

Selectmen's Meeting – March 23, 2009

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

Also in attendance was Jeffrey Osuch.

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

Dr. Bowcock motioned to approve the minutes of March 16, 2009. Mr. Murphy seconded. Vote was unanimous.

Dr. Bowcock motioned to approve the minutes of the March 16, 2009 executive session. Mr. Murphy seconded. Vote was unanimous.

RECREATION DIRECTOR

Director of Recreation discussed the possibility of “opening the doors of the Recreation Center to non-residents.” Residents from Mattapoisett and Acushnet have requested membership. The Director also showed the Board preliminary plans to increase the size of the Wellness Center. Discussion followed on fees for non-residents, limiting the number of non-residents, FY 10 budget request and ways to improve revenue. The Director will submit a proposal and fee schedule for non-residents.

DOWN THE HATCH - LIQUOR LICENSE HEARING

Continued Liquor License Hearing for Davlau Corp., Down the Hatch, 56 Goulart Memorial Drive, was scheduled for 7:00 p.m. Matthew Hebert, Manager, was in attendance. He stated the Board of Health will not allow the proposed expansion of the premise. Discussion followed. Mr. Hebert said he submitted a plan in 2006, which the Board of Health did approve. Mr. Hebert was instructed to meet with Jeffrey Osuch to ensure the description on the liquor license matches the 2006 plan and to contact the Building Commissioner, Board of Health, Planning Office and Police Chief to “sign off” on the 2006 plan. Dr. Bowcock motioned to continue the hearing to April 6, 2009 at 7:40 p.m. Mr. Murphy seconded. Vote was unanimous.

CARDOZA'S WINE & SPIRITS – LIQUOR LICENSE HEARING

Fairhaven Beverage Company, Inc., d/b/a Cardoza's Wine & Spirits, 6 Sconticut Neck Road, submitted an application for a pledge of liquor license. Dr. Bowcock motioned to approve the application. Mr. Murphy seconded. Vote was unanimous. (Application will be forwarded to the Alcoholic Beverage Control Commission for approval.)

PASTA HOUSE, INC. – LIQUOR LICENSE HEARING

The Pasta House, Inc., 100 Alden Road, submitted an application for a pledge of liquor license. Dr. Bowcock motioned to approve the request. Mr. Murphy seconded. Vote was

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unanimous. (Application will be forwarded to the Alcoholic Beverage Control Commission for approval.)

BOAT RAMPS & WATERFRONT RECREATIONAL PROPERTY COMMITTEE

Tim Cox, Chairman of the Boat Ramps and Waterfront Recreational Property Committee, was in attendance to discuss a plan to save the Old Stone Barn at Little Bay Landing. The Committee requested permission to seek the help of Greater New Bedford Vocational Technical High School for drawing plans, estimating repair costs and performing repairs as a school project. Dr. Bowcock motioned to support the project and the assistance of the Vocational School. Mr. Murphy seconded. Vote was unanimous. The Board also suggested involving Boy Scout and Girl Scout Troops to assist in the cleanup and to help maintain the property.

COMMUNITY PRESERVATION COMMITTEE ANNUAL TOWN MEETING ARTICLE

Director of Planning & Economic Development and Jeff Lucas were present to review Annual Town Meeting Article 46 Community Preservation Program, Direct Appropriations from Fund Balance and Estimated Receipts. (See attached.)

Dr. Bowcock motioned to sign the contract with Tibbetts Engineering in the amount of \$8,600. Mr. Murphy seconded. Vote was unanimous.

EXECUTIVE SECRETARY'S REPORT

Mr. Osuch will attend the meeting on March 24, 2009 at 4:00 p.m. with Gerald Rooney and others to plan for the May 7, 2009 dedication of the Captain Whitfield House.

Teresa Darwin case scheduled for March 20, 2009 at Dartmouth Law School was cancelled.

Finance Committee will not meet this week. Next meeting is scheduled for April 2, 2009 at 7:00 p.m. at the Board of Public Works.

Retirement Board will meet at the Town Hall on March 30, 2009 at 8:30 a.m.

The Board will review the "Actuarial Report of the Fairhaven Retirement System" as of January 1, 2008.

Board of Selectmen will meet with the Acushnet Board of Selectmen on March 30, 2009 at 6:00 p.m. at the Acushnet Town Hall.

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Clerical Union negotiations are scheduled for April 1, 2009 at 3:00 p.m. at the Town Hall.

Dispatcher Grievance Hearing scheduled for March 26, 2009 will be rescheduled.

On April 3, 2009, Monacho Construction will begin to finish painting at Fort Phoenix.

Kathleen Sturtevant submitted her resignation from the Personnel Board, effective March 20, 2009. (See attached.) Vacancy on the Personnel Board will be advertised.

Dr. Bowcock motioned to have Jeffrey Osuch sign the "Town Hall Exterior Restoration Amendment to Design Contract" for restoration of all Town Hall windows above the first floor. Mr. Murphy seconded. Vote was unanimous.

Deadline to submit articles for the May 2, 2009 Special Town Meeting was 4:00 p.m. today.

The Board will review the "Policy and Procedures Updates" Chapter 129 Possession of 1 Ounce or Less of Marijuana", submitted by the Police Chief.

The State will provide an estimate to do Weights and Measurers Inspections for the Town of Fairhaven. They do 55 cities/towns in the State.

BOARD OF HEALTH

Mr. Silvia read the letter from Jeannine Lopes, Flu Clinic Director, stating the Board of Health is approved as a Medicare Part B Mass Immunizer and may now bill for flu clinic participants. (See attached.)

NATURAL RESOURCE DEPARTMENT

Mr. Silvia read the draft "Quahog Dredge Boat Regulations for the Town of Fairhaven". (See attached.) Dr. Bowcock motioned to approve the Dredge Boat Regulations. Mr. Murphy seconded. Vote was unanimous.

Mr. Silvia read the March 16th letter from the Harbormaster regarding Boat Ramp and Parking Lot Fees. (See attached.) Dr. Bowcock motioned to increase the boat ramp/parking lot fees at Hoppy's Landing from \$5.00 per day to \$10.00 per day for vehicles with trailers and from \$30.00 per year to \$60.00 per year for vehicles with trailers and to increase the fees at Pease Park, Seaview Avenue and Union Wharf (excluding the wharf dock) from \$5.00 per day to \$7.00 per day and from \$30.00 to \$50.00 per year. Mr. Murphy seconded. Vote was unanimous.

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The Board will look into a plan to establish parking fees and possibly a separate parking lot for non-boaters using Hoppy's Landing.

Mr. Silvia read the letter from the Harbormaster requesting no parking signs on Union Wharf. (See attached.) Dr. Bowcock motioned to approve the request. Mr. Murphy seconded. Vote was unanimous.

35 NORTH STREET

Mr. Silvia read a letter from Attorney Elliott Ralton requesting an access easement for property located at 35 North Street. The property owner "has a driveway encroachment which crosses the land of the Town of Fairhaven. Mr. Monteiro is requesting an access easement with the right to pass to access his garage." (See attached.) Property owners Nelson and Julie Monteiro were present. The Town Planner reported the Town owns the land and it is on the list to be auctioned. Discussion followed. Town Counsel will be asked to review the matter.

FAIRHAVEN IMPROVEMENT ASSOCIATION

Mr. Silvia left the room. Dr. Bowcock read the letter from Angela Dawicki, President of the Fairhaven Improvement Association, requesting permission to hang the Improvement Association's Scholarship Recipient Plaque in the Town Hall. (See attached.) Mr. Murphy motioned to approve the request. Dr. Bowcock seconded. It was so voted. Mr. Silvia returned to the meeting.

NATIONAL DAY OF PRAYER

Mr. Silvia read the letter from Steven Bouley, NDP Participant, and County Coordinator for the "National Day of Prayer" asking the Board to allow people to gather in front of the Town Hall on Thursday, May 7th at noon and in the event of rain, to use the auditorium. (See attached.) May 7th is the planned date for the dedication of the Captain Whitfield House and many events will take place at the Town Hall. Mr. Osuch will contact Mr. Bouley to locate an alternative sight.

GAS PERMITS

Dr. Bowcock motioned to approve the petition to install a new gas main at 26 Day Street. Mr. Murphy seconded. Vote was unanimous. (Approved by the Board of Public Works.)

Dr. Bowcock motioned to approve the petition for gas line maintenance at 32 Linden Avenue. Mr. Murphy seconded. Vote was unanimous. (Approved by the Board of Public Works.)

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ANNUAL TOWN MEETING

Votes were taken for “Recommend Selectmen” for Annual Town Meeting Articles. Dr. Bowcock made the motions and Mr. Murphy seconded. Votes were unanimous. (See attached.)

Dr. Bowcock motioned to reconsider the vote for Article 34, Hastings Middle School Roof Repairs. Mr. Murphy seconded. Vote was unanimous.

Dr. Bowcock motioned to recommend \$270,200.00 for Article 34, Hastings Middle School Roof Repairs. Mr. Murphy seconded. Vote was unanimous.

Votes were taken for “Recommended Administration” for Article #4 on the Annual Town Meeting Warrant. Dr. Bowcock made the motions and Mr. Murphy seconded. Votes were unanimous. (See attached.)

The Board agreed the Office of Tourism will remain at the Center Street location. Discussion followed on the “make-up” of the Tourism Committee and the possibility of expanding the committee and creating a “Business Advisory Committee”.

BOARD OF HEALTH/BUILDING DEPARTMENT ADMINISTRATIVE ASSISTANT POSITION

Dr. Bowcock motioned to appoint Francis Robillard to the Board of Health/Building Department Administrative Assistant position, effective March 30, 2009. Mr. Murphy seconded. Vote was unanimous.

OTHER MATTERS

At the end of April, the Board of Selectmen will begin the interview process to appoint a new Police Chief. Chief Souza will be contacted to determine his availability to participate in the interview process.

EXECUTIVE SESSION

At 10:00 p.m., Dr. Bowcock motioned to go into executive session to discuss the proposed New Bedford/Fairhaven Sewer Agreement, Clerical Union Contract issues/negotiations, Comcast Cable Contract issues and not to reconvene in open session. Mr. Murphy seconded. Vote was unanimous. Roll call vote 3-0.

Jan St. Germain
Secretary