

Board of Selectmen, April 2, 2013

MINUTES OF MEETING

BOARD OF SELECTMEN

APRIL 2, 2013

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

Patricia A. Vinchesi, Town Administrator

Press: Boston Globe, 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 April 2, 2013.
SECONDED by Mr. Harris. No discussion. Unanimous vote.

(5-0)

3. MEET APPLICANT/ Water Resource Committee

Maura Quinn – applicant for the Water Resource Committee stated that she has much experience in the environmental field and would like to volunteer her time to the Committee. John Clarkeson, Chairman of the Water Resource Committee, stated that he had worked with Ms. Quinn in the past and that she would be a valuable asset.

4.DISCUSSION/ VOTE/ Engineering Contract/ Town Pier Rehabilitation/ Harbormaster

Harbormaster Patterson and Paul Scott, clerk of the works, were present to speak about a project that will bring the Town Pier back into good condition. The work includes upgrading the utilities and top and lower structures and replacing hoists. The State will fund 80% of the project and the Waterways Enterprise Fund will pay the remaining 20%. Tonight's contract encompasses the engineering phase of the project and Mr. Scott hopes the two to three month rehabilitation phase will begin in September 2013. They will work out a construction schedule with the fishermen. Discussion on remedial action if the project cost runs over the bid price.

Page Two

Board of Selectmen – Minutes of Meeting – 4/2/13

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to AWARD the contract for the professional engineering services for the Town Pier Rehabilitation to Childs Engineering Corp. of Bellingham, Massachusetts for a total price of \$71,470.00.
SECONDED by Mr. Murray. No discussion. Vegnani, Harris, Norton and Murray voted
"in favor" of the motion. Mr. Danehey was not present for the vote. (4-0)

5. 7:10 PM/ Public Hearing/ Discussion/ Vote/ Alteration of Licensed Premises/ Hatherly Country Club/ 663 Hatherly Road

Mr. Danehey re- entered the meeting at 7:10 PM. Mr. Vegnani read the public meeting notice. Attorney William Ohrenberger, Bob Tremblay, Club Manager, Frank Colpoys and Jack Mitchell, Members of the Board of Directors were present to speak to this application. The Club recently constructed a small structure on the south side of Gannett Road from which to serve beer and wine on the golf course. Alcohol will not be served from beverage carts – only from this structure which is on municipal water and

sewer and has handicap accessible restrooms. Alcohol will be served by TIPS certified employees. Mr. Ohrenberger explained that Club must also file with the Alcoholic Beverages Commission in order to transport alcoholic beverages on golf carts. "No alcoholic beverages" signs must be posted at both sides of the road and also at the Club's parking lot. No alcoholic beverages may cross the road. The building has steel gates for the doors and windows and will be alarmed.

Mr. Murray made a MOTION that the Board of Selectmen VOTE to GRANT an "Alteration of the License Premises" for Hatherly Golf Club, LLC, 663 Hatherly Road, Scituate, MA to include: the entire eighteen(18) hole golf course, practice areas and tennis courts including (1) the entire club house which consists of two floors: first floor – men's and ladies' locker rooms and storage room and second floor – lounge, dining room and porch and (2) an approximately 600 square foot, one-floor secondary structure located westerly of Hatherly Road, the tenth tee box/fairway and practice area and easterly of the ninth fairway and eighth tee box. Secondary structure consists of a kitchen and serving area, handicap accessible men's and ladies' restrooms and outdoor porch. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

6. DISCUSSION/ VOTE/ Change of Manager/ T. K. O'Malley's Sports Café/ 194 Front St.

Francis O'Meara, representing T. K. O'Malley's as the corporation's secretary, stated that Walter Collins is an owner and has been a Scituate resident for twenty years. The prior manager is leaving and Mr. Collins would like to be the new manager.

Page Three

Board of Selectmen – Minutes of Meeting – 4/2/13

Mr. Murray made a MOTION that the Board of Selectmen VOTE to GRANT a "Change of Manager" for McColski, Inc. d/b/a T. K. O'Malley's Sports Café, 192-194 Front Street, Scituate, MA to Walter W. Collins. SECONDED by Harris. No discussion. Unanimous vote. (5-0)

Due to an electronic failure, the remainder of tonight's meeting will not be broadcast "live" on cable television, but it will be taped.

7. Water Conservation Demand Management Project Grants Award/ A. Bangert & J. DeBarros

The Town has received a \$55,380 grant and the Selectmen congratulated Scituate's Water Division and the North & South Rivers Watershed Association for all their hard work.

8. DISCUSSION/ VOTE/ One Day Wine & Beer Licenses (2) GAR Hall/ 353 Country Way

Mr. Murray made a MOTION that the Board of Selectmen VOTE to GRANT a One Day Wine & Malt Beverages License to the Tuttle family for a rehearsal dinner on Friday, September 6, 2013 from 6 PM to 10 PM at the GAR Hall, 353 Country Way. SECONDED by Mr. Harris. No discussion. Unanimous vote. (5-0)

Mr. Murray made a MOTION that the Board of Selectmen VOTE to GRANT a One Day Wine & Malt Beverages License to the Kajdas family for a rehearsal dinner on Friday, October 28, 2013 from 6 PM to 10 PM at the GAR Hall, 353 Country Way. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

9. DISCUSSION/ VOTE/ FY BUDGETS & ARTICLES

Mr. Murray made a MOTION that the Board of Selectmen VOTE NOT to support Article 29 – Petition to contact U.S. Congress to pass and send the States an amendment to the U. S. Constitution. SECONDED by Mr. Danehey. Mr. Murray agrees with the petitioners, but does not think this has a place at the local level. Mr. Vegnani noted that a Town Meeting vote would be non-binding. Mr. Sandham, Advisory Committee Chairman, stated that his Committee is still reviewing this article. No further discussion. Unanimous vote. (5-0)

Ms. Vinchesi spoke about Special Town Meeting Article 6 - Monies for Extreme Weather Events. The motion will itemize the costs for each of the winter storms and the money will come out of the Stabilization Fund.

Page Four

Board of Selectmen – Minutes of Meeting – 4/2/13

Article 14 - Local Option – Meals Tax (Board sponsored) – The Board concurred that the motion should read that the proceeds will not go into the Town's operating budget. Discussion continued on where the money should go – seawalls, OPEB (unfunded liability), capital expenditures, etc. Ms. Ann Burbine, 10 Pennycress Road, believes the monies should go into the Stabilization Fund.

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to SUPPORT Article 14 – Local Option – Meals Tax (Board sponsored) and to include items, but not be limited to items such as capital projects, economic development, etc. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

10. DISCUSS/ NEW COMMITTEE charged with investigating options for the funding of the Public Facilities Master Plan

Mr. Murray asked that Mr. Norton chair this new Committee and the Board concurred.

11. ANNOUNCEMENT/ Committee, Commission, Board, Council, Authority Openings – Economic Development Committee & Housing Authority

The Economic Development Committee opening will be addressed in June during the annual appointment process. The Housing Authority requests a joint vote of their group and the Board of Selectmen to fill a vacancy on the Authority. There is one person that has expressed interest in serving. Mr. Murray spoke about forming a “Planning for Climate Change” Committee prompted by a “growing concern for our coastline”.

12. APPOINTMENTS

Mr. Harris made a MOTION that the Board of Selectmen APPOINT Maura Quinn to the Water Resource Committee. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. Harris made a MOTION that the Board of Selectmen APPOINT Florence Ely as an Election Worker. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

13. REPORT / Town Administrator

Ms. Vinchesi stated that the Public Facilities Master Plan Steering Committee has been meeting regularly and were videotaped by Cable Television as they toured Town Hall and the Fire and Police stations last week. Ms. Vinchesi attended a meeting at 4 PM today with Senator Warren and 60 fishermen who spoke about the serious problem of

Page Five

Board of Selectmen – Minutes of Meeting – 4/2/13

Federal fishing limits. These limits severely affect the Scituate and Marshfield fishermen.

14. OTHER BUSINESS - Correspondence & Regular Session Minutes of 5.22.12 & 3.5.13

Mr. Norton read a letter from the Massachusetts Association of Conservation Commissions stating that

Scituate Conservation Commission member, Todd Breteinstein, successfully completed their "Fundamentals for Conservation Commissioners" training course and received a certificate of achievement. The Board thanked Mr. Breteinstein. Mr. Vegnani spoke about the "huge turnout" for the Recreation Department's annual Easter Egg Hunt. Widow's Walk Golf Course is open and he noted that superior work of the Department of Public Works in getting the sports fields "in shape" after a very challenging winter. A Financial Forecast meeting was held this evening and a three to five year "rolling forecast" will be available at Town Meeting next week. Mr. Murray announced that national "Drinking Water Week" will begin on May 9th.

Mr. Harris made a MOTION that the Board of Selectmen VOTE to ACCEPT the Regular Session minutes of May 22, 2012. SECONDED by Mr. Danehey. No discussion. Harris, Danehey, Norton and Vegnani voted "yes". Mr. Murray did not vote. (4-0)

Mr. Harris made a MOTION that the Board of Selectmen VOTE to ACCEPT the Regular Session minutes of March 5, 2013. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

15. EXECUTIVE SESSION – To discuss strategy with respect to Collective Bargaining because an Open Meeting will have a detrimental effect on the bargaining position of the public body – Department of Public Works Contract.

Mr. Norton announced that the Board of Selectmen would enter Executive Session for the reason listed above and that the Board would be returning to Regular Session later this evening.

Mr. Danehey made a MOTION that the Board of Selectmen enter Executive Session to discuss strategy with respect to Collective Bargaining because an Open Meeting will have a detrimental effect on the bargaining position of the public body – Department of Public Works Contract. SECONDED by Mr. Murray. No discussion. Unanimous vote. (5-0)

Roll call was taken at 8:20 PM with all five (5) members responding "yes".

Page Six

Board of Selectmen – Minutes of Meeting – 4/2/13

Roll call to re-enter Regular Session was taken at 8:50 PM with all five (5) members responding "yes".

16. RETURN TO OPEN SESSION/ VOTE/ Department of Public Works Contract

Mr. Murray made a MOTION that the Board of Selectmen VOTE to RETURN to Open Session at 8:50 PM. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. Murray made a MOTION that the Board of Selectmen VOTE to RATIFY the Department of Public Works (Massachusetts Laborers' District Council, Public Employee Local Union 1162) three (3) year contract (in effect July 1, 2013 – June 30, 2016). SECONDED by Mr. Danehey. No discussion. Unanimous vote. (5-0)

Mr. Murray made a MOTION that the Board of Selectmen VOTE to SEND the letter drafted by Mr. Norton regarding the meals tax. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (5-0)

17. ADJOURNMENT & SIGNING OF DOCUMENTS

Mr. Murray made a MOTION that the Board of Selectmen VOTE to ADJOURN the meeting and sign documents at 8:55 PM. SECONDED by Mr. Harris. No discussion. Unanimous vote. (5-0)

BOARD OF SELECTMEN

Joseph P. Norton, Chairman

John F. Danehey

Shawn Harris

Richard W. Murray

Anthony V. Vegnani

Page Seven

Board of Selectmen - Minutes of Meeting – 4/2/13

Respectfully submitted,

Kimberley A. Donovan, Executive Assistant