

Board of Selectmen, May 22, 2012

MINUTES OF MEETING

BOARD OF SELECTMEN

MAY 22, 2012

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

Patricia A. Vinchesi, Town Administrator

Press: Globe, Scituate Mariner

1. The meeting was called to order at 6:39 PM.

2. ACCEPTANCE OF AGENDA/ WALK-IN PERIOD

Mr. Norton made a MOTION that the Board of Selectmen VOTE to ACCEPT the Agenda for May 22, 2012. SECONDED by Mr. Harris. No discussion. Unanimous vote. (3-0)

Mr. Danehey was not present for the vote.

Mr. Vegnani announced that tonight's meeting would not be broadcast live on cable television due to a problem with the cable company.

3. DISCUSSION/ VOTE/ Outdoor Entertainment Permit/ DJ/ Wedding Reception/ Barrow/ 139 Edward Foster Road

The applicants are requesting an outdoor entertainment permit for a disc jockey to play music at a wedding reception to be held at a private residence. All immediate neighbors were notified.

Mr. Harris made a MOTION that the Board of Selectmen VOTE to GRANT an Outdoor Entertainment Permit to Amanda Barrow for DJ to play amplified music from 5 PM to

10:30 PM at a wedding reception at 139 Edward Foster Road on June 23, 2012.

SECONDED by Mr. Norton. No discussion. Unanimous vote. (3-0) Mr. Danehey was not present for the vote.

Mr. Danehey entered the meeting at 7:43 PM.

4. DISCUSSION/ VOTE/ Temporary Extension of Indoor Entertainment License / The River Club/ 78 Border Street/ event date: 5/26/13/ After Prom Party

Mr. Norton made a MOTION that the Board of Selectmen VOTE to GRANT a temporary extension of the Indoor Entertainment License for the River Club, 78 Border Street, for

May 26, 2012 from 12 AM to 3 AM for an After Prom Party. SECONDED by Mr. Harris. No discussion. Unanimous vote. (4-0)

5. DISCUSSION/ VOTE/ One Day Wine & Malt Beverage License/ Carleton/ Sullivan Scituate Harbor Community Building/ 44 Jericho Road/ event date: 5/26/13

This will be a college graduation party with a professional bartender. Proper liability insurance was submitted with the application.

Mr. Norton made a MOTION that the Board of Selectmen VOTE to GRANT a One-Day

Wine & Malt Beverages License to the Carleton/Sullivan family for a function to be held on Saturday, May 26, 2012 from 4 PM to 10 PM at the Scituate Harbor Community Building, 44 Jericho Road. SECONDED by Mr. Harris. No discussion. Unanimous vote. (4-0)

6. DISCUSSION/ VOTE/ Permission to Use Town Owned Parking Lot/ N. Scituate Farmer's Market

Mark Flaherty, 34 Stockbridge Road, and Michael Lane, 280 Gannett Road, were present to request permission for the North Scituate Farmer's Market to use the Town owned parking lot in front of the WPA building on Wednesdays from 3 PM to 7 PM, June through October. Mr. Flaherty noted that the Town is named on the Market's insurance policy.

Mr. Norton made a MOTION that the Board of Selectmen VOTE to GRANT permission to the Scituate Farmer's Market to utilize the Town owned parking lot (in front of the WPA building) in North Scituate on Wednesdays from 2 PM to 7 PM, June through October, and in accordance with all rules and regulations set forth by the Scituate Police Department. SECONDED by Mr. Harris. No discussion. Unanimous vote. (4-0)

7. DISCUSSION/ VOTE/ Seawall Easement/ 117 Turner Road/ K. Cafferty (continued from 5/8/12)

Al Bangert, Director/Department of Public Works, stated that when this matter was reviewed at a Selectmen's meeting two weeks ago, Mr. Farrington, abutter, would not give permission to the Town for an easement across his property to make future repairs to the seawall. It was thought at that time that Mr. Farrington might agree to a "limited" easement might – it turns out, that is not the case. Mr. Bangert stated that Mr. Farrington believes this easement would "provide little or no benefit" to his property. Mr. Bangert believes the opposite is true. The seawall in front of Farrington's property is significantly improved at public expense. This will be similar to a drainage easement in that it is "limited for the purpose of accessing it to maintain it". Mr. Vegnani reminded that the two other abutters gave permission to the Town.

Mr. Norton made a MOTION that the Board of Selectmen VOTE to APPROVE the Order of Taking for the property at 117 Turner Road to construct and make repairs to the seawall structure on said property pursuant to Massachusetts General Laws, Chapter 79, Section 6 as amended and Article 16 of the October 25, 2011 Special Town Meeting Warrant. SECONDED by Mr. Harris. No discussion. Unanimous vote. (4-0)

8. DISCUSSION/ VOTE/ Hawker Peddler's License/ Food Cart/ M. Healy/ 44 Jericho Road location and Conservation Park Location

Mike Healy, applicant, came before the Selectmen a short while ago and asked for a food cart location at either the Pier 44 parking lot (1st choice) or Conservation Park (2nd choice). He now has a letter of agreement from owner Jim Mulvee, Satuit Restaurant, that there is no conflict with Healy selling from the Pier 44 lot across the street from the restaurant. Mr. Healy has met with Safety Officer Mark Thompson and the cart would be located in the "far southeast corner" of the parking lot. Discussion continued on the fact that last year another applicant applied to place a food cart in this parking lot and was turned down at that time because no decision had been made about the property's use. That applicant did not re-apply this year, but if she had, her application would have been considered.

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to GRANT a Hawker Peddler's License to James Michael Healy d/b/a "Harbor Dogs" for a mobile food cart to be located at the far, southeast corner of the Pier 44 parking lot, 44 Jericho Road with the specific location to be coordinated with the Scituate Police Department's Traffic Enforcement Officer and the Board of Selectmen in accordance with all conditions set forth in Hawker Peddler's Policy #53-12. Applicant may sell the following products: all beef hot dogs, chips,

candy bars, bottled water and soda. SECONDED by Mr. Norton. No discussion. Unanimous vote. (4-0)

9. VOTE/ Town Response to Alleged Open Meeting Law Complaint

Mr. Vegnani summarized the complaint lodged by the Scituate Mariner. Town Counsel has prepared a document and it will be submitted to the Mariner for their review.

Mr. Norton made a MOTION that the Board of Selectmen has REVIEWED, and APPROVES, the response prepared by Town Counsel relative to an alleged Open Meeting Law violation and to submit it to the applicable parties on our behalf. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (4-0)

10.APPOINTMENT/ Designee to Participate in School Contract Votes pursuant to Chapter 150E

Mr. Danehey made a MOTION that the Board of Selectmen APPOINT Patricia A. Vinchesi, Town Administrator, as the Board's designee to participate in the School contract votes pursuant to Chapter 150E of the Massachusetts General Laws. SECONDED by Mr. Harris. No discussion. Unanimous vote. (4-0)

11.ACCEPT GIFT/ Memorial Bench/ Glades Road/ Minot Beach Area

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ACCEPT, on the Town's behalf, a gift of a granite, memorial bench to be installed on the edge of Glades Road by Minot Beach. SECONDED by Mr. Harris. No discussion. Unanimous vote. (4-0)

12. RE-ORGANIZATION/ Board of Selectmen – Chairman, Vice Chairman, Clerk

Mr. Danehey nominated Joseph Norton as Chairman of the Board of Selectmen. SECONDED by Mr. Harris. No discussion. Unanimous vote. (4-0)

Chairman Anthony Vegnani will become Vice Chairman of the Board of Selectmen.

Mr. Danehey nominated Shawn Harris as Clerk of the Board of Selectmen. SECONDED by Mr. Norton. No discussion. Unanimous vote. (4-0)

Mr. Norton thanked Mr. Vegnani for his Chairmanship during a very challenging year. "Thank you for everything you have done and the Town "thanks" you, as well."

Mr. Vegnani said that it had been a privilege to be Chairman of the Board of Selectmen. It was a lot of hard work and time, but he feels the Board took "steps forward" during the year. He thanked the Board, Town employees and specifically the Town Administrator for doing a "phenomenal" job. He also thanked his wife Anne and his children whose lives have sometimes taken a "backseat" to Selectmen's meetings.

13.OTHER BUSINESS

Mr. Vegnani thanked the 6th grade teachers for another wonderful spring session at Camp Bournedale. He also announced two upcoming school plays and Spring for the Arts that was held at the High School last week. The school music festival will be held at

the Gates Intermediate School on June 9th. He also announced the annual Memorial Day Parade this weekend.

14.MINUTES – Regular Session – 6/28/11 and Executive Session – 4/24/12

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ACCEPT the Regular Session Minutes of June 28, 2011. SECONDED by Mr. Harris. No discussion. Voted by Danehey, Harris and Vegnani. (3-0)

Mr. Norton abstained.

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ACCEPT the Executive Session Minutes of April 24, 2012. SECONDED by Mr. Harris. No discussion. Unanimous vote. (4-0)

15.ADJOURMENT & SIGNING OF DOCUMENTS

Mr. Harris made MOTION that the Board of Selectmen VOTE to ADJOURN the meeting at 7:10 PM. SECONDED BY Mr. Danehey. No discussion. Unanimous vote. (4-0)

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