

**Town of Fairhaven  
Board of Public Works Meeting  
March 21, 2022**

**Present**

Brian Wotton, Commissioner  
Robert Hobson, Commissioner  
Cameron Durant, Commissioner  
Vincent Furtado, BPW Superintendent  
Rebecca Vento, Office Manager  
Bill Hathaway, 117 Main Street



Mr. Ferro and Mr. Riley was not in attendance

**I. Call to Order**

Mr. Wotton called the meeting to order at 6:19 p.m.

**II. Routine Matters**

**A. Signing of Departmental Bills**

**III. Approval of Minutes**

**A. February 28, 2022**

Mr. Hobson motioned to approve the minutes of February 28, 2022. Mr. Durant seconded. Vote unanimous.

**IV. Appointments**

**A. Bill Hathaway, Request to Use West Island Beach**

Mr. Hathaway- I am looking to film a movie at the West Island Town Beach on Saturday April 23 & Sunday April 24. There will be about 10 of us and we are looking to set up at the far end of the beach.

Mr. Hobson - What is the film about?

Mr. Hathaway - The setting is theoretically an island off Boston Harbor and there a four guys and one of them lost their spouse and they are there to scatter her remains. It is about fictional piece about their personal lives. It is a short film that will last about 15-20 minutes.

Mr. Durant motioned to approve Mr. Hathaway's request to use West Island Town Beach on April 23<sup>rd</sup> & 24<sup>th</sup> with a rain date of April 30<sup>th</sup> & May 1<sup>st</sup>. Mr. Hobson seconded. Vote unanimous.

**V. Item for Action**

**A. F.G. Sullivan Drilling Co., Inc.**

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**1. Award Bid**

Mr. Durant motioned to Award the Bid for the Cleaning and Redevelopment of Municipal Gravel Packed Wells at 51 Wolf Island Road, Mattapoisett MA. to F.G. Sullivan Drilling Co. Inc. in the amount of \$39,658.00. Mr. Wotton seconded. Vote 2-1 with Mr. Hobson opposed.

**2. Sign Contract Agreement**

Mr. Durant motioned to Sign the Contract Agreement with F.G Sullivan Drilling Co., Inc. for the Cleaning and Redevelopment of Municipal Gravel Packed Wells at Wolf Island Road. Mr. Hobson seconded. Vote unanimous.

**3. Sign Notice to Proceed**

Mr. Hobson motioned to Sign the Notice to Proceed with F.G Sullivan Drilling Co., Inc. for the Cleaning and Redevelopment of Municipal Gravel Packed Wells at Wolf Island Road. Mr. Durant seconded. Vote unanimous.

**B. Award Annual Bids #1-12**

Mr. Hobson motioned to Award the Annual Bids # 1-12 to the lowest bidder. Mr. Durant seconded. Vote unanimous.

**C. BPW Member for Teamsters Union Negotiation**

Mr. Furtado - Now that Town Meeting has been pushed back to June 18<sup>th</sup> I reached out to the Union to start our negotiations. If you look at the Town Administrator Act, it states that the Town Administrator or his/her designee, the Chairman of the BPW, the Superintendent of the BPW and one other BPW Member will sit in on Union Negotiations.

Mr. Hobson motioned to assign Mr. Durant as the primary and Mr. Ferro as the alternate for the Teamsters Negotiation. Mr. Durant seconded. Vote unanimous.

**D. BPW Member for AFSME Union Negotiations**

Mr. Durant motioned to assign Mr. Hobson to the AFSME Negotiations. Mr. Hobson seconded. Vote unanimous.

**E. Stantec Consulting Services, Town-Wide Sanitary Sewer Force Main Condition Assessment, Payment # 11 \$35,832.96**

Mr. Durant motioned to approve Payment #11 in the amount of \$35,832.96 to Stantec Consulting Services for Town-Wide Sanitary Sewer Force Main Condition Assessment. Mr. Hobson seconded. Vote unanimous.

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**F. Nemasket Group, 9<sup>th</sup> Annual 5K Walk/Run, May 7, 2022**

Mr. Durant motioned to approve Nemasket Group's 9<sup>th</sup> Annual Walk/Run on May 7, 2022. Mr. Hobson seconded. Vote unanimous.

**G. Sign Contract Agreement, Dirtsculpt, \$2,000.00**

The interim Town Administrator allowed us to use the \$2000 that was in the general fund for the track design of the BMX track. I will also submit this to GCG Associates for the drainage plans and then next year they can go before the Conservation Committee for the final approval.

Mr. Hobson motioned to Sign the Contract Agreement with Dirtsculpt in the amount of \$2,000.00 for the Professional Services related to the BMX Track at Macomber Park. Mr. Durant seconded. Vote unanimous.

**H. Memorial Benches at Fort Phoenix**

Mr. Furtado - I was asked to put this on the agenda. When the Board decided to allow memorial benches to be placed at the Fort there was a cap on the number of benches that were going to be allowed. After we had that number of benches it was brought up at the meeting on August 24, 2015 to put a moratorium on the benches at Fort Phoenix. Since that time, we have denied about a dozen benches to be installed at the Fort. We never say no to benches being installed we just say no to Fort Phoenix.

Mr. Hobson - When I voted for this back in 2015 I did not realize that there was still a lot of open space at Fort Phoenix. There are currently 4 benches and there is room for 4-6 more benches. When Mr. Charbonneau presented this, he was complaining of grass cutting and not having the proper equipment. The Town needs to upgrade the equipment to make sure we can go around these benches. I encourage people to put these benches at other locations beside the Fort. I think that the Town should get in contact with the state and see if we can put benches on the state side.

Mr. Wotton - I also did not realize that there was still a lot of open space. I think that there could be 4 more benches put at the Fort.

Mr. Furtado - I think that if you lift the moratorium you have to put a cap on how many more benches will be allowed to be installed at the Fort on the Town side.

Mr. Durant motioned to table the discussion of Memorial Benches at Fort Phoenix until the next meeting. Mr. Hobson seconded. Vote unanimous.

**I. Open Meeting Law Complaint, 14 Cherrystone Road**

Mr. Wotton - The BPW received an Open Meeting Law complaint regarding 14 Cherrystone Road. As the chair of the Board of Public Works, I declined to add the previous requests for reconsideration to

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previous agendas. Nothing in the Open Meeting Law governs the requirements for a public hearing. See OML 2020-20 Lynn City Council at fn3. The Open Meeting Law does not require a public board to hold a hearing on a matter which it chooses not to discuss. The Open Meeting Law merely provides that if a discussion is to be held, then it must comply with the procedural requirements of the Open Meeting Law. But a determination not to deliberate on a particular item is not a violation of the Open Meeting Law.

Mr. Hobson motioned to allow Town Counsel to represent the BPW and respond to the open meeting law complaint. Mr. Durant seconded. Vote unanimous.

**J. MRV Water Article**

Mr. Furtado- This Article will be a joint article between Mattapoisett, Marion and Fairhaven and it will be for 7.2 Million dollars. Our Article will be for 4.2 Million dollars and this will allow us to upgrade the existing ultrafiltration system and add the ultraviolet disinfection.

Mr. Durant motioned to Sign the MRV Water Article. Mr. Hobson seconded. Vote unanimous.

**VI. Tabled Matter**

**A. n/a**

**VII. Public Comments / Open Forum**

**VIII. Old Business / New Business**

**A. Superintendent**

**Superintendent Report for March 21, 2022**

- Meet with engineers re: SRTS update
- Review Insurance papers for Causeway Bridge
- Contract to Dirtsculpt re: BMX Track
- Begin grant application for Jerusalem Rd BMP
- CDBG grant awarded for Hedge St - Main to Adams - Becky posts on Commbuys
- Complete and Shared Streets Meeting - Sidewalk ADA Compliance - crossing beacons - bus shelters
- Meet with MRV re Water Article for FY 23 Town Meeting
- Attend/Chair MRV monthly meeting

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- Meet with Planning and Concom re: changes to 194
- Meet with Tom Crotty re BPW Open Meeting Law Violation
- Attend Selectmen's Meeting re Open Space Committee
- Rene and I attend meeting with engineer re update to collection system forcemain
- Meet with Union Rep re upcoming contract negotiations
- Becky oversees bid openings
- Jeff and I meet with property owner 28 Cherrystone re water tie-in

Mr. Furtado answered any questions that the Board had regarding the Superintendent Report.

Mr. Furtado – MassSave wants to set up a booth on the Bike Path with outreach material for the residents and is looking for the Board permission to do so.

Mr. Wotton - I have been involved with MassSave and this is a private company that works for MassSave.

Mr. Furtado - We can invite them in to the next meeting if you want to discuss this with him.

Mr. Wotton - This company can get a permit from the Police Department to solicitate their business to the residents. I think that they need to go through the proper channels.

**B. Board Members**

**C. Marine Resources Committee – BPW Related Matters**

Mr. Hobson – There was nothing to report that was related to the BPW.

**D. T.A Search Committee**

Mr. Durant motioned to remove the T.A. Search Committee from the agenda. Mr. Hobson seconded. Vote unanimous.

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

Mr. Durant motioned to set the date for the next meeting on April 4, 2022 at 3:30 p.m. Mr. Hobson seconded. Vote unanimous.

**X. Adjourn**

Mr. Hobson motioned to adjourn the meeting at 7:45 p.m. Mr. Durant seconded. Vote unanimous.

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Respectfully submitted,

*Rebecca L. Vento*

Rebecca Vento  
Office Manager

Minutes approved on April 4, 2022