

**MEETING OF THE SELECT BOARD
TUESDAY, October 18, 2022, 2022 6:30 p.m.
SELECT BOARD HEARING ROOM – TOWN HALL**

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

Not in attendance: Maura Curran

Also, in attendance Jim Boudreau, Town Administrator

MEETING CALLED TO ORDER/ACCEPTANCE OF AGENDA

A motion was made by Ms. Canfield at 6:35 p.m. to accept the agenda for October 18, 2022 second by Ms. Connolly Unanimous Vote (4-0)

Mr. Goodrich 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 – None at this meeting.

REPORT OF THE TOWN ADMINISTRATOR-

1. Water update. These numbers are before the rain last night. Reservoir is at -40.5", last week we were at -48". Tack factory Pond is at +3", last week we were at +1 and it is spilling over into the reservoir. Average daily demand was at 1.094 MGD up very slightly from last week's 1.095 MGD. We are now a level 1 Mild Drought as determined by the Commonwealth. Manganese samples have been below action levels set by DEP for both August and September. Distribution samples for September ranged from 0.007 to 0.054 mg/l. 0.3 mg/l is the action level set by the state so we are well under those levels. 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 . The Town also has water available for residents who are experiencing brown water at the WTP during regular business hours.

Rainfall over the last 7 days was 1.6" measured at the Plant.

Celco will continue working on Foxwell Lane this week.

2. No paving on the schedule for this week. We are working with the paving contractor to schedule remaining paving items before the end of paving season.

3. Work continues on the stairs on Glades Road. During construction we will continue the one-way traffic on Glades Road from Gannet to Bailey's Causeway. We have spoken to the School Department and this is not expected to interfere with bus routes as they follow the current direction of the one way.
4. We have successfully removed the lantern room from the top of the light house and placed it in the yard of the lighthouse keepers house. Cenaxo, the contractor who removed the lantern room, will be on site today and possibly for a few more dates this week doing work to seal the top of the lighthouse and make any necessary short-term repairs as we proceed with the design of a repaired/replacement lantern room. Now that the lantern room is on the ground our design team will be able to get a better look at its condition and make the final determination of repair the current lantern room or if it will need to be replaced with a new lantern room. The work on the lighthouse project is scheduled to be completed late spring/early summer of 2023.
5. The Board of Health will be hosting a flu clinic for residents and town employees on Thursday, October 20 from 3:00 pm – 6:30 pm at the Scituate Harbor Community Building. For details on how to register, go to the town web site, scituatema.gov.
6. The Commission on Disabilities will be hosting their annual Accessibility Awareness Event this Saturday, October 22, from 10:00 am – 1:00 pm in the High School Gymnasium. This event is all Scituate residents and people who may be caregivers, families and friends. Come celebrate differences and learn about accessible services and resources. Multiple organizations will be present to provide information. Launch Food Truck will be here and there are fun activities for kids. This is a free event.
7. Fall for Scituate is this Sunday, October 23 from 12 noon – 4:00pm in the North Scituate Business district. Family-friendly Fall Festival in North Scituate Village. Features Kids Zone, petting zoo, chowder fest, artisans, live music, food trucks, hay rides, face painting, princesses, touch-a-truck and more.
8. The Veterans Advisory Council is announcing the following events for Veterans Day, Friday, November 11, 2022.
 - a. American Legion Post 144 Flag Ceremony
11:00 am at the Scituate Senior Center
 - b. American Legion Post 144 Luncheon
The post will be hosting a Veterans Luncheon at the senior center at 12:00 pm at the Senior Center, following the flag ceremony. Reservations are required. Call 617-842-0092 to reserve your spot.
 - c. After the luncheon, the Scituate Food Pantry will be hosting their "Salute to Service" on the Senior Center Patio from 1:00 pm-2:30 pm. Dessert, Gifts and Music will be provided for veterans by the food pantry.During this time, there will also be a "Sea of Support", a field of Flags to honor all known, living Scituate Veterans will be on display at Scituate Community Christmas, 125 Mann Lot Road, from November 10-13.
9. The Town is looking for plow drivers for the winter and for positions in the DPW, interested parties should contact the DPW.

It will be another few weeks for the Minot Beach stairs to be completed. The Veterans luncheon is free of charge but reservations are required. The food pantry will hold an event after the luncheon.

Mr. Andrew asked about free cash and what we are doing to utilize the better rates. Mr. Boudreau will provide the breakdown. It is already provided to the Board on a monthly basis.

SCHEDULED ITEMS:

RECOGNITION 30 Year Service Anniversary Award, Captain Bill Sestito, John Murphy, Fire Chief
Chief Murphy provided an overview of Captain Sestito's years of service to the Town of Scituate. Tomorrow is Captain Sestito's 30th anniversary and he spent 5 years prior with the Cohasset Fire Department. He has been a Captain for 24 years. He is calm, precise and a very effective Captain. He is a good mentor to his staff. He is a fire investigator for the Scituate Fire Department and works with the State Fire Marshall's office. Chief Murphy congratulated Captain Sestito on his service to the Scituate Community. Mr. Goodrich said Captain Sestito is a hero, Ms. Connolly, Mr. Vegnani and Ms. Canfield all thanked and expressed Captain Sestito's valuable service to the Town of Scituate.

Donations to Town of Scituate

- Seaside Scituate Donation to Senior Center/Council on Aging \$1285, Linda Hayes, COA Director
Seaside at Scituate Volunteer representative Susan Turgiss attended the meeting to present the donation. There is a group of 10-11 residents who work on the volunteer committee. They help out where they can and run fundraisers. They focus on giving back to the community. This donation is for courses and life long learning.
- Marie Gillis Trust Donation to Senior Center/Council on Aging \$3500, Linda Hayes, COA Director
This is the third donation from the Marie Gillis Trust to the Scituate Senior Center. Ms. Hayes said they are looking for a piano which is one idea for the donation.

Move that the Scituate Select Board accept two (2) donations to the Scituate Senior Center, one from the Seaside Scituate Volunteer Committee for \$1825 to be used toward expanded programming and Lifelong Learning opportunities, and the other from the Marie Gillis Trust for \$3500 to be added to previous donations made in support of senior needs in line with our mission and as determined by COA staff and town administration. Motion by Ms. Canfield second by Mr. Goodrich Unanimous Vote (4-0)

- Yvonne Toomey Trust donation to Scituate Public Schools Scholarship Fund, Nancy Holt, Town Accountant/Finance Director

The Town was advised by Rockland Trust Company, serving in their capacity as trustee of the Yvonne G. Twomey Trust, that the late Yvonne G. Twomey had established the Bates House Charitable Scholarship Foundation and that \$34,000 was to be distributed to the Town of Scituate for the awarding of two Bates House Scholarships. The terms of the bequest are that the two scholarships are to be awarded by a scholarship committee or equivalent authority to two students qualifying for further education as a two- or four-year degree program at a college, university, conservatory of music or school of trade. The scholarships are awarded on the basis of merit and need as well as academic excellence and promise. The recipient must be a graduate of Scituate High School and also must be a resident of Scituate. The recipient shall be designated as a Bates House Scholar.

Move to accept \$34,000 for further award to two graduating seniors of Scituate High School in 2023 pursuant to the terms of the Bates House Charitable Scholarship Foundation. Motion by

Ms. Canfield second by Ms. Connolly Unanimous Vote (4-0)

Block Party Barrington Way on October 30th 1 – 4 p.m., Nicole Sullivan

Nicole Sullivan, 11 Barrington Way will be holding a neighborhood block party. Music will be on their iphones but no band or DJ.

Move to grant a Block Party Permit to Nicole Sullivan for Barrington Way on October 30, 2022 from 1-4 p.m. Motion by Ms. Connolly second by Mr. Goodrich Unanimous Vote (4-0)

Resident Petition Request for Hatherly Road Sidewalk, Aldona Hamel

Aldona Hamel 17 Old Farm Road

Sue DiPesa, 537 Hatherly Road

Lauren Lynn, 493 Hatherly Road

Ms. Hamel provided a binder to the Scituate Select Board requesting a sidewalk from Egypt Beach to Hatherly Road. Included in the binder were 288 resident signatures and now Ms. Hamel stated she has over 300 signatures. The Complete Streets program priorities where this was listed as a priority.

Ms. DiPesa asked to have the speed limit enforced on this road. They realize the cost is significant. The lights at Hatherly & Gannett were broken and there needs to be a four way stop there.

Ms. Lynn works in municipal government in planning and is aware there are a lot of demands. This street was listed as #12 on the complete street lists. This was also included in the Master Plan. American Rusty Plan Act is a source of funding for a sidewalk and there are others.

Mr. Vegnani said it is not a safe place to walk. The committee has not reconvened in a while to look at the list of locations that need sidewalks. The priority in the past was the areas around the schools. Ms. Canfield thanked the group for their work and pulling the documentation together. Short term items that the Town can take a look at include; speed enforcement and a flashing light. Mr. Boudreau said a flashing speed sign could be helpful. We need to review the current list of complete streets and the 2007 study list of sidewalks. The engineering department prepared a letter to the Select Board received today with a sidewalk update. DPW estimates the cost to be \$5,894,955 for this sidewalk. The Board needs to see if a Complete Streets Committee needs to be put together. Mr. Boudreau said there is a policy that requires a Complete Streets Committee. Ms. Hamel asked if it was possible to this in phases. Mr. Boudreau said yes, it can be done in phases. It will be challenging with Musquashicut Pond area. Ms. Connolly said there should be a committee set up looking at this issue and thanked the group for brining this to the Board. Tom Degemmis, 10 Shoal Water Road, said it is about traffic first, managing speed and two pinch points that are very dangerous and they are the short bridge and the long bridge. Ms. Lynn said these problem areas are in the flood plain and you could tap into those funds as well. Andrew Scott 529 Hatherly Road said his children are not allowed to walk on Hatherly Road. There were three people out of 300 that did not support a sidewalk on this road. The Toll Brothers project added much more traffic on the road. Getting kids on the bus every morning is challenging. Mr. Vegnani said we can start working on some other things that will make it safer. Beth Heller, 43 Country Club Circle said the sidewalk from Front Street goes to Egypt Beach and wonders why it stopped there. The elderly and children are at risk. Mr. Vegnani asked that this topic is added to the next Select Board meeting to discuss next steps.

Emergency Waiver Request 145RR Glades Road Water Line, Bill & Susan Murphy, Owners

Mr. Cafferty said there was no change more of a clarification in March 2022 regarding the water regulations.

Mr. Cafferty said in the original policy in 2009 this was included in the water standards. The engineer

determines if the water line needs to be replaced.

Mr. Vegnani said there is a regulation that is in place that impacts their property. We need to figure out if we make an exception for this or not. Everyone agrees that it should be done. There was some miscommunication along the way. The owner is in a tough spot.

Mr. & Mrs. Murphy don't disagree that they need a new line, they just don't expect to pay for all the homes on the line.

Mr. Goodrich said a betterment will take too long. If the Board allows them to connect to the 1-inch line there will be a water pressure issue. Mr. Cafferty said if you have a one-inch line servicing four homes the water pressure will be a problem. Mr. Boudreau said the two town concerns are 1) Leaking now and 2) leaking and breaking in the future.

Angela Fay 145R Glades Road asked what the impact would be if everyone stayed on the existing water line.

Mrs. Murphy said the water pressure is not a concern of theirs. The leaking is not going to be resolved with the new pipe. The one-inch estimate that they got added on the curb stops of each of the homes. So, if they put in a one-inch pipe they are in the same situation.

Mr. Vegnani said the board will need to decide if they can remain on the existing water service and bypass the regulations or enforce the new water line. There was no motion from the Board to request a waiver, therefore a new water line is required.

DPW Morton Salt Contract \$70.29/ton, Kevin Cafferty, DPW Director

Morton Salt Company was the low bidder under the state contract VEH107 for Road Salt for the 2022-2023 season.

Move that the Select Board award the contract to purchase Road Salt from Morton Salt Company for \$70.29 per ton. Motion by Ms. Connolly second by Ms. Canfield Unanimous Vote (4-0)

INTERVIEW Board & Committee Applicants

- Cole Parkway Redevelopment Committee Harbor Residents

Steve Burke – Mr. Burke's background is in accounting. He moved to Scituate Harbor a year ago but is very familiar with Scituate. He realizes how beautiful it is and how busy it is in Cole Parkway. Any given weekend there are many people attracted to the harbor. It does need an upgrade and the rising tides need to be discussed. He can add some great creative ideas to the committee. He is familiar with budget preparation. He has reviewed the 2040 Master Plan. He lived in a town for 20 years that was a geographical gem but there was no vision. Scituate is great that they have a vision of how they want the town to look and created this committee. Ms. Connolly asked if Mr. Burke had an opportunity to look at the Harbor Resiliency Study. Mr. Burke said he hasn't but he will. Mr. Vegnani thanked Mr. Burke for coming in.

Per- and Polyfluoroalkyl Substances (PFAS) Litigation

Mr. Boudreau reviewed what PFAS is with the Board with the following information. There is a class action suit and Mr. Boudreau asked the Board to authorize him to join the lawsuit. Mr. Goodrich asked if the town has been harmed by PFAS. Mr. Boudreau said we have been testing all along but the requirements will be getting tighter and tighter. For right now we are under the limit.

The Select Board authorizes the Town Administrator to enter into the class action suit. Motion by Mr. Vegnani second by Ms. Canfield Unanimous Vote (4-0)

What are PFOA and PFOS?

Perfluorooctanoic acid (**PFOA**) and perfluorooctane sulfonic acid (**PFOS**) are typically used as a water, oil, and stain repellent and can be found in a variety of commercial products including paints, water-resistant fabrics and apparel, cleaning products, stain-resistant carpet, and Aqueous Film Forming Foam.

What is Aqueous Film Forming Foam (AFFF)?

Both PFOA and PFOS are used in AFFF. Releases of PFOA and PFOS into the environment occur at fire training facilities and places where there is a necessity to extinguish serious liquid fuel fires that require the use of AFFF. AFFF contamination is often found near military bases, airports and industrial sites.

Why are these Chemicals Dangerous?

PFOS and PFOA are particularly dangerous when released into the environment. These chemicals easily dissolve in water, increasing the rate at which they can spread through the environment and contaminate soil, groundwater, and surface water. Because they can remain almost indefinitely in the environment, they are often referred to as “forever chemicals.”

PFOA and PFOS do not break down easily and can accumulate in the human body. Exposure to these chemicals can cause multiple injuries, including reproductive issues; increased cholesterol; liver damage; and immune system effects. Furthermore, PFOS and PFOA are considered possible carcinogens.

What Companies Manufacture these Products?

3M Company has been the leader in developing AFFF containing PFOS and PFOA to suppress liquid fuel fires. 3M was the sole manufacturer of PFOS.

PFOA has been produced by other major companies, including Arkema, Asahi, Ciba-Geigy, Clariant, Daikin, DuPont, and Solvay Solexis.

In the 1970’s 3M conducted studies that showed the adverse effects of exposure to PFOS and PFOA. 3M knew that both PFOA and PFOS were toxic, persistent, and dangerous when they accumulated in the human body.

What are Acceptable Levels of PFOS and PFOA?

It is believed that there are no acceptable levels of PFOS and PFOA. Municipalities and their constituents have the right to expect clean water free of harmful chemicals. To demonstrate the seriousness of exposure to these chemicals, in January 2020 Massachusetts’ health advisory level for PFAS6 (the combination of the six most prevalent PFAS chemicals, including PFOA and PFOS) was reduced to 20 parts per trillion.

Those municipalities whose PFAS6 readings are above 20 ppt are required to treat or take their wells off-line. However, even levels below this health advisory are considered dangerous and actionable. Those

communities with PFAS6 detections below 20 ppt are advised to mitigate these chemicals to the lowest extent possible.

The Environmental Protection Agency is now expected to issue a federal health advisory with acceptable levels even lower than the strict Massachusetts standards.

What is the Litigation Status?

Lawsuits have been filed by individuals and public and private entities for water contamination due to the presence PFAS. These cases have been consolidated into a Multidistrict Litigation (MDL) in the United States District Court for the District of South Carolina to vet issues that are common to all cases. The MDL may eventually serve as a vehicle to resolve cases with PFAS contamination. The MDL is focused at the present time on cases involving AFFF. However, very often the sources of the contamination remain unknown until experts have conducted a thorough investigation that includes groundwater modeling.

The MDL in South Carolina is led by our partners in this litigation, Attorney Scott Summy and Attorney Carla Burke Pickrel of Baron and Budd in Texas, and Christina Cossich of Cossich, Sumich, Parsiola & Taylor in Louisiana. These attorneys work with Sandman Law in Massachusetts, and together, these attorneys have extensive knowledge and experience in all aspects of the litigation and have been appointed to the top leadership positions.

PRESENTATION FY 2024-2028 Capital Plan Recommendation, Jim Boudreau, Town Administrator Mr. Boudreau and Ms. Holt prepared a presentation to review with the Select Board. Mr. Boudreau reviewed the Capital Plan. \$170.3M in capital requests over the next five years. \$2M in requests were received for FY24 and the Town Administrator recommends \$7.7M. The plan reflects continued investment in to the water system. This plan continues investment in technology and public safety communications. Incorporates funding for facilities improvements as recommended in town-wide facilities plan. Maintains commitment to foreshore, roadway and sidewalk improvement funding. Limited borrowing recommended to support plan.

This is the first year Scituate is using capital request software. Ms. Holt provided an overview of ClearGov Capital Budgeting Module and provided a training document to all Board members. Ms. Holt provided an overview online of highlights of the new capital software.

NEW BUSINESS:

1. One Day Beer & Wine License

- The Voyage for a Private Events @ Senior Center 333 First Parish Road on 11/11 11 am – 3pm
Move to approve a One-Day All Alcoholic Liquor License to the Voyage, 114 Marshfield Avenue, Humarock, on behalf of the Scituate American Legion Post 144 (Non-Profit) for a private event at the Scituate Senior Center on November 11, 2022 from 11:00 AM to 3:00 PM. Motion by Ms. Connolly second by Mr. Goodrich Unanimous Vote (4-0)
- The Black Apron for a Private Event @ Scituate Maritime Center on 10/23 2 – 6 p.m. **This event was cancelled and not voted.**

2. New Drain Layer License Prime Time Development

Move to approve a Drain Layers License to Scott Onanian – Prime Time Development. Motion by Mr. Goodrich second by Ms. Canfield Unanimous Vote (4-0)

3. Board & Committee Appointments

a) Cole Parkway Redevelopment Committee

Move to appoint Karen Connolly (Select Board) to the Cole Parkway Redevelopment Committee for a term of two 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. Canfield second by Mr. Goodrich Unanimous Vote (4-0)

Move to appoint Susan Daileader (Economic Development Commission), Michael Gibbons (Waterways), and Stephen Mone (Harbormaster) to the Cole Parkway Redevelopment Committee for a term of two 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. Canfield second by Mr. Goodrich Unanimous Vote (4-0)

OTHER BUSINESS:

1. Liaison Reports

Ms. Connolly attended the Pier 44 committee with the design team. Their goal is to get to Town Meeting with a design. Ms. Connolly also attended the Planning Board meeting. The Irish Studies class from Boston College came to visit the Easter Rising monument and the Brig St. John in Cohasset. It was a nice event.

Ms. Canfield said the Charter Review Committee is now disbanded. Ms. Canfield would like the Select Board to consider establishing a Bylaw Review Committee.

2. Correspondence

Accessibility Awareness Event this Saturday at Scituate High School.

Duxbury letter regarding decommissioning of the Plymouth Nuclear power plant

Veterans Day event schedule

3. Approval of Meeting Minutes

Move to accept the minutes for the Select Board meeting held October 4th, 2022. Motion by Ms. Connolly second by Ms Canfield Unanimous Vote (4-0)

4. Adjournment and Signing of Documents

Motion to adjourn the meeting at 9:02 p.m. by Mr. Vegnani and second by Ms. Connolly Unanimous Vote (4-0)

Respectfully Submitted,

Lorraine Devin, Recorder

List of Documents for the October 18, 2022 Select Board Meeting

- Agenda
- Upcoming Meetings & Events
- 30 Year Service Anniversary Award, Captain Bill Sestito
- Donations to Town of Scituate
 - Seaside @ Scituate Donation to Senior Center/Council on Aging \$1285
 - Marie Gillis Trust Donation to Senior Center/Council on Aging \$3500
 - Yvonne Toomey Trust donation to Scituate Public Schools Scholarship Fund \$35,000
- Block Party Barrington Way on October 30th 1 – 4 p.m.
- Resident Petition Request for Hatherly Road Sidewalk
- Emergency Waiver Request 145RR Glades Road Water Line,
- DPW Morton Salt Contract \$70.29/ton
- Board & Committee Applicants
 - Cole Parkway Redevelopment Committee Harbor Resident
- Per- and Polyfluoroalkyl Substances (PFAS) Litigation
- **PRESENTATION** FY 2024-2028 Capital Plan Recommendation
- One Day Beer & Wine License
- The Voyage for a Private Events @ Senior Center 333 First Parish Road on 11/11 11 am – 3pm
- New Drain Layer License Prime Time Development
- Board & Committee Appointments
 - Cole Parkway Redevelopment Committee
- Correspondence
 - Commission on Disabilities Accessibility Awareness Event Flyer
 - Duxbury Nuclear Advisory Committee Letter RE: Holtec
 - Peggotty Beach Grass Planting Flyer
 - Veterans Day Events Planned
- Meeting Minutes October 4, 2022 Select Board Meeting

Select Board Meeting Minutes for October 18, 2022

SELECT BOARD

Anthony V. Vegnani, Chair

Andrew W. Goodrich, Vice Chair

not in attendance

Maura C. Curran, Clerk

Karen B. Canfield

Karen E. Connolly