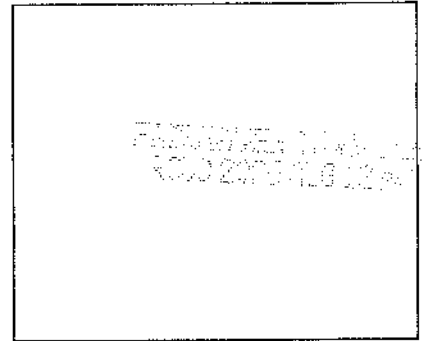


**Town of Fairhaven
Board of Public Works Meeting
July 28, 2025**

Present

Brian Wotton, Commissioner
Robert Hobson, Commissioner
Anne Morton Smith, Commissioner
Daniel Lopes, Commissioner
Hillary Rotondo, Commissioner
Vincent Furtado, BPW Superintendent
Rebecca Vento, Office Manager
Jeffrey Furtado, Water Superintendent
Michael Livingstone, Fredrick Avenue
Sandra Hermenau, 3 Frederick Avenue
Steven Hermenau, 3 Frederick Avenue



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. July 14, 2025

Mr. Hobson motioned to approve the minutes of July 14, 2025. Ms. Smith seconded. Vote unanimous.

A. B. July 14, 2025 – Executive Session A

Ms. Smith motioned to approve the minutes of July 14, 2025 – Executive Session A. Mr. Lopes seconded. Vote unanimous.

IV. Appointments

A. Michael Livingstone, 0 Fredrick Avenue – Water & Sewer Tie In Request

Mr. Livingstone – I am here tonight looking for the Board to approve a 1-inch water line from Billy's Way down Torrington Road and into the property on Fredrick Avenue. In this particular case the cost to bring a 1" water line from Billy's Way to the house lot would cost approximately \$18,000. The alternative which is recommended by the Water Superintendent would be to bring a 6" water line down Sconticut Neck Road with a hydrant at the end. The cost of that would be approximately \$80,000. I am looking for the same permission that the Water Superintendent gave to the Hermenau's when they built their house across the street from my property. At one point in time I guess the Superintendent was misled about the number of lots that were available on Frederick Avenue. Apparently, someone told them that

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there was only one single lot, in fact there are two and there was always two and there will never be three.

Mr. Wotton – Torrington Avenue is that the right of way that has been closed over?

Mr. V Furtado – Yes, that is the sewer easement. When the Hermenau's went through planning and this area was presented to the BPW was informed by the Building Inspector at that time that there would only be one buildable lot on Fredrick Avenue. If we would have known that there were two buildable lots than we would have required the water service to come off of Sconticut Neck Road.

Mr. J Furtado –When the sewer was being installed back in 2003, we had cards made up for all developable lots on Sconticut Neck Road, all the side streets and dead ends. At that time the building department came back to us and said there were no buildable lots on Frederick Avenue. Now we have the existing house built on Frederick Avenue and we were informed that this was the only house that would be able to build there. Since I have been here there have been two lots approved to be built on Frederick Avenue, the Hermenau's and the one we are talking about tonight. We just had a similar issue on Judd Street, they just put in a main because that's what needed to be done in order for them to get water to the property and Island View Road will be installing a main as well.

Ms. Smith – If this property were to put in the 6" line would there be any rejiggering of the existing house to connect to the new line so you would not have to flush through the spaghetti line?

Mr. J Furtado – I am not requiring them to do that because they have already paid to put their service in. If we would have known that there were two buildable lots on Frederick Avenue than we would have required them to share the costs and put in the 6" main off of Sconticut Neck Road.

Ms. Smith – I do not know what other land is left around there that could possibly have another buildable lot.

Mr. Hobson – So if he put a main down the street there might be more buildable lots?

Mr. J Furtado – Exactly, if we allow another service to go in there could be more buildable lots in the future.

Mr. Livingstone – There are no other buildable lots on the street. You can't create something that doesn't exist.

Ms. Smith – I would want documentation from the Planning Board, Conservation Agent, Building Department and anyone stating that there are no other buildable lots on Frederick Avenue before we make a decision.

Ms. Hermenau – We were originally told by the Town that nobody else could build on Frederick Avenue that's why we agreed to absorb all the cost of the road and water main. We were also told that if somebody did want to build that it would be an exorbitant cost, and it just wouldn't be feasible. The

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previous Town planner had us record in our deed that we are solely responsible for Frederick Avenue and it would not be maintained by the Town.

Ms. Smith – Does the Town plow your road?

Ms. Hermenau – No, we are responsible for maintaining the road.

Mr. Wotton – We are going to look into this more before we make a decision. We will reach out to both the Hermenau's and Mr. Livingstone once we receive all the information and put this on a future agenda to discuss further.

V. Item for Action

**A. Dig It Construction, Spring Street Water Main Replacement Project, Payment #3
\$106,285.24**

Mr. Lopes motioned to approve Dig It Construction, Spring Street Water Main Replacement Project, Payment #3 in the amount of \$106,285.24. Ms. Rotondo seconded. Vote unanimous.

B. Sign Contract Agreement, Beta Group, Park Assessment Project \$40,200.00

Mr. Wotton – We are going to skip over this tonight. We are waiting on Town Counsel's approval.

C. BPW Barricade / Deposit Policy

Mr. Furtado – The last time this was in front of the Board the Board discussed adding the cost for the man hours for delivering and picking up the barricades. It would cost \$200 on regular time and \$300 for overtime to deliver and pickup these barricades. Currently we require a \$50 deposit that is refundable.

Ms. Smith – If they come and pick up the barricades they would only be charged the \$50 deposit and if they want them delivered it would be a \$250 deposit. The \$50 deposit would be refundable as long as the barricades were not broken.

Ms. Rotondo motioned to approve the barricade request form as presented. Mr. Hobson seconded. Vote unanimous.

D. ADU Policy

Mr. V Furtado – I met with Town Counsel and mentioned to her that our biggest concern with ADU's are making sure that there is enough water pressure and flow to service the existing property and the ADU. She recommended that instead of mandating that the property install a separate water line to the property that we mandate a pressure or flow test to verify that the property would have enough pressure to service both the main property and the ADU.

Ms. Smith – What do you base the pressure flow test on?

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Mr. J Furtado – The property owner would have to hire an independent company to do the pressure flow test. Since the Town is older than most my concern is the property not having the proper pressure to service both the main residence and the ADU.

Ms. Smith – If each property had to hire their own company to do this test how do we know that it is all set.

Mr. J Furtado – The Town would have to receive a stamped letter from the company that performed the flow test stating that the pressure would be adequate for the main property and the ADU. If the property has a 1" service than that should suffice, it's the properties that have a ¾" service that is a concern. Having a letter from an independent company would take all the liability off of the Town.

Mr. V Furtado – This is a work in progress and we are hoping to have a policy in place that we can follow until we can get this approved as a by-law at the Town Meeting in November.

D. Graffiti Policy

Mr. Furtado – The only addition to the previously presented policy is we added that if the graffiti is a hate crime that the police department is notified.

Ms. Smith – Do we need to define what a hate crime is.

Mr. Lopes – Could we reference MGL to define a hate crime.

Ms. Smith – The skate park is always covered with graffiti. Could we define the skatepark as a place freeform art?

Mr. Hobson – We have all these cameras at the parks and boat ramps, why aren't people getting caught?

Ms. Rotondo – I think having local artists for the skate park would be a good idea.

Mr. Hobson motioned to adopt the Town of Fairhaven Graffiti Removal Policy with the addition of referencing MGL to define what a hate crime is. Ms. Smith seconded. Vote unanimous.

**F. Tighe & Bond, Comprehensive Wastewater Management Plan, Payment # 12
\$2,310.00**

Mr. Furtado received MassDEP Approval Letter for the Comprehensive Wastewater Management Plan with the Board. The plan now is to send the modified flow neutral bylaw based on the approve Comprehensive Wastewater Management Plan to the Massachusetts Affordable Housing for their approval and we should no our interest rate next February. The Board is going have to raise the rates next month since we have to make our first payment next year.

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Ms. Smith motioned to approve Tighe & Bond, Comprehensive Wastewater Management Plan, Payment # 12 in the amount of \$2,310.00. Mr. Lopes seconded. Vote unanimous.

G. BPW Superintendent Vacation Carryover

Mr. Furtado requested to carryover 2 weeks' vacation.

Mr. Lopes motioned to approve Mr. Furtado's request to carryover 10 vacation days. Ms. Rotondo seconded. Vote unanimous.

**H. Notice of Award, Hedge Street Roadway Improvement Project Phase 4,
Gravity Construction \$684,832.32**

Ms. Rotondo motioned to Sign the Notice of Award for the, Hedge Street Roadway Improvement Project Phase 4 to Gravity Construction in the amount of \$684,832.32. Mr. Hobson seconded. Vote unanimous.

**I. Buzzards Bay Coalition 19th Annual Watershed Ride on Sunday, October 5,
2025**

Mr. Hobson motioned to approve Buzzards Bay Coalition 19th Annual Watershed Ride on Sunday, October 5, 2025. Ms. Smith seconded. Vote unanimous.

J. Methuen Construction, WPCF Upgrades, Change Order #3 \$297,603.71

Ms. Smith motioned to approve Methuen Construction, WPCF Upgrades, Change Order #3 in the amount of \$297,603.71. Mr. Lopes seconded. Vote unanimous.

VI. Table Matters

A. n/a

VII. Public Comments / Open Forum

VIII. Old Business / New Business

A. Superintendent

Superintendent Report for July 28, 2025

- POTW upgrade Change Order Meeting
- POTW Upgrade Meetings

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- Water Filter Upgrade progress meeting – all equipment is installed – plan to go online 7/28
- Highway Negotiations Session – contract agreed to
- Receive draft DEP letter of approval re 0% interest
- Attend Scoping Meeting with MA DOT re SN Rd TIP
- Meet with Rep Sylvia and Eversource re Pole Placements in East Fairhaven along Route 6
- Attend BBAC meeting as Town Rep
- Attend speed traffic study meeting
- Meeting with Pickleball folks
- Meet with Public safety reps and vendor re public safety antenna on Tower
- Work on various policies, MOU's and contract
- Attend Open Space Meeting
- Shaw Rd drainage location surveyed
- Meet with Town Counsel re Chambers St

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

B. Board Members

Mr. Hobson – On Middle Street at the Boat Ramp there are still weeds that need to be taken care of.

Ms. Smith – The sign at the West end of the bike path is loose and is about to fall off. Can we have someone look at it before someone gets hurt?

C. Marine Resources Committee – BPW Related Matters

Mr. Hobson – Mr. Cox is going to be contacting Mr. Crabb because he is looking to see if we can cut the brush near the dinghies at Hoppy's Landing.

D. Community Preservation Committee – BPW Relate Matters

Ms. Smith – I think the CPC Applications are going to be due sometime in the end of September. We are supposed to have a meeting sometime in August.

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IX. Set Date for the Next Meeting

Ms. Smith motioned to set the date for the next meeting on August 11, 2025 at 6:00 p.m. Mr. Wotton seconded. Vote unanimous.

X. Adjourn

Mr. Wotton motioned to adjourn the meeting at 7:48 p.m. and enter into executive session to discuss BPW Superintendent and not to reconvene in open session. Rollcall Vote: Mr. Wotton, Mr. Hobson, Ms. Smith, Mr. Lopes and Ms. Rotondo in favor.

Respectfully submitted,

Rebecca L Vento

Rebecca Vento
Business Manager

Minutes approved on August 11, 2025