

**MEETING MINUTES
BOARD OF SELECTMEN
November 1, 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 7:04 p.m.

Acceptance of Agenda

Mr. Danehey made a motion to accept the agenda for November 1, 2016 Second by Mr. Harris, all in favor. Unanimous vote (5-0).

WALK INS-Ed Tibbetts, 28 Meeting House Lane, Zoning Board of Appeals member is here tonight in response to the Selectmen meeting on 10/18/16. He is concerned because appointment of the Zoning Board members up for renewal has been on the Selectmen's agenda since June. Mr. Tibbetts said that Mr. Danehey suggested demoting him. All members participate in all the zoning board meetings. There is little difference between full and associate members. The current move to reshuffle the ZBA is unprecedented. Mr. Tibbetts said there was no contact made to discuss the situation with himself or Mr. Bucchere.

Anthony Bucchere, 18 Cornerstone Lane, Alternate Member, Zoning Board of Appeals is in attendance as well this evening.

Steve Guard, 51 Garrison Drive felt compelled to comment on Mr. Tibbetts's speech. Mr. Guard has been before Mr. Tibbetts on many occasions who apply the zoning bylaws to the facts presented before him. Mr. Guard said it is refreshing to have someone like Mr. Tibbetts on the Zoning Board and urges the Board to reappoint Ed Tibbetts to the Zoning Board. Mr. Vegnani said there was never any question to the integrity of Mr. Tibbetts and this was never inferred or commented. Mr. Danehey said nobody is saying that Mr. Tibbetts does not do a good job.

REPORT OF THE TOWN ADMINISTRATOR

1. Water Update

The reservoir is 37.13% full and is up considerably but off from the normal 62% of capacity. Citizens reduced average usage to 61 gallons per day, which is helpful.

2. CPC Applications

The Selectmen have a list of all the CPC applications received. The Board of Selectmen does not weigh in until they receive the projects from CPC. This is just informational and if the Board has any questions they can attend a CPC meeting.

3. Health Insurance update

This will be discussed later in the meeting.

4. Other Items

a. Early Voting

It has been very busy with early voting and we have had 3,162 voters through today and 1,028 absentee voters. Today we have had 532 people who voted so far today. Ms. Vinchesi thanked all the election workers, Kathy Curran and her staff for all their hard work.

We received a \$1.68M grant from FEMA to repair the third cliff revetment. We have not done the work on third cliff and the grant includes the engineering. Ms. Vinchesi thanked the coastal team. Dan Smith is our Senior Engineer and has spent countless hours investigating the coastline following storm events identifying damaged areas. In this particular situation it was Dan's meticulous attention to detail that helped us succeed in being awarded this grant. The Selectmen thanked Dan Smith for his excellent work.

SCHEDULED ITEMS:

Tax Classification Rate, Todd Glowac, Chair, Board of Assessors, Steve Guard, Board of Assessors and Steve Jarzembowski, Assessor

Mr. Guard stated that the Board of Assessors recommends a single tax rate for this year.

Move that the Board of Selectmen vote to approve the Residential Factor, according to MGL Chapter 58, Section 1A. Motion by Mr. Danehey Second by Mr. Vegnani Unanimous Vote (5-0)

Library Project

a. Library Grant, Jessi Finnie, Library Director

Ms. Finnie is here to let the Selectmen know about a grant received by the library. People who ride the commuter rail are disassociated from the community and this is a way to share library services with them. The MBLC awarded a grant "One Train One Book" in the amount of \$22,000. The library will be going to the trains to sign people up for library cards, hold presentations at the library, run children's programs, etc. This will kick off in the spring. There will be three people working on it in Town, Antonia Snee, Assistant Library Director, Elizabeth Holthaus, Library Trustee and Declan Nelson, BC High Student.

- b. Library Contingency, Joe Sullivan, OPM Daedalus and Conrad Ello, Principal, Oudens-Ello Architecture

It has been a little of a year since the project began. The project is over 70% completion at this time. Mr. Sullivan provided the Selectmen with an overview of what work is completed on the interior and exterior to date. A lot of budget modifications were done to stay within budget. The intent is to bring this project in on budget. Some of the contingency funds, \$230,000, were put aside and Mr. Sullivan said he needs some of that money put back into the contingency. Mr. Danehey said Mr. Sullivan should come to the Selectmen when he is in need of additional funding he should bring it to the board. Ms. Curran asked if this is all within the original town meeting vote. Mr. Sullivan said yes this is all included in the original vote. Mr. Danehey said they do not want to release all of the funds at this time and would like Mr. Sullivan to come back to the Board with the specifics when the money is needed. Mr. Ello said they are confident that they will meet the overall budget approved by the Town of Scituate.

Move to increase the Public Building Commission authorization to add \$30,000 to the Library project motion by Mr. Vegnani second by Ms. Curran Unanimous Vote (5-0)

CPC Boat Letter, Karen Connelly, Chair, CPC

Ms. Connelly received a communication stating that boat purchases were not included in the current CPA guidelines. Ms. Connelly would like to approach other coastal communities to see if they are interested in writing a letter to the CPA to expand the definition of recreation to include waterways recreational needs. If the Board of Selectmen approves the letter it will be sent to the other communities. In addition, CPC would approach Jim Cantwell and other local officials.

Move that the Board of Selectmen approve the letter as proposed by the Community Preservation Committee (CPC) to send a letter to other Coastal Communities regarding CPA consideration. Motion by Mr. Danehey Second by Mr. Vegnani Unanimous Vote (5-0)

Disclosure by Municipal Employee, Nancy Holt, Town Accountant/Finance Director and Nick Lombardo, Assistant Recreation Director

This is a 20b exemption request. The recreation department offers CPR courses and first aid courses. The training was put out to bid and there was one bidder for \$4800. The company is owned by one of the town employees. The 20b is required for the position. Ms. Holt asked the board to grant the 20b exemption. Mr. O'Toole asked if they have insurance. The company would train everyone and supply all the training equipment and certificates. Ms. Holt said that

we can obtain the insurance information. Mr. Lombardo said the training would be for the summer life guards and recreation staff for the employees. There would be 12 sessions in all to instruct first aid and CPR.

Move that the Board of Selectmen, as required by Massachusetts G. L. c. 268 A, have reviewed the disclosure form from municipal employee Mark Donovan who seeks to provide personal services to Scituate Recreation department. The exemption under section §20 (b) is approved for municipal employee Mark Donovan. Motion by John Danehey Second by Maura Curran Unanimous Vote (5-0)

One Day Wine & Malt License Selectmen Policy, Lorraine Devin, Executive Assistant, Board of Selectmen

Ms. Devin reviewed the Selectmen Policy draft with the board. The purpose of this is to document the process for One Day Liquor License permits. After the policy is approved it will be sent out to the caterer's in town and any other business where it is applicable. The Selectmen will review the policy and it will be discussed at a future meeting.

Annual Town Meeting Date & Town Election

The second Monday in April and the Election the sixth Saturday following Town Meeting. The second Monday is the first night of Passover. The next Monday is Patriots Day. We do not have to change the date of the town election. Originally it was supposed to be the 10th of April. Passover runs through the 18th of April. Monday April 24th -26th should be checked to see if the moderator is available.

Move to set the Annual Town Meeting date First choice Tuesday, 4/25 second choice Wednesday, 4/26 third choice Monday, 4/24 contingent on moderator and town clerk availability. Motion by Ms. Curran second by Mr. Vegnani Unanimous Vote (5-0)

NEW BUSINESS:

Board & Committee Appointment

a. Zoning Board

Mr. Vegnani would like people who are alternates to have an opportunity to move up to full board members. Mr. Vegnani feels people will lose interest in committees if they stay alternates for so long. Mr. Vegnani would like to keep the boards dynamic. Mr. Danehey concurs with Mr. Vegnani and feels alternates should be allowed to be full members. Mr. Danehey is the liaison to the Zoning Board and rarely attends meetings. The current board is doing a great job. Bill Ohrenberger, 29 Arborway Drive, encourages the Board of Selectmen to reappoint Ed Tibbetts. Mr. Tibbetts is a man of high integrity and honor. He knows the town and the nuance of the town. Mr. Tibbetts always disagrees in an agreeable manner. Mr. Ohrenberger also would like to see Mr. Bucchere

reappointed as an alternate. Mr. Ohrenberger said there has been a high degree of uncertainty the last several months and he encourages the board to vote tonight. Mike Hayes, 35 Allen Place encourages the board to reappoint Ed Tibbetts. With 40B projects and long term planning the alternates have opportunities to be very involved and vote on many occasions. Mr. Hayes enjoys taking part in Zoning Board Hearings because it is an intellectual discussion and not adversarial. Mr. Hayes urges the board to reappoint Ed Tibbetts. Mr. Vegnani said honesty and integrity are not even in the discussion and no comparison to any other members. What the Board of Selectmen are trying to do is get people to want to join boards. Mr. Hayes said nobody has said to the board they are leaving the Zoning Board of Appeals if they are not a voting member. Anthony Bucchere, Cornerstone Lane was well aware that he would be an alternate member. He did not understand until tonight the Board of Selectmen's reasoning. He understands that Mr. Lynch would be a full member. The board reached out to Mr. Lynch about that question. He saw the Board of Selectmen reach out to other residents to join the Zoning Board. Mr. Bucchere said it is an interesting board. When Sara's term was up Mr. Vegnani had the same conversation with her. This is not the only board where this is happening. Ms. Curran is supportive of Ed Tibbetts being reappointed to the Zoning Board. Steve Guard, 51 Garrison Drive, asks the board to consider the potential impression the board would give demoting a full member.

Move to appoint Ed Tibbetts to the Zoning Board for a term of three years or until a successor is named. Motion by Mr. Harris second by Ms. Curran Vote In favor Ms. Curran, Mr. Harris and Mr. O'Toole, Vote against Mr. Vegnani, Mr. Danehey motion passes (3-2)

Move to appoint Mr. Bucchere as the 2nd alternate to the Zoning Board for a term of three years or until a successor is named. Motion by Ms. Curran second by Mr. Harris Unanimous Vote (5-0)

MBTA Solar Panels, Patricia Vinchesi

There is a letter from Town Council for the Selectmen to review. The MBTA plans to install solar panels at 37 of their parking facilities. Omni Navatis has a 20 year lease on the panels where the MBTA is paid just under \$2M per year. The panels will be installed over a two year period. The town was notified in writing of the MBTA plans to do this in Scituate. The MBTA mitigation agreement does not have a right to do the solar panels. The agreement specifically says only parking and nothing else may go into this property that the MBTA owns. It is interesting to note that North Scituate is a historic district. There is a conference call scheduled with the Town Administrator, Town Council and the MBTA to discuss this. There is a dispute resolution provision in the mitigation agreement.

One Day Wine & Malt License

b. Silent Chef @ SMC 11/19/16, 6:00 – 10:00 p.m. for birthday party
Move to approve a one day wine and malt for Silent Chef for a birthday party at the Scituate Maritime Center on 11/19/16, 6 – 10 p.m. Motion by Mr. Danehey second by Mr. Vegnani Unanimous Vote (5-0)

To Utilize Process for MGL Ch. 32B, Sections 21-23

Public Employee Committee (PEC) Vote for Plan Design Changes, Sue Shilue, Cook & Company and Nancy Holt, Town Accountant/Finance Director

Mr. Danehey is recusing himself from this agenda item and left the room at 8:37 p.m. Ms. Vinchesi distributed a letter to the Board of Selectmen. Scituate is the second largest community with 849 Subscribers in the Mayflower group. There are now eleven communities at the table to discuss other options. We have held five meetings at our insurance advisory committee (IAC) meeting. We have obtained quotes from other insurance companies and we are looking at double digit increases in health care expenses. We are responsible if Mayflower goes into a deficit. Mayflower has not given us the rates for next year at this time. Ms. Holt provided a MMHG Fund Balance graph for the Selectmen review. MIIA can meet the plan design we currently offer except they do not offer Harvard Pilgrim and we have some subscribers who are on Harvard Pilgrim. We expect a 12-16% increase with Mayflower. Vote to reinstate the public committee process. At the next meeting we will put forth a vote to withdraw from Mayflower. We should have a good idea of where we are going at that time. It is our responsibility to do our due diligence and we need to look for the long term and being stable. Ms. Vinchesi has been concerned with this for a while and is concerned about stability and fiscal responsibility. Ms. Holt said we have been extremely transparent. The transition would not happen until July 1, 2017. Open enrollment would happen in April. At the IAC meeting we asked all the union presidents to go back to their members to communicate this.

Move that the Board of Selectmen, as the Appropriate Public Authority, vote that the Town of Scituate shall engage in the process to change health insurance benefits under G.L. c. 32B, sections 21-23. Motion by Mr. Vegnani second by Mr. Harris Unanimous Vote (4-0) Mr. Danehey recused himself from this agenda item.

Mr. Danehey returned to the meeting at 9:00 p.m.

OTHER BUSINESS:

Correspondence

- XFINITY Letter to Selectmen effective November 29, 2016 they will make some changes to their channels and in January 2017 there will be some rate changes.
- Humarock Beach Improvement Association (HBIA) sent a thank you letter for the police department handling of the crowds on the beach this summer.

- Sister City film flyer letter to watch the Irish Rebellion at St. Mary's on November 12th at 6 p.m. for a \$5 donation.

Mr. Danehey thanked the HS football team and was thoroughly impressed by the kids throughout the year. The game came down to the last play and Scituate lost 28-26. The coaches did a great job with the team. There are two games left his year.

Mr. Vegnani said head down to the fields and watch the Scituate High School sports programs. The CORSE gala was held last weekend and it was a great event. Tracy Johnston was awarded the Mr. C Community Award.

Ms. Curran thanked Mr. Cantwell for the great coastal meeting last week. There were MEMA and FEMA and the Seaport Advisory Council who were very impressed with the proactive approach that Scituate is taking. Nancy Durfee did an excellent job highlighting our coastal issues in a nice way. They were very impressed with Ms. Vinchesi, Ms. Durfee and Mr. Cafferty.

It was great fun in the harbor last night for Halloween and Ms. Curran thanked the small business owners for donating the candy and supporting all the children of Scituate. Thank you to the Scituate Police also.

Mr. Harris said support our local businesses this winter as much as you can. Mr. Danehey thanked the Chamber of commerce also for starting Halloween in the harbor.

Mr. Danehey said Jim Cantwell has done a tremendous amount of work for this town and has done a superb job representing us. Please remember on Election Day.

Approval of Meeting Minutes

Move that the Board of Selectmen approve the meeting minutes for the 10/18/16 and 10/19/16 Board of Selectmen Meeting. Motion by Mr. Danehey second by Mr. Vegnani Unanimous Vote (5-0)

Adjournment and Signing of Documents

Move that the Board of Selectmen go into Executive Session at 9:15 p.m. to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. - Fire Motion by Mr. Danehey, Second by Ms. Curran, not to return to open session Unanimous Vote (5-0).

Roll Call Vote

O'Toole yes
Vegnani yes
Curran yes
Danehey yes
Harris yes

Respectfully Submitted,

Lorraine Devin
Recorder

List of Documents for November 1, 2016 Board of Selectmen Meeting

- Agenda

Board of Selectmen Meeting Minutes for November 1, 2016

BOARD OF SELECTMEN

Martin J. O'Toole, Chairman

Anthony V. Vegnani, Vice Chairman

Maura C. Curran, Clerk

John F. Danehey

Shawn Harris