

Selectmen's Meeting – May 2, 2005

Mr. Silvia, Mr. Eckenreiter and Mr. Manzone were present.

Also in attendance was Jeffrey Osuch.

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

Mr. Eckenreiter motioned to approve the minutes of April 25, 2005. Mr. Manzone seconded. Vote was unanimous.

Mr. Eckenreiter motioned to approve the minutes of the April 25, 2005 executive session. Mr. Manzone seconded. Vote was unanimous.

Mr. Silvia made a motion to have the Board of Selectmen contact the State Ethics Commission regarding Mr. Eckenreiter's involvement in two issues discussed at previous meetings. The issues are Mr. Eckenreiter's motion to put Legal Services out to bid and possible violations of the Department of Labor's Fair Labor Standards Act with employees drawing more than one payroll check. Wayne Fostin is one of these employees. Mr. Silvia stated Mr. Eckenreiter has a legal case against the Town and Mr. Fostin is involved in that pending litigation. Mr. Eckenreiter said he brought up the issue of paying overtime to employees if they work over 40 hours because of the article in the Standard Times regarding violations of the Department of Labor's Fair Labor Standards Act by the Town of Marion. Mr. Eckenreiter stated that for years, he has said Legal Services should be put out to bid, in an effort to save the Town money. He also stated his legal case is with the Board of Health and a compromise has been made. Mr. Manzone stated he does not see a conflict and agrees that legal services should be bid. He also agreed that the Board should look into the over time issue. Mr. Silvia's motion was not seconded.

LIGHT SMART ENERGY CONSULTING SERVICES

George Woodbury of Light Smart Energy Consulting Services was in attendance to explain the process to purchase street lights. (See attached letter.) There is an article on the Annual Town Meeting Warrant to give the Town the option to purchase the lights from NSTAR Electric. Sixty communities in the Commonwealth have purchased lights. Mr. Woodbury stated Fairhaven could save approximately \$35,000.00 per year. Usually, a municipality will hire a private contractor for repair work to the lights. Ownership of the poles remains with NSTAR Electric. The Town would own the lights and the brackets. Average cost to the Town for maintenance would be \$1.22-\$1.35 per month, per light. There are approximately 1,370 lights in Fairhaven. Discussion followed. Mr. Woodbury will be present at Town Meeting to answer any questions from Town Meeting Members. Mr. Osuch was instructed to look into finding other consultants, like Mr. Woodbury, that deal in this matter.

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HONEY DEW DONUTS

Mr. Silvia read the letter from Lorraine LePage and Kathleen Gallant regarding the “noise and disturbances at Honey Dew Donuts in the late evening hours.” Both Ms. LePage and Ms. Gallant and several abutters of the Honey Dew property were in attendance and explained the situation, which has been going on for several years. Cars race up and down Route 6, play loud music, and customers are loud and noisy. Another problem is the dumpster, which is not enclosed, and garbage is every where. Discussion followed. Mr. Osuch will contact the owner of Honey Dew's and schedule a meeting with the Board of Selectmen and the Police Chief to discuss the issues.

EXECUTIVE SECRETARY'S REPORT

Annual Town Meeting is Saturday, May 7th beginning at 9:00 a.m.

Precincts 1, 2 and 3 will meet on Wednesday, May 4th at the Hastings Middle School beginning at 6:30 p.m.

Precincts 4, 5 and 6 will meet on Thursday, May 5th at the Hastings Middle School beginning at 6:30 p.m.

Moderator, Town Clerk, Treasurer/Director of Finance, Chairman of the Board of Selectmen and Executive Secretary will meet on Thursday, May 5th at 3:30 p.m. to review motions for articles on the Special Town Meeting Warrant and Annual Town Meeting Warrant.

Board of Selectmen's Meeting will be scheduled for 8:15 a.m. on Saturday, May 7th at the Hastings Middle School.

Mr. Manzone motioned to approve the installation of a “No Parking, Loading Zone” sign in the “cutout” at the northeast corner of Cushman Park on the west side of Green Street. Mr. Eckenreiter seconded. Vote was unanimous. (See letter from the Police Chief.)

The Board approved the proof for the “RFP for Town Counsel Legal Services” that will appear in the May 9, 2005 issue of Lawyers Weekly.

Mr. Manzone motioned to sign the “Local 381, International Brotherhood of Police Officers Memorandum of Agreement”. Mr. Eckenreiter seconded. Vote was unanimous.

Mr. Manzone motioned to sign the contract with CLE Engineering, Inc., 15 Creek Road, Marion for additional design services for the Hoppy's Landing project. Mr. Eckenreiter seconded. Vote was unanimous. Additional services include the design of a new boat launching ramp and a Master Plan for the site.

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If Town Meeting approves the appropriation for a new Town wide computer system, Vadar Computer Company will be hired to install the system.

FIRE CHIEF

Mr. Eckenreiter motioned to revisit the issue of the Board of Selectmen voting a \$10,000.00 stipend for the Fire Chief as EMS Director. Mr. Manzone seconded. Vote was unanimous.

Mr. Eckenreiter motioned to recommend a \$5,000.00 stipend for the Fire Chief, as EMS Director. Mr. Manzone seconded. Vote was unanimous.

Finance Committee voted to recommend a \$5,000.00 stipend for the Fire Chief, as EMS Director.

WEST ISLAND DREDGING

Mr. Manzone motioned to sign the agreement between the Town of Fairhaven and Mistry Associates, Inc. for the dredging of the West Island Channels and Basins. Mr. Eckenreiter seconded. Vote was unanimous.

BOARD OF PUBLIC WORKS

Mr. Silvia read the letter from the Superintendent of the Board of Public Works regarding the placement of a sewer stub on Town property. (See attached.) Mr. Osuch will provide the Board with more information and the issue will be placed on the May 9th agenda.

MEMORIAL DAY PARADE

The Board received an invitation from the Fairhaven Memorial Day Committee to participate in the Memorial Day Parade and Ceremonies on Monday, May 30th. The parade will begin at 8:30 a.m. in the Center and proceed to Riverside Cemetery for the ceremonies. Selectmen will participate in the parade and ceremonies.

CAMERON'S KID'S

Mr. Silvia read the letter from Cameron's Kids requesting permission to hold a walk-a-thon fundraising event on Saturday, June 5th. (See attached.) The Board took the request under advisement and are waiting for a response from the Police Chief and the Board of Public Works.

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MILLICENT LIBRARY SUMMER READING PROGRAM

Mr. Silvia read the letter from Jennifer Inglis, Youth Services Librarian, requesting permission to use the Town Hall Auditorium on Wednesday, August 3rd for a performance by Jon Stetson. (See attached.) Mr. Eckenreiter motioned to approve the request. Mr. Manzone seconded. Vote was unanimous.

NSTAR GAS

Mr. Eckenreiter motioned to approve the petition to install a gas main on Sconticut Neck Road at the intersection of David Drown Boulevard. Mr. Manzone seconded. Vote was unanimous. (Approved by the Board of Public Works.)

NSTAR ELECTRIC

Mr. Eckenreiter motioned to approve the petition for one proposed joint pole location and removal of one existing joint pole location on Balsam Street. Mr. Manzone seconded. Vote was unanimous. (Approved by the Board of Public Works.)

SPECIAL TOWN MEETING WARRANT

The Board voted their recommendations for articles appearing on the May 7th Special Town Meeting Warrant. (See attached.)

OTHER MATTERS

A moment of silence was observed for Michelle Gonsalves, who passed away on Sunday. The Board offered their condolences to her family and friends. Michelle was a teacher in Fairhaven and wife of Kevin Gonsalves, a member of the School Committee.

Robert Hobson and those that assisted him were thanked for repairing the Hoppy's Landing pier/dock that was damaged in last Saturday's storm.

Mr. Manzone stated he is interested in representing the Town on the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority.

Mr. Manzone contacted the Mayor's Office in New Bedford and hopes a meeting will be scheduled with the Mayor in the next few weeks.

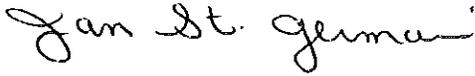
Mr. Osuch will schedule a meeting with the Treasurer/Director of Finance, Mr. Manzone, Mr. Tillett and Mr. Kitchen to discuss the School Budget.

At a future meeting, traffic complaints from residents of Oliver Street will be discussed with the Police Chief.

Selectmen's Meeting – May 2, 2005

EXECUTIVE SESSION

At 8:35 p.m., Mr. Eckenreiter motioned to go into executive session to discuss potential payroll and over time issues, leases for Town owned property and not to reconvene in open session. Mr. Manzone seconded. Vote was unanimous. Roll call vote 3-0.



Jan St. Germain
Secretary

2A.

LightSmart Energy Consulting Services
 "Lighting the Way To Energy Savings"
George A. Woodbury
 28 South Merrimack Road
 Hollis, NH 03049-6231

22 April 2005
 RECEIVED
 APR 25 P 12:40
 BOARD OF SELECTORS
 FAIRHAVEN MASS

Town of Fairhaven
 Attn: Mr. Jeffrey Osuch
 40 Centre Street
 Fairhaven, MA 02719

Dear Jeff,

In response to your questions I am providing some additional information in regards to the acquisition of streetlights. The Electric Utility Industry Restructuring Act of 1997 included a provision to allow communities the right to purchase their streetlights from their local utility company. The legislation was affirmed in November of 1998 and went into affect in March of 1999. In the fall of 2000 the Town of Lexington along with the Town of Acton were the first communities to take advantage of that legislation after almost a year of negotiations and hearings to resolve the calculation of the purchase price. Since that time nearly 60 communities have acquired their lights or are in the process of acquiring their streetlights. Attached is a list of those communities.

The primary reason communities purchase their lights is the cost savings and in the case of some communities to have greater control over lighting decisions and repair response times. My experience in the ComElectric service territory is the shift to community ownership and contract maintenance results in improved service. It is expected that the purchase price of your streetlights will be one dollar as it has been for all other ComElectric customers. The Town has 1369 streetlights. Using the current tariffs and estimated maintenance costs based on current bid prices the estimated savings for the Town would be roughly \$34,000 per year.

The typical steps to acquiring the streetlights are as follows,

1. Request purchase price information from the utility, which you have already done.
2. Complete a detailed economic analysis to determine benefit and payback of acquisition.
3. Notification to NSTAR of intent to purchase, triggering the sixty-day (60) clock.
4. Determination of the desired approach to maintenance and issuance of RFP or negotiations with municipal light company as applicable. Should the Town desire to enter into an intermunicipal Agreement with a municipal light company there is a requirement for the Town Meeting to vote and approve of this action.
5. Negotiation of the Purchase & Sale and License Agreements as required.

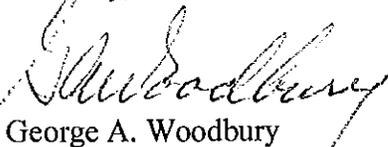


6. Completion of transaction and notification of citizens of the change. Update of any Town publications to reflect reporting procedures for outages.
7. Energy efficiency upgrades to increase savings. This is normally included as a part of the maintenance contract.

I was the author of the legislation that provided for this opportunity. As a consultant I have completed this process or am assisting in over forty communities. I have assisted with securing maintenance contracts with private vendors, with municipal utility companies, through intermunicipal agreements and in house maintenance services. I have also assisted communities with energy efficiency upgrades to their lighting systems. I would be delighted to work with the Town of Fairhaven

I would be delighted to meet with you and any Town Officials including providing a presentation to your Board of Selectmen and or the Town Meeting to assist the Town with understanding the issues affecting their decision. If you have any questions please do not hesitate to call me.

Sincerely,



George A. Woodbury



	Community	Number of Street Lights	\$ Saved per Yr. (Post Amortization of Purchase)	Purchase Price	Utility
38	Somerville	3999	\$325,400	\$788,833	NSTAR
39	Spencer	849	\$33,000	\$167,228	MECO
40	Stoughton	2035	\$83,500	\$186,812	MECO
41	Truro	36	\$1,217	\$1	Com Electric
42	Wareham	1669	\$47,000	\$1	Com Electric
43	Wellfleet	233	\$7,399	\$1	Com Electric
44	Woburn	3810	\$318,600	\$880,000	NSTAR
45	Yarmouth	2435	\$82,958	\$1	Com Electric
	No data available				
46	Burlington				NSTAR
47	Bedford				NSTAR
48	Brookline				NSTAR
49	Chelsea				NSTAR
50	Foxboro				MECO
51	Stoneham				NSTAR
52	Winchester				NSTAR
53	Haverhill	198 (Partial)			MECO
54	Swampscott				MECO
55	Franklin				MECO
56	Framingham				MECO
57	Natick				MECO
58	Marlborough				MECO
59	Acton				NSTAR
60	Waltham				NSTAR

Note: the communities in **bold print** have completed acquisition and the regular print are reviewing this option or are in progress. Additionally the \$1 purchase price is unique to ComElectric customers and some NSTAR systems that are very old systems not upgraded to high-pressure sodium lamps.



Ph 603-465-9751-Toll Free 877-420-8511 Cell Ph. 603-320-0466-Fax 603-465-4125

Email lightsmart@tds.net

	Community	Number of Street Lights	\$ Saved per Yr. (Post Amortization of Purchase)	Purchase Price	Utility
1	Amherst	1112	\$51,000	\$161,000	WMECO
2	Arlington	3300	\$245,000	\$1	NSTAR
3	Bedford	1503	\$106,000	\$155,000	NSTAR
4	Bellingham	1012	\$36,000	\$143,602	MECO/NSTAR
5	Boston	23,000	\$1.9 million	\$1	NSTAR
6	Bourne	1164	\$39,701	\$1	Com Electric
7	Brewster	104	\$3,541	\$1	Com Electric
8	Canton	2041	\$104,000	\$427,959	NSTAR
9	Chatham	556	\$18,807	\$1	Com Electric
10	Chelmsford	1383	\$49,000	\$267,000	MECO
11	Dartmouth	1594	\$41,700	\$1	Com Electric
12	Dennis	2180	\$73,855	\$1	Com Electric
13	Edgartown	289	\$11,033	\$1	Com Electric
14	Erving	213	\$13,600	\$26,500	MECO/WMECO
15	Everette	2908	\$175,000	\$809,126	MECO
16	Fall River	5888	\$325,000	\$713,450	MECO
17	Falmouth	2588	\$88,090	\$1	Com Electric
18	Greenfield	1291	\$44,000	\$141,000	WMECO
19	Harwich	1138	\$38,686	\$1	Com Electric
20	Hyannis	1314	\$44,935	\$1	Com Electric
21	Lexington	3345	\$234,000	\$1	NSTAR
22	Malden	3456	\$174,000	\$1,136,952	MECO
23	Mashpee	364	\$12,414	\$1	Com Electric
24	Medway	617	\$30,000	\$1	NSTAR
25	Methuen	3485	\$155,000	\$1,060,000	MECO
26	Milton	3345	\$181,000	\$587,000	NSTAR
27	Needham	2821	\$155,423	\$76,500	NSTAR
28	New Bedford	7500	\$283,000	\$1	Com Electric
29	Northampton	322	\$26,182	\$152,570	MECO
30	Orleans	286	\$9,866	\$1	Com Electric
31	Pittsfield	5444	\$175,000	\$673,168	WMECO
32	Plainville	658	\$25,781	\$112,270	MECO
33	Plymouth	2541	\$70,844	\$1	Com Electric
34	Provincetown	427	\$14,501	\$1	Com Electric
35	Revere	3535	\$167,928	\$934,590	MECO
36	Sandwich	258	\$8,698	\$1	Com Electric
37	Saugus		Data Requested		MECO





GARY F. SOUZA
CHIEF OF POLICE

COMMONWEALTH OF MASSACHUSETTS
TOWN OF FAIRHAVEN

DEPARTMENT OF POLICE
1 BRYANT LANE
FAIRHAVEN, MA 02719

TELEPHONES
Dial 911 Emergency
(508) 997-7421 Non-Emergency
(508) 997-1344 Business
(508) 997-3147 Fax

DONALD A. JOSEPH
LIEUTENANT

April 28, 2005

Board of Selectmen
Town Hall
40 Center Street
Fairhaven, MA 02719

Gentlemen:

Complaints concerning parking in the "cutout" at the northeast corner of Cushman Park on the west side of Green Street have come to my attention.

It is my understanding that this "cutout" was originally intended as a drop off and pick up point for the park and was never intended for parking for an unlimited time. Mr. Osuch informed me that he believes there was once a no parking sign in the "cut out" as there is on the rest of the west side of Green Street.

Accordingly, I recommend the Board vote to post a "No Parking, Loading Zone" sign in this "cut out" in order to reinstate the original intent when the park was re-modeled.

Respectfully

Gary F. Souza
Chief of Police

BOARD OF SELECTMEN
FAIRHAVEN MASS.

2005 APR 29 P 12:37

RECEIVED

cc: Selectmen 4/24/05
JCH

5.

Town of Fairhaven

Massachusetts

Board of Public Works

5 ARSENE STREET
FAIRHAVEN, MASSACHUSETTS 02719
TEL. (508) 979-4030
FAX (508) 979-4086

RECEIVED

2005 APR 25 A 9:38

BOARD OF SELECTMEN
FAIRHAVEN MASS



FRANK J. REZENDES
JACOB GALARY
RICHARD C. BRODEUR

ROBERT BOSWORTH

April 15, 2005

Town of Fairhaven
Board of Selectmen
Town Hall, 40 Center Street
Fairhaven, MA 02719

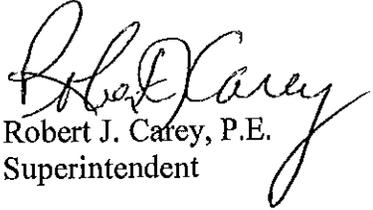
Re: Map 29, Lot 21B – Sewer Stub

Dear Board Members:

It has been brought to our attention that on Map 29, Lot 21B, which is an empty lot located on Sconticut Neck Road and owned by the Town of Fairhaven, was not left a stub during the Sconticut Neck Sewer Project. Neighboring lots with homes on them that have similar frontage have received stubs.

Would the Board of Selectmen wish us to have the contractor place a stub for this lot? Please advise as soon as possible.

Sincerely,
FAIRHAVEN BOARD OF PUBLIC WORKS


Robert J. Carey, P.E.
Superintendent

RJC/kat

7,

CAMERON'S KIDS



RECEIVED
2005 APR 21 P 1:47
BOARD OF SELECTMAN
FAIRHAVEN MASS

April 19, 2005

Board of Selectman
40 Centre St.
Fairhaven MA 02719
(508) 979-4023

To Whom It May Concern:

Cameron's Kids would like to request the Board's permission to hold a fundraising event on Saturday June 5, 2005. The walk-a-thon, approximately 100 people, would begin at 11:00am at Fort Phoenix, continue along the bike path and conclude at Fort Phoenix. We would also like to have permission to hold a cookout at the conclusion of the walk; we would take care of all event responsibilities and clean up. Cameron's Kids is a local non-profit organization designed with the intent of raising money to help the children of the Kennedy Donovan Center School-New Bedford as well as others within our community with disabilities.

We have also sent a letter to the Board of Public Work's requesting their approval. If there is any other information I can provide you with, please feel free to contact me at (508) 962-1139 or (508) 995-3221.

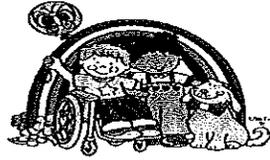
Also, it would be greatly appreciated if you can provide us with any further information regarding the necessary steps for approval of this event.

Thank you,

Sherri Goulart
Treasurer

cc: Police Chief 4/27/05

CAMERON'S KIDS



I. Objective:

- a. To raise money for physically and mentally disabled children in the Commonwealth of Massachusetts
- b. To provide assistance and information to others whose purpose are consistent with the purpose of Cameron's Kids Inc.
- c. To provide assistance and financial aid to programs designated to raise money for the benefit of physically and mentally disabled children.

II. Organization:

Cameron's Kids is organized as a non-profit charitable corporation, which is tax-exempt under Section 501(c)(3) of the Internal Revenue Code.

EIN# 20-2057814

Millicent Library
Youth Services Department
45 Center Street, PO Box 30
Fairhaven, MA 02719

Office of the Selectmen
Town of Fairhaven
40 Center Street
Fairhaven, MA 02719

March 25, 2005

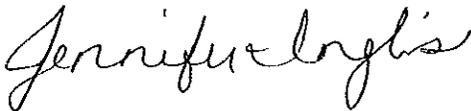
Gentlemen,

Although the freak snow storm last week might make us forget, summer is on its way, and with it the annual Summer Reading Program at the Millicent Library. I understand that in the past Jon Stetson, our local magician, has performed in the Town Hall auditorium, and I hope you will allow this growing tradition to occur again this year.

I have tentatively scheduled a performance, pending your approval, for Wednesday, August 3rd. The show will be from 2:00-3:00, and Jon will need the auditorium for approximately an hour prior the start time to set up.

Is this possible again this year? We greatly appreciate the use of your space!

Thank you,



Jennifer Inglis
Youth Services Librarian
jinglis@sailsinc.org
992-5342

RECEIVED
2005 MAR 28 A 11:01
BOARD OF SELECTMEN
FAIRHAVEN MASS