

**Board of Public Works  
Meeting Minutes**

**Date:** September 23, 2019

**Time:** 6:30 p.m.

**Place:** Marshfield Town Hall  
DPW Conference Room

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

John Cusick	Chairman
Dave Carriere	Vice Chairman
Robert Shaughnessy	Member
Thomas Reynolds	Superintendent
Shawn Patterson	Deputy Superintendent – <i>not present</i>
Rod Procaccino	Town Engineer
Paul Tomkavage	Project Manager/Engineer
Dan Bowen	Business Manager – <i>not present</i>
Ocean Bluff Association	
Ann Marie Sacchetti	Board of Public Works Secretary

The meeting convened at 6:30 p.m.

John Cusick motioned to move the agenda as written.  
**Seconded** by Dave Carriere.

**II. Items for Action**

**iii. Vote STM Articles Including Article for Ocean Bluff**

Several members of the Ocean Bluff Association were present to discuss and review the article to be put forth at the fall STM. Dave Carriere read the article.

During the past several coastal storms the stone revetment protected slope along Foster Ave. and Ocean Street in the Ocean Bluff area has been heavily damaged. Funding is needed for the repair of the stone revetment with funding being expended by the Superintendent of Public Works under the general direction of the Board of Public Works.

Association members had concern that “borrowing” was removed from the original article. They felt more secure having that language included. Tom Reynolds indicated that he has been told there is available cash which is the reason it was taken out.

Dave indicated that the article could be amended if needed at Town Meeting. Having available funds as opposed to borrowing is more appealing to the voters.

Dan Fennelly spoke regarding the exclusion of borrowing in the article. Dave reinforced the reasoning for removing it. Dave also explained that if, hypothetically, the article didn’t pass, the Petitioners article may then pass and if so, with funding and a source, the article would go forward.

**MOTION:** Dave Carriere motioned to move forward with the article as written.

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

**I. Approval of Minutes of Prior Board Meetings**

- i. Approval of Draft Meeting Minutes: September 9, 2019

**MOTION:** John Cusick motioned to approve meeting minutes of September 9, 2019.  
**Seconded:** Dave Carriere All in favor.

**II. Items for Action**

- iii. Vote STM Article Including Painting of Tanks on Telegraph Hill & Forest Street

Dave Carriere read the article. The Telegraph Hill Tank is showing interior painting system failure. The painting system is 28 years old and has gone past its useful life of 15 years by current painting standards. The Forest Street Tank's exterior surface is also in need of painting but total repainting will be deferred for several years. The exterior was last painted with over coat in 1997, and subsequently spot repaired in 2002.

**MOTION:** Dave Carriere motioned to approve Special Town Meeting Article as written and recited.  
**Seconded:** John Cusick All in favor.

- ii. DEP: Osmose Letter / Water Protection By-Law

Dave Carriere proposed that Marshfield General By-Law No. 285.23 (94) be revised to include prior notification be given to the Department of Public Works, Superintendent, Water Division Supervisor, and Town Engineer by any entity seeking to perform any maintenance or construction activity within or adjacent to the 400 feet radius of any Town well, the well head protection zone commonly referred to as Zone 1. The reason for this proposal is that this past August Verizon Corporation, operating under permissions granted under Mass. General Law Chapter 166 Section 22, utilized a contractor, Osmose LLC to apply pesticide to its utility poles in Town. This included poles located in the Zone 1 of several Town well sites. The Town received no notification of the activity before it commenced nor during the pesticide application. The Board of Public Works, as Water Commissioners, working through the DPW Superintendent and Water Supervisor are responsible under Mass. DEP Guidelines for controlling activities in the wells Zone 1s. In the absence of DEP and / or Department of Telecommunication and Cable requirements for notice to be provided to the Town of such activities this By-Law will require such notice.

Board members agreed this is a necessary action to protect the town's water supply.

**MOTION:** John Cusick motioned to approve the article as written, to protect the water supply.  
**Seconded:** Robert Shaughnessy All in favor.

- iv. By-Law 15; Re-Numbering

Dave Carriere indicated that the By-Laws are being re-numbered. The numbering of the new By-Law will be going from By-Law No.15 to Chapter 95 Article III.

**No vote is needed.**

By-Law No. 15 was adopted by Article 49, 1938 ATM which states: There shall be an annual audit of the Town's accounts under the supervision of the Director of Accounts of the Department of Corporations and Taxation in accordance with the provisions of Section 365; Chapter 44, General Laws. There is proposed revised text insert after the MGL citation which reads: *Such audits shall*

*include a detailed examination of all Enterprise Divisions accounts including the statistical basis of all General Fund indirect charges and all Enterprise Division off set charges.*

The original language does not reflect the changes to municipal operation that occurred when the Water, Sewer and Solid Waste operations of the Town became enterprise operations and were no longer funded by tax levy. This change to the By-Law will also implement the intent of the vote of the April 2016 Annual Town Meeting in Article 13 authorizing an audit of the indirect charges of the Enterprise Divisions, which the Board of Selectmen chose not to implement.

i. Joint CPC Article; DPW & Beaches: Rexhame Dune Protection Analysis

Tom addressed this issue. Originally we were going to request funding from CPC to do an analysis of the Rexhame dunes. In his discussion with Rod, he noted that there is a study being done already. Rod indicated that we received a grant to basically permit all our beaches in Town to receive beach nourishment; so we are shovel ready when funding becomes available. Rod further explained details of the study. Dave stated, in concept, beach and dune preservation; re-vegetation are questions to be answered.

v. Sand & Salt Contracts

Tom stated these are our annual sand and salt contracts.

**MOTION:** Dave Carriere motioned to approve of the salt bid and sand bid.  
**Seconded:** John Cusick All in favor.

vi Award Contract No. 2020-03 Asbestos Abatement Demolition & Site Restoration Services 534 Ferry Street

Paul Tomkavage was present to review the contract. Scope of work; 534 Ferry Street is vacant, Town-owned and consists of a residential house and two sheds. Utilities have been disconnected and the Historic Commission had signed off for demolition. Staff recommends award of Contract No. 2020-03 to A&S Corporation. They are the low bidder for the base and sequenced alternates. A&S is DCAMM-certified for demolition and provided a number of additional references which were positive. In the bid document, the Town stated is intent to award the low Base Bid, reserving its right to award to the low Base Bid plus Add alternate One and similarly Add Alternate Two if funding allows. Staff strongly recommends award of at least Add Alternate One and award Add Alternate Two, provided sufficient funding can be obtained.

**MOTION:** Dave Carriere motioned to award Contract No. 2020-03, Asbestos Abatement, Demolition and Site Restoration Services, 534 Ferry Street, to A&S Corporation, for the Base Bid and Add Alternates One and Two, in the amount of \$73,500.00, and to authorize the Chairman or designated member to execute the contract documents when they have been prepared.  
**Seconded:** Robert Shaughnessy All in favor.

III. **Items for Discussion**

iii. Solid Waste Amendment Update

No action to be taken.

iv. Republic Services: Current Strike Update

Tom indicated that the strike is on-going; rubbish is being picked up. Our Recycling coordinator checks for trash pick-up. At the end of each day a list is sent to Republic; Chris Macera is copied, along with the dispatcher and the Supervisor who is in Town. We have an idea on if they have or not been picked up. Tom also asked to continue to keep the Transfer Station hours being open from 6 a.m. to 6 p.m. Monday through Friday until we know which way the strike is going. Saturday will be regular times.

Board members are in favor of continuing the procedure in place at this time.

i. Discussion on Retained Earnings

Review of certified retained earnings for each of the Enterprise Funds.

ii. Indirect Costs for Upcoming Budget

Tom stated that this has been a work in progress for the last three years. Each year we continue to gain a little back from some of the questions we have had over the course of the last five years. There is continuous discussion on fixed costs which we would like to see come up as hard numbers each year and carry them as an expense.

Dave indicated that the BOS has already voted to accept the indirects. He understands that the way we are currently structured that is their privilege and right. Going into the spring Annual Town Meeting we will put forth an appropriate By-Law requiring that the approval of the indirects will occur in a joint meeting with the Board of Selectmen and the Board of Public Works and agreement has to be passed by a majority of both Boards.

**MOTION:** Dave Carriere motioned to approve the indirects for the coming fiscal year.

**Seconded:** Robert Shaughnessy

John Cusick – **No Vote**

v. Discussion: Solar Field at Landfill

Dave indicated that the Landfill was capped under the General Fund prior to the establishment of the Solid Waste Enterprises. At some point in time the operation of control was turned over to the Department of Public Works. He would like to get Town Council's opinion as to whether the control of the property is with the Board of Selectmen as opposed to the control of the Board of Public Works before we can act on this issue. He would also like to know the basis for the projected saving of \$250K per year decrease on utility costs.

Bob Shaughnessy stated that since it has been turned over to the DPW we have been doing all the maintenance. His issue is that they will be looking to us for future maintenance, therefore any kind of gain some of which should be applied to the enterprise fund.

Dave stated there are many details involved that we do not have. He will put together an email and forward to Tom for the Town Administrator explaining the Board's concerns.

Bob wants to be sure we are not buying into something that will end up costing us much money and someone else gets the benefit and we get nothing.

## **VI. Superintendents Report/Update**

Tom's Update:

We had another successful Household Hazardous Waste Day – 391 Vehicles

Line painting completed; crosswalks in center of Town will be addressed tomorrow night and

Wednesday night and a couple on Acorn Street

Paving is complete for the season

Cemetery expansion is on-going  
Rockwood Road hydro seeding this week on the last field; irrigation was installed  
Meeting Thursday with a designer to go over preliminary floor plans for the new DPW facility

Tom indicated that the Gas Company has approached us about relocating the gas main that currently runs through Blackman's Point. It's a private road; we have easements for water and sewer. Rod stated that they want to relocate the gas main within our easement. We, the Board, have the authority to grant that permission.

Tom was looking for support. Once he has details he will bring it back to the Board.

**V. Next Regular Meeting**

October 7, 2019

**VI. Executive Session**

i. Personnel Issues

The Board was polled to go into Executive Session for the purpose of discussing personnel issues and would not return to open session.

**Vote:**

John Cusick            yes        David Carriere        yes        Robert Shaughnessy    yes

**VII. Adjournment**

The open meeting of the Board of Public Works for September 23, 2019 adjourned at 8:03 p.m.

Respectfully Submitted,

Ann Marie Sacchetti  
Board of Public Works Secretary