

A regular meeting of the Town Council held for the Town of Scituate on Thursday, November 12, 2009 in the Town Council Chambers, 195 Danielson Pike, N. Scituate was called to order at 7:34 pm. 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	Council Vice President Collins-- present
Councilwoman Frederickson-present	Councilman Winfield—present
Councilman Farrar-present	Council President Budway --present
Councilman D'Agostino-absent	

Council President Budway asked for a moment of silence in memory of Ernie Marcure, School Committee Chairman, who recently lost his courageous battle with cancer. He said that Ernie Marcure was an important part of the fabric of Scituate for quite some time and he will be sorely missed.

Colonel David Randall said that the two probational officers that will be sworn in this evening have attended a 15 week police academy and have been on probation for the last 15 months. He said that throughout this entire time, both have done an exceptional job. He said that Karen Haarr and Ian Noonan have both demonstrated the ability to seek the best in themselves and the people around them. Colonel Randall asked each Officer to come forward and be sworn in as a permanent patrol officer.

Next on the agenda is the auditors report given by Cheryl Langevin and Pat Boucher from Bacon and Company.

General discussion with Ms. Boucher and Ms. Langevin regards to several areas of the report. Ms. Langevin said that the Town ended the fiscal year with a fund balance of \$292,931 and the School with a balance of \$185,295.

Councilman Winfield questioned why the audit made no mention to the fact that the 200 plus teachers do not have to punch time clocks and are not accountable to anyone for the their time.

Ms. Boucher said that this was not a management audit, but a financial audit.

Town Treasurer Przybyla said that the Town gives the School Department the money, but we can not tell them were to spend it.

Council President Budway suggested that we take a work session and review this entire document.

Town Treasurer Przybyla said that we could extend the invitation to the Superintendent of Schools and Chairman of the School Committee.

Council Vice-President Collins asked the auditors if they think the Town is in good financial shape.

Ms. Boucher said that as of 3-31-09, the Town had a fund balance, and that is very good in comparison to what is happening in a lot if other communities

Motion made by Council Vice-President Collins, seconded by Councilman Hanna and voted to accept the auditors report.

Councilman Hanna --aye	Council Vice President Collins-- aye
------------------------	--------------------------------------

Councilwoman Frederickson-aye Councilman Winfield—aye

Councilman Farrar-aye Council President Budway –aye

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

Councilman Hanna –aye Councilman Farrar-aye

Councilwoman Frederickson-aye Councilman Winfield-aye

Council President Budway -aye

Motion passes.

Councilman Winfield recused himself from this agenda item.

Motion made by Council Vice-President Collins, seconded by Councilman Farrar and voted by a roll call vote to approve the renewal of the liquor licenses with the receipt of a letter of good stating from the state division of taxation. (list here within)

Councilman Hanna –aye Councilman Farrar-aye

Councilwoman Frederickson-aye Councilman Winfield-recused

Council President Budway –aye Council Vice-President Collins-aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman Farrar and voted by a roll call vote to approve the renewal of the Victualling Licenses with the receipt of payment of all Town taxes.(list here within)

Councilman Hanna –aye Councilman Farrar-aye

Councilwoman Frederickson-aye Councilman Winfield-recused

Council President Budway –aye Council Vice-President Collins-aye

Motion passes.

General discussion followed about the amount of Hawker's and Peddler's licenses that should be allowed and about putting stipulation in the ordinance to allow the Town Council to revoke a license for non use. It was also suggested that the ordinance should state that the maximum number of licenses is seven.

Motion made by Council Vice-President Collins, seconded by Councilwoman Frederickson and voted by a roll call vote to approve the second reading of the amendments to the Hawker's and Peddler's License with the above stated additions.

Councilman Hanna –aye Councilman Farrar-aye

Councilwoman Frederickson-aye Councilman Winfield-recused

Council President Budway –aye Council Vice-President Collins-aye

Motion passes.

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

Councilman Hanna –aye Councilman Farrar-aye

Councilwoman Frederickson-aye Councilman Winfield-recused

Council President Budway –aye Council Vice-President Collins-aye

Motion passes.

Councilman Winfield returned to the meeting.

Motion made by Councilman Farrar, seconded by Councilman Hanna to approve the minutes of October 8, 2009 Council Meeting.

Councilman Hanna –aye Council Vice-President Collins-abstained
Councilwoman Frederickson-aye Councilman Winfield-aye
Council President Budway –aye Councilman Farrar-aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman Farrar to approve the minutes of the closed sessions of September 2nd, and September 10th.

Councilman Hanna –aye Council Vice-President Collins-aye
Councilwoman Frederickson-aye Councilman Winfield-aye
Council President Budway –aye Councilman Farrar-aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman Hanna and voted to approve the minutes of the closed sessions of August 13th and August 26, 2009.

Councilman Hanna –aye Council Vice-President Collins-aye
Councilwoman Frederickson-aye Councilman Winfield-aye
Council President Budway –aye Councilman Farrar-aye

Motion passes

Under departmental reports, Director of Public Welfare, Allison Nugent informed the Council that she will give out Thanksgiving food baskets on November 24, 2009 from 3 PM to 6 PM at the Chopmist Hill Center.

Motion made by Council Vice-President Collins, seconded by Councilman Hanna and voted by a roll call to accept the departmental reports and place them on file.

Councilman Hanna --aye Councilman Farrar-aye
Councilwoman Frederickson—aye Council President Budway –aye
Councilman Winfield-aye Council Vice-President Collins-aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman Hanna and voted by a roll call vote to approve the abatements in the amount of \$2,057.77 and additions in the amount of \$842.60.

Councilman Hanna --aye Councilman Farrar-aye
Councilwoman Frederickson—aye Council President Budway –aye
Councilman Winfield-aye Council Vice-President Collins-aye

Motion passes.

During audience participation, Kirk Rerick, Main Street wanted to thank the Police Department for apprehending the egg throwers. He said that his wife's car was hit several times.

He also asked how many of the fire stations have security cameras.

Council President Budway said that it is the intention of this Council to install them at both Town owned stations and ask the privately owned stations if they would like to have installed at the Town's expense. He said that he feels that this is very important to protect the millions of dollars of Town property stored in these stations.

Mark Lucci, 70 Brandy Brook Road commented on the money that the Town is spending defending themselves in the Chopmist Hill Fire Department matter. He asked when does the Town say enough is enough.

Motion made by Council Vice-President Collins, seconded by Councilman Hanna and voted to table the appointment of a person to fill the School Committee vacancy.

Councilman Hanna --aye	Councilman Farrar-aye
Councilwoman Frederickson—aye	Council President Budway –aye
Councilman Winfield-aye	Council Vice-President Collins-aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman Hanna and voted to reappoint Ted Richard, Gail Chatfield, Margaux Morisseau and Christopher Reynolds to the Affordable Housing Overview Commission for a term expiring December 2010.

Councilman Hanna --aye	Councilman Farrar-aye
Councilwoman Frederickson—aye	Council President Budway –aye
Councilman Winfield-aye	Council Vice-President Collins-aye

Motion passes.

Colonel Randall explained to the Council that he received three bids for the security camera system and he is recommending the low bidder Advanced Telesystem Group, he said that he checked the recommendations on this company and everything is in order.

Motion made by Council Vice-President Collins, seconded by Councilman Hanna and voted to award the bid for the Police Station security camera system to for a price of \$10,594.00.

Councilman Hanna --aye	Councilman Farrar-aye
Councilwoman Frederickson—aye	Council President Budway –aye
Councilman Winfield-aye	Council Vice-President Collins-aye

Motion passes.

Motion made by Councilman Winfield, seconded by Councilman Hanna and voted to approve the request for a third dog by Gary and Donna Tracey of 57 Woodsong Drive contingent upon Pat Howarth, Animal Control Officer recommendation.

Councilman Hanna --aye	Councilman Farrar-aye
Councilwoman Frederickson—aye	Council President Budway –aye
Councilman Winfield-aye	Council Vice-President Collins-aye

Motion passes.

Next on the agenda is discussion on the Lawton Farm Management Plan. Tom Angell, Chairman of the Conservation Commission explained the changed to the current policy. He said that he would like to have Council approval to submit the plan to DEM. He said that in the plan is does restrict the area from being used by dogs or horses from April 1 to August 1st.

General discussion followed with audience members stating that they feel that the dogs and horses should be allowed.

Mrs. Calabres, Talbot Road said that she feels that the people should be able to walk their dogs and a lease and make sure they clean up their mess.

Council President Budway said the Town has the obligation to protect the land for its intended usage.

Council Vice-President Collins asked if DEM didn't like the plan, could they require that we pay them back the money they used to purchase the land.

Tom Angell, Chairman of Conservation Commission, said that could happen.

Steve Paglinese, Talbot Road asked if there is a leash law in Town.

Colonel Randall said no, but the animal has to be under your control at all times.

Ruth Strach, Conservation Commission said that DEM gave the Town the grant to purchase this land so the birds would be protected. If we allow dogs and horses during their nesting season, it will greatly hurt the bird habitat.

Motion made by Council Vice-President Collins, seconded by Councilman Farrar and vote to approve of the submission to DEM of the Lawton farm management Plan.

Councilman Hanna --aye	Councilman Farrar-aye
Councilwoman Frederickson—aye	Council President Budway –aye
Councilman Winfield-aye	Council Vice-President Collins-aye

Motion passes.

Motion made by Council Vice-President Collins, seconded by Councilman Hanna and voted to table the agenda item regarding a donation of land on Chopmist Hill Road to the Land Trust.

Councilman Hanna --aye	Councilman Farrar-aye
Councilwoman Frederickson—aye	Council President Budway –aye
Councilman Winfield-aye	Council Vice-President Collins-aye

Motion passes.

Council Vice-President Collins informed the Council that there have been a lot of problems with radio repeater and that there are spots in Town that the signal does not reach. He said that in an emergency this is very dangerous because the all stations might not be alerted. He said that he is recommending the appropriation of \$3,500 if the cable does not have to be replaced to \$4,500 if the cable has to be replaced. He said that both John Chevalier and Chief Don Campbell are here this evening to answer questions.

Councilman Winfield asked how old the co-axel is.

Mr. Chevalier said that it was replaced in 2004 and that he suggested that we replace it.

Motion made by Council Vice-President Collins, seconded by Councilman Winfield and voted to approve the appropriation of \$3,500.00 to \$4,500.00 to replace the radio antenna for the Chopmist Hill Station the price depending on if a new cable is needed or not.

Councilman Hanna --aye	Councilman Farrar-aye
Councilwoman Frederickson—aye	Council President Budway –aye
Councilman Winfield-aye	Council Vice-President Collins-aye

Motion passes.

Motion made by Councilman Farrar, seconded by Council Vice-President Collins and voted to appoint a Committee to research the Code Red proposal, consisting of Brenda Frederickson, Peggy Long, Ted Przybyla, David Randall, Dale Langlais, Richard Tucker, Judy Loven, David D’Agostino, Jr., the three fire chiefs and a member of the ambulance corps and a delegate from the School Department. This committee shall be charged to return with a recommendation by January 2010.

Motion made by Councilman Winfield, seconded by Councilman Hanna and voted by roll call to pay early bills in the amount of \$138,413.14, regular bills in the amount of \$167,088.53 and supplemental bills in the amount of \$74,069.57 for a total of \$379,571.24.

Councilman Hanna --aye	Councilman Farrar-aye
Councilwoman Frederickson—aye	Council President Budway –aye
Councilman Winfield-aye	Council Vice-President Collins-aye

Motion passes.

During Council remarks Councilman Farrar said that the High School project is about 6 weeks behind schedule on the outside site work.

Councilwoman Frederickson would like to thank everyone that attended and helped out at the first Volunteer Appreciation Day.

Council Vice-President Collins said that he would like to commend the Treasurer’s Office and all of the Department heads for a job well done on keeping their budgets in line.

Motion made by Council Vice-President Collins, seconded by Councilman Farrar and voted to adjourn to closed session at 9:25 PM pursuant to R.I.G.L. 42-46-5(A)2, pertaining to collective bargaining or litigation and more specifically to CHFD V. Town of Scituate, ET, AL. civil action No. PC09-6173 and to allow Town Clerk Long, Chief Randall and Town Solicitor David D’Agostino attend.

Councilman Hanna --aye	Councilman Farrar-aye
Councilwoman Frederickson—aye	Council President Budway –aye
Councilman Winfield-aye	Council Vice-President Collins-aye

Motion passes.

Meeting reconvened at 9:51 PM.

Motion made by Council Vice-President Collins, seconded by Councilman Hanna to close this meeting in honor of Ernie Marcure and to reserve a page in the minutes book in his honor.

Councilman Hanna --aye	Councilman Farrar-aye
Councilwoman Frederickson—aye	Council President Budway –aye
Councilman Winfield-aye	Council Vice-President Collins-aye

Motion passes.

Motion made by Council Vice-President Collins seconded by Councilman Hanna and voted to adjourn at 9:51 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	Councilman Farrar-aye
------------------------	-----------------------

Councilwoman Frederickson—aye

Council President Budway –aye

Councilman Winfield-aye

Council Vice-President Collins-aye

Motion passes.

Motion passes.

Attest:

Margaret M. Long

Town Clerk

For complete discussion please refer to the audiotape.