

Selectmen's Meeting – April 10, 2006

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

Also in attendance was Jeffrey Osuch.

Meeting was called to order at 6:30 p.m.

#### RE-ORGANIZATION OF THE BOARD

Mr. Osuch - This is the re-organizational meeting of the Board of Selectmen. The first order of business is to appoint a Chairman.

Mr. Silvia nominated Mr. Eckenreiter. Mr. Manzone seconded. It was so voted. Mr. Silvia motioned to close the nominations. Mr. Manzone seconded. It was so voted. On the nomination of Mr. Eckenreiter for Chairman, it was so voted. All were in favor.

Mr. Manzone nominated Mr. Silvia to serve as Board Clerk. Mr. Eckenreiter seconded. Vote was unanimous. On the nomination of Mr. Silvia to serve as Board Clerk, it was so voted. All were in favor.

Mr. Eckenreiter nominated Mr. Manzone to serve as Contract Compliance Officer. Mr. Silvia seconded. Vote was unanimous. On the nomination of Mr. Manzone to serve as Contract Compliance Officer, it was so voted. All were in favor.

Mr. Manzone nominated Mr. Silvia to serve as Affirmative Action Officer. Mr. Eckenreiter seconded. Vote was unanimous. On the nomination of Mr. Silvia to serve as Affirmative Action Officer, it was so voted. All were in favor.

Mr. Silvia nominated Mr. Manzone to serve as Fair Housing Coordinator. Mr. Eckenreiter seconded. Vote was unanimous. On the nomination of Mr. Manzone to serve as Fair Housing Coordinator, it was so voted. All were in favor.

Mr. Manzone nominated Mr. Silvia to serve on the Millicent Library Board of Trustees. Mr. Eckenreiter seconded. Vote was unanimous. On the nomination of Mr. Silvia to serve on the Millicent Library Board of Trustees, it was so voted. All were in favor.

Mr. Silvia nominated Mr. Manzone to serve on the Bristol County Advisory Board. Mr. Eckenreiter seconded. Vote was unanimous. On the nomination of Mr. Manzone to serve on the Bristol County Advisory Board, it was so voted. All were in favor.

Mr. Manzone nominated Mr. Silvia to serve on the Sister City Committee. Mr. Eckenreiter seconded. Vote was unanimous. On the nomination of Mr. Silvia to serve on the Sister City Committee, it was so voted. All were in favor.

Mr. Eckenreiter nominated Mr. Silvia to serve on the Personnel Board. Mr. Manzone seconded. Vote was unanimous. On the nomination of Mr. Silvia to serve on the Personnel Board, it was so voted. All were in favor.

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Mr. Manzone nominated Mr. Eckenreiter to serve on the High School Building Sub-Committee. Mr. Silvia seconded. Vote was unanimous. On the nomination of Mr. Eckenreiter to serve on the High School Building Sub-Committee, it was so voted. All were in favor.

Mr. Manzone nominated Mr. Silvia to serve on the Fire Apparatus Study Committee. Mr. Eckenreiter seconded. Vote was unanimous. On the nomination of Mr. Silvia to serve on the Fire Apparatus Study Committee, it was so voted. All were in favor.

Mr. Silvia nominated Mr. Eckenreiter to serve on the Little Bay Conservation Management Committee. Mr. Manzone seconded. Vote was unanimous. On the nomination of Mr. Eckenreiter to serve on the Little Bay Conservation Management Committee, it was so voted. All were in favor.

Mr. Silvia nominated Mr. Manzone to serve on the Historical Commission. Mr. Eckenreiter seconded. Vote was unanimous. On the nomination of Mr. Manzone to serve on the Historical Commission, it was so voted. All were in favor.

APRIL 3, 2006 MINUTES

Mr. Silvia motioned to approve the minutes of April 3, 2006. Mr. Manzone seconded. Vote was unanimous.

Mr. Silvia motioned to approve the minutes of the April 3, 2006 executive session. Mr. Manzone seconded. Vote was unanimous.

EXECUTIVE SECRETARY'S REPORT

Mattapoissett River Valley Committee will meet with DEP in Lakeville on Tuesday, April 11, 2006 at 9:30 a.m.

Mattapoissett Water District Committee will meet at 4:30 p.m. on April 11, 2006 at the Board of Public Works.

Mr. Osuch will attend a meeting at DEP in Lakeville on Wednesday, April 12, 2006 at 10:00 am. to discuss Water District Financing.

East Fairhaven School Job Meeting is scheduled for 10:00 a.m. on Wednesday, April 12, 2006.

East Fairhaven School Building Committee will meet at 6:00 p.m. on Wednesday, April 12, 2006 at 6:00 p.m.

Finance Committee will meet on April 27<sup>th</sup> at 7:00 p.m. at the Board of Public Works. The Board of Selectmen will attend the meeting.

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Town Hall will close at 12:00 noon on Good Friday, April 14, 2006.

Town Hall is closed all day on Patriot's Day, Monday, April 17, 2006.

Clerical Union Contract negotiations are scheduled for April 26, 2006 at 2:00 p.m. at the Town Hall.

Mr. Manzone will negotiate with the Fire Union. A negotiation session will be scheduled after April 24, 2006.

Mr. Eckenreiter will negotiate with the Police Union.

Mr. Osuch summarized the meeting he attended on the GASB 45 retirement.

#### LANCE CORPORAL PATRICK J. GALLAGHER

A moment of silence was held for Lance Cpl. Patrick J. Gallagher. He was killed in Iraq on April 2<sup>nd</sup> when the truck he was riding in, rolled over in a flash flood.

#### BUILDING DEPARTMENT

Construction Report for March 2006 will be placed on file.

#### COMMUNITY PRESERVATION ACT COMMITTEE

Mr. Manzone motioned to accept Mary Rapoza's letter of resignation from the Community Preservation Act Committee. Mr. Silvia seconded. Vote was unanimous. Notice of vacancy will be placed on the cable television bulletin board.

#### HARBORMASTER/SHELLFISH WARDEN

The Harbormaster and Shellfish Warden submitted a memo updating the Board on the "Tranquilizer II" boat incident. (See attached.) The boat was towed and hauled for a total cost of \$751.00. Funds are not available in the Natural Resource Department budget to pay the bills. Mr. Manzone motioned to request a transfer from the Finance Committee. Mr. Silvia seconded. Vote was unanimous.

#### CAR REPAIR LICENSES

Mr. Silvia motioned to approve the Car Repair License application submitted by MCLLC d/b/a Jiffy Lube, 31 Alden Road for a change of corporation name only. Mr. Manzone seconded. Vote was unanimous.

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Mr. Silvia motioned to approve renewal of the Car Repair License for Hanrahan's, 267 Huttleston Avenue. Mr. Manzone seconded. Vote was unanimous.

#### EAST FAIRHAVEN SCHOOL

Mr. Manzone motioned to approve payment to Agostini Construction Co., Inc., 243 Narragansett Park Drive, East Providence, RI in the amount of \$628,105.66. Mr. Silvia seconded. Vote was unanimous.

#### DIVISION OF CAPITAL ASSET MANAGEMENT

A Request for Proposals to lease space in Fairhaven for the Department of Transitional Assistance was received from the Division of Capital Assistance. They are looking for 15,800 square feet of office space. The Board agreed there is nothing available in Fairhaven.

#### SPECIAL TOWN MEETING WARRANT

The Board voted their recommendations for articles appearing on the May 6, 2006 Special Town Meeting Warrant. (See attached.)

#### WIND TURBINES

Town Counsel discussed the draft RFP for the "Lease of Multiple Sites of Town Owned Property To A Single Entity for the Limited Purpose of Installing And Operating Wind Turbines to Generate Electricity". RFP will be published in the Central Register and the Standard Times on April 19<sup>th</sup>. Bids are due May 22<sup>nd</sup>. Mr. Manzone motioned that the RFP will be for 3 wind turbines. Mr. Silvia seconded. It was so voted. Mr. Eckenreiter is opposed. He is against placing a turbine on the Little Bay Conservation Land.

#### OTHER MATTERS

32<sup>nd</sup> Annual Fairhaven Father's Day Road Race will be held on Sunday, June 18, 2006 beginning at 9:00 a.m.

North Fairhaven Improvement Association will hold the Annual Easter Egg Hunt on Saturday, April 15<sup>th</sup> at 9:00 a.m. at Livesey Park. Dr. Brian Bowcock and Peter DeTerra were thanked for their donation of candy.

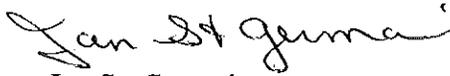
Fairhaven High School will celebrate its 100<sup>th</sup> Anniversary on April 11, 2006.

Re-enactment of the handing over of Fort Phoenix to the Town of Fairhaven by Lady Fairhaven will be held on April 12<sup>th</sup> at 10:00 a.m.

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EXECUTIVE SESSION

At 8:05 p.m., Mr. Manzone motioned to go into executive session to discuss financing issues and lease of Town property for the proposed wind turbines and not to reconvene in open session. Mr. Silvia seconded. Vote was unanimous. Roll call vote 3-0.



Jan St. Germain  
Secretary



GARY S. GOLAS, CHM  
Harbor Master

6.

# Town of Fairhaven

Massachusetts

## Office of the Harbor Master

40 Centre Street, Fairhaven, MA 02719

TO: Board of Selectmen  
FROM: Gary Golas, Harbormaster/ Kevin Villa, Shellfish Warden  
RE: Tranquilizer II Boat Update  
DATE: 4/5/06

Enclosed is an update regarding the wayward boat "Tranquilizer II" we currently have secured out of the water at the BPW yard.

**We request the board to consider how the services rendered from Linberg Marine and Bayline Marine (boat hauler) are to be paid. Bills are attached.**

Town Counsel, Blair Bailey, has forwarded a letter to the owner, Wayne Kampfenkel, 9 Lincoln Avenue in Plainville Mass (see attached) and as of April 4, 2006, Blair has not heard from the owner. Blair has advised me to haul the vessel out of the water to make it secure, and take an inventory of any valuable items. Those items have been inventoried and locked in Town Hall. When the vessel was hauled, there was approximately one foot of water in its bilge, which was pumped out.

Following my vacation, we will initiate small claims court action, as advised by Mr Bailey, to recoup the money for the services listed above as well as the additional storage at Union Wharf. The vessel was docked at the wharf from Tuesday, Feb. 28, 2006 to Thursday Mar. 23, 2006 – Totalling 24 days @ \$10 per day equals \$240. This charge should also include the additional storage days at the BPW yard from Mar. 23, 2006 to current dates. **We need to ask the board how much should we be charging for the BPW yard storage as well?**

**Lastly should we also include Kevin and my time hours in handling this vessel?**

Please advise Kevin Villa on the outcome of the above items.



# LINBERG MARINE, INC.

50 MIDDLE STREET  
FAIRHAVEN, MA 02719  
(508) 992-3449  
FAX: (508) 997-4957

# INVOICE

#227136

Fairhaven Harbormaster  
40 Centre Street  
Fairhaven, MA 02719

February 27, 2006  
W.O. #9142  
RE: Vessel Salvage  
"Tranquilizer 2"  
Terms: On receipt

February 24, 2006

Emergency call-out by Fairhaven harbormaster to salvage and tow unmanned pleasure craft "Tranquilizer 2". Found vessel against granite bridge abutment and towed to safe berth on lee shore of New Bedford Harbor.

Boat and crew \$500.00

**INVOICE TOTAL \$500.00**

# Bayline Inc. Boatyard & Transport

109 Gifford Street  
 New Bedford, MA 02744  
 508-994-2944

# Invoice

**Baylineboatyard.com**

DATE	INVOICE #
3/28/2006	5697

<b>BILL TO</b>
City of Fairhaven % Fairhaven Harbor Master 40 Center Street Fairhaven, Ma 02719

<b>Vessel</b>
32' Silverton(Wayne Kampfenkeo)

ITEM	DESCRIPTION	QUANTITY	RATE	AMOUNT
Hauling K	Haul out 32' Silverton at Pease Park boat ramp, and deliver to DPW in Fairhaven.	32	5.50	176.00
Stands/Blocks	Use of Stands & Blocks 1 season.(6 months)	1	75.00	75.00
Mech. Notes.	Supplied own escorts.		0.00	0.00

	<b>Subtotal</b>	\$251.00
	<b>Sales Tax (5.0%)</b>	\$0.00

**\*\*\*TO BETTER SERVE YOU, WE NOW ACCEPT VISA & MASTER CARD.\*\*\*\*\* Thank you for your business. You Must Pay From This Invoice.**

<b>Total</b>	\$251.00
<b>Payments/Credits</b>	\$0.00
<b>Balance Due</b>	\$251.00

PERRY, HICKS, CROTTY AND DESHAIES, LLP

ATTORNEYS AT LAW  
388 COUNTY STREET  
NEW BEDFORD, MASSACHUSETTS 02740-4992

DANIEL G. PERRY  
THOMAS P. CROTTY  
MARC R. DESHAIES

BLAIR S. BAILEY  
ELLYN H. HURD  
AMY S. MELLO\*  
\*ALSO ADMITTED IN R.I.

TELEPHONE  
(508) 996-8291

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(508) 997-2637

LEONARD E. PERRY  
(1065-1999)

EDWARD D. HICKS  
(1065-2002)

E-MAIL: [info@perryhicks.net](mailto:info@perryhicks.net)  
[www.perryhicks.net](http://www.perryhicks.net)

March 22, 2006

Wayne Kampfenkel  
9 Lincoln Avenue  
Plainville, MA 02762

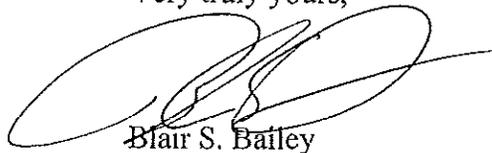
Dear Mr. Kampfenkel:

The Town has asked our office to get involved in resolving the matter of your boat, the Tranquilizer II, and monies owed to the Town for moving and storage of the boat.

Please give me a call at your earliest convenience to discuss this matter.

Thank you.

Very truly yours,



Blair S. Bailey

mb

cc: Gary Golas, Harbormaster