

**Town of Fairhaven
Board of Public Works Meeting
November 2, 2015**

Present

Michael Ristuccia, Commissioner
Robert Hobson, Commissioner
Brian Wotton, Commissioner
Daniel Freitas, Commissioner
Vincent Furtado, BPW Superintendent
Kathy Tripp, Administrative Assistant
Carol Tyson, Dog Park Committee
Laurie Traudt, Dog Park Committee
Kathy Lopes, Dog Park Committee
Nancy Santoro, Dog Park Committee
Jennifer Silvia, 24 Bernese Street



Ms. Sturtevant was not in attendance but was listening to the meeting via cell phone.

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 19, 2015

Mr. Hobson motioned to approve the minutes of the October 19, 2015 meeting. Mr. Freitas seconded. Vote 3-0 in favor with Mr. Wotton abstaining.

IV. Appointments

A. Dog Park Committee

Ms. Tyson – We are here to give you an update. Great job staking Macomber Pimental and Long Road. At our last meeting an abutter came in, Jennifer Silvia with a petition. I'm sure you have a copy of it. We don't want unhappy neighbors. Petition is in favor of Long Road. At the next meeting we will be voting. We are leaning towards Long Road.

Mr. Ristuccia – If that's the way we are leaning it's a moot point. We talked about it if the neighbors didn't want it we wouldn't want to do it.

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Mr. Hobson– Long Road is a better spot. We can work with you and set you up the best we can.

Ms. Traudt – The stake areas are at the side. Not going to be able to see it from the road way.

Mr. Ristuccia – We talked about that. The problem is if we switch it around we are going to have to go into the dog park and make a mess and I just don't feel comfortable. When it does, people will forget and a lot of bad feelings about it. We have to have our setback from conservation and we can't drive our trucks. Taking it down and putting it up.

Mr. Wotton – Off to the side is good. When it's done and we have to remove it the loader will go in and destroy everything in its path.

Mr. Freitas – In the beginning I was in favor of the Long Road spot. Not exactly where you want it but it's a good foot in the door.

Ms. Tyson – Open up the grass and clean.

Mr. Freitas – We don't want to have anybody angry that we have to put brush in front. If we have a large storm it's not going to be overnight that we remove it.

Mr. Ristuccia – We don't want to put the dog park in an area where the neighbors don't want it.

Mr. Furtado – Do you expect to maintain it?

Ms. Tyson – We haven't thought about that.

Mr. Freitas – Have you spoke to the Long Road abutters?

Ms. Tyson – Yes.

Mr. Freitas – As far as maintenance, we have very limited people in the park to cut the grass.

B. Scott Hartman, 45 Balsam Street – Driveway Violation

Mr. Furtado – The reason why we called you in is the driveway work. The Highway Superintendent in Town got notified about a week or so ago somebody did some work. There are two issues. The main thing is it wasn't an approved contractor to work in the town layout. Openings were allowed previously when someone took out a permit in 2008 with an approved contractor before the Board. Seven years went by.

Mr. Hartman – I came before for the one catch basin and that problem was taken care of and also to get approval to get two openings.

Mr. Ristuccia – Did anybody drive by?

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Mr. Hobson – I don't see a big problem. He has a car and kids there as far as I concerned.

Mr. Freitas – When I worked for the Town they had the house that was built across the street. The pipe was broken and the water backed up. I check it out and there was a pond in his yard. That lasted for quite a few years. The street got broken up and the whole nine yards.

Mr. Ristuccia – I've driven by hundreds of times.

Mr. Freitas – Some sort of a website. Not excusing some people but they just don't know.

Mr. Freitas – We need to do a better job getting it out there.

Mr. Wotton – I'm just a little confused. It was approved in 08. He did the aprons. What's the difference between then and now, finish and overlay?

Mr. Ristuccia – At the last meeting they needed a permit. If it's on the website I wouldn't know.

Ms. Tripp – You need a permit even if you are doing the apron over. It's Town property.

Mr. Wotton - Unapproved contractors compile a list get them the information.

Mr. Hartman – He didn't know.

Mr. Wotton motioned approval because it was already paved and paid the fee. Mr. Hobson seconded. Vote unanimous.

Mr. Furtado – I don't get a vote but that wasn't right.

V. Items for Action

A. Pivotal Concrete – Payment #1 Livesey Skate Park \$14,970.00

Mr. Furtado – This is the first invoice from these folks. It's for the renovation at the skateboard park. It's CPC money. Kathy spearheaded the whole thing with the central register and bid. I went out there and Charbonneau has been out there. Basically they have knocked down some of the existing structures.

Mr. Freitas – The football parents have asked about it. Who is in charge?

Mr. Furtado – They can call me.

Mr. Wotton motioned to approve payment to Pivotal Concrete in the amount of \$14,970.00. Mr. Hobson seconded. Vote unanimous.

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B. Remote Vote

Mr. Furtado— At one of the last few meetings with Kathy Sturtevant she brought along this document from Mass General Laws where the Attorney General allows you to vote via phone or Skype. The only thing is even though the Attorney General has allowed this, the Mass General Law states the requirement who is deemed to approve this is the C.E.O. of the Town. Selectmen are the Chief. They are the only ones who can allow. She is hoping for a vote that we will send to the Selectmen to allow this. My two cents is if you allow I would cap it.

Mr. Hobson – Two people can vote by phone?

Mr. Furtado – You have to have a physical quorum.

Mr. Hobson – If they approve it they'll have to approve it for every other board. I don't really have a problem someone once in a while. I don't think it should be for two or three months.

Mr. Furtado – Also looking at that if they elected you, you should honor your responsibilities. The Attorney General has approved that this is allowed.

Mr. Ristuccia – I think the reason Kathy wants to do this is because she doesn't want to not fulfill her obligation to the people of the Town. She is here nine months of the year.

Mr. Wotton – One person votes via phone for a six month period. If a situation would occur I cut my leg off and I can't be here. Calls from two people and one lives in Florida for three months something happens and you couldn't be here. I'm sure she would back down and let you do it. There should be a cap on two different ends on how many people and a time period.

Ms. Sturtevant— People elected me for a three year term. We bought a house in Florida and I can do this over the phone they can't get me out of here they are the people who would have to get me out.

Mr. Ristuccia – It's not our intention to get you out.

Mr. Freitas motioned that we ask the Selectmen for one member.

Mr. Ristuccia – I think that right now we request the Selectmen to allow remote vote. It's our thing to say okay.

Mr. Freitas motioned to have there approval for remove vote for one member. Mr. Wotton seconded. Vote 3-1 in favor with Mr. Hobson against.

**C. GCG Associates; Engineering Services – Plymouth Avenue (Green to Adams)
Design and Bidding - \$23,830.00 (Chapter 90)**

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Mr. Furtado – This money would come out of Chapter 90 for our portion and CBDG money whatever the project is and our contribution is a small amount for engineering. It will be streets, sidewalks, drainage, reset of curb and bidding and design.

Mr. Wotton motioned to approve the GCG Associates agreement in the amount of \$23,830.00 pending Chapter 90 approval. Hobson seconded. Vote unanimous.

D. Route 6 Pavement Project

Mr. Furtado – I just would like permission to send a letter to Mass D.O.T. regarding going westerly. It's a little rocky that when they do the final coat that they level it off.

Mr. Freitas – We had a water main break.

Mr. Furtado – The vibratory roller broke the water main near Kane Street. A gentleman working for Keating helped us out. When the water was there last week the road was so thick he let us use his excavator and his signs. Cold patched the next day.

Mr. Wotton – Send a note to the Police Department about the race track. The cars are going 60-65 mph there. Monitor it a little bit. That patch that's there better today than the first day.

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

Mr. Wotton – Manomet Street?

Mr. Furtado – From Sconticut Neck it goes down to a 15-25' patch of cold patch.

Mr. Wotton – Look at it yourself.

Mr. Freitas – Francis Street; I had one of the people a little hot that there are multiple crosswalks across Francis Street. I am not against crosswalks. Begging for crosswalks and a street with crosswalks on every intersection on a street that's not heavily travelled. I told him I would bring it up at this meeting. They saw a price on one of the trees. It was \$500. Going back to time cards. Read your time cards in and up until today. Read your time cards. Late three days and then four, five times late and if you remember I asked for three or four of the union cards brought up here. What I found funny this individual is constantly late and one of the people's time card. I would like a letter placed in their file for continually being late to work.

Mr. Furtado – If I may, for all these people here everybody else submit time cards, everybody is a salaried employee.

Mr. Freitas – At 4:15 we will see in there that they want comp time on there. Somebody is not paying attention to where their employees are. We had this two weeks ago we just had that. Did you speak with that person?

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Mr. Furtado – I did. I spoke. The way that I look at that is I work for the board. They are management people; fifteen minutes later and give and take. John is here every storm. She is here in a storm. They are management people. I look at the cards for management different.

Mr. Freitas – Who pays their salary?

Mr. Furtado – People of the Town. Everybody here I trust.

Mr. Freitas – Everyone is early at least ten minutes.

Mr. Furtado - We put the foreman cards in.

Mr. Freitas – Extra time. I've been talking about for a long time. Let it continue. That's not how I would run my shop.

Mr. Ristuccia - Do any of these people work in the course of a month a couple hours more a week two to three hours extra doing something?

Mr. Furtado – They are salary personnel whether they are here or not.

Mr. Ristuccia –Are there times when they come and they work when they are not supposed to be working?

Mr. Furtado – Yes.

Mr. Hobson – There are rules in this Town about comp time. We should go into executive session to discuss it. Sit here on TV and explain it we ought to notify the people and have them come in. Go to the Town Hall, Jeff will give you the whole thing on comp time.

Mr. Freitas – This individual I would like to make a motion if you decide to get the last twenty-six of their time cards. Prior to the meeting if they decide what they want to do if they do what it is. It has to be in executive session. Personally if this was any member of the one of them they would be out of a job right now. Put in for comp when they are late that all adds up to. I'd like to have this on the next agenda to discuss time cards and the person to come in.

Mr. Hobson – Just want to get some of the weeds in Town; Scoticut Neck Road, North Fairhaven and in the center there are weeds here and there.

Mr. Wotton – The island in front of Flour Girls has weeds.

Mr. Ristuccia – Corner of Green and Union going south; trailer trucks must be going to Union Wharf coming up Green Street and then they turn right on Union Street. Trailer wheels go over on the sidewalk four to five feet. It's a safety issue. See the tire marks on the brick sidewalk.

Mr. Freitas – The Union Street lady we had in here with the tree roots. We stopped going there?

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Mr. Furtado – We went there weekly and then the next month and she hasn't had any issues since then.

Superintendent's Report for November 2, 2015:

From last meeting

- Hockey Rink Door at Livesey needs welding – will schedule
- Remote vote on agenda
- Checked with ABC re: smaller barrels

New Items

- Presented water, sewer and highway grids at Capital Planning meeting
- Conducted training
- Attended Capital Planning Committee meeting
- Met at treatment facility with FST – instead of waiting for nitrogen permit to borrow and tie all needs into that amount – decided to borrow in phases – roughly ½ and ½ as infrastructure at plant is declining and it isn't prudent to wait much longer if nitrogen permit is further delayed
- Continue to work on Phase II of beach erosion grant
- Bridge Street paved
- Engineering of Bike Path Safety Measures moving nicely
- Livesey Skatepark repairs were initiated
- Preconstruction meeting for parking lot expansion for Brahmin leather
- Preconstruction meeting for Steamship Authority — cut and cap utilities
- Speak with Dog park folks in preparation for their appearance on Monday's agenda
- Attend department head economic meeting
- Attend Mattapoisett Water Treatment plant budget subcommittee
- Water Department repairs leak in Route 6 – emailed Board

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VII. Set Date for the Next Meeting

Mr. Wotton motioned to hold the next meeting on November 16, 2015 at 6:00 p.m. Mr. Hobson seconded. Vote unanimous.

VIII. Adjourn

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

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant

Minutes approved on November 16, 2015.