

**MEETING OF THE SELECT BOARD  
TUESDAY, November 16, 2021 6:30 p.m.  
SELECT BOARD HEARING ROOM – TOWN HALL**

In attendance Karen Canfield, Vice Chair (Chair of the meeting), Andrew Goodrich, Clerk, Maura

Karen Connolly, Chair was unable to attend  
Tony Vegnani was late and arrived at the meeting at 7:37 PM

Also, in attendance Jim Boudreau, Town Administrator

**MEETING CALLED TO ORDER/ACCEPTANCE OF AGENDA**

**A motion was made by Ms. Curran at 6:32 p.m. to accept the agenda for November 16, 2021 second by Mr. Goodrich Unanimous Vote (3-0)**

**WALK INS -NONE**

**REPORT OF THE TOWN ADMINISTRATOR**

Water Main construction has ceased for the season. The contractor will continue to install services on Brook, Tilden, Rainbow Court and Foam Road. Testing and training of employees on the green sand filter on well 17A is on-going. The Pilot study at the water treatment plant is done for now. The water department is planning on doing some flushing of the system starting the week after thanksgiving, weather dependent.

The total number of Covid cases for this past week was 39, more than 35 from the previous week. Our positivity rating over the last 14 days at 2.86%, up from the 2.375 of two week ago of last week. Plymouth County is at 3.2%, up from my last report 3.25%. State wide the positivity rate yesterday for the past 7 days was 2.32% trending up from two weeks ago 1.92%. Numbers are increasing across the board as colder weather arrives and people spend more time indoors. While we are seeing the number of cases increase, ICU hospitalizations are remaining fairly level, most of whom are people who are unvaccinated. The vaccination has proven very effective in preventing hospitalizations and severe symptoms from COVID.

Guidance is out from the CDC and federal government on the booster shots for Pfizer recipients. Go to Mass.gov and there is a link to determine if you are eligible for a booster shot. The CDC has also approved Moderna's and J&J booster shots. Moderna's recommendation is similar to the one for Pfizer, for people over 65 and those with other health conditions or people in professions with a high risk of coming into contact with COVID 6 months after your second dose. It is recommended that anyone who received the single dose J&J vaccine receive a booster as soon as two months after the initial dose. Guidance has also been provided that you can now "mix and match" vaccines, so you are not limited to a booster from the same source as your original shot(s). it is recommended that you get the same shot, but no longer required. Mr. Boudreau thanked Town of Marshfield for helping to set up booster shots for our public safety personnel. He encouraged everyone to get their flu shots this year.

The Pfizer vaccine for children 5-11 has been approved and is available in Massachusetts. Go to mass.gov, click on COVID-19 on the home page and you will be able to find information on where to get a shot for children.

Paving and striping are finished on First Parish Road from Country Way to the area around the common. Traffic monitoring and enforcement will occur in the area to keep speeds down. Peggotty Beach parking lot was paved last week also. We will now schedule the contractor for final striping. This may take place before the cold weather comes but most likely in the spring so as to not beat up the lines in winter storms and clean-ups.

DPW crews are still on the roads picking up debris from the recent storm. This will continue until we get it all or weather prevents it. On a sad note, the crews have begun preparations for winter weather and are installing the sanders on the trucks and getting the plows ready for winter storms.

Renovations/expansion to the Widow's Walk clubhouse continue. The \$2.5 million project is expected to be completed in the fall. The contractor has made great strides this week on finishing the exterior of the building and starting landscaping. Pouring of the walkway and stairs has been done. A railing will be installed along the handicapped ramp. The contractor is also finishing the exterior siding of the building. We will be looking to get a temporary Certificate of Occupancy this week for that we can start using the pro-shop and return the rented trailer that we have been using over the summer. Kitchen equipment will be in mid-December and we can get the RFP out for Food and Beverage Service.

Humarock Fire Station is on schedule for a 12/1 Certificate of Occupancy. It's coming along nicely, paint is done, flooring is in.

The reimbursement for the first of the legacy FEMA projects to be completed for the Egypt Beach berm (2013 Storm Nemo) was received today. The berm was one of the few that was tied to only one of the four disasters. The total project claim was \$1,435,829.38 and Scituate received a 75% reimbursement of \$1,076,872.04. The bulk of these funds will not close out to Free Cash as the project was run as a reimbursable grant meaning there is a grant account with a \$966,742.03 deficit and also an \$109,874.16 reimbursement due to the FEMA Design & Engineering capital project.

Veterans Day events were a great success at the new senior center. Approximately 90 people were treated to a full turkey dinner for lunch, followed by bands and a gift bag for veterans that were provided by the Scituate Food Pantry. Special thanks to Keith O'Callaghan and his crew from the Voyage who donated and prepared the luncheon, Lynda Hayes and her crew from the Senior Center and all the volunteers who made it happen. Special thanks of course to all of our veterans for your service to our country and our community over the years.

Mr. Goodrich asked when we are going to receive the numbers on the wind turbine. Mr. Boudreau said we just received them and will schedule for next meeting. Mr. Goodrich asked about sidewalks on Country Way regarding the movement of poles. Mr. Cafferty said he will look into.

Mr. Goodrich asked if the town sent out a letter regarding the recreational shellfish closing. Mr. Boudreau said it is drafted and will go out tomorrow. Mr. Goodrich also asked if we coordinate some press surrounding the re-opening of Widows Walk. Mr. Boudreau said we plan a ribbon cutting and host a celebration.

Ms. Canfield asked if Widows Walk will be able to book spring tournaments which Mr. Boudreau confirmed. Ms. Canfield asked when the Wind Turbine topic will be scheduled – to be determined.

## **RECOGNITION 25 Year Service Anniversary Awards**

Chief Thompson accepted on behalf of Faith Elliot as its her birthday today. Faith has served for 25 years, starting in the Water Department and then to the Police Department. She has worked for four Chiefs over the years and is now retiring. She's been quite an asset over 25 years and she will be missed terribly. The Board extended their sincerest thanks to Faith for her 25 years of service.

Chief Murphy accepted on behalf of Peter Downes for his 25 years of service. Peter came in 1996, grew up in Scituate and came on as an EMT. He went to school while on the job and was a member of the Plymouth County tech rescue team. He is now a tenured firefighter working at Station 4 in Humarock. We appreciate all his dedicated years of service and thank him for all he does for the town. The Board extended their thank you to Mr. Downes for his 25 years of service. Ms. Curran congratulated him and hopes he enjoys his time in the new fire station. Mr. Goodrich noted the impressive role of a firefighter and offered his congratulations.

Kevin Cafferty accepted on behalf of David Flaherty, Water Department. Dave has been at the Water Department for the last 25 years and is someone that everyone in town knows. He knows everyone and where every service is. He is the senior person and has been through many changes over the years. The Board extended their thanks and congratulations to Mr. Flaherty.

### **Acceptance of Donation Senior Center Build A Campus Committee, Jerry Klimek, Vice Chair**

Mr. Klimek came to present the town a second check in \$13,181.46, the first check was \$230,000 for a total donation of \$243,181.46. The purpose is to lower the tax burden on the citizens of Scituate. The Friends of Scituate Seniors (FOSS) committee volunteered their time and efforts to raise funds through various campaigns to help all citizens of Scituate. He thanked everyone who contributed to the campaigns and is thankful to the beautiful new Senior Center.

Ms. Canfield stated that over \$800,000 will be applied to reducing debt between this generous donation and the sale of the Minot Fire Station.

### **Move to accept the donation from the Senior Center Build a Campus Committee in the amount of \$13,181.46**

**Motion By: Ms. Curran                      Second By: Mr. Goodrich                      (Unanimous 3-0)**

### **Wi-Fi in Scituate Harbor, Mike Minchello, IT Director**

Mike Minchello said that in 2014 town invested \$57,000 to put harbor Wi-Fi in. There is various access points in the harbor, Harbormaster, Maritime Center, Pier, Community Building. The manufacturer discontinued technical support and it's a chronic problem to get the Wi-Fi back up and running. Mr. Minchello started conversation last year with the Harbormaster, Stephen Mone, and they started researching options. A local company, Munchin Wireless started putting Wi-Fi in the harbor, giving people free access during the day. We started to look into whether we could tie one of their antennas in the Harbormaster office. After meeting with Waterways, they support the opportunity to go out to bid with an RFP. Ms. Curran thanked Mr. Minchello for going to Waterways. She asked how the boaters would access Wi-Fi from the private company and who manages? Mr. Minchello said Munchin does manage it but the proposal would have to include offering access to all the buildings in the harbor for 2 hours and provide parameters for time above the 2 hours. Conceptually he noted that Munchin is interested in this opportunity. Verizon did put a booster at Allen St./Front St. So far, the Verizon signal is good in the harbor.

Ms. Canfield noted there is no vote, this is just an update. The next step would be to proceed with an RFP. The Board thanked Mr. Minchello for his update.

**PUBLIC HEARING** Tax Classification Hearing, John Danehey, Chair, Board of Assessors and Joe Divito, Assessor

Mr. Danehey is present for the annual classification where the Board of Selectmen decide whether or not to shift an additional tax burden from the Residential class onto the Commercial, Industrial and Personal Property class. Since the residential class makes up 96% of the total taxable value of the Town, the Board of Assessors recommend that the Town of Scituate maintain a single tax rate for FY22.

The tax rate was \$13.33 last year, this year the tax rate will be \$12.62. The average residential assessment is \$684,800 in FY22 (an increase of 10%). The average residential tax bill will be \$8,642 (an increase of \$357). FY22 actual tax bills will go out in December with payments due February 1, 2022 and May 2, 2022. Personal exemptions are due April 1<sup>st</sup> and forms are available online or at town hall in the Assessor office.

The Board reviewed the top five highest tax payers, one of which are the apartments over in Greenbush.

Ms. Canfield asked about home values and Mr. DiVito noted that last year (FY21) the average residential value increased approximately 5%. Mr. Goodrich asked if there's any lost opportunity in commercial space due to Covid. Mr. Danehey noted that we created overlay districts with multi - use and now we have both commercial and residential. It is hard to find areas in town for more commercial business. North Scituate is an area that is ripe for more development which is well known.

**Move that the Board of Selectmen vote to approve the Residential Factor, according to MGL Chapter 58, Section 1A.**

**Motion By: Ms. Curran      Second By: Mr. Goodrich      (Unanimous 3-0)**

**INTERVIEW** Board & Committee Applicant Cable TV Committee, Alexander Pease

Mr. Pease did not attend the meeting.

**New Catering Service Provider, Simply Good Catering, Rick Carriger, 29 Copeland St., Quincy**

Rick Carriger 93 Gilson Rd. owner of a catering company in Quincy. He's been in business for 40 years and has been doing the catering at Widows Walk over the summer. His catering company is hosting the beef stew event for Widows Walk since the renovations are on-going and he would like to be added to our caterer list.

**Motion to approve Rick Carriger, Simply Good Catering, 29 Copeland Street, Quincy, MA to be added to the approved Town of Scituate Caterer/Bartender list.**

**Motion By: Ms. Curran      Second By: Mr. Goodrich      Unanimous (3-0)**

**Motion to approve Simply Good Catering for a one-day wine & malt license for an event at the Scituate Harbor Community Building on November 26, 2021 from 3:00 pm until 7:00 pm**

**Motion By: Ms. Curran      Second By: Mr. Goodrich      Unanimous (3-0)**

**DPW Contracts, Kevin Cafferty, DPW Director and Sean McCarthy, Engineer  
Stockbridge Road Landfill Supplemental Comprehensive Site Assessment \$92,250, Tighe & Bond**

Mr. Cafferty noted they are working with residents on the old Stockbridge Landfill and reached out to Tighe and Bond to work with DEP to assist in closing out the old landfill. Ms. Canfield noted that a resident sent a letter and feels the consultant is a conflict of interest. The Board has drafted a letter to send to the resident with their comments.

Mr. Goodrich noted that Tighe and Bond is a great firm to work with and feels very comfortable with their history and knowledge in this area. Ms. Canfield provided background that it was an old landfill and recently residents shared concerns about the landfill and DEP has found they need to finalize the closeout of the old landfill. This contract will meet DEP's next steps to close the file on the landfill. Mr. Cafferty noted this will be the last step to close out the file. The funds were recently approved at town meeting.

**Move that the Select Board award the contract to provide a Supplemental Comprehensive Site Assessment at the Stockbridge Road Landfill to Tighe & Bond for \$92,250.00**

**Motion By: Mr. Goodrich Second By: Ms. Curran Unanimous (3-0)**

**Disposal of Construction and Demolition (C&D) Debris, New England Recycling \$130 per ton**

Mr. Cafferty noted that prices have gone up and Mr. McCarthy also noted that trucking companies are having staffing issues. Ms. Curran asked if there's additional places residents could go. Mr. McCarthy said Clean Harbor may offer something and there have been hazardous waste days offered this year as well.

**Move that the Select Board award the contract for providing Disposal of Construction and Demolition Debris to New England Recycling (NER) of Taunton, MA. For \$130.00 per ton. (estimate contract amount: \$338,000.00)**

**Motion By: Mr. Goodrich Second By: Ms. Curran Unanimous (3-0)**

**FY22 Transfer Station Rates, Sean McCarthy, Engineer and Nancy Holt, Finance Director**

Mr. McCarthy noted that heavy furniture is coming in and the rates will need to increase. We've seen a large number of mattresses coming in. Mr. McCarthy has reached out to another vendor as well.

A presentation was provided and Ms. Holt provided a summary. Currently C&D is at \$300 which is still relatively low for the surrounding area towns. Most towns are above us and we would like to request a 25% increase. This is our most costly disposal item.

Mr. Vegnani joined the meeting at 7:37 PM. Mr. Vegnani asked if the rate increase will decrease revenue, driving people away.

**Move that the Select Board increase the C & D rate from \$240/ton to \$300/ton effective 12/1/2021.**

**Motion By: Ms. Curran Second By: Mr. Goodrich Unanimous (4-0)**

**Move that the Select Board increase the mattress/box spring disposal fee from \$20 to \$35 effective 12/1/2021.**

**Motion By: Ms. Curran Second By: Mr. Goodrich Unanimous (4-0)**

**Move that the Select Board increase the furniture disposal fee from \$10 to \$35 effective 12/1/2021.**

**Motion By: Ms. Curran Second By: Mr. Goodrich Unanimous (4-0)**

**Withdrawal of Commercial Shellfish Pilot Applications, Jim Boudreau, Town Administrator**

Mr. Boudreau said we had approved shell fishing and a citizens group is suing the town and the applicants attesting our ability to move forward. As such, we will return applications, litigants will withdraw lawsuit, and the town will continue to look at our options. The dispute is in the inter-tidal areas only. There is no update on the deed research from Attorney Galvin at this time. Mr. Vegnani said this is a legal move that we're doing but we are still pursuing using this water for shellfishing. The areas we originally proposed have a contested title history. We were delayed in court due to Covid but we are working as quickly as possible. The next meeting focusses on coastal issues, including use of agriculture on the waters. Ms. Canfield said there are waters that are not contested and should the Board direct the Shellfish Committee to pursue that? Susan Harrison agreed that the direction is clear on this topic.

**Move that the Select Board take no action on the various applications previously filed by the various private parties relate to shellfishing in the intertidal area near the North Scituate – Cohasset boundary line and which were the subject of a claim in the matter of Friends of Bassing Beach, et al. v. Town of Scituate Board of Selectmen, et al., Land Court Action No. 20MISC000193 based on request of the former private defendants who have agreed to withdraw them.**

**Move to refund application fee to all applicants.**

**Motion By: Mr. Vegnani Second By: Ms. Curran**

**Unanimous (4-0)**

**Recommendations from Charter Review Committee, Michael Gibson & Nicole Brandolini**

The Board received summary slides and a redlined edited version. Ms. Canfield commends the committee for all their hard work. Mr. Gibson noted they've been working for over a year in consultation with various departments and committees to determine best practices. The red line version went out for comment to other committees and will be reviewed at their next meeting on Dec 1<sup>st</sup>. They plan to offer two public forums in December and January to answer question, give to Town Counsel to review, and then ultimately will present to Select Board in early February. Mr. Gibson noted there are no changes to how officials are elected or to form of governance. Ms. Brandolini noted that some of the recommended change include references to Select Board, housekeeping items, mute sections removed for 2022 language, added best practices to areas that were vague, added definitions, added Town Administrator responsibilities to clarify appointment authority, expanded required notification to digital mediums, Town Administrator performance review, employee personnel plan requirements, revised operating budget schedule, clarified School Committee language on operating budget, and Capital Planning language to allow for input by that Committee. Ms. Brandolini feels the committee was very thorough in their process. Mr. Boudreau will submit his comments as well.

Ms. Curran thanked them both for their work on this committee. She commented that maybe we should include language to incorporate the use of consent agenda into Town Meeting. Ms. Curran added that the eligibility section regarding elected officials needs more definition to further explain elected vs. appointed in this section. They will go back and look into this further.

Mr. Goodrich noted that it's important to provide clarity. The Emergency management review concept was to add in that the Select Board needs to review an emergency management plan. Committee members felt it was important to review. Mr. Boudreau said they are in process of updating their hazard mitigation plan and there are other emergency plans in place. The committee is close to producing final document so any comments are welcome at the December 1<sup>st</sup> meeting. There will be a more current version forthcoming.

**Mitigation for Migration of Eligible Retirees Not Currently Enrolled in Medicare Supplemental Plans,  
Nancy Holt, Town Accountant/Finance Director**

The Town's insurance provider MIIA found 18 retirees on the plan that would typically be on Medicare. You are required to become enrolled in Medicare once eligible. MIIA is recommending that we move them over to Medicare and we pick up the small portion that is not covered by Medicare. MIIA is willing to provide a 2% rate reduction for year one, FY23. Subsequent years depend on the claims. The industry trend is 8-10% which will be announced in January and we've had two bad years of claims. MIIA is recommending that we purchase Medicare Part A premium and late penalties for them and pay the Medicare Part B penalties. There will be years of penalties because they didn't sign up when eligible at age 65. The cost is quite expensive, \$56,923 to pay off penalties/year and the retiree will have to pay Medicare Part B premium and their Blue Cross Blue Shield medex premium.

For many, they will save individually \$287/month once migrated or \$478/month for a family plan. Some retirees on an HMO will not see a benefit, however that is not our intention. For these retirees, we would like to hold them harmless. There are 12 that under this model would incur additional costs. We would like to cap that so that those affected would not pay any more on this than if they stayed on our plan. MIIA will reach out to every individual so that they understand exactly what's going on – a dedicated outreach program. Ms. Holt recommends we do this to shift the cost from our own claim pool to the federal government. Mr. Vegnani noted that we will pay \$57,000/year regardless. Mr. Vegnani said there's no guarantee of savings aside from the 2% on year one. Mr. Goodrich asked about the late fees and Ms. Holt provided the explanation on the 12 retirees that we would be paying the late fees for. Mr. Boudreau said the estimated savings on our claims is \$360,000/year. The Town requires that they migrate, but they haven't done so. This will get everyone in line.

Ms. Curran asked why they never migrated earlier. Mr. Goodrich asked whether we have to continue to hold harmless and pay all the fees yearly. Is it legally possible to remove them? Ms. Holt said that they can't de-enroll from Medicare, but the Board could vote to not hold them harmless for the difference in the premiums for the 12 affected retirees.

Ms. Canfield summarized, we have a proposal that retirees will still pay as normal, and in many cases will do better paying out of pocket for prescription drugs, etc. No one will have a worse financial picture. The Town cost is unknown but it's projected that it will likely reduce cost for the town. Ms. Holt said that a decision would need to be made tonight due to the timing. Ms. Avitabile agrees with the recommendation from Jim and Nancy.

**Move that the Select Board move forward with the migration of the 18 retirees not currently enrolled in Medicare supplemental plans and further to hold the 12 retirees that would incur additional costs harmless until such time as they are no longer enrolled in the Town's health insurance by capping their monthly costs, including the Medicare Part B premium, at the employee/retiree share of an individual HMO plan.**

**Motion By: Mr. Vegnani**

**Second By: Mr. Goodrich**

**(Unanimous 4-0)**

**NEW BUSINESS:**

**1. One Day Liquor Licenses**

**Move to approve a One-Day Wine and Malt Beverages License to Lavishly Dunn, 46 Rockland Street, Hanover, MA for a private event at the Scituate Harbor Community Building, 44 Jericho Road, on November 19, 2021 from 12:00 pm until 4:00 pm.**

**Motion By: Ms. Curran**

**Second By: Mr. Vegnani**

**Unanimous (4-0)**

2. Board & Committee Appointments  
Applicant didn't attend.
3. Renew Drain Layers Licenses McEachern Contracting Inc. & Laminar Construction

**Move to approve renewal of Drain Layers Licenses for Laminar Construction and McEachern Contracting.**

**Motion By: Mr. Vegnani      Second By: Ms. Curran      Unanimous (4-0)**

**OTHER BUSINESS:**

1. Liaison Reports

Mr. Vegnani had a financial forecast meeting and made adjustment to forecast. Ms. Holt can put the information up on the website.

Ms. Curran noted that DEI committee met and are finalizing their presentation to the board. They have some great recommendations. Affordable Housing Trust is looking into starting a small grant program.

Mr. Goodrich attended the Commission on Disabilities Meeting and they met to discuss Peggotty beach parking lot and concerns of making it compliant. He also mentioned that Scituate Harbor Advisory Re-Development Committee (SHARC) is up and running and going very well.

Ms. Canfield noted Charter Review will have two public forums. The Beach Commission recently met and DPW attended their last meeting (Kevin Cafferty). It's a new group and they were made aware of funds available from previously funded projects. Recently we reviewed data of the weekly video updates and it's been recommended to continue these updates. There will be additional data coming on that.

Mr. Vegnani noted that the Irish Ambassador event was wonderful. Thanks to Brian Houlihan and John Sullivan for their contribution to the event.

2. Correspondence

- Fire Fighter Retirement Party 11/20
- Shellfish application withdrawal Robert Wig more

3. Approval of Meeting Minutes

**Move to accept the meeting minutes for the Select Board meeting held on November 2, 2021.**

**Motion By: Mr. Vegnani      Second By: Ms. Curran      Unanimous (4-0)**

4. Adjournment and Signing of Documents

**Motion to Adjourn at 8:49 PM. By Ms. Curran, second by Mr. Vegnani      (Unanimous 4-0)**

Respectfully Submitted,

Michele Seghezzi  
Recorder



## **List of Documents Select Board Meeting November 16, 2021**

- Agenda
- Upcoming Meetings and Events
- Donation from the Senior Center Build a Campus Committee
- Tax Classification hearing
- Board and Committee Application, SCTV – Alexander Pease
- New Caterer Simply Good Catering and One Day Beer and Wine for event at Scituate Harbor Community Building on November 26, 2021 from 3:00 – 7:00 PM
- DPW Contracts
  - Stockbridge Rd. Landfill Supplemental Comprehensive Site Assessment \$92,250, Tighe & Bond
  - Disposal of Construction and Demolition (C&D) Debris, New England Recycling \$130 per ton
- FY22 Transfer Station Rates
- Withdrawal of Commercial Shellfish Pilot Applications
- Recommendations from Charter Review Committee
- Mitigation for Migration of eligible retirees not currently enrolled in Medicare Supplemental Plans
- One Day Liquor License
  - Lavishly Dunn @ Scituate Harbor Community Building 11/19/21 from 12-4 PM
- Renewal of Drain Layers Licenses
  - McEachern Contracting Inc.
  - Laminar Construction
- Correspondence
  - Fire Fighter Retirement Party November 20, 2021 at Hatherly Country Club
  - Shellfish application withdrawal Robert Wigmore
- Approval of November 2, 2021 Meeting Minutes

## Select Board Meeting Minutes for November 16, 2021

### SELECT BOARD

not in attendance

---

Karen E. Connolly, Chair

---

Karen B. Canfield, Vice Chair

---

Andrew W. Goodrich, Clerk

---

Maura C. Curran

---

Anthony V. Vegnani