

Selectmen's Meeting – December 19, 2005

Mr. Silvia and Mr. Manzone were present. Mr. Eckenreiter had a family commitment and was absent.

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

Mr. Manzone motioned to approve the minutes of December 5, 2005. Mr. Silvia seconded. It was so voted.

Mr. Manzone motioned to approve the minutes of the December 5, 2005 executive session. Mr. Silvia seconded. It was so voted.

2005 TOWN REPORT COVER

Mr. Manzone motioned to place a picture of Martha Simon on the front cover of the 2005 Annual Town Report. Mr. Silvia seconded. It was so voted. Mr. Benac will place the picture on each Report. In the future, the public will be asked to submit ideas for cover pictures.

UNION WHARF FEES

The Harbormaster reviewed the results of the survey he completed regarding new Union Wharf Fees and an estimate from AGM Marine Contractors for miscellaneous repairs to Union Wharf. (See attached.) Numerous fishermen were in attendance and discussion ensued. Mr. Manzone motioned to charge \$1,000.00 per vessel, per year, to dock at Union Wharf. Mr. Silvia seconded. It was so voted. (\$25.00 per foot for a 40 foot boat)

Mr. Manzone motioned to approve the draft notice for Assistant Shellfish Warden/Harbormaster. Mr. Silvia seconded. It was so voted. (See attached.)

GARCIA TILE – PUBLIC HEARING

The Police Chief, the Community Police Officer, the owner of Garcia Tile and numerous abutters to 410 Main Street (Garcia Tile) were present. The Police Department has received many complaints concerning the operation of the business at 410 Main Street. Large trucks, employees' vehicles and contractors park on Main Street and Veranda Avenue causing safety concerns for abutters and vehicles traveling on Main Street and Veranda Avenue. They block driveways and limit visibility at the intersections. The placement of a dumpster on the sidewalk is also a concern. To improve the parking situation when trucks are unloading/loading, Mr. Garcia suggested a "loading zone". Discussion ensued with abutters and they all agreed they do not want a loading zone. Mr. Garcia and abutters agreed to continue working with the Police Department to find a solution. Mr. Garcia will have the dumpster moved off town property.

Selectmen's Meeting – December 19, 2005

COMMUNITY WIND POWER, LLC

Brian Braginton Smith and James Sweeney from Community Wind Power gave a brief summary of the project to date, at the Board of Public Works site. A Power Point Presentation and discussion followed on wind turbines. An article will be place on the May Annual Town Meeting Warrant.

EXECUTIVE SECRETARY'S REPORT

East Fairhaven School Building Committee Meeting is scheduled for December 21st and December 28th at 10:00 a.m. at the Town Hall.

Ocean & Coastal Consultants will be at the Town Hall on December 21st at 1:30 p.m. to review flood maps.

Retirement Board Meeting is scheduled for December 22nd at 9:00 a.m. at Town Hall.

Parks and Recreation Study Committee will meet on December 22nd at 7:00 p.m.

Town Hall will close at 12:00 noon on Friday, December 23rd and 30th and will be closed all day on Monday, December 26th and January 2nd.

Board of Selectmen will meet on Tuesday, January 3rd and January 17th and Monday, January 30th at 6:30 p.m.

Mr. Manzone motioned to sign the "Contract for CDBG Planning Consulting Services for Cushman Park Neighborhood between the Town and Breezeway Farm Consulting, Inc." Mr. Silvia seconded. It was so voted.

Mr. Silvia signed the "Permission to Enter onto Property" for the Cushman Park Neighborhood Project.

Mr. Manzone motioned to approve the Tax Collector's request to close the office to the public each Wednesday for the month of January. Mr. Silvia seconded. It was so voted. The Collector stated closing the office will provide uninterrupted work time to post payments and produce reports for the Treasurer and Accountant. When the office is closed, payments will be accepted in the mail box at the Collector's office or in the Selectmen's Office.

Mr. Manzone motioned to have Mr. Silvia sign the necessary forms for the first reimbursement payment request for the East Fairhaven School Project. Mr. Silvia seconded. It was so voted.

Town of Chatham:

Commercial Wharf - \$200 plus \$3 per foot -- must be resident/ and mooring permit holder

Town of Marblehead:

Commercial Wharf - \$3 per foot annual (small dock area)

Town of Plymouth:

Commercial Wharf - \$20 per foot annual resident/ \$30 non-resident (Up from \$10 per foot in 2004)

Town of Fairhaven DN Kelley Shipyard:

Commercial Wharf - \$5 per foot per month (thinking \$8 per foot)

Town of Fairhaven/ Fairhaven Shipyard:

Commercial Wharf - \$600 per month Large Boats/ \$250 month small boats

Town of Westport/ Tripp Boatyard:

Commercial Wharf - \$105 per foot annual (Up from \$90 in 2004)



GARY S. GOLAS, CHM
Harbor Master

Town of Fairhaven

Massachusetts

Office of the Harbor Master

40 Centre Street, Fairhaven, MA 02719

Union Wharf Lobster Basin Waiting List

Robert Hobson – March 4, 1994

Aaron Cebula – March 21, 1995

Late Fred Nordeng (dec) – Feb 12, 1996

Eric Moniz – Feb 12, 1996

Tom Allaire – April 11, 1996

Robert Newett – Jan. 21, 1997

Sandra Pease – Sept. 6, 2001

Vinny Angelini – Oct. 1, 2001

John Boza (NB Res.) – Nov. 6, 2002

John Moniz – Dec. 29, 2002

Ly Dang – Aug. 29, 2003

Robert Sakwa – Dec. 24, 2003

Selectmen's Meeting - March 18, 1991

Mr. Freitas, Mr. Cataldo and Mr. Mullen were present.

Also in attendance were: Jeffrey Osuch, John Alden, Donald Joseph, Michael Moura, Ken Wood, John Medeiros, Armand Becotte, Jr.

Mr. Freitas called the meeting to order at 6:30 pm.

Mr. Cataldo motioned to approve the minutes of March 11, 1991. Mr. Mullen seconded the motion. Vote was unanimous.

Slips at Union Wharf were discussed prior to the lottery drawing. Mr. Mullen motioned to have Thomas Allaire move the boat in slip #1 to slip #12 and the boat in slip #12 to #13. The boat occupying slip #1 is not actively fishing and the boat in #12 is for sale. The motion was not seconded. Mr. Cataldo motioned to have Fred Nordeng, Slip #1, remove his boat. Mr. Mullen seconded the motion. Vote was unanimous. Slip #12 boat will be moved to #13, the slip originally assigned to it. Slips #1,6,8 and 12 are vacant. Lottery drawing was held at 6:45 pm. Applicants must meet requirements as stated in the Union Wharf Slip Regulations. Names were drawn as follows: Henry Cebula, Tim Powers, Randall Perry and Arthur DeCosta. Mr. Cebula has first choice of a slip, followed by Tim Powers, ect.

UNION
WHARF
RENTALS

Proposed Mooring Rules and Regulations were discussed. The Shellfish Advisory Committee and Mr. Allaire agreed to drop the \$25.00 mooring fee and only charge the \$10.00 boat sticker fee. Mr. Cataldo motioned to approve this change. Mr. Mullen seconded the motion. Vote was unanimous. Discussion followed. Topics discussed were: can a fee be charged if a boat owner has deeded water rights, a system to charge boat owners using boat ramps, and charging for parking at the ramps. The Shellfish Advisory Committee was asked to make revisions to the rules and regulations and report back to the Selectmen in two weeks.

MOORING
RULES

Revised Shellfish Regulations were presented to the Board for approval. Mr. Mullen motioned to adopt the regulations and to adopt a policy requiring each permit holder to receive and sign for a copy of the regulations. Mr. Cataldo seconded the motion. Vote was unanimous. Mr. Cataldo motioned to lower the age for free licenses from 70 to 65. Mr. Mullen seconded the motion. Vote was unanimous. Mr. Cataldo motioned to charge \$10.00 for resident shellfish permits. Mr. Mullen seconded the motion. Vote was unanimous.

SHELLFIS
RULES

Cheryl Forand, Kerry Dompierre and Maureen Cyr were interviewed for the Senior Clerk position in the Assessors Office. Jeanne Reedy and Mary Ann Hawk, Assessors, were present. Mr. Cataldo motioned to hire Cheryl Forand. Mr. Mullen seconded the motion. Vote was unanimous.

ASSESSOR
OFFICE

Mrs. Dussault, representing Spring Street Garage, 99 Spring Street, asked that the closing time restriction on the Repair License be changed from 7pm to 9pm. The Class II License has no restrictions. Abutters were present. Discussion followed. Mr. Cataldo motioned to amend the closing time to 9:00 pm, with no major body work, which would generate noise, after 5:00 pm. Opening time is 7:00 am. Mr. Mullen seconded the motion. Vote was unanimous.

SPRING
STREET
GARGAE

As requested by John Medeiros and Armand Becotte, Mr. Cataldo motioned to support the Patriots Day Celebration to honor Persian Gulf Veterans and Viet Nam Veterans. Mr. Mullen seconded the motion. Vote was unanimous. Flag proces-

PATRIOTS
DAY
CELEBRAC

UNION WHARF SLIP REGULATIONS

I TO QUALIFY FOR A SLIP AT UNION WHARF THE APPLICANT MUST COMPLY WITH THE FOLLOWING REQUIREMENTS

1. Must be a Fairhaven Resident for at least six months prior to the date of lottery drawing. (Proof of residency - Real Estate Bill, Rental Agreement and/or Receipts, or other evidence acceptable to the Board of Selectmen.)
2. Must be a Commercial Fisherman who derives 67% of his/her income from fishing. (Applicant must provide Tax Returns or other proof that Commercial Fishing is the primary source of income.)
3. Applicant must be owner operator of Vessel.
4. Vessel must be no shorter than 25 feet nor longer than 46 feet in length.
5. Applicant will pay \$125.00 rental fee within seven Calendar days of notification from Selectmen's Office.

II PROCEDURE FOR FILLING VACANT SLIPS

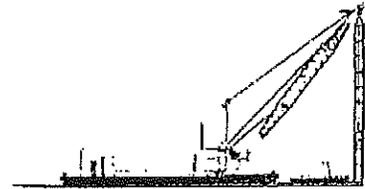
1. Vacant Slips will be filled by a lottery drawing of applicants meeting the requirements in section I. First applicant drawn will select from available vacant slips. Second applicant drawn will select from remaining slips and so on until all slips are filled.
If there are more applicants than available slips they will be placed on a waiting list in the order drawn. As slips become available the first qualified applicant on the waiting list will be offered the slip. All other vacant slips will be filled in the same manner.

III GENERAL RULES

1. A Fairhaven Commercial Fisherman may retain only one slip at a time.
2. Slips are non-transferable. (this includes relatives)
3. One (1) fishing violations in a 12 month period may result in termination of agreement for slip. Hearing to be held.
4. All slips must be reviewed yearly.
 - a) Renewal intent must be submitted in writing to the Selectmen by January 1st of each year.
 - b) Those seeking renewals must meet the requirements outlined in Section I.
 - c) Selectmen will determine rental fee yearly, prior to renewal date.
5. When a slip is declared vacant those boat owners occupying other slips will be notified and will have the right to relocate to the vacant slip. If more than one boat owner applies for the vacant slip a lottery drawing will be held.
6. Slip Rental period is from May 1st to April 30 of each year.



MARINE CONTRACTORS, INC.
30 Echo Rd . Mashpee, MA 02649
508-477-8801 FAX 508-477-8804



December 16, 2005

Mr. Gary S. Golas, Harbormaster
Town of Fairhaven
40 Centre Street
Fairhaven, MA 02719

Re: **Union Wharf Repairs**
Fairhaven, MA

Dear Mr. Golas:

At your request, we have prepared a quote to perform miscellaneous repairs at the above location. The cost to furnish all labor, equipment and materials to complete the following items of work is as follows:

- 1.) Mobilization of a barge mounted crane from Fish Island, New Bedford, MA.
Total cost for item number 1 is \$1,600.
- 2.) Furnish and install a new forty-foot long southern yellow pine fender pile on the existing wharf. Total cost for item number 2 is \$2,800.
- 3.) Furnish and install a new 8" x 12" x 10'-0" - timber chock between fender piles.
Total cost for item number 3 is \$1,000.
- 4.) Repair an existing fender dolphin. The scope of work would include the following:
 - Removal of three-damaged piles and a single timber wale. The four batter piles and one of the plumb piles does not appear to be damaged and will not be replaced.
 - Furnish and install three new 12" diameter forty-foot long southern yellow pine piles. The length is estimated and would have to be verified by you.
 - Furnish and install a new 12" x 12" x 40'-0" timber wale consisting of two twenty foot pieces of southern yellow pine lumber spliced together.
Total cost for item number 4 is \$11,500.
- 5.) Refastened an existing metal ladder. Total cost for item number 5 is \$225.
- 6.) Replace a damaged 12' long timber ladder on the west end of the Union Wharf.
Total cost for item number 6 is \$1,100.

Total cost for items number 1- 6 is \$18,225.

RECEIVED
2005 DEC 16 P 12:31
TOWN OF SELECTMEN
FAIRHAVEN MASS

Mr. Gary S. Golas, Harbormaster

December 16, 2005

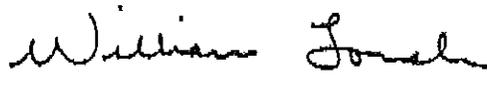
Page 2

All new bolts are to be galvanized; timber wales and chocks are to be treated to 1.0 CCA, piles treated to 2.5 CCA. The materials would take approximately 4 weeks to acquire and the work would be expected to take a week. The work could be scheduled for spring 2006.

This quote excludes all engineering, permits, licenses, fees and notifications. We trust this quotation meets all your requirements. If you have any questions or require further information to evaluate this proposal, do not hesitate to contact us.

Very truly yours,

AGM Marine Contractors, Inc.

A handwritten signature in cursive script that reads "William Lovely".

William Lovely, Project Manager

Town of Fairhaven
JOB DESCRIPTION

DEPARTMENT: Natural Resources

POSITION: Assistant Shellfish Warden/ Assistant Harbormaster

DEFINITION:

Assist in the field and patrol work in the enforcement of applicable federal, state, and local laws, Shellfish bylaws Chapter 218, sections 1 thru 35, and regulations; technical and laboring work in the protection and expansion of the local shellfish population; in the environmental protection and in the maintenance of facilities related to shellfish and waterway usage; enforcement of boating regulations and bylaws Chapter 145, sections 1 thru 15, operation of waste pump-out boat services and all other related work as required. Applicant will be subject to background and character checks.

SUPERVISION:

Works under the direct supervision of the Shellfish Warden and Harbormaster and must be able to exercise independent judgment in enforcing bylaws and other regulations, and in responding to emergencies.

RESPONSIBILITIES:

- Must be able to work weekends in the summer months
- Patrols Fairhaven waterfront to ensure no one takes more than their limit; are not shellfishing in closed areas, and is each properly licensed, and clearly have read and understand the regulations they should have on hand.
- Works closely with the Harbormaster and Shellfish Warden in the purchase of shell stock and managing areas for management purposes.
- Issues citations to violators of local bylaws and regulations which fall under the purview of the Shellfish Warden and Harbormaster
- Works with the Division of Marine Fisheries in testing for water quality standards.
- Assists in posting areas controlled by the town to inform the public of where they may not shellfish.
- Performs related shore and shellfish duties as assigned by the Harbormaster and Shellfish Warden

- Patrols all areas of the Fairhaven waterfront to enforce and promote waterway regulations and when possible and needed, work in collaboration with appropriate local, state and federal enforcement authorities.
- Works with the U. S. Coast Guard, local public safety departments and Environmental Police. Assists in search and rescue efforts and arrangement for tows to disabled crafts. Provides assistance at all waterfront emergencies. Must use reasonable judgment in the performance of all rescue and non-rescue efforts.
- Patrols the waterfront for oil spills and to work with appropriate agencies to expedite any cleanup operations. Collaborate with appropriate environmental agencies to assist in efforts to clean up the waterways.
- Assists in the maintenance of all boat ramps, Hoppy's Landing and Union Wharf.
- Assists in the recording of the number of vessels docked at Union Wharf and submits information to supervisor for billing purposes.
- Mandated to participate in required annual training sessions as directed by the Harbormaster and Shellfish Warden.

KNOWLEDGE, SKILLS AND ABILITIES

Must have good interpersonal, human relation skills and be able to deal effectively with the variety of waterfront users.

Must possess in-dept knowledge of services offered by all agencies which serve the interests of the harbor.

Must have working knowledge in the fields of shell fishing, law enforcement, seamanship, boat handling and public relations.

Must be capable of driving and navigating four wheel drive vehicles with trailer in tow, and the launching and recovery of boats.

Must possess knowledge of socio-economic make up of the harbor community.

PHYSICAL AND MENTAL REQUIREMENTS

While performing the duties of this job, the employee is frequently required to sit and talk or hear, walk, use hands to finger, handle or feel objects, tools, controls; and reach with arms and hands. The employee must be able to hear normal sounds, distinguish sounds as voice patterns and communicate through human speech. During emergencies the employee is required to climb, stoop, crouch, kneel, and climb a ladder. Specific vision abilities required include close, medium, and distant vision, the ability to adjust focus and

distinguish colors; employee is required to detect odors. Occasionally lifts up to 100 pounds.

M/F Fairhaven is an Affirmative Action and Equal Opportunity Employer

Town of Fairhaven
ASSISTANT
Shellfish Warden/ Harbormaster

The Fairhaven Board of Selectmen is seeking applications for Assistant Shellfish Warden/ Harbormaster positions for the summer of 2006. Individuals will perform duties dealing with enforcement of shellfish regulations, technical and laboring work in the protection and expansion of shellfish resources, the enforcement of boating laws and all other related harbor management work to include operating a waste pump-out boat service.

Applicants must be able to work weekend hours during the summer months as well as a variety of week day shifts. Job description is available at the Selectmen's Office, Fairhaven Town Hall, 40 Center Street, M-F, 9am-4pm.

Applications will be received until 4PM on -----

BOARD OF SELECTMEN
40 Center Street
Fairhaven, MA 02719



December 14, 2005

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

Attn: Mr. Michael Silvia, Chairman

VIA HAND DELIVERY

Subject: FY 07 Tentative Budget
Mattapoissett River Valley Water District

RECEIVED
2005 DEC 15 A 8:11
BOARD OF SELECTMEN
FAIRHAVEN MASS

Dear Board Members:

Pursuant to Section IV (B) of the Agreement establishing the Mattapoissett River Valley Water District and the provisions of Section 4 of Chapter 367 of the Acts of 2004, the District hereby notifies the Town of the tentative FY 07 Capital, Operation and Maintenance Budget voted by the District Commission at a meeting held on December 13, 2005.

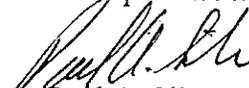
The Tentative Budget includes capital costs and other related expenses for FY 07. The water treatment facility will not be complete in FY 07 and therefore no Operation and Maintenance costs were included in the budget. The total assessment to the Towns of Fairhaven, Mattapoissett and Marion is \$650,000. In accordance with Section III(D) of the Agreement, the FY 07 assessment will be apportioned as follows.

Fairhaven	55%	\$357,500
Mattapoissett	30%	\$195,000
Marion	15%	\$ 97,500

In accordance with the Agreement, we will submit the Final Budget prior to January 15, 2006. Please call me at (508) 758-9804 should you have any questions or require additional information in this regard.

Very truly yours,

Mattapoissett River Valley Water District


Paul A. Silva
Treasurer

Enclosure

cc: Finance Director
Town Hall
Fairhaven, MA

Finance Committee
Town Hall
Fairhaven, MA

Executive Secretary
Town Hall
Fairhaven, MA

Board of Public Works
5 Arsene Street
Fairhaven, MA

MATTAPOISETT RIVER VALLEY WATER DISTRICT DRAFT FY07 BUDGET

FUNDING SOURCES	FY 07	DESCRIPTION
CARRY FORWARD PRIOR YEAR	\$233,781	
SRF Funding	\$8,989,750	Construction Costs (FY07 SRF includes Bureau Note)
Funds Raised From District Towns	\$650,000	Capital cost to be assessed to Towns
TOTAL FUNDING	\$9,873,531	
CAPITAL	FY 07	DESCRIPTION
CONSTRUCTION	\$7,270,000	
Construction	\$6,600,000	WTF, Mains, Pump Stations
Police Detail	\$10,000	
Contingency	\$660,000	10% in FY 07
MEMBRANE PURCHASE	\$1,170,000	\$450,000 FY06 - \$1,170,000 FY07 - \$179,500 FY08
CAPITAL TOTAL	\$8,440,000	
EXPENSES OTHER	FY 07	DESCRIPTION
TATA & HOWARD SERVICES	\$470,000	
Construction Administration	\$470,000	
LEGAL	\$24,000	
legal other	\$24,000	Contracts, Agreements etc.
INSURANCE	\$18,483	
Premium for Errors & Omission	\$8,483	Actual cost
Deductible for Errors & Omission	\$10,000	Deductible for one occurrence
OUTSIDE SERVICES	\$86,500	
UniBank Financial Services	\$3,500	Prep. work for SRF Loans
Audit	\$3,000	Estimated cost for annual audit + Tax Prep.
Project Manager	\$80,000	Per Contract
OTHER	\$3,526	
P.O. Box Rental	\$26	Actual
Stationery & Supplies	\$1,000	Ink, Files, Printing etc.
Postage	\$500	Notifications of intent + Planning Board Filings + Misc.
Newspaper	\$2,000	Ads For Contracts
TOTAL EXPENSES OTHER	\$602,509	
LOAN COSTS	FY 07	DESCRIPTION
BUREAU NOTE	\$466,155	Membrane Purchase
Interest	\$16,155	Interest at maturity - Oct 06 (FY 07)
Principal	\$450,000	To be paid Oct 06 (FY 07)
LOANS	\$138,250	
SRF Interim Loan Interest	\$38,500	2% interest of 70% of loan
SRF Loan Origination Fees	\$26,600	Dec FY 07 - \$2.00/\$1,000
SRF Loan Underwriters Fees	\$73,150	Dec FY 07 - \$5.50/\$1,000
TOTAL LOAN COSTS	\$604,405	
TOTAL CAPITAL	\$8,440,000	
TOTAL EXPENSES	\$1,206,914	
TOTAL CAPITAL & EXPENSES	\$9,646,914	

Shaded cells include capital and expense costs to be funded by SRF loan. All other expenses to be funded from retained earnings and Town assessment (\$650,000).