

**TOWN COUNCIL MEETING MINUTES**  
**Public Works Committee Meeting Minutes**  
**Town Hall Council Chambers**  
**June 11, 2015**

Present: Arthur Mathews, Chairperson  
Ed Harrington, Vice Chair  
Michael Smart, Councilor  
Thomas J. Lacey, Councilor  
Robert Conlon, Councilor

Also Present: Kenan Connell, Director DPW  
James McGrath, Town Engineer  
Joseph Cardinal, NGrid/Community and Customer Management  
Elsworth Andrew, NGrid/Construction Manager

Recording Secretary: Diane T. Hachey

At 7:00 PM Chairman Mathews called the Public Works Committee Meeting to order.

**Utility Work Road Review**

Chairman Mathews noted that resultant from recent public hearings on utility petitions in conjunction with numerous complaints received from Councilors, regarding trench work, that this issue was referred to the Public Works Committee. He asked the Director of DPW to briefly explain the process of trench work. He stated that many of the roads in the town are trenched; with no Highway Superintendent, this work falls to others in the department. His goal is to install utilities before road restorations and their focus is to put the roads back to the same condition as they previously were. He took the comments personally, noting that he has diligently been working to improve the quality of the town's streets. He noted that it is key that the trench settle prior to topping it off. Trenches settle then in the winter freeze and thaw. Minimal funding is available to handle repairing of streets, so he is proactively addressing with current staffing and funding. Mr. Connell noted that the code of ordinances speaks more to electrical trenches and doesn't meet the industry standard for trench work. He has a list of trenches completed within the past year, which he received from the Chair and he acknowledged that many included on the list need additional work. Mr. Connell confirmed that he referred the list to National Grid and they are working in tandem to rectify the streets.

Chairman Mathews suggests that communication is the key to resolving these issues. Scheduled maintenance, in conjunction with National Grid and the town, as to which streets are planned for repaving so work can be performed prior to excavation. He cites Lake Shore Drive as an example—several gas mains were installed and the road shouldn't be touched for years.

Councilor Smart stated that the committee isn't questioning Mr. Connell's dedication or focus, and acknowledged that the DPW's manpower is smaller than National Grid. He stressed that overlay is typical in trenching and as it is the weakest point, emphasized the importance of compaction. He asked if the town holds the utilities to abiding by the code of ordinances, to which Mr. Connell responded in the negative. He referenced Thicket Street as an example. Councilor Smart noted the hard work undertaken by the Council in researching and subsequently developing an ordinance to put the streets back to their original condition, and his dismay which is evident from the amount of constituent complaints received by him and his colleagues.

Chairman Mathews noted that DPU regulates the utility companies and stipulate that they are responsible to repair streets to their original condition; the code of ordinances is further insurance. His hope is that the utility companies review the list and correct those streets indicated. Mr. Connell agreed that cutbacks and overlays need to be performed on several of the listed streets. Chairman Mathews asked if there is a warranty on National Grid's work and it was noted that there isn't nor are there any regulations which mandate.

Chairman Mathews stated that in the past a meeting transpired with the Mayor, National Grid, Chip Fontaine and Jeff Bina, which helped identify streets needing attention which were rectified, he suggested a same type meeting occur now.

Councilor Lacey appreciates Mr. Connell's candor and remarked that extending the overlay one foot on each side of the trench makes a big difference in terms of longevity—oversight of work is key to quality. He noted the condition of Wilson Street to Taft to Commercial Streets, which had a foot long path down the entire length. He further noted the work performed on Ledgehill and Gibbons and will draft a complete list of streets in his district and forward accordingly.

Mr. Connell stated the costs incurred in rectifying the trench work and Chairman Mathews suggested charging a permitting fee to absorb these costs; Mr. Connell stated that he has been attempting to do this since he started working for the town.

Councilor Harrington is concerned that we are allowing the code of ordinances (section 8-401 specifically) to not be properly followed. It was noted that the Town Council is the legislative branch of government and enforcement of the code of ordinances lies with the executive branch. He suggests we report this issue to the Mayor. Councilor Lacey is concerned that the work done by the Town Council in devising this ordinance is not being adhered to and suggests revisiting it

such that it works and is enforceable. The other option is to enforce the ordinance and open it up to challenge.

Mr. Connell welcomes the opportunity to dissect, examine and comment on the ordinance for further consideration by the Ordinance Committee.

Councilor Harrington suggests that if revisited, all interested parties be involved in the process.

Councilor Smart noted that there is better quality work today, since developing the ordinance, and wants utility companies held accountable. He is willing to rework the ordinance. Additionally, he has a list of streets in his district tonight and will give to Jim McGrath. He further suggests that Town Council is given a list at the beginning of the season of planned work.

Chairman Mathews wants to review the ordinance with all parties, including utilities, legal, town engineers, and the Director of DPW. He further suggests that Mr. Connell contemplate ceasing of work permit issuance until work is completed to his satisfaction. This would entice the utility companies to correct said streets, or they risk losing potential income.

Mr. Connell stated that at the beginning of the season he met with all parties and has limited permits to 3 (three), prior to that permit issuance was unlimited.

Joe Cardinal and Elsworth Andrew, from National Grid, approached the Public Works Committee. Mr. Cardinal shared that his goal is to partner with the DPW Director and to that end has scheduled and held for the past few years, preconstruction meetings with the construction people; noting that this has worked well and ensures that they are abiding by the town's rules and DPU regulations.

Chairman Mathews asked if there is a warranty for a repaired road, through DPU, and Mr. Andrew responded that it is 30-60 days and upwards of a year. He further requested that National Grid work in conjunction with Mr. Connell and actually drive around and view those streets cited by the Councilors as needing attention. Chairman Mathews cited the following areas in need of attention: area surrounding 844 Washington Street (Cannolli's), and 908-920 Washington Street (gas mains on the northbound side are sunk in several inches). Additionally Chairman Mathews stated that holes resultant from leak detections, aren't being properly filled and water freezes and thaws, eventually causing sinkholes; this situation is evident along Washington Street.

Councilor Smart asked if specs are obtained at the beginning of each job as related to municipal contracts, to which Mr. Andrew confirmed that this does occur. Additionally, National Grid has implemented a new procedure whereby they review new services, testing every section prior to

work commencing.

Mr. Cardinal agrees with assigning a reasonable permitting fee to cover costs and his goal is to have decent roads and assured the committee that all applicable parties are working collectively.

Councilor Lacey asked how our specs/ordinances compare to that of other towns. Mr. Andrew noted that Hingham and Braintree are similar with the exception of our 8 foot cutback-most towns include a 1-2 foot cutback in their town ordinances.

Chairman Mathews asked that Mr. Cardinal discuss these issues with National Grid's legal department so we can revisit the ordinance. Mr. Cardinal agreed.

Councilors Smart and Lacey confirmed that they will forward their street listings to Mr. Connell.

Chairman Mathews requested of Jim McGrath to forward to Diane Hachey, a copy of the DPU regulations, which will be forwarded to all Councilors.

### **ADJOURNMENT**

At 8:26 PM, there being no further business, a motion was made by Councilor Harrington to adjourn the meeting and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

Respectfully submitted by Diane T. Hachey as Recording Secretary

Approved by Arthur Mathews, Chairman of the Public Works Committee

Voted unanimously on 24 August 2015