

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

Present

Michael Ristuccia, Commissioner  
Robert Hobson, Commissioner  
Kathleen Sturtevant, Commissioner  
G. Steven Riley, Commissioner  
Vincent Furtado, BPW Superintendent  
Kathy Tripp, Administrative Assistant  
John & Kathleen Thompson, 18 Lafayette Street  
Jami Franco, Manager, Seaport Inn  
Cathleen Travassos, 14 Pilgrim Avenue



Mr. Wotton 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. December 1, 2014**

Ms. Sturtevant motioned to approve the minutes of the December 1, 2014 meeting. Mr. Riley seconded. Vote Unanimous.

**B. December 1, 2014 – Executive Session**

Ms. Sturtevant motioned to approve the minutes of the December 1, 2014 executive session. Mr. Hobson seconded. Vote unanimous.

**IV. Appointments**

**A. John Thompson, 18 Lafayette Street – Re: Water & Sewer Bill**

Mr. Thompson – We have lived at 18 Lafayette Street for thirty-four years. We are here because of our stupidity. We installed an irrigation system in April, knowing we would be using more water but not taking into account a sewer charge. My bill was \$2,600 up from \$600. I am appealing on the sewer charge based on my history. Cubic feet prior average is about 3,475, so that's why we are here to appeal to the Board on the sewer charge.

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Mr. Furtado – In preparation for the Thompson’s I did look at their average usage. It’s like Mr. Thompson stated about 3,500 cubic feet and the bill is roughly \$200 every single time. Their bill this time is \$1,000. This is to give you more to aid in your decision. They paid \$1,000 more. I would suggest if you issue an abatement you would use that as a measuring tool.

Mr. Thompson – There was a leak. The water is not an issue. We are having a separate meter installed.

Mr. Ristuccia – You supplied the Board with the list from M.A.G. Irrigation. It was checked when you talked to them. They should have one more block to tell customers to get a second meter because that’s what they do all the time. They know what the rules are. The leak in the pipe was an extra 15,000 cubic feet of water that you paid for unfortunately.

Mr. Furtado – The sewer didn’t get affected so if they just used 3,500 cubic feet and paid \$6.75 the bill would have been \$250.00. I believe that is what they normally would have paid. That bill on the sewer is roughly \$1,000 more in that same time period because of the irrigation and the leak which certainly they didn’t use down the sewer.

Mr. Ristuccia – Pretty comfortable if there were not a leak they would have used 7,000 cubic feet.

Ms. Sturtevant – They should get something back on the sewer. I just don’t know how much leaked.

Mr. Thompson – The leak was over a two to three day period and they came the next day. I don’t think the whole time it was running it was leaking.

Mr. Ristuccia – It runs in multiple cycles?

Mr. Thompson – Yes.

Mr. Furtado – Starting point if they paid \$1,000 more than normal \$500 would have gone towards irrigation. Zero to \$500, I’d be fine with that.

Mr. Hobson – They deserve something. I think \$400 is fair. It didn’t go into the sewer and put a separate meter in. I’m comfortable \$400 to \$500.

Mr. Riley – I would do \$500 and split it down the middle.

Mr. Ristuccia – I felt it would be fair to take \$500 off. It’s the right thing to do.

Mr. Hobson motioned to charge for the water and abate \$500 from the sewer for 18 Lafayette Street. Ms. Sturtevant seconded. Vote unanimous.

**B. Jami Franco, Manager, Seaport Inn, 110 Middle Street – Re: Water Bill**

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Ms. Franco - I am here representing the Skipper Realty; it's the marina, same owner. When I received the water bill this year for this property I didn't notice the different billing that was being done. Did notice our season is nine months. The water was \$5,726.42. Looking at it I realized I wasn't aware of any change in the way it is being billed. All of our other meters are read quarterly. Difference passing this out just the difference the bill if it was read quarterly or even three times it would make.

Mr. Ristuccia – I know you said your bill was \$1,609.86. To be fair this time you used almost twice the amount of water.

Ms. Franco - For this period this year there were less boats. It's different all the time. Our busiest years were 2009, 2010 and 2011 and then the bills starting getting less. We are still looking into it and are not seeing any leaks. We did have some last year. The water is currently shut off. Besides that if you look at the difference with the new quarterly bill it would have made a difference. \$300 savings if read quarterly we would have saved \$415. I don't know why it's read this way. Never really questioned it.

Ms. Tripp – All of the meters for outside use are billed once a year.

Mr. Ristuccia – The purpose of the tier system is to promote conservation. The bill went up so much but I'm looking at 77,000 this year and 39,000 year before that.

Ms. Franco - I don't understand why. At the time we got this bill it was already shut off. For a business even if we try it's not going to look like we are. I understand your reason to do it. Put on the same level as a 2,400 square foot home. Should be different. I think that the way the system is you are going to be penalized. We look like we are an over consumer for just a large property.

Mr. Ristuccia – The Board has been talking the same with businesses. The reason is the State will be imposing the Town of Fairhaven what we can use. The number used five years ago usage. So the fines and penalties the Town will have to pay will be so huge some of the folks will need to consume a little bit. If the businesses would conserve 10% less then they should get a discount off the tier. Try to conserve them reward them for it.

Ms. Franco - Just on the hotel side we have things in the room. We aren't going to change sheets and towels unless they need to be changed. We started that about two years ago. We are trying certain things to kind of help with water consumption. We are trying to do our part.

Mr. Furtado – I see no reason why they can't be read more often.

Mr. Hobson – I think you are only here because of the marina which is your big issue. Someone is not paying attention. Customers are using more water. Policy if you use the water you have to pay for it. If you use the water and you have a leak outside and it's not going into the sewer system that's a different story. Your position is because the marina used too much water.

Ms. Franco - Initially when I did the calculations had that meter been read quarterly we would have saved money. We are looking into putting something on the lines what will tell you if there is a leak.

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I'm there on a daily basis. I would know about it. I've also instituted a fine for the people who are on the marina. If it is true it is unacceptable. Water and electric is a separate charge.

Mr. Hobson – I think if you call here and we could go down and read it halfway thru your season. In November you won't get this big bill.

Mr. Riley – Water conservation. Leave the boats they leave the water running. I don't think we can do it quarterly, three times. I would suggest that we read in July, September and close it out in November. That is doable and would resolve your issues.

Ms. Franco - I don't know what's going on. I have no problem instituting a fine. I am on board with conservation.

Mr. Furtado – We are being forced to do that.

Ms. Sturtevant – I agree with Steve as far as the amount and really can't they do the three readings? That would be fair but I think that people with still leave the hose on.

Ms. Franco - Reading it three times will help.

Mr. Riley motioned that the Seaport Inn on the seasonal water meter has a three time read. Ms. Sturtevant seconded. Vote unanimous.

Ms. Franco - What about this bill?

Mr. Ristuccia – We can't do anything with this bill.

**C. Cathleen Travassos, 14 Pilgrim Avenue – Driveway Waiver**

Ms. Travassos – I would like to expand the driveway at 14 Pilgrim Avenue. It's very difficult getting in and out. The road is very narrow and it would also help get cars off the street.

Mr. Furtado – I have no problem with it based on their frontage.

Ms. Sturtevant – I have no issue.

Mr. Hobson – I can relate. My mother was there and I couldn't even find a parking space.

Mr. Riley – I have no issue. If it's granted, the two or three curb that is taken out will have to be returned back here. I went by there today and the sign that was across the street there was a truck parked there.

Ms. Travassos – If more signs were there it would be helpful. Some days when people are reckless that spot will hold four cars. The sign should be relocated to eliminate that one spot.

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Mr. Ristuccia – Concrete sidewalk is going to remain, correct?

Ms. Travassos - Two squares are going.

Mr. Riley motioned to allow the width 27.8” and return the concrete curb back to BPW and concrete sidewalk to be replaced. Mr. Hobson seconded. Vote unanimous.

**IV. Items for Action**

**A. Appointment to the Mattapoissett River Valley District Commission**

Mr. Furtado – I have belonged to the district. Mattapoissett River Valley has two committees. One is advisory and the district is in charge of the treatment facility. I was appointed in 2012 to the advisory committee and roughly a year later to the district. I’m not sure how long the appointment was for. They have on the notes they have my expiration date of November 2013. I have been on both groups for about a year. Jeff and I are on the advisory and Jeff, Fred Raphael and I are on the district.

Mr. Riley – On his time did he find that his input was helpful?

Mr. Furtado – Last week I had to give a representation to Representative Straus.

Ms. Sturtevant motioned to appoint Vincent Furtado to the Mattapoissett River Valley District Commission expiring in three years. Mr. Hobson seconded. Vote unanimous.

**B. Appointment to the Mattapoissett River Valley Advisory Committee**

Ms. Sturtevant motioned to appoint Vincent Furtado to the Mattapoissett River Valley Advisory Committee for three years. Mr. Hobson seconded. Vote unanimous.

**C. Ron Roche – Fort Phoenix Park Bench**

Mr. Hobson – This will be the quota for 2015.

Mr. Hobson motioned to approve the park bench donation from Ron Roche at Fort Phoenix. Ms. Sturtevant seconded. Vote unanimous.

**D. Controlled Density Fill**

Mr. Ristuccia – This is a highly talked about subject.

Mr. Furtado – We’ve had this on the agenda a few times. We decided rather than on every street we changed it to any street reconstructed within the last five years. Well travelled ones. Require the contractor to guaranty the patch from one year to three years. NSTAR is exempt from that.

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Mr. Hobson – I'm good with it. It would be very expensive for the Town if we had to do it. We are responsible. Main roads are a different issue.

Ms. Sturtevant – I agree.

Mr. Riley – I'd like to see more streets added.

Mr. Riley motioned to update the Control Density Fill requirements and to take effect January 1, 2015. Ms. Sturtevant seconded. Vote unanimous.

**E. Sewer use Ordinance**

Mr. Furtado – Based on last meeting with Norman, the Plumbing Inspector on page 11 in the packet #4 "Commencing January 1 2015, all grease removal systems must be the external underground type, which will comply to the standards of and be inspected by, the Town's Plumbing Inspector, unless the owner is granted a waiver by the Board of Public Works." #5 "All interior grease traps installed prior to January 1, 2015, will be "grandfathered" and deemed acceptable unless site in sections/sampling results demonstrate non-compliance at which time an external underground grease trap will be required of the owner." #6 All grease removal systems shall be of a type approved and periodically inspected by the Town's Plumbing Inspector and shall be located so as to be readily and easily accessible for cleaning and inspection." I believe grease wise it covers everything. This is to protect the treatment plant. Have to comply with the regulations.

Mr. Ristuccia – Number six, am I reading that wrong?

Mr. Furtado – This Board requires the outside but he inspects it.

Mr. Ristuccia – I think it's a good document. Great way to start.

Ms. Sturtevant motioned to implement the Sewer use Ordinance as of January 1, 2015. Mr. Hobson seconded. Vote unanimous.

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

Ms. Sturtevant – At the bottom of the Briercliffe with all that rain last week the drains are clogged.

Mr. Riley – All budget related. Get the information for the next meeting. Park department for supplies; I understand 91% of the budget is spent. We spent 85% of the budget working out of class and there are six months left. Vehicle maintenance 69% of the budget already spent.

Mr. Furtado – We had last January a bill and I went to the Finance Committee and they said come back to us when you run out of money.

Mr. Riley – Sewer, contractor assistance overspent our budget and professional training overspent. Sludge disposal; that the number we wanted to cut.

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Mr. Hobson – Remind the people if you want your street tarred put your petition in by January and the recycle center will be closing the end of December and then open Wednesdays 1/2 day and the last Saturday of the month. I would still like to get together with the selectmen with the recycle issue and where we are going to put it. Send them a letter to put on the agenda for next year.

Mr. Ristuccia – The crosswalk at the bike path?

Mr. Furtado – I spoke with Paul Mission who is the director of SRPEDD. He’s been speaking with his team and it’s in the works. He is well aware of it.

Mr. Ristuccia – New folks started today. The kid was eager and jumped right in. Does anybody have a problem the letter that we want to right? I would like your permission to ask Vinnie to assist. Once between now and the end of the year and mid January; every other week is important.

Mr. Furtado – After the holidays we will have a public meeting regarding the cart program.

Superintendent’s Report for December 15, 2014:

From last meeting:

- Flowable Fill Policy rewritten per last meeting suggestions
- Sewer Use Ordinance rewritten after meeting with Plumbing Inspector
- Followed up with SRPEDD – they are actually reviewing the work (Phoenix Trail Bike path at Sconticut Neck Road) this week and should be sending a technical memorandum early next week

New:

- Write/send response to David Donnelly re: tiered rates
- Met with Board of Health re: Trash and recycling program logistics
- Met with ABC re: start date of new program– went over the flyers which will be distributed to all via mail and when the carts arrive
- Attend Capital Planning Committee meeting
- 254 Main Street / 260 Main Street driveway apron issue
- Seaport Inn – issue with water invoice – will appear before Board
- Send correspondence to Fernando Lemos – 9 Goulart Drive, re: water rates
- Attended Mattapoisett River Valley meeting

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- Send Personnel Board request to consider reclass of Water and Sewer Superintendent positions
- Conducted a PowerPoint presentation to Rep. Strauss re: DEP water withdrawal permit restrictions of Mattapoissett River Valley
- Though it will be set and announced at the 12/15 Selectmen's meeting, speculation is that budgets will be due on 1/15 and Articles on 1/29
- James Lawrence (HMEO) will start on 12/22
- John Charbonneau and I are scheduled to give depositions to Tibbetts lawyers in January
- 345 Bridge St – fence in Town layout issue
- Sent Digester project close-out letter to Town Counsel for review
- Speak with Steve Urbon, Standard Times – re: nitrogen upgrade at wastewater plant
- Attend Town Meeting

**VII. Executive Session – Personnel Matter**

The Board did not go into executive session to discuss the personnel matter.

**VIII. Set Date for the Next Meeting**

Mr. Riley motioned to hold the next meeting on December 19, 2014 at 6:00 p.m. to discuss budgets only. Ms. Sturtevant seconded. Vote unanimous.

**IX. Adjourn**

Mr. Riley motioned to adjourn at 7:15 p.m. Mr. Hobson seconded. Vote unanimous.

Respectfully submitted,

Kathy A. Tripp  
Administrative Assistant

Minutes approved on January 5, 2015.