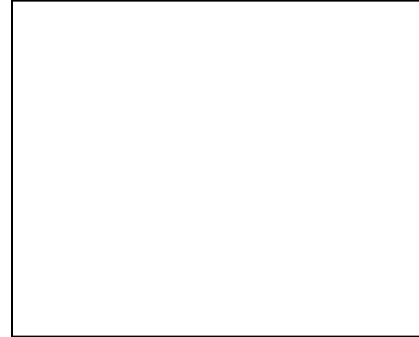


**Town of Fairhaven
Board of Public Works Meeting
June 22, 2020**

Present

Brian Wotton, Commissioner
Robert Hobson, Commissioner
Cameron Durant, Commissioner
Frank Coelho, Commissioner
Vincent Furtado, BPW Superintendent
Rebecca Vento, Office Manager
Raul Moreira, 3 Hamlet Street
Matt Bussiere, 228 Green Street
Cathy Hanley, 239 Sconticut Neck Road



I. Call to Order

Mr. Wotton called the meeting to order at 6:04 p.m.

II. Routine Matters

A. Signing of Departmental Bills

III. Approval of Minutes

A. June 9, 2020

Mr. Hobson motioned to approve the minutes of June 9, 2020. Mr. Durant seconded. Vote unanimous.

IV. Appointments

A. Ken Ferro, KDF Construction – New Drainlayer

Mr. Wotton - Mr. Ferro submitted an application and he has all the necessary paperwork. I would like to discuss this even though he is not here.

Mr. Coelho - I looked over his references and he seems to be in good standings with the surrounding Towns that he received recommendations from and also his insurance information is in the packet as well.

Mr. Hobson motioned to approve KDF Construction as a new Water and Sewer Drainlayer pending completion and approval of the first job.

B. Raul Moreira - Recycling Center Permit Issue

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Mr. Furtado - This gentleman has received a twenty dollar recycling permit for the past few years. This year he submitted his paperwork for a new permit via mail. When we received his application we reviewed his paperwork and found that on his registration his trailers GVW was 10,000 pounds. Following the guidelines set by the Board he would have to get a hundred dollar permit because of the GVW weight. Mr. Moreira then submitted the title for the trailer showing the GVW weight on the title was 9,990. He indicated to us that the RMV rounds up or down for the weight. We did verify this and that is correct. I was going to charge him twenty dollars for his permit this year with the stipulation, that he would have to get this straightened out with the registry before getting his sticker next year. After reviewing the title, we found that this was a dump trailer so he would have to get a four hundred dollar sticker. He is here tonight looking to see if there was anything that could be done.

Mr. Moreira - When I bought the trailer I was looking to cut down on the cost for delivery fees for mulch and wood. The dealer that sold me the trailer specifically told me that the trailer would keep me under the commercial limit of 10,000 pounds. The last few years I did not have an issue but this year I had an issue when I tried to get my sticker. I understand the policy but I am a nurse and it does not make sense for me to pay four hundred dollars for a sticker to use no more than four times per year.

Mr. Wotton - Now that we know that it is a dump trailer we would have to follow the rules. Are you a landscaper?

Mr. Moreira – No, I am not a landscaper I am a nurse.

Mr. Wotton - We cannot change those rules but maybe we could compromise and charge you a hundred dollars for the sticker.

Mr. Hobson - I sympathize with you but how many other people are going to watch this and then come in and ask for the same thing? When we get our new recycling center, landscaper's fees are going to have to go up. The rules are the rules and if you only come four times a year, you might want to make a decision to get a smaller trailer.

Mr. Durant - I agree with Mr. Wotton. I think that a hundred dollar sticker is fair and we will reassess the fees in a few years when we get a new center.

Mr. Coelho - I just question how we will justify this when others are paying for a four hundred dollar sticker. Until we overhaul the agreement, I think that we should follow the rules.

Mr. Durant motioned that we allow Mr. Moreira to get a one hundred dollar sticker. Mr. Wotton seconded. Vote 2-2 with Mr. Coelho and Mr. Hobson opposed. Vote does not pass.

C. Matt Bussiere, 228 Green Street – Sewer Issue

Mr. Bussiere - I have been having sewer issues periodically since 2001. I sent over some correspondence from different emails from the sewer department. The issue seems to be roots from a Town tree. Based on the changes to the policy that you have it is going against me. I have endured some cost and I think that the Town should help me with some of the cost. We have been trying to get the tree cut down but I

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cannot get the tree warden to contact me back. Also, the Sewer Department has tried to put in a cleanout and was unable to do so because of other utilities located in the sidewalk. I have had it snaked out, have put root x in the system, have had them put a camera down the line and the tree is causing havoc on my sewer system.

Mr. Furtado - In 2015 the Board adopted a Sewer Use Ordinance. Amongst other regulations, it clearly states that the Town is responsible for the public way, which is the main sewer in the street and the homeowner is responsible for their line until it connects to the main line. The Board changed for numerous reasons that if the blockage were in the private line and that blockage was caused by a town tree we would remedy that line but after 2018 we stopped that all together. Now if someone has a backup they call the town, we check the main line and if the public way is flowing freely than it is in the private line and it is the homeowner's responsibility to fix the issue. When we eliminated clearing tree roots in a private line, we tried to install the cleanout and we found that there were other utilities where we would put the cleanout. He does have a problem with the private sewer and the remedy to that is to relay his line.

Mr. Hobson – What is the solution to his problem?

Mr. Furtado - Since we cannot put a cleanout in he would need to relay his sewer line.

Mr. Hobson - What side of the street is the main on?

Mr. Bussiere- The main is in the middle of the road. The policy is working against me and the tree is the root of the problem. I am asking if we can get the tree cut down and then fix the pipe in the street where there is a low spot. The next time I have a blockage I will have to jet it and I have spent a lot of money fixing an issue that is caused by a Town tree.

Mr. Hobson - The rules state that we are not responsible for a private line.

Mr. Furtado - That is correct.

Mr. Durant - If the tree is removed will the issue be resolved?

Mr. Furtado - The roots will still be there.

Mr. Durant - I know the Tree Warden is an elected official. Can we ask him to cut the tree down?

Mr. Furtado - He would have to post it before taking it down.

Mr. Furtado - Is the tree on Town property?

Mr. Durant - Has anyone from this office tried to contact the Tree Warden?

Mr. Furtado – Yes, we have tried to contact him. We cannot promise that the tree will come down but we will try to contact the Tree Warden on your behalf again.

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Mr. Bussiere - I am responsible for the cost of the damages from the Town Tree. Is there anything that the Board can do to help limit my expenses?

Mr. Wotton - We will take the first step and get in touch with Mr. Knowles to try to come up with a solution for the tree.

Mr. Durant motioned to have Mr. Furtado contact the Tree Warden on behalf of the resident at 228 Green Street to try to get the tree removed from in front of his property. Mr. Coelho seconded. Vote unanimous.

D. Cathy Hanley – Recycling Center Permit Issue

Ms. Hanley - I had a fifty-foot willow tree come down in my yard this past winter. I called the BPW to get a pass for my brother's truck and I was told I could not get a sticker but I could buy tickets for \$10 per load.

Mr. Wotton – Is your brother's truck registered in town?

Ms. Hanley – No, he lives in Bridgewater.

Mr. Wotton - The bylaws state that for a borrowed vehicle you can by a one time pass for \$10 per load.

Ms. Hanley - I do not understand what the difficulty here is.

Mr. Wotton - We run into this quite often. We only allow residents to use the recycling center because it is small. All the surrounding towns are the same. How many loads do you think that you have?

Ms. Hanley - I am assuming 10 loads or so.

Mr. Wotton - Do you have a current sticker?

Ms. Hanley – No, I do not.

Mr. Coelho – I really feel sorry for her. If we do this for her than we are going to be changing the rules all the time. I think we need either to stay with the rules or change them.

Mr. Durant - I second what Mr. Coelho said.

Mr. Hobson - I will be willing to help her get rid of the brush.

Mr. Coelho motioned to continue with the current rules and charge Ms. Hanley \$10 per load. Mr. Durant seconded. Vote unanimous.

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V. Items for Action

A. Dankris Builders Corp. – Tinkham Lane Pump Station Modifications, Final Payment

Mr. Furtado –There are two parts to this. The first is a change order for a credit of \$1,800 and the second part is the final payment for \$2,165.

Mr. Coelho - What is the Tinkham Lane well pumping at?

Mr. Furtado - 875 gallons per minute. We are currently where we should be and we are looking to ramp up in July.

Mr. Coelho - Did you check with the DEP about keeping the other well?

Mr. Furtado - We cannot keep the other well because of its location to the new well and the capacity of the well. We do have an article for town meeting that we will be seeking a location for another well.

Mr. Coelho - I was just looking to have a backup.

Mr. Furtado - We will be looking for a new location once Town Meeting approves the article.

Mr. Coelho motioned to approve Change Order #2 and make the final payment to Dankris Builders Corp. in the amount of \$2,165 for the Tinkham Lane Pump Station Modifications. Mr. Durant seconded. Vote unanimous.

B. Town Beach Parking Lot Attendant

Mr. Furtado - A couple of weeks ago we hired the lifeguards and gate attendants for this year. We thought that it would be a good idea to hire a parking lot attendant for the weekends.

Mr. Coelho - This is after the fact. You have already hired someone for the gate.

Mr. Wotton – This is the first time that I am hearing of this.

Mr. Coelho – He has already hired someone for the gate and I have already received complaints about that person.

Mr. Furtado - We met with this person during the initial meeting and we have him on the schedule for weekends. His official start date will be on Saturday as long as the Board hires him tonight. If he was there today he was not sanctioned by us to be there. However the Board wants to proceed is fine with me.

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Mr. Wotton - I think that it is a good idea to have someone down there telling people where to park. I understand that we have sold a ton of permits and with that being said there is going to be extra traffic down there and I do not think that this is going to hurt. Do you already have someone in mind?

Mr. Furtado – Yes, we do and the Police Department would like to meet with him before he starts to make sure he knows the rules and to make sure that we are all on the same page.

Mr. Wotton – Who is it that you are looking to hire?

Mr. Furtado – Gary Lavalette.

Mr. Hobson - I go to the beach every day and I believe that there are going to be major problems. We have young people working the gate and we are not allowing anyone from out of town. I think that we need someone that is older there to handle the challenges that come up. Also, there are cars parking on Fir Street where there are supposed to be no parking signs.

Mr. Furtado - Last week I submitted a request to the Police Department requesting no parking signs north of the entrance on Fir Street. That will be on the Selectmen's agenda on June 29th. The only thing that we have to do is contact the resident that abuts it. Also, we will be hiring a police detail for July 3-5th.

Mr. Durant - I know we mentioned getting a parking lot attendant before and I think that it is a great idea. I do not think that we should limit the passes sold and residents need to be aware that it is first come first serve

Mr. Hobson motioned to hire Gary Lavalette as a town beach parking lot attendant. Mr. Durant seconded. Vote 3-1 with Mr. Coelho opposed.

VI. Tabled Matters

A. Contract Agreement WasteZero

B. Marine Resources Representative

Mr. Durant motioned to bring the discussion of the Marine Resources Representative back to the table for discussion. Mr. Hobson seconded. Vote unanimous.

Mr. Hobson - When Mr. Coelho was elected a year ago he was the chairman of the Marine Resources Committee. At that time, I was the BPW Representative but because he was the chairman I gave up my seat. I feel like I have just as much experience as he has. Why don't we just make it a one year term. I would like to bring this to a vote tonight.

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Mr. Coelho - I was not interested in being on this board and I was talked into running. I was told if I ran for the BPW and was elected that, I would become the Marine Resources Representative. I would have never ran for this board if I knew that I would not be on the Marine Resources Committee.

Mr. Hobson – Nobody guaranteed you the spot on the Marine Resources Committee.

Mr. Wotton - Could I make a suggestion? Prior to Mr. Coelho joining the board, we had a member and a secondary member. Do you think that we could do something similar?

Mr. Hobson nominated himself for the Marine Resource Representative. Mr. Wotton seconded. Vote 2-2 with Mr. Coelho and Mr. Durant opposed

Mr. Coelho nominated himself for the Marine Resource Representative. Mr. Durant seconded. Vote 2-2 with Mr. Wotton and Mr. Hobson opposed.

Mr. Hobson motioned to do away with the Marine Resource Committee Representative.

Mr. Durant – I do agree with that. On the record, we have all said the representative from this Board is only supposed to be representing the BPW.

Mr. Furtado - My understanding is the Selectmen are allowing us to have a liaison to the Marine Resources. I do not think that we can do away with the member.

Mr. Wotton - I think that we should have waited until we have a full board. The motions both did not pass so it stays as it is. If we want to bring this back up when we have a full board.

VII. Public Comments / Open Forum

VIII. Old Business / New Business

A. Superintendent

Superintendent Report for June 22, 2020

- Demand letter to resident at 303 Mill Rd - 6 feet in by a licensed contractor by the 19th or we remove them and invoice - Town doesn't own road at this time
- Meet ConCom re: beach path for 8 Chambers St
- Attend to various weed requests
- Staff prepared for reopening to the Public

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- Attend Dept. head meetings
- Prep for beach opening - place sign - have meeting with gate attendants and lifeguards
- Voted chairman of both Mattapoisett Committees
- Received invoice for Exhibit 4 Raw Water Costs
- Speak with Attorney William Taylor to obtain his legal opinion about seeking EPA extension
- Speak with Town Counsel re: options for 303 Mill Rd road
- Meet with Planning re: Complete Streets grant
- Request No Parking Signs installation approval from Police and Selectmen
- Speak with Town Counsel re: legal opinion engagement letter
- Attend MRV Meeting
- Attend Sunset Beach Neighborhood Association meeting on logistics of sewer project
- Attend Fincom re: Articles

Mr. Furtado - Just a few things that are not on the report. We opened the office back up last week and it went very well. We have been very busy and the staff is doing a great job. It is somewhat nice to be back to normal.

Mr. Wotton- It did not help that all the new stickers are ready to be renewed.

Mr. Furtado – Mr. Wotton and I went to 303 Mill Road today. Come to find out where the gentleman put the bricks is owned by 306 Mill Road. The owner at 306 Mill Road is allowing us to remove the bricks and move them back a few feet.

Mr. Wotton - We went there today to visually see where the Road was going to be and try to find a resolution. We had a little meeting with all the homeowners around there. The homeowner agreed if we fix the edge of the road so the water does not pool up he would relocate the bricks.

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Mr. Furtado - Hopefully now that we have had the discussion there will be a resolution. One other thing last week I had to go in front of the Finance Committee and they approved the design money for the treatment plant.

Mr. Coelho - How did you make out with Conservation about the beach path?

Mr. Furtado - I met the Conservation Agent there. If a person goes down the current mowed path it leads to rocks. If you mow a path a couple feet, in the southern direction, it leads to the beach but it is all rocky.

Mr. Wotton - Can we let the current path grow in and mow a new path to make it easier?

Mr. Hobson - I think that they will be happy just being able to get to the water.

B. Board Members

Mr. Hobson – What is going on with summer help? Can we hire them?

Mr. Furtado - I will let you know hopefully at the next meeting.

Mr. Hobson - They really help out.

Mr. Furtado - Starting in July we are using the FY20 budget in FY21. We know what the cola and step increases are going to be but I do not know where we stand with the money.

Mr. Hobson - Why don't we know.

Mr. Furtado – Mr. Rees has not released information about the raises yet. The Town is contractually obligated to pay the union contracts. How can we possibly hire summer help if we cannot give the steps and colas to the current employees?

Mr. Coelho – Mr. Charbonneau sent out two more letters and I think that we should support him. Did we ever contact the state about putting barrels at Fort Phoenix?

Mr. Furtado - I called the number that I had and left a message.

Mr. Wotton - Maybe we could reach out to our State Representative for contact information just in case we have any other issues.

C. Marine Resources Committee – BPW Related Matters

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IX. The next regularly scheduled Board of Public Works Meeting is Monday, June 29, 2020 at 6:00 p.m. in the Board of Public Works Conference Room.

X. Adjourn

Mr. Durant motioned to adjourn the meeting at 8:08 p.m. Mr. Coelho seconded. Vote unanimous.

XI. Executive Session

n/a

Respectfully submitted,

Rebecca Vento
Office Manager

Minutes approved on June 29, 2020.