

**Town of Fairhaven
Board of Public Works Meeting
August 22, 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
Linda Schick, Sewer Superintendent
Edward Fortin, Water Superintendent
Philip Louro, LAL Construction
Joyce Wilson, Water Department
Regina & Amicar Gomes, 33 Castle Avenue
Stephen Nowell, 268 Green Street
Brandon Faneuf, Ecosystem
Wayne & Nancy Frye, 70 Ocean Avenue
Raymond Paczosa, Sewer Department



I. Call to Order

Mr. Haworth called the meeting to order at 6:30 p.m.

II. Routine Matters

A. Signing of Departmental Bills

III. Approval of Minutes

A. August 8, 2011

Mr. Hobson motioned to approve the minutes of the August 8, 2011 meeting. Ms. Sturtevant seconded. Vote unanimous.

IV. Appointments

A. Philip Louro, L.A.L. Construction – Request to be Drainlayer

Mr. Louro – The Company is 34 years old. We do highway and bridge construction. We do a lot of work for Mass Highway, 50% municipalities, Fall River, New Bedford. The reason why I am here is because we want to do a service connection for a property in Fairhaven. We are State pre-qualified. We just need to follow proper procedures.

Mr. Hobson – They have the proper insurance, recommendations.

Ms. Sturtevant – Everything is in order.

Mr. Riley – I'm fine. They have been working in Fairhaven for Mass DOT.

Mr. Freitas – No problem.

Mr. Haworth – L.A.L. is doing the Howland Road and Bridge and Alden Road projects. They have done sewer work.

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Mr. Furtado – They did work for the City of New Bedford with no complaints.

Mr. Freitas motioned to approve L.A.L. Construction as a drainlayer for the Town of Fairhaven. Ms. Sturtevant seconded. Vote unanimous.

B. Joyce Wilson – Interview for Principal Clerk, Water Department

Mr. Haworth – You are here for the principal clerk's position that is being vacated by Ms. Hurley.

Ms. Wilson – Currently I am a senior clerk in the Water Department. I am already doing some of the work with Carolyn. Practically, it's a good fit. I'm ready.

Ms. Sturtevant – Everything is in order. I've had no complaints. Is there anything you need for further training?

Ms. Wilson – The only thing is we will be in the semi-annual reading. It's something she still gets nervous with. I want to do it right. She was more or less in the driver's seat. It's a big responsibility.

Mr. Riley – I'm all set. She is a pleasure to have in the office. She's great to talk to on the phone. We've had talented people over the years.

Mr. Freitas – I'm on the same side as Steve.

Mr. Hobson – She's a good person, good worker. She is a Town resident which I'm glad to see.

Mr. Haworth – Well said. As chairman, I'm in the office a little more and she has helped me out. I'm glad that you want to advance yourself.

Mr. Furtado – I concur. It's a good practice to promote from within.

Mr. Fortin – It's a natural progression.

Ms. Wilson – The readings for the water billing is the biggest obstacle.

Mr. Hobson motioned to promote Joyce Wilson to Principal Clerk in the Water Department effective August 29, 2011. Ms. Sturtevant seconded. Vote unanimous.

C. Regina & Amicar Gomes – Re: Mayflower Street, Illegal Dumping

Mr. Haworth – The Board members received your letter and pictures. I visited the site on Friday afternoon.

Ms. Gomes – Thank you for allowing us to come before you. I have lived at 33 Castle Avenue for fourteen years. We are right next door to a paper street, Mayflower Street. My neighbors use it as a dumping ground for yard waste. It's affecting our property. The ground is wet with mold and it's weakening the trees that broke my fence. We spoke to some of our neighbors to ask them to stop dumping. I spoke to Mr. Charbonneau. He posted a sign, \$50 fine. People are still dumping. We had an event with Mr. Nowell last Thursday. It was not a good scene. We thought our house had mold. We tore the siding, roof, windows. There was no mold. It came from this area. We spent thousands of dollars. We are really frustrated. It's coming from Mayflower, Green, Castle, Robert and Plymouth Avenue. We can't enjoy our backyard. It's an ongoing problem and we are asking for help.

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Mr. Riley – I can understand your frustration. I was so impressed with your letter. I went by there Friday night. There are some fallen trees, yard waste in the middle of the lot, grass clippings. I understand your plight. I'd be happy to clean it up, one day or one week. Personally, I don't think it's going to take six or seven days. It's something that's been going on. We sent letters to the residents. The Board of Health raised the fine to \$500. I see no problem. We can clean up what we can. The recycle center is open five and one-half days per week. That's where it should be going. Take a video and give it to the police.

Mr. Freitas – I concur with Steve. You need to get some help. People think it's just a place to dump. We'll do the best we can.

Mr. Hobson – I agree, we should clean up the place. Try to catch the people.

Mr. Nowell – I live on the Green Street side of the fence. When I was approached I was in my own yard pulling my stuff with a bed sheet. I own 2 Castle Avenue and I was dumping on that. I have a mower mulcher. None of that stuff was my clippings. I didn't know there was a sign. I was appalled. People are dumping on my property. If that was me, I'd be calling. I try to be a nice guy. Keep your cool. I didn't threaten him.

Ms. Sturtevant – I had a similar incident. You have to catch the people with video and go to the Police. Don't get caught between you and the neighbors.

Mr. Nowell – The sign should also say "Police Take Notice".

Mr. Riley – Yes.

Mr. Haworth – I don't think they are purposely trying to make your life miserable. I'm in favor of cleaning the trees up. We should put boulders up on each side. I did also walk the property.

Mr. Furtado – I agree. We'll clean it. The environmental police can enforce it. Under Mass General Laws there is a \$5,500 fine.

Mr. Freitas motioned to have John Charbonneau's crews go there and clean the area and install boulders 8-10 feet in to stop the flow. Ms. Sturtevant seconded. Vote unanimous.

V. Items for Action

A. Award Uniform Bid

Mr. Riley motioned to award the uniform bid to Coyne Textile Services for the amount of \$4.45 or \$3.90 per employee's choice. Mr. Freitas seconded. Vote unanimous.

B. Rebid of Item #17 – Backhoe on Tracks

Mr. Haworth – DeTerra has rescinded his bid.

Ms. Sturtevant motioned to award the Rebid of Item #17 to Fairhaven Excavating at \$125.00 per hour. Mr. Riley seconded. Vote unanimous.

C. Marsh Island Agreement

Present was Mr. Steven Block from NOAA.

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Mr. Block – I've talked to you about the Marsh Island sewer line easement during construction and how to best protect the sewer line. I had given you a draft agreement and you asked for minor changes which I've made. It's in front of you now for acceptance by the Board.

Mr. Freitas – The changes looked for are in here.

Mr. Hobson – I'm all set. Have you met with the cemetery board?

Mr. Block – I still have to meet with them. I will send this to Fred Raphael.

Ms. Sturtevant – The cemetery board came before us.

Mr. Riley – I'm all set. The changes were added into the agreement.

Mr. Haworth – Has it been signed by Town Counsel?

Ms. Tripp – After you approve it I will send it to him.

Mr. Riley motioned to approve the Marsh Island Salt Marsh Restoration Project Construction Agreement pending Town Counsel review. Mr. Freitas seconded. Vote unanimous.

D. WES Construction – Payment #18

Mr. Haworth – There was a slight adjustment and we are paying a little less; \$60,000 off of this.

Mr. Riley motioned to approve Payment #18 to WES Construction in the amount of \$475,000.00. Mr. Hobson seconded. Vote unanimous.

Mr. Haworth – This past Thursday there was a meeting at the BPW to come up with the best possible solution to the tank issue.

J. Raymond Paczosa – Re: Request to Carry Over Vacation

Mr. Paczosa – I need to have hip replacement surgery. I want to save my three weeks' vacation to help while I'm out.

Mr. Haworth – Do you want to discuss this in executive session?

Mr. Paczosa – It doesn't matter. I will be having rehab so I might be out for awhile.

Mr. Hobson – I know you tried before. You want to save your time. You've been with the Town for a long time. You're not violating the union contract.

Ms. Sturtevant – I have no problem.

Mr. Riley – A couple of meetings ago we talked about planning. This is a different situation for medical reasons. Not a problem.

Mr. Freitas – One thing we talked about is not letting people do this. When does your vacation run out?

Mr. Paczosa – September 25th.

Mr. Freitas – How long will you be out?

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Mr. Paczosa – It depends, five to six months.

Mr. Freitas – Do you have any sick time?

Mr. Paczosa – No, family medical leave.

Mr. Freitas – We did discuss not carrying over vacation. You'll have eight weeks total?

Mr. Haworth – Each employee is unique. This is different, it's financial. I'm all for it.

Mr. Furtado – I concur.

Mr. Riley motioned to approve Raymond Paczosa to carry over three weeks' vacation. Ms. Sturtevant seconded. Vote unanimous.

E. Nexamp

1. Change Order #1

2. Final PV System Acceptance

Mr. Haworth – Still waiting for the roof issue. Stone off the roof, reimburse the Town.

Mr. Riley motioned to table Nexamp Items 1 and 2 until the next meeting. Ms. Sturtevant seconded. Vote unanimous.

F. Request to use Fort Phoenix for Wedding – May 26, 2012

Ms. Sturtevant – They want a tent and chairs. We've never done that before.

Mr. Riley – You can't have chairs. Maybe five for the elderly.

Mr. Freitas – I have questions. I want answers about the tent.

Mr. Hobson – Chairs for the elderly only.

Mr. Haworth – One concern is we haven't allowed tents before. Should allow the wedding with no tent.

Ms. Sturtevant motioned to allow the request to use Fort Phoenix on May 26, 2012 with no tent set up and only set up for the ceremony one to one and one-half hour before. Mr. Freitas seconded. Vote unanimous.

G. West Island Town Beach – Bus Issue

Ms. Tripp – We've had complaints that out of town buses are bringing in thirty to sixty kids at a time. We don't have a policy for this. The lifeguards said that you need one lifeguard for every twenty-five people in the water. I spoke with someone from the day-care facility and they said they would switch days and bring in only one bus at a time. It's something you will have to address next year.

IV. Appointments (Cont.)

D. Brandon Faneuf, Ecosystem – Re: Seaview Avenue Wetland Replication

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Mr. Faneuf – I am here with the Frye's who have an order of conditions from the Conservation Commission issued. John Rockwell from the Buzzards Bay Coalition looked at it. The problem is it's a low area. They want to fill it in but they are within the flood zone. He said there is no problem filling it in if we can find another area to dig. The wetland replication we are looking for is to find another area somewhere else in Town. Conservation has no problem using Town owned land. Their suggestion was to send us to the BPW. I talked with Mr. Furtado. We need to know where and how.

Mr. Haworth – Mr. Furtado called me on this. We have an area in back of the Recycle Center we had filled in. At some point, we're going to be requested to turn that back to wetlands.

Mr. Hobson – Where is this property?

Mr. Frye – I wanted to fill it in. I own the house on Ocean Avenue.

Ms. Sturtevant – How much replication?

Mr. Frye – Eight hundred, eighty-two square feet. It's a one to one ratio.

Ms. Sturtevant – How much do we have to replicate?

Mr. Haworth – About ten times that.

Mr. Riley – I'm fine with this.

Mr. Haworth – It's a win for you and a win for the Town.

Mr. Faneuf – How are we going to do it?

Mr. Frye – We're in the trucking business. If the Board approves this we can bring it and dump it there.

Mr. Faneuf – What about the liability issue?

Ms. Sturtevant – Conservation will tell you what they want.

Mr. Haworth – Talk to Andy Jones, the chairman.

Ms. Tripp – We have some information in the office that may be helpful when they were going to install the wind turbines.

Mr. Riley motioned to approve the 882' square foot replication of wetlands set by the Conservation Commission on BPW property. Mr. Freitas seconded. Vote 4-0 in favor. Mr. Hobson was absent for the vote.

H. Petition for Speed Control on Balsam Street

Mr. Haworth – We've received a petition from some of the residents asking for temporary speed bumps on Balsam Street. They want to come before us.

Mr. Hobson – We should do something for these people. You can't have speed bumps on Balsam Street. People will fall off of their bike at night.

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Mr. Freitas – This has been going on for twenty to thirty years. Unfortunately, there's not a lot that can be done. Send it to the police. A lot of kids play there in the summertime.

Ms. Sturtevant – Put some speed limit signs down there, 35 mph.

Mr. Haworth – Paint some crosswalks.

Mr. Riley – You'll have to check on the crosswalk.

Mr. Haworth – Check with the Police Department.

I. Pavao Construction – Re: Notice to Proceed – 67 Middle Street Drainage Project

Mr. Freitas motioned to sign the Notice to Proceed to Pavao Construction for the 67 Middle Street Drainage Project. Mr. Riley seconded. Vote unanimous.

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

Mr. Haworth – The Board of Health is asking for our assistance.

Mr. Riley – The Town Auction is September 17th. We need an auctioneer. I would like to nominate Vinnie.

Mr. Freitas – I have nothing.

Mr. Hobson – Spray the walls for weeds. We need to get a Town employee a license.

Mr. Furtado – For pesticides?

Mr. Hobson – Yes.

Ms. Sturtevant – I'm all set.

Mr. Haworth – The sign on the bike path at Shaw Road is rotted.

Mr. Furtado – I'm getting familiar with the projects and the people. I attended a street discontinuance meeting on River Avenue. There are no public utilities. Mr. Alvernaz, I wrote a letter to Datco. We need to have two board members to be on a review panel for Joyce's old position. I met with the worker's comp agent from AIM Mutual. We had a meeting for the 60% design plans for the pumping station upgrades for Taber and South Street. Ten years ago a Fort Street property put in a stamped asphalt sidewalk that's been damaged. They've got to fix it. Tighe & Bond doing the I&I Study. They are putting together a design for the sewer system and rating them by addresses first. We should get that by the end of September and maybe we can put something together for the October Town Meeting. We need to start a flushing program. We will start our staff meetings this week. One thing, we have a number of different engineering firms. We've been meeting with different engineers every day. We could also benefit if we had a light duty policy.

VII. Set Date for the Next Meeting

Mr. Riley motioned to hold the next meetings on August 29, 2011 and September 6, 2011. Ms. Sturtevant seconded. Vote unanimous.

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VIII. Executive Session and Adjourn

Mr. Haworth motioned to adjourn the open meeting at 7:55 p.m. and enter into executive session to discuss with the Town of Mattapoisett the Sewer Intermunicipal Agreement, ongoing issues with the Digester and a personnel matter and not to reconvene the open meeting. Mr. Hobson seconded.

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

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant