

Board of Selectmen, April 3, 2012

MINUTES OF MEETING

BOARD OF SELECTMEN

APRIL 3, 2012

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

Patricia A. Vinchesi, Town Administrator

Press: Patriot Ledger, Scituate Mariner, WATD

1. The meeting was called to order at 7:05 PM.

2.ACCEPTANCE OF AGENDA/ WALK-IN PERIOD

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ACCEPT the Agenda for April 3, 2012. SECONDED by Mr. Harris. No discussion. Unanimous vote. (5-0)

No Walk-Ins this evening.

3.VOTE/ POLLING HOURS FOR TOWN ELECTION/ T. Clerk

Mr. Norton made a MOTION that the Board of Selectmen VOTE to SET the Polling Hours from 8 AM to 5 PM for the Town Election on May 19, 2012. SECONDED by Mr. Danehey. Discussion – a March 28, 2012 letter from the Town Clerk describing a “short” ballot and the recommended polling hours of 8 AM to 5 PM was read. No further discussion. Unanimous vote. (5-0)

4.DISCUSSION/ VOTE/ AWARD AMBULANCE BID/ Chief Richard Judge

Chief Judge explained that only one company bid. This money (\$205,000) was appropriated under last year’s Capital projects. The company will deliver the new ambulance to Scituate.

Mr. Norton made a MOTION that the Board of Selectmen VOTE to AWARD the contract for a Freightliner ambulance to North Eastern Rescue Vehicles, Inc. of Syracuse, New York for a new price of \$205,871.00. This price includes the chassis, conversion and options as specified by Town of Scituate bid specifications. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

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5.DISCUSSION/ VOTE/ One Day Wine & Malt Beverages License and Entertainment License/ Harbor Community Building/ 44 Jericho Road

Dr. Nico Afanasenko stated that this application is for a private birthday party where light food will be served. There will be approximately one hundred guests.

Mr. Murray made a MOTION that the Board of Selectmen VOTE to GRANT a One Day Wine & Malt Beverages License to Kristin Morley/ Nico Afanasenko for a private party at the Harbor Community Building, 44 Jericho Road, on Saturday, April 21, 2012 from 6 PM to 11:30 PM. Alcoholic beverages may only be served and consumed inside the building. SECONDED by Mr. Harris. No discussion. Unanimous vote. (5-0)

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to GRANT an Indoor Entertainment License to Kristin Morley/ Nico Afanasenko for a private party at the Harbor Community Building, 44 Jericho Road, on Saturday, April 21, 2012 from 6 PM to 11:30 PM. SECONDED by Mr. Harris. Discussion – the Selectmen asked the applicants to be mindful of music volume in terms of the neighborhood. No further discussion. Unanimous vote. (5-0)

6. DISCUSSION/ VOTE/ Change Order/ Musquashicut Pond Sewer Project/ K. Cafferty

Kevin Cafferty, Engineering Division/ Department of Public Works, spoke about the excessive inches of old asphalt that have been encountered during construction of the Musquashicut Pond phase of the sewer expansion project. The Selectmen expressed “dismay” over the number of change orders on DPW projects. Discussion continued on where the responsibility lies regarding these change orders, ie. contractor, engineer, etc. and the possibility of recouping the money. Mr. Norton stated that future change orders, such as this, will not be easily granted by this Board. Mr. Murray thanked Mr. Cafferty for his photographs and explanation of the asphalt problem and feels that the engineering firm, Weston & Sampson, should have been present at tonight’s meeting.

Mr. Murray made a MOTION that the Board of Selectmen VOTE to AWARD the change order to Albanese Brothers, Inc. for additional asphalt removal at a cost not to exceed \$200,000. SECONDED by Mr. Danehey. No discussion. Murray, Danehey and Vegnani voted “in favor” of the motion. Mr. Harris and Mr. Norton voted “no”. The vote carries. (3-2)

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7. DISCUSSION/ VOTE/ Hawker Peddler License Renewals

Mr. Murray made a MOTION that the Board of Selectmen VOTE to RENEW the following Hawker Peddler’s Licenses for 2012: South Shore Refreshments LLC d/b/a Del’s Lemonade, Nona’s Homemade and Zack’s Ice Cream in accordance with all regulations set forth in the new Hawker Peddler’s Policy #53-12. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. Murray made a MOTION that the Board of Selectmen VOTE to RENEW the Hawker Peddler’s License for Paul G. Crowley for 2012 in accordance with all regulations set forth in the new Hawker Peddler’s Policy #53-12 with the selling location to be coordinated with the Scituate Police Department’s Traffic Enforcement Officer and the Board of Selectmen’s Office. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to RENEW the Hawker Peddler’s License for JP’s Hot Dog Express for 2012 in accordance with all regulations set forth in the new Hawker Peddler’s Policy #53-12, the exact site at the Lighthouse Parking Lot will be coordinated with the Scituate Police Department’s Traffic Enforcement Officer and the Board of Selectmen’s Office. SECONDED by Mr. Harris. No discussion. Unanimous vote. (5-0)

Ellen DeLuca, Steelwagon Franks, would like to keep her “spot” on Cole Parkway, but would like to expand the types of food items she can sell. The Selectmen reminded Ms. DeLuca that according to the Selectmen’s Policy, hawker peddler’s may not sell similar food items within 300’ of area establishments. They “applauded” her for trying to expand, but said she must adhere to the Policy. There are areas of Cole Parkway that are outside of the 300’ radius.

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to RENEW the Hawker Peddler’s License for Ellen DeLuca d/b/a Steelwagon Franks for 2012 in accordance with all regulations set forth in the new Hawker Peddler’s policy #53-12, the exact site at Cole Parkway will be coordinated with the Scituate Police Department’s Traffic Enforcement Officer and the Board of Selectmen’s Office. SECONDED by Mr. Murray. Discussion - continued on the 300’ radius and vehicle parking issues during the summer months. No further discussion. Unanimous vote. (5-0)

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8. PRESENTATION/ Pier 44 Options and Feasibility Study/ Phase 1// Pier 44 Building Options and Feasibility Study Committee

Mr. Vegnani thanked Committee members Ed DiSalvio, Doug Anderson, Ned Baldwin, Jon Warner, Stan Humphries, Colin McNiece, Audrey Reidy, Tim Fitzgerald and Gabrielle Dorsey for a very comprehensive forty-three(43) page Phase I report on the Pier 44 property (entire Phase 1 report may be found on the Town of Scituate website). Mr. DiSalvio gave an overview from the time the Town purchased the property in 2010 with MBTA mitigation funds, the corresponding property use restrictions, the Committee's "charge", the results of the public survey taken via computer and finally, the three (3) use options being recommended to the Board of Selectmen: (1) Park, (2) Maritime and (3) Multi-generational Community Center. Phase I has been the data collection process and Phase II will encompass schematic designs, site plans, building elevations, etc. Use restrictions were discussed (may not be used for private offices, retail space, residences, Town business offices or restaurants) and it was noted that public views of the water must be maintained. Tim Fitzgerald spoke about the Committee's site visits and their recommendations for immediate repairs to the building. He noted that the current building's "systems" are fair and the utilities are "good". The immediate waterfront area is owned by the marina next door, the shoreline protection is good, storm drainage – fair, parking lot – fair and the uplands are artificial fill. Colin McNiece spoke about the survey of Town government offices and boards/committees and the community. Over 1,000 responses were received and data analyzed. First choice was a park space (no building – benches, walkways, plantings), second choice – maritime use(pier, boat ramps and parking) and third choice – community center(youth and senior programs). Currently, there are approximately eighty(80) parking spaces. The survey results also indicated a strong interest in the property generating revenue. Discussion continued on the marina aspect in terms of floats, etc. Ms. Reidy spoke about the senior population not being able to participate in the survey because many seniors do not own or do not know how to use computers. The Selectmen thanked the Committee for their considerable efforts on this project. Once the Board makes a decision on the property's use, they look forward to the Committee moving forward on Phase II.

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ACCEPT the Pier 44 Options and Feasibility Study – Phase I. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

9. DISCUSSION/ VOTE/ Harbor Community Building/ 44 Jericho Road/ Building Rentals

Mr. Vegnani stated that this agenda item came forward because of numerous requests to rent the Harbor Community Building. Ms. Vinchesi stated that it took six(6) months

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and \$60,000 to clean up the building initially and it does not even have a kitchen or adequate restroom facilities for functions. Due to the dire need for meeting space, we have offered the building to committees and boards first and secondarily, have offered it for small, private functions at a nominal fee. At this point, applicants are requesting one day liquor and entertainment licenses. Ms. Vinchesi recommends that we do not take any further private party reservations after June 30th at this point. If the Board wants to continue to rent the building out for private parties, "some building upgrade issues will have to be addressed". Mr. Vegnani stated that the "Town is not in the business of renting out buildings for private functions". He believes it should be used for Town business. Mr. Harris disagreed and noted that one group would like to have their High School class reunion there during the summer. The Board of Selectmen concurred that "standing" reservations will be honored through June 30, 2012. No further reservations will be taken and this matter will be addressed again, if applicable, when the Board reaches its final decision for the building's use.

10. FINAL PREPARATIONS FOR ANNUAL TOWN MEETING/ T. Administrator

Discussion on the importance of the town wide study ("grand plan") for the study of multiple town/school buildings. The benefits of the Energy Savings Contract (ESCO)project were discussed. The position of

Facilities Manager, a new position, is key in managing fifty-five(55) buildings and \$150,000 million in assets. Mr. Vegnani explained that this is really a DPW position that was “cut” a few years ago. “We want to bring it back and upgrade it.” Ms. Vinchesi noted that the Town side is down fourteen full time positions since 2008. She was able to “carve out” a full time Information Technology (IT) position during one the Town’s worst budget seasons.

Mr. Vegnani noted that there are seventeen(17) Community Preservation Act articles on the warrant.

Increases in Police security at “The Spit” was discussed. There is a new contract for the Fire Department.

11. OTHER BUSINESS

Mr. Norton recently attended a dinner where Linda Whitney and Amy Caldera(sp) were honored for their work on the Patriot Ledger’s “Lend a Hand” program.

Mr. Murray noted that the wind turbine is moving and generating power. The Seaport Advisory Council will meet at the Scituate Maritime Center this week. Mr. Danehey noted that on Saturday, April 28, 2012 a candidates forum will be held at 10 AM at the GAR Hall. April 28, 2012 is also Ship Shape Day and participants many pick up trash bags at Town Hall from 8 AM to 1 PM. April 22, 2012 there will be a celebration for the wind turbine at the Driftway Park.

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Mr. Vegnani reminded everyone to attend the Annual Town Meeting on Monday, April 9, 2012 at 7:00 PM at the High School gymnasium.

12. ADJOURNMENT

Mr. Norton made a MOTION that the Board of Selectmen VOTE to ADJOURN the meeting at 9:20 PM. SECONDED by Mr. Murray. No discussion. Unanimous vote.
(5-0)

BOARD OF SELECTMEN

Anthony V. Vegnani, Chairman

John F. Danehey

Shawn Harris

Richard W. Murray

Joseph P. Norton

Respectfully submitted,

Kimberley A. Donovan
Executive Assistant