



Fairhaven Board of Selectmen

April 27, 2015 Meeting Minutes

Present: Chairman Geoffrey Haworth, Vice Chairman Charles K. Murphy, Sr., Clerk Robert J. Espindola, Executive Secretary Jeffrey Osuch, and Administrative Assistant Anne Kakley.

Chairman Geoffrey Haworth called the meeting to order in the Town Hall Banquet Room at 6:32 p.m. The meeting was audio recorded by the Selectmen's Office and video recorded and telecast by the Government Access channel.

MINUTES

- Mr. Murphy motioned to approve the minutes of the **April 8, 2015** meeting, **open** session. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Mr. Murphy motioned to approve the minutes of the **April 8, 2015** meeting, **executive** session. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Mr. Murphy motioned to approve the minutes of the **April 21, 2015** meeting, **open** session with one amendment. Mr. Espindola seconded. Vote was unanimous. (3-0).

EXECUTIVE SECRETARY'S REPORT

In his report, Mr. Osuch updated the Selectmen on the following meetings and events:

- Tuesday, **April 28**
 - 10:00 a.m. – Bill Roth meeting on Harbor Commission
- Wednesday, **April 29**
 - 12:00 p.m. – Manager's meeting in Carver
 - 5:30 p.m. – Town Meeting member orientation - Hastings
 - 6:30 p.m. – Individual precinct meeting – Hastings Cafeteria
 - 7:00 p.m. – All precinct meeting – Hastings Cafeteria
- Thursday, **April 30**
 - 8:30 to 10:30 a.m. – Eversource meeting in Plymouth
 - 11:30 a.m. – Traveler's Insurance meeting
- Saturday, **May 2**
 - 9:00 a.m. – Town Meeting
- Sunday, **May 3**
 - 9:00 a.m. – Nasketucket 5K
- Thursday, **May 7**
 - 9:00 a.m. – FEMA meeting – Buttonwood Zoo

- 11:30 a.m. – DEP meeting in Lakeville – Water Withdrawal permit issues
- 6:00 to 8:00 p.m. – Fairhaven/New Bedford bridge meeting

FINANCE COMMITTEE BOOKLETS

Mr. Osuch recognized a letter of apology from Monaghan Printing for misprinting the 2015 Finance Committee Town Meeting booklets. Monaghan said that the Town would not be responsible for paying for the booklets.

EPA REQUEST TO ACCESS RIVER AVE, TABER ST

Mr. Haworth said that the EPA was requesting access to River Ave and Taber Street for the purpose of installing signage in contaminated areas. Mr. Murphy motioned to approve the access agreement. Mr. Espindola seconded. Vote was unanimous. (3-0). Mr. Murphy motioned to authorize the Chairman to sign the access agreement. Mr. Espindola seconded. Vote was unanimous. (3-0).

SRPEDD/SRTA APPOINTMENTS

Mr. Murphy motioned to reappoint Jaime DeSousa to Selectmen’s Representative on the SRPEDD Board. Mr. Espindola seconded. Vote was unanimous. (3-0).

Mr. Murphy motioned to reappoint William Roth delegate to the JTPG Committee. Mr. Espindola seconded. Vote was unanimous. (3-0).

Mr. Murphy motioned to reappoint Vincent Furtado as alternate delegate to the JTPG Committee. Mr. Espindola seconded. Vote was unanimous. (3-0).

EVERSOURCE GAS PERMITS

Mr. Murphy motioned to approve Eversource gas permits (previously approved by the BPW) for 14 Main Street and 41 Harding Road. Mr. Espindola seconded. Vote was unanimous. (3-0).

BLESSING OF THE BIKES

The Board reviewed an application from the Ice Chest for a one-day, all-alcohol license for their annual Blessing of the Bikes on May 3, with a rain date of May 17. Mr. Murphy motioned to approve the license. Mr. Espindola seconded. Vote was unanimous. (3-0).

SILVA/PENNEY WEDDING – AUDITORIUM USE APPLICATION

The Board read an application from Amanda Silva and James Penney for use of the Town Hall auditorium for a wedding ceremony on August 22, 2015. There will be no food or drink served.

Mr. Murphy motioned to approve the use of the auditorium. Mr. Espindola seconded. Vote was unanimous. (3-0).

CULTURAL COUNCIL APPOINTMENT

The Chairman read a letter from Taylor Butts requesting appointment to the Cultural Council. The Board agreed that Mr. Butts would be a good appointment and would consider his request at the annual appointment meeting on May 26.

Al Benac was recognized by the Chairman. Mr. Benac asked what the function of the Cultural Council was – the Board answered the role and functions of the Cultural Council.

CABLE ADVISORY COMMITTEE APPOINTMENT

The Chairman read a letter from John Methia requesting appointment to the Cable Advisory Committee. The Board considered postponing Mr. Methia's appointment to May 26, but Mr. Espindola said that there was an immediate need on the Committee for members. Mr. Murphy motioned to appoint Mr. Methia to the Cable Advisory Committee. Mr. Espindola seconded. Vote was unanimous. (3-0).

HOMECOMING

The Board read a letter from Kendra Costa, Correspondent from the Fairhaven Improvement Association, requesting permission to hold the annual Fairhaven Homecoming Fair on Saturday, June 27. Mr. Murphy motioned to approve the 2015 Fairhaven Homecoming. Mr. Espindola seconded. Vote was unanimous. (3-0).

OUR LADY'S HAVEN – PARKING

At 7:00 p.m., the Board met with Lisa Cadime of Our Lady's Haven assisted living. Ms. Cadime came before the Board to discuss a temporary parking arrangement at the Rogers School to relieve congestion on the streets surrounding the facility. Ms. Cadime said that she had had an agreement drafted and revisions made by Town Counsel had been approved by administration at OLH.

Mr. Murphy said that the agreement would protect the Town from any liability in the use of the parking lot by OLH.

Mr. Espindola asked if the parking lot would only be used in the winter. Ms. Cadime answered that OLH would start using the lot right away to take parking off the streets. Mr. Espindola said he was surprised that the agreement was reviewed by Town Counsel before the Board deliberated it. He said that he did not favor entering an agreement to use the property at a time when the Town is trying to display and sell the property. He said that he thought the matter should at least be postponed to after Town Meeting.

Mr. Haworth said that there was currently a vacant parking lot off Chestnut Street and a bad parking situation. He said that taking the OLH parking off the street would open up Laurel Street and Union Street for the benefit of the residents.

Mr. Espindola said that he was concerned that the area residents would be upset when the parking situation returned to congested as a result of the sale of the Rogers School.

Mr. Murphy suggested OLH might agree to keep their vehicles out of the Rogers School parking lot on any date(s) that the Town has open houses for the RFP process. Ms. Cadime said she was sure that OLH would be cooperative in that regard.

Doug Brady was recognized by the Chairman. Mr. Brady asked how much the Town would receive in compensation for allowing OLH use the parking lot. Mr. Haworth said that lease agreement would be \$1.

Mr. Espindola expressed concern over slate falling from the Rogers School and any other liabilities associated. Mr. Murphy said that there was risk in everything but that he would favor relieving the parking situation.

Nil Isaksen was recognized by the Chairman. He asked who would be responsible for snow removal. OLH will be responsible for snow removal.

Mr. Murphy motioned to approve the lease with OLH as amended by Town Counsel. Mr. Haworth seconded. Vote carried with one vote of opposition from Mr. Espindola. (2-1).

Mr. Murphy motioned to authorize the Chairman to sign the lease on behalf of the Board. Mr. Haworth seconded. Vote carried with one vote of opposition from Mr. Espindola. (2-1).

HISTORICAL COMMISSION – BATES PROPERTY

Mr. Haworth read a memo from the Historical Commission regarding the Bates property. See Attachment A. The Historical Commission expressed support for selling the portion of land to the Seventh Day Adventists for the purposes of clearing up their title and access to the sewer line, contingent upon the Town's retention of the Taber wall, public access via the Bates driveway to the Taber wall, and that the proceeds of the sale go to the wall upkeep. Moreover, the Historical Commission stipulated their support on the Seventh Day Adventists paying all appraisal and related fees.

BEAUTIFICATION COMMITTEE MEMBERSHIP

At 7:15 p.m., the Board met with members of the Beautification Committee to discuss their recent membership troubles. See Attachment B. Present were Beautification Committee members Wayne Oliveira (chairman), Gary Lavalette, Vicki Paquette, and Karen Vilandry. After some discussion, it was decided that the discussion would take place in Open Session per request of Mr. Oliveira.

Mr. Oliveira started by describing the duties of the Beautification Committee. He said that the Beautification Committee has a “problematic” member of the committee who is “distracting” and acts on behalf of the committee without notifying the Chairman. He said that she has been known to send harassing emails to other committee members. The member in question was later identified as Ms. Vilandry.

Mr. Oliveira said that the group was trying to be patient, despite “frivolous” filings of Open Meeting Law complaints from Ms. Vilandry, but that much of their time and effort was wasted in reacting to her. He said that she continues to act on her own accord, including removing a peace pole at Cooke Park on her own volition.

Ms. Vilandry was offered a chance to speak. Ms. Vilandry said that she has been a member of the Beautification Committee for one year and has every intention of using her time and efforts to beautify the Town. She claimed that the Beautification Committee lacked guidance and direction. She said that she was never given approval or rejection to begin work. She said that when she looked into a median strip account with the Town Accountant, Mr. Oliveira got upset with her. She said that she has worked hard at Cooke Park, weeding and moving stones. She said that the Beautification Committee had previously commended her for her efforts, but that the tone changed after she filed an Open Meeting Law complaint against the Historical Commission, on which all three Beautification Committee members (Ms. Paquette, Mr. Lavalette and Mr. Oliveira) are also members. Ms. Vilandry said that she had a recording of them speaking to her at a February 19, 2015 meeting of the Beautification Committee, and said that these members treated her poorly at this meeting. Ms. Vilandry could not send the recording because the file was too big, she said, but that anyone was welcome to listen to the recording.

Mr. Oliveira said that at the June 12, 2014 meeting of the Beautification Committee, the Cooke Park project was discussed and the Committee decided not to pursue the project. As far as his reaction to Ms. Vilandry requesting a backlog of the median strip account spending, Mr. Oliveira said he was upset that she created so much work for the Town Accountant, who had to go beyond the typical archive of seven years to find all of the information that Ms. Vilandry requested. He admitted that the February 19, 2015 meeting got “boisterous” but that they “tried to be professional” despite their frustration with her behavior.

Mr. Lavalette said that the group was growing tired of the same inquiries from Ms. Vilandry and her perceived agenda to decommission Cooke Park as a public park. He said that they were individually very easy people to get along with, but that Ms. Vilandry’s presence was a deterrent to anything they tried to accomplish. Mr. Oliveira concurred, adding that the Beautification Committee functioned fine before Ms. Vilandry’s appointment.

Mr. Haworth asked if the Beautification Committee took a formal vote to request Ms. Vilandry’s removal. Mr. Oliveira said that they asked Ms. Vilandry, as a committee, for her resignation. Ms. Vilandry refused. Mr. Oliveira added that he took exception to the statement from Ms. Vilandry that the Committee had no direction and accomplished nothing.

Ms. Vilandry said that she wanted to continue beautification efforts in Fairhaven, particularly at Cooke Park.

Doug Brady was recognized by the Chairman. Mr. Brady said that he is on a committee with Ms. Vilandry and that they do not experience that conflict with her. He said that he did not think that Open Meeting Law violations were ever “frivolous” and that anyone should be able to check on expenditures.

Mr. Murphy said that he agreed that Open Meeting Law was important but that an excessively tense committee did not accomplish much. He said that he had no problem attending an occasional meeting, but that he was not going to regularly attend a committee to keep accord. Mr. Haworth agreed, saying that the Selectmen rely on smaller boards and committees to run themselves and report to the Selectmen. Mr. Espindola said that it was clear that Ms. Vilandry will not work well with the Beautification Committee, but that he would invite her to submit a proposal for a beautification effort to the Board of Selectmen for their consideration.

Mr. Lavalette agreed with the proposal idea, but asked the Board to be careful not to give Ms. Vilandry the authority to work on Cooke Park. He said that it was too important to the Town’s relationship with Japan.

The Board took no action but will take the feedback from the Beautification Committee under advisement at reappointment time. The Board also requested a copy of the minutes of the February 19, 2015 Beautification Committee meeting.

ROGERS-OXFORD RFP

At 7:52 p.m., Mr. Murphy recused himself, citing potential conflict on the matter of the redrafting of the Rogers-Oxford RFP. Mr. Haworth said that he had spoken with Mr. Murphy on the timeline of his recusal and that he felt it would be best for the Board to wait for Mr. Murphy to be available before considering any action on the alteration of the RFP. Mr. Espindola said that he thought that they should have some answers for the precinct meeting to justify the cost of a new RFP.

Nil Isaksen was recognized by the Chairman. He asked if the Board would consider removing the word “auction” from the RFP article. The Board said that even if they opted to go to auction, the final sale would have to be approved at Town Meeting.

Mr. Haworth said that they could not continue to allow the buildings to sit and deteriorate. Mr. Espindola expressed support for removing the word “auction” from the article.

John Roderiques was recognized by the Chairman. He said that they would need Town Meeting approval to sell the buildings regardless of the language of the article.

No action was taken. Mr. Murphy rejoined the meeting at 8:13 p.m.

GOOD ENERGY

At 8:14 p.m., Mr. Espindola read the Good Energy notice of public comment into record. See Attachment C. Mr. Murphy motioned to close the public comment portion of the Good Energy

aggregation. Mr. Espindola seconded. Vote was unanimous. (3-0). Mr. Espindola will relay comments from Wayne Hayward to Good Energy and SRPEDD.

TOWN MEETING – RECOMMENDATIONS

The Board took a moment to review their recommendations for Annual and Special Town Meeting.

STM Article 2 – Conservation Restriction Authorization – Mr. Haworth said that he felt comfortable leaving this article to the Town Meeting floor with the Selectmen moving adoption and Finance Committee yielding to the petitioner. Mr. Osuch asked if Conservation Commission or the Board of Selectmen would be presenting the article. Mr. Haworth said that it could be the Buzzard’s Bay Coalition.

ATM Article 13 – Ambulance Stabilization – Mr. Osuch said that he had Town Counsel review the Ambulance Stabilization article regarding whether or not it needed two parts. Town Counsel indicated that the article could stand as written.

ATM Town Government Study Committee articles 29 (Information Technology Assessment), 31 (Finance Committee Restructuring), 32 (Term Limits), 33 (Town Meeting Procedure Changes). Phil Washko, Dick Douglass, Mark Badwey and Pattie Pacella were present to discuss the Board’s recommendations on the TGSC articles. After some deliberation, the Board decided it would maintain its original suggestions of Indefinite Postponement for the Information Technology article and Yield to Petitioner on the other three articles.

WELCOME STREET PETITION

The Board recognized an abutter’s petition from Linda Therrien for use of the Town engineering account to create street acceptance plans for the southern portion of Welcome Street. It was determined that the petition would need additional signatures and would need to be approved by both the Planning Board and the Board of Public Works. The Selectmen’s Office will contact Ms. Therrien about completing the petition.

EXECUTIVE SESSION POLICY

The Board reviewed the final version of the Executive Session minutes policy. See Attachment D. Mr. Murphy motioned to approve the document. Mr. Espindola seconded. Vote was unanimous. (3-0).

FEMA CRS PRESENTATION

Mr. Haworth noted that resident Susan Sullivan has been working on getting the Board to meet with Darrin Punchard, a consultant who works with communities to complete the paperwork necessary to apply for the CRS rating system to collectively lower flood insurance for residents. Mr. Haworth said he was not sure that the entire Board needed to be present for Mr. Punchard’s presentation, but that they could arrange to have a Selectman representative meet individually

with Mr. Punchard, Ms. Sullivan and CRS coordinator Wayne Fostin. After some discussion, the Board decided to invite Mr. Punchard into a Selectmen's meeting to discuss the program with Mr. Fostin and Ms. Sullivan.

CZM MARSH ISLAND/OXFORD VILLAGE REPORT

Mr. Haworth read a letter into record from CZM Coastal Management regarding an error made on one of their harbor maps identifying Oxford Village as Marsh Island. See Attachment E.

NB VOKE BOARD APPOINTMENT

Mr. Haworth said that he would be charged with the Town Moderator and the School Committee chair to appoint a Fairhaven representative to the New Bedford Vocational School Board. The only applicant at the time of the meeting was David Darmofal, for re-appointment. The Board indicated that it would be supportive of Mr. Darmofal's reappointment. Mr. Haworth thanked the Board for its input.

OTHER BUSINESS

- Mr. Murphy congratulated Jonathan Cox on being the newest full-time Fairhaven firefighter.
- Mr. Espindola said that the Bikeway Committee was busy planning its annual bike ride out of Fort Phoenix and details will be coming soon.
- Mr. Espindola described a wellness initiative to engage employees and boards at no cost to the Town. The Board was supportive of his initiative and will participate.
- Mr. Espindola said that a recent production of Alice in Wonderland at the Town Hall was very well received.
- Mr. Espindola praised the West Island 5K organizers and thanked them for another successful event.
- Mr. Haworth thanked everyone who attended the annual Bike Path clean up and said it was another successful event.

At 9:15 p.m., Mr. Murphy motioned to adjourn. Mr. Espindola seconded. Vote was unanimous. (3-0).

Respectfully,

Anne O'Brien-Kakley
Administrative Assistant
Minutes approved 05/11/2015

Office of the Selectmen
40 Center Street
Fairhaven, Massachusetts

April 17, 2015

Dear Sirs,

The Historical Commission, in order to address the issues related to the Bates House property, voted unanimously at last night's meeting to agree to the following motion;

The property is surveyed, with a realignment done of the north/south property lines, in order to address the issue related to the Bates House sitting on Town property. That an appraisal is done of the Town property, and the rear portion containing the septic system be sold at a fair market value to the Bates House owners. That written permission or easement be granted, allowing visitors to the Taber Wall to cross the Bates House property. All expenses related to the above are paid by the Bates House owners. Any funds received by the sale of the property are reserved for use in maintaining the Taber Wall.

Sincerely,



David Despres
Chairman

BOARD OF SELECTMEN
FAIRHAVEN MASS

2015 APR 17 P 12:01

RECEIVED



FAIRHAVEN
BEAUTIFICATION COMMITTEE

Town Hall
40 Center Street
Fairhaven, MA 02719
Wayne.Oliveira@Comcast.net

Wayne V. Oliveira – Chairman

March 22, 2015
RE: Open Meeting Law Complaint

Ms. Vilandry,

We are in receipt of your complaint involving the Fairhaven Beautification Committee. It is my opinion that all Committees use the same style of template for our meeting agendas. An agenda is no more than a guide as to the topics that will be discussed and that's what we have followed for years.

As it was, we did discuss a "membership issue" and that issue was you.

Ms. Vilandry, you should not be allowed to serve on any town board or committee until you learn to "play nice" with everyone involved. You have managed to do nothing but distract our committee from its work by your inability to work well with others, follow directions, overstepping your bounds and harassing another member through repeated e-mails.

The 3 members that you refer to, who also serve on another committee you lodged a complaint against, were present and stated their displeasure and disappointment with your continued harassment of other boards and Committees in this town with baseless complaints, that again, do nothing but distract them from their important work. You state that you didn't know anything about the intended topic of "membership issues", yet you showed up and asked if you could audio tape the meeting. That gives me the impression that you knew exactly what we wanted to discuss. Audio taping was something you have never asked to do in the past.

Further, you stated that the meeting should have been held in executive session. All of the people who were present that evening were members of the Committee so there would be no reason to go into executive session since it would have changed nothing. The woman who is interested in joining our committee did not arrive until after the discussion about you was over.

I strongly recommend that you not be allowed to serve on any future Boards or Committees within the Town of Fairhaven. I have every intention of seeking your removal from this one as well so that we can concentrate on our work at hand and not the petty complaints that you continue to put forward.

Respectfully,

Wayne Oliveira – Chairman

Wayne Oliveira 3-22-15

BOARD OF SELECTS
FAIRHAVEN MASS
2015 MAR 27 A 11:00



FAIRHAVEN
BEAUTIFICATION COMMITTEE

Town Hall

40 Center Street

Fairhaven, MA 02719

Wayne.Oliveira@Comcast.net

Wayne V. Oliveira – Chairman

March 22, 2015

Board of Selectmen
Fairhaven Town Hall

Dear Sirs,

Please accept this letter as a formal request that you not reappoint Karen Vilandry to the Fairhaven Beautification Committee.

Ms Vilandry is not a good fit for this committee and honestly is a distraction.

On occasion she has gone off and taken action on projects without committee approval.

She has harassed another committee members with repeated emails and has used her position on this committee to acquire information on behalf of the Beautification Committee that was not authorized or requested by us.

I feel that in the best interest of the town, she should not be reappointed to this or any committee in town. If she does remain on the committee I foresee others resigning which will basically be the end of our committee.

Thank you for your consideration.

Respectfully,

Wayne Oliveira
Chairman
Fairhaven Beautification Committee

BOARD OF SELECTMEN
FAIRHAVEN MASS

2015 MAR 27 A 11:03

Wayne Oliveira

OUTLINE OF THE AGGREGATION PROGRAM

(To be read at a meeting of the Board of Selectmen)

Municipalities are authorized by Massachusetts General Law Chapter 164, Section 134(a) to aggregate the electric load of its residents and businesses.

At a Town Meeting on DECEMBER 9, 2014 the residents of FANZHAVEN voted to authorize the Board of Selectmen to research, develop and implement an aggregation plan and enter into a contract with a competitive supplier of electricity.

The objectives of the aggregation plan are to:

- lower the cost of electricity;
- gain longer term price stability; and
- offer more renewable energy options.

The Board of Selectmen has selected an aggregation consultant, Good Energy, L.P., to:

- develop the aggregation plan;
- formulate and implement a public outreach and education program;
- guide the aggregation plan through a very strict and comprehensive review and approval process with the Department of Energy Resources (DOER) and the Department of Public Utilities (DPU);
- develop a Request for Proposals for a competitive electricity supplier;
- monitor and manage the aggregation plan during the term of the competitive supplier contract; and
- develop and submit all required reports to the Board of Selectmen and DOER.

An important element of the process leading to approval of the aggregation plan of a municipality by the DPU is to allow for review of the aggregation plan by its citizens. The aggregation plan is available for review at our municipal offices and on our website.

In order to comply with the law, citizens will have a time period to submit written comments and a public meeting to offer oral comments.

The two (2) week period to submit written comments will be from MARCH 17, 2015 to MARCH 31, 2015

The public meeting to offer oral comments will be at a meeting of the Board of Selectmen on MARCH 30, 2015. April 14, 2015

This review by citizens will be completed before the aggregation plan is submitted to the DPU for their review and approval.

PROCEDURE FOR REVIEW BY CITIZENS

Suggested procedure for providing the "review by its citizens" of an Aggregation Program by a municipality

1. Read an outline of the Aggregation Program at a public meeting.

Suggestions

1. At a meeting of the Town / City Council or Board of Selectmen read a brief outline of the Aggregation Program. (Suggested outline attached)
2. Announce that the aggregation documents will be available for review in the municipal offices and on the municipal website or other related website.
3. Announce that there will be a two week period to submit written comments from MARCH 17, 2015 to MARCH 31, 2015

2. Hold a public meeting for oral comment

Suggestion

1. At a meeting of the Town / City Council or Board of Selectmen allow for oral comments about the aggregation program.



**Town of Fairhaven
Massachusetts
Office of the Selectmen**

EXECUTIVE SESSION MINUTES
RELEASE POLICY

The following is the Town of Fairhaven Board of Selectmen policy with regard to the approval and release of executive session minutes:

1. Approval of Minutes

The Board of Selectmen will review, amend and finalize, and approve executive session minutes as soon as practicable after each respective executive session. The Board's office staff shall make a reasonable attempt to provide the Board Members a draft of executive session minutes on or before the Thursday following the Monday night meeting at which an executive session occurred. Prior to that meeting, the Board will review the draft minutes, make any proposed changes thereto, and vote on approval of the executive session minutes in open session.

2. Release of Minutes

The Selectmen's Office shall keep a notebook containing all executive session minutes, denoting which are public, which are public on a redacted basis, and which are still closed for confidentiality purposes. At each meeting, the Board of Selectmen shall review at least one set of executive session minutes (if available) of an executive session meeting(s) held three to six months prior, to determine if a need for confidentiality still exists. If no need for confidentiality still exists, the Board shall vote to release the Executive Session minutes. If a need for partial confidentiality exists, the Board will work with the Selectmen's Office staff, and/or Town Counsel, to produce a redacted copy for public release. If the minutes still reflect a need for confidentiality, no action shall be taken.

On a biannual or as-needed basis, the Board shall review the minutes in the notebook in executive session and shall determine whether the purpose of each executive session topic addressed therein still exists. Town Counsel may be invited to this session. This notebook shall contain all meetings from 2012 to the present and will denote each meeting's status for availability. Executive Session minutes held prior to 2012 shall be released on an "as requested" basis.

Any executive session minutes will be released in hard copy only. The Selectmen's Office reserves the right to charge for the cost of printing the pages of the executive session minutes requested. Executive session minutes will not be released in digital format. A record will be kept of all executive session minutes released, and will include a signature from the party requesting and accepting said minutes.

Minutes of executive session meetings shall only be accessible by the method aforementioned. Executive session minutes, both released and redacted, shall not be placed on the Town website for review.

Adopted _____, 2015:

Robert J. Espindola

Geoffrey A. Haworth

Charles K. Murphy, Sr.



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
OFFICE OF COASTAL ZONE MANAGEMENT
251 Causeway Street, Suite 800, Boston, MA 02114-2136
(617) 626-1200 FAX: (617) 626-1240

RECEIVED

2015 APR 21 A 11:01

BOARD OF SELECTMEN
FAIRHAVEN MASS

April 17, 2015

Robert J. Espindola
Chairman
Fairhaven Board of Selectmen
40 Center Street
Fairhaven, MA 02719

RE: Dredged Material Management Plan--Final Environmental Impact Report, Map
Correction Errata

Dear Chairman Espindola:

Thank you for your letter requesting the Office of Coastal Zone Management (CZM) correct a labeling error in the Dredged Material Management Plan (DMMP)--Final Environmental Impact Report (FEIR) from October 15, 2003. The error mislabels the Oxford Village area as Marsh Island. The attached Errata identifies locations in the document where the mislabeling occurs, and clarifies the mislabeling. The Errata has been added to the CZM web page that includes links to all the DMMP Technical Reports. Specifically it will be in the same location as the link to the DMMP--FEIR (the last item listed at the bottom of that page). The link for all the DMMP Technical Reports on the CZM website is: <http://www.mass.gov/eea/agencies/czm/program-areas/port-and-harbor-planning/dredge-reports/>

If you would like to further discuss this issue, do not hesitate to contact me at david.janik@state.ma.us or 508-291-3625 ext 12.

Sincerely,

David Janik
South Coastal Regional Coordinator
Office of Coastal Zone Management

Attachment





ERRATA
April 10, 2015

Dredged Material Management Plan (DMMP)
Final Environmental Impact Report (FEIR)
for New Bedford and Fairhaven Massachusetts
October 15, 2003
EOEA No. 11669

The Town of Fairhaven recently informed the Office of Coastal Zone Management that several figures in the FEIR and its associated appendices included a mislabeling of the Oxford Village residential area as Marsh Island. This errata is to clarify the mislabeling.

Corrections in the main document of the FEIR

Page# in Document	Figure/Illustration Number	Correction
3.2a(40)	Fig. 3-1	The Oxford Village neighborhood is mislabeled Marsh Island.
3.2c(42)	Fig. 3-3	The Oxford Village neighborhood is mislabeled Marsh Island.
3.4c(47)	Fig. 3-6	The Oxford Village neighborhood is mislabeled Marsh Island.
3.14a(63)	Fig. 3-14	The Oxford Village neighborhood is mislabeled Marsh Island.
3.34a(84)	Fig. 3-19	The Oxford Village neighborhood is mislabeled Marsh Island.

Corrections in Appendix A to the Main Document

A-9(213)	Fig. 1	The Oxford Village neighborhood is mislabeled Marsh Island.
A-10(214)	Fig. 2	The Oxford Village neighborhood is mislabeled Marsh Island.

Corrections in Appendix B to the Main Document

B-10(336)(353)	Ill. 2	The Oxford Village neighborhood is mislabeled Marsh Island.
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Corrections in Sub-Appendix A contained in Appendix B to the Main Document

B-26(374)	Fig. 2	The Oxford Village neighborhood is mislabeled Marsh Island.
B-28(376)	Fig. 4	The Oxford Village neighborhood is mislabeled Marsh Island.
B-30(378)	Fig. 6	The Oxford Village neighborhood is mislabeled Marsh Island.

