

**Town of Fairhaven
Board of Public Works Meeting
October 17, 2011**

Present

Geoffrey Haworth, Commissioner
Robert Hobson, Commissioner
Kathleen Sturtevant, Commissioner
G. Steven Riley, Commissioner
Daniel Freitas, Commissioner
Vincent Furtado, BPW Superintendent
Kathy Tripp, Administrative Assistant
John Charbonneau, Highway Superintendent
Joseph August, August Backhoe Service
Stephen Gendron, Gendron Excavating



I. Call to Order

Mr. Haworth called the meeting to order at 6:05 p.m.

II. Routine Matters

A. Signing of Departmental Bills

III. Approval of Minutes

A. n/a

V. Items for Action

A. Request to use Cushman Park – Fairhaven Bicentennial, July 14, 2012

Mr. Haworth read the request.

Mr. Hobson – I'm all set if nobody else is using the park.

Ms. Sturtevant - No problem. It's a great idea.

Mr. Riley – It's a Saturday in July. The tennis courts and basketball courts will be out of commission. Put something in the local papers so the kids know and check with the Fairhaven Tennis Association if they have any issues.

Mr. Haworth – The Tennis Association was notified and Warren also.

Mr. Riley – The five or six barrels for trash, who pays for that?

Ms. Sturtevant – In the past, that's not been a big issue.

Mr. Haworth – We will pick them up on Monday.

Mr. Freitas – The trash; we could put a dump truck there.

Ms. Tripp – They could use liners in the barrels and put it in a dumpster that we can put there.

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Mr. Freitas motioned to let the Fairhaven Bicentennial Committee use Cushman Park on July 14, 2012 as long as no one else is using the park with the normal stipulations. Ms. Sturtevant seconded. Vote unanimous.

IV. Appointments

A. Stephen Gendron, Gendron Excavating – Re: New Drainlayer

Mr. Gendron – I've been in business for twenty years. I'm licensed in several other Towns. I have a job to do on West Island, Steve Hickox, a sewer tie-in and cut the road for an electrical service.

Ms. Sturtevant – Is this your first time working in Fairhaven?

Mr. Gendron – No, I worked here about fifteen years ago.

Ms. Tripp – You know you have to put up a \$2,500 deposit to open the road?

Mr. Gendron – Yes.

Mr. Riley – Mr. Gendron has his three letters of reference and insurance coverage is up to date.

Mr. Freitas – It's all right to me.

Mr. Hobson – All set.

Mr. Haworth – I have no issues.

Mr. Riley motioned to approve Gendron Excavating as a drainlayer in Fairhaven. Mr. Freitas seconded. Vote unanimous.

V. Items for Action (Cont.)

B. Request to Use Cushman Park – Fairhaven Gridiron Club, November 23, 2011

Mr. Haworth – This is for the annual bonfire before Thanksgiving Day at Cushman Park. They are also going to have two police officers.

Mr. Riley – Will the Fire Department be there?

Mr. Freitas – I'm good.

Ms. Sturtevant – I'm good.

Ms. Tripp – Someone from the softball league notified me that they find nails all summer long from the bonfire in the infield.

Mr. Charbonneau – We use a magnet to pick up what we can after the bonfire.

Mr. Haworth – Ask them not to use pallets if possible.

Ms. Sturtevant motioned to approve the request from the Gridiron Club to use Cushman Park on November 23, 2011 for a bonfire. Mr. Hobson seconded. Vote unanimous.

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IV. Appointments (Cont.)

B. Joseph August – Re: Deposit for Road Patch for 169 New Boston Road

Mr. August – I have a copy of a check to Mr. Charbonneau dated February 22, 2010. This customer I put in 460' of water service and then he asked me to put in the electric too. The electric trench was 350' away. He didn't want to pay for the entrance to the street. I had to tap the curb stop. It was a 4'x4' patch. He didn't want to pay. Mr. Charbonneau wanted an apron. Robbie Roderiques went in there to do the patch. The patch that was put in was the width of the driveway, 12-14'. The patch that was done was 8'x48'. I called Mr. Charbonneau to get my \$800 back. He said there was damage to the sidewalk. I said no way was there damage to the sidewalk.

Mr. Charbonneau – Typically the homeowner puts up the money, not the contractor. Mr. Pease refused to put up the money. Joe put up the money. The excavation for the apron, there were scratches. It's between you and the homeowner.

Mr. August – I did not damage the sidewalk.

Ms. Tripp – I would like to explain the procedure. Depending on the time of year, if the asphalt plants are closed and the homeowner is ready to move into his house, we will take a deposit on whatever the costs would be for us to do this work in case the homeowner does not. If the asphalt plants are open they have to get this done first or we will hold up their occupancy permit.

Mr. Freitas – The Town can't give you back the money or we'll be out \$800. Sue Mr. Pease. My opinion is he has to go to court to get his money back.

Mr. Hobson – Everybody knows that Joe is an honest person. Like Mr. Freitas said, this is a civil matter. Your only recourse is to take this to small claims. Ask the building inspector. See what he says.

Ms. Sturtevant – The same, nice people finish last. The problem is this is a civil matter. Take it to small claims court.

Mr. Haworth – I agree with the sentiments of the Board. You're a small business owner and you've been burned by a customer. Take it to small claims.

Mr. August – I wanted everyone to know what happened.

Mr. Haworth – To give you your deposit back is sticking it to the taxpayers.

Mr. Freitas motioned to deny the request to reimburse Mr. August the \$800 deposit and to give Mr. August a letter for him to pursue this in another venue. Ms. Sturtevant seconded. Vote unanimous.

V. Items for Action (Cont.)

C. GCG Associates – Engineering Agreement for Main Street & Park Avenue

Mr. Haworth – We've already approved this to use up to \$30,000. I will send it down to sign.

D. Marsh Island Agreement

Mr. Haworth – We've met with them several times.

Ms. Sturtevant – Has the Riverside Cemetery seen this?

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Mr. Haworth – We sent this to Town Counsel.

Ms. Tripp – They have their own agreement.

Mr. Riley – All set.

Mr. Freitas – All set.

Mr. Riley motioned to approve the Marsh Island Agreement with NOAA. Mr. Freitas seconded. Vote unanimous.

E. Land Strategies Agreement – Traffic Study Southcoast Healthcare, Mill Road

Mr. Haworth – This is for the traffic study for Southcoast Healthcare. The agreement is for \$2,500 and possibly \$1,000 for meetings.

Mr. Freitas motioned to hire Land Strategies in the amount of \$2,500 for the base contract in addition to possibly spending an additional \$1000. Ms. Sturtevant seconded. Vote unanimous.

F. Biszko Contracting – Payment #2

Mr. Haworth – This is for the cement lining on Route 6.

Ms. Sturtevant motioned to approve Payment #2 to Biszko Contracting in the amount of \$161,406.71. Mr. Freitas seconded. Vote unanimous.

G. WES Construction – Payment Application #20

Mr. Riley motioned to approve Payment Application #20 to WES Construction in the amount of \$281,485.00. Mr. Freitas seconded. Vote unanimous.

H. Brown and Caldwell – Amendment 3C

Mr. Haworth – We will talk about this in executive session.

VI. Board Members, Superintendent – Old Business, New Business

Mr. Riley – It's close to the end of October. The schedule for tarring the roads ends November 15th.

Mr. Freitas – When is the electrician going out?

Mr. Furtado – November 1st.

Mr. Freitas – If he's not here for four to six months maybe we can get an apprentice from Voke?

Mr. Haworth – Town Meeting is October 25th. We have a couple of articles. If everyone is attending we will have to post a meeting for that date. Also, we will be speaking with the Highway Union this Thursday at 11:00. We need three board members there.

Mr. Riley motioned to post BPW meetings for October 20, 2011 at 11:00 a.m., October 25, 2011 at 6:30 p.m. at the Hastings Middle School and November 7, 2011 at 6:00 p.m. Ms. Sturtevant seconded. Vote unanimous.

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Mr. Furtado – I have good news on Howland Road. Nstar will start working on the two poles tomorrow. Verizon by October 20th. LAL will start prepping for final top the beginning of November. That's the plan.

Bridge and Alden; that contract has been extended until April 2012.

At the last meeting for the line painting; the Police are on board with it. John Charbonneau will get prices.

Engineering firms; I'd like to pair it down to a certain few that we use. Is that okay?

Mr. Haworth – It's not our goal to have any more engineers until the projects we have now are complete.

Mr. Riley – The ones we have now I wouldn't want to put them on notice.

Mr. Furtado – I'm going to the government auction on Wednesday to look at some vehicles. The Fire Department has declared the Yukon as surplus. It's up to the Selectmen who will get it.

Other issues; the letter that Ed Fortin discussed at the last meeting regarding the inspector. He asked for a letter. I haven't forgotten the letter. Ed asked me to hold off.

The Highway union will meet Thursday and we will try to settle the Water and Sewer and put that to bed.

This Friday I would like to use two hours of comp time.

Mr. Riley – In the packet for November 7th, can you give us the names of the three engineers you would like to see us work with in the future?

Mr. Hobson – I would just like to say that Mr. Furtado has been doing an outstanding job since he's been here.

Mr. Haworth motioned to enter into executive session at 7:03 p.m. and not to reconvene the open session to discuss the Digester and Union issues. Mr. Riley seconded.

Roll call taken: Mr. Haworth, Mr. Hobson, Ms. Sturtevant, Mr. Riley and Mr. Freitas in favor.

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant