

Selectmen's Meeting – September 20, 2010

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

Also in attendance was Jeffrey Osuch.

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

Mr. Silvia motioned to approve the minutes of September 4, 2010. Dr. Bowcock seconded. Vote was unanimous.

Mr. Silvia motioned to approve the minutes of the September 4, 2010 executive session. Dr. Bowcock seconded. Vote was unanimous.

2011 COMMUNITY DEVELOPMENT BLOCK GRANT HEARING

2011 CDBG Grant, Final Community Development Strategy Hearing, was schedule for 6:50 p.m.

The Director of Planning and Economic Development was in attendance and reviewed the proposed changes. (See attached. Changes are highlighted and in color.) Cushman Park will remain the Target Area with infrastructure improvements to Spring Street to improve drainage. Mr. Silvia motioned to approve the final draft of the Community Development Strategy. Dr. Bowcock seconded. Vote was unanimous.

Mr. Silvia motioned to award the CDBG 2010 Grant Administrator/Housing Rehab Specialist Contract to Breezeway Farm Consulting, Inc. of New Salem, MA, subject to the Town receiving final clearances from DHCD . Dr. Bowcock seconded. Vote was unanimous.

Mr. Silvia motioned to award the contract for the CDBG 2010 Middle Street Phase 2 Construction to Pavao Construction Company, Inc., in the amount of \$373,817.50, subject to the Town receiving final clearances from DHCD . Dr. Bowcock seconded. Vote was unanimous.

LIQUOR LICENSE HEARING – CONNOLLY'S LIQUOR MART

Liquor License Hearing was scheduled for 6:55 p.m. to act on the application submitted by Stephen M. Magliocca d/b/a Connolly's Liquor Mart, 36 Howland Road, for a transfer of a Package Store/All Alcoholic License and Pledge of License. Mr. Murphy called the hearing to order. Stephen Magliocca, Manager, was present. Brief discussion followed. Mr. Silvia motioned to approve the application. Dr. Bowcock seconded. Vote was unanimous. Application will be forwarded to the Alcoholic Beverage Control Commission for approval.

T-MOBILE CELL PHONE TOWER – LONG ROAD

The Board of Selectmen received a request from T-Mobile to install a cell phone tower off Long Road near Route 195, on land owned by the Town. Abutters within 300 feet of the proposed location were notified that a public hearing was scheduled for 7:00 p.m. on September 20, 2010,

Selectmen's Meeting – September 20, 2010

to gather information from residents in the area. Mr. Murphy opened the hearing and read the notice to abutters. (See attached.) Mike Johnson and a tech person from T-Mobile were present. Mr. Johnson explained there is a “gap” in cell phone service on Route 195. T-Mobile would like permission to install a cell phone tower off Long Road. He suggested installing a tower no higher than 120’ that looks like a pine tree or pole. Abutters voiced their concerns for the proposed tower being located so close to a residential neighborhood and submitted a petition with 200+ signatures opposing the tower. A Power Point presentation on “T-Mobile Cellular Tower Impact on Local Neighborhoods”, outlining the neighborhood’s opposition, was presented by an abutter. (See attached.) Other concerns are a decrease in property value and an increased risk of cancer. (See attached information submitted by abutters.) Discussion continued. Abutters were advised T-Mobile could place a tower on private property. This hearing was held because the proposal is for placement on Town property. Mr. Silvia motioned not to explore the T-Mobile proposal on the Long Road site. Dr. Bowcock seconded. Vote was unanimous.

STYLIN CYCLES, INC.

Richard English submitted an application for a change of owner for a Class II Car Dealer and Repair License for Stylin Cycles, Inc., 34 Holcomb Street. Joseph Moura, current owner and Mr. English were present. Mr. Murphy read the memo from the Selectmen’s Office listing the dates Mr. Moura contacted the Selectmen’s Office regarding the application. (See attached.) Mr. Moura stated he is retiring and Mr. English will take over the business. Mr. Silvia read from the Selectmen’s Minutes of December 1, 2008, when licenses were amended to read “For the sale of motor cycles. The repair shop and office shall be used by the licensee and no portion of the building shall be sublet.” The Board reminded Mr. Moura the Repair License and Class II Licenses can not be transferred. Mr. English must submit an application for new licenses and follow the licensing procedure. Also, in accordance with M.G.L., Chapter 140, Mr. Moura’s “principal business must be the sale of new motor vehicles.” Currently, he is employed as the Manager of the Seaport Inn. He is in violation of the license. At the August 23, 2010 Selectmen’s Meeting, Mr. Moura was instructed to contact the Planning Board. He did not. If Mr. English is to be the new owner, he was instructed to submit a new license application.

HAITIAN ADVANCEMENT FOUNDATION

Jean Claude Joseph of the Haitian Advancement Foundation and Tom Mello summarized the recent work done by the Foundation to assist the people of Haiti. Supplies such as food, water, clothing and school supplies have been shipped. Mr. Joseph thanked the resident of Fairhaven for their support. Supplies will continue to be collected and shipped. A fund was also started to help re-build the schools and universities and the Foundation would like to start an exchange program to bring Haitian children to the area for schooling. (See attached information.)

EXECUTIVE SECRETARY’S REPORT

At 9:00 a.m. on September 21, 2010, Mr. Osuch will meet with Kevin Kelly of Power Management Company.

Selectmen's Meeting – September 20, 2010

“Confined Space Training” is scheduled for September 21, 2010 at 12:30 p.m. at the Board of Public Works.

Susan Goldstein from ESI (Employee Assistance Program) will meet with department heads on September 22, 2010 at 10:00 a.m. at Town Hall.

WES Construction Job Meeting is scheduled for 11:00 a.m. on September 22, 2010 at the Board of Public Works.

Pre-bid Meeting for painting of the Recreation Center is scheduled for 1:00 p.m. on September 22, 2010.

Mr. Osuch will meet with Todd Correia at 9:00 a.m. on Thursday, September 23, 2010 to discuss the “Fire Department/Emergency Medical Services” survey.

Retirement Board will meet at 8:30 a.m. on September 27, 2010.

Bid opening for the Recreation/Senior Center is scheduled for 2:00 p.m. on September 30, 2010.

Personnel Board will meet on September 30, 2010 at 4:45 p.m.

Board of Selectmen will meet on October 1, 2010 at 12:00 noon.

Selectmen will contact the Police Chief to schedule interviews for Police Officer.

Dr. Bowcock motioned to approve payment to Saltonstall Architects in the amount of \$24,950.00 for services for the treatment plant. Mr. Silvia seconded. Vote was unanimous.

Dr. Bowcock motioned to approve payment to Tata and Howard in the amount of \$54,000.00 for services for Route 6 cement lining. Mr. Silvia seconded. Vote was unanimous.

ANIMAL SHELTER GIFT ACCOUNT

\$30.00 donation to the Gift Account was accepted.

BUILDING DEPARTMENT

Mr. Silvia motioned to approve the request for authorization for legal services for Taylor Cultured Seafood “to commence a contempt action”. Dr. Bowcock seconded. Vote was unanimous. The Building Commissioner will meet with Mr. Taylor on Thursday, September 23, 2010. If legal services are not needed after the meeting, Town Counsel will not be used.

Selectmen's Meeting – September 20, 2010

CABLE ADVISORY COMMITTEE

Mr. Murphy read John Haaland's letter of resignation for the Cable Advisory Committee, effective September 13, 2010. (See attached.) Mr. Haaland was thanked for his many years of dedicated service on the Committee.

EMERGENCY MANAGEMENT AGENCY

Mr. Murphy read the letter from the Emergency Management Agency requesting the EMA be allowed to acquire a Ford Explorer from the Fire Department. The Fire Department must first declare the vehicle surplus. Once declared surplus, all Town Departments will be informed and given the opportunity to acquire the vehicle.

FIRE DEPARTMENT/EMERGENCY MEDICAL SERVICES

Dr. Bowcock motioned to table the Fire Department/Emergency Medical Services survey to the next Selectmen's Meeting. Mr. Silvia seconded. Vote was unanimous.

SPECIAL ONE DAY ALL ALCOHOLIC LICENSE

Mr. Silvia motioned to approve the Fairhaven Varsity Club's application for a Special One Day All Alcoholic License for a fund raiser on September 25th from 1-9 p.m. Dr. Bowcock seconded. Vote was unanimous.

SCHOOL DEPARTMENT

Dr. Bowcock made the motion to submit a "Statement of Interest" to the Massachusetts School Building Authority detailing the need of replacement, renovation or modernization of windows at the Hastings Middle School and Fairhaven High School. Mr. Silvia seconded. Vote was unanimous. (See attached.)

FIRE DEPARTMENT/POLICE DEPARTMENT

Mr. Murphy read the notice of the Public Safety Open House on Sunday, October 3, 2010 from 1-3 p.m. at Fire and Police Headquarters, 146 Washington Street. (See attached.)

BOARD OF HEALTH/BUILDING DEPARTMENT
ADMINISTRATIVE ASSISTANT

Dr. Bowcock motioned to extend the probation period for the Board of Health/Building Department Administrative Assistant to November 15, 2010. Mr. Silvia seconded. Vote was unanimous.

Selectmen's Meeting – September 20, 2010

OTHER MATTERS

The Board offered their condolences to the family and friends of Robert Cormier. His Father recently passed away.

Mr. Silvia attended "Place Settings", a Historical Society presentation at the Academy Building. He encouraged residents to attend the Society's upcoming events.

Dr. Bowcock, representing the Board of Selectmen, met with members of the West Island Improvement Association to try and resolve West Island beach issues before next summer.

"Walk, Rock & Roll at the Royal", sponsored by Community Nurse and Hospice Care, was held on September 19, 2010. Mr. Murphy reported the event was well attended.

Members of the Lions Club painted the Woodside Cemetery Gates and did some "weed whacking" to help beautify the Cemetery. A thank you letter will be sent.

At 8:25 p.m., Mr. Silvia motioned to recess for 5 minutes. Dr. Bowcock seconded. Vote was unanimous. Meeting reconvened at 8:35 p.m.

ATTORNEY NICHOLAS POSER

Mr. Murphy read the letter from Attorney Nicholas Poser requesting an appointment on the September 20, 2010 agenda regarding a "claim for Injured in the Line of Duty Benefits for Police Officer Peter V. Joseph". (See attached.) Officer Joseph and Attorney Poser were present. Attorney Poser requested executive session to discuss the claim.

At 8:36 p.m., Mr. Silvia motioned to go into executive session to discuss the health of an individual and not to reconvene in open session. Dr. Bowcock seconded. Vote was unanimous. Roll call vote 3-0.

Jan St. Germain
Secretary