

**Town of Mansfield
Board of Selectmen
Minutes of March 9, 2011**

Present: Chairman Kevin Moran, Vice Chairman George Dentino, Clerk Douglas Annino
Selectman Jess Aptowitz, Selectman Olivier Kozlowski
William Ross, Town Manager.

Absent:

Village at Willow Crossing - change of ownership hearing

Mitch Bornstein, Manager of Record and Ryan MacDonald, Counsel to B-X Mansfield LLC.

Clerk Annino read the notice of public hearing into record for the audience.

Corporate name change and ownership from B-VII New England LLC to B-X Mansfield LLC.
The name of the establishment will remain the Village at Willow Crossing.

Motion: To close public hearing. (Kozlowski/Aptowitz) 5:0 passes

Motion: To approve change of ownership as read (Aptowitz/Kozlowski) 5:0 passes

Selectman Kozlowski Incentive Program

Mansfield Cost Savings Incentive Program (Municipal & Electric Department)

1. Eligibility. The Cost Savings Incentive Program is open to all legal residents of the U.S., except for the Mansfield Board of Selectmen (the "Board"), the Town Manager, department heads and their households.
2. Submission of Suggestions. Suggestions are to be submitted in writing to the Board of Selectmen, who may schedule time for the submitter to appear at an upcoming meeting of the Board. In order to be eligible for a reward under this program, the submitter must acknowledge, in writing, his/her agreement with the terms of the program. In the event duplicate, identical suggestions are made, only the first submission received by the office of the Board of Selectmen will be eligible for a reward. Suggestions must provide sufficient detail to identify specific reductions in projected spending in the current and/or upcoming fiscal year within the Town of Mansfield municipal or electric department budgets. Suggestions

relating to the school department are not eligible under this municipal / electric department incentive program.

3. Review. The Board and Town Manager will review each suggestion and may seek input from appropriate department head(s) and any other sources they deem appropriate.
4. Determination on the merits. Once all information sought by the Board of Selectmen has been received, the Board will consider the suggestion at a public meeting. The Board will consider any applicable laws, regulations and contracts applicable to the suggestion. The final decision on whether to implement the suggestion rests with the Board of Selectmen, in their sole discretion.
5. Reward. If the Board votes to proceed with the implementation of the suggestion, and savings of at least \$100 are achieved, the submitter will be eligible for a reward of 1% of the savings actually realized as a result of the suggestion, pending approval by Town Meeting. The term "savings" means the reduction in spending already budgeted for in the present fiscal year and/or the next fiscal year, if the budget for the next fiscal year has been finalized, but does NOT extend into any subsequent fiscal years.
6. Decisions final. All decisions of the Board of Selectmen, as to any aspect of this program, are final.
7. Forfeiture of reward. If any person who submits an idea under this program later challenges any aspect of the program, the amount of the reward or the lack of a reward in a court of law, then any reward based on the submission(s) in question shall be deemed forfeited.

Selectman Aptowitz thinks this is a great idea in principal. However, he is struggling with paying people for their ideas. It opens up a lot of issues for him.

Selectman Annino on the other hand believes that having incentives for people to bring in creative ideas to the town is a good thing.

Selectman Dentino is open to the idea and would like to give it a try.

Chairman Moran likes the program in theory. However, who will administer the program and track the results? We would need to have a person in place and revenue to pay for the clerical work involved. It's an issue of "practicability".

Selectman Dentino does not see the program getting so big that we would need a person for the program. Department heads should be able to handle details of anything that comes out of their area of service.

Mr. Ross did not see a problem with administering program however; we would need to closely monitor the costs and savings of any adopted suggestion. He would like to give it a try and see how it works out.

Motion: To accept program as presented. (Annino/Kozlowski) 3:2 passes (Moran/Aptowitz) nay

Road work/paving updates

Lee Azinheira, DPW Director and Mark Cook, Highway Operations Manager are present for discussion.

Major Concerns:

- Rapidly deteriorating roads.
- Lack of multi-year funding plan to allow for advance planning and scheduling of projects. Funding needs detailed in pavement management attachment.
- Due to lack of funds spending mostly on heavily deteriorated roads that often require full depth reconstruction when a mill and overlay earlier would have been much cheaper.
- Recommend roads/paving workshop with Pavement Management Consultants to discuss pavement management methods and financial benefits of long term funding and planning.
- Attached, July 1, 2010 listing of FY 2011 Road Improvements has been updated with "Status" column. As detailed in the memo, the pending work will use up current funding.
- Previously indentified pending FY 2012 work added up to an estimated \$721,000.

FY 2011 Chapter 90 funding was \$585,452. The Governor has submitted "An Act Providing for Municipal Road and Bridge Maintenance Needs for the Commonwealth" to the Senate and House of Representatives. This bill would increase the Chapter 90 funding for FY 2012 by 29% to approximately \$755,000. This would just about cover previously planned work.

Current Roads in Immediate Need of Work: (Not currently funded)

- Maple St. - Several sections need full depth repairs.
- East St. (North St. to Town Line) - Reclaim.
- Bird Road - Full depth repairs/future reclaim.
- End of Stearns Ave. - Full reconstruction (remove unsuitable base).

- Otis St. - Several sections need full depth repairs. Future mill & overlay with Electric Department.
- Oakleaf Dr. - Reclaim.
- Williams St. - Reclaim portion and mill & overlay balance.
- Forbes Blvd. - Portion full depth repairs and mill & overlay.
- Norfolk St. - Full depth repairs and mill & overlay.
- Coach Rd., Lantern Ln, Village Rd. and Surrey Dr. - Whole subdivision built in 1960's needs structural repairs by FY 2012, followed by chip seal in FY 2013.

State Funded Projects:

- Route 106/Eastman St. (East St. to Easton Town Line) - Scheduled in FY 2012 TIP at \$2,700,000 for Federal and State funding. Currently trying to get it ready for FY 2011 in case other projects do not move forward. This will need substantial leveling by Town in order to go another winter. (\$50-100K).

After a lengthy discussion among the Board of Selectmen members and staff the possibility of bonding for capital road projects was brought up as the most likely source of capital expenditure revenue.

Mr. Azinheira then gave the board a brief overview of the snow and ice budget. The town is current running a \$425,000 deficit and expects to reach \$500,000 by the end of the season.

Water Capital Projects updates

Albertini Wells Water Treatment Plant Project Summary

Background

1. The project involves the construction of a greensand filtration water treatment plant for treating the water produced by the three Albertini Wells to reduce the iron and manganese levels to below the secondary drinking water standards. The green sand filtration technology is a cost-effective and simple to operate technology that is the same technology that is being used at the Town's Dustin and Prescott Water Treatment Facility.
2. The project also includes a chlorine contact tank designed to provide the contact time required to meet the Log-4 removal of viruses and provide compliance with the EPA Ground Water Rule.

3. The three existing Albertini Well pumping stations are antiquated and the buildings require significant upgrade. The project includes demolishing all three pump station buildings and converting the pump stations into submersible well pumping stations.

Current Status

1. The design and permitting of the project is complete and the Town has received authorization to bid the project from MassDEP.
2. Planning Board approval on February 16, 2011.
3. The project will be advertised in the Central Register on March 16, 2011.
4. Filed sub-bids for the project will be received and opened on April 13, 2011.
5. General bids for the project will be received and opened on April 27, 2011.

Overall estimate for this project is \$6,785,900 as submitted with SRF application.

Cate Springs and Walsh Well Field Water Treatment Facility Upgrades - Project Summary

Background

1. Cate Springs Well

Work at the Cate Springs Well involves construction of a new chemical feed and storage facility, construction of a new chlorine contact tank for compliance with the EPA Ground Water Rule for Log-4 removal, upgrade of the instrumentation and controls, modifications to the Cate Springs Well Pump and installation of an emergency standby generator. Planning Board approved on March 24, 2010.

2. Walsh Well Field

Work at the Walsh Well Field involves the construction of a new backwash waste sludge storage tank to collect and store the solids prior to the solids being periodically trucked off site for disposal, replacement of the existing raw water pumps, construction of a new a finished water storage tank to provide additional storage/short term pumping capability during high demand periods. The tank will also function as a chlorine contact tank to allow compliance with the EPA Ground Water Rule for Log-4 virus removal, construction of a new pump building to house the finished water storage pumps and new backwash pumps, and

upgrades to the instrumentation and controls to comply with new MassDEP requirements. Planning Board approved on April 28, 2010.

Current Status

1. The design and permitting for the project was completed and the project was bid on January 19, 2011.
2. The bid opening for the project occurred on March 2, 2011.
3. Eight bids were received, ranging from \$4,692,095 to \$5,736,200.
4. The apparent low bidder was Barbato Construction Co., Inc. with a bid price of \$4,692,095.00.
5. Barbato Construction Co., Inc. has performed work in the Town in the past and has shown that they can perform the specified work. All required bid submittals were reviewed and found to be in order.
6. The bid price is within the Town's appropriation for the project.
7. Construction estimate of \$4,926,746 was presented at November 18, 2009 Board of Selectmen Meeting.
8. Next step is to make a formal submission to MassDEP requesting MassDEP's authorization to award the contract Barbato Construction Co., Inc.

Q & C

Gary Forget, Webb Place. Comments about new Bird St. substation. Please pay attention to the construction and bonding costs as it will affect our future bonding rates.

Comments about last night's school committee meeting and funding mechanisms for capital road projects. Perhaps we can utilize excise tax and heavy late fees for those that do pay on time to help fund these infrastructure projects.

Additional comments about Sake liquor violation from a few weeks ago. Mr. Forget did not agree with the board's decisions. He did not feel the board is being consistent with hearings. After a brief discussion, the board members considered Mr. Forget's suggestions and thanked him for his time.

Andy Gazzolo, South St. Mr. Gazzolo explained the process of how the Finance Committee guides the Board of Selectmen in their funding decisions.

Weekly Business

Last week

Warrant No. 11035PT in the amount of \$273,234.25

Motion: To approve (Aptowitz/Kozlowski) 4:0:1 passes (Dentino abstain)

Warrant No. 11035TV in the amount of \$83,865.10

Motion: To approve (Aptowitz/Kozlowski) 5:0 passes

Warrant No. 11035PS in the amount of \$1,300,582.07

Motion: To approve (Kozlowski/Aptowitz) 4:0:1 passes (Dentino abstain)

Discussion: The Treasurer/Collector has not received the school contracts for these raises yet and needs by the end of the week.

Warrant No. 11035SV in the amount of \$419,866.62

Motion: To approve (Aptowitz/Kozlowski) 5:0 passes

This week:

Warrant No. 11036T in the amount of \$279,514.65

Motion: To approve (Aptowitz/Kozlowski) 5:0 passes

Warrant No. 11036E in the amount of \$32,169.27

Motion: To approve (Aptowitz/Kozlowski) 5:0 passes

Warrant No. 11036S in the amount of \$322,360.31

Motion: To approve (Aptowitz/Kozlowski) 5:0 passes

Warrant No. 11036PT in the amount of \$252,023.00

Motion: To approve (Aptowitz/Kozlowski) 4:0:1 passes (Dentino abstain)

Warrant No. 11036TV in the amount of \$76,475.64

Motion: To approve (Aptowitz/Kozlowski) 5:0 passes

Correspondence

- Letter from SE Regional School regarding renovation and addition plans at the school. Conference dates are March 14th at 12:30pm/ March 18th at 9:30am/ March 21st at 6:30pm.

- Letter requesting permission to 3rd annual Jamie Fund Road Race and Walk on Saturday, August 27th starting and ending at Mansfield High School. Public safety has approved. **Motion:** To approve request (Kozlowski/Dentino) 5:0 passes
- Letter of request from Elks requesting permission for various issues. Public safety has approved. **Motion:** To approve special permit for fireworks. (Aptowitz/Kozlowski) 5:0 passes
Motion: To waive town fees. (Aptowitz/Kozlowski) 5:0 passes
Motion: To approve banner over rt. 106. (Aptowitz/Kozlowski) 5:0 passes
- Letter from Carolyn Matthew, Conservation Commission member regarding a disagreement with the town manager.

Town Managers Report

- Complete report on municipal/school buildings roof snow removal of the past month.
- Town Counsel has reviewed the Conservation Easement of last week and will return it after review with the Conservation Commission and Lou Andrews.
- Building maintenance plan will be ready for review next week.
- Town meeting warrants, bills and warrant style changes (as suggested by town counsel) will be discussed soon as well.
- Possible town meeting dates of May 3rd or May 16th. A rough draft of the warrant will be available in the next week or two.

BOS Updates

- Selectman Kozlowski: Did not see the school committee meeting last night but read in the paper that he suggested that school kids clear the school roofs. He did not suggest that. He had stated that the school dept. paid a lot of money for roof clearing and that they should have possibly used cheaper labor such as young people or unemployed residents. However, he did state that was also a liability issue.
- Selectman Aptowitz: The conditions of the roads were discussed earlier so that is off the list.
The board will begin interviewing for the position of Town Accountant very soon. The flagpole fundraising letter has been sent out and donations have already started coming in.
- Selectman Annino: Would like to put rt. 106 issues on the agenda for next week. Mr. Annino does not feel they (or he) said anything out of line last week. (About the school roof/snow situations) There were issues that needed to be addressed and they questioned them.

- Selectman Dentino: Comments on snow removal on the school buildings. He would like to see the town and school work up a plan for winter preparedness. Mr. Dentino apologized to the school committee for any misstatements they make last week.
- Chairman Moran: Yes, the snow issue caused a rift between the boards. However, we are one town and we need to work together for the good of the town.

Adjournment

Motion: Adjourn meeting at 9:45pm (Annino) 5:0 passes

Douglas Annino

Signature of Clerk

March 16, 2011

Date of Approval