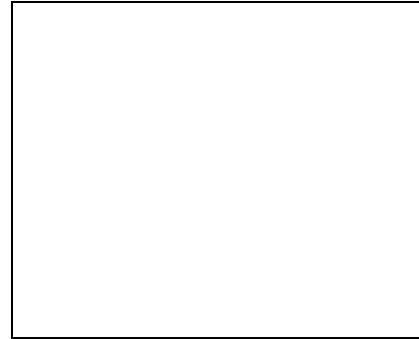


**Town of Fairhaven
Board of Public Works Meeting
February 24, 2014**

Present

G. Steven Riley, Commissioner
Robert Hobson, Commissioner
Michael Ristuccia, Commissioner
Brian Wotton, Commissioner
Vincent Furtado, BPW Superintendent
Kathy Tripp, Administrative Assistant
Frank Faria, Alferes Realty
Jeffrey Antil, 249 Adams Street
Jeannine Lopes, Board of Health
Barbara Acksen, Board of Health
Peter DeTerra, Board of Health
Patricia Fowle, Health Agent
Michael Camara, ABC Disposal
Kenneth Camara, ABC Disposal
Jerry Dugan, ABC Disposal
Dan Balboni, ABC Disposal
Mark Oliver, ABC Disposal
Linda Therrien, Resident
Donald Mulcare, Resident



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 Departmental Bills

III. Approval of Minutes

A. February 10, 2014

Mr. Hobson motioned to approve the minutes of the February 10, 2014 meeting. Mr. Wotton seconded.
Vote unanimous.

IV. Appointments

**A. Frank Faria, Alferes Realty; Jeffrey Antil, Property Owner
Re: 249 Adams Street, Sidewalk Easement (Brown Street)**

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Mr. Riley – Request is for the 249 Adams Street sidewalk. There is a letter from Building Inspector stating that his jurisdiction ends at the property line. Annex of steps has been there a long time. They are here to explain their needs.

Mr. Antil – I am the owner of the property and I have entertained some offers on the property. I have owned it myself or my dad since 1988. The steps were long there before. We did not know they were on Town property until we tried to sell it. It is the facilities second egress. There is no other way to do it because of the secondary steps. The porch has been on Town property for many years.

Mr. Wotton – I have no questions.

Mr. Ristuccia – I don't have any questions as far as the situation as it exists. According to the letter they have been there a long time. No reason not to do what is necessary. What is there is a potential liability to the Town. The Town has a responsibility.

Mr. Riley – We would need an easement.

Mr. Ristuccia - Some sort of an indemnification.

Mr. Antil – The Town has a sewer line easement going thru both of my properties.

Mr. Hobson – They were in business for fifty years. I look at this like the situation like we had at Cushman Park. Similar situation. There is a process thru the Town. You will have to go thru the same process. Very similar to that. I'm sorry to see you go out of business.

Mr. Riley – Basically as it's more of a necessity. On Green Street it was the entrance to his house. The easement gets worked out with the Board of Selectmen. Special Town Meeting Articles are due March 28th. Your attorney would have to write something. Hardship because you have to sell the property. Once approved with the Board of Selectmen, the Town lawyer and your lawyer. If the Town votes it, it will protect you and protect the town. Technically the Selectmen own the sidewalks. It's about 2 ½ to 3 feet on Town property.

Mr. Ristuccia motioned to support the easement for 249 Adams Street on Brown Street. Mr. Wotton seconded. Vote unanimous.

**B. ABC Disposal; Michael Camara, Kenneth Camara, Jerry Dugan, Dan Balboni, Mark Oliver
Fairhaven Board of Health; Jeannine Lopes, Barbara Acksen, Peter DeTerra, Patricia Fowle**

Mr. Riley – ABC Disposal is here to make a presentation and then we will go into executive session to discuss the contract. I will listen to the proposal but I will reclude myself from executive session because ABC does business with the company I work for.

Mr. Camara – I have brought with me my brother Kenny, Dan Balboni, Jerry Dugan, and Mark Oliver.

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Mr. Dugan – Tonight is a proposal offer to the Town of Fairhaven for a curbside automated cart program.

Mr. Dugan gave a presentation on the automated cart program for solid waste and recycling. A pamphlet was handed out to each Board member to follow.

Mr. Camara – We are in the process of building a new plant in Rochester called ZeroWaste.

Ms. Acksen – Will this handle the condominiums?

Mr. Camara – Only the ones that are approved.

Ms. Fowle – That is a smart question to ask. Condominiums are private. Individuals bring it to the curb and we would supply those to the individual.

Ms. Lopes – What are we going to do with the streets that have homes with multiple families?

Mr. Camara – If there is a car in front of the cart, the driver can get out. Most houses they are able to stay in the cab.

Mr. Balboni - In Newton and Springfield there are multiple buildings and in Fall River. The driver will get out.

Mr. DeTerra – What if someone wants extra bins?

Mr. Camara – If they can show cause, absolutely.

Mr. Dugan – If they are recycling they will not need more trash carts.

Ms. Acksen – Talking about single stream; milk cartons some are acceptable and some are not acceptable. How do we explain that?

Mr. Oliver – If there is a wax coating on the inside it is not acceptable.

Mr. Wotton – My question is off of Peters, multiple carts. Currently I have about four garbage barrels a week. Four will not fit into that one. I also live on a private street. I have to bring my garbage up ¾ of a mile to the top of the road. Older people have these same situations. Is there a smaller version of that recycle cart?

Mr. Camara – Yes. We can switch the covers. They also make a trash caddy and you could run it right down the driveway.

Mr. Ristuccia – Well, I have a question I'm not sure you can answer. Just based on what I see on the size of this trash container. How are you going to police what goes into each cart?

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Mr. Dugan – There is a camera in the truck. We will notify the Town.

Mr. Ristuccia – The goal here is to get people to recycle. Everything. A lot comes down to the driver. Does your company have something in place?

Mr. Dugan – Plymouth stated January 1st. It's a learning curve. In February, we had about five or six a day. Pay as you throw we can tell. The Town addresses it with the resident. We track all that.

Ms. Fowle – The Board of Health works with Marc. We get a lot of calls. If there is a problem communication is always very good. We do contact residents. Smart questions, should the town use pay as you throw with this process? Will it be viable?

Mr. Camara – We are doing this in Plymouth and it is working it very well.

Mr. Ristuccia – Who would enforce that?

Mr. Dugan – We work together with the Town. We don't have the authority to address it with the resident.

Mr. Hobson – I know we have to change. The system works now you pick up couches and we don't have to pay.

Mr. Dugan – What you are paying is a tip fee.

Mr. Hobson – Can't we do this for one more year?

Mr. Riley – We could talk about that in contract negotiations.

Mr. Hobson- What happens if someone steals my barrel?

Mr. Dugan – There is a serial number on the cart and we can track that. I haven't had a missing cart.

Mr. Camara – We will replace it.

Mr. Hobson – The truck driver can operate it in or out?

Mr. Camara – Both.

Mr. Hobson– I know a lot of people in Town and they don't want to pay for bags.

Mr. Riley – Will you follow up with stolen and damaged barrels?

Mr. Camara– Yes.

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Mr. Riley – Multi families?

Mr. Dugan – There is a formula that we use.

Mr. Hobson – What about a couch?

Mr. Dugan – Nothing will change.

Mr. Riley – Multi family still no change.

Mr. Dugan – Yes.

Mr. Riley – The short time in Plymouth how has it been with the snow piles and the carts?

Mr. Camara – We've been doing Westport and Lakeville since 2011 and there is no problem.

Mr. Riley – How many trucks?

Mr. Dugan – Probably the same amount, three trucks.

Ms. Therrien – I was a rural carrier. Every town I worked in they put them in front of the mailbox. Is there anything you can put into the instructions?

Mr. Dugan – We put in the flyer where they should go. Not in front of a mailbox or a tree.

Mr. Mulcare – One thing, a 95 gallon container will take awhile to fill up. We are zealous recyclers. It would take a month to fill that. Could you pick that thing up every two weeks? Currently you pick up recycling every two weeks.

Mr. Dugan – We have to use the route sheet.

Mr. Espindola – Things you may not have discussed, in general terms the percentage of recycling Lakeville and Westport have increased in their recycling?

Mr. Dugan – Westport and Lakeville went up an additional 7 to 8%. Last time in December we were about 19%. Plymouth the first month was 24%. Fairhaven now is 14%. DEP says somewhere of a 20% increase when switched. Single stream, there is not a lot of items that cannot go into the recycle bin.

Mr. Espindola – The pay for throw vendor?

Mr. Riley - He met with Mr. Furtado. We are giving them a courtesy to come in and speak with us. Next we will be meeting in executive session to discuss the contract.

Mr. Ristuccia motioned to adjourn the open session and enter into executive session at 6:45 p.m. reconvening the open session at its conclusion. Mr. Wotton seconded. Vote unanimous.

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Roll call taken: Mr. Riley, Mr. Hobson, Mr. Ristuccia and Mr. Wotton seconded.

Mr. Riley left the meeting.

Open session resumed at 7:15 p.m.

V. Items for Action

A. Pavao Construction – Fort Street Roadway Improvement Project – Payment #7

Mr. Hobson motioned to table Pavao Construction Payment #7. Mr. Ristuccia seconded. Vote unanimous.

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

Mr. Wotton – There were streets that needed to be repaved. I called Vinnie on Friday and they were done.

Mr. Ristuccia – I have nothing.

Mr. Hobson – Today I went down to the Town Hall and I was talking to Mr. Osuch because he used to be the BPW Superintendent, about the recycling center. He doesn't see any reason why this recycle center can't be moved to over there somehow. I've been on the Board seven years and I've been bringing this up and it doesn't get anywhere. Get a committee and do something about it. Plans from the old dump that shows where it used to be. I agree with some of those piles could be moved over to here and make room over there. Somebody from the Selectmen, Board of Health, Vinnie and two Board members. I would volunteer. I just want to see it move forward.

Mr. Furtado – I've asked this questions six times and I have six different answers; DEP permitting.

Mr. Riley – There is a section of that land more towards the back where the steel building is and where the rolloffs were in the older dump 40 years ago before they moved it back. That area probably say the length of the opening from the animal shelter to the compost pile a couple hundred yards deep. Less DEP unfriendly.

Mr. Furtado – I will contact DEP and see what they say.

Mr. Riley – When we meet with the Board of Health on the 10th we can talk about that section of the landfill and options at Bridge Street and see where we can go. We have a request from Anne Silvia about a grant. Have Mr. Charbonneau read it and have him at the March 10th meeting at 6:00 and schedule the Board of Health at 6:15.

Mr. Furtado – Just want to bring to your attention a few items. We got the approval to deficit spend another \$10,000 for snow and ice. The NPDES permit is back in the forefront. We had a conference

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call last week. It's been sitting for four years. A new EPA intern has been assigned the permit. It's going to be forthcoming. Upgrades to the treatment plant. I am meeting the state next week for the payment plan for Howland Road. We owe them almost \$600,000. My intent is to pay \$200,000 a year for three years and receive less of an allotment. Tibbetts into the mix or work on a portion of the road that the state owns, Adams, Main Street; this way the money never leaves the Town. Lastly, Tata and Howard, the Town's water department engineer; we finally received a copy of the draft report for the water rate structure for the three tier system. The three tier is the way DEP wants us to go. Try to keep the seniors as level funded as we can. Use more, pay more.

Mr. Riley – Put that on the March 24th agenda.

Mr. Furtado – That takes into effect our indirect costs and projects by the Capital Efficiency Plan.

Superintendent's Report for February 24, 2014:

- Many snow removal efforts
- Attend Mattapoissett River Valley meeting
- Conference call re: MEP Response
- Teach Wastewater class for sewer employees
- Provide Select board digester update
- Oliver Street chicane letter from independent engineering firm
- Tata and Howard Water Tier/rate draft report review
- Prepare and attend Special Town Meeting
- Added isolation valve to sample taps on the digester
- Issue with cemetery wall damage / Munitech
- Request to deficit spend an additional \$10,000 in snow and ice account
- Attend department head economic meeting
- Conference call with EPA re: Fairhaven NPDES permit
- Set up meeting to attend Howland Road payment pay back plan
- Set up meeting to meet with expert witness re: Howland Road/Tibbetts

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VII. Set Date for the Next Meeting

Mr. Hobson motioned to the next meeting on March 10, 2014 at 6:00 pm. Mr. Wotton seconded. Vote unanimous.

VIII. Adjourn

Mr. Wotton motioned to adjourn at 7:33 p.m. Mr. Hobson seconded. Vote unanimous.

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant

Minutes approved on March 10, 2014.