

Agenda
Board of Selectmen
February 7, 2012 4:00 pm
Town Hall Annex Meeting Room

Please Note: This meeting will broadcast live and will be available shortly thereafter for scheduled and on demand viewing. If anyone is recording the meeting, please notify the Chairman.

I. Minutes - January 31, 2012

II. Public Forum

III. New Business

- A. BOS Acting as W&S Commissioners - Wastewater Project Update/ Muddy Creek Culvert
- B. Economic Sustainability (Development) Committee; Establish Advisory Committee and Set Mission/Charge (Continued from 1/10/12)
- C. 5:00 pm Joint Discussion with FinCom: FY2013 Monomoy Regional School District Budget Presentation
- D. Mitchell River Bridge - Revised Memorandum of Agreement
- E. FY2013 Budget Discussion
- F. Town Manager's Report
- G. Committee Appointments – Public Ceremonies Committee (set staggered terms, limit committee membership)

IV. Other Business

V. Executive Session

Litigation Update (MGL Ch.30A, §21#3)

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Members Present: Chairman Florence Seldin, Timothy Roper, Len Sussman, Sean Summers and David Whitcomb also present Jill Goldsmith, Town Manager.

Chairman Florence Seldin called the meeting to order at: 4:06 pm.

I. Minutes

January 24, 2012 – add the following sentence under Item F: FY13 Budget Discussion: *It was noted that budget busters continue to grow and although the budget is not level funded the Town is operating within Proposition 2 ½.*

MOTION by: Mr. Roper to approve as amended.

Seconded by: Mr. Sussman

Vote: 5-0-0

II. Public Forum

Ms. Goldsmith announced a grant for a seasonal parking shuttle was awarded to the Monomoy National Wildlife Refuge to purchase, operate and maintain biodiesel fueled shuttle buses. Funding in the amount of \$400,000 was received. Mr. Brownlie, Monomoy National Wildlife Refuge will be at the BOS meeting on 2/21/11 to discuss this award.

Ms. Seldin announced the amended MOA for the MRB project will be on 2/7 agenda.

III. New Business

A. Metropolitan Planning Organization (MPO) Report

Ms. Seldin reported an announcement was made at the MPO's January 20, 2012 meeting by Pam Hazner, MassDOT – District 5 Program Manager, that the Mitchell River Bridge (MRB) project has been moved from advertising in FY12 to be advertised in the TIP FY13. The MRB is still in design, environmental and permitting process and is now expecting to be advertised in TIP Year 2013. Ms. Seldin questioned if this impact funding or movement off the accelerated bridge project. Mr. McGrath made the motion that the MRB be advertised in FY13 but with the understanding it will not affect funding.

Mr. McGrath, Chatham's Representative to the MPO, requested an alternate be named to the MPO. Mr. Roper volunteered to serve as an alternate for the MPO in the event Mr. McGrath cannot attend a meeting.

No action was taken by the BOS.

B. Permission to Host the Cape Cod Baseball League All-Star Game

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Mr. Doug Grattan, Chatham Athletic Association, provided an overview of the Chatham A's application to the Cape Cod Baseball League (CCBL) to host the League's All Star game. In order for the CCBL to accept the application they would need approval to post signs announcing a fee for admission and to display sponsor banners on the fence during the game. The expected fee will be \$5.00 to \$7.00. The Park and Recreation Commission have requested a \$2500 permit fee for the use of Veteran's Field. They would allow 2-4 youth groups to set up fundraising tables.

Several questions were raised by the BOS regarding implementation of the proposal. Mr. Grattan assured the BOS that should Chatham be selected as the host, all details will be worked out with the appropriate Town Departments.

MOTION by: Mr. Summers to allow the word admission in signage advertising the event and allow for the placement of sponsor banners along the fence surrounding Veteran's Field on the day of the event pending no restrictions.

Seconded by: Mr. Roper

Vote: 5-0-0

C. Capital Projects Review Committee (CPRC) Recommendations for the Fire Station Design Project

Debbie Aikman, Chairman, CPRC addressed the BOS. Also present were CPRC members Andrew Siffard, Sam Streibert and Dan Sylver. Juris Ukstins was not present. Ms. Aikman gave a brief overview of the CPRC's work over the past few months and presented the committee's recommendation of Scheme N as the conceptual design for a new fire station on Depot Road. The members of the CPRC unanimously concur that this option be the basis to develop an article to be put before the May 2012 Town Meeting. It is their opinion that this design represents the best compromise between the design mass and square footage that will also meet the fire department's operational needs. Should the BOS approve the preferred option (Scheme N), CPRC will move forward with finalizing a construction budget.

Ms. Aikman turned the presentation over to the Maguire Group.

Fabrizio Caruso, Maguire Group, provided an overview of the changes made to the conceptual design. The footprint and square footage of the building have been reduced by approximately 3,000 sq. ft. Mr. Caruso presented several renderings of the proposed Scheme N.

Several questions were asked by the BOS and answered by Mr. Caruso and/or Chief Ambriscoe.

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MOTION by: Mr. Sussman to approve the design of Scheme N to allow CPRC to move forward with obtaining the cost information.

Seconded by: Mr. Whitcomb

Vote: 4-1-0 (Mr. Summers opposed)

The BOS commended all parties involved for their cooperation and work that has gone into this project.

Ms. Seldin asked Ms. Aikman when the CPRC would expect to report back to the BOS. Ms. Aikman announced CPRC has a meeting schedule for February 2, 2012 devoted to the budget and plan to get back to the BOS as soon as possible.

D. FY2013 Budget Discussion

Ms. Goldsmith gave a PowerPoint presentation to update the January 17th presentation to the BOS. The presentation primarily focused on non-discretionary budget items (fixed costs), debt service, and budget changes made since the January 17, 2012 presentation. The total reduction to the budget presented on 1/17 is \$511,419.

The BOS asked a series of questions addressing issues such as retirements/pensions, debt service stabilization funds, and the contract with Weston and Sampson.

Ms. Goldsmith noted that due to an oversight the line item for the Lighthouse Beach budget was not consistent with the BOS vote to eliminate the Lighthouse Beach Boat Operator. This oversight has been corrected and reflects removal of this position.

Ms. Goldsmith stated the FY13 budget will be on the February 7, 2012 agenda for additional questions or follow-up. FinCom is scheduled for the February 14, 2012 BOS meeting to present their recommendations. Once that process is finalized review of the Annual Town Meeting Warrant will begin.

No action was taken by the BOS.

E. Administrative Order – Reorganization

MOTION by: Mr. Sussman to support the administrative order for the reorganization.

Seconded by: Mr. Roper

Vote: 5-0-0

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- F. Committee Appointments – Ad Hoc Chatham Harwich Shared Golf Resources
MOTION by: Mr. Roper to appoint Douglas Ann Bohman to the Ad Hoc Chatham Harwich Shared Golf Resources Committee until the Committee’s work is complete or until a successor is appointed.
Seconded by: Mr. Whitcomb
Vote: 5-0-0

MOTION by: Mr. Summers to appoint Mr. Hartnett to the Ad Hoc Chatham Harwich Shared Golf Resources Committee until the Committee’s work is complete or until a successor is appointed.
Seconded by: Mr. Roper
Vote: 5-0-0

- G. Q & A
No members of the public were present for Q & A

IV. Other Business:

MOTION by: Mr. Whitcomb to adjourn
Seconded by: Mr. Sussman
Vote: 5-0-0

Meeting adjourned at 6:11 pm.

Respectfully submitted

Kristin M. Sullivan

This meeting can be viewed in its entirety at:



Town of Chatham

Office of the Selectmen
Town Manager
549 Main Street
Chatham, MA 02633



Jill R. Goldsmith
TOWN MANAGER

Tel: (508) 945-5105
Fax: (508) 945-3550
<http://www.chatham-ma.gov>

TO: Honorable Board of Selectman

FROM: Jill R. Goldsmith, Town Manager

DATE: February 2, 2012

SUBJECT: Economic Development/Sustainability/Success - Advisory Committee

In follow-up to discussion at the Board of Selectmen (BOS) meeting of 1/10/12 and subsequent comments received, I am providing a suggested mission/charge for this new Advisory Committee. For purposes below, I have referred to it as the Economic Development Committee (EDC).

As noted in the informational materials that Selectman Sussman provided, economic development can involve many components and layers:

- Organizational development - establish a forum to exchange ideas and address needs;
- Product development – investments that are maintained, upgraded or developed to improve the community - infrastructure, downtown areas, gateways;
- Market development - activities that focus on recruiting individuals who would enhance the economy and enlarging the market area in which they receive products and services;
- Business development - activities to attract, retain, expand businesses, tourism, and emerging businesses; and
- Workforce development – policies that build the skills of the local workforce, including partnerships between business, education, and government.

Accordingly, economic development planning begins at this first step which the BOS has initiated:

1. Organize
2. Gather and Analyze Data
3. Plan
4. Develop Resources
5. Implement Strategies
6. Evaluate and Report

I attempted to combine established economic development principles into the following proposed mission/charge.

Composition:

The EDC is an advisory committee to BOS. The EDC will be comprised of seven (7) individuals appointed by the BOS. Each member shall be appointed to serve a three-year term. Initial appointees shall serve staggered terms, with three members appointed for three years; three members appointed for two years; and one member appointed for one year. Ex-officio members shall include a BOS member, and the Town Manager or designee.

Mission/Charge:

GOAL: Maintenance of a vital economy that will benefit the town of Chatham.

OBJECTIVE: Develop a comprehensive economic development strategy and Plan for approval by the BOS, which has a sustainability foundation, and seeks to create and implement a vision for the future economy of Chatham that is in harmony with the social and cultural systems. On or before six months from the date of appointment, the EDC shall make a report to the BOS.

Once the Plan is approved, the EDC will be charged to seek input and work with the BOS, Town Manager, private entities, community agencies, Town boards for recommendations to implement the Plan as well as identify any existing impediments. Further, the EDC will examine and periodically recommend to the BOS the merits, feasibility and potential economic benefits to be gained from actions that include, but are not limited to:

- ✓ Initiatives which the Town might undertake independently, in coordination with private entities, other Cape communities or agencies, which will promote year-round economic development opportunities, while maintaining and enhancing the Town's natural resources and community character.
- ✓ Initiatives to attract, retain, and grow businesses and jobs to serve the current and long-term needs of the community and improve the quality of life for its residents.
- ✓ Identify economic sectors of the community, current and potential, and develop indicators and strategies to maintain the vitality of our coastal community, fishing industries, and preservation of the town's maritime heritage.
- ✓ Identify and plan for changing economic trends and new economy opportunities including the Open Cape broad band project and consider any infrastructure needs.
- ✓ Consider measures aimed at improving local private sector employment opportunities, income, and community life while adhering to the tenets of the Local Comprehensive Plan.
- ✓ Review the Local Comprehensive Plan and other Town or regional plans with economic development objectives or impacts. Confirm economic viability of initiatives.
- ✓ Review Town bylaws, regulations and zoning for consistency with the Town's economic development goals, and to make any applicable recommendations for greater efficiencies or to reduce obstacles.
- ✓ Seek partnerships for grant or foundation funding opportunities.

As always I welcome your suggestions and comments. Thank you.

**BUDGET SUMMARY
ALL SCHOOLS**

SCHOOL	BUDGET 2011-2012	PROPOSED BUDGET 2012-2013	DIFFERENCE	PERCENT
DISTRICTWIDE	10,123,789	9,872,796	(250,993)	-2.5%
ELEMENTARY	7,494,747	7,755,234	260,487	3.5%
MIDDLE SCHOOL	5,912,686	6,236,034	323,347	5.5%
HIGH SCHOOL	7,310,561	7,460,372	149,811	2.0%
SPECIAL EDUCATION	1,872,796	3,058,609	1,185,813	63.3%

OPERATING BUDGET	32,714,580	34,383,045	1,668,466	5.1%
Less: Regular Transportation (separate Assessment)		782,727		
TOTAL OPERATING FOR ASSESSMENT		33,600,318		

Less:

Revenues

BASED ON FY12 RECEIPTS				
ANTICIPATED STATE AID		2,384,540		
CHARTER SCHOOL		284,129		
SCHOOL CHOICE RECEIPTS		1,568,642		
SCHOOL LUNCH RECEIPTS		10,412		
REGIONAL BONUS AID		76,240		
ANTICIPATED CIRCUIT BREAKER		324,276		
MEDICAID RECEIPTS		170,000		
BALANCE FORWARD SCHOOL CHOICE		280,000		
TOTAL REVENUE		5,098,239		

TOTAL OPERATING BUDGET		28,502,079		
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ASSESSMENTS OPERATING	HARWICH 20,521,497	CHATHAM 7,980,582	28,502,079	
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TRANSPORTATION-REGULAR				
Total Cost			782,727	
Less: 50 % based of FY12 actual			340,317	

TRANSPORTATION ASSESSMENT	318,535	123,875	442,410	
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DEBT	54,685	207,968		
INTEREST SHORT TERM DEBT	14,400	5,600		
	69,085	213,568	282,653	

CAPITAL	170,794	86,007	256,801	
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TOTAL ASSESSMENTS	21,079,911	8,404,032	29,483,943	
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CODE	BUDGET SUMMARY-ELEMENTARY SCHOOL DESCRIPTION	BUDGET 11/12	PROPOSED BUDGET 12/13	CHANGE	PERCENT
2210	School Leadership Building	589,895	587,719	17,824	3.13%
2305	Teacher-Classroom	3,482,770	3,539,220	56,450	1.62%
2310	Teacher-Specialist	925,167	950,297	25,130	2.72%
2315	Instructional Leaders	26,696	27,230	534	2.00%
2320	Medical Therapeutic Services	371,956	377,663	5,707	1.53%
2325	Substitute Teachers	85,000	101,400	16,400	19.29%
2330	Teacher Assistants	623,680	653,170	29,490	4.73%
2340	Librarian Directors	128,602	130,446	1,844	1.43%
2351	Professional Development Leadership	2,000	2,000	0	0.00%
2355	Substitute for Teachers @ Professional Development	3,000	3,000	0	0.00%
2357	Professional Development	3,010	3,010	0	0.00%
2400	Textbooks	34,906	27,821	-6,985	-20.07%
2415	Library Supplies	24,500	22,595	-2,305	-9.25%
2420	Instructional Supplies	66,485	85,731	19,246	28.95%
2450	Instructional Technology	0	13,500	13,500	#DIV/0!
2710	Guidance	86,082	88,208	2,126	2.47%
2800	School Psychologist	79,333	79,333	0	0.00%
3200	Medical/Health Services	168,077	168,245	168	0.10%
3520	Other Student Activities	15,686	18,794	3,109	19.82%
3600	School Security	0	1,928	1,928	#DIV/0!
4100	Custodial	366,234	372,743	6,508	1.78%
4120	Heat	160,000	150,000	-10,000	-6.25%
4130	Utilities	219,168	223,500	4,332	1.98%
4210	Maintenance of Grounds	6,000	8,500	2,500	41.67%
4220	Maintenance of Buildings	47,000	90,090	43,090	91.68%
4230	Maintenance of Equipment	5,200	35,090	29,890	574.81%
4400	Networking & Communications	0	0	0	#DIV/0!
	TOTAL	7,494,747	7,755,234	260,487	3.48%

6,666,343

188,987

879,923

CODE	BUDGET SUMMARY-MIDDLE SCHOOL DESCRIPTION	BUDGET 11/12	PROPOSED BUDGET 12/13	CHANGE	PERCENT
2210	School Leadership Building	447,759	468,336	20,577	4.60%
2305	Teacher-Classroom	3,126,520	3,158,717	32,197	1.03%
2310	Teacher-Specialist	541,084	557,753	16,669	3.08%
2315	Instructional Leaders	25,654	26,177	513	2.00%
2320	Medical Therapeutic	33,105	35,237	2,132	6.44%
2325	Substitute Teachers	65,700	81,744	16,044	24.57%
2330	Teacher Assistants	289,121	289,397	4,276	1.50%
2340	Librarian Directors	110,280	110,280	0	0.00%
2351	Professional Development Leadership	6,053	6,053	0	0.00%
2355	Substitute for Teachers @ Professional Development	3,000	3,000	0	0.00%
2357	Professional Development	3,410	3,410	0	0.00%
2400	Textbooks	27,518	38,008	10,490	38.12%
2415	Library Supplies	8,237	7,042	-1,195	-14.51%
2420	Instructional Supplies	77,469	76,046	-1,423	-1.84%
2450	Instructional Technology	3,724	3,225	-499	-13.40%
2710	Guidance	173,320	173,320	0	0.00%
2800	School Psychologist	79,265	79,265	0	0.00%
3200	Medical/Health Services	133,626	133,705	79	0.06%
3500	Athletics	92,241	92,371	130	0.14%
3620	Other Student Activities	33,200	35,760	2,560	7.71%
3600	School Security	0	2,320	2,320	#DIV/0!
4100	Custodial	285,333	273,183	6,850	2.57%
4120	Heat	108,000	115,000	7,000	6.48%
4130	Utilities	199,058	192,000	-7,058	-3.55%
4210	Maintenance of Grounds	3,500	111,900	108,400	3097.14%
4220	Maintenance of Buildings	48,500	100,810	52,310	107.86%
4230	Maintenance of Equipment	9,000	60,005	51,005	566.72%
8400	Tuition to Collaboratives	2,000	2,000	0	0.00%
	TOTAL	5,912,686	6,236,034	323,347	5.47%

CODE	BUDGET SUMMARY-HIGH SCHOOL DESCRIPTION	BUDGET 11/12	PROPOSED BUDGET 12/13	CHANGE	PERCENT
2210	School Leadership Building	544,854	552,863	8,015	1.47%
2305	Teacher-Classroom	3,433,029	3,450,445	17,416	0.51%
2310	Teacher-Specialist	680,390	682,786	2,396	0.35%
2315	Instructional Leaders	28,846	29,526	580	2.00%
2320	Medical Therapeutic	0	0	0	#DIV/0!
2325	Substitute Teachers	60,000	69,900	9,900	16.50%
2330	Teacher Assistants	342,855	345,863	3,008	0.88%
2340	Librarian Directors	109,381	109,381	0	0.00%
2351	Professional Development Leadership	5,750	6,500	750	13.04%
2355	Substitute for Teachers @ Professional Development	3,000	3,000	0	0.00%
2357	Professional Development	3,720	5,600	1,880	50.54%
2400	Textbooks	40,976	44,804	3,828	9.34%
2415	Library Supplies	11,636	12,975	1,339	11.51%
2420	Instructional Supplies	83,866	91,488	7,622	9.09%
2450	Instructional Technology	2,000	62,141	60,141	3007.05%
2710	Guidance	301,800	330,392	28,592	9.47%
2800	School Psychologist	78,265	78,265	0	0.00%
3200	Medical/Health Services	150,614	150,560	-54	-0.04%
3500	Athletics	503,529	514,850	11,321	2.25%
3520	Other Student Activities	116,902	118,995	2,093	1.79%
3600	School Security	0	0	0	#DIV/0!
4100	Custodial	338,293	338,833	540	0.16%
4120	Heat	189,000	190,000	2,000	1.06%
4130	Utilities	199,255	187,700	-11,555	-5.80%
4210	Maintenance of Grounds	10,500	10,500	0	0.00%
4220	Maintenance of Buildings	63,000	63,000	0	0.00%
4230	Maintenance of Equipment	10,000	10,000	0	0.00%
4400	Networking & Telecommunications	0	0	0	#DIV/0!
TOTALS		7,310,561	7,460,372	149,811	2.05%
					5,875,935
					784,405
					800,033
					7,460,372

CODE	BUDGET SUMMARY-SPECIAL EDUCATION DESCRIPTION	BUDGET 11/12	PROPOSED BUDGET 12/13	CHANGE	PERCENT
1450	Districtwide Information Management & Technology	1,500	2,328	828	55.20%
2100	Districtwide Academic Leadership	306,265	357,538	51,273	16.74%
2300	Unspecified	-1,152	0	1,152	190.00%
2320	Medical/Therapeutic Services	78,577	204,587	126,010	160.36%
2400	Instructional Supplies	0	5,000	5,000	#DIV/0!
2800	Psychological Services	181,631	387,583	195,952	102.25%
3300	Transportation	463,815	562,441	98,626	21.25%
9100	Tuition to Mass Schools	484,160	351,334	-82,826	-19.08%
9300	Tuition to Non Public Schools	388,000	1,187,798	789,798	198.44%
	TOTAL	1,872,796	3,058,609	1,185,813	63.32%

CODE	BUDGET SUMMARY-DISTRICTWIDE DESCRIPTION	BUDGET 11/12	PROPOSED BUDGET 12/13	CHANGE	PERCENT
1100	School Committee	35,988	35,362	-627	-1.74%
1210	Superintendents Office	454,121	413,536	-40,585	-8.94%
1410	Business & Finance	350,889	374,583	23,694	6.75%
1430	Legal Services-School Committee	70,000	125,000	55,000	78.57%
1450	Districtwide Information Management & Technology	176,957	268,592	91,635	51.83%
2100	Districtwide Academic Leadership	103,000	103,000	0	0.00%
2300	Unspecified	24,773	0	-24,773	-100.00%
2353	Technist Staff Prof Days	44,933	31,600	-13,333	-29.67%
2357	Professional Development	60,500	60,500	0	0.00%
3370	Transportation	735,133	838,227	103,094	14.02%
3400	Food Service	25,000	25,000	0	0.00%
3520	Student Activity	0	0	0	#DIV/0!
4100	Operations & Maintenance	122,221	116,518	-5,703	-4.67%
4130	Utilities	21,120	21,550	430	2.04%
4400	Networking & Communications	144,847	147,910	3,063	2.11%
4220	Maintenance of Buildings	115,900	124,570	8,670	7.48%
4230	Maintenance of Equipment	28,000	29,922	1,922	6.87%
4450	Technology Maintenance	37,000	42,500	5,500	14.86%
5000	Employee Benefits	5,375,419	5,223,233	-152,186	-2.83%
7300	Acquisition of Equipment	104,813	197,450	92,637	88.72%
9000	Programs With Other Schools	2,093,374	1,754,353	-339,021	-16.19%
	TOTAL	10,123,789	9,872,796	-250,993	-2.48%

ASSUMPTIONS

Salaries:	FY13 based on on FY12 Salaries plus steps MGL Chapter 71 , Section 42B
Benefits	Same benefit % as currently in Chatham and Harwich Chatham 70/30 includes dental Harwich 75/25 NO dental
Transportation	Increase 15% over FY12 actual in each town
Special Education	increase in placements \$ 1.2 million * possible assistance through Circuit Breaker Extraordinary Relief
Regionalization Grant	No revenue projections included * if grant received school choice funds carried forward increase
Revenues	Transportation @ 50% reimbursement on prior year actual cost Anticipated Bonus Aid \$40 per student School Choice and Charter based on FY 12 Actual Chapter 70 is level (per MMA meeting 1/21/12) Circuit Breaker @ 50% reimbursement

BUDGET SUMMARY
ALL SCHOOLS

SCHOOL	BUDGET 2011-2012	PROPOSED BUDGET 2012-2013	DIFFERENCE	PERCENT
DISTRICTWIDE-CHATHAM	3,549,228	3,397,585	(151,693)	-4.3%
DISTRICTWIDE-HARWICH	6,574,561	6,475,261	(99,300)	-1.5%
ELEMENTARY-CHATHAM	2,494,928	2,643,845	148,917	6.0%
ELEMENTARY-HARWICH	4,999,819	5,111,988	111,569	2.2%
MIDDLE SCHOOL-CHATHAM	2,378,374	2,657,292	278,918	11.7%
MIDDLE SCHOOL-HARWICH	3,584,312	3,578,742	44,490	1.3%
HIGH SCHOOL-CHATHAM	2,761,712	2,817,042	55,330	2.0%
HIGH SCHOOL-HARWICH	4,548,848	4,643,330	94,481	2.1%
SPECIAL EDUCATION-CHATHAM	622,700	1,061,402	458,702	73.7%
SPECIAL EDUCATION-HARWICH	1,250,096	1,377,207	727,111	58.2%
ATHLETICS				
OPERATING BUDGET	32,714,580	34,383,045	1,668,465	5.1%
ADULT EDUCATION				#DIV/0!
CAPITAL PLAN	184,733		(184,733)	-100.0%
CHATHAM TOTAL	11,991,676	12,597,117	605,441	5.0%
HARWICH TOTAL	20,907,637	21,785,928	878,291	4.2%
MONMOUTH REGIONAL SCHOOL	32,899,313	34,383,045	1,483,733	4.5%

General Fund Operations:

OPERATING	32,714,580	33,600,318
CAPITAL	184,733	256,801
TRANSPORTATION	680,633	782,727
DEBT		282,653
TOTAL OPERATING BUDGET	33,579,945	34,922,498
		29,483,943

MONOMOY REGIONAL SCHOOL DISTRICT
FY - 2013 PROPOSED BUDGET

Account Number	Item	Proposed FY13 Budget
1000	District Leadership & Administration, Salaries and Wages	\$ 610,426.00
1000	District Leadership & Administration, Expenses	\$ 548,975.00
2000	Instruction, Salaries and Wages	\$ 17,572,351.00
2000	Instruction, Expenses	\$ 1,256,715.00
3000	Other School Services, Salaries and Wages	\$ 877,828.00
3000	Other School Services, Expenses	\$ 1,785,368.00
4000	Operation and Maintenance, Salaries and Wages	\$ 1,241,270.00
4000	Operation and Maintenance, Expenses	\$ 1,773,954.00
5000	Fixed Charges	\$ 5,223,233.00
7000	Acquisition of Fixed Assets	\$ 197,430.00
9000	Programs with Other Districts	\$ 3,295,495.00
	Total Salaries and Wages	\$ 20,301,875.00
	Total Expenses	\$ 14,081,170.00
	Total FY - 2013 Budget	\$ 34,383,045.00



U.S. Department
of Transportation
**Federal Highway
Administration**

Massachusetts Division
January 26, 2012

55 Broadway, 10th Floor
Cambridge, MA 02142
617.494-3657
617.494.3355 (fax)
www.fhwa.dot.gov/madiv

Don Aikman, Project Representative
Chatham Historical Commission
549 Main St
Chatham, MA 02633

***Subject: Chatham – Mitchell River Bridge Project
Section 106 – Revised Draft Memorandum of Agreement (MOA)***

Dear Mr. Aikman:

The Federal Highway Administration (FHWA) is in receipt of comments from the consulting parties regarding the submission dated November 9, 2011 containing the Adverse Effect Finding and the draft MOA for the Mitchell River Bridge Project. Subsequently, on January 4, 2012, the FHWA conducted a Section 106 consulting parties' teleconference to clarify objections and comments of consulting parties to the draft MOA based on Alternative 3, the alternative that has been identified as the preferred alternative. The Massachusetts Department of Transportation (MassDOT) has provided all the necessary information and design details to document the adverse effect, and it is our intent to resolve the unavoidable adverse to the Mitchell River Bridge with the revised draft MOA.

The enclosed draft Memorandum of Agreement (MOA) for the subject project has been revised to address comments received. In addition, we have made revisions to the draft MOA as a result of discussions from the consulting parties' teleconference. Those revisions are related to continuous consultation with consulting parties and the public as we move towards final design, incorporation of aesthetic treatments, and the re-evaluation of the bridge for historical status.

The Town of Chatham, through its Board of Selectmen, has been supportive of Alternative 3, which consists of timber superstructure over a concrete-filled steel substructure. The Board has expressed that their primary concern in this matter have always been to ensure safety of their residents, provide navigable waterways, and to be fiscally prudent now, and for future generations. We also understand that the desire of the community is to incorporate as much wood as possible into the final design of the replacement structure, while providing a reliable and safe structure for all users.

We recognize that the preservation groups involved in this process have expressed their support to Alternative 1B, which consists of a timber superstructure over a timber substructure with some features to provide for a wider navigational clearance and to protect the counterweight system. This alternative would provide wood in the water, as the existing structure does. However, it is important to note that MassDOT have made clear their reluctance in using wood in the water as

it would deteriorate at a faster pace than modern materials (steel and concrete), resulting in higher maintenance cost that will be incurred by the Town of Chatham, the owner of the bridge. We believe that the reports and analyses which have been shared with the consulting parties, and prior experiences, have demonstrated the reasoning behind MassDOT's position.

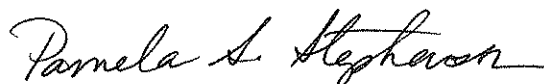
It is therefore that we are providing this revised MOA based on Alternative 3 as the preferred alternative, with the incorporation of aesthetic treatments, as deemed practicable, to improve the appearance of this design. We are confident that through the consultation we've conducted to date, we have addressed and considered all comments received throughout this process leading to the enclosed MOA.

Please provide comments on this draft no later than February 10, 2012.

We thank you for your participation in the teleconference and for continuing to participate in the Section 106 process, as we move forward towards final design and construction of the Mitchell River Bridge.

Please do not hesitate to contact Damaris Santiago at (617) 494-2419 or DSantiago@dot.gov, should you have any comment or questions.

Sincerely yours,

A handwritten signature in cursive script that reads "Pamela S. Stephenson". The signature is written in black ink and is positioned above the printed name and title.

Pamela S. Stephenson
Division Administrator

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MEMORANDUM OF AGREEMENT

AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,
THE MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REPLACEMENT OF THE
MITCHELL RIVER BRIDGE (C-07-001)
IN CHATHAM, MASSACHUSETTS

WHEREAS, the Federal Highway Administration (FHWA), in consultation with the Massachusetts State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation, pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. Part 470(f)], has determined that the proposed demolition of the Mitchell River Bridge (in order to construct a new bridge on the same alignment) will have an adverse effect on that National Register-eligible structure; and

WHEREAS, FHWA, through the Massachusetts Department of Transportation (MassDOT), has defined the undertaking's area of potential effect as comprising the Mitchell River Bridge (C-07-001), which carries Bridge Street over the Mitchell River in Chatham, Massachusetts; the properties abutting the immediate approach roadways along Bridge Street; and areas along the banks of the Mitchell River that are in view of the bridge; and

WHEREAS, the Mitchell River Bridge is an electrically powered, cable-lift, simple-trunnion, single-leaf timber bascule drawbridge with eleven timber stringer approach spans supported on timber pile bents; and

WHEREAS, the bridge's existing timber superstructure, including the single bascule draw span and all eleven approach spans, was entirely constructed of new timber elements in 1980 on a substructure that reused many of the timber piles from the previous bridge (built 1925, widened 1949) on this crossing, intermixed with many new timber piles, all new wooden pier caps, all new pile bent cross-bracing, and all new reinforced concrete abutments — all built in 1980; and

WHEREAS, the Keeper of the National Register of Historic Places (National Register) has determined, in a notification dated October 31, 2010, that the existing Mitchell River Bridge has "exceptional significance" and, therefore, is eligible for listing in the National Register as "one of a continuous line of wooden drawbridges that have spanned this crossing for over 150 years" and as "the last remaining single-leaf wooden drawbridge in Massachusetts (and perhaps the United States), despite its less-than-50 years age;" and

WHEREAS, the Mitchell River Bridge is not located in any historic district that is either listed in or has been determined eligible for listing in the National Register; and

WHEREAS, MassDOT has determined that the Mitchell River Bridge is structurally deficient, functionally obsolete, and cannot prudently be rehabilitated to serve current transportation needs for an acceptable design-life; and

WHEREAS, the Town of Chatham owns and maintains the Mitchell River Bridge; and

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all parties that have been involved in the Section 106 consultations for this project. Those drawings and renderings were included as enclosures with FHWA's Section 106 Adverse Effect submittal dated November 9, 2011.

II. FURTHER CONSULTATION

- A. FHWA and MassDOT shall convene at least one additional public meeting in Chatham of the Section 106 consulting parties to discuss the sketch plans (25% design phase) and aesthetic details of the proposed new replacement bridge as described in Stipulation I. The sketch plans will show the dimensions and profile of the new bridge but may not show its structural or aesthetic details. FHWA and MassDOT, however, will ensure that more refined computer-generated renderings of the aesthetic details of the proposed bridge are made available to the Section 106 consulting parties and the public prior to the public meeting. FHWA will provide hard copies (11" x 17") or electronic versions of the sketch plans and architectural renderings to each Section 106 consulting party (as each party may prefer) at least fourteen days prior to the public meeting in Chatham. Written comments regarding the sketch plans or renderings may be submitted to FHWA (Pamela S. Stephenson, Division Administrator, Federal Highway Administration, 55 Broadway, 10th Floor, Cambridge, MA 02142) by the Section 106 consulting parties or the public. FHWA and MassDOT shall review and consider all comments received within fourteen days following the public meeting, before proceeding to final design.
- B. FHWA shall invite all Section 106 consulting parties to the public meeting in Chatham to consult on further refinement of the sketch plans and aesthetic details of the proposed new bridge, regardless of whether or not any of those parties has chosen to sign this MOA.
- C. Aesthetic details of the proposed new bridge to be discussed at the public meeting in Chatham shall include, but shall not necessarily be limited to, the following:
1. The materials to be used to construct the pier caps on the five concrete-filled steel pipe piers.
 2. The design of the stone cladding to be used on the outer elevations of the bascule pier and the wingwalls of the abutments.
 3. Whether the existing timber railings along the outer edges of the present bridge's sidewalks shall be salvaged and reinstalled on the proposed new bridge or shall new timber railings be designed and constructed for installation on the new bridge.
 4. The paint color to be used on the steel pipe piers and the steel beams of the bascule span.
- D. The Section 106 consulting parties public meeting described in this stipulation shall be held in addition to the project's design public hearing and the NEPA Environmental Assessment public hearing.

III. ARCHIVAL DOCUMENTATION

- A. FHWA shall ensure that MassDOT prepares archival-quality photographic documentation of the existing bridge in the form of 8" x 10" black and white prints made from 35 mm black and white negatives. Photographs shall depict aerial views of the existing bridge and its surroundings, as well as views of the bridge's elevations, bascule span and operating system, deck, abutments, and piers, and context views

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and determine actions that they can take to resolve any adverse effects following the procedures in 36 CFR 800.13(b). In the event that a post-review discovery involves a property or properties that may have traditional cultural and religious significance to federally recognized Indian tribes, FHWA, in coordination with MassDOT, shall consult with the appropriate Indian tribe(s) in accordance with the requirements of 36 CFR 800.13(b) and established procedures for Section 106 tribal consultation for Massachusetts. If pre-contact cultural resources are discovered or unanticipated effects on pre-contact period resources are found, FHWA, in coordination with MassDOT, will consult with the appropriate federally recognized Indian tribes in accordance with established procedures for Section 106 tribal consultation for Massachusetts.

VI. DURATION

This MOA will be null and void if its terms are not carried out within five years from the date of its execution. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with 36 CFR 800.6(c)(7).

VII. DISPUTE RESOLUTION

Should any party to this agreement, or any party consulted under this agreement, object in writing to any actions proposed or the manner in which the terms of this MOA are implemented, FHWA shall consult with such party to resolve the objection. If FHWA determines that such objection cannot be resolved, FHWA will:

- A. Forward all documentation relevant to the dispute, including FHWA's proposed resolution, to the Council. The Council shall provide FHWA with its advice on the resolution of the objection within thirty days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the Council, signatories and concurring parties, and provide them with a copy of this written response. FHWA will then proceed according to its final decision.
- B. If the Council does not provide its advice regarding the dispute within the thirty day time period, FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the Council with a copy of such written response.
- C. FHWA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

VIII. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per 36 CFR 800.6(c)(7). If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

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MEMORANDUM OF AGREEMENT

AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,
THE MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

REGARDING THE REPLACEMENT OF THE
MITCHELL RIVER BRIDGE (C-07-001) IN CHATHAM, MASSACHUSETTS

CONCURRING PARTY

CHATHAM HISTORICAL COMMISSION

By: _____
Robert D. Oliver, Chairman

Date: _____

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MEMORANDUM OF AGREEMENT

AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,
THE MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

REGARDING THE REPLACEMENT OF THE
MITCHELL RIVER BRIDGE (C-07-001) IN CHATHAM, MASSACHUSETTS

CONCURRING PARTY

PEASE BOAT WORKS & MARINE RAILWAY

By: _____
Michael Pease, President

Date: _____

DRAFT

MEMORANDUM OF AGREEMENT

AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,
THE MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

REGARDING THE REPLACEMENT OF THE
MITCHELL RIVER BRIDGE (C-07-001) IN CHATHAM, MASSACHUSETTS

CONCURRING PARTY

NATIONAL TRUST FOR HISTORIC PRESERVATION

By: _____
Elizabeth Merritt, Deputy General Council

Date: _____

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MEMORANDUM OF AGREEMENT

AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,
THE MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REPLACEMENT OF THE
MITCHELL RIVER BRIDGE (C-07-001) IN CHATHAM, MASSACHUSETTS

CONCURRING PARTY

INDIANA HISTORIC SPANS TASKFORCE

By: _____
Paul Brandenburg, Chairman

Date: _____

DRAFT

MEMORANDUM OF AGREEMENT

AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,
THE MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

REGARDING THE REPLACEMENT OF THE
MITCHELL RIVER BRIDGE (C-07-001) IN CHATHAM, MASSACHUSETTS

CONCURRING PARTY

GEORGE MYERS

By: _____
George Myers

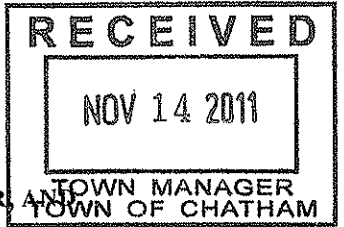
Date: _____

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MEMORANDUM OF AGREEMENT AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,
THE MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER,
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REPLACEMENT OF THE
MITCHELL RIVER BRIDGE (C-07-001)
IN CHATHAM, MASSACHUSETTS



WHEREAS, the Federal Highway Administration (FHWA), in consultation with the Massachusetts State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation, pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. Part 470(f)], has determined that the proposed demolition of the Mitchell River Bridge (in order to construct a new bridge on the same alignment) will have an adverse effect on that National Register-eligible structure; and

WHEREAS, FHWA, through the Massachusetts Department of Transportation (MassDOT), has defined the undertaking's area of potential effect as comprising the Mitchell River Bridge (C-07-001), which carries Bridge Street over the Mitchell River in Chatham, Massachusetts; the properties abutting the immediate approach roadways along Bridge Street; and areas along the banks of the Mitchell River that are in view of the bridge; and

WHEREAS, the Mitchell River Bridge is an electrically powered, cable-lift, simple-trunnion, single-leaf timber bascule drawbridge with eleven timber stringer approach spans supported on timber pile bents; and

WHEREAS, the bridge's existing timber superstructure, including the single bascule draw span and all eleven approach spans, was entirely constructed of new timber elements in 1980 on a substructure that reused many of the timber piles from the previous bridge (built 1925, widened 1949) on this crossing, intermixed with many new timber piles, all new wooden pier caps, all new pile bent cross-bracing, and all new reinforced concrete abutments — all built in 1980; and

WHEREAS, the Keeper of the National Register of Historic Places (National Register) has determined that the existing Mitchell River Bridge has "exceptional significance" and is eligible for listing in the National Register as "one of a continuous line of wooden drawbridges that have spanned this crossing for over 150 years" and as "the last remaining single-leaf wooden drawbridge in Massachusetts (and perhaps the United States), despite its less-than-50 years age;" and

WHEREAS, the Mitchell River Bridge is not located in any historic district that is either listed in or has been determined eligible for listing in the National Register; and

WHEREAS, MassDOT has determined that the Mitchell River Bridge is structurally deficient, functionally obsolete, and cannot prudently be rehabilitated to serve current transportation needs for an acceptable design-life; and

WHEREAS, the Town of Chatham owns and maintains the Mitchell River Bridge; and

WHEREAS, FHWA has undertaken an extensive Section 106 consultation process with numerous local, statewide, and national parties; and

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WHEREAS, MassDOT has participated in the Section 106 consultation process and has been invited to sign this Memorandum of Agreement (MOA) as an invited signatory; and

WHEREAS, the Town of Chatham Board of Selectmen has participated in the Section 106 consultation process and has been invited to sign this MOA as an invited signatory; and

WHEREAS, other parties have participated in the Section 106 consultation process and have been invited to sign this MOA as concurring parties, including the Chatham Historical Commission, the Friends of the Mitchell River Wooden Drawbridge, Pease Boat Works & Marine Railway, Preservation Massachusetts, the National Trust for Historic Preservation, the Historic Bridge Foundation, the Indiana Historic Spans Taskforce, James L. Cooper, PhD, and George Myers; and

WHEREAS, FHWA and MassDOT have notified the Wampanoag Tribe of Gay Head/Aquinnah, the Mashpee Wampanoag Indian Tribal Council, and the Massachusetts Board of Underwater Archaeological Resources about the proposed project and have invited their comments; and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), FHWA has notified the Advisory Council on Historic Preservation (Council) of its adverse effect determination with specified documentation and the Council has chosen to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

NOW, THEREFORE, FHWA, the SHPO, and the Council agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the adverse effect of the proposed undertaking on historic properties.

STIPULATIONS:

FHWA shall ensure that the following provisions are carried out:

I. DESIGN OF NEW REPLACEMENT BRIDGE

FHWA shall ensure that MassDOT designs and constructs a context-sensitive new bridge to replace the existing National Register-eligible Mitchell River Bridge. The proposed new bridge shall be comprised of a single-leaf bascule draw span and five approach spans. The principal structural members of the proposed new draw span shall be steel girders and steel floor beams and the principal structural members of the five approach spans shall be glue-laminated (glulam) timber beams. The decking, sidewalks, bridge railings, and at-curb barriers on all six spans shall be constructed of timber. All connections on the superstructure shall be made with steel fasteners. The substructure of the proposed new bridge shall be comprised of two reinforced concrete abutments, one reinforced concrete bascule pier, and five concrete-filled steel pipe piers with reinforced concrete pier caps. The outer elevations of the bascule pier and the wingwalls of the abutments shall be clad with stone. FHWA has provided conceptual drawings and architectural renderings of this design, known as Alternative 3, to all parties that have been involved in the Section 106 consultations for this project. Those drawings and renderings were included as enclosures with FHWA's Section 106 Adverse Effect submittal dated November 8, 2011.

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II. REVIEW OF NEW REPLACEMENT BRIDGE DESIGN

FHWA and MassDOT shall convene at least one open public meeting in Chatham to discuss the sketch plans (25% design stage) and aesthetic details of the new replacement bridge as described in Stipulation 1. The sketch plans will show the dimensions and profile of the new bridge but may not show its structural or aesthetic details. FHWA and MassDOT, however, will ensure that more refined computer-generated renderings of the aesthetic details of the proposed bridge are made available to the Section 106 consulting parties and the public prior to the public meeting. FHWA will provide hard copies (11" x 17") or electronic versions of the sketch plans and renderings to all Section 106 consulting parties (as each party may prefer) at least fourteen days prior to the public meeting. Written comments regarding the sketch plans or renderings may be submitted to FHWA (Pamela S. Stephenson, Division Administrator, Federal Highway Administration, 55 Broadway, Cambridge, MA 02142) by the Section 106 consulting parties or the public. FHWA and MassDOT shall review and consider all comments received within fourteen days following the public meeting, before proceeding to final design.

III. ARCHIVAL DOCUMENTATION

- A. FHWA shall ensure that MassDOT prepares archival-quality photographic documentation of the existing bridge in the form of 8" x 10" black and white prints made from 35 mm black and white negatives. Photographs shall depict aerial views of the existing bridge and its surroundings, as well as views of the bridge's elevations, bascule span and operating system, deck, abutments, and piers, and context views showing the bridge in relation to its setting. All photographs shall be identified on the back in pencil, with no affixed labels, unmounted but sleeved in archival-quality, unbuffered envelopes, the contents of each envelope identified and numbered in pencil on the envelope. The negatives shall be sleeved in appropriate archival-quality negative holders, which shall be suitably labeled. All photographs shall be keyed by number to a site plan printed on archival-quality paper. A list of photographic views printed on archival-quality paper also shall be included.
- B. All photographic documentation described in Subsection A shall be completed prior to the commencement of any construction associated with the proposed bridge replacement project.
- C. MassDOT shall include photocopies of selected pages from the original 1980 construction plans for the Mitchell River Bridge, including a site plan, elevations, and details. Photocopies shall be printed on archival-quality 11"x17" paper, which shall be folded in half for storage.
- D. MassDOT shall include photocopies of any other existing paper documentation, copied on archival-quality paper, which FHWA, MassDOT, and any of the Section 106 consulting parties shall mutually agree to include.
- E. MassDOT shall submit one original set of photographic documentation (with negatives) to the SHPO for subsequent transmittal to the Massachusetts State Archives and one original set of photos (without negatives) to the Chatham Historical Commission for

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transmittal to an appropriate local repository. One set of all paper documentation described in Subsections A, C, and D shall be enclosed in an archival-quality file folder and included with each set of photographic documentation. Each set of documentation, including photographs, shall be enclosed in an archival-quality box.

- F. MassDOT shall include a compact disc containing all photographic and paper documentation with each set of archival documentation.

VI. POST-REVIEW DISCOVERIES

If FHWA or MassDOT determines that the undertaking will affect a previously unidentified property that may be eligible for listing in the National Register of Historic Places, or will affect a known historic property in an unanticipated manner, FHWA and MassDOT shall make reasonable efforts to avoid, minimize or mitigate any adverse effects to such properties and determine actions that they can take to resolve any adverse effects following the procedures in 36 CFR 800.13(b). In the event that a post-review discovery involves a property or properties that may have traditional cultural and religious significance to federally recognized Indian tribes, FHWA, in coordination with MassDOT, shall consult with the appropriate Indian tribe(s) in accordance with the requirements of 36 CFR 800.13(b) and established procedures for Section 106 tribal consultation for Massachusetts. If pre-contact cultural resources are discovered or unanticipated effects on pre-contact period resources are found, FHWA, in coordination with MassDOT, will consult with the appropriate federally recognized Indian tribes in accordance with established procedures for Section 106 tribal consultation for Massachusetts.

VII. DURATION

This MOA will be null and void if its terms are not carried out within five years from the date of its execution. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with 36 CFR 800.6(c)(7).

VIII. DISPUTE RESOLUTION

Should any party to this agreement, or any party consulted under this agreement, object in writing to any actions proposed or the manner in which the terms of this MOA are implemented, FHWA shall consult with such party to resolve the objection. If FHWA determines that such objection cannot be resolved, FHWA will:

- A. Forward all documentation relevant to the dispute, including FHWA's proposed resolution, to the Council. The Council shall provide FHWA with its advice on the resolution of the objection within thirty days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the Council, signatories and concurring parties, and provide them with a copy of this written response. FHWA will then proceed according to its final decision.
- B. If the Council does not provide its advice regarding the dispute within the thirty day time period, FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FHWA shall prepare a written response that

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takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the Council with a copy of such written response.

- C. FHWA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

IX. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per 36 CFR 800.6(c)(7). If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, FHWA must either (a) execute an MOA pursuant to 36 CFR 800.6 or (b) request, take into account, and respond to the comments of the Council under 36 CFR 800.7. FHWA shall notify the signatories as to the course of action it will pursue.

Execution of this MOA by FHWA, the SHPO, and the Council and implementation of its terms evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the Council an opportunity to comment.

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SIGNATORIES:

FEDERAL HIGHWAY ADMINISTRATION, MASSACHUSETTS DIVISION

By: _____
Pamela S. Stephenson, Division Administrator

Date: _____

MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER

By: _____
Brona Simon, State Historic Preservation Officer

Date: _____

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____
John M. Fowler, Executive Director

Date: _____

INVITED SIGNATORIES:

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

By: _____
Frank DePaola, Administrator, Highway Division

Date: _____

TOWN OF CHATHAM

By: _____
Florence Seldin, President, Board of Selectmen

Date: _____

DRAFT

MEMORANDUM OF AGREEMENT

AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,
THE MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REPLACEMENT OF THE
MITCHELL RIVER BRIDGE (C-07-001) IN CHATHAM, MASSACHUSETTS

CONCURRING PARTY

CHATHAM HISTORICAL COMMISSION

By: _____
Robert D. Oliver, Chairman

Date: _____

DRAFT

MEMORANDUM OF AGREEMENT

AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,
THE MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REPLACEMENT OF THE
MITCHELL RIVER BRIDGE (C-07-001) IN CHATHAM, MASSACHUSETTS

CONCURRING PARTY

FRIENDS OF THE MITCHELL RIVER WOODEN DRAWBRIDGE

By: _____
Norman Pacun

Date: _____

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MEMORANDUM OF AGREEMENT

AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,
THE MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

REGARDING THE REPLACEMENT OF THE
MITCHELL RIVER BRIDGE (C-07-001) IN CHATHAM, MASSACHUSETTS

CONCURRING PARTY

PEASE BOAT WORKS & MARINE RAILWAY

By: _____
Michael Pease, President

Date: _____

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MEMORANDUM OF AGREEMENT

AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,
THE MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REPLACEMENT OF THE
MITCHELL RIVER BRIDGE (C-07-001) IN CHATHAM, MASSACHUSETTS

CONCURRING PARTY

PRESERVATION MASSACHUSETTS

By: _____
James W. Igoe, President

Date: _____

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AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,
THE MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REPLACEMENT OF THE
MITCHELL RIVER BRIDGE (C-07-001) IN CHATHAM, MASSACHUSETTS

CONCURRING PARTY

NATIONAL TRUST FOR HISTORIC PRESERVATION

By: _____
Elizabeth Merritt, Deputy General Council

Date: _____

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THE FEDERAL HIGHWAY ADMINISTRATION,
THE MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REPLACEMENT OF THE
MITCHELL RIVER BRIDGE (C-07-001) IN CHATHAM, MASSACHUSETTS

CONCURRING PARTY

HISTORIC BRIDGE FOUNDATION

By: _____
Kitty Henderson, Executive Director

Date: _____

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MEMORANDUM OF AGREEMENT

AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,
THE MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
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MITCHELL RIVER BRIDGE (C-07-001) IN CHATHAM, MASSACHUSETTS

CONCURRING PARTY

INDIANA HISTORIC SPANS TASKFORCE

By: _____

Paul Brandenburg, Chairman

Date: _____

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THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

REGARDING THE REPLACEMENT OF THE
MITCHELL RIVER BRIDGE (C-07-001) IN CHATHAM, MASSACHUSETTS

CONCURRING PARTY

JAMES L. COOPER, PH. D.

By: _____
James L. Cooper, PhD

Date: _____

DRAFT

MEMORANDUM OF AGREEMENT

AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,
THE MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICER, AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REPLACEMENT OF THE
MITCHELL RIVER BRIDGE (C-07-001) IN CHATHAM, MASSACHUSETTS

CONCURRING PARTY

GEORGE MYERS

By: _____
George Myers

Date: _____

**Board of Selectmen – Committee Appointments
February 7, 2012**

Public Ceremonies Committee

Charge: This committee should consist of as many individuals as possible who wish to work on planning, organizing, implementing and assisting in the oversight of the Town’s public ceremonies. The Committee will receive assistance as needed from Town Departments, but will be a working group. The primary annual ceremonies shall include Veterans’ and Memorial Day commemorations as well as the 4th of July celebration. The Committee’s work shall not be limited to these three ceremonies, as time and public interest dictates.

MOTION: to set the maximum number of members Public Ceremonies Committee to ten (10) members.

MOTION: to establish terms for the Public Ceremonies Committee. The terms shall be: four members appointed to three year terms, four members appointed to two year terms and two members appointed to one year terms with their successors being appointed for terms of three years each.

MOTION: to appoint Douglas Ann Bohman to the Public Ceremonies Committee for the term ending June 30, 2015 or until a successor is appointed.

MOTION: to appoint Robert Franz to the Public Ceremonies Committee for the term ending June 30, 2015 or until a successor is appointed.

MOTION: to appoint Donald Edge to the Public Ceremonies Committee for the term ending June 30, 2015 or until a successor is appointed.

MOTION: to appoint Brad Schiff to the Public Ceremonies Committee for the term ending June 30, 2015 or until a successor is appointed.

MOTION: to appoint Carol Abel to the Public Ceremonies Committee for the term ending June 30, 2014 or until a successor is appointed.

MOTION: to appoint Richard Clifford to the Public Ceremonies Committee for the term ending June 30, 2014 or until a successor is appointed.

MOTION: to appoint Gail Tilton to the Public Ceremonies Committee for the term ending June 30, 2014 or until a successor is appointed.

MOTION: to appoint John King to the Public Ceremonies Committee for the term ending June 30, 2014 or until a successor is appointed.

MOTION: to appoint Stephanie Hamilton to the Public Ceremonies Committee for the term ending June 30, 2015 or until a successor is appointed.

MOTION: to appoint John Scott to the Public Ceremonies Committee for the term ending June 30, 2015 or until a successor is appointed.

FUTURE BOS AGENDA ITEMS as of February 1, 2012

Tuesday, February 14 at 4:00pm

- Committee Review: *Planning Board, Human Services*
- CPRC Proposed Fire Station Costs
- FY 2011 Auditor's Report
- Regional Dispatch Study (Sean O'Brien)
- Local Comprehensive Plan Status – Departments/Committees Updates (TENT)
- FY2013 Budget Discussion; Presentation of FinCom Recommendations
- Committee Appointments
- Q and A

Tuesday, February 21 at 4:00pm

- Federal TRIP Grant – David Brownlie, Monomoy National Wildlife Refuge
- Town Website Update Demonstration – *mytowngovernment*
- Public Hearing Proposed Shellfish Regulations Change – Renee Gagne
- Ryder's Cove Landing/Park
- FY2013 Budget Discussion
- Town Manager's Report

Tuesday, February 28 at 4:00pm

- Chatham Harbor Run – Larry Belliveau

Tuesday, March 6 at 4:00pm

Pending

Note: Committee Reviews – 2nd meeting of every month beginning in February
Water and Sewer – Quarterly (or more frequent as needed)
Wastewater Project Update – Quarterly (April 2012)

Future

- Annual: Affordable Housing Trust Guidelines Review
- Cable TV Channels 17/18 Update by Terry Duenas, Cape Cod Media Center
- Conservation Restriction Acceptance
- Depot Street Fire Headquarters/EMS Options
- Ethics Training
- Film Permit Process
- Fish Pier Permitting
- Hawkers/Vending Permit - Mobile Food Business Regulations (*February*)
- Land Donation to ConsCom
- Marconi RFP Results
- Media Relations Policy
- Mooring Fees (*February*)
- Open Cape Advisory Committee - charge & membership
- Open Meeting Law- Remote Participation
- Outside Consultant Hiring: Standards & Procedures
- Upwelling Facility (Overview of Operations – Shellfish Advisory Committee)
- Vendors/Sales of Goods on Town Property and Sign Policy/Regulations (*February*)
- Wastewater (Sewer) Construction Project – Mitigation/Advertisements

Public Forum Policy

Each Board of Selectmen's meeting shall begin with a Public Forum (following approval of minutes, if applicable). This Public Forum portion of the meeting shall not, in its entirety, exceed twenty minutes.*

Each recognized speaker at the Public Forum shall keep his/her remarks to no more than three minutes.*

Generally, remarks that are to be considered appropriate for the public Forum are those that do not encourage debate, but rather are more simple announcements, requests or statements of interest. If a subject, in the opinion of the Chairman of the Board or the majority of its members, would better be addressed as a future agenda item because it warrants public notice and/or debate, then the Chairman shall restrict the Public Forum comments and/or declare them out of order.

Previous actions and/or deliberations of the Board of Selectmen are not appropriate for discussion at the Public Forum.

*These time limits will be enforced at the discretion of the Chairman of the Board of Selectmen.