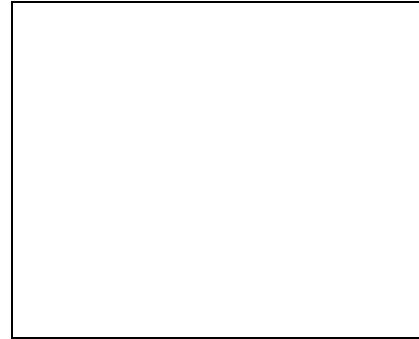


**Town of Fairhaven
Board of Public Works Meeting
November 16, 2015**

Present

Michael Ristuccia, Commissioner
Robert Hobson, Commissioner
Brian Wotton, Commissioner
Kathleen Sturtevant, Commissioner
Daniel Freitas, Commissioner
Vincent Furtado, BPW Superintendent
Kathy Tripp, Administrative Assistant
Bill Roth, Town Planner



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. November 2, 2015

Mr. Wotton motioned to approve the minutes of the November 2, 2015 meeting. Ms. Sturtevant seconded. Vote unanimous.

IV. Appointments

A. Bill Roth, Town Planner – Main/Middle Street Site Circulation Project

Mr. Roth – This potential project will have an effect on the BPW and it would have an effect as Selectmen as Road Commissioners. I've been working with your staff, Vinnie and John Charbonneau, and police and thru a lot of our work thru the block grant we realized they are some traffic issues on Main and Middle Streets. The issue on Main Street is parking on one side and too narrow, two lanes, sidewalks and near misses and crashes. I met with John and police and SRPEDD and what are some options. So we came up with an alternative plan that we want to bring forward to the public but want to talk to you about it first. Looking at doing from Main Street from Huttleston Avenue to Bridge Street propose a two way. From Bridge Street heading south to center turn that into a one-way in. Parking on west side only that would allow the continuous parking. It would improve a lot of safety and still draw people into the center. Maintain to Ferry Street at Ferry Street its' a one-way currently heading east we would flip it and make it one-way heading west and then at that point look at taking Middle Street from Ferry Street by Elizabeth's a one-way to Washington street. Trucks in the middle of the night sitting there so a one-way to Washington and then from Washington to Huttleston still maintain two-ways.

**Town of Fairhaven
Board of Public Works Meeting
November 16, 2015**

Some of the discussion with businesses is currently Water Street is a one-way problem for the trucks on how to get out. Water Street a two-way and no parking that would alleviate some things. I would talk to the business owners and the neighborhood. Ultimately some amount of expense low cost expense for some signage. We haven't gotten to that level on the amount of signage. We also have a listing of all the abutting property owners and will hold two or three meetings. If positive feedback then bring it forward as a real project. I didn't want to start holding neighborhood meetings and you not know.

General discussion on different scenarios.

Mr. Ristuccia – I would just like to remind you of the Roberts Rules of Orders should be running the meeting and anything you have to say you have to go thru the chair. Don't anybody take offense.

V. Items for Action

A. Pavao Construction – Francis Street

- 1. Change Order #2 – (\$1,985.50)**
- 2. Pay Requisition #7 - \$29,836.23**
- 3. Certificate of Final Completion**

Mr. Furtado – You have the information in your packet.

Mr. Wotton motioned to approve Change Order #2 for a credit of \$1,985.50, Payment #7 in the amount of \$29,836.23 and Certificate of Final Completion for the Francis Street Chapter 90 project. Ms. Sturtevant seconded. Vote unanimous.

B. GCG Associates; Inspection Services & As-Builts – Torrington Road

Mr. Furtado – We are going to have a preconstruction meeting Thursday morning. What you vote on is the normal contract that we have with GCG for drawings and construction oversight. Peter DeTerra is doing the work.

Mr. Ristuccia – The people doing the work pay for this. The question I have is it's not an accepted road. It was built by the prior developer. The Highway Superintendent is requiring flowable fill. My question is why is it in there?

Mr. Furtado – It was paved in 2004.

Mr. Ristuccia – The developer paid it I don't know why we are requiring flowable fill.

Ms. Tripp – Unless it's on one of the main roads listed in the rule you voted on or it was paved less than five years ago you have to use flowable fill.

**Town of Fairhaven
Board of Public Works Meeting
November 16, 2015**

Mr. Wotton – It is for only on heavily travelled roads. This is an unaccepted street.

Mr. Freitas motioned to approve the GCG Agreement for Torrington Road. Mr. Hobson seconded. Vote unanimous.

C. Bay State Regional Contractors; Taber Street – Change Order #1 \$27,274.50

Mr. Furtado – Bay State Contractors is the hired contractor working at Taber Street. There were a number of install a different exhaust fan, additional testing. There were PCB's there. The station was built in the 60's. Relocate a water line; and disposal of PCB's. The change order is for \$27,274.50 and this would be paid out of the article.

Mr. Wotton– This is a lot of money. Is all this absolutely necessary?

Mr. Furtado – The descriptions are all there. You have to expect change orders.

Mr. Wotton – I just hate to keep signing off on change orders.

Mr. Furtado – It comes out of the article from sewer retained earnings. We have a meeting with them on Thursday afternoon.

Mr. Ristuccia – Why don't you go down there Thursday? I just want to see it.

Mr. Wotton – Sometimes I feel like it's the same contractors we always use. Whoever is designing this we pay these people to do this.

Mr. Furtado – FST based on what was found during the construction phase that is ongoing. They have suggested that these particular items are necessary. The resident engineer is there every day. He has the Town's best's interest in mind. Taber and South Street are the largest pump stations we have in Town. It never shuts down. It takes care of all of North Fairhaven. They don't make parts anymore. It was built fifty years ago.

Mr. Freitas – Sounds to me okay they made the changes. Are we not asking them to sharpen their pencil? They are asking \$1,986.30 to replace a waterline? Water line is basically \$200 a linear foot to relocate it. I'm pretty sure saw cut; the exhaust fan different type but instead of specified and asking for an on/off switch for \$1,400. The VFD is the most expensive part. Eversource a lot times if you call them and tell them that we install the unit they will give them to you. They want you to use less power. I'd like to see this tabled and start sharpening their pencils. Kind of ridiculous.

Ms. Sturtevant – No, I just think they should look into it. A lot of this stuff I don't understand.

Mr. Furtado – The reason why the asbestos is there it's on the paint and that triggered everything.

**Town of Fairhaven
Board of Public Works Meeting
November 16, 2015**

Mr. Wotton – So, I don't know a lot of this stuff but I can look at something when we originally did a study on this pump station and if it's wide open the asbestos on the paint and this building is prior to 1960 why didn't we find this? This should have been done in the opening study.

Mr. Furtado – From memory I think the testing was part of the original contract. Positive they have to enact Plan B.

Mr. Wotton motioned to table Change Order #1 to Bay State Regional Contractors until the next meeting. Mr. Hobson seconded.

Mr. Freitas – The reason is they know they can have up to 25% in change orders. There are some things you have to push back on. Paying somebody \$5,000 brings in a company that may have labor to conduct testing that may obtain asbestos.

On the motion: Vote unanimous.

Mr. Ristuccia – Awhile back we had an engineering firm that was giving us a proposal in the Water Department and sometimes we just get too comfortable. Maybe they are too comfortable.

Mr. Furtado – That is the Sewer Department engineering firm. What you are referring to was the Water Department contractor who submitted a proposal and wanted different prices for engineering.

D. Pivotal Concrete; Livesey Skate Park – Payment #2, \$13,837.50

Mr. Ristuccia – This is something we are handling the payment for the Skate Park from CPC funds. They requested to us that we pay this.

Mr. Wotton – The skate park committee aware of this?

Mr. Furtado – They gave us permission to handle this.

Mr. Freitas motioned to pay Pivotal Concrete Payment #2 in the amount of \$13,837.50. Ms. Sturtevant seconded. Vote unanimous.

E. 2016 Recycle Permit Fees

Mr. Furtado – Every year at this time the Board votes on this for next year. There is a spreadsheet of what was sold money wise for the last three years and broken down, resident senior and landscapers. Then it shows the costs to operate the recycle center. I don't know what the Boards pleasure is.

Mr. Hobson – I think the price should stay the same. The taxpayers have to get some benefit from the Town for their property to keep them clean. I think that the way it is for another year. I go there quite often. I utilize the place. Fair price the way it is.

**Town of Fairhaven
Board of Public Works Meeting
November 16, 2015**

Mr. Wotton motioned to keep the 2016 permits the same as the 2015 price. Mr. Freitas seconded. Vote unanimous.

F. Rockland Street – Request Selectmen to use Engineering Account for Street Acceptance

Mr. Furtado – Every year the Selectmen have an account for engineering with \$2,000 in it. It hasn't been utilized so far. We would like to get Rockland Street accepted. There are seven houses and about 600 feet of road. Hire an engineer to do the legal paperwork and send to Town Meeting and then once accepted we can fix the road. I need your permission to request to Selectmen to use the engineering account.

Mr. Wotton – I would just make sure speak with our engineering firm that they account for anything that may come up. Top number.

Mr. Hobson motioned to request the Selectmen to use the engineering account for the acceptance of Rockland Street. Mr. Wotton seconded. Vote unanimous.

**G. Signage for Mattapoisett Spillway
H. Mattapoisett River Valley By-Law**

Mr. Furtado – Some time ago now around the beginning of this year a company, Yard Boss was seen taking water at the Mattapoisett spillway. I brought this to the Mattapoisett River Valley Advisory Committee that I sit on. There is a by-law created by Tom Crotty. The four member communities, Fairhaven, Mattapoisett, Rochester and Marion are presenting the by-law to Town Meeting so it can be approved so the Town can have the language. In the meantime we have no juice, embarrass the guy. The Mattapoisett Conservation Committee has asked of the Board since we own the land there if the Board would be willing to put up signs that read "No Water Withdrawal" or "No Trespassing".

Ms. Sturtevant– Would it be legal to put that up and have a leg to stand on?

Mr. Furtado – We can put it up but the by-law would give us the teeth. Technically we own that land.

Mr. Wotton – I'm all for the by-law but the signage should not be "No Trespass". A lot of kids use that property; it should read "No Withdrawal". Police will be notified. Then we can issue a no trespass to that person. I don't want to limit the green area for people to enjoy.

Mr. Wotton motioned to approve the by-law and the signage for "No Water Withdrawal". Ms. Sturtevant seconded. Vote unanimous.

I. Sewer Rates

Mr. Furtado – I sit on the Capital Planning Committee. At the last meeting that we had we went thru the FY17 budget for all the general fund expenditures as well thru FY21. The only thing that is left to do is to go in front of the Selectmen by December to finalize the Sewer Department FY17 budget. When we met

**Town of Fairhaven
Board of Public Works Meeting
November 16, 2015**

with the CPC last year we had assumed we would borrow based on the FST assessment of costs for design and construction; about \$11 million and we were holding back because we were going to tie everything in with the nitrogen permit. The infrastructure right now with some of the clarifiers at the pretreatment building we don't think it's prudent that we wait. The permit could be years from now. The plant was upgraded 30 years ago to some degree and not it's being held by band aids and bobby pins. We thought it would be prudent to borrow half in FY17, \$7 million and we would do that to take care of clarifier's engineering and construction, the P.T. building and rehab of six pump stations. Now these numbers are not to the penny, they are estimated. The CPC needs a commitment from the Board. The Town is not going to let us borrow money if we can't pay it back. Total amount of money hasn't changed just moved things around. \$6.45 is the current rate for the sewer and if FY17, FY18 and FY19 I put up the amount that is reflected there. We can add a couple of hundred thousand dollars. That doesn't mean we need a rate increase every year. The point on the agenda is that the Board needs to commit to raise the rates. With the amount of people we have hooked up \$10 give or take for six months. We need to borrow money and the Town won't let us if we don't raise the rates.

Mr. Ristuccia – I might say the items we are talking about for next year those things that change are things that are not going to interfere with the nitrogen stuff.

Mr. Furtado – No. One of the reasons we held off because we didn't want to do them twice.

Mr. Wotton – The total number \$8,893,907 million. How many residents will this affect?

Mr. Furtado -5,600 people.

Mr. Wotton – I don't like to beat around the bush. I would like to know a cost per house.

Mr. Furtado – Mathematically if you work backwards 5000 people and 5000 use about the magic number of 2250 cubic feet.

Mr. Ristuccia – This money spending is being borrowed over 20 years. It's really 5500 people.

Mr. Furtado – Putting a fee you are affecting everybody.

Mr. Wotton – The top tier structure how much are the bills being paid?

Mr. Furtado - The Town collects about 94%.

Mr. Wotton – My opinion cost you \$80 a year more and bill quarterly.

Mr. Hobson left the meeting at 7:30 p.m.

Ms. Sturtevant – We have to move forward with the sewer rates. We need to go up but in order to do the projects you have to move forward. You just can't say not do anything and leave the rates the same. Best thing for the taxpayers and the Town.

**Town of Fairhaven
Board of Public Works Meeting
November 16, 2015**

Mr. Freitas – We need to work on our infrastructure every twenty years. Since 1989 a little bit of work, not a lot has been done. Sitting here and looking and the list and \$800,000 for I & I. Is this for a study or actual fixing?

Mr. Furtado – A little bit of both.

Mr. Freitas – Did we not just purchase a camera? Shovel ready projects already. We should know where we are. I don't know what the daily routine is for that.

Mr. Furtado – Other than next year, FY19 these are what we assume are going to be required for the nitrogen two to three years. As far as the I & I, it's like what we did on Jesse and Daniel.

Mr. Freitas – The backhoe; I question stuff like that.

Mr. Furtado – This is a wish list where things could fit in the next five years. Vehicle #47 currently will be replaced by another vehicle.

Mr. Ristuccia – The CPC provides that we give them a five year plan. Only concrete numbers for next year.

Mr. Freitas – I get what you are saying. Ask to by the town's folk's wish list that we don't need. Replace a front end loader with something we wish we could have a backhoe. It's up to us to bring this stuff up. It seems tonight we are getting a little push back.

Mr. Ristuccia – The backhoe, we probably don't need a backhoe. What would we put in there to show the Capital Planning Committee what we want? In my opinion other than next year it's just a formulated outline of what we might want to do in the future subject to change based on what happens on our infrastructure needs. The numbers mean something for next year. I'm not sold on that's what we need to do. Upgrade our system and then redo once we get the nitrogen number. Desperate need of rehab now. Fix what we need to fix now not changed by the nitrogen numbers.

Mr. Wotton motioned to support the structure for CPC subject to change for the needs of the town.

Mr. Furtado – These are items that we may need or may not. FY19 not replace 47 with a backhoe then its no. The main concern of presenting this right now is we need a commitment or some need to raise the rate or capital fee.

On the motion: Mr. Freitas seconded. Vote unanimous.

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

Superintendent's Report for November 16, 2015:

From last meeting

- Letter to Mass DOT re: Route 6 drive-ability completed

**Town of Fairhaven
Board of Public Works Meeting
November 16, 2015**

- Letter to Keating re: assistance
- Letter to Asphalt Services re: requirement to work in Town
- Remote vote on Selectmen's agenda for 11/23
- Chapter 90 required multiple crosswalks in Francis Street area
- Manomet / Sconticut Neck Road repaired
- BPW forms on Town website

New Items

- Received a donation from Allen Days in the amount of \$2,183.00 to replace the gates at the Cushman Park Track. Work has been done by Fence Choice
- Completed and submitted grant for Stormwater remediation for drainage at Calumet, Jerusalem and Briercliffe
- Spoke with Town Counsel re: salaried personnel as defined by Town Personnel By-Law
- Addressed all Departments re: BPW Work Hours
- Stone Street / Akin Street private sewer issue
- Attended Mass Rural Water Association Training in South Easton for Water Credits
- Attended Mattapoisett River Valley Committee and District meetings
- Attend Capital Planning Committee meeting – General Fund expenditures all set for FY 17 – Sewer Department will be decided December 3rd – Board has to look at rates and borrowing prior to this meeting in order for proposed projects to move forward
- Updated By-Law prohibiting water withdrawal from Mattapoisett Spillway – needs to be voted by Board to send to Town Meeting

Mr. Furtado – I gave you the report any questions?

Mr. Wotton – Very mild fall; still have down time. I live almost in Mattapoisett and the weeds are all over the place. Normal spots overpasses.

Ms. Sturtevant – Thank you about getting the smaller barrel for the women. If people do need just for recycle they can get a smaller barrel.

**Town of Fairhaven
Board of Public Works Meeting
November 16, 2015**

Mr. Freitas – I did speak with Vinnie about this. I received a text from a friend of mine asking about the leaves. Conversation with Vinnie. I didn't know we didn't pick them up. In that conversation I know we lowered our recycle rates. Look into finding how much it would be.

Mr. Furtado – People who have come here and asked about leaf collection we encourage them to get a recycle sticker. On the other extra do why couldn't we do it for a week?

Ms. Tripp – We don't have the money. It used to cost \$14,000 a year and because of the new contract we had to cut that out. Should have a new by-law about residents putting leaves in the street.

Mr. Wotton- There is a by-law about putting objects on the street which is only a \$10 fine. On Oak Street there are five houses where they put the leaves in the street and now there is no parking which has caused a commotion.

Mr. Freitas – Last thing FYI we used Town Counsel for something and I think sometimes all we have to do is pick up the phone. We got involved with Town Counsel. Pick up the phone and ask the executive secretary. He gave me an answer and that was free.

VII. Set Date for the Next Meeting

Mr. Wotton motioned to hold the next meeting on November 30, 2015 at 6:00 p.m. Ms. Sturtevant seconded. Vote unanimous.

VIII. Adjourn and Executive Session

Mr. Wotton motioned to adjourn the open session at 7:55 p.m. and enter into executive session to discuss a personnel matter and not to reconvene in open session. Ms. Sturtevant seconded.

In favor: Mr. Ristuccia, Mr. Wotton, Ms. Sturtevant and Mr. Freitas.

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant

Minutes approved on November 30, 2015.