

SELECTMEN'S MEETING – JULY 26, 2010

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

Also in attendance were Jeffrey Osuch and John Nunes.

At 6:30 pm Mr. Murphy called the meeting to order.

Mr. Silvia motioned to approve the minutes of July 12, 2010. Dr. Bowcock seconded. Vote was unanimous.

JOINT PURCHASE AGREEMENT BETWEEN THE TOWN OF FAIRHAVEN AND THE SOUTHEASTERN MASS EDUCATIONAL COLLABORATIVE

SMEC will remain on the Town's healthcare coverage. Beginning July 1, 2011, SMEC will pay admin fees of \$2,500, which will increase annually by 3% thereafter. Mr. Silvia motioned to sign agreement with SMEC. Dr. Bowcock seconded. Vote was unanimous.

FAIRHAVEN ENROLLMENT AGREEMENT

The Massachusetts School Building Authority predicts for grades K-5 the design enrollment will be 370 students and for grades K-6 the design enrollment will be 510 students. A motion to have Mr. Murphy sign the Design Enrollment Certification upon arrival was made by Mr. Silvia. Dr. Bowcock seconded. Vote was unanimous.

FAIRHAVEN ROGERS SCHOOL FEASIBILITY STUDY CONTRACT

There will be a meeting Tuesday, July 27, 2010 @ 4:00 PM at the Fairhaven High School Library. A motion to authorize Mr. Murphy to sign the contract once the document is complete was made by Mr. Silvia. Dr. Bowcock seconded. Vote was unanimous.

EXECUTIVE SECRETARY'S REPORT

Meeting Schedule:

Tuesday, July 27, 2010 @ 4:00 PM – Fairhaven High School Library

Wednesday, July 28, 2010 @ 9:30 AM – Waste Water Treatment Plant

Thursday, July 29, 2010 @ 8:30 AM – Retirement Board
@1:00 PM – Atty. Garrett Notis (represents Town insurance company) vs. Officer Correia regarding the MCAD case

Mr. Osuch advised the Selectmen to schedule a meeting to fill the vacant seat on the Planning Board at the next Board of Selectmen meeting, scheduled for August 9, 2010. The two applicants are Jeffrey Lucas and Anne Richards.

Mr. Osuch spoke about an email he received from T-Mobile to put a cell tower on Town property. It was mentioned that T-Mobile could possibly lease the property. Mr. Murphy requested a meeting be scheduled with Mr. Johnson.

The New Bedford Riverwalk with Acushnet meeting was discussed. This is to be a walking trail to run along the waterfront, spanning from Coggeshall Street in New Bedford moving into Acushnet through Sycamore Street and Howland Road in Fairhaven back to Coggeshall Street in New Bedford. New Bedford City Planner David Kennedy to meet with William Roth to outline the feasibility. The Selectmen congratulate David Kennedy and Mayor Scott Lang for being such visionaries with this project. Mr. Silvia motioned to send a letter of supportive nature to the City of New Bedford. Dr. Bowcock seconded. Vote was unanimous.

Mr. Osuch stated that Officer DeMello has filed an appeal with Civil Service in regards to the Suspension Hearing heard at the last Selectmen's Meeting on July 12, 2010.

Dr. Bowcock motioned to reappoint Joseph Borelli (Full Member), Albert Borges, Jr. (Full Member), Elaine O'Neill (Full Member) and Jerald Brecken (Associate Member) to the Council on Aging Board of Directors. Mr. Silvia seconded. Vote was unanimous.

APPOINTMENTS

6:45 PM – JOHN NUNES (TAX AUCTION, 25 BAYVIEW AVENUE)

Mr. Nunes discussed that an heir of 25 Bayview Avenue, although properly served in June 2009, still had the "right of redemption" that is available for one year after the foreclosure. Provided the heir pay all outstanding taxes, insurance, legal fees and all fees associated with the securing/cleaning up of the property, which totals \$41,300, the Town will have the decree vacated and the parcel will be released to the heir. A request was made by Mr. Nunes to grant the heir one week to come

up with the money, payable on August 4, 2010. Mr. Silvia made the motion to grant this one week extension. Dr. Bowcock seconded. Vote was unanimous. Mr. Nunes also stated a friendly reminder that the 1st Quarter taxes will be due Monday, August 2, 2010.

7:15 PM – DEBORAH JENKINS & JOSEPH BORELLI

To be discussed in Executive Session

7:30 PM – BOARD OF PUBLIC WORKS – NEW BEDFORD WATER & SEWER AGREEMENT AND NPDES PERMIT

To be discussed in Executive Session

AMENDMENT TO SEC. 33B OF CHAPTER 138 OF MGL (10 AM OPENING ON SUNDAYS FOR SECTION 12 LIQUOR LICENSE HOLDERS)

Mr. Murphy requested input from residents. The Board voted to table the discussion to the next Board of Selectmen's meeting on August 9, 2010. Dr. Bowcock made the motion. Mr. Silvia seconded. Vote was unanimous.

COMMUNITY CONNECTIONS, INC. WALK-A-THON

A request was made to approve a walk-a-thon to benefit Community Connections, Inc. which provides opportunities for people with disabilities. The walk-a-thon is to be held on Saturday, September 18, 2010. Mr. Silvia made the motion to approve the walk-a-thon. Dr. Bowcock seconded. Vote was unanimous.

MOVING PERMIT – MODULAR HOME

Scheduled moving date is August 3, 2010 to 2B Rivard Lane. The Police Chief, Fire Chief, Tree Warden, BPW Superintendent, and Building Commissioner have all given the ok for the move. Mr. Silvia made the motion to approve the move of the modular home. Dr. Bowcock seconded. Vote was unanimous.

SPECIAL ONE DAY LIQUOR LICENSES

Mr. Silvia motioned to approve the application for a One Day All Alcohol Liquor License for the Acushnet Lions Bike Run to be held in the parking lot of Ice Chest Bar & Grille on Sunday, August 22, 2010 from 12:00 PM – 9:00 PM. Dr. Bowcock seconded. Vote was unanimous.

Mr. Silvia motioned to approve the application for a One Day All Alcohol Liquor License for the Jim Holmes Memorial Scholarship Bike Run to be held in the parking lot of Ice Chest Bar & Grille on Sunday, August 1, 2010 from 12:00 PM – 9:00 PM. Dr. Bowcock seconded. Vote was unanimous.

REQUEST TO HAVE DONATED OR TO PURCHASE LAND OWNED BY THE TOWN OF FAIRHAVEN (43A Town of Fairhaven Assessors Plans lot #1 & 1A)

Dr. Bowcock does not support the selling or donating of Town land and stated he would speak to the petitioner.

LETTER OF RESIGNATION TO THE DUTY OF FAIRHAVEN CONSTABLE

The Board of Selectmen wishes to thank Mr. Dompierre for his many years of service.

ANIMAL SHELTER GIFT ACCOUNT

A donation of \$25.00 from Douglas David and \$5.00 from Anthony Gracie was graciously accepted.

SICK LEAVE FOR DAVID DARMOFAL

Mr. Silvia motioned to approve a prorated sick leave buy back for Mr. David Darmofal. Dr. Bowcock seconded. Vote was unanimous.

OTHER MATTERS

Mr. Silvia wanted to thank the volunteers and business who donated to the NFIA Car Show.

Dr. Bowcock mentioned that there is an August 14, 2010 deadline for the New Bedford/Fairhaven hurricane barrier. It was stated that it will take approximately 18 months for FEMA to redraw flood maps, which could affect flood zones impacting cost of insurance for the residents of Fairhaven.

Dr. Bowcock discussed that the Water/Sewer Agreements with New Bedford would be discussed in executive session.

Dr. Bowcock stated that the EPA-NPDES permit is an important issue the Town is facing and probably one of the most important issues the Town has faced in quite

some time. As it reads now, it will financially break the Town. Fairhaven residents could pay approximately three or four times the current sewer rates.

Mr. Murphy discussed the following items:
The Farmer's Market is currently open.

It was brought to the attention of Mr. Murphy that a snow parking ban is still on the Town's website, which John Nunes has removed.

Dollars for Scholars, a scholarship program, doubles the money for participating schools.

Mr. & Mrs. Rooney chaperoned a group of fourteen Japanese students who toured the Town Hall this Monday, July 26, 2010.

The 20th year anniversary of the Americans with Disability Act

EXECUTIVE SESSION

At 7:30 PM, Mr. Silvia motioned to go into executive session to discuss issues with the Assessor's Department, personal/health issues regarding Deborah Jenkins and Joseph Borelli and the Board of Public Works EPA NPDES permit and New Bedford Water and Sewer Agreement. All decided not to reconvene in open session. Dr. Bowcock seconded. Vote was unanimous. Roll call vote Mr. Murphy in favor, Mr. Silvia in favor and Dr. Bowcock in favor.

Erika L. Correia
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