

CHATHAM BOARD of SELECTMEN
August 9, 2011
Selectmen's Meeting Room

Members Present: Chairman Florence Seldin, Vice Chair Len Sussman, David Whitcomb, Sean Summers and Timothy Roper

Town Officials Present: Interim Town Manager Mark Pawlina, Finance Director Heilala, Director of Health and Environment Dr. Robert Duncanson

Public: Joseph Pavao, Jr. Project Manager from MA DoT, Peter Cocolis, John Hallgren, Gloria Freeman, Norma Avellar, Jill MacDonald and Norman Pacun

Chairman Seldin called the meeting to order at 4:17 p.m.

Public Forum

Mr. Peter Cocolis wanted to remind individuals as well as small and large businesses of the many energy saving programs available through Cape Light Compact. He added that there are often incentives given to replace old appliances that use an abundance of energy. The number to reach the Compact is 800-797-6699 or on-line at www.capelightcompact.org.

New Business

Mitchell River Bridge Section 106 Process Update
Discussion of Process

Mr. Pavao, the manager of this project from MA DoT, reviewed what had transpired since the kick-off meeting for the Section 106 process in January:

- Research and reports had been completed
- Copies of report provided to the project engineer
- Public comment period on preliminary report's findings

Currently, Mr. Pavao indicated that he is working with in-house staff to do an adverse impact report; once completed that report will be sent to Federal Highway for their review.

In conjunction with that Memorandum of Agreement (MOA):

- The first week in Sept. they hope to provide it to Federal Highway, the state historic preservation officer, to the town and the architects.
- Give everyone opportunity to review it.
- MA DoT will do an environmental assessment to have more in depth analysis and then submit analysis Fed Highway in September
- Fed Highway will review draft environmental analysis, then in about 30 days, MA DoT will review Fed Highways responses and respond to them.

- Once Fed Highway reviews document, they will release it to the public and then have public info hearing.
- Fed Highway won't issue final comment on the environmental assessment until they have a signed MOA. Required signatures are State Historic Preservation Officer, Fed Highway and the Advisory Counsel
- Also, get draft permit application to Coast Guard for their permit (generally 17 months)

Both Mrs. Freeman and Mr. Pacun argued for an EIS (environment impact statement) to be done, rather than just an EA (environmental assessment).

Mr. Pavao indicated that it is Fed Highway's decision on what level of environmental documentation is necessary. At this time, MA DoT has suggested an EA to be done.

Mr. Pavao also indicated that MA DoT is fully committed to the project funding.

Women's Club

Chairman Seldin said that the Women's Club of Chatham has requested a one day liquor permit to serve alcohol on April 22, 2012. The event will be held at the Chatham Community Center.

Mr. Summers made a motion to recommend approval of the request. Mr. Sussman seconded the motion and all voted in favor; 5-0-0.

Turkey Trot Permit

Mr. Redding requested permission from the Board to hold the 7th Annual Turkey Trot Run on Thanksgiving morning at 8am. The run is to benefit the Lower Cape Outreach Council.

Mr. Whitcomb made a motion to grant permission for the run. Mr. Roper seconded the motion and all voted in favor; 5-0-0.

Fall Schedule - Wastewater Project

Dr. Duncanson reported that "sewer contract #4" work is complete. The roads and properties in the area have been restored, with the exception that the Town DPW is working on Barn Hill Road constructing a bike trail and drainage.

Also, Rt. 28 section from Beacon Hill to Sam Ryder has been completed, the pavement and property restoration is done. The Town has sent letter to Ma DoT to have the State take back this section of highway.

The area of Sam Ryder Road to George Ryder Road, the sewer work is complete. There will only be trench repair this fall and once that is completed, the area will be paved.

George Ryder Road to Barn Hill Road the sewer work is also complete, as well as Old Queen Anne Road and Crowell Road.

This now just leaves the section of Barn Hill Road to Old Queen Anne Road for sewer construction work. Dr. Duncanson explained that there are three types of construction to be done in the area. Construct the gravity sewer, then the laterals from the sewer to the property line can be done and lastly do the force main. While this work is being done, the Water Dept. will also be replacing 25 – 30 existing water services (taking advantage of road being under construction to do this). Once this construction is done, it will be about 90 days before paving can be done. (The earth must settle in the area.)

Dr. Duncanson said the contractor needs approximately 53 days to finish the work. The construction is done concurrently, usually with 2–3 crews working to accomplish the project.

The contractor would like to start the Wednesday after Labor Day. That would give 18 days work time available in Sept., 18 in Oct. and 16 days in Nov., which leaves 12 available days up to Dec. 16 – with a total of 64 construction days. Then next spring, that stretch could be paved by Memorial Day of 2012 and the project would be complete on Rt. 28. He added that because of traffic concerns and summer tourists, the contractor would be willing to start on Sept. 12, which still gives the ability to finish by next spring.

Dr. Duncanson said two alternatives have been looked into as requested – double shifts and/or delay work until October.

The contractor said there is a 20% reduction in work productivity because of the darkness. If they work into the evening, there is an estimated cost between \$250–275,000 to bring on second shift, as well as an extra \$100-125,000 for engineer and resident project reps time. Additional police details, lighting and signs will be an additional cost. Total additional costs for extended work hours could be as much as \$325-\$400,000.

Delaying the project until October 3 would decrease the amount of construction days, which would take the work further into December and the contractor can not guarantee the work will be completed, therefore delaying paving until the summer of 2012.

Dr. Duncanson reminded the Board that there will not be a total shut down of businesses; people will always be allowed to go to thru the work section.

Several residents and business owners along the Rt. 28 corridor had concerns about the construction starting in early September:

- Bob Zaremba – owner of guest rooms and Maps of Antiquity – wants to start later because September is a very good month – have an extended work day, but delay the starting time each morning because of his guest rooms – he wants to be involved in the advertising and wants BoS to be involved in work/time decisions

- Dan Meservey, Sr. – likes idea to put off to Sept. 12 , better than Sept. 8 – and urge more advertising AFTER work complete to get visitors back
- Darbi of Chatham Natural Foods – Sept. is her third busiest month that helps get through the winter - 3:30pm - 5:30pm is best business time for them, does not want extended work day
- Danielle Jeanloz – she reads comment from Ginny Nickerson – absolutely opposed to start immediately after Labor Day – go with end of Sept.
- Paul Becker – D’Angelos – Sept. 12 good start date, but pave after Oct. 12
- Richard Costello – urges another sign like one on Crowell Road to be installed by Chamber of Commerce in South Chatham explaining the project. Also, leave construction signs up at night with lights on them to alert motorists of torn up road surface.
- Jessica from Agway – like to postpone one week – beneficial to business, however, faster roads paved the better
- Chairman Seldin read some comments from people who couldn’t make the meeting – the Greys from Marley’s ask for no work in the evening hours – Chatham Jam and Jelly ask for work to start end of Sept. or early Oct. and Carol Sherman requests delay construction start as long as possible.
- John Taylor from Eastwind Silver Co. – last fall had to close business Monday thru Friday for a 5 week period – estimated loss \$30-35,000 because of dust coming thru windows, shaking and road closure – urges start project end of Sept. and extend hours later in the season.

Mr. Whitcomb felt it was most important to finish construction without any delay claims and do what we can to mitigate effect on business. He suggests a start date of Sept. 12 or thereafter and pave after Oct. 12. He urges the townspeople to continue to support business whether construction going on or not, because this construction is preserving Chatham’s future.

Mr. Summers said he is not sure delaying the start date is good, because it just delays the finishing. He asks Dr. Duncanson to make sure the contractor is utilizing the most daylight and that the contractor work hours are verified.

Dr. Duncanson will be meeting with the contractor in the morning and will discuss a start date of Sept. 19 and a work schedule of 7am to 7pm. He will advise the Board of his discussion at next Tuesday’s Board meeting.

Summer Residents

Ms. MacDonald said their Committee was looking further into the issue of parking at the fish pier as well as long range beach nourishment. She hopes the Committee will have some suggestions for the Board on these issues in the future. She added that the Committee has submitted positions on the West Chatham corridor project as well as the fire station study.

She will be meeting with the FinCom as well, to advise them of the Committees position on FY13 budget.

Appointments

Mr. Roper made motion to recommend Emily D. Cunningham to the Golf Advisory Committee until June 30, 2013 unless sooner revoked or until a successor is appointed. Mr. Sussman seconded the motion and all voted in favor; 5-0-0.

Mr. Roper made motion to recommend John Rafferty to the Council on Aging Board until June 30, 2014 unless sooner revoked or until a successor is appointed. Mr. Sussman seconded the motion and all voted in favor; 5-0-0.

Mr. Roper made motion to recommend Alice Brandeis Popkin to the Community Preservation Committee until June 30, 2014 unless sooner revoked or until a successor is appointed. Mr. Sussman seconded the motion and all voted in favor; 5-0-0.

Mr. Roper made motion to recommend Colette B. Trainor an alternate to the Summer Residents Advisory Committee until June 30, 2012 unless sooner revoked or until a successor is appointed. Mr. Sussman seconded the motion and all voted in favor; 5-0-0.

Interim Town Manager Report

Chief Pawlina reported that the noise complaint regarding the air conditioning unit at the PD/Annex has been resolved. New fans were installed and will be tested for their level of noise, which will be compared to previous noise levels. If any other modifications need to be done to decrease the noise, it will be taken care of.

There will an advisory issued that will recommend no swimming on all east facing beaches because of an increased shark presence.

Chief Pawlina and the Board wished DPW Director Jeff Colby well as he will be leaving for his 3rd tour of duty next week. Be safe Jeff.

Chairman Seldin thanked Chief Pawlina for his efforts as interim town manager and asked that he give the Board a summary of his recommendations of what he sees in the organization that could help the Board in creating their new fiscal year goals.

Police Union Contract

Ms. Heilala told the Board that the Town has come to an agreement with the PD Union for a one year contract. There is no COLA, but the Quinn Bill will be funded in full.

(The State is not funding it at all; it will be all up to the Town.) If approved by the Board, the contract will be a part of a fall town meeting warrant.

Mr. Whitcomb made a motion to approve and sign the contract. Mr. Sussman seconded the motion and all voted in favor; 5-0-0.

Mr. Whitcomb made a motion to adjourn the meeting at 6:46 pm. Mr. Roper seconded the motion and all voted in favor.

Respectfully Submitted,
Amanda Love Monahan