

Selectmen's Meeting – January 22, 2007

Mr. Manzone and Mr. Silvia were present. Mr. Eckenreiter was absent.

Also in attendance was Jeffrey Osuch.

Mr. Silvia called the meeting to order at 6:35 p.m.

Mr. Manzone motioned to approve the minutes of January 8, 2007. Mr. Silvia seconded. It was so voted.

Mr. Manzone motioned to approve the minutes of the January 8, 2007 executive session. Mr. Silvia seconded. It was so voted.

COMMUNITY DEVELOPMENT STRATEGY PUBLIC HEARING

Public hearing was scheduled for 7:00 p.m. for the yearly update of the CDS, which is required to submit for Block Grant funding. The Town intends to apply for \$1,000,000 in 2007 to continue the Housing Rehab Program and an infrastructure project to reconstruct Middle Street from Pease Street to Huttleston Avenue. Representatives from Breezeway Consulting, GCG Associates, the Director of Planning and Economic Development and residents were present. Discussion ensued. (See attached information submitted by Breezeway and Director of Planning and Economic Development.)

MOTION 1: MOVED BY MR. MANZONE AND SECONDED BY MR. SILVIA THAT THE FAIRHAVEN BOARD OF SELECTMEN APPROVES THE COMMUNITY DEVELOPMENT STRATEGY AND PRIORITIES AND IDENTIFIES THE CUSHMAN PARK TARGET AREA.

VOTE: 2 YES 0 NO 0 ABSTAIN X UNANIMOUS

MOTION 2: MOVED BY MR. MANZONE AND SECONDED BY MR. SILVIA THAT THE FAIRHAVEN BOARD OF SELECTMEN APPROVES THE APPLICATION TO THE MASSACHUSETTS DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR INFRASTRUCTURE IMPROVEMENTS TO THE MIDDLE STREET; THE CONTINUATION OF THE HOUSING REHABILITATION PROGRAM, AND GENERAL ADMINISTRATION, AND AUTHORIZES THE CHAIRMAN OR THE ACTING CHAIRMAN TO SIGN ALL OF THE NECESSARY PAPERWORK ON BEHALF OF THE FAIRHAVEN SELECTMEN

VOTE: 2 YES 0 NO 0 ABSTAIN X UNANIMOUS

Selectmen's Meeting – January 22, 2007

UNION WHARF RULES & REGULATIONS

The Harbormaster was in attendance and stated he gave boat owners at Union Wharf a copy of the proposed "Union Wharf Small Boat Basin Rules and Regulations" and a memo informing them of the insurance requirements voted by the Board of Selectmen on January 8, 2007. Discussion followed on the proposed rules and regulations. Section 4-28 CONTACTS will be amended to read: "The Licensee shall make available to the Harbormaster the names of at least two qualified persons who can be contacted in the event of the need to move a Vessel. Upon order of the Harbormaster, all Vessels must be moved within two (2) hours." Gary Golas will send a notice to boat owners and place a notice on the cable television bulletin board and in "Neighborhood News" to remind boat owners they must comply with section 3-3 Docking License Term, which states "Applications and renewal applications shall be submitted no later than March 1st prior to the license period....." Mr. Manzone motioned to adopt the "Union Wharf Small Boat Basin Rules and Regulations", as amended. Mr. Silvia seconded. It was so voted. The deadline for boat owners to submit proof of insurance is March 1, 2007. An appointment will be scheduled on the February 5, 2007 agenda with the Harbormaster to discuss the number of big boats that will be allowed to tie up at Union Wharf.

COUNCIL ON AGING

Council on Aging Director and members of the Board were present. Proposed amendments to "Fairhaven Council on Aging By-Laws" were discussed.

FY 08 Council on Aging Budget was discussed.

Proposed article for the Annual Town Meeting Warrant "Elder Volunteer Property Tax Work-Off" was discussed. The Assessors will be asked to provide additional information on the proposed article.

The Board announced that David Darmofal, Chairman of the Council on Aging, was appointed to the Greater New Bedford Regional Vocational Technical High School Committee.

RECREATION DEPARTMENT

Rebecca Ferreira was interviewed for the Recreation Department Program Coordinator position. She has been the Acting Program Coordinator since July 2006. Mr. Manzone motioned to appoint Ms. Ferreira Program Coordinator. Mr. Silvia seconded. It was so voted.

Selectmen's Meeting – January 22, 2007

SCHOOL DEPARTMENT

School Superintendent and members of the School Committee were in attendance. Audit of the High School addition by the Massachusetts School Building Authority was discussed. The Building Authority contends Cushman Park is an issue and ineligible for reimbursement. Ten years ago when the project was starting, the Town was told Cushman Park must be a part of the project. The Town will look for the necessary documents to appeal the decision. Superintendent of Schools, the Chairman of the School Committee and the Chairman of the Board of Selectmen signed the appeal form.

The Superintendent prepared a Statement of Interest application to submit to the Massachusetts School Board Authority for one Elementary School Building Project. (See attached letter from the Superintendent.) Discussion followed.

Mr. Manzone motioned to authorize the Superintendent to submit to the Massachusetts School Building Authority a Statement of Interest dated January 22, 2007, for the

Rogers Elementary School located at 100 Pleasant Street, Fairhaven, MA 02719
Wood Elementary School located at 60 Scoticut Neck Road, Fairhaven, MA 02719
Oxford Elementary School located at 347 Main Street, Fairhaven, MA 02719

which describes and explains the following deficiencies and the priority category (s) for which Fairhaven may be invited to apply to the Massachusetts School Building Authority in the future and hereby further specifically acknowledges that by submitting this Statement of Interest, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town to filing an application for funding with the Massachusetts School Building Authority.

Priority Categories

- (1). Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists, as determined in the judgment of the Authority; and
- (5). Replacement, renovation or modernization of the heating system in a schoolhouse to increase energy conservation and decrease energy related costs in the schoolhouse(s).
- (7). Replacement or addition to obsolete buildings in order to provide a full range of programs consistent with state and approved local requirements, as determined in the judgment of the Authority.

Mr. Silvia seconded. It was so voted.

Selectmen's Meeting – January 22, 2007

EXECUTIVE SECRETARY'S REPORT

Mattapoissett River Valley Water Treatment Plant job meeting is scheduled for January 25, 2007 at 10:00 a.m. in Mattapoissett

East Fairhaven School job meeting is scheduled for 1:00 p.m. on January 25, 2007 at the school

Finance Committee will meet on January 25, 2007 at 7:00 p.m. at the Board of Public Works

Letter from Attorney Crotty regarding the Tax Increment Financing Agreement for Brahmin Leather Works, Inc. will be forwarded to Brahmin Leather

Due to the "Rule of Necessity", Mr. Manzone motioned to sign the Escrow Agreement for the Estate of Raymond Eisenberg v. Town of Fairhaven. Mr. Silvia seconded. It was so voted.

Mr. Manzone motioned to approve the request from the Fire Chief for Authorization for Legal Services regarding "Acknowledge of Requirements of Position". Mr. Silvia seconded. It was so voted.

All Town Department FY 08 Budgets were due on January 16, 2007.

An architect and a marine engineer will inspect MacLean's Seafood building on January 26, 2007.

Mr. Manzone, the Police Chief and Jeffrey Osuch will review the applications submitted for the position of Animal Control Officer and select applicants to be interviewed.

ANIMAL SHELTER GIFT ACCOUNT

\$50.00 donation to the Gift Account was accepted.

BUILDING DEPARTMENT

Frances Robillard submitted advance notice of her intention to retire on June 30, 2010.

HOPPY'S LANDING COMMITTEE

Mr. Silvia read Ruth Galary's letter of resignation from Hoppy's Landing Advisory Committee. (See attached.) The Board thanked her for time served on the committee and wished her well in her health issues.

Selectmen's Meeting – January 22, 2007

Mr. Manzone motioned to appoint David Gonsalves a full member of the Hoppy's Landing Advisory Committee. Mr. Silvia seconded. It was so voted.

POLICE DEPARTMENT

Mr. Silvia read the letter of Commendation to Officer Peter Joseph, Officer Marc Darmofal, Dispatcher Marie Bretz, Detective Jerald Bettencourt, Detective Glenn Cudmore, Detective Pamela Bourgault and Sergeant Stephen Foster. (See attached.)

MACLEAN'S BUILDING/UNION WHARF

Mr. Silvia read a letter from John Murray, V. P. Fairtime Fishing, Inc., requesting permission to rent the MacLean's Building on Union Wharf. Mr. Manzone motioned to deny the request. Mr. Silvia seconded. It was so voted.

TOWN OF KINGSTON

The Town of Kingston submitted a request for Fairhaven to support a policy statement to insure that all holders of liquor licenses pay current meal taxes and compensate employees in accordance with state and federal laws. The Board took the request under advisement.

2007 LICENSE RENEWEALS

Mr. Manzone motioned to approve renewal of the Car Dealer (Class II) License for Dussault Auto Sales and the Car Repair License for Spring Street Garage. Mr. Silvia seconded. It was so voted.

A letter will be sent to businesses that have not renewed their 2007 licenses.

OTHER MATTERS

Mr. Manzone motioned to form a committee to meet with officials from Acushnet to discuss the possibility of Fairhaven residents using the golf course in Acushnet and Acushnet residents using Fairhaven beaches. Mr. Silvia seconded. It was so voted.

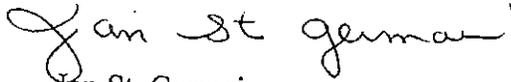
A training course is available for the new Animal Control Officer to become certified. Cost is \$300.00.

Letters will be sent to members of the Harbor Advisory Committee to determine if they are interested in serving if the committee is re-activated.

Selectmen's Meeting – January 22, 2007

EXECUTIVE SESSION

At 9:00 p.m., Mr. Manzone motioned to go into executive session to discuss Earl's Marine (DEP proposed fines), the clerical position in the Tax Collector's Office, settlement of the S. B. General case, a workers' compensation claim settlement, personnel issues regarding the Emergency Management building and not to reconvene in open session. Mr. Silvia seconded. It was so voted. Roll call vote 2-0.



Jan St. Germain
Secretary



Town of Fairhaven
Department of Planning & Economic Development

Town Hall • 40 Center Street • Fairhaven, MA 02719
Telephone (508) 979-4082 • FAX (508)-979-4087

2A

Memorandum

Date: January 9, 2007

To: Board of Selectmen (4)
Board of Public Works (8)
Planning Board (8)
Housing Authority (7)
Council on Aging
Conservation Commission (7)
Building Commissioner
Finance Director/Treasurer
Fire Chief
Police Chief

From: William D. Roth, Jr., AICP 
Planning and Economic Development Director

RE: Draft Community Development Strategy

Attached is a draft of the 2007 Community Development Strategy (CDS). A yearly update of the CDS is a requirement to submit for Block Grant funding. Therefore please review and send comments to my office. A public hearing on the CDS will be held on Monday, January 22, 2007, at 7 PM at Town Hall.

The Town intends to apply for \$1,000,000, in 2007, to continue our Housing Rehab Program and an infrastructure project, to reconstruct Middle Street from Pease Street to Huttleston Avenue.

DRAFT

- Participating in the Soft Second Loan Program. Who: Town, Fairhaven Cost: \$10,000 Funding: DHCD, MHP, banks When: 2007
- Seeking funding support from private, state and federal agencies to develop additional affordable housing. Who: Town, Planning Dept. Cost: \$50,000 feasibility study; \$5 million permanent Funding: DHCD, MHP, banks When: 2008 – feasibility study; 20010 project

PLANNING: *The goals in this category are consistent with the sustainable development principle of #1, Redevelop First by facilitating infill development and providing better utilization of existing infrastructure.*

Fairhaven has a full-time Planning and Economic Development Director who works with the Planning Board to review all development projects and assists in re-writing the zoning bylaws. Currently the Planning Board is working on a re-write of the subdivision regulations. Some of the new elements of the re-write are; investigating how to facilitate infill development and secondary roads, and better utilization of existing infrastructure. The Board is also working on bylaw amendments such as cluster zoning, senior residential zoning, and inclusionary zoning. All of these projects will address the state Office of Commonwealth Development smart growth principles. The Board in the near future will be seeking funding from Town Meeting and/or other sources to update the Town's Master Plan, which was written in 1996. An area of planning in which the Town is lacking, is neighborhood planning. There are several neighborhoods, which would benefit from such planning. The Master Plan looks at the entire Town and makes general recommendations; however, there are several neighborhoods that should be studied in more detail;

1. The primary Target Area is the neighborhood north and west of Town Hall abutting Cushman Park where there is a mix of marine industrial, tenement housing, vacant properties and neglected homes with ageing infrastructure.
2. East Fairhaven where there are several old neighborhoods having housing stock that is generally neglected and in some cases lacking adequate infrastructure such as paved roads, water and sewer. If a neighborhood plan were prepared for these areas it could assess these issues, identify needs and confirm perceived need.
3. North Fairhaven and adjacent neighborhood. The commercial district is old and dated, and has had little investment in upkeep and maintenance. Revitalization of businesses and infrastructure in this area is long overdue. The adjacent neighborhood is a mix of many early 20th century multi-family/tenement homes with early 20th century single-family homes scattered throughout.

The Town's neighborhood planning goals will:

- Facilitate infill development in neighborhoods. Who: Town, Planning Dept., Planning Board, ZBA. Cost: \$0: When ongoing – complete 2008:
- Concentrate development by creating new zoning bylaws. Who: Town, Planning Dept., Planning Board, RPA, Consultants Cost: \$20,000 Resources: EOEA, Town When: Underway – complete 2007:
- Provide a targeted public planning process to get those specific neighborhood residents involved within their neighborhood. Who: BOS, Planning Board, Planning Dept., other Town Depts. Cost: \$75,000 Resources: Town, DHCD, EOEA When: Ongoing – complete 2010:
- Provide the Town with a detailed plan that assesses needs, and sets goals and objectives. Who: Town Depts., Consultants Cost: \$50,000 Resources: Town, State, other grants When: Ongoing – complete 2010:

DRAFT

Fairhaven's wastewater treatment plant on Arsene Street processes an average of 2.5 million gallons of wastewater each day, including a quarter of a million gallons from Mattapoissett. The Board of Public Works recently converted to ultraviolet disinfection and is seeking funds to upgrade the odor control system. As of Fall 2004 there were 5,369 sewer connections to the main plant. This figure will increase next year when two sewer projects, a portion of Sconticut Neck and the Nancy/Marguerite Sewer Projects, come on line. These two projects will account for approximately 600 new sewer connections and additional stubs for potentially developable vacant lots. Other sewer improvements currently involve repair work to address inflow and infiltration problems that have been identified. In addition, to the Arsene Street facility, there is a Rotating Biological Contactor (RBC) on West Island with 380 sewer connections. The leeching/injection wells are having problems and the Town has spent in excess of \$100,000 on drilling new wells and working with DEP to fix the problem. Fairhaven's water system currently has 6,377 metered accounts and shares a well field with the Towns of Marion and Mattapoissett, each of which holds title to its own wells. After seeing the mutual benefit in combining resources, the towns of Fairhaven, Marion, and Mattapoissett created a regional water district in 2004, which will be responsible for building and maintaining a regional water treatment plan. Design and engineering plans are under way for the new facility. Fairhaven draws approximately 1.4 million gallons of water per day from its five wells. The Town owns and operates two water towers that maintain adequate residential use pressure in high service areas. A third water tower is planned for the East Fairhaven area in the next several years, to improve water pressures needed for fire-fighting purposes in that area. The Water Department is in the process of developing a water system capital improvement plan. This plan will address system improvements needed to meet the existing and anticipated future water needs of the Town. In addition, the Town was just awarded a Smart Growth Technical Assistance Grant from Executive Office of Environmental Affairs to hire a consultant to complete a Water Conservation Plan that is consistent with DEP guidelines which was completed in June of 2005.

To address these infrastructure issues, the Board of Public Works (BPW) has created a capital improvements program to assess each project and prioritize them so funds can best be spent. Funding comes from such sources as Chapter 90, Town Meeting appropriations, betterments, water and sewer enterprise funds, and user fees. The Town needs to seek grants and loans from state, federal, as well as, CDBG funds to help minimize the cost and local tax burden for users.

The Town's infrastructure goals will:

- Rehabilitate existing road infrastructure Who: BPW, Town Cost: \$100,000 maintenance, Resources: \$300,000 CDBG, Town, Ch. 90, PWED When: 2006-10
- Improve traffic controls in high traffic areas. Who: SRPEDD, Town, BPW Cost: \$350,000 Resources: Town, Regional, Mass Highway When: 2008.
- Combine resources with neighboring towns to improve wastewater infrastructure. Who: Sewer/Water District Cost: \$3.5 million Resources: District, Towns When: 2008/9
- Combine resources with neighboring towns to improve drinking water infrastructure. Who: District, DEM, Town Resources: EOE, EPA, Town Cost: \$3.5 million Resources: District When: 2008

ECONOMY:

The goals in this category are consistent with the sustainable development principles of #1, Redevelop First through the redevelopment and rehabilitation of the semi-vacant AT&T complex. Additionally; #9, Foster Sustainable Business by preserving the working waterfront and #3, Be Fair by streamlining the zoning/permitting process to create new or changed uses.

DRAFT

- Protect Fairhaven's water supply and marine resource areas. Who: Town, SRPEDD, Bay Committee Cost: \$5 million Resources: DEM, Towns, State When: on going
 - Continue regional work with neighboring towns to protect the Mattapoissett River aquifer.
 - Administer provisions of the Water Protection Overlay Zoning District.
 - Encourage responsible land management within all water and marine related resource areas.
- Provide properly located, sized and equipped recreational and athletic facilities, accessible to all citizens. Who: Towns, Rec. Commission Cost: \$500,000 each project; Resources: CDBG, Town, DEM When: ongoing - 2010
 - Develop and improve access to recreational and athletic fields.
 - Build a multi-purpose trail along the railroad right-of-way.
 - Upgrade boat launching and mooring facilities.
 - Develop pocket parks particularly in the village center.
 - Request earlier environmental clean-up of the Atlas Tack site.
 - Meet ADA requirements for access to all recreational and athletic facilities.
- Provide for adequate management of recreational and open space facilities and areas, allowing for Town recreational programs, appropriate safety standards, and upgrading and care of equipment and lands. Who: Town, Rec. Commission Cost: \$50,000 Resources: Town When: 2009
 - Schedule facility use to allow for best growing conditions for grass, shrubs and trees.
 - Prepare overall management plan for equipment and facility maintenance and replacement.
 - Insure adequate supervision of activities to prevent inappropriate use.

CULTURAL

The Town's Cultural goals as defined in the 1996 Master Plan are as follows:

The goals in this category are consistent with the sustainable development principle of Redevelop First by promoting preservation of historic buildings. Who: Cultural Council, Tourism Council, Chamber

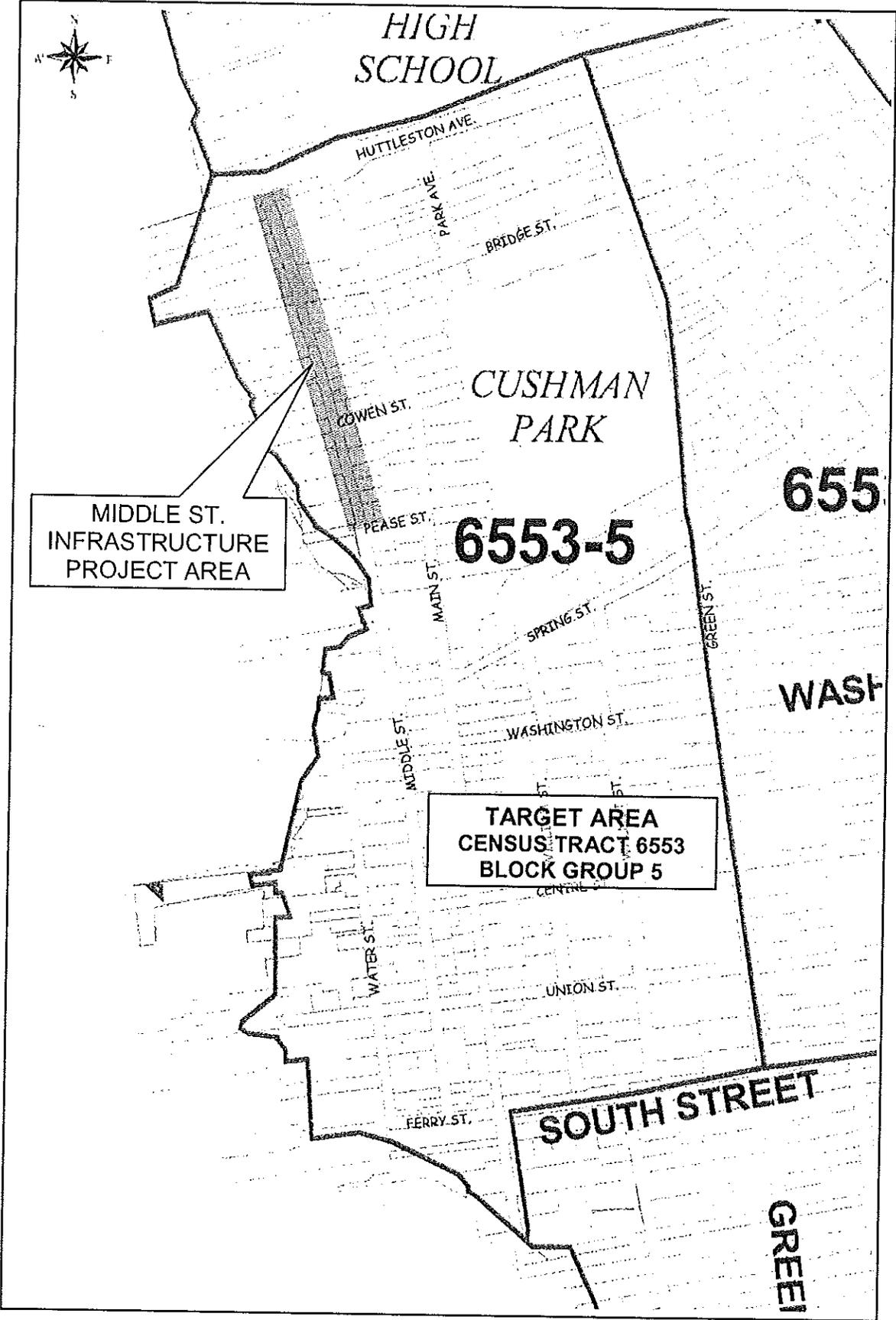
Cost: \$50,000 Resources: Mass Cultural Council, Cultural Council Grants When: ongoing, 2009

- Continue to identify and preserve historic buildings.
- Limit rehabilitation requirements to promote preservation of historic buildings.
- Continue to sponsor events such as fishing tournaments, fairs, theatrical performances, and concerts to attract tourism and to provide residents a sense of community.
- Increase the number of and visually coordinate direction and point of interest signs.
- Propose a demolition delay bylaw.

COMMUNITY DEVELOPMENT STRATEGY PRIORITY GOALS:

1. Neighborhood planning: Planning Board, Selectmen, Planning Dept., \$50,000/yr CDBG & Town funds; 2012
2. Maintain and foster harbor and marine uses: Town, Planning Dept., \$1 million, EPA grants, Seaport Advisory Council grants, Town Funds
3. Provide ongoing infrastructure projects throughout neighborhoods: Selectmen, Planning Dept., \$400,000 annually; CDBG, Town funds, ongoing, 2015.
4. Foster reinvestment in neighborhood housing stock: Town, MHP, 2010, 2005 Planning Grant, \$100,000 CDBG housing rehab annually; explore regional housing rehab grant – 2006.
5. Provide affordable housing for all residents of the community: Selectmen, Planning Board, \$100,000 CDBG planning 2007, MHP, \$50,000 Feasibility Study 2010.
6. Safe neighborhoods: \$35,000, Police, DARE, Town funds, ongoing, 2010.

Fairhaven, Massachusetts – Target Area Map



2007 CDBG Application

January 22, 2007

CDBG Grant Maximum 1,000,000.00

Middle Street Project

Estimated Cost of Construction		\$ 545,000.00
Contingency	10%	54,500.00
Subtotal		599,500.00
Inflation (of ECC)	3%	16,350.00
Subtotal		615,850.00
Engineering Design/Inspection Services		85,000.00
Program Delivery Expenses		15,000.00
Subtotal Middle Street		\$ 715,850.00

Housing Rehabilitation

Town Staff Support		5,000.00
Rehab Specialist/Risk Assess @ \$4,000/unit Expenses		20,000.00
		2,000.00
Subtotal Program Delivery Expenses		27,000.00

Loans to Homeowners		
Maximum per unit	\$ 35,000.00	
Number of Units	5.00	
Subtotal Cost of Loans		175,000.00

General Administration

Salaries & Expenses		\$ 82,150.00
---------------------	--	--------------

Total Grant Application		\$ 1,000,000.00
--------------------------------	--	------------------------

Office of the Superintendent
FAIRHAVEN PUBLIC SCHOOLS
ADMINISTRATIVE CENTER

128 Washington Street
Fairhaven, MA 02719

Phone: 508-979-4000~Fax: 508-979-4149
TTY: 508-992-8542



Robert N. Baldwin, Ed.D.
Superintendent of Schools

Kathryn R. Levine
Special Education Director

Paul B. Kitchen
Business Administrator

January 12, 2007

Dear School Committee and Board of Selectmen Members,

On November 15, 2006, the Fairhaven School Committee directed school administration to prepare the FY 08 Fairhaven Public Schools Operating Budget to include three (3) elementary schools. This action would be short sighted if it does not take into consideration the future and determine the best, long-term solution for the town.

As a result, I will be asking for the School Committee and the Board of Selectmen to authorize a Statement of Interest to submit to the Massachusetts School Board Authority (MSBA) for one Elementary School Building Project. This is a pre-application process that engages the community with the MSBA. Its purpose is to detail the problem – not the solution.

The new process attempts to have the community and the Authority working together to create a solution. Once the community identifies the problem by submitting a Statement of Interest and the Authority validates the problem, the community and the MSBA work together throughout the entire process. Once the project is approved a reimbursement rate is established from the statute with a major emphasis on pre-design planning. Reimbursement rates are now 40 – 80%. They were previously 50 – 100%. This includes evaluating and exhausting all potential solutions, confirming the solution and implementing the agreed upon solution.

The MSBA is working within the parameters of an annual disbursement budget of 500 million dollars per year. This new process eliminates a waiting list for indefinite payment from the state. The MSBA finances the states share and the locals finance their own share. Once approved there is no wait list. Both the audit process and the payments are delivered as the project is being constructed. This progressive payment system lowers the tax rate by not having to finance the MSBA share of the project.

Once approved there is no entitlement to funding. Once a grant is offered to a community, the community has 120 days to secure its funding of the project. With the new regulations, if you cannot secure local funding, you are removed from the list and must re-apply in the future. It was stated that, "projects unable to start because of local circumstances will lose their approved status and those funds will be given to another project." The new regulations change the way we must look at future building projects.

Collectively, we must make a decision that is in the best interests of our community. The time is now to elicit a long-term capital plan that clearly and accurately reflects future capital development and improvement needs. The cost of a long-range master plan is still the responsibility of the local community.

The authorization requirements for a Statement of Interest require majority votes of both the Board of Selectmen and the School Committee authorizing the Superintendent to submit a Statement of Interest to the Massachusetts School Building Authority. Thus, I am requesting that this issue be placed on the January 22, 2007 Selectmen's Meeting Agenda. I have enclosed all supporting materials regarding this Statement of Interest.

Sincerely yours,



Robert Baldwin Ed.D.
Superintendent of Schools

from the desk of
Ruth Galary

RECEIVED

2007 JAN 16 A 11:13

BOARD OF SELECTMAN
FAIRHAVEN MASS

January 16, 2007

Board of Selectmen
Town of Fairhaven
40 Center Street
Fairhaven, MA 02719

Gentlemen,

I would like to thank you for the opportunity to have served on the Hoppy's Landing Advisory Committee. At this time I must render my resignation from this committee due to continuing health issues.

I have enjoyed working with the committee members and wish them and the town continued progress in making this land a recreational park for all the people of Fairhaven.

Thank you,

Ruth Galary
Ruth Galary

cc: Hoppy's Landing Advisory Committee



GARY F. SOUZA
CHIEF OF POLICE

COMMONWEALTH OF MASSACHUSETTS
TOWN OF FAIRHAVEN

DEPARTMENT OF POLICE
1 BRYANT LANE
FAIRHAVEN, MA 02719
www.fairhavenpolice.org

TELEPHONES

Dial 911 Emergency
(508) 997-7421 Non-Emergency
(508) 997-1344 Business
(508) 997-3147 Fax

DONALD A. JOSEPH
LIEUTENANT

January 15, 2007

Board of Selectmen
Town Hall
40 Center Street
Fairhaven, MA 02719

RE: Commendation
Officer Peter Joseph
Officer Marc Darmofal
Dispatcher Marie Bretz
Detective Jerald Bettencourt
Detective Glenn Cudmore
Detective Pamela Bourgault
Sergeant Stephen Foster

BOARD OF SELECTMAN,
FAIRHAVEN MASS

2007 JAN 16 A 10: 00

RECEIVED

Gentlemen:

Sergeant Stephen Foster brought to my attention the outstanding work of numerous members of the Fairhaven Police Department during and after an armed robbery by a masked man wielding a knife at the General Nutrition Center on the evening of January 12, 2007. Sergeant Foster was the shift commander during that incident.

He informed me that "witness information and outstanding police work combined to close the case less than an hour later with the capture of the suspect and recovery of the stolen money and weapon used".

After a description of the suspect van was put over the radio by Dispatcher Marie Bretz, Officer Peter Joseph alertly located the van fleeing the scene on Rt. 6. Officer Joseph attempted to stop the van but the suspect refused to stop. Officer Joseph pursued the suspect vehicle into North Fairhaven then across the Coggeshall Bridge into New Bedford. The suspect continued through the streets of New Bedford until abandoning the van in downtown New Bedford. Officer Joseph pursued the suspect on foot capturing him and recovering the stolen cash.

I thoroughly agree with Sergeant's Foster's assessment that "the professionalism under pressure shown by Officer Peter Joseph was tremendous and deserves recognition". It is clear that this dangerous suspect would not have been apprehended but for the alertness and devotion to duty displayed by Officer Joseph that evening.

Officer Marc Darmofal responded immediately to the scene of the robbery and took control of the preliminary investigation. He calmed the female victim, identified a key witness, and obtained the information necessary to allow police to both protect themselves and make a positive identification when approaching and taking into custody the robbery suspect. His follow up investigation, once the suspect was in custody, directly lead to the completion of an extremely strong case against the robbery suspect.

I again agree with Sergeant Foster's opinion that "the diligence shown by Officer Marc Darmofal in conducting a thoroughly professional investigation" was crucial to the successful conclusion of this case and deserving of recognition.

Dispatcher Marie Bretz was alone working in the Police communications center during the incident. In the opinion of Sergeant Foster, "dispatcher Marie Bretz did a terrific job of getting the information out over the radio to officers in the field and making the appropriate and timely notification of neighboring police agencies when mutual aid became necessary".

I reviewed the tapes of radio transmissions made during the incident. I was deeply impressed how Dispatcher Bretz remained calm during the pursuit and clearly and accurately related information in a professional and even voice. She recognized when to relay information on the pursuit yet when to remain off the air so pursuing units could broadcast their movements without interruption.

I agree with Sergeant Foster that Dispatcher Bretz "did a remarkable job under pressure" and is deserving of recognition.

Sergeant Foster also informed me that Detectives Jerald Bettencourt and Glenn Cudmore immediately arrived on the scene of the suspect's capture in New Bedford. Without hesitation, they took control of the scene surrounding the suspect motor vehicle until it could be towed to the Fairhaven Police Department. They conducted a thorough search of the vehicle and documented the recovery of the weapon used by the suspect and the clothing worn by the suspect to disguise his features during the robbery.

In the word of Sergeant Foster, "the professionalism and spirit of teamwork exhibited by Detectives Cudmore and Bettencourt greatly assisted the uniform division strengthening the case against the suspect and is deserving of recognition".

Additionally, Detective Bettencourt willingly agreed to remain on duty and cover other calls for service after he had completed his part of the investigation thus allowing Officers Joseph and Darmofal to complete their investigation and report writing in a timely fashion without interruption.

Detective Pamela Bourgault came to the station after having just completed a private detail assignment. She willingly volunteered to go to St. Luke's Hospital to guard the suspect following his transport by ambulance from the station after he complained of illness. Her assistance relieved much of the burden thrust upon the uniform division and allowed a timely completion of the investigation while still allowing patrol officers to respond timely to other calls for service.

What was noticeably absent from the memo requesting recognition of these officers drafted by Sergeant Foster was a mention of his activities that evening.

Sergeant Foster was in command that evening. He calmly and professionally directed the investigation. He deserves much of the credit for the successful resolution of this case and for it being resolved without injury to officers or the suspect.

In my experience working with Sergeant Foster for over 20 years, I can truthfully say that it is typical of him to shun credit for a job well done yet to consistently give credit to those who work under him.

He should also be commended.

The safe and successful conclusion of this case resulted from good teamwork and the professionalism, courage and devotion to duty of the police officers mentioned.

It is my intention to place a copy of this letter in the personnel files of all those listed in recognition of their exemplary action on the evening of January 12, 2007

Sincerely

A handwritten signature in cursive script that reads "Gary F. Souza".

Gary F. Souza
Chief of Police