

Selectmen's Meeting – June 30, 2008

Mr. Silvia, Dr. Bowcock and Mr. Murphy were present.

Also in attendance was Jeffrey Osuch.

Mr. Silvia called the meeting to order at 6:35 p.m.

Dr. Bowcock motioned to approve the minutes of the June 13, 2008 executive session. Mr. Murphy seconded. Vote was unanimous.

Dr. Bowcock motioned to approve the minutes of June 16, 2008. Mr. Murphy seconded. Vote was unanimous.

Dr. Bowcock motioned to approve the minutes of the June 16, 2008 executive session. Mr. Murphy seconded. Vote was unanimous.

EXECUTIVE SECRETARY'S REPORT

Town Hall Repairs pre-bid meeting is scheduled for 10:00 a.m. on July 2, 2008 at Town Hall.

Mattapoisett River Valley Water Plant Job Meeting is scheduled for 9:00 a.m. on July 3 and July 11, 2008 at the plant.

Town Hall will be closed on Friday, July 4, 2008.

Clerical Union negotiations are scheduled for 8:30 a.m. on July 7, 2008 at Town Hall.

Mattapoisett River Valley Water District Meeting will be held at the Board of Public Works on July 8, 2008 at 4:30 p.m.

Meeting to discuss the SEMASS Contract is scheduled for 9:00 a.m. on July 10, 2008 in Rochester.

Bids for Town Hall Repairs will be opened at 2:00 p.m. on July 10, 2008.

UMass Dartmouth submitted a "Request for Access for Scientific Studies, Town of Fairhaven Public Land (Wetland Areas)..... Near Atlas Tack Superfund Site, abutting Boy's Creek, Assessor's Map 27-Lots 15C, 16A, 17A." Dr. Bowcock motioned to approve access to the property. Mr. Murphy seconded. Vote was unanimous.

Mass Highway submitted an "Amendment of Traffic Control Agreement for Howland Road Project". The amendment deletes traffic control signal locations on Section V. "Traffic Control Signals" under Part C on Howland Road at Main Street and Howland Road at Adams Street. These two signal locations are owned and maintained by Mass

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Highway, not the Town of Fairhaven. Dr. Bowcock motioned to sign the Amendment. Mr. Murphy seconded. Vote was unanimous.

Dr. Bowcock will participate in the interview process for the part-time Assessor position.

Dr. Bowcock motioned to appoint Jane Bettencourt and Paul A. Matheson to the Board of Assessors. Appointments are temporary until the two positions on the Board of Assessors are filled. Mr. Murphy seconded. Vote was unanimous.

ANIMAL SHELTER GIFT ACCOUNT

\$25.00 donation to the Gift Account was accepted.

NATURAL RESOURCE DEPARTMENT

Mr. Silvia read the letter from David Darmofal and Kevin Villa requesting permission to be exempt from punching time cards. (See attached.) Dr. Bowcock motioned to approve the request. Mr. Murphy seconded. Vote was unanimous.

Mr. Silvia read the letter from the Harbormaster requesting Mark Monteiro and Andrew Guilbeault be appointed Assistant Harbormasters/Deputy Shellfish Wardens. (See attached.) Dr. Bowcock motioned to approve the appointments, pending CORI checks. Mr. Murphy seconded. Vote was unanimous.

Mr. Silvia read the letter from the Harbormaster regarding Seaport Council Office Space. (See attached.) Dr. Bowcock motioned to table the letter. Mr. Murphy seconded. Vote was unanimous.

Mr. Silvia read the letter from the Harbormaster requesting permission to carry over 40 hours comp time. (See attached.) Dr. Bowcock motioned to approve the request. Mr. Murphy seconded. Vote was unanimous.

POLICE DEPARTMENT

Mr. Silvia read the letter from the Police Chief regarding the July 4th fireworks display and public safety in the Fort Phoenix area. (See attached.) Dr. Bowcock motioned Whereas, the fireworks display over the New Bedford/Fairhaven Harbor brings thousands of spectators to the Fort Phoenix area and the problem of alcohol consumption and use of illegal fireworks among the tightly crammed multitude creates a clear and present danger to the lives and safety of spectators. For the safety of the public on July 4, 2008 or on whatever date to which the fireworks display may be cancelled and between the hours of 5 pm and 11 pm on said date, the Fairhaven Police Chief and his designees are authorized and directed to remove or to refuse entry to the Town owned area of the Fort Phoenix reservation any person who, in the opinion of the Chief or his designee, is in possession of a package or container capable of containing alcoholic beverages, illegal fireworks or dangerous weapons and who refuses the

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request of a police officer to search the package or container to verify no illegal or dangerous objects or substances or alcoholic beverages are contained therein. Mr. Murphy seconded. Vote was unanimous. Dr. Bowcock motioned to make the east side of Fort Street a No Parking Zone from 6 p.m. to 11 p.m. on Friday, July 4, 2008 and the area currently posted No Parking on Old Fort Road, and on Fort and Green Streets south of Doane Street be temporarily posted as a Tow Zone. Mr. Murphy seconded. Vote was unanimous.

POLICE AND FIRE ACCIDENT COVERAGE

Dr. Bowcock motioned to provide Police and Fire Accident Coverage through Nationwide Life Insurance Company. Mr. Murphy seconded. Vote was unanimous.

FORT PHOENIX ROAD RACE

Mr. Silvia read the letter from Kathy Lopes, Race Director for the Fort Phoenix 5kRace/Walk. (See attached.) Dr. Bowcock motioned to approve the request to hold the race on Saturday, September 14, 2008. Mr. Murphy seconded. Vote was unanimous.

BURGER KING

Burger King, 180 Huttleston Avenue, submitted an amended request to extend hours of operation. Proposed hours are: Sunday, 7:00 a.m. – 12:00 a.m., Monday – Wednesday, 6:00 a.m. – 12:00 a.m. and Thursday through Saturday, 6:00 a.m. to 2:00 a.m. Dr. Bowcock motioned to approve the request. Mr. Murphy seconded. Vote was unanimous.

SUNDAY ENTERTAINMENT LICENSE

Dr. Bowcock motioned to approve the Sunday Entertainment License for Ice Chest, Inc. d/b/a Ice Chest Bar and Grill, 136 Huttleston Avenue. Mr. Murphy seconded. Vote was unanimous.

Davlau Corp. d/b/a Down the Hatch, 56 Goulart Memorial Drive, submitted an application for a Sunday Entertainment License. Several West Island residents and Matt Hebert, owner of Down the Hatch, were present. Mr. Silvia read the letter from the Police Chief concerning calls to the Police Department for “disturbance loud noise” and an e-mail from Sid Martin. (See attached.) Mr. Silvia also stated numerous letters were received in support of the license for live music on Sundays. (See attached.) Discussion followed on the volume of the music and hours of live entertainment. Residents stated the music is loud and is not ending till mid-night on the weekends. Dr. Bowcock motioned to approve the application and music is to end at 8:00 p.m. on Sunday. Mr. Murphy seconded. Vote was unanimous.

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ASSISTANT TREASURER

Mr. Silvia read the letter from the Director of Finance/Treasurer requesting the re-appointment of Lisa M. Rose, Assistant Treasurer. (See attached.) Dr. Bowcock motioned to re-appoint Ms. Rose. Mr. Murphy seconded. Vote was unanimous. Term to expire June 30, 2011.

SHELLFISH ADVISORY COMMITTEE

Mr. Silvia read Larry Fowler's letter of resignation from the Shellfish Advisory Committee. (See attached.)

NSTAR GAS
(APPROVED BY THE BOARD OF PUBLIC WORKS)

Dr. Bowcock motioned to approve the petition for gas line maintenance at 48 Pleasant Street. Mr. Murphy seconded. Vote was unanimous.

Dr. Bowcock motioned to approve the petition for gas line maintenance at 181 Washington Street. Mr. Murphy seconded. Vote was unanimous.

Dr. Bowcock motioned to approve the petition for gas line maintenance at 13 Eddy Street. Mr. Murphy seconded. Vote was unanimous.

Dr. Bowcock motioned to approve the petition for gas line maintenance at 3 Veranda Avenue. Mr. Murphy seconded. Vote was unanimous

Dr. Bowcock motioned to approve the petition for gas line maintenance at intersection of Morton Street & Main Street. Mr. Murphy seconded. Vote was unanimous

NSTAR GAS
(DISAPPROVED BY THE BOARD OF PUBLIC WORKS)

Dr. Bowcock motioned to approve the petition to install a new gas service at 80 Raymond Street Mr. Murphy seconded. Vote was unanimous

ELEMENTARY SCHOOL BUILDING COMMITTEE

Dr. Bowcock motioned to appoint Wendy Williams, David Gonsalves and Pamela Kuechler to the Elementary School Building Committee. Mr. Murphy seconded. Vote was unanimous. Brian Bowcock, Jeffrey Osuch, Paul Kitchen, Chris Bunnell and Robert Baldwin are members of the Committee. The Board thanked Drew Tillett, Mark Silvia and Geraldine Lucas for serving on the Committee.

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OTHER MATTERS

There are two vacancies on the Cable Advisory Committee. Anyone interested in an appointment should submit a letter to the Selectmen's Office.

Allen and Flo Days were congratulated on another successful Father's Day Road Race. A record number of runners entered the race this year.

Myra and Curtis Lopes were congratulated for a successful Homecoming Day Fair and thanked for their years of dedication to the Fair.

The Board offered their condolences to the family and friends of Henry Danielli, who passed away recently. Mr. Danielli was very active in school activities.

Annual 4th of July Costume Parade will take place on Friday beginning at Cushman Park, traveling down Green Street and ending at Fort Phoenix.

EXECUTIVE SESSION

At 7:40 p.m., Dr. Bowcock motioned to go into executive session to discuss the purchase of street lights from NSTAR, Police Dispatcher negotiations, Police Union negotiations, SEMASS Contract negotiations, CCI Contract and pending litigations and not to reconvene in open session. Mr. Murphy seconded. Vote was unanimous. Roll call vote 3-0.

Jan St. Germain
Secretary