

**Town of Fairhaven
Board of Public Works Meeting
March 26, 2018**

Present

Michael Ristuccia, Commissioner
Brian Wotton, Commissioner
Robert Hobson, Commissioner
Keith Silvia, Commissioner
Cameron Durant, Commissioner
Vincent Furtado, BPW Superintendent
Kathy Tripp, Administrative Assistant
Antone Medeiros, Jr. Contractor
Michael Medeiros, 48 Spring Street
Chris Mendoza
Karl Fleurent
George Belanger, Teamsters
Jeffrey Furtado, Water Superintendent



I. Call to Order

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

II. Routine Matters

A. Signing of Departmental Bills

III. Approval of Minutes

n/a

IV. Appointments

A. Antone Medeiros, Jr. Contractor – Re: Driveway Waiver, 48 Spring Street

Mr. Medeiros – Asking for a waiver, small driveway on the south side of his house, curb cut driveway in. The second opening is on Terry Street.

Mr. Wotton motioned to approve a second driveway opening for 48 Spring Street for 16 feet and return the curb here. Mr. Silvia seconded. Vote unanimous.

B. Chris Mendoza – New Water/Sewer Drainlayer

Mr. Mendoza – I am reapplying. I already had a license before but I let it expire.

Mr. Wotton motioned to approve Chris Mendoza as a water and sewer drainlayer. Mr. Hobson seconded. Vote unanimous.

**Town of Fairhaven
Board of Public Works Meeting
March 26, 2018**

V. Items for Action

H. Billy's Way

Mr. Wotton— Just to be fair in case somebody does come in later we should wait.

Mr. Furtado – The last meeting these ladies were here because they do not want it paved. Finance Committee voted to have it paved. I figured for you to reconsider again change your mind the other folks out of fairness should be here and take it from there. Hard surface petition requires ten signatures for regular town meeting and one-hundred for a special town meeting and none of those signatures have to be on the road. Current by-law it doesn't matter.

Mr. Wotton – To move this along right now can we invite you on the next agenda and the others and have common ground.

Mr. Wotton motioned to discuss Billy's Way roadwork at the next meeting. Mr. Ristuccia seconded. Vote unanimous.

C. Karl Fleurent – Re: Water Training Course

Mr. Belanger – Karl works for the water and he is taking a course to better himself. Want to have people move to the next level and Karl is doing that. He is asking whether the town would pay for that. Without collective bargaining Karl's position is to benefit the town that the town would compensate paying for the class itself.

Mr. Hobson – I think this is a collective bargaining issue. Negotiated when they do this.

Mr. Ristuccia – In the contract there is terminology and in my opinion it's gray.

Mr. Belanger – Vinnie and Jeff had a discussion about this and it was raised. Before we have a grievance its better that we discuss it first.

Mr. Fleurent – It's been a long time since I've been to class. There are a lot of new regulations and stuff. It's been about six weeks now and every time there is something new. More of a learning thing. 2001 is the last time I went. The more you know the better it is. It doesn't say what license you need but required. Every class you go to you get contact hours.

Mr. Ristuccia – The course is a license that is not required for the position. It's a T-2 and we no longer treat the water.

Mr. V. Furtado – The requirement for employment is for a D-3 and T-1.

**Town of Fairhaven
Board of Public Works Meeting
March 26, 2018**

Mr. Ristuccia – Its gray in the contract that the town will pay for training for licensing. The question is do we feel as though that the intent is to pay for any that he wants to take or pay for just what is required for here.

Mr. Wotton – This is for a T-2, he has a T-1?

Mr. Fleurent – Yes.

Mr. Wotton – What is the cost of the course?

Mr. Fleurent - \$800.

Mr. Wotton – Typically T-1 and get contact hours?

Mr. Fleurent – Every two years contact hours.

Mr. Wotton – Killing two birds with one stone.

Mr. Fleurent – Added to my contact hours.

Mr. Wotton– I don't think the problem lies with the board. The real issue is the daytime class; Monday at 1:00. Real issue is the \$800.

Mr. V. Furtado – Two issues; Karl leaves on Tuesday afternoon and we told him he had to use comp time to go and cost of the class.

Mr. Wotton - \$800?

Mr. Fleurent – Looking for both. That's the time the class is.

Mr. Wotton – Comp time you have earned isn't able to roll over at the end of the year.

Mr. Fleurent – Using my comp time it's a twelve week class.

Mr. Wotton – What would you think would be resolved? Everything went your way.

Mr. Belanger – Not his way. Exactly for him to better himself to get the license the position had come up. Bottom line what can I do better next time for a position. He did decide to get another license. Refer license are T-1, D-1, D-2 and D-3. He can't go take a lifeguard course. That is the training in collective bargaining further he has a T-1 and now going for a T-2.

Mr. Wotton – Issue here is the class is during the day so you want a ½ day pay for free. I'm not saying I'm against it or for it.

**Town of Fairhaven
Board of Public Works Meeting
March 26, 2018**

Mr. J. Furtado – As you know I did send Daryl to a class. Daryl's comp time is maxed out so we have to pay him. The class is at night. We are understaffed with license personnel. Meter reading had to be done and he had the opportunity to leave fifteen minutes early to take the D-1 which he needs. I just like Karl asked to take the T-2. I asked to be compensated and was told I couldn't. I went at night.

Mr. Ristuccia – Where is the class for T-2?

Mr. J. Furtado – They offer it at night in Holliston in the spring and at Cape Cod Community College in the fall.

Mr. Hobson – The question is he doesn't need the license to the job he's doing #1, and if he gets the license it's more money for having that license for we don't need. Another person went and paid for it himself and didn't ask for comp time. Give this to him and other people in other departments will want it. Jeff, are you going to want to be compensated?

Mr. J. Furtado – Yes.

Mr. Ristuccia – The way I look at this those two things are unrelated. Whether we feel we should pay for his course and not make him use comp time.

Mr. Hobson – How do they get comp time?

Mr. V. Furtado – Karl earned it when he worked as acting superintendent. We were without a superintendent for five to six months.

Mr. Hobson – July 1st, use or lose it.

Mr. V. Furtado – You can carry over forty hours.

Mr. Hobson- It should be negotiated in the contract. Should not be giving people special privileges.

Mr. Ristuccia – How many hours comp time do you have presently have?

Mr. Fleurent – About eighty or so.

Mr. Ristuccia – Assume that I am ignorant to comp time, what do you use it for?

Mr. Fleurent – For anything I want. Another two weeks' vacation I can use. I have until June to use it.

Mr. Silvia – What's the max on the comp? Jeff said Daryl has to get paid because he's at his max.

Mr. V. Furtado – No max until July 1st. You can only carry over forty.

Mr. Silvia – If Daryl's already over can't he get paid?

**Town of Fairhaven
Board of Public Works Meeting
March 26, 2018**

Mr. V. Furtado – The issue is if you want an employee to go for a license that is not required.

Mr. Belanger – There is a mechanism in the contract that allows you to do that. It allows for those two licenses. Jeff, do you have a T-2?

Mr. J. Furtado – Yes.

Mr. Belanger – So, does the town compensate you for the T-2?

Mr. J. Furtado – It will on my stipend.

Mr. Belanger - So you have somebody with a T-2 and the Town is compensating him.

Mr. Durant – One, using comp time for a license during business hours I am financially for it. One should have to use comp time during business hours. Others are being compensated financially makes me hold back that Mr. Fleurent should have to use his comp. I need more information.

Mr. V. Furtado - Nobody is being compensated during the day, only at night.

Mr. Ristuccia – Two issues; are we going to pay for the class? Second is comp time. Mr. Fleurent said the only class is Tuesday afternoons. The superintendent said that is not the case. Point is why did he take this class instead of at night? This young man chose it. He doesn't need this license for water. What does he want it for? No need to take this course right now. We've been gracious. Pay him and not use comp time, no. Agreement says to provide and make literature available to employee and pay for the course.

Mr. Hobson motioned to end the discussion and vote. Motion dies for lack of second.

Ms. Tripp – First of all, there is a budget line item for \$4,500 for professional training. That's not a lot of money and people still need training. I know Jeff asked Mr. Fortin to take a class and he said no because there was not enough money to take the class that was not needed. Mr. Fortin would sign up everyone for all the classes for the water personnel to take. He only scheduled classes that would pertain to this department. T-3 is in the contract is because years ago we used to treat the water at our pumping stations. We do not do that anymore. The only treatment we do is add chlorine to the water tanks.

Mr. J. Furtado– The reason why Daryl Snell is going at night because we are short staffed on licensed personal we now only have three licensed guys and one operator in training. We were down two employees and Daryl said he would like to do that at night so we gladly let him go at night so he can have a step ahead. That helped out with manpower during the day. Everybody agreed on it.

Mr. Ristuccia – How long has he been in the department?

Mr. J. Furtado – January 1st.

**Town of Fairhaven
Board of Public Works Meeting
March 26, 2018**

Mr. Ristuccia – We can't talk about whatever happened in the water department in the past and a lot of it wasn't done with good thought in mind. I would say looking at this again with those two issues the comp time is the comp time and as far as paying for the course maybe the board would want to pay for half.

Mr. Wotton - We've allowed you to have a town vehicle and gas. I think the town has been fair. What I would recommend going forward that we are going to be taking that out when we negotiate. The town has given you the vehicle. You should use your comp time. The license is not required for the job.

Mr. Ristuccia motioned to vote. Mr. Durant seconded. Vote 3-0 in favor with Mr. Hobson and Mr. Silvia not voting.

Mr. Hobson motioned that we pay or don't pay because the license because it is not needed. Motion dies for lack of second.

Mr. Ristuccia left the meeting at 7:00 and did not return.

Mr. Wotton motioned to pay for the class during operating hours, use a town vehicle and use comp time. Mr. Durant seconded. Vote 3-1 in favor with Mr. Hobson against.

V. Items for Action

A. Award Annual Bids #1-12

Mr. Hobson motioned to approve the low bidders for the annual bids items 1-12. Mr. Silvia seconded. Vote unanimous.

B. Insituform Technologies, Phase 2 Sewer Interceptor Rehab – Payment #1; \$11,115.00

Mr. Silvia motioned to pay Insituform Technologies Payment #1 in the amount of \$11,115. Mr. Hobson seconded. Vote unanimous.

C. Capeway Roofing – Wolf Island Road & River Road Pump Station Roof Replacement

- 1. Award Bid**
- 2. Sign Contract Agreement - \$103,200.00**
- 3. Notice to Proceed**

Mr. Silvia motioned to award the Wolf Island Road & River Road Pump Station Roof Replacement to Capeway Roofing and sign the agreement and Notice to Proceed. Mr. Durant seconded. Vote unanimous.

**Town of Fairhaven
Board of Public Works Meeting
March 26, 2018**

D. Denis L. Maher Co., LLC; Cleaning & Redevelopment of Wells

- 1. Sign Contract Agreements; \$30,600**
- 2. Notice to Proceed**

Mr. Durant motioned to sign the contract agreements with Denis L. Maher Co., LLC and the Notice to Proceed. Mr. Silvia seconded. Vote unanimous.

E. Water & Sewer Certifications

Mr. Silvia motioned to table. Mr. Hobson seconded. Vote unanimous.

F. EPA – Consent Order

Mr. Furtado – The final draft is for 8 ½ years.

G. Hart Engineering Corp., Inc.; Contract 29 Upgrade of WPCF – Payment #4; \$64,495.50

Mr. Hobson motioned to pay Hart Engineering Corp \$64,495.50. Mr. Silvia seconded. Vote unanimous.

VI. Tabled Matters

n/a

VII. Old Business / New Business

A. Superintendent

Mr. Furtado – I have to go to the selectmen's meeting tonight about budgets.

Supt. Report for March 26th, 2018:

From Last Meeting

- Checked with Town Counsel – cannot require 75% abutters consent for Hard Surface petition
- Conservation ok with maintaining path at Billy's Way
- If Driveway violations is pulled out of Bylaw lose right to easily seek small claims damages
- Put shells and driveway at Hoppy's on weather and time permitting to do list
- Starting in March 2019 we will open, weather permitting, Saturdays only
- Manhole on Briercliffe secured

**Town of Fairhaven
Board of Public Works Meeting
March 26, 2018**

New Items

- Work on water/sewer revenue/expense sheets
- EPA negotiations continue – EPA agrees on our final offer – administrative order is drafted
- Attend Selectmen’s meeting about water budget
- Snow event – plow all day
- Attend BBAC meeting
- Attend Fincom – BPW budgets were presented
- Resident – Turner Ave abatement issue
- Review draft Town Meeting warrant
- Begin coordination of Green St project public meeting
- Attend meeting with Public Safety Re: radio tower improvements
- Attend meeting re: Union Wharf Public Safety
- Recycling Center resident brush day
- Sewer Department receives pilot plant grant
- Attend/chair MRV meeting
- Attend Sewer Upgrade construction meeting with Hart Engineering
- FEMA pre-approval reimbursement submitted for storm event (rain) of 3/2 and 3

B. Board Members

Mr. Hobson – Academy and Main Street, we keep giving them a snow drift. Person who owns opposite the stone academy where it crosses Main Street there was 4’ of snow on his sidewalk. Make Mr. Charbonneau aware of that. Sewer cover on Sconticut Neck Road and Briercliffe is getting worse. When you come off the Island there is some brush hanging over Sconticut Neck Road.

The water line at Union Wharf?

Mr. Furtado – It’s for the public safety building there.

Mr. Hobson– I’d like to know more about comp time.

**Town of Fairhaven
Board of Public Works Meeting
March 26, 2018**

Mr. Durant – Old business possible new subcommittee I'd like to postpone until we have a board of five.

C. Marine Resources Committee – BPW Related Matters

VIII. Set Date for the Next Meeting

Mr. Wotton motioned to hold the next meeting on April 9, 2018 at 6:00 p.m. Mr. Hobson seconded.
Vote unanimous.

IX. Adjourn and Executive Session

Mr. Hobson motioned to adjourn the open session at 7:40 p.m. and not to reconvene in open session to discuss the BPW Superintendent's Employment Agreement. Mr. Durant seconded.

In favor: Mr. Wotton, Mr. Hobson, Mr. Silvia and Mr. Durant.

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant

Minutes approved on April 9, 2018.