

**Board of Public Works
Meeting Minutes**

Date: November 7, 2022

Time: 6:00 p.m.

Place: Library Program Room, Library Plaza

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

Dave Carriere	Chairman
John Cusick	Vice Chairman
Robert Shaughnessy	Member
Tom Reynolds	Superintendent – <i>not preset</i>
Jimmy Kent	Deputy Superintendent
Rod Procaccino	Town Engineer
Paul DuRoss	Water Supervisor
Ann Marie Sacchetti	Board of Public Works Secretary

The meeting convened at 6:00 p.m.

Dave Carriere motioned to open the meeting and reviewed the agenda which included an appointment, action items, items for discussion, minutes and the Superintendent's report.

Seconded by John Cusick

All in favor.

APPOINTMENT:

6:15 P.M. Cindy Castro / Request to Place Storage Shed at Parsonage St.

Cindy was present to discuss her request. The Beaches are asking for permission to put a 10x20 shed behind the gas pumps at 35 Parsonage Street. She provided Board members with a map showing the exact location for the shed. Dave indicated that he was in favor of the request but that area is subject to runoff. In the future there should be a capital project proposed for a permanent location. Also, Cindy needs electricity for the freezers. Jim Kent stated there is a way to divert the water run-off so that it does not go near the shed. Dave reiterated that the Police Dept. will have to submit a capital project for the storage of the freezer/shed needs in the future.

MOTION: Dave Carriere motioned to allow for the interim location for the shed at 35 Parsonage Street as requested.

Seconded: John Cusick

All in favor.

ACTION

1) Plow Rate Increase for FY23

Due to the increase of fuel, insurance and to have comparable rates with surrounding towns, Tom/Staff are requesting the contractor plow rates for FY23 to be increased by 10%. Jimmy indicated that a survey of surrounding towns was taken and we are about in the middle in regard to the plowing rates.

MOTION: Dave Carriere motioned to approve the rate increase.

Seconded: Robert Shaughnessy

All in favor.

Bob added that he would like to revisit the issue in case there are problems in hiring.

Seconded: Dave Carriere

All in favor.

2) Discussion & Vote to STM Article 14

Dave addressed the subject. He referenced a License Agreement as related to the island located at the intersection of Plymouth Ave. and Ocean Street. The Agreement is necessary in order to protect the liability of the Town. Control and custody of the island lies within the Board of Public Works and cannot be transferred to a private entity. Dave indicated that there are eleven other locations that maintain a license agreement. The intent for this meeting is to review the license agreement and have a final discussion at the next BPW meeting on November 21, 2022.

Dave indicated any comments could be forwarded to the Board secretary. Dave stated that the liability to the Town increases as the nature of the island is designed for patrons visiting. It is in a hazardous location. Paul Du Ross provided water rates as related to the water use on the island. He asked for a schedule of water use on the island as irrigation uses large amounts of water. John Cusick took exception to Paul's request for information. Kerry, representative of the Veterans group was present and asked questions on water use rates. Dave brought up the issue of access and egress and wheel chair accessibility. He said that the island is under our responsibility and we have to make sure that the Town is held harmless of any liability to any activity on the island.

Bob Shaughnessy indicated that he had voted against the request and suggested the group contact UMass Amherst for guidance in selecting low-watering plants that can survive during drought seasons. The selection of plants is very important and not as much watering may be needed using specific plantings. Moving forward, he said they need to be conscious of the line of sight, from a motorist standpoint, when choosing plants.

MOTION: Dave Carriere motioned to defer the license review to the next meeting of November 21, 2022 for a final discussion and signing of the license.

Seconded: John Cusick All in favor.

3) Change Order #5 Contract 2020-15 / Repair/Replace Water Main withing Dyke Road Tide Gate Sluiceway Structure

Rod was present to explain the change order. Description: to replace approximately 40 linear feet of 12-inch diameter AC water main within deteriorated steel sleeve passing through the Green Harbor River Dyke Road tide gate sluiceway structure with 12-inch ductile iron insulated water main with HDPE jacket suspended with main on new support hangers. Work will require staging below and access pits on each side of the structure to remove the existing pipe. The Town will dispose of the AC pipe. The Town will provide the insulated ductile iron pipe. Contractor to provide all other material and labor for installation, and payment will be based on a time and material basis for an amount not to exceed \$193,000. Staff recommends proceeding with Northern Construction LLC, Palmer, MA based on their experience working on this structure in the past and the immediate need to replace the watermain suspended withing the sluiceway structure.

MOTION: Dave Carriere motioned to authorize change order no. 5 to contract 2020-15 with Northern Construction LLC. For an amount not to exceed \$193,000 and payment will be based on time and material basis and the chairman is authorized to sign the change order when the documents are prepared.

Seconded: Robert Shaughnessy All in favor.

4) Award Contract 2023-05 Engineering Services Hazard Mitigation Grand Application / Replace Dyke Road Tide Gate Sluiceway Structure

Rod presented detail of the contract. Description; the DPW submitted a statement of interest to apply for Hazard Mitigation Grant to help fund the replacement of the Dyke Road Tide Gate Structure. FEMA offered two programs and based on discussion with MEMA staff who administer the grant program, the recommendation was to pursue design funds only through the Building Resilient Infrastructure (BTIC) program. This puts us in a position competing with projects within the state for

federal funds allocated to the state (\$2M) for state reimbursement grants at 25% Town and 75% State split. The application is due December 5th. The Town reached out to 5 consultants and Tighe & Bond responded most positively to prepare an application by December 5th. If the Town is awarded the grant, the Town must solicit proposals consistent with federal guidelines to select a design consultant. Tighe & Bond would be eligible to compete for design. The lump sum cost to prepare the grant application is \$4000. Staff recommends pursuing HMG grant to fund design to replace the tide gate structure with larger or more tide gates. The design and permitting process will take a minimum of two years. The BRIC Grant program does not require a cost benefit analysis up front but that may eventually be required to be eligible for construction funding.

MOTION: Dave Carriere motioned to authorize \$4,000 with Tighe and Bond Inc., Consulting Engineers, Westwood, MA for Engineering Services to apply for Hazard Mitigation Grant for design of the replacement of Dyke Road Sluiceway and Tide Gate Structure, and the Superintendent of Public Works is authorized to issue purchase order for these services.

Seconded: Robert Shaughnessy All in favor.

Drainage at 307 Plymouth Avenue: Dave brought up an issue that exists at this location in response to a resident's complaint regarding drainage which has been on-going for several years. Jimmy Kent stated that he spoke to Charlie Swanson who indicated that there is a place on Plymouth Ave. that we are going to try to dig out and work our way up the ditch using Town forces. Right now, there are many major drainage jobs going so it will be about a month or so before we can get to the problem. Getting permission from Conservation to proceed will be the next step. Mosquito Control has the permitting. We will contact them as well to aid in the drain clearing.

5) Approval of Contract 2023-04 / Construction Equipment Rental & Labor

Rod presented detail of the contract. Scope of work; the project consists of the DPW requesting the need to rent construction equipment with operator/labor for short term maintenance, long term infrastructure projects, or repair work to its infrastructure. At time the maintenance and repair work occurs under emergency circumstances that requires an emergency response. The contract shall be in accordance with the Bid Document dated October 13, 2022, the detailed terms, specifications, and conditions which are made part of this contract. Staff recommends the award of contract no. 2023-04 to Mass pavement Reclamation, Inc. of Hanover, MA, the low bidder in the sum of estimated amount of \$418,355; based on the specifications and hourly rates, it may increase/decrease based on actual quantities used. References have been checked with favorable response. Note; this project was bid on an optional three (3) year contract (from year to year) starting approximately on November 15, 2022, so each year we would sign an extension with the contractor to move forward with the following year.

MOTION: Dave Carriere motioned that the lowest qualified bidder, Mass pavement Reclamation, Inc. of Hanover, MA be awarded Contract No. 2023-04 in the sum of estimated amount of \$418,355; based on the specifications and hourly rates, it may increase/decrease based on actual quantities used and authorize the Chairman of the Board of Public Works, or designee, to execute the contract.

Seconded: John Cusick All in favor.

6) Contract 2022-01-Year 2/ Wayne Lopes Grading / Bull dozer & Operator Authorization

Rod presented detail of the contract. Description; the Town procures annual contract with Contractor to provide operator and equipment for grading Bulldozer. This is the second year of a three-year contract with Wayne Lopes Grading, which is renewable at the discretion of the Town. The estimated contract value is \$50,000 which represents 400 hours at \$125 per hour. The cost remains at \$125 per hour in year 2.

MOTION: Dave Carriere motioned to authorize year 2 of contract 2022-01 Bull Dozer and Operator Services with Wayne Lopes Grading, Marshfield, MA at an hourly rate of \$125 per hour at an estimated contract value of \$50,000 and the Chairman or designee is authorized to sign the contract when the documents are prepared.

Seconded: Robert Shaughnessy

All in favor.

DISCUSSION

1) Discussion with Chair of Select Board / Status of Indirect Charges Policy

Dave indicated that he had a discussion regarding the policy he had proposed on the indirect charges with the Chair of the BOS. Basically, they did not have specific comments associated with the drafted as approved by us. Their position is that they want straight percentages. Dave said the only way this is possible is if the entire town budget including the school budget. In addition, the percentages being presented have to have supporting documentation. They want to appoint a committee to come together and revise the policy. Also, he indicated that Town Counsel said the schools object to being included in the proposed policy. Dave that there is nothing that affects the dollars they receive from the budget. We have a new set of guidelines from the DOR. Dave's feeling is that they do not want to adopt the policy. Mr. Darcy was going to go back to his Board to have a discussion on the proposal. Dave said he would continue carrying on carrying on.

2) Select Board; Administrative Body over all Town Owned Land

John addressed the issue. He referenced the DSA. Dave said that in his research, there was never a transfer of that land to the custody of Public Works or any of its predecessor organizations to present day. The BOS actually have authority over control and custody of public lands. Properties purchased for water protection are properties that we have control over.

SUPERINTENDENT'S REPORT by Jimmy Kent

The Capital Budget has been submitted and should have answers by the next meeting.

For the new building, they are getting ready to put the side walls up. They have paved around the whole building.

We are still waiting to hear from the gas company to have the gas line installed.

We are working on drainage at Allerton Road and Holly Road

Waiting to hear back from Edwards on paving; he said maybe the second or third week of November
Fencing on Joseph Driebeek Way, waiting to hear the schedule on that.

VOTE TO ACCEPT MINUTES – 10/03/22 Open Meeting Minutes & Executive Session Minutes
10/17/22 Open Meeting Minutes-Town Meeting-*passed over*

MOTION: Dave Carriere motioned to accept open meeting minutes of 10/3/22 and Executive Session.

Seconded: Robert Shaughnessy

All in favor.

NEXT MEETING – November 21, 2022

At this time Dave Carriere **motioned** to adjourn the open meeting of November 7, 2022 at 7:38 p.m.

Seconded: John Cusick

All in favor.

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