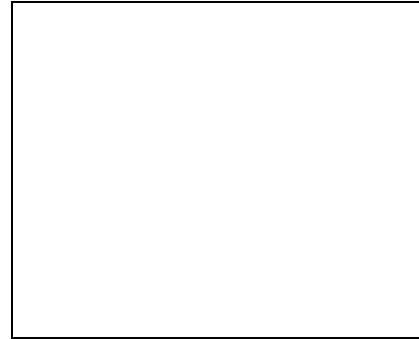


**Town of Fairhaven
Board of Public Works Meeting
April 22, 2020**

Present

Brian Wotton, Commissioner
Robert Hobson, Commissioner
Cameron Durant, Commissioner
Keith Silvia, Commissioner
Frank Coelho, Commissioner
Vincent Furtado, BPW Superintendent
Rebecca Vento, Office Manager
Rodney Immerman, 13 Fort Street
Karen Vilandry, 34 Huttleston Avenue
Gary Lavalette, 4 Bellevue Street



I. Call to Order

Mr. Wotton called the meeting to order at 6:02 p.m.

Mr. Coelho notified the chairman that he was taking an audio recording of the meeting.

II. Routine Matters

A. Signing of Departmental Bills

III. Approval of Minutes

A. April 6, 2020

Mr. Hobson motioned to approve the minutes of April 6, 2020. Mr. Durant seconded. Vote 4-1 with Mr. Coelho opposed.

Mr. Hobson – Why are you opposing the minutes?

Mr. Coelho – The minutes are incomplete. I must have spent about five minutes speaking of different issues and there is nothing showing.

Mr. Wotton – Is there a certain section that you would like to talk about?

Mr. Coelho – Last time I talked about it there was not anything in the minutes so there is no sense of me discussing it again. I do not know who justifies what goes into the minutes and what does not. I spoke about the minutes from the previous meeting and there is nothing on here about that.

Mr. Hobson – What is the point?

Mr. Coelho – The point is I rejected the minutes because they are incomplete.

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Mr. Hobson – Do you want to bring up what is not there?

Mr. Coelho – I spoke about two things. The first thing that I spoke about was the Pasta House and secondly I asked about the Conflict of Interest with the chairman.

IV. Appointments

A. n/a

V. Items for Action

A. COVID-19 Matters

Mr. Furtado – We received a call about Fort Phoenix, people have concerns that we are leaving the gate open. I just want to bring it up again just in case the Board wants to change their decision from last meeting.

Mr. Hobson – I have received a lot of calls from residents because they are happy that the Town side gates are being left open. There are also a lot of people that are unhappy because the State side is closed. The people that I have talked to went down to the State side and they do not understand why they have to park on the side streets when they could be parking in that parking lot. They do not understand why they cannot sit in their cars six feet apart to read the newspaper and watch the seagulls and boats go by. I would like to recommend that you call Mr. Straus and the State and tell them that there are two different issues here. People that live on the side streets are being bombarded with people parking in front of their properties because they want to get out of their houses to get fresh air and the parking lots are closed.

Mr. Furtado - The issue is the Governor has closed parking lots.

Mr. Hobson – The Governor closed the beaches.

Mr. Furtado - The reason why the State side of Fort Phoenix is closed and the Town side is still open is because the Board decided to leave the Town side open at the last meeting. The few times that I have gone by there, I have seen people in their vehicles, which I do not see a big deal with. I told the people that called that I would bring it back up to the Board tonight to see if you wanted to close the gates.

Mr. Hobson – I am kind of against closing the gates because people in New Bedford are parking and walking the dike and Fort Taber to get fresh air. I think that it is ridiculous that the parking lot on the State side is closed.

Mr. Immerman - My concern with the parking lots being closed have nothing to do with people parking on the side streets. I think that closing the parking lot would send a message that people are supposed to be staying home.

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Mr. Coelho – The day that I was down there and I called about the trash being all over the place they had just opened the gate on the Town side because it was locked. There was an Environmental Police Officer that was down there and someone that was down there told him that I was on the Board and he came and asked how we could keep the gates open. I then tried to call Mr. Charbonneau but he was not in the office, I then spoke with Mr. Furtado and he said that the Board of Health Agent was the one who got them to open the gate.

Mr. Furtado – We can either close the gates like Mr. Immerman is suggesting which would follow suit with what the Governor is asking to be done or we keep them open like Mr. Hobson is suggesting. Whatever we do, we need to encourage social distancing.

Mr. Immerman - I have noticed a number of times that there is one person in the vehicle and there is another person standing in the street less than two feet apart talking and neither of them have masks on. People just do not get it. If you do not allow parking in the parking lots it sends a message that people should think twice about going there.

Ms. Vilandry – I have been by the Fort a few times and the place is packed. I look at it this way, the Governor has given us strict direction to close all beaches and parks. Massachusetts is now a hotspot and we need to follow the direction of the Governor to stay home. All the people that are parking there whether it be in the parking lot or on the side streets, it is too much. I think that the sign they have about COVID-19 should be put at the bottom of Green Street or Fort Street We have government officials that are trying to protect us. Why can't the gates be closed on the Town side like the State side? It makes sense to keep everything together.

Mr. Hobson - I can go to the Dollar Store, Walmart, Stop and Shop, Cumberland Farms and other places. A lock down is a lock down but enough is enough. People need to be able to get around and walk their dogs. The problem at the Fort is the big parking lot is closed and people are bunched up in the little parking lot and on the streets. I think people should abide by keeping social distances.

Mr. Coelho – I have one question. Last time the gate was open it was authorized by the Board of Health, if it is their responsibility should we be making this decision.

Mr. Furtado - It was never her responsibility. She has the ability to overrule us because the Board of Health has more power than we do in this situation. The reason why the gate was closed is because when the chief was giving direction to his officers they did not realize that there was a State side and a Town side, he then sent a message to all the officers letting them know to keep the Town side open.

Mr. Durant - In a perfect world if we said that everyone could go look at the view but stay in their vehicles then I think that we could leave the gate open. I was against keeping the Recycling Center open for this reason. The last time we met, I was ok with keeping the gate open at Fort Phoenix because I was hoping that people would stay in their cars. At this time, that has not been the case and I think it is time to close Fort Phoenix and the Town Beach since we cannot make people stay in their vehicles.

Mr. Silvia - I think that even if we do close the gate people will still park on the side streets and get out and walk.

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Mr. Hobson motioned to keep the gate on the Town side at Fort Phoenix open and the West Island Town Beach open. No one seconded the motion. Motion failed.

Mr. Durant motioned to temporarily close the Town parking lot at Fort Phoenix and West Island Town Beach. Mr. Coelho seconded. Vote 2-0-3 with Mr. Wotton, Mr. Hobson and Mr. Silvia abstaining.

Mr. Furtado - We received a call today about kids playing basketball at Livesey Park. Many communities are taking down the hoops. Starting tomorrow we will be locking the gate instead of taking down the hoops.

Mr. Coelho - I think that the BPW should look into getting a doorbell. When I went there today, I knocked on the door and no one heard me.

Mr. Furtado – I think you are right. Mr. Coelho came in to sign the bills and we did not hear him knocking on the door.

Mr. Hobson – How long are we going to be on the split schedule with the employees. I see a lot of roadwork to be done and grass to be cut. Why can't we have groups of three working?

Mr. Furtado – We cannot do that at this time. I want to integrate the people too but we need to keep everybody safe.

Mr. Hobson – How many people are working?

Mr. Furtado – We have half the crews from all three departments.

Mr. Hobson - Why can't we break that down and have six, six and six?

Mr. Furtado - We have to respect social distancing. At this time, we have one person per truck. There are plans to integrate people back but we want to do this as safely as possible. People may have to start wearing a mask, we may have to start taking temperatures, and it will all depend on what the Board of Health will require us to do when the employees come back. We are trying to do this so the public and employees are safe. For example if we were not doing split shifts and someone from the Sewer Department were to get sick then we would have to quarantine the whole department and then we would have to hire an outside company to run the plant for at least two weeks.

Mr. Wotton - If one-person tests positive than everyone that has been in contact with that person would have to self-quarantine for at least two weeks.

Mr. Furtado – Anyone that is home is on call and we have had to call people in.

Mr. Durant – Should we mandate that everyone that is working in the office be wearing a mask?

Mr. Furtado – There are times that they do. With the methodology that we are using we are practicing social distancing. Not including Ms. Vento, we normally have four girls in the office but at this time, we

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only have two girls in the office at a time. Whenever we get back together wearing a mask might be the normal for a while.

Mr. Durant – I think that we should be doing it now because if I sneeze or cough and I am six feet away from that person even after I walk away the virus will still be present.

Mr. Wotton – When I was in the office to sign the bills, the employees were sanitizing and they were spaced apart and it did not seem like there was any physical contact between them. I agree if they are going to get closer than they put a mask on. We also need to make sure that we are sanitizing and spraying things down on a regular basis.

Mr. Furtado – Ms. Vento sanitizes multiple times a day and Ms. Schick has been nice enough to supply the BPW with gloves, masks, hand sanitizer, disinfecting spray and disinfecting wipes. We also have hand sanitizer in every vehicle.

B. Marine Resources Representative

Mr. Wotton- Every April we pick the representative that will represent the BPW on the Marine Resources Committee. Does anyone have any interest in sitting on this Board?

Mr. Coelho – Before you put that to a vote I just would like to remind the Chairman that the Board of Selectmen have asked that there is no vote taken until after the election. If you choose to vote, technically you are not even in office. You are just in office because the Board of Selectmen extended the voting day. I think that you should check with the Selectmen first, because they extended the election, secondly they are not making any appointments until after the election.

Mr. Hobson - I used to be the representative and when Mr. Coelho was elected, I gave up my seat to him because he was the chairman of that committee. I do not have a problem with waiting until after the election in May to make this decision.

Mr. Hobson motioned to table the Marine Resources Representative until after the election. Mr. Coelho seconded. Vote unanimous.

C. Recycling Center Hours

Mr. Furtado - When the Board voted a few meetings ago they voted to open the Recycling Center Wednesdays and Saturdays for the month of April. My recommendation is to keep the hours the same. I am bringing this up because the next meeting is in May and the hours that were set were for the month of April.

Mr. Durant – Why do we only pick up for yard debris the month of November? How much does it cost?

Mr. Furtado - When the Town went to the cart program back in 2013 one of the things that we gave up was the leaf collection. We then added it back in for four weeks a year and that costs us roughly about

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five thousand dollars a week. If we were to pick up weekly, that would cost us roughly two hundred and fifty thousand dollars.

Mr. Wotton – If I recall correctly the cost was around three hundred thousand dollars a year to pick up weekly.

Mr. Furtado - We pick up the month of November because we have the recycling center but that's when we get the most clamoring from residents because there are a lot more leaves than brush that time of year. Right now, our contract allows us 4 weeks and we thought that the four weeks in November would be the most beneficial to the Town.

Mr. Wotton – Right now ABC is not picking up anything but garbage and if we were in contract with them, they would still be collecting the money but not picking up the items. At the rate of three hundred thousand dollars a year, it does not take long to pay for a million dollar Recycling Center.

Mr. Hobson – At the Recycling Center they do not only take brush and yard debris. People take their TVs, air conditioners, refrigerators, mattresses, box springs and tires there as well. I would like to see the hours go back to normal now that people are out of work. I do not think that two days a week is enough.

Mr. Silvia - I did not think that they were taking TVs and stuff now, I thought that they guys just stayed in the trucked and told them where to put their brush or leaves. I think that we should open the regular hours.

Mr. Furtado - We have been very lenient with letting residents go and dump with last year's sticker due to the circumstances. If we are going to open the Recycling Center on the regular hours than I think that we should require 2020 stickers. I do not think that we should open on the regular hours but that is up to the Board. The office is not open to the public but we are open for business. When getting a sticker the whole issue is trying to get a copy of the vehicle registration.

Mr. Wotton - One thing that we need to do is come up with a system for dropping things off.

Mr. Furtado - We will be getting an old mailbox next week from the post office, we will be painting it white and putting the Town Seal on it for people to drop stuff off.

Mr. Wotton - We need to implement a system now that way in two weeks we have a system in place. We also need to have something outside for people to take an application and then they can go back to their vehicles fill it out and then drop it in the drop box. If a resident needs to go to the Recycling Center before they have their sticker, they can call the office and we can help them out. I firmly believe leaves and brush only at this point because anything else requires the gate attendant to get out of the truck and open the container or maybe even assist someone in moving an item. The other thing is we need to keep the person in the truck and there should be no physical interaction with the residents. In addition, the person that is working at the recycling center should be wearing some sort of PPE, whether it be a face shield or mask.

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Mr. Furtado – Not to be fresh but a piece of brush in someone’s yard is not an essential service and we are putting our employees at risk. If you want to open it more just remember that we are only at 50% staffing and you are losing the person that you are putting at the recycling center.

Mr. Wotton – How about opening the recycling center for a full day with the exception of his lunch hour.

Mr. Silvia motioned to open the Recycling Center for the month of May on Mondays and Wednesdays from 8:15 a.m. to 3:30 p.m. with the exception of the lunch break from 12:00 – 12:30 and Saturdays from 8 a.m. – 2 p.m., Mr. Coelho seconded. Vote 4-0-1 with Mr. Durant abstaining.

D. Grease Trap Checklist

Mr. Furtado - This is the draft of the grease trap checklist that you asked me to put together. If anyone wants to make any changes please let me know.

Mr. Furtado reviewed the Grease Trap Checklist with the Board.

Mr. Furtado- This was taken from the Sewer Use Ordinance that was voted on back in 2015. The BPW has the jurisdiction of approving an internal or external grease trap and no bathrooms.

Mr. Durant - Who is responsible for the upkeep?

Mr. Furtado – The property owner.

Mr. Durant – Who do they notify, the Board of Public Works, the Board of Health or the Plumbing Inspector?

Mr. Furtado – By the regulations it is the Board of Health.

Mr. Durant - What is the penalty for the property owner ignoring the upkeep?

Mr. Furtado – In the Sewer Use Ordinance there is a violation section, which references Mass General Law. We would have to look at Mass General Law to see which one would allow us to do that. It is so much per violation per day.

Mr. Durant - I think that you should add who is responsible for enforcement to the checklist.

Mr. Wotton - I think the last time that Ms. Kellogg was here discussing this she said that she was in charge of making sure that the grease traps are kept up.

Mr. Silvia - On bullet number five I would like to have the wording changed a little bit. I would like it to be changed to a stamped complete detailed set of plans. This change would not only be for us it would be for the plumbing inspector and Board of Health to see exactly what is going to be done.

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Mr. Furtado – Typically there is a preconstruction meeting before a project is started but that never took place because of everything that is going on with the virus.

Mr. Durant - The system is in place now. Do we have to share this with the Board of Health and Plumbing Inspector for their review?

Mr. Furtado – No, there is nothing on the checklist that they are not already doing.

Mr. Wotton – No, this is just the information required by the Board of Public works to get the plans approved.

Mr. Silvia motioned to adopt the grease trap checklist with the amendments. Mr. Coelho seconded. Vote unanimous.

E. Synagro - Amendment #2 to Materials Management Agreement

Mr. Furtado – This is for the company that takes our waste away. This amendment would not have any changes in the fees it would just be for a one-year extension to their current agreement that expires in 2020.

Mr. Hobson motioned to except the Synagro Amendment # 2 to the Materials Management Agreement. Mr. Durant seconded. Vote unanimous.

F. Draft Access Agreement, Acushnet Company, 333 Bridge Street

Mr. Furtado- The Town has been maintaining a drainage ditch on the west side of the Acushnet Company for a very long time. This drainage ditch handles the overflow from Bridge Street and Route 240. They had an audit done and their auditor asked if there was an access agreement with the Town. Since we could not find anything, their attorney got in touch with our attorney and this draft was created. This Agreement is giving us permission to maintain the drainage easement that we have been maintaining for forty years.

Mr. Silvia motioned to accept the Draft Access Agreement with Acushnet Company. Mr. Durant seconded. Vote unanimous.

G. Stantec – Amendment #2 New Effluent Disposal at West Island Wastewater Treatment Facility

Mr. Furtado - This is just to push the date back for the completion of this project. They were supposed to be done with this on February 28 but due to the virus, they have pushed the date of completion back.

Mr. Coelho - Is this well up and running?

Mr. Furtado – Yes, one of the wells are.

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Mr. Coelho - When will they start the second well?

Mr. Furtado - Everything is up in the air because of the virus. Everyone is working a skeleton crew.

Mr. Durant motioned to approve Stantec Amendment #2 New Effluent Disposal at West Island Wastewater Treatment Facility. Mr. Hobson seconded. Vote unanimous.

**H. Dankris Builders Corp., Tinkham Lane Pump Station Modifications,
Payment #5 \$65,684.71**

Mr. Furtado – This payment is for the pump, the electrical and the fence at Tinkham Lane Pump Station.

Mr. Coelho - Is the well running at full speed?

Mr. Furtado - No, the DEP was scheduled to come last week and it has been pushed back until this Friday. Once we get the DEPs approval then we can get it up and running at full speed.

Mr. Coelho - I hope that you told them that they are costing the Town money.

Mr. Coelho – You are right. In the past, we would have to pull water from Mattapoisett’s wells in the summer and then they would pull from our wells in the winter and call it a wash. Now they are charging us for water that we have to take from their wells.

Mr. Coelho - Next time we put something like this together maybe we should put a time frame on how long until the project is complete.

Mr. Silvia motioned to bring Dankris Builder Corp. Tinkham Lane Pump Station Modifications to the table. All Board Members were in favor.

Mr. Silvia motioned to approve Payment #5 in the amount of \$65,684.71 to Dankris Builders Corp., for Tinkham Lane Pump Station Modifications. Mr. Hobson seconded. Vote unanimous.

VI. Tabled Matters

A. Contract Agreement WasteZero

VII. Public Comments / Open Forum

VIII. Old Business / New Business

A. Superintendent

Superintendent Report for April 22, 2020

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- Highway crew put caution tape around all playground equipment
- Highway crew picked up bags at Long Rd
- Drafted mailing explaining extension of water/sewer payment due date
- Drafted StormWater water bill insert which we were required to send per our permit
- Attended Selectmen's meeting to have them waive penalty and interest for 30 day extension of Water/Sewer payment due date
- Water/Sewer Invoices were mailed
- Draft Grease Trap Checklist for Board review
- Attended Selectmen's meeting to report Departmental Covid-19 status update
- Plate glass company takes measurements to install security measures at BPW service counter
- Attend weekly Department Head Meetings - most centers around Town's Covid-19 response
- Concom NOI's submitted for work on Billy's Way and Farmfield St
- Attend monthly MRV meeting
- Check with engineer additional cost for electrical conduit for lighting
- Jeff and I attend meeting with Water Engineer re: bidding for remote system - we are going to need more \$\$
- Meet with GCG re: project update
- Gravity Construction issued Notice to Proceed for Hedge St CDBG Phase 2
- Write/send MRV approval letter for Braley Rd solar array project

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Mr. Furtado – I have some information in regards to the sidewalk project that we are looking to do on Walnut & Williams Street. I was told that the CPC approved one hundred eighty five thousand dollars for this project. After looking into it, I could only find an article that was voted on at Town Meeting for ninety two thousand dollars. We are going to have to do one of two things. We can do half the project or wait until Town Meeting and request the rest of the money. I contacted the engineer to see how much extra it would cost to add the conduits and he thought the whole project with the engineering would cost about two hundred thousand dollars.

Mr. Wotton – I do not think that we should open the sidewalk up unless we are going to do the whole project.

Mr. Furtado – I absolutely agree. We are going to wait until we have all the money for the project before we start it. The second thing that I would like to bring up is whenever we have the Town Meeting I will have to amend the Water Budget. In October 2018, I received a price of 1.5 million dollars to have the AMR installed. Originally, our thought was that after we read the meters in the fall of 2020 we would start to have the work done for the new AMR system. They would have from October 2020 to March 2021.

Mr. Durant – How much does it cost now?

Mr. Furtado - It is over two million dollars for the system. With the new system, we will be eliminating man-hours to read meters. The 1.5 million dollars is for the drive by system and everyone in town will get a new meter and we would get a van equip with the meter reading equipment. Now that the cost are so close we figured we would skip the first step and go right to the wireless system instead of waiting 4 to 5 years.

Mr. Hobson – This sounds like a better deal.

Mr. Furtado - We will have to borrow another million dollars but it is a better deal. Eventually we could send bills out more often. It would be something that we could coordinate with the finance dept.

Mr. Hobson – How often does the city bill?

Mr. Furtado - Once a month. Once I get more information I will put it on a future agenda.

B. Board Members

Mr. Hobson - Nakata Avenue is in horrible shape. It is so bad that people are going around the potholes and driving in people's front yards to avoid them.

Mr. Wotton - That street has been awful for a long time. Can we talk to Mr. Charbonneau about what else can be done here since grading it is only a band-aid? Maybe we can dig it up and redo it. What is going on with the drainage on North Street?

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Mr. Furtado - It is now in the Attorneys hands and they are discussing what is going to be done. There are three drains in question, the property owners concern is there are no easements for two of the drains. The third drain is the property owner's responsibility. The argument from the property owner is our drains are making his property wet and there are no easements.

Mr. Lavalette – The lot that the homeowner is concerned about does not appear to be a buildable lot. This should be looked into a little further. It is almost as if we are defending this individual. This is all before the fact and it should be determined if it is a buildable lot and if it is not a buildable lot than what damages are we causing?

Mr. Wotton – It is currently pending litigation. Those questions have been asked and our concern is if we need to relocate the drainage.

Mr. Coelho - Did you call the State about getting the Adams Street fixed between Huttleston Avenue and Bellevue Street.

Mr. Furtado – Yes

Mr. Durant - I have not noticed the yield sign on Balsam Street and Alder Street. Was that ever put there?

Mr. Furtado – I will double check.

Mr. Silvia – There is a sinkhole in front of 36 Bayview Avenue. 17 Judson Drive there is a problem with the drainage.

Mr. Furtado - I spoke with Mr. Charbonneau about 17 Judson Drive and when PJ Keating reopens he will take care of that.

Mr. Hobson - When you come off Route 240 there is so much trash in that lot between the highway and the mutual station on Route 6.

C. Marine Resources Committee – BPW Related Matters

Mr. Coelho - We do not have a meeting until May.

IX. The next regularly scheduled Board of Public Works Meeting is Monday, May 4, 2020 at 6:00 p.m. in the Town Hall Banquet Room

Mr. Silvia motioned to change the date of the next meeting from May 4, 2020 to May 13, 2020 at 6:00 p.m. and set the date of the meeting after that to May 27, 2020. Mr. Durant seconded. Vote unanimous.

X. Adjourn

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Mr. Silvia motioned to adjourn the meeting at 7:55 p.m. Mr. Hobson seconded. Vote unanimous.

XI. Executive Session

A. n/a

Respectfully submitted,

Rebecca Vento
Office Manager

Minutes approved on May 13, 2020