

**Town of Fairhaven  
Board of Public Works Meeting  
April 10, 2023**



**Present**

Brian Wotton, Commissioner  
Robert Hobson, Commissioner  
Anne Morton Smith, Commissioner  
Daniel Lopes, Commissioner  
Vincent Furtado, BPW Superintendent  
Rebecca Vento, Office Manager  
Joshua Crabb, Highway Superintendent  
James Souza, JNS Landscaping  
Jennifer Chase, St. Pauly Textile Project  
Donna Peirce  
Nelson Bernardo, Bernardo Engineering  
Beth David, Fairhaven Neighborhood News

**I. Call to Order**

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

Mr. Wotton 6:30

**II. Routine Matters**

**A. Signing of Departmental Bills**

**III. Approval of Minutes**

**A. March 27, 2023**

Mr. Hobson motioned to approve the minutes of March 27, 2023. Ms. Smith seconded. Vote unanimous.

**IV. Appointments**

**6:00 Executive Session – HMEO Interviews**

Ms. Smith motioned to hire Alessandro dos santos as a Heavy Motor Equipment Operator in the Highway Department starting at a Level 6 Step7 pending pre-employment screenings. Mr. Hobson seconded. Vote unanimous.

Mr. Lopes motioned to hire Matthew Girouard as a Heavy Motor Equipment Operator in the Highway Department starting at a Level 6A Step 6 pending pre-employment screenings. Ms. Smith seconded. Vote unanimous.

**Town of Fairhaven  
Board of Public Works Meeting  
April 10, 2023**

**6:15 James Souza, JNS Landscaping - New Driveway, Sidewalk & Curbing Contractor**

Mr. Furtado – In the packet is Mr. Souza’s information to become a Town approved contractor.

Mr. Hobson - What kind of driveways are you looking to put in.

Mr. Souza – I am looking to do pavers, cobblestones and crushed stones.

Mr. Lopes motioned to approve JNS Landscaping as a Driveway, Sidewalk & Curbing Contractor pending completion and inspection of the first job. Ms. Smith seconded. Vote unanimous.

**6:30 Jennifer Chase, St. Pauly Textile Project**

Ms. Chase – I work for St. Pauly Textile Project, which is a company that collects used clothing. Our company is different because we have partnered with over 1300 nonprofit organizations, municipalities, parks, schools, transfer stations, libraries and churches. Cleanliness is important to us. The Town of Fairhaven is big enough that we could put 2-3 sheds and we would pick up from the sheds weekly. We then sell the items to US Government Agencies, relief organizations and other businesses that sort clothing. It is sorted based on quality and climate and then it is redistributed throughout the world to people that actually wear it. It usually goes to developing countries where people below poverty level can afford used clothing. We ask for a small amount of volunteer work from someone from the organization to go into the shed once or twice per week to move the bags from one side of the shed to the other so the donation chute is never obstructed. We will also help you advertise the shed by giving you flyers, posters and items that can be posted on social media. Also, you will get \$.04 per pound of clothing collected which depending on the volume could be between \$50-\$200 per month.

Mr. Hobson - I am for this but I do not want the Town employees to have to maintain the sheds.

Ms. Chase – St. Pauly maintains the sheds. The only thing the Town would have to do is to make sure the chute stays clear.

Ms. Smith – I think that this is a great idea but I am wondering if Livesey Park would be the best location.

Mr. Hobson - How about putting it at the recycling center?

Mr. Wotton – It think here at the BPW or at the senior center would be the best location.  
Do you have a contract?

Ms. Chase - We do not have a contract but we have a receipt for you to sign stating that we have a shed on your property.

**Town of Fairhaven  
Board of Public Works Meeting  
April 10, 2023**

Mr. Wotton – Please forward it to us so we can have our Town Counsel review it.

Ms. Smith motioned to allow St. Pauly Textile Project to install one textile shed on Town property pending Town Counsels approval. Mr. Lopes seconded. Vote unanimous.

**6:45 Donna Peirce, Yellow Tulip Project at Livesey Park & Cards for Little Library's on Town property**

Ms. Peirce - On June 23, 2022 my grandson passed away. Since his passing my family's life has been an uproar. Since his passing I am finding out so much more about it. I found out that I could donate a bench at Livesey Park near the skate park, which was a big part of Trevor's life. I am trying to bring Active Minds into the High School but at this time, I have not heard back from anyone. I have been led to the yellow tulip project to help gain awareness which is a garden of hope at Livesey Park or in another park in Town.

Ms. Smith - My only concern is that the garden goes into a safe place, which will be taken care of.

Ms. Peirce - I do not just want to remember Trevor I want to remember everyone's life.

Mr. Wotton - Could we find a better location for the bench so we do not have to move it and then put the tulips around the bench?

Ms. Peirce - I would like the bench to stay near the skate park because that is what he enjoyed and he was always there. I will buy the tulips but I will need someone to help plant them.

Mr. Lopes motioned to allow Ms. Peirce to install a small tulip garden around Trevor's Memorial Bench at Livesey Park. Ms. Smith seconded. Vote unanimous.

**7:00 Nelson Bernardo - Bernardo Engineering, LLC. - New Water & Sewer Drainlayer**

Mr. Berardo – I am looking to become an approved contractor so I can run the water and sewer line at 294 Huttleson Avenue.

Mr. Hobson motioned to approve Bernardo Engineering as a Water and Sewer Drainlayer pending completion and inspection of the first job. Ms. Smith seconded. Vote unanimous

**Town of Fairhaven  
Board of Public Works Meeting  
April 10, 2023**

**V. Item for Action**

**A. Stantec Consulting Services, Town-Wide Sanitary Sewer Force Main Condition Assessment, Payment #21 \$41,635.49**

Ms. Smith motioned to approve Payment #21 to Stantec Consulting Services in the amount of \$41,635.49 for Town Wide Sanitary Sewer Force Main Condition Assessment. Mr. Lopes seconded. Vote unanimous

**B. Notice to Proceed, Millicent Library Sidewalk Project, Sandstone Construction**

Mr. Hobson motioned to Sign the Notice to Proceed for the Millicent Library Sidewalk Project for Sandstone Construction. Ms. Smith seconded. Vote unanimous.

**C. Unidirectional Flushing Field Assistance Program, HydraTech, Inc.**

**1. Notice of Award \$198,750.00**

Ms. Smith motioned to Award the Unidirectional Flushing Field Assistance Program to HydraTech. Inc. in the amount of \$198,750.00. Mr. Hobson seconded. Vote unanimous.

**2. Sign Contract Agreement**

Mr. Hobson motioned to Sign the Contract Agreement with HydraTech, Inc. for the Unidirectional Flushing Field Assistance Program. Ms. Smith seconded. Vote unanimous

**3. Sign Notice to Proceed**

Mr. Lopes motioned to Sign the Proceed with HydraTech, Inc. for the Unidirectional Flushing Field Assistance Program. Ms. Smith seconded. Vote unanimous

**D. Causeway Road Bridge**

Mr. Furtado - We had a meeting on March 13, 2023 and as part of the meeting, we entered into Executive Session to discuss potential litigation for the Causeway Road Bridge. While we were in Executive Session the same engineer who will be overseeing that repair also presented various options that the Town could pursue if we wanted to reconstruct the Causeway Bridge and be able to get adequate funding. Every two years the state comes and does an assessment of the bridge. The Board entered into agreement back in 2019 to do a preliminary assessment that led into an agreement for

**Town of Fairhaven  
Board of Public Works Meeting  
April 10, 2023**

almost \$200,000. We received an open meeting law violation and that is why we have this on the agenda tonight.

Mr. Furtado reviewed one of the reports that Tighe and Bond presented in 2021 in open session. He also review the report from March 2023, which is to be presented to the Select Board at a future meeting.

Ms. David – I filed the open meeting law complaint and I do not want to be a stickler about procedure but I think that you are minimizing it too much tonight. My open meeting law complaint should have been on the agenda tonight because you are supposed to do it within 14 days of when it is filed. One thing that I would like to know is if all the members received a copy of it. I did not file it with the state because I do not have to as long as I get the remediation that I am looking for. I am just a little surprised that it was not on tonight's agenda. You are supposed to put it on the agenda as an open meeting law violation and discuss the actual complaint.

Discussion ensued amongst all present.

**E. Tata & Howard, Amendment #5 Installation of Water Meters and Advanced Metering Infrastructure and Meter Pit Evaluation \$14,000.00**

Mr. Hobson motioned to approve Tata & Howard, Amendment #5 for Installation of Water Meters and Advanced Meter Infrastructure and Meter Pit Evaluation in the amount of \$14,000.00. Ms. Smith seconded. Vote unanimous.

**F. Notice of Award, Pickleball Courts Livesey Park**

Mr. Furtado – we are going to pass over this tonight.

**G. Tighe & Bond, Upgrade to WWTF, Payment #10 \$400,000.00**

Mr. Furtado – This is the final payment for the WWTF Upgrade Design Contract that we signed in 2020 for \$2,000,000.00.

Ms. Smith motioned to approve Tighe & Bond Payment #10(the final payment) in the amount if \$400,000.00 for the WWTF Upgrades. Mr. Lopes seconded. Vote unanimous.

**H. Appoint BPW Representative to Marine Resources Committee**

Mr. Hobson – I am familiar with the Marine Resources Committee and I would like to be the Representative one more year.

**Town of Fairhaven  
Board of Public Works Meeting  
April 10, 2023**

Ms. Smith motioned to appoint Mr. Hobson as the BPW Marine Resources Committee Representative.  
Mr. Lopes seconded. Vote unanimous.

**I. Beta Group, Pavement Management Agreement \$52,700.00.**

Mr. Furtado – We are going to skip this again as we are still waiting for the Agreement.

**VI. Tabled Matter**

**A. n/a**

**VII. Public Comments / Open Forum**

**VIII. Old Business / New Business**

**A. Superintendent**

Superintendent Report for April 10, 2023

- Attend BBAC Meeting as Town Rep
- Attend Fincom multiple times with management staff
- Estimate appraisal amount for TM for SRTS program
- OK Sandra Lane engineering process for street acceptance
- Have to re-bid Stormwater BMP with bid alternates due to costs
- Receive bids for pickleball court - only can do 3 due to costs
- HR meets with Sewer Union to explain CBA offer
- Meeting with MRV re Unibank borrowing
- Water Flushing bids received and opened
- Attend Library Sidewalk pre-work meeting with contractor - project commenced April 5
- Josh and I interview Truck Driver candidate for our HMEO vacancy
- Meet with TA multiple times re Town Meeting
- Receive and reply to Open Meeting Law Complaint

**Town of Fairhaven  
Board of Public Works Meeting  
April 10, 2023**

- Rene and I give Bob E tour of POTW plant expansion
- Attend water conference for license credits in Worcester
- Josh and I meet with Koopman Lumber reps re drainage

Mr. Furtado answered any question the Board had regarding the Superintendent Report.

**B. Board Members**

Mr. Lopes – I would just like to thank the students from New Bedford Voc Tech for cleaning up Fort Phoenix.

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

Mr. Hobson - There are a couple trash barrels that are missing at the south end of Union Wharf.

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

Ms. Smith motioned to set the dates for the next meeting on April 18, 2023 at 6:30 at the Town Hall for a joint meeting with the Select Board and April 24, 2023 at 5:30 p.m. at the BPW for a regular meeting. Mr. Hobson seconded. Vote unanimous.

**X. Adjourn**

Ms. Smith motioned to adjourn the meeting at 6:01 p.m. and enter into executive session to conduct interviews and then to reconvene in open session. Rollcall Vote: Mr. Wotton. Mr. Hobson, Ms. Smith and Mr. Lopes in favor.

Ms. Smith motioned to adjourn the meeting at 8:16 p.m. Mr. Hobson seconded. Vote unanimous.

Respectfully submitted,

*Rebecca L. Vento*

Rebecca Vento  
Office Manager

Minutes approved on April 24, 2023