

Selectmen's Meeting
September 22, 2014
4:00 pm

A meeting of the Board was held on the above date in the meeting room of Town Hall. Members present were: Arthur Smadbeck, Chairman; Michael J. Donaroma; and Margaret E. Serpa. Also present was Ms. Pamela Dolby, Town Administrator.

At 4:00 pm Mr. Smadbeck opened the meeting and the first item on the agenda was the Shellfish Warden to set the scallop season. He recognized Mr. Paul Bagnall, Shellfish Warden.

Mr. Bagnall stated that the Shellfish Committee had a legally posted public hearing on September 16, 2014. At that meeting they decided the following recommendations for the Winter of 14-15 Scallop Season:

Recreational Season will begin October 1st in all areas with a Limit of 1 level Ten Gallon Wash Basket per Week with shells. No dragging in Cape Pogue until October 25th.

Commercial Season will begin October 27th in all areas with a limit of 3 level Ten Gallon Wash Baskets per Week with shells Monday through Friday.

All Scallop Seasons will end March 31, 2015.

Ms. Serpa moved to approve the Winter 14-15 Scallop Season. Mr. Donaroma seconded. Unanimous.

The Board then approved travel vouchers for the Shellfish Department for the Quahog Relay.

Mr. Smadbeck then moved on to the next item on the agenda which was the annual review for Treasurer Pamela Amaral. He started by stating that it was so far so good.

Ms. Amaral stated that it had been quite a year.

Ms. Serpa stated that she had no complaints. Ms. Amaral has been doing a great job.

Mr. Donaroma agreed and moved to give Ms. Amaral a favorable review. Ms. Serpa seconded. Unanimous.

The Board then approved the following items:

The minutes of 9/15/14 and the executive minutes of 6/10/13

A Travel Voucher for the Council on Aging.

Yard Sale Permits for Ann Heron on Martha's Rd. and Phoebe Cole Smith on Angevin Lane.

An appointment of Peter Vincent, Jr. to the Community Preservation Committee as the Representative from the Conservation Commission. Ms. Serpa voted No.

An appointment of Jim Carter to the Financial Advisory Committee to fill the spot vacated by Bob Clay.

The Board set a hearing date for the Wharf Wine & Spirits for October 6th at 4pm.

The Board set Mr. Smadbeck as the Environmental Certifying Officer for the CDBG Grant and authorized Mr. Smadbeck to sign. Mr. Donaroma seconded. Unanimous.

Mr. Smadbeck then moved on to the next item which was an update on the Town Solar Project at Nunnepog. Present were many neighbors of the project, Health Agent Matt Poole, Conservation Agent Jane Varkonda, Zac Osgood from American Capital Energy(ACE), and Liz Argo from Cape and Vineyard Electric Co-operative (CVEC).

Ms. Dolby started by giving a brief history of the project and the problems at hand such as the trees planted, the fencing and screening, the noise generated and the lack of security on site. She expanded on the noise issue to say that ACE had made their own suggestions on the noise mitigation. The town has hired it's own expert who has made more thorough recommendations. These recommendations also more expensive than ACE's solution.

Mr. Poole stated that they have had many complaints about the noise. He took the expert hired by the town out to the site the previous week on a very sunny day. He was concerned to find the gate unlocked and no locks on any of the boxes. Nothing was secured.

Ms. Argo explained that CVEC had put out the RFP for the project and explained her responsibilities. She stated that CVEC is working with ACE and trying to deal with the issues. The noisy inverter was a fairly new issue and ACE has come up with a mitigation proposal.

Mr. Osgood stated that the mitigation proposal included adding vents. They had hired NIVA Noise Solutions.

Mr. Smadbeck asked why the noisy inverter was put on the residential side instead of the other less populated side of the project area.

Mr. Osgood responded that he was not part of that decision. He suspected it was because of the way the cable run went.

Mr. Smadbeck stated that he was still baffled by it's placement. He asked what the solution would be.

Mr. Osgood replied that it would be a special vent that would reduce the noise to 12 volts. It would not be a sound screen.

Ms. Dolby stated that the town's expert stated in his report that the vent solution was not guaranteed to fully work. His solution was guaranteed to fully block the noise.

Mr. Osgood stated that he would have to look into it.

Mr. Greg Willett, Neighbor, stated that the area needed to be maintained and brush cut.

Ms. Dolby added that the Board needed a maintenance schedule.

Mr. Willett continued that there was an abundance of weeds and serious grading problems. He also stated that the trees are dieing.

Mr. Donaroma, who installed the trees, stated that he was only hired to plant the trees. He asked about grading and ACE said they would take care of it. The trees are guaranteed for one year. Dead ones will be replaced.

Mr. Willett asked who pays for all this.

Mr. Osgood responded that ACE does.

Ms. Varkonda stated that the weeds at the Katama Solar Project are higher than the trees. The burm is not planted. She has asked over and over again for them to perform some maintenance.

Mr. Smadbeck asked Mr. Osgood what the plan is.

Mr. Osgood stated that once the construction is done the finish work including the landscaping would be done. He had no date.

Ms. Dolby stated that she felt these were not insurmountable problems. They do need attention and they need a schedule of when these things will be rectified. The Board needs to send a certified letter.

Ms. Varkonda was concerned about the subcontractor and plants chosen for the Katama site. She asked that Mr. Osgood have them contact her.

Mr. Jim Cimeno, Abutter, stated that the inverter noise has been discussed from the start and they were told there would be no noise. He stated that there needed to be a deadline. They were told everything would be done by June 30th. That has obviously not happened.

Mr. Osgood then moved on to the fencing. The privacy screen will have 88% visual blockage of the project. It attaches to the fence.

Ms. Dolby stated that the contractor will paint the posts.

Ms. Allison Smith, Abutter, asked if they had any say. They had found another solution that looks like ivy that keeps the eyesore at bay.

Mr. Smadbeck responded that it would probably add to the time element. He asked if everyone wanted it.

Ms. Dolby stated that she believed it was called Easy Ivy. Something nicer than the jail had. It may also remedy the noise a little.

Mr. Tom Smith, Abutter, responded that it was a nicer version than the jail version.

It was decided to look into the costs differences for the Easy Ivy.

Mr. Osgood did not see a problem in substituting Easy Ivy.

Ms. Argo suggested that the weather may have been too dry for seeding at the site. The inverters are not typically noisy.

Mr. Osgood stated that ACE had the manufacturer look at them.

Mr. Smadbeck reiterated that it was unfortunate placement.

Ms. Dolby stated that the bottom line was that the problem needs to be remedied.

Mr. Smadbeck stated that he was concerned about security.

Mr. Osgood stated that the lack of locks was news to him. There are usually locks on the gates and inverters.

Mr. Smadbeck they would compare the different noise abatement solutions and perhaps pay the difference for the better solution.

Ms. Dolby stated that ACE's solution met state standards. The Town solution puts an end to the noise.

Ms. Smith asked about the trees and woodchips.

Mr. Donaroma stated that he was only responsible for the trees themselves and would replace any dead ones.

Ms. Dolby then explained how Mr. Donaroma became involved in the trees. That the original tree person could not get enough of the trees in a timely manner. Mr. Donaroma stepped up and found one of his vendors with enough trees and was able to get them over on the boat.

Mr. Osgood asked if woodchips were more desirable than grass. They were going to plant grass.

The neighbors present were partial to the woodchips, thinking it would be more tidy and require less maintenance.

Ms. Smith stated that the neighbors all appreciate the help that Ms. Dolby has provided.

Mr. Smadbeck thanked Ms. Argo and Mr. Osgood for coming.

At 4:50PM Mr. Donaroma moved to go into Executive Session to discuss pending litigation and not to return into public session. Ms. Serpa seconded. A roll call vote was held where all voted aye. Unanimous.

Approved:

Arthur Smadbeck, Chairman

Michael J. Donaroma

Margaret E. Serpa
Board of Selectmen

Respectfully submitted,

Kristy Rose
Assistant