

**Town of Fairhaven  
Board of Public Works Meeting  
July 2, 2018**

**Present**

Brian Wotton, Commissioner  
Keith Silvia, Commissioner  
Robert Hobson, Commissioner  
Michael Ristuccia, Commissioner  
Vincent Furtado, BPW Superintendent  
Rebecca Vento, Administrative Assistant  
Doug Brady, 97 Pleasant Streets  
Ming Chow, 23 Shore Drive  
Wayne Oliveira, 125 Bridge Street  
Antone Medeiros Jr., Contractor  
Regina Sisk, 6 Nonquitt Avenue  
Frank Coelho, 170 Dogwood Street  
Sallie Johnson, 26 Hathaway Street



Mr. Durant was not in attendance.

**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. June 18, 2018**

Mr. Hobson motioned to approve the minutes from June 18, 2018. Mr. Silvia seconded. Vote unanimous.

**IV. Appointments**

**A. Doug Brady, 97 Pleasant Street – Re: Sewer Laterals**

Mr. Brady - The board decided a few months ago to remove the clause in the by-laws regarding removing tree roots from a private line. My line gets affected a few times per year. If I was an irresponsible homeowner and I put things down my pipes that do not belong I would understand why the town wouldn't be responsible. I do not have a garbage disposal and I put all my grease in a can than throw it into the garbage. My sump pump and gutters drain into my yard. There is a town tree that's causing damage to my line and I am not able to do anything with the tree since it's on town property. In the past they have put a camera down my line and it shows tree roots. The only way to fix the issue is to

**Town of Fairhaven  
Board of Public Works Meeting  
July 2, 2018**

cut the tree down or to put root-x and Drano down my pipes to keep the roots at bay. I am coming before you because I am paying anywhere from eight hundred to one thousand dollars per year to have the tree roots cleared from my line. If the policy was removed due to a liability issue maybe you should make a firmer policy instead of eliminating it all together. If it's a budget issue maybe there should be a separate line item for clearing lines that are blocked due to roots from a town tree. I am here to try to figure out how we can reinstate and enforce the policy so isn't being abused.

Mr. Hobson - I understand what Mr. Brady is saying. Something's make sense and something's do not. The town is only responsible for making sure the main is clear. If the blockage is after the main then the homeowner would be responsible. If the pipes didn't have holes in them then the roots wouldn't have any way of getting into your line. If you are having the problem more than once a year you should have the pipe changed.

Mr. Brady - The roots are not coming in through the center of the pipe they are coming in where the pipes come together at the fittings. The pipe is fine it's where they are connected that is the problem.

Mr. Ristuccia - Is the pipe clay or cast iron?

Mr. Brady – Clay pipe. If the trees were not, there I would not have the issue.

Mr. Furtado – There is a company that the Royal of Fairhaven hired a few years ago to reline their pipes. Anyone that has tree roots that infiltrate the pipe wants the tree to be taken down.

Mr. Ristuccia - Instead of going through this all the time maybe the town can pay a portion of having the pipe relined.

Mr. Furtado - If we do this for Mr. Brady then this will be the policy going forward. I do not think we want to do that.

Mr. Brady – The tree roots burrow through and cause damage. If the town never planed the tree, I would not have this issue.

Mr. Ristuccia - If the tree was cut down tomorrow would the tree roots still grow?

Mr. Wotton- Yes, they would grow for a couple years until the roots decay.

Mr. Ristuccia -The board voted to get rid of that by-law because of clay pipes. When we run the jet rodder through the pipe we take risk of damaging pipes.

Mr. Brady - How many pipes have been broken in the last five years from clearing tree roots?

Mr. Hobson - How many people on your street have this problem?

Mr. Brady – No one else has an issue. The policy should be made clearer to protect yourself. The homeowner should be made responsible to clear a path so everyone is safe.

**Town of Fairhaven  
Board of Public Works Meeting  
July 2, 2018**

Mr. Wotton - Are you currently having an issue?

Mr. Brady- No, the last issue that I had was about a month ago. I have had one issue this year, two issues last year and one issue the year before that.

Mr. Wotton- How old is the house?

Mr. Brady – It was built in 1905

Mr. Wotton – The house is one hundred and thirteen years old. Here's my suggestion since I'm not in favor of putting this back into the bylaws. You have an eight foot sections from curb to your house.

Mr. Brady - Yes, eight feet from my stairs to the street.

Mr. Wotton – There is one of two trees that are causing the problem. Since the trees appear to be equally spaced I am guessing that the brake is in the vicinity of the sidewalk area. You wouldn't have to replace the whole pipe probably just eight to twelve feet of pipe. Also, the tree should have been taken down a long time ago. If you did replace your line with PVC pipe and still had the issue I would send someone from the sewer department to clear you line.

Mr. Furtado - Now that the pipe isn't blocked we could camera the line to see exactly where the block occurs. You should really repair the entire length.

Mr. Brady – Ninety percent of what you say is correct. Why should I be responsible for a town tree?

Mr. Wotton – The roots are going into the pipe where it is broken. Whoever installed the pipe into sections should have installed it in one solid piece.

Mr. Hobson – We could ask the tree warden to cut down the tree.

Mr. Brady - I would like it replaced.

Mr. Ristuccia - I'm in favor of assisting this man with should help him either having the pipe lined or replaced. I would rather see the pipe be relined.

Mr. Hobson - Then everyone in town that has this problem would want the same thing.

Mr. Ristuccia – How many times have you had the roots cleared from you line?

Mr. Brady – five to ten times in the last five years.

Mr. Ristuccia - Somewhere in the middle is common ground. I think that we should find it.

**Town of Fairhaven  
Board of Public Works Meeting  
July 2, 2018**

Mr. Hobson – I don't think that we should have a pipe lined that is on private property. That is the homeowner's responsibility.

Mr. Brady – The BPW previously put section d into the by-laws knowing that this would be an issue going forward.

Mr. Wotton –The town doesn't want the cost of having to fix your pipe if they break it while they are trying to clear your line. We can put a camera down the pipe to see exactly where it is getting blocked. I want to know exactly where the issue is so we can discuss the by-laws at a future time.

Mr. Brady –The policy should state that if the issue is not a town tree the homeowner should be charge for having someone come out to their property.

Mr. Wotton - We will look at your line to see where the issue is. Then we will look at the policy and see if we should make amendments.

Mr. Furtado - town counsel advised us in today's world we should not be going into residential properties.

**B. Ming Chow, 23 Shore Drive – Driveway Waiver**

Mr. Chow - I don't have enough parking. I only have enough room for one car.

Mr. Furtado – The current driveway has a twenty foot opening and he is looking for a second driveway with a sixteen foot opening.

Mr. Ristuccia motioned to approve a second driveway opening for 23 Shore Drive for 16 feet. Mr. Hobson seconded. Vote unanimous.

**C. Wayne Oliveira & Antone Medeiros, 125 Bridge Street – Driveway Waiver**

Mr. Medeiros - We are looking for a second driveway opening with a twenty foot opening on Holcomb Street. This property is located on the corner of Bridge Street and Holcomb Street.

Mr. Silvia motioned to approve a second driveway opening for 125 Bridge Street for 20 feet. Mr. Ristuccia seconded. Vote unanimous.

**D. Regina Sisk, Bike path Ice Cream Vendor**

Ms. Sisk- I own a property on Nonquitt Avenue. I have previously talked to Matt Coe's from the Bike Path Committee and he was enthusiastic about my idea. I will be selling prepackaged novelties.

Mr. Ristuccia - I can't vote on this matter. I previously had an ice cream cart and town counsel advised me not to vote on this matter.

**Town of Fairhaven  
Board of Public Works Meeting  
July 2, 2018**

Mr. Silvia motioned to approve Ms. Sisk as an ice cream vendor. Mr. Hobson h seconded. Vote 3-0 in favor Mr. Ristuccia abstained.

**E. Frank Coelho, Security at Little Bay**

Mr. Coelho - A few months ago Mr. Silveria appeared before the Selectmen. He wanted to repair a shed near the bike path. Mr. Ristuccia stepped up and said that it wouldn't be a problem to put security cameras there. I was just looking to see what the progress was.

Mr. Wotton – They have pulled that project.

Mr. Coelho -There will not be any security cameras being placed there? There is a lot of vandalism there. I feel like this is being neglected. I think now would be a great time to put the cameras up.

Mr. Ristuccia - We said that we would put the cameras up when the young man did the work to make sure that it didn't get destroyed.

Mr. Wotton - I think that was easier said than done. With no Wi-Fi and no power, it would be tough to put cameras up there.

Ms. Johnson - You can't ever see it because it's all overgrown with brush.

Mr. Furtado - This is a piece of property we are responsible for. People use this property as a dumping ground due to where the property is located.

Mr. Coelho- If you're not going to put up cameras could you at least clean up the brush?

Mr. Furtado -We can clean up everything that we can reach.

Ms. Johnson - It would be nice if they could clean it up and cut around the benches on the south side of the parking lot. Especially for Memorial Day, the Fourth of July and Labor Day.

Mr. Wotton - The problem is you have a public right away that is accessible by vehicle and no one goes does there. People dump debris and no one sees them doing it.

Ms. Johnson – People are also walking their dogs without having them on a leash.

Mr. Wotton – Since we have no jurisdiction over that I would call animal control officer to discuss this situation.

Ms. Johnson –I have previously spoken with the animal control officer and she said that the BPW needs to put up signs.

**Town of Fairhaven  
Board of Public Works Meeting  
July 2, 2018**

Mr. Furtado – I can see if we have any signs and if we do we can put them up. If they are still walking their dogs without a leash after the signs are put up than that would be a police or animal control officer issue. I will also check with the Selectmen before we put the signs up.

Mr. Coelho - If you look at some of these pictures you can see the signs that were previously there.

Ms. Johnson - I will pay for the signs if you don't have them as long as you can have someone put them up.

Mr. Hobson - I think that Mr. Coelho and Ms. Johnson made some good points. I would like to see the town get a portable camera where there are trouble spots to try to help with vandalism.

**V. Items for Action**

**A. West Island Town Beach Functions**

Mr. Furtado - The reason why this is on the agenda is because quite a few people come before me to get permission to use town property for parties. We had a graduation party a few weeks ago and someone drove a truck on the beach and they were a little close to the piping plovers. We would like to eliminate parties at the West Island Town Beach.

Mr. Hobson - I don't think that this is the proper place for parties.

Mr. Furtado - This is an accident waiting to happen. I just wanted to make you aware that we are going to deny these events going forward.

**B. Tighe & Bond – Revised Proposal for Water & Sewer Rate Study and Affordability Analysis \$29,500**

Mr. Furtado - Tighe and Bond will look into what it will cost for the final upgrade in 2026, what the sewer rates will be and what percentage is that to the median household income.

Mr. Hobson motioned to approve the payment of \$29,500 to Tighe and Bond for the Water & Sewer Rate Study and Affordability Analysis. Mr. Silvia k seconded. Vote unanimously.

**C. Appointment to the Marine Resources Committee**

Mr. Coelho - I would like to recommend to the board that the two members that were previously assigned to the Marine Resources Committee be reappointed.

Mr. Ristuccia motioned to appoint Mr. Hobson as a full time member and Mr. Silvia as the alternate member. Mr. Silvia seconded. Vote unanimously.

**Town of Fairhaven  
Board of Public Works Meeting  
July 2, 2018**

**C. Hart Engineering – Payment # 7 \$535,420.00**

Mr. Silvia motioned to approve Hart Engineering payment # 7 in the amount of \$535,450. Mr. Ristuccia seconded. Vote unanimous.

**VI. Tabled Matters**

**A. Sewer Use Ordinance**

Mr. Furtado - The previous by-law in section d went into effect three years ago. The current policy reads that if the main is flowing freely and it's the private line that is blocked the homeowners is responsible to have the block cleared. The by-law previously read that if the line was blocked by a town tree that we would remedy the issue. Back in January, we removed tree roots issues from the by-laws. We can change it, table it whatever you want to do. Most municipalities don't deal with tree roots. Public lines are owned by the town and private lines no matter what the length is are owned by property owner. For example the City of New Bedford's policy is the same as ours. The only difference is if there were tree roots, they remedy the problem for one year. After a year, the homeowner would be responsible from there on after.

Mr. Hobson - I think we should have the same policy if you want to add to it.

Mr. Furtado –I want to make it crystal clear for people to understand. If we decide to make the policy, we should have something that the homeowner would sign stating they understand the procedure.

Mr. Wotton – Lets have Mr. Furtado rewrite the policy and then we can discuss it again at the next meeting.

**VII. Old Business / New Business**

**A. Superintendent**

**Supt. Report for July 2<sup>nd</sup>, 2018**

- Host department head meeting
- Attend SRPEDD and JTPG meetings with Town Planner
- Contact Crotty re: property at 3 North St
- Legal research re: River Rd Water Pump Station
- Follow up with insurance for various WC issues

**Town of Fairhaven  
Board of Public Works Meeting  
July 2, 2018**

- Vector training on site
- Meet with Lloyd Center reps re: beach status
- Meet with NFIA re various issues
- Contact union re issues
- POTW construction progress meeting
- Begin process to have Reynolds Drive accepted
- Email to various Green St residents re: project update focusing on trees
- Retirement Parties for Kathy Tripp
- Attend monthly BBAC meeting

Mr. Furtado –Ms. Tripp retired after 40 years on Friday. I want to wish her the best of luck in her retirement. In addition, the water department is looking to institute a voluntary water ban. We are having trouble keeping up with the demand since the Tinkham Lane well is being rebuilt. I would like you to approve a voluntary water band.

Mr. Hobson motioned to approve a voluntary water ban. Mr. Silvia seconded. Vote unanimous.

Mr. Furtado –Last year we approved Little Peoples College to use Livesey Park restrooms during their fieldtrip. We received an email again this year requesting the same thing.

**B. Board Members**

Mr. Hobson – Monondach Avenue and Sippican Street the road was never patched. There are still quite a few potholes. At the end of Winsegansett Avenue, there are a few holes there as well. Did we send a crew to pasta house?

Mr. Furtado –Yes, I was going to put the Pasta House on the next agenda to discuss.

Mr. Hobson - Why don't we send them a bill since we have to keep going there?

Mr. Furtado – We need them to come to the next meeting. They need to have a grease trap installed.

Mr. Ristuccia – There are shrubs on the northwest corner of Pleasant Street and Farmfield Street that are overgrown and unsafe. We need to send them a letter.

Mr. Wotton – On Nakata Avenue there are a few monster potholes that kids riding bikes have to go around.



**Town of Fairhaven  
Board of Public Works Meeting  
July 2, 2018**

Mr. Hobson – The recycle center need to get onboard. We need to see if we can move it to Bridge Street.

Mr. Furtado – It all depends if the police department is going to move there.

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

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

Mr. Ristuccia motioned to hold the next meeting on July 16 at 6:00 p.m. Mr. Silvia seconded. Vote unanimous.

**IX. Adjourn**

Mr. Ristuccia motioned to adjourn the meeting at 7:50 p.m. Mr. Silvia seconded. Vote unanimous.

Respectfully submitted,

Rebecca Vento  
Administrative Assistant

Minutes Approved on July 16, 2018