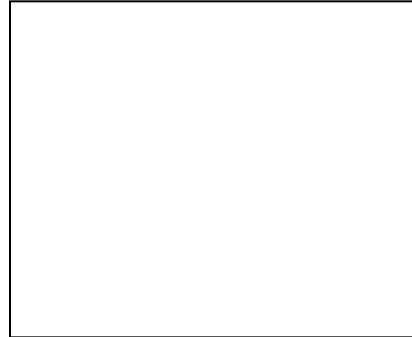


**Town of Fairhaven  
Board of Public Works Meeting  
January 3, 2011**

Present

Geoffrey Haworth, Commissioner  
Robert Hobson, Commissioner  
Kathleen Sturtevant, Commissioner  
G. Steven Riley, Commissioner  
Daniel Freitas, Commissioner  
William Fitzgerald, Jr., Superintendent  
Kathy Tripp, Administrative Assistant  
Edward Fortin, Water Superintendent  
Linda Lima, Sewer Superintendent  
John Charbonneau, Highway Superintendent  
Albert Martin, Highway  
Matthew Paulson, Highway  
Joseph Desroches, Highway  
Richard Pinard, Park  
Robert Roderiques



**I. Call to Order**

Mr. Haworth called the meeting to order at 6:34 p.m.

**II. Routine Matters**

**A. Signing of Departmental Bills**

**III. Approval of Minutes**

**A. July 6, 2010 – Executive Session (b)**

Ms. Sturtevant motioned to approve the minutes of the July 6, 2010 Executive Session (b). Mr. Riley seconded. Vote unanimous.

**B. September 27, 2010 – Executive Session (e)**

Ms. Sturtevant motioned to approve the minutes of the September 27, 2010 Executive Session (e). Mr. Freitas seconded. Vote unanimous.

**C. December 13, 2010**

Mr. Riley motioned to approve the minutes of the December 13, 2010 meeting. Mr. Freitas seconded. Vote unanimous.

**IV. Appointments**

**A. Appointments**

**Interviews for SMEO – Highway Department**

**Charles Hurley**

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Mr. Hurley – I'm here for the opportunity to better myself with the Highway Department.

Mr. Hobson – There's not much to ask. You were here a few weeks ago. You've been here since 2008. You have a good record. Have you been able to run the equipment?

Mr. Hurley – The backhoe and front end loader. I haven't run the sweeper, 963 or grader yet.

Mr. Hobson – The brush cutter with the arm?

Mr. Hurley – I took home the manual. I haven't operated it yet.

Ms. Sturtevant – We know where you're at.

Mr. Riley – Mr. Charbonneau, do you feel Mr. Hurley is ready for this position?

Mr. Charbonneau – He's ready on what he's learned already.

Mr. Riley – Any problem with his work ethic?

Mr. Charbonneau – No.

Mr. Haworth – Do you feel uncomfortable operating the other machinery?

Mr. Hurley – The 963 or grader it's going to take time. I don't feel uncomfortable running it.

Mr. Haworth – I want to make sure that you are ready for it.

Mr. Hurley – I'm pretty confident with all the equipment.

**Justyn Stack**

Mr. Stack – It's obvious why I'm applying for this position. I offer experience, knowledge and a good driving record. It would benefit me and my family.

Ms. Sturtevant – You've been year two years?

Mr. Stack – Since August 18, 2008.

Ms. Sturtevant – Is there anything you don't feel comfortable with?

Mr. Stack – The only thing would be the grader. I've operated the sweeper, catch basin truck, loader and the bobcat. I used the 963 at the Middle School loading trucks.

Ms. Sturtevant – John, do you have any issues?

Mr. Charbonneau – Not with the equipment.

Mr. Riley – You've been here three or four times for advancement. I'm very familiar. I'm all set.

Mr. Freitas – You've been here a couple times already. I have no added questions.

Mr. Hobson - You have ten years of experience with who?

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Mr. Stack – Baystate in Middleboro. They do highway maintenance, sweep streets, drainage pipe and other things.

**Vincenzo Angelini**

Mr. Haworth – This is the first time you have been before us for this position.

Mr. Angelini – I will be here one year on January 11<sup>th</sup>. I've since then received my hydraulics license. I have run the backhoe, but not the grader or the sweeper. I've run a truck sweeper. I owned a forklift. My driving record is excellent. I would like the opportunity to apply for it.

Mr. Riley – You were a temporary worker with the Water Department and then hired full time. I give you credit for trying to improve your professional life. Any piece of equipment you haven't operated or been trained on?

Mr. Angelini – The sweeper and the grader, no. I've sat in the grader.

Mr. Riley – Mr. Charbonneau, how is Mr. Angelini's work ethic?

Mr. Charbonneau – He is excellent. I couldn't ask for better.

Mr. Freitas – Seniority; that's what it ends up as. Do you find that you are getting into the equipment?

Mr. Angelini – Yes. I have other than the grader or sweeper. I've used them in the yard and the landfill.

Mr. Hobson – His past work ethic with different companies; he did a good job. He has a ton of experience in other places. I don't want to make a decision on seniority; it should be who is the better operator. They are around a lot of dangerous equipment. I'm leaving my opinion open.

Ms. Sturtevant – I commend you for becoming permanent in a short period of time. You are a fast learner and have a good work ethic.

Mr. Haworth – Temporary to permanent, great work ethic. You are one of the newest employees in the department applying for this position.

Mr. Freitas – To the members of the Highway Department; who do you feel is the better operator?

Mr. Desroches – I've not seen many of them operate.

Mr. Paulson – I've seen Stack run the 963. He's very careful.

Mr. Martin – One better than the other, I really can't say. I haven't seen Vinnie run anything. I want the Board to know that I am the shop steward. Seniority is protected. You should be aware of this provision, ninety day probation period. It's senior man that is next in line. Both are qualified. Mr. Stack may have more experience.

Mr. Charbonneau – My recommendation would be Mr. Stack.

Mr. Hobson – I'm not 100% on seniority. My motion would be most qualified. Neither one is a veteran. They started the same date.

Mr. Haworth – I would like each board member to make their recommendation.

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Ms. Sturtevant – I would go with Mr. Charbonneau's recommendation, Justyn. He has more experience.

Mr. Riley – Both are qualified. Justyn is probably more qualified. However, this Board has to go by seniority first and that is by their date of application. Mr. Hurley before Mr. Stack. That's the way the rule goes.

Mr. Freitas – I feel the same way as Steve. Torn though, Mr. Hurley needs to keep an eye on it. It's dangerous equipment. One wrong move and somebody could get killed. Keep a close eye on him.

Mr. Haworth – Mr. Stack is more qualified, but we have to go by the contract. The issue with Mr. Hurley is the application date which he would have the highest seniority. The contract is black and white. Mr. Hurley, give him a shot. He has ninety days. If he doesn't work out have Mr. Stack as the alternate.

Mr. Hobson – Both started the same day. The Board interviewed three people. What's the agreement for seniority based on application date?

Mr. Fitzgerald – That's what civil service uses to break the tie. Even though they are not civil service this Board voted to use that formula.

Mr. Riley motioned to hire Mr. Hurley as a Special Motor Equipment Operator and be on probation for ninety days and if he doesn't work out Mr. Stack will be the alternate. Mr. Freitas seconded. Vote unanimous.

**B. Superintendents – Budgets**

**Linda Lima, Sewer Superintendent**

Ms. Lima – We've added a position for the digester so the budget is up 6%.

Ms. Lima explained the rest of her budget.

Mr. Freitas – I would like to see a list of the chemicals, cost and shipping.

Mr. Hobson – The extra employee is \$40,000.

Ms. Lima – It's for a Grade 5 operator.

Ms. Sturtevant – All set.

Mr. Riley – Lab supplies; FY10 was \$4,700; on track now is \$4,800. Ask for \$800 more. Need more money.

Ms. Lima – It's possible.

Mr. Riley – Tools is up \$500.

Ms. Lima – It reflects past spending.

Mr. Riley – Do we keep track of the inventory of all the tools in all the departments?

Mr. Haworth – Not much in capital outlay?

Ms. Lima – We have one new truck that should be here soon.

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Ms. Lima discussed the articles which were preliminary.

**Edward Fortin, Water Superintendent**

Mr. Fortin explained his budget.

Mr. Riley – The truck, does it have a plow?

Mr. Fortin – No. It's \$122,700 with the plow. It's not set up for a plow. It will be for water leaks.

Mr. Hobson – I agree with Mr. Riley, for \$18,000 get the plow. Do we still have temporary help?

Mr. Fortin – Yes.

Mr. Hobson – How long can this go on?

Mr. Freitas – I think Mr. Charbonneau has more than enough trucks. The Water Department always gets the hand me downs. The truck can last about 10-15 years longer if the truck doesn't plow.

Mr. Riley motioned to include a plow with the truck. Mr. Hobson seconded. Vote 4-1 in favor with Mr. Freitas opposed.

**John Charbonneau, Highway & Park Superintendent**

Mr. Charbonneau – Reinstate the HMEO position that was lost two years ago.

Mr. Charbonneau explained the remainder of the Highway and Park budgets.

Mr. Riley motioned to increase Road Materials in the Park Budget to \$4,000. Mr. Freitas seconded. Vote unanimous.

Discussion on the current Snow and Ice Budget.

**C. Robert Roderiques – Re: McKensie Lane Invoices**

Mr. Haworth – You have an issue with the \$1650 owed to Tibbetts on a subdivision that belongs to the developer.

Mr. Roderiques – It's not a matter of refusing, it's how the process took place. The numbers were discussed at the preconstruction meeting, that's how they got the fee. As a contractor, it was my own project. I put money aside for the project. This money is put in an account for the inspection services for the job and you disperse it towards the engineering. The project went on and it's taken out of my account. Kathy called me and said I was shy about \$500-\$600 at one point. I was not paying attention. The project went on. The as-builts were \$1,650. I wanted to see all the slips. Nobody produced the slips. You asked for a punch list. You didn't have to do that. Bill called me up and I explained to him that I wanted to see all the signed slips. I called Tibbetts and disputed with them. The Town of Fairhaven accepts McKensie Lane. I heard nothing since then.

Mr. Fitzgerald – We did a lot of research. The letter from Tibbetts says \$7,600 for observation services and \$2,200 for as-builts. The total bill came to \$7,100. You got out less than the original estimate. This was discussed as part of the deposit. Some things do not have signatures.

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Mr. Riley – Why pay four years later. The slips weren't signed. There are some outstanding charges. It seems to be that the Town's right that slips were not signed would be to protect the Town. That should be paid.

Mr. Haworth – You were notified in writing several times. The balance pending is not picking up on just the as-builts. 99% of other people had to pay for the as-builts. What do you feel you owe?

Mr. Roderiques – I don't feel I owe anything. The as-builts should have cost less.

Mr. Riley – I came up with \$156.00 for three hours inspection, \$138.50 for the site inspection and \$435.65 for inspection of the top pavement. \$730.15 and Tibbetts is on the hook for the rest.

Mr. Haworth – Mr. Roderiques got his point heard.

Mr. Hobson motioned to have Mr. Roderiques pay \$730.15.

Mr. Roderiques – I want a letter to say that I am clear. You send me a bill, I'll send a check.

On the motion with a written letter stating if paid then Mr. Roderiques is clear. Ms. Sturtevant seconded. Vote 4-1 in favor with Mr. Freitas opposed.

**V. Items for Action**

**A. Blue Diamond – Pay Requisition for Howland Road and Alden Road**

Mr. Fitzgerald – This is for Blue Diamond \$13,640. It's a lump sum bid for Alden Road and Howland Road.

Mr. Freitas motioned to pay Blue Diamond \$13,640. Ms. Sturtevant seconded. Vote unanimous.

**VI. Superintendent – Information and Updates**

Mr. Fitzgerald – We met with Warren about the beach. He wants to check what legal requirements are with the state. He has a list of what we have for equipment. The hiring we could keep. If he supervises he needs to hire. He's still considering that.

Mr. Riley – If he wants to run with it let him try it.

Mr. Freitas – He needs to get down there and take a peak. We had issues last season.

Ms. Tripp – We told him that we could meet together with the Finance Committee.

**VII. Board Members – Old Business / New Business**

Ms. Sturtevant – Snow removal; Main and Washington Street – the people have been chipping away at the ice. It's a trouble spot that gets flooded with water.

Also, trash being not picked up on Wilbur's Point last week.

Mr. Fitzgerald – ABC went back for the trash.

Mr. Riley – How did we make out plowing Howland Road?

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Mr. Fitzgerald – It was done very slowly.

Mr. Riley – We use sand and salt. Can we just use salt on Howland Road?

Mr. Haworth – The roads that are presalted are better. Middle and Washington Street there is a pothole. Alden, Howland, Middle and Sconticut Neck Road; those streets should use straight salt. Keep one sander for just salt.

Mr. Fitzgerald – I'll sit with John and figure out which streets.

Mr. Freitas – I just want to apologize to the people on Howland Road.

Mr. Hobson – Why did it take three or four days to do the Fort parking lot?

Mr. Haworth – The parking lot was closed early.

Ms. Tripp – The Police Department take care of that.

Mr. Haworth – For a major snow storm they did an excellent job.

**VIII. Set Date for the Next Meeting**

Mr. Riley motioned to hold the next meeting on January 18, 2011 at 6:30 p.m. Mr. Freitas seconded. Vote unanimous.

**IX. Adjourn and Executive Session**

Mr. Riley motioned to adjourn the open meeting at 9:11 p.m. and enter into executive session to discuss union negotiations and not to reconvene the open meeting. Ms. Sturtevant seconded. Vote unanimous.

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

Respectfully submitted,

Kathy A. Tripp  
Administrative Assistant