

**MEETING MINUTES
BOARD OF SELECTMEN
October 4, 2016**

Present: Martin J. O'Toole, Chairman, Anthony V. Vegnani, Maura Curran, Shawn Harris, John Danehey

Patricia Vinchesi, Town Administrator

The Meeting was called to order at 7:01 p.m.

Mr. O'Toole recognized former Selectmen Jim Pollard and Representative Jim Cantwell in the audience this evening.

Acceptance of Agenda

Mr. Danehey made a MOTION to accept the agenda for October 4, 2016 Second by Mr. Harris, all in favor. Unanimous vote (4-0).

WALK INS-None

REPORT OF THE TOWN ADMINISTRATOR

1. Water update - Sean Anderson, Water Superintendent, and Kevin Cafferty, DPW Superintendent

Hurricane Matthew expected over the weekend to bring rain. We are up to 24% full but this time last year was 62%. The water levels remain depressed. Daily water usage was 2% higher than previous weeks. Conservation by residents and businesses is critical. Please send conservation suggestions to conservewater@scituatema.gov. Mr. Cafferty reviewed violations this week. Mr. Cafferty would like to remind boaters to not use municipal water to clean off boat vessels. We will hear in late October if the grants to raise the reservoir are approved. The rain barrels are in and we will be picking them up this week. We are working on a process for purchasing the rain barrels and will get notice out soon. Sean Anderson said the wells are being monitored on a daily basis. We have gained production from one well and lost production in another. Mr. Anderson reviewed a well report he analyzes daily with the Selectmen.

Mr. Vegnani asked Mr. Cafferty to look into the cost for an electronics day at the transfer station for residents to drop off electronics. Mr. Cafferty said he would and get back to Mr. Vegnani.

Mr. Cafferty showed the Selectmen a water pipe that was taken out over the past two week to show the corrosion and why we have the brown water issue.

The island at Cudworth, Elm and Country Way is for handicap crossing and a rest area for people to stop. The island is difficult to see in the dark. The light over the island is out and we will replace the bulb to get more light in the area.

DPW Project Updates – Kevin Cafferty, DPW Superintendent
Mr. Cafferty provided a DPW project summary to the Selectmen.

2. Cushing Road

Representative Jim Cantwell, Kevin Cafferty and some other people are trying to get Cushing Road repaired and the state of MA owns the road. Representative Cantwell said the former Chief Justice who lived in Scituate has a park named after him. The State is going to take responsibility for the street. Kevin Cafferty was very helpful. Representative Cantwell would like to thank DCR and Mass DOT. Nick Gove, DCR and Mike Harris really helped resolve this. The vote will need to have this accepted at town meeting to move forward. Mr. Danehey said the road is horrible and needs to be repaired. The state owns the road and it needs to be updated to town standards then the town can put it out to the voters for street acceptance. There is a beautiful park and walking trail back there that people should enjoy.

Move that the Board endorse and support the efforts of the Massachusetts Department of Recreation to repair and improve Cushing Road and upon completion of improvements to the roadway by DCR to the Town's road standard and provided that the work is complete, the Board of Selectmen will place an article on the warrant for the April annual town meeting for acceptance of the road as a public way. Motion by Ms. Curran Second by Mr. Vegnani Unanimous Vote (5-0)

3. Other Items - Personnel

Pam Avitabile received her certification as a certified Treasurer which is a tough process. Congratulations to Pam for her accomplishment. The FY17 budget created a Deputy Chief position. Applications were accepted and an assessment center process was used in August. This individual joined the Police Department in July 2002, was promoted to Traffic Enforcement Officer 2008, Sergeant 2013, Lieutenant 2014, and has a bachelor's degree from UMASS Boston in law enforcement. Ms. Vinchesi appointed Mark Thompson as Scituate's first Deputy Chief of Police. His wife Nancy and children were in attendance at the meeting. The Board of Selectmen congratulated Deputy Chief Thompson who thanked the Town Administrator and the Board of Selectmen. Deputy Chief Thompson also thanked Chief Stewart for all his support.

SCHEDULED ITEMS:

Special Event Application, Scituate Wind Turbine Tour, Larry Chretien, Mass Energy Consumer Alliance

Mr. Chretien reviewed the special event application with the Board of Selectmen.

Move to approve the Scituate Wind Turbine tour located along the Driftway on 10/15/16, 11:00 a.m. – 1:00 p.m. Motion by Mr. Danehey second by Mr. Vegnani Unanimous Vote (5-0)

Board & Committee Applicant Beach Commission

Anne McCracken, 6 Greenfield Lane, new resident and is passionate about the ocean and would like to get involved and help in any way she can. Ms. McCracken would like to be considered for the Scituate Beach Commission. The Selectmen will vote later in the meeting.

Building Move, Union Street – Old Country Way, Chick Fagan

Mr. Danehey recused himself from the discussion at 7:38 p.m. because it is across the street from his office. This building will become the microbrewery and the house behind (42x100) it will get torn down. There will be another building behind that which will house the brewery. There will be a glass vestibule between the two.

Move that the Board of Selectmen approve a building move from 6 Union Street to 6 Country Way by November 15, 2016 contingent on all department requirements. Motion by Mr. Vegnani second by Ms. Curran Vote in favor (4-0) Mr. Danehey abstained.

Cranberry Vine Catering & Events, Kathryn Hackett, Christie Edgren

Kathryn Hackett attended the meeting and will be catering a memorial service. All references were checked and proper documentation is on file.

Move to approve a one day wine and malt license for Cranberry Vine Catering & Events for a memorial service held at the Scituate Maritime Center located at 119 Edward Foster Road on 10/15/16, 12pm - 6:00pm. Motion by Mr. Harris second by Mr. Danehey Unanimous Vote (5-0)

10/19/16 Special Town Meeting Warrant, Patricia Vinchesi, Town Administrator, John McCarthy, Superintendent of Schools, Kevin Cafferty, DPW Superintendent, Nancy Durfee, Coastal Resource Officer, Stephen Mone, Harbormaster, Patricia Lambert and Andrea Hunt, Citizen Petition

Ms. Vinchesi said this is the warrant that will be published tomorrow. The Moderators meeting will be October 10th. The board reviewed **Article 1**. **Article 2** language is different than what may be expected. Mr. Vegnani said if this article is not passed flood insurance rates will significantly increase. Article 3 is the high school foyer and article 4 is the well for Cushing and High School Fields irrigation. The school was going to put in two storage tanks that were \$20,000 each so those were removed from the estimate. The bid came in lower for the well so Superintendent McCarthy was able to lower the

estimate from \$150,000 to \$100,000. Potentially if this is passed we may be able to install this fall. Testing will be done before drilling begins. The school will not proceed without the test results. The foyer has an extensive amount of water damage and needs to be repaired. Water and snow was seeping in and it is all rotted out in the doors and windows. This is to replace the doors and windows and put in a new floor as well as renovate the restrooms. Insulation is needed due to the cold foyer. A hall of fame room would be added to the foyer area. Superintendent McCarthy announced last evening that he will be retiring in June. This is Superintendent McCarthy fifth year. He built a home in South Carolina and his children have moved to California so it is time for him to go. He has enjoyed working in Scituate. Martha Cook, 3 Acorn Street, was hoping the funding for the field irrigation would include the rain water system. There may be two large tanks that could be reused for this purpose. Ms. Cook would like the Selectmen and School to consider adding a rain water system later. Ms. Curran asked if the Water Resources Committee could look at grants for this purpose. Ms. Cook said they would do the research to see what is available. ??, Vice Chair from Water Resource Committee said there is an example in Wilmington where the rain water is the first watering source and the well as the backup source. The board agrees going forward rain storage should be considered for watering the fields. Article 5 was reviewed by Stephen Mone, Harbormaster. We are not shovel ready because we don't have our cash match appropriated. This would allow us to be ready for the next grant process.

Mr. Harris asked Mr. Mone if the boats should be taken out of the water with the upcoming storm expected. Mr. Mone said he would advise boat owners to remove their boat from the water.

Article 6 is the purchase of the land at 0 Edward Foster Road. This is a non-buildable lot.

Article 7 is the sale of land of the Greenbush MBTA parking lot that will be discussed in more detail later in the meeting tonight.

Article 8 is by petition to transfer Ellis Land to Conservation. Andrea Hunt and Patricia Lambert represent the article. They are not accusing someone of doing something wrong. The petitioners are asking that the remaining acres be transferred to conservation land. The school committee discussed this but did not take an official vote. The petitioners went before advisory and conservation to discuss this. Mrs. Hunt said this area should be protected and is land that is not suitable for building anything and is crucial for the filtration system that is part of the property now.

Mr. Vegnani said this board supports conservation. We do not know now if the school will need the property or not in the future. We could use this property as a future land swap and put it in conservation in the future. There are no current plans to put anything on the property at this time. Mr. Vegnani said to put that property in conservation at this time may hurt us in the future.

Ms. Lambert said this property was in conservation in the past and should be put back in conservation. Mrs. Hunt said the controversy is the difference of opinion. Townspeople

like the Town to have the green space on Route 3A and the majority of citizens don't like the building on 3A. They want the green space. It is crucial for the water filtration on the property and the attorneys they spoke with said this land should have remained in conservation. Now is the time to correct that and do the right thing by putting it back.

Mr. Danehey said that he disagrees with the position of Mrs. Hunt and Ms. Lambert. Respectfully the citizen's petition will be on the warrant for the Town to vote. Mr. Vegnani also added that this is a non-binding vote.

Move that the Board approve the warrant for the October 19, 2016 Special Town Meeting contingent upon any further changes by Town Counsel and/or the Town Administrator. Motion by Mr. Danehey second by Mr. Harris Unanimous Vote (5-0)

The Selectmen assigned who would be speaking about which article as follows:

Article 1 Martin J. O'Toole

Article 2 Martin J. O'Toole

Article 3 Anthony V. Vegnani

Article 4 Anthony V. Vegnani

Article 5 Shawn Harris

Article 6 Maura Curran

Article 7 Maura Curran

Article 8 John Danehey

October 12, 2016 is the moderators meeting at 3:00 in the Selectmen Hearing Room.

The next topic will be discussed at the end of the meeting.

a) Surplus Land Greenbush and Change from Original Purpose

MOVE that the Board vote pursuant to Massachusetts General Laws Chapter 40, Section 15, that the land is no longer required for public purposes. Motion by Mr. Danehey Second by Mr. Vegnani Unanimous Vote (5-0)

MOVE that the Board vote pursuant to Massachusetts General Laws Chapter 40, Section 15A, that the land owned by the Town on Parcel ID 53-2-11 and Plymouth County Registry of Deeds Book 4091, Page 733 and its confirmatory

deed referenced at Book 4091, Page 726, is no longer needed for its original purposes of solid waste disposal, sewage treatment and disposal, municipal buildings, public parking and recreation as stated in the Order of Taking recorded in Plymouth County Registry of Deeds, Book 4091, Page 726 and further move that pursuant to Massachusetts General Laws Chapter 30B, Section 16, declare the land available for disposition. Motion by Mr. Danehey Second by Ms. Curran Unanimous Vote (5-0)

Town Counsel Appointment

Six firms were interviewed by the Board of Selectmen. Mr. O'Toole would like to stay with the current firm for a period of time and give them the opportunity to continue to perform as they have. Ms. Curran said it came down to two firms for her. She really liked Miyares & Harrington. They had a lot of unique positions that would apply to our community. Murphy, Hesse & Lehane has served us well and is in agreement that they would continue to serve. Mr. Vegnani said it was a long process and three stood out. One was large, one medium and one small. It was a tough decision. He liked Kopelman & Paige, Miyares & Harrington and Murphy, Hess, Toomey & Lehane. Murphy, Hess, Toomey and Lehane have been Town Counsel for 10 years and Jim Toomey has retired so we wanted to look and see what is available. Mr. Harris said we looked to see if there was a better fit. There were two that stuck out to Mr. Harris; Murphy, Hess, Toomey and Lehane and Miyares & Harrington. This is only the second time we've done this in 20 years. Ms. Curran said this process helps us see strengths in other firms. Mr. O'Toole said Murphy, Hesse, Toomey and Lehane and that Mr. Toomey would still be available. All the Selectmen selected the same two firms. Mr. Danehey liked four of the six firms that were interviewed. Mr. Danehey liked Miyares & Harrington, Blatman, Bobrowski, Mead & Talerma, Kopelman & Paige, and Murphy, Hess, Toomey & Lehane. During the time Murphy, Hess, Toomey & Lehane represented us very well. They are a mid-size firm with seven attorneys. Mr. Danehey said he supports Murphy, Hess, Toomey and Lehane and is inclined to stay with them since they have done a good job.

Move that the Board of Selectmen continue to utilize the law firm Murphy, Hess, Toomey and Lehane as Scituate's legal counsel motion by Mr. Danehey second by Mr. Harris Unanimous Vote (5-0)

GATRA Update & Service, Frank Gay, Regional Administrator rescheduled to 10/18/16 Board of Selectmen meeting. A representative with decision making authority will attend the 10/18 Selectmen meeting. Ms. Holt said there are two routes proposed. One route going into North Scituate and a route that will meet ADA requirements.

Phase 1 Wayfinding Sign Locations, Laura Harbottle, Town Planner, & Colin McNeice, Economic Development Commission

Colin McNeice is here to update the board on phase 1 of the Wayfinding Sign program. Last time the board asked where these would be placed. There are 14 locations with three types of signs; building signs, Village welcoming signs and wayfinding signs. These signs and

locations are indicated on the map. Ms. Harbottle went before Traffic Rules and Regulations to present this plan. The Selectmen would like to make sure that Humarock is included in the plan. Phase 2 would include signage on Route 3A, beach signage and parking signage.

Move that the Board of Selectmen approve the locations for Phase 1 of the proposed Wayfinding Sign Program as shown on maps and in photo's provided by the EDC with adjustments to add Humarock. Motion by Ms. Curran second by Mr. Danehey Unanimous Vote (5-0)

Sale of Land – Greenbush Development, Mike Travaline, JLL

Mr. Travaline presented the Town's proposal and it was accepted by the MBTA. The Drew Company was selected as the developer of the project. The other group did not submit a plan and there was no zoning clarification. There were red flags on the scope of their project. The timetable executing this was a concern. There were too many things that needed to be addressed. Mr. Vegnani is disappointed at the lack of retail space in this location for the developer selected. It's predominately a residential project. Mr. Travaline will pass along the information. Ms. Vinchesi said there was a study done on what type of retail shops would be successful in this location by the EDC. Mr. Harris asked if the sale is contingent on building permits, etc. Mr. Travaline said they will not close until the permits are issued. The Selectmen determined since their offer was accepted by the MBTA, there is no need to move into executive session to discuss this. Mr. Danehey said the group should come up with a vision for more retail space in line with the

NEW BUSINESS:

1. Board & Committee Appointment Beach Commission
Move to appoint Anne McCracken to the Scituate Beach Commission for a term of three years or until a successor is named. Motion by Mr. Danehey second by Ms. Curran Unanimous Vote (5-0)

2. One Day Wine & Malt Licenses
 - a. Hospitable Hostess @ SMC 10/9/16, 1:00-5:00 p.m. for baptism reception
Move to approve a one day wine and malt for the Hospitable Hostess for a Baptism reception at the Scituate Maritime Center on 10/9/16, 1 – 5 p.m. Motion by Mr. Danehey second by Mr. Harris Unanimous Vote (5-0)

 - b. Hospitable Hostess @ Scituate Beach Association 10/14/16, 6:30-10:30 p.m. for Wampatuck PTO event
Move to approve a one day wine and malt for the Hospitable Hostess for a Wampatuck PTO event at the Scituate Beach Association on 10/14/16, 6:30-10:30 p.m. Motion by Mr. Danehey second by Mr. Harris Unanimous Vote (5-0)

- c. Hospitable Hostess @ Lucky Finn, 10/29/16, 5:00-9:00 p.m. for bridal shower
Move to approve a one day wine and malt for the Hospitable Hostess for a bridal shower at The Lucky Finn Cafe on 10/29/16, 5 - 9pm. Motion by Mr. Danehey second by Mr. Vegnani Unanimous Vote (5-0)

- d. Silent Chef @ SMC 10/18/16, 4:00-10:00 p.m. for business event
Move to approve a one day wine and malt for the Silent Chef for a business party at the Scituate Maritime Center on 10/18/16, 4:00 – 10:00 p.m. Motion by Mr. Danehey second by Mr. Vegnani Unanimous Vote (5-0)

OTHER BUSINESS:

- 1. Correspondence
FEMA Letter 1 reminding the Town we need to vote on the maps.
FEMA Letter 2 property located at 59 Ocean Street did not agree with the LOMA and it can be appealed later.

- 2. Approval of Meeting Minutes
Move that the Board of Selectmen approve the meeting minutes for the 9/20/16 Board of Selectmen Meeting and the 9/20/16 Executive Session Meeting Minutes. Motion by Mr. Vegnani second by Mr. Harris Unanimous Vote (5-0)

Mr. Danehey attended an EDC meeting and was really impressed with the information shared about their vision for North Scituate and Greenbush. Mr. O'Toole would like the developer for Greenbush see the EDC vision. Ms. Vinchesi said she can forward it along to him.

Mr. Danehey showed a picture of the seawall construction and how deep the seawall has to go on Oceanside. He thinks it is fascinating.

Ms. Curran said Chief Murphy has created a great magnet for coastline residents. They will be available at locations around Scituate for residents to pick up. Students will be delivering the magnets to coastal homes.

Mr. Harris and Ms. Holt took a two hour tour of the middle school. He said it is amazing and is coming along great. The project manager was very enthusiastic about the project. Soft opening is late December/early January.

Mr. Vegnani went to a field resource meeting and has done some great work. Girls soccer ranked 16th in the state of MA. Boy's football teams won and are 4-0 so far. Boy's soccer and golf are doing great. Football games are at the high school so come out and support the teams.

There was no need to move into Executive Session since the MBTA accepted the price for the Greenbush property.

3. Adjournment and Signing of Documents

Move to adjourn and sign documents at 10:06 pm. Motion by Mr. Vegnani second by Mr. Harris. Unanimous Vote (5-0)

Respectfully Submitted,

Lorraine Devin
Recorder

LIST OF DOCUMENTS FOR BOARD OF SELECTMEN MEETING
OCTOBER 4, 2016

- Agenda
- Upcoming Meetings & Events
- Water System Update
- DPW Project Summary
- Cushing Park Road Letter from Representative Cantwell's Office
- Special Event Scituate Wind Turbine Tour
- Board & Committee Applicant Scituate Beach Commission
- Building Move, Union Street-Old Colony Way
- Cranberry Vine Catering & Events One Day Wine & Malt Application
- Special Town Meeting Warrant for October 19, 2016
- Surplus Land Greenbush and Change from Original Purpose
- Town Counsel Appointment
- Phase 1 Wayfinding Sign Locations
- Sale of Land Greenbush
- Board & Committee Appointment Scituate Beach Commission
- One Day Wine & Malt License Applications (4)
- Correspondence
 - FEMA Letter 1
 - FEMA Letter 2
- Board of Selectmen Meeting Minutes for approval September 20, 2016 and Executive Session Minutes for approval September 20, 2016

Board of Selectmen Meeting Minutes for October 4, 2016

BOARD OF SELECTMEN

Martin J. O'Toole, Chairman

Anthony V. Vegnani, Vice Chairman

Maura C. Curran, Clerk

John F. Danehey

Shawn Harris