

**Town of Fairhaven
Board of Public Works Meeting
February 10, 2020**

Present

Brian Wotton, Commissioner
Robert Hobson, Commissioner
Cameron Durant, Commissioner
Keith Silvia, Commissioner
Frank Coelho, Commissioner
Vincent Furtado, BPW Superintendent
Rebecca Vento, Administrative Assistant
Paul Foley, Town Planner
Carol Lawton, 5 & 7 Shawmut Street
Michael, Ristuccia
Mike Atkinson, Farland Corp.
Adam Jankauskas, City Compost
Raymond Gardner, 69 Bridge Street



I. Call to Order

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

II. Routine Matters

A. Signing of Departmental Bills

III. Approval of Minutes

A. January 27, 2020

Mr. Hobson motioned to approve the minutes of January 27, 2020. Mr. Durant seconded. Vote unanimous.

IV. Appointments

A. Paul Foley, Town Planner – Dog Park

Mr. Foley – As you know, there were two dog park study committees. They both looked at different sites and one of them found a grant, which was voted on at Town meeting. With the grant, we are eligible to get ten-thousand dollars for the design and up to two-hundred and twenty five thousand dollars to develop it. Then after two years if you develop the park you are eligible for additional money for capital improvements overtime. What I have done is taken the work that the companies have done and looked it over. Ms. McClees and I went to visit of all the

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possible sites and then we scored them. Tonight I will present to the Board of Public Works the top two sites that we thought would be good based on the scores that they received. The Selectmen wanted me to present this to you to get your feedback since you are the Park Commissioners. Once the final locations are chosen, we will have to have a public hearing. We will then notify the abutters that are within 300 feet for that hearing. There is going to have to be a Committee that will be an active part of this park. The site that the first committee chose was Long Road. That site was removed from the list because the BPW uses it as an emergency staging site and the Police Department did not like the location because it is secluded. Also, the Long Road site did not meet all of the criteria for the grant. The second committee chose a site on Green Street adjacent to Fort Phoenix but the Town does not own that site. A few other sites that were mentioned were Anthony Field on North Street, Livesey Park and a piece of land just south of Rogers School. Livesey Park was the location that scored the highest but we decided that park was not the best place to put the dog park because so many people already use it. There are so many other things going on at that park already and the only spot that we would be able to use would require us to cut down trees which would displace so many people that already use that space.

Mr. Hobson - What happened with Macomber Park? Why was that not included on your list? It is the most underutilized park in town.

Mr. Foley - We did not look at Macomber Park because they wanted the park to be centrally located and they just put the BMX track there. If you think that it would be worthwhile then we can look at it.

Mr. Hobson - I like the idea of having the park at Fort Phoenix. Maybe we could make a deal, with the state. As far as Roger's School, they are going to be developing that property and there is already a baseball field there. I do not think that there is enough room to put the dog park there.

Mr. Durant – Will the potential dog park at Rogers School effect the playground that is already there or does the playground stay as is?

Mr. Foley – The playground will stay. If the dog park goes there it will be a small park. I am going to go and look at the dog parks in both New Bedford and Dartmouth to see what their parks look like. The criteria for the park would consist of the following things, size, residential abutters, non-residential abutters, and access to Town water, access to electricity, on and off street parking, suitability, shade, conflict and nature.

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Mr. Wotton – Where in Livesey Park would they put it?

Mr. Foley – It would be in the northeast corner of the park. That location was disqualified because a lot of people use that location and we do not want to displace anyone that is already using that area and there are also some great trees there. North Street and Rogers School scored about the same and everything else was significantly behind that.

Mr. Hobson - Why can't you make a deal with the State for the location at Fort Phoenix? If the State is going to give us grant money maybe they would be interested in giving the town the piece of land for the dog park. I think this is one of the best spots since people are going there already.

Mr. Foley – With the grant the property has to be owned by the Town. If you are interested in the location at Fort Phoenix maybe we could buy it from the State. I am here tonight just to get your input. If you as Park Commissioners tell me a site is not going to work then we can go back and look at other sites. Some of the pros for North Street include the fence on three sides of the park, it is centrally located, the land is flat, there is potential to add more parking, it is close to water and electricity and there is plenty of room for other activities. It is behind the housing authority so we would have to talk to the neighbors and see how they feel about it.

Mr. Wotton - Have we taken a poll on the community to see how many people are in favor of the dog park?

Mr. Foley - Not that I am aware of.

Mr. Wotton - I know that I have spoken with quite a few residents that are not in favor of a dog park.

Ms. Lawton - I have been to a few different dog parks, it is a quality of life, and it makes the Town look good to have that service. You can walk your dog in your own neighborhood but a dog needs to run from time to time.

Mr. Foley – There are rules that we have to follow if we get the grant. The dog has to be registered and up to date on all vaccinations. Also, you have to register with the Town to go to the park.

Mr. Wotton – Ms. Lawton have you been to an active dog park during the day?

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Ms. Lawton – Not in this area but I have been to a few different ones in Florida.

Mr. Wotton – I am just curious what the turnout is like on a weekday at 2:00 p.m.

Ms. Lawton – Usually there are people there on a regular basis and the parks are always in use. Much more use than I currently see at the Parks in Town. I think North Street is a good location and I think Rogers School is too small.

Mr. Foley – The whole point is to be able to let your dog off the leash so it can run we do not want to make the dog park too small because it defeats the purpose.

Mr. Wotton – For me I think that a Park with other activities available would draw in more people than just a dog park. If the Town is going to do this, it should not be in an isolated area like Long Road. I think that if we take away the baseball field at Rogers School that would make a lot of people unhappy and I know that I would not be in favor of that location. Have we looked at putting the dog park at Cushman Park?

Mr. Atkinson – I know that I go to the dog park in Dartmouth all the time with my dog to run and they have a baseball field, football field, a picnic area and a swing set.

Mr. Foley – We did not look at Cushman Park because we figured that park was already busy.

Mr. Wotton – The first two committees came in front of us and we gave them a few locations that would be good spots to put the dog park. Here we are back to locations that have consistent problems. I will not remove physical activities for children in the center of Town to put in a dog park.

Mr. Durant – Cushman Park might be a good location. When was the last time the bandstand was used?

Mr. Wotton - Macomber Park is an up and coming park with a baseball field, basketball court, a BMX track and a playground. I think that the residents that live on that street have seen what the BMX track has brought to the park and the neighborhood and they might be in favor of this.

Mr. Durant - I think Macomber Park is a good idea, also I think that Cushman Park is the greatest waste of green space in Town and the band stand has not been used in quite a long time.

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Mr. Ristuccia - The people that are doing the work at Rogers School are putting money into redoing the baseball field to bring it up to standards.

Mr. Foley - I think that North Street is the best location of the two options that I presented.

Mr. Wotton - What is the length and width of the dog park.

Mr. Foley - We do not have a concept design for it at this time. First, we are trying to choose a location and then come up with a concept design to submit for the grant. If you want me to go back and look at Cushman and Macomber Park, I will definitely do that.

Mr. Hobson – I think that would be a good idea.

Mr. Wotton - At Macomber Park there is enough room to put a football or soccer field in the area that is not being utilized.

Mr. Coelho – I know the Marine Resource Committee had also made a few suggestions to the Dog Park Committee when they came before that Board. They thought Manhattan Avenue and Little Bay area would be a few other options to put the dog park.

Mr. Foley – We did look at Little Bay and that one scored low.

Mr. Coelho - Perhaps what we should look at is the biggest piece of available property that we could put a dog park. Then possibly put a playground there as well. I think that it might also help satisfy the neighbors because they would not be only getting the dog park they would also be getting a playground.

Mr. Foley - North Street seems to be big enough to put a dog park and a playground. I believe that it is a little over two acres. We could put the dog park back a little further with a playground up front and possibly put a ballpark towards the back. We will go back and look at the sites that you mentioned and then we will meet again.

Mr. Wotton – Losing the baseball field on North Street is minor compared to losing the one in the center of town.

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B. Mike Atkinson, Pasta House

Mr. Atkinson – I work for Farland Corp. and we are in the designing stage for this project. Mr. Farland and I went to the site and met with Mr. Ribeiro last week to figure out what needs to be done. I know that we are currently drawing up plans to present to the Board at a future meeting for approval. I think that we are going to go with the 1,500 gallon grease trap and it would be installed in the parking lot area.

Mr. Durant - We have nothing to approve tonight?

Mr. Atkinson – No nothing.

Mr. Durant – They called you last week and we are just starting is what it sounds like. That is unfortunate.

Mr. Silvia – We gave three months leeway and he is just starting this.

Mr. Atkinson – I literally just met with Mr. Ribeiro last week.

Mr. Furtado - We met with Mr. Ribeiro a few months ago. We gave him a couple months to come back before the Board with a plan. I then contacted him a few weeks ago with a few dates to come before the Board with his plan and at that time, he asked me what was required. I told him when he came back he would need to hire an engineer and have a plan with the size of the grease trap. The size of the grease trap would be based on the number of seats and the volume of the restaurant.

Mr. Atkinson –Can we tie into the sewer line that was installed back in 2016 or is there an issue with that line?

Mr. Furtado - There should not be an issue with that line once the grease trap is installed.

Mr. Coelho - Have you been working with the Board of Health?

Mr. Atkinson – Ms. Kellogg has Mr. Farland contacted you?

Ms. Kellogg – Yes, just to ask if he needed it to be engineered.

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Mr. Silvia – That is what Mr. Ribeiro came in front of the Board for back on November 18th. He asked us if we could give him a waiver so he did not have to get an engineer. We told him that would have to go to the Board of Health but the engineer would design it for the flow and elevation. That is when he said he would be here the first meeting in February and we find out now that he just started with the plans last week.

Mr. Furtado - Do you think that Mr. Farland will have the plans ready in two weeks for the next meeting?

Mr. Atkinson – I will let him know that he has two weeks.

Mr. Wotton – We will need the plans for the meeting on February 24.

C. City Compost

Mr. Jankauskas – I have been operating City Compost for approximately 7 years now. I started as a one-man shop in the Cambridge / Somerville area. We provide service to 21,000 residents and businesses across the state. Our average pick up per home is about 10lbs per pick up. We pickup either weekly, every two weeks or monthly.

Mr. Furtado – This is one of the programs that Ms. Kellogg spoke about at the last meeting. They would deliver a tote to the property for compost and then they would pick up the tote and they would replace it with a clean tote.

Mr. Jankauskas – We can work with schools as well.

Mr. Hobson – So you are talking about picking up at private homes.

Mr. Jankauskas – We can pick up from private homes or municipal drop off location.

Mr. Hobson – So people would save their scraps and put them out in the tote. How often do you pick up?

Mr. Jankauskas – Depends on the resident’s preference. We can pick up weekly, every two weeks or monthly.

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Mr. Hobson – You do not think that this is going to be a problem with the smell.

Mr. Jankauskas – The containers have lids on them that seal them tightly.

Mr. Hobson – I can see doing this as a business but I do not agree with this as a homeowner.

Mr. Coelho - How many other Towns do you have this program in?

Mr. Jankauskas – We have people signed up all over Massachusetts. We have not marketed in Southeastern Massachusetts but we do have two residents in New Bedford.

Mr. Silvia - A homeowner can opt in or out of the program if they wish?

Mr. Jankauskas – Yes, it is completely up to them.

Mr. Wotton – What is the largest city or town that you have?

Mr. Jankauskas – Boston and we are there five days per week.

Mr. Wotton – Could you explain what a normal pickup day consists of. Do you have trucks or vans?

Mr. Jankauskas – We have both trucks, vans, and box trucks for commercial services. You would put the tote out curbside, we would pick up the filled tote and leave you a clean tote. We do have a sawdust material that you can put into the container to help cut the smell.

Mr. Hobson – It is going to smell.

Mr. Wotton – It will smell in your garbage can too. This program is up to the residents they can either opt in or opt out.

Mr. Hobson – I understand the whole thing. I think that it is a waste of time and money. I can see having this done for a restaurant or a business.

Mr. Furtado- If you think about it a resident's garbage consist of mostly food waste. This program would help cut down the tonnage that is picked up.

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Mr. Hobson – What day would you pick up? Would it be on garbage day? Right now, we are putting quite a bit out for pickup on garbage day.

Mr. Jankauskas – It depends on the community and how it fits into the overall picture.

Mr. Durant – I would love to see this program a Town wide initiative. What do you need the Board of health and the Board of Public Works to do? Would you have the capabilities to come and service sixteen thousand people's organics every week?

Mr. Jankauskas – We could definitely scale up to that and I think that a municipality would not be out of reach.

Ms. Kellogg – I also would like to see this as a town wide program.

Mr. Durant – I would like to see us discuss contracting with an organization.

Mr. Jankauskas – There are grants through the State for an organics program that would cover the cost of carts or containers. Also, transfer station programs are becoming more and more popular.

Mr. Coelho – What about putting something out on the internet to see how many people would be interested in this program.

Mr. Wotton - If the Town was interested in doing a centralize compost here would you provide a dumpster?

Mr. Jankauskas – No, we would still like to try to maintain the exchange program. We would use smaller volume containers because one or two people would manage that and they are swapped out every time. That keeps things a lot cleaner.

Mr. Wotton - If you were to implement this program to the Town of Fairhaven how would you do that? Would you have a flyer that we would send out to everyone and they would reply if they were interested?

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Mr. Jankauskas – – Yes, you could send something out letting them know that this program is available to them. If you were looking to do this town wide, I would start as a pilot program, see how many people are interested and then take the neighborhood with the most interest and roll the program out as a trial.

Mr. Coelho - Ms. Kellogg would this be a voluntary program or are we going to be mandating it?

Ms. Kellogg – It depends. Eventually I think that it will be a mandated program through the DEP because they want the organics out of the trash. I think that it would be a good idea to get a jump on it. They are now giving money to fund pilot programs and see if it would work in our community.

Mr. Furtado – I think that we should post something online and see how many people would be interested.

V. Items for Action

A. Articles

1. Road Work

Mr. Silvia motioned to approve the Road Work Article in the amount of three hundred and seventy-five thousand dollars and select the roads at a future meeting. Mr. Durant seconded. Vote unanimous.

2. State Aid to Highways

Mr. Hobson motioned to approve State Aid to Highways Article. Mr. Durant seconded. Vote unanimous.

3. Revolving Funds – Park

Mr. Durant motioned to approve the Park Revolving Fund Article. Mr. Silvia seconded. Vote unanimous.

4. Sewer Capital Improvements Stabilization Fund

Mr. Durant motioned to approve the Sewer Capital Improvement Stabilization Fund Article. Mr. Hobson seconded. Vote unanimous.

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5. Sewer Enterprise Fund Operating Budget and Capital Plan

Mr. Coelho motioned to approve the Sewer Enterprise Fund Operating Budget and Capital Plan. Mr. Durant seconded. Vote unanimous.

6. Water Enterprise Fund Operating Budget and Capital Plan

Mr. Silvia motioned to approve the Water Enterprise Fund Operating Budget and Capital Plan. Mr. Hobson seconded. Vote unanimous.

7. Bills of Prior Year

Mr. Durant motioned to approve the Tradebe Bill in the amount of \$1937.00. Mr. Silvia seconded. Vote unanimous.

8. Amendment to Stormwater By-Law

Mr. Silvia motioned to approve the Amendment to Stormwater By-Law. Mr. Durant seconded. Vote unanimous.

9. Cart Curbside By-Law

Mr. Coelho motioned to approve Cart Curbside By-Law. Mr. Silvia Seconded. Vote unanimous.

B. Tata & Howard – Amendment #1 Evaluation, Procurement and Installation Assistance of Water Meters \$24,000

Mr. Furtado - This is an amendment to the Automatic Meter Reading System. When Tata and Howard gave us the original quote, they were under the impression that the Town employees were going to install all the new meters. The increase of twenty four thousand dollars is for the bidding, meetings and oversight of the contractor that will be installing the meters.

Mr. Durant motioned to approved Amendment #1 in the amount of \$24,000 to Tata and Howard for the Evaluation, Procurement and Installation Assistance of Water Meters. Mr. Wotton seconded. Vote 3-2 with Mr. Hobson and Mr. Coelho opposed.

C. Jeannette Street Roadway Improvement Project – Gravity Construction, Inc.

1. Change Order #3 (\$11,192.80)

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Mr. Hobson motioned to accept Change Order #3 in the amount of (\$11,192.80) for the Jeannette Street Roadway Improvement Project. Mr. Silvia seconded. Vote unanimous.

2. Final Payment \$4,602.08

Mr. Coelho motioned to approve the Final Payment to Gravity Construction in the amount of \$4,602.08 for the Jeannette Street Roadway Improvement Project. Mr. Coelho seconded. Vote unanimous.

3. Certificate of Final Completion

Mr. Durant motioned to sign the Certificate of Final Completion for the Jeannette Street Roadway Improvement Project. Mr. Hobson seconded. Vote unanimous.

D. Fort Phoenix Drainage Easement

Mr. Furtado - Eversource deeded some land to Massachusetts DCR. As part of the deeding the land they promised us a drainage easement that will be 20 feet wide. In order for Eversource to grant the land to the DCR the Board of Public Works has to accept this drainage easement.

Mr. Silvia motioned to accept the Fort Phoenix Drainage Easement. Mr. Silvia seconded. Vote unanimous.

E. Sign Contract Agreement, Stantec Consulting Services Inc., Town-Wide Evaluation of Sanitary Sewer Force Mains \$250,000.00

Mr. Furtado – We did not receive this contract so we will skip over it until the next meeting.

F. Hauling Compost

Mr. Furtado - I have done some research and I found six times that either we delivered or someone picked up the compost. Of those six dates, we delivered the material three times.

Mr. Wotton - Are we all onboard if we post this online we are ok with hauling the extra surplus material that no one wants?

Mr. Hobson - I received a few phone calls that our trucks were being loaded at the recycling center and being delivered to "Contractor A". Someone was asking why we were using town

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vehicles to load and bring the compost to that contractor. Years ago, we made a rule that if someone was interested in the material that the contractor would have to come and pick it up. I had a few people say that they were interested in it. I also got ahold of a farmer that was interested and if the product was decent they would pay for it, if not they would take it from us.

Mr. Furtado – Prior to this year we have either had the material picked up or we delivered it six times. Out of those, six times there was only one time that the Board voiced their opinion and they voted to have someone pick up the compost. I think moving forward whenever there is a surplus it should go on the agenda so the Board can vote on it.

Mr. Hobson – The most important thing that we should do is advertise that it is available.

Mr. Coelho - Why did we wait until the last minute to get rid of it?

Mr. Furtado - I did not bring it to the Board because the board only decided once in the last 16 years to vote on it. We have been trying to get rid of this for a while. Moving forward the Board will vote when we have a surplus situation.

Mr. Coelho - I think the Board should be notified of any decision that is made. I think that we should advertise this to more than to the Town of Fairhaven. There are people in surrounding communities that might be interested. Have you checked to see how much land we have available on Bridge Street?

Mr. Furtado - I asked the Engineering consultant and they said that it is not much. Everyone that I have spoken with besides this Board does not think that it is a good idea to put the new Recycling Center at Bridge Street. The Town's Engineer does not recommend putting the Recycling Center there.

Mr. Silvia - How about putting the Recycling Center where they are trying to put the development on Hiller Avenue if that project falls through?

G. Meeting Dates

Discussion ensued amongst all presents for the future dates of the next meetings.

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Mr. Coelho left the meeting at 8:45 p.m.

**H. Fairhaven Improvement Association – Request for Services,
Homecoming**

Mr. Silvia motioned to assist the Fairhaven Improvement Association with the Homecoming in 2020. Mr. Hobson seconded. Vote unanimous.

**VI. Tabled Matters
A. Cushman Park**

Rollcall Vote: Mr. Wotton, Mr. Hobson, Mr. Coelho, Mr. Durant and Mr. Silvia all in favor to bring Cushman Park to the table for discussion.

Mr. Hobson – I went to the park with this gentleman. He showed me all the ruts. It looks like all the damage has been done by town trucks that are in the park to pick up the garbage.

Mr. Wotton – Don't we have dollies that they can use to pick up the trash instead of driving in the park?

Mr. Hobson – The other issue is when it is windy the portable toilet blows over. It is also another spot that a truck has to drive over the grass to get to. It should be moved closer to Spring Street, as it would be easier accessible to get to.

Mr. Gardner - I still would like to see barriers installed. Unless you have barriers, people are going to be able to drive in. I have seen tire tracks on the baseball field and basketball court. Why don't you want to stop vehicles from driving in the park?

Mr. Wotton – We cannot put barriers up all along the park just in case there is an emergency and emergency personnel have to get into the park.

Mr. Furtado - Once the weather gets better we will be loaming and seeding. I will talk to the school department to see if we can move the porta potty and we will move the barrels to better locations.

VII. Public Comments / Open Forum

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Ms. Lawton – I have a question regarding my mother’s property at 5 & 7 Shawmut Street. We are looking to tie the two cottages into the sewer and the lot is 80’ x 100’, which is well below the minimum size for a double lot. The plan was to tie in the two cottages into one line and then go up the street. I have been advised that a decision has been made that there needs to be separate lines from each cottage. When I questioned why that needed to be done, I was told because someone in the future may choose to divide that lot. I do not understand why there would have to be separate lines because that causes extra digging in an ecologically sensitive area. I cannot find any by-law or regulation that states that there would need to have two separate lines.

Mr. Furtado – There are some instances that we have the one line. Is the intention to ever have two separate properties?

Ms. Lawton – No, it has been that way for seventy years.

Mr. Hobson – Suppose you sell it.

Ms. Lawton – Then why would I have to pay that cost? Why wouldn’t the future owner be responsible for the cost if they decide to separate the lots?

Mr. Hobson - You can split the houses and sell them separately.

Ms. Lawton – That is not what is happening so why am I being asked to do something as a hypothetical. I am looking to do the tie in now with the Y. I am not looking to separate the properties.

Mr. Silvia - Are there two separate mailing addresses?

Ms. Lawton – Yes, there is.

Mr. Furtado – Do you have any plans?

Ms. Lawton – I do not. My understanding is the original plan that show the tie in with the Y was not accepted by Ms. Schick so at this point they are being redone. I am looking to sell the property but I am not looking to split it.

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Mr. Silvia – What I would do is go to the Registry of Deeds and see how they have it registered.

VIII. Old Business / New Business

A. Superintendent

Mr. Durant - What was Conservations concern with the BMX structures?

Mr. Furtado - I met with the engineers because I want them give us a plan and a price of what it would cost to have it paved like the skate park at Livesey Park. We have to bring dirt there often and then the volunteers have to spread it to fix the hills. The engineer is going to work with Conservation to get this done since the wetlands are right there.

Mr. Wotton - I know that the BMX Committee is looking to see if there are any grants for this type of work.

Superintendent Report for February 10, 2020

- Prepare Articles for Town meeting
- Attend NEWEA conference in Boston
- Meet with MRV subcommittee about proposed project on Rounseville Rd
- Meet with MRV subcommittee about invasive species in the MRV
- Meet with Town Counsel re: AMR addendum and 2 TM By-Laws - one a modification of the stormwater and the other for solid waste/recycling
- Attend pre-bid conference for Hedge St CDBG Phase 2
- Meet with GCG to discuss options to pave BMX structures to comply with ConCom

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- *Meet with John C and Stormwater Consultant about complying with year 2 MS4*
- *Initiate contract talks with Mass Maritime re: field work for FY20*
- *Meet with Town Counsel re: Waste Zero Contract and Fort Phoenix Drainage easement*
- *Send Board notice about hauling event*
- *Meet with various department heads re: Police Complex*
- *Attend OSHA Training*
- *Attend Finance Committee for General Fund Capital Projects*

B. Board Members

Mr. Hobson - What is going on with the Causeway Road Bridge?

Mr. Furtado – Back in January we submitted the notice to proceed.

Mr. Hobson - Is there anything else going on with the project on Hiller Avenue?

Mr. Furtado – Not that I am aware of.

C. Marine Resources Committee – BPW Related Matters

IX. Set Date for the Next Meeting

Mr. Hobson motioned to set the date of the next meeting on February 24, 2020 at 6:00 p.m.

Mr. Durant seconded. Vote unanimous.

X. Adjourn

Mr. Durant motioned to adjourn the meeting at 9:02 p.m. Mr. Silvia seconded. Vote unanimous.

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Respectfully submitted,

Rebecca Vento
Office Manager

Minutes approved February 24, 2020