

Dixon, Lisa (ANF)

From: James Duggan <jduggan@dracutma.gov>
Sent: Tuesday, December 08, 2015 3:50 PM
To: Dixon, Lisa (ANF); RegReform (ANF)
Cc: Shannon Rowe-Beaulieu; Samantha Carver
Subject: Tow of Dracut Unfunded Mandates
Attachments: EngDeptUnfundMandates.pdf

Ms. Dixon et al,

It is our understanding that written comments can be submitted for Governor Baker's executive order issued in March, directing state agencies to undertake a review of all regulations and to rescind or change any regulations that are not required by law or essential to the environment or health, safety and welfare of the state. ...limiting regulations to a clearly identified need and where the cost does not exceed the benefits.

The following is the feedback I received from Department Heads when asked for their input.

Town Clerk – “Unfunded mandates would apply to Clerk's Office to have new “Early Voting” or extra polling locations that will come into effect for the Presidential Election in November 2016.”

Town Accountant – “Procurement. The requirement to select the lowest bidder can often times result in lower quality work, which costs the municipality more in the long run considering repairs of work that does not hold up as well. Another requirement is to use DCAM Certified contractors. The municipality typically pays inflated prices and is able to accomplish significantly less than a private company would with the same budget. It would appear that these laws could be rewritten to address these issues while still maintaining the integrity of the initial ideas behind these requirements.”

Police Chief – “The state mandates municipalities send cadets to the police academy for 22 weeks and they use certain equipment, yet the municipality has to pay for it. Cost of training plus equipment several thousand dollars. The state requires we certify all officers in firearms once a year. If the state paid for these mandates, we could us that money elsewhere.”

Town Engineer – Please see the attachment.

If you need further clarification or would like to discuss further, please call/email me at your earliest convenience.

Thank you,

Jim

James A. Duggan, Town Manager
Town of Dracut



Engineering Department

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MARK HAMEL, P.E.
Town Engineer

December 2, 2015

To: James A. Duggan, Town Manager
From: Mark Hamel, Town Engineer
RE: Unfunded Mandates Impacting the Engineering Department

Please find below a brief summary of costs associated with mandates impacting the Engineering Department

Approximate Anticipated Annual Costs Associated with NDPEs Stormwater Permit

Annual membership to Northern Middlesex Stormwater Collaborative	\$ 4,800
Cost of street sweeping, collection and proper disposal of catch basins (3407) cleaning due to increased frequency required 1450Tons @ \$130/ton	\$188,500
Testing of 429 outfalls @ 30 min/outfall @ \$25/hour	\$ 5,363
Public Outreach	\$ 3,500
Preparation of annual report to EPA	\$ 6,000
Stormwater Prevention and Pollution Plan for <u>all</u> municipal facilities	
Initial cost \$60,000; cost per year of 5 year permit	\$ 12,000
GIS mapping and data collection for additional stormwater features and detail	
Initial cost \$12,000; cost per year of 5 year permit	\$ 2,400
Inventory and assessment of impervious areas	\$ 600
*other	>\$ 20,000
Total	\$243,163

*costs such as labeling all outfalls, adopting bylaws (illicit discharge, construction runoff, low impact development etc.), remedy of issues encountered in testing of stormwater outfalls, stormwater retrofits, proper handling of pet wastes at parks, assessment of impact to endangered species, TMDL assessment for waterbodies etc. that are difficult to accurately quantify at this time but will increase yearly costs. There will also be increased demands on existing staff to minimize abovementioned costs while maintaining compliance.

MGL Chapter 149 – Building Construction Contracts

The estimated contract amount for vertical construction requiring DCAM certification and filed sub-bids should be increased from \$100,000 to \$300,000. Former Inspector General Gregory Sullivan recommended raising the threshold from \$100,000 to \$200,000 in 2003. Many buildings such as rest rooms, concession stands, salt storage sheds fall into this price range. Requirements of DCAM certification and sub bid filing procedures add additional bid costs, clerical work and advertising costs to smaller buildings listed above while excluding smaller local construction companies that do not operate at the same scale as larger general contractors and construction companies that can absorb the additional costs of compliance. The low dollar threshold makes constructing small buildings inefficient.

A recently constructed 960 square foot, six stall restroom and storage facility, estimated at \$220,000 was awarded to a single bidder at \$360,000. The Town's DPW facility had difficulty procuring a fabric membrane salt shed due to the limited amount of qualified bidders interested in the project.

CC: Mike Buxton, Public Works Director