Joint Meeting of
Board of Selectmen & Planning Board
Meeting Minutes

March 2, 2016

In attendance for the Board of Selectmen were: Selectman A. Frawley, L. Dalpe, J. Knowlton, D. Stewart and S. McKinnon; and Acting Executive Assistant, Colleen Lieb

In attendance for the Planning Board were: Mike Labonte – Chairman, B. Garceau, Peter Reynolds Adam Carbone and Tracy Marzelli and Ruth Geoffroy – Town Planner

Also present were: Robert Nunes – Town Manager, Dan Murray – Town Counsel and Chris Peck – DPW Superintendent

Chairman Frawley opened the Board of Selectmen meeting at 7:00 PM and invited those in attendance to join in the Pledge of Allegiance.

At 7:01 PM Chairman Labonte opened the meeting for the Planning Board.

Chairman Frawley explained that there is going to be a fifteen minute comment period and that at 7:15 pm they will adjourn to Executive Session.

Richard Farmer, 61 Brookside Drive, reads into the record the Residents of Brookside Estates memo dated March 2, 2016.

Selectman McKinnon referenced the previous Tuesday's Planning Board Meeting and expressed the hope that tonight there will be some options that can be considered on how to move forward with the project. Richard speaks about the resident's feelings that the priority would be the roadways and ways for pedestrians, the rest of the work would have to be prioritized. He talks about a reduced scope of work.

Eric Robitaille, 88 Brookside Drive, explained that the residents would be happy to be involved in the conversation to look at the work and ways to drastically reduce the costs that have been presented so far. He asks about how the residents will be kept informed of this process.

Ruth Geoffroy, explained that the Town has hired Camp, Dresser & McGee (CDM) to review the Outback Engineering proposal in October figuring that they were a firm of adequate size in terms of dealing with the type of piping that is involved. Ruth reported that CDM found that Outback Engineering's proposal was not an effective way to solve the problem and probably not cost effective in the way it was proposed. There are more details on the specifics in the report, which can be provided to the Board.

Ruth Geoffroy reported that in November of 2012, Outback Engineering was asked, through the Developer, to go to a pipe contracting company to get a realistic proposal. CDM worked with a pipe contractor to review the plans by Outback Engineering and found that the fix proposed would not be effective and was not constructible.

Irene Farmer, 61 Brookside Drive, confirmed that Outback Engineering had done a write up on how to correct the problem, the Planning Department brought in a company to review what

Outback Engineering proposed and they found it undoable. She asks why another company wasn't brought in to look at it and see if they found the same.

Ruth Geoffroy, explained that the Planning Board retained CDM as their consultant to review the proposed plan because their normal peer review company, GPI, did not have enough experience with catastrophic pipe failure so CDM was brought in.

Eric Robitaille, 88 Brookside Drive, says that basically what has been presented here: the Contractor being told to hire an Engineer, who stamped their drawings saying this can fix be done and the Planning Board went to a third party for review, and this third party Engineer somehow trumps this design. This is highly abnormal.

Selectman Frawley states that this discussion is not going to turn into a debate.

Adam Carbone, Planning Board Member, explains to Mr. Robitaille that it is standard operating procedure to have another Engineer review the Engineer's submitted work. It happens on every project that the Board has seen. There is always a peer review of the Engineers work. When there is a disagreement between the two, the Engineer submitting the design has to prove that it is doable, which is the way it was left.

Tim Graybarz, 85 Brookside Drive, asked Chris Peck if he had a chance to review the estimate and if he has any opinion on it.

Chris Peck, DPW Superintendent, noted that he does have the pipe inspection report and the plans and he will be formulating a decision but he is not prepared to do that at this point.

EXECUTIVE SESSION

Upon motion made by Selectman McKinnon and seconded by Selectman Stewart to enter into Executive Session for the purpose of discussing a specific threat of litigation regarding Brookside Estates. Polled vote: Selectman McKinnon – Aye, Selectman Dalpe – Aye, Selectman Frawley – Aye, Selectman Stewart – Aye and Selectman Knowlton – Aye.

Upon motion made by M. Carbone and seconded by P. Reynolds to enter into Executive Session for the purpose of discussion a specific threat of litigation regarding Brookside Estates. Polled vote: M. Labonte – Aye, P. Reynolds – Aye, A. Carbone – Aye and Tracy Marzelli – Aye.

The Board of Selectmen returned to open session at 9:29 PM.

The Planning Board returned to open session at 9:29 PM.

ADJOURNMENT

Upon motion made by Selectman McKinnon and seconded by Selectman Stewart the Board of Selectmen voted unanimously to adjourn at 9:30 PM.

Upon motion made by A. Carbone and seconded by T. Marzelli the Planning Board voted unanimously to adjourn at 9:30 PM.

Respectfully submitted by,

Colleen M. Lieb – Acting Executive Assistant
MIDDLEBOROUGH BOARD OF SELECTMEN