

MINUTES OF MEETING

BOARD OF SELECTMEN

JULY 9, 2013

Present: Shawn Harris, Chairman; John F. Danehey, Martin J. O'Toole, Anthony V. Vegnani

Patricia A. Vinchesi, Town Administrator

Press: Scituate Mariner, WATD

1. The meeting was called to order at 7:08 PM.
2. ACCEPTANCE OF AGENDA/ WALK-IN PERIOD

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ACCEPT the AMENDED Agenda for July 9, 2013. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (4-0)

Walk-Ins – John Sullivan, 12 Parker Avenue, brought in a sample of brown water from his home and discolored white bath towels. He stated that he has brought in samples and complained to the Selectmen about this ongoing problem many times over the past fifteen years. This is the first time he has actually attended a Selectmen's meeting on this matter. The Selectmen spoke about the water mains from the 1930's, the increase in water rates over the past five to six years to replace mains, the water main replacement process and the fact that unfortunately, it is "not a quick fix".

Steven Tooker, 397 Tilden Road, stated that a group of residents in his neighborhood that are against the installation of a cellular tower have retained a lawyer. This lawyer's work in Plymouth led to their Zoning Board of Appeals' denial of the installation of a tower in a neighborhood. Mr. Danehey stated that since an official, Zoning Board of Appeals public hearing has begun on the cellular tower application, it would be "out of order" for the Selectmen to address this issue at this time.

3. DISCUSSION/ VOTE/ NEW DRAINLAYER APPLICANT/ Arthur M. Pompeo, Jr.

Mr. O'Toole noted that the spelling of Mr. Pompeo's name on the bond and power of attorney were spelled incorrectly.

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to GRANT a Drainlayer's License to Arthur M. Pompeo, Jr. , 11 Ripley Road, Cohasset. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

4. DISCUSSION/ VOTE/ Outdoor Entertainment Permit/ Sullivan/ 622 Hatherly Road

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to GRANT an Outdoor Entertainment Permit to Margie Sullivan, 622 Hatherly Road, for Saturday, August 24, 2013 for a disc jockey to play music from 7 PM to 11 PM. Abutter notification is a requirement of this permit. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (4-0)

5. DISCUSSION/ VOTE/ (1) One Day Wine & Malt Beverages Licenses for Maritime Center
(2) Special License/ Scituate Farmer's Market/ Westport Rivers Vineyard & Winery

(1) Mr. Danehey made a MOTION that the Board of Selectmen VOTE to GRANT the request for One Day Wine & Malt Beverages Licenses by pre-approved caterers/bartending services at the Scituate Maritime Center, Edward Foster Road, per the list provided by the Scituate Maritime Center and an additional ten(10) licenses to be held for events not yet scheduled. These licenses are conditioned upon receipt of a Certificate of Insurance by the Selectmen's Office. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

(2) Rob Russell, Westport, MA owns a family run farm where 80 acres of grapes are grown. They make wine from the grapes and three years ago, the State made provisions where farms/wineries could sell their products at Farmer's Markets. The State has given permission and it is now up to the Selectmen to issue a local license if they support this venture. It was noted that the location of the Farmer's Market, St. Mary's Church Parking Lot, is outside of a 300' radius of the closest location also selling wine (Village Market). No samples or tastings will be held at the Farmer's Market per the order of St. Mary's Church. Mr. O'Toole raised the concern that there are five merchants in the Harbor selling wine and the summer reflects their most profitable months. A couple of the merchants are struggling and this license may take away from their business. Mr. Harris understands, but believes people may buy wine from Westport Winery this time, but will buy from one of the Harbor merchants the next time. Mr. Danehey stated that this venture benefits agricultural use of the land. "They are not selling regular name brands (of wine)." Mr. Russell stated that the wine is sold at the same price as at retail stores.

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to GRANT a "Special License" to Westport Rivers, Inc. to sell wine at the Scituate Farmer's Market on Wednesdays from July 10, 2013 to September 25, 2013 from 3 PM to 7 PM at the St. Mary of the Nativity Church parking lot at the corner of First Parish

Road and Front Street. Per the instructions of the Church, (owners of the parking lot), wine tastings or samplings may not be conducted on St. Mary's property. **SECONDED** by Mr. Danehey. No discussion. Vegnani, Danehey, and Harris voted "yes". Mr. O'Toole voted "no". The vote carries. (3-1)

6. PRESENTATION/ Gates Intermediate School / Durkee Brown Architects

Ashley Prester and Doug Brown, Durkee Brown Architects, presented a PowerPoint presentation of the final, conceptual plan and the cost estimate for the Gates Intermediate School. In summary, whether the school is rehabilitated or the building is renovated to accommodate Town Offices (with a senior center and other components)– the cost is estimated at \$22 million. Mr. Prester stated that Durkee Brown would submit their final report in a couple of months.

7. MEET APPLICANTS/ ANNUAL APPOINTMENT PROCESS

Robert McHugh – currently an Associate Member on the Waterways Commission and would like full membership.

Steve Pansey – interested in serving on the Board of Health, Waterways Commission or the Economic Development Committee. Businessman currently between careers.

Heather Kinney - Affordable Housing Trust – parent and real estate agent and knows of the need for affordable housing in Scituate. She understands about potential conflicts between her job and the Trust purchasing properties in Scituate.

Penny Scott Pipes – Conservation Commission - has served for six years and is asking for re-appointment to continue her work on the Commission and the Open Space Plan with the Town Planner. She spoke of her commitment to the Commission and the importance of being well prepared in advance of the meetings.

Daniel Marques – Economic Development Committee – works for Babson College on their entrepreneurial projects and also for Reebok. He built an internet company in Boston some years back.

Doug Smith – Historic Commission – would like re-appointment to make certain that Commission proposals are implemented. He also spoke about a historic preservation plan for the Town.

Mary Jenkins - Seawall Committee – has lived on the coast of Scituate for over 50 years and spoke of the need for the Town to address seawalls as a “capital improvement”.

Paul Fantasia – Traffic Rules and Regulations Committee – formerly a Watertown Police Officer who believes he could share his expertise with this Committee.

Vincent Fountaine – Veterans Advisory Council – currently the Veteran’s Service Officer in Cohasset and would like to continue to serve on the Council.

Jim Hunt - Veterans Advisory Council – lifelong Scituate resident, served in the Navy for 26 years and is “interested in making this group work – it has had some organizational issues”. He stated that Scituate’s Veteran’s Service Officer has “severed ties” with the Council and that there is a need to reach out to the 1,300 veterans in Town. Mr. Vegnani and Ms. Vinchesi spoke about the excellent work done by Donald Knapp, the Veteran’s Officer.

Joseph Kelley - Veterans Advisory Council – gave an overview of the Council’s accomplishments over the past year. He stated that that he and his wife, Karen Kelley, are Gold Star parents and have permanent status on the Council, as well as the Commander of the American Legion (Ed Covell). He noted that the Council is looking forward to working with Selectman O’Toole as their liaison member in the future.

John Miller – requesting re-appointment to the Veterans Advisory Council.

Robert McHugh - requesting re-appointment to the Veterans Advisory Council. He spoke about the “outstanding” work done by our Veteran’s Service Officer.

Richard Anastos – Waterways Commission – has been on the water since he was 10 years old and has operated a boatyard for the past 13 years. He would like to get involved and said that Scituate has the “most beautiful harbor”.

8. DISCUSSION/ VOTE/ Repairs & Updates to Pine View Dr. & Pine View Circle/ K. Cafferty

Mr. Cafferty stated that the paving will be done once the bonds are in place – most probably this summer.

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to AWARD the contract to Mass Pavement for a cost not to exceed \$129,083. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (4-0)

9. UPDATE/ Town Website & Paperless Board of Selectmen Meetings/ B. Sheehan

Bill Sheehan, IT Director, received 9 responses to a Request for Proposal to “revamp” the Town website and that the Town has “signed” with a company that has a lot of experience in this field. The new website will “go live” in September and will feature a design and functionality program. Ms. Vinchesi acknowledged the considerable work of Tom Rose, webmaster, for many years. Mr. Vegnani also noted that the Town website had won awards under the direction of Mr. Rose.

Mr. Sheehan stated the three-ring binders holding all “back up” materials for Selectmen’s meetings will soon be replaced by Samsung Galaxy tablets. This will save on staff time, paper, toner, etc. The Selectmen will be the only group under the first phase of this program and Conservation and Planning Board under Phase II.

10. DISCUSSION/ VOTE/ REVISED Traffic Regulations of the Town of Scituate/ TRRC

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ACCEPT the revised Traffic Regulations of the Town of Scituate – an addendum dated 6/21/13. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (4-0)

11. DISCUSSION/ VOTE/ STOP SIGNS (2) Boardman Ave & Mann Hill Road and Mary’s Lane & Mann Hill Road/ TRRC

Mr. O’Toole made a MOTION that the Board of Selectmen VOTE to GRANT the installation of “Stop” signs on Boardman Avenue Eastbound and Mary’s Lane Southbound, as indicated in the attached plan. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (4-0)

12. PRESENTATION/ Library Building Project

Jessi Finnie, Library Director; Karen Canfield, Board of Library Trustees and Les Ball, Library Foundation were present at tonight’s meeting. Ms. Finnie gave an overview of the Library Building Project, statistics on increased Library use, the Library as a “technology center” and the use of the “community room” for meetings. In October 2012 the Library was awarded a “provisional” grant of \$5 million if the Town can raise the remaining \$7 million for a total of \$12 million by December 31st. The building design was approved at Town Meeting. Les Ball explained that the 45 people on the Capital Campaign have been working hard to raise funds. To date they have approximately \$600,000 in cash and pledges. They originally thought they would have over 2 years to raise the \$2 million. He spoke about the fundraising activities including the fish auction, raffles and the campaign for 1,000 Scituate homes to give \$1,000 over a four year period of time. Ms. Finnie spoke about a debt exclusion vote to obtain the

necessary funding. She spoke about the Library's need of major repairs in the amount of \$3 million for a new roof, elevator, restrooms, windows, shelving, carpet and paint. Mr. Vegnani reminded that when the Foundation originally presented this idea to the Selectmen they (Foundation) were going to raise \$5 million and the Town would put in \$2 million. "Now the numbers have flipped." He noted the major projects coming in front of the Town at this time and the need "to look at this fiscally as to what is the best use of the Town's money". "It is my opinion that this project has competition – where it may not have in the past. The timing on this is poor. It is tough not to take a \$5 million gift." Ms. Finnie stated that the Trustees have been thinking about this project since 2005. "If we miss this grant opportunity, we may not have a chance again for 20 years." Ms. Canfield stated that this is an opportunity for growth. The State approved the grant and the Library Trustees are 100% behind this project. Mr. Vegnani noted that if this passes at a Special Town Meeting, it then must go to a ballot vote (before November 15th). "Scituate moved up the grant list because other Towns could not move this quickly." Mr. Danehey stated that it might be said – "if we can spend \$3 million to fix it, why should the Town put up \$7 million". Mr. Harris asked how the Library would operate while under construction? Ms. Finnie stated that the grant allows for rental space during the construction phase. Mr. Harris asked about the percentage of unused space in the current Library. Approximately 20% – 30%. The building is not up to code in many areas. Under the proposed plan, the Library's square footage would increase 40%. Mr. Harris thanked them for attending tonight's meeting and encouraged them to send along any new information to the Selectmen.

13. ACCEPT GIFT/ DARE PROGRAM

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to ACCEPT a gift from the Copeland Family Foundation, Inc. on behalf of the Scituate Police Department's D.A.R.E. Program. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (4-0)

Mr. Vegnani read the letter from the Scituate Police Department regarding the \$5,000 donation.

14. DISCUSSION/ VOTE/ DRAINLAYER LICENSE RENEWAL/ P. Laugelle

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to GRANT the renewal of a Drainlayer's License to Paul Laugelle, Cohasset, MA. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (4-0)

The Selectmen took at 5 minute break at 9:45 PM.

15. APPOINTMENTS/ Annual and Election Workers
Election Workers

Mr. Vegnani made a MOTION that the Board of Selectmen APPOINT (1) Election Workers per the lists provided by the Republican and Democratic Town Committees and (2) Supplemental Election Workers as recommended by the Town Clerk. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (4-0)

Annual Appointments

Mr. Vegnani made a MOTION that the Board of Selectmen APPOINT Heather Kinney to the Affordable Housing Trust. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

Mr. Danehey made a MOTION that the Board of Selectmen APPOINT Steven Pansey to the Board of Health. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

Mr. Vegnani made a MOTION that the Board of Selectmen APPOINT Benjamin Spruill to the By-Law Review Committee. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

Mr. Vegnani made a MOTION that the Board of Selectmen APPOINT Penny Scott Pipes to the Conservation Commission. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (4-0)

Mr. Danehey made a MOTION that the Board of Selectmen APPOINT Steven Coulter to the Community Preservation Act Committee (Scituate Housing Authority Member). SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

Mr. Danehey made a MOTION that the Board of Selectmen APPOINT Jerrilyn Quinlan to the Council on Aging. SECONDED by Mr. Vegnani. No discussion. Unanimous vote. (4-0)

Mr. Danehey made a MOTION that the Board of Selectmen APPOINT Daniel Marques to the Economic Development Committee. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

Mr. Danehey made a MOTION that the Board of Selectmen APPOINT Doug Smith to the Historic Commission. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Bob Flaherty to the North River Commission/Alternate Member. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (4-0)

Mr. Danehey made a MOTION that the Board of Selectmen APPOINT David Capelle to the Public Building Commission. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

Mr. Danehey made a MOTION that the Board of Selectmen APPOINT Robyn Levirne to the Public Facilities Master Plan Steering Committee (School Committee Member). SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT Mary Jenkins and Fred Dorr to the Seawall Committee. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (4-0)

Mr. Danehey made a MOTION that the Board of Selectmen APPOINT Barbara Gifford to the Sister City Committee. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

Mr. Danehey made a MOTION that the Board of Selectmen APPOINT Paul Fantasia to the Traffic Rules and Regulations Committee/ Associate Member. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

Mr. Vegnani made a MOTION that the Board of Selectmen APPOINT Dennis Badore, Edward Covell, Vincent Fountaine, Richard Johnson, Joseph Kelley, Karen Kelley, Robert McHugh and John Miller to the Veterans Advisory Council. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (4-0)

Mr. O'Toole made a MOTION that the Board of Selectmen APPOINT James Hunt to the Veterans Advisory Council. SECONDED by Mr. Harris. No discussion. Mr. O'Toole and Mr. Harris voted in favor of the motion. Mr. Danehey and Mr. Vegnani voted "no". The motion fails. (2-2)

Mr. Danehey made a MOTION that the Board of Selectmen APPOINT Robert McHugh to the Waterways Commission. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

Mr. Danehey made a MOTION that the Board of Selectmen APPOINT Richard Anastos to the Waterways Commission/ Associate Member. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

Mr. Danehey made a MOTION that the Board of Selectmen APPOINT John Hallin as a Full Member of the Zoning Board of Appeals. SECONDED by Mr. O'Toole. No discussion. Unanimous vote. (4-0)

16. REPORT/ Town Administrator

- (1) Police Search Committee "At Large" Members – 3 – The Selectmen chose Adam Conrad, Paula Lind and Joseph Norton.
- (2) "Week Ahead" – First "Touch a Boat" event in the Harbor was very successful thanks to the efforts of the Harbormaster's office.
- (3) FY13 Year End Transfers – none

The wind turbine was hit twice by lightening recently and diagnostic tests are taking place at this time. The Town is not losing money during this "down time" according to the contract. The Public Facilities Master Plan Steering Committee is meeting regularly and has already conducted tours of our Town buildings. They will tour municipal buildings in Hingham and Duxbury soon. The Public Building Commission interviewed five firms for a Project Manager for the Public Safety Building and have chosen a firm.

17. OTHER BUSINESS

Mr. O'Toole asked that Kevin Kelly, Facilities Manager, be asked to a future Selectmen's meeting to discuss improvements to the Harbor Community Building so that it may be used by the general public. The Selectmen thanked the Police and Fire Departments for their considerable work on the July 3rd / July 4th holiday. Ms. Vinchesi thanked the residents for adhering to the cooking fire rules and for their overall cooperation. The July 4th event at Lawson Park went very well.

Mr. Danehey made a MOTION that the Board of Selectmen VOTE to ACCEPT the Minutes of September 18, 2012. SECONDED by Mr. Vegnani. No discussion. Danehey, Vegnani and Harris voted "yes". Mr. O'Toole did not vote. The vote carries. (3-0)

Mr. Paul McSoley, Ladd's Way, asked how many applications were received for the Police Search "At Large" positions. An answer was not recorded. He said he was not questioning tonight's appointments. Ms. Vinchesi stated that these appointments are different from the Selectmen's Annual Appointment Process. The Town Administrator makes the actual appointments to the Search Committee.

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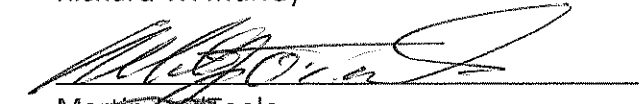
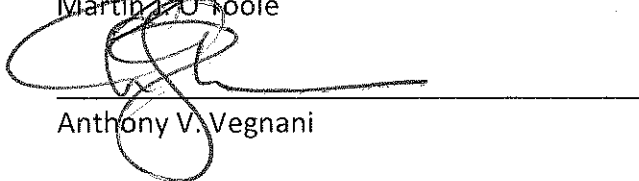
18. ADJOURNMENT

Mr. Vegnani made a MOTION that the Board of Selectmen VOTE to ADJOURN the meeting at 10:15 PM and sign documents. SECONDED by Mr. Danehey. No discussion. Unanimous vote. (4-0)

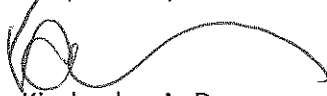

Shawn Harris, Chairman

John F. Danehey

Richard W. Murray


Martin J. O'Toole

Anthony V. Vegnani

Respectfully submitted,


Kimberley A. Donovan
Executive Assistant

July 9, 2013 Board of Selectmen's Meeting - List of Documents

- Memorandum dated 6/6/13 from R. Rowland, Supervisor, Sewer Division
- Drainlayer application materials – Arthur Pompeo Jr.
- e-mail dated 6/17/13 from M. Sullivan, 622 Hatherly Road, re: outdoor entertainment permit
- List of July 2013 one day wine & malt beverages events at Scituate Maritime Center
- documents pertaining to Westport Winery's application for a Special License at the Scituate Farmer's Market – St. Mary's Church Parking Lot (include application, 300' radius map, ABCC notification and letter from State's Department of Agricultural Resources)
- e-mail dated 5/29/13 from A. Prester, Durkee Brown, re: presentation/Gates School
- prints associated with Durkee Brown presentation – layout of School
- "Applicants Invited to Interview on 7/9/13"
- Applicant letters of interest, resumes, etc. for annual appointment process
- "Topic: Contract Award" – re: Pine View Drive and Pine View Circle repairs/updates
- e-mail from B. Sheehan on 7/3/13 re: new Town website and paperless meetings
- memorandum dated 6/21/13 from Traffic Rules & Regulations Committee
- Revised Traffic Regulations of the Town of Scituate – 8.23.11 & addendum 6.21.13
- Map indicating locations of proposed stop signs
- Letter dated 4/24/12 from T. Administrator re: fundraising for the Library project
- "Scituate Library Foundation/ Capital Campaign 2012 – 2014"
- Letter dated 6/18/13 from Chief Brian Stewart to the Copeland Foundation/ DARE gift
- Memorandum dated 6/17/13 from R. Rowland, Supervisor, Sewer Division
- Application materials for Drainlayer's License – Paul Laugelle
- "2013 Annual Appointment Process"
- List of Election Workers from Republican and Democratic Town Committees & Supplemental List from Town Clerk
- Letters of Interest for Police Search Committee "at large" applicants
- Regular Session Minutes for 9/18/12