

Selectmen's Meeting – July 2, 2007

Mr. Manzone, Mr. Silvia and Dr. Bowcock were present.

Also in attendance was Jeffrey Osuch.

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

Dr. Bowcock motioned to approve the minutes of June 18, 2007. Mr. Silvia seconded. Vote was unanimous.

Dr. Bowcock motioned to approve the minutes of the June 18, 2007 executive session. Mr. Silvia seconded. Vote was unanimous.

Dr. Bowcock motioned to approve the minutes of June 20, 2007. Mr. Silvia seconded. Vote was unanimous.

HELL BENT CYCLES CLASS I DEALER & REPAIR LICENSE HEARING

Class I Dealer's License & Repair License Hearing for Hell Bent Cycles, LLC, 12 Lambeth Park Drive was scheduled for 7:00 p.m. Robert R. Benoit, owner, was not present. Dr. Bowcock motioned to table the hearing. Mr. Silvia seconded. Vote was unanimous. At the end of the Selectmen's Meeting, Mr. Benoit was still not present. Dr. Bowcock motioned to take the hearing off the table. Mr. Silvia seconded. Vote was unanimous. Dr. Bowcock motioned to continue the hearing to July 30, 2007. Mr. Silvia seconded. Vote was unanimous.

EAST FAIRHAVEN SCHOOL LOAN

Treasurer John Nunes explained Fairhaven is eligible for a \$1.9 million dollar loan from the Massachusetts School Building Authority at 2% for the East Fairhaven School Project. Mr. Silvia motioned to have the Chairman sign the loan documents. Dr. Bowcock seconded. Vote was unanimous.

TREE WARDEN

The Tree Warden was in attendance and requested the immediate removal of the follow trees because they are rotted and dangerous: 34 Bridge Street, 52 Green Street across from 53, Center & Green Street, Francis & Massasoit Street and 24 Massasoit Street. He reported all trees were posted. Mr. Silvia motioned to approve removal of the trees. Dr. Bowcock seconded. Vote was unanimous. Trees at 377 Huttleston Avenue are hanging over the highway creating a dangerous situation if they fall into the street. The trees are on private property and MASS Highway will not touch them. Both the Police Chief and the Tree Warden wrote to the property owner, but no action was taken. The Tree Warden

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will discuss the matter with Jeffrey Osuch. Mr. Silvia motioned to allow the Tree Warden to use Town Counsel if necessary. Dr. Bowcock seconded. Vote was unanimous.

EXECUTIVE SECRETARY'S REPORT

Town Hall Job Meeting is scheduled for July 3, 2007 and July 10, 2007 at 10:00 a.m.

Town Hall will be closed on Wednesday, July 4, 2007

Mattapoissett Water Treatment Plant Job Meeting is scheduled for 10:00 a. m. on July 5, 2007

East Fairhaven School Job Meeting was cancelled for this week

Fort Phoenix Job Meeting is scheduled for July 6, 2007 at 8:30 a.m.

Council on Aging will meet on July 9, 2007 at 9:30 a.m. at the Council on Aging

Fire Negotiations are scheduled for 4:00 p.m. on Monday, July 9, 2007

Mattapoissett Water Treatment Plant Job Meeting is scheduled for 1:00 p.m. on July 10, 2007

Mattapoissett River Valley Water District Meeting is scheduled for 4:30 p.m. on July 10, 2007 at the Board of Public Works

East Fairhaven School Job Meeting is scheduled for July 11, 2007

Hoppy's Landing Committee will meet on July 11, 2007 at 6:30 p.m.

Mr. Silvia motioned to approve payment to Monaco Restorations, Inc., 60 Mill Street, Southbridge, MA in the amount of \$41,800. Dr. Bowcock seconded. Vote was unanimous. (Fort Phoenix Restorations)

Mr. Silvia motioned to approve Change Order #2B in the amount of \$38,479.00 and Change Order #3 in the amount of \$19,696.00 to the Contract with Monaco Restorations, Inc. for the Fort Phoenix Restoration project. Dr. Bowcock seconded. Vote was unanimous.

Mr. Silvia motioned to approve payment in the amount of \$119,733.25 to Contracting Specialists, Inc., 453 South Main Street, Attleboro, MA for Town Hall Restoration Project. Dr. Bowcock seconded. Vote was unanimous.

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Mr. Silvia motioned to approve Change Order #1 to the contract with Contracting Specialists, Inc., 453 South Main Street, Attleboro, MA in the amount of \$32,247.91 for Town Hall Restoration Project. Dr. Bowcock seconded. Vote was unanimous.

BOARD OF PUBLIC WORKS

Board of Public Works submitted a request for authorization for legal services to review the draft contract for the Livesey Park Concession Stand. Mr. Silvia motioned to approve the request. Dr. Bowcock seconded. Vote was unanimous. Mr. Silvia requested a copy of the draft contract.

Letter from Linda and Albert Sykes, 2 Alden Road, Acushnet requesting sewer tie in to Fairhaven's system was discussed. In 2006, the Board of Public Works allowed the home at 4 Alden Road, Acushnet to tie into the system. No additional tie in was allowed. Town Counsel's letter of April 2006 was reviewed. Attorney Crotty stated the Board of Public Works does not have the authority to allow tie ins from neighboring town properties. Only Town Meeting has this authority. Mr. Silvia motioned to send a copy of Town Counsel's letter to the Board of Public Works and to request a response from the BPW on the issue. Dr. Bowcock seconded. Vote was unanimous.

CONSERVATION COMMISSION

Conservation Commission submitted a request for authorization for legal services for a review of Conservation Restriction for Pope's Beach, as Town Counsel has a conflict and cannot review the document. Mr. Silvia motioned to approve the request to hire another attorney. Dr. Bowcock seconded. Vote was unanimous.

INSURANCE

Cambridge Eye Doctors submitted an information brochure explaining a benefit for Town employees at no cost to the Town or the employee. Mr. Silvia motioned to allow the brochure to be distributed to Town employees. Dr. Bowcock seconded. Vote was unanimous.

NATURAL RESOURCE DEPARTMENT

Mr. Manzone read Kevin Villa's letter requesting permission to carry over 80 hours unused comp time and seven vacation days. (See attached.) Mr. Silvia motioned to approve the request. Dr. Bowcock seconded. Vote was unanimous. The unused time must be taken in FY 08.

PERSONNEL BOARD

Mr. Manzone read the memo from the Personnel Board stating that on June 20, 2007, the Board voted the following change: Kevin Villa -- Shellfish Warden to a Level 10 Step 5

Selectmen's Meeting – July 2, 2007

and David Darmofal – Harbormaster to a Level 10 Step 1, effective July 2, 2007. (See attached.) Mr. Silvia motioned to approve the changes. Dr. Bowcock seconded. Vote was unanimous.

POLICE DEPARTMENT

The Police Chief requested approval of his “recommendation to make the east side of Fort Street a No Parking/Tow Zone from 6 p.m. to 11 p.m. on Wednesday, July 4th and, if the (fireworks) display is cancelled that evening, to whatever evening the display is scheduled.” He also requested “that the area currently posted No Parking on Old Fort Road and on Fort Street and Green Street south of Doane Street be temporarily posted as a Tow Zone.” Mr. Silvia motioned to approve the request. Dr. Bowcock seconded. Vote was unanimous.

Mr. Manzone read the “Motion for July 4, 2007 Or Any Other Date to Which Fireworks Are Postponed Due To Weather. “(See attached.) Mr. Silvia motioned to approve the “Motion”. Dr. Bowcock seconded. Vote was unanimous.

Mr. Manzone read the letter from the Police Chief requesting approval to remove parking control signs on Morton Street and Main Street. (See attached.) Mr. Silvia motioned to approve the request. Dr. Bowcock seconded. Vote was unanimous.

Mr. Manzone read the letter from the Police Chief regarding a video signal from the West Island Town Beach to the Fairhaven Police Communication Center. (See attached.)

FORT PHOENIX 5 K ROAD RACE/WALK

Mr. Manzone read a letter from Kathy Lopes requesting permission to hold the race/walk on Sunday, September 9th. (See attached.) Mr. Silvia motioned to approve the request. Dr. Bowcock seconded. Vote was unanimous.

LICENSES

Mr. Silvia motioned to approve the application for a Common Victualer Licensee for Jake's Diner. Dr. Bowcock seconded. Vote was unanimous.

Mr. Silvia motioned to approve the application for a “Foosball Table” for Supreme Clientele Barber Shop. Dr. Bowcock seconded. Vote was unanimous.

NSTAR GAS

Mr. Silvia motioned to approve the petition to install a gas main on Washington Street at the intersection of Elizabeth Street and heading easterly for approximately 300 feet. Dr. Bowcock seconded. Vote was unanimous. (Approved by the Board of Public Works.)

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Mr. Silvia motioned to approve the petition for maintenance of gas lines at 7 Samoset Circle. Dr. Bowcock seconded. Vote was unanimous. (Approved by the Board of Public Works.)

Mr. Silvia motioned to approve the petition for maintenance of gas lines at 14 Jefferson Street. Dr. Bowcock seconded. Vote was unanimous. (Approved by the Board of Public Works.)

Mr. Silvia motioned to approve the petition for maintenance of gas lines at 43 Oxford Street. Dr. Bowcock seconded. Vote was unanimous. (Approved by the Board of Public Works.)

Mr. Silvia motioned to approve the petition for maintenance of gas lines at the intersection of Harvard Street and Manhattan Avenue. Dr. Bowcock seconded. Vote was unanimous. (Approved by the Board of Public Works.)

Mr. Silvia motioned to approve the petition for maintenance of gas lines at 8 Hill Street. Dr. Bowcock seconded. Vote was unanimous. (Approved by the Board of Public Works.)

OTHER MATTERS

Mr. Manzone thanked everyone for their kindness, phone call, cards and friendship during his recent illness.

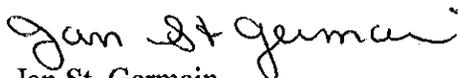
The Board congratulated the Improvement Association for another successful Homecoming Day Fair and thanked Myra and Curtis Lopes for their hard work and dedication.

Mr. Silvia thanked the Board for attending the North Fairhaven Improvement Association's last meeting and listening to and addressing their concerns.

Next meeting of the Board of Selectmen will be on West Island with the West Island Improvement Association.

EXECUTIVE SESSION

At 7:40 p.m., Mr. Silvia motioned to go into executive session to discuss Seafood Services Bankruptcy, SBA memo regarding the High School Project, Fernandes Masonry claim, Comcast Cable Contract negotiations, Wind Turbine Project, to meet with David Crowley regarding the Building Commissioner and not to reconvene in open session. Dr. Bowcock seconded. Vote was unanimous. Roll call vote 3-0.


Jan St. Germain
Secretary



KEVIN VILLA
Shellfish Warden

Town of Fairhaven Massachusetts

Office of the Shellfish Warden

40 Centre Street, Fairhaven, MA 02719

Date 06/18/07

To: Board of Selectmen
From: Kevin J. Villa (Shellfish Constable)
Re: Unused Comp Time, Vacation Days

BOARD OF SELECTMEN
FAIRHAVEN MASS

2007 JUN 18 A 8:33

RECEIVED

Gentlemen,

Due to the absence of the former Harbormaster (Gary Golas) for most of the month of May 2007, and with current budget problems resulting in a lack of Deputies, making me come in on my days off to complete the shellfish relay. At the time of this letter, I have accumulated about One hundred hours (100) of Comp time and never got to use it, also Seven (7) day of vacation time. This situation was unforeseen! I understand when the budget turns July 1st 2007, only Forty (40) hours can automatically be rolled over, I am asking the Board of Selectmen to make an exception and roll over at least Eighty (80) hours of my Comp time and my Seven (7) days of vacation.

I know the Board has made exceptions in the past and hope you understand my concerns. Someone had to be there at the time to try and uphold the Harbormaster/ Shellfish Constable duties until a new Harbormaster was in place.

APPROVED BY THE BOARD OF SELECTMEN
JULY 2, 2007

CC: BERNICE
PAYROLL

Respectfully submitted,

Kevin J. Villa
(Shellfish Constable)



TOWN OF
FAIRHAVEN

MASSACHUSETTS

THE FRIENDLY TOWN

7.
OFFICE OF
DIRECTOR OF FINANCE/
TREASURER

TOWN HALL
TELEPHONE (508) 979-4026

JOHN L. NUNES, CMMT
Director of Finance/Treasurer

6/21/2007

To: Board of Selectmen

From: John L. Nunes, CMMT/CMMC
Director of Finance /Treasurer

Re: Personnel Board Meeting

At a meeting of the Personnel Board on June 20, 2007 the Board voted the following change:

Kevin Villa – Shellfish Warden to a	Level 10 Step 5
David Darmofal – Harbormaster to a	Level 10 Step 1

This adjustment if approved will be effective on Monday July 2, 2007. There is sufficient money in the Fiscal Year 2008 budget to accommodate these adjustments.

If you should have any questions, please do not hesitate to contact me.

APPROVED BY THE BOARD OF SELECTMEN – JULY 2, 2007

CC: BERNICE
PAYROLL

BOARD OF SELECTMEN
FAIRHAVEN MASS

2007 JUN 21 A 11: 39

RECEIVED

MOTION

FOR JULY 4, 2007
OR ANY OTHER DATE TO WHICH FIREWORKS
ARE POSTPONED DUE TO WEATHER

Whereas, the fireworks display over the New Bedford/Fairhaven Harbor conducted by the City of New Bedford brings thousands of spectators to the Ft. Phoenix area and the fireworks will be shot from the New Bedford side of the Hurricane Barrier close to the Fort Phoenix area.

For the safety of the public, the Police Chief or his designee is authorized and directed to refuse entry to the Town owned area of the Fort Phoenix reservation any person who, in the opinion of the Chief or his designee, is in possession of a package or container containing dangerous or illegal substances or alcoholic beverages and refuses the request of the Chief or his designee to search the package or container to verify no illegal or dangerous substances or alcoholic beverages are contained therein.

Paul J. Maynard

Michael Sullivan

APPROVED

7-2-07

[Signature]



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 8A
Dial 911 Emergency
(508) 997-7421 Non-Emergency
(508) 997-1344 Business
(508) 997-3147 Fax

DONALD A. JOSEPH
LIEUTENANT

September 26, 2006

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

RE: Removal of Parking Control Signs

Gentlemen:

I understand one of the requests that came from your meeting with North Fairhaven residents was for review of parking control signage in light of the closing of Oxford School.

It is my recommendation that two green signs on Morton Street (north side of Oxford School) and one green sign on Main Street (adjacent to the Oxford School parking lot) be removed.

Those three signs limit parking during certain times of the day in an effort to limit congestion and enhance safety of children when school begins and lets out. Those signs no longer serve a purpose with closure of the school.

I recommend that the sign posts be removed as well as the signs. If that proves impossible and the posts must be cut to ground level, I request that no metal pieces stick up above ground causing a safety hazard.

APPROVED BY THE BOARD OF SELECTMEN
JULY 2, 2007

Respectfully

Gary F. Souza
Chief of Police

8 B



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

June 26, 2007

Board of Selectmen
Town Hall
40 Center St.
Fairhaven, MA 02719

RE: Comcast

Gentlemen:

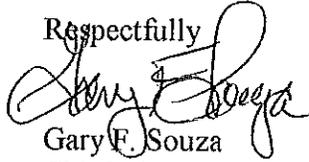
The following is to summarize our dealings with Comcast regarding their willingness to allow us to use their lines to carry a video signal from West Island Town Beach to the Fairhaven Police communications center. It is my understanding that the Attorney representing the Town in contract negotiations with Comcast will consult with you at your next scheduled meeting.

As you are aware, we have been researching the feasibility of having cameras mounted in the West Island Town Beach parking lot in order to provide the Fairhaven PD communications center with a live feed of activities in the lot.

We received a quote in the amount of \$ 30,182.00 for a wireless surveillance system.

As an alternative, Detective Cudmore researched the option of using Comcast cable lines to transmit the camera signal from the Town Beach to FPD. Existing Comcast lines reach almost to the Town Beach and a preliminary quote listed a price of approximately \$150 a month for the usage of their lines. Unfortunately, preliminary approval by their security department for use of the lines was vetoed by Comcast Corporate office on liability grounds. They fear that they would be liable if someone was the victim of a crime at Town Beach and we were unable to witness it due to a cable outage.

RECEIVED
JUN 27 2007
BOARD OF SELECTMEN
FAIRHAVEN

Respectfully

Gary F. Souza
Chief of Police

9.

RECEIVED

2007 JUN 14 A 10:44

BOARD OF SELECTMAN
FAIRHAVEN MASS

100 Cedar Street
Fairhaven, MA 02719
July 12, 2007

Board of Selectmen
Town Hall
Fairhaven, MA 02719

Dear Sirs:

The purpose of this letter is to request permission to hold the Ft. Phoenix 5k Road Race on Sunday, September 09, 2007, at 10 a.m. in Fairhaven. Our committee has applied for a special permit with the Massachusetts Department of Conservation & Recreation and is awaiting its approval. The race will include a 5k walk, which will be held concurrently with the 5k race.

This year's race will benefit the Fairhaven High School Boys & Girls Lacrosse teams. Our committee has received approval from Scott Francis, Athletic Director, for the race to benefit the Lacrosse teams.

If you require additional information, I can be contacted at (508) 99-2194 (home) or (508) 880-8282 (work).

Sincerely,

Kathy L. Lopes

Kathy L. Lopes
Race Director
Ft. Phoenix 5k Race/Walk

Attachment: Application/Map

APPROVED BY THE BOARD OF SELECTMEN
JULY 2, 2007

cc: Police chief 7/3/07
Fire chief
BRW

Ronald J. Maynard

Michael Silvia

[Signature]