

**Town of Fairhaven
Board of Public Works Meeting
September 25, 2017**

Present

Michael Ristuccia, Commissioner
Brian Wotton, Commissioner
Robert Hobson, Commissioner
Keith Silvia, Commissioner
Cameron Durant, Commissioner
Vincent Furtado, BPW Superintendent
Kathy Tripp, Administrative Assistant
Michael DeCosta, Costa Brothers, 2 Lambeth Drive
Peter Trahan, 6 Alexander Lane



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. September 11, 2017

Mr. Wotton motioned to approve the minutes of the September 11, 2017 meeting. Mr. Hobson seconded. Vote unanimous.

B. July 24, 2017 – Executive Session

Mr. Wotton motioned to approve the minutes of the July 24, 2017 executive session. Mr. Silvia seconded. Vote unanimous.

C. September 11, 2017 – Executive Session

Mr. Wotton motioned to approve the minutes of the September 11, 2017 executive session. Mr. Durant seconded. Vote unanimous.

IV. Appointments

A. Michael DeCosta, Costa Brothers Masonry, 2 Lambeth Park Drive – Re: Driveway Violation

Mr. DeCosta – This is for the property in the back. There are reasons I haven't come with a permit yet. We are in the process of evaluating the layout of this land. There is a fence that separate the two

**Town of Fairhaven
Board of Public Works Meeting
September 25, 2017**

properties, remove loam. What happened over the last year the amount of equipment we brought into our business has complicated things. Operators created this temporary driveway. Remove fence and clear this should be able for us to and not to be used as the driveway. Still in design phase. Time and ability to try to lay things out to work for the business. We are in question. That's why the permit wasn't taken out.

Mr. Ristuccia – Is the driveway is there?

Mr. DeCosta – Yes.

Mr. Hobson – Was there a driveway there before?

Mr. DeCosta – No.

Mr. Hobson– Do you have another driveway?

Mr. DeCosta - Down the road is the one in question. We have a paved driveway to each property. This falls into the center of both.

Mr. Hobson – Why don't we give you two months? Have to make a decision.

Mr. DeCosta - It will be made within a month's time. We have an idea.

Mr. Hobson – Decide to use that driveway or another driveway the contractor has to be approved by the town. Before you put in there, there is a fine for you and the contractor.

Mr. Wotton – I'm pretty familiar with the street. Back entrance used by tractor trailer, not as a driveway per say. I'm willing to give you some time.

Mr. DeCosta – In a month you will know.

Mr. Wotton – It's not a major street.

Mr. Silvia – I would give you a month and the contractor is approved by the Town.

Mr. Durant – Because the curb was removed keep or not pay for the permit or put back. Handle that now and make any adjustments later. Permit what we have currently and then move forward.

Mr. Ristuccia – Who put the driveway in?

Mr. DeCosta - We used cribbing. People get careless. It then made a big mess. When we received the letter it shed some light on the issue. However, work and cleaning the street is again a mess. Continue to clean it and everything is planned properly.

**Town of Fairhaven
Board of Public Works Meeting
September 25, 2017**

Mr. Durant – One driveway to each property?

Mr. DeCosta - This particular driveway is part of 4 Lambeth Park Drive.

Mr. Durant – Commercial properties are allowed two driveways.

Mr. Ristuccia – I'd like to table this for now.

Mr. Wotton – There is a \$10 fee for the permit. Pay the \$10 for you to cut the curb already and do whatever you want after that. Sliding gate?

Mr. DeCosta - We can do that.

Mr. Ristuccia – Let us not forget historically that people who put driveways in it's not an issue to fine to person who did. He already did something and he brought gravel in for the driveway. My statement in violation here although good guy still a violation here. Not impose it.

Mr. Wotton motioned to table for thirty days. Mr. Ristuccia seconded. Vote unanimous.

Mr. Hobson – Discuss the fine in one month.

B. Peter Trahan, 6 Alexander Lane – Re: Water & Sewer Abatement

Mr. Trahan – I reside 6 Alexander Lane in Fairhaven. I am here in regards to the black water situation that we had earlier this month. The Board was going to review the flushing program. I had to flush my pipes. I'd like to find out what you discovered and what happened on Gellette road. Saturday the 19th first thing in the morning, I was the second call that morning.

Mr. Ristuccia – You flushed when?

Mr. Trahan – 5:00 to 11:30 at night. Not until we came home.

Mr. Ristuccia – Our crews were at Gellette break on a water service leak.

Mr. Furtado – It was a service leak in the sidewalk. The water superintendent said it had to do with the lightening.

Mr. Trahan – Suggestion; I flushed my pipes when I shouldn't have. I flushed too soon.

Mr. Furtado – You know the position you held obviously. If the system is dirty then you are going to take that in.

Mr. Trahan – If I knew the water was dirty flush.

Mr. Furtado – You would want the new water to be clean.

**Town of Fairhaven
Board of Public Works Meeting
September 25, 2017**

Mr. Trahan – We had already used the water early in the day unlike the 29th when we received the 911 call.

Mr. Furtado – I don't know what Mike is going to do. In preparation for this meeting we provided the board with the hydrant flushing records.

Mr. Trahan – Not saying anything else that could be done. It took all that time and all that water. Meter reading says we used less. Kathy had someone read the meter. There are less people in the house.

Mr. Ristuccia – Let me just say to my knowledge you have a ¾" line. I did some calculations how much water flows and so that maximum flow is 11 gallons or 660 gallons an hour. 3960 gallons divide by 7.5 equals 528 cubic feet.

Mr. Furtado – 528 cubic feet. The bill is based on 100 cubic feet. Water is \$5.12, \$26.88 for water and sewer \$30 and change.

Mr. Trahan – Am I the only one who has come to see you? I hear people chatting about it.

Mr. Hobson – What are we after here?

Mr. Ristuccia – He's looking for an abatement.

Mr. Wotton – We are not allowed to abate water. \$30 for the sewer that is something I would be able to do. We are not allowed to abate water if it goes thru the meter.

Mr. Furtado – We are an enterprise fund and we get audited.

Mr. Wotton – Meeting you half way.

Mr. Hobson – I can understand his point. Management screwed up with the phone calls. There should have been a 911 call. It was from lightening. Nobody told him to turn his water on. We didn't tell him when we were done. As far as abatements; open up a can of worms. For the amount of money and the service I don't think \$30 somebody just can't let it go. Nine years I've been here and never seen anybody come in for this. I'm against it.

Mr. Silvia – I feel for him but I have to agree with Hoppy. Give it to him and then we will be filled with people next time it happens. Flushing they started in his area. Bigger problem.

Mr. Wotton – I don't think they shut it off because it was good. Moved on to another hydrant.

Mr. Hobson – He wasn't notified until after. As soon as we had dirty water we should have called. There was a screw up.

**Town of Fairhaven
Board of Public Works Meeting
September 25, 2017**

Mr. Durant – I agree. It was an unfortunate mistake. The Issue is the six hour time frame. How many gallons at a certain time period, but to continuous flush I understand and I feel bad. I'm not comfortable with a sewer abatement from a six hour time frame. Mistake here. Cannot offer a sewer abatement for six hour time frame. Based off of an uncertain moving forward, the recovery is more efficient.

Mr. Ristuccia – You shouldn't flush until talk with public works. I feel the town provides water for people. 99.999% of that water is beautiful water. Compare what you pay for water for other things in the world what we use water for is a fabulous buy. Built in is the knowledge from time to time a situation where you may be inconvenienced with the water being dirty and pressure. It's not a perfect system.

Mr. Trahan – The system is great when there is clean water most of the time. We didn't get clean water this time. You just can't flush for five minutes.

Mr. Durant – How much water is end to end?

Mr. Trahan – Just the lines in the street to the service to the house. For me it's the point. It was 6 to 6.5 hours of flushing the lines. Washing machine, inside all the bathroom toilet storage tanks and flush all of that. I'm sure you have your thought process and I have mine.

Mr. Ristuccia – This board doesn't like to argue with anybody. You seem sensible and somewhat intelligent. We are not in disagreement but sometimes you have to take a little bad with all the good.

Mr. Wotton – For future knowledge if you have brown, black dirty water you do not draw that water into the house. The second you open that water you are bringing it into your house. That's why you had to drain. As much I would like to give you \$30 I don't think it would happen. What we don't have is factual proof. Leaking faucet outside and those things we can deal with. You drew the water into your house and I know you have knowledge. I think that you brought some of those problems on yourself. Not do that again. The town did what they did to rectify the problem. Abate 1600 people in town we would have to raise the rates. We are a non-profit.

Mr. Trahan – The thing is if I had known to shut it off nobody would have turned it on. That water came thru before anybody knew. I was the second person to call. I want you to know if I had known the meter would have been shut off. The \$30 it was 6 hours of constant flushing.

Mr. Hobson motioned to deny a sewer refund for \$30. Mr. Ristuccia seconded. Vote unanimous.

V. Items for Action

A. Stantec Consulting Services – Amendment #1 to Sewer Agreement \$15,000

Mr. Furtado – Last year the Board approved the contract with Stantec for the design of the upgrade for Pilgrim and the treatment plant up the street. \$15,000 and this is for additional contract drawings for some of the pump stations and PT building. Twenty more drawings and everything is listed.

**Town of Fairhaven
Board of Public Works Meeting
September 25, 2017**

Mr. Ristuccia – How long have these folks been our sewer engineers?

Ms. Tripp – Since at least 1969.

Mr. Hobson – Did they do \$15,000 worth the work?

Mr. Ristuccia – I don't like these changes. Maybe you could have gotten somebody else for \$800,000.

Mr. Wotton – Stantec used to be FS&T. If I recall three years ago they came in here and sat here, a woman and two gentlemen and I told them how I do not like change orders. Initial number and not approve do not exceed and they all assured me due diligence that it would not happen anymore. Couple year's later maybe you forget. I did not forget. I will not vote \$15,000. Hold you to your initial contract.

Mr. Wotton motioned to deny this amendment.

Ms. Tripp – They are the original engineers who built the plant in 1969 and they did the upgrades in the 1980's.

Mr. Durant – Bring them in. Obviously there will be certain change orders that will be necessary.

Mr. Wotton motioned to table and request the engineer's presence at the next meeting. Mr. Silvia seconded.

Mr. Ristuccia – Table it and ask them come to next meeting unless not necessary for the amendment. Mr. Silvia seconded. Vote unanimous.

B. Chapter 90 Request – Green Street Phase 2

Mr. Furtado – We had to divide the road reconstruction to three sections on Green Street, Washington to South and this is from South to Cottage. It's just shy of 1,700 linear feet. Similar to the last time, drainage, sidewalks trees. The estimate construction cost is \$947,078. The first phase came in under budget.

Mr. Wotton motioned to approve the Chapter 90 Green Street Phase 2 road reconstruction project. Mr. Durant seconded. Vote unanimous.

VI. Tabled Matters

A. n/a

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

Superintendent's Report for September 25, 2017:

**Town of Fairhaven
Board of Public Works Meeting
September 25, 2017**

From Last Meeting

- Brush cut at Mill/Bridge
- Received quotes for park playground equipment replacement

New Items

- State conducts walk-thru of Route 6 project – loaming and seeding and uncovering some water boxes were added to the punch list
- Attend Water Mgt meeting in Boston – provide written testimony as to why registered amounts should not be conditioned
- Write letter to EPA – send to Board in an email with explanation
- Participate in conference call re: EPA draft sewer permit
- Attend EPA permit meeting at EPA headquarters in Boston
- Capital Planning Committee meeting – select architect for master plan of Town buildings
- Hired part-time help for Highway Department
- Attend Hurricane meetings
- Attend/chair Mattapoissett River Valley Meeting
- Attend Department Head meeting
- Attend Harassment Training
- Visit resident's home re: dirty water
- Attend Benoit Square Traffic meeting

Mr. Furtado – There is 1.3 million in uncommitted Chapter 90 money. Jeannette Street so that is near, it's in the works. We will have the design with the drainage. West Island and the bike path crossing are future projects.

I went to the Saltonstall building on behalf of the town because some of the Rivers Alliance water withdrawal permits on the public water supply. We received good news.

Mr. Wotton – Walkthrough with the state. Areas of concern weeds growing thru the cracks on inside of the streets especially toward Mikes Restaurant. Some state owned land over there as well. There is a lot more activity riding bikes on Route 6.

**Town of Fairhaven
Board of Public Works Meeting
September 25, 2017**

Mr. Hobson – Marine Resource Committee had a meeting. Discussed about closure of Union Wharf next phase. Boats moved. New pilings all the way around. Hay bales you took care of. Paint the lighthouse. Ask Vinnie to send somebody down to move the rocks around the pond. Billy's Way, the fire lane walk to the beach.

Mr. Furtado – Hopefully they cut that today.

Mr. Hobson– The person couldn't do it no more. Branches hanging over the street. I don't know why the tree department can't cut that or us on Chambers Street.

Mr. Silvia – Thank you for cutting the vegetation on Mill Road.

Mr. Durant - I was contacted by some residents. I asked Vinnie about the benches at Rogers School. I found out they were purchased by the students and now students are at Wood School but we do have a nice park and families like to go to Rogers School so I would like to inquire about some new picnic tables.

Mr. Hobson – Ask the Voke people. They made us some for Hoppy's Landing.

Mr. Wotton – Laurel and Farmfield; the sewer drain there, water was coming up out of it.

Mr. Ristuccia – Roger's School committee asked me they do all the cutting of the bushes and the trees. If they put it into the bags could we pick them up?

Mr. Furtado – They were supposed email me when it was done.

Mr. Ristuccia - Inquire about Livesey Park do something to fix up the softball fields, bleaches for pop Warner football. Maybe from a sub-committee do some investigating.

Mr. Furtado – New CPC round when Jarred was on the board, we can apply for CPC money do something for parking at Livesey.

Mr. Durant – I will get it done.

VIII. Set Date for the Next Meeting

Mr. Wotton motioned to hold the next meeting on October 16, 2017 at 6:00 p.m. Mr. Hobson seconded. Vote unanimous.

IX. Adjourn and Executive Session – NPDES Permit

Mr. Wotton motioned to adjourn the open session at 7:16 p.m. and enter into executive session to discuss the NPDES Permit and not to reconvene in open session.

In favor: Mr. Ristuccia, Mr. Wotton, Mr. Hobson, Mr. Silvia and Mr. Durant.

**Town of Fairhaven
Board of Public Works Meeting
September 25, 2017**

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant

Minutes approved on October 16, 2017.