

Board of Selectmen's Meeting Minutes
September 20, 2011
Selectmen's Meeting Room

Members Present: Chairman Florence Seldin, Leonard Sussman, Sean Summers, Timothy Roper and David Whitcomb, also present Jill Goldsmith, Town Manager.

Chairman Florence Seldin called the meeting to order at: 6:03 pm.

- I. Minutes:** Mr. Sussman suggested adding the following language to page 2 Item B – Underground Utilities Committee Report paragraph 2 to read as follows:
The Board also had concerns with the high cost of the project and feels it is no longer necessary to proceed any further with this issue *until the nature and timing of the MassDOT Road Improvement Project is determined.*

Mr. Sussman made a motion to approve the minutes of September 13, 2011 as amended. Seconded by Mr. Roper

Vote: 5-0-0

II. Public Forum

No public comment.

III. New Business

A. Board of Selectmen/Town Manager FY13 Goal Setting Session:

Jill Goldsmith, Town Manager explained the goal setting worksheet that was emailed and given to each member of the Board of Selectmen to complete. Ms. Goldsmith provided an overview of the questions relating to the Board and Town Manager. Also included were Value Statements. Ms. Goldsmith asked the worksheets be completed and submitted to the Town Manager by Tuesday, September 27, 2011. The responses will then be compiled by question and follow-up meetings will be used to prioritize these goals. Also included were last years goals and those can also be incorporated into this years goals. These goals are still important and some are ongoing and set to be completed within the next 6-8 months.

Ms. Goldsmith provided overview of FY12 goals and the status of each.

Mr. Sussman stated this was a great collaborative start to get the dialogue going.

B. Committee Appointments:

Human Services Committee - Joan S. Howe

Mr. Roper made a motion to appoint Ms. Howe for a term to expire June 30, 2014 unless sooner revoked or until a successor be appointed. Mr. Sussman and Mr. Whitcomb seconded.

Vote: 5-0-0

Human Services Committee – Janice O'Connell

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Mr. Roper made a motion to appoint Ms. O'Connell for a term to expire June 30, 2014 unless sooner revoked or until a successor be appointed. Mr. Sussman seconded.

Vote: 5-0-0

Golf Advisory Committee – Roger Sullivan

Mr. Roper made a motion to appoint Mr. Sullivan for a term to expire June 30, 2014 unless sooner revoked or until a successor be appointed. Mr. Sussman seconded.

Vote: 5-0-0

Ms. Seldin listed current vacancies on various Town Committees. Any interested in serving email or drop a note to Kristin Sullivan and an interview will be scheduled.

C. Cape Cod National Seashore Advisory Commission Sub-Committee Meeting

Bill Hammatt, Representative to the Cape Cod National Seashore Advisory Committee discussed date for a public meeting & status of the camps on North Beach Island. There has been a lot of activity behind the scenes by the camp owners and lessees. They are anxious to have a public meeting. They are also anxious to get together as large a group as possible to conduct an onsite visit at the Beach. Both Supt. Price, members of the Cape Cod National Seashore Advisory Commission are interested in going on the visit.

Mr. Hammatt suggested setting the public meeting for Wednesday, Oct. 12, 2011 and it will be beneficial to televise this meeting.

Mr. Roper stated he attended the Historical Commission meeting on Sept. 20, 2011 but was unable to stay. He asked Mr. Hammatt if he knew the outcome of the Historical Commission's vote to support the Lessee's Sec. 106 filing. Mr. Hammatt was not in attendance. Ms. Seldin stated she was in attendance. The Historical Commission is going to write a resolution in support of the Lessee's Sec. 106 filing. This is being done for the historical importance to the Town.

D. Set Special Town Meeting for October 24, 2011

Ms. Seldin stated the issue was brought up at the September 20th Board of Selectmen meeting but there were questions and issues concerning MRSD feasibility study costs and reimbursement. Board decided not to move forward with setting the Town Meeting until the Board received further information.

Mr. Whitcomb suggested Dr. Cragin update the Board of Selectmen and then will answer any questions.

Dr. Carolyn Cragin, Transitional Superintendent, Monomoy Regional School District, stated they have received the official notification of the Massachusetts School Building Authority (MSBA) the enrollment figure (and the District agreed with them) would be 700 students for the high school. Dr. Cragin referenced the

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flyer (attachment to minutes) that updates the basic information that is involved in the process at this point. She stated there are differences in the way the MSBA reimburses. The next step is to incur the debt for the first phase – the feasibility study. Feasibility study takes the District through two important steps in the process – the selection and hiring of the Owner's Project Manager and the design. The District was approved for a model school. At that time there was only one model school that was small enough to be reduced to the 700 number. Since then another building has become available. The District will work with the Owner's Project Manager to interview the architects of the available designs. That process of planning takes the District up to the point where the project goes out to bid.

Dr. Cragin stated that in setting the \$2 million number they looked at the costs associated with other model schools and how much those communities have funded for the feasibility study. The District is currently on target for an opening of the new Regional High School in September, 2014 when the benefits of regionalization will be realized.

Dr. Cragin stated the District is entering the design phase where the owner's project manager, architect and design will be chosen. It will then go out to bid and once the contractor is selected it will bring the project to the second phase of funding requests. The Monomoy School Committee approved the \$2 million debt. The letter authorizing this was delivered to both Boards of Selectmen. The MSBA requires specific language for the article and motion for the Special Town Meeting. This language from legal counsel was forwarded to Ms. Goldsmith.

Mr. Jeffrey Dykens, Monomoy Regional School District Chairman clarified \$2 million request is between both towns with 72% being picked up by Harwich (\$1.4 million gross) and 28% by Chatham (\$560,000 gross). Those dollars are fully reimbursable based on the formula that MSBA will agree on. Ultimately Chatham will receive 49.68% of that amount back so the net cost to Chatham for the Town's share [of the \$2 million] is about \$282,000.

Dr. Cragin stated the District is estimating the cost of the building at \$55 million and will likely be less based on the competitive market for construction and the good rates that are available for borrowing. After reimbursement Chatham's share of the overall project cost is estimated \$7.75 million.

Mr. Whitcomb stated because MSBA is going to be a partner there is quite a bit of oversight. School Building Committee, the School Committee and MSBA will be looking at the project very closely.

Mr. Sussman asked Dr. Cragin that the design fees that are being requested will cover everything up to the bid yet the summary sheet describes these design fees as covering schematic design which is typically 15% of design fees. He asked which is it: schematic design or complete design fees?

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Dr. Cragin responded the funds being requested are for the feasibility study/schematic design.

Mr. Sussman pointed out that future design fees will be in the next appropriation along with construction. Dr. Cragin affirmed this statement.

Mr. Sussman inquired about the renovation of the middle school and when will appropriations be requested for that.

Dr. Cragin stated appropriations will not be needed because the 8th grade students are moving to the new high school. Only modifications that would be necessary would be the central office and some expansion of that.

Mr. Roper thanked Dr. Cragin for her presentation. He questioned the \$55 million sum for the building. He is concerned about the \$55 million figure when costs are going up in other communities such as Somerset/Berkley.

Dr. Cragin stated the figure is not a calculation, it is an estimate. This estimate is based upon what other school districts are expending in the building process.

Mr. Whitcomb stated that Hanover has just finished a 700 student high school that went out to bid for \$60 million and actual costs came in at \$53 million.

Mr. Roper questioned how enrollment figures effect of the Town's share of payment with the school district.

Dr. Cragin stated the amount is assessed on annual basis from the region as a debt assessment and is based on a three year rolling average of student enrollment. Either Town only pays for its own students.

Mr. Roper asked Dr. Cragin to clarify if this project will include athletic facilities.

Dr. Cragin stated the project does not include *outdoor* athletic facilities. Benefit of the model school is common areas stay the same; the auditorium, cafeteria and gymnasium that will be in the new school is what MSBA would fund for a 1200 student school. The District will be getting the largest auditorium under MSBA model guidelines.

Mr. Summers stated last week the Board was talking early numbers suggested the State was not going to reimburse at 50% of design/feasibility study and would reimburse at approximately 35%. He inquired as to what has changed over the past week.

Dr. Cragin responded there isn't really a change it is just a procedural piece. MSBA reimburses the feasibility study during the feasibility study on a 10-15 day turnaround at the Monomoy Regional School District's basic rate of 36.68%.

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Once the project begins the entire amount is reimbursed at whatever the MSBA reimbursement turns out to be which they are estimating to be approximately 50%.

Mr. Summers raised concerns that points are awarded "up to" certain points allowing for fewer points to be awarded. There is no commitment of what rate MSBA will reimburse at and the Town will not know what the reimbursement rate is until after design funds have been authorized.

Ms. Seldin stated we do know what the base rate of reimbursement (36.68%) will be and the additional percentage points will be based on incentive points.

Mr. Dykens stated MSBA has discussed and presented this formula from Day 1. He added it is highly unlikely MSBA will change award points. Mr. Dykens has never heard of the MSBA backing out of a reimbursement formula.

Mr. Summers expressed concern that the MSBA will not commit to the 50% reimbursement rate.

Mr. Whitcomb stated that for tonight's meeting the District is asking for \$2 million for feasibility study, schematic design and owner's project manager. MSBA has said they will reimburse those monies at 36.68%. After this allocation the District will get a commitment for the other 13 percentage points of reimbursement.

Mr. Sussman stated this is a money saving proposition for MSBA and offering incentive points allows them to save money. MSBA has a reason to stay in this project.

Dr. Cragin stated she has never heard of MSBA backing away from a commitment from any other community.

Mr. Dykens stated MSBA wants to promote model schools so it would be disingenuous and counterproductive to back off the approximately 50% reimbursement rate.

Mr. Seldin provided history on the Town's past dealings with the State for reimbursement of school construction and the State did not back out. She stated the Board needs to look at the current performance of MSBA. The pro-pay system they use now allows for payment as costs incur. Ms. Seldin stated she strongly supports putting this on the Special Town Meeting as requested.

Discussion ensued as to potential conflict of date and concerns of Monday Night Football.

Mr. Whitcomb made a motion to call a Special Town Meeting for Monday, October 24, 2011 at 6:30 PM and open the warrant. Seconded by Mr. Sussman.

Vote: 3-2-0 (Selectmen Roper and Summer opposed)

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E. New Fire Station – Additional Scope/Cost to Finalize Schematic Plans and Cost Estimates

Ms. Seldin stated the Board of Selectmen had asked Ms. Goldsmith to obtain from Maguire Group a quote as to what additional costs would be to finalize schematic plans and cost estimates.

Ms. Goldsmith spoke with the Vice President of the firm. He gave a rough estimate of up to \$15,000. This will include meetings he will participate in at no additional cost to help prepare for the Town Meeting.

Mr. Sussman pointed out there is an enormous range of possibilities as to what the architect will be asked to do depending upon what the Board of Selectmen directs the Capital Projects Review Committee to do in terms of changing the shape of the building as it was last presented. He suggested any warrant should have the \$15,000 as a not to exceed number and that the scope and fee be negotiated as vigorously as possible.

Ms. Goldsmith stated the firm understands the climate and they are giving a product that can be brought to the Special Town Meeting for up to \$15,000.

Ms. Seldin stated Ms. Goldsmith will prepare an article for next week to be voted upon.

F. Request for Dredged Sand Placement Along Private Property

Ted Keon, Coastal Resource Director discussed a proposal that was presented several months ago with a more formal proposal presented a few weeks ago. The request is to remove sand in an area that has already been permitted as part of the Mill Creek Project. A certain portion of the sand was not removed because the budget for the project was tight and it would have been costly to take the sand from this particular area.

Mr. Keon stated South Chatham has a severe sediment deficit and is one of the areas highly targeted in the most recent Nantucket Sound Erosion Study. The study indicated that placement of sand in this area is very important.

A group of homeowners have come forward and offered to pay for the sand to be moved from Mill Creek area (area to the West of the jetty) and place it back to the West where it came from. Project is supported by the State and is into permit. They did not want to move forward with permitting until they received approval from the Board of Selectmen. They have to get other State and Federal permits before they move forward.

Ms. Seldin stated there was communication from the Finance Director and approved by Town Counsel stating the Town is not in conflict procurement procedures for the following reasons: 1) There is no cost to the Town; 2) no guarantee that funds received/exchanged for the dredged sand would cover the

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cost; 3) the Town cannot utilize the sand in its current condition and location; and 4) the dredging of the channel and placement of the sand provides public benefit.

Mr. Keon stated this is not a precedent. Public/private partnerships have been done in the past for this type of project.

Mr. Roper asked if there were any abutter issues or potential liability.

Mr. Keon stated there are only positive issues. This project takes sand that is impounded and places it in an area that will provide positive impacts to abutting properties.

Mr. Whitcomb made a motion to endorse the proposal. Mr. Roper and Mr. Sussman seconded.

Vote: 5-0-0.

IV. Other Business

No other business

Mr. Roper and Mr. Sussman made a motion to adjourn.

Vote: 5-0-0

Meeting adjourned at: 7:37 PM¹

Respectfully submitted by:

Kristin M. Sullivan
Recording Clerk

Attachment: Monomoy Regional High School
Building Project Flyer

¹ Note the Joint Finance Committee/Board of Selectmen meeting convened at 7:48 PM. Minutes will be provided at a future meeting.