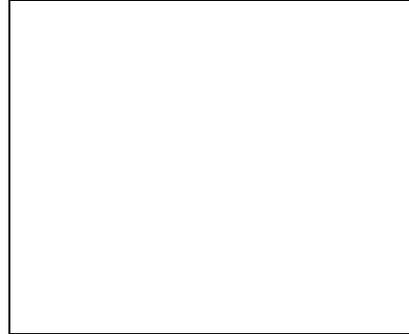


**Town of Fairhaven
Board of Public Works Meeting
May 16, 2011**

Present

Geoffrey Haworth, Commissioner
Robert Hobson, Commissioner
Kathleen Sturtevant, Commissioner
G. Steven Riley, Commissioner
Daniel Freitas, Commissioner
Kathy Tripp, Administrative Assistant
William D. Roth, Town Planner
Matthew Paulson, Highway Department
Edward Fortin, Water Superintendent
Linda Schick, Sewer Superintendent
Demetrio Costa, J.L.C. Construction
Thomas Jenkins, Fay, Spofford & Thorndike
Ron Porter, Fay, Spofford & Thorndike
Bob Peirent, Tighe & Bond
Ian Catlow, Tighe & Bond
Chris Bone, Tighe & Bond



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. April 12, 2011**
- B. April 25, 2011**
- C. May 2, 2011 – Executive Session**
- D. May 7, 2011**
- E. May 7, 2011 – Executive Session**

Ms. Sturtevant motioned to approve the minutes, of April 12, 2011, April 25, 2011, May 2, 2011 – Executive Session, May 7, 2011 and May 7, 2011 – Executive Session. Mr. Freitas seconded. Vote unanimous.

IV. Appointments

A. William D. Roth, Town Planner – Re: Middle/Main Street Culvert Replacement

Mr. Roth – I just wanted to give you an update. We bid the project and Pavao was the lowest bid. There were five bids. You have under your action items the agreement with GCG for the engineering. They are the ones who designed it. I will be the one running the project like the Block Grant even though this is Chapter 90.

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Mr. Riley – GCG and Pavao have done excellent work.

Mr. Freitas – I would like to thank Mr. Roth for his work. We appreciate it.

Mr. Roth – The pumping station; they've already started the north engine. The south engine is offline. It's almost in place. Hopefully in a week or so it will be complete. One concern I have is the future of the roof. We'll have to find some funds for the roof and paint.

Mr. Haworth – This is a worthwhile project. There is no general fund money.

V. Items for Action

A. Pavao Construction – Award Contract for the Middle/Main Street Culvert Replacement

Mr. Riley motioned to award Pavao Construction the contract for the Middle/Main Street Culvert Replacement in the amount of \$172,000.00. Ms. Sturtevant seconded. Vote unanimous.

B. GCG Associates – Engineering Agreement for the Middle/Main Street Culvert Replacement

Mr. Riley motioned to award GCG Associates the Construction and Administration and Observation Services for the Middle/Main Street Culvert Replacement. Mr. Freitas seconded. Vote unanimous.

C. Pavao Construction – Payment #1 Middle Street Roadway Improvement, Chap.90

Mr. Freitas motioned to pay Pavao Construction \$22,899.27 for the Middle Street Roadway Improvement Project. Mr. Riley seconded. Vote unanimous.

IV. Appointments – (Continued)

B. Matthew Paulson – Request for Leave of Absence

Mr. Paulson – I have accepted a job with the New Bedford Fire Department. I start Monday. I don't want to leave on bad terms. If I can't make it through I would like to come back. I enjoy working here.

Ms. Sturtevant – I know Matt. He has an excellent record as a worker. I don't have a problem with it.

Mr. Riley – I echo Kathy's statement that he is an excellent worker. His supervisor speaks very highly of him, but it's a matter of precedent. The question I have for the Board is concern whether or not anybody else requests this if we do grant this? He's applied and accepted a job somewhere else. In the interim we have to hire someone temporarily. That person gets the short end of the stick if he comes back. I'm torn. Six months is a long time.

Mr. Freitas – I don't have a problem with this.

Mr. Hobson – I'm on the borderline. He's leaving for a new position. My question is, do we post the job or hire someone from outside.

Ms. Tripp – You could post for a temporary operator and then hire temporary truck driver. After six months you would have to make that person permanent or let him go.

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Mr. Hobson – How long have you been here?

Mr. Paulson – Nine years.

Mr. Hobson – I'll go along with it

Mr. Haworth – Matt is one of the best we have. You're good at what you do. I don't want to set a precedent. You've had a good career with the Town. I do think we should grant this as a onetime situation. What happens with seniority?

Ms. Tripp – I believe when if he comes back he would have to work double the time he was out to get his seniority back.

Ms. Sturtevant – Why six months?

Mr. Paulson – The academy ends July 22nd. After that it will give me a certain amount of time to be on a piece of apparatus and then if I don't like it then I could come back. I told John anything I can do for him I would come back and do.

Mr. Haworth read Mr. Charbonneau's letter regarding Matt.

Mr. Hobson motioned to grant Matthew Paulson a six month leave of absence from the Highway Department and wish him luck. Mr. Freitas seconded. Vote 4-1 in favor with Mr. Riley opposed.

C. Edward Fortin, Water Superintendent – Re: Project Updates

Mr. Fortin – There are two projects; the first is the Scoticut Neck Tank. At the one year inspection an issue came up and we had to drain the tank. About 40' up the paint chipped off.

Mr. Riley – How long will it be offline?

Mr. Fortin – A few weeks. Rockwood is paying for the inspection time. It's warranted for two years on that section. The other project is cement lining. The bids are due May 26th. It's from Main to Adams Street on Route 6. The water main will be cleaned and cement lined.

D. Demetrio Costa, J.L.C. Construction – New Drainlayer, Driveway Contractor

Mr. Costa submitted his third letter of reference to the Board.

Mr. Costa – I own an excavating company. I've worked in New Bedford, Fall River and Dartmouth. I've expanded my company. I have four employees. I also specialize in concrete.

Mr. Riley – I'm all set. His paperwork and insurance is up to date.

Mr. Freitas – All set.

Mr. Hobson – All set.

Ms. Sturtevant – My question is stamped concrete if you go to the part near the road, you need to get a waiver.

Mr. Haworth – In most cases that is eight feet from the street. Stamped concrete is an unapproved material.

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Ms. Tripp – Stamped concrete is an approved material, but the homeowner needs to sign a waiver that in case there is any damage done to the part that's in the Town layout, they are responsible. We will not fix it for any reason.

Mr. Costa – Do you require a bond?

Mr. Haworth – No.

Mr. Riley motioned to approve J.L.C. Construction as a drainlayer and driveway installer in the Town of Fairhaven on a one job basis. Mr. Freitas seconded. Vote unanimous.

V. Items for Action (Continued)

E. Request to Use Fort Phoenix for Wedding – June 11, 2011

Ms. Sturtevant motioned to approve the request to use Fort Phoenix for a wedding on June 11, 2011 with the standard conditions. Mr. Riley seconded. Vote unanimous.

F. Request to Use Fort Phoenix for Wedding – June 26, 2011

Ms. Sturtevant motioned to approve the request to use Fort Phoenix for a wedding on June 26, 2011 with the standard stipulations. Mr. Hobson seconded. Vote unanimous.

VI. Appointments (Continued)

E. Interview for Engineers for the Upgrades to Taber & South Street Pumping Station

1. Thomas Jenkins, Ron Porter – Fay Spofford & Thorndike

Mr. Jenkins and Mr. Porter gave the Board a presentation regarding the proposed project.

Mr. Porter – We could have a design to you by mid October.

Mr. Jenkins – We designed those pumping stations.

Mr. Freitas – I know FS&T. They do an excellent job.

Mr. Hobson – If Mr. Freitas recommends them I think that's a good point.

Ms. Sturtevant – I agree. For us, in the past there have been no problems.

Mr. Riley – The design?

Mr. Jenkins – That list came from a report from Brown and Caldwell. We will discuss with the Town what to do.

Mr. Haworth – We've seen a lot of change orders from other firms. \$68,000 is that the real cost or not?

Mr. Jenkins – its \$68,000. We will not ask for extra money. We know you have a lot more work here. We want a long term relationship.

Mr. Riley – In 1991 on South Street, the general scope?

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Mr. Porter – We designed and added a fourth pump.

V. Items for Action (Continued)

D. Wes Construction - Payment Application #15

Mr. Riley motioned to approve WES Construction Payment #15 in the amount of \$94,050.00. Ms. Sturtevant seconded. Vote unanimous.

IV. Appointments (Continued)

E. 2. Bob Peirent, Ian Catlow, Chris Bone – Tighe & Bond

Mr. Peirent, Mr. Catlow and Mr. Bone gave the Board a presentation regarding the proposed project.

Tighe and Bond left the meeting temporarily.

Ms. Schick – I would recommend FS&T. They have designed every pumping station in Town. They have all the plans. It's not a cost issue.

Mr. Freitas – I would say the same as Linda. Ron Porter has been around forever. He's been really good. They are both good. They have a history and they are cheaper.

Mr. Hobson – Experience speaks for itself.

Ms. Sturtevant – I agree with Linda.

Mr. Haworth – It's important that we way in on every avenue. FS&T is the low bidder.

Ms. Sturtevant motioned to hire Fay, Spofford & Thorndike for the Taber and South Street Pumping Station Rehab. Mr. Freitas seconded. Vote unanimous.

VII. Executive Session

Mr. Haworth motioned to enter into executive session for an emergency discussion with Tighe and Bond at 8:12 p.m. to discuss the NPDES Permit and Collective Bargaining with the Unions and to reconvene in open session and its conclusion. Mr. Hobson seconded. Vote unanimous.

In favor: Mr. Haworth, Mr. Hobson, Ms. Sturtevant, Mr. Riley and Mr. Freitas.

Open meeting resumed at 8:50 p.m.

V. Items for Action (Continued)

G. Summer Help

Mr. Freitas – Was Cody a good worker?

Ms. Schick - I had no problem with him.

Mr. Haworth – I've seen the list and I would go along with the Superintendent's recommendations. I would like to look at Fairhaven kids first.

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Mr. Freitas – Audette, Gibney, Morris, Oliveira, Roderiques and Sobral.

Mr. Hobson – Audette, Avila, Morris, Oliveira, Roderiques and Sobral.

Ms. Sturtevant - Audette, Gibney, Morris, Oliveira, Roderiques and Sobral.

Mr. Riley - Audette, Avila, Morris, Oliveira, Roderiques and Sobral.

Mr. Haworth - Audette, Avila, Morris, Oliveira, Roderiques and Sobral.

Mr. Haworth – Audette – 5, Avila – 3, Gibney – 2, Morris – 5, Oliveira – 5, Roderiques – 5 and Sobral – 5.

Mr. Haworth motioned to hire Joshua Audette, Justin Avila, Christopher Morris, Nathan Oliveira, Adam Roderiques and Matthew Sobral. Mr. Hobson seconded. Vote 4-1 in favor with Mr. Freitas opposed.

H. Rochester Firefighter's Association – Request to use River Road Pumping Station Area

Ms. Sturtevant motioned to approve the request by the Rochester Firefighter's Association to use River Road Pumping Station area for the Memorial Day Boat Race on May 30, 2011. Mr. Freitas seconded. Vote unanimous.

VI. Board Members

Mr. Riley – Howland Road; the east side is on its final push. Bridge and Alden; when it's finished it will benefit the Town and make it a much safer intersection. It's going to be tough there for the next few weeks.

Mr. Freitas – All set.

Mr. Hobson – Kathy, can you tell the Superintendent when the trucks go down the road and see a tire or dead animal, it's crazy that I have to call. Just pick it up and bring it back here.

Ms. Sturtevant – I talked to John about Whisper Lane and the dirt at Wilbur's Point.

Mr. Haworth – Can we get the street sweeper to sweep the bike path at the intersections? Grass mowing is going on. We approved a six month leave of absence. We need to post for a temporary operator. Have them at the next meeting and then post for a truck driver.

Mr. Hobson – At Town Meeting streets didn't get approved. Call the Selectmen and Finance Committee to complain. They overrode us.

Mr. Riley – In the packet we received thirteen resume's for the job position. I would like you to review them and pick three to five and give them to Kathy.

Mr. Haworth – It's important to do background checking. The Water and Sewer Agreements were signed by the Board of Selectmen. Can you look into that? We need to meet with the Selectmen on an important matter as soon as possible.

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VIII. Set Date for the Next Meeting

Mr. Haworth motioned to set the date for the next meeting on May 31, 2011 at 6:30 p.m. Mr. Riley seconded. Vote unanimous.

IX. Adjourn

Ms. Sturtevant motioned to adjourn at 9:05 p.m. Mr. Hobson seconded. Vote unanimous.

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant