

Selectmen's Meeting – June 13, 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 May 23, 2005. Mr. Manzone seconded. Vote was unanimous.

Mr. Eckenreiter motioned to approve the minutes of the May 23, 2005 executive session. Mr. Silvia seconded. Vote was unanimous.

Mr. Eckenreiter motioned to approve the minutes of May 27, 2005. Mr. Manzone seconded. Vote was unanimous.

FATHER'S DAY ROAD RACE

Alan Days was in attendance and announced the 31st Annual Father's Day Road Race to be held on June 19th and thanked the Town for their assistance in past years. He also thanked sponsors and volunteers for their support. Road race trophies will be on display at the Town Hall for the rest of this week. Mr. Eckenreiter motioned that Allen Days and the Days family be formerly recognized with a dedication at the Recreation Center in several weeks. Mr. Manzone seconded. Vote was unanimous.

RECREATION DEPARTMENT

Tom Cooney, Gary Golas and representatives from the Community Boating Center were in attendance to discuss a proposed summer boating class at Hoppy' Landing. The class would be part f the Recreation Department's summer programs. On April 11th, the Hoppy's Landing Advisory Committee voted to have the Selectmen approve the request. Discussion ensued and the Community Boating Center explained their program. The Board took the matter under advisement. It will be places on the June 27th agenda. Mr. Manzone motioned that Mr. Eckenreiter oversee the Recreation Center and Recreation Commission. Mr. Silvia seconded. Vote was unanimous.

EXECUTIVE SECRETARY'S REPORT

Mattapoissett River Valley Water District meeting is scheduled for June 14th at 4:30 p.m. at the Board of Public Works.

Buzzards Bay Action Committee will meet at 12:00 noon on June 15th at the Wareham Town Hall.

Mr. Osuch will attend the SEMASS meeting on June 16th at 10:00 a.m. in Plymouth.

Selectmen's Meeting – June 13, 2005

East Fairhaven School Building Committee will meet with the School Committee on June 16th at 7:00 p.m. at the High School.

Finance Committee will meet at 7:00 p.m. on June 30th at the Board of Public Works.

Hurricane Preparedness meeting with department heads is scheduled for June 27th at 7:45 p.m.

Rules and regulations for Hoppy's Landing will be discussed at the Selectmen's Meeting on June 27th. A copy will be sent to the Police Chief for his review and comment.

Mr. Eckenreiter motioned to go forward with the purchase of municipal electricity and to "hold off" on the purchase of street lights. Mr. Manzone seconded. Vote was unanimous. Mr. Woodbury will be contacted regarding the electricity purchase.

Mr. Eckenreiter motioned to authorize Jeffrey Osuch to okay the electricity purchase rate. Mr. Manzone seconded. Vote was unanimous.

Mr. Osuch summarized the memo from William Roth, Planning and Economic Development Director, regarding a proposed Fort Phoenix Restoration Project. (See attached.) Mr. Roth will be instructed to move forward with the grant application.

Mr. Manzone motioned to sign the "Option Agreement" to purchase a portion of property located at 40 Sconticut Neck Road, the "Option Agreement" to purchase a portion of property located at 1 David Drown Boulevard and the "Option Agreement" to purchase a portion of property located at 104 Huttleston Avenue. Mr. Eckenreiter seconded. Vote was unanimous. The options were all approved by Town Meeting vote on May 7, 2005.

BOARD OF ASSESSORS

Mr. Silvia read the letter from John Crowley. (See attached.) Mr. Crowley will resign from the Board of Assessors effective September 1, 2005. The Board thanked Mr. Crowley for his time on the Board. The position will be advertised.

BUILDING DEPARTMENT

Construction Report for May 2005 will be placed on file.

CONSERVATION COMMISSION

Mr. Silvia read the letter from the Conservation Commission requesting the Agent, Wayne Fostin, receive the 2% salary increase retro-active to July 1, 2004. (See attached.) Mr. Eckenreiter motioned to approve the request. Mr. Manzone seconded. Vote was unanimous.

Selectmen's Meeting – June 13, 2005

Members of the Conservation Commission were present and all expressed their disapproval with the Selectmen's decision to remove Wayne Fostin from the position of Conservation Agent. Andrew Jones stated that if the Commission can not stop the Selectmen's decision, they would like to be involved in the discussion and hiring of a new Agent. This position is vital to the operation of the Commission. Dale VanderPol also spoke in favor of keeping Mr. Fostin. Both Mr. Eckenreiter and Mr. Manzone said the position of Building Commissioner and Conservation Agent should not be held by the same individual. According to Mr. Eckenreiter, the Ethic Commission said it was a conflict of interest. Mr. Silvia stated Mr. Fostin was voted Special Employee years ago. In executive session, there was no mention by Mr. Eckenreiter or Mr. Manzone of a conflict of interest. They just voted to remove him from the position. Mr. Fostin was never asked to attend the executive session when this vote was taken. He never had the opportunity to defend himself. There was no effort to investigate this matter. They just voted to remove him.

Marinus VanderPol, Jr. and Richard Motta submitted applications for the position of Conservation Agent. Mr. Eckenreiter motioned to schedule interviews for June 27, 2005. Mr. Manzone seconded. Vote was unanimous.

EMS & ST. LUKE'S EMERGENCY ASSOCIATES

The Board will review the proposed "Agreement between the Town of Fairhaven EMS and St. Luke's Emergency Associates". It will be placed on the June 27th agenda.

NATURAL RESOURCE DEPARTMENT

Mr. Silvia read the notice form the Division of Marine Fisheries stating that North Cove is closed to shellfishing. (See attached.)

POLICE DEPARTMENT

Mr. Silvia read the letter from the Police Chief requesting the Board call for a Civil Service list for one full time officer. (See attached.) Mr. Manzone motioned to call for the list. Mr. Eckenreiter seconded. Vote was unanimous.

TAX COLLECTOR

The Tax Collector requested authorization for Legal Services for a claim of illegal billing of waterways user fee. Harbormaster Gary Golas briefly explained the complaint. (See attached.) This claim was filed in Small Claims Court. Mr. Golas will represent the Town.

Selectmen's Meeting – June 13, 2005

HOPPY'S LANDING

Mr. Osuch explained the Preliminary Cost Estimate from CLE Engineering, Inc. for the Hoppy's Landing Project. (See attached. All items on the left of the sheet and the steel float will be included in the project.)

Mr. Silvia read letters from Shirley Hunter, President of the West Island Improvement Assoc., and Laurie Hebert requesting Laurie Hebert be appointed a full member of the Hoppy's Landing Committee. (See attached.) Mr. Eckenreiter motioned to appoint Laurie Hebert a full member. Mr. Manzone seconded. Vote was unanimous.

ATLAS TACK CORPORATION

A letter was received from the EPA to explain the first phase of the Atlas Tack Corporation Superfund Site cleanup. Mr. Osuch summarized the letter. (See attached.)

BLUE CROSS/BLUE SHIELD

Mr. Eckenreiter motioned to sign the HIPAA Security Rule Amendment. Mr. Manzone seconded. Vote was unanimous.

EAST FAIRHAVEN ELEMENTARY SCHOOL

Mr. Eckenreiter motioned to have the Chairman sign Amendment No. 1 "To Agreement for Project Management Services New East Fairhaven Elementary School". Mr. Manzone seconded. Vote was unanimous.

TOWN EMPLOYEES – MUNICIPAL POSITIONS

A letter was received from Town Counsel regarding Town employee holding multiple positions. (See attached.)

JULY 4TH PARADE

The Board received an invitation to participate in the July 4th history costume parade on Monday, July 4th beginning at 9:30 a.m. They will attend.

2005 ANNUAL APPOINTMENTS

(See attached.)

Selectmen's Meeting – June 13, 2005

PROPOSITION 2 ½ OVERRIDE

Results of the Town Election were 1,802 in favor of the override for the School Department budget and 2,366 against. The override failed.

OTHER MATTERS

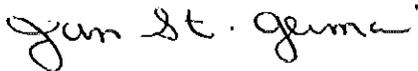
Annual Father's Day Road Race will be held on June 19th.

Annual Homecoming Day Fair is scheduled for Saturday, June 25th.

2nd Annual Miles for Matty will be held on June 26th at 10:00 a.m.

EXECUTIVE SESSION

At 8:45 p.m., Mr. Eckenreiter motioned to go into executive session to discuss legal services, the Town Hall janitor position, Fire Department personnel issues, the Bridge Street Lease/SouthCoast Express, Inc., the lease for 150 Sconticut Neck Road and not to reconvene in open session. Mr. Manzone seconded. Vote was unanimous. Roll call vote 3-0.



Jan St. Germain
Secretary

RE-APPOINTMENTS

**AFFORDABLE HOUSING
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Channing W. Hayward

Stanley Wojcik

**ANIMAL CONTROL OFFICER
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Karen A. Jachna
Rebekah Tomlinson

Animal Control Officer
Assistant Animal Control Officer

**BOARD OF APPEALS
(FULL MEMBER – 5 YEAR TERM)
(ASSOCIATE MEMBER – 3 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint Daryl Manchester. Mr. Manzone seconded. Vote was unanimous.

Mr. Eckenreiter motioned to reappoint James Holmes, Associate. Mr. Manzone seconded. Vote was unanimous.

Mr. Eckenreiter abstained from reappointing Peter DeTerra. Mr. Silvia motioned to re-appoint Peter DeTerra, Associate. The motion was not seconded.

Mr. Manzone motioned to reappoint Winfred A. Eckenreiter, Associate. (Correction of typing error, word "Associate" was omitted from list of re-appointments.) Mr. Eckenreiter seconded. Vote was unanimous.

ART CURATOR

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Albert Benac

**BEAUTIFICATION COMMITTEE
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Stephanie Bratton
Ethel Cataldo
John M. Frates, Jr.
Laura F. Knipe
Lory Lavoie
Roderick N. Lopez

Wayne Oliveira
Beverly Rasmussen
Frank J. Rezendes
Marie Spence
Barbara Sawyer

**BIKE PATH PLANNING COMMITTEE
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Barbara Bishop
Richard Brodeur
Kenneth W. Pottel

Alfred J. Vincent
David Ward, Jr.

**BUILDING DEPARTMENT
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint George Gracia, Chief Wire Inspector. Mr. Manzone seconded. Vote was unanimous.

Mr. Manzone motioned to reappoint the following. Mr. Eckenreiter seconded. Vote was unanimous.

Roger Poitras, Jr.
Norman Lussier
Henry E. Daigle

Associate Wire Inspector
Plumbing Inspector
Gas Inspector

**CABLE ADVISORY COMMITTEE
(1 YEAR TERM)**

Mr. Manzone motioned to reappoint the following. Mr. Eckenreiter seconded. Vote was unanimous.

Michael A. Brennan
Joni Gaudiello
Channing Hayward

John Haaland, Jr.
Paul St. Pierre

**CABLE EDUCATION ACCESS COMMITTEE
(1 YEAR TERM)**

Mr. Manzone motioned to reappoint the following. Mr. Eckenreiter seconded. Vote was unanimous.

Joni Gaudiello
Carl F. Vieira

John Rogers, Jr.

**CONSERVATION COMMISSION
(FULL MEMBER – 3 YEAR TERM)
(ASSOCIATE MEMBER – 1 YEAR TERM)**

Mr. Manzone motioned to reappoint the following. Mr. Eckenreiter seconded. Vote was unanimous.

Jeanne VanOrman
Deborah B. Davis
Robert Duarte, Associate
Joseph Taylor, Associate

**CONSTABLES
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Steven Borges
Dennis Braga
Donald Dompierre
Eileen M. Lowney
Robert Jones

Lawrence Machado
David Paquin
Norman Saucier
John Serpa
Harve W. Vandal, Jr.

**COMMISSION ON DISABILITY
(3 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Waldemar DeOliveira
Donna Lavallee

**COUNCIL ON AGING
(3 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Joan A. Mello
Teresa C. Morgida
David Ward, Jr.

**EMERGENCY MANAGEMENT AGENCY
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Marc Jodoin, Director

**FAIR HOUSING COMMITTEE
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Louis Kalife

Michael Silvia, Coordinator

**FAIRHAVEN CULTURAL COUNCIL
(3 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Barbara Baumgart
Ann Healy
Maureen O'Brien Rasmussen
Jody Smith

**FAIRHAVEN HIGH SCHOOL BUILDING SUB-COMMITTEE
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

David Wood

Andrew Tillett

**FIRE APPARATUS STUDY COMMITTEE
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

**OIL SPILL COORDINATOR
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Timothy Francis

**PARKING CLERK
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Jan St. Germain

**RECREATION COMMISSION
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Gary Ashworth
Alfred Dellecese
John Haaland, Jr.

Antone "Hawk" Medeiros
Frank E. Motta III
Dana Almeida

**REGISTRAR OF VOTERS
(3 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Lorraine Medeiros

**SHELLFISH RESTORATION ADVISORY PANEL
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Dennis Leahey
Paul L'Etoile
Domenick Nicolaci
Art Oliveira

Bruce Ingham
Roderick Lopez
Patrick Pounds

**TOURISM COMMITTEE
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

Charles Cromwell
Natalie S. Hemingway

Hilmar Gundersen
Ellsworth A. Sylvaria, Jr.

**VETERANS' BENEFITS AND SERVICE
BURIAL AGENT
(1 YEAR TERM)**

Mr. Eckenreiter motioned to reappoint the following. Mr. Manzone seconded. Vote was unanimous.

James Cochran

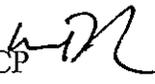


Town of Fairhaven
Department of Planning and Economic Development
Town Hall 40 Center Street Fairhaven, MA 02719 508-979-4082

Memorandum

Date: June 13, 2005

To: Board of Selectmen

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

RE: Fort Phoenix Restoration Project

The Historical Commission has requested that I assist them in any grants for the above referenced project. The Commission has hired an architect that has reviewed the project and estimates that the work needed to restore the masonry and make other improvements is approximately \$191,000.

As part of the grant application, the Board needs to vote to authorize Michael Silvia to be able to execute all necessary documents so that an application can be filed by June 24, 2005, which is the deadline for the current Massachusetts Historical Commission grant round.

I have spoken with Chris Richards, Tourism Director and we feel that we can get an application in by the deadline. The grant has a 50% matching requirement. The Town match would come from the Hotel Motel Tax account; therefore, an article for a Fall Town Meeting will need to be submitted.

c: Jeff Osuch

JOHN F. CROWLEY
90 Great Hill Drive
West Wareham, MA 02576
508-295-9196
e-mail: jfcrow@hotmail.com

June 6, 2005

Fairhaven Board of Selectmen
Fairhaven Town Hall
40 Centre Street
Fairhaven, MA 02719-2932

RECEIVED
2005 JUN -8 A 11:24
BOARD OF SELECTMEN
FAIRHAVEN MASS

Dear Members of the Board of Selectmen,

This is to advise you that I must resign from my position as a member of the Board of Assessors effective September 1, 2005.

I must resign because my wife and I are moving out of state. We will be leaving sometime after Labor Day.

Thank you for the opportunity to serve on the Board of Assessors and best wishes to you all in the future.

Sincerely,


John F. Crowley, MAA

xc: Jeanne Reedy, Chief Assessor

cc: Town Clerk 6/14/05



FAIRHAVEN CONSERVATION COMMISSION

Town Hall

40 Centre Street

Fairhaven, MA 02719

2005 MAY 24 A 10:01

BOARD OF SELECTMEN
FAIRHAVEN MASS

6A.

May 18, 2005

Board of Selectmen
Town Hall
Fairhaven, MA 02719

Gentlemen:

This Board would like to request that the Conservation Agent, Wayne Fostin receive The two percent increase in pay that was approved at Town Meeting, dating back to July 1, 2004.

Very truly yours,

FAIRHAVEN CONSERVATION COMMISSION

Marinus Vander Pol, Jr.
Chairman

APPROVED BY THE BOARD OF SELECTMEN - JUNE 13, 2005

Commonwealth of Massachusetts

Division of Marine Fisheries

251 Causeway Street • Suite 400

Boston, Massachusetts 02114

(617) 626-1520

fax (617) 626-1509



Paul J. Diodati
Director

May 16, 2005

Board of Selectmen
Town Hall
Fairhaven, MA 02719

Gentlemen:

In accordance with Massachusetts General Laws Chapter 130, Section 74A, the Division of Marine Fisheries has determined that a portion of the shellfish growing area in Nasketucket Bay, North Cove [BB:21.20], no longer meets the established criteria for a status of "OPEN TO SHELLFISHING" due to the relay of contaminated quahogs from the Taunton River to North Cove (Permit No. 9930-05-1).

Therefore, the Division of Marine Fisheries has changed the status of the below defined area to "CLOSED TO SHELLFISHING" to prohibit the taking of shellfish until subsequent determination by this office reveals that the shellfish are safe for human consumption.

Pursuant to Massachusetts General Laws, Chapter 130, Section 74A, 75, and 322 CMR 7.01 (7), digging, harvesting or collecting and/or attempting to dig, harvest, collect or the possession of shellfish from the below defined area is prohibited.

CLASSIFICATION: APPROVED

Status: Closed To Shellfishing

North Cove
BB:21.20

"The waters and flats of that portion of North Cove south of a line drawn from Cedar Point to North Point."

RECEIVED
2005 MAY 23 P 12:00
BOARD OF SELECTMEN
FAIRHAVEN MA



GARY F. SOUZA
CHIEF OF POLICE

COMMONWEALTH OF MASSACHUSETTS
TOWN OF FAIRHAVEN

DEPARTMENT OF POLICE
1 BRYANT LANE
FAIRHAVEN, MA 02719

TELEPHONES ^{9,}
Dial 911 Emergency
(508) 997-7421 Non-Emergency
(508) 997-1344 Business
(508) 997-3147 Fax

DONALD A. JOSEPH
LIEUTENANT

June 1, 2005

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

RE: Request for Civil Service List

Gentlemen:

I respectfully request the Board file a request with the Human Resources Division for a civil service list for the hiring of one (1) permanent, full-time police officers.

This request is occasioned by the expected upcoming resignation of Timothy Hunt to attend the State Police Academy in June.

We are currently down 3 patrol officers due to 2 new officers being in the academy and a 3rd recruit scheduled to begin the academy in August. The 2 who are attending the academy will soon graduate but it takes months of field training before new officers are ready to be sent out on their own.

The list I expect we will receive from civil service will contain 3 names. Two would require attendance at the police academy while the 3rd has already completed the police academy.

I ask the Board to call for the list at this time as it takes quite an extended period of time to get a potential candidate ready and certified to attend a police academy.

Sincerely

Gary F. Souza
Chief of Police

BOARD OF SELECTMEN
FAIRHAVEN MASS
JUN 9 2005

RECEIVED



RECEIVED
2005 JUN -7 P 14 13
BOARD OF SELECTMEN
FAIRHAVEN MASS

Authorization for Legal Services

Department or office requesting authorization.

Town Collector

Particular subject of legal services sought.

Town Collector is being sued for billing a Waterways User Fee to taxpayer.

Nature of legal services sought.

Representation and advice of Town Counsel for Town Collector and Harbormaster.

Date of submission to the Board of Selectmen

6/07/05

=====

Authorization granted by:

Title: _____

Date: _____

Evaluation to be submitted

Before commencement of services

with first billing

=====

Attorney's Evaluation

Attorney: _____

Date: _____

Note: If additional space or information is to be supplied please use the back of this form or attach a separate sheet.

055C2164

BOSTON MUNICIPAL COURT DISTRICT COURT HOUSING COURT

Division _____ Division _____

ART 1 PLAINTIFF'S NAME, ADDRESS, ZIP CODE AND PHONE: WALTER KELLY
 240 Converse Rd.
 MATTON, MA. 02738

PLAINTIFF'S ATTORNEY (if any):
 Name: _____
 Address: _____

PHONE NO: 508 748 2368 PHONE NO: _____ BBO NO: _____

ART 2 DEFENDANT'S NAME, ADDRESS, ZIP CODE AND PHONE: TOWN OF FAIRHAVEN
 40 Center St.
 FAIRHAVEN, MA. 02719

ADDITIONAL DEFENDANT (if any):
 Name: _____
 Address: _____

PHONE NO: _____

PLAINTIFF'S CLAIM: The defendant owes \$ 1950.00 plus \$ 40.00 court costs for the following reasons:
 Give the date of the event that is the basis of your claim.
(2 MONTHS AGO)
TOWN OF FAIRHAVEN ILLEGALLY CHARGE ME A
WATERWAYS USER FEE. THIS FEE IS ILLEGAL ACCORDING TO
GENERAL LAWS CHAPTER 91 WATERWAY 10A OF ACT 2005
I ALSO AM A COMMERCIAL FISHERMAN AND AM EXEPT
FROM THIS KIND OF TAX. THE TOWN OF FAIRHAVEN
WAS GOING TO FINE ME \$50.00 PER DAY FOR EVERY
DAY THIS TAX WASN'T PAID. IT IS ONLY FAIR THEY
PAY ME \$50.00 PER DAY SINCE THEY RECEIVED MY PAYMENT

SIGNATURE OF PLAINTIFF: Walter Kelly DATE: 5/20/05

ART 3 MEDIATION: Mediation of this claim may be available prior to trial if both parties agree to discuss the matter with a mediator, who will assist the parties in trying to resolve the dispute on mutually agreed to terms. The plaintiff must notify the court if he or she desires mediation; the defendant may consent to mediation on the trial date.

The plaintiff is willing to attempt to settle this claim through court mediation.

ART 4 MILITARY AFFIDAVIT: The plaintiff states under the pains and penalties of perjury that the:

above defendant(s) is (are) not serving in the military and at present live(s) or work(s) at the above address.

above defendant(s) is (are) serving in the military

SIGNATURE OF PLAINTIFF: _____ DATE: _____

ART 5 NOTICE TO DEFENDANT: You are being sued in Small Claims Court by the above named plaintiff. You are directed to appear for trial of this claim on the date and time noted to the right.

If you wish to settle this claim before the trial date, you should contact the plaintiff or the plaintiff's attorney.

SEE ADDITIONAL INSTRUCTIONS ON THE BACK OF THIS FORM

NAME AND ADDRESS OF COURT	BOTH THE PLAINTIFF AND THE DEFENDANT MUST APPEAR AT THIS COURT ON THE DATE AND TIME SPECIFIED
DATE AND TIME OF TRIAL	
New Bedford District Court 75 No. Sixth St. New Bedford Ma. 02740	COURT USE ONLY ▲
6/15/05 AT 1:00 PM DATE AT TIME	
ROOM NO. <u>4 - Lower Level</u>	HP

ART 6 FIRST JUSTICE: Bernadette L. Sabra CLERK/MAGISTRATE OR DESIGNEE: Peter J. Thomas

May 11, 2005

Walter Kelly
240 Converse Rd
Marion MA 02738

RE Vessel: Hooked Up (Commercial) MS 9541 ZB

Dear Walter Kelly;

I am forwarding this note to remind you of the new town regulation which requires all boatowners, whether recreational or commercial, to pay the new Waterways User Fee which will enable you to pick up and display a 2005 boat sticker.

As of May 11, 2005, your vessel has been observed to be docked in Fairhaven waters and was not displaying the proper "2005 Boat Sticker" in accordance with the Town of Fairhaven Harbormaster Regulations, Section 1007. **Please plan to pay the new Waterways User Fee in order to pick up and display a 2005 boat sticker within the next two weeks by May 27, 2005.** If you do not display the sticker on your vessel, you will be in violation of this law and be subject to a \$50 fine per day.

You may pay your Waterways User Fee at the tax collector's office, Town Hall, 40 Centre Street, Fairhaven, between the weekday hours of 8:30 AM and 4:30 PM or by mail. If you have any questions regarding the stickers, feel free to call the Selectmen's Office at 508-979-4023. Questions concerning your boat excise tax can be directed to the Tax Assessors Office at 508-979-4027.

Thank you for your cooperation concerning this matter.

Sincerely,

Gary S. Golas, CHM



Town of Fairhaven Massachusetts

Office of the Harbor Master

40 Centre Street, Fairhaven, MA 02719

The Fairhaven Board of Selectmen have approved a new Waterways User Fee program and have withdrawn the annual \$10 boat mooring permit fee.

The new Waterways User Fee is directed to all boaters who use Fairhaven waters, including all large and small commercial vessels, trailered boats who use the boat ramps and all recreational boats at boatyard slips, private slips and moorings.

A fee schedule of **\$1 per foot for residents and \$3 per foot for non-residents** has been approved. A resident must provide evidence of one of the following:

1. A registered voter in the Town of Fairhaven
2. A person who is domiciled in the Town of Fairhaven
3. A person who pays real estate taxes to the Town of Fairhaven
4. A spouse or dependent of any of the above.

This invoice is based on information currently held in the town's database for boat excise tax billing.

0220

INVOICE

WATERWAYS USER FEE

Walter Kelly
240 Converse Rd
Marion MA 02738

Invoice Number: HF-A09

Invoice Date: 2/25/2005

*Must be paid in full
within 60 Days*

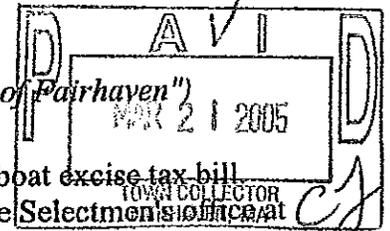
Boat Name: Hooked Up (Comm)

Boat Type: P

Boat Length: 25

Boat Model: Grady

Fee Amount Payable: \$75.00 (Make check payable to "Town of Fairhaven")



This invoice is payable to the Town Collector Office at the same time you pay your boat excise tax bill. Following payment and receipt, a Waterways User Fee sticker can be picked up at the Selectmen's Office at Town Hall. Stickers can be issued by mail. Please include a self addressed stamped envelope and a copy of this paid invoice. Mail sticker requests directly to the Selectmen's Office, 40 Centre Street, Fairhaven, MA 02719.

Tax Collector Inquiries: 508-979-4027 Assessors Office: 508-979-4018
Harbormaster Office :508-984-4529 Selectmen's Office: 508-979-4024



GARY S. GOLAS, CHM
Harbor Master

Town of Fairhaven

Massachusetts

Office of the Harbor Master

40 Centre Street, Fairhaven, MA 02719

Info On Fairhaven's NEW Waterways User Fee

The Fairhaven Board of Selectmen have voted on January 31, 2005 to withdraw the annual \$10 boat mooring sticker fee and approve a new Waterways User Fee. Effective immediately all commercial vessels, trailered boats and recreational boats utilizing town waters must conform to the new Waterways User Fee schedule. This is based on a per foot charge on your vessel's overall length, set for **\$1 per foot for residents and \$3 per foot for non-residents.**

To be a resident you must provide evidence to meet the following:

1. A registered voter in the Town of Fairhaven
2. A person who is domiciled in the Town of Fairhaven
3. A person who pays real estate taxes to the Town of Fairhaven
4. A spouse or dependent of any of the above.

The new Waterways User Fees will be deposited into the town's Waterways Improvement Fund which directly benefits town boaters with dredging and maintenance projects, fire, emergency, police security, boater education, environmental protection and harbor management services.

Waterways User Fee stickers can be purchased from the Selectmen's office at the Fairhaven Town Hall weekdays, 8:30 AM to 4:30 PM or by mail with a SASE directly to the Selectmen's Office, 40 Centre Street, Fairhaven, MA 02719. The boat excise taxes can be filed with the Assessor's Office and paid to the Tax Collector's Office at town hall.

It is important that you purchase as well as display on the back end of the boat a new **2005 Waterways User Fee sticker** when the boat is launched. And you must pay all outstanding boat excise taxes to the Town of Fairhaven before your 2005 Waterways User Fee sticker is approved. This new regulation will be strictly enforced at the start of the season once boat launchings begin and violations could result in substantial fines. We ask you for your cooperation in this matter.

Collector the Waterways User Fee based on information they provide to the collector. Again they will be given a receipt marked "Paid" to receive the annual "Boat Mooring Permit" sticker from the Selectmen's Office.

When they are issued stickers from this office, please write same information on Assessor List as you have done in years past... placing sticker number and date of issue besides their names.

The new Waterways User Fees will directly benefit town boaters with dredging and maintenance projects, fire, emergency, police security, boater education, environmental protection and harbor management services.

It is important to remind boatowners that they need to display on the back end of the boat the new 2005 Waterways User Fee sticker when the boat is launched.

Gary S. Golas
Harbormaster of Fairhaven



Town of Fairhaven
Massachusetts
Office of the Harbor Master
40 Centre Street, Fairhaven, MA 02719

TO: Selectmen Office/ Collectors Office
FROM: Gary Golas, Harbormaster
DATE: 2/22/05
RE: Waterways User Fees Information

Effective immediately, the new Waterways User Fees based on a per-foot charge replaces the \$10 annual boat sticker. This will affect mostly anyone who uses a boat in Fairhaven waters including the following boatowners:

All Types of Commercial vessels ... large and small
Trailer boats ... including all those who purchase annual boat ramp permits
Recreational boats ... excluding inflatables, rowboats, kayaks and canoes

The fee schedule is based on a per foot charge on your vessel's overall length and is set for **\$1 per foot for residents and \$3 per foot for non-residents.**

A resident is defined in Fairhaven as one of the following:

1. A registered voter in the Town of Fairhaven
2. A person who is domiciled in the Town of Fairhaven
3. A person who pays real estate taxes to the Town of Fairhaven
4. A spouse or dependent of any of the above.

Most boatowners who are on the Fairhaven list to be assessed for boat excise taxes have received a new **Waterways User Fee** invoice payable to the Town Collectors' Office.

Once the invoice is paid at the Collectors' Office, the boatowner will use the invoice marked "Paid" to receive the annual "Boat Mooring Permit" sticker from the Selectmen's Office. (Even though the sticker says Boat Mooring Permit... it is the new Waterways User sticker, because we had it printed *before* we could change the wording and the 1/31/05 vote by the Board of Selectmen)

There may be boatowners who have not received invoices and may not be on the Assessor's Boat Excise Tax list. If this is the case, they need to go to and pay the

Happy's Landing
Preliminary Cost Estimate

	Unit	S/Unit	Extended	Total	Subtotal
Pier (8' x 80')					
Stringers & Deck	640	\$ 100.00	\$64,000.00	\$64,000.00	
Piles	12	\$ 800.00	\$9,600.00	\$9,600.00	
Concrete	112	\$ 20.00	\$2,240.00	\$2,240.00	\$75,840.00

	Unit	S/Unit	Extended	Total
Ramp & Hoist System				
Ramp (6' x 50')			\$20,000.00	\$20,000.00
Piles	2	\$ 1,200.00	\$2,400.00	\$2,400.00
Timbers	1	\$ 2,000.00	\$2,000.00	\$2,000.00
Winches	2	\$ 2,500.00	\$5,000.00	\$5,000.00
Power to winches	1	\$ 3,000.00	\$3,000.00	\$3,000.00

	Materials	Labor	Installation & Markup	Total
Steel Float (60 x 16)	\$32,280.00	\$20,000.00	\$23,000.00	\$75,280.00
Axels & Wheels	Unit	S/Unit	Extended	Total
2.5" axels	2	7.20	\$259.18	\$647.96
Hubs	4	\$300.00	\$1,200.00	\$1,200.00
Wheels & Tires	4.00	\$700.00	\$2,800.00	\$2,800.00
Mounst	4.00	\$800.00	\$3,200.00	\$3,200.00
Chain & Anchors	Unit	S/Unit	Extended	Total
Chain (1" galvanized)	480	\$14.45	\$6,936.00	\$6,936.00
Anchors or Helixs	6	\$900.00	\$5,400.00	\$5,400.00

Concrete Boat Launching Ramp				
Moh/Demo			\$20,000.00	\$20,000.00
Demo			\$10,000.00	\$10,000.00
Cofferdam			\$75,000.00	\$75,000.00
Concrete (CIP w/ rebar)	73	\$350.00	\$25,550.00	\$25,550.00

Total Estimated Cost for Project: \$334,253.96

ALTERNATES:

	Unit	S/Unit	Extended	Total	Subtotal
Pier (6' x 80')					
Stringers & Deck	480	\$ 125.00	\$60,000.00	\$60,000.00	
Piles	12	\$ 800.00	\$9,600.00	\$9,600.00	
Concrete	112	\$ 20.00	\$2,240.00	\$2,240.00	\$71,840.00

	Materials	Labor	Installation & Markup	Total	Subtotal
Steel Float (40 x 16)	\$23,859.20	\$20,000.00	\$18,000.00	\$61,859.20	\$61,859.20

Total Estimated Cost for Project (with alternates): \$316,833.16

11B

June 4, 2005

Dear Board of Selectman.

I am writing you consider Laurie Hebert, 6 Harvard St. Fairhaven, to be a regular committee member of Hoppy 's Landing Adv. Board. This is to replace her associate member status of now. She has made every effort to attend all meetings that have been held. The people of West Island are interested in the happenings on Hoppy 's Landing and Laurie represents us as a member of the West island Improvement Assoc. and keeps us informed. Thank you for your consideration of the matter.

Sincerely:

Shirley Hunter, President
West Island Improv. Assoc.

RECEIVED

2005 JUN -7 P 12:10

BOARD OF SELECTMAN
FAIRHAVEN MASS

June 8, 2005

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

Dear Sirs:

I am writing this letter to request that my status of Associate Member of Hoppy's Landing Advisory Committee be changed to a Full Board Member. Since being appointed to this board in the fall of 2004, I have attended every scheduled meeting and wish to continue to remain an active member of the board. I have a sincere interest in the changes and developments that will be taking place at Hoppy's Landing and feel that I will continue to be a valuable member of this advisory board.

I thank you in advance for your time and consideration in this matter.

Sincerely,



Laurie A. Hebert
16 Harvard Street
Fairhaven, MA 02719

RECEIVED

2005 JUN -8 P 3:13

BOARD OF SELECTMEN
FAIRHAVEN MASS

12
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**REGION 1**
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

May 27, 2005

Fairhaven Board of Selectmen
Jeffrey Osuch, Executive Secretary
Town of Fairhaven
Town Hall
50 Center Street
Fairhaven, MA 02719

Re: The Atlas Tack Corporation Superfund Site

Dear Mr. Osuch,

EPA will be commencing the first phase of the cleanup at the Atlas Tack Corporation Superfund Site in Fairhaven. This phase will address the 10-acre Commercial Area of the site and will consist of demolition of the rear three story portion of the main manufacturing building and the power plant building (including the smoke stack). Contaminated building materials will be disposed of off-site. Contaminated soil and sludges in the Commercial Area will also be excavated and disposed of off-site. The area will then be restored. The projected duration for this phase of work is approximately four and a half months, bringing us to late October. Enclosed you will find a compact disk containing pdf-formatted copies of the sampling and analysis plan, the quality assurance project plan, the field sampling plan (all three plans in one pdf file), the site work plan and the transportation and disposal plan. Additional plans will be sent to you and appropriate town officials as I receive them. Please let me know if you prefer to read hard copies of the plans.

EPA's construction manager, the U.S. Corps of Engineers, has awarded the Remedial Action contract to Charter Environmental, Inc. based in Wilmington, MA. They will begin on-site mobilization on Monday, June 6, 2005. Mobilization will take one week. A hazardous survey and appropriate abatement of the interior of the buildings will occur in June and early July. Actual building and slab demolition will occur between late July and mid-October. I expect to forward you a more detailed schedule next week. Copies of project work plans are located in the site repository at the Millicent Public Library. Informational postings will be made available at Town Hall. In addition, I plan to have an informal meeting in mid-June along the bike path to address any questions and concerns members of the community may have about the project.

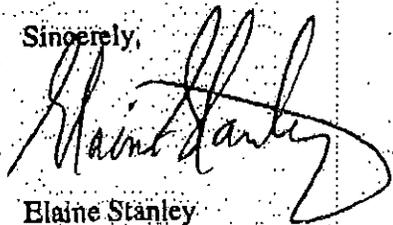
Toll Free • 1-888-372-7641

Internet Address (URL) • <http://www.epa.gov/region1>

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 30% Postconsumer)

I look forward to working with you and other town officials this summer. Please contact me at (617) 918-1332 if you have any questions or concerns.

Sincerely,



Elaine Stanley
Remedial Project Manager

Enclosure

- cc: Timothy Francis, Fire Chief, e-copy of all plans
- Gary Souza, Police Chief, e-copy of all plans
- Wayne Fostin, Building and Conservation Commissioner, e-copy of all plans
- Pat Ansay, District Administrator of Public Schools, e-copy of all plans
- Pat Fowle, Public Health Agent, e-copy of all plans
- Robert Carey, Superintendent of Public Works, e-copy of all plans
- John Charbonneau, Superintendent of Highway Department, e-copy of all plans
- Patti Estrella, Citizen, e-copy of all plans
- Ronald Gonzalez, EPA w/out enclosures
- Donald Frankel, DOJ, w/out enclosures
- Bob Cianciarulo, EPA, w/out enclosures
- Stacy Greendlinger, EPA, w/out enclosures
- Paul Craffey, DEP, w/out enclosures
- Heather Sullivan, USACE, w/out enclosures

17.

PERRY, HICKS, CROTTY AND DESHAIES, LLP

ATTORNEYS AT LAW

388 COUNTY STREET

NEW BEDFORD, MASSACHUSETTS 02740-4909

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THOMAS P. CROTTY
MARC R. DESHAIES

TELEPHONE
(508) 998-8291

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LEONARD E. PERRY
(1065-1009)

EDWARD D. HICKS
(1065-2002)

BLAIR S. BAILEY
LAWRENCE D. HUNT
ELLYN H. HURD
AMY S. MEYLO*

*ALSO ADMITTED IN N.J.

E-MAIL: info@perryhicks.net
www.perryhicks.net

May 23, 2005

**VIA FACSIMILE (508-979-4079) AND
FIRST CLASS MAIL**

Jeffrey Osuch, Executive Secretary
Town of Fairhaven
Board of Selectmen
40 Centre Street
Fairhaven, MA 02719

Re: Town Employees – Multiple Positions

Dear Mr. Osuch:

You have asked for an opinion regarding whether the Town of Fairhaven (“Town”) has been following the proper procedure with regard to compensation of employees holding more than one position within the Town. In particular, you have asked whether the Town is required to pay certain employees overtime for hours worked in their second positions. As discussed below, I do not believe that the Town has acted improperly in the case of the employees in question however the Town must take care to remain within the requirements of the Fair Labor Standards Act (FLSA).

You have asked for an opinion regarding the following four employees:

Frank Cruz

According to the material you have provided, Mr. Cruz holds a primary position with the Town as a full-time firefighter. This position is compensated based on 42 hours per week. Mr. Cruz also performs occasional work for the Town Tree Department.¹

¹ It is my understanding that Mr. Cruz performed no work for the Tree Department in 2005 or 2004 and very little prior to that. The opinion rendered herein covers the circumstance where Mr. Cruz does render work for the Tree Department.

Jeffrey Osuch, Executive Secretary
Town of Fairhaven
May 23, 2005
Page 2 of 5

In analyzing compliance with the FLSA, the first inquiry is whether a particular position is "exempt" or "non-exempt". The statute contains detailed requirements for determining whether a position is exempt or non-exempt. A non-exempt position must be compensated in accordance with the overtime pay and minimum hourly wage requirements of the FLSA. If a position is properly categorized as exempt, the position is completely exempt from the overtime pay and minimum wage requirements of the FLSA. Additionally, an exempt position must be compensated "on a salary basis". Payment can be based upon an hourly compensation and set number of hours but it must be a regular amount not subject to reduction because of the quality or quantity (hours) of the work performed.²

The position of Firefighter is one that is considered as partially exempt. The FLSA provides for a partial overtime exemption for public agency employees who are engaged in fire protection. The partial exemption allows a firefighter to be paid overtime based upon a flexible "work period" which can be designated by the Town.³ The work period may be from seven to 28 consecutive days. If the work period is 28 days, a firefighter must be paid overtime for hours worked in excess of 212 hours. If a work period is less than 28 days, the hours worked limit must bear the same relationship to the work period as 212 hours does to 28 days. Thus, if the work period is seven days, the overtime hours limit is 53 hours.

Firefighters work an eight (8) day rotating schedule with a firefighter working 48 hours during the 8 day period. Based upon that schedule, a firefighter is eligible for overtime after working 60.57 hours in that eight day period. Using an 8 day work schedule, there is a window of 12.57 hours before a firefighter must be paid overtime.⁴ Using a 28 day work period, there is a window of 43 hours during the 28 days before overtime must be paid.

Based upon the materials provided, it does not appear that Mr. Cruz has worked any hours as a firefighter in excess of any possible overtime calculation using the ratios provided in the FLSA.

Mr. Cruz's position with the tree department cannot, based upon my information, be considered an exempt position under any criteria set forth in the FLSA. Nor can it be considered as a function incidental to his position as a firefighter. Thus, any hours worked by Mr. Cruz for the tree department must be counted towards the hourly overtime limit he works under with the fire department.

In addition to the above, the Town must take care to limit any additional time worked by Mr. Cruz for the tree department to no more than twenty percent (20%) of the hours worked as a firefighter during a work period. Thus, if Mr. Cruz works 40 hours

² 29 C.F.R. 541.118.

³ Subject to any requirements of an applicable collective bargaining agreement.

⁴ That from hours 49 through 60.57, the federal government doesn't care what the firefighters are paid.

Jeffrey Osuch, Executive Secretary
Town of Fairhaven
May 23, 2005
Page 3 of 5

during a seven day work period, he cannot work more than eight hours for the tree department.

Under the regulations, an exempt, or partially exempt in this case, employee may not perform additional non-exempt work that exceeds twenty percent (20%) of the employee's regular time in a workweek. If an exempt employee exceeds this amount, the employee will lose the exemption for the particular week in which the numbers are exceeded. If an exempt employee exceeds the ratio on a regular basis, the employee risks losing the exemption given to their underlying position.

Robert Lincoln and Shawn Samanica

Mr. Lincoln and Mr. Samanica hold positions as full-time firefighters in the Town. As I have indicated previously, this position is partially exempt. In the course of their work as firefighters, Mr. Lincoln and Mr. Samanica perform work on fire alarms and are compensated on an additional hourly basis for fire alarm work.

The regulations issued in connection with the FLSA define "fire protection activities" broadly.⁵ Apart from the obvious fire fighting aspect of the activities, the regulations include incidental activities such as housekeeping, equipment maintenance, lecturing, fire drills, and fire safety inspections. Based upon the scope of the regulations, it is my opinion that the fire alarm services performed by Mr. Lincoln and Mr. Samanica can be considered fire protection activities. The hours they work in those activities must therefore be considered in calculating whether they must be paid overtime during a particular fire department work period. As indicated above, the Town is only required to pay overtime to Mr. Lincoln and Mr. Samanica if they work over 12.57 hours doing fire alarm work during the 8 day period where they have two 24 hour shifts. The records provided do not indicate that they work in excess of these hours.

Keep in mind that the federal overtime requirement doesn't apply until hour 60.57 of an eight (8) day rotation. By that time, the employee may have already worked at overtime pay as calculated under the union contract. That overtime pay will be credited by the federal government in calculating the overtime pay required for hours in excess of 60.57 hours.

Pat Fowle

Ms. Fowle is the Health Agent for the Fairhaven Board of Health. In addition to her Health Agent position, Ms Fowle performs additional work as the secretary to the Fairhaven Zoning Board of Appeals.

⁵ 29 C.F.R. 553.210

Jeffrey Osuch, Executive Secretary
Town of Fairhaven
May 23, 2005
Page 4 of 5

After review of the position descriptions provided to me, the duties of a health agent pursuant to G.L. c. 111, §30 and the professional certifications that Ms. Fowle is required to hold, it is my opinion that Ms. Fowle's position as the Health Agent is an exempt position under the FLSA. I believe that it is exempt under both the "professional" and "administrative" employee exemptions in the FLSA.

In order to qualify for an exemption under the professional employee exemption, an employee must meet the following criteria:

- The employee must be compensated on a salary basis at a rate of not less than \$455 per week
- The employee's primary duties must be the performance of work requiring advanced knowledge, defined as work which is predominately intellectual in character and includes the consistent exercise of discretion and judgment
- The advanced knowledge required above must be in a field of science or learning
- The advanced knowledge must be customarily acquired through a course of specialized intellectual instruction

Ms. Fowle's pay records indicate that she is compensated at a level in excess of that required for the exemption. Her position description includes requirements that she regularly undertake intellectual work in multiple fields of science and must constantly make decisions requiring discretion and judgment. In fact, the position of Health Agent is empowered to make the same levels of decisions as the Board of Health itself.

The position description also requires that the Health Agent be certified as a Health Officer and Sanitarian. In order to qualify as a Health Officer, an applicant must hold either a medical degree, masters in public health or a four year baccalaureate degree including 45 hours of study in public health, environmental, sanitary or related sciences and one year experience administering health programs. A Sanitarian must hold a bachelor's degree in sanitary science, engineering or environmental science. These are clearly requirements for advanced knowledge. Based upon the foregoing, the health Agent position in the Town is an exempt position.

It is also likely that, even if the Health Agent position is not considered an exempt "professional" position, it is an exempt "administrative" position. In order to qualify for an exemption under the "administrative" employee exemption, an employee must meet the following criteria:

- The employee must be compensated on a salary basis at a rate of not less than \$455 per week

Jeffrey Osuch, Executive Secretary
Town of Fairhaven
May 23, 2005
Page 5 of 5

- o The employee's primary duty must be the performance of non-manual work directly related to the management or general business operations of the employer or the employer's customers
- o The employee's primary duties include the exercise of discretion and independent judgment with respect to matters of significance

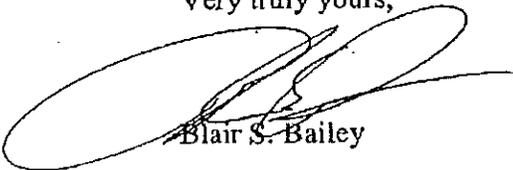
As previously discussed, Ms. Fowle is compensated at a rate above that required. Based upon the position description provided, Ms. Fowle maintains and manages the town health department, including its budget and expenditures. She is often the only representative of the health department who interacts with and advises the businesses and residents of the Town regarding health issues. This includes inspection of businesses and residences for compliance with the health codes. These matters are obviously matters of great significance to the Town and include the exercise of considerable discretion and judgment. Thus, the position of Health Agent is an exempt "administrative" position within the Town.

Based upon the position as described to me, Ms. Fowle's position as secretary to the Fairhaven Zoning Board of Appeals is not an exempt position. As in the case of Mr. Cruz, Ms. Fowle must take care not to exceed the twenty percent (20%) cap on additional non-exempt work. It is my understanding from speaking with Ms. Fowle and reviewing the payroll records, that Ms. Fowle's work for the Board of Appeals does not exceed 20% of her work week as the Health Agent.

After review of the employees in question and the Town's records, I have not seen any evidence that the Town has violated federal wage and hour laws as to those employees. Further, the Town is not violating those laws by allowing the employees to hold more than one Town position, provided they have made any disclosures and designations necessary under the conflict of interest laws.

Please feel free to call if you have any additional questions.

Very truly yours,



Blair S. Bailey

PERRY, HICKS, CROTTY AND DESHAIES, LLP
ATTORNEYS AT LAW
388 COUNTY STREET
NEW BEDFORD, MASSACHUSETTS 02740-4909

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LEONARDE E. PERRY
(1965-1999)
EDWARD D. HICKS
(1965-2002)

BLAIR S. BAILEY
ELLYN H. HURD
AMY S. MELLO*
*also admitted in R.I.

Email info@pernyhicks.net

TELEFAX COVER SHEET

DATE: May 24, 2005

TO: Jeffrey Osuch, Executive Secretary

FROM: Blair S. Bailey

FAX: (508) 979-4079

PHONE: (508) 996-8291

PHONE: _____

FAX: (508) 997-2637

RE: Town Employees-Multiple Positions

CC: _____

- Urgent For Review Please Comment Please Reply

WE ARE SENDING A TOTAL OF 5 PAGES IN ADDITION TO THIS COVER SHEET. IF YOU DID NOT RECEIVE THE INDICATED NUMBER OF PAGES, PLEASE CALL (508) 996-8291 AND ASK FOR THE ABOVE-NAMED PERSON.

COMMENTS:

cc: SELECTION 5/24/05

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Transmitted : May 24, 2005 By: MB