

**Town of Fairhaven  
Board of Public Works Meeting  
February 25, 2013**

Present

G. Steven Riley, Commissioner  
Robert Hobson, Commissioner  
Geoffrey Haworth, Commissioner  
Daniel Freitas, Commissioner  
Vincent Furtado, BPW Superintendent  
Kathy Tripp, Administrative Assistant  
Gregory Silver – Weybridge Road  
Kenneth Pottel - Fairhaven Bikeway Committee  
Rene Fleurent – Fairhaven Bikeway Committee  
Robert Espindola – Fairhaven Bikeway Committee  
Patrick O'Neale, Tata & Howard  
Edward Fortin, Water Superintendent



Ms. Sturtevant was not in attendance.

**I. Call to Order**

Mr. Riley called the meeting to order at 6:00 p.m.

**II. Routine Matters**

**A. Signing of Department Bills**

**III. Approval of Minutes**

**A. February 11, 2013**

Mr. Hobson motioned to approve the minutes of the February 11, 2013 meeting. Mr. Freitas seconded. Vote unanimous.

**IV. Appointments**

**A. Gregory Silver – Re: Weybridge Road**

Mr. Silver – I am here speaking on behalf of my parents about Weybridge Road between Eaton and Torrington. There is a gate that enters from Torrington by someone's property. Somehow, we don't want that property to be landlocked. Is the gate on Town property or private property? There are funds available from the Town and we would like to get the street surveyed in the proper place.

Mr. Riley – We would have to get some estimates from surveyors and present it to the Board of Selectmen.

Mr. Hobson motioned to get estimates from surveyors to find the boundaries of Weybridge Road. Mr. Freitas seconded. Vote unanimous.

**V. Items for Action**

**A. Maciel Street – Unaccepted Street Discontinuance**

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Mr. Riley – I think what they are doing is enhancing the building and refurbishing the Huttleston House.

Mr. Haworth motioned to discontinue Maciel Street between 134 and 140 Bridge Street, Map 25, between lots 86, 241, 241A and 244. Mr. Freitas seconded. Vote unanimous.

**B. Dogwood and Ebony Street – Unaccepted Street Discontinuance**

Mr. Hobson – Mr. Ristuccia has been given permission to build one house there. It's all wetlands. He wants to do away with the streets.

Mr. Freitas – I would like to look into this further.

Ms. Tripp – Comments were due to the Planning Board last Friday.

Mr. Hobson – It's the section near the Town Beach.

Mr. Freitas – I'm all set.

Mr. Hobson motioned to discontinue Dogwood and Ebony Streets between Rocky Point Road and Bass Creek Road on Map 43C between lots 193-28, 286-311 and 389-414. Mr. Freitas seconded. Vote unanimous.

**C. Request to use Fort Phoenix for Wedding – June 29, 2013**

Mr. Riley – I called the lady. She said there will be about eighty people.

Mr. Freitas – When I first started we talked about if they happen to make a mess we should at least take a deposit in case something happens.

Mr. Riley – That would be a good policy, put it on the next agenda.

Mr. Freitas motioned to approve the request to use Fort Phoenix for a wedding on June 29, 2013 with the standard regulations. Mr. Hobson seconded. Vote unanimous.

**D. Request to use West Island Town Beach for Wedding – May 31, 2014**

Mr. Riley – They are expecting between 50 – 115 people. I'd like to know where it's going to be.

Ms. Tripp – They usually go after the boardwalk.

Mr. Haworth – I'm pretty comfortable wherever they go. The beach isn't opened yet.

Mr. Haworth motioned to approve the request to use the West Island Town Beach for a wedding on May 31, 2014. Mr. Freitas seconded. Vote unanimous.

**VIII. Upcoming Meetings**

**A. Highway Negotiations – February 28<sup>th</sup> @ 4:30 p.m.**

**B. Finance Committee – March 7<sup>th</sup> @ 7:00 p.m.**

**C. Sewer & Water Negotiations – March 8<sup>th</sup> @ 4:00 p.m.**

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

Mr. Riley – A resident from Eaton Road has a drainage problem. They contacted Mr. Hobson. He has some pictures.

Mr. Hobson – It's at the end of Briercliffe Road at Eaton Road, #8 and #8 ½. The water was never there before. They need some relief from the Town, Mosquito Control or the Corps of Engineers. If they had a cellar it would be full. There is a major drainage problem there.

Mr. Freitas – When it's low tide take the jet rodder towards the house.

Mr. Hobson – They can't even pump this out.

Mr. Furtado – We want to help out. We have to wait for Bristol County Mosquito Control and the Army Corps of Engineers.

Mr. Riley – He'll go by there tomorrow.

**IV. Appointments (Continued)**

**B. Fairhaven Bikeway Committee**

Mr. Pottel – Two things, we have signage that we would like to put up that reads "Southcoast Bikeway". Eight or nine years ago the committee worked on the bike path. It eventually will go from Rhode Island to the Canal. Fairhaven is the model. We want to allow new signage.

Mr. Espindola – We received a grant and we bought a number of signs for the existing bike path. There is a website on the sign. People will read it and go to the website to see what it's all about. We don't want to add new signs, but replace them with these. We can do it or the BPW can do it. We want to keep the Phoenix Bike Trail signs. We are asking permission to put them on the existing sign posts. We can help to put them up or we have volunteers.

Mr. Haworth – It's a good idea.

Mr. Freitas – Is the Southcoast Bikeway private?

Mr. Espindola – It was formed 1 ½ years ago with SRPEDD. There are representatives with all the paths on the route, ten communities.

Mr. Freitas – I'm not against it but in the future if something happens, we will be the bad guys.

Mr. Pottel – I've talked to Representative Straus. He is behind us on this.

Mr. Espindola – Some towns have already put the signs up.

Mr. Riley – It would be easier if the BPW put the signs up.

Mr. Freitas – The bike path needs more asphalt. Is there money out there? There is only 2" instead of 4".

Mr. Espindola – Could you give me the cost to add an extra 2"?

Mr. Hobson – Fairhaven was one of the first and has one of the best. Maybe you could do a fundraiser?

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Mr. Haworth – Do you have extra signs?

Mr. Espindola – We can reorder some. I have one extra here.

Mr. Fleurent – We want to make the bike path safer for cyclists. One part is at Scoticut Neck Road. Myself, I've been up and down it numerous times and have almost been hit a few times. Traffic coming from Route 240 is at high speed, there are businesses on both sides. Some people are unfamiliar with it and sometimes a motorist will stop and cars pass on the inside. The question is if and when someone gets hit. We had a meeting with Vinnie and John Charbonneau and came up with a design to improve the intersection. We'd like to provide a handicap bump out. John had concerns that it would be hit by a plow and could damage the equipment or the ramp. We could narrow the road.

Mr. Fortin – That road was widened with the Stop and Shop plaza was built.

Mr. Riley – There will be a lot more traffic next August when the school opens.

Mr. Furtado – I'd like to meet again with John and myself. I believe it has to be engineered and ask Mass D.O.T. for their approval.

Ms. Tripp – You could use Chapter 90 money. We used it the last time.

Mr. Haworth motioned to have the BPW put up the new signs. Mr. Hobson seconded. Vote unanimous.

**C. Patrick O'Neale, Tata & Howard – Re: DEP Water Use Restrictions**

Mr. O'Neale explained to the BPW about the update from DEP on Water Management and Act Permitting, Sustainable Water Management Initiative Framework Draft Offset/Mitigation and the Water Management Act Permit Renewal.

Mr. O'Neale – At the end of this year we will have a by-law ready for review.

Mr. Riley – We voted last year for you to look at the water rates. At a previous meeting we recapped the new indirect costs. The rates are going to have to be increased to sustain our normal function.

Mr. O'Neale – Yes.

Mr. Riley – This Board has had to deal with some conservation before by homeowners watering on odd/even days. We have to be as proactive as we can. We can't be water cops.

Mr. O'Neale – The by-law has to include fines.

Ms. Tripp – Mattapoisett and Marion bill on the tier system.

Mr. O'Neale – The tier system is recommended by DEP.

Mr. Riley – Will you have that ready by May?

Mr. O'Neale – It could be.

Mr. Fortin – We have to include capital improvements information into the rates and the indirect costs.

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

Mr. Hobson – The D.O.R. Report; nobody on this Board has even mentioned it. The Selectmen voted to eliminate it.

Mr. Furtado – The D.O.R. Report is the one who made the suggestion. It's not written in stone.

Mr. Haworth – The snow budget?

Ms. Tripp – I can give you those figures tomorrow.

Mr. Freitas – Shawn Francis evaluation was very good. Josh Souza received his water license. What happened on Adams Street?

Mr. Furtado – I sent an email out to the Board members. I received three responses. One said yes and two said no. I know it's been done in the past.

Mr. Freitas – I know there is a double sweep to Brown Street which makes it much easier. The Town has to fix it at some point. They screwed it up when they put the sewer in. It needs a new sewer line. There are three neighbors involved and a parking lot. When we did it she signed an agreement to go from the double sweep.

Mr. Furtado – I spoke with Town Counsel and if something broke that agreement would not hold up in court.

Mr. Freitas – The article in the newspaper about the Treatment Plant and the Digester. I want to know what's going on.

Mr. Furtado – I got called by the newspaper. I explained to the woman that the treatment plant never shuts down. The digester and the plant we want to optimize to the greatest extent. We are in compliance with the plant.

Mr. Freitas – I want to see ninety days worth of labs, and the last three months of State reports. I'd like to have it by Thursday and discuss it in executive session at the next meeting.

Mr. Riley – Why executive session?

Mr. Freitas – I'll ask a question later.

Mr. Riley – There is a letter in our packets from Attorney Badwey. He is my personal attorney so I don't want to speak on this.

Mr. Haworth read the letter from Attorney Badwey regarding the West Island Town Beach and the Lloyd Center and the Piping Plovers.

Ms. Tripp – There are an endangered species.

Mr. Freitas – What gives them the right to put signs up on our property?

Mr. Riley – Invite them to the next meeting.

Mr. Hobson – Mr. Badwey is my attorney also.

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Superintendents Report for February 25, 2103:

- Snow event February 8, 9, 10
- Snow event February 17
- Submitted deficit spending letter because of snow events' costs
- FST meeting re: changes to Mattapoisett Inter-municipal Agreement to include indirect charges and debt payments
- Digester optimization continues
- Opened recycle on Saturday (2-16) due to storm debris
- DEP visit re: digester
- Economic meeting; three budgets presented. Selectmen need to select one so we can prepare for indirect costs and other budget items with the selected budget
- Conference call with BC re digester issues/DEP visit
- Pesticide exam
- Met with Michael Murray from Senator's Office concerning Transportation Bill. Submitted list of infrastructure projects and approximate values
- Public Works met with MEMA representatives re: recouping costs for some of the recent storms. Future meetings and money requests pending for costs of additional most recent storms

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

Mr. Hobson motioned to hold the next meeting on March 11, 2013 at 6:00 p.m. Mr. Haworth seconded. Vote unanimous.

**X. Adjourn**

Mr. Haworth motioned to adjourn the open session at 8:02 p.m. and enter into executive session to discuss the BPW Superintendent's Employee Department Evaluations and Union Negotiations and not to reconvene in open session. Mr. Hobson seconded. Vote unanimous.

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

Respectfully submitted,

Kathy A. Tripp  
Administrative Assistant

Minutes approved March 11, 2013.