

Selectmen Present: Edwin G. Carr, Chairman
Frederick Koed
Ralph Dormitzer
Paul Carlson
Karen Quigley

Others Present: William R. Griffin, Town Manager
Jennifer Oram, Selectmen’s Clerk

Chairman Edwin G. Carr called the meeting to order at 7:00PM

Town Manager’s Report

Town Manager, William Griffin, stated that he has been working on the warrant for the Special Town Meeting. The Board will meet on October 14, 2008 to start the article review.

Selectmen Comment Period

Selectwoman Karen Quigley congratulated the Economic Development Committee and the Cohasset Chamber of Commerce on their successful “Cohasset Day” event. She also stated that she had received another call from a resident with stormwater issues. She stated it would really be great to have the Stormwater Committee to have as a place where residents could go with issues.

Selectman Frederick Koed stated that he was saddened to hear of the passing of Maryjane McArthur. Selectman Koed also brought attention to a letter in the Cohasset Mariner that complained about the MBTA police being rude to the citizens. He asked if the Board could look into the Rules and Regulations for the MBTA.

Chairman Carr stated that he thought that Cohasset Day was remarkable.

Public Comment Period – Mr. Peter Whittemore of 47 Elm Court asked if the Board could find out who owns the seemingly abandoned dumpster located at Smith Place.

Minutes – **Selectman Dormitzer moved to approve the minutes of September 8, 2008 as amended. Selectman Koed seconded the motion and the vote was unanimous (5-0).**

Construction Demolition Scale Rates and Rules – Merle Brown addressed the Board with Mr. Griffin. Mr. Griffin informed the Board that the scale to weigh construction and demolition material (C&D) has been installed at the RTF. He stated that he had met with Carl Sestito, Michael Buckley and Merle Brown to develop a recommended fee to recover the cost that the Town incurs to haul and dispose of the C&D, including the operation of the scale. Mr. Brown stated that he had talked to both Hingham and Scituate to compare costs and staffing. The Cohasset RTF will take the C&D on the regular days of operation, as well as Thursdays when the RTF is closed. They also reviewed the new rules that will be followed with the installation of the scale. Mr. Brown suggested the new fees become effective on Saturday October 20, 2008 and that the fee be .06 cents per pound. **Selectman Dormitzer moved that the RTF make the new fees effective on October 20, 2008 and that the fees be .06 cents per pound. Selectman Paul Carlson seconded the motion, and the vote was unanimous (5-0).**

Treat's Pond Restoration Project – Selectman Dormitzer recused himself from the discussion and moved to a seat in the audience. He stated that he would be speaking as a private citizen.

Chairman Carr stated that the Army Corp of Engineers has requested that the Town provide them with its written position on whether it wishes to serve as the non-federal sponsor for the Treat's Pond Aquatic Ecosystem Restoration Project by September 30, 2008. Chairman Carr read the August 15, 2008 letter from the Army Corp aloud. Chairman Carr then opened up discussion amongst the Board and asked for the members to weigh in on what they feel the letter to the Army Corp should say. Selectwoman Quigley stated that she feels it is fairly clear that there is not a lot of public support for this project. She added that the money is not a gift and that it does come with a 35% of the total cost price tag. She suggested that a Town wide education process be implemented to look at all of the areas affected instead of just one. Selectman Koed stated that he was not clear on the process for Aquatic Restoration and wondered if there were any restoration projects available for fresh water. He asked if one were more valuable than the other. Mr. Daniel Coughlin of Coughlin Environmental Inc. stated that there are grants to clean fresh water, however in this area it is the saltwater areas that have been affected more severely, and so therefore the goal is the restoration of these areas. Mrs. Jaqueline Dormitzer of 111 Atlantic Avenue stated that she felt the project would create bio diversity in the pond which would restore it and thus it would help control the stormwater runoff. She added that she believed there had been a resolution at the Spring Annual Town Meeting to keep the grant alive.

Mr. Marty Nee of 109 Atlantic Avenue addressed the Board as a private citizen. He stated that he had done research about the salt marsh in Hingham that has been restored. He reviewed how it worked and stated that fish have actually swum up the pipe according to a 2006 Marine Fisheries report he had read. He stated that in his research he has found many valuable examples of restorations that have worked. Selectwoman Quigley asked Mr. Nee if all of this was documented and if stormwater goes into these marshes as well. He stated that yes it was documented and that it was his understanding that stormwater did flow into these marshes.

Selectwoman Quigley stated that she fully sympathizes with the flooding problems on Atlantic Avenue but that she does not feel that this project is the way to solve it. She feels that they need to look at a more viable course as there are too many legal blocks (i.e. abutters opposed to the project, land taking etc.) for this project.

Engineer Dan Coughlin then reviewed the many options he looked at during his research for the Flood Control Master Plan (FCMP). He stated that in regard to flood control, the Army Corp plan did offer some relief and what he is proposing in the FCMP is similar. Selectwoman Quigley asked if the existing pipe at Sandy Cove were increased in size, if it would provide more relief. Mr. Coughlin said that it would, but that the pipe is subject to sand, where the option he had proposes sending the stormwater to the pocket marsh did not. There was then a lengthy conversation between the Board and Mr. Coughlin during which they discussed the existing pipe and other options including a pump station. Mr. Eli Manchester of 83 Atlantic Avenue asked Mr. Coughlin about putting the stormwater into the pocket marsh instead of Treats Pond. Mr. Coughlin stated that the marsh would actually clean the water before it entered the harbor. Mr. Manchester stated that the Town should not assume that it owns the pond; he feels the pond belongs to the land owners. Mr. Robert Willms of 123 Atlantic Avenue addressed the Board. He feels the Town has an obligation to address the stormwater issue. He stated that he does not know the solution, but wonders why after the Army Corp did a great deal of research and published a study people are saying that what they propose is not a solution. Dr. John Connolly of 85 Atlantic Avenue addressed the Board and stated that he felt there were other solutions to the Town's flooding

problems. He suggested that the Town have Mr. Coughlin design an overflow system or a flood mediation plan. He stated he would like to see this as a back up plan as the Town does not have a definite route for the Treat's Pond restoration project. Mr. James Drysdale of 4 Cedar Acres Lane addressed the Board and reviewed what he believed to be the possible costs to the Town for this project. He stated that this project was not for flood control and that the Town should not pursue the project. Mr. Ralph Dormitzer of 111 Atlantic Avenue addressed Mr. Drysdale's numbers and reviewed the various options the Army Corp had proposed (Army Corp of Engineers proposal for the Treat's Pond Aquatic Ecosystem Restoration Project on file in the office of the Board of Selectmen). Mr. Dormitzer asked that the Board let the article go to Town Meeting and let the people hear the facts and make their own decision. Mr. Amo Houghton and Mrs. Priscilla Houghton of 91 Atlantic Avenue, Mr. Charles Higginson of 159 Atlantic Avenue and Mr. Peter Whittemore of 47 Elm Court also addressed the Board. Mr. Houghton told the Board that they had more time than the September 30, 2008 deadline that the Corp gave them to have access to the money. Mr. Higginson offered to help draft the letter. There was then a lengthy conversation amongst the Board and members of the audience about the many options facing the Town.

Chairman Carr stated that he would like to weigh many options for the Town. He stated that the letter needs to only reaffirm the Town's position. Selectman Koed asked if the letter could also ask the Army Corp if there was any funding for fresh water restoration. Selectmen Koed does not want to route anything further into the harbor. **Selectman Carlson moved to write a letter to the Army Corp reaffirming what was stated in the resolution from the Annual Town Meeting. This would keep the money earmarked for the Town and then allow a vote to be taken at the Special Town Meeting (11.17.08). Chairman Carr seconded the motion.** The Board had a lengthy conversation about what else should be requested in the letter. In the end it was decided that two letters would be drafted. One that would reaffirm that the Town would like to bring the article back before the Town and a second listing a series of questions. Mr. Griffin stated that he has the text from the previous article and will add language provided by Mr. Coughlin that will address extending the existing pipe as well as fresh water options and the possibility of additional studies. **The motion was moved and seconded and the Chairman asked for a vote on the first letter which reaffirms the Town's previous position. Four in favor, one against (Selectwoman Quigley against).** Chairman Carr reviewed the contents of the second letter which would include questions to the Army Corp about what property rights the Town has and how much research did the Corp do in regard to easements, eminent domain and who the Town would need permission from. The letter will also ask if any alternative funding is available in regard to fresh water or federal funding for uphill retention. **Selectman Carlson moved to approve the second letter as will be written by Town Manager William Griffin. Selectman Koed seconded the motion, and the vote was unanimous (5-0).**

Selectman Koed moved to adjourn the meeting. Selectman Carlson seconded the motion and the vote was unanimous (5-0).

Meeting adjourned at 10:20PM.

Respectfully submitted,

Edwin G. Carr
Chairman