

A regular meeting of the Town Council held for the Town of Scituate on Thursday, May 14, 2009 in the Town Council Chambers, 195 Danielson Pike, N. Scituate was called to order at 7:51pm. Council President Budway presiding.

After pledging allegiance to the flag of our country, Town Clerk Long called the roll. Roll call vote as follows:

Councilman Hanna --present	Councilman Farrar-- present
Councilwoman Frederickson--present	Councilman Winfield--absent
Council Vice President Collins-present	Council President Budway --present
Councilman D'Agostino-present	

Motion made by Councilman D'Agostino, seconded by Councilman Farrar and voted by a roll call to adjourn to closed session pursuant to RIGL 42-46-5 (A) 2 pertaining to collective bargaining and litigation concerning collective bargaining organization efforts of some volunteers.

Councilman Hanna --aye	Councilman Farrar-- aye
Councilwoman Frederickson--aye	Councilman D'Agostino--aye
Council Vice President Collins-aye	Council President Budway --aye

Motion passes.

Open session reconvened at 7:39 PM.

Council President Budway said that the agreement with PWSB has been signed and that the money has been transferred into the restricted fund. He said that this ends over 8 years of hard work to reach this agreement. He said that we could never have done it without the hard work of two key individuals Mr. Ted Richard, and Mr. Ted Przybyla. He would like to thank them both. He said that he met with representatives from the PWSB this morning. In attendance were Pam Marchant, Rich Blogett, David Provonsil, Mike Russo and himself. He said that he wanted to let them know about the proposed renovations to the Tasca Field since it abuts PWSB land. He said that the renovations are being provided in cooperation with Scituate Youth Soccer Association. He said that he made a proposal to PWSB to work together for the protection of the Scituate Reservoir. He said that he hopes the relationship with the PWSB stays good and goes forward to create a long term better relationship that will benefit both Communities.

First on the agenda was a discussion with representatives from PWSB, Clarissa Richard - Legislative representative and Paul Tiezman - Chief of Security. Ms. Richard wanted to inform the Council about legislation that has been introduced in the General Assembly. She said that the bills are concerning giving the PWSB agents the ability to give citations (fines) to people trespassing on their property. She said that this is not being done to target Scituate residents who might be walking their dogs on PWSB property, but people who threaten the water supply. She means people riding ATV's, lighting fires and polluting the water. She said that the State Police have no problem with the legislation and she plans on meeting with Colonel Randall to discuss it. She said that Senator Blais was a co-sponsor of the bill.

Council Vice-President Collins asked them what type of protection they are going to give the Inspectors.

Mr. Tiezman said that the Inspectors will not be carrying a fire arm.

Colonel Randall said that he has some of the same questions, and said that once someone is given a ticket, it will accelerate the situation.

Representative Marcello said that he feels that this might be a fairness issue since the tickets will be given out and adjudicated by the same municipality. He said that this might be used as a revenue source.

Ms. Richard said that they are not doing it to create a revenue source, just to protect their land and not have to bother the Scituate Police all of the time.

Council President Budway said that the new joint committee could work out the details.

Motion made by Councilman Hanna, seconded by Council Vice-President Collins and voted to approve the Resolution for Peace Officers Day. (copy herewithin)

Councilman Hanna --aye	Councilman Farrar-- aye
Councilwoman Frederickson--aye	Councilman D'Agostino--aye
Council Vice President Collins-aye	Council President Budway --aye

Motion passes.

Motion made by Council Vice President Collins, seconded by Councilman D'Agostino and voted by a roll call to approve the minutes of the regular council meeting of March 12, 2009.

Councilman Hanna --aye	Council Vice President Collins-- aye
Councilwoman Frederickson—aye	Councilman D'Agostino--aye
Councilman Farrar-aye	Council President Budway --aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman Hanna and voted by a roll call to approve the minutes of the Special Council Meeting of February 17, 2009.

Councilman Hanna --aye	Council Vice President Collins-- aye
Councilwoman Frederickson—aye	Councilman D'Agostino--aye
Councilman Farrar-abstained	Council President Budway --aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman Hanna and voted by a roll call to approve the minutes of the Special Council Meeting of March 19, 2009.

Councilman Hanna --aye	Council Vice President Collins-- aye
Councilwoman Frederickson-abstained	Councilman D'Agostino--aye
Councilman Farrar-aye	Council President Budway --aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman Hanna and voted by a roll call to approve the minutes of the Financial Town Meeting of April 7, 2009.

Councilman Hanna --aye	Council Vice President Collins-- aye
Councilwoman Frederickson--aye	Councilman D'Agostino--aye
Councilman Farrar-aye	Council President Budway --aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman Farrar and voted by a roll call to table the minutes of the Town Council Meeting of April 9, 2009.

Councilman Hanna --aye	Council Vice President Collins-- aye
Councilwoman Frederickson--aye	Councilman D'Agostino--aye
Councilman Farrar-aye	Council President Budway --aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman Hanna and voted by a roll call to approve the minutes of the closed session Town Council Meeting of April 9, 2009.

Councilman Hanna --aye	Council Vice President Collins-- aye
Councilwoman Frederickson—abstained	Councilman D'Agostino--aye
Councilman Farrar-aye	Council President Budway --aye

Motion passes.

Motion made by Council Vice President Collins, seconded by Councilman D'Agostino and voted by a roll call to accept the departmental reports and place them on file:

Councilman Hanna --aye	Council Vice President Collins-- aye
Councilwoman Frederickson—aye	Councilman Winfield--aye
Councilman Farrar-aye	Council President Budway --aye
Councilman D'Agostino-aye	

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman Farrar and voted by roll call to approve the Hawkers and Peddlers license for Scotty's Ice Cream.

Councilman Hanna --aye	Council Vice President Collins-- aye
Councilwoman Frederickson-aye	Councilman D'Agostino--aye
Councilman Farrar-aye	Council President Budway --aye

Motion passes.

Motion made by Councilman Hanna, seconded by Council Vice-President Collins and voted by roll call to reappoint David Mink, David Provonsil, Ted Richard, Robert Nero and David Ellinwood to the Hope Sewer Committee for a term expiring May 2010.

Councilman Hanna --aye	Council Vice President Collins-- aye
Councilwoman Frederickson-aye	Councilman D'Agostino--aye
Councilman Farrar-aye	Council President Budway --aye

Motion passes.

Motion made by Councilman Farrar, seconded by Councilman Hanna and voted by roll call to increase the number of members of the Recreation Committee from seven to eight.

Councilman Hanna --aye	Council Vice President Collins-- recused
Councilwoman Frederickson—aye	Councilman Farrar-aye
Council President Budway --aye	Councilman D'Agostino-aye

Motion passes.

Motion made by Councilman Farrar, seconded by Councilman Hanna and voted by a roll call to appoint Fred Ferri the Recreation Director for a term expiring January 2010.

Councilman Hanna --aye Council Vice President Collins—recused
Councilwoman Frederickson—aye Councilman Farrar-aye
Council President Budway --aye Councilman D’Agostino-aye

Motion passes.

Motion made by Councilman Farrar, seconded by Councilman Hanna and voted by a roll call to appoint Councilwoman Frederickson, Jean Angell and Rick Cabral to the Recreation Committee with staggering expiration dates.

Councilman Hanna --aye Council Vice President Collins—recused
Councilwoman Frederickson—aye Councilman Farrar-aye
Council President Budway --aye Councilman D’Agostino-aye

Motion passes.

Motion made by Councilman D’Agostino, seconded by Council Vice-President Collins and voted by a roll call to award the bid for the Public Works cab and chassis to Altrui Bros. for a bid price of \$56,644 which was the second lowest, with the lowest bidder not meeting specifications with the recommendation of Public Works Director, Langlais.

Councilman Hanna --aye Council Vice President Collins—aye
Councilwoman Frederickson—aye Councilman Farrar-aye
Council President Budway --aye Councilman D’Agostino-aye

Motion passes.

Motion made by Councilman D’Agostino, seconded by Council Vice-President Collins and voted by a roll call to award the bid for the Town Hall roof to the lowest bidder Chirico Construction for the bid price of \$28,900, with the recommendation of the Director of Public Works.

Councilman Hanna --aye Council Vice President Collins—aye
Councilwoman Frederickson—aye Councilman Farrar-aye
Council President Budway --aye Councilman D’Agostino-aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman D’Agostino and voted by a roll call to approve the two joint pole locations, Rocky Hill Road and Carpenter Road with the recommendation of the Director of Public Works Langlais.

Councilman Hanna --aye Council Vice President Collins—aye
Councilwoman Frederickson—aye Councilman Farrar-aye
Council President Budway --aye Councilman D’Agostino-aye

Motion passes.

Motion made by Councilman D’Agostino, seconded by Council Vice-President Collins and voted by a roll call vote to approve the abatements in the amount of \$52,940.15 and additions in the amount of \$26,248.00.

Councilman Hanna --aye Council Vice President Collins—aye
Councilwoman Frederickson—aye Councilman Farrar-aye
Council President Budway --aye Councilman D’Agostino-aye

Motion passes.

Motion made by Council Vice President Collins, seconded by Councilman Hanna and voted by a roll call to open the Public Hearing.

Councilman Hanna --aye	Council Vice President Collins-- aye
Councilwoman Frederickson—aye	Councilman Farrar-aye
Council President Budway --aye	Councilman D’Agostino-aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman D’Agostino and voted by roll call to approve the second reading of the ordinance to include Brett Drive/Oakwood Drive and Oakwood Drive/ Kara Drive to the stop sign ordinance.

Councilman Hanna --aye	Council Vice President Collins-- aye
Councilwoman Frederickson—aye	Councilman Farrar-aye
Council President Budway --aye	Councilman D’Agostino-aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman D’Agostino and voted by roll call to approve the second reading of the Illicit Discharge Detection and Elimination Ordinance with the changes that Town Solicitor D’Agostino made.

Councilman Hanna --aye	Council Vice President Collins-- aye
Councilwoman Frederickson—aye	Councilman Farrar-aye
Council President Budway --aye	Councilman D’Agostino-aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman D’Agostino and voted by roll call to approve the second reading of the Post-Construction Storm water Control Ordinance with the changes that Town Solicitor D’Agostino made.

Councilman Hanna --aye	Council Vice President Collins-- aye
Councilwoman Frederickson—aye	Councilman Farrar-aye
Council President Budway --aye	Councilman D’Agostino-aye

Motion passes.

Motion made by Council Vice President Collins, seconded by Councilman Hanna and voted by a roll call to close the Public Hearing.

Councilman Hanna --aye	Council Vice President Collins-- aye
Councilwoman Frederickson—aye	Councilman D’Agostino--aye
Councilman Farrar-aye	Council President Budway --aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman D’Agostino and voted by roll call to approve request for a third dog from Gary and Lisa Pickard-1T Parker Road with the recommendation for the Animal Control Officer Howarth.

Councilman Hanna --aye	Council Vice President Collins-- aye
Councilwoman Frederickson—aye	Councilman D’Agostino--aye
Councilman Farrar-aye	Council President Budway --aye

Motion passes.

Motion made by Vice-President Collins, seconded by Council D'Agostino and voted by a roll call vote to allow Director of Public Works Langlais replace the retiring public works employee, Edwin Rogers.

Councilman Hanna --aye

Council Vice President Collins-- aye

Councilwoman Frederickson—aye

Councilman D'Agostino--aye

Councilman Farrar-aye

Council President Budway --aye

Motion passes.

Mr. Langlais said that he is planning on promoting John Winward to fill Mr. Rogers's position and to hire one of his longtime part-time slow plow drivers to fill the empty position.

Next on the agenda is the letter from the Town of Foster concerning their bill from the Town to use our Animal Shelter. Mr. Budway said that the letter said that the Town of Foster wanted to be able to tell the Town of Scituate how long an animal from Foster can be held at the Animal Shelter before being euthanized. He said that he is sure that this is motivated to save money. He said that when he received this letter, he spoke with Chief Randall and he spoke with Pat Howarth, Animal Control Officer about some of their comments. Pat said that there has never been a cat whose bill was as high as they quoted.

Mr. Budway said that the Town pays for the basics at the Shelter and then the volunteer group "The Friends of Scituate Animal Shelter" take care of the rest. He said that they work very hard at the Shelter and also at raising monies for the Shelter. He said that a lot of Town services are not even figured in to the bill that we send to Foster.

Richard Pincince, Oakridge Road said that he is one of the volunteers at the Shelter for the past nine years and a member of the Friends of Scituate Animal Shelter for the past seven years and said that he feels that the policies in place should stay that way. He said that we have such a great shelter because of Pat Howarth and that is why he has continued to volunteer for all of these years.

Leslie Davis, 510 Trimtown Road asked if the Town was going to enact the Town of Foster suggestion that the cats only be housed for 45 days prior to them being euthanized or will the formula that is currently in place stay in force.

Council President Budway said that the Shelter is the Town of Scituate's facility and that we should continue our operating procedures as we see fit. He said that if the Town of Foster chooses to use our facility, they will have to adhere to our policies.

Council President Budway said that the people that work and volunteer their time to the Shelter are a hard working group with a tremendous amount of compassion for the animals. He said that they also work very hard to make sure that the animals are placed in good homes.

Councilman Farrar said that the volunteers at the Shelter are tremendous and wanted to thank them for all of their hard work.

Motion made by Council Vice-President Collins, seconded by Councilman D'Agostino and voted by a roll call to allow Chief Randall to replace a vacancy of a dispatcher due to the death of John Troll.

Councilman Hanna --aye

Council Vice President Collins-- aye

Councilwoman Frederickson—aye Councilman D’Agostino--aye
Councilman Farrar-aye Council President Budway --aye

Motion passes.

Motion made by Councilman Farrar, seconded by Council Vice-President Collins and voted by a roll call vote to allow Hope Jackson Fire Company to use the Hope Park for their annual fireworks display on July 3, 2009 pursuant to them having insurance for the event and naming the Town on the insurance.

Councilman Hanna --aye Council Vice President Collins-- aye
Councilwoman Frederickson—aye Councilman D’Agostino--aye
Councilman Farrar-aye Council President Budway --aye

Motion passes.

Motion made by Councilman Farrar, seconded by Council Vice-President Collins and voted by a roll call to appoint Councilwoman Frederickson and Councilman D’Agostino and Town Solicitor D’Agostino to a committee to review the policies and procedures for the rental of Town Properties.

Councilman Hanna --aye Council Vice President Collins-- aye
Councilwoman Frederickson—aye Councilman D’Agostino--aye
Councilman Farrar-aye Council President Budway --aye

Motion passes.

Council President Budway explained about watershed protection restricted fund advisory board and the need for them. He said that he met with people from the PWSB to brainstorm and attached is a list of objections for this committee. He also said that we do need to appoint to Scituate residents to be part of the five member board that will determine what parcels of land will be purchased with the restricted fund. He said that he would like to invite people to submit their name if they would like to be on this board and feel that they have the qualifications to do so.

Motion made by Councilman Hanna, seconded by Councilman Farrar and voted by roll call to pay early bills in the amount of \$132,233.60, early bills old budget in the amount of \$22,061.16, regular bills in the amount of \$91,212.77, regular bills old budget in the amount of \$13,677.16, supplemental bills in the amount of \$79,299.29 and supplemental bills old budget in the amount of \$9,655.00 for a total of \$348,138.98.

Councilman Hanna --aye Council Vice President Collins-- aye
Councilwoman Frederickson—recused Councilman D’Agostino--aye
Councilman Farrar-aye Council President Budway --aye

Motion passes.

During Council remarks, Councilman Farrar said that he is so pleased to see recreation on the list for the joint programs discussed by the PWSB. He said that many years ago his Father made the same suggestion but it was not looked upon favorable at that time. He said that he feels that both PWSB and the Town are making great strides to improve our relationship and work towards positive goals.

Councilman Hanna said that he wants to congratulate Fred Ferri and he knows that he has the energy to do the job.

Councilwoman Frederickson said that she is looking forward to working with Fred Ferri.

Council Vice-President Collins said that he would like to congratulate Eddie Rogers on his retirement and wish him the best. He said that he would also like to thank Dwight Farrar, Jean Angell and David Hanna for picking a great candidate for the Recreation Director's position.

Motion made by Council Vice-President Collins, seconded by Councilman D'Agostino and voted to adjourn at 9:12 PM and to keep the minutes of the meeting previously closed to the public; closed pursuant to RIGL 42-46-4 and 42-46-5 and allow the Town Clerk 14 days to prepare the minutes of the meeting.

Councilman Hanna --aye

Council Vice-President Collins-- aye

Councilwoman Frederickson—aye

Councilman D'Agostino-aye

Councilman Farrar-aye

Council President Budway --aye

Motion passes.

Attest:

Margaret M. Long, Town Clerk

For complete discussion please refer to the audio tape.