

**Board of Public Works
Meeting Minutes**

Date: September 14, 2015

Time: 7:15 p.m.

Place: Marshfield Town Hall

Hearing Room 3 Second Floor

In attendance for all or part of the meeting were the following:

Stephen Hocking	Chairman
Robert Shaughnessy	Vice Chairman
John Cusick	Member
Thomas Reynolds	Superintendent
Shawn Patterson	Deputy Superintendent
Rod Procaccino	Town Engineer
Dan Bowen	Business Manager
Paul Tomkavage	Project Manager
Joseph Wolfe, Jr.	Spyglass Landing
Frank Hayes	Veterans
Joe McDonald	Waterman Ave.
Environmental Partners	Engineering Firm
Residents	Brant Rock Area
Residents	Bay Ave.
Ann Marie Sacchetti	Board of Public Works Secretary

The meeting convened at 7:20 p.m.

Stephen Hocking opened the meeting and reviewed the evening's agenda which included 3 appointments, 14 action items which included an executive session. He **motioned** to accept the meeting's agenda as written.

Seconded by John Cusick All in favor.

Appointments:

7:30 p.m. Joseph Wolfe / Spyglass Landing

Mr. Wolfe was present to discuss the possibility of refuse collection, disposal and recycling of his neighborhood. He is the current President of the Spyglass Landing Condominium Association, Inc. He indicated that there are 84 home owners; there are 84 units in the neighborhood; 24 of those have one occupant in each condominium; fifty-eight have two occupants; and currently for a temporary time two units have three occupants. Basically there are fifty-nine buildings with two occupants and twenty-five with one occupant. The street is straight and has easy access. The residents have wanted to receive service from the Town. Residents do not park on the street which allows for easy access for trucks. In the winter everybody parks in their garage. He also noted that in the winter, one quarter of their population resides in Florida for three to six months.

He asked that Board Members consider letting them have access to the Town service of solid waste and recycling collection.

Steve Hocking stated that this issue has been before the Board many times in the past. Our policy we have prohibits the service but he would be in favor of Staff review the policy and possibly amend it and allow service to the complex. John Cusick agreed with Steve.

Mr. Wolfe indicated that they have terminated their contract with Waste Management effective September 30, 2015. They would be starting October 1, 2015 with a new service provider. He explained that they were forced into that because if they didn't take that action Waste Management would automatically go into renewal for three years which is something the residents were not in favor of. If they could possibly find out within a week of their decision it would be helpful to them.

Bob Shaughnessy expressed his concern for public safety; egress, entrance and exit; the financial aspect and determine if the contractor will be willing to provide there. He would be in favor of allowing the service providing the certain criteria has been met.

Mr. Wolfe indicated that the complex is a fifty-five and older population; no pets, no bikes and no cars parked on the street.

Steve Hocking stated that they would reach out to Mr. Wolfe prior to their September 30th deadline.

7:45 p.m. Frank Hayes / Veterans Honor Roll Park

Mr. Hayes was present to discuss the issue. He is the current Chairman of Veterans Memorial Park which includes the Honor Roll Park. He is here this evening to discuss the center of the lower area of the Honor Roll Park. They would like to have the grass in that area cut. He indicated that when the grass was planted in that area it was supposed to be "Meadow Grass", however, what was planted was weeds. The contractor who planted the grass and the architect who designed the park are now out of business. They were supposed to remove what they planted and replant the appropriate grass as outlined in the grant agreement. The weeds are extremely high and are habitat for ticks. He indicated that Samantha Woods has placed hoses in the weeds; has tapped into the water system there; put a timer in which activates and waters all night.

Mr. Hayes stated that the Veterans spend much time and budget funding for its upkeep. He contends that the weeds are a deterrent for visitors to the site. He is asking for the DPW's assistance in cutting the weeds.

Bob Shaughnessy asked what was in the maintenance plan for the area and are they asking for the weeds to be removed and replant the meadow grass. Mr. Hayes indicated all they would like is for the weeds to be cut to a management level. He stated that Samantha Woods would be addressing the re-planting of the meadow grass.

Bob Shaughnessy indicated that he recalls from the original plan that the grass was supposed to be cut twice a year. Tom Reynolds indicated that it could be cut two to three times a year and no lower than eight inches. He said they have a mower that will cut four inches but not eight inches. Bob said that basically what Mr. Hayes is asking is for us to cut it all the way down so Samantha Woods can actually re-plant it. Let us work with Frank and Samantha Woods in September, cut it down and let's start over. This is the best time of year to plant for the next year. Over the next two weeks before October 1st would be the best time to begin the new planting process; to give seedlings enough time to root for next year.

Peter Dowd was present and stated that once the grass was cut to a certain level he would be able to maintain it.

Tom Reynolds stated that if we can cut it to two inches it would give Samantha Woods an opportunity to plant meadow grass or wild flowers and to make it look uniform we can cut a path around the outside edge to allow the grass to be a little further from the walkway.

Steve Hocking said for Frank to work with Tom on resolving the issue. Steve indicated that there are also Conservation restrictions to be aware of. For now, we know we will cut the weeds down in an effort to remove the potential tick health hazard. Tom indicated that we are restricted on what machinery we can get down there; only a 36 inch deck mower there will fit. They will initially begin the process with a weed whacker.

All Board members were in agreement of the plan as discussed.

Action:

8. Brant Rock Esplanade Reconstruction Update

Tom opened the discussion. He indicated that he had been in contact with Consulting Engineers Jim Fitzgerald; Benny Hun of Environmental Partners who were present this evening. Tom said that he has spoken with Eric Murphy on several occasions to discuss upgrading the parking and pedestrian access in the Esplanade. Environmental Partners have been asked to look into some improvements to Brant Rock. They have collected data and made some observations having to do with traffic, parking and pedestrian access. They have conducted research in regard to accidents, seeing how the area in a whole operates. They have come up with some concepts which are just starting points. They wanted to hear the resident's input regarding what they experience on a day to day basis. Their travel study showed that during a typical week day during the summertime over a 24 hour period, a total of 6,700 vehicles per day going both directions, both sides of the median. The accident data in the area of the Ocean Street – Island Street showed to be five in five years (from 2010 to 2014). When comparing the number of accidents at that intersection to the number of vehicles you come up with a crash rate that is slightly above the state and local district average. Potential areas of improvement can definitely be made. The Island Street intersection shows no delineation on which direction to go. Vehicles are parked on sidewalks which are not pedestrian safe and are not ADA accessible.

The potential project can be broken into two areas. The Ocean Street section where parking is an issue and the intersection of Island Street and Ocean Street. There is a limited amount of space to fit all concerns in. Feedback from the residents is what they want to hear about. Four concepts were presented.

There was discussion from Board members along with questions from the concerned residents. Board members and residents agreed that the safety issue at Island and Ocean Streets are a concern. Speeding cars are a serious problem. On the northern side of the Esplanade, the sidewalk is basically non-existent. Cars park on what may be a sidewalk; then pedestrians are forced to walk on the street into oncoming traffic to get around. Several ideas were exchanged. At the conclusion of the presentation and conversation regarding the concepts, most residents were in favor of a "roundabout" to be located at the intersection of Island and Ocean Streets, agreeing that would be the best solution to slow down speeding vehicles.

Stephen Hocking concluded the discussion and appreciated the attendance of all present. The Board will contact them once the engineers have provided a cost analysis of the proposals.

Appointment: (8:44p.m.)

8:00 p.m. Joe McDonald / Road Work Update

First he would like to thank the DPW for addressing the issue at the Winslow Ave. Extension and all they have done to enable public clear access to the beach.

Mr. McDonald of 25 Waterman Ave. was present to inform the Board about activities on Waterman Ave. by Mr. Mostyn regarding street improvement activities. On July 25, 2005 Mr. Mostyn received approval, with conditions from the Planning Board for a plan entitled: Street Improvement Plan, Waterman Ave, Marshfield MA dated January 17, 2005 with revisions dated through May 26, 2005. There were 15 conditions applied to the project. Mr. McDonald has serious concerns that Mr. Mostyn is not adhering to the conditions as set by the Planning Board dated July 25, 2005.

He had called Mr. Mostyn and also his attorney, Mr. Jay Creed regarding his concern for the order of conditions not being followed. He was told by them that they had no intention of following the order of conditions and can do anything they want to in the 80 foot layout of the road and for him to mind his own business. He contacted the Fire Department regarding his concern for a fire hydrant to be installed, as a matter of public safety. He also went to the Planning Board this evening with his concerns to make them aware of the issue.

Mr. McDonald provided Board members with a copy of his concerns and a copy the order of conditions he has referred to. He stated that if the order of conditions are followed, he would not have a problem.

Bob and Tom expressed concern in regard to extending the 8 inch water line to the property and installing a fire hydrant.

Mr. McDonald once again thanked the Board for the efforts being made to the beach access at the Winslow Ave. extension and are looking forward to the signage. Tom indicated that they plan to cut a path and a sign would be up this week.

4. Contract 2014-30 Amendment / Bay Ave. Beach Access Ramp

Several residents were present regarding the beach access opening as related to this amendment. They expressed serious concerns regarding the flooding issues through that opening and also the deteriorating condition of the seawall in that area.

Steve Hocking and Bob Shaughnessy asked residents if they have attended Town Meeting, he explained that is where the BPW has for years asked for funding for the seawall repairs. They explained the problem is with the BOS, the Capital Budget Committee, which is appointed by the BOS, along with the Town Administrator, who all need to be convinced that the infrastructure in this Town needs to be protected.

Steve Hocking stated they understand the concerns, but money is always the issue. Bob has tried for 14 years to get attention to the seawall problems. We know where we are, we have a master plan; we know exactly what needs to be done. You all must come to Town Meeting to support the Board of Public Works. Tom Reynolds stated that we have been pro-active in going after grants and available funding. Our problem is that we are accused of wiping out the Town's finances to build seawalls.

Tom indicated that he received an email today saying that the Governor will be coming to Marshfield to view our seawalls on October 13, 2015, and may announce new funding for seawalls.

We are ready, we never would have received the grants we have unless we were ready, and we have a five year plan. Every time we go to the Advisory Board or Capital Budget, they all say the same thing, we don't have enough money. We cannot even get money to buy trucks. We are in desperate need for trucks for snow and ice and can't get money for those things. It is as frustrating for us as it is for you to hear there is no money. Last year there was no capital money spent at all.

John Cusick stated that the residents must show up at Town Meeting to support the articles/funding for seawalls. Public support can supersede decisions not made in the best of interests.

Bob Shaughnessy explained that every year the BPW has submitted a line item request for a million dollars for seawall funding and year after year Advisory refused. In time we partnered with Scituate which has resulted in more state funding has become available. State Representative Jim Cantwell has been instrumental in the efforts to garner funding for seawalls as well as efforts by the previous State Representative for Marshfield and Scituate, Frank Hynes.

Town Engineer, Rod Procaccino explained the amendment. He indicated there were two options to address the opening, one more expensive than the other. Funding is always an issue as a result the less expensive plan will be the option. Scope of Work: the project includes preparation of final plans and specifications to modify The Bay Ave. Beach Access Ramp by increasing height of removable batter boards at the opening and replacing wood side panels with concrete wall, and increasing height of sidewalls to equal the height of existing seawall, and infilling ramp with concrete. Staff recommends authorizing amendment no. 1 to contract 2014-30 with Bourne Consulting Engineering in the amount of \$18,950 including Task 1, 2 and 3.

MOTION: Stephen Hocking motioned to authorize amendment no. 1 to contract 2014-30 to complete final design, bid and oversee construction of Bay Ave. Beach Access Ramp with Bourne Consulting Engineering of Franklin, MA in the amount of \$18,950 and the Chairman or designee is authorized to execute the amendment when the documents are prepared.

Seconded: Robert Shaughnessy All in favor.

2. Avon & Central Street Pump Stations Upgrade Change Orders 1-3/D & C Construction

Paul Tomkavage was present to present the Change Orders. Scope of work:

Change Order No. 1-deletion of spare wastewater pump at each station resulted in credit.

Change Order No. 2-Water Street-replaced 160 ft. of sewer in Water Street.

Change Order No. 3-Gas detection equipment change resulted in credit.

Staff recommends approval of change orders 1 and 3, in addition to the previously approved Water Street sewer replacement, now numbered as CO#2. Regarding CO#1, historically, spare pumps have never been kept on the shelf. For CO#3, the equipment change entails going to an infrared sensor and away from and ionizing sensor, which uses a catalyst prone to decay over time. The changed equipment has a lower install cost and lower maintenance costs.

MOTION: Stephen Hocking motioned to approve Change Orders 1, 2 and 3 to Contract No. 2015-21, with D&C Construction Company, Inc. for an overall net credit to the contract of \$149.07 and to authorize the Chairman or designated to execute the contract documents when they have been prepared.

Seconded: John Cusick All in favor.

3. Contract Award Magoun Pond Dam Repair/Engineering Services

Rod Procaccino addressed the contract. Scope of work: The project includes preparation of plans and specifications to address deficiencies and make improvements to Magoun Pond Dam identified in the Phase I report. The project includes permitting including NOI with Con Com, 253 Permit Application with ODS, Ch404 Permit with ACOE, 401 Water Quality Certification to MassDEP and preparation of cost estimate. Also required is 5 year Phase I Re-inspection. Staff recommends awarding the contract to Amory Engineers P.C in the amount of \$21,500, including Task A, B and additional Phase I 5-year re-inspection. Amory conducted the initial phase I inspection and successfully performed on similar work. Once funding for construction is authorized an amendment will be issued to include task C and Task D as applicable.

MOTION: Stephen Hocking motioned to award contract 2016-13 Engineering Services-Magoun Pond Dam Repairs in the amount of \$21,500 for Task A, B, and to conduct 5 year Phase I inspection to Amory Engineers P.C. and the chairman or designee is authorized to execute the contract when the documents are prepared.

Seconded: John Cusick

All in favor.

5. Rescind Betterment for Sewer at 32 Liberty Road

Rod Procaccino referred to a letter he received in August from a resident regarding his property at 32 Liberty Road. This property was designated “unbuildable” by the Conservation Department in June 2008, the land evaluation was reduced to reflect this status. The land owner never realized that the property was being assess sewer and betterment fee. He is requesting for the DPW designate the property as being unbuildable in order for the assessors to remove the charges.

Rod recommends the request. Steve asked about back charges even though the property owner is not looking for the reimbursement and to ask Town Council for an opinion.

MOTION: Stephen Hocking motioned to, contingent upon Town Councils approval, remove the betterment charges for the property at 32 Liberty Road and if possible go back to when the property was deemed unbuildable, if possible.

Seconded: Robert Shaughnessy

All in favor.

6. Peter Igo Park Lighting Update

Tom Reynolds updated the Board members. He indicated that there have been some complaints in regard to the additional lighting at the park. We were asked to turn them off until we could make some corrections so that they would not be so intrusive to the neighbors. We made some changes to the lighting. He stood on the complaintants back porch and each time there was improvement. There were improvements to dull sound. At a meeting with the Selectmen they had asked that we turn the lights off until the issues were corrected. Tom is asking for the Board’s permission to turn the lights back on for a trial period to see if the lights are still intrusive. The lights are on a timer and they cannot be turned on after 9:45 p.m. and they go off at 10:00 p.m. We will keep it at ten and if we have to turn off earlier we will. The police have determined that the lights are a deterrent for possible vandalism. Much work has been done by the Friends of Peter Igo Park at their own expense. Neighbors are ecstatic over the changes that have been made. He stated we can turn the lights back on, on a trial basis, until someone complains. Bob suggested to make the trial period last until Thanksgiving. All were in agreement.

7. Recycling Barrels Costs Discussion

Paul Tomkavage was present to address the issue. He had discussed the issue with Debbie Sullivan along with Tom. There has been some interest from residents requesting to purchase another barrel. Board members and Staff determined that \$50 would be the cost for an additional barrel.

MOTION: Stephen Hocking motioned to approve the cost of an extra recycling barrel for residents who want them to be \$50.00.

Seconded: John Cusick

Note: Bob Shaughnessy abstained from the vote-the barrels were a state grant and could propose a conflict of interest.

10. Minutes

MOTION: Stephen Hocking motioned to approve open meeting minutes of June 29, 2015.

Seconded: John Cusick All in favor.

1. Enterprise Accounts Updates/Meeting with Financial Team/Audit

Steve indicated that he met with the financial team of the Town on Friday, with Tom, Shawn and Dan. They consisted of Barbara Costa, Steve Robbins, Rocco Longo and Mark Abrams. We presented what we feel are unfair charges to the Enterprise Funds. All were in agreement that there has to be a formula agreed upon. We informed them that we had one as a starting point and we understand both Boards may not agree. The financial team will look at it. We have also asked for the audit in the 60 page report we provided to them and asked that they review its contents. The financial team tried to discredit Dan. Dan pointed out that there is no grievance process, if the Boards disagree. Rocco stated that the financial team will determine that, if there is a conflict. Steve stated that if that were to happen then we would have to bring our grievances to Town Meeting, but would rather settle our differences here. They indicated they would let Dan know of fiscal meetings. Tom said that Mark Abrams had difficulty in determining how the financial team came up with their figures because the links were not there.

John indicated that it is difficult tracking indirect costs.

Tom stated that our main concern now is to be ready for the FY17 budget; workingS on the FY17 indirect costs.

Bob stated that we need an Independent Audit to be done. Tom said that is what we are requesting in our report to them.

11. Tabled Items - None

12. Old Business – Warrant Articles

Tom indicated that we have submitted twelve articles.

13. New Business – None

14. Executive Session – Land Acquisition / Litigation

The Board was polled to go into executive session for the purpose of land acquisition / Litigation and would not return to open session.

Vote: John Cusick **yes** Robert Shaughnessy **yes** Stephen Hocking **yes**

At this time the open meeting of the Board of Public Works for September 14, 2015 adjourned at 10:25 p.m.

Respectfully Submitted,

Ann Marie Sacchetti,
Board of Public Works Secretary