

**Town of Wareham
BOARD OF ROAD COMMISSIONERS
Monday, May 9, 2016**

MINUTES

Location: The Wareham Board of Road Commissioners meeting of May 9, 2016 was held in Room 27 of Memorial Town Hall.

Members Present: Members present: Joseph Cardoza, William Heaney, Recording Secretary John McGonnell, Vice Chair David Menard and Howard Smith. Also present: Harbormaster Garry Buckminster, several citizens and one member of the press.

Call to Order: The meeting was called to order at 4:03 p.m. by Vice Chair Menard.

Minutes: The Minutes of the Board of Road Commissioners meeting held on February 9, 2016 and April 12, 2016 were reviewed. Motion by Member Smith to accept the Minutes of February 9, 2016, seconded by Member Heaney. Vote: 4-0-1 (with Vice Chair Menard abstaining). Motion by Member Smith to accept the Minutes of April 12, 2016, seconded by Member Heaney. Vote: 5-0-0. (Note: There was no meeting in March 2016.)

New Business:

Reorganization of the Board of Selectmen: The Board was advised of correspondence from Town Administrator Derek Sullivan regarding the reorganization of the Board of Selectmen. Judith Whiteside was elected as Chair, and Peter W. Teitelbaum is Clerk.

Reorganization of the Board of Road Commissioners: Following discussion, and due to the absence of Chief Walsh and Member Pichette, and because of uncertainty as to Member Pichette's role as Acting Town Planner, the election of Chair was tabled until the next meeting. Upon the motion of Recording Secretary McGonnell and seconded by Member Smith, Vice Chair Menard was re-elected as Vice Chair by a vote of 4-0-1 (with VC Menard abstaining). Upon the motion of Member Cardoza and seconded by Member Heaney, Recording Secretary McGonnell was re-elected as Recording Secretary by a vote of 4-0-1 (with RS McGonnell abstaining).

Amendments to Onset Parking Program:

Parking Permits for Contractors and Employees: Harbormaster Buckminster gave a brief overview of his proposed changes to the Onset Parking Program resulting from inquiries to his office. He also provided the Board members with a copy of the City of Somerville Contractor Parking Permit Application and fee structure. Following a discussion, RS McGonnell moved that the Harbormaster's Office prepare an application for local use, and further to allow the Harbormaster's Office to issue parking permits to contractors and their employees for a period of up to 30 days at a fee of \$10.00, after the completion of an application by the contractor. Seconded by Member Cardoza. Vote carried: 5-0-0.

Resident Parking on Onset Avenue: Following a short presentation by Harbormaster Buckminster and discussion by Board members, Member Heaney made a motion to allow the issuance of parking permits to property owners and residents of Onset Avenue, from West Boulevard to the Stone Bridge, with proper documentation of residency/ownership provided and verified by Town records. Seconded by RS McGonnell. Vote carried: 5-0-0.

Old Business:

Pavement Cutting and Trench Openings: Reviewed and discussed proposed application and permit forms (including fees and standards and regulations) for pavement cutting and trench openings on ways in the Town of Wareham, as submitted by Municipal Maintenance Director Menard. Member Smith made a motion to adopt the forms and regulations as submitted. Seconded by Member Cardoza. Vote carried: 4-0-1 (with VC Menard abstaining).

Onset Parking Program:

Union Avenue: MM Director Menard updated the Board on the status of the proposed Union Avenue reconfiguration. His department is awaiting relocation of utilities, the status of which is uncertain because of the Verizon strike.

Handicapped Parking: MM Director Menard reconfirmed that there is sufficient space for additional handicapped parking spots in the area of Union Avenue/Onset Avenue.

Drainage Issues: A resident inquired as to the status of the drainage issue near the Onset Mobile Home Park. Another resident inquired about a "wash-out" on East Boulevard that appeared to be getting worse. MM Director Menard advised he is aware of the situations, and they are being addressed by his department.

Any Other Business:

Parking Issues:

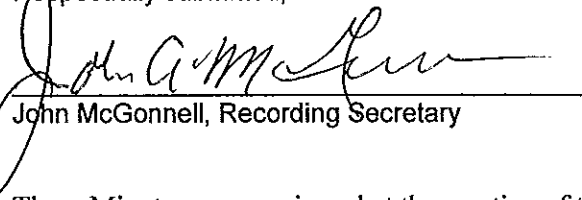
Member Smith requested Board members view Gault Road in the area of St. Anthony's Church, because of parking problems particularly on Sundays.

He also advised there seems to be a problem with people parking in restricted areas on Main Street in the vicinity of the Decas School and playground. Following discussion, it was decided that this is primarily an enforcement issue and will be called to the attention of the Police Department.

Next Meeting: Monday, June 13, 2016 at 4:00 p.m.

Adjournment: Member Cardoza moved to adjourn. Seconded by Member Heaney. The meeting was adjourned at 4:40 p.m. by a vote of 5-0-0.

Respectfully submitted,



John McGonnell, Recording Secretary

These Minutes were reviewed at the meeting of the Board of Road Commissioners held on June 13, 2016. The Minutes were accepted by unanimous vote after the following amendment: *Member Smith reminded the Board that there was discussion relative to parking and traffic issues on Tyler Avenue at the May 9 meeting, and that should be included in the Minutes. Recording Secretary McGonnell acknowledged this and indicated the amendment would be noted.*



TOWN OF WAREHAM

54 Marion Road
Wareham, Massachusetts 02571

Permit # T16-_____

Permit Fees

- ☐ \$100.00 Commercial
☐ \$75.00 Residential

Pursuant to G.L. c. 82A sec.1 and 520 CMR 7.00 et seq. (as amended)

THIS PERMIT APPLICATION MUST BE FULLY COMPLETED PRIOR TO TOWN REVIEW

AUTHORIZED APPLICANT (PERMIT HOLDER):

Name _____ Phone _____
Street Address: _____ Cell: _____
City/Town: _____ State: _____
Property owner ☐ Excavator ☐ Competent Person ☐

PROPERTY OWNER(S):

Name _____ Phone _____
Street Address: _____ Cell: _____
City/Town: _____ State: _____

EXCAVATION COMPANY

Name _____ Phone _____
Street Address: _____ Cell: _____
City/Town: _____ State: _____

EXCAVATOR (PERSON PREFORMING WORK)

Name _____ Phone _____ Cell: _____
Street Address: _____ MA Hoisting License #: _____
City/Town: _____ State: _____ License Grade # _____
Expiration Date: _____

COMPETENT PERSON (AS DEFINED BY 520 CMR 7.02):

Name _____ Phone _____
Street Address: _____ Cell: _____
City/Town: _____ State: _____

PROPOSED TRENCH:

Street Address: _____ Proposed Trench Operation Start Date _____
Dig Safe # _____ Proposed Trench Operation Finish Date _____
Please describe the exact location of the proposed trench and its purpose (including a description of what is (or is intended) to be laid in proposed trench (ed; pipes/cable lines etc.) Please attach another sheet if additional space is needed.

INSURANCE INFORMATION FOR AUTHORIZED APPLICANT/OR CONTRACTOR

Name and contact information of Insurer _____

Policy Expiration Date: _____

A COPY OF THE CERTIFICATE OF INSURANCE MUST BE ATTACHED BEFORE THE APPLICATION CAN BE REVIEWED AS PR 520 cmr 14.03.3.B

BY SIGNING THIS PERMIT APPLICATION, THE APPLICANT, AND OWNER ALL ACKNOWLEDGE AND CERTIFY THAT THEY ARE FAMILIAR WITH, OR, BEFORE COMMENCEMENT OF THE WORK, WILL BECOME FAMILIAR WITH ALL LAWS AND REGULATIONS APPLICABLE TO WORK PROPOSED, INCLUDING OSHA REGULATIONS, G.L. c. 82A, 520 CMR 7.00 et seq., AND ANY APPLICABLE MUNICIPAL ORDINANCES, BY-LAWS AND REGULATIONS AND THEY COVENANT AND AGREE THAT ALL WORK DONE UNDER THE PERMIT ISSUED FOR SUCH WORK WILL COMPLY THEREWITH IN ALL RESPECTS AND WITH THE CONDITIONS SET FORTH BELOW.

THE UNDERSIGNED OWNER AUTHORIZES THE APPLICANT TO APPLY FOR THE PERMIT AND THE EXCAVATOR TO UNDERTAKE SUCH WORK ON THE PROPERTY OF THE OWNER, AND ALSO, FOR THE DURATION OF CONSTRUCTION, AUTHORIZES PERSONS DULY APPOINTED BY THE MUNICIPALITY TO ENTER UPON THE PROPERTY TO MONITOR AND INSPECT THE WORK FOR THE CONFORMITY WITH THE CONDITIONS ATTACHED HERETO AND THE LAWS AND REGULATIONS GOVERNING SUCH WORK.

THE UNDERSIGNED APPLICANT AND OWNER AGREE JOINTLY AND SEVERALLY TO REIMBURSE THE MUNICIPALITY FOR ANY AND ALL COSTS AND EXPENSES INCURRED BY THE MUNICIPALITY IN CONNECTION WITH ENFORCING 520 cmr 14.05.8.B.

THE UNDERSIGNED APPLICANT AND OWNER AGREE JOINTLY AND SEVERALLY TO DEFEND, INDEMNIFY, AND HOLD HARMLESS THE MUNICIPALITY AND ALL OF ITS AGENTS AND EMPLOYEES FROM ANY AND ALL LIABILITY, CAUSES OR ACTION, COSTS, AND EXPENSES RESULTING FROM OR ARISING OUT OF ANY INJURY, DEATH, LOSS, OR DAMAGE TO ANY PERSON OR PROPERTY DURING THE WORK CONDUCTED UNDER THIS PERMIT.

APPLICANT SIGNATURE

_____, DATE _____

OWNER'S SIGNATURE (IF DIFFERENT)

_____, DATE _____

☐ Did you receive the yellow trench regulation summary sheet? (Please check if received)

☐ *****FOR OFFICE USE ONLY*****

PERMIT APPROVED BY: _____
TOWN ENGINEER

DATE ISSUED _____

PERMIT EXPIRES _____

CONDITIONS OF
APPROVAL _____

Conditions and requirements pursuant to G.L. 82A and 520 CMR 14.00 et seq, (as amended)

By signing the application, the applicant/excavator understands and agrees to comply with the following:

1. No trench may be excavated unless the requirements of section 40 through 40D of Chapter 82, and any accompanying regulations, have been met and this permit is invalid unless and until said requirements have been complied with by the excavator applying for the permit including, but to limited to, the establishment of a valid excavation number with the underground plant damage prevention system is defined in section 76D of Chapter 164 (DIG SAFE);

2. Trenches may pose a significant health and safety hazard. Pursuant to Section 1 of Chapter 82 of the General Laws, an excavator shall not leave any open trench unattended without first making every reasonable effort to eliminate any recognized safety hazard that may exist as a result of leaving said open trench unattended. Excavators should consult regulations promulgated by the Department for Public Safety in order to familiarize themselves with the recognized safety hazards associated with excavations and open trenches and the procedures required or recommended by said department in order to make every reasonable effort to eliminate said safety hazards which may include covering, barricading or otherwise protecting open trenches from accidental entry.

3. Persons engaging in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 et seq., entitled Subpart P "Excavations".

4. Excavators engaging in any trenching operation who utilize hoisting or other mechanical equipment subject to chapter 146 shall only employ individuals licensed to operate said equipment by the Department of Public Safety pursuant to said Chapter and this permit must be presented to said licensed operator before any excavation is commenced.

5. By applying for, accepting and signing this permit, the applicant hereby attest to the following: (1) that they have read and understand the regulation promulgated by the Department of Public Safety with regard to construction related excavations and trench safety; (2) that he had read and understand the federal safety standard promulgated by the Occupational Safety and Health Administration on excavations; 29 CFR 192.650 et seq., entitled Subpart P "Excavations" as well as any other excavation requirements established by this municipality; and (3) that he is aware of and has, with regard to the proposed trench excavation on private property or proposed excavation of a city or town public way that forms the basis of the permit application, complied with the requirements of sections 40-40D of Chapter 82A.

This permit shall be posted in plain view on the site of the trench.

Summary of excavation and Trench Safety Regulation (520 CMR 14.00 et seq)

This summary was prepared by the Massachusetts Department of Public Safety pursuant to G.L. c.82A and does not include all requirements of the 520 CMR 14.00. To view the full regulation and G.L. c.82A, go to www.mass.gov/dps

Pursuant to M.G.L. C 82, sec 1, the Department of Public safety, jointly with the Division of Occupational Safety, drafted regulations relative to trench safety. The regulation is codified in section 14.00 of title 520 of the Code of Massachusetts Regulations.

The regulation requires all excavators to obtain a permit prior to the excavation of a trench made for a construction-related purpose on public or private land or rights

In addition to the permitting requirements mandated by statute, the trench safety regulations require that all excavators, whether public or private, take specific precautions to protect the general public and prevent unauthorized access to unattended trenches. Accordingly, unattended trenches must be covered, barricaded or backfilled. Covers must be road plates at $\frac{3}{4}$ " thick of equivalent; barricades must be fences at least 6' high with no openings greater than 4" between vertical supports or opening greater than 4" may be protected by solid guards or suitable materials, including plywood or wood planks; backfilling must be sufficient to eliminate the trench. Alternatively, excavators may choose to attend trenches at all times, for instance by hiring a police detail, security guard or other attendant who will be present during times when the trench will be unattended by the excavator.

The regulations further provide that local permitting authorities, the Department of Public Safety, or the Division of Occupational Safety may order an immediate shutdown of a trench in the event of a death or serious injury; the failure to obtain a permit; or the failure to implement or effectively use adequate protections for the general public. The trench shall remain shut down until re-inspected and authorized to re-open provided, however, the excavators shall have the right to appeal an immediate shutdown. Re-inspection must occur within two (2) business days of written notifications by the excavator to the Permitting Authority that it has complied with all repairs/corrections ordered. Permitting authorities are further authorized to suspend or revoke a permit following a hearing. Excavators may also be subject to administrative fines issued by the Department of Public Safety for identified violations.

SUGGESTED CHECKLIST FOR APPLICATION

- ☐ Worker's Compensation Certificated
- ☐ Insurance Binder from Insurance Company
- ☐ Phot Identification of Permit Holder
- ☐ Photo Identification of Person Performing excavation
- ☐ Dig Safe Number
- ☐ All monies due to the town must be paid (Certificate of Good Standing)



TOWN OF WAREHAM

54 Marion Road
Wareham, Massachusetts 02571

Permit # 16- _____

Permit Fees

\$125.00 Fee Paid

Other Fee _____

2016 STREET OPENING PERMIT APPLICATION

Date: _____ Dig Safe Number: _____

Contractor's Name: _____

Contractor's Address: _____

Phone: _____ Cell: _____

Street Address: _____

Owner's Name: _____

Proposed Work (explain): _____

<input type="checkbox"/> Driveway -- repair/repave/alter	<input type="checkbox"/> New Gas Service
<input type="checkbox"/> Drain Connection (see DPW policy)	<input type="checkbox"/> Underground Telecom. Work
<input type="checkbox"/> Emergency Gas Repair - Class	<input type="checkbox"/> Emergency Water Leak Repair
<input type="checkbox"/> Underground Electrical Work	<input type="checkbox"/> New/Relay Gas Main
<input type="checkbox"/> New Water Service	<input type="checkbox"/> Other

Start Date: _____ Expected Completion Date: _____

Name of Insurer: _____

Policy Expiration: _____

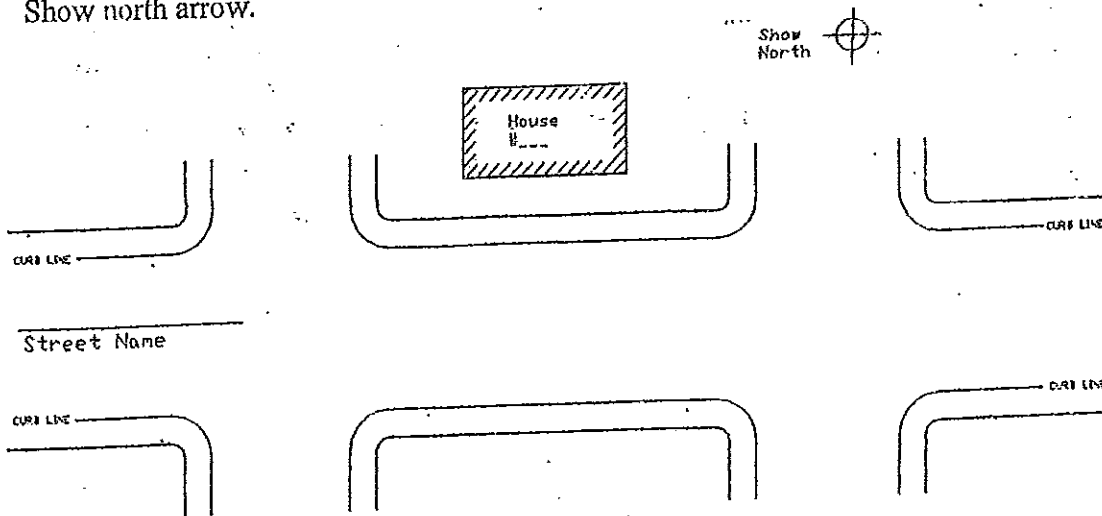
Name of Surety: _____

Surety Expiration: _____ Bond Amount: _____

Signature: _____

Are you? Owner _____ Contractor _____

Draw a sketch or furnish a detailed drawing showing the proposed work. Show the location and extent of the proposed work. Indicate the relationship to existing light poles, hydrants, trees, house numbers, traffic signs, etc.: show the relationship to the nearest intersection if within 50 ft. Show north arrow.



Sketch of Proposed Work

GENERAL CONDITIONS:

PERMIT #: 16 -

Public Safety:

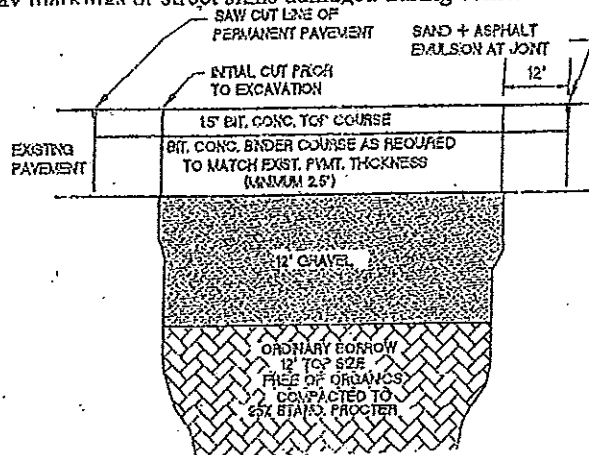
- No trenches shall be left open overnight
- Sidewalks and roadways shall be kept passable at all times
- No work is to be performed during snow emergencies and existing trenches should be secured for plowing 24 hours in advance of any snow prediction
- Uniformed traffic officers shall be furnished as required
- Dig-safe shall be properly notified before work proceeds
- Properly lite barricades shall be used while work is being performed in the street

Protection of Property:

- No tree roots or limbs shall be removed without further approval from the DPW Director/Tree Warden
- Property markers such as bounds or iron pipes shall not be disturbed
- No material or equipment is to be left on public property or within the right-of-way unless authorized

Trench Restoration:

- All work shall conform to the standards set forth in the Town of Wareham's Right of Way Permit Manual
- All street cuts shall be saw cut in straight lines
- Any bituminous curbing distributed is to be cut out 5' on both sides of the disturbance and replaced with new bituminous curbing by machine and connected to existing curbing. New berm shall of the same style as berm installed adjacent to distributed area
- No bituminous paving will be permitted during actual or anticipated extreme cold and/or wet conditions
- Any sidewalk disturbed by construction operations shall be restored over its entire width
- All driveway aprons disturbed by longitudinal trenches shall be removed and replaced from the gutter line to the further limit of the excavation
- Temporary pavement shall be placed daily and shall be brought flush with adjacent existing pavement
- Trenches shall be permanently restored by cutting or grinding a straight clean edge 1' outside the limit of disturbance; grinding or removing the temporary pavement, scarring, or other damage that occurred during construction; and overlaying with emulsion and sand at the joints
- Any roadway markings or street signs damaged during construction shall be restored



****For Office Use Only****

Special Conditions:

Infrared Patch by: _____ Notify DPW before work proceeds Inspection by DPW required before backfill
 Grind and Inlay Patch by: _____ Other _____
 Incomplete

Photo on file: Yes
 Waive Insurance
 Waive Bond

Denied (see comments below)
 Approved for Issue

PERMIT EXPIRES 30 DAYS AFTER

Town Engineer

Date

APPROVAL UNLESS NOTED BELOW

Permit Expires: _____

Municipal Maintenance Director

Date

Comments/Special Conditions: _____