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From: k.e.jansen@att.net (Keith Jansen)
To: "Michael Clark" <mclark@norfolkram.com>, <vkalishes@town.scituate.ma.us>, <richagne@scituate.mec.edu>
Cc: <clogue@town.scituate.ma.us>
Subject: RE: Request for Amended Order of Conditions / 146 Central Ave
Date: Thu, 18 May 2006 00:47:14 +0000

Great question and exactly why I was hoping to get the written procedure / process so we can do it correctly the first time.

I look forward to a time when I can visit the Conservation office to get it.

Vin, would tomorrow late afternoon work? (like around 4:30). If not, Friday early (pre-8) or later (after 3) would work for me. I will be unable to check email after 7:30 am tomorrow (Thursday) so a call to my cell phone (617-347-6624) would be more effective in setting up an appointment.

Thanks for your assistance with this request.

KJ

--

Keith Jansen
email: k.e.jansen@worldnet.att.net
Cell: 617-347-6624

----- Original message from "Michael Clark" <mclark@norfolkram.com>: -----

Mr. Jansen

Have the appeals been withdrawn? I do not believe we can hear a request for amendment with appeals in-place.

Michael F. Clark, P.E., CPESC®

Norfolk Ram Group LLC
One Roberts Road
Plymouth, MA 02368

Phone : (508) 747-7900 x193
Fax: (508) 747-3785
Cell: (508)328-4430

www.norfolkram.com

From: Keith Jansen [mailto:k.e.jansen@att.net]
Sent: Wednesday, May 17, 2006 1:21 PM
To: vkalishes@town.scituate.ma.us; richagne@scituate.mec.edu
Cc: mclark@norfolkram.com; clogue@town.scituate.ma.us
Subject: Request for Amended Order of Conditions / 146 Central Ave

Dear Vin -

I'm not sure if you got the phone messages that I've called over the last couple of days so I figured I'd send an email. With respect to requesting a hearing for an amended Order of Conditions, I was hoping to stop by to get a copy of the written guidelines so the process / paperwork is completed correctly. I'm sure that you guys deal with a tremendous volume of requests and want to make sure that it is done right - - the first time!

What time(s) work for you? Perhaps suggesting 2 or 3 alternatives would be appropriate so we have more than one option.

Thanks,

KJ

--

Keith Jansen

email: k.e.jansen@worldnet.att.net

Cell: 617-347-6624



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From: k.e.jansen@att.net (Keith Jansen)
To: vkalishes@town.scituate.ma.us
Cc: richagne@scituate.mec.edu, mclark@norfolkram.com, clogue@scituate.ma.us
Subject: Amendment for 146 Central Ave
Date: Tue, 30 May 2006 00:27:54 +0000

Hi Vinny -

Thanks again for your time last week. Per your suggestion, I followed up with Mike Clark. He suggested that we put in a request for an amendment. While together last week, you said that there was an "Amendment Request Form" on the Scituate web site. I've looked several times and cannot find it. I will call you at 8:30 tomorrow (Tuesday) morning hoping that you can direct me to exactly where it can be located as well as the written process that will help guide us through it.

Thanks,

Talk with you tomorrow.

Keith

--

Keith Jansen
email: k.e.jansen@worldnet.att.net
Cell: 617-347-6624



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From: k.e.jansen@att.net (Keith Jansen)
 To: "Michael Clark" <mclark@norfolkram.com>
 Subject: RE: Amendment for 146 Central Ave
 Date: Fri, 16 Jun 2006 12:30:16 +0000

Hi Mike,

Trust me, I certainly don't mean to infringe on your personal time nor was it my goal to offend anyone in the process. I, too, value a balance between family, work and volunteerism. As noted in a previous email, I have been Chairman of the Board for the Boston Division of the American Heart Association.

Now that the written request is in, we'll follow the due course. Please don't hesitate to contact me with any questions.

Best regards,

Keith

Keith Jansen
 email: k.e.jansen@worldnet.att.net
 Cell: 617-347-6624

----- Original message from "Michael Clark" <mclark@norfolkram.com>: -----

Keith it is obvious that I am doing it for you and my billing rate is 140 an hour . I figure with the 6 hours I have spend it add up to \$840. Why don't you donate that to charity. Why don't you donate that to charity. I am a volunteer. I do not have office hours. The commission member in Humarock is Mr. Urbanski . He should be able to help you. Also I said professional, not a lawyer

Michael F. Clark, P.E., CPESC®
 155 Judge Cushing Road
 Scituate, MA 02066

Phone: (781)545-9660
 Fax: (781)545-9601

From: Keith Jansen [mailto:k.e.jansen@att.net]
Sent: Thursday, June 15, 2006 9:42 PM
To: Michael Clark; vkalishes@town.scituate.ma.us
Cc: clogue@town.scituate.ma.us; 'Ric Agnew'
Subject: RE: Amendment for 146 Central Ave

Thanks for the reply, Mike. With respect to hiring a professional, we have retained an attorney who we use when the task (like writing correspondence) requires more legal expertise than we have. When it comes to processes that are straightforward that the "average Joe" could complete, we typically do it ourselves. This time, the process wasn't



U.S. LIFE SAVING STATION, HUMAROCK

1313
SAVE HUMAROCK

P.O. BOX 8

HUMAROCK, MASSACHUSETTS 02047

May 10, 2006

Board of Health
Town Hall
Chief Justice Cushing Highway
Scituate, Ma 02066

Re: Gibbons Property
146 Central Avenue

Dear Board Members

Save Humarock requests that your Board communicate to the individual members of the Scituate Conservation Commission that you would support their granting of an emergency approval to replace the failing septic system at the above property. As you may know the replacement of this system has been stalled by an appeal of a Scituate Conservation Commission Order of Conditions that requires the removal of a long-existing seawall on the Gibbons property. The appeal was filed by Mr. Gibbons and neighbors. The neighbors feel that their properties will be damaged by removal of the wall. The appeal process will take quite a bit of time to be resolved and the public health issue needs to be eliminated quickly.

I have spoken with Jim Mahala of DEP's Southeastern Regional Office and he is willing to have you call him to verify his support for an emergency order and to ask questions you may have regarding this matter. We urge you to act quickly on this matter to eliminate the existing public health problem.

Very truly yours,

Keith Dobie

CC: Richard Murray
James Pollard
Michael Clark
Shawn Harris
Jennifer Sullivan

CC
May 27, 2006

To: Board of Selectmen

Dir Sirs/Madams:

Shortly after the heavy rains we recently had I started having problems with my septic system, knowing my neighbor recently installed a new septic system in her house, I thought it might be a good idea to talk to her and get some ideas. She gave me some names of people who install septic systems. She also told me to call the health department as well as the conservation department. I took her advice, called the health department and all my questions were answered. I also called the conservation department and talked to a man who said he was the conservation agent. He was very arrogant, rude and condescending, he refused to answer my questions and repeated to tell me to come in, pick up an application and file a notice of intent, before I hung up I asked him his name and he replied Vin Kalishes. I talked to one of the septic system companies and told them about the application I was told to fill out and their reply was that is not true, notice of intent is not needed. I told my neighbor about the conversation I had with the conservation agent and asked her if she had any problems with him and her reply was, among other things, that man is a jerk, let the septic company take care of it. Perhaps his supervisor could make him be more understanding to woman and the fact that woman pay taxes as well.

Mary Doyle

TOWN OF SCITUATE

BOARD OF SELECTMEN



600 Chief Justice Cushing Hwy.
Scituate, Massachusetts 02066
Telephone (781) 545-8740
Fax (781) 545-8704

MEMORANDUM

RWM
TO: PAUL REIDY, Chairman
Board of Selectmen
FROM: RICHARD W. MURRAY
Board of Selectmen
RE: LETTER REGARDING V. KALISHES, Conservation Agent
DATE: NOVEMBER 29, 2006

Attached please find an interesting letter of complaint we received back in May 2006. I came across it when doing a "year-end" cleaning of my files. I assume I dismissed it as a one-off commentary at the time, since I was only newly elected, but I have since realized that this may be part of a larger pattern.

Could you please pass this along to Rick Agnew so he can work with Mr. Kalishes on this matter? I am particularly troubled by the use of the words "...very arrogant, rude, and condescending, he refused to answer my questions...", and that a neighbor of her's also referred to Kalishes as "... among other things, that man is a jerk...".

RWM:kad
cc: Board of Selectmen

Attachment (1)

DD

June 8th 2006

Michael F. Clark
Chairman, Conservation Commission
Town Hall
600 Chief Justice Cushing Highway
Scituate, MA 02066

Cc: Mr. Joseph Norton, Mr. Shawn Harris, Mr. Vincent Kalishes, Mr. Richard Agnew

Dear Mr. Clark:

I am writing to inform the conservation commission of ongoing discussions I have been having with Mr. Kalishes and the flooding problem of my home due to the new construction at 8 Pratt Road. The construction of the house and landscape of the property at 8 Pratt Road has altered the natural flow of ground water and has backed up the water into the basement of my home at 18 Pratt Road. At each storm of significant duration, since the construction and fill of the land my basement has flooded with inches of water both during the storm and for days afterward. My late husband, Paul O'Brien, had numerous conversations with town officials and, Ed McLaughlin the builder, warning of the potential issues regarding the ground water and natural drainage.

The construction at 8 Pratt Road raised the land above the height of our property as well as changed the shape of the land between 8 Pratt Road and Mann Lot Road. This has effectively filled in the natural low and collection points, and dammed up the natural progression of ground water redirecting it toward our basement. The design and/or implementation of drainage on 8 Pratt Road has failed and the ground water has backed onto our property and into our basement.

The history of the land at 8 Pratt Road has been as a natural drainage of surface and ground water for the neighborhood of Pratt Road. Since the development of the neighborhood, the lot was designated by the town as a wetland and for numerous months of the year the ground water formed a pond on the property. When we purchased the home 1978, we were told the land was designated as a wetland not to be developed upon. Previous attempts to fill the land have resulted in flooding and ice dams forming on Pratt Road and Mann Lot Road becoming a hazard to driving. At one time Elinor Foley, the then conservation agent, stopped the addition of fill to the property at 8 Pratt Road.

After the passing of my husband, I spoke to the town clerk on November 1, 2005 who referred me to Mr. Kalishes to discuss the flooding of the basement from rains in October 2005. Mr. Kalishes told me he would research the plans, speak to the builder McLaughlin, and get back to me. Having received no response, I again contacted Mr. Kalishes on March 13, 2006 with no response, and went to his office on May 1, 2006. In speaking to Mr. Kalishes, it was apparent that he did nothing to date and said he would revisit the matter again.

On May 30, 2006, I was advised in the absence of Mr. Kalishes that I contact the Conservation Commission to appoint someone to investigate this issue. I am writing to request that the conservation commission and/or town representative appoint someone in replacement of Mr.

Kalishes, investigate, and contact me to discuss this matter as soon as possible. The continued rain and flooding of my property is causing damage to my home and potentially undermining my home's foundation.

Sincerely,

Margaret M. O'Brien

Margaret M. O'Brien
18 Pratt Road
781.545.4621

EE

To: Paul Reidy (via Peter Murray)
Chairman, Board of Selectmen

From: Al Banzert
100 Captain Paine Road
Sittons, MA

Mr Reidy,

I was disturbed by an exchange that I observed on November 7, 2006 during the public session of the Board of Selectmen.

Following a discussion with the B&S, Mr. Mike Clark and Mr. Vincent Kalisher, stormed out of the Selectmen's Chamber room into the hall (where numerous people were congregated) and made extremely offensive remarks concerning Board Member and Mr. Murray, in particular. The tone and the words used were cursing and derogatory (and to me offensive).

(over)

This type of behavior by public employees and officials is out of place in a public setting during public hours and brings discredit to the Town.

If you wish to discuss this incident in details, I remain at your disposal.

Al Barger

(Typed + signed copy to follow)

FF

TOWN OF SCITUATE

BOARD OF SELECTMEN



600 Chief Justice Cushing Hwy.
Scituate, Massachusetts 02066
Telephone (781) 545-8740
Fax (781) 545-8704

MEMORANDUM

TO: PAUL REIDY, Chairman
Board of Selectmen

FROM: RICHARD W. MURRAY *RWM (RWM)*
Board of Selectmen

RE: CONSERVATION COMMISSION PROFESSIONALISM

DATE: DECEMBER 11, 2006

I am concerned about the behavior of some members of the Conservation Commission, particularly with regard to their informal, yet public, comments regarding the MBTA liaison, Mr. Albert Bangert. For example, during a recent discussion about the Route 3A/ Henry Turner Bailey Road intersection, several of them made profane and disparaging comments about how Mr. Bangert "thinks he's a Selectman", "is really working for the MBTA, not us... whose side is he on", and so on. While I am certainly no prude and also have been known to use colorful language myself at times, they have also laced their comments with profane adjectives and adverbs (not repeated here). Even during a late night session, this is simply not appropriate. There have been other examples of discouraging behavior, as well.

In addition to such conduct obviously being unprofessional, I share these concerns because these comments and overall attitude (a) reflect poorly on the Town, (b) reflect poorly on the Commissioners themselves, all of whom are hard-working folks yet where some of them negatively color the Commission's reputation and public image, and (c) are unfair to Mr. Bangert, who in my own observations of his interaction with the Conservation Commission has presented himself and the Town with a degree of professionalism and propriety that a few members of the Conservation Commission, it appears, can only envy.

RWM:kad
cc: Board of Selectmen
Richard H. Agnew, Town Administrator

TOWN OF SCITUATE

BOARD OF SELECTMEN



GG

600 Chief Justice Cushing Hwy.
Scituate, Massachusetts 02066
Telephone (781) 545-8740
Fax (781) 545-8704

MEMORANDUM

TO: RICHARD H. AGNEW, Town Administrator

FROM: RICHARD W. MURRAY
Board of Selectmen *RWM*

RE: CONSERVATION COMMISSION MEETING / 5/30/07

DATE: MAY 31, 2007

Immediately prior to the start of the Conservation Commission meeting last night (May 30, 2007), the Conservation Agent, V. Kalishes, approached Chairman K. Conway, as Conway was sitting on the dais, to discuss the details of the meeting. Due to the lengthy agenda of the meeting, at the time virtually every seat of the room was filled with townspeople waiting for the meeting to start. Even though I was sitting in the very back row of the room, I could hear the following exchange clearly, as could others (including Howie Kreutzberg, Chair of Waterways, who was attending for the Jericho Ramp, and who also heard the following).

Kalishes appropriately noted to Conway that the Conservation Commission should vote on as many Orders of Conditions as possible at the meeting, given that there "was soon to be some changes on the Board" and that there could be quorum issues. Misunderstanding him, Conway said "There are changes coming on the Board of Selectmen?" Kalishes replied "No, I sure wish (that there were changes on the Selectmen), but unfortunately I mean with you guys (meaning the Con Comm)."

I reiterate that Kalishes's comments were audible all the way to the rear of the room, and that the room was filled. While this may seem a minor matter almost not worth mentioning, and while I do not begrudge Kalishes expressing his sentiment as a private citizen to anyone who cares to listen, I was discouraged to witness this continued tone of insubordination and lack of team spirit in your employee, when he was on duty as Conservation Agent.

RWM:kad

Cc: Board of Selectmen