

**Town of Fairhaven  
Board of Public Works Meeting  
April 24, 2017**

**Present**

Michael Ristuccia, Commissioner  
Brian Wotton, Commissioner  
Robert Hobson, Commissioner  
Keith Silvia, Commissioner  
Cameron Durant, Commissioner  
Vincent Furtado, BPW Superintendent  
Kim Nogueira, Head Clerk  
Mark Rees, Town Administrator



**I. Call to Order**

Mr. Ristuccia called the meeting to order at 5:45 p.m.

**II. Routine Matters**

**A. Signing of Departmental Bills**

**III. Approval of Minutes**

**A. April 10, 2017**

Mr. Wotton motioned to approve the minutes of the April 10, 2017 meeting. Mr. Hobson seconded. Vote unanimous.

**IV. Appointments**

**A. Mark Rees, Town Administrator – Re: Human Resource Director**

Mr. Rees - Hopefully this addresses your concerns and emphasizes the assistance this position would bring to this Board. The wording through most of the document states they will provide assistance, guidance and support. This Board will still have all the same authority it has now.

Mr. Wotton - Some of my concerns have been answered. What does FLSA stand for? At what point would they come in to help handle grievances? Is the contribution amount still \$12,000.00?

Mr. Rees – Fair Labor Standard Act. Once it gets to the BPW Superintendent then request assistance. The funding would not be required until FY 19 so the indirect costs may change.

Mr. Hobson – What is the salary for this position?

Mr. Rees - \$70,000 plus benefits.

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Mr. Hobson – So the Town is going to pay someone over \$80,000.00 to do what we do for free now.

Mr. Wotton – With Ms. Tripp retiring soon this person will be an asset. We take for granted all her knowledge.

Mr. Furtado – I think this position is needed by the Town in today’s world. There are things that are falling through the cracks.

Mr. Ristuccia - This person will be versed in all sorts of matters, even help us find qualified licensed people.

Mr. Hobson – The Town does not pay enough to get licensed people. You have to hire young, train them and hope they stay.

Mr. Durant – I would like to voice my support for this position. It is a conservative measure that will give us the administrative benefits to improve efficiency. We have been lucky that there have not been any major human resource issues that could have cost the town millions.

Mr. Wotton – Would this person be able to attend court cases instead of the BPW Superintendent?

Mr. Rees – They could assist and coordinate but not replace.

Mr. Wotton motioned to table this discussion since Mr. Rees has to leave to attend the Selectmen’s meeting. Mr. Hobson seconded. Vote unanimous.

**B. Posting of Real Estate, Water & Sewer Liens**

Mr. Furtado – I’m not sure why this is on the agenda.

Mr. Hobson – Mr. Rees wanted to discuss this.

Mr. Wotton motioned to table this discussion. Mr. Silvia seconded. Vote unanimous.

**V. Items for Action**

**A. 14 Grandview Avenue - Sewer Betterment Abatement**

Mr. Furtado – The Town Treasurer is requesting we abate the sewer betterment charges for FY 15 in the amount of \$967.47 and FY 16 in the amount of \$937.24. This property was owned by the Town of Fairhaven and auctioned off in 2016. She needs to process the FY 16 tax liens for the real estate. She has assured me that these amounts will be added to the final years of the betterment payoff.

Mr. Hobson – Everyone else had to pay the betterment with interest, why should we give them a break?

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Mr. Wotton – She is looking to abate the fees from when it was owned by the Town and add the fees back onto the new owners. She needs to get this off the Town’s tax records.

Mr. Hobson – I am against abating anything.

Mr. Wotton motioned to abate the Town of Fairhaven Sewer Betterment Fee for 14 Grandview Avenue from FY 15 in the amount of \$967.47 and from FY 16 in the amount of \$937.24 and to add it to the current owners of 14 Grandview Avenue. Mr. Silvia seconded. Vote 4-1 in favor with Mr. Hobson opposed.

**B. Lifting of Water Ban**

Mr. Furtado – The state has reduced the drought status so Fairhaven, Mattapoisett and Marion can all lift the water ban. The date they are looking at is Thursday, April 27, 2017 since all the Town’s were meeting between Monday and Wednesday.

Mr. Wotton motioned to lift the water ban effective April 27, 2017. Mr. Silvia seconded. Vote unanimous.

**C. Procedure for Reorganization of Members**

Mr. Furtado – Who requested this?

Mr. Ristuccia – Mr. Hobson did.

Mr. Hobson – The reorganization should have been done at the beginning of the meeting that’s all.

**D. Beach Permit Fees**

Mr. Ristuccia – I’ve had numerous calls and none of them were thrilled that we voted to charge seniors \$15.00 for a sticker. I now see some reasons why we shouldn’t charge seniors.

Mr. Furtado – We are not trying to hurt the seniors but a lot of people would come in with a car full of kids and just drop them off and leave.

Mr. Wotton – My concern remains that we are not making ends meet. If we don’t charge the seniors we need to raise the other rates and that’s not fair. We regrade the parking lot, pick up the trash, provide lifeguards and bathrooms and bring in fill which all cost a lot of money so we have to increase revenue.

Mr. Hobson – If the seniors get in free others have to pay. I would like to see a discount for veterans.

Mr. Durant – I called Dartmouth and they do require seniors to obtain a pass but let disabled veterans in for free.

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Mr. Ristuccia – We should give them a choice. Only seniors get in for free others in the car pay or get a pass.

Mr. Wotton motioned to amend the last vote and allow unaccompanied seniors in for free, accompanied seniors pay walk in fee per passenger or get the 15.00 pass. Mr. Ristuccia seconded. Vote unanimous.

**E. Verizon Request to Put Cell Tower on Scoticut Neck Road Water Tower**

Mr. Furtado – Mark Rees forwarded me and Bill Roth an email from Structure Consulting Group who is requesting permission to put a cell tower on the water tank on Scoticut Neck Road. For the safety of water protection I do not recommend this.

Mr. Hobson – There is terrible phone service down there. My friend fell and could not call anyone for help.

Mr. Furtado – These are two different arguments. There are other locations.

Mr. Ristuccia – Installing and repairing these towers could cause damage.

Mr. Wotton – Isn't there a cell tower between the two turbines?

Mr. Furtado – It is privately owned by a radio station but I can contact them to see if they would be interested.

Mr. Hobson – How many other Town's have these and have they had problems?

Mr. Durant – If the Town could generate enough revenue would it be worth it?

Mr. Furtado – It's not worth it.

Mr. Durant – I trust your opinion, but am curious about what the revenue could be.

Mr. Ristuccia – If the money could come here and we could spend it how we wanted that would be different but any revenue would go into the general fund.

Mr. Wotton motioned to table this discussion so Mr. Furtado can contact some other communities and the radio station. Mr. Silvia seconded. Vote unanimous.

**VI. Tabled Matters**

Mr. Wotton motioned to open discussion on the Human Resource Director position. Mr. Silvia seconded. Vote unanimous.

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Mr. Ristuccia - I don't like the wording of the position summary, it is not clear enough for me. There should be a second paragraph that specifically applies to the Board of Public Works.

Mr. Wotton – I agree, the first sentence should also state Board of Public Works.

Mr. Durant – At the end of the day this person would answer to Mr. Rees, I don't feel it is taking any power away from this Board.

Mr. Furtado – I appreciate his interpretation but this needs to be crystal clear. I can work on some revisions based on your comments.

Mr. Hobson – I am still against it. When a position is open are they going to give us a list to choose from? What if somebody who already works here wants that job, we can't pick who we want.

Mr. Ristuccia – I would also like to have some wording added for us to be able to opt out.

Mr. Wotton – We need time to make some changes, we only got this today.

Mr. Durant - It does need some corrective action, not in depth enough.

Mr. Wotton motioned to table to the next meeting. Mr. Hobson seconded. Vote unanimous.

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

Superintendent Report for April 24, 2017:

From Last Meeting

- Notified Highway of Bike Path clean-up
- Notified Highway of Macomber Field prep needs
- Contacted workman's comp

New Items

- Attend Coastal Zone Management Grant Seminar
- Attend/Chair Mattapoisett River Valley Meeting
- Send letter to property owner of 27 Charity Stevens Lane-request to place drainage pipe on property to remedy area flooding
- Work on update of sewer and water numbers for finalization of revenue/expense sheet
- Work on water/sewer union contract numbers
- Numerous email with historical society re: changes to Cooke Park
- Set up Southeastern Fire as an additional vendor for collective bargaining clothing allowance
- Met with Mark Rees and Water/Sewer Union Agent re: status/moving forward with contract talks

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- Set up shoe mobile visit to BPW to act as an additional vendor for collective bargaining boot allowance
- Wrote MOU's for Sewer and Water contract discussion at BPW's 4/18 meeting
- Water Corporation pulled by Eversource on 4/20-Board, Town Hall and affected residents notified

Mr. Ristuccia – I got a call today from Mr. Caron in regards to a sewer plug up he had over the weekend.

Mr. Furtado – I spoke with him also. That issue may end up here. His flapper valve is broken off and is in the lateral. The sewer ordinance states that the owner is responsible. He wants us to make the repair. It's an unusual situation. If the cover makes its way to the main then it is on us.

Mr. Hobson - We had this same issue with a resident on Main Street. If it's your service your responsible.

Mr. Ristuccia – What should I tell him?

Mr. Furtado – He is coming in on Wednesday to meet with me and Linda. I feel it is a private problem.

Mr. Wotton – We could dig it up and charge the owner our rates to make the repair?

Mr. Furtado – He should pay first then we will get involved.

Mr. Ristuccia – So have him pay his guy to excavate, then we inspect to see where the problem is.

Mr. Furtado – I will talk to the owner and give him those options.

Mr. Wotton – I want to thank the Board and all the volunteers for the Bike Path cleanup. We collected about 45 bags of trash. There are some bulky items at the Little Bay Bike Extension that need to be picked up. Everyone did a great job. What went on at Cooke Park?

Mr. Furtado – There are three groups (Historical Commission, Joshua Slocum and Manjiro) and they all wanted different things. My answer to all of them was as long as we can cut the grass and weedwack I am fine. All three memorials are converged in one area and some are not happy about it.

Mr. Hobson – Dogwood Street near senior cove needs to be graded. They have been taking samples and if they pass it will open. There are some trailer loads of shells at Hoppy's Landing that need to be spread out. Also, have John talk to Tim Cox about putting up the kayak stand there also. I saw a driveway apron being done on Washington Street across from The Nook, I don't remember a permit.

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Mr. Silvia – Some of the guys have complained to me about problems with the vehicle radios.

Mr. Furtado – We were having some problems during one of the snow storms but Ray the electrician repaired the repeater.

Mr. Ristuccia – Can we install a berm to help direct the water away from the intersection of Bluepoint Rd and Almond Street? The rain water backs up into the ocean and is polluting the water.

Mr. Furtado – I will talk to John about it.

**VIII. Set Date for the Next Meeting**

Mr. Wotton motioned to hold the next meeting on May 1, 2017 at 6:00 p.m. only to discuss Town Meeting issues and the revised Human Resource Director Job Description. Mr. Hobson seconded. Vote unanimous.

**IX. Adjourn**

Mr. Wotton motioned to adjourn at 7:19 p.m. Mr. Ristuccia seconded. Vote unanimous.

Respectfully submitted,

Kim Nogueira  
Head Clerk