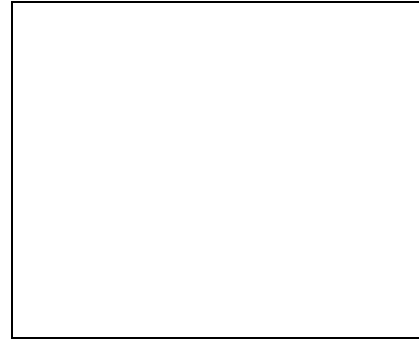


**Town of Fairhaven
Board of Public Works Meeting
September 15, 2014**

Present

Michael Ristuccia, Commissioner
Robert Hobson, Commissioner
Kathleen Sturtevant, Commissioner
Brian Wotton, Commissioner
G. Steven Riley, Commissioner
Vincent Furtado, BPW Superintendent
Kathy Tripp, Administrative Assistant
Linda Schick, Sewer Superintendent
Patricia Fowle, Health Agent
Peter DeTerra, Board of Health
Jeannine Lopes, Board of Health
Mario Ribeiro, Pasta House



I. Call to Order

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

II. Routine Matters

A. Signing of Departmental Bills

III. Approval of Minutes

A. September 8, 2014

Mr. Wotton motioned to approve the minutes of the September 8, 2014 meeting. Mr. Hobson seconded. Vote unanimous.

IV. Appointments

A. Board of Health – Re: Grease Traps

Mr. Furtado – Since I have been here grease has certainly been an issue in the Town. There are numerous spots and we need a remedy. It's the failure of the folks to maintain their grease traps. Not looking for more work for you or us. Put it on the owners who own the grease traps where we have some type of regulation where we require the grease traps owners to maintain and send that to us. Problem Linda verifies. Our appointment at 6:30 is with the owner of the Pasta House. We sent him a significant bill. Make it a monthly occurrence with different restaurant owners. Need your help; thought something where we require the restaurant folks to maintain, septic hauler, whatever they choose, minimum six months and forward confirmation of that to us and to you. Say there are one hundred and hopefully by June 30 we get a hundred and December one hundred. You have the teeth of who don't do that. Right now, I do not know what you are doing. Problem resource wise, man-hours. I

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don't want this to be a recurring thing. I want to remedy this with the folks who should be doing the remedial effort.

Ms. Fowle – Something is established for in ground inspections every six months pumped average every year. Larger breakfast restaurants like the Phoenix and Gene's those are pumped annually. They are not at capacity. Board of Health gets copies. I maintain those files. As you know not every operation has an in ground grease tank. When we had an inspector part of that inspection process is the inline grease traps and those you can't ask somebody. We've had those conversations with Linda. You can't have these people pop the tank when they are open. You have to do it at night. You can tell if it's being done by the nuts and bolts are clean or stripped. Pretty well know its being maintained. The charts on the wall we don't trust those either. I don't know how to remedy that. You can't pop the cover.

Mr. Furtado – Inspections; you can't do that at lunch time hour. This joint meeting is not to hear can't. I want to know what we can do.

Ms. Fowle – The inside is the Board of Health.

Mr. Hobson – Are they inspected every six months?

Ms. Fowle – When you see the unit in the foundation or set up box you can see who is not maintaining. Come up with a procedure. This is what we can do. Many people clean it themselves. Jakes has a service. Some places, Alden Court they add that bio stuff. People have a different approach. There is nothing in the health code; it's all in the plumbing code, Plumbing, Board of Health and Building. It's a case by case basis, renovated have an external one put in.

Mr. Hobson– Nobody is inspecting it. We find out when it's in the street.

Mr. Riley – I guess we are stuck in the middle. You are upstream and we are downstream. I don't understand when it gets into our pipes then we get involved with the jet rodder. The Board of Health needs to do their due diligence. It's more incumbent that we set a regulation and set a minimum charge per foot for camera and use of the jet rodder and hourly rate. Enough pain to force them to update and correct their grease traps.

Mr. Furtado – I don't disagree. Obviously there is a problem.

Mr. Riley – Cost factor involved with the business if we don't do it they are going to continue with what they are doing.

Mr. Furtado – If there were due diligence exercised by the 6:30 appointment he wouldn't be here today.

Ms. Lopes - You guys have a regulation that you had adopted, 50% renovation required to have an external grease trap. How did he get away with that?

Mr. Ristuccia - The grease trap inside the building is controlled by the Board of Health. Outside also controlled by the Board of Health?

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Mr. DeTerra – No, the BPW.

Mr. Ristuccia - Do we know how many?

Ms. Fowle – I have a rough idea. There were some that were found not to have them.

Mr. Ristuccia – So who inspects the outside?

Ms. Fowle – The Company does. If we don't get a pump out report within a year I go visit them. Linda reported a problem off of Bridge Street and Route 6.

Mr. Ristuccia – Should be checked monthly.

Ms. Fowle - In all the years I have been here I have never been able to enforce that. Looking for an answer for us looking for you. We don't have bodies. You come up with something.

Mr. Riley – In your former life Mr. Furtado what did they do across the river?

Mr. Furtado – They have a FOG program. The Board of Health and Plumbing make sure the grease unit is appropriate for the site. Once that's done, the Board of Health wash they hands of it. Everybody is permitted by the Public Works. We did the inspections over there.

Mr. Riley – Would you report that to the Board of Health if there was a problem and they would enforce it?

Mr. Furtado – I took the bull by the horns. I didn't want to be stuck with a grease problem in the sewer system.

Mr. Ristuccia – The job to do those inspections is almost impossible to do it right. Night or early morning and so that means hiring it out. There is a cost factor.

Mr. Furtado – Establish something so it's not on the Board of Health or BPW. The businesses need to do their due diligence. I don't want to have the 6:30 appointment on a bimonthly basis. There is a grease remedy.

Ms. Fowle – The Fire inspects quarterly. Hire that out and have a company like New Bedford you can do that. It's your line.

Mr. Ristuccia – I don't want to step on other people's toes.

Ms. Fowle – No regulations that says who does it.

Mr. Ristuccia - It's almost like somebody ties your hand because there is no regulation.

Ms. Fowle – It needs more work. There is not enough time as an inspector.

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Mr. Furtado – Would you be against it if we notified them starting January 1st you need to demonstrate to us that you maintain your trap?

Ms. Fowle – If they are not in compliance and it's not recorded with the Board of Health you can follow up. It has to be practical. In ground you get the pump record.

Mr. Furtado – I've updated our sewer use ordinance to a decent size document. I can modify the grease trap so as the owner has to maintain it every so many months.

Mr. Ristuccia – Pat, can you get to Linda and Vinnie the list?

B. Mario Ribeiro, Pasta House – Re: Sewer

Mr. Ristuccia – We invited Mario to come in to discuss the grease and work that was done.

Mr. Ribeiro – Here's the deal. We had a problem with the drain pipe a few weeks back. I get Speedy Rooter in there twice a year. It costs me \$275 to \$450 depending on how long they are there. I do maintain the line. Since 2001 there has always been a grease problem there. It was a complete disaster when I took over. Basically twice a year they jet it out. It's been working pretty well. In 2010 we got backed up and we had to shut down for a day. Also back in the renovations we had to go with the latest technology. Norman Lussier made me put it in. He said this is what we want, two electric grease traps. It costs me \$6,160. It's not a traditional grease trap. I think I did everything I could do. It's all electric. Grease into the trap and once a day pulls out full. It is working and catches a lot of garbage too. There have been some issues in the past. It seems like its working. I brought proof that I've paid Speedy. They come in periodically. What happened with the pipe it was old. Installed in 1968; same cast iron pipe that went out to the main which is only 4". Not adequate. Last service they hit dirt. Rotted out. I notified the Town right away. I called Linda and asked her what do I do from here? She gave me a drainlayers list. I hired Farland Corp. and it was scheduled for August 7th. They came in and dug it out. They replace it. They went to the curb. Speedy was there and they noticed that this goes all the way to Alden Road. Who is responsible for this? It's the Towns responsibility from the curb to the main. I spoke with some lawyers. People who work in the Town and its board feel like it's my fault. I don't know what else I could have done. Shut down for two days. Replaced it with a 6" pipe and now it's up to code. I feel that the Town should take that responsibly. I pay taxes and I pay property tax of \$18,000 a year. The Town water and sewer is \$8,000 a year. New meals tax I pay \$22,000 to \$24,000 to the Town of Fairhaven. That area from the curb on used to belong to me. I worked with Geoff and Bill Fitzgerald on a land swap. I was told that the landscaping being wiped out was going to be replaced by Bill and Geoff when the project was done. Bill was gone. Geoff said the plan was revised. I had to pay \$6,000 for landscaping which wasn't part of the initial deal.

Mr. Furtado – I appreciate the fact that you pay taxes and water and sewer. You are here to talk about when we opened the section on your property and the problem extended into the town line. The hole was open and we had to remedy the whole thing. Your jurisdiction ends at the curb. We hired them. If that's the Town's responsibility, so be it. The other would be is we probably would have had to remedy

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perhaps a combination maybe more often. Whatever problem, it was in the line. We have been out there three or four times.

Ms. Schick – We check it once a month.

Mr. Furtado – Why we invited you in is because we received a significant bill from Farmland. Pay half or all.

Mr. Ristuccia – Did Mario get the pictures?

Mr. Furtado – Yes.

Mr. Ristuccia – When you see the picture it speaks a thousand words. Full of grease. You have one. It should be doing the job or maybe it was undersized. Whatever reason that system isn't working. The grease is not only in that pipe but here it creates havoc. We really wanted to talk about it with you.

Mr. Riley – When speedy cleans your lines, they clean out the grease pushing it downstream?

Mr. Ribeiro – Yes.

Mr. Riley – Partially pushing it downstream is eventually going to clog up. I think there might be ownership on both parts. Two years from now pushing grease down there and pipe is clogged.

Mr. Ribeiro – We have to fix the problem.

Mr. Hobson – I think the gentleman presented a good case for himself. Top quality and well maintained. Other restaurants could be going downstream also.

Mr. Ristuccia – The line was from his building.

Mr. Ribeiro – The last time before that time was December 3rd. Seven or eight months ago they were there.

Mr. Hobson – I think he did his part. Maybe reach a happy medium here.

Mr. Furtado – Mario certainly did a part.

Mr. Hobson – There are really no rules for this.

Mr. Furtado – Agreed.

Ms. Sturtevant – Norman Lussier, the Plumbing Inspector; if he did what he was supposed to do you think you would be doing the right thing between the sewer and the plumbers and the Board of Health.

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Ms. Schick – The Sewer Department reports it to the Board of Health every time. Other inspectors not in this town had the same best system. They were forced to take it out.

Mr. Riley – Fast forward two years from now. It gets clogged who is responsible for our side?

Mr. Ribeiro – If I maintain it I'm doing my job and it shouldn't get clogged. All fingers would have to point to me.

Mr. Wotton – I wasn't under the assumption all. Was your bill much more substantial?

Mr. Ribeiro – Mine was less. Not a lot less.

Mr. Ristuccia – If the grease trap is working and you do what you need to do there shouldn't be any grease going in there. Take our camera and see.

Ms. Schick – Do you have a way for me to get in there?

Mr. Ristuccia – Use the camera and see if there is grease in there.

Mr. Ribeiro – What if I need a new grease trap?

Mr. Ristuccia – Put it outside. To this point everything that you say I understand. I don't feel comfortable asking you to pay. Plumbing told you to use the \$6,000 one. Have the company come twice a year. It isn't like you just did nothing. Proactive to do the right thing.

Mr. Ribeiro – How much is an outside grease tank?

Mr. Ristuccia – I installed one years ago. It was about \$10,000. That's a guess.

Ms. Schick – EJ's just put one in.

Mr. Ristuccia – To me, that would be your next move. Camera in four months and see what's there to see if you would need to put in an external grease trap.

Mr. Ribeiro – That's fair. You go in and there is grease in there I will put in an outside grease trap. Every four months.

Mr. Riley motioned to waive the \$7,000 invoice for the Pasta House in lieu that if there is a future problem on the line or the next owner he puts one in and give him six months to install it. Ms. Sturtevant seconded. Vote unanimous.

Mr. Riley – I think at this meeting or next what it will cost to implement a fee to scan and jet rod the line. It costs a ton of money for that camera. It should be on the owner of that building.

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Mr. Ristuccia – Vinnie had mentioned earlier in the evening about the sewer use ordinance. We should set that to talk about that at a meeting.

Mr. Furtado – Town Counsel told me not to go to Town Meeting for this. It's a regulation for you folks.
Mr. Riley – Usage by the foot rate or hourly rate. Cost to reimburse for camera, jet rodding to stand there.

V. Items for Action

A. Tata & Howard –Tinkham Lane Well Evaluation, Amendment #2

Mr. Furtado – This is for \$8,000 for the work they did for the e coli problem at the Tinkham Lane Well. They had to assess what was going on, repairs, patch the roof, fix the pump and sampling. In addition we tasked them to spec the roof.

Mr. Riley motioned to approve Amendment #2 to Tata & Howard for the Tinkham Lane Well in the amount of \$8,000. Ms. Sturtevant seconded. Vote unanimous.

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

Mr. Furtado – I am going to meet with Mass DOT tomorrow. It's coming to the end of the Howland Road project with Tibbetts. Jeff Osuch and I will meet with a mediator on October 30th. Whatever the mediator decides the Town will be made or not made whole. Engineers are gathering some information. We have been preparing for the auction this Saturday. A couple of properties will be sold at tax title and we have been asked to clean up some shrubbery. \$500,000 for sewer pipe repairs for the study that we did this past summer. MRVWDC is going to meet with Representative Straus to discuss the upcoming water management issues.

Ms. Sturtevant – Wigwam Road someone has put up a gate.

Ms. Tripp - Part of the road is owned by the homeowner.

Mr. Hobson – Route 6?

Mr. Furtado – The Lions Club is going to be weed whacking a portion of Adams Street at 5:30.

Mr. Hobson– Spray thing?

Mr. Furtado – Haven't posted it. We used 55 gallons of vinegar at the stone wall and it went away.

Mr. Hobson – Not by Winsegansett.

Mr. Wotton – Resident on corner of Manomet and Sconticut Neck Road at Wilbur's point said we did a fantastic job but we missed Manomet. It's a danger for the first fifteen feet. Now there are three foot deep holes. There are no houses on Manomet but her driver is there.

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Mr. Riley – Last meeting Mr. Fleurent was here and it's not the plaza and not a change in use. He said that the Board of Selectmen or BPW to look at the entrance of the plaza doing a right hand turn. That is the only recourse. Turn right to the neck heading south.

VII. Adjourn

Mr. Wotton motioned to adjourn at 7:25 p.m. Mr. Riley seconded. Vote unanimous.

Respectfully submitted,

Kathy A. Tripp
Administrative Assisstant

Minutes approved on September 22, 2014.