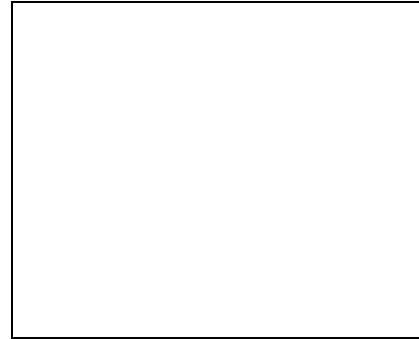


**Town of Fairhaven
Board of Public Works Meeting
May 23, 2016**

Present

Michael Ristuccia, Commissioner
Robert Hobson, Commissioner
Kathleen Sturtevant, Commissioner
Brian Wotton, Commissioner
Jarrod Lussier, Commissioner
Vincent Furtado, BPW Superintendent
Kathy Tripp, Administrative Assistant
Faith Richard, Lifeguard Applicant
Savannah Roth, Lifeguard Applicant
Sadey Tavares, Lifeguard Applicant
Rachel McNamara, Head Lifeguard
Gregory Davis, Asst. Head Lifeguard
John & Sharon Ulrichsen, 82 Cottonwood Street
Robert Medeiros, A. Medeiros, Contractor



I. Call to Order

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

II. Routine Matters

A. Signing of Departmental Bills

III. Approval of Minutes

A. May 9, 2016

Mr. Hobson motioned to approve the minutes of May 9, 2016. Ms. Sturtevant seconded. Vote 4-0 in favor with Mr. Wotton abstaining.

B. March 21, 2016 – Executive Session (b)

Mr. Wotton motioned to approve the March 21, 2016 executive session (b) minutes. Ms. Sturtevant seconded. Vote 4-0 in favor with Mr. Lussier abstaining.

C. March 28, 2016 – Executive Session (c)

Mr. Wotton motioned to approve the March 21, 2016 executive session (c) minutes. Ms. Sturtevant seconded. Vote 4-0 in favor with Mr. Lussier abstaining.

IV. Appointments

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A. Interviews for Lifeguard

Faith Richard

Ms. Richard – I am a freshman in college. I attend Lyndon State in Vermont. I have worked at Acushnet Creamery for five years. It's a fast pace environment, so I'm looking to switch it up and get an outside job instead of inside. I've been swimming since I could probably walk and I feel like I'm very good in emergency situations. Lifeguarding would be a good job for me.

Mr. Lussier – Have you been in a situation in an emergency and how did you react?

Ms. Richard – I have been before. The manager at the creamery had a seizure and we had to move her away from things that could have harmed her. I called 911 and cleared the entrance to make it safe for everybody and monitored her.

Ms. Sturtevant – You've got part time here. All different kinds of hours.

Ms. Richard – I would actually like to have a full time position 30 hours per week. Looking to resign and move on to another position.

Ms. Sturtevant – When you are a lifeguard, if chosen there is are no iPods in ears and that has been done in the past. Very strict.

Mr. Wotton – We are open on holidays so you know. Schedule is strict on callouts and no shows. It's an extremely important position.

Mr. Hobson – Not just lifeguard; clean the beach and set up the trailer. More than just lifeguard.

Mr. Ristuccia – When do you go back to college?

Ms. Richard – I start August 27th. I play a sport in the fall week before the 27th.

Savannah Roth

Ms. Roth – I am sophomore at Bishop Stang. I've competed since I was seven years old at the New Bedford Y and Bishop Stang. Recently got my certifications during April break. I think I'd like to have this job. I've always considered doing it with my swimming background.

Mr. Hobson – Certifications in CPR and first aid. Do you have a driver's license?

Ms. Roth – I'll get my permit pretty soon. My dad works in town. He'll make me bike.

Mr. Hobson – Trailer and clean the beach.

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Mr. Wotton– We’re pretty strict being on time. Showing up very seriously. Being short a lifeguard is unacceptable. You have something that day contact Kathy.

Ms. Sturtevant– What we are saying is redundant. It’s a serious job and even last year we had an issue. People went back to school and it was a beautiful weekend.

Mr. Lussier – Have you ever been in an emergency situation?

Ms. Roth – No I don’t think have.

Mr. Ristuccia – I don’t have any questions. We do drug tests. We say it every year to the applicants but we’ve had people fail. If you think you may fail please let us know. No disrespect to anybody.

Sadey Tavares

Ms. Tavares – I am from Fairhaven and I go to Mass Maritime. We do a lot of safety drills at school. It would be helpful for my resume. I get drug tested at school. I start school after Labor Day.

Mr. Lussier – Are you CPR certified?

Ms. Tavares – Yes.

Mr. Hobson – We have three good candidates.

Mr. Ristuccia – It’s always difficult when you have good candidates. No winners or loser. Again I look forward every year for summer help. Thank you for coming in. You should be proud of yourselves.

Mr. Davis - Rachel and I work real hard. The beach was going in the wrong direction. Not just a summer job. We’ve had five to seven assists per year. If you do want this job it’s serious. We have a lot of tourists and regulars. You have to be a people person. You can’t be hard to get along with.

Ms. McNamara – It is a small beach but it’s pretty manageable. No alcoholic beverages. You have to watch the whole beach.

Mr. Ristuccia – We will make our decision later. Kathy will call you tomorrow.

B. John & Sharon Ulrichsen, 82 Cottonwood Street – Driveway Violation

Mr. Ulrichsen– I’m new to Fairhaven. We’ve lived in Rochester for twenty-four years. We purchased the property and did a complete renovation. In the middle I decided to use Professional Landscape from Freetown to put in a stone driveway and cobblestone apron. We asked him if we needed to get a permit and he said no I’m alright. Work was done and I got a letter in the mail that I didn’t get a permit. I paid the \$10 permit. See what I have to do.

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Mr. Ristuccia – Let me first say every time we have a driveway violation. You did a huge amount of work on the house. You need permits from building department to do that. They give you a green sheet and they check off what you need to do to complete their process. Not on the sheet is the driveway to go to the BPW to get a permit. Difficult for folks to know to get a permit. Ignorance of the law doesn't excuse it. Wish the building department would step it up to the resident's.

Mr. Lussier – I know we had a similar situation last week; no permit and contractor. Mandatory fine for that. You did extensive work. If anyone would want to waive the permit fee not an approved contractor I would lean towards that.

Mr. Ristuccia – They are here because they didn't get a permit and contractor. If they got a permit they would have had a contractor. I tend to feel that to enforce the penalty of not getting the permit and not the approved contractor because it isn't like the only thing he did. You obviously got building permits. I'm one for paying fine for not getting a permit.

Mr. Hobson – I've been by there. It's beautiful. I'll go along with that and they did an excellent job on the house.

Mr. Wotton – I feel the same way. One of those gray areas for us. Town owns the first eight feet. The reason for this is that with the cobblestones we are not liable for damages. Releases the town when they plow that they could pop a cobble. That being said in concrete dig up that area. We are not responsible for that as well.

Ms. Sturtevant – It's beautiful. I've been by there. Very nicely done. Dig or anything you have to know what your responsibilities are.

Mr. Wotton motioned to fine for the non permit fee and fine of \$100 and waiver the release from the town of any liability if we had to dig up or plow. Mr. Lussier seconded. Vote unanimous.

V. Items for Action

A. Gravity Construction, Hydrant Replacement Program – Final Payment \$31,229.47

Mr. Wotton motioned to approve the final payment to Gravity Construction in the amount of \$31,229.47. Ms. Sturtevant seconded. Vote unanimous.

B. Appointment to the Community Preservation Committee

Mr. Furtado – The BPW, their appointment was to Frank Rezendes so many years ago. He wants to be on it again. Rather than say no make me the alternate.

Mr. Hobson motioned to appoint Frank Rezendes as their representative to the Community Preservation Committee and Vincent Furtado as the alternate. Mr. Wotton seconded. Vote unanimous.

C. Appointment to the Mattapoisett River Valley District Committee

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Mr. Furtado – There are two committees. Marion, Mattapoisett and Fairhaven own x number of wells. There is a committee with Mattapoisett, Marion, Fairhaven and Rochester. It's an advisory committee that talks about the distribution. There is also a district committee that handles the treatment plant. Our town has three available slots. The BPW, joint and Board of Selectmen. For the longest time Jeff Osuch was on the committee. I've been on both committees. There is an opening on the advisory committee. Jeff retired so now it's just me. District representative is Fred Raphael. He is on it right now. In order to have a quorum a representative from every town needs to be there. Fred would have the joint appointment to the district.

Mr. Hobson motioned to appoint Fred Raphael to the district Committee and himself as the alternate. Mr. Wotton seconded. Vote unanimous.

D. Award of Annual Bids

Mr. Furtado – Every year we bid services and equipment that we can't do in house. Looking for the board to approve the low bids.

Mr. Wotton – One question. The only thing I see spark my interest is tree stump grinder. The stump removal should be the same contractor? Low bids for that one option.

Ms. Tripp – No, they are two different things. One is for grinding and the other is to pull them out with the backhoe.

Mr. Hobson motioned to award the bids to the low bidders as highlighted. Mr. Wotton seconded. Vote unanimous.

E. Award of Backflow Device Testing

Mr. Furtado – This is a requirement. We contract out that work. Sarian was the only one that bid. Same company again for a 3 year contract. Currently the bid was \$55 for FY14, 15, and 16. FY17 is \$60, FY18 is \$62 and FY18 is \$64 per test.

Mr. Wotton motioned to award the bid backflow device testing bid to Sarian Company as bid. Ms. Sturtevant seconded. Vote unanimous.

F. Fee for Backflow Device Testing

Mr. Wotton motioned to charge \$75 per backflow device effective July 1, 2016. Ms. Sturtevant seconded. Vote unanimous.

Mr. Robert Medeiros from A. Medeiros, Contractor was recognized by the chairman.

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Mr. Medeiros – My brother usually picks up the permits. I started a driveway today and I thought the homeowner had the permit. So I called the office and I asked if he had a permit and they told me no. I had the guy go down this afternoon. John doesn't know anything about it.

Mr. Ristuccia – We can't vote on it because it's not on the agenda.

Mr. Hobson left the meeting.

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

Superintendent's Report for May 23, 2016:

From last meeting

- Grade Wilbur's Point
- Grade Fir/Causeway
- Reported Ocean Meadows pothole to Mass DOT
- Street Swept Potter Street
- Email to BOH re recycling at Ocean Meadows
- Sought assistance re: Sea Level Rise

New items

- Met with Sewer Union re: converting Craftsman Position to Laborer
- Sent Highway Rep to Stormwater Training re: Grant Town received for collecting required MS4 samples from Outfalls
- Commented on drainage calcs from proposed work on Charity Stevens Lane
- Requested to appear before Fincom to complete Sewer Reserve Transfer to pay for digester clean-up work which is currently on-going
- Respond to Citizens' request concerning pump station on Rivard Street
- Employee has a verbal altercation with a co-worker where co-worker claims threats were issued. Employee who issued threats, based on history, was suspended for 8 days and will appear before the Board on May 23rd to discuss employee's future.
- Met with entire Department and Department's Union's Business Agent concerning above incident

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- Meet with resident on Monondach Ave re: his concern of beach erosion affect his property and if BPW can help
- Attended COMMBUYS meeting with Town Administrator – COMMBUYS is a State program which can be used by Municipalities to purchase goods without getting quotes as the COMMBUYS complies with Mass Procurement Law
- BPW had annual bid for various FY 17 contracted Departmental Services
- Issue with Contractor's Bill – will try to resolve before the next BPW meeting – if not, will invite contractor to Board to discuss
- Converse with Tom Crotty re: changing sewer craftsman position to laborer and issue with suspended employee
- Attend EPA Stormwater meeting in Barnstable

Mr. Furtado – In the packet there is some type of protest letter about the sewer capital fee. I responded to that. Basically this woman was questioning the sewer capital fee. Water and sewer are independent.

Mr. Wotton – Little confusion about reconstructing the board. I sat as the clerk last year. I thought you were going to wait for the complete board to be here. I was on vacation that week. You thought Kathy was the clerk. She's okay with that going back. I felt because of the time away she is not here. Last four years would I would like to maintain that spot. Can we put this on the next agenda?

Great work on Wilbur's point.

Coming out of a business in town I was approached by a woman about my truck on the bike path. I told her yes, that was my truck. Made aware by her that I was dumping fill on the bike path. I said no. My trucks were on the bike path and that was to do the cleanup.

Mr. Hobson returned to the meeting.

Mr. Wotton – Talk about looking at wood chips around the building at little bay. We did that? She was complaining to me. She said conservation owns that land shouldn't have been touched.

Mr. Hobson – They never went down to the causeway at that little town beach.

Mr. Furtado – Conservation hasn't approved that.

Mr. Hobson – Septic tanks and the campers. We should charge \$25 for people from out of town. They don't pay anything.

Ms. Sturtevant – I had something but I spoke to Kathy about it. Graffiti behind the Rec Center on the bike path.

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VII. Set Date for the Next Meeting

Mr. Wotton motioned to hold the next meeting on June 6, 2016 at 6:00 p.m. Mr. Hobson seconded. Vote unanimous.

Lifeguard Position

Mr. Hobson – They were all good candidates. I recommend the Roth girl.

Mr. Lussier – Faith had great energy but she returns to college early and doesn't have any experience. I lean towards Savannah. She is a competitive swimmer. All are CPR certified.

Mr. Wotton – Only concern is she is under eighteen. I did like Sadey from Mass Maritime. She does drills and is very experienced.

Mr. Ristuccia – Savannah is local. Sadey, I liked her a lot.

Mr. Hobson motioned to hire Savannah Roth as a lifeguard for the town beach. Mr. Lussier seconded. Vote unanimous.

VIII. Adjourn

Mr. Wotton motioned to enter into executive session at 7:30 p.m. to discuss personnel matters and not to reconvene in open session. Mr. Hobson seconded.

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

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant

Minutes approved on June 6, 2016.