

Approved 4-24-17

**Board of Public Works  
Meeting Minutes**

**Date: March 27, 2017**

**Time: 7:15 p.m.**

**Place: Marshfield Town Hall  
Hearing Room 3**

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

Robert Shaughnessy	Chairman
John Cusick	Vice Chairman
John Vallier	Member
Thomas Reynolds	Superintendent
Shawn Patterson	Deputy Superintendent
Rod Procaccino	Town Engineer
Dan Bowen	Business Manager
Ann Marie Sacchetti	Board of Public Works Secretary

The meeting convened at 7:24 p.m.

Robert Shaughnessy **motioned** to open the meeting and reviewed the evening's agenda which consisted of 6 action items, no executive session. **Seconded** by John Vallier

**Action:**

6. Contract 2016-20 Harbor Walk / Change Order

Town Engineer, Rod Procaccino was present to discuss the change order. He indicated that this was a balancing change order to reflect changes in bid quantities based on actual installation: The net change in bid items (Supplement Agreement No. 3) represents an increase of \$806.62. Staff recommends authorization of Supplemental Agreement No. 3 as recommended by Town's Consultant, Amory Engineers.

John Cusick asked about the condition of the area near the old post office as it looks incomplete. Rod indicated that more work would be done there by the Harbor Master. That part of the project is outside of the scope of this contract.

Bob Shaughnessy asked Rod to comprise a list of items that need to be addressed that are outside the scope of this contract.

**MOTION:** Robert Shaughnessy motioned to authorize Supplement Agreement No. 3 to Contract 2016-20 Construction of Harbor Walk, with LAL Construction Co., Inc., Fall River, MA which is a balancing change order with net increase of \$806.62 for a final contract amount of \$743,595.62 and the Chairman or designee is authorized to sign the Supplemental Agreement No. 3 when the documents are prepared.

**Seconded:** John Vallier

All in favor.

## 7. Abatements

**MOTION:** Robert Shaughnessy motioned to approve abatement packet #1117.

**Seconded:** John Vallier All in favor.

Action Items 1-5 will be addressed as a group:

- (1) Water, Wastewater, Solid Waste Policy/Billing & Collection Policy
- (2) Shut-off Policy
- (3) Vote & Approve Demands Shut-off Notice
- (4) Water Dept. Fees/Turn on & off/Commercial & Residential Back Flow Inspections
- (5) Final Reading Fee

Superintendent, Tom Reynolds indicated that the Town Treasurer along with Dan Bowen have identified some shortfalls as far as collections; we are at a 60% collection rate. As a result, it will be necessary to implement a policy related to the above (5) action items.

Tom Reynolds stated that the Payment Policy is intended to ensure that all participants within the Enterprise funded programs pay for services provided in a timely and efficient manner. Payment in full for Water, Sewer and Trash services is expected within thirty (30) days of receipt of the bi-annual utility bill. The Office of the Treasurer/Collector is authorized by the Board of Public Works as its Agent in approving Payment Plans that conform to this policy. Appeal of any payment will be to the Board of Public Works during regular session at a scheduled Board public meeting. The Board will decide hardship payment requests not identified within this policy. Any delinquent ratepayer, disputing a payment plan as a hardship, should make any required payments due during the appeals process.

Bob Shaughnessy suggested that the policy be advertised in the newspaper and at the next Board of Public Works meeting of April 10, 2017 have public comment at that time and then a vote to be taken on the policy. Tom indicated that notification of the policy in the papers has already been done. He will have it on the Town website also.

**MOTION:** Robert Shaughnessy motioned to add the policy discussion at the next Board of Public Works meeting of April 10, 2017 for public comment prior to the Board's vote.

**Seconded:** John Vallier All in favor.

At this time Tom Reynolds requested formal vote regarding Action Item #3/Demand Shut-off notices. He had polled the Board on Thursday about sending out the demand notices. Residential Household Rate payers have (90) days to make payment on their utility bill if not received on the (91<sup>st</sup>) day all Enterprise Services received by the delinquent ratepayer will be terminated. Commercial Entity Rate Payers have (45) days to make payment on their utility bill if not received on the (46<sup>th</sup>) day all Enterprise Services received by the delinquent ratepayer will be terminated.

Tom indicated the demand notices were sent on Friday after receiving a unanimous vote by Board members on Thursday.

Bob Shaughnessy stated that he will revise his motion; to (2) parts: 1. Demand notice that was sent was in agreement with the Board of Public Works individually which was not in writing; we agree in principal with the Superintendent.

**MOTION:** Robert Shaughnessy motioned to accept the Superintendent's action of sending out demand notices last Friday.

**Seconded:** John Vallier *John Cusick does not approve.*

**MOTION:** Robert Shaughnessy motioned:

2. On April 10, 2017 the Board will have the public hearing on all Water, Wastewater, Solid Waste policies; Billing & Collection Policy, Shut-off Policy, Vote & Approval Demand Shut-off Notice Policy, Water Dept. Fees/Turn off and Turn on/Commercial and Residential Back Flow Inspection Policy, and a Final Reading Fee Policy. Based on the discussions at that meeting the policies may be changed.

**Seconded:** John Vallier

All in favor.

8. Minutes

**MOTION:** John Vallier motioned to approve open meeting minutes of February 13, 2017.

**Seconded:** Robert Shaughnessy

*John Cusick did not approve.*

**MOTION:** John Vallier motioned to approve open meeting minutes of February 27, 2017.

**Seconded:** Robert Shaughnessy

All in favor.

9. Advisory Board Updates

The Advisory Board is meeting this evening which BPW members will attend.

10. Tabled Items None

11. Old Business

(a) Budget Discussion: John Cusick asked for an update. Tom indicated that he will be attending the Advisory Board meeting tonight to finalize our budget.

(b) Town Counsel's Opinion on the Propriety of the Use of Funds from Water Enterprise Account to Repair and Repave Spring Street in writing as requested by John Cusick. Town Counsel previously provided the same opinion in a February 2017 telephone discussion with Superintendent Reynolds and then an email to Deputy Superintendent Patterson on March 8, 2017.

In his letter, Town Counsel indicated that where the pavement on Spring Street is/was effected by the excavation work necessary to install new water main within the layout of Spring Street, the Board of Public Works and the Town of Marshfield which appropriated the money to perform the work at Special Town Meeting (Art. 10 Fall 2017 STM) acts within the scope of its authority by expending municipal funds appropriated from the Water Enterprise Fund for this purpose.

Bob Shaughnessy stated that two Commissioners agree with the curb to curb paving of Spring Street as part of the project. Town Council agrees with the Board's opinion. John Cusick was the dissenting vote.

John Cusick strongly disagrees with the upcoming STM article to spend an additional \$650,000 of rate payer's monies to pave Spring Street curb to curb.

Bob Shaughnessy strongly disagrees with John Cusick's opinion. Bob contends the paving is part of the project, it is not separate. He strongly agrees with Town Council's opinion.

© Update on Town Meeting Articles, to be discussed at the Advisory Board Meeting.

12. New Business None

At this time the open meeting of the Board of Public Works for March 27, 2017 adjourned at 8:01 p.m.  
Respectfully Submitted, Ann Marie Sacchetti, Board of Public Works Secretary