MEETING OF THE SELECT BOARD TUESDAY, APRIL 5, 2022 6:30 p.m. SELECT BOARD HEARING ROOM – TOWN HALL

In attendance Karen Connolly, Chair, Karen Canfield, Vice Chair, Andrew Goodrich, Clerk

Unable to attend: Maura Curran

Mr. Vegnani was not in attendance at the start of the meeting

Also, in attendance Jim Boudreau, Town Administrator

MEETING CALLED TO ORDER/ACCEPTANCE OF AGENDA

A motion was made by Ms. Canfield at 6:30 p.m. to accept the agenda for April 5, 2022 second by Mr. Goodrich Unanimous Vote (3-0)

Ms. Connolly read the following statement:

The Scituate Select Board is committed to providing an environment of respect during meetings. We ask all members to interact in a polite manner even when there is disagreement.

We value the participation of our community and want all participants, including marginalized and minoritized communities, to feel welcomed and respected.

We ask our committee members, and all who participate, to commit to these standards to support and respect our community.

WALK INS -

Sytske Humphrey from the Beautification Commission was a walk-in at tonight's meeting to update the Select Board on Ship Shape Day, April 30th, the launch of "Plant Scituate" with marigolds and the distribution of sunflower seeds in support of Ukraine. The Beautification Commission is joining forces with the Scituate Garden Club at the end of the month to relay information on the eradication of garlic mustard.

Mr. Vegnani joined the meeting at 6:40 p.m.

REPORT OF THE TOWN ADMINISTRATOR

1. The total number of Covid cases for this past week (not including yesterday) according to our MAVEN data was 17, up from 10 of last week. The total number of cases reported to the BOH, including home tests over the last two weeks was 21, also up slightly from the 18 reported last week. We had a positivity rating over the last 14 days of 2.11% up from 1.71% of last week. Plymouth County is at 2.02%, up from last week's 1.71%. State wide the positivity rate yesterday for the past 7 days was 2.47% up from the previous week of 2.08%. Statewide there are 33 individuals in ICU with 12 being intubated. We will continue to monitor numbers, but the hope is that even is the number of people with COVID rises, the hospitalization numbers will remain manageable do to the high vaccination in Massachusetts.

We are not done with COVID yet. Although it is only one week, the numbers are trending up. There is a new Omicron variant, BA-2 that is now the dominant strain in the US. At this point, being vaccinated is a much better defense than not being vaccinated, so please, if you have not yet gotten vaccinated and can receive the vaccine, we urge you to do so. Vaccinations and booster are widely available. Go to mass.gov for details. The FDA has now approved a second booster shot as further protection against Covid. Individuals 50 years of age and older may get a second booster of Phizer or Moderna 4 months after their first booster. A second booster of Phizer vaccine may be administered to individuals over 12 with certain kinds on immunocompromise. A second Moderna booster may be administered to

individuals 18 and over with the same conditions. Data shows that there is some waning of protection over time against serious outcomes from COVID 19 for older and immunocompromised individuals.

- 2. The auction for the Old Council on Aging parcel was held last week. There were 12 bidders and 18 bids in the course of the auction. The high bid was \$465,000. When coupled with the proceeds from the sale of the Minot Fire Station (553,240) and the auctioning of contents from the Old COA (953), \$1,019,193 was brought in and will be used to reduce the debt and the tax burden from the construction of the new Senior Center. This is 8% of the total authorized cost of \$12,232,450. If you add in the \$255,681.46 of private donations (2.1%). We reduced the tax burden of the project by \$1,274,874.46 or 10.4% of the project cost. That is a savings of \$155 on the average tax bill.
- 3. The Town also held another on line auction of surplus vehicles and equipment. This auction netted the Town \$79,103 the highest bid being \$23,800 for a 2007 Isuzu sweeper/vac truck.
- 4. With great pleasure The South Shore Irish Heritage Trail announces that See Plymouth, The Official Tourist Site of Plymouth County, was awarded a \$90,000 Grant today (April 5,2022). This grant will finance an advertising campaign to lure tourists from the Northeastern United States, Eastern Canada, and Ireland to the newly established South Shore Irish Heritage Trail. Also included in the grant will be printing, and signage. The Trail committee is most grateful to See Plymouth for their work and for their in-kind donation of administrative and graphic work exceeding \$30,000. The committee also acknowledges with great pride the support of the Town of Scituate from the very beginning stages of the Trail planning.

The launch ceremony for the South Shore Irish Heritage Trail will take place on May 22 at one o'clock at the band stand in Cole Parkway

- 5. The Salvage company charged with bringing up the "Bing Bing" the fishing boat that sank off Humarock began working this afternoon. The wind picked up and they suspended operations before they got the boat refloated. They will be at it again tomorrow, weather dependent. If they are able to get the boat to the surface, the plan from the CG and DEP will be to bring the boat to Scituate Harbor, inspect it and make it safe and ensure a period of good weather and then take it on a 2-3-day voyage to Fall River.
- 6. Widows Walk golf course is OPEN for the season. The new pro-shop is ready for business and we kicked off the golf season on Friday. We are working on finishing the last punch items on the widows walk clubhouse project. The Hibernian Restaurant on Front Street in the Harbor has been awarded the concession for the new facility at the club. Furniture for the new club house has arrived and is being assembled. We are looking forward to the start of concessions as soon as possible.
- 7. The Scituate Water Division is working to complete necessary maintenance work on the Granular Activated Carbon Filter at the Old Oaken Bucket Water Treatment Plant. The Carbon Filtration is a critical component of the drinking water purification process at our treatment plant. To perform this, work the Water Treatment Plant will be offline during the duration of the project. Water from Well 17A with the new Greensand Filter Plant will be utilized to help meet the daily water demands while the Treatment Plant is offline. The carbon has been removed, reactivated and has been placed back in the plant. The plant will now have to run for several days before going back on line. We are on schedule to complete the repairs on time. This maintenance is scheduled to last from March 23rd through April 11th. During this time frame the Scituate Water Division is issuing a Full Ban on all outdoor water use. Thank you in advance for your attention to this matter.

- 8. Annual transfer station stickers expired this past Thursday, 3/21 and you will need a new sticker to access the transfer station. Tickets can be purchased on line or in person at the Treasurer's office here at the Town Hall. Stickers are \$90 for consumers and \$55 for people over 70. The scale has been repaired for those deposing of waste that require weighing/
- 9. Time to get ready. Town Meeting is two weeks from tonight at the High School and starts at 7:00 pm. The Advisory Booklet and Town Meeting Warrant are available on the Town web site.

SCHEDULED ITEMS:

New Common Victualler License, Lucky Finn Café LLC, 48 New Driftway, Mary Ellen & Chris Stoddard, Owner

Lucky Finn will occupy one end and are segregated from the store at the end cap of the building. There is some window frontage on the Driftway and on the side. There is a small outdoor concrete patio for coffee outdoors. The menu will be the same as the existing Lucky Finn Café's in Scituate and Hanover. Mr. Goodrich said he loves to see local business growing. They are waiting for equipment and hoping to offer coffee right away and the rest by the Fall.

Move that the Select Board vote to approve new 2022 Common Victualler License to Lucky Finn Café, LLC Motion by Mr. Goodrich second by Ms. Canfield Unanimous Vote (4-0)

Massachusetts School Building Authority (MSBA) Feasibility Study Agreement Hatherly School, Dr. Bob Dutch, Director of Business & Finance

Ms. Connolly said the intent is to merge the two schools. Dr. Dutch said they have to apply for two different projects with the MSBA with the intent to merge the two schools. Once approved an owner project manager will be hired along with designer. The owner project manager funding is just for this portion. These are just estimates based on similar size schools done in the past three years. The entire project is in the \$60-\$85M range. It is expected the Town of Scituate will receive a reimbursement from the MSBA.

Move that the Select Board approve to execute the Massachusetts School Building Authority Feasibility Study Agreement for Hatherly Elementary School. Motion by Mr. Goodrich second by Mr. Vegnani Unanimous Vote (4-0)

Communication Specialists Contract, Bob Clark, Human Resources Director

This is the dispatch group that serves the Police & Fire Departments. Mr. Clark said the contract expired July 1st 2021 and the group has been working without a contract. Mr. Clark and Mr. Boudreau proposed to the union that we negotiate a one-year contract and continue to negotiate. A memorandum of agreement for a one-year contract is being proposed to the Select Board tonight. The Board thanked the union members also for agreeing to this short-term solution.

Motion to approve the Collective Bargaining Memorandum of Agreement for SEIU Local 888 TOSCA Unit B (Communication Specialists) bargaining unit for the period of July 1, 2021 through to June 30, 2022. Motion by Ms. Canfield second by Mr. Vegnani Unanimous Vote (4-0)

Cole Parkway Marina Project Engineering Services \$162,500, Stephen Mone, Harbormaster This is phase 2 and part of the \$1M grant received to replace the docks. Final design will be August 8th with notice to proceed by October 1st. The finger floats will be wider. The plan is to take the two new floats and

reuse the old ones for the Recreation Department sailing team. They will be held up by moorings. This is across the whole Cole Parkway.

Move that the Select Board award the Cole Parkway Marina Rehabilitation Phase 2 Project to GEI Consultants of Franklin, Massachusetts for \$162,500.00. Motion by Mr. Vegnani second by Ms. Canfield Unanimous Vote (4-0)

DPW Heavy Equipment Contract to Laminar Construction, Kevin Cafferty, DPW Director A bid specification was prepared by the Engineering Division for the supply of equipment and operator for various pieces of heavy machinery used by the Town for basic utility repairs and heavy storm cleanup. The specifications were publicly advertised and quotes were opened on February 24, 2022.

Move that the Select Board award the contract to supply selected pieces of heavy equipment and crews to Laminar Construction in an amount that is determined by the unit prices outlined in the attached document. This contract will have the ability to be extended upon mutual agreement for up to 2 additional years. Motion by Mr. Vegnani second by Mr. Goodrich Unanimous Vote (4-0)

Emergency Sewer Connections 18 & 23 Morton Place, Drew Scheele, Board of Health Director, Robert Morrissey, Owner, Bill Ohrenberger, Attorney Greg Morse is not in attendance tonight due to COVID.

June 25th 2021 Mr. Scheele received a letter that these properties are in failure. The Sewer Commissioners will need to decide. Mr. Ohrenberger said Bob Morrissey's family has owned this property. The home in front of these is on town sewer. Morton Place is a private way. These are pre-existing non-conforming small lots. Greg Morse has observed the failures. Kevin Cafferty, DPW Director said all options should be exhausted since we do not want to tie this in to Town Sewer. Mr. Ohrenberger said this is a tight situation and not susceptible to expansion and they would be okay to put a stipulation that it would not be expanded to an additional home. This board granted 25 Beaver Dam Road and 207 Tilden Road permission to tie in to sewer. These are small lots and he would suggest that it is an appropriate use for existing homes that are in failure. These are the only homes in Scituate Harbor that are not connected to town sewer. Mr. Vegnani believes it is an ideal situation to add homes to our infrastructure to generate revenue. Mr. Vegnani thinks if the system is failing it is failing and there are other people we have given it to for the same reason. Mr. Goodrich said he feels blind because he does not know what our capacity actually is at this time. He wants to do everything he can to get to North Scituate. He still does not have a number for capacity for just the business district. He does not think these two homes are going to destroy us and he still does not have the number. Mr. Boudreau said 125k gallons currently. Mr. Boudreau said Cohasset was voting and we have not received the final vote yet. If that is the case North Scituate will be going directly to Hull. Mr. Vegnani is still confused where we stand on this issue of sewer capacity and need to understand the big picture. Riverway is on the system and abuts the street that has the sewer line. This property is not on Front Street and does not about the street with sewer capacity. Ms. Canfield said it is a failed system in the harbor and in our flood zone. She thinks the location and the property they are not going to stay small little houses for long. If the sewer line is extended on a private way and there are other lots on that street would they qualify for connection. Mr. Cafferty said he believes they would. Mr. Boudreau said it depends how it is installed. Nobody has a right to connect. Mr. Ohrenberger said there are only three houses in Scituate Harbor not on town sewer. Mr. Cafferty said it would be an extension of a sewer system not a spaghetti line. Mr. Ohrenberger said Morton Place is not a public way it is a private way. Nobody has a right to use this. 25 Morton Place is the home behind these. Mr. Scheele said the Title V failure was prepared by Greg Morse, Engineer.

Move to approve an emergency sewer connection for 18 & 23 Morton Place pending connection agreement with the DPW. Motion by Mr. Vegnani second by Mr. Goodrich Unanimous Vote (4-0)

Purchase & Sale Agreement Mordecai Lincoln Property, Jim Boudreau, Town Administrator

Dan Fennelly represented this topic and the purchase and sale agreement was signed. CPC has been working on this for three years and it is ready for town meeting to vote for \$1.3M. The purchase and sale in advance of town meeting is now required and CPC has changed their procedure for the purchase of property going forward. Ann Burbine 10 Pennycress Road was approved and an additional \$400,000 will be voted at town meeting. Ms. Connolly said it is still less than the appraised value from two years ago. Ms. Canfield asked if the residents will vacate within 30 days. Is there any conversation whether this is needed or would the town want to think about a rental arrangement. Mr. Ohrenberger said there is a small cottage on the property that Mr. & Mrs. Ladd currently occupy. If the town would like he can contact them and see if they are interested in a lease arrangement. Ms. Canfield said we may want to revisit this.

Move that the Select Board approve to execute the Purchase and Sale Agreement for the Mordecai Lincoln Property pending Town Meeting approval. Motion by Mr. Goodrich second by Mr. Vegnani Unanimous Vote (4-0)

New Special Event Applications

1. Beach & Back Half Marathon on May 15th @ Humarock/Marshfield, Martine Pelletier & Anne Marie Winchester

Anne Marie Winchester is requesting a permit for a half marathon starting in Marshfield and heading to Humarock in Scituate then head over the Julian Street bridge back to Marshfield. It is a short distance in Scituate. The board would like to ask if Scituate High School could do a water station. Ms. Winchester will look into this.

Move to approve a Special Event Permit to Race Wire/South Shore Race Management for the Beach & Back Half Marathon on May 15, 2022, from 8:00 am until 12:00 pm. Contingent upon approval from the Scituate Police Department. Motion by Mr. Vegnani second by Ms. Canfield Unanimous Vote (4-0)

- 2. Board 143 Anniversary Party, 776 Country Way on May $14^{th} 2 6$ p.m., Mark Curreri Board 143 is looking for live music, a food truck and serve some beer and wine to celebrate their two-year anniversary. It will be a taco truck.
 - o **DISCUSS/VOTE** Outdoor Entertainment Permit
 - o **DISCUSS/VOTE** One Day Liquor License

Move to approve a Special Event Permit for Board 143, Anniversary Event on May 14, 2022 from 2:00 pm until 6:00 pm Motion by Mr. Goodrich second by Mr. Vegnani Unanimous Vote (4-0)

Move to approve a One-Day Wine and Malt Beverages License for Board 143, Anniversary Event on May 14, 2022 from 2:00 pm until 6:00 pm Motion by Mr. Goodrich second by Mr. Vegnani Unanimous Vote (4-0)

Move to approve an Outdoor Entertainment License for Board 143, Anniversary Event on May 14, 2022 from 2:00 pm until 6:00 pm Motion by Mr. Goodrich second by Mr. Vegnani Unanimous Vote (4-0)

Holtec Non-Binding Ballot Question for Annual Town Election

Move that the Select Board direct the Town Clerk to place the following ballot question on the May 21, 2022 annual town election ballot subject to any language revisions made by Town Counsel and/or the Town Administrator.

Ballot Question #2 – Release of Radioactive Waste from the Decommissioning of the Plymouth Nuclear Power Plant

Shall the Town of Scituate join with its neighboring communities in condemning the release of any radioactive waste into Plymouth and Massachusetts Bays by any entity decommissioning the Plymouth Nuclear Power Plant and further ask that all local, state, and federal officials take any and all legislative, legal, and executive actions necessary to prevent such discharges?

YES

NO

Motion by Ms. Canfield second by Mr. Goodrich Unanimous Vote (4-0)

Luis Jenn 22 Tilden Road would like to strengthen this by acknowledging Scituate is not alone in this. Our Senators and Representatives support this along with others. We don't know how radioactive the water is and there is a lack of transparency on this decommissioning. Ms. Connolly said our hope is that the community uses every platform possible to get the word out. We will bring this to the ballot.

Approval of Access and Indemnity Agreement with Kent Street Corporation to allow access over Town property in Cole Parkway, Jim Boudreau, Town Administrator

Move that the Select Board approve and execute the access agreement in connection with the proposed work described in the notice of intent submitted to the Conservation Commission by the KENT STREET CORPORATION as owner of the property. Motion by Mr. Goodrich second by Mr. Vegnani Unanimous Vote (4-0)

NEW BUSINESS:

- 1. Drain Layer Licenses
 - a. New License for Totman Enterprises
 - b. Renew License for Site Pro

Move to approve a new Drainlayers License for Totman Enterprises, Inc., Box 355, Scituate, MA Motion by Ms. Canfield second by Mr. Vegnani Unanimous Vote (4-0)

Move to renew a Drainlayers License for Site Pro Contracting, LLC, 41 Cavanagh Road, Scituate, MA Motion by Ms. Canfield second by Mr. Vegnani Unanimous Vote (4-0)

2. Sewer Betterment Deferral Parcel ID 14-1-49-0

Move to grant a sewer betterment deferral for current year taxes parcel id 14-01-049. Motion by Ms. Canfield Second by Mr. Vegnani Unanimous Vote (4-0)

3. New Septage Disposal License for Soares Sanitation Pumping Move that the Select Board vote to approve a new Septage Disposal License to Soares Sanitation Pumping, 285 Thrasher Street, Taunton, MA 02780 Motion by Mr. Vegnani second by Mr. Goodrich Unanimous Vote (4-0)

- 4. Renewal of Hawker Peddler License for Burt's Ice Cream Move that the Select Board approve to renew the Hawker Peddler License to Burt's Ice Cream for the 2021 season Motion by Mr. Vegnani second by Ms. Canfield Unanimous Vote (4-0)
- 5. Renewal of Davis Parking Lot License in Humarock Move that the Select Board approve the renewal of the parking lot license for the 2022 season to Mark A. Davis/JPD Realty Trust (Davis Parking Lot - Humarock). Motion by Mr. Vegnani second by Ms. Canfield Unanimous Vote (4-0)
- 6. **One Day Wine & Malt Licenses** for Simply Good Catering @ Scituate Harbor Community Building for three private events on the following dates:
 - a. April $9^{th} 6 10 \text{ p.m.}$
 - b. April $16^{th} 5 9 \text{ p.m.}$
 - c. May $13^{th} 6 10 \text{ p.m.}$

Move that the Select Board approve One-Day Wine & Malt licenses to Simply Good Catering for private events at the Scituate Harbor Community Building on the following dates:

- April 9, 2022 from 6:00 pm until 10:00 pm
- April 16, 2022 from 5:00 pm until 9:00 pm
- May 13, 2022 from 6:00 pm until 10:00 pm

Motion by Mr. Vegnani second by Mr. Goodrich Unanimous Vote (4-0)

OTHER BUSINESS:

1. Liaison Reports

There will be a virtual meeting Thursday evening at 6 pm the public is invited to review the Water Treatment Plant presentation. There will be plenty of meetings to review the design of the plant. The item on Town Meeting is the funding of the Water Treatment Plant. The meeting will be recorded.

The Hazard Mitigation Plan public meeting is being reviewed tomorrow night via ZOOM

Ms. Connolly held a meeting with the Pier 44/Scituate Harbor Community Building committee and the sailing team and boosters attended for them to discuss their needs and for the committee to obtain their input.

The Commission on Disabilities has ordered the freedom chair for trails and other places for People to access. .

2. Correspondence

Candidates Forum May 5th 7-9 at GAR Hall

COMCAST subscriber license fee .50 per subscriber with 6537 subscribers

Swing into Spring Chamber of Commerce March 31st 6 pm at Mullaney's was held

Hazard Mitigation Plan Update April 6th 6-8 via ZOOM

April 30th 10 a.m. @ Performing Arts Center celebration of 10-year anniversary Sucy en Brie CARES Act disbursement \$2.9M for Scituate

Received a letter for fundraising drive done in Scituate and they raised three truckloads of needed items for their donation to Ukraine. Mullaney's in the harbor.

CPC Surcharge Funds collected in 2021

Sucy en Brie 10-year anniversary @ Scituate High School Center for Performing Arts on 4/30 at 10 a.m.

Town Meeting is Monday, April 11th at Scituate High School at 7 p.m. with many important issues to discuss:

- Water Treatment Plant
- Wind Turbine
- Marijuana

3. Approval of Meeting Minutes

Move to accept the minutes for the Select Board meetings held March 15th and March 16th, 2022. Motion by Ms. Canfield second by Mr. Vegnani Unanimous Vote (4-0)

Move to accept and not release the Executive Session minutes for the Select Board meeting held March 15th, 2022 since matters discussed are still pending at this time. Motion by Ms. Canfield second by Mr. Vegnani Unanimous Vote (4-0)

4. Adjournment and Signing of Documents
Motion to adjourn the meeting at 8:26 p.m. motion by Mr. Vegnani second by Mr.
Goodrich Unanimous Vote (4-0)

Respectfully Submitted,

Lorraine Devin, Recorder

List of Documents for the April 5, 2022 Select Board Meeting

- Agenda
- Upcoming Meetings and Events
- New Common Victualler License for Lucky Finn Café LLC @ 48 New Driftway
- Massachusetts School Building Authority Feasibility Study Agreement Hatherly School
- Communication Specialists Contract
- Cole Parkway Marina Project Contract for Engineering Services \$162,500
- DPW Heavy Equipment Contract to Laminar Construction
- Emergency Sewer Connections 18 & 23 Morton Place
- Purchase & Sale Agreement Mordecai Lincoln Property
- New Special Event Applications
 - -Beach & Back Half Marathon on May 15th @ Humarock/Marshfield
 - -Board 143 Anniversary Party May 14th 2-6 p.m.
 - -Board 143 Outdoor Entertainment Permit
 - -Board 143 One Day Liquor License
- Holtec Non-Binding Ballot Question for Annual Town Meeting
- Approval of Access and Indemnity Agreement with Kent Street Corporation to allow access over Town property in Cole Parkway
- Drain Layer Licenses: New License for Totman Enterprises and Renew License for Site Pro
- Sewer Betterment Deferral Parcel IF 14-1-49-0
- New Septage Disposal License for Soares Sanitation Pumping
- Renewal of Hawker Peddler License for Burt's Ice Cream
- Renewal of Davis Parking Lot License in Humarock
- One Day Wine & Malt Licenses for Simple Good Catering @ Scituate Harbor Community Building
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 - Hazard Mitigation Plan Update April 6th 6-8 via ZOOM
 - April 30th 10 a.m. @ Performing Arts Center celebration of 10-year anniversary Sucy en Brie
 - CARES Act disbursement \$2.9M for Scituate
 - Received a letter for fundraising drive done in Scituate and they raised three truckloads of needed items for their donation to Ukraine. Mullaney's in the harbor.
 - CPC Surcharge Funds collected in 2021
 - Sucy en Brie 10 year anniversary @ Scituate High School Center for Performing Arts on 4/30 at 10 a.m.
- Meeting Minutes for March 15th^t and March 16thth, 2022 and Executive Session Minutes for March 15th, 2022

SELECT BOARD
Karen E. Connolly, Chair
Karen B. Canfield, Vice Chair
Andrew W. Goodrich, Clerk
not in attendance
Maura C. Curran
Anthony V. Vegnani

Select Board Meeting Minutes for April 5, 2022