

**MEETING MINUTES
BOARD OF SELECTMEN
November 19, 2019**

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

Also present: James Boudreau, Town Administrator

The Meeting was called to order at 7:11 p.m.

Acceptance of Agenda

Ms. Canfield made a motion to accept the agenda for November 19, 2019

Second by Ms. Curran Unanimous vote (5-0)

WALK INS – none

REPORT OF THE TOWN ADMINISTRATOR

The regional sewer group met and Cohasset agreed to a plan to be included in the project voted unanimously by the Cohasset Board of Selectmen and the Sewer Commissioners also agreed. The sewerage from Scituate will go to Cohasset and pushed to Hull.

The North Scituate parking lot needs to be reviewed. We are in violation of our agreement with the MBTA concerning parking.

The new athletic field is ready for the Thanksgiving Day game. The Selectmen have a copy of the program for the game. There will be a walk thru tomorrow for game day.

Mr. Boudreau provided a copy of the water update to the Board of Selectmen:

Water Construction Update

More flushing will be completed in the Spring. The bids have come in for the engineering phase of Cedar Point Sewer system.

Gannett Road: Water services relocation has been completed. The Town will be looking at the Roadway and addressing the bumps caused by the work. The trenches will be ground out and repaved in the spring. This road is not scheduled to be paved because of the potential for the installation of the North Scituate Sewer Project.

Mann Lot Road: The main line water pipe replacement is complete. The Town is looking into potential paving improvements. The road will be evaluated in the spring.

Booth Hill Road: The water services relocation is complete. Asphalt will be accessed in the spring.

Water Flushing: The Town has completed 6 of 9 phases of a UDF (uni-directional flushing). The removal of the pre 1935 water lines has allowed the implementation of an aggressive flushing program this season to attack

the sediment that causes brown water. Please watch the Town web site and pay attention to signs showing the flushing locations. This will be on-going as water supplies last and as the weather cooperates. It is scheduled to go as late as safely possible.

Sampling Results for Manganese:

SAMPLING LOCATIONS	Mn Levels (mg/L) June 2019	Mn Levels (mg/L) October 2019 (ND = Non Detect)
Mount Hope Bldg.	0.022	0.013
USCG Station	0.038	0 (ND)
Fire Department HQ	0.043	0.008
Sand Hills Station	0.372	0 (ND)
Chain Pond Station	0.05	0 (ND)
Minot Fire Bldg.	0.027	0 (ND)
Widows Walk GC	0.111	0.01

Ice Pigging: The Ice Pigging has been completed for the season.

PRV: Pressure Reduction Valve construction is starting on 11.20.19. The estimated duration is 1 week.

Water Study: The study has started and is ongoing. Results of the study should be available by 1.15.20.

Water Improvement History (Since 2009)

The Town has completed the following improvements to the water system this past 10 years:

1. 26.7 miles of pipe with new Ductile Iron class 52 pipe.
2. New water service connections from the main to the property line for 1,733 homes.
3. 233 new Mueller Hydrants.
4. Cleaned and lined 2.70 miles of waterline.
5. Installed a green sand filter on well 18.
6. Designed and preparing for construction of a green sand filter at well 17A.

SCHEDULED ITEMS:

PUBLIC HEARING Tax Classification Hearing, John Danehey, Assessor

Mr. Danehey is representing the Board of Assessors along with Joe Divito, Town Assessor.

The top four tax payers are Bay State Gas, Mass Electric, Toll Brothers, and Kent Village. There is 4% commercial/industrial and 96% residential. The tax rate is set at \$13.50. The board voted unanimously to keep the tax rate the same and at a 1:1 ratio business to residential. Mr. Vegnani said the impact on a small business would be high if we raised the rate and it would drive small business out of town. This is why we keep the 1:1 ratio.

Move that the Board of Selectmen vote to approve the Residential Factor of 1, according to MGL Chapter 58, Section 1A. Motion by Ms. Curran second by Mr. Harris Unanimous Vote (5-0)

Poll Hours Presidential Primary, Kathy Gardner, Town Clerk

Ms. Gardner said it is customary for the Selectmen to vote on the location and hours for the primary. Early voting has not passed in the Senate so it is premature for us to vote on that as of now. Ms. Gardner will post the 2020 election calendar with deadlines along with information for Annual Town Election. You have to register to vote by mid February.

Motion to approve Poll hours for the Presidential Primary to be held on Tuesday, March 3, 2020 at the Scituate High School gymnasium located at 606 Chief Justice Cushing Way are 7:00 a.m. - 8:00 p.m. Ms. Connolly second by Ms. Curran unanimous vote (5-0)

Reduction to Debt Exclusion Impact on FY20 Tax Rate, Nancy Holt, Finance Director

Ms. Holt discussed the energy rebates received and the excess donation for the library would like to apply to the tax bills. It is a total of approximately \$20K.

Move to apply the \$19,135.62 in energy incentive rebates and \$1,721.37 in excess private donations received in a one-time reduction of the debt burden for the middle school and library projects on the FY 2020 real estate tax bill. Motion by Ms. Curran second by Ms. Connolly Unanimous Vote (5-0)

Interfund Borrowing, Pam Avitabile, Treasurer/Collector

To approve Interfund Borrowing for purposes of the Athletic Field Renovation Project.

Move that the Board of Selectmen approve the Interfund Borrowing prepared by the Treasurer Collector in the amount of \$2,000,000 for purposes of the Athletic Field Renovation Project. Motion by Ms. Canfield second by Ms. Curran Unanimous Vote (5-0)

New Common Victualler License for Board143, Kerri Curreri

Ms. Curreri has a small business and she would like to take some of the space at Stillwater Wine & Gourmet and she would like to sell some of her products. She makes the board and fills with food and cheese. Tara's Kitchen was there and now has closed down. She thinks this will be a good fit. She sells grazing boxes there also. Board143.com would be the website to order.

Move to approve a Common Victualler's License for Board 143 LLC located at 776 Country Way. Pending final Board of Health approval. Motion by Ms. Canfield second by Mr. Harris Unanimous Vote (5-0)

Wine & Malt License Stellwagen Beer @ Kennedy Country Gardens for Scituate Community Christmas Fundraiser, Michael Snowdale from 5 p.m. – 8 p.m. on 12/4, 12/5 and 12/6

The three day event is a fundraiser for Scituate Community Christmas. They are donating a portion of sales. The plan it to put a temporary pop up beer garden on the property from 5-8 p.m. The beer garden will be staffed with tips certified employees. Ms. Connolly asked if there would be an entrance fee and the answer was no. It is expected to be approximately 100 people. Ms. Connolly is concerned about the number of people who may attend. Mr. Snowdale said they are reasonably well attended but not usually more than 100 people. She is concerned about the parking there and that there could be a large number of people that show up. There is no plan for entertainment. Ms. Curran asked about the event and asked if they are working with Scituate Community Christmas. Kennedy's reached out to Stellwagen to partner for this event as a fundraiser. Ms. Canfield's concern is that Kennedy's does not have zoning to use the property as a venue for events. Ms.

Canfield and Ms. Curran said there is minimal parking available and it is a busy road and they would like a police detail for the event. Mr. Boudreau said he would have the police monitor the location and traffic. Mr. Vegnani said the parking is a big concern and it is a tough area. Ms. Connolly said she has real concerns and wished that Kennedy's sent a representative tonight to the meeting. Mr. Boudreau suggests sending a letter to Kennedy's that they are not zoned for these types of events. Nancy Chapman, 74 Branch Street asked if Kennedy's is donating a portion of their sales. Mr. Snowdale said that Kennedy's plans to sell food that night and donate the proceeds to Scituate Community Christmas. There was no motion to approve the one day wine and malt licenses.

Recreation and JV Baseball Field, Jim Boudreau, Town Administrator, Maura Glancy, Recreation Director Mr. Boudreau requested that Maura Glancy, Director, Scituate Recreation and Kevin Devin, Field Coordinator check with all interested parties to see if the recreation field behind the Old Gates School at 327 First Parish Road could be utilized as the Junior Varsity (JV) SHS field. Mr. Devin checked with Athletic Director Peter Umbrianna, and Darryn Campbell, President of Scituate Little League. Both were in agreement with this location. Mr. Boudreau estimates the cost of the project between \$100-\$200K and the funds would come from the \$400K received from Toll Brothers for the field project.

Ms. Connolly asked if the field is the same as a Varsity Field. Mr. Devin said they are the same dimensions. Years ago it was the High School baseball field. The field has a good draining system and is a better option than Central Field. We eliminated the JV field behind the high school for a girls softball field. Ms. Connolly asked if anyone gets displaced because of this field. Ms. Glancy said no one will get displaced. The soccer and lacrosse area would remain. Mr. Vegnani said it would be great to get this up and running in March if possible. Mr. Boudreau said it is weather dependent. Site work can begin as soon as possible and we will do it as fast as we can. There will need to be a fencing and netting system in place to protect the houses behind the field. Dan Fennelly, 10 Highland Crossing, said there will be some little league teams that could get displaced. There are other players, Freshman, Varsity and JV teams that play on the big field and the adult baseball teams. The legion teams also use the fields. Sam MacDonald, 35 Atlantic Ave is concerned with what happens with Greenbush Field long term. Bill Collins, 35 Briarwood Lane works with Craig Parkins and asked if the track will be taken out and how quickly will this be available. Practices are mid-March and the season kicks off in April.

Motion to approve Recreation field, 327 First Parish Road be designated as the Junior Varsity Baseball Field for Scituate High School and to move forward with the project. Motion by Ms. Curran second by Ms. Connolly Unanimous Vote (5-0)

BOARD & COMMITTEE INTERVIEWS

Jessica Guardia, Affordable Housing Trust lives at 11 Nelson Road in Scituate and has two small children in town. She would like to join the Affordable Housing Trust and she purchased her home through this process. She said it was important for her family to have a nice childhood home for her family. It was a dream come true for her to be able to purchase a home through this process. She would like to be involved in the process and her experience daily working with affordable housing will bring expertise to the group. Ms. Connolly said Ms. Guardia would be an ideal candidate for this group. Ms. Curran as a member of the AHT her experience would be important to the AHT.

Matt Chase, Recreation Commission

Mr. Chase is involved in the arts and his family has been involved in Recreation in the past. He would like to service on the Commission. Ms. Curran would like to see the arts represented on the board. Ms. Glancy supports Mr. Chase and think he would be a great addition to the Commission.

Linda Noble, Water Resources Commission withdrew application

Heather Marshall, Water Resources Commission withdrew application

Andrew Gallagher, Conservation Commission applicant has lived in Scituate for 10 years. He works for the Trustees of the Reservation and is involved in the field. He is passionate about Conservation. It is important work to be done. He would like to volunteer his time. Mr. Vegnani asked if this is a conflict of interest and Mr. Gallagher said no it is not a conflict. Ms. Connolly said we have amassed 400 acres of land and his background would be invaluable to the Commission. Mr. Vegnani asked if he knew the regulations and Mr. Gallagher said he is not a lawyer but he does have the baseline knowledge to be able to make decisions. He is in support of balancing the needs of the board with the applicant.

Brendan Collins, Conservation Commission has lived in Scituate for 16 years and has volunteered coaching teams and has been involved in the community. He would like to get more involved and volunteer for the Conservation Commission. He reviewed the openings available and is interested in Conservation. He does not work in the field but it is important to him and the community. He has reviewed the agenda's to see what is going on. He works in computer technology currently. He believes there is balance in everything and he wants to conserve natural resources. He was on a condominium association board in the past. He is aware of the lengthy meetings and he is up to the challenge. He has gone through the permitting process in the past and is aware of the process. Ms. Canfield said it is a very challenging commission.

Gerald Palumbo, Conservation Commission was at the meeting but had to leave for another commitment since the meeting went so late. Will reschedule for another meeting.

Spencer Erikson, Conservation Commission lives at 224 Gannett Road and recently moved into the Town of Scituate from Boston. Mr. Erikson works in Commercial Banking in Boston but has a flexible schedule. Mr. Erikson grew up in Northwestern CT and there is a lake surrounded by the town. There are summer homes built and there was no such thing as septic or sewer and they dumped into the lake so it was not used for swimming. An outside company built a school and appropriate procedures were not followed. He believes this is an important committee. Ms. Connolly asked if he would be interested in the Water Resources Commission and Mr. Erikson said he would be interested. Mr. Erickson is also interested in the Advisory Committee.

PRESENTATION FY2021 Town Operating Budget and Capital Budget Presentation & Overview

Mr. Boudreau reviewed a presentation to the Board of Selectmen for the Fiscal Year (FY) 2021 operating and Capital Budget Overview. Mr. Boudreau provided a recap of FY19 and FY20 YTD. Revenue assumptions and sources were reviewed. The challenges include managing ongoing water infrastructure improvements, new senior center and renovation of Veterans Memorial Gym project and renovation of high school field complex. Accommodating fixed cost increases for Employee benefits and negotiating five new collective bargaining agreements. Significant staff time and funds dedicated to ocean and storm related impacts and preparation for future impacts. Competing for scarce grant funds to continue major initiative including foreshore improvements and fund new ones. Balancing competing infrastructure demands and needed improvements to service with limited increases in available revenue.

The FY21 Operating Budget Focal Points is a level services budget without using Free Cash. Local receipts and new growth projected to increase \$150,000. State aid receipts and assessment level funded. Five town union contracts expire 6/30/20 and the estimated amounts are included in departmental budgets. Facilities budget increase for FY21 to reflect anticipated costs to support new senior center building including 15 hours per week of additional custodial support, electricity, cleaning supplies and gas. Operational support for foreshore protection and roads reduced and maintained at FY20 levels. Budgeted fixed costs FY20-21 were reviewed. Budget highlights include maintaining level services programs and activities. Reflects operational and maintenance costs for new facility. Continues allocations for road improvements and foreshore protection. Supports commitment to water and sewer infrastructure. Preserves initiatives previously supported with grant funding; Coastal Resources Officer. Pursues grant opportunities to augment taxpayer funds with grants to address needs in all areas.

Mr. Boudreau reviewed the FY21 Recommended and 5-Year rolling capital plan in the general fund and enterprise funds.

There are 31 potential warrant articles for the FY2021 Special & annual Town Meeting to include all operating, enterprise and capital budgets, zoning bylaw, general bylaw and local option acceptances. Mr. Boudreau reviewed continuing obligations for FY21 and beyond.

- Admn/BOS 123 Mr. Boudreau said this budget is down. Mr. Bangert's services are winding down from last year. A lot of money in the legal budget was spent this year on the Ellis property and we should not have this need going forward.
- Advisory Committee 131 budget is up to include the increase in COLA.
- Reserve Fund 132 this is level funded.
- General Liability & Property Insurance 192 increase of \$37,152 for increased costs final numbers will be in March
- Streetlights 424 This account will be level funded. There was savings here. We have picked up new streets, etc.
- Workers Comp 912 This account will be level funded.
- Unemployment 913 This account will be level funded.

Mr. Vegnani would like to have the % included in the information provided. Mr. Vegnani said the Board is pleased the budget is focused on the water and sewer. This is where we need to be. Mr. Boudreau said we have to work on the areas where we can't flush. We can put in hydrants and flushing gates to be able to flush the pipes. The flushing program we are finding gates we didn't know we had or the gates were shut. We are getting all the gates fixed. The entire shape of the water system will be better in the future. We are seeing a lot of other benefits.

NEW BUSINESS:

1. One Day Wine & Malt Applications

- Rivershed @ GAR Hall on 12/8/19 4-8 p.m.

Move that the Board of Selectmen approve One-Day Wine & Malt licenses to Rivershed for an event at GAR Hall , 353 Country Way December 8, 2019 from 4:00-8:00 p.m. Motion by Ms. Canfield second by Mr. Harris Unanimous Vote (5-0)

2. Board & Committee Appointments

Affordable Housing Trust	Conservation Commission
Recreation Commission	Beautification Commission
Water Resources Commission-none	Historic Commission
Traffic Rules & Regulations	Zoning Board of Appeals

The Board discussed each committee, renewals for consideration, new applicants and voted the following motions:

- 1. Move to appoint Jessica Guardia to the Affordable Housing Trust for a term of three years or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Mr. Harris second by Ms. Canfield Unanimous Vote (4-0) Ms. Curran abstained since she is on the Affordable Housing Trust Committee.**
- 2. Move to appoint Matt Chase to the Recreation Commission for a term of three years or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Mr. Harris second by Ms. Canfield Unanimous Vote (5-0)**
- 3. Move to reappoint Penny Scott Pipes to the Conservation Commission for a term of three years or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Ms. Connolly second by Mr. Harris Unanimous Vote (5-0)**
- 4. Move to appoint Andrew Gallagher to the Conservation Commission for a term of three years or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Ms. Curran second by Mr. Harris Unanimous Vote (5-0)**
- 5. Move to appoint Karen Dessler to the Beautification Commission for a term of three years or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Ms. Curran second by Ms. Canfield Unanimous Vote (5-0)**
- 6. Move to appoint Bob Brand to the Historic Commission for a term of three years or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Ms. Curran second by Mr. Harris Unanimous Vote (5-0)**
- 7. Move to reappoint Doug Smith to the Historic Commission for a term of one year or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Mr. Harris second by Ms. Connolly Unanimous Vote (5-0)**
- 8. Move to reappoint Aubrey Schwartz to the Historic Commission for a term of three years or**

until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Ms. Curran second by Mr. Harris Unanimous Vote (5-0)

9. Move to reappoint Arthur Beale to the Historic Commission as an Associate non-voting member for a term of three years or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Ms. Connolly second by Mr. Harris Unanimous Vote (5-0)
10. Move to reappoint Al Bangert, Sean McCarthy, Captain William Sestito, Dorothy Cook and Taylor Billings to Traffic Rules & Regulations for a term of one year or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Mr. Harris second by Ms. Canfield Unanimous Vote (5-0)
11. Move to reappoint Ed Tibbetts to the Zoning Board of Appeals for a term of three years or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Mr. Harris second by Ms. Canfield Unanimous Vote (5-0)
12. Move to appoint George Xixis to the Zoning Board of Appeals 2nd Alternate Opening for a term of three years or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Mr. Harris second by Ms. Curran Unanimous Vote (5-0)

EXECUTIVE SESSION:

1. To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body – Hatherly Road Fence

CHAIRMAN:

The Chair Mr. Vegnani declares that an open meeting may have a detrimental effect on the negotiating position of the governmental body to discuss strategy with respect to litigation. The board will reconvene in open session regarding the Murphy litigation Hatherly Road Fence.

I move that the Board of Selectmen go into executive session at 10:02 p.m. pursuant to M.G.L. c. 30A, §21 (3) for the purpose of discussing strategy with respect to the Murphy (Hatherly Road fence) litigation because an open session discussion would have a detrimental effect on the Board's position with regard to same.

A roll call vote was taken to move into executive session.

**Vegnani yes
Harris yes
Canfield yes
Connolly yes
Curran yes**

Motion to reconvene in open session the Board of Selectmen at 10:15 p.m.

A roll call vote was taken to adjourn the executive session and move into open session at 10:15 p.m.:

Vegnani yes
Harris yes
Canfield yes
Connolly yes
Curran yes

The Board of Selectmen made a motion to approve the settlement agreement to remove the entire fence structure including fence and posts by December 2, 2019. Motion by Ms. Connolly second by Mr. Harris Unanimous Vote (5-0)

OTHER BUSINESS:

1. Liaison Reports

Ms. Connolly said CPC match is \$244K and it is better than interest in a bank account.

Ms. Canfield said on Thursday, 11/21 at 7 pm in the library the North Scituate zoning public meeting will be held.

Mr. Vegnani said there was a joint sister city meeting with Sucy En Brie and Ireland that was very productive.

In Cohasset tomorrow evening there is a meeting regarding the Shellfish.

The Financial Team got an excellent rating for the Town of Scituate.

2. Correspondence

Upcoming Master Plan meeting 12/10 @ SHCB 7 p.m.

Wreaths Across America in Scituate in December.

3. Approval of Meeting Minutes

Move to accept the meeting minutes for the Board of Selectmen meetings held on October 29, 2019 and November 5, 2019. Motion by Ms. Canfield second by Ms. Curran Unanimous Vote (5-0)

Move to accept and not release the Executive Session minutes for the Board of Selectmen meeting held on November 5, 2019 since the matter discussed is still pending at this time. Motion by Ms. Canfield second by Ms. Connolly Unanimous Vote (5-0)

This Thanksgiving the football game will be held on the new turf field.

The boys soccer team went in to the playoffs and lost in double overtime to Medway. It was a great game.

4. Adjournment and Signing of Documents

The meeting was adjourned at 10:23 p.m. motion by Ms. Curran second by Mr. Harris Unanimous Vote (5-0)

Respectfully Submitted,

Lorraine Devin

List of Documents for November 19, 2019 Board of Selectmen Meeting

- Agenda
- DPW Water Report
- Tax Classification Documents
- Poll Hours for Presidential Primary & Early Voting
- Reduction to Debt Exclusion Impact on FY20 Tax Rate
- Interfund Borrowing
- One Day Malt Application for Stellwagen Beer @ Kennedy Country Garden event
- Board & Committee Applications see 2019 book
- FY2021 Town Operating Budget and Capital Budget Presentation & Overview
- Budgets for the following departments:
 - Admn/BOS 123
 - Advisory Committee 131
 - Reserve Fund 132
 - General Liability & Property Insurance 192
 - Streetlights 424
 - Workers Comp 912
 - Unemployment 913
- One Day Wine & Malt for Rivershed @ GAR Hall on 12/8/19
- Board & Committee Appointments
- Correspondence
 - Master Plan Meeting
 - Letter to Board Regarding Shellfish
 - Wreaths Across America Information
- Meeting Minutes for October 29, 2019 and November 5, 2019

Board of Selectmen Meeting Minutes for November 19, 2019

BOARD OF SELECTMEN

Anthony V. Vegnani, Chairman

Shawn Harris, Vice Chairman

Karen B. Canfield, Clerk

Karen E. Connolly

Maura C. Curran