

Select Board Meeting Minutes

Tuesday, April 6, 2021

Meeting Conducted via ZOOM Remote Participation due to COVID- 19 Emergency

Remote Participation by: Ms. Canfield, Chair, Mr. Vegnani, Vice Chair, Ms. Connolly, Ms. Curran, Mr. Goodrich

Remote Participation by: Mr. Boudreau, Town Administrator

Ms. Canfield reviewed the Zoom procedures to participate in tonight's meeting.

MEETING CALLED TO ORDER/ACCEPTANCE OF AGENDA

Mr. Vegnani made a motion at 6:32 p.m. to accept the agenda for April 6, 2021 Second by Ms. Curran

Unanimous, vote (5-0)

Roll Call Vote:

Canfield yes

Vegnani yes

Connolly yes

Curran yes

Goodrich yes

Ms. Canfield said the 7:50 Nitrogen topic was withdrawn from tonight's meeting by the Board of Health. The end point for the new Select Board policy all meetings will end by 11 pm unless the board votes to let it go longer. Ms. Canfield thanked the Easter Bunny & Mother Nature for their work in organizing the Easter Bunny parade. Thanks to the Scituate Police and Fire Departments for their support with the parade. Happy Birthday to Maura Curran.

ZOOM INS aka WALK INS-

Ellen Kasper, 120 Gilson Road wanted to read her email into the record. The neighbors did a peer review on the Epsilon report and Ms. Kasper wants to read it into the record. Ms. Kasper read the email she sent to Ms. Karen Canfield chair copied below. Ms. Kasper also submitted Rand Scituate Wind Cover Letter 210405.pdf and Rand-Scituate-Sind-Technical -Memorandum-210403.pdf and copies were provided to the Select Board and are included in correspondence. Ms. Kasper proceeded to read the email sent to Ms. Canfield into the record as follows:

Karen,

On March 3, 2021 you provided me with a response to my question regarding our ongoing concerns with the Epsilon testing process, and the resulting report. Based upon the Preliminary Peer Reviews submitted to the BOS we felt that there was a valid basis for a comprehensive Peer Review of Epsilon's work. Here is the question I posed along with your response:

My question: 1. Why are neighbors being denied a Peer Review to validate Epsilons findings?

BOS Chair Karen Canfield's response: "*The neighbors are entirely welcome to commission a peer review of the Epsilon report.*"

Please be advised that affected wind turbine neighbors commissioned Rob Rand, a Member of the [Institute of Noise Control Engineering](#) since 1993 and a Member of the [Acoustical Society of America](#), to conduct a Peer

Review of Epsilon's acoustic monitoring report published March 6, 2020 entitled: *"Sound Level Compliance Evaluation Report"*. (attached)

We neighbors have continuously pointed out some important facts:

1. Epsilon's testing protocol was **not** approved by the MassDEP... as has been erroneously portrayed.
2. Leq is an averaging scheme which Epsilon employed to degrade MassDEP's regulatory framework. Leq was never approved as a proper metric for wind turbine compliance testing by the MassDEP. In fact, the WNTAG process which Mr. Bangert participated in made clear that any adoption of Leq would require use of an adjustment factor. These documents have been submitted to the BOS.
3. MassDEP's Seth Pickering responded on October 20, 2020 to David Dardi's questions about the use of Leq. Mr. Pickering verified that there is no MassDEP guidance document which shows that Leq is a proper metric for compliance testing.
4. MassDEP policy for compliance testing has historically employed Lmax (maximum sound levels)- Epsilon failed to employ this metric thereby understating maximum noise levels created by the wind turbine.

Mr. Rand's Technical Memorandum uncovers serious errors and omissions and, most importantly, his review documents that Scituate Wind was operating **out of compliance** with our state noise regulation during the October 2, 2019 test event.

Mr. Rand's report has been delivered to the MassDEP to aid them in their technical review of the Epsilon report. We feel this especially critical since we have been informed that, though Mr. Boudreau requested MassDEP to review Epsilon's report in early October of 2020, the MassDEP, as of last week, has never been provided with all of the raw data, SCADA data, field notes and audio files in order to properly evaluate Epsilon's report. We would hope that the BOS finds this lapse in time unacceptable! We would also hope that the BOS finds it unacceptable that the MassDEP was never provided with all of the raw data, SCADA data, field notes and audio tapes so that they might properly engage in a technical review.

As Mr. Rand points out in his cover letter to me, dated April 5, 2021, Epsilon Associates did not provide all of the information/data/files/clean audio tapes required to fully evaluate their report. I respectfully request that the BOS make an immediate demand to Epsilon **for all of the information/octave bands/data** which were outlined in the RFP "Deliverables" so that an even more comprehensive Peer Review might be conducted.

We respectfully request that you allow Mr. Rand's attached Peer Review to be entered into the public record, discussed at an upcoming BOS meeting and invite Mr. Rand to answer any of your questions and/or explain his Technical Memorandum.

Thank you for your time and attention –

Ellen Kasper

120 Gilson Rd

David Dardi, 122 Gilson Road, said the board took a step in the correct direction with the summertime shutdown. This constituted a public acknowledgement that the wind turbine is a nuisance and is impacting the lives of the residents of this town. The evidence is clear that the burden of financial responsibility is upon Scituate Wind and not the Town of Scituate. The turbine is in violation of its permit as well as the states nuisance laws. Additionally, with the continued complaints from the residents in the winter months, only 640 feet to one home, it is obvious the board should extend the shutdown. Mr. Dardi knows that Mr. Vegnani has

said this town voted for the wind turbine and it is up to the board to fulfill that but he feels the voters were uninformed and ill advised at the time. Now that the facts are known, the Selectmen have to take action and order a year-round shut down.

REPORT OF THE TOWN ADMINISTRATOR

1. We are in a new phase of the vaccine schedule. Residents 55 and over and residents with one co-morbidity are now eligible. A complete list of eligible medical conditions is available at mass.gov. Interested individuals can go to www.VaccineSignUp.mass.gov where they can register for a vaccination. You will then be notified when you can get your vaccine. You may not be notified for several weeks depending on the availability of the vaccine itself. This is currently for the mass vaccination sites only. Other sites post as vaccines become available so you need to keep checking those sites. If you are unable to access a computer or sign-up on line. The state has a new 211 hot line that can assist you, or contact the Scituate Council on Aging at 781-545-8722. Under the current schedule for vaccinations, all residents 16 and over are becoming eligible April 19th. This of course is dependent on the number of vaccines that the commonwealth receives.

Homebound residents: Homebound residents or their relatives can call **1-844-771-1628** to begin the process of scheduling an in-home vaccine appointment. The line is open Monday through Friday from 9 a.m. to 5 p.m., available in English and Spanish and with translators available for other languages.

2. Since last Monday until yesterday we had 38 new cases in Scituate, the same as the 38-last week. We have multiple locations with multiple cases, 3-4 in a household. However, we remain in the yellow on the state Covid map with a positivity rating over the last 14 days at 2.72 up from 2.32% the previous week. So, we seem to be matching the state in staying at around the same case number and positivity rate for the past couple of weeks. State numbers had been over 2000 per day for the past several days, with yesterday the first one back below 2000. State wide the positivity rate yesterday for the past 14 days was 2.24 up slightly from 2.28% from last week.

Do not get complacent. Continue to be vigilant. Masks, social distancing and wear masks.

If we want to continue to reopen the economy, we must continue to take measures to stop the spread of COVID 19. Wear a mask, social distance and avoid gatherings. The vaccine is here and better days are ahead.

3. Due to an internal RMV data problem, the RMV is delaying the sending of motor vehicle excise commitment 2 and combining it with commitment 3 with a receipt date of May. This potentially will negatively impact our free cash for several reasons. First, it shortens the collection period on commitment 2 which is the second largest commitment (FY20 was \$313,396). Second, depending on when the combined file is received, the due date may be late June or even cross fiscal years. We currently need \$159,125 more to meet the annual projection for MV excise. On a good note, we have already met our FY21 local receipts projection of \$5,462,049 so we will not have a budget revenue deficit in that line.
4. Internship(s). The Board has discussed in several occasions the need for additional help in our office to get some of our pending projects off the ground. We are going to put out a request for Scituate residents who might be interested in an unpaid summer internship with the Town, particularly in our office. We have a couple of projects that have languished and need a kick start and we would also be looking for

someone to help us up our social media game as a way of communicating with residents. We will post the description on the web site this week for interested parties to apply.

5. The Widows Walk Golf Course is open for golf. Went by Saturday and the parking lot was packed. I encourage people to get out and enjoy the course. The clubhouse bids have been received and we will be seeking additional funding at Town Meeting to complete the club house and include the parking lot in the renovations. In the meantime, we are working on getting a food truck(s) to service the course while the club house is under construction. We will be posting an RFP on our web site tomorrow or Thursday and sending it to some vendors that have inquired about putting a truck at the site, including one that I am very excited maybe interested. So, we shall see.
6. Starting yesterday the firefighters in the Humarock fire station have relocated to their temporary quarters on 4th Cliff. They will be staying at the Air Force Recreation base while we re-build the Humarock Fire Station. Having this temporary base for our crews allows us to keep our fire department presence in Humarock while we work on the station. Demolition of the existing station will commence Friday. In the meantime, depending on scheduling, the FD may do some training on the existing building (cutting holes in the roof, etc.) prior to demolition tomorrow and Thursday. The entire project scheduled for substantial completion by October.
7. The Peggotty Beach parking lot is closed starting yesterday. We will be making improvements to that lot as we will be removing the existing asphalt sections repairing the subgrade and putting down new pavement. This project is scheduled to be completed by the end of the month. I know people will be wondering why we did not start this sooner, but we have to wait until the asphalt plants open so get sufficient product to do the entire lot.
8. The Cole Parkway Marina project is now in full swing. The barge is in place and the work has commenced in earnest. Some of the docks and pilings have already been installed. The project will put the marina on pilings similar to the Mill Wharf and Maritime Center docks and piers. It is scheduled to be completed by boating season.
9. Cedar point continues to move along. Work has been progressing in the “neck area” where you enter Cedar Point, severely limiting traffic. Some paving has been done around the island at the entrance, but the work is continuing. We would ask that you avoid the area to the extent possible while construction is on-going.
10. The Senior Center project is nearing completion. Staff has moved into the building and are preparing for welcoming people into the building, COVID permitting. The Veterans Service Agent’s office has also moved to the new COA. If you need to see Don, call his office and make an appointment. Landscaping is proceeding and the perimeter construction fence has been removed. The building is open, but it is preferred that you make an appointment prior to accessing the Center. We don’t want people showing up and having to wait outside because we may have reached our “Covid capacity”. We are planning a ribbon cutting and opening ceremony. Stay tuned for details.
11. The water will continue flushing this week. Flushing will occur week days this week from 8:00 am – 3:00 pm. People throughout town may experience discolored water, particularly in the areas being flushed. Information on flushing will be posted on the water department web site. This week flushing will occur in the following areas:

Hatherly (Egypt Beach Rd – Jerico)
Beaver Dam (Tilden – Jericho)
Turner Rd (Tilden – Hatherly)
First Parish (Common – Kent)

Surrounding streets that feed off the streets listed above will be flushed also. Questions? Call the Water Department at 781-545-8735. We are still spilling over at the reservoir at plus 2.25 inches. Average total usage for the last seven days was 1.26 MGD. We received ¾ inch of rain as recorded at the TP yesterday

SCHEDULED ITEMS:

Retirement of Tango, Mark Thompson, Chief of Police and Sgt. McLaughlin

K-9 Tango has retired and asks that the Select Board release K-9 Tango to Sgt. McLaughlin.

Due to the donation from the Marley Foundation we are able to move the program further. Canine Breck is being evaluated for the K-9 program. Chief Thompson said in addition to narcotics detection there are other important roles the K-9 provides such as locating a missing child or person. Tango over the years has done that. Sgt. McLaughlin is the true expert in the region with Felix and Tango. He is well respected with all the handlers around. Sgt. Brian McLaughlin said it has been exciting with Tango over the years and is an honor and a privilege. Mr. Vegnani thanked Sgt. McLaughlin for his training and support of the K-9 unit.

Motion made to release Tango to retirement with thanks and appreciation to the care of Sgt. McLaughlin and family. Motion by Ms. Connolly second by Ms. Curran Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes

Vegnani yes

Connolly yes

Curran yes

Goodrich yes

Transfer of Liquor License from 7-Eleven, MA to Holy Cross Investments dba 7-Eleven, Attorney Thomas Truax, Bahaa Megelly, Owner

- Common Victualler License

Attorney Truax said Bahaa Megelly is entering into a franchise agreement with 7-Eleven. He has been over 20 years a long-time franchisee. His Walpole location is a package store and he has a lot of experience. This will be a smooth transition. Mr. Vegnani congratulated Mr. Megelly and welcomed him to town. Mr. Vegnani said it is important that all licenses get scanned and this is an area where young kids hang out and this is a concern of the Board. Mr. Megelly said he will have a state-of-the-art scanning system and he can proudly say in the past 21 years he has not had one incident with tobacco or alcohol. He owns a store in Quincy and Walpole. He is the manager of the store in Scituate. Ms. Canfield asked if he will be managing the store in Scituate. Mr. Megelly said yes, he will be in the store as the manager. The transfer will take place in 4-6 weeks pending ABCC approval.

Move that the Board of Selectmen approve a transfer of liquor license from 7 -Eleven of Massachusetts, Inc. to Holy Cross Investments, Inc. d/b/a 7-Eleven for the premises located at 337 Gannett Rd. Scituate, MA. Motion by Ms. Curran second by Mr. Goodrich Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes

Vegnani yes

Connolly yes

Curran yes
Goodrich yes

Move that the Board of Selectmen approve a Common Victualler's License for Holy Cross Investments, Inc. d/b/a 7 Eleven for the premises located at 337 Gannett Rd. Scituate, MA. Motion by Ms. Curran second by Mr. Vegnani Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes
Vegnani yes
Connolly yes
Curran yes
Goodrich yes

Ms. Canfield noted that Town Meeting is Monday, April 12, 2021

Alteration of Premise to expand next door for Restaurant All Alcohol License, Salt Society, Kara Tondorf, Owner Postponed by applicant for a future date

Surplus Boats for Auction, Stephen Mone, Harbormaster

The Harbormaster has two boats and trailers that are at the end of their useful life.

The 25' Parker has been replaced by the 34' Calvin Beal. 1 engine is inoperable and the other engine has 2000+ hours and at end of life.

The 21' Alcar Pump Out boat was replaced by the new Pump Out boat, funded 75% by Clean Vessel grant.

Ms. Holt said yes it should go to auction and we did well the last time we auctioned boats. She will need to reach out to the auction company and within approximately one week we can go to auction.

Move to approve a surplus auction to dispose of two obsolete Harbormaster Boats and trailers as listed. Motion by Ms. Curran second by Ms. Connolly Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes
Vegnani yes
Connolly yes
Curran yes
Goodrich yes

MA Clean Water Trust Loans, Change of Joinder for Seawall Repair Program, Pam Avitabile, Treasurer/Collector

Ms. Avitabile said we are moving the payer to a different servicer for the town's loans. We have two loans and we are moving the loans to the Mass Clean Water Trust. It is a paper change. Ms. Avitabile thinks this is a good move for the state and the town. The only things changing are the paper change and the servicer.

Move that the Joinders and related updated Debt Service Schedules presented to this meeting be approved and the Joinders be signed by the Select Board. Motion by Ms. Connolly second by Mr. Vegnani Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes

Vegnani yes
Connolly yes
Curran yes
Goodrich yes

Water Main Replacement Contract Phase 4B \$1,961,327.60, Kevin Cafferty, DPW Director

Requests for Bids were received and opened on March 30, 2021 at 11:00 am. 11 Bids were received and with assistance from Weston & Sampson, the low bidders' references were examined and we recommend the selection of Celco Construction Corporation of Pembroke, MA. The pipes will be replaced on Old Oaken Bucket Road and Brook Street. Most of the cast iron pipes are replaced. This section is some old transite line and there were failures here in the past. Mr. Goodrich said this is great news and asked if this was in line with the Tighe and Bond study. Mr. Cafferty said they are following the plan that they've had all along. This is our worst section of transite that we know we have. Construction will start around April 15th on Brook Street.

Move that the Select Board award the contract for Phase 4B of the water main rehabilitation project to Celco Construction Corporation of Pembroke, MA for \$1,961,327.60. Motion by Ms. Curran second by Ms. Connolly Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes
Vegnani yes
Connolly yes
Curran yes
Goodrich yes

Nitrogen Loading Limitation Septic System @ 131 Maple Street, Joan Schmid, Assistant Board of Health Director This topic is being postponed by the Assistant Board of Health Director.

Special Event Application, Paws for a Cause, Lisa Huffman, President, Friends of Scituate Dog Park

Ms. Huffman and Maryann Regan from the Scituate Animal Shelter joined the meeting. Ms. Huffman is working on a joint fundraiser for Saturday, June 5, 2021 with a rain date of June 6, 2021 the following Sunday from 10 a.m. to 1 p.m. There is a big demand for a small dog park. They are encouraging people with small dogs to attend and the Animal Shelter will be collecting food for the pet shelter along with fundraising. Parking will be encouraged at the Greenbush MBTA lot for overflow parking. Ms. Curran asked what is the event and if we have preliminary plans for the small dog park. Ms. Huffman said the initial plans included the large and small dog parks. Due to the costs it had to be phased. Based on the bids for the two parks there needs to be \$100,000 in funding to build the small dog park. There will be swag bags offered from different sponsors to attendees and dog treats for sale. The purpose is to educate people about the organizations and the non-profit raises the funds to build the park. Many people think the animal shelter is funded by the town. Ms. Connolly asked if there will be additional parking added. Ms. Huffman said we cannot extend the lot that is there due to drainage. To add additional parking, they would have to go back to the architect to look at ways to add additional spaces. Ms. Connolly suggested different hours for dogs in the park, small or large dogs. Ms. Huffman said this has been proposed but it is an enforcement issue. Ms. Canfield said the two sites are approved and any changes may require additional approvals.

Motion to approve the PAWS FOR A CAUSE special event pending parking plans approved by the Scituate Police Department. Motion by Mr. Goodrich second by Ms. Curran Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes
Vegnani yes
Connolly yes
Curran yes
Goodrich yes

Collective Bargaining Memorandum of Agreement, Laborers Union Local 1162, Bob Clark, Human Resources Director

There are amendments to 19 different articles with this agreement. Mr. Clark provided an overview of the changes. Pay increases, Longevity incentive, new stipends for specific licenses received, cell phone usage, increased stand by pay, and there are a few other minor changes. Ms. Connolly asked who pays for certification for the additional licenses. Mr. Boudreau said the employee pays for the certification. Mr. Boudreau said these are reasonable stipends and if we need to provide additional incentives we can discuss at a future time. The board used to be provided the whole financial impact for contracts and it would be great if the board could receive this for each contract. Mr. Clark said timelines were added for arbitration within 45 days, recall language to two years, etc. A lot of language was cleaned up with this contract.

Motion to approve the Collective Bargaining Memorandum of Agreement for the Laborer's Union Local 1162 bargaining unit. Motion by Ms. Curran second by Mr. Vegnani Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes
Vegnani yes
Connolly yes
Curran yes
Goodrich yes

Diversity, Equity & Inclusion Committee, Ewiniki (Nikki) Sanders-Smead, Chair

The Select Board created this committee and in the charge the committee reports to the Select Board each quarter. This is the first report.

Tom Secaur, Vice Chair

Ruth Yasin, Secretary

Goals were created by the committee. An overview was provided to the board of action that was taken to date. Ms. Curran said this group has dug in quickly and are working together on such a broad range. It is a process and the group is moving in the right direction. Ms. Canfield asked Ms. Dray and Reverend Stewart if they had anything to add. Ms. Dray said she is enjoying this committee and they are eager to get into the community engagement. Reverend Stewart said they are four months into this and dug in fast. They are on the cusp of gathering good information. They were organizing in the beginning and they are concerned with the scope of this. Ms. Canfield thanked everyone for their contributions. Ms. Canfield said regarding scope, this is a substantial work in progress. The Board knew this would be hard. Ms. Canfield opened this up to the board. Ms. Connolly asked what is meant by "safe space norms" and what they mean by this. Ms. Sanders-Smead read a few examples of what they read at each meeting. It is the idea that letting people know everyone has a voice. Welcoming of people of color and under represented groups. Ms. Connolly said their committee has not been able to meet in person. More people have been able to participate in public meetings because of the remote meetings. The remote meetings have been valuable. Ms. Connolly thanked the group for all their work. Ms. Canfield asked for a specific recommendation of what the "safe space norm" looks like and said it would be beneficial to the board to see. Mr. Goodrich asked if there was something the committee needs that they are not getting. Ms. Sanders-Smead said procurement and hiring are two major areas they would like to be informed

about. Reverend Stewart said anything the board would be making decisions about so they could be advisors in this area. Ms. Canfield said the committee will need to understand what the hiring process is that the town follows. The process is beginning to work with the liaison of Bob Clark on the committee. Mr. Vegnani said conceptually he loves some of the thoughts. When he read the recommendations, he wasn't sure what the committee is asking for. He asked that the group be more specific with what they are trying to do. Ms. Sanders-Smead said their job is to make the recommendation unless they are asked to do the work. The committee needs to define all of this. Mr. Vegnani said part of their role is informing people like him. Ms. Curran said what the committee has talked about is talking to the town departments about what they are doing today. The second is going out to the community to learn what people's concerns are and what can we do to help people feel welcome with equitable policies. Mr. Boudreau said if there is something needed he is available to help support the committee.

Ms. Canfield asked for a short recess at 8:54 p.m.

Ms. Canfield reconvened the meeting at 9:00 p.m.

Water Offset Proposal, Becky Malamut, Chair, Water Resources Commission

This policy recommendation is something the Water Resources Commission (WRC) has been working on since 2017. This is called a water banking program or a water offset proposal. Ms. Malamut reviewed the background, policy proposal and a fee-based program.

Key Concepts and Background

Today our town wells cannot supply enough water and we are dependent on water from our reservoir. In 2016, we came too close to running out of water. In 2020, we went into a full outdoor water ban in June and were not able to use our irrigation systems or even hoses for the rest of the summer. In 2021, a late version draft of Tighe & Bond's Water Master Plan states that "at current production rates and limited production capacities, the Town does not have sufficient water to meet peak demands."

When there is another drought or problem with our infrastructure, we will be at risk of running so low on water that the state will mandate severe restrictions, in addition to possibly needing to buy water from neighboring towns.

As we add more homes and other water uses in town, we increase the likelihood that shortages will occur. We are approaching our water withdrawal limit, as determined by the state. If we want to continue development in Scituate, the WRC recommends that we require new development to offset the expected increase in water use by either adding to supply or reducing existing demand.

The WRC does not believe the full burden belongs on new development so we also propose that all water bills should include an additional \$1 per billing cycle to go toward these measures.

Policy Proposal

The WRC recommends a **1:1 offset** in order to protect future supply. For example, if a project will increase demand by 260 gallons per day (gpd), the applicant will need to offset 260 gpd somewhere else in the water system.

The offset will be funded by a **mitigation fee of \$10** for each additional gallon of water required the first day of occupancy. This is a one-time fee must be paid before the project can connect to town water. **This fee will be charged for any project that has a proposed increase in water use from its current use in excess of 110 gpd.** Potential fees for different residential project types below:

Bedrooms / Units	Mitigation Fee
1	\$1,300
4	\$5,200
50	\$65,000
150	\$195,000
242	\$314,600

We would like to include commercial entities in this fee structure but need a deeper dive into data from the Water Dept to better understand water use by industry.

There will be an opportunity to decrease these fees for proposals that include permanent rainwater catchment systems, low / no water ground cover, etc.

Fees will go into a separate account that can only be used to offset water use in our water system and the Water Department to allocate the funds within 1 year.

Examples of projects that would fall within this fund:

- Conservation – retrofit municipal and residential buildings with low flow fixtures
- Smart meters
- Leak detection
- New water sources – Dolan wells, reservoir project
- Rain water catchment, cistern, storage pumps for school or municipal fields
- Greywater reuse in municipal building
- Education around water conservation, focused on behavior change

The fees would need to be allocated within one year, not spent within one year. The aligns for water efficiency found that states would let money just sit there and not used to pay for projects. The exception would be saving towards a larger project. They would like to include commercial entities but they would need to figure this out. Other towns in MA have similar programs. The burden shouldn't fall on new development only. All customer should pay an additional \$1 per billing cycle. This was reviewed by town counsel in 2017 and other boards and committees in 2017. Acton and Ipswich have great programs to create water smart developments. The goal is not to accept this proposal as is. This is as far as the Water Resources Commission can take this. An allocation of resources would be needed to either bring in a consultant or identify someone in the town to figure out the final pieces. Ms. Canfield opened it up to the board for comment. Mr. Goodrich said the need for additional capacity is apparent. It was in the Tighe and Bond study and included in the long-term plan. He believes long term this will become the norm. Mr. Vegnani applauded Ms. Malamut for her effort in this area. He sees a lot of redundancy and limitations in the plan. For example, everyone has to pay a hook up fee, rates can be raised instead of an additional \$1 for every resident. He does not want to create a mechanism that fights against the other tools in place to get stuff done. He has questions if this is the tool to do it. Ms. Malamut said the difference is a separate fund is established that can only fund water projects as outlined above to offset water. Ms. Holt said it could be a revolving fund but it would have to be used within a year. It would have to be able to roll into future years and where would they close to. The additional \$1 per user seems to be adding fees. Ms. Holt suggested outsourcing and replacing all the smart meters for example rather than an internal water department project. Ms. Malamut said if it was part of the rate structure what would be needed. Ms. Holt said

it would be an ongoing capital project or operational budget. Ms. Holt said it depends on the cost of the program. Samantha Wood, Director of North and South River Watershed, also a member of the Water Resources Commission joined the discussion. Ms. Curran thinks this is a great idea but the Commission has taken it as far as it can. Ms. Curran suggests we have some experts recommend how to increase our capacity. She suggests we consider as a board assigning this to someone to continue the work. Ms. Connolly would like to see that the money not disappear and sees a revolving fund as the better way to go initially. Ms. Canfield asked the board if the proposal from WRC is worth pursuing. Mr. Goodrich agrees we should move forward with this recommendation and proceed. Mr. Vegnani agrees that we should figure out water mitigation. The plan has a lot he does not agree with and there is conflict of interest, double taxation, etc. He doesn't know this plan will help us. Ms. Curran agrees we need to get to the next step to get a solid mitigation plan. Ms. Connolly thinks it should be addressed. Mr. Goodrich said this is not to compete with the enterprise fund but to be a water neutral community. Ms. Malamut said her hope would be that whoever takes the next steps with this has more of a back and forth with the board to address their concerns. Ms. Wood said this is an effective means to manage demand. Ms. Canfield and the Board asked Mr. Boudreau to look into this. Mr. Boudreau will convene an internal meeting to discuss next steps.

Town Meeting

- Consent Agenda 19 articles recommended

Mr. Vegnani said moving forward the goal of town meeting is not to rush through these items. It is important to discuss these items with the residents. Under the circumstances with COVID he understands the need.

Move to include the following articles in the consent agenda for the April 12, 2021 annual town meeting:

- 1 – Compensation of Elected Officials,**
- 2 – Reports of Boards and Committees,**
- 5 – Waterways Enterprise Fund Budget,**
- 6 – Golf Course Enterprise Fund Budget,**
- 7 – Wastewater Enterprise Fund Budget,**
- 8 – Transfer Station Enterprise Budget,**
- 9 – Water Enterprise Fund Budget,**
- 10 – Stabilization Fund Excess Levy Capacity,**
- 11 – Revolving Fund Limits,**
- 13 – Community Preservation Reconciliations,**
- 15 – MGL Chapter 91 Liability,**
- 16 – Local Option Acceptance – Voluntary Check off on Property Tax and Motor Vehicle Excise Tax Bills for Veterans Assistance Fund,**
- 17 – Local Option Acceptance – Reduce Residency Requirements for Veterans Exemptions,**
- 18 – Local Option Acceptance – Deferral & Recovery Agreements for Betterments,**
- 19 – Land Acquisition – Cowings Cove,**
- 21 – Acceptance of Public Way – Deer Common Drive,**
- 22 – Amend General Bylaws Section 10260 Revolving Funds – Addition of Senior Center Food Service Fund,**
- 28 – Grant of Easement – First Parish Road and**
- 29 – Release of Easement – Gardiner Road**

Motion by Mr. Vegnani second by Ms. Curran Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes

Vegnani yes

Connolly yes

Curran yes

Goodrich yes

- Assign Warrant Articles

Special Town Meeting Articles 1-4 Karen Canfield

Annual Town Meeting:

Articles 1-2 Karen Canfield

Article 3 Maura Curran

Article 4 Karen Canfield

Article 5-7 Anthony Vegnani

Article 8-10 Andrew Goodrich

Article 11-13 Karen Connolly

Article 14 Andrew Goodrich

Article 15 Karen Canfield

Article 16-18 Anthony Vegnani

Article 19 Karen Canfield

Article 20 Andrew Goodrich

Article 21 Karen Canfield

Article 22 Karen Connolly

Article 23 Maura Curran

Article 24 Andrew Goodrich

Article 25 Anthony Vegnani

Article 26 Andrew Goodrich

Article 27 Maura Curran

Article 28-29 Karen Canfield

Article 30 Anthony Vegnani citizen may amend petition article board will add to the 4/12 agenda if new voted needed on amendment.

Arbor Day Proclamation

Ms. Connolly read the Town of Scituate Arbor Day Proclamation.

NEW BUSINESS:

1. Hawker Peddler License Renewal

- Burt's Ice Cream

Move that the Board of Selectmen approve to renew the Hawker Peddler License to Burt's Ice Cream for the 2021 season Motion by Mr. Vegnani second by Ms. Curran Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes

Vegnani yes

Connolly yes

Curran yes

Goodrich yes

2. Livery License Renewal

- Coastal Livery

Move that the Board of Selectmen approve the renewal of a Taxi/Livery license to Coastal Livery Transportation Services. Motion by Mr. Vegnani second by Ms. Curran Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes

Vegnani yes

Connolly yes

Curran yes

Goodrich yes

3. Drain Layer's Licenses

- Renewal of Drain Layer Licenses
 - GFM Enterprises, Inc.
 - Cryan Landscape Contractors
 - Totman Enterprises, Inc.

Move to approve renewals of Drain Layers Licenses for:

GFM Enterprises, Inc.

Cryan Landscape Contractors – David Flynn

Totman Enterprises, Inc.

Motion by Ms. Curran second by Ms. Connolly Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes

Vegnani yes

Connolly yes

Curran yes

Goodrich yes

- New Drain Layer License
 - Spirito Environmental Services

Move to approve a new Drain Layers License for Spirito Environmental Services

Motion by Ms. Curran second by Ms. Connolly Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes

Vegnani yes

Connolly yes

Curran yes

Goodrich yes

OTHER BUSINESS:

1. Liaison Reports

Ms. Curran asked the board to provide feedback regarding parking in rest area on Route 3A to her.

2. Correspondence

- Ellen Kasper email to Karen Canfield and the Select Board dated April 6, 2021 along with the following two attachments:
 - Rand Scituate Wind Cover Letter 210405.pdf
 - Rand-Scituate-Sind-Technical -Memorandum-210403.pdf

- Plymouth County Cares \$1.68M was received by Scituate in reimbursement
- David Dauphinee sent a letter to the Select Board regarding the closure of the River. It was a very thoughtful letter and the town should contact USFDA to open the clam flats for recreational shell fishing. Mr. Boudreau said this is an FDA requirement and we have met with Congressman Lynch. Mike Dimeo has provided input. Ms. Connolly asked that we respond to his letter. Ms. Canfield and Mr. Boudreau will draft a letter to David Dauphinee.

3. Approval of Meeting Minutes

Move to accept the meeting minutes for the Select Board meetings held on March 23, 2021 and March 29, 2021. Motion by Mr. Boudreau second by Ms. Curran Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes
Vegnani yes
Connolly yes
Curran yes
Goodrich yes

Move to accept and not release the Select Board Executive Session minutes for March 23, 2021 since the matters discussed are still pending at this time. Motion by Mr. Vegnani second by Ms. Curran Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes
Vegnani yes
Connolly yes
Curran yes
Goodrich yes

4. Adjournment and Signing of Documents

Move to adjourn the meeting at 10:26 p.m. motion by Mr. Vegnani second by Ms. Curran Unanimous Vote (5-0)

Roll Call Vote:

Canfield yes
Vegnani yes
Connolly yes
Curran yes
Goodrich yes

Respectfully Submitted,

Lorraine Devin, Recorder

List of Documents for April 06, 2021 Select Board Meeting

- Agenda
- Letter from Chief Thompson retirement of K9 Tango
- Public Hearing ABCC application for Transfer of Liquor License from 7-Eleven, MA to Holy Cross Investments dba 7-Eleven and Common Victualler application
- Public Hearing Expansion of premise for SALT Society postponed by applicant Kara Tondorf
- Surplus Boats for Auction
- MA Clean Water Trust Loans Changer of Joinder for Seawall Repair Program
- Water Main Replacement Contract Phase 4B \$1,961,327.60
- Nitrogen Loading Limitation Septic System @ 131 Maple Street postponed by Assistant Board of Health Director Joan Schmid
- Special Event Application Paws for a Cause
- Collective Bargaining Agreement Laborers Union Local 1162 Memorandum of Agreement
- Diversity, Equity and Inclusion Update
- Water Offset Proposal from Water Resources Commission
- Town Meeting Consent Agenda and assign warrant articles
- Arbor Day Proclamation
- Hawker Peddler License Renewal for Burt's Ice Cream
- Livery License Renewal for Coastal Livery
- Drain Layers Licenses Renewals and new
 - GFM Enterprises, Inc.
 - Cryan Landscape Contractors
 - Totman Enterprises, Inc.
 - Spirito Environmental Services
- Correspondence
 - Ellen Kasper email to Karen Canfield and the Select Board dated April 6, 2021 along with the following two attachments:
 - Rand Scituate Wind Cover Letter 210405.pdf
 - Rand-Scituate-Sind-Technical -Memorandum-210403.pdf
 - Plymouth County Cares \$1.68M was received by Scituate in reimbursement
 - David Dauphinee sent a letter to the Select Board regarding the closure of the River. It was a very thoughtful letter and the town should contact USFDA to open the clam flats for recreational shell fishing.
- Meeting Minutes for March 23, 2021 and March 29, 2021 and executive session minutes for March 23, 2021 not released

Select Board Meeting Minutes for April 6, 2021

SELECT BOARD

Karen B. Canfield, Chairman

Anthony V. Vegnani, Vice Chairman

Karen E. Connolly, Clerk

Maura C. Curran

Andrew W. Goodrich