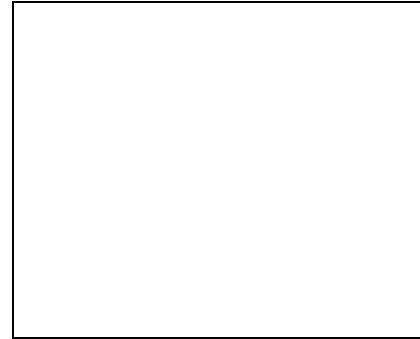


**Town of Fairhaven  
Board of Public Works Meeting  
August 12, 2013**

Present

G. Steven Riley, Commissioner  
Robert Hobson, Commissioner  
Kathleen Sturtevant Commissioner  
Michael Ristuccia, Commissioner  
Brian Wotton, Commissioner  
Vincent Furtado, BPW Superintendent  
Kathy Tripp, Administrative Assistant  
John Kopaczewski  
Ann Richard  
Frank Coelho and Residents



**I. Call to Order**

Mr. Riley called the meeting to order at 5:30 p.m.

**II. Routine Matters**

**A. Signing of Departmental Bills**

**III. Approval of Minutes**

**A. July 22, 2013**

Mr. Wotton motioned to approve the minutes of the July 22, 2013 meeting. Ms. Ristuccia seconded. Vote 4-0 in favor with Ms. Sturtevant abstaining.

**B. July 22, 2013 – Executive Session**

Mr. Wotton motioned to approve the minutes of the July 22, 2013 executive session. Mr. Ristuccia seconded. Vote 4-0 in favor with Ms. Sturtevant abstaining.

**IV. Appointments**

**A. John Kopaczewski, 23 Point Street – Re: Driveway Waiver**

Mr. Kopaczewski – I would like to put an additional driveway in so that we could drive a car under the house from the front and go out the back. Point Street has a dirt driveway. It's on the corner of Rockland and Point. I spoke with Wayne Fostin and he didn't seem to think there would be a problem with conservation and John Charbonneau didn't have a problem with it.

Mr. Riley – It's a thirteen foot opening.

Mr. Wotton – I went by. I don't see a problem. Are you going to do anything with the sidewalk that was there?

Mr. Kopaczewski – There are no other sidewalks on the street. I wasn't planning on putting in a sidewalk. I was going to ask you if I could remove it.

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Mr. Riley – What will you replace it with?

Mr. Kopaczewski – The next door neighbors have grass.

Mr. Wotton – Right now it's a tripping hazard.

Mr. Kopaczewski – I'd like to take it out and put grass.

Mr. Ristuccia – Point Street is accepted. In the event that it is asphalted because it is dirt now, you might want to check to see what the elevation should be at.

Mr. Riley – It could be chip sealed or asphalt, but not in the near future.

Mr. Kopaczewski – I'll check with John. Maybe we'll put it a little bit higher.

Mr. Hobson – I have no problem with the driveway. Make sure Mr. Charbonneau approves it.

Mr. Riley – Are you putting in concrete or asphalt?

Mr. Kopaczewski – I'm leaning towards concrete. I have to check with Wayne.

Mr. Ristuccia motioned to approve an additional thirteen foot opening for 23 Point Street. Ms. Sturtevant seconded. Vote unanimous.

**B. Ann Richard – Re: Livesey Park Skate Park**

Ms. Richard – I want to talk about the skate park. I've come before you for events. We've had three fundraisers with the Middle School for community service projects. I'm asking for support for a CPC article to do a major renovation for the skate park. I've checked with a consultant. The grant is due in November.

Mr. Ristuccia – It's very similar what was done with the tennis courts.

Mr. Furtado – The Board sponsored the CPC grant. She needs a sponsor.

Ms. Sturtevant – That's great. They do need some repairs.

Ms. Richard – I've been working with John Charbonneau to fix what's there now. Some of the ramps can be salvaged.

Mr. Hobson – We appreciate your time.

Mr. Riley – You've done an unbelievable job with your civic duty and responsibility. We are happy to lend our support.

Mr. Hobson motioned to support using CPC funds to revamp the skate park at Livesey Park. Ms. Sturtevant seconded. Vote unanimous.

**C. Frank Coelho – Re: Water and Sewer Rates**

Mr. Coelho – I have been a town meeting member for fifty years. Seniors are on a fixed income. I would like you to rescind your vote for the increase in water and sewer rates. In a memo submitted at town meeting it said that the budgets were level funded and 2014 revenues projected were not scheduled for

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an increase. It's a twenty-four percent increase. People are still trying to pay off the betterment. You should have done this gradually and not all at once.

Mr. Riley – It was not initiated by the Board of Public Works to do this all at once. We met with the Board of Selectmen in March to increase the rates over a two to three year period. The Board of Selectmen and the Finance Committee are following the Department of Revenue report regarding the indirect costs. The general fund needs to recoup that money. It amounts to an additional \$400,000 between the two enterprise funds. We petitioned to phase it in a two or three year period. They wanted all the money in one shot. That was their decision. That money given to the general fund has to be recouped. The Department of Revenue told them how to calculate it.

Mr. Furtado – The water and sewer operates on an enterprise system and not by tax dollars. The overall costs include salaries and day to day costs which are direct costs. There are also indirect costs. For example, the person that does the payroll spends a certain amount of time on the water and sewer payroll. A certain percentage of that person's salary would be indirect costs including their benefits. We met with the Selectmen and Finance Committee numerous times. The water indirect costs were \$250,000 and now it is \$415,000. That's an increase of \$165,000. The sewer indirect costs were \$300,000 and now it is \$550,000. That is up \$250,000. We are going to start billing on the tier system in the future. The more water you use the higher rate you will pay. We didn't want to raise the rates but we had no choice.

Mr. Riley – The five of use all live in Fairhaven and we are taxpayers.

Mr. Wotton – Your percentage is not correct. It's 11% for water and 12% for sewer. We didn't want to raise the rates. We were all opposed to it.

Ms. Sturtevant – I agree. We had no choice. Our hands are tied.

Mr. Hobson – I voted for it because we had to. I can understand their complaints. Their complaints should go to the Finance Committee and Selectmen. They didn't want to vote it over the two to three years. Selectmen Espindola brought in the D.O.R. from Boston. For the same usage Marion pays \$868.00, Mattapoissett pays \$853.00 and Fairhaven pays \$429.00. The water comes from the same system. New Bedford pays \$291.00 but their water comes from a reservoir. The water and sewer can't make a profit.

Mr. Ristuccia – You should know for sure that we didn't want to raise the rates. We have to make up \$400,000, so that being said we had no choice. I am dismayed by the way the whole process happened. The budget at Town Meeting already figured the \$400,000 increase to the general fund.

Mr. Riley – We have always paid indirect costs.

The Board took a ten minutes recess at 6:45 p.m.

Mr. Hobson motioned to enter into executive session at 6:55 p.m. to discuss a Highway Grievance and will resume the open session at its' conclusion. Mr. Wotton seconded. Vote unanimous.

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

Open session resumed at 7:15 p.m.

Mr. Riley motioned to request the use of Town Counsel regarding M.G.L. 150E. Mr. Hobson seconded. Vote unanimous.

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**V. Items for Action**

**A. Fay, Spofford & Thorndike – Agreement for Professional Services  
Sewer System Selective Rehabilitation Design & Construction Engineering**

Mr. Furtado – The agreement is for the upgrade of the sewer pipe that is need of repair.

Mr. Hobson motioned to sign the agreement with Fay, Spofford & Thorndike, not to exceed \$80,000.00.  
Mr. Ristuccia seconded. Vote unanimous.

**B. Nuwater Inc. – Upgrades to Pump Stations; Payment #1**

Mr. Furtado – This is for the work they've been doing on the sewer pump stations.

Mr. Hobson motioned to approve Payment #1 to Nuwater Inc. in the amount of \$60,439.00.

**C. Nuwater Inc. – Change Order #1**

Mr. Furtado – This is for the replacement of the diffused air distribution piping. Once they tore it apart it needed to be fully replaced.

Ms. Tripp – I do not have the originals.

Ms. Sturtevant motioned to approve Change Order #1 and sign once received. Mr. Wotton seconded.  
Vote unanimous.

**D. Vermont Recreational; Livesey Park Surface Repair Project – Payment**

Mr. Riley – Bob Foster helped us with the fixing up of the park surfaces. They did a fantastic job. I would also like to thank them for contributing to the fund.

Mr. Hobson motioned to approve the payment of \$27,190 which will be paid from the CPC article. Mr. Wotton seconded. Vote unanimous.

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

Superintendent's Report:

From last meeting:

- The crosswalk at Scoticut Neck Road and David Drown Boulevard has been completed along with Orchard Street. The crosswalks at Wood school will be done by the Wood School contractor, after they cold plane and overlay the piece in front of the school
- The tractor with flail arm has been dispatched to various streets throughout the Town to tackle bush overgrowth – work in progress
- Gate attendants were notified concerning beach double parking and to allow access for vehicles to circle freely around tower
- Forwarded request to Mass DOT concerning traffic light timing sequence at Bridge and Alden

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- Highway Department maintains a short piece of roadway from the end of Dogwood to a turnaround area in respect to Dogwood/Bella Vista area

New Items:

- Ordered and set new jersey barrier for Livesey Park – schools paid for barrier
- Vermont Recreation began and completed work on repairing courts and rink and Livesey – they did a fantastic job!!
- Teach wastewater classes
- Meeting with FST concerning Articles – pump station and wastewater upgrades, sewer tie inspections and Intermunicipal Agreement with Mattapoisett
- Began Light Duty Policy – Union has grieved this – meeting set with the Board to hear grievance and with Union to discuss bargaining. We should obtain an opinion from Town Counsel on this matter
- Met with Tom Crotty's office re: finishing Howland Rd project
- Met with Jeff Osuch and Mike Gagne (Mattapoisett) – concerning resident concerns about spillway river levels
- Provided indirect cost explanations to some residents who were concerned over water/sewer rates
- Completed sewer harassment letter and response – will coordinate training concerning this matter and implement some changes
- Franklin didn't complete work at Treasure Bay Lane – bonded contractor to Town – Town sent him notice that he no longer may work here – perhaps in future we could require \$\$ left as deposit when any sewer work is done
- Received a complaint concerning Thompson Street drainage – swale needs to be cleaned
- Changed some signs for Police
- Gas Roof (we had an Article for this repair) has been completed
- Fairhaven Schools have signed on with a program called safe Routes to School – which encourages kids to walk and bike to school and offers a number of tools to help, from encouragement incentives to real infrastructure planning and funding. BPW will take place in first step which is walk-bike assessment.
- Manjiro festival will take place on Oct 5. Request for BPW to provide some services (trash and blocking of streets)

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- DC Construction (319 grant – tree box filters) project completed. We will be paying them incrementally over this year (we have retained \$4800) to ensure warranty is met.

Mr. Hobson – Union Wharf; can you put another barrel down there?

Shipyard needs the prisoners to cut it back and spray.

Leroy from Orchard Street; the Town promised him an apron to his driveway but never did it.

Ms. Sturtevant – A lot of people have stopped me on the Neck to say how nice the crew was doing the catch basins.

Last Sunday I was at the West Island Town Beach. I just wanted to bring this to the Boards attention. I was at the gate and there was a gentleman that refused to pay. He was disrespectful. She called the head lifeguard and then called the police. She had a line of cars and was flustered. I tried to help her out. The person ending up paying and apologized to the head lifeguard but not to her. Maybe we should put a cone when they enter so they have to stop.

Mr. Wotton – Fort Phoenix was a mess last week.

The overpass at Route 195 fifteen feet before and after. Does the state maintain that? Also at Mill and Bridge at the intersections the grass needs to be cut back.

Mr. Ristuccia – Does anyone know how the piping plovers are doing?

Mr. Hobson – I think they took some of the fence down.

Mr. Riley – We have a letter from Mr. Benac to Mr. Charbonneau about the Joshua Slocum signage thanking us.

The five-year capital plan; can we have a copy of that for the next meeting?

Scoticut Neck Road; the contractor repaving Wood School, are they paving it up to the blinking lights? They should coordinate that at the same time.

What we pay for line painting, can't we buy a machine and paint the lines and crosswalks ourselves? Buy one and have the Highway Department do it.

I need to step down as chairman. The next few months are going to be busy for me at work and I have a lot of demands to take on. I need to step down for ninety days. Mr. Hobson, you're it.

Mr. Hobson – Anybody else want it?

Mr. Riley motioned to have Mr. Hobson serve as chairman. Mr. Wotton seconded. Vote unanimous.

Mr. Riley motioned to have Mr. Ristuccia serve as vice-chairman. Ms. Sturtevant seconded. Vote unanimous.

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**VI. Set Date for Next Meeting**

Mr. Hobson motioned to hold the next meeting on August 26, 2013 at 6:00 p.m. Mr. Wotton seconded. Vote unanimous.

**VII. Adjourn**

Mr. Hobson motioned to adjourn at 7:42 p.m. Mr. Riley seconded. Vote unanimous.

Respectfully submitted,

Kathy A. Tripp  
Administrative Assistant

Minutes approved August 26, 2013.