

## Selectmen's Meeting – November 14, 2011

In attendance were Mr. Silvia, Dr. Bowcock and Jeffrey Osuch. Mr. Murphy was absent.

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

Dr. Bowcock motioned to approve the minutes of November 2, 2011 meeting. Mr. Silvia seconded. Vote was unanimous.

Dr. Bowcock motioned to approve the minutes of November 2, 2011 executive session. Mr. Silvia seconded. Vote was unanimous.

### EXECUTIVE SECRETARY'S REPORT

#### Meeting Schedule

Tuesday, Nov. 15, 2011, @ 10:00 AM - Scanlan Construction @ BPW

Wednesday, Nov. 16, 2011, @ 9:00 AM – BBAC/Wareham

@ 3:00 PM – HMFH – E Fairhaven School

Thursday, Nov. 17, 2011, @ 7:30 AM – New Bedford Chamber of Commerce Forum Group

@ 6:00 PM – New School Committee @ High School

@ 7:00 PM- Fin. Com. @ BPW

Friday, Nov. 18, 2011, @ 10:00 AM – Wes Job Meeting

Mr. Osuch informed the Board that on November 21, 2011 at 6:00 PM in the Town Hall, a recount of the vote for new school construction will be held.

Mr. Osuch mentioned that work on Recreation Center floor was scheduled to begin the Monday after Thanksgiving but that the Town has yet to receive the necessary documents from O'Sullivan the company awarded the contract but requested a motion to authorize the Chairman to sign the contract when the paperwork arrives. Dr. Bowcock motioned to authorize the Chairman to sign the contract. Mr. Silvia seconded. Vote was unanimous.

Mr. Osuch stated that issues to be discussed in executive session were Brown & Caldwell, Wes Construction, Clerical Union, Solar Panels, Stephenson & Brook and Town Counsel.

### APPOINTMENTS

Fort Phoenix Polar Plunge- Ted Silva and Kathy Lopes were present to advise the Board of plans for the 12<sup>th</sup> Annual Polar Plunge in memory of Nancy Schonhienz and that the funds raised have been distributed for scholarships. Dr. Bowcock motioned the Board's continued support of the event. Mr. Silvia seconded. Vote was unanimous.

#### Director of Planning & Economic Development

CDBG 2012 Public Hearing - Mr. Roth was present to request signing of CDBG 2012. Dr. Bowcock motioned to support and to authorize the chairman to sign any & all necessary documents. Mr. Silvia seconded. Vote was unanimous.

Park Motors Use Agreement – Mr. Roth explained the agreement between the Town and the owner of the former Park Motors property and request signing of agreement. Dr. Bowcock motioned to sign Agreement to Use the former Park Motors Site. Mr. Silvia seconded. Vote was unanimous.

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Wolf Island Rd. Property Conservation Restriction – Mr. Roth requested signature for the Purchase and Sales Agreement. Dr. Bowcock motioned to sign the agreement. Mr. Silvia seconded. Vote was unanimous.

NSTAR Property/Doane St. – Mr. Roth requested this be discussed in executive session.

At 7:15 PM, Dr. Bowcock motioned to adjourn open session and proceed into executive session to discuss the NSTAR property on Doane St. and to reconvene in open session. Mr. Silvia seconded. Vote was unanimous. Roll 2-0. Meeting adjourned.

Open session reconvened at 7:30 PM.

Liquor License Hearing (Premium Liquors) transfer of license – Mr. Vallas, new owner, was present. Hearing notice was read into the record. (See attached.) The Board reviewed and stated all documents were in order and advised Mr. Vallas that all employees must be TIPS certified and copies of certificates must be submitted to the Selectmen's office.

Dr. Bowcock motioned to approve the transfer of license. Mr. Silvia seconded. Vote was unanimous.

Liquor License Hearing (Peking Palace) alleged violations of applicable laws – no one present for Peking Palace. Hearing notice read into the record. (See attached.) Dr. Bowcock motioned to revoke the Liquor License of Peking Palace for vacant, unoccupied premises at 31 Berdon Way; said premise being closed since May 31, 2011, without notifying the Board of Selectmen, the Town of Fairhaven. Mr. Silvia seconded. Vote was unanimous.

Car Dealer/Repair License Hearing (Fairhaven Getty Auto Sales) – Mr. Elrifa and his attorney Robert Perry were present. Also in attendance were several neighbors to the property. Hearing notice read into the record. (See attached.) Mr. Perry addressed the Board on behalf of his client in regard to the concerns the Town has to an alleged violation of license. He explained how the vehicles on the property that were concluded to be in violation were due to scheduling conflicts for disposal and that Mr. Elrifa had a family medical issue to attend to in Lebanon. Mr. Perry stated that it is his client's intention to apply for a revised & modify the license description in the near future. Discussion ensued.

Dr. Bowcock motioned to discontinue the hearing and to post for a new hearing on December 28, 2011 at 7:00 PM. Mr. Silvia seconded. Vote was unanimous.

#### BOARD OF PUBLIC WORKS

Dr. Bowcock motioned to sign Amendment No. 3C to the Brown and Caldwell Contract. Mr. Silvia seconded. Vote was unanimous.

#### BICENTENNIAL COMMITTEE

Dr. Bowcock motioned to appoint Myra Lopes and Sheila McKenna to the Bicentennial Committee; to be included in the Time Capsule Committee. Mr. Silvia seconded. Vote was unanimous.

#### CONSERVATION COMMISSION

The Board accepted the resignation of Susan Morris with regret and thanked her for her time and dedication and stated that she will be missed.

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COOK & COMPANY

Dr. Bowcock motioned to sign the Injured on Duty Claims Administration Services Contract with Cook & Company for \$5000. Mr. Silvia seconded. Vote was unanimous.

TREE DEPARTMENT

Dr. Bowcock motioned to approve the removal of the list of trees submitted by the Tree Warden. Mr. Silvia seconded. Vote was unanimous. (See attached.)

MA WATER POLLUTION ABATEMENT TRUST

Notification of approval of a loan in the amount of \$716,000 to the Town. (See attached.)

GREATER NEW BEDFORD ASSOCIATION OF REALTORS

Dr. Bowcock motioned to have the Executive Secretary craft and send a letter of support. Mr. Silvia seconded. Vote was unanimous. (See attached.)

Dr. Bowcock motioned to send a letter in support of the National Flood Insurance Program. Mr. Silvia seconded. Vote was unanimous. (See attached.)

ANNUAL TOWN MEETING

Annual Town Meeting will be held on Saturday, May 5, 2012; deadline for Street Acceptance Articles is Friday, January 6, 2012, all other articles are Friday, January 20, 2012. Articles must be submitted to the Selectmen's Office by 4:00 PM on these dates.

NSTAR GAS

Dr. Bowcock motioned to approve gas line installation at 141 Sconticut Neck Rd, between Day and Wayne Streets. Mr. Silvia seconded. Vote was unanimous.

Dr. Bowcock motioned to approve gas line installation at 35 Pleasant St, between Cottage & Fairfield Streets. Mr. Silvia seconded. Vote was unanimous.

OTHER BUSINESS

The Board expressed their condolences to Peter DeTerra and his family on the passing of his grandfather. They also extended their sympathies to the family of Katelyn Brienzo and her extended M.O. Life family, on her passing from a tragic car accident.

At 8:05 PM Dr. Bowcock motioned adjourn and proceed into executive session to discuss West Construction, Clerical Union, Workers' Comp. claims, and policy issues; not to reconvene in open session. Mr. Silvia seconded. Vote was unanimous. Roll 2-0. Meeting adjourned.

Submitted by:



Bernice Alves  
Principal Clerk