

**MEETING OF THE SELECT BOARD
MONDAY, FEBRUARY 27, 2023 6:30 p.m.
SELECT BOARD HEARING ROOM – TOWN HALL**

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

Also, in attendance, Jim Boudreau, Town Administrator

Karen Canfield was not in attendance at the start of the meeting but is expected to join later.

MEETING CALLED TO ORDER/ACCEPTANCE OF AGENDA

A motion was made by Mr. Goodrich at 6:34 p.m. to accept the agenda for February 27, 2023 second by Ms. Connolly Unanimous Vote (4-0)

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 – None

REPORT OF THE TOWN ADMINISTRATOR-

1. Water update. We are at +4.5", last week we were +2. Tack factory Pond is also at +5.25 up from +2". Average daily demand was at 998,571 TGD down from last week at 1.047 MGD. Rainfall over the last 7 days was .96" measured at the Plant.

As has been discussed at prior meetings of the Select Board, the Department continues to work on getting a full-scale pilot program up and running at the treatment for removal of iron and manganese from the water in the reservoir. A contract has been awarded to Tighe and Bond and we expect to have the system on line for the summer months when water use is heaviest.

Bids are out for the water main project on 3A and are due back this week. This is the installation of a raw water line from OOB to the site of the new water treatment plant. It also entails the replacement of the service line on 3A that supplies water to the residents of 3A.

2. The Annual Town Election will be held on May 20, 2023 at Scituate High School. Nomination papers are available in the Town Clerk's Office for any registered voter interested in running for an elected position. Please call the Town Clerk's office at 781-545-9743 if you are interested in taking out nomination papers. Papers must be returned with at least 100 signatures of registered voters for certification by the Town Clerk by 5:00pm on March 31, 2023
3. The Town is seeking community feedback on concept designs for a new park being planned at the old Pier 44. All the feedback we receive from this survey will help guide the park design which includes

demolishing the existing building and replacing it with parkland and a pavilion. It is an online survey and you can find the link on the Town News page on Coastal Management web page. The survey will be open for the rest of February so please take a few minutes to provide your comments. The first survey we did asked residents what they wanted to see at the site and the response was heavily in favor of some type of park. This survey will guide us towards the type of park that people are looking for. We are also planning two public information sessions that will be held on March 7th at the library. The first session will be at 11:00 am and the second will be at 7:00 pm.

4. The Scituate sister City project invites everyone to the 2023 Winter Film Festival at the Scituate Senior Center tomorrow night Tuesday, February 28. Doors open at 6:00 and the film starts at 6:30. The Film being shown will be “Belfast” the winner of the People’s Choice Award at the Toronto Film Festival. Tickets are \$10 with students getting in free.
5. Please be advised that per the Division of Marine Fisheries, the Clam Flats have been re-opened. They have been closed due to a sewer overflow at the Rockland Wastewater Treatment Plant.
6. We received the bids to replace the 1831 Lantern Room and associated work on the Scituate Lighthouse last week. Two bids were submitted. The apparent low bid is well within the appropriation approved for the project at Town Meeting. We will now be checking references and reviewing the bid prior to awarding the contract. The project is still scheduled to be completed this summer.
7. The Scituate Fire Department is conducting a “Fill a Fire Truck” food to drive to help those in need and support the Scituate Food Pantry. During the month of February donations can be dropped off at any fire station. The always needed list includes canned fish, hot and cold health cereals, beef stew, canned ham, spam and hash, boxed rice or pasta, personal toiletries, cookies, crackers and granola bars and canned vegetables.
8. If you are down in Cole Parkway you will see a conex trailer parked in the spaces for the harbormaster. This is the beginning of the new dock project that will be on-going this winter. The contractor will be removing the electrical boxes from the docks in preparation for removing the old docks. The docks have been arriving (more were being delivered this morning) and the new traffic pattern established. Please be aware of this when driving through Cole Parkway. This project is being funded through grants from the Commonwealth of Massachusetts and the Town’s Waterways Fund. The waterways fund is funded with user fees from boaters using moorings and slips in the harbor and for using the waterways in general.
9. It looks like Winter is not over for us just yet. We are expecting a winter storm this evening into tomorrow. Snow totals vary by source, we are seeing anywhere from 1-2 to 3-5 inches. Crews will be out pre-treating the roads today and plowing when the storm gets going. Superintendent Burkehead has announced a 2-hour delay for SPS for tomorrow with no morning pre-school. If you are traveling late tonight or early in the morning, please use caution.
10. A very Happy 291st Birthday wish to Chief Justice William Cushing who was born on March 1, 1732 here in Scituate. If you get a chance, you can visit the Cushing Memorial State Park located on Judge Cushing Road here in Scituate where Justice Cushing is buried. Rte. 3A in Scituate is also named after Justice Cushing. This year marks the 240th anniversary of Justice’s Cushing’s ruling that effectively abolished slavery in Massachusetts.

SCHEDULED ITEMS:

Acceptance of Donations

- Trophy Case & Tournament Trophies \$3140.74 for Widows Walk, Ian Kelley, Director, Widows Walk
Karen Connolly mentioned Monte Newman who recently passed and thanked him very much for all the work he did for Widows Walk. Mr. Vegnani said Mr. Newman was also on the Cable TV committee and very involved in Town. He was an intelligent and well-spoken man who had a lot of good ideas. The trophy case will be placed in the golf shop. Ms. Curran would like it in keeping with the new décor.
Move that the Select Board accept a donation for \$3,140.74 to the Widows Walk Golf Course for the purchase and installation of a trophy case and tournament trophies from the PBR Golf Committee. Motion by Mr. Goodrich second by Unanimous Vote (4-0)

- Three Acoustic Guitars \$758.59 to Scituate Recreation, Nick Lombardo, Assistant Recreation Director & Greg Smith PJT Memorial Foundation
The donation was made to honor the parent of The PJT Memorial Foundation named after a dear friend PJ Trendowicz worth \$758.59, included each guitar with a 3-year protection plan. The program has grown considerably and this will allow students who cannot afford a guitar. Mr. Smith said the foundation was named after PJ Trendowicz. All committee members are currently Scituate residents. The foundation gives back to the food pantry and youth sports. They like to donate to the local community in memory of their friend who was an outstanding musician. The Board thanked Mr. Shaw and the foundation.
Move that the Select Board accept a donation of 3 acoustic guitars to go towards the Guitar Programs at the Scituate Recreation Department. Motion by Ms. Curran second by Ms. Connolly Unanimous Vote (4-0)

Mr. Boudreau said Nick Lombardo is being promoted to the Scituate Recreation Director. Mr. Vegnani said it is well deserved. Nick congratulated Maura Glancy and said they wish her the best.

- \$500 Donation to Beautification Commission from Charles & Lynna Pollard, Sytske Humphrey, Chair
The Town has received a \$500 donation from Scituate residents, Charles & Lynna Pollard, for use by the Beautification Commission. These donations allow the Commission to do extra things such as planting native plants that propagate and stay around even though they are more expensive to purchase.
Move that the Select Board accept with gratitude a \$500 donation for use by the Beautification Commission. Motion by Ms. Curran second by Mr. Goodrich Unanimous Vote (4-0)

UPDATE Ship Shape Day May 6, 2023, Sytske Humphrey, Beautification Chair & Jeanmarie Voelger Jeanmarie Voelger will be heading up Ship Shape Day ongoing. She has met with Donna Bangert to ensure a smooth transition. The garden club will be participating also. Plant Scituate will be done again this year to encourage the planting of flowers. There will be plants for the children. It will begin at 8 a.m. and they are deciding on the end time.

Karen Canfield joined the meeting at 6:56 p.m.

Award Contract Baseball Field Renovation \$818,001 to Landscaping by J. Michael, Nick Lombardo, Assistant Director, Recreation & Mark Novak, RLA Design Principal, Activitas Voters approved \$993,520 in Community Preservation funds at the September 19, 2022 special town meeting for the construction of a 90' baseball field. The group worked with the Planning Board on the stormwater permit. The Town received three bids on January 30, 2023 ranging from \$843,501 to \$1,385,796 including the base bid and three alternates. Ms. Connolly asked if the stormwater drainage is all set. Mr. Novak said they will be following the conditions issued by the Planning Board. April 4 through July construction will take place. They will start earlier if possible. It will be a clay infield with grass. Stone dust will be in the batting cages. Mr. Vegnani asked Mr. Lombardo to send a rendering of the proposed fields.

Move to award a contract to Horticultural Services, LLC dba J Michael Landscaping of Marshfield, MA for \$818,001 for the 90' Baseball Field Renovation pending town counsel review. Motion by Ms. Curran second by Mr. Goodrich Unanimous Vote (5-0)

Outdoor Entertainment Permit, 60 Surfside for Wedding on April 29th 5-10:30 p.m., Jeff & Carolyn Priem This is for their son Brian's wedding. There will be 60-62 people. They are right on the pond. It is in the middle of Surfside. The abutters were notified. They will provide buses from the hotel to the house for the wedding.

Move to grant an Outdoor Entertainment Permit to Jeff and Carolyn Priem of 60 Surfside Rd. for a wedding/private party on Saturday, April 29, 2023 from 5:00pm – 10:30pm with entertainment being provided by a DJ. Motion by Ms. Connolly second by Ms. Canfield Unanimous Vote (5-0)

Changes and Updates to 2023 Marina Contract, Stephen Mone, Harbormaster, Rick Murray, Chair & Dave Dinneen, Vice Chair Waterways and Kevin Norton, Member Mr. Mone updated the marina project. The docks and fingers are going in and it is very solid. This dock is accessible for all users. The size of the floats are reduced by a foot. The pilings are inside the docks and electrical pedestals. The installation of dock boxes will impede access. Dock boxes will not be allowed this year. No one will be allowed to drill holes in the docks for dock boxes with the electricity running through. They will look at other alternatives in the future. Rick Murray 16 Colier Road and Chair of the Waterways Commission, said these rules have always been in the marina contract and will be enforced with the new docks. Some citizens are concerned with enforcement of the existing rules. We want to make sure we are preserving accessibility and need to enforce the current rules. A constant contact email was sent to slip renters and there will be an insert in the contracts this year that will go out with the mailing. Warning and fines will be in place. The fine is \$100. The contract gets sent out electronically and mailed to boaters.

The 2023 Marina Contract and (3) Documents, Code of Conduct for, Town Marina Tenants, Mooring Permit Holder, Town Pier Permit Holder were reviewed. Code of conduct is important. We have employees that are not coming back because of the way they are treated by the boaters.

- Code of Conduct for Town Marina Tenants, Mooring Permit Holders, Town Pier Permit Holders

Move to approve the (3) The Code of Conduct with slight edits for Town Marina Tenants, Mooring Permit Holder, Town Pier Permit Holder. Motion by Ms. Curran second by Mr. Goodrich Unanimous Vote (5-0)

- 2023 Marina Contract, Enforcement & Dock Box Enforcement
Move to approve the 2023 Marina Contract and Enforcement of Marina Contract. Motion by Ms. Curran second by Mr. Goodrich Unanimous Vote (5-0)

REVIEW/DISCUSS Trash Barrels, Kevin Cafferty, DPW Director & Mike Breen, Public Grounds Superintendent

Mr. Cafferty would like to bring the Board up to speed on trash barrels. In the winter there are 153 barrels and, in the summer, there are 201 barrels. DPW provided a breakdown of where the barrels are located. The demand for trash removal has increased significantly and some barrels are used to dispose of household waste. It is impacting the man power in public grounds and the overtime budget. Mr. Vegnani said it is a fine line between providing barrels for trash and having people pollute the beaches/town areas. Ms. Curran suggests a pilot of carry in carry out at the beaches. Mr. Boudreau said they would like to take some of the barrels out now in the winter. There is a lot of household trash in the winter. The Board asked Mr. Cafferty to work with the Beach Commission to reduce trash barrels at the beaches and see what ideas they have. The Board also requested DPW develop a communication campaign with the public before we reduce the number of barrels.

UPDATE/DISCUSS/VOTE John Connors Memorial Project, Joe Kelley & Kim Stewart, Veterans Advisory Council

Joe Kelley, Chair of the Veterans Advisory Council said on February 7th the Veterans Advisory Council (VAC) met with the John Connors Memorial Project. The VAC is in support of the location for the memorial. Frank Forge presented to the Select Board. The group expanded the executive committee. In March an article will come out in the WPI journal. The June 3rd event will be hosted by Gene Lavanchy from Channel 5. The group raised \$35,000 at their fundraising event held at Cheever Tavern. June 3rd will be the gala event alongside the Constitution. The guest list includes Admirals, Generals and elected officials. The fundraising goal is \$250,000. No transactions will take place at the event. The fundraising will be done online prior to the gala. The save the date information went out already. It will be held rain or shine. A project schedule was reviewed with the Select Board. The sculpture concept picture was shown to the Board. The rendering was an aerial view of the Town Common. The location of where the memorial is proposed to go was reviewed with the Select Board. Ms. Curran asked about the height of the monument. It is about 14 feet high. Ms. Canfield is impressed with the care and attention the group has given to this project. This is a big commitment. Ms. Canfield received a call today from the Historical Society and they will need to be engaged in the process. Gigi Mirachi from Scituate Historical Society attended the meeting and the park is an Omsted design and the group will engage with the historical society. Ms. Connolly said it is an inspiring story and a beautiful memorial. She would like to consider a place in front of the Veterans Memorial gym to honor all of our Veterans. She is concerned that we have no other statue in Scituate of an individual and asks that we consider this. The title being considered is Aliis (meaning others), to others, for others, with others. This encompasses selflessness and the whole concept of altruism. Mr. Vegnani said the Board would like to see inclusion of others in the community that are worthy of recognition. It may be more in landscaping rather than the statue itself. In general, they do not want to disrupt the space. There may be a chance to do stones for places to sit and soak it in. This may be an opportunity to recognize others. Mr. Kelley said everyone on the VAC supports this. Ms. Curran would like to make sure this is balanced with the elephant fountain which is an iconic piece of the park. Mary Porter, 91 Lawson Road, Trustee of the Historical Society said she would like to have the committee be aware of the history of the park. The whole park is a memorial. There has never been a process for maintenance of the park or how to add things to it. She would like more thought given to this special location.

Dan Fennelly, 65 Forest Lane, said there is not a final design of the memorial. In his opinion it is a little premature if there is no final design yet. Mr. Mitchell said they would be happy to do outreach to the public regarding this project. They are happy to have discussions with the community regarding the project. Mr. Goodrich said we can respect the history and what is there in the park. Ms. Curran asked the group if they had different opinions now that they are more aware that this is an Omstead park. Jack Whitaker, said is not just a wall it is a statue that presents a concept of patriotism and service. It belongs in an exceptional location. Marie Costello, 35 Briarwood Lane asked if the concern is that nobody knows the history and the intent of the design of the park. Mr. Kelley said the area view of the park symbolizes the folded USA flag. Ms. Connolly would like true input from the public. These are important decisions that we make for the community. We should give people a couple of alternatives. The other site reviewed was in front of the Senior Center but the flag pole is in the central location. Access & visibility is there. Pedestrian traffic is not great at that location. Lawson Common was a better choice. The Select Board asked that the VAC work with other town committees to provide input. Then after that come back to the Select Board for a vote. Bob McLean 155 Chief Justice Cushing Highway asked what the process is to discuss this project. The Select Board asked the Veterans Services Council to arrange a public information session regarding this project.

REVIEW/DISCUSS Community Preservation Committee Review, Dan Fennelly, Chair

Mr. Fennelly said we have had a \$10,545,511 match from the State for CPC projects from 2004 to 2023. Total projects rescinded is \$49,467.87. There were nine projects submitted for 2023 and four will be coming in the Fall that have been withdrawn or tabled.

1. \$272,059 From Community Preservation FY 2024 estimated revenues, to be reserved for the creation and support of Community Housing consistent with the Act;
2. \$272,059 From Community Preservation FY 2024 estimated revenues, to be reserved for the acquisition and preservation of Historic Resources consistent with the Act;
3. \$272,059 From Community Preservation FY 2024 estimated revenues, to be reserved for acquisition and preservation of Open Space consistent with the Act;
4. \$68,015 From Community Preservation FY 2024 estimated revenues, for Administrative Expense of the Community Preservation Committee;
5. \$271,801 From Community Preservation FY 2024 estimated revenues and premiums reserved for payment of debt relevant to the Athletic Field Renovation Project voted as Article 12 ATM 04/2019;
6. \$16,830 Recreation – Beach Signage; at six beach entrances.
7. \$82,500 Historic – Cudworth House Restoration; to reestablish visitor access to the 1797 Cudworth House Museum, the Cudworth Barn and the animal pound historic properties.
8. \$300,000 Recreation – Pier 44 Park Design & Engineering;
9. \$30,991 Historic – North Scituate Train Canopy Restoration;
10. \$260,000 Recreation – Purple Dinosaur Playground; Per Jim Boudreau, this will go under management of the Recreation Dept once completed.

11. \$548,924 Community Housing – Wheeler Park Window Replacement; includes over 300 windows including double hung windows.

12. \$400,000 Recreation – Jenkins School Playground; 20 year old playground in a bad location outside of classrooms. The basketball court will be moved and the playground will be moved forward. Any new school should include playgrounds and fields that are required for recreation.

13. \$132,000 Historic – Mordecai Lincoln Driveway & Parking; Construction phase 1 for passive recreation, there is no parking there now. This is for the design, engineering & construction and phase 2 will include the construction. The anticipated use was twofold; tours for the public and a passive or active recreation space. Skyler Chick said there are two parts one for Special Town Meeting and one for the Annual Town Meeting. The layout and parking will be reviewed with the Historical Society during the design and engineering phase.

DISCUSS/VOTE Warrant for Special & Annual Town Meeting

- All Articles for Special & Annual Town Meeting

After review and discussion of the articles, the Board voted the following:

Motion by Ms. Curran in favor of all Special Town Meeting warrant articles second by Ms. Connolly Unanimous Vote (5-0)

Motion by Mr. Goodrich in favor of all Annual Town Meeting warrant articles 1-3 and 5-17 second by Ms. Curran Unanimous Vote (5-0)

Motion by Ms. Canfield to remove Annual Town Meeting warrant article 18 to change town clerk position from elected to appointed second by Ms. Curran Unanimous Vote (5-0)

Article 4 will be voted at the March 7, 2023 Select Board meeting.

- Consent Agenda

After discussion of the articles that are recommended to be placed on a consent agenda for the Special Town Meeting, the Board voted the following:

Motion by Ms. Curran to add Special Town Meeting Warrant Articles 1-3, 5, 7 to the Consent Agenda second by Mr. Goodrich Unanimous Vote (5-0)

After discussion of the articles that are recommended to be placed on a consent agenda for the Annual Town Meeting, the Board voted the following:

Motion by Ms. Connolly to add Annual Town Meeting Warrant Articles 1-2, 5-11, 13 and 15 to the Consent Agenda second by Ms. Curran Unanimous Vote (5-0)

- Assign Warrant Articles

After discussion of the articles the Board agreed to assign the following members to speak on behalf of the following articles at the Special and Annual Town Meeting.

Chair Anthony Vegnani Special Town Meeting articles 1-3,5-7, 9

Member Maura Curran Special Town Meeting article 8

Chair Anthony Vegnani Annual Town Meeting articles 1,2,4

Vice Chair Andrew Goodrich Annual Town Meeting articles 3,9 & 15

Member Maura Curran Annual Town Meeting articles 5,6,10,11,14

DISCUSS/VOTE Ballot Questions for Annual Town Election May 20, 2023

- ~~Amend Charter to change Town Clerk position from elected to appointed by the Select Board~~
This will be moved to the Fall 2023 Special Town Meeting for a vote and then the 2024 Annual Town Election if passed at Town Meeting.
- Place the position of School Committee to fill a vacancy for remainder of term
Under State Law within 30 days the school committee has the right to notify the Select Board of the vacancy. The Select Board and the School Committee can vote together only to fill the vacancy until this May 20, 2023 Annual Town Election. The other option is for the Select Board to take action without the school committee. Nicole Brandolini said the resignation letter submitted by the former Board member serves as the notification. When the school committee formally notifies the Select Board they will hold a joint meeting to fill the vacant position. In the meantime, the Select Board will vote to add this to the Annual Town Election ballot.

Vote to place the position of School Committee-To Fill a Vacancy for the Remainder of a Term on the May 20, 2023 Annual Town Election ballot. Motion by Mr. Goodrich second by Ms. Canfield Unanimous Vote (5-0)

NEW BUSINESS:

1. **DISCUSS/VOTE** Drain Layer License Renewals
 - Laminar Construction Corp dba Costello Contracting
 - Leo Stickney, Cobra Enterprises, Inc.**Move to approve renewal of Drainlayers Licenses for Laminar Construction Corp. dba Costello Contracting and Leo Stickney/Cobra Enterprises Inc. Motion by Ms. Curran second by Ms. Canfield Unanimous Vote (5-0)**
2. Appointment of Registrar Anne Cuneo
Vote to reappoint Anne Cuneo as Registrar on the recommendation and email from Patrice Metro, Chair of the Democrat Town Committee.
Move to reappoint Anne Cuneo as Registrar. This term expires in 2026. Motion by Ms. Canfield second by Ms. Connolly Unanimous Vote (5-0)
3. Appointment of Temporary Democrat Election Warden, Brian Dempsey
Move to appoint Brian Dempsey as Temporary Democrat Election Warden. This term expires in June of 2024. Motion by Mr. Goodrich second by Ms. Curran Unanimous Vote (5-0)

OTHER BUSINESS:

1. Liaison Reports
Sucy en Brie and high school exchange program France to Scituate and in Spring of 2024 Scituate goes to France.

Mr. Vegnani said playoff time is here and boys basketball and the boys hockey team and two skiers are in finals.

2. Correspondence

Save the Date USS Constitution Old Ironsides Fundraiser

Plymouth County Mosquito Control Project

Ms. Curran said that St. Lukes Episcopal Church is in support of Jamele Adams and Scituate Public Schools.

3. Approval of Meeting Minutes

Move to accept the minutes for the Select Board meeting held February 7, 2023 motion by Ms. Connolly second by Ms. Canfield Unanimous Vote (5-0)

4. Adjournment and Signing of Documents

Motion to adjourn the meeting at 10:40 p.m. by Ms. Curran second by Ms. Goodrich Unanimous Vote (5-0)

Respectfully Submitted,

Lorraine Devin, Recorder

List of Documents for the February 27, 2023 Select Board Meeting

- Agenda
- Upcoming Meetings & Events
- Acceptance of Donations
 - Trophy Case & Tournament Trophies \$3140.74 for Widows Walk
 - Three Acoustic Guitars \$758.59 to Scituate Recreation
 - \$500 Donation to Beautification Commission
- Ship Shape Day May 6, 2023
- Award Contract Baseball Field Renovation
- Outdoor Entertainment Permit, 60 Surfside
- Changes and Updates to 2023 Marina Contract
 - Code of Conduct for Town Marina Tenants, Mooring Permit Holders, Town Pier Permit Holders
 - 2023 Marina Contract, Enforcement & Dock Box Enforcement
- Trash Barrels, Kevin Cafferty, DPW Director
- John Connors Memorial Project (see 21 page electronic presentation)
- Preservation Committee Review
- Warrant for Special & Annual Town Meeting
 - All Articles for Special & Annual Town Meeting
 - Consent Agenda
 - Assign Warrant Articles
- Ballot Questions for Annual Town Election May 20, 2023
 - ~~Amend Charter to change Town Clerk position from elected to appointed by the Select Board~~ moved to future meeting
 - Place the position of School Committee to fill a vacancy for remainder of term
- Drain Layer License Renewals
 - Laminar Construction Corp dba Costello Contracting
 - Leo Stickney, Cobra Enterprises, Inc.
- Appointment of Registrar Anne Cuneo
- Appointment of Temporary Democrat Election Warden, Brian Dempsey
- Correspondence
 - Sucy-en-Brie
 - Plymouth County Mosquito Control Project
 - Saint Luke's Episcopal Church
 - John P. Connors Memorial Project
 - School Committee Resignation Letter
- Meeting Minutes of February 7, 2023

Select Board Meeting Minutes for February 27, 2023

SELECT BOARD

Anthony V. Vegnani, Chair

Andrew W. Goodrich, Vice Chair

Maura C. Curran, Clerk

Karen B. Canfield

Karen E. Connolly