

**Town of Fairhaven
Board of Public Works Meeting
July 10, 2017**

Present

Michael Ristuccia, Commissioner
Robert Hobson, Commissioner
Brian Wotton, Commissioner
Keith Silvia, Commissioner
Vincent Furtado, BPW Superintendent
Kathy Tripp, Administrative Assistant
Nathanyl Gomes, Nathanyl Gomes Construction
Albert Benac
Karen Vilandry
Frank Coelho, Marine Resources Committee
Kathy Sturtevant
Gary Lavallette
Doug Brady



Mr. Durant was not in attendance.

I. Call to Order

Mr. Ristuccia called the meeting to order at 6:00 p.m.

II. Routine Mattes

A. Signing of Departmental Bills

III. Approval of Minutes

A. June 26, 2017

Mr. Wotton motioned to approve the minutes of June 26, 2017. Mr. Hobson seconded. Vote unanimous.

IV. Appointments

A. Nathanyl Gomes - New Drainlayer

Mr. Gomes - I had a license previously but I did not renew last year so I had to come again for the renewal procedure to come in front of the board.

Mr. Silvia – I wanted to start something new to let John Charbonneau check it out the first time and if okay then go on the list. You have to do it. You can't sub any of it out.

Mr. Hobson – Everything is in order. He has been approved before.

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Mr. Wotton motioned to approve Nathanyl gomes as a drainlayer. Mr. Silvia seconded. Vote unanimous.

B. Frank Coelho; Marine Resource Committee

Mr. Coelho – My name is Frank Coelho and I am on the Marine Resource Committee. I come to this board to ask a member of your board to be on the committee. The BPW and contractors who are familiar with town and that's how things get down. Unfortunately we don't have that many people in the marine industry or building. A lot of projects that we try to get things done. Volunteers are scarce. By the same token I would have to come to every other meeting and be here in order to relay what we are looking to do. Save time and effort has worked well. Translate it back to your committee. Working very well. We are asking the board to appoint somebody to our board. Selectmen go round and round. Never gotten a definite answer. Hoppy signally out. I feel the letter we got from town counsel and reading the way town counsel explains it you have the right to appoint someone to the committee for maintenance work. Please do that for the committee and benefit of the town and not see me here every meeting. Quicker and more efficient.

Mr. Ristuccia – If I may say, a lot I agree with but I think you are putting the cart before the horse. You are going to the selectmen board to allow a member from BPW to be on your board. We are in position of a letter from the town administrator that he and the selectmen don't want a member on the board. I agree. I think that what should happen go to the selectmen to say okay. They say okay I have no problem voting. I've been thru that before that's the wrong format. Remote vote and so did everybody else. I think it's a good idea. You have to get the Selectboard to say to us. You work under the guidance of the selectmen that they don't think someone should be on it but we feel you probably do. I think that is the right avenue to go.

Mr. Coelho – I was against the town when they wanted to abolish this committee. The select board wanted to run this board. The people voted to keep it separate. BPW have the authority to say that you can do it.

Mr. Ristuccia – I don't understand why we can't table this for one meeting. Mr. Hobson is currently working with your committee. The Selectboard meet they say yes or no.

Mr. Hobson – Mr. Rees doesn't want a BPW member on the committee.

Mr. Ristuccia read a letter from town counsel.

Mr. Coelho – Town Counsel said you can appoint someone. Read the last paragraph.

Mr. Ristuccia - I understand. I don't see what the problem is going to be after you talk to the selectmen.

Mr. Coelho – You have the right to do it. You're making your decision. I'm not asking for Hoppy. I'm asking for someone on this committee.

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Mr. Ristuccia – When did I say I was against this? Remember what I said was I agreeing with you.

Mr. Hobson motioned one board member be on the committee.

Mr. Wotton – I agree with you. I think we should vote on it. I have been appointed to another committee by the selectmen; in an emergency situation I would take his position at the command center. That committee has never met. Do I think you should have a representative from this board? Yes. What you do is great, not only in the capacity but in the knowledge. I understand. I read this and that. Letter from Mr. Rees said they made a mistake how they appointed Mr. Hobson. If they say yes or no I don't care what they say. I respect what goes on we should have a representative.

Mr. Furtado – You realize that if you vote and they vote no that's it.

Mr. Coelho – It starts here.

Mr. Furtado – This particular committee is under the selectmen.

Mr. Coelho – It comes before this board first and then it goes to the selectmen. They make the final decision.

Mr. Ristuccia – Don't misunderstand when I vote. I agree we should have a rep on this board. We should vote on before the selectmen the selectmen are the ones if they are going to say or not.

Mr. Wotton – Proper way to do it is as a board not vote to support to put a member you could say the BPW voted to support to have someone to the committee. That's how we did it before.

Ms. Sturtevant – Curious how come I had to get off a board then?

Mr. Wotton – This is an advisory board.

Ms. Sturtevant – I was on a school committee for the Wood School and Hoppy said you could not be on a nonvoting committee.

Mr. Hobson - You were on the bike path committee. I said if I can't you can't. Nine years ago there were four other people here. Three were on other committees. You said Hoppy you can't be on another committee.

Ms. Sturtevant – I was on the board for the Wood School and I was told no.

Mr. Ristuccia – I'm on the page where I believe we need a member on the board. I don't think we should vote on it.

On the motion; Mr. Wotton seconded with approval of the selectmen. Vote 2-1-1. Mr. Wotton and Mr. Hobson in favor, Mr. Silvia abstained and Mr. Ristuccia against.

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C. Bill Stanley, Asphalt Services – New Driveway Contractor

Mr. Stanley was not in attendance.

D. Albert Benac, Karen Vilandry – Cooke Memorial Park

Mr. Benac – I understand as far as appointments are concerned. I was the town curator. The selectmen overstepped me and gave it to the historical commission as far as the bell was concerned. Reason here is to ask how you are making out with the Cooke Memorial Cemetery.

Mr. Ristuccia – You have received the letter have you not? I'm not going to say anything pro or con. The letter I don't have to tell you it puts questions in my mind. What I think but the facts of the matter are now in question. I'm not going to abandon anything. More study, more people voicing in. A title and plan review at the registry of deeds. Another note if it doesn't provide his report put into question. So thinking in terms of what doing is right we need more information. You did a wonderful job the last time you were here.

Ms. Vilandry – When I had sent the GPR report to the Massachusetts Historical Commission I told them on June 13th that we are sending you the report to scan... when this letter was sent they didn't have all the other information. When reviewing this letter it might set you back, not reliable. First of all you have to understand the women who sent this is a state archeologist. Dig, examines human remains and that is what an archeologist does. Mr. Urban a research scientist. It's important to know you have to understand Mr. Urban has done hundreds GPR for the federal government. I'm going to hand out some information here. Doug Brady put this material together and copy of a letter in the front.

Mr. Lavalette - Can I submit something before I leave? Dan Freitas would like for you to get in touch with our take on Cooke Park. That is kind of interesting what they are doing.

Mr. Benac – As far as their expertise on the matter, I disagree with them hole heartily.

Mr. Brady - The question where it's an actual cemetery. It's thru 1700 always as a cemetery. They acknowledge that it is there. It is a cemetery. The history archeologist wants to hold something. What you all need to do is say it's a cemetery, Burial Hill 1700.

Mr. Ristuccia – The John Cooke fogs everything up.

Mr. Wotton – After the last meeting I googled and came across a state site basically a cemetery data base and it's listed as a cemetery. Gone well beyond. I don't want to debate that John Cooke is buried there. If I was a judge or a jury a letter that people are having fun on top of a cemetery is mind boggling. Not on the archeologist radar based on the information I found is that is absolutely is a cemetery. There is a reason why there is no house there. Reason why this is a plot of land since 1600 something. Old articles in newspapers. I don't need to know the names burial one time over. I don't want to continue this much longer. I really do appreciate the history lesson. We should just say it's a cemetery and be done with it. No festivities. Some sort of placard saying "Oxford Burial Ground."

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Mr. Ristuccia - If the board decides it is a burial ground you can't remove, but you can remove or relocate unrelated to the persons. Deem it a cemetery we can remove things unrelated.

Mr. Benac – The way it was done recently, that does not belong there. Have it removed and give it back to the Japanese around the corner.

Mr. Ristuccia – Site is a grey area. Active history events for those interned at the site. Other events should be avoided.

Mr. Brady – Just want to say you are the steward, that's your call. Try to verify and believe and know there are people down there. My involvement let's put that to rest. After that your call.

Mr. Hobson – When this was done nobody came to us and gave us permission to do this.

Mr. Furtado – We didn't know this was going to happen.

Mr. Hobson – Get some of it out.

Mr. Ristuccia – Put it the way it was before.

Mr. Hobson – Compromise and work together.

Ms. Vilandry – Look at it this way, Cooke Memorial only marks the burial of the entire lot. Joshua Slocum was lost at sea, in his honor. That was done in good taste and good faith. The other material; had good intentions.

Mr. Furtado – I'm just curious because how does Chris Richard stand?

Mr. Benac – Chris Richard is not in favor of this whole thing.

Mr. Wotton motioned to table until a cemetery decision is made and sign. Mr. Ristuccia seconded. Vote unanimous.

V. Items for Action

A. Authorized Signatures

Mr. Furtado – Paper for the town accountant for the BPW to sign at their meeting of July 10th.

Mr. Wotton motioned to sign the authorized signature page for the town accountant. Mr. Hobson seconded. Vote unanimous.

B. P.A. Landers – Green Street; Pay Requisition #3 \$117,156.09

Mr. Furtado – We are still holding 5% and punch list items.

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Mr. Wotton motioned to approve payment #3 to P.A. Landers in the amount of \$117,156.09. Mr. Silvia seconded. Vote unanimous.

C. Stormwater Grant Assistance

Mr. Furtado – I put this on the agenda. Fairhaven is one of five communities that took advantage of a \$200,000 grant. As part of this grant BBAC, that group hired some interns to oversee the project and the kids have been collecting samples. New stormwater permit coming out and most towns' stormwater permits are since 2003. New permit requires sampling at all of our outfalls. Two types; when it rains the first flush and then dry weather. There are seventy-seven outfalls. What we are required to do is sample but we will be ahead of the game, get the results do something. If we see some areas that are high do some investigation. Not just stormwater, sewer and then correct it. That is the big picture. They are going to be out of dough. There is a lady that sits on the committee and is the EPA liaison. They offered us \$25,000 to keep the program going. There is a new administration in the White House. All the grants before they are released will be reviewed. Because she gave the go ahead, they are going to run out of money and they have kids on the payroll. Town Manager Mark was there as well and there is a thought to pony up and get reimbursed later on. If do that, take it out of the highway under the stipulation of reimbursement.

Mr. Wotton motioned to support the stormwater grant if needed in the amount of \$5,000 with the stipulation of being reimbursed. Mr. Hobson seconded. Vote unanimous.

D. Award Contract 29 to Hart Engineering Corp. – Upgrade of WPCF Preliminary Treatment Facility and Clarifiers; Railroad Avenue and Pilgrim Avenue Pumping Stations - \$5,308,396.00

Mr. Furtado – In the packet we had article 10 FY17 Town Meeting and then we had to modify that because of the 24" sewer that needs to be replaced. Stantec is the engineer for the sewer department. They checked references and jobs Hart has done before. You can see the engineers estimate was \$7 million. Bid came in at \$5.3 million which came in under.

Mr. Wotton motioned to award the contract for the upgrade of WPCF Preliminary Treatment Facility and Clarifiers; Railroad and Pilgrim Avenue Pumping Station to Hart Engineering in the amount of \$5,308,396.00. Mr. Hobson seconded. Vote unanimous.

VI. Tables Matters

n/a

Mr. Wotton motioned to table the appointment with Bill Stanley. Mr. Silvia seconded. Vote unanimous.

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

Superintendent's Report for July 10, 2017:

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From Last Meeting

- Middle Street Boat Ramp Weeds
- Union/Green driveway apron will be addressed
- Will need to request additional allotment in Playground Line item to fund replacement of some equipment
- Letter to employee to appear before Board

New Items

- Attend BBAC Meeting
- Highway Department paved Elm Avenue., Long Road, Harding Road and Akin Street
- Meet with Mark Rees re: Digester Status
- Met at 19 James Street to investigate potential residential water leak
- Sidewalk pictures taken at Holcombe Street for insurance issue
- Complete Grant tasks to comply with June 30th deadline
- Covering Sewer Plant Staff for the week
- Research Ethics Issue
- Go to beach to discuss gate attendant duties and requirement to clean beach bathroom trailer
- Attend Meeting with Town Managers concerning Health Communities Grant

Mr. Furtado – The digester is ready to go on line. We need seed sludge. Synagro has the monopoly on transferring that over. We need about three truck loads.

Mr. Wotton – The weeds around town, the main streets inside of curb lines. Put a call into the State too for Route 6. Starting to see some of the curb and cracks down the neck.

Mr. Hobson – As far as the roads, they need to be filled with gravel. Still complaining about Winsegansett, Potter Street and Bay Street. Bayberry and the other issue complaining today the brush on the causeway after you go into the bridge. Yellow line people are coming out not painted properly.

Mr. Wotton– In front of the old drive in on Bridge Street is really coming out as well.

Mr. Hobson – If somebody's out on workers comp for over a year. Somebody's not doing their job. Guys got to come back or go out on disability.

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Mr. Ristuccia – I took some time looking it that and apparently there is criteria that needs to be met.

Mr. Silvia – What’s happening with the bike path for the winter?

Mr. Furtado – It was not approved. Finance Committee shot that down.

VIII. Set Date for the Next Meeting

Mr. Wotton motioned set date for the next meeting for July 24, 2017 at 6:00 p.m. Mr. Ristuccia seconded. Vote unanimous.

IX. Adjourn

Mr. Wotton motioned to adjourn at 7:33 p.m. Mr. Hobson seconded. Vote unanimous.

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant

Minutes approved on July 24, 2017.