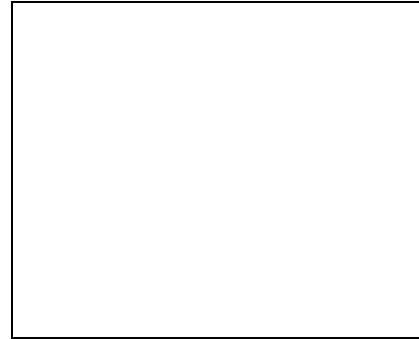


**Town of Fairhaven
Board of Public Works Meeting
October 20, 2014**

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
Antonio Dacunha, 8 Windward Way



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. October 6, 2014

Mr. Wotton motioned to approve the minutes of the October 6, 2014 meeting. Ms. Sturtevant seconded. Vote unanimous.

V. Items for Action

B. Notice of Award – I.W. Harding Construction; Shore Drive Parking Lot Reconstruction

Mr. Furtado – That is for the Shore Drive Parking Lot Reconstruction. The winning contractor is I.W. Harding. GCG will oversee that job. This will all be paid from Chapter 90 money.

Mr. Ristuccia – Conservation was talking about this.

Mr. Furtado – It had to go before them.

Mr. Ristuccia - They are going to change the grade. Change some culverts and add some catch basins.

Ms. Sturtevant motioned to award I.W. Harding Construction for the Shore Drive Parking Lot Reconstruction project in the amount of \$119,622.00. Mr. Wotton seconded. Vote unanimous.

C. GCG Associates – Shore Drive Parking Lot; Construction Observation Services

**Town of Fairhaven
Board of Public Works Meeting
October 20, 2014**

Mr. Furtado – GCG will oversee the project and will be paid from Chapter 90.

Mr. Riley motioned to approve the agreement with GCG Associates in the amount of \$15,540 for inspections services for the Shore Drive Parking Lot Construction. Mr. Wotton seconded. Vote unanimous.

D. GCG Associates – Francis Street; Construction Observation Services

Mr. Furtado – This is doing full road reconstruction; sewer, two new fire hydrants and replace water services. This is being paid by the biggest portion from the CDBG. There is going to be a portion coming out of Chapter 90 and a portion paid by the Sewer Department.

Mr. Wotton motioned to approve the agreement with GCG Associates in the amount of \$14,960 for inspection services for the Francis Street construction. Mr. Riley seconded. Vote unanimous.

F. Request to install a Memorial Bench on Little Bay Bike Path

Mr. Furtado – We have a request from a resident that was sent to Anne and Kathy to put a bench on the Little Bay Bike Path.

Ms. Tripp – He wasn't sure if he wanted to put it at Little Bay or Hoppy's Landing.

Mr. Hobson – Good idea. Fort Phoenix is all benched out. Sit there in the daytime. That would be a nice place. Either place would be nice.

Mr. Hobson motioned to approve the bench at either place. Mr. Wotton seconded. Vote unanimous.

E. Flowable Fill

Mr. Furtado – Steve mentioned this a couple meetings ago. There is a BPW regulation to use flowable fill on a list of the most traveled streets. Vote today would be for all the streets.

Mr. Ristuccia – I was one of the proponents. Changed my mind. Put in the flowable fill it becomes like concrete. If all of our pipes were new everywhere it would be good. Better serviced doing stone or sand if we don't want settling. Simply because after thinking about it might be better served. I think it does the same job as the flowable fill and the same results.

Mr. Riley – What material do they do now? I drive a lot of communities and after patchwork from a water or sewer main you can definitely tell when it's done right by the way it settles. I think that the Town has spent a lot of money over the years although it does add expense to the homeowner.

Mr. Ristuccia – What happens when they dig in the street and the patch six months from now settles? Does the Town or contractor fix it?

**Town of Fairhaven
Board of Public Works Meeting
October 20, 2014**

Ms. Tripp – They have to guarantee the patch for one year.

Mr. Wotton – What if we increase their guarantee to maybe two years?

Mr. Ristuccia – I believe that we should do something. Stones do the same thing but maybe if it settles after that first period of time do an infrared patch.

Mr. Hobson – I have to agree with Steve. Mr. Charbonneau and Vinnie would agree that when the fill packs down there is less of a problem than somebody taking dirt out and putting dirt back. It's not going to settle. It's not costing us anything. He is going to put that in their contract.

Ms. Sturtevant – They did bring this up once before. Flowable fill and it came up with this. I kind of agree. This would be the way to go.

Mr. Ristuccia – Not a huge cost factor for the guy doing the work.

Mr. Wotton – Is it a couple of inches?

Mr. Ristuccia – Not a couple of inches. Who would be responsible?

Mr. Furtado – Mr. Charbonneau would check it.

Mr. Riley motioned starting January 1, 2015 all road construction and layouts curb to curb use flowable fill. Mr. Wotton seconded. Vote unanimous.

IV. Appointments

A. Antonio Dacunha, 8 Windward Way – Re: Stone Wall, Driveway

Mr. Riley – I live within 300 feet of the buffer zone so I will have to recues myself.

Mr. Furtado – I have a picture. He has a beautiful home. He put in a stone wall and the road goes that way. Roughly four feet of his stone wall is actually in the town layout. Give a waiver. The resolution is not to knock down this wall. He has a brick driveway and the driveway work was done without a permit. We became aware of that and asked him to come in.

Mr. Hobson – The issue for the driveway is an automatic fine. The last two people we had to fine them \$350. If our plow hits that we will not be responsible. No permit.

Mr. Wotton – The problem with the driveway is it is higher than the street.

Mr. Dacunha – The mason said he is going to fix it.

Mr. Wotton - My concern is the apron needs to be brought back a little bit.

**Town of Fairhaven
Board of Public Works Meeting
October 20, 2014**

Mr. Dacunha – Take out some of the bricks and put blacktop?

Mr. Hobson – Mr. Charbonneau can go down there and give you a recommendation.

Mr. Dacunha – I will sign a waiver.

Ms. Sturtevant – What happens if they accept the street? The other part is on the other street? Should we have asphalt or some tar so not to affect the bricks and make it more even for the plowing?

Mr. Hobson – I think he should get together with his contractor and Mr. Charbonneau.

Mr. Furtado – Work was done without a permit and the material is not approved. Whatever you decide please be aware if there is plow damage you own it.

Mr. Wotton – The wall is in the town layout. Not a cost to the Town if it has to be moved because of a broken pipe.

Mr. Ristuccia – Who is doing the house?

Mr. Dacunha – I have become the general contractor. My friend screwed everything up.

Mr. Ristuccia – When?

Mr. Dacunha – Over a year ago.

Mr. Ristuccia – You hired the contractor to do the driveway?

Mr. Dacunha - He is from Somerset.

Mr. Ristuccia – He should have known. Had you come in to get a permit you would have spoken with John Charbonneau about the elevation radius at the end. Width, all the things we are talking about you would have known. I went by and looked at that. The wall in my opinion is beautiful. I will vote to let you pass. The driveway from the street to the property line should come in. The shape we want it to be. That would be the way.

Mr. Furtado – Make him repair it. Perhaps that would be the fine. There are none that we made redo it.

Mr. Ristuccia – It's such a beautiful driveway. One side on the left side not much difference. Right side a couple of inches higher. Fix it by peeling back a few feet anyhow. I'm comfortable with what John wants.

Mr. Hobson – I'm not comfortable not giving a fine.

Mr. Hobson motioned to waive the stone wall, get together with Mr. Charbonneau to straighten out the problem and pay the \$300 fine. Mr. Wotton seconded. Vote 4-0.

**Town of Fairhaven
Board of Public Works Meeting
October 20, 2014**

Mr. Ristuccia – Fine you \$300 and you will come to see Mr. Charbonneau who is the Highway Superintendent. He will meet you at the site and explain to you what he wants. Gave you the waiver from the wall.

Mr. Riley joined the meeting.

Mr. Ristuccia – I have to say that when we are talking about an item and you want to speak you are not to interrupt. I've let that slide. I include myself in that.

V. Items for Action (Continued)

A. Sewer Use Ordinance Comments on Draft

Mr. Ristuccia – Anybody read it? I read it several times. My first comment is on page 8. Second paragraph regarding it says on here at the end parkways and other public property disturbed shall be restored in a satisfactory manor. It should be by the specification of the BPW. Next page use of public sewer prohibits discharge. Let's suppose a business is doing any one or more of these items and it doesn't stop. What's the penalty? I saw at the end the court is the one that does the thing.

Mr. Furtado – Right now in the Town we don't have any industry who discharges water. Hypothetical, there is an industry and they are going to ship metal. They have their raw product. Make that metal they have to heat it. Wide or long before they package, cool it down subject it to water. Metal is made out of different materials. If we had a place like that in Town we would have to issue the company a permit. You could decide what the fine would be.

Mr. Ristuccia – Page 11 grease removal system.

Mr. Furtado – Letter (n) is not just a restaurant. Anywhere they cook food.

Mr. Ristuccia – Just say we are talking about a restaurant and we look at the trap and it's a mess. Put in an outside grease trap.

Mr. Furtado – We'd have to camera the sewer and then thru this get a tangible number. Have an analytical result.

Mr. Ristuccia – The owner shall be responsible for the cleaning and maintenance. What if they are inspected by the BPW and they don't match up. Is there language put in there about that?

Mr. Riley – I've read it a couple of times. Very well written. Grease trap; a few weeks ago a gentleman at our meeting was here with the Board of Health. The Plumbing Department made him put in a \$5,000 grease trap and it doesn't work. It's proven it doesn't work. My question is if it's not enforced in the plumbing code or Board of Health can we require the external not internal.

Mr. Furtado – As of October 20th when approved, moving forward we could do that.

**Town of Fairhaven
Board of Public Works Meeting
October 20, 2014**

Mr. Riley – High volume restaurant will have very good proof if it's not doing its job.

Mr. Ristuccia – That's what I'm trying to get at. I have to forget about the Board of Health and Plumbing, we are the one collecting all the grease.

Mr. Furtado – Page 15, Section 10 Supreme Court, letter (b) what we charge right now. We can also put letter (c) that the BPW requires you to put in blank.

Mr. Ristuccia – The Health Agent said it's your sewer system, you can require what you want. If that's the case, we need to take control of the situation.

Mr. Furtado - \$300 per day per violation.

Mr. Ristuccia – Should we talk about a schedule of some sort of how we are going to check these establishments? The Board of Health is not going to do it.

Mr. Hobson – Save it for the next meeting.

Mr. Ristuccia – Sewer manpower?

Mr. Furtado – Grease traps need to be inspected.

Mr. Riley – I think as the discussion goes forward if we hone in the big users in Town, every sixty to ninety days if it proves that the lines are getting clogged and check the internal grease traps. Biggest ones are the high users.

Mr. Furtado – I wouldn't mind helping the Board of Health. It is the duty of the Health Department. It doesn't mean we can't assist.

Mr. Riley – I might suggest we do the external ones. People who do not have the right documentation will get that done. It should take care of itself.

Mr. Furtado – There is not an overall grease problem in Town. There are the usual suspects.

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

Superintendent's Report for October 20, 2014:

From Last Meeting:

- Potholes in Town beach parking lot request to be filled – will be taken care of once it dries out a bit.
- Dumping at Torrington (where Boulder is) – debris was picked up

**Town of Fairhaven
Board of Public Works Meeting
October 20, 2014**

- Wall/driveway issue at 8 Windward Way – resident is coming in to meet with Board.
- Box culvert at Bass Creek Road to assist with tidal - needs to be engineered and approved by Con Comm.
- Yard Boss – working on vendor coming in before Board

New Items:

- Highway Department picks up newly purchased cigarette receptacles from Sustainability Committee and disburses them around Town
- Wrote presentation for Representative Straus concerning new water withdrawal permits
- Write discipline letter to employee – 1 day suspension
- Attend SRPEDD meeting in Taunton as the Town’s representative
- Write letter to residents at 8 Windward Way
- Attend Mass Highway meeting in Taunton – Mass DOT will be doing work over a number of bridges in Town – Main, Adams, Mill , New Boston and some work on 240 and Alden
- Attend Mattapoissett River Valley meeting as BPW’s representative
- Draft letter of new water rate structure for the Board’s review and comment to be included with the invoices set to go out in November
- Respond to numerous dirty water calls on Sconticut Neck Road
- Submit Capital Plans for Sewer and Highway to Capital Planning Committee – working with Tata and Howard on Water Capital Plan
- Attended press conference where Fairhaven BPW was awarded a \$90,000 grant for nitrogen remediation at the sewer plant

Mr. Furtado – Sent the usual update. If you don’t have any questions I have three things I didn’t include. Good news the Sewer Department received a \$90,000 grant last week. It’s for a pilot study at the Treatment Plant to remove some nitrogen.

There is a Fairhaven property owner letter in your package. The letter that I put together concerning the bills. New bills will be going out the first week in November. We changed the rates. There are going to be quite a few people who will have significant savings and others bills will go up. We should include something in the bill.

**Town of Fairhaven
Board of Public Works Meeting
October 20, 2014**

Mr. Wotton – The letter is good. A lot of work to get the rate down. I don't think that is emphasized enough.

Mr. Furtado – They are going to have on the bill show what they used.

Mr. Wotton – Do an example of an old bill and new bill.

Mr. Furtado – The only thing I was going to add hypothetically is if they use 2400 cubic feet, explain 2250 at \$1.90 and the other at \$4.65.

Representative Straus wasn't able to make it to the meeting. He is scheduled to attend in November or December. I wrote this letter as a presentation given to him based on the permit. DEP Water Management Act in 2010 they came out with this new initiative. Because of that we could be forced to implement some conservation techniques for outdoor water use.

Mr. Hobson – Town Beach Parking Lot?

Mr. Furtado – John was out all last week. He wanted to wait until the water was dryer.

Mr. Hobson – New hydrant on Potter Street, there are rocks. Put the grass back. Dirty water on West Island, couple of complaints from people they would like to be notified.

Mr. Furtado – It's not a reverse 911 situation. Flushing the Town we would put something in the paper. Last week we responded to dirty water calls. The water travels very slowly in the pipe and because of that it gives ample time for sedimentation. Open a hydrant to get out of dodge. One resident called us six to ten times. We flushed. Before we knew it we had too many hydrants open simultaneously. I understand the problem but how do we notify people?

Mr. Hobson – People leave for the week and come back and they have dirty water.

Mr. Furtado – I fully understand that. There was a water main break on Wilbur's Point.

Mr. Ristuccia – I had dirty water in my home and my wife accused me of doing something wrong and I said to her my instant response was so you wash them again. Take it too much for granted. We are doing are best. Something proactive. Have an event problem here create a little dirty water how you notify the people about that? I wish we could but we can't.

Mr. Hobson – The person we hired for the job didn't take it. Did we readvertise?

Mr. Furtado – Kathy readvertised.

Mr. Hobson – Same committee or different people?

Mr. Ristuccia – I will ask for volunteers to interview the candidates.

**Town of Fairhaven
Board of Public Works Meeting
October 20, 2014**

Mr. Furtado – When is the closing date?

Ms. Tripp – Friday.

Mr. Furtado – Last time we received twenty applications. John, me and two of you folks were on the committee. Look at them individually and we would check a name and call that person in. We interviewed them as the subcommittee and brought it down to three or four and present them to the Board as a whole.

Mr. Wotton and Mr. Hobson volunteered to be on the subcommittee.

Mr. Hobson – We are the only department that interviews people on TV.

Mr. Wotton – I agree 100% and they may not get that job. They could take a bad position in their current position. Name in the paper before they get hired.

Ms. Tripp - Not in executive session. Not sure how they do it.

Mr. Riley – Letter that was given to the employee. I guess my question is it's the second one to the employee. He was given two letters for the same type of offense. Letter campaign not more action taken. Is October 9th different than October 10th? How many letters are we going to write before we take action?

Mr. Riley – Person that was withdrawing water. October 3rd we wanted to send a letter. It should have sent the letter sooner.

Mr. Furtado – I inquired about it. It is not part of the drinking water supply so I sought an opinion. Crotty is on vacation. We want to discourage the practice. I wasn't exactly sure what he did wrong than taking the water.

Mr. Riley – Five year Capital Improvement Plan; Highway division in road work, \$300,000 for the next five years. Cost of asphalt is going up and the amount is not changing. We keep falling behind.

Mr. Furtado – The Capital Planning Committee is going to recommend some number.

Mr. Riley – Sewer with the nitrogen, is this a best guess by them? I appreciate Section 2 with the permit still up in air. Is this a best guess estimate?

Mr. Furtado - Yes. When Linda and I were talking about it we want to borrow and do it once and do it right.

Mr. Ristuccia – Has the bike path at Sconticut Neck study begun?

**Town of Fairhaven
Board of Public Works Meeting
October 20, 2014**

Mr. Furtado – No. I sent in a request to SRPEDD. Bill Roth sent me an email from their transportation person Paul Mission. He misplaced the letter. I'm guessing that's in the works.

Mr. Ristuccia – Nitrogen question I know it's the federal government.

Mr. Furtado – Clean Water Act; nitrogen has become a parameter of concern. They are unfunded mandates.

VII. Set Date for the Next Meeting

Mr. Riley motioned to hold the next meeting on November 3, 2014 at 6:00 p.m. Mr. Wotton seconded. Vote unanimous.

VIII. Adjourn

Mr. Wotton motioned to adjourn at 7:52 p.m. Ms. Sturtevant seconded. Vote unanimous.

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant

Minutes approved on November 3, 2014.