

**Town of Fairhaven  
Board of Public Works Meeting  
August 24, 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  
Michael Knabbe, Matthew Rodriguez Foundation  
Claudia Martin, 17 Turner Avenue  
Carol Tyson, Fairhaven Dog Park Committee  
Laurie Traudt, Fairhaven Dog Park Committee  
Geoffrey Haworth, Selectmen & Conservation



Mr. Ristuccia arrived at 6:15 p.m.

**I. Call to Order**

Mr. Hobson called the meeting to order at 6:05 p.m.

**II. Routine Matters**

**A. Signing of Departmental Bills**

**III. Approval of Minutes**

**A. August 10, 2015**

Mr. Freitas motioned to approve the minutes of the August 10, 2015 meeting. Mr. Hobson seconded. Vote 2-0 in favor with Ms. Sturtevant and Mr. Wotton abstaining.

**IV. Appointments**

**A. Michael Knabbe – Re: Request to use Cushman Park in September**

Mr. Knabbe - Thank you. I represent the Lance Corporal Matthew Rodrigues Memorial Foundation who was a Fairhaven marine that was killed in 2013. His family and two sisters established this foundation to celebrate his life sacrifice. It has given out four \$2,000 scholarships to Voke Tech students and have given many charitable things for veterans. We did a letter writing campaign and sent out 750 letters and cards to veterans throughout the V.A. hospitals in Massachusetts and Rhode Island. We have been involved in many charitable areas to support veterans and families of veterans last year after Matthew was killed. The family decided to pay it forward so we want to do something for the community. I tend to put my foot in my mouth and said let's do a Winter Fest. So they all looked at me which I'm nuts but last September on the hottest weekend we trucked in fifteen tons of snow and ice. It was 87 degrees.

**Town of Fairhaven  
Board of Public Works Meeting  
August 24, 2015**

We called ice skating rinks and used pickup trucks. It was a free event. This event is our way of saying thank you to Fairhaven and thank you to New Bedford. We limited it to Fairhaven last year just because we didn't know if it was going to work. We had 1000 kids, vendors and entertainment. So much fun. This year it will be bigger and better. Went to see the selectmen and they are supporting it. This year we anticipate twice as much. Coat Cushman Park with snow and ice again. Santa and Mrs. Clause will be there. Fire engine rides. Tommy James Magic Show and mad science will be there and other entertainment and antique cars. Last year it happened within four weeks. This year I wanted to make sure I dotted my i's and crossed my t's. Couple things wanted to mention. I don't know if Public Works has portables and garbage cans. National Guard will show up this year. Lisa and I are both pilots. Static display airplanes trucked in. Fairhaven has supported the Rodrigues family and we are asking for your support. In the spring again we are going to have a dedication at the New Bedford Regional Airport. The next dedication is an outdoor chess park in Matthews's name. Do that in Cushman Park also. Lisa and I and our foundation will supply four tables and two Adirondack chairs in honor of the local fallen at the New Bedford airport. We are taking that across the state; one hundred forty-eight tables. Winter Fest is not a fundraiser. It's our way of giving back. We appreciate your time.

Mr. Wotton – Do you have a date?

Mr. Ristuccia arrived at 6:15 p.m.

Mr. Knabbe – September 27<sup>th</sup> from 1:00 to 5:00 right now. It may run a little bit later. Last year we left the park like we found it. There was six tons of snow. We are asking extra trash bins. Food vendor expand the operation. Prudent would be extra trash bins for that day.

Ms. Sturtevant – Worked well last year. Very clean. Barrels should not be a problem.

Mr. Hobson – I'm a veteran and my brother was a Marine. Get a hold of Vinnie or Kathy. Should be all set.

Mr. Wotton motioned to allow the Lance Corporal Matthew Rodrigues Memorial Foundation to use Cushman Park on September 27, 2015 from 1:00 on with full support. Mr. Freitas seconded. Vote unanimous.

**B. Claudia Martin – Re: 17 Turner Avenue, Water Bill**

Ms. Martin – I had a tenant in my house on September 8<sup>th</sup>, she left and then I was in an accident in California and I was in a wheel chair. I couldn't make it here. I had my guy keep an eye on the house. In November had my contractor shut the house down. In February or March Joyce called me to tell me my water bill was going to be about \$6,500 for three months when no one was living in my house. That's why I am here. The Water Company came out and then checked the meter, no leaks. I did come back in May and there were a lot of pipes that were broken in the house and repaired by the plumber. Haven't figured out how.

**Town of Fairhaven**  
**Board of Public Works Meeting**  
**August 24, 2015**

Mr. Furtado – During the billing process if we see folks go over a certain percentage we let them know so they can check something out. We would call anybody 20% over so they know. I know that one of the water guys went out there and checked it and it was okay. It is an incredible amount of usage.

Ms. Martin – David Cardin is my contractor. I told him to go and shut the house down and I would come back in the spring. He shut the house down in November. I have no idea what really happened.

Mr. Ristuccia – This has happened in the past. We've taken the meter and had it calibrated as a matter of procedure. Not found one yet that was not operating. Everyone in favor of the resident, it goes too slow. If the meter is there and working accurately the water went thru the meter. I wouldn't think that I would want to make sure the meter is working accurately. Water went thru it. The windows were opened. Tenant moved out, it's your responsibility to shut the house down. When was that?

Ms. Martin – They moved on out September 8<sup>th</sup>, 11<sup>th</sup> or 12<sup>th</sup>.

Mr. Ristuccia – Send the Town by and check the meter. Anybody there now?

Ms. Martin – Yes, I'm there now.

Mr. Wotton – The meter is not leaking. How about the street?

Ms. Martin – No we had the guy come out 2 or 3 times already. The meter is not moving.

Mr. Hobson – Where is your meter?

Ms. Martin – Under the house in a crawl space.

Mr. Hobson – The point is summer houses you leave and we shut it off at the street. Your situation you must have had a leak underneath the house. What we usually do you pay for the water, not the sewer. Check the meter and decide water or sewer.

Ms. Martin – Another possibility my tenant was spotted at the house on three separate occasions after she moved out. Could she have done this?

Mr. Ristuccia – If the meter calibrated properly and used 47,000 cubic feet of water, then you used 47,000 cubic feet of water.

Mr. Furtado – Only possible abatement would on the sewer.

Ms. Sturtevant – There's nothing they can do. Tough when you have tenants. No fun. You can make them liable for the water bill and they can be held liable for that.

Mr. Freitas – I think the problem might be that it wasn't shut off at the street. Froze not a problem at all sewer. Law is we can't abate the water. Our hands are tied with the water.

**Town of Fairhaven  
Board of Public Works Meeting  
August 24, 2015**

Mr. Furtado – We'll change the meter. Call you back in a meeting or two. Still an opportunity.

Ms. Martin - I won't be here.

Ms. Tripp – We can't abate the interest charges.

Mr. Wotton motioned to check the calibration of the meter for 17 Turner Avenue and to table until we get it back. Ms. Sturtevant seconded. Vote unanimous.

**C. Carol Tyson, Laurie Traudt, Fairhaven Dog Park Committee**

Ms. Traudt – I am co chair with Carol and we came here and met with Mr. Furtado, Mr. Ristuccia, Mr. Hobson, Mr. Wotton, Steve Riley and Kathy Tripp about the property on Long road for the Fairhaven Dog Park. We were asked to this meeting per Mike Ristuccia to determine whether we could use that property of the dog park behind Long Road. Initially they were against it because of the wetlands so we went out there to look at it. Controversy between Conservation and the BPW about brush dumping. At those meeting minutes we were voted to be able to share that property for the dumping of brush and a portion of the dog park. Only stipulation was that when we broke ground that we notify BPW first as what conservation wanted and the materials. Leaving that meeting we met with conservation and got their approval too. Went to Homecoming after conservation acceptance and showed a map proposed to be the dog park in that area. Show the committee something everything was totally public. Also did it at the dog shelter. About a month ago Mr. Charbonneau approached us and said that's not the spot we could use and had another spot. Somebody from the committee did accept us to share that part of the property with us. Asked Mr. Haworth and he reasonably supported it. Started looking into costs. List from the Selectmen's office that was generated from private farms where brush can be stored. The parcel we are looking at is a one acre piece of property. Just feel that if it's just a brush issue turns the plans around and make it smaller.

Ms. Tyson – You said this isn't the area, it was. We showed it to you. You accepted it at that point. Hopefully we can agree to some kind of a compromise. You do have other places to put it. Gates on both ends for access.

Mr. Ristuccia – At the meeting you were here in February and at that time we told you to take an acre. That was my personal opinion. The Board voted to give you a portion of that area behind the pond. Part of that vote specifically was to come back after Conservation to go over the specifics on how to get it done. Nobody ever came back. At that point we would have been, we still want it there. It was a difficult meeting. Please stop right now. Antagonizing. Best lets' just back away. Really have concerns to put it there. I asked Vinnie to drive out there with me. We mapped out 25,000 square feet. The Board doesn't know that we went out there.

Mr. Furtado – When you folks came in February, John and I met with you and I remember specifically advising you to go a little bit more to the east, and we thought get Conservation approval which got denied. What the Board and I thought we made it clear to you DEP would only allow us to store brush from a storm to put it there. When the vote back in February my impression was yes use Long Road but somewhere on the site. When we met with Carol and the other lady a part towards the west.

**Town of Fairhaven  
Board of Public Works Meeting  
August 24, 2015**

Ms. Tyson – That was too wet.

Mr. Furtado – The northwest corner. Only affect you people once every three or four years. Have a spot and disrupt the operation.

Ms. Tyson – Originally look at behind the pond not adverse 35,000 square feet for a small and large dog area. It was 300 x 134.

Mr. Wotton – When I voted, me and Hoppy mentioned about the gates for an emergency to store brush. We don't store on a daily basis. Need that for a week or a two at a time. Making a big to do about nothing. I made the motion myself. We may have to go to that spot. We are here to help you. Everybody is here for the Town.

Ms. Tyson – I would like to go with Vinnie and stake out an area. Signage. Raise the money.

Mr. Furtado – Would you folks consider Macomber Field on Bernese Street?

Ms. Traudt – It's not centrally located.

Ms. Sturtevant – Wonderful idea. I wasn't here at that meeting. I'm all for it. Great thing and down there in Florida we went to all the dog parks. Small one and a large one. The only thing I found a lot of issues with the area and what it attracts. Not come in with aggressive dogs. Some people don't listen.

Mr. Freitas – I'm for the dog park but I have some concerns. The spot where Vinnie had proposed stake it out and get in there with one of our tractors so you can see what you are going to get. My concern is this, with animals almost like having another child. Police go there. They have way better things to do. I saw the places. If we put the brush there you have to get out. We have to have a list. Federal government could take six months before we are reimbursed to have the brush removed. There will be enough room for the brush and the Dog Park. The BPW can only go so far. We have one full time park employee. All the grass they cut, pass by it every so often. I wasn't on the Board when this was voted on. What is the size of the fence?

Ms. Tyson - Four foot chain link fence.

Mr. Freitas – I would like to see it staked out and be able to look at what we are proposing, give and take.

Mr. Haworth – I am the Co Chair on Conservation and the Selectmen asked me to come here. The long and short of it is, any major change you have to go back to Conservation. Land is very sensitive. Certificate of Compliance; there is an open Order of Conditions. Not just Fairhaven, but DEP and accept to any major change revisit and check for distance. There is very little area you can't get within 100 feet or you have to file. May have to come back to you, move it out a little bit. Until we get the open Order of Conditions back not happening any time soon. The BPW can only use that for an emergency site only.

**Town of Fairhaven  
Board of Public Works Meeting  
August 24, 2015**

There is a replication order. Today it's a nice open flat field. The replication that is going on is regrowing. I want to give everybody a heads up. There may have to be some adjustments.

Mr. Ristuccia – I think we are on the same page.

Mr. Furtado – The northwest corner.

Mr. Freitas – Check the area before we mow.

Mr. Wotton – Meet with representatives of the Dog Park, Conservation and BPW once it's staked.

Mr. Freitas – The other thing just stake out an area at Bernese Street.

Mr. Wotton motioned to table voting on a decision for the Dog Park. Ms. Sturtevant seconded. Vote unanimous.

**V. Items for Action**

**A. Award Portable Screener Bid – Argus Industries - \$43,428.00**

Mr. Furtado – We tabled this from the last meeting. We cannot afford the options. The Board is to vote on the \$43,428 and then ask for the option hopefully next year. Capital planning we couldn't spend over the appropriated amount.

Ms. Sturtevant motioned to award the portable screener to Argus Industries. Mr. Wotton seconded. Vote unanimous.

**B. Bay State Regional Contractors – Taber Street Pump Station, Invoice #2 - \$59,273.35**

Mr. Furtado – This is the contract for Taber Street Pumping Station. The parts are obsolete, doing HVACs. This is for their most receipt payment.

Mr. Wotton motioned to approve payment to Bay State Regional Contractors in the amount of \$59,273.35. Ms. Sturtevant seconded. Vote unanimous.

**C. Rain For Rent – Contract for WWTP Nitrogen Study**

Mr. Furtado – They rents piping hoses, pumps and this is some of the equipment we need for the nitrogen pilot study. The amount is \$19,498.16. It will be paid from the grant or article. Retrofitting some of the tanks.

Mr. Freitas motioned to approve the Rain For Rent agreement in the amount of \$19,498.16. Mr. Wotton seconded. Vote unanimous.

**D. Fort Phoenix – Moratorium on Benches**

**Town of Fairhaven  
Board of Public Works Meeting  
August 24, 2015**

Ms. Tripp – Currently Mr. Charbonneau said there are seven or eight benches at Fort Phoenix. We were approving one per year. I have two new requests. He doesn't feel we need any more benches at that location. There are other places in Town that could use benches.

Ms. Sturtevant – When they started going in we said so many. Then we had more and more people asking to donate benches.

Mr. Wotton motioned to place a moratorium on benches at Fort Phoenix. Mr. Hobson seconded. Vote unanimous.

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

Mr. Furtado – I have nothing except if you have any questions from what I submitted.

Mr. Hobson – More weed whacking on the main roads and update on street construction.

Mr. Furtado – We are on Summit Drive right now. Point Street is done. Bridge Street is done. Alpine and Main the contractor is working on the sewer. Water Department is doing repairs to services on Green Street.

Mr. Wotton – How are you making out with the pesticide license?

Mr. Furtado – At the meeting before past I found out we have a person with the Larvacide license, not the pesticide. We had 2 folks who were interested.

Ms. Sturtevant – I have nothing.

Mr. Freitas – I went thru the packet this weekend there are a couple of things I've brought up in the past. Put it on a future agenda. One of the things submitted thru town meeting was to check all nonunion employees' jobs. See what their jobs are for. Reason some people advocating non union personnel for a \$6,000 and \$8,000 raise. One, I'd like to see have a say in what's going on. Doing my employee evaluations today. I really want to see that implemented here. I've always been fair to everyone but to give a substantial raise to some and a ½% raise for others. Willing to offer thru Personnel Board \$8,000 to \$9,000 to one employee by all means people should be getting a raise. Implement employee evaluations. The other thing is to find about comp time. What everybody's comp time is. We don't know. I don't want to see someone retire with eight hundred hours of comp time. Look into this for us. We need to know of what people have. I've thought about this for awhile.

Mr. Furtado – At the last town meeting in May of 2014 one of the articles was to hire someone for evaluations and that got shot down. I got asked to do it. I did it for non union personnel. What got voted last year the Personnel Board is now dissolved.

Mr. Freitas – I just want to make sure we are part of any decision for us and what we do as a department.

**Town of Fairhaven  
Board of Public Works Meeting  
August 24, 2015**

Mr. Furtado – Oddly, I am going before the Selectmen next week. I went in front of the Personnel Board last year about the stipends that water and sewer people get. The manager doesn't get the same stipends. That's ridiculous. That has been negotiated thru the union. The Personnel Board never kept up with that. I went before the Personnel Board because it should be equal. They agreed to that. It passed by them and then had to appear before the Selectboard. Even with the raises. Say, Eddie, Linda or Rene; those three non union personnel under the old system I would have to go on their behalf. These persons raise have to go to the selectmen and vote on it.

Mr. Freitas – That does come into it. To give to someone they just fall under. I'm more for one. Managers do a good job but how can we in good faith. Disparities 2-1 try to retain help here. Same with the license but they should also come in front of us.

Mr. Furtado – This year they hired someone for the employee evaluations. They interviewed everyone.

Mr. Freitas – I'd like to know who has comp time. I'm asking from the stuff from every week.

Superintendent's Report for August 24, 2015:

From last meeting

- Weeds near Park Motors addressed
- Posting for Pesticide License
- BPW has not been notified concerning sidewalks of proposed fish pier
- Panel to hire Town administrator will consist of 7 residents – no Town personnel

New Items

- Attended preconstruction meeting in Mattapoisett – Town is doing some culvert work near our 16" water main
- Various issues (schedules, detours, water, etc.) with sewer rehab work at Main and Maitland
- Attended small claims court for BPW versus A.W. Martin
- Attended monthly Mattapoisett River Valley Water Treatment meeting
- Various issues with final settlement with Tibbetts – should be good to go now
- Reconstruction of Shore Drive Project (grading, curbing and roadway paving) went out to bid
- Met with GCG concerning final design stages to reconstruct Green Street from Washington Street to South Street using Chapter 90 funding.



**Town of Fairhaven  
Board of Public Works Meeting  
August 24, 2015**

- GCG has designated 18 trees that will need removal for the above project – have notified the tree warden and will have to have a public meeting as the project draws closer
- Water Department has been working on services on Green Street
- Highway crews have been working on Point Street and Summit Drive
- Numerous calls to Town’s Insurance office re: claim for property damage from sewer by Town Crier
- Mill Road Pond Dam restoration grant still being reviewed by State

**VII. Set Date for Next Meeting**

Mr. Hobson motioned to hold the next meeting September 14, 2015 at 6:00 p.m. Mr. Wotton seconded. Vote unanimous.

**VIII. Adjourn**

Mr. Wotton motioned to adjourn at 7:43 p.m. Ms. Sturtevant seconded. Vote unanimous.

Respectfully submitted,

Kathy A. Tripp  
Administrative Assistant

Minutes approved on September 14, 2015.