

## Meeting of the Washington Board of Selectmen – Aug. 3, 2015

1. J. Huebner called the meeting to order at 7:00pm. Attending for the Board were J. Huebner, Shaun Lennon and Mike Case.
2. J. Huebner mentioned that Peter Holden of Holden Engineering, the company chosen to build the replacement for the current temporary bridge on Cross Place Road, was in attendance.
3. After leading the meeting in the Pledge of Allegiance, J. Huebner made a motion to accept the minutes of July 27, 2015. M. Case seconded and the vote to accept the minutes was unanimous.
4. J. Huebner told Peter Holden that the Town has sought legal action against his company because there has been no progress on the Cross Place Road bridge. He asked Mr. Holden if he had anything to say to the Board. P. Holden gave the Board an update on the current status of the project. He mentioned several reasons for the delays in the work. One of these was that the EPA has identified Washington as one of the homes of the long-eared bat, a species close to extinction. As a result of this, Holden had to check for bat nests in the trees they are going to cut down and get approval.

P. Holden gave the Board documents which explained where he is in the approvals process. The following process steps were noted: NOI in progress; abutter notifications not yet started; Army Corps of Engineers Self-Verification form regarding the long eared bats in progress. Permit not yet active; National Park Service hasn't commented on documents submitted to them on June 19; the immediate abutter to the bridge has not yet signed the Wetland Application given to them; Holden has not

yet responded to reviews of structural, hydraulic and geotechnical issues sent to him by the state.

J. Huebner told P. Holden that the Board has seen copies of all this material and the fact remains that there has been no work completed at the site in 8 months. The entire job was estimated by Holden to require only 4 months. It should have been done by now. P. Holden replied that he will get the bid documents in order and will finish the job in this calendar year. He mentioned that the price for building temporary access to Cross Place Road was higher than he had estimated and he would like to change the type of bypass he had originally proposed to a less costly alternative. J. Nelson, a resident of Cross Place Road, suggested that might not be acceptable to residents of the road. Construction can't begin before October 1.

Holden has been in touch with Mark DeVylder's office at MassDOT District 1 on the state's requirements. Mr. Holden passed out to the Board copies of our borings report. This shows that the bridge will rest on bedrock. The hydraulic study needs more information. P. Holden is sure that Mark DeVylder wants to get this turned around in good time. Holden is hoping to have state approval to bid on 9/4.

Holden still needs Conservation Commission (ConComm) approvals. K. Walls said that the ConComm will meet this Thursday at 6:30. Peter Holden will attend. Phil Clark, the Town's project manager on the bridge replacement, said that he too will attend, though he is no longer on the Commission. This meeting is open to the public as always. Holden would like to discuss how best to notify abutters to the construction. They have not done this yet. He hopes to have the ConComm process completed by September 5. The bid opening for construction would take place on September 28 at Town Hall. Contract signing and Notice to Proceed for Construction would take place on October 5 with construction starting on Oct. 12 and completed by Nov. 20, 2015.

5. Discussion followed on just how realistic this schedule is. P. Clark thought it would be difficult to get a contractor that late in the season. J. Huebner too was concerned about the tight time frames. Many approvals are still needed. He asked to move up the bid package to before Sept. 1 as the Board does not meet on September 7<sup>th</sup> which is Labor Day. K. Lew asked if we have increased the risk that the bids will come back higher than we anticipated as a result of Holden's delay in starting work. J. Huebner said we may have to re-appropriate. P. Clark added that plans have to be submitted to DEP as well as our ConComm. DEP is the final authority on the wetlands issues. Both will inspect it. Phil says this schedule is the best we have. J. Huebner made a motion to suspend (not end) the legal action we have begun against Holden until it becomes clear that Peter can't get this done before winter. If Holden fails, the Town will proceed with its legal case to recover all payments made. M. Case seconded the motion and the vote to approve was unanimous.
  
6. Ken Walls of the Con Comm told the Board that a new resident on Lovers Lane did not get a driveway permit. There is a big pond on the property and he has installed the driveway right up against it. J. Huebner said that the Town should fine the owner. Paul Green was not involved at any point in the construction. ConComm can issue a stop order. A local person who should have known better did the work.
  
7. J.Huebner reported that the Town received \$ 10,425.71 for winter damage.
  
8. J. Huebner, M. Case and Chief Breen attended the DOT pre-meeting on Washington Mt. Road. The contract has been let. The contractor will try to get the drainage done this year. There are 80 drainage points that have been identified along the road. Twenty of these are new. Work is scheduled to begin in a couple of weeks. MassDOT had to address the long eared bat issues. The majority of work will be done in the spring.

9. D. Fish's schedule for Blotz Road has been delayed by Hinsdale.
10. P. Clark told the Board that he will have the road maintenance plan by the end of November.
11. J. Huebner signed a letter to the Delaneys on Summit Hill informing them that in response to complaints from the neighbors about cars speeding along the road after the recent car show at the campground, the Town will require that they have 2 policemen on duty to manage traffic after the next car show.
12. Bucksteep has paid to have perc tests done.
13. There will be a Capital meeting in 2 weeks.
14. J. Huebner will email Ben Downing to schedule a coffee and doughnuts meeting here to listen to residents' concerns.
15. We received notice of Lee public hearing August 10.
16. We received an invoice from the Mass. Personnel Association for membership dues. J. Huebner asked G. Grogan to check on this.
17. The Board received a survey request from MBI and forwarded it to S. Nelson to handle.
18. Ken Walls expressed his discontent with the lack of communication between Town committees and Boards. He mentioned the relationship between the Planning Board and the ConComm as a major problem.

19. Chief Breen informed the Board that the Town cane has been found and returned to its rightful position on the lobby wall. Ed Bond did the secure installation. Ralph Simmons will be the next owner of the cane.

20. At 8:10 pm J. Huebner made a motion to adjourn the meeting. M. Case seconded and the vote to adjourn was unanimous.

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

Approved: \_\_\_\_\_

Approved: \_\_\_\_\_

Respectfully submitted,  
J. Nelson