

**Town of Fairhaven  
Board of Public Works Meeting  
January 9, 2012**

Present

Geoffrey Haworth, Commissioner  
Robert Hobson, Commissioner  
Kathleen Sturtevant, Commissioner  
G. Steven Riley, Commissioner  
Vincent Furtado, BPW Superintendent  
Kathy Tripp, Administrative Assistant  
Edward Fortin, Water Superintendent  
Linda Schick, Sewer Superintendent  
John Charbonneau, Highway Superintendent  
Anthony DeCosta, A-1 Asphalt



Mr. Freitas was not in attendance.

**I. Call to Order**

Mr. Haworth called the meeting to order at 6:04 p.m.

**II. Routine Matters**

**A. Signing of Departmental Bills**

**III. Approval of Minutes**

**A. December 19, 2011**

Ms. Sturtevant motioned to approve the minutes of the December 19, 2011 meeting. Mr. Hobson seconded. Vote unanimous.

**IV. Appointments**

**A. Fairhaven Acushnet Land Preservation Trust – Re: Shipyard Farms**

The Board of Directors submitted a letter stating that they would not be in attendance.

Mr. Haworth – I received a call from the secretary last week discussing the maintenance of the property at Shipyard Farms.

Mr. Haworth read the letter.

Mr. Hobson – We've asked them two or three times to come in. They are taking the fields away from the farmer. They never responded. They meet in the fields. They don't answer to nobody. John Darwin told me to mind my own business. They do what they want, when they want.

**B. SITEC Engineering – Re: Washburn Avenue**

Ms. Tripp – They notified Friday afternoon that they would not be in attendance.

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**C. Anthony DeCosta, A-1 Asphalt – Re: 69 Gellette Road Driveway Apron**

Mr. Haworth – You did a driveway apron at 69 Gellette Road and failed to get the proper permit.

Mr. DeCosta – We started excavating and six feet in we hit a stone that we couldn't get in the bucket. It was Saturday and there was no one to call.

Mr. Hobson – Did he do what he was supposed to do?

Mr. Charbonneau – He could have replaced the curb.

Ms. Sturtevant – I agree. He's not even approved.

Mr. Charbonneau – He is approved. We have a twenty-four hour phone line. He excavated twenty-six feet and added nine feet to it without a permit.

Ms. Sturtevant – Do they have a fine?

Mr. Charbonneau – Yes and a suspension along with a fine. The contractors watch the meetings. You have to set precedent.

Mr. Riley – I don't disagree with anybody. If it was not approved you would still be in front of this Board. You are approved, that's what bothers me. You don't excavate and add another nine feet. Bring it back to twenty-six feet or what the Board wishes.

Mr. Haworth – Saturday, phone line.

Mr. DeCosta – I don't know what he's talking about. I will take it out and loam and seed.

Mr. Haworth – You extended it. I'm not buying it too well.

Mr. DeCosta – I had no intent of doing that.

Mr. Haworth – I say the fine should be \$300 and suspend work for three months when roadwork begins and put on probation thereafter and bring it back to twenty-six feet. There's no excuse.

Mr. Riley – I understand both positions. Putting it back, isn't that enough? The extra \$300 fine. Have there been any issues with the contractor before?

Mr. Charbonneau – No.

Mr. Riley – Put back the nine feet, loam and seed. It's his first time. He's not a habitual offender and go from there. That's my opinion. Putting the street back to where it was, that's the goal.

Mr. Hobson – What will that cost you?

Mr. DeCosta – A couple of hundred bucks.

Mr. Hobson – I would go along with Mr. Riley.

Ms. Sturtevant – John, what do you feel?

Mr. Charbonneau – I would fine him; bring it back to where it's supposed to be and suspension.

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Ms. Sturtevant – I support John. He should have known. Fine, brought back to original width and a suspension.

Ms. Sturtevant motioned to impose a \$300 fine, bring the driveway back where it should be and a three month suspension at the beginning of paving season. Mr. Haworth seconded. Vote 3-1 in favor with Mr. Riley opposed.

**D. Superintendents – Re: FY13 Budgets**

The Highway, Sewer and Water Superintendents presented their FY13 budgets.

**V. Items for Action**

**A. Bay State Contracting – Payment #5**

Mr. Riley motioned to approve payment #5 to Bay State Contracting in the amount of \$53,028.04. Ms. Sturtevant seconded. Vote unanimous.

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

Mr. Furtado – At the Special Town Meeting we transferred \$5,000 to use for a vehicle. I went to the government auction twice and saw a couple of vehicles. They are around \$7,000 or so. I sent a letter to the Selectmen requesting to get the Fire Departments' 95 Yukon which they declared as surplus. I'll just take that one for now. If there are more vehicles in the summer time I would still like to go to the auction.

Mr. Riley – The budget process is going better this time. We know there are fiscal constraints and we are only asking for what we need is commendable.

Mr. Furtado – The Superintendents do a good job. We met with Jeff Osuch today.

Mr. Hobson – I agree. You are doing an excellent job. It's making it easier for us. You took the extra time to level fund the budget. I've heard nothing but good reports about you.

Ms. Sturtevant – I'm glad I stuck to my guns and hired and new superintendent. You've been great.

Mr. Haworth – There is a letter addressed to us via Town Counsel Mr. Kennefick about the water and sewer arbitration and the unfair labor. They are going forward with this and they need to set some dates.

Mr. Furtado – 68 Howland Road; the homeowner paid the fine and he is requesting a letter that we will take no more action and the matter is closed.

I spoke with Mrs. Donnelly from Diamond Street. They got one quote for \$5,300. That seems a little excessive.

The shed on Eaton Road is still there. I will send them another letter.

At the last meeting with Mattapoisett we talked about giving Mattapoisett an additional 5% flow and try to get a value on what the buildings at the treatment plant are worth. Kathy mentioned to call the insurance company to see what they are insured for and we have those numbers.

Mr. Riley – Add the digester also.

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Mr. Furtado – Mass Highway amortization; they received my letter and I received an e-mail back about the cost overruns and being able to amortize it over three years.

The Town is able to sell the renewable energy credits.

I met with a couple of grease vendors. We will need grease for the digester. They would haul it in 9000 gallon tankers.

The annual reports have been submitted.

I had a cell phone issue. The Blackberry that I had broke and I've asked for a new phone. Currently I pay the difference over the average cost.

Mr. Haworth – It's been brought to my attention that other departments aren't doing that.

Mr. Haworth motioned to share the overage costs of the superintendent's cell phone between the four BPW budgets. Ms. Sturtevant seconded. Vote unanimous.

Mr. Hobson – The Recycle Center is open on Wednesdays now.

Mr. Furtado – Yes.

Kathy and I received a letter today from an issue with the Retirement Board about the rotation of men covering the beeper. The Town should have been taking retirement from this and it was not taken out. There was an audit done and now the men owe money.

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

Mr. Riley motioned to hold the next meeting on January 23, 2012. Mr. Hobson seconded. Vote unanimous.

**VIII. Adjourn and Executive Session**

Mr. Haworth motioned to adjourn the open session at 7:34 p.m. and enter into executive session to discuss the digester project and not to reconvene the open session. Mr. Hobson seconded.

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

Respectfully submitted,

Kathy A. Tripp  
Administrative Assistant