

Present:

Lee M. Azinheira, Chairman (left meeting at 9:15 a.m.)
Mark S. Nunes, Clerk

Manuel Branco Vice Chairman
David T. Hickox, Director

*Carlos Cardoso, WPC Plant Manager Steven Sullivan, Superintendent Water & Sewer Division
Paul Pacheco, Superintendent Services & Infrastructure

Mr. Cardoso was absent due to a previously scheduled vacation.

The Chairman called the meeting to order at approximately 7:30 a.m. He announced that the Select Board, at its meeting of June 21, reappointed Mr. Azinheira to the Board of Public Works for a term of three years.

REORGANIZATION OF THE BOARD OF PUBLIC WORKS

A motion was made by Mr. Nunes and duly seconded by Mr. Branco to appoint Mr. Azinheira as Chairman of the Board of Public Works. So voted.

A motion was made by Mr. Azinheira and duly seconded by Mr. Nunes to appoint Mr. Branco as Vice Chairman of the Board of Public Works. So voted.

A motion was made by Mr. Azinheira and duly seconded by Mr. Branco to appoint Mr. Nunes and Clerk of the Board of Public Works. So voted.

ACTION ITEMS

A motion was made by Mr. Nunes and duly seconded by Mr. Branco to approve and accept the warrants for the bills payable period ending June 24, 2010. So voted.

A motion was made by Mr. Nunes and duly seconded by Mr. Branco to approve and accept the payrolls for the weeks ending May 28, June 4, 11, and 18, 2010. So voted.

A motion was made by Mr. Nunes and duly seconded by Mr. Branco to approve and accept the Meeting Minutes of May 27, 2010. So voted.

A motion was made by Mr. Nunes and duly seconded by Mr. Branco to approve and accept the Executive Session Meeting Minutes of May 27, 2010. So voted.

NEW BUSINESS

Bid Award Recommendation – Water Pollution Control – Annual Chemical Bid

Mr. Hickox referred to the Water Pollution Control Manager's memorandum dated June 4, 2010, which recommended that the bid be awarded to the low bidder.

Based on the recommendation of staff, a motion was made by Mr. Branco and duly seconded by Mr. Nunes to award the annual Water Pollution Control chemical bid to Univar USA, Inc for 0.2401 dry/lb. So voted.

Recommendation fro Toxicity Testing & Chemical Analysis – contract

Mr. Hickox informed the Board that the recommendation was to award the bid to EnviroSystems, Inc.

A motion was made by Mr. Branco and duly seconded by Mr. Nunes to award the contract for toxicity testing and chemical analysis to EnvironSystems, Inc., of Hampton, NH. So voted.

Bid Award Recommendation – Water & Sewer Division

Based on the recommendation of staff, a motion was made by Mr. Branco, duly seconded by Mr. Nunes and unanimously voted to award the following Water & Sewer Annual Bids items to the following vendors:

Hydrants & Repair Kits

Everett J. Prescott, 159 Manley Street, Brockton, MA 02322

Resilient Seated Gate Valves

Everett J. Prescott, 159 Manley Street, Brockton, MA 02322

Gate Box

Cape Cod Winwater Works, Hyannis, MA 02601

Curb Box

Everett J. Prescott, 159 Manley Street, Brockton, MA 02322

Service Box Foot Piece

Cape Cod Winwater Works, Hyannis, MA 02601

Type K Copper

Cape Cod Winwater Works, Hyannis, MA 02601

Cast Couplings

Vellano Brothers, Inc. W. Bridgewater, MA 02379

Fixed Valve Box Risers

Cape Cod Winwater Works, Hyannis, MA 02601

Flexible Sewer Couplings

Cape Cod Winwater Works, Hyannis, MA 02601

Water Works Brass - Straight Ball Meter Valve

Stiles Co., Inc., 922 Pleasant Street, Norway, MA 02062

Water Works Brass - Angle Ball Meter Valve

Stiles Co., Inc., 922 Pleasant Street, Norway, MA 02062

Water Works Brass - Angle Ball Service Valve

Stiles Co., Inc., 922 Pleasant Street, Norway, MA 02062

Water Works Brass – Meter Couplings

Stiles Co., Inc., 922 Pleasant Street, Norway, MA 02062

Water Works Brass – Corporation Stops

Ferguson Waterworks, Canton, MA 02021

Water Works Brass – Curb Stops

Ti Sales, Sudbury, MA 01776

Water Works Brass – Couplings

Stiles Co., Inc., 922 Pleasant Street, Norway, MA 02062

Cold Water Meters

Everett J. Prescott, 159 Manley Street, Brockton, MA 02322

Ductile Iron Pipe

Vellano Brothers, Inc., 7 Hemlock Street, Latham, NY 12110

Cleanout Ring & Cover

East Jordan Iron Works, 14 East Union Street, Brockton, MA 02303

Watertight Manhole Frame & Cover - New Construction

East Jordan Iron Works, 14 East Union Street, Brockton, MA 02303

Watertight Manhole Cover – Replacement Cover

East Jordan Iron Works, 14 East Union Street, Brockton, MA 02303

Manhole Frame & Cover - New Construction

East Jordan Iron Works, 14 East Union Street, Brockton, MA 02303

Sodium Hypochlorite

National Bleach, 145 Alden Avenue, Fairhaven, MA 02719

Sodium Hydroxide

Univar USA, Inc., Providence, RI 02905

Water Supply Well Cleaning

Dennis L. Maher Co., Ayer, MA 01432

Bid Award Recommendation-Division of Services & Infrastructure – Traffic Light Repair

Mr. Hickox reminded the Board that the Department had rebid the item after receiving a tied bid. The recommendation was to award the bid to the low bidder.

Based on the recommendation of staff, a motion was made by Mr. Nunes and duly seconded by Mr. Branco to award the bid for traffic light repair to Southcoast Electric d/b/a Fortin Electrical Contractors. So voted.

Request for abatement of water and sewer billing – 48 Featherbed Lane

Mr. Hickox referenced the letter from Attorney Peter Bullard requesting abatement for his clients that own property at 48 Featherbed Lane. The letter explains that the dramatic water bill was a result of a bursting water pipe. Mr. Nunes said he would like to review the insurance claim before acting on the item. Mr. Hickox will request more information from Attorney Peter Bullard. The Chairman suggested that the Board could consider a block rate. Mr. Sullivan said he would prepare the figures for the next meeting. The Board agreed to carry over the item to the next meeting.

Request for abatement of sewer betterment assessment – Tucker Road/Plat 148 Lot 84-43

Mr. Hickox informed the Board that the lot was assessed in error. The lot does not have adequate upland to become a buildable lot.

A motion was made by Mr. Branco and duly seconded by Mr. Nunes to abate the sewer betterment assessment assessed to Plat 148 Lot 84-43 due to the determination that the lot is not buildable with the stipulation that if and when the lot is deemed buildable the betterment shall be reassessed. So voted.

Amendment Sewer Betterment Assessment Plat 177.Lots 1001, 1002, 1003

Mr. Hickox noted that the original assessment to plat 177 has now been divided to reflect that the lot has been subdivided into three condominium units.

A motion was made by Mr. Branco and duly seconded by Mr. Nunes to amend the sewer betterment assessment for Plat 177 to reflect the creation of lots 1001, 1002, and 1003. So voted.

Request for Sewer Betterment Suspension per C. 61A Sec. 18 – Map 156/Lot 67

The Director explained that the Department of Public Works had worked with the late Sonny Carter when determining the plans for the undeveloped property when the Town was sizing the pumping station for the Old Westport Road sewer expansion. The property remains undeveloped and under Chapter 61A Section 18. Mrs. Carter is requesting that the betterment be suspended until such time that the property is released from Chapter 61A Section 18.

Mr. Hickox reminded the Board that a similar request was made approximately 10 years ago with a farm on Tucker Lane. Recently the property was developed and the betterment paid.

A motion was made by Mr. Branco and duly seconded by Mr. Nunes to approve the request to suspend the sewer betterment assessed to Map 156/Lot 67 per Chapter 61A, Section 18. So voted.

Bid Award Recommendation – Replacement of 5,000-gallon underground storage tank

Mr. Azinheira asked which tank was being replaced. Mr. Hickox replied that the tank is located at the highway yard.

A motion was made by Mr. Branco and duly seconded by Mr. Nunes to award the bid for the replacement of a 5,000-gallon underground storage tank at the highway yard to Candigit Excavating of Swansea, MA. So voted.

Application for Licensed Utility Layer – Peter Degirolamo & Sons, Inc.

Mr. Hickox informed the Board that the application was in order with the exception of having only two of the three required letters of recommendation. Mr. Azinheira noted that the applicant has been in business for a number of years and should be able to meet the requirement. He suggested approving the application subject to receiving the third letter of recommendation.

A motion was made by Mr. Nunes and duly seconded by Mr. Branco to approve the application for a utility layer license submitted by Peter Degirolamo & Sons, Inc., subject to the applicant submitting a third letter of recommendation as required. So voted.

OTHER BUSINESS

The Chairman asked those present if they wished to discuss any other business that morning.

Mr. Nunes noted for the record that a resident approached him in the parking lot before the meeting about a driveway at 35 George Street. Mr. Nunes asked if the project had been completed. Mr. Pacheco replied that the Department has done everything the resident has requested and more than he had recommended. Mr. Nunes added that the gentleman told him that there are drainage problems with his driveway. Mr. Pacheco replied that at the beginning of the water main project before it had even reached the resident's driveway the resident wanted a new driveway. He suggested that the Senior Engineer be asked to respond to the resident's comments. Mr. Nunes added that he would stop by the area in question. Mr. Branco suggested that the Senior Engineer and Mr. Pacheco review the issue and report back to the Board. Mr. Hickox added that the Department has addressed the issues related to the project. Mr. Nunes asked that the resident receive a formal response to his request from the Department.

Having no other business to discuss prior to the 8:30 a.m. appointment, a motion was made by Mr. Nunes and duly seconded by Mr. Branco to adjourn the Open Session of the meeting and convene to Executive Session.

At approximately 7:55 a.m. and after a motion was made and duly seconded, the Chairman polled the Board for a roll call vote to convene into Executive Session pursuant to M.G.L. Ch. 39 Sec. 23 (3): Clerk Mark S. Nunes, voted yes; Vice Chairman Manuel Branco, voted yes; and the Chairman Lee Azinheira, voted yes. The Chairman noted that the purpose of the Executive Session was to discuss a personnel issue and the Board would return to Open Session at approximately 8:20 that morning.

At approximately 8:35 a.m. a motion was made by Mr. Nunes and duly seconded by Mr. Branco to close the Executive Session and reconvene the Open Session portion of the Board of Public Works Meeting. The Chairman called for a roll call vote: Clerk M Clerk Mark S. Nunes, voted yes; Vice Chairman Manuel Branco, voted yes; and the Chairman Lee Azinheira, voted yes.

APPOINTMENT

Meeting with Mr. John B. Hanselman of RENOVA Partners, LLC re: solar farm proposal

The Chairman recognized Mr. Hanselman. Mr. Hanselman thanked the Board for the opportunity to meet with them and noted that he had met previously with Mr. Cressman and Mr. Pacheco to view the site in question. Mr. Cressman and Dr. Ronald DiPippo were all present for the meeting.

Mr. Hanselman introduced Ronald Kelly, Vice President, Business Development of Brightfields Development, LLC. and Attorney Beth J. Masterman, Senior Vice President, Government & Community Relations of Liberty Square Group.

Mr. Hanselman preceded his presentation by denoting the unfortunate events taking place in the Gulf and how important renewable energy is for the environment. A brief presentation followed, herein attached.

Mr. Nunes asked if RENOVA had conducted this type of project in Massachusetts on a capped landfill. Mr. Hanselman replied that currently they have three projects in the system under development, one in Massachusetts. He noted that their mounting system has no penetration of the landfill cap and that the system is a balance system. He added that they do not intend to actually have an intrusive system on any of those sites.

Mr. Hanselman informed the Board that at a meeting with the DOER he was informed that under the current legislature only a two megawatts project per site parcel could be built at this time. The Chairman asked if they could go above two megawatts but only receive credits up to two megawatts. Mr. Hanselman replied in the affirmative but noted it would be difficult to fund a larger project without receiving full credit for the megawatts.

Mr. Hanselman announced that he believes Dartmouth has a fantastic project potential. He added that last year they anticipated they would see renewable development widespread through the state but a lot of the land the land has been tied up with other companies that have not got the financing in order. He said RENOVA takes a more measured program and takes more of partnership approach with communities. He added that their reason for the investment is not the current cash flow but rather the resale of those energy credits in a solar renewable energy auction. He noted that those markets currently exist in New Jersey and Pennsylvania. They believe that Massachusetts will follow the way of New Jersey.

Dr. DiPippo noted that in the presentation, it is cited that solar REC is \$.30/kWhr min. He asked who guaranteed that figure and if there are separate markets for wind vs. solar. Mr. Hanselman replied

in the affirmative. Mr. Kelly added that there are three classes of renewable energy credits. They are talking specifically about solar renewable energy credits (SREC's), which are specific to Massachusetts. Mr. Hanselman noted that every state has its own rules. He added that today wind power is approximately twice as productive as solar energy but solar power peaks when load peaks.

Mr. Kelly passed a solar panel model around to the meeting attendees. The Chairman asked why everyone is talking about solar energy but no is one acting on it. Mr. Kelly replied that at this time the only community that has moved on a like project is Brockton. Franklin County recently went out for bid and received no bidders. Mr. Kelly said there is structurally a problem in the way the DOER program is being launched. He added that he believed the Dartmouth project is one that could be accomplished. He cautioned about other companies coming in and promising high figures.

The Chairman asked what type of arrangement structure RENOVA was looking to have with the community. Mr. Hanselman said they are open to discussing different structures. The structure they have been proposing is that they would take the capital investment requirement, capital risk of build, payment of a ground rent and a percentage share of any upside of breakeven numbers. The Chairman asked if the wind turbines could affect the ability of maximum return on the net metering. Dr. DiPippo replied that it could because there be may some limitation to what the Town can take

Mr. Hanselman said that RENOVA would be paying approximately \$6,000 per kilowatt to get the project built. Dr. DiPippo commented that would be at peak kilowatt so the figure would have to be multiplied by eight or \$50,000 per average kilowatt. He added that making electricity from PV cells is the most expensive way to create electricity that is known. Mr. Kelly replied that the state of Massachusetts and the federal government have a program underway that requires that Massachusetts will build 400 megawatt of solar power with ten years. He continued that if a utility does not purchase solar power to the extent, which is required, they would have to pay \$600 per megawatt hour penalty for every megawatt hour they did not produce/sell by green energy.

Mr. Kelly commented that the proposal does not have a risk to the Town other than the risk to the landfill, so a developer that really understands landfills is of the most importance. He said they have seen a lot of landfills and Dartmouth's is a very good site.

Dr. DiPippo asked Mr. Hanselman if they had a rule of thumb for kilowatts per square meter. Mr. Hanselman answered in the affirmative. He said each one has its coefficient. The two big determiners are angle of incidence for the panel. Dr. DiPippo said Dartmouth is 42 degrees north latitude. Mr. Kelly said one way to look at it is that there for every square meter on Earth when under full sun is 1,000 watts per square meter and in New England that equates to 140 watts per square meter. He said that is an average of four hours of equivalent full energy.

Mr. Cressman sees the project as a straight lease deal for the Town at a market rent. He added that the real question is what the renewable energy credits will be. Dr. DiPippo agreed. Mr. Hanselman said once a site is certified it locks in with 40 quarters of auction life. Mr. Cressman asked when do the auctions occur. Mr. Hanselman replied that the auctions occur quarterly.

Mr. Kelly pointed out the environmental value of the project as well as the use a Brownfield site for renewable energy. He noted that there is great value to the project; monetary, environmentally, and land use.

Mr. Cressman asked whom the firm was working with in Woburn. Mr. Hanselman replied that they are working with Jennifer McQueeney at DEP. He said that project is the first solar project on a Super Fund site in the country. Mr. Kelly suggested that the Town consider the RFQ process, which they would like to be considered.

Mr. Hanselman said they would ask for consideration of a 30-year lease. Mr. Nunes said he personally would like to work out a lease and not absorb any debt for the property. He added that he agrees with the theory of using the property, which cannot be used for any other purpose. He noted that the Department currently pays for the monitoring requirements of the capped landfill. Mr. Kelly said he would not envision the Town taking on any debt the only thing the Town would be responsible for would be cashing the check and ridding itself from operating the landfill.

Dr. DiPippo asked if the state's 400 megawatts of solar power requirement is strictly with PV or open to CSP. Mr. Kelly replied that it would be all PV. Dr. DiPippo commented that he did not believe it seemed realistic to reach the 400-megawatt state requirement strictly with PV.

Mr. Cressman asked how the Board of Public Works wished to proceed. Mr. Hickox suggested that he would report back to the Board information he obtains regarding a 30-year land lease.

Having no further business to discuss that morning, at approximately 9:55 a.m. a motion was made by Mr. Nunes and duly seconded by Mr. Branco to adjourn the meeting. So voted.

Respectfully submitted:

Michelle L. DeFranco, Office Manager/Confidential Secretary

Approved: 7/22/10