

**Town of Fairhaven  
Board of Public Works Meeting  
July 1, 2024**

**Present**

Robert Hobson, Commissioner  
Anne Morton Smith, Commissioner  
Daniel Lopes, Commissioner  
Vincent Furtado, BPW Superintendent  
Rebecca Vento, Office Manager  
Ken Pottel, Fairhaven Pickleball Association  
Debbie Almeida, Fairhaven Pickleball



**I. Call to Order**

Mr. Hobson called the meeting to order at 6:03 p.m.

**II. Routine Matters**

**A. Signing of Departmental Bills**

**III. Approval of Minutes**

**A. June 17, 2024**

Ms. Smith motioned to approve the minutes from June 17, 2024. Mr. Lopes seconded. Vote unanimous.

**IV. Executive Session**

- A. Pursuant to G.L. c. 30A, § 21(a)(3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (14 Cherrystone Road)**

**V. Appointments**

- A. Ken Pottel, Fairhaven Pickleball Association – Livesey Park**

**1. Memorial Stone**

Mr. Pottel – We are not going to pursue the memorial stone at this point. Tonight, we would like to speak about the bathrooms. We have a lot of members playing and we would like to request a key for the bathrooms. The members would have to sign the key out so we know who is using the bathrooms. We would like to ask the Board to reconsider their decision from a previous meeting and allow us to use the restrooms at Livesey Park. We would pay a fee and we would be more than happy to make sure that they are clean.

Ms. Almeida – We collected 155 signatures in a week from people that we playing at the courts that would like to have access to the facilities. We really care about people's health and while gathering these signatures we found out that people were not drinking water because they did not have a

**Town of Fairhaven  
Board of Public Works Meeting  
July 1, 2024**

bathroom to use if they had to go. A lot of our members are seniors. As Mr. Pottel mentioned the key would stay in the trailer and it would be locked up if we were not there.

Mr. Furtado – The last time you folks were here the board approved a porta john and they also made the pickleball folks aware of the keypad system that we are trying to get funds for next year. If we get the funds then this would allow us to give each group a code so we can track who is using the restrooms and hold people accountable.

Ms. Smith – I am surprised that the porta john has not happened yet. I know there are a few in town that are for specific groups and they are locked up when they are not being used.

Mr. Furtado – This is not on the agenda tonight, we are meeting next week and we will put it on that agenda for further discussion.

Ms. Smith motioned to table the discussion of the Pickleball Association Bathroom Key to the next meeting. Mr. Lopes seconded. Vote 2-1 with Mr. Hobson opposed.

**2. Pave a section adjacent to pickleball courts**

Mr. Pottel – We have a few handicapped players, one is in a wheelchair and the other is disabled and they are having issues maneuvering across the stones to access the courts. They can come in through the parking lot entrance but it is unacceptable if they are going to play in a group.

Mr. Hobson – I think that you should meet with Mr. Crabb and figure out what can be done.

Mr. Pottel – We are looking for asphalt to be put down on top of the stones.

Mr. Crabb – We cannot put asphalt on top of the stone apron because it is there for drainage.

Ms. Smith - could we put a mat like at the beach?

Mr. Furtado - It is our responsibility to make the courts accessible for everyone.

Mr. Crabb I can look into putting a slate or paver. You are already seeing cracking in the courts, so I am very hesitant to alter it especially during the warranty period.

**VI. Item for Action**

**A. Tighe & Bond, WPCF Upgrade Project – Construction Services, Payment # 11  
\$132,926.36**

Ms. Smith motioned to approve Tighe & Bond Payment #11 in the amount of \$132,926.36 for WPCF Upgrade Project Construction Services. Mr. Lopes seconded. Vote unanimous.

**Town of Fairhaven  
Board of Public Works Meeting  
July 1, 2024**

**B. Tata & Howard, Lead Service Line Inventory, Payment #11 \$2,405.80**

Mr. Lopes motioned to approve Tata & Howard, Payment #11 in the amount of \$2,405.80 for Lead Service Line Inventory. Ms. Smith seconded. Vote unanimous.

**C. Tata & Howard, Water Tank Maintenance RFP, Payment #10 \$826.19**

Ms. Smith motioned to approve Tata & Howard, Payment # 10 in the amount of \$826.19 for Water Tank Maintenance RFP. Mr. Lopes seconded. Vote unanimous.

**D. Tata & Howard, UDF Plan Updates, Payment #1 \$2,478.00**

Mr. Lopes motioned to approve Tata & Howard, Payment #1 in the amount of \$2,478.00 for UDF Plan Updates. Ms. Smith seconded. Vote unanimous.

**E. Massachusetts Maritime Academy, Memorandum of Agreement FY25  
Stormwater Services \$17,500.00**

Ms. Smith motioned to Sign Massachusetts Maritime Academy, Memorandum of Agreement for FY25 Stormwater Services in the amount of \$17,500.00. Mr. Lopes seconded. Vote unanimous.

**F. Speakman Excavating, Jerusalem Road Buzzard Bay Stormwater Retrofits  
A. Change Order #1 \$15,750.00**

Ms. Smith motioned to approve Speakman Excavating Change Order #1 in the amount of \$15,750.00 for Jerusalem Road Retrofits Project. Mr. Lopes seconded. Vote unanimous.

**B. Payment #1 \$ 220,371.50**

Ms. Smith motioned to approve Speakman Excavating Payment #1 in the amount of \$220,371.50 for Jerusalem Road Retrofits Project. Mr. Lopes seconded. Vote unanimous.

**G. Open Meeting Law Complaint, Tobie Simmons 97 Farmfield Street**

Mr. Furtado – We received an open meeting law complaint for the minutes from April 8, 2024 regarding 97 Farmfield Street. The Board needs to approve the drafted responses for the complaint.

Mr. Lopes motioned to sign the drafted response to the Open Meeting Law Complaint from April 8, 2024. Ms. Smith seconded. Vote unanimous.

**H. Wolf Island Cleaning and Redevelopment of Gravel Packed Wells  
1. Sign Contract Agreement**

**Town of Fairhaven  
Board of Public Works Meeting  
July 1, 2024**

**2. Sign Notice to Proceed**

Mr. Furtado – We are going to skip over these again tonight.

**I. Methuen Construction Co., WPCF Upgrades, Payment #6 \$1,515,590.99**

Ms. Smith motioned to approve Methuen Construction Payment #6 in the amount of \$1,515,590.99 for WPCF Upgrades. Mr. Lopes seconded. Vote unanimous.

**J. DEP Pay Req #6 (Loan CWP-22-67) \$1,515,591.00**

Mr. Lopes motioned to approve DEP Pay Req #6 (Loan CWP-22-67) in the amount of \$1,515,591.00. Ms. Smith seconded. Vote unanimous.

**K. DEP Pay Req #6A (Loan CWP-22-67A) \$156,318.00**

Ms. Smith motioned to approve DEP Pay Req #6A (Loan CWP-22-67A) in the amount of \$156,318.00. Mr. Lopes seconded. Vote unanimous.

**VI. Tabled Matters**

**A. n/a**

**VII. Public Comments / Open Forum**

**VIII. Old Business / New Business**

**A. Superintendent**

**Superintendent Report for July 1, 2024**

- Town Counsel on a number of issues - water projects, drainage, sewer tie-in
- Request various fiscal year ending grant extensions
- Assist Town with Bldg Commissioner Interviews
- Work with Mass Maritime re FY 25 MOA
- Union MOA for garage supt and working foreman
- Work with Insurance Co re sewage back-up claims

**Town of Fairhaven  
Board of Public Works Meeting  
July 1, 2024**

- Various phone conferences with Attorney re sewer tie-in issue
- Various fiscal year end MRV logistics - insurance and borrowing for water plant upgrade
- Becky and I attend mandated procurement class
- Attend BBAC meeting as Town's Rep

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

**B. Board Members**

Ms. Smith – Thank you to the Highway Department for the work on the bike path near Main and South Street to fix the holes.

Mr. Furtado – Hopefully by next month we will be having a preconstruction with the contractor that will be upgrading the force mains on South Street and then we can go out to bid for the overlay.

Ms. Smith – There are a few banners that are on the fences of the basketball courts at Cushman Park.

Mr. Crabb – I will take them down tomorrow because they are supposed to come in front of the Board for permission.

Mr. Hobson – We are going to be taking over the Tree Department July 1<sup>st</sup>.

Mr. Furtado – Today is July 1<sup>st</sup>, do you know something that I do not know?

Mr. Hobson – I think that we should have been more prepared.

Mr. Crabb – I think that it should be in this department. We have no formal direction at this time. I am ready to have the staff trained on the equipment of the Tree Department.

Mr. Furtado – If the Town Administrator gives the Tree Department to us she would assign the Tree Warden position to someone and that person would answer to the Town Administrator. We will make it work if it comes down here. Currently HR is talking to labor counsel to make sure we do everything correctly.

Mr. Crabb – The Conservation agent is a certified arborist.

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

Mr. Hobson – The Marine Resource Committee has not met since our last meeting.

**D. Community Preservation Committee – BPW Related Matters**

**Town of Fairhaven  
Board of Public Works Meeting  
July 1, 2024**

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

Ms. Smith motioned to set the date for the next meeting on July 8th, 2024 at 6:00 p.m. Mr. Lopes seconded. Vote unanimous.

**X. Adjourn**

Mr. Hobson motion to adjourn the meeting and enter into executive session at 6:06 p.m. to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (14 Cherrystone Road). Rollcall Vote: Mr. Hobson, Ms. Smith and Mr. Lopes in favor.

Mr. Hobson adjourned the meeting at 7:40 p.m. Ms. Smith seconded. Vote unanimous.

Respectfully submitted,

*Rebecca L. Vento*

Rebecca Vento  
Office Manager

Minutes approved on July 8, 2024