditions that woke up Mr. Dardi. Ms. Connolly asked Mr. Dardi if there are any hearings being held at the State level? Mr. Bangert thanked Mr. Dardi for helping the team and coordinating with neighbors – he's done a great job and thanks him for his help.

DISCUSS/VOTE Outdoor Entertainment Permits

1. June 29, 2019 61 Seaside Rd. Paul and Bonnie Turcotte

They are new to town and built a new house. They wish to host a party to celebrate the new home. They will have a trio of players, acoustic instruments with slight amplification. There should be about 40 people in attendance. Mr. Turcotte asked about parking at Egypt Beach – Chief Stewart will talk to him about that.

Move to grant an outdoor entertainment permit to Paul and Bonnie Turcotte, 61 Seaside R. for a private party with live music on 6/29/19 from 3:00 – 8:00 PM.

Motion By: Ms. Canfield

Second By: Mr. Harris

Unanimous (5-0)

2. July 6, 2019, 655 Chief Justice Cushing Highway, Colleen Burke/Molly Gould

Steven Cronin, Marion Rd. and Molly Gould, 655 Chief Justice Cushing Highway
Ms. Burke had to work and Mr. Cronin came to help Molly Gould (his daughter is her best friend). They will have two bands scheduled to end by 9 pm and they have police detail and

approved parking at the high school. Their property has 17 acres in the woods across from the high school so there are not a lot of abutters but we did send out letters.

Move to grant an outdoor entertainment permit to Colleen Burke and Molly Gould, 655 Chief Justice Cushing Hwy for a private party with a Band on 07/06/19 from 2:00pm-10:00pm.

Motion By: Ms. Curran

Second By: Mr. Harris

Unanimous (5-0)

3. August 17, 2019, 125 Mann Lot Rd. Scituate Community Christmas, Kim Stewart

Ms. Stewart is hosting a fundraiser – Corn Hole Tournament and they are having the Doc Ellis Band. They have notified all abutters. The band will not be seen from the road and will be in the back yard. They have hired a police detail. Mr. Vegnani said it's a great organization and Susan Phippen was a wonderful resident of the town. The Board thanked Ms. Stewart for her service to the town and congratulated her on her retirement.

Move to grant an outdoor entertainment permit to Scituate Community Christmas/Kim Stewart, for a fundraising event with the Doc Ellis Band at The Susan Phippen House, 125 Mann Lot Rd. on 8/17 /19 from 4:00 pm – 8:00 pm.

Motion By: Ms.Canfield

Second By: Mr. Harris

Unanimous (5-0)

4. August 22, 2019, 20 Jericho Rd. Mike Bulman

Mr. Bulman is on the Board of Directors for South Shore Peer Recovery. This is the 4th year of this event. Parking will be at Pier 44 and Dawbers.

Move to grant an outdoor entertainment permit to Mike Bulman, 20 Jericho Rd., for a private party with a band on 8/22/19 from 6:00pm-10:00pm.

Motion By: Ms. Canfield

Second By: Ms. Curran

Unanimous (5-0)

5. Scituate Harbor Yacht Club Events, Maureen Ray

Karen Canfield recused herself from this agenda item.

Ms. Ray mentioned this is mostly the same events as last year except for several weddings in the fall. They have quite a few weddings this year. The live streaming is new this year – it's just a speaker without video. All abutters have been notified.

Move to approve outdoor entertainment permits for the following events at the Scituate Harbor Yacht Club:

Motion By: Ms. Curran Second By: Mr. Harris Unanimous (4-0) Ms. Canfield recused herself.

1. Friday, June 28th Dave Mathews Beach Party – SHYC Beach area - live streaming a concert with a speaker – 8:00pm to 11:00pm
2. Thursday, July 4th Kids 4th of July Party DJ on lawn – 11:00am to 2:00pm

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| 3. Wednesday, July 10 th | Kids Splash Party | Pool area – DJ – 6:00pm to 8:00pm |
| 4. Friday, July 19 th | Poolside Cocktail Party | Pool area – Singer with amplification
8:00pm to 11:00pm |
| 5. Friday, August 2 nd | Luminaria Party | Lawn area – 7:00pm to 10:00pm |
| 6. Wednesday, August 14 th | Fashion show | DJ – inside clubhouse |
| 7. Saturday, August 31 st | Labor Day Deck Party | Back Deck – singer with amplification
8:00pm to 11:00pm |
| 8. Saturday, September 14 th | Wedding | Band or DJ – inside clubhouse |
| 9. Saturday, September 21 st | Wedding | Band or DJ – inside clubhouse |
| 10. Saturday, September 28 th | Wedding | Band or DJ – inside clubhouse |
| 11. Saturday, October 5 th | Wedding | Band or DJ – inside clubhouse |
| 12. Saturday, October 19 th | Wedding | Band or DJ – inside clubhouse |

ACCEPTANCE Library Foundation Donation, Ginny Ayers, Chair

Ginny Ayers, Jessi Finnie, Don Nelson - in the audience there were also Library foundation members Skip Debrusk, Gary Fernquist, Kelly Butterworth and Joe McNally and Peter Lincoln.

First we wanted to give an update on housekeeping items – we have two memorandums of agreement for naming- Mike and Ann Cuneo and Peter and Suzanne Lincoln. We also have received \$15,000 to name the small conference room in the Greg Moynihan name. We had the gala on June 7th to celebrate an almost 10 year campaign. It was a great success and was chaired by Elizabeth Henry and Amy Barnes. We raised \$46,000. We wanted to thank local businesses and we are very grateful.

We are excited to donate \$250,000 to the Town tonight bringing the total to 1.4 Million. Additional pledge payments are still coming in. Ms. Canfield said the amount of dedication and accomplishment by this group is wonderful and we thank you. The Board thanked the Library Foundation. The foundation is not going away, but the capital campaign is winding down and we won't be actively soliciting. We will continue to collect as they come in. Mr. Harris said this group makes the town great. Ms. Avitabile, Treasurer/Collector reiterated her thank you to the foundation.

Move that the Board of Selectmen accept a donation of \$250,000 provided by the Library Foundation.

Motion By: Ms. Canfield

Second By: Mr. Harris

Unanimous (5-0)

DISCUSSION July 4th Holiday Plans, Chief of Police, Michael Stewart and Deputy Chief Mark Thompson

We have done away with bon fires over the last several years and we've had tremendous success. It has been a much safer holiday. We now see safe fires, controlled conditions, and families. The last two years of closing Humarock Beach have been successful. We no longer are having problems with kids drinking and most of the kids were from other towns. He would like to open the beach back up this year so that we can have families enjoy the beach. They will have officers and he feels it's now manageable. They would clear the beach by 11 PM and it will stay closed until the morning. Chief Stewart will go on WATD to get the message out and talk to Ruth to publish in the Mariner. Peggotty Beach is a perfect example of how it should work. Mr. Vegnani wants to make sure we communicate that bonfires will still not be allowed. Ms. Curran asked if they've seen a shift in the crowd and asked where they went? Chief said they were mostly from other towns. The Board unanimously agrees with Chief Stewart on this issue.

DISCUSS/VOTE Common Victualler License, Gunther Tooties, Tony Chen

Mr. Chen, 31 Seawall St. Quincy. Mr. Chen owns six locations – bagel and coffee shops - and Gunther Tooties is going into the old Morning Glories on Country Way. They are hoping to open next Monday. Hours will be open 5 AM – 6 PM Monday-Friday. Weekends will be 6 AM – 5 PM. There is a drive through window around the back of the building. The Board thanked him as the building looks beautiful.

Move to approve a Common Victualler's License for Scituate Bagel Inc. d/b/a Gunther Tooties located at 52 Country Way Scituate, MA, pending final Board of Health approval.

Motion By: Ms. Curran

Second By: Mr. Harris

Unanimous (5-0)

NEW BUSINESS:

DISCUSS/ VOTE Drainlayers License

1. New Drainlayer License: Silverado Contructions Inc.

Move that the Board of Selectmen vote to approve a new drainlayer license to Silverado Construction, Inc.

Motion By: Mr. Harris

Second By: Ms. Curran

Unanimous (5-0)

2. Drainlayer Renewal: Pond Corporation

Move to approve a drainlayer license renewal to Pond Corporation

Motion By: Mr. Harris

Second By: Ms.Canfield

Unanimous (5-0)

DISCUSS/VOTE Republican Election Workers

Move to appoint election poll workers from the republican list approved by the Republican Town Committee.

Motion By: Ms. Curran

Second By: Ms. Connolly

Unanimous (5-0)

DISCUSS/VOTE One Day Wine & Malt Licenses

Move that the Board of Selectmen approve One-Day Wine & Malt licenses to:

- **Taylor Made Bartenders for an event at the Scituate Maritime Center on June 28, 2019 from 6:00pm-10:00pm**

Motion By: Ms. Connolly

Second By: Ms.Canfield

Unanimous (5-0)

- **Taylor Made Bartenders for an event at the Scituate Harbor Community Building on June 29, 2019 from 5:00pm-9:00pm**

Motion By: Ms. Connolly

Second By: Mr. Harris

Unanimous (5-0)

- **Taylor Made Bartenders for an event at the Kennedy Country Gardens on June 29, 2019 from 6:00pm-10:00pm (Event was approved at the 4/2/19 BOS Meeting)**

Motion By: Ms. Connolly

Second By: Ms. Canfield

Unanimous (5-0)

- **Riva Restaurant for an event at the Scituate Maritime Center on June 29, 2019 from 4:00pm-8:00pm**

Motion By: Ms. Connolly

Second By: Ms. Curran

Unanimous (5-0)

DISCUSS/ASSIGN Selectmen Liaison Positions

The Board voted to assign liaison positions

OTHER BUSINESS:

Liaison Reports

Ms. Connolly went to CPC Meeting and Lawson Green is coming along – they didn't qualify for tax credits and are on their second go around. The amount of project has increased to 9.6 Mill. The Sstate is prepared to give communities with a strong affordable housing commitment more

leeway so they feel confident. The developer would like to come in to the Board of Selectmen. They did get HUD approval to do a long term lease.

Wampatuck playground will be done in time for school. Gary Meyerson is stepping down from CPC and interim chair is Dan Fennelly. Skylar Chick is interim Vice – Chair. There are 2 openings on that committee.

Ms. Curran asked if Boards and Committees can still submit their application. Yes they still can submit and we can post an extended deadline to facebook/website.

Ms. Canfield – Planning board review for Senior Center is this Thursday. Council on Aging has a newsletter – can we set up an automatic web distribution from our site? Not sure.

Would anyone be interested in a Library recognition plaque for the Library Foundation? We would need to determine the funding piece. It would be nice to recognize all those that contributed to the capital campaign for the library.

Water Resources would like a reminder about the spike in brown water prior to July 3rd. We will do a blast.

Ms. Canfield invited commentary from the Board – can we take turns talking to Seth and promoting on SCTV? The idea would be 4-5 highlights from the meeting in 15-20 minutes in the studio. Ms. Curran feels we should look at programming collectively and come up with a scheduling plan.

The Beach Commission would like to conduct a beach sticker design contest. Board thinks it's a great idea.

Mr. Vegnani noted there is a field dedication/ground breaking this Thursday June 27th at 8:30 AM. We had a very successful trip to Ireland. We learned so much about their government, how they work, wind control, autism programs. Thank you to Brenda O'Connor, Chair of the Sister City West Cork Committee. The people were so friendly. Jim said they learned so much – the muscle farming was intriguing. A formal report will be coming soon.

1. Correspondence
 - ABCC Correspondence Jamies Pub
 - Division of Marine Fisheries Shellfish Notice – Red tide
 - Beach Sticker Contest
 - Airforce letter – Public comments concerning Fourth Cliff
2. Approval of Meeting Minutes

Move to accept the minutes for the June 4th, 2019 Board of Selectmen Meetings.

Motion By: Ms. Canfield

Second By: Ms. Curran

Unanimous (5-0)

3. Adjournment and Signing of Documents

Motion to Adjourn at 9:22 PM
Unanimous (5-0)

Motion By: Ms. Curran

Second By Mr. Harris

Respectfully Submitted,

Michele Seghezzi
Recorder

List of Documents June 25, 2019 Board of Selectmen Meeting

- Cudworth Cemetery Improvements Award of contract to Dandel
- Wind Turbine Update
- Outdoor Entertainment Permit applications
 - Paul & Bonnie Turcotte, 61 Seaside Rd.
 - Colleen Burke & Molly Gould, 655 Chief Justice Cushing Highway
 - Scituate Community Christmas/Kim Stewart, 125 Mann Lot Rd.
 - Scituate Harbor Yacht Club Events
 - Mike Bulman, South Shore Peer Recovery, 20 Jericho Rd.
- Library Foundation acceptance
- Drainlayer Renewal – Pond Corp.
- Drainlayer New License – Silverado Construction
- Appointment of Poll workers from supplemental list and Republican
- One Day Wine and Malt Licenses
 - Taylor Made Bartenders for an event at the Scituate Maritime Center on June 28, 2019 from 6:00pm-10:00pm
 - Taylor Made Bartenders for an event at the Scituate Harbor Community Building on June 29, 2019 from 5:00pm-9:00pm
 - Taylor Made Bartenders for an event at the Kennedy Country Gardens on June 29, 2019 from 5:00pm-9:00pm(Event was approved at the 4/2/19 BOS Meeting)
 - Riva Restaurant for an event at the Scituate Maritime Center on June 29, 2019 from 4:00pm-8:00pm
- Selectmen Liaison Positions
- Correspondence: ABCC Pebble Beach d/b/a Jamies, Division of Marine Fisheries, Scituate Beach Commission Beach Sticker contest
- June 4, 2019 Meeting Minutes

BOARD OF SELECTMEN

Anthony V. Vegnani, Chairman

Shawn Harris, Vice Chairman

Karen B. Canfield, Clerk

Karen E. Connolly

Maura C. Curran