

Selectmen's Meeting – October 5, 2009

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

Also present was Jeffrey Osuch.

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

Mr. Murphy motioned to approve the minutes of September 28, 2009. Mr. Silvia seconded. Vote was unanimous.

Mr. Murphy motioned to approve the minutes of 9/28/ 2009 executive session (7:20 PM). Mr. Silvia seconded. Vote was unanimous.

Mr. Murphy motioned to approve the minutes of 9/28/ 2009 executive session (8:30 PM). Mr. Silvia seconded. Vote was unanimous.

Mr. Murphy motioned to approve the minutes of 9/28/2009 executive session (9:10 PM). Mr. Silvia seconded. Vote was unanimous.

#### EXECUTIVE SECRETARY'S REPORT

Mr. Osuch stated that a Public Hearing will take place on 10/13/2009 at 7:00 PM in the Town Hall, Banquet Room for the purpose to discuss Solar Panels at the Landfill.

Also, mentioned was a mock accident to take place at Livesey Park on 10/20/2009 sponsored by the Fire Dept. for response training. Approximate time is not available.

Mr. Osuch presented to the Selectmen contracts for approval and signatures for GCG Engineers and Breezeway Farm Consulting, submitted by Mr. Roth. Mr. Murphy motioned to grant and sign the contracts for GCG Engineers and Breezeway Farm Consulting. Mr. Silvia seconded. Vote was unanimous.

Mr. Osuch requested that the Board discuss action to revoke the contract for roof repairs to the old senior center, which was awarded to JM Building & Home Improvements and award the contract to Cardoso Roofing due to the fact that JM Building has failed to start the project and has been unavailable to contact. Discussion ensued. Mr. Murphy motioned to revoke the original vote to award the contract to JM Building for reasons stated and grant the contract to Cardoso Roofing. Mr. Silvia seconded. Vote was unanimous.

A letter from the Dartmouth BOS Chairman in support of Fairhaven's request that Voke reduce Fairhaven's assessment was received.

The proposed dedication of Pease Park Boat Ramp will be Friday, November 6, 2009 at 12:00 PM.

Flu Clinics will be held October 15, 2009 from 11 AM-1 PM at the Recreation Ctr.

Mr. Osuch stated that an executive session will have to be called to discuss the Darwin case and Wind Turbines.

#### BUILDING DEPARTMENT

Construction report for Sept. 2009 received and on file at the Selectmen's office.

#### ANIMAL SHELTER GIFT ACCOUNT

Donation of \$200 from Ft. Phoenix 5K Road Race acknowledged.

#### BICENTENNIAL COMMITTEE GIFT ACCOUNT

Donation of \$100 from Nye Synthetic Lubricants acknowledged.

Donation of \$500 from Ft. Phoenix Rd. Race

#### EMA GIFT ACCOUNT

Donation of \$100 from Ft. Phoenix 5K Road Race acknowledged.

#### FAIRHAVEN FIRE MUSEUM GIFT ACCOUNT

Donation of \$100 from Margot D. Stone acknowledged.

#### GOVERNMENT ACCESS

Letters received from PACE and Matt Brodeur requesting placement on Government Access Channel were held until the Cable Advisory Committee reports back to the Board regarding procedure for public notices.

#### NSTAR GAS

- A. Mr. Murphy motioned to grant the petition to install new gas service at 440 Main St. Mr. Silvia seconded. Vote was unanimous.
- B. Mr. Murphy motioned to grant the petition for gas line maintenance on Eddy St. in front of 3 & 5. Mr. Silvia seconded. Vote was unanimous.

#### COMMON VICTUALER LINCENSE

Mr. Murphy motioned to grant a Common Victualer License to the Narragansett Star Café, 230 Huttleston Ave. Mr. Silvia seconded. Vote was unanimous.

#### VERIZON

List received from Verizon regarding the removal of double poles. (See Attached)

#### SPECIAL TOWN MEETING WARRANT

See Attached

John Roderiques, Finance Committee Chr., suggests the Board set another session to review the warrant.

**ARTICLE 1 – QUINN BILL – M.G.L. CHAPTER 41, SECTION 108L**

Mr. Murphy motioned to move adoption. Mr. Silvia seconded. Vote was unanimous.

**ARTICLE 2 – TOWN CHARGES**

1. Reduce the FY'10 Appropriation for Police Salary & Wages by \$80,000. Mr. Murphy motioned the sum of \$80,000. Mr. Silvia seconded. Vote was unanimous.
2. Reduce the FY'10 Appropriation for the Elementary/High School by \$120,613. Mr. Murphy motioned the sum of \$120,613. Mr. Silvia seconded. Vote was unanimous.

**ARTICLE 3 – UNPAID BILLS OF PRIOR YEARS**

Dr. Bowcock explained that this Article will need a 9/10ths vote on each section by Town Meeting to pass.

1. Mr. Murphy motioned the sum of \$658.00. Mr. Sylvia seconded. Vote was unanimous.
2. Mr. Murphy motioned the sum of \$26.00. Mr. Silvia seconded. Vote was unanimous.
3. Mr. Murphy motioned the sum of \$313.10. Mr. Silvia seconded. Vote was unanimous.

**ARTICLE 4 – AMENDMENT TO TOWN BY-LAWS**

Mr. Murphy motioned adoption. Mr. Silvia seconded. Vote was unanimous.

**ARTICLE 5 – ACCEPTANCE OF STATUTE LOCAL ROOM OCCUPANCY EXCISE RATE**

Mr. Murphy motioned adoption. Mr. Silvia seconded. Vote was unanimous.

**ARTICLE 6 – ACCEPTANCE OF STATUTE LOCAL MEALS EXCISE TAX**

Mr. Murphy motioned adoption. Mr. Silvia seconded. Vote was unanimous.

**ARTICLE 7 – ACCEPTANCE OF STATUTE QUATERLY TAX PAYMENT SYSTEM**

Mr. Murphy motioned adoption. Mr. Silvia seconded. Vote was unanimous.

**ARTICLE 8- EMERGENCY MANAGEMENT VEHICLE**

- A. Discussion ensued. Mr. Murphy motioned the sum of \$7050. Dr. Bowcock seconded. Vote was unanimous.
- B. Mr. Murphy motioned the sum of \$1903.71. Mr. Silvia seconded. Vote was unanimous.

**ARTICLE 9 – FIRE STATION HUTTLESTON AVENUE**

Mr. Murphy motioned the sum of \$6396 and to change “Washington St.” to Huttleston Ave.. Mr. Sylvia seconded. Vote was unanimous.

**ARTICLE 10 – SENIOR CTR./REC. CTR. EXTERIOR REPAIRS**

Discussion ensued.

- A. Selectmen move the sum of \$15,360.00
- B. Selectmen move the sum of \$25,750.00

Mr. Sylvia motioned amount to be determined at STM. Mr. Murphy seconded. Vote was unanimous.

#### **ARTICLE 11 – WOLF ISLAND WELL #1 REPAIRS**

Mr. Fitzgerald was asked as to why no actual quotes were sought? Discussion ensued. Mr. Silvia motioned amount to be determined at STM. Mr. Murphy seconded. Vote was unanimous.

#### **ARTICLE 12 – GREEN ST. SEWER**

Mr. Murphy motioned the sum of \$50,000 as stated in the Article. Mr. Silvia seconded. Vote was unanimous.

#### **ARTICLE 13 –SEWER PUMP STATIONS**

The BPW withdraws this article.

#### **ARTICLE 14 – HIGHWAY EQUIPMENT**

Mr. Sylvia motioned indefinite postponement. Mr. Murphy seconded. Vote was unanimous.

#### **ARTICLE 15 – MIDDLE ST.(PEASE PARK)PUMPING STATION**

BPW reduces the amount to \$7,000. Mr. Murphy motioned amount to be determined at STM. Mr. Silvia seconded. Vote was unanimous.

#### **ARTICLE 16 – ASPHALT & CONCRETE ROAD PATCH REPAIRS-WATER DEPT.**

Mr. Murphy motioned to have amount determined at STM. Mr. Silvia seconded. Vote was unanimous.

#### **ARTICLE 17 – REPAIRS TO PIPING & VALVES – WATER DEPT.**

Board of Selectmen requested that a list be submitted as to where and how monies will be expended by BPW. Mr. Murphy motioned amount to be determined at STM. Mr. Silvia seconded. Vote was unanimous.

#### **ARTICLE 18 –WEST ISLAND TREATMENT PLANT**

Mr. Fitzgerald stated that only a verbal estimate was given and company would not submit written quote until money was in place. Selectmen stated that language determination will be needed for transfer of funds. Mr. Sylvia motioned amount to be determined at STM. Mr. Murphy seconded. Vote was unanimous.

#### **ARTICLE 19 – LEASE OF TOWN OWNED LAND FOR PURPOSE OF INSTALLING & OPERATING SOLAR PANELS**

Public Hearing notification for October 13, 2009 at 7:00 PM must be advertised. Mr. Murphy motioned adoption. Mr. Silvia seconded. Vote was unanimous.

**ARTICLE 20 – WASTEWATER TREATMENT FACILITY IMPROVEMENTS**

- A. Move the sum of \$151,000 by transferring \$151,000 from Article 9 of the May 3, 2008 Special Town Meeting.
- B. Bond Counsel to provide language.

Mr. Murphy motioned adoption of sections A & B. Mr. Silvia seconded. Vote was unanimous.

**ARTICLE 21 – AMENDMENT TO TOWN BY-LAWS**

Discussion ensued and it was determined that for Section D. the words “shall not” will be bold.

- 1.) Mr. Murphy motioned to insert the amounts \$25,000 first blank & \$35,000 second blank. Mr. Silvia seconded. Vote was unanimous.
- 2.) Mr. Murphy motioned to insert the amount \$25,000. Mr. Silvia seconded. Vote was unanimous.
- 3.) Dr. Bowcock motioned to insert the amounts \$25,000 first blank & \$50,000 second blank. Mr. Murphy seconded. Vote was unanimous.

Mr. Murphy motioned adoption. Mr. Sylvia seconded. Vote was unanimous.

**ARTICLE 22 – OTHER BUSINESS**

## OTHER BUSINESS

Mr. Murphy reported that Brian Rego was very grateful to the Board for the presentation of a Proclamation. Also, commented on the testimonial given for Mr. Silvia and stated that it was a well deserved honor. Mr. Murphy wanted to congratulate the Mr. & Mrs. Rooney on the excellent job and all their hard work on the Manjiro Festival.

Mr. Silvia expressed his thanks to everyone involved with his testimonial. He also commented on the attendance of the Festival and the amount of visitors that have toured the Manjiro House on Cherry St.

Dr. Bowcock also stated that the testimonial for Mr. Silvia was well deserved and well attended. He also was amazed at the attendance of the Festival noting that the weather wasn't great. It was estimated that approximately 3000 people attended and that 300 visitors were estimated to have viewed the Manjiro house throughout this year so far. He congratulated the Rooneys for their dedication and encouraged others to help out.

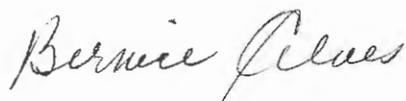
Dr. Bowcock stated that the meeting would continue in executive session to discuss the Darwin case and Wind Turbines, not to reconvene in open session.

## EXECUTIVE SESSION

At 9:00 PM Mr. Murphy motioned to adjourn and proceed to executive session to discuss the Darwin case and Wind Turbines and not to reconvene in open session. Mr. Silvia seconded. Vote was unanimous.

Roll Call 3 - 0

Submitted by,



Bernice Alves

Principal Clerk