

**Board of Public Works
Meeting Minutes**

Date: March 14, 2022

Time: 6:00 p.m.

**Place: Library Program Room
Library Plaza**

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

Robert Shaughnessy	Chairman
Dave Carriere	Vice Chairman
John Cusick	Member
Tom Reynolds	Superintendent
Dan Bowen	Assistant Superintendent
Rod Procaccino	Town Engineer
Conrad Ledger	Environmental Partners
Ann Marie Sacchetti	Board of Public Works Secretary

The meeting convened at 6:12 p.m.

Bob Shaughnessy motioned to open the meeting and reviewed the agenda which included two appointments, action items, item for discussion, minutes and Superintendent's report.

Seconded by Dave Carriere

All in favor.

APPOINTMENT

6:15 p.m. Abatement Issue/J. Sullivan

Bob stated that he is an employee of the state and recused himself to avoid any possible conflict of interest as Mr. Sullivan is also an employee of the state.

He turned the meeting over to the Vice Chairman, Dave Carriere.

Mr. Sullivan requested to meet with the Board to discuss the abatement denial as related to rental property he owns at 1307 Ocean Street. Dave asked Mr. Sullivan if he had been advised of the Board's policy regarding abatements and he acknowledged that he had been. Mr. Sullivan indicated that his abatement request was related to the Water Utility Bill for the property which was exceedingly high. In his application he acknowledged that apparently the toilet ran non stop during the billing cycle. He had a plumber repair the toilet once he became aware of the issue. Dave indicated that usually a letter is sent to a home owner when an unusual high volume of water is used. Mr. Sullivan stated he had not received the letter. Dave proceeded to explain reasons regarding the abatement guidelines. Tom explained that there are four tiers of rates based on gallons used. If we abate the water, we could charge the 608 rate which would be just over \$1000 rebate on the water usage. John suggested to abate usage from the point at which he would have received the letter indicating higher water usage. Dan said the letter would have gone out two weeks before billing. Dave stated that abatements are a one time only allowance. When we allow for the exceptions, we are basically shifting the costs to the rest of the water users. He explained that once we move to quarterly billing it will solve some of these issues. He also said the letter issue is what prompts him to agree to abate a portion of the bill otherwise he would say no to the request.

MOTION: Dave Carriere motioned to abate the water usage in the amount of \$1011.80 including interest and penalties in the billing of July 2021 as determined by the Treasurer/Collector and provide Mr. Sullivan the update by the Deputy Superintendent.

Seconded: John Cusick

All in favor.

Robert Shaughnessy abstained from voting.

6:30 p.m. Presentation/ Environmental Partners/ Pavement Management & Social Media Platform Board members had previously requested this presentation on both issues.

Conrad Ledger was present and gave a power point presentation. He began with reviewing the *Pavement Management* program which is the practice of planning maximizing the value of the road network. He reviewed the process in great detail. Board members had questions during the presentation.

Following the conclusion of the Pavement Management program, Mr. Ledger then provided the power point presentation regarding the *Social Media Platform*. This program can be instrumental in providing public outreach for the Department Public Works. It enables Staff to provide a variety of information from events, storm updates, policies and more. Tom stated that it is important to get our message out and is critical to our operation. Living on a coastal community we experience flooding, storm impacts, damage to seawalls and homes. Mr. Ledger indicated that the city of Gloucester has implemented the program with much success. Being coastal communities, both locations share many of the same issues. Environmental Partners will work with staff with training on posting. Tom suggested possibly visiting Gloucester to see how the program is working.

ACTION ITEMS

1) Release of Betterment Lien/Chandler Drive

Board members signed the Release of Betterment Lien for the property located at 10 Chandler Drive, Marshfield.

2) Indirect Charges Document

Dan provided Board members the document on excel in their email. There was much discussion regarding each item. John Cusick has obtained copies of Town Counsels billing. As a result the DPW has an exact cost of services provided by Town Counsel. All members suggested sending a letter to the BOS requesting invoices from Town Counsel; as for direct charges, Tom stated that back in August we sent a letter to the chair of the BOS to have a meeting with the chair of the BPW. There were a number of emails sent with no response. At no time did we ever have an opportunity to discuss the indirect cost summary. If the chair of the BOS had reached out to Bob as requested then, this could have been taken care of in the fall. But now they expect us to sign the document in two weeks. John said he had an email from the chair of the BOS in which he said that he has watched our BPW meetings and said they are dysfunctional. The Town Administrators account has increased. John said his salary has increased 53% and we are paying 70% of his salary. Dan stated that the offset costs are accurate. Bob wants to send a letter back to the BOS with explanations regarding charges for 1) shared facilities, highway garage dispute 2) all Town Counsels invoices 3) an itemized accounting of why the Town Administrators costs have increased. We want better clarification before we sign off on the document.

3) Surf Ave. Water Main & Drain Replacement (ARPA Funding) (STM Article)

Tom addressed. The Surf Ave. project went out to bid. At the last meeting the low bidder for the contract was approved. In the meantime, we had removed our articles to fund these projects in the October STM because we were informed that they would submit applications for ARPA funding for those two projects. As of Friday, those applications were never submitted. Now the ARPA applications may have been submitted today. It could take up to three months for an approval at minimum. We thought we would have these projects started by April 1 and completed by the end of June. Now we don't know when we will be able to begin construction on these projects. They are opening the STM tonight. We have to wait for the ARPA funds for Surf Ave. The Plymouth Ave. project which they also told us we were getting \$2 million dollars through ARPA funds were never applied for either. We withdrew the money for that project. They are voting to open the STM and we are going to put a \$3 million dollar bond to fund the emergency work that needs to be done on the Plymouth Ave. force main. We are applying for \$2 million dollars to complete the construction of the

pump station rehab for a total of \$5 million dollars for Plymouth Ave. We have to wait for the April Town Meeting in order to get the funding to proceed with any of this work. It is very frustrating; we have gone out to bid. We got a good bid. If we have to push this out to September we do not know if this contractor will hold his price or we may have to rebid the whole thing. The most important issue is Plymouth Ave.

4) Emergency Repairs to Plymouth Ave. PS Force Main (ARPA Funding) (STM Article)

This was addressed in Action Item #3

5) Award Water System Master Plan Update (STM Article)

Rod presented the Contract 2022-04. Description; the current water system master plan dated October 2009 by Amory Engineers requires updating. The scope of work will include, water audit, system wide fire flow testing, evaluation of system adequacy, plan of water distribution system, plan showing recommended improvements, water quality evaluation including emergent contaminants such as current trends PFAS and PFOS testing and updating existing report. Proposal; Amory Engineers of Duxbury, MA have a proposal dated November 17, 2021 to prepare the Water System Master Plan Update. The preliminary report will be provided 120 days from Notice to Proceed. Staff recommends approval of the master plan proposal by Amory Engineers. Amory Engineers are most familiar with our water system. They have been involved with working with State Mass DEP regarding water management permit on the Town's behalf and have a good understanding of current growth patterns for the Town being the review engineer for the Planning Department. Bob Shaughnessy is very concerned in not having enough water with development and the impact on the system. Can we support the increased building of 300 more units off Plain Street. Bob stated that we need to take a stand on that as it is going to affect our water supply. Dave had concern on Amory's involvement in that project/development.

MOTION: Robert Shaughnessy motioned to award Contract 2022-04 Water System Master Plan Update to Amory Engineers P.C. of Duxbury, MA in the amount of \$65,000 and authorize the chairman or designee to sign the contract when the documents are prepared, and it will be included in the documentation that Amory Engineers will have no conflict of interest regarding the 40B.

Seconded: John Cusick

All in favor.

6) Award Survey Existing Condition Plan & Easement Plan Preparation for Ocean St. Seawall from Thomas Street to Blackman's

Rod presented the project details. Description; the concrete seawall along Ocean Street approximately 2000 LF from Thomas Street to the Trailer Park is in poor condition and will require placement in the near future. Maintenance and access Easements will be required in advance of pursuing grants for construction funding. Proposal; Stenbeck and Taylor Inc. Engineers and Surveyors, Marshfield, MA. Staff recommends awarding Contract 2022-05 to Stenbeck and Taylor Inc. of Marshfield. The proposed amount seems reasonable based on the length of the project and most recent work by others for similar survey, plan and easement plan preparation.

MOTION: Robert Shaughnessy motioned to award contract 2022-05 for survey, existing condition plan, and easement plan for Ocean Street Seawall from Thomas St. to Blackmans Trailer Park for an amount of \$33,200 and the chairman or designee will sign the contract when the documents are prepared.

Seconded: John Cusick

All in favor.

BOARD DISCUSSION

1) Water Supply Capacity

Bob wants something sent to ZBA regarding how the 300 plus development will affect our water capacity and permits. Tom said he would like to have a joint meeting with the Planning Board after Town Meeting to try to lay out what our future is with our water supply and anything they may pursue

such as developments. Board members indicated they need to be on top of this issue/on our water supply capacity.

2) Dredge Spoils Testing per Weston & Sampson/DEP Notice

Tom stated that we will not do any test pits until we get the schedule back from DEP with any comments from them before we can do anything. John reiterated that we were going to hold off on testing until the ZBA made a decision. At this time /the parking project has been withdrawn.

Joe Pecevich submitted written comments regarding the Dredge Spoils testing: comments as submitted by Joe; 1) the purpose for the soil sampling and characterization is not clear as there are currently no approve plans or permits for the movement of soil or construction of anything in that area. 2) If one takes the position that the sampling is for the collection of physical and chemical data on the soils to determine human exposure risks to toxins in the future, it must first be known: A) What are the expected Exposure Pathways for whatever contaminants/toxins are present: B) Wat soils will ultimately be in proximity to exposure routes?

Thus, if there are layers or pockets of “hot” soils how will they be identified and isolated, if necessary? Why haven’t cut and fill calculations been done to determine how much soil needs to be moved and to where? What is the eventual or planned surface elevation of the parking lot or trails and how much clean material may have to be brought in? 3) Regarding the sampling and analysis plans: Given the past history of dredge material sampling and characterization and the usage of the so-called “Dredge Spoils Area” , it is unlikely that any volatile organic compounds Priority Pollutant (VOC’s) as defined and listed by the U.S. EPA and Mass DEP will be found to be present in the areas to be sampled. More likely to be found are heavier straight and cyclic hydrocarbons. S, while checking soil samples by a container headspace screening procedure using a photoionization detector (P.I.D.) is not expensive or too time consuming, it should not be the only way that samples are chosen for individual lab analysis. But if it is done, a P.I.D with the highest available ionization potential source should be used. Visual and olfactory methods combined with an increased number of samples subjected to laboratory analysis for heavier hydrocarbons, PCB’s and metals should be done. Joe cited references at the end of his commentary.

3) ATM & STM Articles

Tom addressed. Emergency repairs to private roads has been delayed until October. Brant Rock final design for sidewalk also has been delayed until October.

MOTION: Robert Shaughnessy motioned to support the emergency repairs to the Plymouth Ave. force main and other associated costs up to \$3 million dollars pending approval of the BOS.

Seconded: John Cusick All in favor.

4) Budget

Tom addressed the issue. He stated we received the budget for the first time on 12/27/21 prior to the January 3rd or 4th BOS meeting when the Town Administrator made his budget presentation. We had no input in the budget. We had to ask for it on 12/27 to understand what it was they were funding for us. In regard to the Equipment Maintenance budget, we had negotiated with the previous Town Treasurer and Town Administrator to cut \$35K from that budget because the Fire Dept. was going to take back 20 vehicles of our 188 vehicles and maintain them themselves. Now, the Town Administrators approved budget: \$104K was taken from our Equipment Maintenance Budget which includes an employee. Over the years, we put a spread sheet together, what we have spent and the amendments. We still have 168 vehicles to take care of and they have cut \$104K from our budget. Moving into 965 Plain Street there was no space or the mechanics. There was a bid put out to maintain the police and fire fleet. The contract was not to exceed \$50K. They are currently over budget with 3 months to go. We thought we would take back the police on May 1 not the fire. But now by cutting our budget by this significant amount, I cannot hire someone only to lay him off. The Chief of Police indicated he would very much like us to take the cars back as he can’t do it. If they are cutting our budget that amount of money, I can’t take care of our own equipment. I’m going have to say that we

cannot take the police vehicles on May 1. They are going to have to continue unless they give us back our budget. It doesn't make any fiscal sense and they are setting us up for failure. We sent an email today to the Town Administrator, the Police and Fire Chief stating that we are out of money, we have already over spent our budget. There is a meeting Wednesday morning to discuss this issue with the Town Treasurer, Town Accountant, Town Administrator, Dan and myself (Tom). This is a major issue. In the past we have had to park vehicles in the interest of public safety. Dave indicated we should have a joint meeting between the two Boards. Tom would have to take care of this prior to Town Meeting rather than argue on Town Meeting floor. It is cheaper for us to perform the duties. In addition there are vehicles being added to the Town fleet.

VOTE TO ACCEPT MINUTES-2/28/22 Open Minutes & 2/28/22 Executive Session Minutes
Passed Over

SUPERINTENDENT'S REPORT

- 1) Snow & Ice spending to date is \$719K
Complete Streets Policy was entered into the Portal. As of today, it was accepted, Tier 1. Our Next application is Tier II; Funding Assistance. We will be submitting that this week.
965 Plain Street; drainage continues today; we removed a little more asphalt.
Hopefully start next week on the foundation.
There was an accident on Ferry and Church Street, no injuries
Hopefully the majority of the bad weather is behind us.
We will be going forward with work on Willow Street.

NEXT MEETING – March 28, 2022

At this time Robert Shaughnessy **motioned** to adjourn the meeting.
Seconded by John Cusick All in favor.

The open meeting of the Board of Public Works for March 14 2022 adjourned at 8:34 p.m.

Respectfully Submitted,
Ann Marie Sacchetti,
Board of Public Works Secretary