

Board of Selectmen Meeting Minutes

Tuesday, January 5, 2021

Meeting Conducted via ZOOM Remote Participation due to COVID- 19 Emergency

Remote Participation by: Ms. Canfield, Chair, Mr. Vegnani, Vice Chair, Ms. Connolly, Ms. Curran, Mr. Goodrich

Remote Participation by: Mr. Boudreau, Town Administrator

MEETING CALLED TO ORDER/ACCEPTANCE OF AGENDA

Mr. Vegnani made a motion at 6:35 p.m. to accept the agenda for January 5, 2021 Second by Ms. Curran
Unanimous, vote (5-0)

Roll Call Vote:

Canfield yes

Vegnani yes

Connolly yes

Curran yes

Goodrich yes

Ms. Canfield reviewed the call in procedures for any resident who would like to participate in the meeting by commenting or asking questions. Participation by the public is available by the Zoom link on the agenda or telephone dial instructions. Ms. Canfield said the Board would like to extend their sympathies to the family of Bernice Brown who was the Town Clerk in Scituate.

ZOOM INS aka WALK INS-no zoom ins at this meeting.

REPORT OF THE TOWN ADMINISTRATOR

1. Since last Monday until yesterday we had 119 new cases in Scituate, more than double last week's 46. We had 14 new cases yesterday and today we added an additional 14 cases as of noon time. I have not received a final count for today. Last Monday, 12/28 was the last date that case numbers were in the single digits. This is a huge increase from week to week and is very worrisome to the town and I know the school department. We are firmly in the red on the state Covid map with a 5% positivity rating over the last 14 days down from 3.32% positivity previously. State wide the positivity rate yesterday was ____%. Effective tomorrow, January 6, we will be discussing returning Town Hall to admittance by appointment only visits. Residents seeking an appointment should call or email the appropriate department to make arrangements. Appointments will be subject to strict COVID-19 protocols, including contact tracing information. In addition, the Scituate Public Library will be available for curbside pick-up and drop-off only. Information on this can be found at the Library website, www.Scituate.ma.gov/town-library. Drop-off and pick-up times will mirror current library hours. These restrictions will remain for a period of two weeks, at which time the Town will revisit them to see where we stand relative to COVID-19 in Scituate. We were very reluctant to take these steps as we were proud to be one of the only town halls and libraries on the SS open to residents, but the surging cases is causing this roll-back. All employees will be working in the buildings and be available to residents by phone, email and appointment.

The Scituate Public Schools (SPS) have not been immune to this explosion in cases. Also effective tomorrow, SPS will be going to a full remote learning model through at least January 21. All athletic programs, including practices and games will be cancelled during the two week period.

This is not yet what we would expect to be the height of the Christmas Holiday surge. This is the start of it with the peak expected to start next week. A reminder, if you traveled out of state for the holiday, be aware that you are subject to travel restrictions. This will be even more crucial with the Christmas holiday and school vacation. Travel restrictions can be found at [Mass.gov/COVID](https://www.mass.gov/COVID) or at the SPS web page which has specific guidance for students. In a nut shell, you must either quarantine or produce a negative PCR test administered up to 72 hours prior to your return. If you have not received your test results, you must quarantine until you receive them. Public Health experts are concerned that Xmas will be worse for the spread of the virus than Thanksgiving has proven to be.

Good news is vaccinations have started. We are in Phase one of the Vaccine Plan. In phase one, clinical and non-clinical healthcare workers doing direct Covid Facing care have already commenced. This will be followed by Long term care facilities, rest homes and assisted living facilities. Police, Fire and EMS, congregate care settings, home based healthcare workers and then healthcare workers in non-Covid facing care. We anticipate public safety will begin to get the vaccine hopefully starting next week. [Mass.gov/COVID](https://www.mass.gov/COVID)

2. The fencing has gone up at Cole Parkway for the maritime project. Traffic has been re-routed in the parking lot with signage, barriers and arrows. Please use caution traveling through Cole Parkway. The contractor was unloading pilings this morning and stock piling supplies. Work is scheduled to be started on Monday, January 11. The project is scheduled to be finished by the start of boating season.
3. Cedar point continues to progress. The laterals have been finished. In addition, the contractor has received delivery of some of the manhole covers they have been waiting for. These are specialized covers designed to prevent water infiltration. The contractor has begun installing the manholes and digging the trench for the installation of the main sewer line. This will be very disruptive and cause traffic closures and stoppages for Cedar Point. If you want to get an idea of how deep some of these trenches are going to be, look at the size of the manholes and see how tall they are.
4. From the sewer department we are still having a major problem with so-called “flushable” wipes. They are not flushable. The wipes get caught in pumps at the treatment plant and cause serious problems. The employees are having to take pumps apart and unclog them two-three times a day. Do not flush wipes in the toilet.
5. Bids were due on the Golf Clubhouse renovations tomorrow. Where we did not receive bids on two of the sub-bid categories, the bid due date has been extended until 1/13 so contractors can carry an allowance in their bids for those two sub-bids.

Ms. Curran asked if there were any demographics on the COVID cases. Mr. Boudreau said he does not have that detailed information. Ms. Connolly asked what the positivity rate is and how it is calculated. Mr. Boudreau said it is the total number of tests administered compared with the total number of positive tests. Mr. Goodrich asked what the role is of our own Board of Health for the vaccine. Mr.

Boudreau said we are working with the state and on a regional approach with other communities. Our paramedics and school nurses will be trained to give the vaccine. Mr. Boudreau will inform the board when we obtain more information. Mr. Goodrich asked how we compare to other communities regarding administering the vaccine. Mr. Boudreau said he did not know.

SCHEDULED ITEMS:

Naming of Third Base Dugout new athletic field, Mike Connor, Recreation Commission Chair

Mike Connor said the week that JL passed away there were constant stories about the positive impact JL Murphy had on everyone young and old. JL served the town in many different capacities, recreation commission chair, coach for many sports and he was a humble man. Mr. Connor could have received a thousand letters but he received letters of support were received from SHS Boosters, American Legion, Recreation Commission, and Scituate Little League for a J.L. Murphy memorial. Mr. Connor said the baseball boosters will pay for any expense incurred.

Mr. Vegnani said there is not a more appropriate place for a memorial for JL to be than the home dugout. He was also a volunteer for legion baseball and worked on the fields to maintain them and make them better. All the players adored JL.

Mr. Boudreau said there will need to be a policy regarding how this will be done in the future.

Move that the Board of Selectmen support the naming of the third base dugout at the new athletic field in honor of J.L. Murphy, pending School Committee approval. Motion by Mr. Vegnani second by Ms. Curran Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes
Vegnani yes
Connolly yes
Curran yes
Goodrich yes

DPW Water Department Update, Kevin Cafferty, DPW Director, Sean Anderson, DPW Water Superintendent

Mr. Cafferty reviewed water department completed projects, current projects, master plan status. Mr. Cafferty reviewed the steps taken to date to improve the water delivery system in the Town of Scituate with 26.7 miles of pipe installed in town.

1. Master Plan: December 22 discussed the Town's second round of comments on the master plan, specifically related to the Town's experience last summer meeting demand. These comments are being incorporated into the document which will be redistributed by January 15, 2021.
2. Dolan Well: Pump Testing is ongoing. Initial 5 day pump tests yielded 200 gpm which is conservative. The hydrogeologist is usually conservative with these estimates but if we were able to get 200 gpm

would yield 288,000 gallons per day which is 105 MG a year of water. They will continue to identify the safe yield, delineate a proposed water protection zone, and evaluate all potential impacts in the zone of influence of the well. When approval is granted by the DEP then this project can be bid and started. This well will require treatment.

3. Well 17: Work is proceeding on the building over the winter. There have been several supply chain disruptions due to Covid-19, however the projected project schedule impacts are minimal. There have been five pay requests totaling \$2,427,616 out of \$5,752,889 or 40%. Change order requests to date have been minimal (<\$10K). The award date for this project was 6.11.19 and the competition date is 12.12.21.
4. Well 18B, was taken offline in March of 2018 due to high Iron and Manganese levels. In order to take the existing OOB water filtration plant offline for emergency repairs in winter 2019, greensand filters were installed in the corrosion control facility for Well 18B. This allowed the Town to operate the well during the summer of 2019. The filters must be backwashed daily and the original (emergency) operations scheme used a tanker to bring the backwash to the wastewater treatment facility. In order to return the well to permanent, seasonal use, a disposal lagoon is under design. The corrosion control building is located on the landfill site, the landfill is capped with a subsurface methane collection system and there is a groundwater diversion dike along the front of the property, for these reasons the alternative analysis identified the adjacent parcel where the Widow's Walk Golf Course is located as the preferred location. The design consists of the traditional combination of lined and unlined lagoons
5. New Treatment Plant: An RFP was issued for the OPM. Tighe and Bond was chosen as the OPM. A Request for Qualifications (by T and B and the Town) has been issued to procure a designer for a replacement to the existing OOB facility. Responses are due at the end of the month.
6. Water Projects: The Town will be bidding two new water projects in 2021. These projects will include water line replacement on Brook (2,400 feet), Tilden Road (1,100 feet) and 7,800 feet on Old Oaken Buckets Road. We will also be doing the Cedarwood and Utility Road Neighborhood as well as many smaller dead ends. The first project is bidding 2.4.21. The second project should follow on 2.25.21.
7. OOB Manganese treatment piloting: Due to warmer-than-average temperatures and lower-than-average rainfall this summer, the treatment plant intake saw elevated concentrations of manganese. On August 5, 2020, jar testing was done to identify a treatment strategy to maximize raw water manganese removal. Potassium permanganate (KMnO_4) was identified as the ideal strategy, and on August 25, 2020, the Town obtained approval from the Massachusetts Department of Environmental Protection (MassDEP) to install and pilot potassium permanganate chemical pre-treatment at the OOB WTP.

8. Flushing: Flushing started this fall but had issues with being low on water and Covid. It is scheduled for the spring 2021 to resume. There is an engineered flushing program that was not fully implemented because of the water levels.
9. Humarock Water Usage: The new pressure reducing valves are in place and we are starting to dial back the water pressure to save water. In 2019, there was \$800,000 set aside for Humarock Water Line design. Future RFP.
10. We have updated the generators to most of the main wells. Well 19 Generator's head gasket failed doing damage to the generator which is being repaired under insurance.

Ms. Canfield asked for a copy of the notes and a written summary of what he reviewed. She asked for it to be posted to the public as well.

Mr. Goodrich asked if there are any areas or data the DPW water department needs more information about. Mr. Cafferty said we are weak on SCADA data. We need more data and electronics to monitor the water network better. Mr. Anderson we need to update the electronics inside the station with newer technology to incorporate into a SCADA system. He has studied this to make sure it would work. Mr. Goodrich asked if we could do this prior to getting a new water treatment plant. Mr. Anderson said he is working on this for the green sand filter plant and the reservoir gate and tank height. This will be the first time in five years or more.

Ms. Curran asked when the DPW anticipates bringing the Dolan Well online. Mr. Cafferty said it is a new well source approval and he does not know how long the process with the DEP will take, it could be 6 months or two years. Weston and Sampson are the consultants for this project. The person who used to be at the DEP has since retired and there is a new person there. Ms. Curran said the board is willing to help move this along. Sean Anderson said it would take 3-5 years and we've been working on it for a year and a half already.

Mr. Vegnani asked about the schedule for flushing the pipes and wanted to the plan for 2021. Mr. Cafferty said we are going to flush in the spring late April early May. It is going to depend on water supply, weather and man power.

Ms. Canfield asked when the capacity test was done for the Dolan field. Mr. Cafferty said it was done twice; once during the drought and the testing had to be redone at Thanksgiving. Mr. Anderson said he is happy there will be two sets of data. Ms. Canfield asked the Humarock water usage before and after the valve installation. Mr. Cafferty said there are a lot of leaks there but due to the sand it does not show how much has leaked. Ms. Canfield asked about the comparison of brown water complaints over the past 2-3 years. Mr. Anderson said we had the best results this spring into summer. With the drought and the manganese from July on we saw an increase.

Ms. Canfield asked if and where we will post the Master Water Plan. Mr. Cafferty will look into posting this on the town website.

Ms. Canfield opened Q&A up to the public and there were no questions.

FY22 Budget Presentations:

- Review of non-monetary articles, Jim Boudreau, Town Administrator
There are 33 articles submitted and the charter review committee will not be moving forward with an article at this time. That leave approximately 30 articles. Mr. Boudreau provided a high level review of the articles. Ms. Curran asked for redlined versions of changes for the bylaws in the articles for town meeting.
- Finance Director/Town Accountant 135, Nancy Holt, Town Accountant/Finance Director
This is the 6th year in a row we have received an excellence in finance award to Scituate. Ms. Canfield thanked Ms. Holt and her department. Ms. Holt said there is a lot we've learned through the pandemic and tracking all those costs. We have learned how to move forward in this environment. Remote learning has taught us a lot as well. Changes to the budget were reviewed.
- Information Technology 155, Michael Minchello, IT Director
Ms. Canfield said the work IT has been doing is extraordinary. Mr. Minchello said this year he focused on many security initiatives. Mr. Minchello reviewed his budget with the board. The new permitting system will be installed. Annual maintenance fees will increase with improved enhancements. IT capital outlay will increase. There is a five year life expectancy per computer. We need to build capital outlay up to support these replacements. Mr. Vegnani asked if any of the lines are associated to Scituate Public Schools. Mr. Minchello said no just the town. The school gets a lot for free for education. The school uses different technology. This budget is just the town side. Mr. Goodrich asked when the permitting software will be implemented. Mr. Minchello said the fire department burning permits will be first and then the building department. Ms. Canfield said the IT department completed so much work to prepare the town employees to work remotely and it is much appreciated.
- Police 210, Mark Thompson, Chief of Police
Ms. Canfield read a quote from a section of the challenges the police department faces in FY22.
"Throughout the last decade, the Scituate Police Department has experienced considerable staffing changes. We have hired and trained a significant number of new officers; each of whom strive to uphold the ideals of modern policing and serve the community each day with honor and compassion. As we work to continue this tradition, and further build out our recruiting platform, we must recognize that the country is facing unprecedented times.

Political and economic uncertainty, a global pandemic, anti-police sentiment, and societal division are all factors which contribute to the challenges we must face while maintaining and developing our workforce. It is the department's responsibility to hire the best candidates to serve within our community. We must recruit officers that can police professionally in an increasingly violent and divided society; while compassionately and comprehensively serving every member of the community. As an agency, we must work to strengthen our relationship with our residents; building upon the trust that we have established over the years and continuing to ensure transparency of our actions."

She commends the department for their thoughtfulness. Chief Thompson will be focusing on policies and procedures, staffing and COVID. There is mental health training for officers ongoing. The budget was reviewed and increases were due to contractual agreements and software changes for the emergency communications system for police and fire. Deputy Chief Steverman said the Chief covered it all. Mr. Vegnani said more than half of the increase due to equipment. Last year a cruiser was cut and this is putting the cruiser back in and reinstate into the budget. Ms. Connolly asked if we give out speeding tickets and where is the revenue accounted for. Chief Thompson said the parking ticket revenue and speeding tickets goes back into the general fund. This budget was prepared before the reforms were passed and Ms. Canfield asked if this budget will support the police reform legislation. Chief Thompson said this budget should work and they will assess as we move forward with post requirements for the police reforms that passed. Training will need to be assessed for certification with these changes and for staffing recruiting and seasonal work as well. Chief Thompson reviewed current academy graduates and those in the academy. The board thanked the Scituate Police Department for all their hard work. Mr. Boudreau said this year with the most upheaval in our life, the new command staff did a tremendous job. The staff has been seamless during the transition as you can see with this budget. The men and women have handled this seamlessly.

- Fire 220, John Murphy, Fire Chief

Ms. Canfield thanked the fire department staff for all their hard work this year during the pandemic. Chief Murphy said the paramedics have worked very hard this year with COVID and done a fantastic job staying healthy at the same time. Chief Murphy reviewed his budget which is level funded. Goals this year include the Humarock Fire Station. Mr. Vegnani said he receives many compliments about the performance of the fire department and it is much appreciated by the board and our residents. Chief Murphy said there were three paramedics hired this past year. We have four vacancies and two personnel long term vacancies. There will be an employee coming in February. The open positions are included in the budget. There are 48 currently on the floor. The main budget sheet under personnel show the four vacancies. Paramedics are in high demand with all the towns. Chief Murphy said we are prepared for a shelter during COVID if required. We will continue to use the high school as the shelter. Ms. Connolly asked why the ambulance numbers were down. Chief Murphy said a lot of people do not want to go to the hospital. There will be less revenue in this area. The board thanked Chief Murphy and asked him to thank his department.

- Public Safety Communications 230, Barbara DeWolfe, Supervisor

The Public Safety department is fully staffed. One of the major challenges last year was getting fully staffed. The challenge was keeping up with COVID and training with all the state changes on a weekly basis. Chief Thompson or Chief Murphy supply the communications team the information to keep them all updated. Ms. Connolly asked who it is going with joint fire and police dispatch. Ms. DeWolfe said it is going along nicely. There is no longer transferring calls and everyone can handle everything. The board thanked Ms. DeWolfe for her work in this area and helping the transition. Mr. Boudreau said the group deals with a lot of pressure and how well they handle all the calls. The group being fully staffed helps them deal with the pressure they were feeling being understaffed. Ms. Connolly said they moved into a new building with new equipment and new staff, this is quite an accomplishment.

- Veterans 543, Don Knapp, Veterans Agent

Ms. Canfield thanked Mr. Knapp for the changes needed for holiday celebrations remotely to accommodate everyone for COVID while still recognizing our Veterans. The new Veterans Advisory Services Council has been a great asset this year to our community. The VSAC has stepped up and is a great group of people. Mr. Knapp said the clients are in the high risk category. The Veterans have been staying in their homes. Getting them food and prescriptions are important. There are two clients in hospice right now. Mr. Knapp reviewed the vaccine schedule for the Veterans. He receives updates on the vaccine schedule and posts on his website. The Veterans office will be moving into the new senior center this year. Mr. Knapp is working on setting up telehealth in his new offices at the Senior Center for the Veterans. Mr. Vegnani asked if the VAC needs any funding for any projects. Mr. Knapp said this group is unbelievable getting funds to do the project the Veterans need. The group is already on top of funding. There are no current projects that Mr. Knapp is aware of at this time. They are discussing a van in the beginning stages. Mr. Knapp said there are no funding needs at this time.
- Beautification 650, Leslie Dienel, Treasurer and Systke Humphrey, President, Beautification Commission

Ms. Canfield said the Beautification Commission is part of the curriculum at Hatherly School. Ms. Dienel said we are fortunate that the bid came in for the islands. Ms. Dienel reviewed the budget. They began working on Town Hall this year. Ms. Humphrey said we were impacted by COVID restrictions. They are grateful to Ruth Thompson for advertising the programs the Beautification Commission teaches to our schools. Mary Tennaro put COVID 19 procedures in place for the adopt a lot program. The Commission is excited for a new program to start and looking at four different sites. There are approximately 24 adopt a lot volunteers and they received a donation to identify these people as volunteers with a t shirt. The town hall is the entrance to our citizens and the Commission is interested in making the town hall beautiful. If we had the money they would paint the windows, etc. to take pride in our town. The Town Hall is the center of the community and needs to be spruced up. The best way to contact the group is beautification@scituatema.gov email. There are two new board members appointed this year. Leslie Powell is at the fishing pier and Maryann Pallieko is at the Harbormaster office gardens. Ms. Curran thanked the group for their excellent work. Mr. Goodrich said we can do a video to promote the Beautification Commission.
- Historical 691, Bob Chessia, Acting President Scituate Historical Society

The town owns seven historic buildings under the Historical Society stewardship. Mr. Chessia said Dave Ball retired and he is acting president at this time. There is a lot of work to be done that couldn't be done this year due to COVID. There are repairs that need to be done at these locations. If we can't cover it with this budget we can put it off until next year. The budget is level funded. Ms. Canfield thanked Mr. Chessia for his service. Ms. Canfield thanked Dave Ball for his service for close to thirty years. He helped manage over 20 Eagle Scout projects for the town. Ms. Curran said they were not able to get some work done and asked if the funds could be encumbered. Ms. Holt said no we could not hold funds over. Mr. Boudreau said if the contracts were signed in FY21 they could be encumbered to FY22. Ms. Curran would like to add Mordecai Lincoln maintenance plan to the follow up list since it will not fall under the historical society.

143 Border Street Notice of Intent to Sell, J. Boudreau, Town Administrator

Mr. Boudreau said this is lot 16 and includes the house that is on the property. The planning board has already reviewed this and recommend we do not exercise the option to buy. Kathleen O'Donnell, attorney for the seller has joined the call. Ms. Canfield asked if there was public comments or questions. There were no questions or comments.

I move that the Scituate Board of Selectmen vote not to exercise the Town's option to purchase 143 Border Street, Scituate, MA – Assessor's Parcel No. 006-002-009 (Lot 16), more fully described in a Notice of Intent to Sell - 143 Border Street, dated November 19, 2020 and to send written notice of the Town's waiver of rights under G.L. c. 61A, §14 to the Trust by certified mail. Motion by Ms. Curran second by Ms. Connolly Unanimous Vote (5-0).

Roll Call Vote:

Canfield yes

Vegnani yes

Connolly yes

Curran yes

Goodrich yes

Memorial Bench Athletic Field SHS, J. Boudreau, Town Administrator

This request was withdrawn by the applicant.

Ms. Canfield requested a short recess of the meeting at 8:55 p.m.

Ms. Canfield reconvened the meeting at 9:02 p.m.

OLD BUSINESS:

1. Wind Turbine

Ms. Canfield said last time the Board met regarding the wind turbine was September 22nd to review the Epsilon report contracted to see if the wind turbine operations were in compliance. The board wanted to make sure the protocol used was consistent with the DEP. They postponed furthering the discussion until that information was received. Mr. Boudreau called Seth Pickering, Regional Director, MASS DEP today since he is the contact. The report is just about finished and we should expect the report within 10 days to two weeks. Ms. Canfield recommends we discuss other items tonight to make use of our time even though the report is not received yet. The things that need to be considered are all but one data point was in compliance with the bylaws. Does the board feel the report provides them with anything in non-compliance to discuss with the operator. Mr. Vegnani said it does not appear they are not in compliance. Mr. Goodrich said he was not part of the original discussion but he has concerns with the report in general. They never say yes and he is generally concerned. Mr. Goodrich trusts the people in our town when they say there is a problem. From what he has reviewed other communities have setbacks and we have db. He understands people being upset about it. Mr. Vegnani said to have problems with regulations is one thing but if we don't want to lead people to believe the testing was not done accurately. This was not a hack

company to give us the answer that we wanted. It is not this company's fault that someone doesn't like the guidelines. We vetted the organizations and we don't want to give the impression that they did not do their job accurately or with integrity. Ms. Canfield said if its 100% in compliance what is it that we want to do. We are trying to accomplish finding relief for the people that this is bothering. Ms. Curran said she feels as though she is stuck between a rock and a hard place. She thinks their pain is real but they have obligations fiscally and contractually and it is a tough situation. There are some steps that we can hopefully take that we can discuss tonight. We have to go to a middle ground to see what kind of relief we can provide these residents. Ms. Connolly agrees with everyone and understands the financial implications. We can fight forever over studies. We keep spinning our wheels on this. She hopes the residents find it a good faith effort and this is not an all or nothing to help solve the problem. The board has spent a lot of time trying to answer questions from residents and the board members. The option to turn it off forever is not viable. Several years ago, the board voted to implement a curtailment plan. There are many years of data on this. This has demonstrated that the conditions for that curtailment were not adequate to prevent complaints. Ms. Canfield asked if the board was willing to modify the curtailments. There is nothing in the Scituate Wind contract to do a curtailment. They have been working with us to address some of these issues. Mr. Vegnani added that the conversations we've had with them over the last several months, there are no other options. There is nothing they can do different and there is no other options to make it quieter. Curtailment is the only option that they have. The board did pose questions regarding the financial impact. The cost to the town was approximately \$50,000 for the current curtailment. Calculations under different scenarios were asked. Mr. Vegnani said Scituate Wind has been acting as a partner to us during this process. Every time we shut it off, we pay for it. When it is shut off at different wind levels it costs more. Ms. Curran asked about the increased cost of curtailment. The board reviewed different complaint conditions. It would cost approximately \$235K a year to shut the wind turbine down every evening from 11 pm to 6 am. The board has agreed they would like to revise the curtailment and expand the wind direction. Ms. Connolly would like to look at this from the hours of operation to shut it down every evening between 11 pm to 6 am so people can sleep. There may be people who would support an operational override to pay for this. Mr. Goodrich agrees that he doesn't know enough about the wind speed. Mr. Vegnani said all we make is \$300K a year on the wind turbine. The whole town voted many times in favor of this. The board discussed the impact to turn the wind turbine off at night. Ms. Holt provided information regarding where the funds go to debt exclusion. The board is talking about expanding the curtailment plan. The board opened comment to the public at 9:57 pm.

David Dardi, 122 Gilson Road is gratified to hear what some of the board members are saying. A night time shutdown would be acceptable to Mr. Dardi but he is not sure how other residents feel. Wind speed is not a good factor to look at due to the height of the wind turbine. The longer we can shut it down is best.

Jerry Kelly, 56 Moorland Road, has two questions. Who paid for the Epsilon study and when does the contract expire. Ms. Canfield said the study was paid for by the Town and the contract expires 1/4/2025 but it requires to work in good faith for a 5 year extension.

Kerry Flynn, 111 Gilson Road thanked the board for listening to the residents. There seems to be an assumption that the number of complaints is reflective of the disapproval of residents. There are many people impacted by the flicker and the noise.

Ellen Kasper, 120 Gilson Road is very frustrated with all of this. Her sleep has been disturbed since the wind turbine has been turned on. They have sent so many emails why the curtailment is not effective. Ms. Canfield understands the resident's concerns and rehashing past decisions does not solve the problem. The board is in agreement that the existing curtailment plan is not effective. Ms. Kasper said the only thing that will work is to turn it off.

Valerie Vitale, 34 Driftway has had noise in her home with all the windows closed since the turbine was installed all year long. It's the wrong turbine in the wrong location and the wrong contract. She thinks the town has a legal issue here. She has lived here for 40 years. To have this plunked in the area. Ms. Vitale said that Mr. Vegnani sounds like he works for Scituate Wind. Ms. Canfield said the siting and permitting was done appropriately. Ms. Canfield said we have a problem and this turbine exists. Her goal is to try to find relief for the residents for the duration of the contract.

Mr. Vegnani said he is sorry Ms. Vitale feels he sounds like he works for Scituate Wind. He has worked on this problem for years. He has spent time at resident's homes. We are doing what we can do now to help the discomfort of the residents. Mr. Vegnani is trying to look at this realistically and he is sorry that she feels that way. He is trying to do the right thing for all parties. Ms. Curran wants to curtail the problem.

Mark McKeever, 151 Driftway said to him it is quite obvious to shut it off at night 12 months a year and we need to figure out the financial side of the turbine. Unfortunately, he appreciates the board trying to help them. It is a simple solution to shut the turbine off at night from 11 pm to 6 am. This is a joke. Shut it down so people can sleep. Mr. McKeever is so disgusted and it is so wrong in so many ways. He asked the board to do the right thing. Ms. Canfield said it was not just a board decision it was an entire town decision. Not all emails are complaints that are received by the town.

Joanne Levesque, 52 Houndstitch Lane, Duxbury has a history here and she is not paid by anyone, she does this for public service as a public health advocate. The notion that majority rule and the town vote, she agrees with it but we are a constitutional public and abide by laws. The people voted because they felt there would not be impacts to the health of residents. Scituate Wind is being a good neighbor she disagrees. According to the agreement they need to abide by all regulations. It is important for the town to get a handle on the compliance testing. Wind direction is a distraction. Ms. Levesque looked at one of the instances on the log and there were different reports of wind directions. The complexities make it difficult to pin down a wind direction. When you have residents located within 200 feet wind direction does not matter. Ms. Levesque has offered to help and believes we have all the information we need to solve the problem. The other document that is helpful is the sound power curve provided by Scituate Wind. The curtailment plan that has been in effect for the last 3 1/2 years. There is not one complaint that has been lodged with power output of 7%.

Mr. Dardi said realistically if this was properly investigated there were gross errors in the testing program.

Ms. Canfield said the curtailment plan is not adequate and she would like to open it up to the board. Mr. Boudreau said if the board has a proposal we need to go back to Scituate Wind to see if they can

live with this proposal. We can fix the contract that they have with us. If we reject the Epsilon Study we have to have a basis to discuss with Scituate Wind. Ms. Canfield what can we do right now to provide some relief right now, enter into discussion with Scituate Wind. Mr. Goodrich said what is the proper way to enter into renegotiation. What is the proper process to broche the subject from a legal perspective? Mr. Boudreau said he and a representative from the Board can meet with Scituate Wind to discuss a curtailment plan. Ms. Canfield would like to immediately approach Scituate Wind to revise and expand the curtailment plan to a much greater degree. Ms. Curran proposes going to Scituate Wind with a final proposal. Mr. Goodrich agrees and it is important for us as a board to vote on something like this. Mr. Vegnani said there is data to be more precise than we are thinking. Ms. Curran is proposing westerly in the evening year round. Ms. Connolly is shut it off at night all year round. Mr. Goodrich agrees with Ms. Connolly shut it off at night all year round regardless of the wind direction. Mr. Vegnani said lets approach Scituate Wind with both scenarios and see what they say. Mr. Vegnani feels this will have to go to a town vote. The two options are shut it off at night year round. The second option is to modify the curtailment plan to turn off all points' west wind year round summertime during curtailment hours.

Jerry Kelly said thank you to the board to take into account the health of the citizens. The problem that we have is a partner of a limited liability corporation. Mr. Kelly congratulates the board for an open and studied conversation tonight.

Ms. Canfield said we have a plan for curtailment and Mr. Boudreau will approach Scituate Wind and Andrew Goodrich and Tony Vegnani will both represent the Board on the conversations.

Ms. Canfield said there is another concern about flicker and the turbine can be shutoff for certain hours to eliminate the flicker. Mr. Vegnani said they are looking at the parameters to eliminate the flicker. The cost was approximately \$40K. This will come into play with the other plan also. This is something the board would like to do as soon as possible.

OTHER BUSINESS:

1. Liaison Reports

Ms. Curran said the Diversity Equity and Justice Committee will meet on 1/12/21 the first meeting.

Ms. Canfield said that Chairs of Boards and Committees will be invited to attend training to be held 2/3 and 2/4 and will be sending out an invitation.

Ms. Canfield will be meeting with the school committee chair beginning tomorrow to work out common concerns.

The EDC is withdrawing their application to CPC for a visitor center at this time.

2. Correspondence

- Site Plan Waiver Scituate Food Pantry, 327 First Parish Road
- Grant Report Card received \$2.6M in grants excluding school grants
- National Grid Vegetation Plan

- Wind Turbine Related Emails with attachments from the following:
 - Ellen Andrew-Kasper RE: IWTA/Curtailment Plan 1/4/21
 - Ken Ingber RE: Public Comment 1/4/21
 - Joanne Levesque RE: Wind Turbine More Proof Curtailment Plan conditions were not in sync (no attachment to email) 12/29/20 2:34 p.m.
 - Joanne Levesque RE: Wind Turbine More Proof Curtailment Plan conditions were not in sync (no attachment to email) 7:54 p.m.

3. Approval of Meeting Minutes

Move to accept the meeting minutes for the Board of Selectmen meeting held on December 15, 2020. Motion by Ms. Connolly second by Ms. Curran Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes
 Vegnani yes
 Connolly yes
 Curran yes
 Goodrich yes

Move to accept and not release the Executive Session minutes for the Board of Selectmen meeting held on December 15, 2020 since the matters discussed are still pending at this time. Motion by Ms. Connolly second by Mr. Vegnani Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes
 Vegnani yes
 Connolly yes
 Curran yes
 Goodrich yes

4. Adjournment and Signing of Documents

Meeting adjourned at 11:13 p.m. see motion below to move into executive session.

EXECUTIVE SESSION

1. To consider the purchase, exchange, lease or value of real property. – Lot 17, 143 Border Street

Ms. Canfield, Selectmen Chair declared that the Board of Selectmen move into executive session pursuant to purpose 6 of the Open Meeting Law to consider the purchase, exchange, lease or value of real properties, known as *Lot 17,143 Border*, and I declare that an open meeting may have a detrimental effect on the negotiating position of the Board of Selectmen in connection with this matter. The board will not reconvene in open session.

Move that the Board of Selectmen go into executive session at 11:15 p.m. pursuant to purpose 6 of the Open Meeting Law to consider the purchase, exchange, lease or value of real properties, known as *Lot 17,143 Border*, and I declare that an open meeting may have a detrimental effect on the negotiating position of the Board of Selectmen in connection with this matter. The board will

not reconvene in open session. Motion by Mr. Vegnani second by Ms. Curran Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes

Vegnani yes

Connolly yes

Curran yes

Goodrich yes

Respectfully Submitted,

Lorraine Devin, Recorder

List of Documents for January 5, 2021 Board of Selectmen Meeting

- Agenda
- Upcoming Events
- Naming of Third Base Dugout new athletic field
- DPW Water Update
- FY22 Budget Presentations documents in budget books:
 - Review of non-monetary articles, Jim Boudreau, Town Administrator
 - Finance Director/Town Accountant 135, Nancy Holt, Town Accountant/Finance Director
 - Information Technology 155, Michael Minchello, IT Director
 - Police 210, Mark Thompson, Chief of Police
 - Fire 220, John Murphy, Fire Chief
 - Public Safety Communications 230, Barbara DeWolfe, Supervisor
 - Veterans 543, Don Knapp, Veterans Agent
- 143 Border Street Notice of Intent to Sell
- Wind Turbine binder dated September 3, 2020 and correspondence listed below
- Correspondence
 - Site Plan Waiver Scituate Food Pantry, 327 First Parish Road
 - Grant Report Card received \$2.6M in grants excluding school grants
 - National Grid Vegetation Plan
 - Wind Turbine Related Emails with attachments from the following:
 - Ellen Andrew-Kasper RE: IWTA/Curtailment Plan 1/4/21
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 - Joanne Levesque RE: Wind Turbine More Proof Curtailment Plan conditions were not in sync (no attachment to email) 7:54 p.m.
- Meeting minutes for December 15, 2020 and Executive Session December 15, 2020

Board of Selectmen Meeting Minutes for January 5, 2021

BOARD OF SELECTMEN

Karen B. Canfield, Chairman

Anthony V. Vegnani, Vice Chairman

Karen E. Connolly, Clerk

Maura C. Curran

Andrew W. Goodrich