

Selectmen's Meeting – August 29, 2005

Mr. Silvia and Mr. Eckenreiter were present. Mr. Manzone was not in attendance at 6:00 p.m.

Also in attendance were Jeffrey Osuch and Jeanne Reedy.

Interviews for a position on the Board of Assessors were scheduled for 6:00 p.m. Prior to Traci Manzone's interview, Mr. Eckenreiter announced he had a conflict. He was a member of the committee to elect Ron Manzone, bother-in-law of Traci Manzone. At a previous meeting, Ron Manzone stated he would not participate in the interview process because of a conflict. Mr. Eckenreiter stated he will not participate in the interviews until an opinion is received from the Ethics Commission. Interviews will be re-scheduled for Monday, September 12th.

At 6:15 p.m. the Board took a 15 minute recess. Meeting reconvened at 6:30 p.m.

SHELLFISH WARDEN/ASSISTANT HARBORMASTER

Brett Watson and Kevin Villa were interviewed for the position of Shellfish Warden/Assistant Harbormaster. Mr. Manzone motioned to appoint Kevin Villa, Shellfish Warden/Assistant Harbormaster. Mr. Eckenreiter seconded. Vote was unanimous.

MEETING MINUTES

Mr. Manzone motioned to approve the minutes of the August 15, 2005 Police Officer interviews. Mr. Eckenreiter seconded. Vote was unanimous.

Mr. Manzone motioned to approve the minutes of the August 15, 2005 Selectmen's Meeting. Mr. Eckenreiter seconded. Vote was unanimous.

Mr. Eckenreiter stated the Harbormaster was discussed in executive session on August 15, 2005 and requested this be added to the executive session minutes. Mr. Manzone motioned to table the minutes. Mr. Silvia seconded. Vote was unanimous.

TEIXEIRA'S AUTO, INC.

Teixeira's Auto, Inc., 132 Alden Road, received an occupancy permit and requested a permanent Class II License and Repair License be issued. Mr. Eckenreiter motioned to grant permanent licenses. Mr. Manzone seconded. Vote was unanimous.

HARBORMASTER DEPARTMENT

Harbormaster Gary Golas and Assistant Harbormasters/Boat Pumpout Operators were present. Mr. Manzone requested Mr. Golas investigate the issue of pumpout operators

Selectmen's Meeting – August 29, 2005

receiving tips from boat owners. (See attached memo from the Harbormaster.) After interviewing his assistants, Mr. Golas learned his assistants were accepting tips. In accordance with an opinion from Town Counsel on the acceptance of gratuities, Mr. Golas informed his assistants the practice must stop immediately. Discussion ensued. Mr. Manzone stated this is a policy issue and needs to be addressed. Mr. Golas stated he will develop "Standard Operating Procedures" for boat pumpout and hopes to submit a draft to the Board of Selectmen by the end of September. Mr. Silvia motioned to send a letter to Gary Golas instructing him to keep informed on ethics issues, to relay to him the Board's displeasure that this situation occurred and to instruct him to inform his employees to take corrective action regarding the acceptance of tips. Mr. Manzone seconded. It was so voted. Mr. Eckenreiter was opposed.

BOARD OF PUBLIC WORKS

Robert Bosworth and Frank Rezendes, members of the Board of Public Works, were in attendance and discussed the BPW's request for authorization for legal services for "jurisdiction of sewer tie-in inspections". (See attached.) Mr. Eckenreiter motioned to approve the request. Mr. Manzone seconded. Vote was unanimous.

EXECUTIVE SECRETARY'S REPORT

Mass Technology Collaborative scheduled a public presentation on wind turbines for Wednesday, August 31, 2005 at 6:30 p.m. at the Town Hall.

Mattapoisett River Valley Water District Sub-Committee will meet at the Fairhaven Board of Public Works on September 1st at 9:00 a.m.

Attorney Blair Bailey, Jeffrey Osuch, Joan Cookinham, her attorneys and John Haaland will meet on September 1st at 4:00 p.m. at the Town Hall to discuss Council on Aging issues.

East Fairhaven School Building Committee will meet on September 7th at the Town Hall.

A meeting with members of the Community Preservation Committee and the Board of Selectmen will be scheduled on the September 12th agenda.

Fairhaven's assessment for FY 2006 for Greater New Bedford Regional Vocational Technical High School is \$1,216,701.

SRTA offered a van to the Council on Aging.

Selectmen received a letter from the Sister City Committee regarding the 10th Manjiro Festival to be held on October 1st beginning at 10:00 a.m. in Fairhaven Center. (See attached.)

Selectmen's Meeting – August 29, 2005

August 25th letter from Town Counsel regarding ownership of Rogers School Playground was discussed. Mr. Eckenreiter motioned to hire Robert Lyman to appraise the property. Mr. Manzone seconded. Vote was unanimous.

Mr. Manzone and Mr. Osuch will attend a Homeland Security Training Session on September 16th from 10:00 a.m. to 1:00 p.m. in Middleboro.

SPECIAL TOWN MEETING

Mr. Manzone motioned to schedule a Special Town Meeting for 7:00 p.m. on Tuesday, October 18, 2005 and to accept articles until 4:00 p.m. on Friday, September 9, 2005. Mr. Eckenreiter seconded. Vote was unanimous.

COMMITTEE ON NATURAL RESOURCES & AGRICULTURE

Selectmen signed a letter endorsing a "Resolution Supporting the Producer Take Back of Cathode Ray Tubes, Electronics and Household Hazardous Products." The Resolution also supports the Computer Take Back Bill, H-3238. The letter will be sent to the Committee on Natural Resources and Agriculture and a copy to Representative Straus and Senator Montigny.

COUNCIL ON AGING

Mr. Silvia read the August 15th letter from the Fairhaven Recreation Summer Vinyasa Yoga Class regarding the decision made by the Council on Aging not to approve the use of the COA facility for the evening yoga class. (See attached.) An appointment will be scheduled on the September 12th agenda with the Council on Aging to discuss the issue.

COMMONWEALTH SEWER RELIEF FUND

Mr. Eckenreiter motioned to sign the "Application for FY 2006 Distribution" for State Sewer Rate Relief. Mr. Silvia seconded. It was so voted. Mr. Manzone abstained. The Town could receive over \$700,000.00 in funds to help with either stabilizing the rate or use towards the upgrade of the Water Pollution Facility.

OTHER MATTERS

Renee Tavares is planning the dedication of the Allen Days Fitness Center at the Recreation Center. She will advise the Board of the date and time.

Mr. Manzone discussed the formation of a Committee to assist the Harbormaster in the development of a Policy Book for the Harbormaster/Shellfish Department.

Selectmen's Meeting – August 29, 2005

Selectmen will meet on Monday, September 12th. Meetings will then be scheduled for every other week.

EXECUTIVE SESSION

At 8:19 p.m., Mr. Eckenreiter motioned to go into executive session to discuss the letter from the Police Chief regarding unpaid bills for off-duty police details, Town Counsel's letter regarding Juanna Adesso's Clerical Union Grievance, letter from Joyce Cookinham and not to reconvene in open session. Mr. Manzone seconded. Vote was unanimous. Roll call vote 3-0.



Jan St. Germain
Secretary



GARY S. GOLAS, CHM
Harbor Master

713

Town of Fairhaven

Massachusetts

Office of the Harbor Master

40 Centre Street, Fairhaven, MA 02719

TO: Board of Selectmen
FROM: Gary Golas, Harbormaster
RE: Pumpout Issues
DATE: 8/8/05

Selectman Ron Manzone and Executive Secretary Jeffrey Osuch have requested that I investigate the issue of Pumpout boat operators, assistant harbormasters receiving tips from boatowners for having their waste tanks emptied. According to their sources the practice of assistants receiving tips is currently happening with a higher regular frequency resulting in quite a bit of tipping being accepted. It should not be policy and must be stopped immediately.

I as Harbormaster have been aware for a number of years of the willingness of some boatowners offering a tip following a pumpout service. I experienced offers of tips when I operated the pumpout boat on a regular basis back in my early years of 1999, 2000 and 2001. During that time the offers were made to me only once or twice a year. At all times I declined the tips and informed the parties that the program is fully funded by the federal Clean Water Act and the Town of Fairhaven. Since 2002, I work very infrequently with the pumpout operations, but continued to decline any tip offers when offered. Furthermore I made it known to all my new assistants who trained to operate the pumpout boats that it is department policy to decline any offer of tips and to inform the parties of the funding sources.

The issue of accepting tips has been discussed in the past few years during Harbormaster Association meetings. It is apparent that some harbormasters are aware of their assistants accepting "occasional" tips. David Fronzuto, Nantucket Harbormaster and President of the Massachusetts Harbormasters Association stated that it is up to each town policy if they can accept tips, and to his knowledge he knows of no town that allows such. The town of Oak Bluffs in 2004 had a sign on its pumpout boat stating "Tips are appreciated". Whether that was accepted town policy, I doubt it was. Furthermore, Assistant Roger Souza who personally knows some Plymouth Harbormaster assistants, informs me that they also receive tips for performing the services. I was aware of this practice here but honestly believed it was few and far between.

I conducted an interview on 8/7/05 and 8/8/05 with my current assistants Roger Souza, Don Gifford, Brian Dawicki and Tacky Pragana who is no longer with the job. Roger Souza has been an assistant for four years and works the New Bedford Harbor vessel. He is working his fourth summer and does recall me informing him of the no tip acceptance policy. He stated that very few tips were offered in the early years but it did increase in number. He accepted the tips when people forced it on him by throwing the money into the boat or demanding that he take it. It occurs at any marina, in the range of \$2 to \$3 per boat. According to Roger, the offer of a tip seems to occur in one out of every sixth boat pumped. For example, he worked Saturday 8/6/05 and out of six boats pumped one boatowner at the Seaport marina offered him a \$5 bill, of which he declined stating the town policy against accepting tips. The following day, Sunday, 8/7/05, out of five or seven pumpouts, one man on a mooring offered a \$3 tip, again declined by Mr. Souza. Mr. Souza says the tipping offers are inconsistent, weekdays less offers with more offers occurring on the weekend days. He works every other Saturday and Sunday and Thursday and Friday, alternating with Don Gifford. Mr. Souza states that he would accept anywhere from \$3 to \$10 per week in tips.

Don Gifford concurs with Mr. Souza's testimony. Mr. Gifford started as assistant about three years and was trained with former employee Jim Towers. Mr. Gifford does not recall me stating the town no tip acceptance policy directly to him, but he did talk with Mr. Towers about the practice and Mr. Towers accepted tips from those who forced it on him. From that point onward, Mr. Gifford accepted tips, offered from 1 in every ten boats he pumps. The tips are in the \$1 to \$2 range with some higher amounts up to \$10 far and few between. Again the marinas affected include most of this in the harbor, Cozy Cove, Seaport and Fairhaven Shipyard. Since my discussion with him on 8/4/05 Mr. Gifford no longer accepts tips.

Brian Dawicki has started as pumpout operator of the West Island boat in July. He has been offered tips in his short time of working, but has declined all offers. He does suggest that the boatowner consider offering their gifts to the Hoppy's Landing Preservation efforts.

Lastly, Tacky Pragana who worked a short two weeks in July with the pumpout program, chose to leave because he stated he was not interested in "pumping others waste". He informed me during an interview on 8/8/05 he had similar tip offer experiences in the harbor on his last weekend he worked. He stated he declined two offers, one at Seaport Marina and another \$5 tip offer at Cozy Cove Marina. He stated he strongly believed it is a wrong practice. Unfortunately while he was employed with the town, he never did not inform me of his concerns until this interview.

In conclusion, I, as harbormaster honestly believed the tip offers were very infrequent and was not a major problem. I informed no one of this issue. It is now every apparent it is a major issue that I must solve. To solve this issue I recommend that each employee sign a "No Tip Acceptance" policy, post a "No Tips Allowed" sign on each of the two boats and hand anyone interested in offering a tip a note which outlines how they can make a gift donation to the "waterways improvement gift account." Furthermore both

Roger Souza and Don Gifford are seasoned, knowledgeable and dedicated assistants and have acknowledged this practice as wrong of which they will no longer accept. I will continue to monitor this practice and submit a monthly report as to its frequency and end results. I also welcome any other solutions or thoughts from the board.



AUTHORIZATION FOR LEGAL SERVICES

RECEIVED
2005 JUL 28 P 11:00
TOWN OF FAIRHAVEN MASS

A. Department or officer requesting authorization:

Robert Carey
Board of Public Works, Robert J. Carey, Superintendent

Particular subject of legal services: Jurisdiction of sewer tie-in inspections.

Nature of legal services sought: See enclosed letter.

Date of submission of request to Board of Selectmen: July 28, 2005

B: Authorization granted by: Michael Silvia
Title: Chairman, Board of Selectmen

Date: August 29, 2005

Evaluation to be submitted:

() before commencement of services () with first billing

C. 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 sheet.

*Please see attached correspondence.



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RECEIVED
2005 JUL 28 P 11:00
TOWN OF FAIRHAVEN
BOARD OF SELECTMEN

AUTHORIZATION FOR LEGAL SERVICES

A. Department or officer requesting authorization:

Robert J. Carey

Board of Public Works, Robert J. Carey, Superintendent

Particular subject of legal services: Jurisdiction of sewer tie-in inspections.

Nature of legal services sought: See enclosed letter.

Date of submission of request to Board of Selectmen: July 28, 2005

B. Authorization granted by: NOT APPROVED - 8/8/05

Title: _____

Date: _____

Evaluation to be submitted:

() before commencement of services () with first billing

C. 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 sheet.

*Please see attached correspondence.

Town of Fairhaven

Massachusetts

Board of Public Works

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



ROBERT BOSWORTH
FRANK J. REZENDES
RICHARD C. BRODEUR
JACOB GALARY
ROBERT RODERIGUES

July 28, 2005

Mr. Michael Silvia, Chairman
Town of Fairhaven
Board of Selectmen
40 Center Street
Fairhaven, MA 02719

Re: Request for Legal Opinion
Jurisdiction of Inspectors on Sewer Tie-ins

Dear Mr. Silvia:

The Board of Public Works respectfully requests approval to contact Town Counsel for a formal legal opinion on exactly what construction work on a sewer tie-in from an existing home is subject to the jurisdiction of the Board of Public Works and what is subject to the jurisdiction of the Plumbing Inspector.

It is an important question because it impacts costs, construction schedules, permitting rules, inspection procedures, as-built measurements and records.

The key issue or question is whether the plumbing code applies to all sewer/drain piping located within a 10' envelope around a house or if it applies to the first 10' of pipe from the foundation. The Plumbing Inspector has issued an opinion that the plumbing code applies to all piping within a 10' envelope. The Board of Public Works respects the opinion and appreciates the efforts to resolve this issue. Unfortunately, questions persist from homeowners and drainlayers whether this opinion is correct based on the law. The Board of Public Works Commissioners, Management Staff, and Sewer Inspectors would benefit from a written clarification of this issue by Town Counsel.

Thank you for your consideration and support.

Sincerely,
FAIRHAVEN BOARD OF PUBLIC WORKS

Robert L. Bosworth, Chairman

RLB/kat
encs.



Wayne Fostin
Building Commissioner

Town of Fairhaven
Massachusetts
OFFICE OF THE
BUILDING DEPARTMENT

TOWN HALL
40 Center Street
Tel. (508) 979-4019
FAX: 979-4079

MAY31 05 11:17A

May 25, 2005

Fairhaven Board of Public Works
5 Arsene Street
Fairhaven, MA 02719

Regarding: Sewer Tie-In's

Dear Board Members:

Attached please find correspondence from the Plumbing Inspector regarding sewer tie in's. Also if you could please include the attached notice with each and every sewer tie in permit that is issued by your department.

If you have any question regarding this matter please feel free to contact this department.

Very truly yours,
FAIRHAVEN BUILDING DEPT.

Wayne Fostin
Building Commissioner



Wayne Fostin
Building Commissioner

Town of Fairhaven
Massachusetts
OFFICE OF THE
BUILDING DEPARTMENT

TOWN HALL
40 Center Street
Tel. (508) 979-4019
FAX: 979-4079

NOTICE

ATTENTION – DRAIN LAYERS

REGARDING – SEWER TIE-IN'S

ALL DRAINAGE PIPING FROM A POINT OF 10' OUTSIDE FROM THE INNER FACE OF THE FOUNDATION WALL AND WITHIN THE WHOLE PERIMETER OF THAT FOUNDATION IS THE RESPONSIBILITY OF A MASSACHUSETTS LICENSE PLUMBER. 248 CMR.

B.P.W. EMPLOYEES WILL NOT INSPECT PIPING THE WITHIN 10' LIMIT.

TOWN OF FAIRHAVEN
PLUMBING INSPECTOR



Town of Fairhaven
Massachusetts
OFFICE OF THE
BUILDING DEPARTMENT

TOWN HALL
40 Center Street
Tel. (508) 979-4019
FAX: 979-4079

Wayne Fostin
Building Commissioner

To All Concerning Departments

On May 17, 2005, a meeting was held at the Fairhaven Board of Public Works regarding the work concerning sewer tie-ins being performed throughout the Town of Fairhaven. The purpose of the meeting was to determine what the responsibility of the excavators and the Massachusetts licensed plumber according to 248 CMR 10:00.

The discussion between the plumbing inspectors, excavators, B.P.W. Officials and the Board of Health was concerning the building drains, (including storm drains) extending 10' outside the inner face of a building foundation.

According to 248 CMR 10:00 and stated by the plumbing inspectors that all drainage work (including storm drains) done within 10' perimeter of the inner face of the foundation wall must be done by a MA licensed plumber. After a debate regarding the practice of the excavators doing such work in the past with on interruptions, made it an "acceptable practice" and it was stated that the past inspectors allowed this to be acceptable is in violation of Commonwealth of Massachusetts regulations.

On May 18th a meeting was held for the South Shore Plumbing & Gas Inspectors Association and the New England Plumbing, Gas & Mechanical Inspectors Association with a majority present. Also two state investigators, members of the Board of Examiners of Plumbers & Gas fitters, including past board members and consultants.

It was determined that "All building drains, including storm, from a point of 10' outside from the inner face of the foundation wall and within the whole perimeter of that foundation is the responsibility of a MA license plumber." 248 CMR Sec. 10:01(B)- "Sanitary drains, storm drains, hazardous waste drainage system, dedicated systems potable and non-potable water supply lines and other connections shall be subject to 248 CMR 10:00."

Therefore all work described above must be done by a MA Licensed Plumber, a plumbing permit must be issued and all work is subject to inspection by the inspector of plumbing.

Please be advised if 248 CMR regulations are not followed further action can be taken under the Division of Professional Licenses Act #5074 "Civil Administrative Penalties." "For individuals performing work, such as plumbing, without a license, they may be assessed a civil administrative penalty not to exceed \$1,000 for the first violation and \$2,500 for a second and any subsequent violations." A copy of the Legislative update is attached.

If there are any questions concerning this matter, you can contact the Division of Professional License, the Board of Examiners of plumbers and Gas Fitters @617 727-9952 or the State Chief Plumbing Investigator at 617 727-6092. Your up-most cooperation is greatly appreciated.

Town of Fairhaven
Plumbing & Gas Inspectors

H5074 (*An Act to Provide Greater Consumer Protection Powers to the Boards within the Division of Professional Licensure*) was signed into law by Gov. Romney on December 31st. This law will give the Plumbing Board, and all other licensing boards under the Division of Professional Licensure, the authority to levy "civil administrative penalties" (fines) for a variety of violations. Among the key features of the bill:

- Any licensing board (including the Board of Examiners of Plumbers and Gas Fitters) may discipline the license holder if it is determined that holder has: Engaged in conduct which places into question the holder's competence to practice the profession including (but not limited to) gross misconduct, practicing the profession fraudulently, practicing the profession beyond the authorized scope of the license, practicing the profession with negligence while impaired by alcohol or drugs, been convicted of a criminal offense which is reasonably related to the practice of the profession, engaging in dishonesty, fraud or deceit which is reasonably related to the practice to the profession, and/or knowingly aiding and abetting an unauthorized person in performing activities requiring a license.
- The Board may suspend, revoke, cancel, decline to renew, or place on probation their license, may reprimand or censure a license holder, and assess upon the license holder a civil administrative penalty not to exceed \$100 for the first violation, \$500 for the second, violation, \$1500 for the third, \$2500 for the fourth and any subsequent violations. The Board may also require the license holder to complete additional education and training as a condition of retention for future consideration of reinstatement of the license.
- If the license holder's license is invalid because of it has been suspended, revoked, or canceled by the Board, and the licensee continues to practice without their license, the Board can assess a civil administrative penalty not to exceed \$1000 for the first violation, \$2500 for the second and any subsequent violation per violation.
- For individuals performing work, such as plumbing, *without a license*, they may be assessed a civil administrative penalty not to exceed \$1000 for the first violation and \$2500 for a second and any subsequent violations.

The question has been asked as to where the money will go for the fines collected. According to the law, 20% of all civil administrative penalties assessed by the Boards will be deposited in the Division of Professional Licensure Trust Fund, while the remaining 80% shall be deposited in the General Fund. In other words, these are not dedicated fines where the money will automatically go directly to the Plumbing Board.

that is flushed or discharged from toilets or urinals.

Boiler Blow-off. An outlet on a boiler to permit emptying or discharge of sediment.

Boiler Blow-off Tank. A vessel designed to receive the discharge from a boiler blow-off outlet, to cool the discharge to a temperature of 150EF or less, and permits the discharge to flow safely to the drainage system.

Branch. Any part of a piping system other than a main, riser, or stack.

Branch Interval. A distance along a soil or waste stack corresponding in general to a story height, but not less than eight feet in vertical height, and wherein the horizontal branches from one floor or story of a building are connected to the stack.

Branch Vent. A vent connecting one or more individual vents with a vent stack or stack vent.

Building. A structure used for the housing, shelter, enclosure, or support of persons, animals or property.

Building Drain. The lowest horizontal piping of a drainage system that extends from the base of the main stack to a terminating point ten feet outside the inner surface of a building's foundation wall, and is of sufficient size to receive the discharge from branch drains and/or stacks.

Building Drain -- Sanitary. A building drain which conveys the discharge of plumbing fixtures.

Building Drain -- Storm. A building drain which conveys storm water waste or other clear water drainage.

Building Sewer. The pipe that begins ten feet outside the inner face of a building's foundation wall and extends to a public sewer, septic tank, or other place of sewage disposal.

Building Sewer -- Combined. A building sewer that conveys both sewage and storm water or other drainage.

Building Sewer -- Sanitary. A building sewer that conveys the discharge of plumbing fixtures.

Building Sewer -- Storm. A building sewer that conveys storm water waste or other clear water drainage except that it does not convey sewage.

Building Subdrain. The portion of a drainage system that cannot drain its discharge into a building sewer via the force of gravity.



FAIRHAVEN/NEW BEDFORD-TOSASHIMIZU
SISTER CITY COMMITTEE, INC

c/o Millicent Library,
45 Center Street
Fairhaven, MA 02719

August 25, 2005

FAIRHAVEN
TOWN HALL

2005 AUG 26 P 12:47

RECEIVED

Mr. Michael Silvia
Chairman
Fairhaven Selectmen
Town Hall
Center St.
Fairhaven, MA 02719

Dear Mr. Silvia:

How are you keeping up with this crazy New England weather? It seems we either get it too hot or too cold. As you and the other selectmen are aware, the 10th Manjiro Festival will be held on October 1st of this year. We greatly appreciate the assistance and cooperation of the Town in this endeavor. I'm enclosing some additional info on the Festival to keep you abreast of the planning developments. We hope that you and the other Selectmen will be able to join us for the Opening Ceremony (a short welcome by you would be appreciated) at 10:00 AM on Saturday, Oct. 1, and the formal "Friendship Dinner" at 6:30 PM on Sunday, the 2nd, (invitations to follow). We would ask you to join us in welcoming the guests that night also.

One of the individuals who will be coming from Tosashimizu for the festival is Ms. Hiromi Tanaka. She is the President of the Welcome John Mung Kai and several other organizations. She has been a central figure in any exchange or visit that we have made with Tosashimizu for as long as I can remember. She has hosted our Little Leaguers, our local artists, writers, researchers, quilters, our students and anyone else visiting there from this area. She is a pleasant "can do" lady who takes hurdles as temporary pauses during which she will provide the answers. She is well known by many in the greater New Bedford area and it is our desire to honor her unceasing efforts while she is here for the festival.

We are asking the City of New Bedford and the Town of Fairhaven if there is an appropriate honor that can be bestowed on her during the festival (i.e. honorary citizen, citation, key to the city). We would be happy to furnish her complete background and involvement if so desired. Given that it is our 10th festival we thought it would be a fitting occasion to honor this very deserving woman.

If there are any questions, please call me at 508-995-1219.

Sincerely,

Gerald P. Rooney, Chair

P.S. We would appreciate receiving your brief welcoming message for the festival (venir booklet).

cc: Ernie 9/6/05

10TH MANJIRO FESTIVAL SCHEDULE

FRIDAY, SEPTEMBER 30

- 3:17 PM TOSASHIMIZU DELEGATION ARRIVES – GREEN A/P
- 5:00 PM TOSA GROUP TO PECKING PALACE FOR DINNER
- 7:30 PM TOSA GROUP CHECKS INTO HOTEL

SATURDAY, OCTOBER 1

- 7:00 AM SET-UP TIME FOR FESTIVAL
- 10:00 AM OPENING CEREMONY FOR FESTIVAL
- 4:00 PM FESTIVAL CLOSURES WITH TOSA DANCE
- 7:00 PM TOSA GROUP TO CENTURY HOUSE- DINNER (INFORMAL)

SUNDAY, OCTOBER 2

- 10:00 AM UNITARIAN CHURCH SERVICE
- 11:00 AM BRUNCH AT CHURCH HALL
- 12:00 NOON MILLICENT LIBRARY TO MANJIRO TRAIL
- 2:30 PM WHALING MUSEUM
 - TOUR OF MUSEUM
- 3:30 – 4:30 PM VIEWING OF CASTAWAYS – PUBLIC INVITED- FREE
- 4:30 PM RETURN TO HOTEL
- 6:30 PM FORMAL WELCOMING DINNER AT UNITARIAN CHURCH

MONDAY, OCTOBER 3

- 7:30 AM TOSA VISITORS LEAVE FOR NEW YORK

10TH MANJIRO FESTIVAL
SATURDAY, OCTOBER 1, 2005
10:00 AM TO 4:00 PM

FAIRHAVEN CENTER

(NO ENTRANCE FEES)

- **JAPANESE & AMERICAN FOOD**
- **JAPANESE MUSIC**
 - o **FEATURING “ODAIKO NEW ENGLAND”**
TAIKO DRUMMING (2 PERFORMANCES)
 - **ALSO KOTO, SHAKUHACHI & FLUTE**
- **MUSIC AMERICANA (THE BEANS – SEA SHANTIES +)**
- **STUDENT FRIENDSHIP CHORUS (FAIRHAVEN JHS)**
- **SQUARE DANCING (SEA SHELL STEPPERS)**
- **SWING DANCING (HEP CATS)**
- **TEA CEREMONY**
- **CHILDREN’S GAMES**
- **MARTIAL ARTS DEMONSTRATIONS**
- **FAIRHAVEN HERITAGE CENTER EXHIBIT**
- **JAPANESE –AMERICAN QUILT EXHIBIT**
- **MUCH MORE**

NOTE: ON SUNDAY, OCTOBER 2ND, THE PUBLIC IS INVITED TO THE NEW BEDFORD WHALING MUSEUM AT 3:30 PM FOR A FREE VIEWING OF “THE CASTAWAYS”, A VIDEO PRODUCTION OF MANJIRO.

THAT EVENING THE WELCOMING FRIENDSHIP DINNER WILL BE HELD AT THE UNITARIAN CHURCH AT 6:30 PM. (INCLUDES A GUEST PERFORMANCE BY ODAIKO NEW ENGLAND) TICKETS ARE \$20 FOR ADULTS AND \$10 FOR 12 AND UNDER. AVAILABLE THROUGH THE MILLICENT LIBRARY OR COMMITTEE MEMBERS.

**SPONSORED BY THE FAIRHAVEN/NEWBEDFORD-TOSASHIMIZU
SISTER CITY COMMITTEE
FOR MORE INFORMATION CALL 508-995-1219**

5A

August 15, 2005

Board of Selectmen
40 Center Street
Fairhaven, MA 02719

RECEIVED
2005 AUG 18 P 3:30
BOARD OF SELECTMEN
FAIRHAVEN MA

Dear Board,

We are writing to express our extreme dissatisfaction with a recent decision made by the Council on Aging at the August 8, 2005 board meeting. The Council did not approve the use of its facility for our Monday evening Yoga class run through Fairhaven Recreation. The past two 10 week sessions were successfully held in the Senior Center.

Recreation Director Renee Tavares informed us that the Council tabled the request to approve this Yoga session until their next meeting, which will not occur for another month. By the time this meeting occurs, we will have missed six weeks of the Yoga Summer Session. The timing of this inefficient decision does not make sense.

We are mature, respectful, tax paying citizens within this community. We have been using the Senior Center facility for an hour and a half once a week for 20 weeks! We are respectful of this facility and do not leave a mess nor do we use the restroom facilities in the Senior Center because they are available in the Recreation Center. The Senior Center facility is a perfect location for the yoga class due its large space and quietness. We have thoroughly enjoyed our class being held there for quite some time.

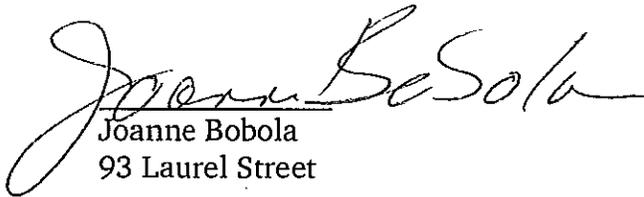
We are upset that it is suddenly being taken away, when there have been no problems for the last 20 weeks of use. The building sits idle when the Council closes at 3:30pm each day. The facility is a rare resource that Fairhaven is lucky to have. It is state of the art and could be utilized for so much more after the regular business hours. Our tax dollars support this senior center and feel there is no reason for it not to be used.

We request that you resolve this issue with the Council on Aging immediately and allow this program to continue in its desired location. We also request that you investigate why this facility is not being used more often. It appears that this great facility is being underutilized.

Sincerely,

Fairhaven Recreation Summer Vinyasa Yoga Class
(please see enclosed)

cc: COA
Delorah Jenkins 8/31/05

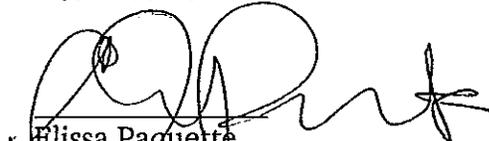

Joanne Bobola
93 Laurel Street

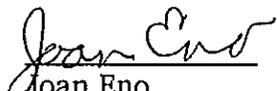
Wanda Medina
6 Timothy Street

Linda Cavanaugh
PO Box 665
Marion, MA 02738

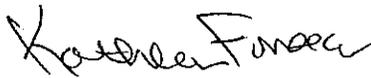

Kelly Ochoa
148 Green Street

Diana Daniels
13 Mangham Way

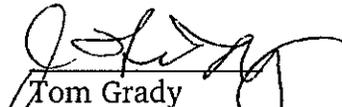

Elissa Paquette
7 Laurel Street


Joan Eno
3 Blackburn Street

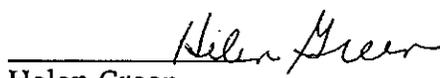

Laurie Powers
241 Main Street

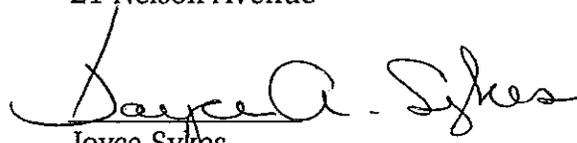

Kathleen Fonseca
509 Ocean Meadow

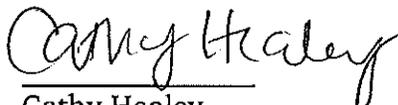

Carol Reeve
21 Nelson Avenue


Tom Grady
33 Bayview Avenue


Penn Reeve (a Fairhewer senior)
21 Nelson Avenue


Helen Green
26 Holiday Drive


Joyce Sykes
209 Main Street


Cathy Healey
57 Shaw Road


Lina Lebrun
9 Manuel Street