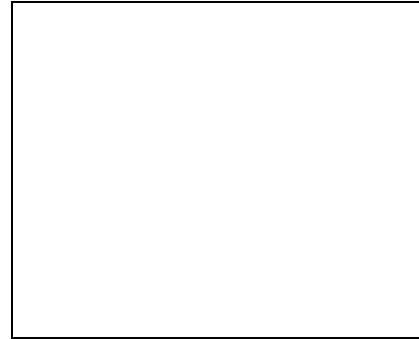


**Town of Fairhaven
Board of Public Works Meeting
May 4, 2015**

Present

Michael Ristuccia, Commissioner
Robert Hobson, Commissioner
Kathleen Sturtevant, Commissioner
Brian Wotton, Commissioner
Daniel Freitas, Commissioner
Vincent Furtado, BPW Superintendent
Kathy Tripp, Administrative Assistant
Christine Mendes, Dana Farm Condos
Henry Goodman, Esquire, Dana Farm Condos



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. April 13, 2015

Mr. Wotton motioned to approve the minutes of the April 13, 2015 meeting. Mr. Hobson seconded. Vote 4-1 in favor with Ms. Sturtevant abstaining.

IV. Appointments

A. Christine Mendes, Henry Goodman; Dana Farms – Re: Water & Sewer Charges

Ms. Mendes – We have nine water meters. Eight are for buildings. With the tier system we are being billed at a higher rate.

Mr. Ristuccia – We have thought and spoken about it. Haven't taken any votes. It's easy to say to put water meters in for every unit. At this point I think we could do and reach out and understand and work with you.

Mr. Furtado - The Town had a flat rate for years and with the new water management permit DEP is encouraging to go to this tier structure to push conservation. We need our operating expenses as much as the environmentalists want to promote conservation but then we realize we don't have money coming in. One thing we could do is to read the meter more often. Now twice a year. Four times a year the buildings, we start at 0 after 3 months so you would have whatever that comes out to. That much less at the higher rate.

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Mr. Hobson – Who pays the water bill?

Ms. Mendes - Part of the condo fee. I think we planned for a bit of an increase. It went up by \$10,000. The tier system hit us.

Mr. Hobson – How many units?

Ms. Mendes - Seventy total.

Mr. Furtado – The water department has a consultant and we asked them this question. Is there a condo fee and they said no. Typically it is what it is. Hope to change all the meters to a different system.

Mr. Hobson – If somebody goes to Florida and their toilet leaks for six months you could pick it up.

Mr. Furtado – The way the tier works is to promote conservation.

Ms. Mendes - I'm all for conservation.

Mr. Ristuccia – If they read every quarter then what would happen 12,000 per billing cut in half the first 2250 at \$1.90, next 2250 is at \$4.65 so you're only going to have 1500 cubic feet at the higher tier.

Mr. Wotton – What if we took each unit, nine with the sprinkler, they were at 10,000 cubic feet, each one and there are seven units per building. Able to divide that number by seven, 1,500 we group it all together for each unit at an average.

Mr. Furtado – Are you saying break it down separately instead?

Mr. Ristuccia – It's not the BPW as to how many meters they have in their building, that's the condo deal. The easiest thing would be for condo people to put meters in on their own. So when they get the bill we don't have to do it on our end. The rate used to be \$3.90 across the board. Now we are billing \$1.90 and \$3.90 so now all they are paying extra for is 1500 at the higher rate. It would be a reasonable increase to them.

Ms. Sturtevant – I know. I have a condo but we also have separate meters at Ocean Meadows and I guess we are the only ones. If you were to put meters upon themselves.

Mr. Ristuccia – It would cost a lot. Best to bill it four times a year.

Mr. Furtado – That's a start for the next couple of billing periods.

Ms. Sturtevant – Also, people who are away for the winter. Why should I have to pay?

Ms. Mendes - There is room to pay in our budget.

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Mr. Freitas – One of the things I notice and this may help you. Some buildings have some increase but your biggest jump is your irrigation. I think that is your biggest increase. It's someplace where you can conserve. That is your biggest problem.

Mr. Furtado – The easiest solution right now is most of the properties are billed twice annually recent implementation of the tier structure the condo is stuck at that higher tier. We suggest that we could go in and read the meters more often. This way the clock would start at 0 at the 3 month period.

Mr. Goodman arrived to the meeting.

Mr. Goodman – If I may, what I felt was kind of unfair is the industrial rate because they have this heavy usage due to one meter. In fact all of the units are residential homes and on a per capita basis they would not be charged at an industrial rate. When there was deregulation of electric other suppliers in the CMR that the whole idea is to make it less expensive for consumers. Resident of Town by the number of residents you would not have such a high rate of usage because on a per unit basis. The proper thing to do is to divide hoping you would consider.

Mr. Ristuccia – Before the tier went into being the charge was \$3.90 per hundred cubic feet of water. I was wrong. 11,000 cubic feet is $110 \times \$3.90$, that math at the old rate the bill would have been \$429.00. Now with what we suggested it would be using 5500 the first 2250 is at \$1.90, next 2250 is at \$4.65 at 104.00 is 147 and then you would have 1,000 at 7.45 at \$74.00. The old system before the tier using 11,000 cubic feet every six months bring it back to 3 months the bill would have been 215 every 3 months. What proposed to do now is \$221.

Mr. Furtado – First of all, there is no industrial rate. We were prodded by the DEP to institute a tier structure. The Mattapoissett River Valley and the towns that get their water from that source, Mattapoissett and Marion all had to implement this tier structure. We tried to make something palpable to the folks in Town. Fifty percent of the residents with the tier received a smaller bill than in years past. We basically charge \$2, \$4 and \$7. Our suggestion rather than to change all the plumbing, the clock would start at 0. Our water consultant who has assisted numerous communities we asked them do other communities have a condo rate and they said no. We even had the gentleman from Massachusetts Water Works ask and put this question on their board and the answer was no. In anticipation the first solution would be to read the meter more often.

Mr. Goodman – We appreciate your good thoughts. The concept that we come in with this are homes that are cluster housing. Still they are people's homes and all we wanted was equal treatment.

Mr. Ristuccia – Reading it fair for us would be every three months. We have to keep in mind the reason it was the town's decision to do this is we will only be able to draw as much water in 2005.

Mr. Furtado – DEP is telling us that we can only draw as much water as we did in 2003 to 2005 or 2005, whatever is bigger. Ten years ago and that's the number and if we don't live with it what that means is we have to raise the rate to generate that revenue and pay more for less.

Mr. Ristuccia – Create conservation. The people who got big bills will use less water.

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Mr. Goodman – I understand the purpose but because these are single family homes they are probably not using any more than other homes are using. They have to cut down even more than other homes.

Mr. Furtado – The normal residents that are not read quarterly.

Mr. Goodman – What I planned on doing is to consider the proposition that condos should not be hurt any more than others.

Mr. Freitas motioned to start read the Dana Farm Condominiums quarterly and if they still have any question to invite them back again. Ms. Sturtevant seconded. Vote unanimous.

B. Akin Street Residents – Re: Road Condition

No one was in attendance from Akin Street

Mr. Furtado – The north side of Route 6 is decently beat up. We were there last week and filled the potholes. It's the best it's been. That section needs a new water main and a sewer extension as well. We are not going to dig up the road if it needs water and sewer.

V. Items for Action

A. West Island Town Beach – 2015 Fees

Mr. Ristuccia – We have last year's rates and these would probably good.

Mr. Furtado – In the packet is what we charged last year and the money collected in the summer time.

Mr. Hobson – I think the fees are reasonable.

Mr. Wotton – Car day pass?

Mr. Ristuccia – Nonresident is \$20.

Mr. Wotton motioned to keep the fees the same as 2014. Ms. Sturtevant seconded. Vote unanimous.

B. 18 Briercliffe Road – Sewer Betterment Deferral

Ms. Sturtevant – I have to recues myself.

Mr. Sturtevant left the meeting.

Mr. Furtado – A women who went in front of the Board of Assessors, they granted her a deferral on her real estate tax and also on the sewer betterment. As a matter of protocol Del Garcia sent us this request. This is something the Board has done a couple of times.

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Mr. Freitas motioned we approve the sewer betterment deferral for 18 Briercliffe Road for this year and again we will discuss it next year at that point. Mr. Wotton seconded. Vote unanimous.

D. Edward Fortin, Water Superintendent – Carry over Vacation Days

Mr. Fortin – I have vacation days unused because of the Tinkham Lane well so I would like to carry over seven days that assuming I can take two weeks between now and June 8th because I have sixteen days left.

Mr. Hobson motioned to approve Edward Fortin to carry over seven vacation days. Mr. Wotton seconded. Vote unanimous.

C. Review Policy for Non Metered Leaks on Private Property

Mr. Furtado – Back in 2010 Ed came to a BPW meeting and voted on by you folks at the time was that when there was a leak similar to the Scoticut Neck Road property a letter sent would give the resident ninety days and certainly that is way too long.

Mr. Ristuccia – This is what we spoke about the last time and asked to be put on the agenda for this week.

Mr. Wotton – We motioned for two weeks.

Mr. Furtado – We did shut the water off.

Mr. Wotton – Certified letter and in two weeks there is no response then we shut it off. They need to have two weeks to have a game plan. Contractor with a deadline.

Mr. Fortin - Two weeks to find out what the game plan is. Need a time game plan when it comes to fruition. Have to put a definite number in there. Game plan within two weeks and done by thirty days. Cc the fire and police department.

Mr. Freitas – The property is given twenty-one days to repair the leak. Assume the leak it's been a couple days. We would like to hear back from them within ten days or shut it off.

Mr. Ristuccia – I think the game plan can happen in ten days. After that, two weeks is plenty.

Mr. Fortin – Every case we knock on the door and let them know they have a leak. We give them the notice and a drainlayers list.

Mr. Hobson – When we shut them off do we notify the Board of Health?

Mr. Fortin – Yes.

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Mr. Ristuccia – Ten days to respond and if they don't, why send them another letter. Shut them off.

Mr. Wotton motioned to send a letter and within ten days come up with a game plan and if no one has responded shut the water off. In two weeks if they do respond with a contractor give an estimated date to fix it. Ms. Sturtevant seconded. Vote unanimous.

IV. Appointments (Continued)

C. Nathanyl J. Gomes Construction Corp. – Re: Application for Drainlayer

Mr. Wotton – I know Mr. Gomes from mutual friends.

Mr. Ristuccia – That should be okay. You have an application for drainlayer. How many letters of reference do we need?

Ms. Tripp – Three. One of his letters is for septic systems.

Mr. Gomes – I would like to do sewer and water in this Town.

Mr. Furtado – Have you worked in other places?

Mr. Gomes – Marion and New Bedford.

Mr. Freitas motioned to approve Nathanyl J. Gomes as a drainlayer for one job and if his first work is acceptable then he can be a full time. Mr. Wotton seconded. Vote unanimous.

E. Recycle Center – Items that require Payment

Mr. Furtado – Last time you folks wanted to bring a TV for example, bring a TV without a permit. We will be losing money by doing that.

Mr. Freitas – Collect \$25 and they charge week end and week out. No sticker. Allow people to do it minus the sticker a year you could get a guy bringing TV's in for two or three months and we don't want that.

Mr. Furtado – While there they may bring with the TV a little bit of brush.

Mr. Wotton – Non brush sticker \$10 sticker. Gives you access anything other that.

Mr. Freitas – Anything except yard waste just pay, very simple.

Mr. Freitas motioned that if a resident brings in anything other than yard waste they would pay for the item without purchasing a permit. Ms. Sturtevant seconded. Vote unanimous.

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Mr. Wotton motioned to adjourn open session at 7:10 p.m. and enter into executive to discuss a personnel matter and to reconvene in open session at its conclusion.

Roll call taken: Mr. Ristuccia, Mr. Hobson, Mr. Wotton, Ms. Sturtevant and Mr. Freitas in favor.

Open session resumed at 7:45 p.m.

Items for Action (Continued)

G. GCG Associates – Inspection and As-Built Services; 14 Main Street

Mr. Furtado – GCG Engineering basically observes the utility work there and will draw the as-builts when they are done. The price is \$3,222. They are our engineering firm. They make the as-builts.

Mr. Wotton motioned to approve signing the agreement with GCG Associates for 14 Main Street in the amount of \$3,222.00. Mr. Hobson seconded. Vote unanimous.

H. GCG Associates – Inspection and As-Built Services; 216 Huttleston Avenue

Mr. Furtado – This is for the medical center behind Walgreens. The amount is \$6,566.00. It's paid by the developer.

Mr. Wotton motioned to approve signing the agreement with GCG Associates for 216 Huttleston Avenue. Mr. Freitas seconded. Vote unanimous.

I. GCG Associates – Inspection and As-Built Services; 39 Causeway Road

Mr. Ristuccia – This one I got a phone call from the person leasing the building. He said he spent \$1,700 to draw the plan for a grease trap. He said I kind of take put in the way the plan says why can't we put it in and make an engineer make an as built as his engineer says it's supposed to be. At the end not supposed to let me see what we can do. Instead of spending \$1,990 to have the engineering firm dig the hole and engineer already done and approved by us. I'll install it and I'll have the engineer make a plan just like the plan says.

Mr. Wotton – It's a small outside grease trap.

Mr. Furtado – Bottom line is we need as a matter of policy we use GCG for the as-builts. We offer that as our off shoot.

Ms. Sturtevant – We've always used GCG for the Town. Why we would we go elsewhere?

Ms. Tripp – We have used GCG for all Town projects for utilities for the last five years. They know what we want.

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Mr. Ristuccia – \$1,990 for the plan for elevations size all that sort of thing my engineer just like the plan says or my engineer or an independent engineer and do an as-built.

Mr. Freitas – We’ve had engineers do as-builts when I worked for the Town. The as-builts aren’t important but okay if the observation of it is done. I would say if he can help out and sit there and observe. We have to have somebody there to observe.

Mr. Wotton – Question, why can’t before they backfill do the inspection?

Mr. Ristuccia – Elevation and pitch, sinking cement box inlet and outlet certain elevation. That’s what they are doing elevation of inlet and outlet.

Mr. Wotton – I don’t see Mr. Fostin going out and getting as-builts. Pay somebody to watch an excavator we should expect to do the job properly before its backfilled.

Mr. Freitas – GCG looks at it. See what we can get.

Mr. Wotton motioned to sign the agreement with GCG for the final inspection elevation and as-builts.

Mr. Ristuccia amended the motion to approve to pay money to GCG and we request that the limit of their input is to go to the site unit in place elevation, field survey and prepare the as-builts. Mr. Wotton seconded. Vote unanimous.

J. Brown and Caldwell – Closeout of the Digester Project

Mr. Furtado – Letter that went back and forth with their lawyers and our lawyers. Basically in a nutshell the Town is dismissing Brown and Caldwell from the Digester Project.

Mr. Wotton motioned to approve signing the Brown and Caldwell closeout letter. Mr. Freitas seconded. Vote unanimous.

F. Indirect Costs

Mr. Wotton motioned to table discussing indirect costs until the next meeting. Mr. Freitas seconded. Vote unanimous.

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

Mr. Freitas – I received a call from 2 Gardner Street. The tree on Long Road and Gardner was set to be removed. It’s sitting on a drain line. There was an older tree beside it and the roots got into the drain line. What he is asking for is to remove it and replant it in his yard. He would take on the cost.

Mr. Ristuccia – Are they going to take this tree down?

Mr. Furtado – I will check with John.

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Ms. Sturtevant – I have nothing.

Mr. Ristuccia – I have to apologize to Kathy. While you were on the telephone and we had the vote when you were replaced as the clerk. I said okay she's out. It was with a big smile on my face.

Mr. Wotton – I have nothing.

Mr. Hobson– Indirect costs and the Department of Revenue they made all these rules to pay the Town. We send our sweeper to the School Department, our equipment. They don't pay for the gas.

Mr. Furtado – I understand your point.

Mr. Hobson – When we plowed the Causeway a gentlemen we know from Dartmouth said we pushed his wall back. Look into that.

Mr. Ristuccia – No parking signs is the public safety officer?

Mr. Furtado – We put it up but they tell us where.

Ms. Tripp – Any sign that directs you to do something comes from the Police Department.

Superintendent's Report for May 4, 2015:

From last meeting

- Certified letter to 160 Scoticut Neck Road – water is currently shut off
- Review of non metered water leaks on agenda
- Recycling center - items that may be dropped off (with a payment) without a needed permit on agenda
- George Belanger – Teamsters Sewer Union rep – will be at meeting of May 18 to discuss language in contract concerning licenses
- Bayside Engineering tasked to provide BPW with approximate construction costs to create what SRPEDD has listed as alternative # 1 on their review of the safety issues at the Phoenix Rail Trail Crossing at Scoticut Neck Road and David Drown Boulevard.
- Indirect costs on agenda

New Items

- Attended Mattapoissett River Valley meeting – hot topic is preparation to meet with DEP concerning WMA permit

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- Cart issues still on-going – mostly seasonal folks and a few that have fallen through the cracks
- Met with Pasta House – they have contracted with a grease removal service after Town filmed their line to find grease build-up beginning to return. Per the Board’s vote, if this remedy doesn’t work, the outside grease trap will have to be required
- Various requests to patch-up/repair damaged items during winter season
- Attended Capital Planning meeting
- Temporary repair to north side of Akin St
- Highway Department assisted with West Island 5 K
- Met at Causeway Bridge with Eversource concerning water main project
- Sewer Department coordinating/resurrecting nitrogen discharge model runs
- Steamship Authority construction on Main St to happen in a few weeks
- Medical Building at 216 Huttleston Ave (near Walgreens) to begin week ending May 8
- Received engineering proposal for needed repairs to Causeway bridge - structure – not water main
- Attend Town meeting precinct meeting
- Bid openings for sewer lining work

VII. Set Date for the Next Meeting

Mr. Wotton motioned to hold the next meeting on May 18, 2015 at 6:00 p.m. Mr. Freitas seconded. Vote unanimous.

VIII. Adjourn

Mr. Wotton motioned to adjourn at 8:20 p.m. Ms. Sturtevant seconded. Vote unanimous.

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant

Minutes approved on May 18, 2015.