

Board of Selectmen, November 20, 2012
TOWN OF SCITUATE MASSACHUSETTS

MINUTES OF MEETING

BOARD OF SELECTMEN

NOVEMBER 20, 2012

Present: Joseph P. Norton, Chairman; John F. Danehey, Shawn Harris,
Richard W. Murray, Anthony V. Vegnani

Patricia A. Vinchesi, Town Administrator

Press: Scituate Mariner, WATD

1. The meeting was called to order at 7:00 PM.

2.ACCEPTANCE OF AGENDA/ WALK-IN PERIOD

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ACCEPT the Agenda for November 20, 2012. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (5-0)

3.MEET APPLICANT/ Public Building Commission

Carl Campagna stated that he has been a Scituate resident for many years and served on the original Public Building Commission years ago. He is a semi-retired, registered architect and would like to serve on the Commission again. He has experience with budgets and following a job's progress to the end. Mr. Harris has known Mr. Campagna a long time and believes he will be a valuable addition to the Commission.

4.7:05 PM/ PUBLIC HEARING/ SETTING THE RESIDENTIAL TAX RATE/ Board of Assessors

Stephen Jarzembowski, Director of Assessing; Fred Avila, Chairman/ Board of Assessors, Steven Guard and Todd Glowac, Members/ Board of Assessors, were present at tonight's meeting. Mr. Avila stated that his Board reviewed information regarding commercial versus residential tax rate and voted to keep the rate the same for both - at "1". There is not enough commercial property to go with a "split rate".

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to CLASSIFY all the property in the Town of Scituate at "one". SECONDED by Mr. Harris. No discussion. Unanimous vote. (5-0)

Page Two

Board of Selectmen – Minutes of Meeting – 11/20/12

5.DISCUSSION/ VOTE/ ENTERTAINMENT LICENSE/ Riva Restaurant/ 116 Front Street

Kara and Michael Tondorf, owners, are requesting a license for lightly amplified (Bose "boost" system) acoustic music in the main dining room. Ms. Tondorf stated that she is a songwriter and has played in small venues like this before. She believes this will be a nice addition to their restaurant especially at brunch. Mr. Danehey cautioned the owners about amplified music exiting open windows and potentially impacting the nearby condominiums during the summer months.

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to GRANT an Indoor Entertainment License to JKM SQ LLC d/b/a Riva Restaurant, 116 Front Street, for slightly amplified, acoustic music, one to two performers, Monday through Saturday –

4 PM to 10 PM and Sundays – 9 AM to 10 PM. SECONDED by Mr. Harris. No discussion. Unanimous vote. (5-0)

6. PRESENTATION/ SEA WALL COMMITTEE/ David Ball

Kevin Cafferty, Supervisor, DPW Engineering Division, updated the Selectmen on the Cedar Point sea wall project which will improve the historic Lighthouse area by protecting it from wave “over wash”. A “rip rap” wall will raise the wall elevation 2 to 4 feet to a final height of 18 to 20 feet. The improved wall will extend from the Lighthouse to the first home on Rebecca Road and if the permitting is complete, construction will begin in spring 2013. The cost estimate including permitting is approximately \$600,000. Discussion continued on the optimal height of the wall at this location. Funding in terms of Community Preservation Act money and a DCR grant were discussed.

David Ball, President of the Historical Society and member of the Sea Wall Committee, spoke about the storms this fall in which the ocean pulled away some large sea wall stones leaving the Lighthouse tower exposed. He noted that the height of the new wall will make it so the public will not be able to view the ocean from that side of the parking lot, but the additional 2 feet will help to secure this historic site. Steve Berlo, Jim Bailey and Tim Kelley, members of the Sea Wall Committee, were also present at tonight’s meeting as were many members of Scituate’s beach associations. The Committee submitted a report dated November 20, 2012, which covered the following items: monthly meetings, overview of meetings with CLE Engineering and the Capital Planning Committee (for funding), funding specifics, the effects of hurricane Sandy, three(3) areas needing immediate work – Turner Road, Surfside Road and Egypt Beach and seventeen (17) sea wall structures with a “d” rating in Scituate that may fail in future storms. Mr. Berlo, who has expertise in concrete analysis, presented some actual

Page Three

Board of Selectmen – Minutes of Meeting - 11/20/12

sections of sea wall to the Selectmen which showed concrete failure. “A lot of the sea wall in Scituate is corroding from the inside out.” A process known as ASR (alkali silica reactivity). Mr. Berlo also presented a sample of what the concrete should look like. The Department of Public Works is aware of this information.

Mr. Norton assured everyone present that the Town understands and fully acknowledges that our sea walls “need help”. “The question is where does the money come from to do the work.” The State Representatives and United States Congressmen have told Town officials that there is no funding. Mr. Norton believes it will take a “united effort” throughout the entire country to bring this topic to the forefront. The smaller amounts of money are a “band aid” approach and are all we can do right now. Mr. Berlo noted that the “life expectancy” of a new sea wall is approximately 100 years. Mr. Cafferty stated that the life expectancy would depend on the type of storms during that time frame. Mr. Vegnani and Mr. Harris have met with the beach associations on this topic. \$400,000 of override money is allocated to the sea walls each year. Mr. Danehey has met with this Committee and believes they make a “strong argument”. He would like to see the Selectmen endorse additional sea wall money via the Capital Plan.

Mr. Norton reminded that if money is allocated from the Capital Plan, that other areas will have to take a cut – ie, teachers, firefighters, police – “it is not an easy solution”.

Discussion continued on FEMA funding after a storm and the quality of the “patch work” on the sea walls. Ms. Vinchesi described the Capital Plan process including the rating system and groups that review it. Mr. Murray spoke about the protection of homes and businesses and the fact that we are “fighting a losing battle with the sea”. Storms are increasing in intensity and frequency and the sea level is rising. “Solutions need to come from the State and Federal governments at a level way above what we can do here.” He does understand the need to put funding aside for sea walls, however. Mr. Ball would like \$300,000 to be put into the Capital Plan for sea walls. “It will be a start.” Mr. William Graham, Glades Road, spoke about lives being put in jeopardy with inadequate sea walls. Ms. Rosemary Dobie, Humarock, urged the Selectmen to “direct” the Town Administrator to put sea wall money into the Capital Plan. Mr. Vegnani believes this may not be an item for the Capital Plan “if you are looking for \$300,000 on an annual basis for sea walls. You are looking

at a \$50 million dollar project to amortize over twenty years.”

7. DISCUSSION/ VOTE/ National Grid Easement at Landfill for Solar Array/ A. Bangert
(postponed from 10/30/12)

Mr. Murray made a MOTION that the Board of Selectmen VOTE to GRANT an Easement to National Grid for the purpose of installing and maintaining electrical connection equipment at 280 Driftway, Scituate. SECONDED by Mr. Harris. No discussion. Unanimous vote. (5-0)

Page Four

Board of Selectmen – Minutes of Meeting – 11/20/12

8. DISCUSSION/ VOTE/ Amend Policy on Contractual Limits for T. Administrator
Authority

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to AMEND Operational Policy #29-98 VOTED in June 2006, by replacing the amount

“25,000” with “\$50,000” and to AMEND the Policy by adding the following two sentences: “The Town Administrator shall inform the Board of all contracts approved by the Town Administrator in excess of \$25,000. Should a vacancy occur in the position of Town Administrator, the threshold for contracts for goods, services, equipment, engineering or construction will immediately revert \$25,000.” SECONDED by Mr. Harris. No discussion. Unanimous vote. (5-0)

9. VOTE TO ADOPT FY2014 BUDGET TIMETABLE & SCHEDULE / T. Administrator

Ms. Vinchesi presented the budget timetable and schedule to the Board of Selectmen and noted that Capital requests are due by November 28, 2012 and Budgets by December 14, 2012.

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ADOPT the FY2014 Budget Timetable and Schedule. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

10. APPOINTMENTS

Mr. Murray made a MOTION that the Board of Selectmen VOTE to APPOINT Carl Campagna to the Public Building Commission. SECONDED by Mr. Harris. No discussion. Unanimous vote. (5-0)

11. REPORT/ Town Administrator

Ms. Vinchesi noted that Kathy Meeker would be retiring as Library Director after 24 years of service to the Town of Scituate. She thanked Ms. Meeker for her work and noted that she has been a “superior” Department Head. Ms. Vinchesi stated that our library “is one of the best she has ever seen in all the towns in which she has worked”. She noted of the excellence of the “Library Director search committee” and welcomed Ms. Jessie Finnie as the new Library Director. She is hoping that the Conservation Agent position will be filled in the next few weeks.

Ms. Vinchesi stated that departmental budget reviews will begin on January 8, 2013. Durkee Brown’s structural analysis of Gates Intermediate School will be posted on the Town website soon. The new Steering Committee will tour the Gates building as well as

Page Five

Board of Selectmen – Minutes of Meeting – 11/20/12

our public safety buildings. Mr. Norton spoke about the School Building Committee and the fact that the Massachusetts School Building Assistance group specifies the composition of that Committee.

Ms. Vinchesi spoke about Scituate’s bond rating increase and the work done by our Town Accountant, Meg LaMay, and the former Town Accountant, Mary Gallagher, and the former Treasurer/Collector, Jane Lepardo. She gave a “special thanks” to these former employees. It was noted that the bond rating

increase will save the Town hundreds of thousands of dollars.

12. OTHER BUSINESS - Correspondence, Minutes (2/29/12 & 11/13/12 – Regular Sessions)

Mr. Vegnani thanked the townspeople for attending the recent Special Town Meeting and gave an update on girls and boys sports teams. Mr. Danehey spoke about the Santa Stroll on December 1st and urged citizens to “shop locally”. First Friday is December 7th in Scituate Harbor. Mr. Norton attended a FACTS Coalition meeting last night. This group focuses on drug and alcohol use in our younger population. The Selectmen wished everyone a Happy Thanksgiving.

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to ACCEPT the regular session Minutes of November 13, 2012. SECONDED by Mr. Harris. No discussion. Vegnani, Harris, Norton and Danehey voted. Mr. Murray did not vote.

(4-0)

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ACCEPT the regular session Minutes of February 28, 2012. SECONDED by Mr. Danehey. No discussion. Murray, Danehey, Harris and Vegnani voted. Mr. Norton did not vote. (4-0)

13. EXECUTIVE SESSION – To discuss strategy with respect to litigation if an Open Meeting may have a detrimental effect on the litigating position of the public body – “The Glenn”.

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ENTER Executive Session to discuss strategy with respect to litigation if an Open Meeting may have a detrimental effect on the litigating position of the public body – “The Glenn” and not return to regular session this evening. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

Roll call was taken at 8:25 PM with all members (5) of the Board of Selectmen all answering “yes”.

Page Six

Board of Selectmen – Minutes of Meeting – 11/20/12

14. SIGNING OF DOCUMENTS AND ADJOURNMENT

Regular Session was adjourned at 8:25 PM and the Selectmen signed documents.

BOARD OF SELECTMEN

Joseph P. Norton, Chairman

John F. Danehey

Shawn Harris

Richard W. Murray

Anthony V. Vegnani

Respectfully submitted,

Kimberley A. Donovan
Executive Assistant