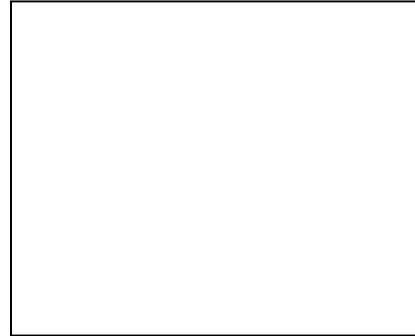


**Town of Fairhaven  
Board of Public Works Meeting  
June 3, 2013**

Present

G. Steven Riley, Commissioner  
Robert Hobson, Commissioner  
Kathleen Sturtevant Commissioner  
Michael Ristuccia, Commissioner  
Brian Wotton, Commissioner  
Vincent Furtado, BPW Superintendent  
Kathy Tripp, Administrative Assistant  
Edward Fortin, Water Superintendent  
Matthew Paulson, 106 Adams Street  
Charlene Paulson, 106 Adams Street  
Jon Gregory, Tata & Howard  
Amelia Phaneuf  
Krisanne Sheedy, Fairhaven Housing Authority



The meeting was held in the Town Hall Auditorium.

**I. Call to Order**

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

**II. Routine Matters**

**A. Signing of Departmental Bills**

**III. Approval of Minutes**

**A. February 25, 2013 – Executive Session (a)**

Mr. Hobson motioned to approve the minutes of February 25, 2013 Executive Session (a). Mr. Riley seconded. Vote 2-0 in favor with Ms. Sturtevant, Mr. Ristuccia and Mr. Wotton abstaining.

**B. May 6, 2013 – Executive Session**

Mr. Hobson motioned to approve the minutes of May 6, 2013 Executive Session. Ms. Sturtevant seconded. Vote 4-0 in favor with Mr. Wotton abstaining.

**C. May 20, 2013**

Mr. Hobson motioned to approve the minutes of May 20, 2013. Ms. Sturtevant seconded. Vote unanimous.

**D. May 20, 2013 – Executive Session**

Mr. Hobson motioned to approve the minutes of May 20, 2013 Executive Session. Ms. Sturtevant seconded. Vote unanimous.

**IV. Appointments**

**A. Interview for West Island Town Beach Lifeguard**

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**1. Amelia Phaneuf**

Ms. Phaneuf – I currently am a lifeguard at the New Bedford YMCA. I'd like to change positions and work at the beach.

Mr. Riley – She does have all the certificates. You come highly recommended.

Mr. Wotton – No questions.

Mr. Ristuccia – No questions.

Ms. Sturtevant – You can start right away? You will be required to work Labor Day weekend.

Ms. Phaneuf – I commute to BCC and have night classes so that shouldn't be a problem.

Mr. Hobson – You have good references. It's not party time down there. You have to pay attention. There are a lot of little kids. You need to keep the beach clean.

Ms. Phaneuf – That's to be expected.

Mr. Riley – We will be doing a drug test. I want you to be aware of that.

**B. Matthew Paulson, 106 Adams Street – Driveway Waiver**

Mr. Riley – Can you tell the Board what your plans are?

Mr. Paulson – Right now the driveway is twenty-six feet. I would like to widen it to thirty-nine feet. I bought a sixteen foot landscape trailer and it bottoms out.

Mr. Riley – Where about do you want to extend it?

Mr. Paulson – Towards the maple tree.

Mr. Riley – How far over?

Mr. Paulson – Thirteen feet.

Mr. Wotton – It's currently asphalt?

Mr. Paulson – Yes.

Mr. Ristuccia – There is a concrete sidewalk. You want to make the driveway wider and take out curb?

Mr. Paulson – Yes.

Ms. Sturtevant – I have no problem.

Mr. Hobson – Is it at the property line?

Mr. Paulson – One and one-half feet away.

Mr. Hobson – I don't see you getting thirty-nine feet.

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Mr. Ristuccia – The asphalt near the garage now that looks recent.

Mr. Paulson – It's ten years old.

Mr. Riley – This size driveway is big. I did drive by. Thirty-nine feet is an awful lot. If you made it a little smaller, could you at least back in?

Mr. Paulson – I could get away with thirty-five feet.

Mr. Wotton – Are the abutters notified?

Mr. Riley – They don't have to be. What we vote now will have a future impact on other requests.

Mr. Hobson motioned to approve a thirty-five foot driveway opening for 106 Adams Street. Mr. Ristuccia seconded.

Mr. Wotton motioned to approve the additional thirteen feet he was looking for. Motion dies for lack of a second.

On Mr. Hobson's motion - Mr. Ristuccia seconded. Vote unanimous.

**C. Jon Gregory, Tata & Howard – Re: Boston Hill Water Tank**

**1. Amendment to Engineering Agreement**

Mr. Fortin – There is an amendment to their agreement. A lot of it has to do with the paint.

Mr. Gregory – The weather has been off and on with cooler temperatures. We've had personnel work on the weekends. The request is to add another \$20,000 and not to exceed that amount. We will absolutely keep it under \$20,000.

Mr. Ristuccia – Is the fee an hourly rate?

Mr. Gregory – Yes. This is the worst case scenario.

Mr. Ristuccia motioned to approve the \$20,000 amendment to Tata & Howard's contract. Mr. Wotton seconded. Vote unanimous.

**2. Worldwide Industries Change Order #1**

Mr. Gregory – They have to supply more information to DEP. It should be ready for the next meeting.

**3. Worldwide Industries Payment #2**

Ms. Sturtevant motioned to approve Payment #2 to Worldwide Industries in the amount of \$247,665.00. Mr. Ristuccia seconded. Vote unanimous.

**D. Edward Fortin – Carry over Vacation Days**

Mr. Fortin – I would like to carry over four vacation days. I hope to use them before the end of June.

Mr. Ristuccia motioned to approve Mr. Fortin to carry over four vacation days. Mr. Wotton seconded. Vote unanimous.

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**V. Items for Action**

**A. 275 Main Street – Sewer Abatement Request**

Ms. Sheedy – There was a leak under the concrete slab. The pipes are corroded. There was quite a bit of water that did not go into the sewer. There were two leaks that were taken care of.

Mr. Fortin – They wanted to put a meter on the boiler to record leakage. I can't justify that to DEP. We do not want to encourage that problem. This has been going on since I became superintendent.

Mr. Riley – Are you being proactive?

Ms. Sheedy – We have a prototype. We are working with the State but there is no money. We are also looking at the CBDG. Right now we are not in the target area. We've had twenty-two breaches since 1976.

Mr. Wotton motioned to abate \$4,548.77 from the sewer charge for 275 Main Street. Mr. Hobson seconded. Vote unanimous.

**B. Award Annual Bids**

Mr. Hobson motioned to award the FY14 annual bids to the low bidder as noted with tie bids given to contractor chosen by Mr. Charbonneau. Ms. Sturtevant seconded. Vote unanimous.

**C. Award Bid – Backflow Prevention Device Testing**

Mr. Fortin – Sarian has kept their same price for the last three years. We have used them since 2008.

Ms. Sturtevant motioned to award the Backflow Prevention Device Testing to Sarian Company, Inc. for July 1, 2013 to June 30, 2016 at a price of \$55.00 per test for each year. Mr. Wotton seconded. Vote unanimous.

**D. Award Bid – Wolf Island Road Well Cleaning and Redevelopment**

Mr. Fortin – Maher Services is the lowest bidder. My choice would have been for the alternate bid but it's more than I had budgeted.

Mr. Wotton motioned to award the Wolf Island Road Well Cleaning and Redevelopment to Maher Services in the amount of \$16,777.00. Ms. Sturtevant seconded. Vote unanimous.

**E. Pavao Construction – Payment #4 Fort Street**

Mr. Ristuccia motioned to approve Payment #4 to Pavao Construction in the amount of \$160,027.50. Ms. Sturtevant seconded. Vote unanimous.

**F. Fairhaven Improvement Association – Request for Services June 29, 2013**

Mr. Riley – It's the Board's decision on the hours. Put out the barrels the day before. Have one guy come in early and two mid morning.

Mr. Wotton motioned to have Mr. Furtado decide on the Homecoming schedule for employees. Mr. Hobson seconded. Vote unanimous.

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**Lifeguard Position**

Mr. Riley – The other candidate did not show up for the interview.

Ms. Sturtevant motioned to hire Amelia Phaneuf as a lifeguard. Mr. Wotton seconded. Vote unanimous.

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

Mr. Ristuccia – The barrel at Fort Phoenix. There aren't enough. Can you look into that?

Ms. Sturtevant – The bike rack.

Mr. Hobson – I have nothing.

Mr. Riley – Our next meeting will be at West Island at 6:15 p.m. We will need to sign a few bills.

Superintendent's Report:

From Last Meeting:

- Frank Rezendes notified of his reappointment to CPC as BPW representative
- Plover Signs
- As a follow-up to the Fairhaven Youth Football League building request, I checked with the Town's Planning Department. As a result, the Planning Department referred me to Article 97. FYI, in 1972, Massachusetts voters approved an amendment to the State Constitution, Article 97, which requires (amongst other items) that designated Parkland not be used for other purposes unless the Massachusetts Legislature approves the change by a two thirds vote. Article 97 was intended to be a legislative 'check' to ensure that lands acquired for conservation purposes were not converted to other inconsistent uses. Reading further, it is suggested that parks, monuments, reservations, athletic fields, concert areas and playgrounds clearly qualify. As a result of the above, it seems fairly clear that a private entity cannot build on designated Parkland (Livesey) as it is protected under the guidelines that Article 97 provides.

New Items

- Met with FST concerning on-going projects:
  - Intermunicipal Agreement with Mattapoisett
  - Aeration Basin Repair
  - Tabor/South St pump station repairs
  - I and I work
- Notice to Fin Comm re: transfer requests – we need \$\$ in Park Fuel (snow events depleted funds) and Water Electricity (continuous pumping with Boston Hill Tank down)
- AW Martin payment agreement sent to Courts for filing
- Water Department Patrols re: water use
- MA DOT re: payment agreement for Howland Road – project should be closed out shortly

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- 319 Grant projects (Tree Box Filters) near final completion of work and paperwork submittal
- Attend APWA Meeting
- Attend BBAC meeting
- BC representative on site for help with digester
- Green Street Engineering review re: future Chapter 90 Project
- Instruct Wastewater Class
- John Medeiros – Fairhaven North End Improvement – wants to share street sign (Adams/Howland/Main) costs (our share would be \$180) with Highway so that the signs in that area are similar to what is currently in place at Alden/Bridge (larger font)
- Resident complaint which I emailed Board about

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

Mr. Riley motioned to hold the next meeting after the June 17, 2013 meeting on July 22, 2013 at 6:00 p.m. Ms. Sturtevant seconded. Vote unanimous.

The Board of Public Works met with the Board of Selectmen at 7:00 p.m. to discuss the Emergency Preparedness Plan. Mr. Riley adjourned the open session at 8:30 p.m. Ms. Sturtevant seconded. Vote unanimous.

Respectfully submitted,

Kathy A. Tripp  
Administrative Assistant

Minutes Approved on June 17, 2013.