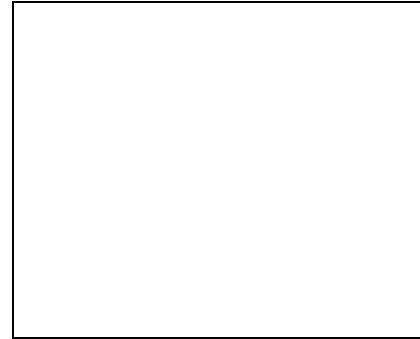


**Town of Fairhaven
Board of Public Works Meeting
February 27, 2012**

Present

Geoffrey Haworth, Commissioner
Robert Hobson, Commissioner
G. Steven Riley, Commissioner
Daniel Freitas, Commissioner
Vincent Furtado, BPW Superintendent
Kathy Tripp, Administrative Assistant



Ms. Sturtevant was not in attendance.

Mr. Hobson arrived at 6:28 p.m.

I. Call to Order

Mr. Haworth called the meeting to order at 6:06 p.m.

II. Routine Matters

A. Signing of Departmental Bills

III. Approval of Minutes

A. October 3, 2011, February 6, 2012

Mr. Riley motioned to approve the minutes of the October 3, 2011 and February 6, 2012 meetings. Mr. Freitas seconded. Vote unanimous.

B. October 3, 2011 – Executive Session (c), January 23, 2012 – Executive Session (b)

Mr. Riley motioned to approve the minutes of the October 3, 2011 Executive Session (c) and January 23, 2012 Executive Session (b). Mr. Freitas seconded. Vote unanimous.

IV. Appointments

A. Scott Rossiter – Re: Donation of Park Bench

Mr. Rossiter was not in attendance.

Ms. Tripp – I discussed this today with Mr. Charbonneau. We thought it would be a good idea to place it at Cushman Park near the small parking area on Green Street. If someone wanted to walk the track they could sit and change into sneakers.

Mr. Freitas motioned to accept the gift of a park bench from the family of Charlie Booth. Mr. Riley seconded. Vote unanimous.

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V. Items for Action

A. Bay State Contracting – Change Order #2

Mr. Furtado – This is for a time extension, no cost.

Mr. Riley motioned to approve Bay State Contracting Change Order #2 for a time extension. Mr. Freitas seconded. Vote unanimous.

B. Brown and Caldwell – Amendment #4

Mr. Furtado – This is the latest for various tasks. The price was negotiated back and forth. This is the final number. The Selectmen signed it a couple of weeks ago. It's their best guess.

Mr. Riley – After reading Amendment 4, I called Mr. Furtado and we spoke about adding “Not to Exceed” or it's like an open checkbook.

Mr. Freitas – Some of the things we talked about went down by thousands of dollars.

Mr. Haworth – Add without any written approval.

Ms. Tripp – The Town Accountant will not pay anything above what each task is valued at.

Mr. Furtado – I will send an email stating that the Board will sign but nothing further would be approved without written approval.

Mr. Freitas motioned to sign Amendment #4 with the stipulation that Mr. Furtado write a letter to Brown and Caldwell that the amount is not to exceed \$146,140.00 without written approval. Mr. Riley seconded. Vote unanimous.

C. Brown and Caldwell – Pay Requisition

Mr. Furtado – We are holding this. Some of the items on the invoice were combined with Amendment 4 and we want that separated. There have been some personnel changes. They are bringing new folks onboard. The Town should not have to pay for that.

D. WES Construction – Pay Requisition

Mr. Riley motioned to approve Pay Requisition #24 to WES Construction in the amount of \$204,927.55. Mr. Freitas seconded. Vote unanimous.

E. Washburn Avenue – Gravel Roadway

Mr. Furtado – This has been a long standing issue in front of us. SITEC came before you about a year ago and a few months back about this issue. The BPW voted that you wanted to put triple chip seal on the road. Conservation had an issue with that. They wanted gravel because of the emulsion run off into the adjacent wetlands. We met with Planning, who has jurisdiction over what is done. Planning gave us a few documents. The BPW can recommend and advise but we cannot vote on anything. John Charbonneau and I met with the Planning folks. Your vote was illegal. Moving forward, the Town has given a spec to the Planning Board that could be adopted as part of their regulation. We met with the Chairman and Bill Roth. They have the final say.

Mr. Freitas – I don't have a problem if this is the way it goes.

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Mr. Furtado – The Planning Board has the chip seal spec we talked about. We can't go backwards. We used triple chip seal on Balsam Street and Potter Street.

Mr. Hobson arrived at 6:28 p.m.

Mr. Furtado – They were not aware of past practice.

Mr. Riley – After reading a few pages, the rules and regulations apparently are clear. The jurisdiction resides with them, even though they ask our opinion. It's a little miscommunication.

Mr. Haworth – I had an extensive conversation with Mr. Hayward. Washburn is not an approved street. It's a glorified driveway. It's private property. It does have water and sewer.

Mr. Riley motioned to rescind the Board's vote to require chip seal on Washburn Avenue and at the will of the Planning Board to use gravel. Mr. Freitas seconded. Vote 3-1 in favor with Mr. Hobson opposed.

F. Fairhaven Bicentennial Committee – Use of Livesey Park 7/8/12

Mr. Haworth – It's for a parade on July 8, 2012.

Mr. Hobson – Anything we can do to help them out.

Mr. Riley – What they've done so far is great.

Mr. Freitas – I'm all in favor.

Mr. Haworth – It's a great time for the Town.

Mr. Freitas motioned to allow the Fairhaven Bicentennial Committee to use Livesey Park on July 8, 2012 from 9:00 to 2:00 p.m. Mr. Hobson seconded. Vote unanimous.

G. Fairhaven Tennis Association – Request for Storage Container at Cushman Park

Mr. Haworth – They want to put a storage container at Cushman Park.

Mr. Riley – I went to the park. It's an out of the place way. I'm fine with it.

Mr. Freitas – I've been contacted several times about the courts being locked up. It's still public property. I don't want to see any damage. The second thing the US tennis pro; check with the Rec Center. It's the same as with the track person. See if they need insurance.

Mr. Furtado – I will check with Warren.

Mr. Freitas – The lock has got to go.

Mr. Haworth – Last week I went by there and saw the sign. E-mailing a private resident isn't right.

Mr. Furtado – We would like to keep it locked but they could call here for the combination. It should be the same people who play all the time.

Mr. Riley motioned to approve the 8 x 10 container where noted on the drawing. Mr. Freitas seconded. Vote unanimous.

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Mr. Riley tabled the second part of request. Mr. Freitas seconded. Vote unanimous.

H. Negotiators for Highway Department

Mr. Hobson motioned to nominate Mr. Freitas to negotiate with the Highway Department. Mr. Riley seconded. Vote unanimous.

Mr. Freitas motioned to nominate Ms. Sturtevant negotiate with the Highway Department. Ms. Riley seconded. Vote unanimous.

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

Mr. Hobson – I have nothing tonight.

Mr. Riley – At the next meeting we need to put the water rates on the agenda. We have a shortfall. The rate hasn't been raised since 2006. We need to do this before we do the tiered system.

We might want to consider blocking off the bike path and limit the access for a three week period.

Mr. Haworth – Close it at Arsene Street.

Mr. Furtado – They hired security and they have been driving on the bike path in unmarked cars at all hours. I posed the question to our insurance company about liability.

Mr. Freitas – We received a letter from the Bicentennial Committee thanking Jorge Silva and Justyn Stack for pulling out the time capsule.

Mr. Haworth – We received a letter from Nexamp.

Mr. Riley – I'm checking into that.

Mr. Haworth – They claim it's a cosmetic blemish.

I had a conversation with Mr. Furtado about the Water District representatives. The Town of Fairhaven has three, Jeff Osuch, Richard Brodeur and the former Superintendent, Mr. Raphael. Two out of the three are not any way connected to the BPW. The Board has a disconnect with both people. Mr. Raphael is retired. Both terms expire soon, one in May and one in July. A current Board member or Mr. Furtado or Mr. Fortin should be on this. We need someone to keep us updated.

Mr. Furtado – It's not the intent to step on anyone's toes but the BPW is not being represented. Mr. Fortin or I should sit on that Board.

We had a representative from Wampanoag Drive come in. He is asking the Board if we would grade the road a couple of times a year and if would could buy materials, the association would spread it.

The letter from Mr. Hayward regarding Route 6; I spoke with Representative Straus and he contacted District 5 and requested that they send someone to clean up some of the debris. That will probably be a couple of weeks away.

The BPW requested of the Selectmen to use \$2,000 from the engineering funds to do a survey of North Street to finally get the street accepted from Castle Avenue to Main Street. The lowest bid came in at \$3,100. We would have to use \$1,100 from a prior road work article.

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The Nexant forms have been submitted for the renewable energy project.

There will be a meeting this Thursday with the Finance Committee at 7:30 to discuss the budgets.

Linda and I are meeting with John Nunes and Jeff Osuch tomorrow about the articles and discuss the certified cash. Ed and I will meet at the end of the week with them and talk about the water rates.

In March or early April the drainage on Balsam Street will start. We are all set with Bill Madden and Marc Deshaies.

Mr. Riley – Alden Road; Verizon moved the wires two weeks ago. When are they moving the telephone poles and tarring the road?

Mr. Furtado – We are waiting for Nstar.

VII. Set Date for the Next Meeting

Mr. Freitas motioned to hold the next meeting on March 12, 2012 at 6:30 p.m. Mr. Hobson seconded. Vote unanimous.

VIII. Adjourn and Executive Session

Mr. Haworth motioned to adjourn the open session at 7:19 p.m. and enter into executive session and not to reconvene the open session to discuss the Digester, Water and Sewer Agreements and Tibbetts Engineering.

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

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant