

Selectmen's Meeting – November 19, 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 October 29, 2007. Mr. Silvia seconded. Vote was unanimous.

Dr. Bowcock motioned to approve the minutes of the October 29, 2007 executive session. Mr. Silvia seconded. Vote was unanimous.

Dr. Bowcock motioned to approve the minutes of November 8, 2007. Mr. Silvia seconded. Vote was unanimous.

#### JIM HOLMES

Members of Jim Holmes' family and friends were in attendance for the dedication of a plaque in his memory. The plaque will be placed in the Banquet Room of the Town Hall. Mr. Manzone read the following:

In Memory of James J. Holmes, July 31, 1956 – August 29, 2007

To a man who truly made a difference in the Town of Fairhaven. Jim served proudly as Assistant Harbormaster, Chairman of the Board of Appeals, member of the Planning Board, member of the Harbor Advisory Committee, member of the Livesey Park Restoration Committee and member of the Sconticut Neck Sewer Committee. Jim's commitment to this community will resonate for years to come. Jim's unique personality made him so approachable to all the citizens. His smile alone said it all; he was a friendly and caring individual who enjoyed being a part of the solution. He was an honest and fair official who loved working with others for the sole reason of making our town a better place to live. Jim's passing has left a void in many of our hearts, but he shall always be remembered for his service and commitment he gave to this town.

Dedicated November 19, 2007

Board of Selectmen

Ronal J. Manzone

Michael Silvia

Dr. Brian K. Bowcock

Mr. Manzone said Jim was his best friend, a man that cared about people and Fairhaven and was always there to make Fairhaven a better place. The Town has lost a dedicated future leader and he will be deeply missed.

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### VETERAN OF THE YEAR

The Board congratulated James Leal on being honored as the ninth annual Southeastern Veteran of the Year from the Veterans Transition House. Mr. Leal served in the United States Army as a combat medic during the Korean War. He was awarded the Korean Service Medal, the United Nations Medal, the National Defense Medal and the Bronze Star with Valor. He was involved with the placement of the Korean War Memorial in Clasky Park in New Bedford.

### 2008 COMMUNITY DEVELOPMENT BLOCK GRANT

Director of Planning and Economic Development was in attendance to answer questions concerning the final draft of the 2008 Fairhaven Community Development Strategy for the 2008 Block Grant. (See attached.) Mr. Silvia motioned to approve the final draft. Dr. Bowcock seconded. Vote was unanimous. Mr. Silvia motioned to approve an extension to the 2006 Community Development Block Grant. Dr. Bowcock seconded. Vote was unanimous.

### HARBORMASTER

Shellfish Constable and Harbormaster were present and discussed waterway user fees, Union Wharf permits and fees, moorings and the establishment of an Enterprise Fund. (See attached.)

Mr. Silvia motioned to allow Eric Moniz to dock his boat in his father's slip at Union Wharf for two months while his father's boat is being repaired. Dr. Bowcock seconded. Vote was unanimous.

Mr. Silvia motioned to approve Union Wharf Basin slips for the following fishermen: Eric Moniz, John Moniz, David Crowley, Arthur DeCosta, Tim Powers, Robert Hobson, Aaron Cebula, Thomas Tomkiewicz and Bruce Ingham. Dr. Bowcock seconded. Vote was unanimous.

There is one vacancy at Union Wharf for a small vessel. Deadline to submit an application to the attention of Kevin Villa is December 10, 2007.

Mr. Silvia motioned to increase, effective July 1, 2008, the Union Wharf dockage fee for the large boats to \$20.00 per day, \$50.00 per day for transient boats with a maximum consecutive 15 days, or 60 days yearly and payment delinquent 60 days for all large boats will be subject to a penalty of 14%. Dr. Bowcock seconded. Vote was unanimous.

Mr. Silvia motioned to place an article on the Annual Town Meeting Warrant for an Enterprise Fund for the Office of the Harbormaster. Dr. Bowcock seconded. Vote was unanimous.

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Mr. Silvia motioned that boats trailered in/out on each use will not be charged a waterway user fee, Fairhaven marinas will bill their customers and forward a check to the Town and the marina will receive \$1.00 for each vessel paying a waterway user fee. Dr. Bowcock seconded. Vote was unanimous.

Mr. Silvia motioned to approve the Rules and Regulations for Dingy Racks with a yearly fee of \$35. Dr. Bowcock seconded. Vote was unanimous.

Mr. Silvia motioned to direct the Harbormaster to develop a mooring plan. Dr. Bowcock seconded. Vote was unanimous.

Mr. Silvia motioned to appoint James Hennessy a Deputy Shellfish Warden & Assistant Harbormaster. Dr. Bowcock seconded. Vote was unanimous. Term to expire May 31, 2008.

#### PERSONNEL BOARD

John Nunes, Personnel Director, submitted a memo stating that on November 7<sup>th</sup> the Personnel Board approved the following requests:

1. To add the position of Fire Department Photographer to the budget as of July 1, 2008 (fiscal year 2009) under the heading of "Call Firefighter" as long as there is no increase in the department budget.
2. To add the position of Engineer-Part Time to the Board of Public Works Department as of July 1, 2008 (fiscal year 2009). This position will pay \$25 per hour to be funded by the fees that the developers now pay for this service and to add this slot to the Schedule E Salary Schedule of the Personnel By-Laws.
3. To support the change of the part time position in the Town Accountants office from a Level 5 Step 5 to a Level 9 Step 4 effective July 1, 2008 (fiscal year 2009) subject to approval by the Board of Selectmen, Finance Committee and Town Meeting.
4. To request that the Board of Selectmen have the non-union department heads work a 40 hour week with an hour lunch and to be in Town Hall during the hours of operation.

Discussion ensued on each of the four requests and the Board stated they may approve or reject the request or send the request back to the Personnel Board for additional information. Even if the Board of Selectmen approves a request, Town Meeting and/or the Finance Committee may not fund the change.

Mr. Silvia motioned to approve request #1. Dr. Bowcock seconded. Vote was unanimous.

Dr. Bowcock motioned to refer request #2 back to the Personnel Board to request a job description be submitted. Mr. Silvia seconded. Vote was unanimous.

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Dr. Bowcock motioned to table request #3. Mr. Silvia seconded. Vote was unanimous.

Dr. Bowcock motioned to table request #4. Mr. Silvia seconded. Vote was unanimous.

#### COALITION FOR BUZZARDS BAY

Mark Rasmussen, Executive Director of the Coalition for Buzzards Bay, was in attendance to discuss the "2007 State of the Bay Report". He reported that increasing nitrogen pollution is causing the decline in the health of Buzzards Bay. Eelgrass is disappearing and bay scallop harvests and river herring populations are near collapse. (See attached information.)

#### EXECUTIVE SECRETARY'S REPORT

A meeting is scheduled with the Animal Control Officer, Town Accountant and Jeffrey Osuch for 10:00 a.m. on November 21, 2007.

Town Hall will be closed on November 22 and 23, 2007 for the Thanksgiving Day Holiday.

East Fairhaven School Job Meeting is scheduled for 9:00 a.m. on November 26, 2007.

Retirement Board will meet on November 27, 2007 at 8:30 a.m.

Mattapoisett River Valley Water Treatment Plant Job Meeting is scheduled for November 28, 2007.

Personnel Board will meet on November 28, 2007 at 4:45 p.m.

Economic Study Committee will meet on November 29, 2007 at 1:30 p.m. The Committee plans to meet quarterly.

Mr. Silvia motioned to approve Change Order #1 in the amount of \$54,192.00 to the contract with Monaco Restoration, Inc., 60 Mill Street, Southbridge, MA. Dr. Bowcock seconded. Vote was unanimous. (Fort Phoenix Restoration Project)

Mr. Silvia motioned to approve payment to Monaco Restoration, Inc., 60 Mill Street, Southbridge, MA in the amount of \$62,533.75. Dr. Bowcock seconded. Vote was unanimous. (Fort Phoenix Restoration Project)

Mr. Silvia motioned to approve payment to Monaco Restoration, Inc., 60 Mill Street, Southbridge, MA in the amount of \$9,516.15. Dr. Bowcock seconded. Vote was unanimous. (Fort Phoenix Restoration Project)

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Mr. Silvia motioned to approve payment to Monaco Restoration, Inc., 60 Mill Street, Southbridge, MA in the amount of \$10,159.60. Dr. Bowcock seconded. Vote was unanimous. (Fort Phoenix Restoration Project)

Mr. Silvia motioned to approve payment to Agostini Construction Co., Inc., 243 Narragansett Park Drive, East Providence, RI in the amount of \$199,896.50. Dr. Bowcock seconded. Vote was unanimous. (East Fairhaven School)

Environmental Protection Agency will present a slide show of the Atlas Tack Cleanup on December 3, 2007 at 7:15 p.m. in the Town Hall Banquet Room.

#### ATLAS TACK

UMASS Dartmouth requests a “revocable license” to access Atlas Tack property for scientific assessment. Mr. Silvia motioned to approve the request. Dr. Bowcock seconded. Vote was unanimous.

#### BUILDING DEPARTMENT

Construction Report for October 2007 will be placed on file.

#### CONSERVATION COMMISSION

Chairman of the Conservation Commission submitted a request to approve the transfer of \$474.95 from the Conservation Wetland Protection Fund to Office Supplies for a new digital camera. Mr. Silvia motioned to approve the request and the purchase is not to exceed \$500. Dr. Bowcock seconded. Vote was unanimous.

#### POLICE DEPARTMENT – SURPLUS VEHICLE

Mr. Manzone read the letter from the Chief declaring a 1996 Police Cruiser surplus. (See attached.)

The Harbormaster submitted a letter requesting the surplus vehicle be transferred to the Natural Resource Department.

The Highway Superintendent submitted a letter requesting the surplus vehicle be transferred to the Highway Department.

Mr. Silvia motioned to award the surplus vehicle to the Natural Resource Department and the next available surplus vehicle will be awarded to the Highway Department. Dr. Bowcock seconded. Vote was unanimous.

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#### SUSTAINABILITY COMMITTEE

Mr. Manzone read Mark Rasmussen's letter of resignation from the Sustainability Committee. (See attached.)

#### NSTAR

Mr. Silvia motioned to approve the petition for one proposed joint pole location and the removal of one joint pole location on Linden 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 21 Alpine 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 Babbitt 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 91 Green Street. Dr. Bowcock seconded. Vote was unanimous. (Approved by the Board of Public Works.)

#### 2008 ANNUAL TOWN MEETING

Annual Town Meeting will be held on Saturday, May 3, 2008.

Deadline for Street Acceptance Articles is Friday, January 4, 2008.

Deadline for all other Articles is Friday, January 25, 2008.

All articles must be submitted to the Selectmen's Office by 4:00 p.m. on these dates.

#### 2008 LICENSE RENEWALS

Mr. Silvia motioned to approve the following Common Victualer Licenses: Burger King, Dunkin Donuts (27 Alden Road), Dunkin Donuts (32 Howland Road), Honey Dew Donuts and Pumpnickles. Dr. Bowcock seconded. Vote was unanimous.

Mr. Silvia motioned to approve the following Class I Car Dealer Licenses: Alden Buick Pontiac GMC and O'Hara Mazda. Dr. Bowcock seconded. Vote was unanimous.

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Mr. Silvia motioned to approve the following Class II Car Dealer Licenses: Al's Auto Sales, Artistic Auto Body, Howard's Auto Sales and Manny & Bob's Pre-Owned Cars. Dr. Bowcock seconded. Vote was unanimous.

Dr. Bowcock motioned to approve the following Car Repair Licenses: Artistic Auto Body, Automotive Diagnostic, Manny & Bob's Service, Inc., Dattco Sales & Service, Jerry's Auto & Cycle Service, Inc., Manny's Service Station, Rick's Services and Roland's Tire Service. Mr. Silvia seconded. It was so voted. Mr. Manzone, whose brother owns a Repair Station, left the room and did not vote on the renewals.

#### OTHER MATTERS

The Board thanked all involved in the Veteran's Day Parade and stated it was attended.

#### EXECUTIVE SESSION

At 8:45 p.m., Mr. Silvia motioned to go into executive session to discuss the Comcast Cable Contract negotiations, Police Contract negotiations, Fire Contract negotiations, Dispatcher Contract negotiations, Non-Union Employee negotiations, personnel issues regarding the Animal Control Officer and not to reconvene in open session. Dr. Bowcock seconded. Vote was unanimous. Roll call vote 3-0.

Jan St. Germain  
Secretary