

**Town of Fairhaven
Board of Public Works Meeting
March 25, 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
Sam Chapin, Brown and Caldwell
Kathleen Isaksen, 40 Summer Street



I. Call to Order

Mr. Wotton called the meeting to order at 6:01 p.m.

II. Routine Matters

A. Signing of Departmental Bills

III. Approval of Minutes

A. March 9, 2020

Mr. Coelho – I have a question about the Pasta House. Have we heard anything about the plans?

Mr. Furtado – I met with the Engineer last week and we toured the basement together because I had some concerns about the bathroom drains going into the grease trap. I was afraid of the grease trap short-circuiting because of that. They are going to update the plans and then get them to us with the recommendations that I made. Their engineer agreed that this would be an easy fix.

Mr. Coelho – I was just looking for the revisions that we requested before the last meeting on March 9, 2020.

Mr. Wotton – Just to be clear we received the revised plans that we requested. We are now waiting for the plans to be revised again with the information that was provided to us tonight by Mr. Furtado.

Mr. Furtado – That is correct. We are waiting for the third revision, which will show the bathroom drains not going into the grease trap. I do not want them to go through all this effort

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and then they have a problem in the future because the bathroom waste should not go into the grease trap.

Mr. Hobson motioned to accept the minutes of March 9, 2020. Mr. Coelho seconded. Vote unanimous.

IV. Appointments

v. Sam Chapin, Brown and Caldwell – Landfill Engineer

Mr. Furtado - Currently the Town's Recycling Center which mostly accepts brush and some assorted items is located behind the Wastewater Treatment Plant on Arsene Street. At this coming Town Meeting, we are going to ask the Town's Wastewater Engineer to help us with the violation that we received and have the current plant upgraded to have nitrogen removal capabilities, which the current plant does not have at this time. The reason why we invited you in is because you have been the landfill engineer for over thirty years and the Board has numerous questions about the Bridge Street site.

Mr. Wotton – We do have some specific items that we have questions on. One of the questions that we are concerned with is that we are looking to see if there was something that was required to be done by the EPA and was never completed. If it was not done what were we supposed to do to fix the problem and how much do you think it would cost? The second question that we have is it possible to put our transfer station there. Lastly, we are looking to hear what your thoughts are about the transfer station being moved to that location.

Mr. Chapin - I have been involved with the Bridge Street landfill for many years. That site has waste disposed under the ground in most of that area and there lies the problem. When we did our original site assessment, it looks like that landfill started in the late 1930s with debris that resulted from the hurricane in 1938. Then that property was turned into a dump and sanitary landfill that was used by the Town. Your question about did someone drop the ball, yes and no. When you look at that property there is an obvious landfill there and waste has been disposed of there even in the flat area. In order to completely address the old waste disposal site there was more work that needed to be done. In 2000, we worked with the Board of Health to submit a plan to the DEP for exactly what this Board is looking to do. The DEP said that they would not let a Recycling Center go there until that property was treated as a landfill, which it actually is and the Town said that they had prepared some alternatives, which consisted of excavating and consolidating the waste into the existing landfill mound which at that time it was being

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controlled by a third party that was doing the excavating. Another alternative was to move the waste off site. The cost of those things that need to be done seemed to be prohibited at that time and the whole project then stopped. The last time I believe that there was talk with the state to be able to use this property was in 2000. Right now if the state were to strictly follow their rules there would have to be a comprehensive assessment done of that property, there would have to be a year of ground water monitoring and a quantitative assessment would need to be done. As I already mentioned the property would have to be cleaned up one way or another and the landfill would have to be formally closed with a cap. In 2000, the Board of Health and a few other folks in Town said that it was too much and they would not be able to do that. I spoke with Mr. Crotty and he understood that it would take major efforts to clean it up. I can tell you that the administration in the DEP Southeast region today is very different than it was 20 years ago. If the state were to strictly follow the rules, the procedure that was outlined in the letter would still need to be followed. However, there have been a few changes. When we sent DEP the notification of the cap being put on the landfill and the landfill being closed, we expected to get a certification back from them stating that the landfill was closed but we did not. The DEP does not approve solar panel on landfills unless they are closed and when we applied to do so 5-6 years ago they approved our request. At this point, I think that it would be certainly worthwhile to go to the state and present them with your situation and to ask them what it will take to use part of this land. I am certain that some remediation will be required.

Mr. Wotton - We are not looking to put up any type of building there, all we are looking to do is clear a portion of the land for residents to come and dump their brush and yard debris and possibly put some dumpsters for them to dump recycling and electronics. We are not looking to dig we are just looking to scrape the land.

Mr. Chapin - We have been taken groundwater samples at this location for 25 years. The ground water is not drinking water quality but it has not gotten any worse over the years.

Mr. Hobson - We are already using about three acres of land there and no one is complaining about it. We are going to be building a twenty-five million dollar treatment plant and we need to move the Recycling Center out of its current location, which is about an acre. Everything that we are going to do at the new recycling center is going to be above ground. I do not want to wait a few years, we do not have that long. We need a decision of whether or not we can move to the Bridge Street location.

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Mr. Chapin - I do not disagree with anything that you are saying. If the Board would like my company, which is Brown and Caldwell to give a proposal to go to the state with a few options and find, out what you would need to get done.

Mr. Hobson - The Town had a piece of land that was right next to Bridge Street location that was three to four acres. The Town took over the land for back taxes and then they sold it. That would have been a great spot for the fire and police station or the Recycling Center.

Mr. Furtado - A few years ago the Town hired a company to assess the conditions of the buildings in Town and to find a new location for the fire and police station. One of the sites that they looked at was the Bridge Street location. I do not know if there would be any difference since the fire and police station they would have to dig in the ground and the recycling center everything would be above ground. I emailed Colleen Ferguson and she called me and told me that she would get back to me and I have not heard back from her yet. I like the idea of hiring Brown and Caldwell to move forward with this.

Mr. Chapin - I think that if you were doing the public safety complex you would have no choice but to do the full cleanup. However, I think that you have a good argument since what you are looking to do involves everything above ground.

Mr. Coelho – How much land is there that we are allowed to use?

Mr. Chapin – There maybe 3/4 of an acre that does not have waste in it. We did work there in the 90s and it showed that there was waste throughout the property. We would have to confirm that with some more subsurface explorations.

Mr. Coelho - We are using more than ¾ of an acre there now.

Mr. Chapin – If you were to go to the State you have to be careful what you ask the regulator since they have not told you that you could not use this property.

Mr. Coelho – I think this Board should have your company look into this further. We really do not have an alternative or another piece of property that we could use. This has been going on for 5-6 years now. I think that it is a good idea to look into this because if we cannot be there than we will have to look for another location and we have to get this moving pretty soon since we are running out of time.

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Mr. Wotton – If you look at the map the area that we are looking to use is Waste Area A and Waste Area B. It does look like there is solid waste there.

Mr. Chapin- It says that there is MSW, which stands for Municipal Solid Waste, and that is garbage.

Mr. Coelho - On the map there are dotted lines all the way around the property, is that the containment area?

Mr. Chapin - That is the best mapping that could be done at that time to show the waste. If you look at the map, there is waste under the surface of most of the property. I have not been able to locate the results from the test pits that are shown. If we went to the State and they told us that we could use the part of the property that does not have waste under it then we would have to refine the line to do a better job of pinning it down and to see if the land there would be suitable for a drop off area.

Mr. Durant – In terms of air quality, can we assume if the State tells us to go for it and build our above ground recycling center, would you feel confident that if we had workers working there forty hours a week that it would be healthy for them to do so?

Mr. Chapin – What I would recommend between your waste area and the recycling area that you put in a gas collection trench and vent it above ground so if there are any gasses coming through into that area that it would not migrate into your area and it would vent up. The air quality will be ok. There are thirty vents currently on the landfill.

Mr. Durant - You foresee no health issues for someone that works there.

Mr. Chapin – I see that the health risks are minimal.

Mr. Silvia – I think that we should get the exact area that we are looking to use and what we want to do there. Then we could have Brown and Caldwell look for the exact amount of land there that we are looking for. Would we design it ourselves based on what you have seen in other communities?

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Mr. Furtado – We should decide what we want to have at the new recycling center and then we can take it from there. I think that we should get the ball rolling and see if this is even doable with the state.

Mr. Wotton – I think that a few of us should meet onsite and find the location that we would like to put the new recycling center so we have a better idea of what we are looking at.

Mr. Coelho - It is my understanding that there may be funds and programs available for cleaning up the site.

Mr. Chapin – We definitely will put that on the agenda to find out if there are funds available and how you would go about asking for it.

Mr. Coelho motioned to have Brown and Caldwell submit a proposal to help with talking to the State and get information for the landfill on Bridge Street. Mr. Silvia seconded. Vote unanimous.

V. Items for Action

A. Annual Bid # 1-12

Mr. Hobson motioned to award the Annual Bids #1-12 to the lowest bidder. Mr. Durant seconded. Vote unanimous.

B. Lloyd Center – Proposal for Piping Plover Management \$6,130.00

Mr. Furtado - This is the annual agreement with the Lloyd Center for the Piping Plover Management. A few years ago, they found that the West Island Town Beach is a little more habitable than the State side. Since then we have been paying for the work by the Lloyd Center for the Maintenance of the Piping Plovers.

Mr. Wotton - Has the dollar amount changed at all?

Mr. Furtado- Yes, it went up a few hundred dollars.

Mr. Hobson - Do we know if there are any nests there? Why should we give them \$6000 if there are no nests?

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Mr. Furtado – I do not know if they are nesting yet. It is a federal requirement that is why we have to pay to monitor these federal endangered species.

Mr. Durant motioned to approve the Lloyd Centers Proposal for the Piping Plover Management. Mr. Silvia seconded. Vote 3-2 with Mr. Hobson and Mr. Coelho opposed.

**C. Dankris Builders Corp., Tinkham Lane Pump Station Modification,
Payment #4 \$4,263,79**

Mr. Durant motioned to approve Payment #4 in the amount of \$4,263.79 to Dankris Builders Corp., for the Tinkham Lane Pump Station Modifications. Mr. Silvia seconded. Vote unanimous.

D. Signs in the Public Way

Mr. Silvia recused himself and left the meeting at 6:59p.m.

Mr. Furtado – I received an email from the Building Commissioner because he had received some complaints about signs in the public way. I handed out a paper to the Board before the meeting with comments from Town Counsel. In the email, Town Counsel he states that the right of way is within our jurisdiction and he recommends that we proceed with however we would like but before we go and remove any signs, we need to make sure that we are being fair to everyone. If we start moving political signs, we also would have to remove for sale signs, open house signs, and contractor signs. I put it on the agenda in case you want to act upon it. The Town owns the first eight feet back from the street and the Building Commissioner has received complaints that there are signs in the first eight. Because the Town layout falls under our purview, we would have the right if we chose to have whoever put the sign there remove it. My opinion is that we should just let it go but it is up to the Board.

Mr. Wotton - First of all the Board of Public Works has way too much work to do then to go around town and remove signs. I think that we should contact the people that have those signs out there and ask them to move them from any intersecting corners and make sure that they are not blocking the view of drivers. Also, when they put the signs up if they are near the street that they need to keep them eight feet back from the street. I think that someone is upset with a political sign and that is why this is being brought up.

Mr. Durant - Mr. Furtado what year did you start with the town?

Mr. Furtado – In the end of 2011.

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Mr. Durant - Since you have been with the Town have you ever had this issue come up?

Mr. Furtado – No.

Mr. Durant – I just wanted to make that clear to show that there is no favoritism going on and since you've been here we've never had to enforce this. Also, maybe we could put a post on Facebook and the Town's website just reminding people regardless of what type of sign it is that it must be eight feet back from the street.

Mr. Coelho- If anyone has a problem with a specific sign please call the office and we will address it.

Mr. Hobson motioned to table the matter of Signs in the Public Ways. Mr Durant seconded. Vote unanimous. 4-0-1 Mr. Silvia recused.

E. Contract Agreement WasteZero

Mr. Furtado - Town Counsel has reached out to WasteZero with some changes that he has added to the contract and at this time, they have not responded to him. Out of courtesy to them, I think that we should just table this until the next meeting in case they have any comments.

Mr. Hobson left the meeting at 7:07 p.m.

Mr. Durant motioned to table WasteZero Contract Agreement until the next meeting. Mr. Coelho seconded. Vote 4-0

F. Electric Vehicle Article

Mr. Furtado – I know that there were some question about how much the electric vehicles were going to cost so I have sent you an email with the breakdown. Basically if the Town was to get the grant for these vehicles they would be getting two vehicles a 2019 Nissan Leaf and a 2020 Chevy Bolt. The cost for the Nissan is \$11,550 and the Chevy is \$12,350. If we were to receive the grant we would get \$5,000 for each vehicle costing the Town \$6,550 for the Nissan and \$7,350 for the Chevy, which would be the totals for the 3-year lease and anything over

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10,000 miles would be .50 per mile. The last time we met the Board decided to rescind the vote but I wanted to make you aware of how much the vehicles are going to cost.

Mr. Hobson returned to the meeting at 7:10 p.m.

Mr. Wotton - Are only getting one vehicle? What one would we be getting?

Mr. Furtado – Yes, we would get one of the vehicles but I am not sure what one.

Mr. Wotton – Well that makes a difference one is more money.

Mr. Furtado – What they would do is they would amend our current Highway Budget and add the amount of the vehicle into it. The vehicle would be paid for unless we go over the mileage then we would owe .50 per mile that we are over.

Mr. Wotton - The Town is only leasing these vehicles for 36 months and after the 36 months they will be returned to the vendor. I think that the Boards concern here is yes we need a vehicle because they will be pulling a vehicle from us and replacing it with one of these electric vehicles. Is this vehicle adequate enough for the type of work we do in this department? I think that there are other departments in town that would benefit from this vehicle more than the Board of Public Works. We are replacing an SUV with a small electric vehicle

Mr. Furtado – My concern is that we send the employees to training and sometimes that training is over a few hours away. Would this vehicle be able to make it to and from the training on one charge?

Mr. Wotton – If we are going to be using this vehicle to travel I do not think that this vehicle will be the right fit for us especially if there will be four men in this vehicle. I think that it would be an extremely uncomfortable ride.

Mr. Silvia - Will these vehicles be turned back in after the three-year lease or will the town buy it outright?

Mr. Furtado - I do not know what the Town Administrator will do after the three years.

Mr. Wotton - What would you use this vehicle for Monday to Friday if there were no trainings?

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Mr. Furtado – If the superintendents vehicles breakdown they could use this vehicle, the garage could go and get coffee or to go pick up parts with it as well.

Mr. Coelho - These cars are compact. I think if you put four men into this vehicle it would be an uncomfortable ride. I think that we will end up having to pay mileage because the employees will end up taking their own vehicles and then we would have to pay for the car too. What is wrong with the Ford Explorer that they are looking to get rid of?

Mr. Furtado - It has seen better days and it has a lot of miles.

Mr. Durant – I am for this electric vehicle as long as we can keep the current Ford Explorer or get a vehicle that is similar to it.

Mr. Furtado – I will ask that question but when we took this vehicle from the police department, we were told that we had to get rid of this vehicle for a “green” vehicle.

Mr. Durant motioned to table the discussion of the Electric Vehicles until we get more information from the Town Administrator. Mr. Silvia seconded. 4-1 with Mr. Hobson opposed.

G. Southcoast Health, Nicole Podkova 5K, October 3, 2020

Mr. Coelho motioned to approve Southcoast Health, Nicole Podkova 5K on October 3, 2020. Mr. Silvia seconded. Vote unanimous.

**H. Sign Contract Agreement, GCG Associstes, Green Street Phase 3
\$64,480.00**

Mr. Furtado - This is to enter into contract with GCG for the third and final phase of the Green Street project and will be paid using Chapter 90 money.

Mr. Hobson - How much money was spent on the whole Green Street project?

Mr. Furtado – A little more than eight hundred thousand dollars.

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Mr. Silvia motioned to Sign the Contract Agreement in the amount of \$64,480.00 with GCG Associates for Green Street Phase 3. Mr. Hobson seconded. Vote unanimous.

I. West Island Accident, Repair to Pole

Mr. Coelho – What I do not understand is why did we send this to an outside company to fix one pole? When the poles were installed, the Town employees installed all six of them.

Mr. Furtado – We use a company called Munitec. If there is an accident, we hire this company they fix the damaged property without charging the taxpayers a dime and then they bill the insurance company. Going through the insurance company does take a while and unfortunately, with the virus situation it took a little longer than usual to have this pole repair.

Mr. Hobson - Can you get an estimate of how much they charged to have the pole replaced.

Mr. Wotton - It is not the Towns responsibility to fix something that the insurance company will pay to fix.

VI. Tabled Matters

A. n/a

VII. Public Comments / Open Forum

VIII. Old Business / New Business

A. Superintendent

Superintendent Report for March 25, 2020

- Linda and I met with the MVP grant people re pump station assessment for climate change and erosion control available monies
- Attended and chaired MRV meeting

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- Met Mike Atkinson for Farland and Pasta House - walked in the basement to review plumbing - engineer agreed to separate lines so that only kitchen waste enters grease trap
- Met with TA and Town Counsel about 3 North St
- Met with Lloyd Center representatives re: piping plover contract
- Attend Finance Committee - vote on all capital projects - all BPW were approved except Roadwork which has to be voted on at a future meeting
- Attend emergency meeting with Selectmen
- Conference call with Jeff and our Water Engineers re cost update for automatic meter reading system
- Attend emergency meeting with Department heads - decide to close Town Offices to Public
- Speak with all Departments about Town's response to virus
- Playground closure
- Meet with the MMA interns assigned to conduct MS4 field work in our drainage system
- Email Carol Lawton peer review of plant for 5-7 Shawmut
- Contact Town's Landfill engineer to ensure he is still appearing at our Wednesday meeting
- Meet with Superintendents - decide to split shifts with employees to keep services going while minimizing virus spread

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B. Board Members

Mr. Wotton - We would like to keep the recycling center opened as much as we can. I think we should look at this on a week-to-week basis.

Mr. Hobson - My thoughts on this is there are a lot of people that are not working so they are cleaning there yards. I think that the recycling center should be open on the regular schedule. There were 50-100 people there today when I went to dump my brush.

Mr. Coelho - There are a lot of people that are still working and taking care of the public and they cannot go and dump on Wednesday's because they are still working.

Mr. Wotton - My biggest concern is to keep the employees safe. They should only allow one to two people per pile at a time to keep social distancing. There would be a line but it would keep our employee safe.

Ms. Isaksen – I am a resident and I live at 40 Summer Street. I called the BPW to ask how to get a new sticker, I was told to mail in the application with a copy of the vehicle registration and a check to the BPW office, and they would mail the permit back to me. If I do that, I will not have it in time to go on Saturday.

Mr. Wotton – Please show your vehicle registration from a safe distance to the gate attendant and he will allow you to dump this weekend.

Mr. Furtado - The public is not allowed to enter the building per the Governor. By doing this, we are trying to protect both our employees and the residents. We could try to make other arrangements for you to get the sticker.

Mr. Silvia motioned to have the Recycling Center open on Wednesday's and Saturday's only for the month of April. Mr. Coelho seconded. Vote 4-1 with Mr. Durant opposed.

C. Marine Resources Committee – BPW Related Matters

- IX. The next regularly scheduled Board of Public Works Meeting is Monday, April 6, 2020 at 6:00 p.m. in the Town Hall Conference Room.**

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X. Adjourn

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

XI. Executive Session

A. n/a

Respectfully submitted,

Rebecca Vento
Office Manager

Minutes approved on April 6, 2020