

Selectmen's Meeting – October 26, 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 October 5, 2009. Mr. Silvia seconded. Vote was unanimous.

Mr. Murphy motioned to approve the minutes of the October 5, 2009 executive session. Mr. Silvia seconded. Vote was unanimous.

Mr. Murphy motioned to approve the minutes of October 8, 2009. Mr. Silvia seconded. Vote was unanimous.

Mr. Murphy motioned to approve the minutes of October 13, 2009. Mr. Silvia seconded. Vote was unanimous.

OCTOBER 27, 2009 SPECIAL TOWN MEETING

Dr. Bowcock stated Town Meeting is scheduled for October 27, 2009 at 7:00 p.m. At that meeting, the Board of Selectmen will make the motion to reconvene Town Meeting on November 23, 2009 at 7:00 p.m. at the Hastings Middle School. If there isn't a quorum, the Moderator will make the motion to reconvene on November 23rd. At the Selectmen's Meeting on Friday, October 23rd, the Board voted to reconvene Town Meeting on November 23rd and that afternoon, Town Meeting members were sent a notice indicating the Selectmen will make the motion to continue the meeting to November 23rd. The press was also notified. At the October 23rd meeting, the Board discussed the need for additional information and clarification for some of the Warrant articles. To date, the Governor's "9C" cuts are not known. The Governor is expected to announce the cuts by the end of October. Also, the Board feels there are legal issues concerning some of the articles, and Town Counsel is unable to attend on October 27th. Discussion ensued with Terry Szala questioning the Selectmen's decision to change the Town Meeting date.

Mr. Murphy stated he attended a Legislative Breakfast on October 16th. At that meeting, it was stated the Governor's "9C" cuts should be known on either October 29th or 30th. Mr. Murphy feels it is a bad time to have a Special Town Meeting, not knowing what cuts will be made. The Town doesn't have all the information. Also, the Lease for the Solar Panel Project, discussed at the last Finance Committee Meeting, is only a draft. Dr. Bowcock and Mr. Silvia agreed. The Town maybe facing serious budget problems, and the Board of Selectmen feel it is in the best interest of the Town, to continue the Special Town Meeting to November 23rd, when the cuts are known.

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LIQUOR LICENSE HEARING
FRIENDLY FARM CONVENIENCE, INC. – 121 SCONTICUT NECK ROAD

Liquor License Hearing was scheduled for 7:00 p.m. to act on the application submitted by Friendly Farm Convenience, Inc., 121 Sconticut Neck Road for a “new” Package Store Beer & Wine License. Dr. Bowcock called the hearing to order. Attorney Stephen Swaye and Manager Joseph Gaid were present. Mr. Murphy motioned to approve the application. Mr. Silvia seconded. Vote was unanimous. Application will be forwarded to the Alcoholic Beverage Control Commission.

MARSH ISLAND LAND PROTECTION & SALT MARSH RESTORATION PROJECT

Steve Block, NOAA Habitat Restoration Specialist, gave a brief summary of the restoration project the New Bedford Harbor Trustee Council and project partners are proposing for Marsh Island. (See attached summary.) He said the land is owned by the Fairhaven/Acushnet Land Trust. The project is expected to begin in 2011 and be completed in 2013. The island will be accessible for passive recreation and an access road will be used as a walking path.

Mr. Block also stated the small culvert at the West Island Beach, which restricts water flow, will be replaced with a larger one and 6-7 acres of salt marsh will be restored. The project is expected to begin in April or May of 2010. A public hearing will be held prior to the start of the project.

CDBG PUBLIC HEARING – 2010 APPLICATION

A Public Hearing was scheduled for 7:45 p.m. to review the 2010 Fairhaven Community Development Strategy. Dr. Bowcock called the hearing to order. William Roth, Director of Planning and Economic Development, was in attendance and reviewed Fairhaven's Strategy. Mr. Roth stated this is the first of three hearings. Second hearing is scheduled for November 9, 2009. Anyone with comments or additions to the application should contact Mr. Roth either by e-mail or calling the Department of Planning and Economic Development.

EXECUTIVE SECRETARY'S REPORT

Selectmen's Meeting is posted for October 27, 2009 at 6:00 p.m. at the Hastings Middle School.

Members of the Mattapoisett River Valley Water Supply Committee will meet on October 28, 2009 at 2:30 p.m. to discuss the FY 11 budget.

Mr. Osuch will attend the SEMASS meeting at the Barnstable Court House on October 29, 2009 at 10:30 a.m.

Mattapoisett River Valley Water Supply Sub Committee will meet on October 29, 2009 at 1:00 p.m.

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On November 6, 2009 at 12:00 noon, representatives for the State will dedicate the Pease Park Boat Ramp.

CULTURAL COUNCIL

Dr. Bowcock read the memo from Michael Nagel, Fiscal Officer, Massachusetts Cultural Council. (See attached.) Mr. Murphy motioned to approve the contract. Mr. Silvia second. Vote was unanimous.

STATE ETHICS COMMISSION

Mr. Osuch summarized the letter from State Ethics Commission regarding changes to the State's Conflict of Interest Law and the State Ethics Commission Enabling Act. (See attached.) One change requires each municipality to designate a Municipal Liaison to the Ethics Commission. Mr. Murphy motioned to designate Eileen Lowney the Municipal Liaison. Mr. Silvia seconded. Vote was unanimous.

HARBORMASTER

Dr. Bowcock summarized the letter from the Harbormaster requesting five mooring blocks at Hoppy's Landing be declared surplus and sold. (See attached.) Mr. Murphy motioned to declare the blocks surplus. Mr. Silvia seconded. Vote was unanimous. Mr. Murphy motioned to sell the five mooring blocks. Mr. Silvia seconded. Vote was unanimous.

POLICE DEPARTMENT

Dr. Bowcock read the "Demand for Arbitration" from the Fairhaven Police Union Local 64 pertaining to the "grievance regarding Quinn Bill reduction in pay." (See attached.)

GROWTH OPERATIONS FOR THE 21ST CENTURY

Mr. Osuch summarized his meeting with Pamela Mann, State Director, Growth Operations for the 21st Century, an organization promoting freight transportation by railroad. (See attached information.) Dr. Bowcock read a "Resolution in Support of Increased Freight Rail Hauling Capacity". (See attached.) Mr. Murphy motioned to sign the resolution and to send letters to Senator Kerry and Congressman Frank to support freight transportation by rail. Mr. Silvia seconded. Vote was unanimous.

KOCHI PREFECTURE DELEGATION

A delegation from Kochi Prefecture will be in Fairhaven on November 3, 2009. Shortly after 9:30 a.m., the delegation will arrive at the Town Hall for a greeting and then visit the Millicent Library and tour the Manjiro Trail. Lunch will be served at the Century House at 1:00 p.m.

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ALS ASSOCIATION OF MASSACHUSETTS

Dr. Bowcock read the letter from Melinda Lubetz, Development Associate, ALA Association Massachusetts Chapter, outlining plans for a “Frosty Frolic” on Saturday, December 5th to raise funds for Lou Gehrig’s Disease research and to provide care to patients in the New Bedford area. (See attached.) The Board supports the event and encouraged residents to participate. A copy of the letter will be sent to the Police Chief and a notice placed on the Cable TV Bulletin Board.

NSTAR GAS

Mr. Murphy motioned to approve the petition to install a new gas service at 126 Weeden Road. Mr. Silvia seconded. Vote was unanimous. (Approved by the Board of Public Works.)

Mr. Murphy motioned to approve the petition to install a new gas service at 25 Dartmouth Street. Mr. Silvia seconded. Vote was unanimous. (Approved by the Board of Public Works.)

EXECUTIVE SESSION

At 8:10 p.m., Mr. Murphy motioned to go into executive session to discuss the contract for solar panels at the landfill, contract for roof repairs at the old Council on Aging Building on Sconticut Neck Road and not to reconvene in open session. Mr. Silvia seconded. Vote was unanimous. Roll call vote 3-0.

Jan St. Germain
Secretary