

**Board of Selectmen  
Town Administrator's Conference Room  
Town Hall, 155 Village Street**

**October 4, 2012  
7:00 AM**

**BOARD MEMBERS PRESENT: Andrew Espinosa - Chairman, John Foresto, Dennis Crowley, Richard D'Innocenzo, and Town Administrator Suzanne Kennedy.**

Mr. Espinosa called the meeting to order and led the Board in the pledge of allegiance. He then asked for a motion to enter into executive session to discuss the Wickett property.

**Mr. Foresto made a motion to enter into executive session under Exemption 6 to consider the purchase, exchange, lease, or value of real property [Wickett property] if the chair declares that it would be detrimental to discuss in open session. Mr. Espinosa so declared. Mr. Crowley seconded. The roll call vote was unanimous: Foresto – aye; Crowley – aye; D'Innocenzo – aye and Espinosa – aye.**

The Board returned to open session (no time indicated).

**Approval of Change Order for Thayer Property Design and Engineering Services**

The Board of Selectmen discussed the status of the Thayer project. Selectman Foresto reported that a contract is out to perform engineering and design work on Parcel B (not actually part of the Thayer property proper, but part of Choate Park). The work is to focus on redesign of the parking lot to double capacity and deal with the brook vis a vis the Rivers Protection Act. Mr. Foresto stated this part of the project was not originally included in the RFP due to the fact that there was insufficient funds available for it.

Funding would be from DPS operating funds; Chairman Espinosa insisted the exact account be identified and worried that something previously slated to be completed through these DPS funds may no longer be realized.

The Board of Selectmen does not have a signed copy of the contract, which will also need to go to Town Counsel for review. The Board of Selectmen would like to authorize the Chairman to sign the contract when it comes in, but wants to know where the money will be coming from.

There was discussion that a number of \$30,000 has been included. The Board of Selectmen want to know why \$30,000 is necessary when the contract is for \$20,800. The Board also wanted to know if the Planning Board has taken a formal vote on this project. It was indicated that there was a motion to support the project, but there was not a formal recommendation.

It was clarified that LLB Architects would be providing pre-construction work, including preparation of bid documents and architectural drawings, originally estimated to be \$120,000. Then, the firm would be providing construction management during the construction phase with \$30,000 proposed as the construction management fee, all of which was to be funded through CPC once Phase 2 is approved by Town Meeting vote.

It was noted that the Town does not need to go to bid again; the contract brings the project through the pre-construction phase. The construction money is not approved until Town meeting. The Board recognized that the \$20,800 needs to be pulled from another source. There was only \$150,000 approved, and this change order exceeds the funding.

Mr. Crowley asked what might happen should the Community Preservation Committee (CPC) not approve the project, as the contractor has already begun some of the associated work. If the CPC does not commit to funding, there would be some monetary exposure for the Town. Chairman Espinosa expressed concern that, after spending \$150,000 already for the Thayer project, the CPC seemed to be wavering on its commitment to it. As Mr. Foresto would be unable, Chairman Espinosa and Selectmen Crowley indicated they would attend the upcoming CPC meeting.

DPS Director Holder joined the meeting and offered that the \$20,800 associated with the contract amendment under consideration would be paid from DPS contracted services line items in each of the following DPS general fund accounts: approximately \$18,000 from the general account and approximately \$2,000 from water/sewer enterprise accounts.

**Mr. Crowley made a motion, seconded by Mr. Foresto, to amend the contract for \$20,800. The vote was unanimous: 4-0-0.**

Selectman Foresto reported that he has put together several business models after having spoken with several other communities which operate similar endeavors and estimated cost to be \$20,000 per year to operate. An alternative could be to lease the Thayer property out to an independent concern which would manage the operation for profit.

#### **ROUTE 109:**

The Board next discussed the Route 109 project. DPS Director Holder suggested a meeting be set with Guy Resendes. Mr. Holder estimated 70-80 poles/guy wires would require relocation and reported that his sense was that MassDOT and Verizon would be leaving the process of dealing with all the associated easements to the Town as it is the Town's desire to relocate the poles and guy wires. It was suggested that Town Counsel be hired to deal with the necessary easements. Mr. Holder further indicated that estimates would fall in the range of \$250,000 to perform both the legal work and deal with potential payment to affected property owners. Selectman Crowley stated that the State would not approve construction funding until such time that all necessary easements have been secured.

The Board of Selectmen noted that they would need to do an article to fund this aspect of the project. There was discussion about whether the project will be pushed off further. The Town has signed a time extension.

Mr. Holder noted that the Highland Street section is going to be paved. The Main Street paving will take place in the spring. The only increase in cost would be \$6,000 for an increase in asphalt pricing. The Town wants to make sure there is no cost for a time extension. Mr. Holder indicated that there is no increase in cost for the time extension.

The meeting was adjourned.

Respectfully Submitted,  
Amy Sutherland