

**MEETING OF THE SELECT BOARD  
TUESDAY, July 26, 2022 6:30 p.m.  
SELECT BOARD HEARING ROOM – TOWN HALL**

In attendance Anthony Vegnani, Chair, Andrew Goodrich, Vice Chair, Maura Curran, Clerk, Karen Canfield, Karen Connolly

Also, in attendance Jim Boudreau, Town Administrator

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

**A motion was made by Ms. Curran at 6:30 p.m. to accept the agenda for July 26, 2022 second by Ms. Connolly Unanimous Vote (5-0)**

Mr. Vegnani 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 – no walk ins**

**REPORT OF THE TOWN ADMINISTRATOR-**

1. The total number of Covid cases for this past week according to our MAVEN data was 25. We had a positivity rating over the last 14 days of 6.88%. Plymouth County is at 7.96 %. State wide the positivity rate yesterday for the past 7 days was 8.17%. Statewide there are 52 individuals in ICU. 20 patients are intubated. With the exception of Scituate's positivity rating, which is down slightly, all the numbers are up from two weeks ago. The new BA.5 is now the most prevalent strain and is more adept at avoiding the antibodies in our bodies from the vaccines or that we get after having the virus.

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](https://mass.gov) for details.

2. Water update. Reservoir is at -27.75". Average daily demand was at 1.869 MGC up from 1.623 MGD up from of two weeks ago. We are currently rated as having significant drought conditions by the Commonwealth. As the drought worsens, the water tables supplying our wells also drop, lowering the output from those wells, making us more dependent on the water treatment plant. The more we have to use the plant, the more Manganese we are putting into the system and the more discolored water we get. Manganese measured at the WTP is still high and is causing discolored water to go through the plant and into the system. As the temperatures rise, so will the Manganese levels in the water. Our latest manganese measurement was .33 ppb which exceeds the state level of .3 ppb. The water department will be sending out a notice, similar to that when we have TTHM violations, to residents this week. We are working with our consultants and DEP to try and come up with a short-term fix while we wait for the construction of a new water treatment plant.

If you have brown water, please call the water department or email [brownwater@scituatema.gov](mailto:brownwater@scituatema.gov)

Rainfall over the last 7 days was .07” measured at the Plant.

The Town still has a water ban in place in Scituate. Handheld hoses only and must be before 9:00 am and after 5:00 pm. The water department has sent out warnings to residents violating the watering ban and will start fining violators this week. Fines can be as high as \$300 a day. We all need to do our best to conserve water during these drought conditions.

Celco will working on Pinebrook and Westgate this week.

3. The current statute allowing for remote or hybrid public meetings has been extended to March 31, 2023. It had been scheduled to expire on Friday, 7/15. So, we will be able to continue to hold remote and or hybrid meetings if desirable.
4. With the rise in inflation, the cost of gas groceries and everyday items has soared. If you are in need or no someone in need, both Scituate Community Christmas and the Scituate Food Pantry are available to help those in need. SCC is a year-round organization dedicated to helping those in need, not just at the holiday. SCC can be reached at 781-545-7198 and the Food Pantry, which operates out of the old gates school can be reached at 782-545-5827. We are very fortunate to have such wonderful organizations available to help those in need in Scituate.
5. We have received submissions from design firms looking to work on the Pier 44 and Lighthouse repair projects. Interviews of firms will be conducted this week with the hope of having contracts before the Board for your next meeting.
6. The Sanctuary at Herring Brook will be holding a lottery for the affordable housing units on August 8, 2022. Completed applications were due at SEB Housing by 2:00 pm yesterday. This information will be posted on the town web site or you can go to [sebhousing.com](http://sebhousing.com) and click “Affordable Housing Opportunities” at the top of the page for more details.
7. I have been informed by Mark Novack, the designer of the Scituate High School Athletic complex, that the Scituate Athletic Fields project was recognized by the American Sports Builders Association (ASBA) with a Distinguished Facility Award in the Multi-Field category. The project is now considered a finalist for Facility of Year honors. We’ll find out if the project is selected for FOY at the annual ASBA meeting in December. Congrats to everyone involved on this project for this recognition.

Paving work is scheduled to commence next week-weather dependent

Ms. Curran asked what kicks in the next tier is for water restrictions. Mr. Boudreau will check with DPW. Mr. Cafferty arrived at the meeting and said it is not the water levels that are triggering the restrictions. We had chemical shortages that have caused the water restrictions. If our manganese levels continue to rise we may need to further restrictions.

Mr. Vegnani asked for an update for sewer numbers at the Select Board meetings.

Mr. Vegnani said we are receiving a lot of complaints about brown water. The water has to be processed in the water treatment plant that does not filter out manganese. This is a main reason why we need the new water treatment plant. We are hoping that is the long-term solution to the brown water problem.

## **SCHEDULED ITEMS:**

### **Election Police Details, Kathy Gardner, Town Clerk**

Action is requested in response to the recent changes made to section 72 of MGL 54 which now charges the Select Board with detailing a sufficient number of police officers or constables for each polling.

**Move to approve a sufficient number of police officers, but not less than 1, at the polling location at every election therein to preserve order and to protect the election officers and supervisors from any interference with their duties and to aid in enforcing the laws relating to elections, as required by Section 72 of MGL Chapter 55 which was changed in section 13 of Chapter 92 of the Acts of 2022. Further, move to designate the Police Chief the authority to assign specific police officers according to scheduling and availability. The Town Clerk will advise the Police Chief on the location and time the officers are needed. Motion by Ms. Curran second by Ms. Canfield Unanimous Vote (5-0)**

### **Donation to Beautification SHS Class of 2001 for Memorial Tree, Caroline Moody, Sara McIntosh & Amy Sousa and Sytske Humphrey & Kathy McCormack, Beautification Commission**

The Class of 2021 has raised \$1,000 to donate to the Beautification Commission to purchase a spruce tree with engraved plaque to be planted on Lawson Common in honor of late classmates on the year of their 20<sup>th</sup> class reunion. Ms. Humphrey said the Beautification Commission has the funds for the amount in excess of the donation. Ms. McCormack will work on the tree selection on behalf of the Beautification Commission. The Board thanked the class of 2001 for the donation.

**Move that the Select Board accept a donation of \$1,000 from the Class of 2001 to the Beautification Commission to purchase and plant a spruce tree, with engraved plaque, on Lawson Common. Motion by Mr. Goodrich second by Ms. Connolly Unanimous Vote (5-0)**

### **DPW Contracts, Kevin Cafferty, DPW Director**

- Dennis K. Burke for Gasoline & Low Sulfur Diesel July 31, 2022-July 31, 2023 up to \$600,000 DPW to award a contract to Dennis K. Burke pursuant to state contracts ENE47 & ENE48 for the purchase of gasoline and ultra-low sulfur diesel for the term of July 31, 2022 through July 31, 2023 for a combined maximum value of \$600,000.

**Move to award a contract for the purchase of gasoline pursuant to state contract ENE48 and ultra-low sulfur diesel pursuant to state contract ENE47 to Dennis K. Burke of 284 Eastern Ave, Chelsea, MA for the period of July 31, 2022 through July 31, 2023 for a total sum not to exceed \$600,000. Motion by Ms. Curran second by Mr. Goodrich Unanimous Vote (5-0)**

- Northern Construction for the emergency repairs to Glades Road Access Stairs up to \$419,000 The project will consist of furnishing all labor, materials, equipment and incidentals to repair the deteriorated access to the beach along Glades Road. It will include repairs to the Grasshopper Lane Access Stairs, Collier Ave Access Stairs, Cliff Estates Road Access Stairs, and Northern Access Stairs. Ms. Curran asked where the funding is coming from. Mr. Cafferty said foreshore protection funds will be used. Ms. Curran asked if it makes more sense to fix two completely instead of a little bit for four. Mr. Cafferty said there will be some stair repair but not all of them. Ms. Connolly said she would like to see repairs to the two far ends of the beach. Mr. Goodrich would like to see the stairs fixed at Minot, Cedar Point and Sand Hills. He asked what the game plan is to fix the stairs. Mr. Cafferty said we have all the approvals at Minot now and GZA is working there so this can be included. Cedar Point and Sand Hills would be part of the Army Corp. project. Mr. Vegnani was happy it was for all four stairs and not just two. Mr. Cafferty said if

approved it will begin a month from now. Mr. Cafferty reviewed each staircase and the cost for each. Mr. Vegnani would like to wait until the next meeting to vote. Ms. Connolly suggests that the DPW consult the Beach Commission. Ms. Connolly does not see the public benefit with this project. Mr. Cafferty said the Minot parking lot has not been bid yet. The plans will be available to view in the DPW office.

### **Outdoor Entertainment Permits**

- 79 Kenneth Road, August 20<sup>th</sup> 5:30-11 p.m. DJ for wedding, Stephanie Carroll  
**Move to grant an Outdoor Entertainment Permit to Stephanie Carroll for a DJ at a private event at 79 Kenneth Road, on Saturday, August 20, 2022 from 5:30 PM until 11:00 PM. Motion by Ms. Connolly second by Ms. Canfield Unanimous Vote (5-0)**
- 29 Gannett Pasture Lane, September 10<sup>th</sup> 4-11 p.m. DJ for private event, Neville & Maria DePass Applicant not in attendance  
**Did not attend the meeting Select Board asked to postpone to a future meeting.**
- Cole Parkway music stage for Heritage Days August 6<sup>th</sup> & 7<sup>th</sup> 10:30 a.m. – 8:00 p.m. 10 bands over two days, Susan Fiore, Chamber of Commerce  
**Move to grant an Outdoor Entertainment Permit to Chamber of Commerce for a music stage for Heritage Days on August 6 and August 7, 2022, for 10 bands performing live music from 10:30 AM until 8:00 PM. Motion by Ms. Curran second by Ms. Canfield Unanimous Vote (5-0)**

### **Special Event Cape Cod Bay Paddle Fundraiser, Michael Chase, Organizer**

Cape Cod Bay Challenge, Inc. is a 501(c)(3) organization with the goal of raising funds for Christopher's Haven, an apartment housing community for families of children being treated for cancer in Boston hospitals.

Special Event Permit Application, Fee, Certificate of Insurance, Map, and Incident Action Plan have been submitted. Mr. Chase reviewed the fundraiser with the Select Board. This has been approved by the Police, Fire and Harbormaster.

**Move to approve a Special Event Permit to Cape Cod Bay Challenge, Inc. for a stand- up paddle board fundraiser to benefit Christopher's Haven on August 13<sup>th</sup> from 6:30 AM – 1:00 PM. Motion by Mr. Goodrich second by Ms. Canfield Unanimous Vote (5-0)**

### **INTERVIEW Board & Committee Applicants**

- Council on Aging – Susan Pope  
Ms. Pope was at the Cohasset Library for many years and transferred to the Scituate Town Library. She has since retired and has time to spend on the Council on Aging. Ms. Pope was so impressed with the Senior Center she is interested in serving on the board. Ms. Pope believes she can contribute to the activities that can be done there with different interests. She said she really enjoyed programming.
- Sister City France – Patrick Canning  
Mr. Canning moved to Scituate three years ago. He speaks French and is involved in international cultures. He has close family abroad. The Board thanked Patrick for coming forward.

- Cable TV – Jim Dellot withdrew application
- Traffic Rules & Regulations – Dan Fogarty, Bill Schmid & Bill Brokamp  
Dan Fogarty moved to Scituate recently and he would like to participate on a committee. He has gotten a lot of input from neighbors.

Bill Schmid is interested in serving on Traffic, Rules & Regulations and with the expansion of Scituate, the Town itself is not built for this type of expansion. Residents need to get involved to make change. He has served on the Conservation Commission and Water. He is now working in the region and is available to attend meetings and participate. Mr. Schmid thinks Traffic Rules is going to be pivotal with the growth of the Town. He is used to working on interpreting rules and communicating to concerned citizens. Ms. Connolly said she would like to see Traffic Rules involved with the Planning department and Board. Mr. Schmid agreed.

Bill Brokamp lives at 99 Booth Hill Road and has lived there for 35 years. He has seen a ton of change. The amount of traffic and people. We aren't building new roads so we need to plan how to accommodate this growth. He is a walker and he is about pedestrian and bicycle safety. We need to slow the traffic down and make it safer for the public. He is a practical minded person. He retired in October and has time to join the committee. He has attended a couple of the meetings. He understands how these things work. He understands this is a town wide committee and he is not just interested in his neighborhood.

- Waterways – Kevin Norton  
Mr. Norton is a fisherman and runs the businesses out of there. He would like to see a fisherman be on the Waterways Commission. There are quite a few families making a living with fishing. He would like to see Waterways represented and there are some safety concerns also. The Board would like to wait to see the whole picture of the Waterways Commission and who is interested in full membership.

#### **Scituate Beach Commission, Kelly Bower, Chair**

- **Revise Beach Commission Charge**  
The Beach Commission met with the Board regarding the charge and would like to make changes. Ms. Connolly said the Commission is in an advisory role not a management role and asked that the wording be updated. They are an advisory committee to the Select Board. It was very well done and very comprehensive. The Board requested the wording changes to indicate this is an advisory role and then resubmit for approval at a future meeting.
- **METCO Proposal, Conor Doherty reviewed the idea**  
Mr. Doherty reviewed the proposal with the Select Board. Ms. Curran said it is a nice idea. Ms. Avitabile thanked Mr. Doherty for including them in the development of this proposal. Ms. Connolly would like to see a beach and trail sticker developed for Scituate. Bill Schmid, 33 Egypt Beach Road was on this committee when it first started and this is a great idea. Ms. Canfield thanked Janet DiPesa for suggesting the METCO beach sticker to the Beach Commission.

**Move to approve the sale of beach stickers to qualified METCO families as presented by the Beach Commission. Motion by Ms. Canfield second by Ms. Curran. Unanimous Vote (5-0)**

Mr. Doherty would like to see the beach signs in multiple language in something as simple as QR codes. They will be coming forward with this in the future.

### **Special Town Meeting Warrant Articles Jim Boudreau, Town Administrator & Nancy Holt, Finance Director**

- **Article 14 Special Legislation Home Rule for Retired Police Officer Details, Mark Thompson, Police Chief**

Chief Thompson said this legislation allows retired police officers to work up to age 70. Chief Thompson said there is a void and it would be a great transition for retired officers. There is a 1200 cap with the retirement board that would be adhered to for all. There is no cost impact to the Town since whoever requests the detail pays the bill. The police department manages the details that they get. Ms. Connolly asked if this helps us with the summer intermittent officers. Chief Thompson said we could use them for special events but it does not really help with our summer intermittent officers. Other communities have this and it would be welcome in Scituate.

There are 14 articles voted to be on the warrant by the Select Board. Article 5 Capital Improvement Plan will be presented at the August 9<sup>th</sup> meeting. Article 6 CPC will be presented to the Board at the August 9<sup>th</sup> meeting by Dan Fennelly and the baseball field by Mark Novak. Articles 7-8 will be presented to the Board at the August 9<sup>th</sup> meeting by the Planning Board. These articles can be voted at the August 9<sup>th</sup> meeting.

The Select Board reviewed the articles.

**Move that the Select Board vote to recommend Articles 1 through 4 and 9 through 14 for the Special Town meeting. Motion by Ms. Canfield second by Ms. Connolly Unanimous Vote (5-0)**

### **NEW BUSINESS:**

- **One Day Liquor Licenses**
  - a. Black Apron @ the Scituate Maritime Center on 7/30 6 - 10 pm for private event
  - b. Knights of Columbus @ 234 Chief Justice Cushing Hwy on 8/5 2-6 p.m. for fundraiser
  - c. H Cole Club @ Mullaney's Harborside on 8/4 from 6:30 – 10 pm for private event

**Move to approve a One-Day Wine & Malt license to The Black Apron @ The Scituate Maritime Center, 119 Edward Foster Road, for a private event on July 30, 2022 from 6:00 to 10:00 p.m. Motion by Ms. Canfield second by Mr. Goodrich Unanimous Vote (5-0)**

**Move to approve a One Day (non-profit) all alcohol license to Knights of Columbus for an event on August 5, 2022 from 2-6 p.m. Motion by Ms. Canfield second by Mr. Goodrich Unanimous Vote (5-0)**

**Move to approve a One Day (non-profit) all alcohol license to H Cole Club for an event at Mullaney's Harborside on August 4, 2022 from 6:30 – 10 p.m. Motion by Mr. Goodrich second by Ms. Curran Unanimous Vote (5-0)**

- **Board & Committee Appointments**
  - a. Council on Aging
  - b. Sister City France
  - c. Traffic Rules & Regulations
  - d. Waterways

- e. Community Preservation Act Committee
- f. Animal Control Board
- g. Commission on Disabilities
- h. Veterans Services Advisory Council

The Board discussed the advertising of all Board positions whether there are renewals or not. Mr. Vegnani and Ms. Curran would like to see all Boards/Committee's/Commission's posted for applicants. Positions up for renewal will need to come in to interview with the Board along with new applicants. We will do this for the applications we have on file now and implement this new process in 2023 where we advertise all Boards whether there are renewals or not. The Traffic Rules & Regulations Committee will be voted at the August 9<sup>th</sup> meeting and the Waterways Commission will be reviewed and voted at a future date.

- 1. Move to appoint Susan Pope to the Council on Aging for a term of three years or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Ms. Curran second by Mr. Goodrich Unanimous Vote (5-0)**
- 2. Move to appoint Patrick Canning to the Sister City France Committee for a term of three years or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Ms. Connolly second by Ms. Canfield Unanimous Vote (5-0)**
- 3. Move to reappoint Suzanne Brennan and Margaret Stillman to the Community Preservation Act Committee for a term of three years or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Ms. Connolly second by Ms. Canfield Unanimous Vote (5-0)**
- 4. Move to reappoint Carol Sullivan-Hanley, Jim Boudreau and Kevin Cafferty to the Animal Control Board for a term of three years or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Ms. Curran second by Mr. Goodrich Unanimous Vote (5-0)**
- 5. Move to reappoint Athena Brodsky to the Commission on Disabilities for a term of three years or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Ms. Connolly second by Mr. Goodrich Unanimous Vote (5-0)**
- 6. Move to reappoint Joseph Kelley and Ed Kelley to the Veterans Service Advisory Council for a term of three years or until a successor is named and completion of the conflict of interest law online training program is completed within 30 days. Motion by Mr. Goodrich second by Ms. Curran Unanimous Vote (5-0)**

#### **OTHER BUSINESS:**

1. Liaison Reports

Affordable Housing Trust is being consulted for affordable housing opportunities for independent living. It would be an independent living facility like a group home. Each bedroom counts as an affordable unit.

Ms. Connolly said the Shellfish Advisory Committee is close to plots in deep water. They would like to come back to the Select Board for consideration after the Special Town Meeting. They are close to having an undisputed area.

Ms. Connolly said the Pier 44 committee received eight really good proposals. They selected three companies who are being interviewed this week. Ms. Curran asked if we would be giving them a budget goal. Ms. Connolly said we have not gotten there yet. Funding and grant proposals will be part of the process.

Mr. Goodrich met with the Cedar Point Association. A letter was sent to Congressman Lynch about the Army Corp of engineer and they asked to write a similar letter to Congressman Keating. Ms. Connolly said we have to be very specific in our ask.

Last Friday was Kyle Boyd's last day as the Director of Planning and Development.

Mr. Vegnani said there was a water treatment plant meeting recently. The group will be before the Select Board on August 23<sup>rd</sup>.

2. Correspondence

No correspondence at this meeting.

3. Approval of Meeting Minutes

**Move to accept the minutes for the Select Board meeting held July 12th, 2022. Motion by Karen Canfield second by Mr. Goodrich Unanimous Vote (5-0)**

4. Adjournment and Signing of Documents

**Motion to adjourn the meeting at 9:10 p.m. by Ms. Canfield second by Mr. Goodrich Unanimous Vote (5-0)**

Respectfully Submitted,

Lorraine Devin, Recorder



## **List of Documents for the July 26, 2022 Select Board Meeting**

- Agenda
- Upcoming Meetings and Events
- Election Police Details, Kathy Gardner, Town Clerk
- Donation to Beautification SHS Class of 2001 for Memorial Tree, Caroline Moody, Sara McIntosh & Amy Sousa
- DPW Contracts, Kevin Cafferty, DPW Director
  - Dennis K. Burke for Gasoline & Low Sulfur Diesel July 31, 2022-July 31, 2023 up to \$600,000
  - Northern Construction for the emergency repairs to Glades Road Access Stairs up to \$419,000
- Outdoor Entertainment Permits
  - 79 Kenneth Road, August 20<sup>th</sup> 5:30-11 p.m. DJ for wedding, Stephanie Carroll
  - 29 Gannett Pasture Lane, September 10<sup>th</sup> 4-11 p.m. DJ for private event, Neville & Maria DePass
  - Cole Parkway music stage for Heritage Days August 6<sup>th</sup> & 7<sup>th</sup> 10:30 a.m. – 8:00 p.m. 10 bands over two days, Jean DiGacomandrea & Elaine Bongarzone
- Special Event Cape Cod Bay Paddle Fundraiser, Michael Chase, Organizer
- **INTERVIEW** Board & Committee Applicants
  - Council on Aging – Susan Pope
  - Sister City France – Patrick Canning
  - ~~\*Cable TV – Jim DeHof~~ withdrew application
  - Traffic Rules & Regulations – Dan Fogarty, Bill Schmid & Bill Brokamp
  - Waterways – Kevin Norton
- Scituate Beach Commission, Kelly Bower, Chair
  - Revise Beach Commission Charge
  - METCO Proposal
- Special Town Meeting Warrant Articles Jim Boudreau, Town Administrator & Nancy Holt, Finance Director
  - Article 14 Special Legislation Home Rule for Retired Police Officer Details, Mark Thompson, Police Chief
- One Day Liquor Licenses
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- Board & Committee Appointments
  - a. Council on Aging
  - b. Sister City France
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  - d. Traffic Rules & Regulations
  - e. Waterways
  - f. Community Preservation Act Committee
  - g. Animal Control Board
  - h. Commission on Disabilities
  - i. Veterans Services Advisory Council
- Correspondence – Scituate Water Division letter to send to residents regarding Manganese in the drinking water
- Meeting Minutes for July 12, 2022

## Select Board Meeting Minutes for July 26, 2022

### SELECT BOARD

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Anthony V. Vegnani, Chair

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Andrew W. Goodrich, Vice Chair

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Maura C. Curran, Clerk

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Karen B. Canfield

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Karen E. Connolly