

Selectmen's Meeting – May 18, 2009

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

Also in attendance was Jeffrey Osuch.

Dr. Bowcock called the meeting to order at 6:30 p.m.

Mr. Murphy motioned to approve the minutes of May 4, 2009. Mr. Silvia seconded. Vote was unanimous.

CLASS II CAR DEALER LICENSE HEARING FAIRHAVEN GETTY AUTO SALES

Class II Car Dealer License Hearing was scheduled for 7:00 p.m. to act on the application submitted by First Hot Line Auto Sales, Inc., d/b/a Fairhaven Getty Auto Sales, 371 Huttleston Avenue, Hatem Elrifai, President. Dr. Bowcock called the hearing to order and read the legal notice of hearing into the record. (See attached.) Mr. Elrifai was in attendance. Abutters were notified by certified mail of the date and time of the hearing. Louis Baptiste of RRR Auto Sales was present. Board of Health and Building Department approved the application. Taxes are paid, Workers Compensation Insurance and a bond were submitted. Mr. Elrifai stated his business will be open seven days a week. Car Repairs will be done from 7:00 a.m. to 9:00 p.m. and cars will be for sale from 8:00 a.m. to 5:00 p.m. Discussion followed on the number of cars to be allowed. The former owner was allowed a limit of 15 cars, but the plan submitted by Mr. Elrifai, and approved by the Building Commissioner and Board of Health, shows 5 cars. Mr. Elrifai was instructed to meet with the Building Commissioner and review the submitted plan. Mr. Murphy motioned to continue the hearing to June 8, 2009 at 7:00 p.m. Mr. Silvia seconded. Vote was unanimous.

RUSSELL DEARING

Russell Dearing was in attendance to request permission to bring "Yoga in the Park" and "Cushman Park Fit Club" to Cushman Park. Both events are free to the public and have full sponsorship from local businesses, making it possible to hire well trained instructors. The events begin on June 22nd and 23rd and run for ten weeks. Dr. Bowcock reported both Town Counsel and the Town's Insurance Advisor have no issues with the programs. Mr. Dearing submitted a waiver form that all participants would be required to sign. Mr. Murphy motioned to allow both programs in Cushman Park. Mr. Silvia seconded. Vote was unanimous.

NSTAR ELECTRIC HEARING

Hearing was scheduled for 7:25 p.m. to act on the petition for one proposed pole location on Sunset Lane. Abutters were notified by certified mail of the date and time of the hearing. None were present. Donna Rosa, NSTAR Right-of-Way Representative was in attendance. Dr. Bowcock read the letter from NSTAR Electric for one proposed pole location on Sunset Lane.

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(See attached.) Mr. Murphy motioned to approve the petition. Mr. Silvia seconded. Vote was unanimous. (Approved by the Board of Public Works.)

HEALTHTRAX FITNESS & WELLNESS

Deborah Gidley of Healthtrax Fitness and Wellness was in attendance to offer Town employees and their families a 30% discount on memberships at Healthtrax Fitness and Wellness on Faunce Corner Road in North Dartmouth. There is no cost to the Town. Mr. Murphy motioned to approve the offer. Mr. Silvia seconded. Vote was unanimous. A notice will be included in employee pay checks.

FY 2008 AUDIT

Director of Finance/Treasurer was present and reviewed the FY 2008 Town Audit. He reported there was a "significant deficiency" noted in the audit. Funds totaling \$139,000.00 were loaned to residents as part of the Community Development Block Grant Program. The Town placed liens on their homes. However, an internal accounting entry was necessary to place this amount on the Town's books. Mr. Nunes reported the problem has been corrected and the entry made.

SEAPORT INN AND MARINA

Representatives from the Seaport Inn and Marina including Chris Corkery and Manager Carolyn Vickery were present. Also in attendance was John Moore. They updated the Board on future plans for the Inn and Marina, and hope to make it once again the "Crown Jewel of Fairhaven". Plans are underway for dredging, new signage and a dinner boat. Renovations have been done on the inside and the Board was invited to tour the facility. Seaport Inn and Marina will continue to keep the Board informed on future plans.

EXECUTIVE SECRETARY'S REPORT

Dr. Bowcock and Mr. Osuch will meet with Ken Smith from Smith Energy on May 19, 2009 at 2:00 p.m. at Town hall.

Meeting to discuss the New Bedford/Fairhaven Harbor Plan is scheduled for May 19, 2009 from 6-8:00 p.m. at Town Hall.

Fairhaven School Building Committee will meet on May 20, 2009 at 6:00 p.m.

Mr. Osuch will meet with a representative from Traveler's Insurance Company at 9:00 a.m. on May 21, 2009 to discuss insurance coverage for the Town. The representative will also meet with other Town Departments.

Buzzards Bay Action Committee will meet at 12:00 noon on May 21, 2009 in Wareham.

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Town Hall will be closed on Memorial Day, May 25, 2009.

Mr. Murphy motioned to sign the contract between the Town of Fairhaven and Local 64, New England Police Benevolent Association. Mr. Silvia seconded. Vote was unanimous. Effective dates of contract are July 1, 2007 thru June 30, 2010.

Mr. Murphy motioned to approve the "Agreement for Wastewater Services between the City of New Bedford and the Town of Fairhaven" and send the document to New Bedford. Mr. Silvia seconded. Vote was unanimous.

Mr. Murphy motioned to authorize payment to NER Construction Management, Inc., 867 Woburn Street, Wilmington, MA in the amount of \$20,576.67 for Town Hall Exterior Masonry Repairs. Mr. Silvia seconded. Vote was unanimous.

Mr. Murphy motioned to approve Change Order # 3 and #4 to the contract with NER Construction Management, Inc., 867 Woburn Street, Wilmington, MA for Town Hall Exterior Masonry Repairs. Mr. Silvia seconded. Vote was unanimous.

Mr. Murphy motioned to approve the "Amendment to Design Contract" with Dyer Brown SouthCoast Architects, 65 William Street, New Bedford, MA for Town Hall Exterior Restoration – Phase 3, with work not to exceed \$6,000. Mr. Silvia seconded. Vote was unanimous.

Mr. Murphy motioned to authorize payment to Contractors Network, Inc., 190 Taunton Avenue, Seekonk, MA in the amount of \$4,273.97 for Union Wharf Building Emergency Repairs. Mr. Silvia seconded. Vote was unanimous.

BI-CENTENNIAL COMMITTEE

Dr. Bowcock read the memo from Natalie Hemingway to John Nunes, Treasurer, stating she will loan the Bi-Centennial Committee \$2,000.00 as "Start-Up" monies toward the festivities in 2012. (See attached.) The Board thanked her for the start up funds.

ANIMAL SHELTER GIFT ACCOUNT

Donations to the Gift Account totaling \$50.00 were accepted.

BUILDING DEPARTMENT

Construction Report for April 2009 will be placed on file.

MEMORIAL DAY COMMITTEE

Dr. Bowcock read the letter from Kathleen A. Clement, 2009 Fairhaven Memorial Day Committee Secretary, inviting the Board of Selectmen to participate in the Memorial Day Parade

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and Ceremonies. (See attached.) The Board thanked her for the invitation. They will participate in the parade and ceremonies.

FLAG DAY JUNE 14TH

Dr. Bowcock read the letter from Wayne Oliveira, Fairhaven Fire – EMS Memorial Committee, requesting flags be displayed from homes and businesses on June 14th to show support for our Country and Troops. (See attached.) The Board encouraged residents to display their flags on June 14th.

TOWN AUCTION

Dr. Bowcock read the memo from Bill Fitzgerald stating a Town Auction will be held on September 19th and Mr. Murphy has agreed to be the auctioneer. (See attached.)

NSTAR ELECTRIC

Dr. Bowcock read the letter from NSTAR Electric for one proposed joint pole location and the removal of one existing joint pole location on Spring Street. (See attached.) Mr. Murphy motioned to approve the petition. Mr. Silvia seconded. Vote was unanimous. (Approved by the Board of Public Works.)

SELECTMEN'S MEETING SCHEDULE

The Board of Selectmen will schedule meetings for May 29th at 12:00 noon and June 8th and June 22nd at 6:30 p.m. The June 22nd meeting will be held at the West Island Improvement Association and Hurricane Preparedness will be discussed. On May 29th, the Selectmen will finalize their meeting schedule.

2009 RE-APPOINTMENTS

Mr. Murphy made the motions for re-appointments to Town Boards and Committees. Mr. Silvia seconded the motions. Votes were unanimous. (See attached.)

OTHER MATTERS

The "Welcome to Fairhaven" sign on Route 6 has been restored by the Fairhaven Improvement Association.

Council on Aging Volunteer Appreciation Day is scheduled for May 19th at 12:00 noon at the COA.

Memorial Day Parade will be held on May 25th beginning at 8:30 a.m. from the Center.

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The Board offered their condolences to Drew Tillett and his family. Drew's father recently passed away.

The Board offered their condolences to Jay Simmons and family. His mother recently passed away.

The Board offered their condolences to the family and friends of Pauline Mendell. She also recently passed away.

A West Island resident was in attendance to voice his concerns with the opening of Down the Hatch this coming weekend. He is concerned with the noise. Dr. Bowcock stated Down the Hatch was granted a license by this Board to operate a business. They can not expand or alter premise without coming to the Board of Selectmen. They must follow the original footprint and must control the noise. The Board will monitor the situation.

EXECUTIVE SESSION

At 8:30 p.m., Mr. Murphy motioned to go into executive session to discuss a Workers' Compensation Case, a cable access issue, the Animal Shelter, testimony issues concerning pending litigation and not to reconvene in open session. Mr. Silvia seconded. Vote was unanimous. Roll call vote 3-0.

Jan St. Germain
Secretary

