

**Town of Fairhaven  
Board of Public Works Meeting  
February 8, 2021**

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2021 FEB 24 A 11: 09

FAIRHAVEN,  
MASS.

**Present**

Brian Wotton, Commissioner  
Robert Hobson, Commissioner  
Cameron Durant, Commissioner  
Frank Coelho, Commissioner  
Marcus Ferro, Commissioner  
Vincent Furtado, BPW Superintendent  
Rebecca Vento, Office Manager  
Steve Hickox, 172 Balsam Street  
Christine Gelinis, 6 Robert Street  
Wendi Smith, 6 Wampanoag Drive

**I. Call to Order**

Mr. Wotton called the meeting to order at 6:16 p.m.

**II. Routine Matters**

**A. Signing of Departmental Bills**

**III. Approval of Minutes**

**A. January 25, 2021**

Mr. Hobson motioned to approve the minutes of January 25, 2021. Mr. Ferro second. Vote unanimous.

**IV. Appointments**

**A. Steve Hickox, 14 Cherrystone Road**

Mr. Hickox- I attended the last Board of Health Meeting because I am looking to tie into the sewer system on West Island. Twenty-five years ago they approved 366 connections. At that time they missed 14 Cherrystone Road. That is why there is no stub in front of that property. The Board of Health corrected their mistake so I can tie in. I am here tonight asking the Board of Public Works to approve the construction permit so I can connect that property to the sewer system.

Mr. Hobson - I know a few people that have gone to the Building Department and the Board of Health within the past 5 years about this property and they were told that there was no water or sewer stubs and the lot is not buildable. That lot has never had a septic system or tight tank.

Mr. Hickox- How many people went through the proper procedure and went to the Board of Health before coming before this Board for a construction permit? There is no stub in front of the property because the town missed it when they were making the connections. When I went before the Board of Health, they looked at all the information that I submitted and they said that it was a mistake and they told me that I was able to connect to the sewer system.

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Mr. Furtado - In preparation for this meeting I reached out to Town Counsel and I sent him a copy of your letter.

Mr. Furtado read Attorney Crotty's response.

Mr. Hickox - If your Board says no to the construction permit than I have a situation with the Board of Health because they already approved it. If you want to waste taxpayer's money and go down that avenue than I am willing to do so.

Mr. Durant - Just to clarify the reason that we cannot proceed with your request is because the FDA gave the Town 5 million dollars for that project with the stipulation that we do not approve any more tie-ins.

Mr. Coelho - Does the property have water?

Mr. Hickox – The property has a private well.

Mr. Coelho -When they did the assessment 25-30 years ago when they were looking to bring water and sewer to the island there was a penalty if the residents did not tie in. I highly doubt that the Town missed both water and sewer stubs. I think the Board of Health Agent at that time thought that the property was not buildable.

Mr. Hickox – At that time it was a seasonal camp. Someone definitely lived in it because all of their stuff is still there.

Mr. Coelho - I do not understand how the property owner never had to go to court for the water and sewer even though it was mandatory to tie in.

Mr. Furtado - We have no records of the stubs or a betterment ever being assessed to the property. We checked with the Assessor's Office and they said that the lot was not buildable. If you could demonstrate that this was missed than you should be able to tie in. If you are unable to do so then you would not be able to tie in based on to the agreement we have with the FDA and the State.

Mr. Hickox - What do you want me to prove?

Mr. Furtado - Your argument is that the Town overlooked this property and you need to prove that it was overlooked in order to tie in.

Mr. Hickox - Isn't the simple fact of there not being a stub enough proof that the property was missed?

Mr. Furtado – No it is not.

Mr. Wotton – Are you the current owner?

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Mr. Hickox – No, I have a purchase and sales agreement for the property that I will be executing tomorrow.

Mr. Wotton - How long has the current owner owned the property?

Mr. Hickox – 7 years.

Mr. Wotton – Did they ever try to tie in?

Mr. Hickox - I have no idea but I assume that they did not.

Mr. Wotton - We do not disagree with you. If you can get the FDA to admit that this property was missed then you will be able to tie in. We are just following the rules because we were told not to allow anyone else to tie in.

Mr. Hickox - Should I have my lawyer speak with Town Counsel to figure out what needs to happen?

Mr. Furtado - Yes, they need to determine that this was missed and then the Board can vote on it.

Mr. Hickox - I would like a vote from this Board before I spend money on an attorney.

Mr. Wotton - We cannot take a vote unless we have the proper documents.

Mr. Ferro - You do not own the property so we will not take a vote. Once you have all the necessary documentation then you can come back before the Board and we will vote on it at that time.

**B. Christine Gelinas – Hard Surface Petition for Robert Street**

Mr. Furtado – Last year Ms. Gelinas put forth a Hard Surface Petition for Robert Street to be accepted and paved. Robert Street was accepted at Town Meeting but the Town did not do the necessary things in the time frame that it had to be done in so it fell through. At the last meeting, the Board put in a placeholder for this year's town meeting based on Town Counsel's opinion.

Ms. Gelinas - The Town has already paid for the land to be surveyed. I would like to see the street accepted and paved since every car that goes by kicks up dirt. We cannot open the windows because of the dust. Before purchasing the house the previous owner started to get the ball rolling and had signed the petition to get the street paved and accepted.

Mr. Wotton – Are you the first house on the street?

Ms. Gelinas – Yes and the neighbors do not want it to be accepted or paved.

Mr. Wotton - Can we accept only a portion of a street? If so, could we accept it up to the end of her property?

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Mr. Furtado - I would have to find that out. I have never accepted just a portion of a street. The question to the board is do we want to proceed with taking the street?

Mr. Wotton – Before we take the street I would like to double check with the neighbors since we already have the placeholder in for Town Meeting. If we are able to accept only a portion of the street because the neighbors are still against it then we need to make sure that the remainder of the street never gets approved.

Mr. Furtado – I will contact the neighbors and look into getting the other information and then we can discuss it at a future time.

**V. Items for Action**

**A. Covid-19 Matters**

Mr. Furtado – We have nothing at this time.

**B. Water Superintendent Vacation Carryover**

Mr. Furtado – The Water Superintendent is looking to carryover two vacation days.

Mr. Coelho motioned to allow Mr. J Furtado to carryover two vacation days. Mr. Ferro seconded. Vote unanimous.

**C. Articles**

**1. FY22 Roadwork**

Mr. Furtado - At the last meeting we presented to the Board the streets that Mr. Charbonneau and I recommended for FY22 Roadwork. Just to recap the streets that we are recommending are Littleneck Road, Pleasant Street, Eaton Road, and Cove Street. If those four streets were chosen it would cost around \$451,000 and I would supplement the difference with Chapter 90 funds.

Mr. Coelho motioned to approve Littleneck Road, Pleasant Street, Eaton Road and Cove Street. Mr. Durant seconded. Vote unanimous.

**D. West Island Town Beach**

**1. 2021 Permit Fees**

Mr. Furtado - Last year we lost money and I think that this year we need to think about raising the fees. Last year the season pass was \$30 and my recommendation for this year is to go up to \$40. The senior season pass was \$5 and my recommendation for this year is \$20. As far as walk-ins and people that ride their bicycles I do not think that we should charge.

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Mr. Wotton – We posted a survey to get some feedback from the residents because we want to know what their thoughts were. I think that the walk-ins and bikers should have to buy a season pass for their vehicle but if they choose to walk or bike in then they should be allowed in with proper identification. Also, a resident with a company vehicle should only have to show proof of residency to obtain their stickers.

Mr. Furtado – In my opinion last year the price of the transferable pass was too low. I think that we should charge between \$150-\$200.

Mr. Durant – I think that \$150 is a reasonable price for the transferable pass.

Mr. Durant motioned to set the 2021 Beach permit fees as follows. A Season pass will cost \$40, a senior 62 years old or older will cost \$20, a transferable permit will cost \$150 and walk-ins and bicycles will be free with the purchase of a season pass. Walk-ins will be limited to eight people per pass. Mr. Ferro seconded. Vote unanimous.

Mr. Durant - I would like to see Acushnet family's with kids in the Fairhaven school system allowed to buy a permit this year.

Mr. Furtado - If you are going to open the beach up to Acushnet residents then you should open the beach to everyone not just those with kids in the school system because they all pay the same taxes.

Mr. Hobson - I do not want to open it up to Acushnet Residents.

Mr. Wotton – Looking at the survey it seems like many of the residents do not want to allow out of Town residents at the beach again this year.

**2. Rules & Regulations**

Ms. Smith – I just have a question about not allowing animals on the beach. Is this all the time or only during the hours that the lifeguards are present?

Mr. Durant – There are no pets in the guarded areas while the lifeguards are present. With that being said we need to make sure that everything is clearly marked and noted so there is no confusion. Do we have bike racks down at the beach?

Mr. Wotton – Could you revise the rules and regulations and we will approve them at the next meeting.

**E. Sign Purchase Order Agreement, Ti-Sales Inc., Water Meter and AMI System  
\$1,736,810.12**

Mr. Ferro motioned to sign the Purchase Order Agreement with Ti-Sales for the Water Meter and AMI System in the amount of \$1,736,810.12. Mr. Hobson seconded. Vote unanimous.

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**F. Pay Requisition #1 Century Paving- Green Street Phase 3 \$315,494.24**

Mr. Durant motioned to approve payment # 1 to Century Paving for Green Street Phase 3 in the amount of \$315,494.24. Mr. Ferro seconded. Vote unanimous.

**VI. Tabled Matters**

**A. BPW Independent Study**

Mr. Furtado - We received a letter from one of the Engineers stating that they will get us a revised proposal as soon as they are able to.

**VII. Public Comments / Open Forum**

**VIII. Old Business / New Business**

**A. Superintendent**

**Superintendent Report for February 8, 2021**

- Beachwood and Cove St maintained per request
- Meet with Town Counsel re AMI Procurement and Robert St
- Meet with Unibank representative re: borrowing for upgrade to water treatment facility
- Concom approves Stormwater improvement system on Jerusalem Rd
- Attend multiple sessions of NEWEA Conference
- Attended Planning Meeting Re: BPW request to change bylaw
- Further Drive-in prep work for public safety complex delayed until spring
- Send Industrial (targeted) notice with backflow notices to satisfy MS4 requirement
- Attend Complete Streets Meeting
- Conference call with Sewer Staff and Town Accountant re: Finalization Pilgrim Ave Force Main project
- Attend BBAC Meeting

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- Complete required conflict of interest training - make sure you do the same
- Meet with Steve Hickox re: sewer tie in on West Island
- Meet with Chappell Engineering re: SN Rd upgrade to design for narrowing
- Meet with engineer re: water levels in Mattapoissett River Valley wells
- Various snow events
- Work with engineer re AMI contract
- Work on DEP recycling grant year end expense report

Mr. Furtado - We received a letter from someone asking if they could put a geocaching in Livesey Park. Does the Board have any issues with this? Since everyone is ok with this I will let the gentleman know that the Board has no issue with this.

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

**B. Board Members**

Mr. Hobson - Why can't we plow the bike path?

Mr. Furtado - We do not want to ruin it because we do not have the proper equipment.

Mr. Hobson - People are walking in the streets. We should look into getting the proper equipment to do so. Could you send a truck down to the Town Beach and have them make a few passes since it was not plowed. Are we going to post the Sewer Superintendents Job?

Mr. Furtado - Yes, we will be posting it shortly.

Mr. Hobson - What can people do with their ashes from their fireplaces and woodstoves? I think that we should put a bin at the recycling center.

Mr. Wotton - I think that is a great question for the Fire Department. I would like to commend everyone for their efforts in the past few snow storms. Everyone has done a great job.

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

Mr. Hobson - At the last meeting there was nothing related to the BPW. Mr. Cox might be calling because he is looking for more shells to be spread at Hoppy's Landing.

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

Mr. Ferro motioned to set the date for the next meeting on February 22, 2021 at 6:15 p.m. Mr. Hobson seconded. Vote unanimous.

**X. Adjourn**

Mr. Ferro motioned to adjourn the meeting at 8:22 p.m. Mr. Durant seconded. Vote unanimous.

Respectfully submitted,

*Rebecca L. Vento*

Rebecca Vento  
Office Manager

Minutes approved on February 22, 2021