



Fairhaven Board of Selectmen

January 19, 2016 Meeting Minutes

Present: Chairman Geoffrey Haworth, Vice Chairman Charles K. Murphy, Sr., Clerk Robert Espindola, Town Administrator Mark Rees, and Administrative Assistant Anne O'Brien.

Chairman Geoffrey Haworth called the meeting to order in the Town Hall Banquet Room at 6:35 p.m. The meeting was audio recorded by the Selectmen's Office and video recorded by the Government Access channel.

MINUTES

- Mr. Murphy motioned to approve the minutes of the **December 21, 2015** meeting, **open** session. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Mr. Murphy motioned to approve the minutes of the **December 21, 2015** meeting, **executive** session. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Mr. Murphy motioned to approve the minutes of the **January 4, 2016** meeting, **open** session. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Mr. Murphy motioned to approve the minutes of the **January 4, 2016** meeting, **executive** session. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Mr. Murphy motioned to amend the minutes of the **October 7, 2015** meeting, **open** session, to reflect that the Selectmen support the funding of four bike racks at Town Hall instead of two. Mr. Espindola seconded. Vote was unanimous. (3-0).

TOWN ADMINISTRATOR'S REPORT

Department Heads – Mr. Rees informed the Board that he has been conducting interviews with the Town department heads and will start holding regular staff meetings after Selectmen meetings.

Stratford Negotiations – Mr. Rees said that Mr. Espindola and Mr. Roth would be involved in negotiations with Stratford regarding their proposal for 62+ housing at the Oxford School.

Manager's Meeting – Mr. Rees will attend his first regional Manager's Meeting on January 20, 2016 in the Town of Middleborough.

MMA Conference – Mr. Rees will attend the Massachusetts Municipal Association conference on January 22, 2016.

Budgeting Process – Mr. Osuch will meet with Mr. Rees discuss how the budget has been drafted in the past.

Rogers Walking Tour – Mr. Rees noted that the Town’s “Rogers Walking Tour” was featured in a Huffington Post article.

TOWN ADMINISTRATOR APPOINTMENTS

The Board reviewed appointments that had been previously held by Executive Secretary Jeff Osuch and meetings he regularly attended in his position.

Buzzard’s Bay Action Committee – Mr. Murphy motioned to appoint BPW Superintendent Vinnie Furtado to the BBAC. Mr. Espindola seconded. Vote was unanimous. (3-0).

Mattapoissett River Valley Water Supply Protection Advisory Committee – Mr. Haworth said that he was willing to serve on the MRVWSPAC until April. Mr. Murphy motioned to appoint Mr. Haworth to the MRVWSPAC until April. Mr. Espindola seconded. Vote was unanimous. (3-0).

Mattapoissett River Valley Water District – Mr. Haworth said that he was willing to serve on the Water District until April as well. Mr. Murphy motioned to appoint Mr. Haworth to the Mattapoissett River Valley Water District until April. Mr. Espindola seconded. Vote was unanimous. (3-0).

Retirement Board – No action was taken, as Mr. Rees is not yet a member of the Retirement Board. Mr. Rees advised that the Board maintain Mr. Osuch on the Retirement Board until such time Mr. Rees was eligible to assume the position.

Council of SEMASS Communities – Mr. Murphy motioned to appoint Mr. Rees to represent Fairhaven on the Council of SEMASS Communities. Mr. Espindola seconded. Vote was unanimous. (3-0).

Municipal Hearing Officer – Mr. Murphy motioned to appoint Mr. Rees to the Municipal Hearing Officer. Mr. Espindola seconded. Vote was unanimous. (3-0).

Procurement Officer – Mr. Murphy motioned to appoint Mr. Rees to the Procurement Officer. Mr. Espindola seconded. Vote was unanimous. (3-0).

Capital Planning Committee – Mr. Murphy motioned to appoint Mr. Rees to the Selectmen representative on the Capital Planning Committee. Mr. Espindola seconded. Vote was unanimous. (3-0).

Additionally, Mr. Rees will attend Finance Committee and Economic Summit meetings, and the Council on Aging and Commission on Disability meetings as needed.

WASTE DISPOSAL CONTRACTS

The Board reviewed waste disposal agreements with ABC Disposal and Frade's Disposal.

Mr. Murphy motioned to approve and sign the aforementioned agreements. Mr. Espindola seconded. Vote was unanimous. (3-0).

Ann Richard was recognized. She asked if it was still true that the Town could have additional trash space to sell if Town residents recycled more. Mr. Murphy said that if residents recycled more, then it was true that there would be surplus trash space for sale.

WELLNESS COMMITTEE

Mr. Murphy motioned to appoint Phil Cardoza to the Wellness Committee. Mr. Espindola seconded. Vote was unanimous. (3-0).

USE OF AUDITORIUM AND ONE-DAY BEER AND WINE LICENSE

The Board reviewed an application from Tim Evans to use the Town Hall Auditorium for a Film Festival on March 4 and a request for that event to have a beer and wine license. Ms. O'Brien told the Board that Mr. Evans intended to have the event benefit the Fairhaven Animal Shelter via a "Friends of Fairhaven Animal Shelter". Mr. Murphy motioned to approve the use of the Town Hall Auditorium on March 4 for the Film Festival and waive the auditorium rental fee based on the premise that the event will benefit a non-profit, and to approve the request for a one-day beer and wine license. Mr. Espindola seconded. Vote was unanimous. (3-0).

CABLE ADVISORY COMMITTEE REQUESTS

Mr. Espindola informed the Board that the Cable Advisory Committee was planning an outreach event on Saturday, February 6 to keep Town residents informed about cable licensing and an effort to create a feasibility study for the mixed use of 150 Sconticut Neck Road for the EMA and a Cable Public Access studio. Printing, mailing, postage and advertising is expected to cost approximately \$450 and the CAC requests that the costs come out of the PEG access account.

Mr. Murphy motioned to approve the expenditure of up to \$450 for the February 6 Cable Advisory Committee outreach event from the PEG access account. Mr. Espindola seconded. Vote was unanimous. (3-0).

HOUSING AUTHORITY MEETING

At 7:00 p.m., the Board of Selectmen met with Housing Director Krisanne Sheedy, Housing Authority Chairman Jay Simmons, and Housing Authority members Ann Silveira, Gregory Tutcik, and Jean Rousseau.

Management Agreement – In regards to the Town's negotiation efforts with the Stratford Group and their proposal to convert the Oxford School to 62+ housing, the Housing Authority has taken a vote to request that the FHA be placed in charge of the Oxford School housing management.

Mr. Simmons said that they have experience managing for the Westport Housing Authority for the past five years.

The Board expressed preliminary support for the request but will need to have Town Meeting approve the sale of the Oxford School to the Stratford Group before any action can be taken.

Lawsuit – Ms. Sheedy and Mr. Simmons updated the Board to a pending lawsuit from Richard and Carol Dussault, owners of Spring Street Auto, which abuts the Green Meadows/McGann Terrace property. The lawsuit is in response to a ZBA variance that was granted to the Housing Authority for a fence that was built with the “good” side facing McGann Terrace instead of facing the neighbor. The Dussaults are contending that the granted variance is detracting from their property value.

The Board had no public comment, as the issue is pending litigation.

Water Rates – The Chairman reminded the Housing Authority that they could use the Board meeting as a place to discuss the impending raised water rates, but that the water rates were overseen by the BPW and the Board of Selectmen had no jurisdiction in their management.

Mr. Simmons said that the tier rate system has the Housing Authority paying the highest possible rate for elderly housing, as the consumption is considered one use and is not divided by the individual users. If the consumption of the facility were divided by the users, said Mr. Simmons, they would be able to take advantage of the lowest tier rate. There is presently one meter per complex.

Vincent Furtado, Superintendent of the BPW, was recognized. He said that the Water department is essentially breaking even presently. In order to complete capital improvements, the BPW has to increase its rates to offset its costs. The BPW has hired a consultant to review their rate structure and the tiered system will be part of that study.

Mr. Haworth repeated that the water rate discussion needed to be addressed by the BPW and that the Board of Selectmen did not have the authority to take any action. Mr. Haworth asked Ms. Sheedy to forward to the Board a breakdown of the funding that the Housing Authority receives.

CDBG 2016 APPLICATION – FINAL HEARING

At 7:23 p.m., the Chairman opened a public hearing for the final review of the CDBG 2016 application. Administrator Bill Roth was present.

Mr. Roth again reviewed the application, which will include improvements to Hedge Street (including a head wall) and parking infrastructure at Oxford Terrace.

The FHA has done engineering design for the Oxford Terrace parking lot, and based on the design, it is estimated that the parking improvements will cost about \$400,000 +/- and the improvements on Hedge Street will cost \$50,000 +/-.

The Chairman opened the hearing to public comment.

Jay Simmons was recognized. He thanked Mr. Roth for his efforts and said that the FHA was eager to get the parking lot done and appreciative for the help.

Housing Director Kris Sheedy was recognized. She said that the CDBG contribution to the parking lot at Oxford Terrace would free up their money to use on other efforts.

Ann Richard, resident of Hedge Street, was recognized. She said that she was supportive of the work to be done on Hedge Street and thanked Mr. Roth for his work.

Jean Rousseau was recognized. He reiterated the thanks of the FHA for Mr. Roth's involvement on the Oxford Terrace project.

The Chairman closed the hearing.

Mr. Murphy motioned to approve the submission of the 2016 Community Development Block Grant application for Oxford Terrace parking lot and Hedge Street improvements and to authorize the Chairman to sign any and all documents related thereto. Mr. Espindola seconded. Vote was unanimous. (3-0).

ECONOMIC DEVELOPMENT COMMITTEE

Mr. Haworth presented a proposal to the Board to create an Economic Development Committee to address the empty store fronts in Town, mainly retail. Mr. Haworth said that he would like to see the Committee include himself, the Town Administrator, the Town Planner and other leaders and residents in Town.

Mr. Roth said that he supported the idea, but that the Town would have limited ability to control leasing of buildings. He asked the Board to postpone the formation of the Committee until he could research how other towns have formed similar committees. The Board will table the topic to a later meeting, pending Mr. Roth's research.

ROGERS SCHOOL

Mr. Espindola said that he had spoken with Michael Tavares regarding a tentative proposal for the Rogers School to convert it into condominiums. Mr. Tavares would like to get a copy of any plans associated with the Rogers School, especially the addition. Mr. Roth will look into having the plans scanned and sent to Mr. Tavares.

OTHER BUSINESS

Under Other Business:

- Mr. Murphy said thanks to John Murphy for sending a picture of the Oxford School Paul Revere bell being removed.

- Mr. Espindola asked why the Dussaults and their auto repair/dealership license renewal was omitted from the agenda again. Mr. Haworth stated that their taxes were not yet current for license renewal consideration. Town Counsel will draft a letter informing the Dussaults of their tax status and license renewal.

At 7:54 p.m. Mr. Murphy motioned to enter Executive Session, pursuant to MGL 30A § 21:

1. Ambulance bill waiver request
2. North Street litigation

Mr. Espindola seconded the motion to enter Executive Session for the aforementioned reasons, not to reconvene into open session afterward. Vote was unanimous. (3-0)

Respectfully,

Anne O'Brien
Administrative Assistant
Minutes approved 02/08/2016