

Selectmen's Meeting – December 5, 2005

Mr. Silvia and Mr. Manzone were present. Mr. Eckenreiter was absent.

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

Mr. Manzone motioned to approve the minutes of November 21, 2005. Mr. Manzone seconded. It was so voted.

Mr. Manzone motioned to approve the minutes of the November 21, 2005 executive session. Mr. Silvia seconded. It was so voted.

NSTAR DOUBLE UTILITY POLES

Dennis Galvin of NSTAR Electric updated the Board on the removal of double utility poles. He submitted reports showing the locations of poles removed and to be removed. (See attached information.) He will update the Board again in six months.

PRECINCT 6 POLLING PLACE

Town Clerk and Director of Recreation were present. Relocating the polling place for Precinct 6 was discussed. Mr. Manzone motioned to move the Polling Place for Precinct 6 to the Recreation Center until the new East Fairhaven School is completed. Mr. Silvia seconded. It was so voted.

WIND TURBINES

Brian Braginton-Smith, President of Sustainable Resources Group, was in attendance and summarized the proposed project to install wind turbine(s) in Fairhaven and the projected cost and anticipated revenues. (See attached information.)

COALITION FOR BUZZARDS BAY

As requested by the Coalition for Buzzards Bay, Mr. Manzone motioned to place a Conservation Restriction on the Nulands Neck Property. (Philip Y. DeNormandie property off Shaw Road) Mr. Silvia seconded. It was voted.

As requested by the Coalition for Buzzards Bay, Mr. Manzone motioned to place a Conservation Restriction on a portion of the Viveiros Farm Property. (Germaine Viveiros and Susan J. Dargis property on Sconticut Neck Road) Mr. Silvia seconded. It was voted.

EXECUTIVE SECRETARY'S REPORT

Snow Parking Ban goes into effect on December 1st. There is no parking on the hydrant side of the street. Cars/trucks parked on the wrong side will be ticketed and towed.

Selectmen's Meeting – December 5, 2005

Meeting with department heads to discuss FY 07 budgets is scheduled for Tuesday, December 6th at 8:30 a.m. in the Banquet Room, Town Hall.

Council on Aging Meeting is scheduled for 9:30 a.m. on December 6th at the Town Hall.

Water District sub-committee will meet at 3:30 p.m. on December 6th to discuss the FY 07 budget.

Park and Recreation Committee will meet at 7:00 p.m. on December 6th at the Recreation Center.

East Fairhaven School job meeting is scheduled for December 7th at 10:00 a.m. at the Town Hall.

On December 7th, Mr. Osuch will meet with Kevin Moody and Forrest Lindwall to discuss the West Island Dredging Project.

NIMS Training Session is re-scheduled to Tuesday, December 13th at 6:00 p.m. at the Fire Station.

VADAR Conference call is scheduled for Friday, December 9th at 9:15 a.m.

Council on Aging will meet on December 12th at 9:30 a.m. at the Council on Aging.

Mattapoissett River Valley Water District Committee will meet at 4:30 p.m. on December 13th at the Board of Public Works.

East Fairhaven School job meeting is scheduled for December 14th at 10:00 a.m. at the Town Hall.

East Fairhaven School Building Committee will meet at 6:30 p.m. on December 14th at the Town Hall.

Mr. Osuch will attend the SEMASS Meeting on December 15th at the Radisson Hotel in Plymouth.

Mr. Osuch gave an update on the East Fairhaven School Project. The State will pay the Town 67.63% of the cost of the project until 95% of eligible funding is reached.

Mr. Manzone motioned to authorize payment in the amount of \$173,775.00 to Agostini Construction Company, Inc., 243 Narragansett Park Drive, East Providence, RI. Mr. Silvia seconded. It was so voted. (East Fairhaven School Project)

Selectmen's Meeting – December 5, 2005

Mr. Osuch explained Change Order #1 to the Contract with Agostini Construction. To date, the actual Change Order has not been submitted.

Mr. Manzone motioned to hire the firm of Breezeway Farm Consulting, Inc., 222 Wendell Road, New Salem, MA for the Cushman Park Neighborhood Project (CDBG Planning Consulting Services) and to negotiate a contract with them and if the Town is unable to negotiate a contract, to hire the McCabe firm. Mr. Silvia seconded. It was so voted.

ALCOHOLIC BEVERAGE CONTROL COMMISSION

The Alcoholic Beverage Control Commission upheld the 1997 action of the Board of Selectmen to revoke the Liquor License for Tam-N-Trace, Inc.

BUILDING DEPARTMENT

Construction report for November 2005 will be placed on file.

CONSERVATION COMMISSION

Mr. Manzone motioned to appoint Jay Simmons an Associate member of the Conservation Commission. Mr. Silvia seconded. It was so voted. Term to expire May 31, 2006.

POLICE DEPARTMENT

Mr. Silvia summarized the letter from the Police Chief regarding complaints about noise from the Honey Dew Donut parking lot. (See attached.) A letter will be sent to the owner of Honey Dew advising him that if the problem is not corrected, a public hearing will be scheduled.

Mr. Silvia read the letter from the Police Chief requesting Officer Michael Lemaire's status be changed to Permanent Intermittent Officer. (See attached.) Mr. Manzone motioned to approve the request. Mr. Silvia seconded. It was so voted.

Mr. Silvia summarized the letter from the Chief regarding a Request for Transfer from the Reserve Fund for uniforms. (See attached.) The Board endorsed the request

SCHOOL DEPARTMENT

Mr. Manzone motioned to sign the "Memorandum of Understanding Re: Municipal Medicaid Program". Mr. Silvia seconded. It was so voted.

Selectmen's Meeting – December 5, 2005

ANNUAL TOWN MEETING

Annual Town Meeting will be held on Saturday, May 6, 2006. Deadline for Street Acceptance Articles is Friday, January 6, 2006. Deadline for all other articles is Friday, January 27, 2006. Articles must be submitted to the Selectmen's Office by 4:00 p.m. on these dates.

2005 TOWN REPORT

Al Benac was in attendance. He asked that the Albert Bierstadt portrait of Martha Simon, the last Native American Indian in the area, be placed on the cover of the 2005 Annual Town Report. Mr. Benac suggested color photos be made with an adhesive on the back and placed on the cover. The estimated cost is \$273. Mr. Benac will place a picture on each Report. Discussion ensued. Additional funds to have a color photo were not included in the printing budget. Mr. Silvia suggested Mr. Benac request funding from the Improvement Association. The Board agreed not to make a decision on the matter until Mr. Eckenreiter is present. Mr. Benac will report back to the Selectmen on December 19th.

Two bids were received for the printing of the 2005 Annual Town Report. Mr. Manzone motioned to award the bid to the low bidder, Mallard Printing, 657 Quarry Street, Fall River, MA. Mr. Silvia seconded. It was so voted.

NSTAR GAS

Mr. Manzone motioned to approve the petition for maintenance of gas main and services at 76 Laurel Street and the intersection of Harvard Street and Manhattan Avenue. Mr. Silvia seconded. It was so voted. (Approved by the Board of Public Works)

Mr. Manzone motioned to approve the petition to install a new gas service at lot 4 North Street. Mr. Silvia seconded. It was so voted. (Approved by the Board of Public Works)

2006 LICENSE RENEWALS

Mr. Manzone motioned to approve the list of licenses for 2006 renewal. Mr. Silvia seconded. It was so voted. (See attached list.)

Mr. Manzone motioned to renew the Class II Car Dealer License for Fairhaven Getty, 371 Huttleston Avenue with a limit of 15 cars, as per the plan on file in the Selectmen's Office. Mr. Silvia seconded. It was so voted.

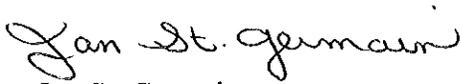
Mr. Manzone motioned to renew the Car Repair License for Fairhaven Getty, 371 Huttleston Avenue with a limit of 19 cars including cars for repair, customers and

Selectmen's Meeting – December 5, 2005

employees, as per the plan on file in the Selectmen's Office. Mr. Silvia seconded. It was so voted.

EXECUTIVE SESSION

At 9:00 p.m., Mr. Manzone motioned to go into executive session to discuss the lease for property at 150 Sconticut Neck Road, a personnel issue regarding a Deputy Shellfish Warden and not to reconvene in open session. Mr. Silvia seconded. It was so voted. Roll call vote 2-0.



Jan St. Germain
Secretary

Double Pole Summary By Location

Report Date:12/05/2005 04:26 PM

NSTAR

[Print](#)
[Export](#)

Search Criteria:

State: MASSACHUSETTS
Work Center:
Municipality: FAIRHAVEN
Ownership: Sole-Owned Poles/Joint-Owned Poles/Not An Owner But Attached

Municipality	Transfers							Remediation		Total Poles
	Electric	Street Light	Fire Alarm	Private	Fiber	Cable TV	Telephone	Telephone	Electric	
FAIRHAVEN	6	0	1	0	0	3	40	0	31	81
Totals:	6	0	1	0	0	3	40	0	31	81

Double Pole Progress

Report Date:12/02/2005 1:03:14 PM

NSTAR

Search Criteria:

State: MASSACHUSETTS
Work Center:
Municipality: FAIRHAVEN
Start Date: 06/17/2005
End Date: 12/01/2005
Ownership: Sole-Owned Poles/Joint-Owned Poles/Not An Owner But Attached

Municipality	Total Poles At Start	Poles Set	Poles Completed	Total Poles At End
FAIRHAVEN	117	11	47	81
Totals:	117	11	47	81

Double Pole Progress

Report Date:12/02/2005 12:58:50 PM

NSTAR

Search Criteria:

State: MASSACHUSETTS

Work Center:

Municipality: FAIRHAVEN

Start Date: 01/01/2005

End Date: 06/16/2005

Ownership: Sole-Owned Poles/Joint-Owned Poles/Not An Owner But Attached

Municipality	Total Poles At Start	Poles Set	Poles Completed	Total Poles At End
FAIRHAVEN	153	21	57	117
Totals:	153	21	57	117

Double Pole Progress

Report Date:12/02/2005 1:02:04 PM

NSTAR

Search Criteria:

State: MASSACHUSETTS

Work Center:

Municipality: FAIRHAVEN

Start Date: 07/01/2004

End Date: 12/31/2004

Ownership: Sole-Owned Poles/Joint-Owned Poles/Not An Owner But Attached

Municipality	Total Poles At Start	Poles Set	Poles Completed	Total Poles At End
FAIRHAVEN	97	87	31	153
Totals:	97	87	31	153

Double Pole Progress

Report Date:12/02/2005 1:00:30 PM

NSTAR

Search Criteria:

State: MASSACHUSETTS

Work Center:

Municipality: FAIRHAVEN

Start Date: 01/01/2004

End Date: 06/30/2004

Ownership: Sole-Owned Poles/Joint-Owned Poles/Not An Owner But Attached

Municipality	Total Poles At Start	Poles Set	Poles Completed	Total Poles At End
FAIRHAVEN	88	17	8	97
Totals:	88	17	8	97

Double Pole Summary Data

Report Date: 12/02/2005 12:29:36 PM

NSTAR

Search Criteria:

State: MASSACHUSETTS
 Work Center:
 Municipality: FAIRHAVEN
 Ownership: Sole-Owned Poles/Joint-Owned Poles/Not An Owner But Attached
 Display Level: Detail

Active Double Poles - Pole Ownership Analysis

Total Double Poles	81		
Joint Owned		81	
Primary Owner: NSTAR			81
Sole Owned			
Poles Where on Pole but not Joint Owner			

Transfer Stage Poles - Ball-in-Court Analysis

Total Transfer Stage Poles	50		
Primary Electric		6	
NSTAR			6
Fire Alarm		1	
FIRE DEPARTMENT			1
Cable Television		3	
COMCAST			3
Telephone		40	
VERIZON			40

Remediation Stage Poles - Remediation Party Analysis

Total Remediation Stage Poles	31		
NSTAR		31	

Summary Data Report

Report Date: 06/16/2005 2:01:57 PM

NSTAR

Search Criteria:

State: MASSACHUSETTS
Municipality: FAIRHAVEN

Total # of Double Poles 118

NSTAR Ownership: 118

Verizon Ownership: 0

Next Action Required By

NSTAR-P: 6

NSTAR Com: 0

NSTAR-S: 2

RCN: 0

Fire: 0

CATV: 2

Verizon: 73

Other: 0

Total Poles Ready to be Removed: 35

NSTAR Ownership: 35

Verizon Ownership: 0

	2004	2005
Poles Set	104	32
Poles Completed	39	104 72
Poles Remaining	153	81

Double Pole Progress

Report Date:12/05/2005 5:42:07 PM

NSTAR

Search Criteria:

State: MASSACHUSETTS

Work Center:

Municipality: FAIRHAVEN

Start Date: 01/01/2004

End Date: 12/31/2004

Ownership: Sole-Owned Poles/Joint-Owned Poles/Not An Owner But Attached

Print

Export

Municipality	Total Poles At Start	Poles Set	Poles Completed	Total Poles At End
FAIRHAVEN	88	104	39	153
Totals:	88	104	39	153

Double Pole Progress

Report Date:12/05/2005 5:42:49 PM

NSTAR

[Print](#)

Search Criteria:

[Export](#)

State: MASSACHUSETTS

Work Center:

Municipality: FAIRHAVEN

Start Date: 01/01/2005

End Date: 12/31/2005

Ownership: Sole-Owned Poles/Joint-Owned Poles/Not An Owner But Attached

Municipality	Total Poles At Start	Poles Set	Poles Completed	Total Poles At End
FAIRHAVEN	153	32	104	81
Totals:	153	32	104	81

Removed Double Poles

Report Date:12/02/2005 01:38 PM

NSTAR

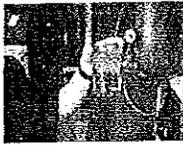
Search Criteria:

State: MASSACHUSETTS
 Municipality: FAIRHAVEN
 Street:
 Pole Owner:
 Start Date: 06/17/2005
 End Date: 12/01/2005
 Ownership: Sole-Owned Poles/Joint-Owned Poles/Not An Owner But Attached

Street	PLM ID	Telephone		Electric		Pole Owner	Work Order #	Date Removed
		Route	Pole	Route	Pole			
BACK OF APPLEBEE'S PLZ	73032				342/p1	NSTAR		08/11/2005
BRURCLIFF RD	78694				30/6	NSTAR		08/11/2005
CAMEL ST	76166				41/3	NSTAR	6AAFER	06/20/2005
CAMEL ST	76168				41/6	NSTAR	6AAFER	06/20/2005
CAMEL ST	76170				41/4	NSTAR	6AAFER	06/20/2005
CAMEL ST	76171				41/1	NSTAR		08/11/2005
CAMEL ST	92405				41/8	NSTAR	6AAFER	06/20/2005
CAMEL ST	92406				41/2	NSTAR		08/11/2005
CHRISTIAN ST	16257				54/5	NSTAR	6AAFM4	07/11/2005
CHRISTIAN ST	16258				54/6	NSTAR	6AAFM4	07/11/2005
CROSS ST	67957				65/1	NSTAR	6AAFER	06/30/2005
DOGWOOD ST	67256	305	305/36		305/36	NSTAR	6AAFER	06/17/2005
DOGWOOD ST	67260	305	305/34		305/34	NSTAR	6AAFER	06/17/2005
FRANCIS ST	104469				98/7	NSTAR		10/17/2005
FRIENDLY ST	16182				273/14	NSTAR	6AAFER	06/17/2005
GILBERT ST	67997				103/5	NSTAR	6AAFER	06/24/2005
GRINNELL ST	16236				109/7	NSTAR	6AAFER	06/17/2005
HARVARD ST	68003				116/5	NSTAR		08/11/2005
HOLCOMB ST	16261				127/5	NSTAR	6AAFER	06/29/2005
HUTTLESTON AVE	16277				279/56	NSTAR		08/29/2005
HUTTLESTON AVE	101944				279/104	NSTAR		08/30/2005
HUTTLESTON AVE	104488				279/55a	NSTAR		10/17/2005
JERUSALEM RD	16793				140/9	NSTAR	6AAFER	06/20/2005
MAIN ST	72794				156/3	NSTAR		08/24/2005
MAIN ST	72797				156/21	NSTAR		08/24/2005

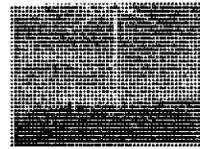
MAIN ST	93631				188/67	NSTAR	6AAFM4	07/11/2005
MAIN ST	93633				188/56	NSTAR		08/11/2005
MAIN ST	93634				188/55	NSTAR	6AAFM4	07/11/2005
MAIN ST	98454				188/23	NSTAR		08/11/2005
MASSASOIT AVE	104486				164/4	NSTAR		10/17/2005
MINA ST	73141				168/1	NSTAR		07/11/2005
NEW BOSTON RD	103430	181/88	181/88	181/88	181/	VERIZON	4P0D80	09/22/2005
OLIVER ST	16271				72/13	NSTAR	6AAFM4	07/11/2005
PINE AVE	102539				208/3	NSTAR		09/07/2005
PLEASANT & CENTER	16262				46/20	NSTAR		08/11/2005
SCONTICUT NECK RD	72996				236/89	NSTAR		08/30/2005
SCONTICUT NECK RD	101938				236/38	NSTAR		08/30/2005
SCONTICUT NECK RD	101940				236/39	NSTAR		08/30/2005
SPRING ST	93641				251/33	NSTAR	6AAFER	06/30/2005
ST MARYS	16315				232/2	NSTAR		08/11/2005
ST MARYS	16316				232/1	NSTAR		08/11/2005
UNION ST	16176				273/2	NSTAR		08/11/2005
WASHINGTON ST	16294				279/42	NSTAR		08/29/2005
WATER ST	16177				280/4	NSTAR	6AAFER	06/29/2005
WATER ST	16180				280/8	NSTAR	6AAFER	06/29/2005
WAYNE ST	16798				281/1	NSTAR		08/11/2005
WINSEGANSETT ST	61262				292/8	NSTAR	6AAFER	06/20/2005

Selected Pole Count: 47



Sustainable Resources Group

1 Atlantic Avenue
South Yarmouth, MA 02664
(508)398-1700



AquaGen Systems

www.srgroup.org
CCI Energy

Community Wind Power, LLC

December 5, 2005

Mr. Jeffrey Osuch
Executive Secretary
Town of Fairhaven
40 Center Street
Fairhaven, MA 02719

Dear Mr. Osuch,

Please accept this letter as an overview of the preliminary financial returns possible from a cooperative wind energy development partnership between the Town of Fairhaven and Sustainable Resources Group, Community Wind Power, LLC. These numbers have been revised in concert with updated cost information for installation and project costs estimated as of December 5, 2005

Potential Revenues:

Source	Amount	Total 3 WTG	2WTG	1WTG
Energy Savings (estimated)	\$70,000.00	\$70,000.00	\$70,000.00	\$70,000.00
Turbine lease (per unit)	\$25,000.00	\$75,000.00	\$50,000.00	\$25,000.00
Share of Income (estimated)	\$20,000.00	\$60,000.00	\$40,000.00	\$20,000.00
Property Taxes (PILOT)	"\$13/1000	\$117,000.00	\$81,000.00	\$54,000.00
Total anticipated yearly income		\$322,000.00	\$241,000.00	\$169,000.00

Project Size	Project Cost		ROI	After Tax ROI
1 Turbine	\$6,458,000.00	\$169,000.00	6.8	7.33
2 Turbine	\$9,958,000.00	\$241,000.00	10.96	13.78
3 Turbine	\$13,630,000.00	\$322,000.00	13.36	17.25
4 Turbines	\$17,000,000.00	\$395,000.00	14.6	19.3

The above estimates have been generated utilizing the best available data and are subject to revision based upon final negotiated terms of the cooperative development agreement.

Sincerely,

Brian Braginton-Smith
President,

Massachusetts Distributed Community Wind Model

Distributed Wind Energy Plan

Promoted and developed by:

Drian Braginton-Smith, President
Sustainable Resources Group
1 Atlantic Avenue
South Yarmouth, MA 02664

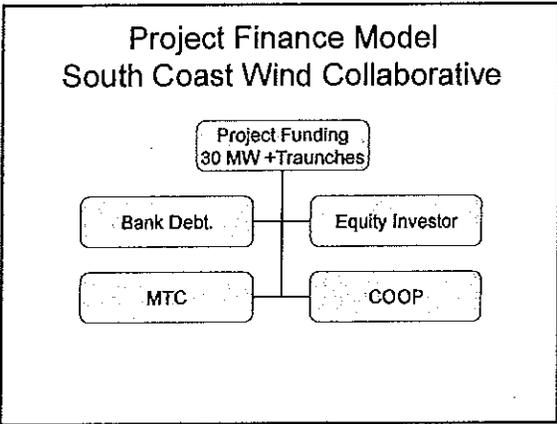
SRG is supported by Aqua Geo Systems, Community Wind Power, LLC, and CCT Energy

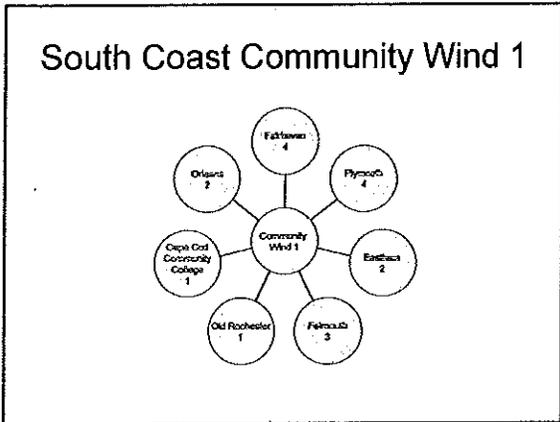
Innovative distributed wind plan for Massachusetts

- Current wind development models are not going to work in coastal Massachusetts
- Small projects top heavy-economically non sustainable
- Community wind energy will be the core economic driver for the evolving Massachusetts wind industry
- Small distributed projects must be aggregated to achieve industry baseline criteria for economic sustainability.
 - Project development, financing and operational support.

Stakeholders Industry Players

- Community Wind Power, LLC & UPC-Developer
- Cape Light Compact-Power off-take, including transaction broker for behind fence deals
- Local Banking Partner, 63-20 Bonds?- Debt.
- Local land owners, Municipalities
- Local Investors, Cape & Islands Self Reliance-COOP, -Equity
- Massachusetts Technology Collaborative
- Barnstable County Economic Development
- CIREC



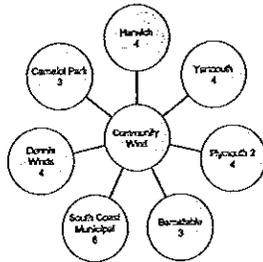


- ### Assumptions
- Compact threatened from behind the fence projects, loses kWh demand, leverage.
 - Perceived weakness of Compact balance sheet unsubstantiated
 - Municipal aggregator, municipal customers viewed as stable, viable, finance-able base
 - Private aggregator would be difficult without depth
 - Long term power contract more important key to finance than CLC balance sheet
 - Economical price = consumer advantage

Deliverables

- Domestic renewable energy
- Economically sustainable format
 - Wind industry economics dictate a 30MW core project scale for project finance and long term O&M
- Establishes a new domestic clean industry
- Establishes a more secure energy future

South Coast Community Wind 2



Concept Benefits

- Better economics for each site
- *Self Erecting Tower-Large crane eliminated
 - Site and transportation logistics mitigated
- Local jobs (possibly tower mfg.)
- Local companies supported
- High regional economic return
 - Project ownership
 - Financing return
 - Local energy cost savings
 - Important clean industrial development
 - Maintains CLC aggregated load

Jan St. Germain

From: jim@srgroup.org
Sent: Friday, December 02, 2005 11:11 AM
To: Jeffrey Osuch
Cc: Brian Braginton-Smith
Subject: Fairhaven wind Project with SRG/CWP

Attachments: SRG 12-2-05 Letter Fairhaven[1].doc



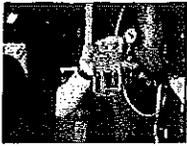
SRG 12-2-05 Letter
Fairhaven[1...

Jeff:

Attached is the Executive Summary of what we believe we can offer the Town of Fairhaven with the installation of our three 2.5 MW wind turbines at your site. We will bring a signed copy to the meeting and have financial spreadsheets to support our data. We are confident that this is the best equipment and application for your site and look forward to having this system running before the end of 2007 to ensure we qualify for the production tax credits that end December 31, 2007.

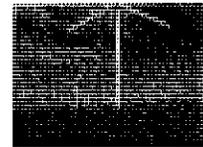
We think that Congress will once again extend these credits beyond 2007, however at this time we believe if we have your approval to proceed by the end of the second quarter of next year we can meet this target date. Hopefully we can present this to the Selectmen this

Monday, December 5th. Thanks and have a great weekend. Jim



Sustainable Resources Group

1 Atlantic Avenue
South Yarmouth, MA 02664
(508)398-1700



www.srgroup.org

AquaGen Systems

CCI Energy

Community Wind Power, LLC

December 2, 2005

Mr. Jeffrey Osuch
Executive Secretary
Town of Fairhaven
40 Center Street
Fairhaven, MA 02719

Dear Mr. Osuch,

Please accept this letter as an overview of the preliminary financial returns possible from a cooperative wind energy development partnership between the Town of Fairhaven and Sustainable Resources Group, Community Wind Power, LLC. This financial proposal is the culmination of several years of collaborative effort between the parties and represents the best estimate of the possible economic returns for the Town. After considerable financial analysis it has been determined that a minimum of 3 wind turbines would be advisable to achieve an economically sustainable development. This would result in a reasonable rate of return for investors, economies of scale to carry development costs, financing fees and future operational costs.

Potential Revenues:

Source	Amount	Total
Energy Savings (estimated)	\$ 70,000.00	\$ 70,000.00
Turbine lease (per unit)	\$ 25,000.00	\$ 75,000.00
Share of Income (estimated)	\$250,000.00	\$250,000.00
Property Taxes (PILOT)	\$125,000.00	\$125,000.00
Total anticipated yearly income		\$520,000.00

The above estimates have been generated utilizing the best available data and are subject to revision based upon final negotiated terms of cooperative development agreement. We would like to proceed with the development of a term sheet and letter of commitment to proceed as soon as practicable to integrate the Fairhaven Winds project with our South Coast Distributed Community Wind initiative. We thank you for the opportunity to work together and look forward to a successful future.

Sincerely,

Brian Braginton-Smith
President,

6A.



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

November 22, 2005

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

RECEIVED
NOV 28 AM 11
TOWN OF FAIRHAVEN, MA

Gentlemen:

I am writing to make you aware of a matter of concern regarding Honey Dew Donuts. As you are aware, the owner promised to close the shop in the early morning hours in order to address complaints of neighbors about excessive noise at those times.

A review of our records since I last reported to you on June 27, 2005, shows what appears to be an attempt by management to abide by their promises to the Board at least until recently. There were numerous times officers removed groups from the parking lot in the early morning hours from June through September. But none of the reports indicate that these groups were frequenting the business. In fact, most reports state the group members had no product from Honey Dew in their possession.

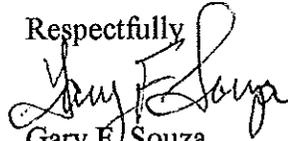
On 11/12/05 at approximately 2:47 am, Fairhaven officers responded to the rear lot of Honey Dew on a report of a hit and run pedestrian accident. Investigating officers found that a New Bedford male had found his girlfriend in a car in the Honey Dew lot drinking coffee with another male. He attempted to get into the car with the apparent intent to do violence. The female drove away striking the male with her car. The male followed her to the police station ramming her car several times with his vehicle in the process.

Upon reading the report, I left a message for the investigation officer, Scott Joseph, asking Honey Dew was open at the time.

I enclose a copy of his e mail to me indicating the establishment was open and that "there has been significant gatherings and activity with no regard for the 12-3 closing time".

I am not, at this time, requesting a hearing on the matter unless the Board deems it needed or neighbors, to whom I am sending a copy of this letter, petition the Board for one.

I am sending a copy of this letter to the owner in hopes he will make sure the agreement is adhered to. Further, we will continue to monitor the situation.

Respectfully

Gary F. Souza
Chief of Police

cc: Joseph Texeira
Lorraine LePage
Kathleen Gallant
Carol Martin

Email Report Printed: 11/25/2005 @ 0958

Sent : 11/17/2005 @ 1631 By: Patrolman Scott P Joseph
Subject: HONEY DEW
To: Chief Gary F Souza

(If, Yes the establishment was open. There were customers inside the establishment that knew of the incident. There were several vehicles in the lot as well. This activity has been happening each night and the weekend nights with the phoenix there has been significant gatherings and activity with no regard for the 12-3 closing time.

6 B.



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

November 25, 2005

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

RE: Officer Michael Lemaire

Gentlemen:

I enclose a request from Officer Michael Lemaire to change his status from Full-Time Police Officer on Military Leave to Permanent Intermittent Officer. As you may recall, Officer Lemaire went on military leave almost 5 years ago. He remains on full-time status with the Army National Guard. He does not wish to return to the police department on a full-time basis but is available to work details and patrol on an as needed basis.

I respectfully request recommend the Board vote to approve this request.

We are down to only one active part time officer and are in the process of hiring more. Officer Lemaire is a graduate of a full-time police academy and would help us fill some of the details that either go unfilled or are filled by out of town officers.

Further, this request is much preferable to his requesting a return to full-time status, as is his right, as our current budget cannot absorb another full-time officer.

Please contact me if you have any questions regarding this request.

Sincerely

Gary F. Souza
Chief of Police

RECEIVED
2005 NOV 28 A 10:00
TOWN OF FAIRHAVEN
MASSACHUSETTS

23 NOV 2005

Fairhaven Police Department
Attn: Chief Gary Souza
1 Bryant Lane
Fairhaven, MA 02719

Michael F. Lemaire
2 Gardner Street
Fairhaven, MA 02719

Chief Souza,

Please accept this letter as my official notification to terminate my Military Leave of Absence effective 24 NOV 2005. Furthermore, I would like to be placed in a Permanent Intermittent (Part-Time) status effective the same day.

I am aware I will need to undergo training to be qualified to work in a Part-Time status and I am willing to do so. At your earliest convenience, please contact me regarding the training needed and when it is scheduled to be conducted. I look forward to being able to work again within the department.

Respectfully submitted,


Michael F. Lemaire

REQUEST FOR DEMOTION OR CHANGE IN STATUS

HUMAN RESOURCES DIVISION

FORM 11-10M 6/2002

To be filled out in duplicate and all forms sent to the Human Resources Division. Do not use this form for change in classification to a position in a higher grade or for a position having substantially dissimilar requirements for appointment.

To the Personnel Administrator
Civil Service Unit
One Ashburton Place, Boston, MA 02108

City/Town Fairhaven
Address 40 Center St, Fairhaven, MA 02719
Date 12/5/05

Name Michael Lemaire

SSN 017-48-8607 Effective 12/5/05

PRESENT PERMANENT POSITION

Department Police
Division _____
Title Police Patrolman

POSITION TO WHICH DEMOTION OCCURS

Department Police
Division _____
Title Police Patrolman

FT PT _____ Intermittent _____

Permanent Temporary _____ If temporary, state why and period for which demotion is requested _____

~~request of employee~~
FT _____ PT _____ Intermittent

Voluntary _____ Involuntary _____

Duties (Actual duties must be stated in detail. Continue on other side of form if necessary.)

Duties (Actual duties must be stated in detail. Continue on other side of form if necessary.)

~~Full time municipal police patrolman~~

Part-time police patrolman to be employed as needed

Reason why this demotion or change in status occurred employee returned from military leave of absence and asked to be put on part-time status.

I hereby consent to the demotion of Michael Lemaire
Signature of officer authorized by law to make personnel transactions

Name MICHAEL SILVIA *Michael Silvia*
Title CHAIRMAN, BOARD OF SELECTMEN

I state that I have seen this form. Signing this form does not indicate that I agree or disagree with action taken or relieve me of my appeal rights.

Signature of Employee _____

REQUEST FOR REINSTATEMENT OR RE-EMPLOYMENT
FORM 10, 20M 6/2002

HUMAN RESOURCES DIVISION

To be filled out in duplicate and all forms sent to the Human Resources Division. An approved copy will be forwarded to the appointing authority.

City or Town: Fairhaven
Department: Police
Division: _____
Address: One Bryant Lane, Fairhaven, MA 02719
Date: Dec. 4, 2005

Requisition Number: _____
Department Number: _____

To the Personnel Administrator
Civil Service Unit, One Ashburton Place, Boston, MA 02108

Request is made to reinstate or re-employ:

Name: Michael Lemaire
Address: 2 Gardner St., Fairhaven, MA 02719
SSN: 017-48-8607

POSITION TO WHICH REINSTATEMENT IS PROPOSED

Title: Police Patrolman Title Code: _____
Salary: 757.78 per week
Permanent: Temporary: _____ Military Substitute: _____
Full-Time: Part-Time: _____ Intermittent: _____ Reserve: _____
Duties of Position: Municipal Police Patrolman

POSITION FORMERLY OCCUPIED BY EMPLOYEE WHOSE REINSTATEMENT IS PROPOSED

Title: Police Patrolman
Salary: 757.78 per week
Last Date of PAID Employment: 10/13/00
Reason for termination of service: TO MILITARY LEAVE OF ABSENCE NOW TO
RETURN FROM MILITARY LEAVE OF ABSENCE

Reason for requested reinstatement: Return from military leave of absence

If reinstatement is after separation from service, state reasons why it would be in the public interest: _____

Effective date of reinstatement: 12/4/05
If reinstatement is temporary, to end: _____

APPROVED
HUMAN RESOURCES DIVISION

BY: _____

REQ. NO.: _____

DEPT. NO.: _____

Signed: Michael Silvia
(Signature of officer authorized by law to make appointment)

Typed Name: Michael Silvia

Typed Title: Chairman, Board of Selectmen

Address: 40 Center St., Fairhaven, MA 02719

60.



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

GARY F. SOUZA
CHIEF OF POLICE

DONALD A. JOSEPH
LIEUTENANT

November 25, 2005

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

RE: Transfer Request

Ladies and Gentlemen:

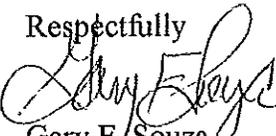
The recently ratified clerical union contract, for the first time, calls for each dispatcher to receive 8 uniform shirts per year (4 short sleeve and 4 long sleeves). The October Special Town Meeting funded the salary increases contained in that contract but there was no article on the warrant to fund the cost of these shirts.

Current cost for middle grade shirts averages \$20 a shirt for long and short sleeved shirts with badge and "Fairhaven Police Department" on the shirt. That amount to \$ 160 per dispatcher per year times 7 dispatchers. Total is \$ 1,120.00.

This proposed increase cannot be absorbed by our uniform account. A set amount is needed in that account to comply with our obligations under the uniform allowance clause of the police contract. We also have an obligation to equip new officers and replace certain worn out officer uniform gear through this account which is not, by contract, deducted from officer's yearly uniform allowance.

The account was in a deficit of \$ 997.67 at the end of last fiscal year. We will incur an even greater deficit this year due to the fact 3 new officers have been hired this year and the police contract allows them to draw on their first two years uniform allowance upon being hired.

I could not have reasonably foreseen that this cost increase would be negotiated into the contract when I prepared our budget request for F/Y 06 almost one year ago. Accordingly, I respectfully request the committee fund this part of the contract.

Respectfully

Gary F. Souza
Chief of Police

RECEIVED
2005 NOV 28 AM 10
TOWN OF FAIRHAVEN
MASSACHUSETTS

REQUEST FOR TRANSFER FROM THE RESERVE FUND
(TO BE SUBMITTED IN TRIPLICATE)

Date November 25, 2005

TO: Finance Committee
Town of Fairhaven

Gentlemen:

Request is hereby made for the following transfer from the reserve fund in accordance with Chapter 40, Section 6, of the Massachusetts General Laws:

1. Amount requested \$ 1,120.00

2. To be transferred to: Police Dept. Uniforms (0121000558200)
(Give name of appropriation)

3. Present balance in said appropriation: \$ 8,023.00

4. The amount requested will be used for (give specific purpose)
To fund new clause in recently ratified clerical contract which
requires each dispatcher be provided with 8 uniform shirts per year.

5. This expenditure is extraordinary and/or unforeseen for the following reasons:
Uniform account was in a deficit of \$ 997.67 last year due to
obligations under the police contract. Deficit will be even
greater this year due to having to equip 3 new, replacement
officers. We cannot now absorb this obligation under the clerical
contract. I could not have foreseen this would be in the contract.
(Officer or Dept. Head)

ACTION OF FINANCE COMMITTEE

Gary F. Souza

Date of Meeting _____ Number present and Voting _____

Transfer voted in the sum of \$ _____ Transfer disapproved _____

Chairman, Finance Committee

REQUEST MUST BE MADE AND TRANSFER VOTED BEFORE ANY EXPENDITURE IN EXCESS
OF APPROPRIATION IS INCURRED.

FOR APPROVAL-SELECTMEN'S MEETING 12/5/05

-COMMON VICTUALER LICENSES:

1. Naughty Dawgs
2. Morgan's Rest.
3. Fairhaven House of Pizza
4. K-Mart Rest.
5. Pumpernickles
6. Wal-Mart
7. Taco Bell
8. Dunkin Donuts (32 Howland Rd.)
9. Honey Dew Donuts
10. Margaret's
11. D'anelo's Sandwich Shop
12. Great Wall Rest.
13. Papa Gino's
14. McDonald's Rest.
15. Mac's Soda Bar
16. Friendly Ice Cream
17. Fairhaven Gas (Donut Shop)
18. Sivalai Thai Cuisine
19. Just Ray's
20. Wendy's Rest.
21. Burger King
22. Chris' Variety

-LIQUOR LICENSE

1. Pizza Hut
2. Pizzeria Uno
3. Wah May Rest.
4. Capeway Lounge
5. Bayside Lounge
6. Gene's Famous Seafood
7. Minervas Pizza House
8. The Ebb Tide
9. Applebee's
10. Southcoast Express, Inc.-Seaport *(Bankruptcy)
11. Premium Liquors
12. Douglas Wine & Spirits
13. Connolly's Liquor Mart

14. Little Bay Liquors
15. Antil's Super Convenience Store
16. Seaview Corner Store
17. Acushnet River Safe Boating Club
18. Moriarty Liquors
19. Mikes Rest.
20. Rochester's
21. Peking Palace
22. 99 Restaurant & Pub

-CAR DEALER'S LICENSES

1. Howard's Auto Sales, Inc.
2. Fairhaven Getty
3. Fairhaven Gas
4. Fairhaven Valero
5. O'Hara Mazda
6. Stylin Cycles, Inc.
7. Hell Bent Cycles
8. Manny & Bob's Pre-Owned Cars
9. Alden Buick Pontiac GMC
10. Murray's Auto Sales
11. GTS Auto Sales
12. RRR Auto Sales, Inc.

-CAR REPAIR LICENSES

1. Dattco Sales & Services
2. Jiffy Lube #1229
3. Jerry's Auto & Cycles Service, Inc.
4. Justley's Auto Body
5. Manny's Service Station
6. Roland's Tire Service, Inc.
7. Fairhaven Getty
8. Fairhaven Gas
9. O'Hara Mazda
10. Stylin Cycles, Inc.
11. Hell Bend Cycles
12. Manny & Bob's Service, Inc.
13. Alden Buick Pontiac GMC
14. Brian's Garage
15. Artistic Auto Body
16. RRR Auto Sales, Inc.

-ENTERTAINMENT LICENSES

1. Carousel Skating Center

-LODGING HOUSE LICENSES

1. Fairhaven Harborside Inn

-PRIVATE LIVERY LICENSES

1. S & J Transportation, "Just In Time Shuttle Service"