

Selectmen's Meeting – September 20, 2004

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

Also in attendance was Jeffrey Osuch.

Dr. Bowcock called the meeting to order at 6:30 p.m.

Mr. Silvia motioned to approve the minutes of September 7, 2004. Mr. Eckenreiter seconded. Vote was unanimous.

#### NSTAR ELECTRIC HEARING

NSTAR Electric hearing was scheduled for 7:00 p.m. to act on the petition for two (2) proposed pole locations on Briercliff Road. Abutters were notified by certified mail of the date and time of the hearing. None were present. Mr. Silvia motioned to approve the petition. Mr. Eckenreiter seconded. Vote was unanimous. (Approved by the Board of Public Works.)

NSTAR Electric hearing were scheduled for 7:00 p.m. to act on the petition for two (2) proposed conduit locations and one (1) manhole on New Boston Road (north of Fox Run Lane). Abutters were notified by certified mail of the date and time of the hearing. None were present. Mr. Silvia motioned to approve the petition. Mr. Eckenreiter seconded. Vote was unanimous. (Approved by the Board of Public Works.)

#### DOMESTIC VIOLENCE AWARENESS MONTH

Richard Clark, representing Family Nonviolence, Inc., was in attendance to request the Board of Selectmen proclaim October as Domestic Violence Awareness Month for the Town of Fairhaven. He read a suggested proclamation. (See attached.) Mr. Silvia motioned to accept the proclamation as presented. Mr. Eckenreiter seconded. Vote was unanimous. "Family Pledge of Nonviolence" (See attached.) will be sent to the School Department and Recreation Center for distribution and placed on cable television bulletin board.

#### TAX CLASSIFICATION HEARING

In accordance with the provisions of Chapter 369 of the Acts of 1982, the Board of Selectmen scheduled a public hearing on the issue of allocating the local property tax levy among the five property classes. Notice of hearing, scheduled for 7:15 p.m., was published in the Standard Times on September 14, 2004. Andrew Martin and the Board of Assessors were present. Dr. Bowcock opened the hearing and a brief discussion followed. Mr. Martin recommended a Commercial Rate of \$16.66 and a Residential Rate of \$8.35. Mr. Silvia motioned to adopt a residential factor of 87.7068% which equals a Residential Rate of \$8.35 and a Commercial, Industrial and Personal Property Rate of

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\$16.66. Mr. Eckenreiter seconded. Vote was unanimous. Department of Revenue forms were signed.

#### EXECUTIVE SECRETARY'S REPORT

Harbor Trustee Council will meet at the Holiday Inn Express on September 21<sup>st</sup> at 11:00 a.m.

Police Union Contract negotiations are scheduled for September 21<sup>st</sup> at 1:30 p.m. at the Town Hall.

Buzzards Bay Advisory Committee will meet in Wareham at 12:00 noon on September 22<sup>nd</sup>.

Mr. Osuch will meet with Brian B. Smith on September 23<sup>rd</sup> at 1:00 p.m. at the Town Hall.

Dedication of the Antone "Hawk" Medeiros Recreation Center is scheduled for 11:00 a.m. on September 25<sup>th</sup>.

Mr. Osuch will meet with Town Counsel and EPA representatives on September 24<sup>th</sup> at 12:30 p.m.

Clerical Union Grievance Hearing is scheduled for October 4<sup>th</sup> at 7:30 p.m.

Certified Free Cash amount is \$2,108,650.

#### TOWN ACCOUNTANT

Mr. Silvia motioned to re-appoint Anne Carreiro, Town Accountant. Mr. Eckenreiter seconded. Vote was unanimous. Term to expire September 21, 2007.

#### BOARD OF ASSESSORS

Mr. Silvia motioned to re-appoint Delfino Garcia, Part-time Assessor. Mr. Eckenreiter seconded. Vote was unanimous. Term to expire September 21, 2005.

#### BOARD OF APPEALS

Ann Cochran resigned from the Board of Appeals effective September 7, 2004. With regret, the Board of Selectmen accepted the resignation.

Anyone interested in appointment as an associate member should send a letter to the Selectmen's Office.

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#### BUILDING DEPARTMENT

Mr. Silvia motioned to approve the Building Commissioner's request to carry over three (3) vacation days beyond his September 19th anniversary date. Mr. Eckenreiter seconded. Vote was unanimous.

#### BOARD OF PUBLIC WORKS

The Board of Public Works submitted a request to schedule an auction. Mr. Silvia motioned to allow the Board of Public Works to schedule an auction for November 20<sup>th</sup>. Mr. Eckenreiter seconded. Vote was unanimous.

#### DIVISION OF MARINE FISHERIES

Notice will be placed on file that a portion of the New Bedford/Fairhaven Outer Harbor, Widemarsh Creek and Nasketucket River are classified as closed to shellfishing.

#### WEST ISLAND IMPROVEMENT ASSOCIATION

Dr. Bowcock read the first paragraph of the letter from Shirley Hunter, President of the West Island Improvement Association, requesting a master harbor plan for the West Island area. (See attached.) The Harbormaster will be asked to present the maps he has completed. William Roth will be asked to assist in the matter.

#### GEO INSIGHT, INC.

Geo Insight, Inc. scheduled a Buzzards Bay Cleanup Activities Meeting for Wednesday, September 29<sup>th</sup> at 6:30 p.m. at the Whaling Museum.

#### NSTAR GAS

Mr. Silvia motioned to approve the petition to install a new gas service at 7 Shaw Road. Mr. Eckenreiter seconded. Vote was unanimous. (Approved by the Board of Public Works.)

Mr. Silvia motioned to approve the petition to install a new gas service at 51 Cedar Street. Mr. Eckenreiter seconded. Vote was unanimous. (Approved by the Board of Public Works.)

Mr. Silvia motioned to approve the petition to install a new gas service at 102 Green Street. Mr. Eckenreiter seconded. Vote was unanimous. (Approved by the Board of Public Works.)

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FAIRHAVEN IMPROVEMENT ASSOCIATION

On Tuesday, September 21<sup>st</sup>, the Improvement Association will honor John Rogers for his "outstanding contributions to Fairhaven and various organizations." A testimonial will be held at the Wamsutta Club beginning at 6:00 p.m. The Board of Selectmen issued a proclamation to honor Mr. Rogers.

UNITARIAN MEMORIAL CHURCH

On Sunday, October 3rd at 10:00 a.m., the Unitarian Church will commemorate the 100<sup>th</sup> anniversary of the 1904 dedication ceremony.

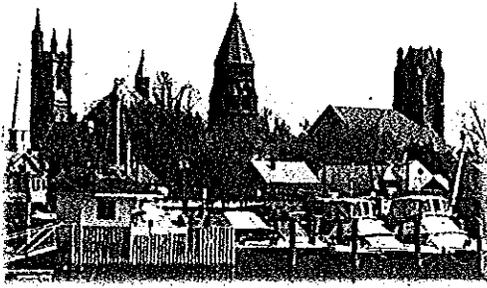
EXECUTIVE SESSION

At 6:47 p.m., Mr. Silvia motioned to go into executive session to discuss the David DeSouza case, Police Union contract negotiations and to reconvene in open session. Mr. Eckenreiter seconded. Vote was unanimous. Roll call vote 3-0. Open meeting reconvened at 7:00 p.m.

At 7:30 p.m., Mr. Silvia motioned to go into executive session to interview Police Officer candidates and not to reconvene in open session. Mr. Eckenreiter seconded. Vote was unanimous. Roll call vote 3-0.

*Jan St. Germain*

Jan St. Germain  
Secretary



*Fairhaven, Massachusetts*

*October*  
*Domestic Violence Awareness Month*

**T**he first Domestic Violence Awareness Month was observed in 1987, having evolved from the Day of Unity sponsored by the National Coalition Against Domestic Violence in 1981. The first Domestic Violence Awareness Month commemorative legislation was passed by the U.S. Congress in 1989. Additional legislation has been passed each year under the leadership of the Coalition.

A Proclamation, declaring October National Domestic Violence Awareness Month, was issued by President George W. Bush in 2001.

Suggested Board of Selectmen Proclamation

*We, the Board of Selectmen of the Town of Fairhaven, do proclaim October, "Domestic Violence Awareness Month." We urge the citizens of Fairhaven to observe this month by becoming more aware of the prevalence of domestic violence in our society, alert to its warning signs and committed to supporting those groups and individuals working towards its alleviation and prevention.*

# *Family Pledge of Nonviolence*

Making peace must start within ourselves and in our family.  
Each of us, members of the \_\_\_\_\_ family,  
commit ourselves as best we can to become nonviolent and peaceable people.

## *To Respect Self and Others*

To respect myself, to affirm others and to avoid uncaring criticism,  
hateful words, physical attacks and self-destructive behavior.

## *To Communicate Better*

To share my feelings honestly, to look for safe ways to express my anger,  
and to work at solving problems peacefully.

## *To Listen*

To listen carefully to one another, especially those who disagree with me,  
and to consider others' feelings and needs rather than insist on having my own way.

## *To Forgive*

To apologize and make amends when I have hurt another,  
to forgive others, and to keep from holding grudges.

## *To Respect Nature*

To treat the environment and all living things,  
including our pets, with respect and care.

## *To Play Creatively*

To select entertainment and toys that support our family's values and to  
avoid entertainment that makes violence look exciting, funny or acceptable.

## *To Be Courageous*

To challenge violence in all its forms whenever I encounter it, whether at home,  
at school, at work, or in the community, and to stand with others who are treated unfairly.

This is our pledge. These are our goals. We will check ourselves on what we have pledged once  
a month on \_\_\_\_\_ for the next twelve months so that we can help each other  
become more peaceable people.

[Pledging family members sign below.]

RECEIVED

2004 SEP 13 P 12:06

Town of Fairhaven

Fairhaven, MA 02719

BOARD OF SELECTMEN  
FAIRHAVEN MASS

ATTN: Board of Selectmen

Dear Gentlemen,

On behalf of the West Island Improvement Association I ask that you address the issue of developing a Master Harbor Plan for the West Island area. Fairhaven's Harbormaster has informed us that a Master Harbor Plan must be in place, as mandated by the Army Corps of Engineers, prior to any dredging of the bay.

In August 2003, Mr. Golas was kind enough to meet with several residents on a weekly basis for the purpose of starting a Harbor Development Committee. At the meetings the attendees reviewed other communities Master Harbor Plans. The plans addressed the same issues that the Town of Fairhaven and the West Island community is now facing, such as:

- the placement of boat moorings
- location of boat moorings
- number of boat moorings
- enforcement of boat mooring rules
- boat pump-out enforcement and monitoring
- individuals installing moorings for the purpose of selling them for a profit
- the proximity of moorings to swimming areas
- the proximity of moorings to shellfish areas
- annual mooring fees for the Town of Fairhaven residents
- annual mooring fees for out-of-town residents
- dredging
- boat launching areas
- the impact of boat launching areas on the neighborhood regarding parking of vehicles and boat trailers
- transient boat slips
- house boats
- protection of swimming and recreational areas
- marina services
- recreational boating

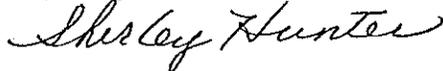
Each year the boating industry is expanding and the number of boaters is increasing, while the number of available moorings in numerous communities is diminishing. Seemingly the words-out that anyone can get a mooring at West Island (take a look to see how many out-of town people have moorings). Over the past few years we have seen a much faster rate of growth (i.e. boat

moorings) compared to prior years, and we are starting to realize a negative impact on the protected safe swimming and recreational (row boating and kayaking) areas that we once had. Isn't it time that the Town of Fairhaven take a proactive approach to the management of our waterways instead of reacting to future problems as a result of the lack-of planning and management controls?

The Town of Fairhaven residents should take whatever measures necessary in order to protect our waterways from over- development. It is in our opinion that a Master Harbor Plan would be the instrument to address the above issues and concerns.

Thank you, gentlemen, for your prompt attention in this matter. I look forward to your response concerning this matter.

Sincerely,



Shirley Hunter  
W.I.I.A.  
President

cc: Gary Golas