

Selectmen's Meeting – July 10, 2006

Mr. Eckenreiter, Mr. Manzone and Mr. Silvia were present.

Also in attendance was Jeffrey Osuch.

Mr. Eckenreiter called the meeting to order at 6:30 p.m.

Mr. Manzone motioned to approve the minutes of June 26, 2006. Mr. Silvia seconded. Vote was unanimous.

Mr. Manzone motioned to approve the minutes of the June 26, 2006 executive session. Mr. Silvia seconded. Vote was unanimous.

SHERIFF HODGSON

Sheriff Hodgson was in attendance to explain "tandem work crews" and how the Town may be able to utilize them. Mr. Eckenreiter stated his opposition to the tandem work crews and he knew nothing about the Sheriff being invited to attend the Selectmen's Meeting. Mr. Eckenreiter also stated his signature stamp was use without his permission and he wants it returned to him. Discussion ensued. Mr. Manzone motioned to support the use of tandem work crews from the Bristol County Sheriff's Department in Fairhaven. Mr. Silvia seconded. It was so voted. Mr. Eckenreiter was opposed.

4 SHIRLEY STREET

Jay Bissonnette was in attendance and summarized the letter he submitted regarding 4 Shirley Street and Manny and Bob's Used Cars. (See attached.) Bob Gomes, owner of Manny and Bob's, 196 Huttleston Avenue, was also present. Discussion ensued on the number of cars allowed on the Huttleston Avenue property. The Board will review the number of cars allowed when the Class II License is renewed in December.

BENOIT SQUARE

John Medeiros and David Darmofal informed the Selectmen of the North Fairhaven Improvement Association's plan to rehab Benoit Square. Mr. Silvia, who is involved with the North Fairhaven Improvement Association, left the room. A preliminary plan was submitted showing a gazebo. There will be no cost to the Town. The rehab will be funded totally thru donations and students from Greater New Bedford Vocational School will build the gazebo. Mr. Manzone motioned to support the project. Mr. Eckenreiter seconded. It was so voted.

BRAHMIN LEATHER WORKS, INC.

Representatives from Brahmin Leather Works, Inc. and Assessor Jeanne Reedy were in attendance. Mr. Eckenreiter stated he is an abutter to Brahmin Leather and that Brahmin

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Leather donated to charity events he organized. He left the room. Scott Martin, owner, gave an overview of the company (See attached.) and their plans to requesting a Tax Increment Financing Agreement (TIF) from the Town. Discussion ensued. Brahmin will submit a TIF proposal.

SOUTHCOAST EXPRESS, INC.

Southcoast Express, Inc., 110 Middle Street, submitted an application for a change of manager. New manager is Carolyn Vickery. Attorney Richard Schaefer and Carolyn Vickery were present. Mr. Manzone motioned to approve the application. Mr. Silvia seconded. Vote was unanimous. Application will be forwarded to the Alcoholic Beverage Control Commission for approval.

EXECUTIVE SECRETARY'S REPORT

Mattapoissett Water District Meeting is scheduled for July 11, 2006 at 4:30 p.m. at the Board of Public Works.

East Fairhaven School Job Meeting is scheduled for Wednesday, July 12, 2006 at 9:30 a.m. and July 19, 2006 at 1:00 p.m. at the site.

Public hearing on the Environmental Notification Form (ENF) filed by Patriot Renewables, LLC for the wind farm in Buzzards Bay will be held at the Town Hall on July 12, 2006 at 2:00 p.m. and at 7:00 p.m. at Greater New Bedford Vocational School in New Bedford. The Board encouraged the public to attend.

Council on Aging will meet at 9:30 a.m. on July 17, 2006.

Fairhaven/New Bedford Bridge Committee will meet on July 18, 2006 at 10:00 a.m. at Town Hall.

Mr. Manzone motioned to approve payment to Agostini Construction Company, Inc., 243 Narragansett Park Drive, East Providence, RI in the amount of \$1,055,211.43. Mr. Silvia seconded. Vote was unanimous. (East Fairhaven School Project)

Mr. Manzone motioned to approve Change Order #2 to the Contract with Agostini Construction Company, Inc. in the amount of \$817. Mr. Silvia seconded. Vote was unanimous.

Mr. Manzone motioned to approve Amendment #2 to the Contract with Daedalus Projects, Inc., 112 South Street, Boston, MA. Mr. Silvia seconded. Vote was unanimous.

Mr. Manzone motioned to approve Amendment #4 to the Contract with Tibbetts Engineering Corp., 716 County Street, Taunton, MA in the amount of \$2,225. for the

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New Boston Road and Route 6 Intersection Improvements. Mr. Silvia seconded. Vote was unanimous.

The Board will review the letter from Town Counsel on Seafood Services Bankruptcy and Southcoast Express Bankruptcy.

Letter from Mayor Lang regarding “the process of building a New Bedford Regional Economic and Workforce Collaborative” was discussed. The Board stated their support of the proposal. An appointment will be scheduled on the July 24, 2006 agenda with City Officials to discuss the proposal.

BUILDING DEPARTMENT

Construction Report for June 2006 will be placed on file.

A letter was received from Steven Gomes and family regarding completion of storm related damages to their summer residence at 10 Monondach Avenue. Mr. Eckenreiter stated he has issues with the Building Commissioner and left the room. Mr. Silvia summarized the letter (See attached.) and suggested the Board review the entire file and talk with the Building Commissioner and the Conservation Commissioner. Mr. Manzone motioned to take the matter under advisement. Mr. Silvia seconded. It was so voted.

RRR AUTO SALES

Letter from Louis Baptiste of RRR Auto Sales, Inc. concerning mandatory signage for a MA State Inspection Station was discussed. (See attached.) The Board will speak with the Building Commissioner on the matter. Mr. Manzone motioned to take the matter under advisement. Mr. Silvia seconded. It was so voted.

RECREATION DEPARTMENT

Mr. Manzone motioned to appoint Rebecca Ferreira the Acting Program Coordinator for the Recreation Department. Mr. Silvia seconded. Vote was unanimous.

The position of Recreation Director will be advertised.

NEW BEDFORD/FAIRHAVEN JOINT BRIDGE COMMITTEE

Selectman Ronald Manzone, Executive Secretary Jeffrey Osuch, Town Planner William Roth and Conservation Commission Chairman Andrew Jones will serve on the New Bedford/Fairhaven Bridge Committee.

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DATCO BUS COMPANY

Scott Martin and Catherine Liarkos submitted a letter of complaint concerning night noise from DATCO bus. The Police Chief submitted a report stating "officers responding to calls did not consider the noise level to be excessive or to constitute a disturbance". The Police Department will continue to monitor the situation and advise of any changes. A copy of the Chief's letter will be sent to Mr. Martin and Ms. Liarkos.

TOWN HALL AUDITORIUM

Sweet Apple Theatre submitted an application to rent the Auditorium from August 17th thru August 19th and for rehearsals on August 15th and 16th. Mr. Manzone motioned to approve the application, subject to payment being received for the Town Hall Custodian and any conditions the Police Chief may impose. Mr. Silvia seconded. Vote was unanimous.

TREE DEPARTMENT

Mr. Manzone motioned to authorize removal of a tree at 10 Brook Drive. Mr. Silvia seconded. Vote was unanimous.

DIRECTOR OF FINANCE/TREASURER

Per the provisions of Chapter 41, section 39A of MGL, Mr. Silvia motioned to approve the appointment of Lisa Rose, Assistant Treasurer, effective July 17, 2006. Mr. Manzone seconded. Vote was unanimous. Term to expire June 30, 2008.

Position of payroll clerk will be posted in house as required by the Union Contract.

ASSISTANT HARBORMASTER/DEPUTY SHELLFISH WARDEN

Barry Sullivan and Ronald J. Manzone, Jr. applied for the position of Assistant Harbormaster/Deputy Shellfish Warden. Mr. Manzone left the room when the appointments were discussed. Mr. Eckenreiter read the letter from Gary Golas. (See attached.) Mr. Silvia motioned to appoint Barry Sullivan and Ronald J. Manzone, Jr. to the position of Assistant Harbormaster/Deputy Shellfish Warden. Mr. Eckenreiter seconded. It was so voted. (Terms to expire May 31, 2007.)

OTHER MATTERS

West Island Improvement Association Garden Tour will be held on July 16, 2006 from 10:00 a.m. to 4:00 p.m.

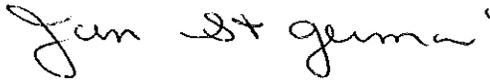
Miles for Matty Road Race was rescheduled to August 27, 2006 beginning at 9:00 a.m.

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Mr. Manzone motioned that whoever makes a proposal to send a letter from the Board of Selectmen, will put their name on the letter. Mr. Silvia seconded. It was so voted.

EXECUTIVE SESSION

At 8:26 p.m., Mr. Manzone motioned to go into executive session to discuss the wind turbine proposals, requirements for renting a slip at Union Wharf and not to reconvene in open session. Mr. Silvia seconded. Vote was unanimous. Roll call vote 3-0.



Jan St. Germain
Secretary

RECEIVED
2006 JUN -9 AM 11:00
TOWN OF FAIRHAVEN

17:00pm
7/10

2B

59 Bayview Avenue
Fairhaven, MA 02719
June 9, 2006

Board of Selectmen
Town Hall
Fairhaven, MA 02719

Gentlemen:

I purchased the land at 4 Shirley Street in May of 2003. This land abuts Manny and Bob's Used Cars. Prior to my purchase of this land, Bob Gomes, proprietor of Manny and Bob's, leased it from the Commonwealth of Massachusetts and used it to park and display 25 vehicles for sale. With the 26 vehicles on his owned property on Huttleston Avenue, Gomes had room for a total 51 vehicles and this number was reflected on his license.

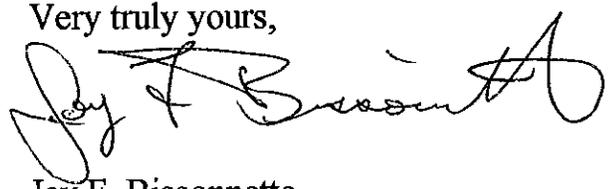
When I purchased the property in May of 2003 Gomes removed the 25 vehicles from the 4 Shirley Street property and has opted not to lease the land from me.

Today, more than three years later, **Manny and Bob's still has a license for 51 vehicles.**

According to Town zoning by-laws a space shall not be less than 9' x 20'. The square footage of Manny and Bob's property does not allow ample space for the 51 vehicles he is licensed for.

I am writing to ask why this license has not reverted back to the 26 vehicles, as originally determined to be the maximum number of vehicles allowed on his owned property on Huttleston Avenue.

Very truly yours,



Jay F. Bissonnette
(508) 996-4565

cc: Wayne 6/16/06



BRAHMIN

*Brahmin Leather Works, Inc.
Overview for
Fairhaven Board of Selectmen*

July 10, 2006



BRAHMIN

Company Overview

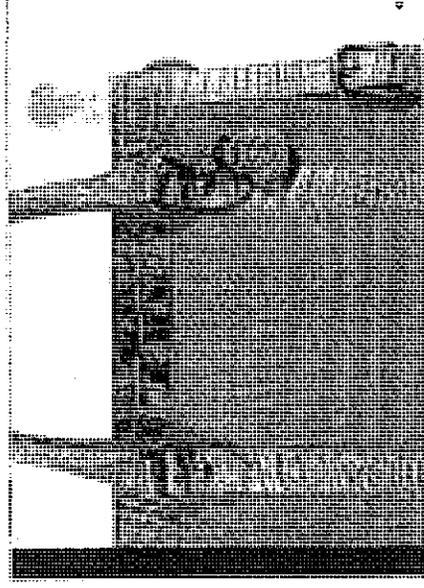
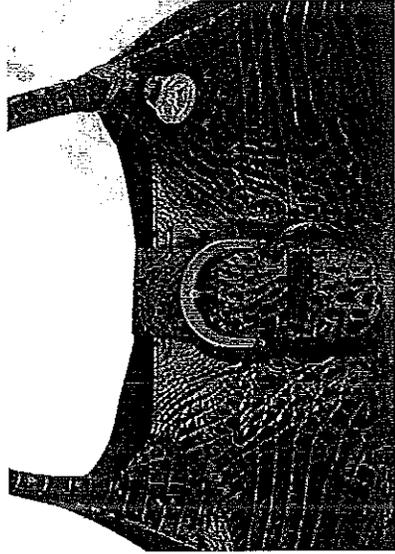
- Brahmin Leather Works, Inc. is a manufacturer of leather handbags and accessories.
- In 1982, Bill and Joan Martin founded Brahmin Leather Works using full grain, top quality skins that are tanned and hand-finished in Italy.
- In 1996, after outgrowing two subsequent locations, Brahmin Leather Works settled into its present headquarters in Fairhaven, MA, complete with state-of-the-art manufacturing facilities.



Images from www.brahmin.com

BRAHMIN

Company Overview



Today, more than 20 years after its founding, Brahmin Leather Works continues to manufacture beautiful handbags while adhering to its overarching principles: a commitment to customer service; a dedication to superior product quality; and a promise to meld classic design with style, function and durability.



Proposed Expansion Plans

Facilities

- Currently owns and occupies 21,800 square of space in Fairhaven
- Plans to construct a 20,000 square foot on-site expansion

Investment in Fairhaven

- Project Investment is approximately \$2 million
 - Estimated \$1.5 million for construction costs
 - Estimated \$500,000 for Machinery & Equipment

IBRAHMIN

Job Creation Plans

Job Retention and Creation Plans

- 60 jobs retained
- 20 new jobs created

• Types of jobs:

- Sales
- Administrative
- Management
- Manufacturing

- Average Salary
 - \$45,000

BRAHMIN

Fairhaven Economic Impact

- In addition to providing real estate investment and new jobs in Fairhaven, Brahmin Leather Works and its employees expect to continue to patronize local and regional establishments.

- Auto Repair
- Food Catering Services
- Restaurants
- Retail Establishments
- Office Supplies
- Other Service Providers

Brahmin Leather Works partners with the community and has a strong track record of contributions to various local programs and organizations.



BRAHMIN

Accessing Government Incentives

- Brahmin Leather Works, Inc. plans to apply for incentives under the Massachusetts Economic Development Incentive Program (EDIP) that includes:
 - 5% EOA Investment Tax Credit on qualifying investments
 - Municipal Property Tax Relief in the form of Tax Increment Financing (TIF)
- The state and local tax incentives would assist Brahmin Leather Works in making the project financially feasible.
- The tax incentives would enable Brahmin Leather Works, Inc. to make future investments and commitments in Fairhaven.

4B

June 23, 2006

To: The Honorable Office of Selectman:
Chairman Winfred Eckenreiter
and fellow Selectmen Ronald Manzone
and Michael Silvia

Re: Summer residence
10 Monondach Avenue
A small cottage built by my father in 1971, currently nearing
completion of storm related damages.

Dear Honorable Body of Selectmen:

I am requesting your assistance in helping to resolve and bring to closure the following matter. There is an immediate need to alter the elevated stairway in order to correct a potential safety hazard. Building Inspector, Wayne Fostin, who also serves as conservation Agent, is insistent that, once again, we go before the Conservation Commission. This process is additionally time consuming, counter productive and needlessly repetitive. We've been without the use of our cottage since August 1991, but have continually paid taxes and made every attempt to cooperatively comply with every code enforcement in the process of refurbishing this building. Although extensions are given, Wayne previously denied my formal letter requesting to extend my building permit, but gave me his assurance that once I had the building team of Paul Mitchell and contractor in place he would allow me time to complete it.

We are responsible and respectable residents who have had the patience to see this through because we love Fairhaven and its residents. Our neighbors miss us and look forward to our return. We have been away far too long.

Enough is enough, both Paul Mitchell and Mark Audette, licensed contractors with an excellent track record, have approached Wayne to immediately complete the necessary modifications, only to be told what I've similarly related and expressed in this letter.

Therefore, I am hoping that the Board of Selectmen will intervene on my family's behalf and stop any further delays.

In closing, I respectfully seek your assistance in helping to resolve and expedite this matter. I do not want to lose the contracting resources that are presently available.

Your attention and concern are earnestly appreciated.

Sincerely,

Stephen Gomes

Stephen Gomes and family

cc. Wayne 6/28/06



A Personal Injury & Workers Compensation Law Firm
LAW OFFICES OF

Fairhaven - Tel: 508-997-7788 • Fax: 508-992-2123
Taunton - Tel: 508-823-1485 • Fax: 508-828-1553
Wareham - Tel: 508-291-0295

Winfred A. Eckenreiter, P.C.

Toll Free: 888-904-4529

Winfred A. Eckenreiter • Melissa L. Craig (admitted in NH)

FACSIMILE TRANSMITTAL SHEET

FROM: Win

DATE: 6/28/06

NUMBER OF PAGES TRANSMITTED
(INCLUDING COVER SHEET) 2

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TO: Jan St. Germain

FIRM: Board of Selectmen

RE: The Enclosed Issue

BUS. #: _____

FAX #: (508) 979-4079

URGENT MESSAGE AS REQUESTED
 PLEASE CALL SENDER TO DISCUSS PER OUR DISCUSSION
 FOR YOUR INFORMATION

MESSAGE: Jan:
Please place this matter on the agenda for the next Selectmen's meeting.
Thanks.

RRR

4C

Auto Sales

372 Huttleston Ave. Fairhaven, MA 02719
Telephone: 508 997-0423
Fax: 508 997-0573

Board of Selectmen
Town of Fairhaven
P.O. Box 759
Fairhaven, MA 02719

2006 JUN 23 11:13 AM
TOWN OF FAIRHAVEN
RECEIVED

Dear Selectmen,

I am writing this letter to inform you of a complaint I have with regards to the town's building inspector, who I feel is discriminating against me. I recently became an official MA State Inspection Station, and have been denied displaying the state mandatory inspection signage.

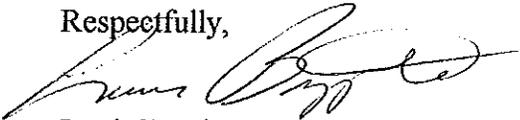
Every other business in town that is a MA State Inspection Station has been allowed to display the mandatory signage in addition to their business identification signage. There are also SEVERAL sign violations at other businesses in town that I have brought to the building inspector's attention and nothing has been done to correct these problems. This creates an unfair business advantage to my competitors. I have no problem abiding by the laws that govern the town, however, I do expect those laws to apply to ALL.

RRR Auto Sales has been singled out and denied the permit to display MANDATORY inspection signage. I have asked the reason for this denial, and the building inspector will not give me a reason.

I would appreciate your help regarding this situation.

Thank you for your kind attention.

Respectfully,

 6/21/06

Louis Baptiste
RRR Auto Sales, Inc.

cc: Wayne 6/27/06