

Selectmen's Meeting – October 18, 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. Eckenreiter motioned to approve the minutes of October 4, 2004. Mr. Silvia seconded. Vote was unanimous.

Mr. Eckenreiter motioned to approve the minutes of the October 4, 2004 executive session (7:25 p.m.). Mr. Silvia seconded. Vote was unanimous.

Mr. Eckenreiter motioned to approve the minutes of the October 4, 2004 executive session (7:46 p.m.). Mr. Silvia seconded. Vote was unanimous.

REPRESENTATIVE STRAUS

Fire Chief Tim Francis and representatives from the Fire Chief's Association of Massachusetts presented Representative Straus with an award to thank him for his assistance in getting House Bill 4550 passed. The legislation contains new laws regarding public assembly buildings. The legislation was proposed after the devastating fire at The Station Night Club in Rhode Island, where hundreds were injured and many died. The Board congratulated Representative Straus and thanked him for his hard work in getting the Bill passed.

NSTAR ELECTRIC HEARING

Hearing was scheduled for 7:10 p.m. to act on the petition for two proposed conduit locations on Union Street and the petition for one proposed conduit location on Summit Drive. Abutters were notified by certified mail of the date and the time of the hearing. None were present. Mr. Silvia motioned to approve the petition for two proposed conduit locations on Union Street. Mr. Eckenreiter seconded. Vote was unanimous. Mr. Silvia motioned to approve the petition for one proposed conduit location on Summit Drive. Mr. Eckenreiter seconded. Vote was unanimous.

EXECUTIVE SECRETARY'S REPORT

Town Counsel will meet with representatives from Camp, Dresser and McKee on October 19th at 1:00 p.m. to discuss Atlas Tack.

Mattapoissett River Valley Advisory Committee will meet at 1:00 p.m. on October 20th at the Board of Public Works.

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Representatives from the United Way will meet with Town employees at various times on October 21st.

Clerical Union negotiations are scheduled for 10:00 a.m. on October 26th.

Buzzards Bay Action Committee will meet at 12:00 noon on October 27th at the Wareham Town Hall.

Mr. Osuch summarized the letter from the Massachusetts Community Water Watch and The Coalition for Buzzards Bay regarding the "Adopt a Shoreline Project to Improve Acushnet River Shoreline". (See attached.) Ben Bryant from The Coalition for Buzzards Bay will meet with the Selectmen on November 1st.

Mr. Osuch provided the Board with copies of information received at the MMA local meeting held in Dartmouth last week.

Mr. Osuch will attend the meeting with Lt. Governor Healey on Friday, October 22nd at 12:30 a.m. at the New Bedford Library.

FRED NORDENG

Attorney Louis Badwey and members of the Nordeng family were in attendance. Attorney Badwey stated he is now representing the family. To date, he has not received all the files from their former Attorney. He did say the family wants to settle the litigation with the Town. A brief discussion followed.

ANIMAL SHELTER GIFT ACCONT

Donations to the Gift Account totaling \$80.00 were accepted.

HOPPY'S LANDING

Dr. Bowcock read the memo from the Director of Planning and Economic Development regarding the Upwheller Project. (See attached.) Mr. Silvia motioned to support the Harbor Trustee Grant to locate a regional upwheller facility at Hoppy's Landing. Mr. Eckenreiter seconded. Vote was unanimous.

Dr. Bowcock summarized the memo from the Director of Planning and Economic Development regarding Rod Taylor's request for access to his property thru Hoppy's Landing. The Advisory Committee voted to recommend that the Board of Selectmen deny the request. Mr. Silvia motioned to deny the request. Mr. Eckenreiter seconded. Vote was unanimous. Mr. Taylor will be advised in writing of the Board's decision.

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BUZZARDS BAY PROJECT

Commonwealth of Massachusetts Standard Contract for \$11,000.00 for the Mattapoissett River Valley Aquifer Project was received from the Buzzards Bay Project.

CLERICAL UNION

Notice from AFSCME Council 93 will be placed on file. The Union filed a Demand for Arbitration for the Jaunna Adesso grievance.

POLICE DEPARTMENT

Mr. Silvia motioned to appoint Stephen Gwozdz, Michael Ouimette, Mark Dasneves and Derek Martin Permanent Intermittent Officers. Mr. Eckenreiter seconded. Vote was unanimous. Appointment is subject to passing physical and psychological examinations.

A few weeks ago, the Board interviewed candidates for the position of full time Police Officers. Ronald J. Manzone, Matthew M. Botelho and Daniel P. Hunt were appointed.

The Police Chief recommended the appointment of Kevin Viveiros to the position of Dispatcher to replace dispatcher Liza Doonan who resigned in June. Mr. Silvia motioned to appoint Mr. Viveiros. Mr. Eckenreiter seconded. Vote was unanimous.

The Police Chief requested the Board vote "to designate an area on the east side of Sycamore Street from the curb line on Howland Road north to the south side of a driveway servicing 50 Howland Road as a no parking area" and that the curbing from that driveway to Howland Road be painted yellow. Mr. Silvia motioned to approve the request. Mr. Eckenreiter seconded. Vote was unanimous.

Dr. Bowcock read the Letter of Commendation for Officers Glenn Cudmore, Mark Darmofal and Scott Gordon into the record. (See attached.)

Letter of Commendation for Officer Kevin Kobza will be placed in his personnel file.

SEAPORT ADVISORY COUNCIL

Mr. Silvia motioned to renew the lease between the Town of Fairhaven and the Seaport Advisory Council for the rental of office space at 40 Center Street. Mr. Eckenreiter seconded. Vote was unanimous. Term of lease is January 1, 2005 thru December 31, 2005.

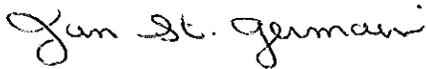
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UNITED WAY

Mr. Silvia motioned to sign the letter to “kick off” the Annual United Way Fundraising Campaign. Mr. Eckenreiter seconded. Vote was unanimous.

EXECUTIVE SESSION

At 7:25 p.m., Mr. Silvia motioned to go into executive session to discuss pending litigation (Atlas Tack and Fred Nordeng), the Clerical Union's request for mediation, Council on Aging personnel issues and not to reconvene in open session. Mr. Eckenreiter seconded. Vote was unanimous. Roll call vote 3-0.



Jan St. Germain
Secretary

RECEIVED
Adopt-A-Shoreline Project to Improve Acushnet River Shoreline

2004 OCT 14 P 2:51
Dear Fairhaven Board of Selectmen,

After years of organizing beach clean-ups the UMASS Dartmouth chapter of Massachusetts Community Water Watch and The Coalition for Buzzards Bay would like to implement a program to significantly reduce and potentially eliminate the trash build up along the shores of the Acushnet River. Our goal is to create an Adopt-A-Shoreline program for the Acushnet River Shoreline.

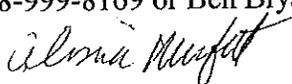
Adopt-A-Shoreline will be very similar to what Adopt-A-Highway is in Massachusetts and other parts of the country. We have 7 miles of shoreline on the Acushnet River bordering the towns of Fairhaven, New Bedford, and Acushnet. The shoreline runs past businesses, fishing docks, open space and residential neighborhoods. The project will match groups to specific areas of shoreline for monitoring and maintenance.

Clean up activity will take place monthly from April through November with a major effort organized at the beginning and end of the season. In addition The Coalition for Buzzards Bay will patrol the water in their vessel "Baykeeper" to help locate the source of the waste. Data on the trash collected will be analyzed and used to identify possible long-term remedies to the problem.

Over the next few weeks, students from UMASS Dartmouth will identify the key stakeholders along the shoreline and present them with the Adopt-A-Shoreline concept. Each property owner, neighborhood association, and business along the Acushnet River is a potential participant. Also public institutions and not-for-profit groups will be approached to adopt public access areas such as the Fairhaven boat ramp. Participants will be eligible to post a sign near the shoreline they have adopted identifying their contribution to a cleaner Acushnet River.

The idea to start an ongoing clean up of the Acushnet River began as a "Change Agent Project" for a management class at UMASS Dartmouth. Three students made it their goal to bring about change in the surrounding community. The students analyzed the current situation and documented the amount and types of trash found including rope/netting and hypodermic needles. They then approached Water Watch and The Coalition for Buzzards Bay to formalize the Adopt-A-Shoreline project.

Individuals and organizations interested in adopting a section of the Acushnet River shoreline should contact Alissa Murfitt of the Massachusetts Community Water Watch at 508-999-8169 or Ben Bryant of The Coalition for Buzzards Bay at 508-999-6363 x 214.


Alissa Murfitt
Water Watch Coordinator
UMASS Dartmouth Chapter
MA Community Water Watch


Ben Bryant
Marine Policy Specialist
The Coalition for Buzzards Bay



Town of Fairhaven
Department of Planning and Economic Development
Town Hall 40 Center Street Fairhaven, MA 02719 508-979-4082

Memorandum

Date: October 4, 2004

To: Board of Selectmen

From: William D. Roth, Jr., AICP *WR*
Planning and Economic Development Director

RE: Harbor Trustees Grant - Hoppy's Landing Upwheller Project

The Hoppy's Landing Advisory Committee met on September 29, 2004. At our meeting, Dan Costa, Shellfish Constable, reviewed a grant proposal to locate a regional upwheller facility at Hoppy's Landing. The proposed facility would be housed on floats, which would also double as a new floating dock. The Committee unanimously voted to recommend that the Board of Selectmen support the grant.

c: Jeff Osuch
Ruth Gallery, Chairperson, Hoppy's Landing Advisory Committee
Dan Costa
File

RECEIVED

2004 OCT -4 P 12:19

BOARD OF SELECTMEN
FAIRHAVEN MASS

APPROVED BY THE BOARD OF SELECTMEN - OCTOBER 18, 2004

cc: Bill Roth 10/21
Dan Costa

[Signature]

Michael Silvio

SOUTHEASTERN MASSACHUSETTS LAW ENFORCEMENT COUNCIL, INC.

64 County Road
Mattapoisett, Ma. 02739
508-758-4141

RECEIVED
2004 OCT - 4 10:58
BOARD OF SELECTMEN
FAIRHAVEN MASS
October 4, 2004

MEMBERSHIP

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

Fairhaven RE: Letter of Commendation
Officers Glenn Cudmore, Mark Darmofal and Scott Gordon
Freetown

Halifax Gentlemen:

Marion On September 30, 2004, The S.E.M.L.E.C. Underwater Recovery Unit (dive team)
Mattapoisett was activated upon a request by Taunton P.D. to assist in the recovery of a woman and
vehicle which had driven into the Taunton River in the vicinity of the Weir Bridge.

Plympton It became clear upon our arrival that this would be a difficult mission. The current in
Raynham the river was flowing very fast due to heavy rains over the previous days. The water in
Rehoboth the area where the car was believed to be located was approximately 20' deep and
Rochester visibility was virtually zero due to muddy waters. Further, the exact location of the
vehicle was unknown as it had been swept downstream by the current.

Seekonk Officers Cudmore and Darmofal, along with Officer Gill of the Dartmouth Police
Somerset department, agreed to be towed upstream by boats in attempt to locate the vehicle. They
Swansea held onto tow bars while being towed underwater against the current. It took great
Taunton strength and determination to hold onto the bars under those conditions. It should also be
Wareham noted that the difficulty of holding on was made greater by the necessity of wearing
heavy weights to prevent from being brought to the surface while being towed. It took
great courage to be towed in zero visibility with no warning of what you may encounter.

Westport The vehicle was located by Officer Cudmore. But it was not clear that it, along with
the body of the woman, could be recovered under those conditions. Off. Cudmore
reported that it was next to impossible to hold onto the vehicle without being swept away
with the current. All three officers were exhausted from the exertion of holding onto the
bars while being towed underwater against that current.

Officer Gordon attempted a dive on the vehicle to attach a rope holding a marker
buoy. He was unsuccessful in this attempt despite great effort and returned to the surface
completely drained of energy and close to hypothermia. Off. Gill then made an effort
and was successful despite fatigue and the hazardous conditions.

Recovery that night was important to the family of the victim who were on the scene.

Officers Gill and Stanton volunteered to dive on the vehicle and attempt to attach lift straps so a large tow truck could lift it. It was after dark before Officers Gill and Stanton were ready to dive on the vehicle. Off. Stanton made the first attempt. The current continued to rage and visibility was even worse after dark even with the lights that had been erected on the nearby bridge.

I had serious doubts that any diver would be successful under those conditions. It soon became apparent that Off. Stanton was making a determined effort to succeed as he remained underwater an extended period fighting the current.

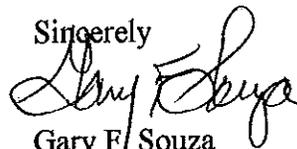
After an almost superhuman effort exhibiting determination and courage, Officer Stanton was able to secure a lift strap to the rear bumper of the vehicle. Officer Gill then went in and, despite his earlier fatigue, showed the same grit and courage in attaching a needed second strap to the bumper.

I am making this letter a permanent part of the personnel file of Officers Cudmore, Darmofal and Gordon. I am sending a copy to Chief Pacheco of the Dartmouth Police department requesting it be made part of the permanent file of Officers Gill and Stanton.

The courage, determination and professionalism of these officers saved the family of the victim from waiting possibly days for the recovery of the remains of their mother and grandmother knowing she was in the vehicle below the surface of the river.

I along with all 18 departments that comprise the membership of S.E.M.L.E.C. are proud to have them as valued members of our underwater recovery team.

Sincerely



Gary F. Souza

Control Chief,

Underwater Recovery Unit

Chief of Police

Fairhaven Police Department

cc: Chief Lyons
Lt. Brooks
Off. Cudmore
Off. Darmofal
Off. Gordon