

**MEETING OF THE SELECT BOARD
TUESDAY MAY 30, 2023 6:00 p.m.
SELECT BOARD HEARING ROOM – TOWN HALL**

In attendance Andrew Goodrich, Vice Chair, Maura Curran, Clerk, Karen Canfield, Karen Connolly, Susan Harrison

Also, in attendance Jim Boudreau, Town Administrator

MEETING CALLED TO ORDER/ACCEPTANCE OF AGENDA

A motion was made by Ms. Connolly at 6:00 p.m. to accept the agenda for May 30, 2023 second by Ms. Canfield Unanimous Vote (5-0)

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.

REORGANIZATION OF THE SELECT BOARD

Motion to appoint Maura Curran as Chair of the Scituate Select Board. Motion by Mr. Goodrich second by Ms. Canfield Unanimous Vote (5-0)

Ms. Curran welcomed Susan Harrison to the Scituate Select Board.

Motion to appoint Andrew Goodrich as Vice Chair of the Scituate Select Board. Motion by Ms. Connolly second by Ms. Canfield Unanimous Vote (5-0)

Motion to appoint Susan Harrison as Clerk of the Scituate Select Board. Motion by Ms. Canfield second by Mr. Goodrich Unanimous Vote (5-0)

WALK INS-None at this meeting.

REPORT OF THE TOWN ADMINISTRATOR-

1. Water update. We are at +.50", last week we were +3". Tack factory Pond is at +1.5" down from +7". Average daily demand was at 1.592 MGD up from last week's 1.493 MGD.

Rainfall over the last 7 days was trace amounts measured at the Plant.

The Town is currently under our annual water conservation measures. These started May 1. Between May 1-September 30 all outdoor watering must occur before 9 AM and after 5 PM. Automatic irrigation systems may be used one day per week based on voting precincts. This is a ban imposed by the state

based on water usage in the aquifer region that Scituate belongs to. Go to the water department web page for information on when your precinct may use irrigation systems.

2. The Iron/Manganese pilot project is expected to be ready for inspection on June 5, putting it on schedule to be ready for the heavy summer water usage period. As we have discussed previously, this is a project to remove the iron and manganese that has built up in the reservoir and comes out in the water as the temperatures rise and water levels fall. We believe that this was a main cause of our brown water issues last year and that this will go a long way to helping minimize brown water while we build a new treatment plant.
3. The contractor for the lighthouse project, Campbell Construction, has mobilized on the site. Installation of the fencing is complete. The contractor has begun remediation work on the glazing compound of the lantern room windows. When this is completed the lantern room will be prepared for transportation off sight to the contractor's facility where it will serve as a template for the new lantern room. That movement is scheduled to take place later this week. Work on the actual light house tower began last week. The lighthouse restoration is being paid through the Town's Community Preservation fund and various grants.
4. The gas company is scheduled to continue work this on the installation of a new gas line on Jericho Road. Crews will be working Monday-Friday from 7am-5pm and the project is expected to take approximately 8 weeks. Jericho Road will be open but will be reduced to one lane in spots during construction. Detail officers will assist with traffic and there is signage in place for alternate routes. Please use caution when traveling through the construction zone and seek alternate routes if possible.
5. Recreation Director Nick Lombardo has announced that the Town's annual on beach life guard training exercise will take place on June 14 in the afternoon at Peggotty Beach. This annual training involves all of our summer life guards, as well as the Harbormaster, Police, Fire and EMS. Lifeguards will begin staffing the beaches on Friday, June 16.
6. The Scituate Town Library, in partnership with the Scituate Recreation Department, is excited to announce the newly installed Little Free Library at Peggotty Beach! Funding for the Little Free Library was generously made possible through a grant from the [Scituate Education Foundation](#). Initial stock of books for the launch, and ongoing supply, has been provided by the Friends of the Scituate Town Library.

How does a Little Free Library work? Little Free Libraries operate on a shared "leave a book, take a book" philosophy. Headed to the beach and looking for a novel to read? Take one from the Little Free Library! Finish a great novel and want others to enjoy it? Leave it inside the Little Free Library for others to enjoy. The Peggotty Beach Little Free Library is a pilot program. If successful, others may be added at other beaches in Scituate, so if you enjoy it, please let us know!

7. Shellfish Constable Mike DiMeo has announced that the seasonal closure of shellfish beds in the North/South Rivers goes into effect as of midnight, tomorrow May 31st and will remain closed until October 31, 2023. This closure is not due to any event or release into the river, but is imposed annually due to "seasonal water quality changes."
8. Fencing is up on Central Field and the project to add a new softball diamond and repair and existing baseball diamond has begun. This is a CPC funded project that will continue until late spring/early summer.

9. I had a tour of the Drew project at the Greenbush Train station along with members of the Planning Board, Planning Staff, Building and Design Review Committee. The project is expecting to begin occupancy of the residential units starting in July, with retail to follow. As of now, it looks as if they will have a couple of restaurants and some additional retail space. Exciting to see this project to completion after multiple delays from Covid and the resulting supply chain issues.
10. Finally, we have a request from the Scituate Food Pantry for donations of bottled water. They are running low on their supply and would appreciate any assistance that people can give. Please keep them in mind with other donations also. The need does not go away with the arrival of the nice weather.

Ms. Curran thanked everyone who prepared, set up and participated in the Memorial Day celebrations. Thanks to DPW for their work on the common, it looked great!

Ms. Canfield asked if a life guard could be added to Minot beach at low tide. It is a heavily used area at low tide. Ms. Connolly said Sand Hills has been completely without a lifeguard for a very long time. They would like to do both if possible. Ms. Connolly asked if the closure of the clam flats is seasonal and Mr. Boudreau said yes, it is seasonal.

SCHEDULED ITEMS:

Final Approval for Beach Sign Locations, Kelly Bower, Chair, Beach Commission

There are two issues that need to be addressed. One is the sign for Minot Beach at Glades & Gannett Road and everyone agreed on the new location. The second is the Museum Beach sign and the height. All the signs are the same height. Ms. Connolly is concerned regarding what part of the beach is public and which part is private and suggests we have a surveyor. Mr. Boudreau will follow up with Joe Divito to review. The plan for installation of the signs is after July 1st when funding becomes available in the next fiscal year and depend on how long it will take to create the signs.

Move to approve the proposed location and installation of the six public beach signs for Egypt, Humarock, Minot, Museum, Peggotty and Sand Hills pending verification of the ownership of Museum Beach. Motion by Ms. Canfield Second by Ms. Connolly Unanimous Vote (5-0)

Desalination Plant, Bruce Arbonies, Chair, Freya Schlegel, Water Resources Commission (WRC) and Bob DeLorenzo

Bob DeLorenzo gave an overview of the prospect of a desalination plant and asked that the Select Board appoint a subcommittee to the Water Resources Commission to examine this as an option. Bruce Arbonies said the WRC met with Jim Boudreau and Kevin Cafferty to review their thoughts. Mr. Boudreau suggested that they present this to the Select Board. There are other towns on the South Shore and potential for a regional solution. There is some work going on in Brockton that could be investigated. The technology improvements make the equipment much smaller than it used to be. It is a good community to investigate this. We have access to great brain power at MIT. We could become a test case across the country for towns like ours. The groups asked the Select Board to approve a subcommittee under the Water Resources Commission. Ms. Curran asked what the level of regulation is in our State at this time. Mr. Goodrich like the idea to look at the different possibilities. Ms. Canfield likes the idea of having this as a subcommittee of the WRC. Ms. Canfield said there are other alternatives such as the water coming out of the water treatment plant. She likes the idea of Scituate being the test for coastal resiliency. Ms. Connolly said the only comment she has is we have too much of the wrong kind and not enough of the right kind. Ms. Connolly thinks this is the right thing to do. Ms. Harrison agrees with the proposal for potable water and gray water as well. Mr. Arbonies said water catchment is being

reviewed by the WRC also. Ms. Schlegel said all of our ground water wells are at risk for salt water intrusion with sea level rise. The group has the support of the board and the WRC should move forward.

Outdoor Entertainment Permit Scituate Farmers Market 6/10, 6/30, 7/28, 8/25 & 9/29 @ Acres to Grow Farm, 655 Chief Justice Cushing Hwy., Colleen Burke

Kelly Sherman 42 Bay Road & Colleen Burke 655 Chief Justice Cushing Highway are here for an outdoor entertainment permit for the farmers market. Ms. Curran asked if this was the only place where the farmers market will be held this year. Ms. Burke said yes this is the only place. There is parking on the property. There are local bands that are scheduled to play at this time. Ms. Canfield asked about signage. Ms. Burke said they have banners from the old farmers markets. They are working to figure it out now where the signs will be. There is parking for at least 60 cars on the property. They will be in contact with Scituate Police and determine if police details will be needed. They are taking over the social media from the previous manager of the market. Ms. Connolly said it may be challenging to get signs in place with the State of MA and they should consider this in their planning. William O'Malley, 27 Pheasant Hill Drive said some of the noise impacts the neighbors. Warren Keys, Pheasant Hill Drive said there was music there many times and they were never notified. More trees are being cut down on the property and noise & lights are coming into their windows. She feels this farm has encroached to the other property lines on Pheasant Hill. The neighbors asked if there would be porta potties at the property and Ms. Burke said yes there will be. Ms. Canfield asked if the property is agriculture property and Ms. Burke said yes. Mr. Boudreau said having events related to agriculture use would be allowed. James Niven, 62 Pheasant Hill Drive said if it is just five days from 4-8 p.m. he is okay with that. There has been fires on the property with nobody tending the fire. He has a concern with that. There is tension because this is growing, growing & growing. The axe throwing was going to midnight and is a problem. Ms. Curran suggests changing the time to 7:30 p.m. Joseph Crais, Pheasant Hill Farm said the noise and smell is a lot in previous years and it continues. Entertainment until 8 pm is unacceptable. They have music now that goes to 10:30 and beyond. They had a quiet neighborhood until the farm came and he asks that they vote no on the entertainment license. Susan Paul Hughes 65 Pheasant Hill Drive wrote a letter and asked for a not vote for the entertainment license. Mark Dowling, Pheasant Hill Drive wrote a letter and is opposed to allow parking there. David Gilligan, 49 Pheasant Hill Drive said the noise goes until 10 pm -11 pm and the noise is so loud, it is an ongoing problem. It has been disruptive for years and they do not agree with the entertainment permit. Ms. Connolly said tonight we have the opportunity to rectify some of the problems the neighbors have had in the past. This is only five farmers market events. Ms. Curran said it should be restricted to 7:30 and not allow a live band or DJ and limit the entertainment to an acoustic guitar. Ms. Curran appreciates Ms. Burke coming before the Board. Mr. Goodrich discussed only allowing two nights. Ms. Connolly said it takes a lot of work to get the vendors together and five nights over the summer is not a lot and she would not recommend restricting the dates. The Board would like a police detail there night one.

**Move to grant an outdoor entertainment permit to Acres to Grow Farm at 655 Chief Justice Cushing Hwy. for Saturday, June 10; Fridays, June 30, July 28, August 25, & September 29, 2023, for acoustic instruments only from 4:00pm-7:30 p.m. Motion by Ms. Connolly Second by Mr. Goodrich
Unanimous Vote (5-0)**

One Day Wine & Malt Licenses for Farmer Brewery Vitamin Sea Brewing @ Farmers Market on 6/10, 6/30, 7/28, 8/25 & 9/29, Kelly Sherman, Vitamin Sea Brewing & Colleen Burke

Kelly Sherman is tips certified and will be checking ID's. It is a tasting and they sell beer. They do this in Hingham, Hull, and many other farmers markets. Ms. Connolly said we do not want people drinking at the farmers market.

Move to approve a One-Day Wine & Malt License for Vitamin Sea Brewing for Farmer Brewery samples only & contained malt beverages (not for on-site consumption) at the Farmer's Market located at Acres to Grow Farm, on Saturday, June 10th; Fridays, June 30th, July 28th, August 25th, and September 29, 2023 from 4:00 PM to 7:30 PM. Motion by Ms. Connolly Second by Ms. Canfield Unanimous Vote (5-0)

Interim Loan from MA Clean Water Trust for new Water Treatment Plan \$2,367,763, Pam Avitabile, Treasurer Collector

The Clean Water Trust Board of Trustees voted to approve an Interim Loan from the Massachusetts Clean Water Trust for the purpose of financing costs for the drinking water project in the amount of \$2,386,763.00 as of May 3, 2023. This capital project was authorized at the April 11th, 2022 Special Town Meeting (Article 5) for the purpose of Construction of New Water Treatment Plant Facility and Supervisory Control and Data Acquisition (SCADA) System. The loan is at zero percent. Ms. Avitabile is asking the Board to approve the loan from the Massachusetts Clean Water Trust for the purpose of financing costs for the Construction of New Water Treatment Plan authorized at the April 11, 2023 Special Town Meeting.

Susan Harrison, the Clerk of the Select Board read the following VOTE OF THE SELECT BOARD: I, the Clerk of the Select Board of the Town of Scituate, Massachusetts, certify that at a meeting of the board held May 30, 2023, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:

- VOTED:
- (1) that the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$3,500,000 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and a vote of the Town passed April 11, 2022 (Article 5), for planning or construction of drinking water infrastructure (the "Project");
 - (2) that in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed \$3,500,000;
 - (3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Clean Water Trust (the "Trust") at a price determined pursuant to the Financing Agreement;
 - (4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Financing Agreement (or Agreements) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Select Board and the Treasurer and evidenced by their execution of the Bonds or Notes;
 - (5) that any certificates or documents relating to each Bond and Note (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file

or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures;

- (6) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and
- (7) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreement(s) and the Project Regulatory Agreement(s) relating to the Project.

I further certify that the agenda for the meeting, a copy of which is attached hereto, was posted on the bulletin board of the town at least 24 hours before the meeting in compliance with Section 7-11 of the Town Charter.

I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date, time and agenda of the meeting (which agenda included the adoption of the above vote) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decisions in connection with the sale of the Bonds or Notes were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L c.30A, §§18-25, as amended. I further certify that the vote has not been amended, supplemented or revoked and remains in effect on this date.

Move that the Select Board approve a loan from the Massachusetts Clean Water Trust in the sum of \$2,386,763 for Article 5 authorized at the April 11th, 2023 Special Town Meeting. Motion by Ms. Canfield second by Ms. Connolly Unanimous Vote (5-0)

General Obligation Bond Anticipation Note (BAN) \$5,565,000 for Water & Sewer & Docks projects , Pam Avitabile, Treasurer Collector

Ms. Avitabile said this borrowing is to complete multiple projects. The sale of \$4,030,000 General Obligation Bond Anticipation Notes of the Town dated February 17, 2021, payable March 4, 2021 (the “Notes”) to TD Securities, at par and accrued interest plus a premium of \$50,616.80.

On May 24th, the Town of Scituate sold \$5,565,000 in General Obligation Bond Anticipation Notes for the following Authorized Purposes:

Project Description	Authorization	MAY BAN
Sewer Enterprise		
Infiltration & Inflow-Oceanside	Art 3T, ATM 04/2021	\$1,800,000
Total Sewer Enterprise		\$1,800,000
Water Enterprise		
Water Main Replacement	Art 5-6, STM 10/2021	\$3,000,000
Total Water Enterprise		\$3,000,000
Waterways Enterprise		
Additional Funds CPM Docks Town Share	Art 5-1, STM 09/2022	\$765,000
Total Waterways Enterprise		\$765,000
TOTAL BAN		\$5,565,000

The Town received 6 bids. The winning bid was submitted by Jefferies LLC at a coupon interest rate of 4.50% and a premium amount of \$18,475.80 resulting in a net interest cost of 3.8360%.

This issue of notes are scheduled to mature on December 15, 2023. At that time, the notes will be reviewed for the most cost-effective financing option.

Susan Harrison, the Clerk of the Select Board read the following VOTE OF THE SELECT BOARD: I, the Clerk of the Select Board of the Town of Scituate, Massachusetts, certify that at a meeting of the board held May 30, 2023, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of \$5,565,000 4.50 General Obligation Bond Anticipation Notes (the “Notes”) of the Town dated June 15, 2023, and payable December 15, 2023, to Jefferies LLC at par and accrued interest, if any, plus a premium of \$18,475.80.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 18, 2023, and a final Official Statement dated May 24, 2023, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Notes (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the agenda for the meeting, a copy of which is attached hereto, was posted on the bulletin board of the town at least 24 hours before the meeting in compliance with Section 7-11 of the Town Charter.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no

deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Move that the Select Board approve the sale of General Obligation Bond Anticipation Notes of \$5,565,000. Motion by Ms. Canfield second by Ms. Connolly Unanimous Vote (5-0)

DPW Contracts, Kevin Cafferty

- TL Edwards MAPC Paving Contract based on bid unit prices
Construction bid items have been gathered by Public Works Departments on the South Shore, including Scituate and put out to bid by the Massachusetts Area Planning Council (MAPC) annually. This enables the Town to procure services based upon a regional bid process with competitive pricing. Bids were received and the low bidder is listed below to perform Roadway Management. Contracts are based upon unit prices.

Move that the Select Board award the contracts to provide Roadway Management Services to TL Edwards Inc. for the unit bid prices as quoted. Motion by Mr. Goodrich second by Ms. Connolly Unanimous Vote (5-0)

- Aerial Tree Trimming, Pathfinder Tree Services based on hourly unit prices as bid
A seal competitive bid process was conducted for tree trimming and stump grinding used by the public grounds department. Bids were publicly administered and opened on May 17, 2023. Three bids were received, a summary of the bids were provided to the Select Board.

Move that the Select Board award the contract to provide aerial tree service to Pathfinder Tree Services LLC for the hourly unit prices as bid. Motion by Ms. Harrison second by Mr. Goodrich Unanimous Vote (5-0)

- FEMA Disaster Consultant Contract, Tetra Tech not to exceed \$300,000
This was sent out to 30 firms to bid the contract.
Administration of foreshore repair work for existing FEMA Grants in connection with seawall damage claims for legacy disasters SANDY, NEMO & JUNO and new claims under RILEY require specialized knowledge of complex FEMA regulations.

MEMA advised the Town of Scituate retain the services of a FEMA consultant to assist with administration of the foreshore damage grants. All FEMA consultant services will be eligible for 75% reimbursement; some of which may be eligible for 100% reimbursement.

An updated RFP was prepared and sent to a total of 30 firms. 1 Proposal was received from TETRA TECH Inc. TETRA TECH is our current consultant we have worked with for the last 4 years with excellent performance.

In addition to administration of existing foreshore grants the consultant will also provide:

- FEMA Damage claim preparation for future disasters
- Preparation of a Grant Management Plan to maximize FEMA and other grant opportunities to increase the Town's resiliency
- Identify, prepare application and administer all aspects of grants

- Review the Town's preparedness and response to disaster cleanup and recovery and make recommendations for improvements to maximize FEMA grant.
- General Consulting for various resiliency related projects as required

Ms Harrison had a process question and asked if we do not get responses from 29 companies do we reach out and find out why. Mr. Cafferty said the feedback is the companies are too busy right now.

Move that the Select Board award the contract to provide FEMA Consulting and Grant Administration Services to Tetra Tech Incorporated on a Time and Materials basis not to Exceed \$300,000.00. (\$75,000.00 Town). Motion by Ms. Canfield second by Ms. Connolly Unanimous Vote (5-0)

FY2023 Interdepartmental Budget Transfers, Nancy Holt, Finance Director/Town Accountant
Ms. Holt reviewed all the Interdepartmental Budget transfers with the Select Board.

Move to transfer from the available FY 2023 General Fund, Widows Walk Enterprise and Transfer Station Enterprise Fund budget lines as indicated on the provided spreadsheet to other General Fund, Widows Walk Enterprise and Transfer Station Enterprise Fund budget lines respectively pursuant to MGL Chapter 44B §33 to resolve multiple end of year issues with unexpected costs for various departments. Motion by Ms. Connolly second by Mr. Goodrich Unanimous Vote (5-0)

Municipal Employee Disclosure for seasonal police work, Nancy Holt, Finance Director/Town Accountant
Ms. Holt reviewed the employee disclosure forms for two employees.
Communications Specialist Nicholas Johnson and SPS Teacher Eric Fagerlund are seeking MGL Ch 268A §20B exemptions for services as Special Officers to perform seasonal police work and police details as attested to by Police Chief Mark Thompson.

Move that the Select Board, as required by Massachusetts General Laws Ch 268A, have reviewed the disclosure form from municipal employees Nicholas Johnson and Eric Fagerlund to provide services to the Scituate Police Department as Special Officers and that such exemption is approved for municipal employee Nicholas Johnson and Eric Fagerlund. Motion by Ms. Canfield second by Ms. Connolly Unanimous Vote (5-0)

Adoption of new Select Board Policy for Prohibitions on Reimbursements, Nancy Holt, Finance Director/Town Accountant

Ms. Holt reviewed pursuant to MGL c. 44§58, a municipality may not pay a bill incurred by any official for wines, liquors or cigars (interpreted as all tobacco products). It has been noted that cannabis is now legal in Massachusetts but the above-mentioned statute from 1884, which was last amended in 1917, is not likely to be amended anytime soon.

Move to adopt a Select Board policy entitled Prohibition on Reimbursements to disallow payment of any bill incurred by an official for cannabis products or related paraphernalia. Motion by Mr. Goodrich second by Ms. Connolly Unanimous Vote (5-0)

Cost of Living Adjustment (COLA) FY24 classification plan for non-union employees, Nancy Holt, Finance Director/Town Accountant

The Select Board adopted a classification plan for non-union positions at the December 21, 2021 meeting effective for FY22. At this time, the Select Board is being asked to adopt the FY24 version of the classification plan which reflects a 2.5% cost of living adjustment which is in keeping with the FY24 cost of living adjustments negotiated with the AMP & TOSCA bargaining units. The rates denoted in the FY24 plan would be effective from July 1, 2023 through June 30, 2024.

Move to adopt the FY24 classification plan for non-union employees with a 2.5% cost of living adjustment effective from July 1, 2023 through June 30, 2024. Motion by Ms. Connolly second by Ms. Canfield Unanimous Vote (5-0)

Adjustment to FY23 Expenditure Limits for Athletic Field Revolving Fund, Nancy Holt, Finance Director/Town Accountant

Ms. Holt said annual town meeting sets the fiscal year expenditure limits for the MGL c. 44 §53E1/2 revolving funds (Article 11). If in a given fiscal year, the limit needs to be adjusted, a vote of the Advisory Committee and the Select Board is necessary. An increase is requested for the Athletic Field Revolving Fund as at the time of the Town meeting vote, the cost of the electricity bills was unknown. The School Department has paid a portion of the athletic field electricity invoices and the rates for field lights have been adjusted.

Move to increase the expenditure limit of the MGL c. 44 §53E1/2 Athletic Fields Revolving Fund as previously set by the April 2022 annual town meeting, Article 11 at \$50,000 and amended at the December 1, 2022 Select Board meeting by an additional \$25,000 to a total of \$115,000 for FY23. Motion by Ms. Canfield Second by Ms. Connolly Unanimous Vote (5-0)

Payment of National Grid Invoice for Athletic Fields Electricity from Revolving Funds, Nancy Holt, Finance Director/Town Accountant

The Town received the first invoice for the lights at the new athletic field complex in May 2022. National Grid issued an invoice for the usage from May 2020 through March 2022 on March 2, 2023 in the amount of \$83,542.00. The invoice included sales tax of \$4,466.27 which has now been removed. The invoice was received too late to add to the unpaid bill article for the STM.

The Recreation Department came before the Select Board over the summer to adjust the fee schedule to include a separate fee for lights based on actual cost data. The fees collected to date are \$12,550 and the athletic fields Revolving Fund has paid \$47,409.59 in electricity bills for usage from March 2022 through the current period.

Since the 4/10/23 Select Board meeting, the School Department has paid 50% of the National Grid invoice and the Athletic Field Revolving Fund paid the other 50% of \$39,976.40. The Athletic Field Revolving account has now been depleted to \$35,126.75 with two more months of electricity bills to pay.

Pursuant to Section 10260 of the general bylaws, the Wind Turbine and Solar Array Revolving Funds can both be used to pay electrical costs. The Wind Turbine Revolving Fund has a balance of \$1,484,007 and the Solar Array Revolving Fund has a balance of \$1,155,487. In the past electricity bills had been paid from the Wind Turbine Revolving Fund but never from the Solar Array Revolving Fund. Should the Select Board choose not to

authorize payment from the Wind Turbine Revolving Fund; the Select Board must vote to increase the expenditure limit for the Athletic Field Revolving Fund for FY23.

Jim Boudreau met with Scituate Public Schools and they will pay ½ of the back bill. The Town will pay the other half. Ms. Curran has no problem using the wind turbine revolving fund since we have used this to pay electric bills before. Ms. Holt said this would put a huge dent in the athletic field revolving fund. We are still trying to figure out ongoing what the billing will be for the new fields. Ms. Connolly said ongoing the renters are paying for the electricity using a light fee.

Move to approve the payment of the \$39,976.40 National Grid electricity bill from the Wind Turbine Revolving Fund. Motion by Ms. Canfield second by Ms. Connolly Unanimous Vote (5-0)

Ambulance Abatement for outstanding ambulance charges from FY17 and FY18 \$69,027.03, Nancy Holt, Finance Director/Town Accountant

Ms. Holt reviewed the FY17 and FY18 ambulance bills with the Select Board. Our annual billing is over \$2M and we typically collect 50%.

Move to approve the recommended abatements for all outstanding ambulance charges from FY 2017 and 2018 totaling \$69,027.03. Motion by Ms. Connolly second by Mr. Goodrich Unanimous Vote (5-0)

Allocation of Transportation Network Company Funds \$855.20, Nancy Holt, Finance Director/Town Accountant

Per statute, the Transportation Network Company (TNC) Division of the Department of Public Utilities must collect a \$0.20 per-ride assessment on all TNC rides originating in Massachusetts. Each year, half of the per-ride assessment is disbursed to each municipality proportionally based on the number of rides originating in that municipality. The funds must be used “to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the city or town including, but not limited to, the complete streets program.

The funds used to have to go back to town meeting to be appropriated and were part of budget reconciliation articles at special town meetings over the past few years. The statute was amended allowing the funds to be used without further appropriation by vote of the chief executive officer of a municipality, the Select Board.

The Town has received the following since inception; FY18-\$512.30, FY19-\$859.50, FY20-\$1,611.70, FY21-\$584.10, FY22-\$552.20 and FY23-\$855.20 for a total of \$4,975.00

Ms. Holt asked the Board to allocate the funds to roadway improvements. Ms. Canfield asked if this could be allocate to other things like a bicycle commission. Ms. Holt said she believes so, but she would need to look into it.

Move to allocate the \$855.20 received in Transportation Network Company funds to roadway improvements. Motion by Ms. Canfield second by Ms. Connolly Unanimous Vote (5-0)

NEW BUSINESS:

1. One Day Wine & Malt Licenses

- Fork in the Road Catering for a private event at the Scituate Maritime Center on Sunday, June 4, 2023 from 11:00 AM to 2:00 PM.
- Superior Servers for a private event at the Scituate Maritime Center on Thursday, June 8, 2023 from 6:00 PM-10:00 PM.
- Superior Servers for a private event at the Scituate Maritime Center on Saturday, June 17, 2023 from 5:30 PM-9:30 PM.
- Simply Good Catering for a private event at the Scituate Harbor Community Building on Sunday, June 4, 2023 from 11:00 AM – 3:00 PM.
- Simply Serving for a private event at the Scituate Maritime Center on Friday, June 9, 2023 from 6:00 PM – 10:00 PM.
- Cranberry Vine Catering for a private event at the Scituate Maritime Center on Tuesday, June 13, 2023 from 4:30 PM – 6:30 PM.

Motion by Mr. Goodrich to approve the One Day Wine & Malt Licenses second by Ms. Canfield Unanimous Vote (5-0)

OTHER BUSINESS:

1. Liaison Reports

Historic Commission sent some recommendations regarding the use of the Mordecai Lincoln property. Ms. Canfield will forward to the Select Board.

Michael Cucchiara, Esq., Director of Development at the Grantham Group has walked through the Gates building and will discuss what they assessed with Maura Curran and Jim Boudreau mid-June.

2. Correspondence

Division of Marine Fisheries shell fishing closure of North and South Rivers.
Reorganization of the Marshfield MA Select Board

3. Approval of Meeting Minutes

Motion by Ms. Connolly to accept the minutes for the Select Board meeting held May 9, 2023 second by Ms. Canfield Unanimous Vote (5-0).

4. Adjournment and Signing of Documents

Motion to adjourn the meeting at 8:36 pm. by Ms. Canfield second by Mr. Goodrich Unanimous Vote (5-0)

Respectfully Submitted,

Lorraine Devin, Recorder

List of Documents for the May 30, 2023 Select Board Meeting

- Agenda
- Upcoming Meetings & Events
- Reorganization of the Select Board
- Final Approval for Beach Sign Locations
- Desalination Plant Presentation
- Outdoor Entertainment Permit Scituate Farmers Market 6/10, 6/30, 7/28, 8/25 & 9/29 @ Acres to Grow Farm, 655 Chief Justice Cushing Hwy., Colleen Burke
- One Day Wine & Malt Licenses for Farmer Brewery Vitamin Sea Brewing @ Farmers Market on 6/10, 6/30, 7/28, 8/25 & 9/29
- Interim Loan from MA Clean Water Trust for new Water Treatment Plan \$2,367,763
- General Obligation Bond Anticipation Note (BAN) \$5,565,000 for Water & Sewer projects
- DPW Contracts
 - TL Edwards MAPC Paving Contract based on bid unit prices
 - Aerial Tree Trimming, Pathfinder Tree Services based on hourly unit prices as bid
 - FEMA Disaster Consultant Contract, Tetra Tech not to exceed \$300,000
- FY2023 Interdepartmental Budget Transfers
- Municipal Employee Disclosures for seasonal police work
- Adoption of new Select Board Policy for Prohibitions on Reimbursements
- Cost of Living Adjustment (COLA) FY24 classification plan for non-union employees
- Adjustment to FY23 Expenditure Limits for Athletic Field Revolving Fund
- Payment of National Grid Invoice for Athletic Fields Electricity from Revolving Funds
- Ambulance Abatement for outstanding ambulance charges from FY17 and FY18 \$69,027.03
- Allocation of Transportation Network Company Funds \$855.20
- One Day Wine & Malt Licenses
 - Fork in the Road Catering for a private event at the Scituate Maritime Center on Sunday, June 4, 2023 from 11:00 AM to 2:00 PM.
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 - Cranberry Vine Catering for a private event at the Scituate Maritime Center on Tuesday, June 13, 2023 from 4:30 PM – 6:30 PM.
- Correspondence
 - Reorganization of the Marshfield Board of Selectmen
 - Division of Marine Fisheries seasonal closure of North & South Rivers to shell fishing
- Meeting Minutes for May 9, 2023

Select Board Meeting Minutes for May 30, 2023

SELECT BOARD

Maura C. Curran , Chair

Andrew W. Goodrich, Vice Chair

Susan J. Harrison, Clerk

Karen B. Canfield

Karen E. Connolly