

## Board of Selectmen Meeting Minutes

Tuesday, July 7, 2020

Facilitated @ Scituate Town Hall, 600 Chief Justice Cushing Highway with Remote Participation due to COVID- 19 Emergency

In attendance on site: Ms. Canfield, Chairman, Mr. Vegnani, Vice Chairman, Ms. Connolly, Clerk, Ms. Curran, Mr. Goodrich

Also in attendance on site Mr. Boudreau

### **MEETING CALLED TO ORDER/ACCEPTANCE OF AGENDA**

Mr. Vegnani made a motion to accept the agenda for July 7, 2020 at 6:31 p.m.

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

### **EXECUTIVE SESSION:**

- 1. To discuss strategy with respect to contract negotiations with non-union personnel-Town Administrator.**

Ms. Canfield declares that an open meeting may have a detrimental effect on the negotiating position of the governmental body to discuss strategy with respect to contract negotiations with non-union personnel-Town Administrator and that the board will reconvene in open session.

**Move that the Board of Selectmen go into executive session to discuss strategy with respect to contract negotiations with non-union personnel-Town Administrator at 6:32 p.m. and the board will reconvene in open session.**

### **Roll Call Vote:**

**Vegnani yes**

**Goodrich yes**

**Canfield yes**

**Connolly yes**

**Curran yes**

**Move that the Board of Selectmen reconvene in open session at 7:21 p.m. Motion by Second by Unanimous Vote (5-0)**

### **TOWN ADMINISTRATOR:**

1. Since last Monday, we have had two (2) new positive COVID 19 cases and 2 positive antibody cases. The two positive are a health care worker in Boston and a Scituate resident who traveled out of state. We would not characterize these as cases caused by re-opening in phase 2. We are still on a very good run. Scituate and Massachusetts are on a positive track. We are seeing what is happening in other parts of the country when people relax their vigilance. People need to keep up the good work. Statewide, the percentage of positive cases is at 2%. Masks, social distancing and hand washing are working.
2. The Town of Scituate has instituted phase 2 of our water restrictions. That is a total ban of all non-essential water use. No watering lawns, no washing cars, no filling pools. Handheld only for gardens, flowers and plants before 9:00 am and after 5 pm. This is a proactive step in case the drought continues to protect our

water supply. Violations are subject to fines of up to \$100 per day. 7 day total 2 weeks ago. 6/15 through 6/21: 15,018,000 gallons total. Average finished water treatment plant and wells combined 2,145,428 gallons per day. Yesterday (7/6) finished water treatment plant and wells combined: 1,699,000 gallons. Difference of 446,428 gallons  
So you can reasonably say that reduction in outdoor water use (lawn watering) saved about 1/2 million gallons per day.

3. Phase 3 of the reopening of the state economy starts today except for the city of Boston, which will delay phase 3 for one week. Gyms, fitness centers, movie theaters, museums and cultural and historical sites and certain outdoor venues will be allowed to open. Gatherings will be allowed up to 25 people inside and 100 people outside, but no more than 8 people per 1000 sq. ft. Weddings will be able to move forward under these guidelines, but dance floors and bars are not allowed. Professional sports are allowed without spectators and casino gaming floors can reopen. Guidance for sports leagues has been posted and is broken down into Phase 3 step 1 and Phase 3 step 2. It is further broken down into Lower Risk, Moderate Risk and Higher Risk sports, which is further broken down into Type of Play, level 1, 2 and 3. So tennis is a Lower Risk Sport and can participate in all four types of play, ranging from individual drills and social distancing (type 1) to tournaments, out door only (Type 4). Baseball is a Moderate risk and can participate in type of play 1,2, and 3. This means they can play games, but cannot have tournaments. Football, basketball and hockey are Higher Risk sports and can only participate in type 1 activities, which means no competitive practices, contract drills or scrimmages. This is posted on our web site. Phase 3 will continue for at least several months as phase 4 is not slated to start until a vaccine is acquired or an effective treatment is developed. People should not expect major new developments on the reopening of the economy until that happens unless we slide backwards and begin closing things again.
4. On Friday July 3rd at approximately 4:40 pm on Egypt Beach Lifeguard Eliza Nicholson noticed two surfers in distress. The surfers had started out in the "surf zone" as the guards call it and then due to a rip current, were sucked over and into the swimming zone (really far out past the rock). Craig Carlino grabbed the rescue board and started out towards the distressed surfers. Eliza radioed the Scituate Harbor Master and both the Harbor Master and the Scituate Police boat responded to the call. Craig made his way out to the surfers. The surf was extremely rough, the waves were 4 to 6 ft., and there was a strong rip current. The two surfers turned out to be a 12 year old boy and a 13 year old boy. Both boys were very scared. Craig put both boys on his rescue board, calmed them down and kept them safe until the Harbor Master boat arrived. Assistant Harbor Master's Rich Kelley and John Hatherly responded and negotiated heavy seas to get the victims and lifeguard into the boat. The Harbor Master put the two boys and Craig onto their boat and brought them all to the Jericho Rd. Ramp where Scituate Fire / EMS was waiting to evaluate and provide medical attention to the two boys and Craig. All three were checked out and aside from being a little shaken up; Thank God they were all fine.

Craig Carlino was the guard who went out on the rescue board. Craig showed extreme bravery and heroism. Eliza Nicholson was the Head Guard on the beach and was the guard who called in the incident to the Harbor Master. Eliza showed amazing leadership skills. Shelia Dunn and Jack O'Connell were the other guards on the beach who assisted with the Emergency Action Plan (clearing the water, keeping beach patrons out of the water, etc.) It was a real team effort!

The three guards cannot stop talking about how amazing Craig was. Some of the guards quotes.... "Like lightning speed and without hesitation, Craig grabbed the board and just took off to rescue the surfers". "Craig is a true hero; those surfers may have not made it if it wasn't for Craig." "I've guarded for many years and I have never seen anything like it, Craig was amazing!"

All of the Scituate Guards are trained very well.

At our weekly staff meetings, the guards are reminded to rely on their training and work as a team. This scary situation had a happy ending because these four guards worked as a team and relied on their training. We are all extremely proud of and thankful for our dedicated and brave Lifeguards! We will have the guards and the Harbormaster employees into the next BOS meeting to congratulate them on their work.

5. Town Hall will opened to the public starting today, July 7. We will be open regular hours with the exception of Tuesday night when we will be closing at 6:00 pm. Face Masks will be required for anyone wishing to do business in the Town Hall. Contact tracing will also be done with any visitors to the building. We have markers of the floor for social distancing and hand sanitizers at each entrance and in various offices. We had about 70 visitors today. We would urge that you continue taking advantage of our on-line system to do Town business that can be done remotely for your safety and the safety of our employees and staff.
6. Brown Water. This is the time of year where we historically experience brown water issues. I saw over the weekend on Facebook some brown (yellow) water complaints. Again, we ask that you report that to the water department so that we can investigate your issue and continue to make improvements to the system. If you experience brown water, or discolored water, please report it as soon as possible to the water department by phone call at (781) 545-8735, by email at Email: [brownwater@scituatema.gov](mailto:brownwater@scituatema.gov) or by going to the town web site, [scituatema.gov](http://scituatema.gov), and clicking on the water quality survey that can be found on the home page or under the water department. Again, these reports are important data points for the water department to use to continue to make improvements to the system. I will update the BOS and the Town on our complaint numbers for July 4<sup>th</sup> tomorrow night.
7. Bandstand concerts in Cole Parkway will be commencing either this Thursday night or next Thursday night beginning at 6:00. Social distancing and no dancing and no dancing allowed!
8. Recreation programs are up and running.

Finally, wash your hands after any activity, after leaving your house, coming home, etc. Wash your hands, cover your mouth and stay safe.

Ms. Connolly said not everyone is universally happy with the closure of Front Street and asked if we are receiving any calls. Mr. Boudreau said we have received one complaint from Scituate Package Store and Mr. Boudreau will be meeting with them. Ms. Connolly suggested the signage say closed to thru traffic but businesses open. Mr. Goodrich asked about can recycling. Mr. Boudreau said he would speak with Kevin Cafferty about this. Mr. Vegnani has heard positive comments about Front Street being closed to through traffic. Speeding on side streets is a concern.

#### **SCHEDULED ITEMS:**

**Non-Union Personnel Contract for Town Administrator** will not be voted this evening. The Board met and will be working to renegotiate with the Town Administrator.

Ms. Canfield reviewed the call in procedures for any resident who would like to participate in the meeting by commenting or asking questions.

**Approval of Collective Bargaining Memorandum of Agreement for Police**, Robert Clark, Human Resources Director

We have been negotiating with the Police Union since last winter. We have completed a Memorandum of Agreement (MOA) for Collective Bargaining Agreement between the Town of Scituate and the Massachusetts 20200707 bos minutes

Coalition of Police Officers, Local 461 for the period of July 1, 2020 through to June 30, 2023. The negotiated wage increases were agreed for 1% for 1<sup>st</sup> year, 1% 2<sup>nd</sup> year & 1.5% for the 3<sup>rd</sup> year of the contract. Education of Officers was a priority for the Union. We entered into discussions to apply the Quinn bill to eligible officers. It was agreed to transition the changes to the Quinn bill. There is a new sick leave abuse policy that was added to the agreement. The Selectmen reviewed the MOA. Mr. Vegnani asked the total monetary change. Mr. Clark said the change is \$209,000 over the course of three years. Ms. Canfield thanked Mr. Clark and Mr. Boudreau for their work on this.

**Motion to approve the Collective Bargaining Memorandum of Agreement for the Police Union.**

**Motion by Ms. Connolly Second by Ms. Curran Unanimous Vote (5-0)**

**Special Event Application Chalk the Walk July 18, 2020, Emily Doherty**

Emily & Conor Doherty joined the meeting via remote call. The applicant said this is a family friendly peaceful assembly, where kids can exercise freedom of expression with chalk art. The topics really matter here in Scituate. Chief Thompson is requesting that the area that is used behind Coffee Corner and the hardware store rather than at the marina. Ms. Curran said she thinks the idea is great and should be in the area less travelled and safer. Ms. Curran said they will need to social distance. Mr. Doherty said they would need to go earlier and chalk out the six foot areas. The DPW has requested they take their own trash out with them. Ms. Doherty would like to request the Special Event fee of \$100.00 be waived.

- 1. Move to approve a Special Event Permit to Emily Doherty for Chalk the Walk on July 18, 2020 from 8:30 a.m.-11:30 a.m. with a rain date of July 25, 2020. Motion by Mr. Vegnani Second by Mr. Goodrich Unanimous Vote (5-0)**
- 2. Move to waive the \$100.00 Special Event fee. Motion by Ms. Connolly Second by Mr. Vegnani Unanimous Vote (5-0)**

**Scituate Recreation Disclosures for Municipal Employees**

Move that the Board of Selectmen, as required by M.G.L. c. 268 A, have reviewed the disclosure forms from the following municipal employees who seek to provide personal services to Scituate Recreation. The exemption under section §20 (b) is approved for the following municipal employees:

Andrew Barlow  
Ellen Burke  
Erin Culbert  
Elizabeth Dorgan  
Lisa Howell  
Brian Hurcombe  
David Jordan  
Amanda Kent  
Kathleen McCarthy  
Craig Parkins  
Matthew B. Poirier  
Jonathon Schindler

**Motion by Mr. Vegnani Second by Ms. Curran Unanimous Vote (5-0)**

**Change of Hours for The Voyage Restaurant Extension of Premises, Keith O'Callaghan & Roo Graham, Manager**

The Voyage is asking the Board of Selectmen to extend their hours until 10 p.m. to prevent the loss of business to Marshfield restaurants. Mr. Vegnani said they limited it to 8 pm on Sunday through Thursday. Ms. Graham said there are a lot of summer rentals in Humarock and they are a beach community.

- 1. Motion to extend the hours for The Voyage Extension of Premise for the outdoor patio and front porch Sunday to Saturday until 10 p.m. Motion by Mr. Vegnani Second by Ms. Curran Unanimous Vote (5-0)**

**DPW Contracts, Kevin Cafferty, DPW Superintendent**

- 1. Munson Company LLC Contract for Bulk Soda Ash Sodium Carbonate \$339,000**  
**Move that the Board of Selectmen award the contract to supply Bulk Soda Ash (Sodium Carbonate) to the Scituate Waste Water Treatment Plant at a unit price of \$0.1825 per pound to Monson Companies as outlined in the Eastern Massachusetts Chemical Cooperative not to exceed \$339,000.00. Motion by Mr. Vegnani second by Ms. Connolly Unanimous Vote (5-0)**
- 2. Coyne Chemical Company, Inc. Contract for Methanol \$126,000**  
**Move that the Board of Selectmen award the contract to supply Methanol to the Scituate Waste Water Treatment Plant at a unit price of \$1.44 Per Gallon to \$2.06 Per Gallon to Coyne Chemical for a total 3 year contract price not to exceed \$126,000.00. Motion by Ms. Curran second by Mr. Vegnani Unanimous Vote (5-0)**
- 3. Cedar Point Gravity Sewer Replacement Contract to Albanese D&S Inc. \$6,336,962**  
Will Branton, Sewer Superintendent, Ziad Kary, P.E., Principal and Paul Millett, P.E., Senior Principal from Environmental Partners were in attendance with Mr. Cafferty to discuss the Cedar Point project. Environmental Partners are the Design & Permitting engineers for the project. Eight bids were received and two bids had serious anomalies and were disqualified. Albanese has done jobs in Plymouth and Framingham and they are comfortable with their work. Everyone on the list has the resources to do the work. Ms. Curran is concerned with the low bid compared to some other components on the other bidders. Mr. Cafferty said some contractors do not have a balanced bid. Some components are larger in the bids between contractors. Other areas are high on Albanese. The reality is the plans, specifications are the same, and the pricing is up to them. Paul Millett said all eight contractors bids were due and there were significant deficiencies in the bid package and therefore are disqualified. Mr. Cafferty referred the whole package to Town Counsel and it was their recommendation that that bid be rejected. Mr. Cafferty said we have received about 70% of the easements from the homeowners. The list of homeowners who have not provided an easement was referred to the Cedar Point Association. Mr. Cafferty said the project would be managed with a sewer bypass system during construction. Ms. Holt reviewed the numbers with the Board of Selectmen. The betterment fee charged to residents will be approximately \$25,411 and cost approximately \$2,500 a year.

**Move that the Board of Selectmen award the contract for construction service for the Cedar Point Sewer Improvement project to Albanese D&S for \$6,336,962.00 Motion by Mr. Vegnani Second by Ms. Curran Unanimous Vote (5-0)**

**Ratification of Restaurant Extension of Premises**, Riva, Jim Boudreau, Town Administrator

Mr. Boudreau said Riva applied for the seating on Front Street. It started last weekend and it went well.

**I move that the BOS ratify the Temporary Licenses issued by the Town Administrator to Riva Restaurant to serve Liquor under a Temporary Extension of Premises & Outdoor Seating License in accordance with COVID-19 Order No. 35 and consistent with the process of approving such requests established by the BOS. Motion by Mr. Vegnani Second by Ms. Connolly Unanimous Vote (5-0)**

### **Board of Selectmen Meeting Packet Guidelines**

Ms. Canfield asked that the meeting packet guidelines be posted on the town website on the Selectmen page and that the information be sent out to departments heads again.

- All Agenda Items/Topics are due to the Board of Selectmen's office by the end of business on **Tuesday prior to the meeting by 4:30 p.m.** *(if a holiday falls either that Friday or on the Monday before the BOS meeting, the topic is due on Monday)*
- All paperwork, contracts and Executive Action are due to the Board of Selectmen's office **by 10 a.m. on Thursday** to include one hard copy and one emailed copy. *(if a holiday falls either that Friday or on the Monday before the BOS meeting, backup needed on Wednesday)*
- Exceptions to these guidelines require approval of the Town Administrator
- If the paperwork is not received in time we will need to reschedule your topic to the next BOS meeting

### **Establishment of an Inclusion Equity Group for the Town of Scituate**

In light of the recent protests and interest in doing all, we can to promote equity in our community. The School Committee also had discussions with doing something similar. The School would like to collaborate with the Town and create a broad reaching group. Ms. Canfield asked the Board if they agree to combine with Scituate Public Schools. Mr. Vegnani said that was the intent when he first spoke about this. Ms. Curran said their focus was very school related and the Town interests are with the police department and funding even though they are all intertwined. The plan is to create a macro charge between the School and the Town and then break into sub groups. Ms. Connolly asked if there will be a time frame on this and will recommendations be made to the Selectmen and the School Committee. Ms. Connolly said 17 people was way too many on the Superintendent search. Ms. Connolly would be interested in what if any recommendations would be made. Mr. Goodrich said he agrees with Ms. Connolly and would like to have some deadlines and action items. Mr. Vegnani said people can participate in a public forum but do not have to be on the actual committee. The important part is getting everyone's input. Ms. Canfield recommends one of the Board of Selectmen members participate on the committee. Ms. Canfield will meet with the Chair of the School Committee and Superintendent with Mr. Boudreau and get the ball rolling.

### **OTHER BUSINESS:**

#### **1. Liaison Reports**

Ms. Curran said the Scituate Coastal Visioning project is wrapping up. Wednesday, July 8<sup>th</sup> from 7-9 p.m., you can participate in the wrap up session.

Ms. Canfield said the EDC has been working with the Chamber directly and with the Scituate Loves Local group. Plans are underway to put an event together in August when Heritage Days

was supposed to take place. The Selectmen retreat is scheduled for July 14, 2020 at the Scituate Maritime Center at 6:30.

2. Correspondence

- a. Letter from clergy The Reverend Ms. Pamela M. Barz, Minister First Parish UU Church of Scituate with interest in being included in the establishment of an Inclusion Equity Group
- b. Resident letter to remove Boats & kayaks from Museum Beach.
- c. XFINITY letter with channel changes

3. Adjournment and Signing of Documents

**Motion to adjourn the meeting at 9:06 p.m. by Ms. Curran second by Mr. Goodrich**

**Unanimous Vote (5-0)**

Respectfully Submitted,

Lorraine Devin, Recorder

## **List of Documents for July 7, 2020 Board of Selectmen Meeting**

- Agenda
- Collective Bargaining Memorandum of Agreement for Police
- Special Event Application Chalk the Walk July 18, 2020, Emily Doherty
- Scituate Recreation Disclosures for Municipal Employees
- Change of Hours for The Voyage Restaurant Extension of Premises Owner Request
- DPW Contracts, Kevin Cafferty, DPW Superintendent
  1. Munson Company LLC Contract for Bulk Soda Ash Sodium Carbonate \$339,000
  2. Coin Chemical Company, Inc. Contract for Methanol \$126,000
  3. Cedar Point Gravity Sewer Replacement Contract to Albanese D&S Inc. \$6,336,962
- Ratification of Restaurant Extension of Premises, Riva
- Board of Selectmen Meeting Packet Guidelines
- Establishment of an Inclusion Equity Group for the Town of Scituate
- Correspondence
  - XFINITY Letter
  - Letter from clergy The Reverend Ms. Pamela M. Barz, Minister First Parish UU Church
  - Letter from resident request to remove boats & kayaks from Museum Beach



## Board of Selectmen Meeting Minutes for July 7, 2020

### BOARD OF SELECTMEN

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Karen B. Canfield, Chairman

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Anthony V. Vegnani, Vice Chairman

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Karen E. Connolly, Clerk

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Maura C. Curran

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Andrew W. Goodrich