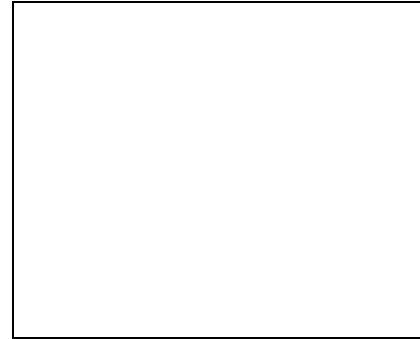


**Town of Fairhaven
Board of Public Works Meeting
November 17, 2014**

Present

Michael Ristuccia, Commissioner
Robert Hobson, Commissioner
Brian Wotton, Commissioner
G. Steven Riley, Commissioner
Vincent Furtado, BPW Superintendent
Kathy Tripp, Administrative Assistant
Nils Johnson, 409 Huttleston Avenue
Aaron Silvia, 139 Balsam Street
Lee Miguel, 3 North Street



Ms. Sturtevant was not in attendance.

I. Call to Order

Mr. Ristuccia called the meeting to order at 6:02 p.m.

II. Routine Matters

A. Signing of Departmental Bills

III. Approval of Minutes

A. November 21, 2011

B. November 21, 2011 Executive Session (a)

Mr. Hobson motioned to approve the minutes of the November 21, 2011 and November 21, 2011 Executive Session (a). Mr. Riley seconded. Vote 3-0 in favor with Mr. Wotton abstaining.

C. November 3, 2014

Mr. Hobson motioned to approve the minutes of November 3, 2014. Mr. Riley seconded. Vote unanimous.

IV. Appointments

A. Nils Johnson, 409 Huttleston Avenue – Re: External Grease Trap Waiver

Mr. Johnson - We want to open a small kitchen in the back of the floor plan. I went to the Board of Health and they were fine with that. The basement is concrete. There will be no grill or fryolator.

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Plumb it up to code and get it to the way the Board of Health wants. We will use paper plates. Avoid putting anything in the ground. Not sure what the interest is going to be.

Mr. Ristuccia – What kind of food?

Mr. Johnson - Cold sandwiches, prep a lot of stuff and make it to order.

Mr. Ristuccia – What about the portions that don't get eaten?

Mr. Johnson - Put it in the dumpster. Frade's does our service.

Mr. Ristuccia – No garbage disposal?

Mr. Johnson – No.

Mr. Wotton – I really don't have an issue, the only problem is if eventually down the road that if you did increase what you produce do you need grease trap? No more inside, external. Cost is significant.

Mr. Hobson – The Board of Health gave you approval?

Mr. Johnson – They said the decision you would make.

Mr. Hobson – I'm all for small business but if you are going to go from what you say you are going to do then there are hotdogs and hamburgers.

Mr. Johnson - That's why I won't be doing that. The next step is fire suppression and then it would be installing an external would be part of the plan. There is only a small back room.

Mr. Hobson – I'm okay with it.

Mr. Riley – I struggle with this. We have been working on our sewer ordinance and the recommendation would be to put in external grease traps. If it's in before 2015 it could be grandfathered. Problem with it is if there is too much grease you would be required to put in an external grease trap within thirty days. My concern is if we give these variances is that after a lot of time change of use happens. There is more of a chance to have more eyes on the gentlemen's business. Consider other obstacles change of use I'm okay with it.

Mr. Furtado – Just for my own, is the Board of Health requiring you putting in an internal grease trap?

Mr. Johnson - That's my understanding.

Mr. Furtado – Moving forward, starting in January the Board is going to require an external grease trap unless you get a waiver. Internal will have to be grandfathered.

Mr. Johnson - I can make that work. I'm aware of the problem that it creates. That's fine.

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Mr. Ristuccia – Try it out and see what happens. How long before you know if it works?

Mr. Johnson - I think I'll know by summertime. By the time how this goes and when I get the permit it will probably be January thru March months where I don't see heavy volume that I would.

Mr. Ristuccia – We have been working on a sewer ordinance for the Town of Fairhaven and I know we have touched on grease traps. It's a high propriety. The Town has been spending money repairing things and it's all from the restaurants. They are really damaging the infrastructure of the sewer system.

Mr. Johnson - We have a steam table with chili. There will be a three base sink for pots and plates. I can't justify spending \$10,000 on an external grease trap. Nothing will be washed more than currently.

Mr. Ristuccia – In our sewer ordinance if a person was to not comply there will be fines of \$300 a day per offense. I might go in after and check to see if you are using paper plates. Not as a police officer but just to make sure you are in compliance. We will have somebody there checking from time to time. For your own benefit, do as you say and everyone will be happy.

Mr. Riley – Serve any type of salads?

Mr. Johnson – No, just chips with the sandwiches.

Mr. Riley - There will be an internal grease trap?

Mr. Johnson – Yes.

Mr. Riley motioned to approve the waiver for an external grease trap for 409 Huttleston and to use the specifications required by the plumbing inspector. Mr. Wotton seconded. Vote unanimous.

B. Aaron Silva, 139 Balsam Street – Re: Driveway Waiver

Mr. Furtado – This is a standard waiver based on the width of the driveway.

Mr. Hobson – I can't vote on this because I own a property next to him.

Mr. Silva – The proposal is for a twenty-eight foot driveway to be the same as the garage. I'd like to make it uniform with the property to make it cosmetically right. It's a double garage.

Mr. Ristuccia – Right now I am very familiar with the property. Cars may already be using it that way. No change to the neighborhood.

Mr. Riley – We like to get as many cars off the road.

Mr. Wotton – I'm good with it.

Mr. Riley – Square or round edge at the street, check with John Charbonneau.

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Mr. Riley motioned to allow the driveway waiver for a twenty-eight wide opening for 139 Balsam Street. Mr. Wotton seconded. Vote 3-0 in favor with Mr. Hobson abstaining.

C. Lee Miguel, 3 North Street - Re: Fence

Mr. Miguel - I presented concerns to Mr. Furtado about my yard. I purchased it about a year ago. There are numerous people driving down the street. Having lunch in my driveway. My young child rides a skateboard and they come down to the street. There is no stop sign. My family's quality of life is not there. Safety is terrible. I gave Mr. Furtado paperwork. People are constantly dumping. I called Mr. Fostin. He told me to put a wire or chain across but I have to go before the Board. Should have had a fence from day one. One way in and one way out. Long extended driveway for my house. Neighbors come with people with out of state plates. They just park there. I'm just asking the Board to please allow me to put up a fence. I will follow the guidelines. I remove the snow because it's private. I'm responsible for the snow. I take the trash up to Cherry Street. Allow me to put a fence or give me the paper street or allow me to purchase it.

Mr. Riley – I think it's more of a police issue than a BPW issue.

Mr. Miguel - It is but, they park vehicles there for a couple days straight. The police say they are not doing anything wrong. Somebody visits and they park vehicles there for two and one-half days. People bring trailers and sit there with trash in them. I bought some no dumping signs. I could solve this problem.

Mr. Riley – Isn't there an order of conditions for that right of way with the Planning Board?

Mr. Riley showed Mr. Miguel a copy of the approved subdivision language.

Mr. Furtado – Lee, when you came in I obviously investigated. I went out there with John Charbonneau because I didn't want you to have to wait. So as part of me looking where the fence would go, we had to check with the Planning Department and we received these restrictions. The planning works on the planning in the planning stages. We can't even approve to let him put up a fence. This is tying our hands. First thing is go to the Planning Board and have them remove the condition. We can't say yes.

Mr. Riley – I don't think there's any question that you want a fence. We can't regulate this. It has to be unrestricted access. Anybody can go there anytime they want.

Mr. Ristuccia – The former owner, he had the right to accept or reject the conditions. To get it changed you have to go back to the Planning Board who can take it off now. Tell them there is a problem in the neighborhood and they are taking quiet enjoyment away from the people who live there.

Mr. Furtado – Investigation we can advise but we can't regulate. It's unfortunate. Our hands are tied.

Mr. Riley – There is always a process of discontinuance of a paper street.

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Mr. Wotton – The time you bought the property there were two separate lots?

Mr. Miguel - The land is a separate lot.

Mr. Wotton – Private drive. Look into that.

Mr. Riley – Is there a fire hydrant?

Mr. Miguel - No, nothing.

V. Items for Action

A. CDBG Associates – Re: North Street Sidewalks

Mr. Furtado – Bill Roth sent me the application. He is applying for a grant for sidewalks on North Street. It can't afford to wait. He sent me this email if the Board could vote on it because there is a time restraint. The amount is for \$13,815 to GCG Associates to survey the sidewalks on the street and bid out the work. That would be our only involvement. Pay for the preliminary engineering from Chapter 90.

Mr. Hobson motioned to approve \$13,815 to GCG Associates for sidewalk design and bid for North Street. Mr. Riley seconded. Vote unanimous.

IV. Appointments (Continued)

D. Norman Lussier, Plumbing Inspector – Re: Sewer Use Ordinance

Mr. Lussier was unable to attend the meeting due to an emergency.

Mr. Furtado – We are tabling the 6:45 appointment. You saw the changes. The only thing unclear of is on page twelve the changes, #5 and #6 we need to because of the Title 5 system. I don't think we can write out the Board of Health. They need to be involved.

Mr. Riley – Can we vote on this now to be placed for January 1st?

Mr. Furtado – I would like to have Norman look at it first.

V. Items for Action (continued)

B. Controlled Density Fill

Mr. Furtado – I think we should institute this in this form. Do you want the flowable fill one inch below a little less? It's going to be a lot of money. Some streets no matter what. My thought is we're on a dead end street and there is a patch there. Less travelled it would be required of us too. Cost prohibitive for us. I just want to make sure what we are getting into. John wants it.

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Mr. Ristuccia – Matter of practice flowable fill should not come up to the level of the asphalt. Flowable fill hardens. Light on the concrete there will be heaves. Four to five inches, or whatever the board's choice. You don't want to have too much gravel. The person who is going to be governing this is GCG and the highway department. I would think the engineer would know.

Mr. Riley – If they put in two feet of flowable fill, my question is one or three inches below grade compared to the other two feet? One inch below grade, I think that is the right thing to do. Don't want to go back and fix the road.

Mr. Furtado – NStar is exempt for that.

Mr. Hobson – I go along with Steve.

Mr. Wotton – I didn't know it was going to be that thick. You're talking feet.

Mr. Riley – Have Mr. Charbonneau come into the next meeting.

Mr. Wotton – We also have to add you can't do this on gas.

Mr. Ristuccia – What do we do when we have a dig and they are digging for a water service near gas?

Mr. Furtado – You can't use it. Budget for here is a big expense.

C. Recycle Fees

Mr. Furtado – Permits; every year we have to decide what we are going to do. Fees for resident, seniors the landscapers so we have in your packet a tabulation of the money that we collected. Sub categories how much money was collected thru the year and you folks change.

Mr. Wotton – We need to buy a tub grinder and sell the chips.

Mr. Furtado – Tub grinder price is part of the money at the recycling center we tub grind.

Mr. Wotton – Look into the price to buy one.

Mr. Wotton motioned to approve the change of the GVW from 10,000 to 12,999 to charge \$100 and over 13,000 GVW and dump trucks to \$400. Mr. Hobson seconded. Vote unanimous.

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

Mr. Furtado – In touch with Anne Kakley about the question of interviews. The answer is you can interview in executive session but the hiring has to be in open session. We can post a meeting and have you attend a meeting in executive session and make a decision. We are meeting on Thursday. Kathy

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can post it. Interview and recommend that person to the Board then that persons comes in and cast your vote.

Mr. Hobson motioned to meet on November 20, 2014 in executive session to do preliminary interviews for the Highway Department HMEO position. Mr. Wotton seconded. Vote unanimous.

Mr. Furtado - In the packet there is a grievance that I denied. The scuttlebutt is they will come before the Board.

John and I met with Jim Mello. He wants to put the bench at Hoppy's Landing.

Mr. Ristuccia – I would like to say to the Board that we have begun the cross training. We started with the sewer department. As the days go by, more and more get involved with the cross training to get to know everybody else's job.

Mr. Hobson – All set.

Mr. Wotton – The recycle center needs to be pushed a couple more times. Leaves and branches, it was difficult to get in the other day. Get the loader in a little bit more often. Check it every couple of hours.

Mr. Riley – On the recycle center, can you put the steel containers in a different location? I was there on Saturday and it was backed up.

Mr. Furtado – In your packet there is an agenda that will be discussed in front of the Personnel Board. Their next meeting is Friday. As you can read there are three or four items on the agenda. The Personnel Board may recommend reclassification for different positions in Town. I wrote job descriptions for the superintendent's. What I would like to do is submit to the Personnel Board a reclass for some of the folks here, water and sewer superintendent. I don't see why our folks should not be included.

Mr. Riley – Is the assumption to be equal of what we are here?

Mr. Furtado – Three and four; the recommendation to the Personnel Board is to bring them equal to the water and sewer superintendent's. That doesn't mean that is going to be approved. I want your permission to request to submit a reclass for the superintendents.

Superintendent's Report for November 17, 2014:

From last meeting:

- Once we close recycling except for Wednesdays, we will open the facility the last Saturday of the winter months
- Updated sewer use ordinance per Board comments

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- Plumbing Inspector will come before Board to discuss sewer use ordinance
- We are allowed to interview employees in executive session – only the hiring must be open

New:

- Received lots of inquiries about upcoming cart program – date to start, color of carts, etc – will meet with both ABC and Board of Health next week to discuss the above logistics
- Work with ABC to coordinate two weeks of leaf collection – last two weeks of November
- Updated nitrogen story – submitted to Neighborhood News
- Attended wellness committee meeting-Town wants to establish incentive laden wellness program for employees
- Attend capital planning meeting – we meet every other week and, based on assumed \$\$ available, are approving/disapproving various requests from each of the Town's different Departments so we can make it work budget-wise
- Received grievance from Sewer Union concerning punching in Highway time clock when plowing snow – denied grievance – info is in the package
- Working on close out with BC for digester project
- Flowable fill document – we need to discuss if the Town will have to adhere to this policy as well as tweak it so it works
- Received request from Lee Miguel re: putting up a fence on a paper street
- Issue with trees scheduled to be taken down for Francis St project – many of them are diseased – some are just in the way – all will be replaced - tree hearing is 11/17
- Received letter from Army Corps. re: additional requirements based on their last site inspection of Fairhaven's portion of the levee
- Attended bid openings for Tabor and South Street pump station upgrades
- John and I are being deposed re: Tibbetts case
- Attend Mattapoissett River Valley meeting – DEP has recently set up stream gauges to use this collected data in water withdrawal permit
- Met with Jim Mello concerning memorial bench – he selected to have it installed at Hoppy's Landing

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VII. Set Date for the Next Meeting

Mr. Riley motioned to hold the next regular meeting on December 1, 2014 at 6:00 p.m. Mr. Wotton seconded. Vote unanimous.

VIII. Adjourn

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

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant

Minutes approved on December 1, 2014.