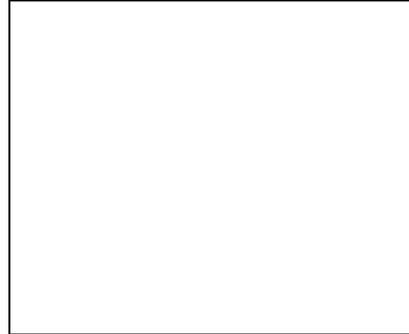


**Town of Fairhaven
Board of Public Works Meeting
March 14, 2011**

Present

Geoffrey Haworth, Commissioner
Robert Hobson, Commissioner
Kathleen Sturtevant, Commissioner
G. Steven Riley, Commissioner
William Fitzgerald, Jr., Superintendent
Kathy Tripp, Administrative Assistant
Linda Schick, Sewer Superintendent
John Medeiros, Bicentennial Committee, Lions Club
Victor Oliveira, Bicentennial Committee, Lions Club
Gerry Payette, Bicentennial Committee
Ann Richard, Resident
Robert Espindola, Resident
Nathan Bekemeier, Resident
Ken Ferreira, Ferreira Engineering



I. Call to Order

Mr. Haworth called the meeting to order at 6:30 p.m.

II. Routine Matters

A. Signing of Departmental Bills

III. Approval of Minutes

A. February 22, 2011

Mr. Riley motioned to approve the minutes of the February 22, 2011 meeting. Mr. Hobson seconded. Vote unanimous.

V. Items for Action

A. ABC Disposal Contract

Mr. Haworth – The contract is 0% the first year, 3% year two and 3% for year three and a two year option to be negotiated.

Mr. Hobson – ABC does an excellent job in what they do. The employees are courteous. It's a good deal.

Mr. Riley – It's a good contract with the Town.

Mr. Haworth – I represented the Board for negotiations. The last contract also came down a lot.

Mr. Fitzgerald – We saved about \$100,000 last year. Negotiations were with the Board of Health also. They have the same terms.

Ms. Sturtevant motioned to approve the 3 year contract with ABC Disposal for Curbside Rubbish Collection. Mr. Hobson seconded. Vote unanimous.

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IV. Appointments

**A. John Medeiros, Gerry Payette, Victor Oliveira – Bicentennial Committee
Re: Temporary Veterans Memorial at Cushman Park – July 2012**

Mr. Medeiros – We are on the Bicentennial Committee and with the Veterans Group we would like to utilize Cushman Park in early July 2012 for the Veterans Moving Wall.

Mr. Payette – To me, that's the best spot. It's centrally located and fenced in. They would set up on July 4th on a Wednesday and stay until Monday. It costs \$4500 to have it here. We also need to put up some flags and would need temporary holes. Someone will be there 24/7.

Ms. Sturtevant – It's a nice project.

Mr. Riley – It's a great idea. I've seen the moving wall and the one in Washington. Just talk to the Rec Center because of the leagues in the summer. That's probably your biggest hurdle.

Mr. Medeiros – The parking lot on Main Street, can we use that for handicap only?

Mr. Hobson – I'm really touched. I am a Vietnam era Vet. The location is a good spot. I would be proud to have this.

Mr. Haworth – It's an excellent opportunity for the Town. You've given us plenty of advanced notice.

Mr. Payette – When we pull out the polls, what then?

Mr. Haworth – You can talk to the Highway Superintendent. It shouldn't be a problem. During the week, not a problem. We'll work together to help you out.

Mr. Hobson motioned to support the Veterans project at Cushman Park. Ms. Sturtevant seconded. Vote unanimous.

**B. John Medeiros, Victor Oliveira – Lion's Club
Re: Superintendent's Plaque**

Mr. Medeiros – Vic and I were commissioners in the seventies and early eighties. I was instrumental in the construction of this building with Jeff Osuch. There is a plaque in the front hall. We'd like to donate two shovels alongside the plaque with all the Superintendent's names since the Board started in 1969. The Lion's Club donated the shovel for this building at no cost to the Town. Those guys should have some recognition.

Mr. Riley – I have no objection.

Mr. Hobson – I agree. That's nice of the Lion's Club to do this.

Ms. Sturtevant – No problem, great idea.

Mr. Riley motioned to accept the shovel/plaque for the BPW Superintendents. Ms. Sturtevant seconded. Vote unanimous.

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C. Ann Richard, Robert Espindola, Nathan Bekemeier – Re: BPW Superintendent

Ms. Richard – I am here to talk about your current Superintendent. He means something to me. As an environmentalist I've seen what he has done. You did vote in January not to renew his contract. I think he is a good fit for this Town. He has gotten us grants and awards. Fairhaven is by far a leader for being green. It's going to be very difficult to fill his shoes. I wanted to come and tell you that.

Mr. Espindola – I echo Ann's statement. I appreciate what this Board does day to day. I felt I owed it to Bill. I've known him thru the Sustainability Committee and his efforts with the energy audits for the school system and BPW buildings. He's taken responsibility for the Mass Energy insight program. The projects he has been involved with will bring us between \$300,000 and \$400,000 in savings over twenty years. He's gotten us millions of dollars in grants. There is a fairly short list of people who've given us millions in savings. He has been extremely cooperative with us. I really appreciate what he has done.

Mr. Bekemeier – We are here tonight as individuals. I felt strongly about the Town and the future for our kids. Bill has attempted to get the kids educated and involved. We've had energy fairs. Bill has been to more than one of them. When I heard he wasn't going to be here I was shocked. I don't pretend to know how the BPW operates. He's gotten us over \$12 million dollars in incentives. I find it tragic we are losing him. In the last four years, the effort this man has done for us. We're not in your shoes. I do feel strongly that this Town should thank him.

Mr. Hobson – I happened to be on the short end of a 2-3 vote. I've asked for reconsideration two or three times. He's gotten us \$12 million in grants, five projects are unfinished. I would like to have him here for another year. I tried to get this voted after the election. In another year, reevaluate. That's my personal opinion.

Ms. Sturtevant – I was on the other side of the fence. The green, grant writer, yes. The day to day, not happening. Last year we gave him a one year contract. In my estimate it wasn't happening. I don't think it's fair for the Town and the taxpayers. There have been some tough decisions. Goals, not in my estimate.

Mr. Riley – Thank you for coming in. There are pros and cons. Mr. Hobson and myself have worked with Bill the longest. My decision was based on the last 3 ½ years he's worked for the Town. The position is not only grants, its organization skills. For me, with Bill, it's his performance evaluations which were done in executive session. I stand by my decision firmly.

Mr. Haworth – It's important for residents. It's a hot button issue. We all see things in our own way. I felt that he should have been given another year and then reevaluate. The general public, personnel reviews are done in executive session. Mr. Fitzgerald is aware of that. I personally didn't think we should not have given him another year. The vote was 3-2 and I have to honor that vote and move forward.

Ms. Richard – At the last meeting you said you were going to start the search. Is that on the agenda?

Mr. Haworth – Yes.

Ms. Richard – It's going to be hard to find someone to jump in. It's a hard decision in hard economic times. He's brought all this to the Town. It's going to put a lot of burden on the people that work here. That should out way the negative.

Mr. Hobson – The vote tonight to move forward is probably going to be 2-2.

Ms. Richard – I understand that. That's why I came.

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Mr. Hobson – It doesn't make sense to do it until after the election. Something could change. It makes sense to wait two weeks.

D. Ken Ferreira, Ferreira Engineering – Re: Shirley Street Sewer Extension

Mr. Ferreira – This is for Robert Gomes and Ken Lipman for two properties on Route 6, the former Mutual Oil and Bob Gomes property. We want to extend a low pressure force main from the Hampton Inn and leave stubs at Jason Terrace and Lincoln Drive should those properties want to extend, we wanted to insure capacity. We agree with the Superintendents comments.

Mr. Riley – Road repair?

Mr. Ferreira – The pavement will be repaired.

Mr. Haworth – Will the road be continued?

Mr. Ferreira – There is no proposal for that.

Mr. Haworth – The residents don't want that. Is the size pipe big enough?

Mr. Ferreira – We sized it for the developed and undeveloped properties.

Mr. Haworth – The trench is down the center? Does he have to go curb to curb?

Mr. Riley – On the dirt roads.

Mr. Haworth – I just want to make sure.

Mr. Fitzgerald – It's your rule, curb to curb.

Mr. Haworth – You should be consistent. It's not heavily travelled.

Mr. Ferreira – The contractor is lined up. The property buyer for Gomes needs this for the bank once the DPW approves it. The property should change hands by spring.

Ms. Schick – I gave my comments.

Mr. Ferreira – The tie-in fee is \$10,000 for properties of five or more. This extension tie-ins are for three properties.

Mr. Haworth – My opinion, this service is for three buildings. The tie-in should be changed to 1-4.

Ms. Tripp – We will need that money up front, \$5,000. There will be a preconstruction meeting. We will need to know from Canessa how long it's going to take him and we will need money for an inspector.

Mr. Riley motioned to approve the sewer extension for Shirley Street and the extension fee of \$5,000.00 for 1-4 properties to be paid up front with a deposit for the inspector for engineering. Ms. Sturtevant seconded. Vote unanimous.

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V. Items for Action (Cont.)

B. Special Town Meeting Articles

Mr. Fitzgerald – There are a couple of sewer articles. One is Barry's retirement. The water and sewer contracts we'll talk about tonight. We'll leave a placeholder. The skid-steer loader we discussed putting in a separate article.

Mr. Riley – I'm in favor of some of the articles. Pass over some of them because of budget issues coming up. We have to pick and choose.

Mr. Haworth – Personally, I'd like to see the Board go forward. The skid-steer, we can dwindle the price a little bit. The plow and piece of equipment he needs. You can probably shave \$10-\$15k off of this number. Homecoming; \$1500. Everybody is worried. They need to speak with us. I don't know if it would be funded. We posted it for the workers to take comp time. They filed a grievance. Post a list for volunteers with no pay.

Mr. Riley – I don't think it will be shot down. If they don't fund it, we'll make it work.

Mr. Haworth – Keep the article there.

Mr. Fitzgerald – The West Island restrooms, there is an article in the annual contingent on a state grant, but it has strings. We would have to open it permanently to outside residents and we can't charge more than double.

Mr. Hobson – The Board is in charge of the Town beach. I don't think they want to do that if the Town can't control it.

Mr. Riley – If you lose control, you'll never get it back.

Mr. Haworth – I agree. Try to get the ADA for the extra \$10,000.

Mr. Riley motioned to remove the restroom article for \$24,400. Ms. Sturtevant seconded. Vote unanimous.

Mr. Fitzgerald – The sewer pump station; Taber and South Street. It's \$1.6 million if you take \$550,000 from the photovoltaic. That would leave about \$225,000.

Discussion followed on sewer funds.

Mr. Haworth – Put in the next two items but get more concrete numbers. NPDES and Inflow articles?

Mr. Fitzgerald – I & I, \$50,000.

Mr. Hobson motioned to recommend \$50,000 for I & I. Mr. Riley seconded. Vote unanimous.

Ms. Sturtevant motioned to move the article as discussed.

Ms. Schick – We may need \$17,500 for the boiler if the Nstar rebate doesn't come in.

Ms. Sturtevant motioned to include \$17,500 for the boiler. Mr. Riley seconded. Vote unanimous.

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C. West Island Town Beach – Lifeguards

Mr. Fitzgerald – Warren said he would help us out with the beach. We need him to delegate the hiring. He's still willing to do that. He would supervise the lifeguards. We need to vote on that. The Selectmen want to know that we've given him permission.

Mr. Haworth – Warren's commitment, he needs to reassure us what he wants before we make a decision.

Mr. Hobson motioned to have the Recreation Director at the next meeting. Ms. Sturtevant seconded. Vote unanimous.

D. Victory Baptist Church – Request to use Cushman Park

Mr. Haworth read the request.

Mr. Hobson motioned to approve the Victory Baptist Church on July 30, 2011 with the standard regulations. Ms. Sturtevant seconded. Vote unanimous.

E. Inter-Church Council of Greater New Bedford – Request to use Fort Phoenix

Mr. Haworth read the request.

Ms. Sturtevant motioned to approve the Inter-Church Council to use Fort Phoenix for the Easter Sunday Sunrise Service on April 24, 2011 with the standard stipulations. Mr. Hobson seconded. Vote unanimous.

F. WES Construction – Pay Requisition

Ms. Sturtevant motioned to approve payment to WES Construction in the amount of \$191,718.95. Mr. Riley seconded. Vote unanimous.

G. HydroQual – Review of NB Inner Harbor TN Target

Mr. Riley motioned to approve spending up to \$15,000 to HydroQual including all expenses for Task 1 of the Review for the New Bedford Inner Harbor TN Target. Ms. Sturtevant seconded. Vote unanimous.

H. BPW Superintendent's Position

Mr. Haworth – We've been round and round with this.

Mr. Riley - My motion would be the same as the last meeting, vote to advertise where it's free. Start accepting applications now and not make it final until after that.

Mr. Haworth – How do we move forward from this point?

Mr. Riley – Losing two more weeks is a waste of valuable time. Accept resume's until April 30th. The process needs to begin. It's a long process.

Mr. Hobson – I'm not changing my position. People see it in the newspaper and go through all this trouble. Wait until the election is over, then we'll know what's going to happen. We'll know more on April 4th.

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Ms. Sturtevant – I thought the process should have started when we took the vote. We need to move forward and advertise regardless of the election.

Mr. Hobson – We have no money to hire someone until July 1st.

Mr. Haworth – I have no issue with taking applications. Publish in the free places and start the process but I hate being locked up. We haven't set up how we're going to do this. Set up an interview committee. I will support advertising.

Mr. Riley motioned to post the BPW Superintendent's position in the free publications and give the applicants until April 30th at 4:30. Ms. Sturtevant seconded.

Mr. Hobson motioned to start advertising after the April Town Election.

On Mr. Riley's motion: Vote 3-1 in favor with Mr. Hobson opposed.

VI. Superintendent – Information and Updates

Mr. Fitzgerald – Howland Road; \$200,000 didn't get approved. They will start in mid April, the road then the sidewalks.

Bridge and Alden; start the 2nd week in April. The Planning Board approved the site plan.

Route 6 Project; the plans are at 75% - 100%. The May bid is not happening until September.

Balsam Street Drainage; was approved by conservation.

Next week I'll have the Tighe and Bond Contract, the house to house survey and Fort Street. I'll get a price from GCG. They did all the Block Grants.

VII. Board Members – Old Business / New Business

Mr. Riley – The email a couple of weeks ago about the case studies?

Mr. Fitzgerald – We talked to both of them. Orleans, no. Stoneham, it wasn't park land. They could lease short term. When their bike path starts they will take it back.

Mr. Riley – Timetable for the letter for Shaw Road?

Mr. Fitzgerald – I'll have John do a follow up visit.

Mr. Riley – Last meeting with the boiler; I'm totally baffled that for 4-5 minutes we talked about putting it out to bid and we voted it that way. Mr. Haworth the next morning called me and said the boiler company was already hired.

Mr. Fitzgerald – I thought we had more time to get more quotes. I didn't realize. I forgot or didn't hear he had already started.

Mr. Riley – So we hired him on Tuesday?

Mr. Fitzgerald – I thought I would have had time.

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Mr. Haworth – I received a call from Kathy and Linda on Tuesday morning. The contractor had already started.

Mr. Riley – Brown and Caldwell; the sheet with the overruns that's in the packet today. Kelkor and the Nexamp issue. Kelkor wants more money.

Mr. Fitzgerald – I don't think we owe them money. Nexamp told them what to do. The bill should go to Nexamp.

Mr. Riley – The stone is off the building. Kelkor put it up and Nexamp took it off.

Ms. Schick – One building.

Mr. Riley – I have an email from Kelkor to you dated May 4, 2010.

Mr. Hobson – I don't like what Mr. Riley just did. That's disrespectful to the man. I'm not too happy with the Selectmen and the streets. Wayne Street; I received phone calls and Dogwood Street. The Finance Committee hasn't told us how much money we are going to get yet.

Ms. Sturtevant – All set.

Mr. Haworth – Drainage and brush cutting all done?

Mr. Fitzgerald – I'll get back to you.

Mr. Haworth – Track the street sweeper. Costs to dispose of the sand, payroll, maintenance costs, truck to haul it to Crapo Hill.

Jenny Street; call the resident there about the fence.

Ms. Tripp – I've spoken with the resident about the fence. Jenney Street is not an accepted road. We don't know exactly where the road is supposed to be. The Building Department is the department who enforces the fences, setbacks and height.

VIII. Executive Session

Mr. Haworth motioned to enter into executive session at 9:16 p.m. to discuss Collective Bargaining for the Unions, City of New Bedford Intermunicipal Agreement and Personnel and to reconvene the open session at its conclusion. Roll call taken: Mr. Haworth, Mr. Hobson, Ms. Sturtevant and Mr. Riley in favor.

Open session reconvened at 9:50 p.m.

V. Items for Action (Cont.)

Mr. Hobson motioned to approve the Water Department Agreement with the Union. Mr. Riley seconded. Vote unanimous.

Ms. Sturtevant motioned to approve the Sewer Department Agreement with the Union. Mr. Hobson seconded. Vote unanimous.

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IX. Set Date for the Next Meeting

Mr. Riley motioned to hold the next meeting on March 28, 2011 at 6:30 p.m. Ms. Sturtevant seconded. Vote unanimous.

X. Adjourn

Mr. Riley motioned to adjourn at 10:00 p.m. Ms. Sturtevant seconded. Vote unanimous.

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant