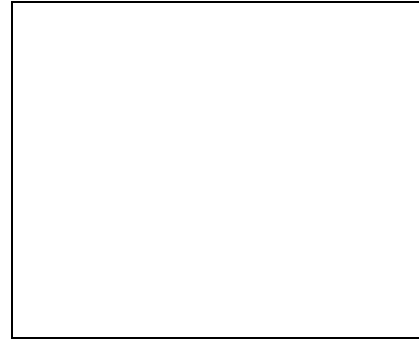


**Town of Fairhaven
Board of Public Works Meeting
December 5, 2011**

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
Edward Fortin, Water Superintendent
Justyn Stack, Highway Employee
Robert Field, Field Engineering
Michael Bachstein, Southcoast Hospital



I. Call to Order

Mr. Haworth called the meeting to order at 6:33 p.m.

II. Routine Matters

A. Signing of Departmental Bills

III. Approval of Minutes

A. N/A

IV. Appointments

A. Justyn Stack – Permanent SMEO

Mr. Haworth – You have been a temporary SMEO and requesting to be permanent now that an employee has resigned.

Mr. Stack – The last six months has been very smoothly. John has given me various equipment to run. I've worked with Al and Jorge with no incidents. I've operated the grader, dozer, backhoe and loader. My thoughts are that I'm doing a good job. I've had no complaints from the foremen or John Charbonneau.

Mr. Hobson – I talked to John and he said you are doing an excellent job. You're a good worker and you had a lot of experience from your prior job.

Ms. Sturtevant – The memo from John says you are doing an excellent job.

Mr. Riley – Mr. Stack has been here applying for many positions. He wants to move up.

Mr. Freitas – It took a little while but it's all positive.

Mr. Haworth – You are the right man for the job.

Mr. Furtado – I concur. I've witnessed Justyn. He's a good worker and employee.

Mr. Hobson motioned to appoint Justyn Stack as the permanent SMEO in the Highway Department effective December 7, 2011. Mr. Freitas seconded. Vote unanimous.

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**B. Robert Field, Field Engineering; Michael Bachstein, Southcoast Hospital Group
Re: Southcoast Oncology Center – Grease Trap**

Mr. Haworth – You are here on my request. It was brought to my attention that there was food production going on. This Board makes it mandatory that grease traps be installed. At the Board of Appeals Southcoast said there would be a grease trap.

Mr. Field – As I recall, we said there would be no food preparation so there was no need for a grease trap. There is no food preparation. They bring in the pizza and heat it up. Everything is done offsite.

Mr. Bachstein – I had a meeting with the Board of Health last week on site. We went over the menu. The food is made offsite. Everything is pre-prepared. It was mentioned to possibly put in a three base sink and a hand wash sink but it's not required. Nothing was ever said about a grease trap.

Mr. Haworth – I wanted to get an answer.

Ms. Sturtevant – There's no need for it. They're not cooking.

Mr. Riley – We just have to make sure that grease traps are put in the right facilities.

Mr. Freitas – My concern is that we have to address it now. If it's prepared somewhere else that's fine but in the future if that changes we will need to look at it again.

Mr. Hobson – I'm all set.

Mr. Haworth – I was told you were preparing pizza.

Mr. Bachstein – Everything is prepared at St. Luke's.

Mr. Freitas – How do you dispose of your leftovers?

Mr. Bachstein – I'm not sure. I'll check on that tomorrow and I'll let Mr. Furtado know.

V. Items for Action

A. 68 Howland Road – Driveway Waiver

Mr. Haworth – I left a message with the Mass DOT engineer but I haven't heard back.

Ms. Sturtevant motioned to continue the 68 Howland Road driveway waiver until the next meeting. Mr. Freitas seconded. Vote unanimous.

B. 46 Balsam Street – Driveway Waiver

Mr. Furtado – About ten years ago the BPW received an application for a driveway for 46 Balsam. At that time it was not voted on. The BPW needs a drainage easement thru that property and the homeowner is seeking a 22' opening and curb. It was never acted upon.

Mr. Freitas – We definitely should do this. That ice gets to be 1" to 2" thick. Get this done as soon as possible.

Mr. Furtado – I'll talk to John tomorrow.

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Mr. Hobson – I'm all for it.

Ms. Sturtevant – It's been ongoing.

Mr. Haworth – It's a 22' opening. That's a reasonable request.

Mr. Freitas motioned to approve the driveway opening of 22' for 46 Balsam Street. Ms. Sturtevant seconded. Vote unanimous.

C. Set Date for Last Day of Road Openings

Mr. Furtado – The plant will be closing on December 16th.

Ms. Sturtevant motioned to set the last day for road openings for December 16th and at the discretion of John Charbonneau if that date changes for P.J. Keating. Mr. Freitas seconded. Vote unanimous.

D. Recycle Center Fees for 2012

Mr. Furtado – You talked about tracking at the last meeting. That would be pretty difficult to do.

Mr. Freitas – If a guy comes in four or five times, have our guy keep track of that.

Mr. Riley motioned to keep the Recycle Fees for 2012 the same as 2011. Ms. Sturtevant seconded. Vote unanimous.

E. Mass D.O.T. – Final Inspection Howland Road

Mr. Furtado – One day last week I did the final inspection with the supervisor. We walked the whole section. There is an issue with the Nstar poles. They've removed some of them. They were filled with sand. They will put concrete, asphalt and infrared the holes next season. There is a tree between 37 and 39 Howland Road that needs to be taken down. There needs to be a driveway installed. The tree warden is getting some prices. We also talked about the cross trenches at Bridge and Alden. The big issue with Howland is the cost overruns. It's \$583,000. I will be meeting with Liz Lapointe from Mass D.O.T. We're allowed to amortize the figure over a three year period.

Mr. Riley – Last January we put the engineer on notice. They were invited about four times and they decided not to come. Don't let that slip thru the cracks.

Mr. Furtado – Since I've been here Town Counsel has contacted them.

Mr. Riley – There are other labor costs from the Town.

Mr. Furtado – There is an invoice for \$121,000 that needs to get paid to L.A.L. Mass D.O.T. has denied the payment using Chapter 90 money. They said they do not pay for sewer and water improvements. I'm hoping there is some gray area. Also, some signs need to be installed.

F. 10 Diamond Street – Re: Water Leak

Mr. Fortin – Last May I sent a letter to the homeowner about a leak near the house. Mr. Hobson asked why the homeowner had to do the repair; because it's his service. We gave him a list of Drainlayers. We didn't hear back from him until June 17th. He said his contractor fixed the leak. We told him the contractor needed to pay the inspection fee and we would inspect it. That's the last contact we had. We

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went to read the meter and there was a 2' hole. We repaired our leak in the street. His is still leaking under the house. We should ask the homeowner to come in and discuss the situation.

Mr. Hobson – I spoke to this gentleman. He was trying to tell me that the Town put it in and he got charged. His situation is he has a sick wife and financial problems. He'd like to work with the Town.

Mr. Fortin – I suggest he come in and speak with the Board. It's leaking. It could be a faulty ground wire he has in the house.

Mr. Hobson – It's a hardship case. They don't have the money. Fix it and send him a bill.

Mr. Fortin – It's a liability issue if we go on the property.

Mr. Hobson – We clean sewers for hardships. Send him a registered letter to come in.

Ms. Sturtevant – I know people have hardships. If we make exceptions for one, we'll have to do it for everybody. We have to set precedent. Have him come in and speak with us.

Mr. Riley – Have him come before us. He said he hired a contractor. They didn't do it or he did it himself.

Mr. Freitas – I'd like to have him come in. It's a slippery slope with liability. It could be a health issue. Come to the next meeting and we'll make a decision.

Mr. Haworth – Maybe there could be a payment arrangement with a contractor.

Mr. Fortin – It may be more than a couple of dollars.

Ms. Tripp – The permit for the Town is \$250.00.

Mr. Fortin – That's the reconnection fee.

Mr. Freitas motioned to have the gentleman come in and send him a certified letter. Ms. Sturtevant seconded. Vote 4-1 in favor with Mr. Hobson opposed.

G. Bay State Contracting – Pay Estimate #4 – WWTP Roof

Ms. Sturtevant motioned to pay Bay State Contracting \$135,522.60. Mr. Riley seconded. Vote unanimous.

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

Mr. Riley – Has the structure from 8 Eaton Road been removed?

Mr. Furtado – Not yet.

Mr. Riley – Did we get a response from him?

Mr. Furtado – I'll follow up.

Mr. Freitas – Letter from Matt Paulson, congratulations to him for being in the Fire Department. He did a very good job.

Mr. Hobson – Just a reminder about the snow parking ban. The police have started tagging cars.

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Mr. Haworth – We have a letter from the Finance Committee.

Mr. Furtado – We have a meeting with the Superintendents and Kathy on Wednesday to see what's what.

Mr. Haworth – We need to be better prepared this year. Pavement Management Report we need to discuss the streets that need to be done. There is a pothole near the Post Office that needs to be taken care of.

Mr. Furtado – I sent an email to Con Com about the Frye's restoration. I've requested it be done in May or June because of all the current activities going on up the street. We sent the support letter to Bill Roth for his project. We had a pre-preconstruction meeting for West Marine to discuss drainage and water issues and also the new Wood School with the architects. Also, I had a meeting about a build out analysis for parcels of land. This is good for zoning.

Mr. Riley – When you come off of Sconticut Neck Road and head east on the curve when it rains there is about 5" of water. I don't know who that belongs to.

Ms. Tripp – I will call Mass D.O.T.

VII. Set Date for the Next Meeting

Mr. Riley motioned to hold the next meeting on December 19, 2011 at 6:00 p.m. Ms. Sturtevant seconded. Vote unanimous.

VIII. Adjourn and Executive Session

Mr. Haworth motioned to adjourn the open meeting at 7:34 p.m. and enter into executive session and not to reconvene the open session to discuss the Digester, Cushman Park Trees and the Mattapoisett Intermunicipal Agreement. Mr. Riley seconded.

Roll call taken: Mr. Haworth, Ms. Sturtevant, Mr. Riley and Mr. Freitas in favor. Mr. Hobson not in favor.

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant