

Selectmen's Meeting – August 31, 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.

A moment of silence was observed for Eunice Kennedy Shriver and Senator Ted Kennedy. Both passed away within the last few weeks.

The Board stated Senator Kennedy was “a friend of Fairhaven” and visited the area many times, including a tour of the Atlas Tack Superfund site. He was instrumental in getting the site cleaned up. It was one of the few in the nation to be cleaned. He served this State and Country well and will be terribly missed. He is one of the greatest Senators in this Country's history. Senator Kennedy, like his sister Eunice, was a strong advocate of people with disabilities. Eunice was founder of the Special Olympics.

Mr. Murphy motioned to approve the minutes of August 12, 2009. Mr. Silvia seconded. Vote was unanimous.

Mr. Murphy motioned to approve the minutes of August 14, 2009. Mr. Silvia seconded. Vote was unanimous.

Mr. Murphy motioned to approve the minutes of the August 14, 2009 executive session. Mr. Silvia seconded. Vote was unanimous.

#### EXECUTIVE SECRETARY'S REPORT

Mattapoissett River Valley Water District Sub-Committee will meet at 9:00 a.m. on September 2, 2009 at the Board of Public Works.

New School Building Committee will meet at 1:00 p.m. on September 4, 2009 at the Administration Building.

The Historical Society submitted an application to use the Town Hall Auditorium on September 25, 2009 from 7:00 – 9:00 p.m. for a lecture. Mr. Murphy motioned to approve the application. Mr. Silvia seconded. Vote was unanimous.

Mr. Murphy motioned to award the contract in the amount of \$3,525.00, to replace the roof on the old Senior Center, 150 Sconticut Neck Road, to J. M. Building & Home Improvements, 234 Adams Street, Fairhaven. Mr. Silvia seconded. Vote was unanimous.

A meeting will be scheduled to interview candidates for the position of Police Sergeant.

Police Union Grievance concerning the “Quinn Bill” will be scheduled for September 14, 2009.

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Clerical Union ratified the new contract last week.

Painting of Town Hall windows will begin this week.

Mr. Osuch spoke with a representative from Verizon and was assured the shrubs around Verizon's building at the entrance to Cushman Park on Bridge Street will be cut and cleared by the end of August. Mr. Osuch also said there are 103 double utility poles in Town and all are at different stages of having wires transferred. Verizon said 15 poles will be removed by the end of September. If the Town has a priority pole removal, Verizon will try and accommodate that removal. Albert Benac was in attendance and read a letter from Barbara Sikorski, 33 Bridge Street, a direct abutter to the Verizon building. (See attached.) Ms. Sikorski stated a generator type noise keeps her awake at night. People hang out around the building and trailer, especially at night and look into her windows. She wants the trailer removed. The Board agreed to pursue Ms. Sikorski's issues with Verizon. Mr. Benac was advised that Mr. Osuch spoke with the Police Chief, Fire Chief and the Building Commissioner about the illegal placement of signs on utility poles and they are pursuing the issue.

#### WASTEWATER TREATMENT FACILITIES IMPROVEMENTS

Board of Public Works Superintendent and Director of Finance/Treasurer were in attendance and explained the process to file an application for improvements to the Wastewater Treatment Facility. Mr. Murphy motioned to approve the "Certifying Authority to File" for Water Pollution Abatement Projects. Mr. Silvia seconded. Vote was unanimous. (See attached document.)

#### SELECTMEN'S MEETING SCHEDULE

Board of Selectmen will meet on the following Mondays at 6:30 p.m.: September 14, 28, October 26, November 9, 23, December 7, 21, 2009, January 4, 2010 and Friday, October 9, 2009 at 12:00 noon.

#### DEPARTMENT OF REVENUE

Mr. Osuch summarized the letter from the Department of Revenue responding to the Town's request for a waiver of local contributions to meet spending requirements of the Education Reform Act. (See attached.)

#### TOWN HALL

Mr. Murphy motioned to approve the following three manufacturer's and restoration contractors as proprietary items in the bid package for the Town Hall Exterior Restoration Project: McFadden Lighting, 691 A Trade Center, Chesterfield, MO (restoration of exterior light poles), E. Horton Glass, 318 Main Street, Wakefield, RI (reproduction of glass globes in the pole lights and exterior wall sconces) and About Time, 128 Thayer Road, Higganum, CT (replacement of clock tower works). Mr. Silvia seconded. Vote was unanimous.

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Mr. Murphy, a member of the Rotary Club, left the room. Dr. Bowcock read the letter from the Rotary Club requesting permission to use the Town Hall for their annual Cable TV auction on Sunday, December 13, 2009. (See attached.) Mr. Silvia motioned to approve the request. Dr. Bowcock seconded. It was so voted. Mr. Murphy returned to the meeting.

#### TREE DEPARTMENT

Dr. Bowcock read the letter from the Tree Warden listing rotted trees that need to be taken down immediately. (See attached.) Mr. Murphy motioned to approve removing the trees. Mr. Silvia seconded. Vote was unanimous.

#### FRENCH AVENUE

Dr. Bowcock read the letter from Barbara Troland offering to donate property on French Avenue, Lot 230 on Assessors' Map 27, to the Town. (See attached.) Mr. Murphy motioned to accept the land. Mr. Silvia seconded. Vote was unanimous. Mr. Osuch will contact Ms. Troland.

#### PEASE PARK BOAT RAMP

Dr. Bowcock read a letter from Ronald J. Manzone requesting the new Pease Park Boat Ramp be dedicated as "The Jim Holmes Memorial Boat Ramp". (See attached.) The request was taken under advisement and will be placed on the September 14, 2009 agenda.

#### PORT DISCRETIONARY GRANT PROGRAM AMERICAN RECOVERY AND REINVESTMENT ACT

Dr. Bowcock read a letter from the Board of Selectmen to Raymond LaHood, Secretary of Transportation, stating Fairhaven "is in support of New Bedford's request for funding out of the Port Discretionary Grant Program for port infrastructure improvement projects." (See attached.) Mr. Murphy motioned to send the letter of support. Mr. Silvia seconded. Vote was unanimous.

#### RESOLUTION IN SUPPORT OF UPDATING THE MASSACHUSETTS BOTTLE BILL

Mr. Osuch summarized the "Resolution in Support of Updating the Massachusetts Bottle Bill". (See attached.) Mr. Murphy motioned to support the resolution. Mr. Silvia seconded. Vote was unanimous.

#### SOUTHEASTERN MASSACHUSETTS COMMUTER RAIL TASK FORCE

Mr. Murphy motioned to re-appoint Bill Roth to the Southeastern Massachusetts Commuter Rail Task Force. Mr. Silvia seconded. Vote was unanimous.

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### SPECIAL TOWN MEETING

A petition for a street light on Newbury Avenue was submitted. Because 100 registered voters didn't sign the petition, the petitioner requested the Board of Selectmen place it on the next Special Town Meeting Warrant. The Town intends to purchase all street lights from NSTAR after January 1, 2010. The Board agreed this is not the time to be adding a new light. The petitioner will be advised to wait until after January 1<sup>st</sup>.

### SPECIAL ALL ALCOHOLIC LIQUOR LICENSE

Our Lady of Angels Catholic Association submitted an application for a Special All Alcoholic License for the annual feast on September 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup>, 2009. Mr. Murphy, a member of Our Lady of Angels, left the room. Mr. Silvia motioned to approve the application. Dr. Bowcock seconded. It was so voted. Mr. Murphy returned to the meeting.

Ice Chest Bar & Grille submitted an application for a Special One Day All Alcoholic License for a fund raiser to benefit Community Nurse/Hospice on October 11, 2009. Mr. Murphy motioned to approve the request. Dr. Bowcock seconded. Vote was unanimous.

### REPAIR LICENSE

An application was received from Ray & Donny's Fair Repair, 47 Howland Road, to change the name to Ray's Fair Repair. Mr. Murphy motioned to approve the request. Mr. Silvia seconded. Vote was unanimous.

### SUNDAY ENTERTAINMENT LICENSE

The Seaport Inn, 110 Middle Street, submitted an application for a Sunday Entertainment License for live entertainment (music) on Sunday, August 23, 2009 thru Sunday, December 27, 2009. Mr. Murphy motioned to approve the request. Mr. Silvia seconded. Vote was unanimous.

### ADVERTISING FEE/FILING FEE

Dr. Bowcock read the memo from Lori Pina, Selectmen's Office Senior Clerk, regarding legal advertising fees for liquor licenses, car dealer and car repair license applications and a filing fee for liquor license transactions. (See attached.) The Board thanked Ms. Pina for the information. Mr. Murphy motioned applicants for licenses that need to be legally advertised pay the full cost for the advertisement and a \$50.00 filing fee be charges for liquor license transaction. Mr. Silvia seconded. Vote was unanimous.

### NSTAR GAS

Mr. Murphy motioned to approve the petition to install a new gas service at 6 Jefferson Street. Mr. Silvia seconded. Vote was unanimous. (Approved by the Board of Public Works.)

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Mr. Murphy motioned to approve the petition to install a gas main and services on Grove Street from Manhattan Avenue to Golf Street. Mr. Silvia seconded. Vote was unanimous. (Approved by the Board of Public Works.)

Mr. Murphy motioned to approve the petition to relay gas main and services on Hacker Street. Mr. Silvia seconded. Vote was unanimous. (Approved by the Board of Public Works.)

Mr. Murphy motioned to approve the petition to relay gas main and services on Cooke Street from Main Street to Cherry Street. Mr. Silvia seconded. Vote was unanimous. (Approved by the Board of Public Works.)

Mr. Murphy motioned to approve the petition for gas line maintenance at 6 Jerusalem Road. Mr. Silvia seconded. Vote was unanimous. (Approved by the Board of Public Works.)

Mr. Murphy motioned to approve the petition for gas line maintenance Hamlet Street between 32 and 34. Mr. Silvia seconded. Vote was unanimous. (Approved by the Board of Public Works.)

Mr. Murphy motioned to approve the petition for gas line maintenance at 11 Cooke Street. Mr. Silvia seconded. Vote was unanimous. (Approved by the Board of Public Works.)

#### OTHER MATTERS

Mr. Murphy tanked M. L. Baron for information on Fairhaven Airport.

Mr. Murphy reported Tremblay Bus and Elite Transportation were retained to move senior citizens in the event of a major disaster.

The Board will participate in the procession for the annual Our Lady of Angels Feast on Monday, September 7, 2009.

The Board reminded resident that school opens tomorrow, September 1<sup>st</sup>.

Ft. Phoenix 5k Road Race/Walk is scheduled for Sunday, September 13<sup>th</sup> at 10:00 a.m. starting at Fort Phoenix.

#### EXECUTIVE SESSION

At 8:23 p.m., Mr. Murphy motioned to go into executive session to discuss the Seaport Inn - Bridge Street Lease, Landfill Solar Panel Project, Wind Turbine Project and not to reconvene in open session. Mr. Silvia seconded. Vote was unanimous. Roll call vote 3-0.

Jan St. Germain  
Secretary

