



Fairhaven Board of Selectmen February 17, 2016 Meeting Minutes

Present: Chairman Geoffrey Haworth, Vice Chairman Charles K. Murphy, Sr., Clerk Robert Espindola, Town Administrator Mark Rees, and Principal Clerk Ashlee Lentini.

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.

MOMENT OF SILENCE

Following the Pledge of Allegiance, the Board observed a moment of silence in memory of Richard "Dick" Cromwell, who passed away on January 27, 2016. Dick was a volunteer firefighter in Fairhaven and the owner/operator of Acushnet-Fairhaven Towing. The Board thanked him for his service and contributions to the community.

RECOGNITION OF FIRE AND POLICE DEPARTMENTS

Mr. Haworth recognized the outstanding action of the Fairhaven Police and Fire Departments and Harbormaster Tim Cox in assisting after a single motor vehicle accident on Causeway Road. The vehicle landed upside down in the water and the Police and Fire Departments ensured that not only was the driver rescued and taken to the hospital, but that there were no other victims in need of assistance.

MINUTES

- Mr. Murphy motioned to approve the minutes of the **January 19, 2016** meeting, **open** session. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Mr. Murphy motioned to approve the minutes of the **January 19, 2016** meeting, **executive** session. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Mr. Murphy motioned to approve the release of the minutes of the **January 26, 2015** meeting, **executive** session. Mr. Espindola seconded. Vote was unanimous. (3-0).
- The Board decided to pass over the decision to release the minutes of the **February 9, 2015** meeting, **executive** session as redacted, until the next meeting.

TOWN ADMINISTRATOR'S REPORT

Budget Preparation – Mr. Rees informed the Board that he has been meeting with the Town department heads and discussing their budgets. He said it has been very informative; he is learning more about how the Town and their processes and hopes to incorporate a more

simplified and direct budget when he presents it during the February 29th meeting. Mr. Rees thanked all departments for their cooperation.

Stratford Negotiations – Mr. Rees said that he and Mr. Espindola began their negotiations with Stratford regarding their proposal for 62+ housing at the Oxford School.

Grants – Mr. Rees has also been informed by Superintendent of Schools Robert Baldwin that the Massachusetts School Building Authority has awarded a grant of \$439,000 to repair the Hastings Middle School roof. The Town has also received a FEMA Planning grant from the Planning and Economic Development Department for \$55,000 for Natural Hazard Litigation Planning. Mr. Rees also received word that the Town will be awarded an in-kind grant from Massachusetts GIS to help the Town update their GIS mapping system.

New Firefighters – Chief Timothy Francis has informed Mr. Rees that the Town has hired two new firefighters, Kevin Gonsalves and Shawn Grajales, and that they have passed the training program. Mr. Rees congratulated them on the completion of their training.

Freezing Pipes – Mr. Rees said that the Fire Department was very busy with a number of calls of frozen pipes. One place affected was the Fairhaven Recreation Center, but the cost to fix the damage was less than the deductible on the Town's property insurance. Mr. Haworth mentioned that residents were seeing dirty water in their sinks and toilets and that it was caused by sprinkler systems activating at the Seaport Inn and the former Shaw's building.

WELLNESS AGREEMENT

The Board had Thomas Crotty, Town Counsel, review the agreement and both he and Blue Cross Blue Shield of Massachusetts agreed upon the changes that were made. Mr. Haworth said that the only edit that would need to be made would be to add Town Administrator Mark Rees' name to the mailing portion of the document. Mr. Murphy requested clarification on the Taxes section, but Mr. Espindola stated that the document only allows those who are not covered by the Town's insurance to access the Wellness website for a \$100 fee and there are no other purchases that need to be made. Mr. Espindola agreed that this agreement will help greatly with the upcoming Wellness challenges that are being planned for April.

Mr. Murphy motioned to approve the Wellness Agreement between Blue Cross Blue Shield of Massachusetts and the Town of Fairhaven with the mailing changes added.

Mr. Espindola seconded. Vote was unanimous. (3-0)

COMMUNITY PARTNER AGREEMENT

The Board considered the Community Partner Agreement between the Town and the YMCA Southcoast in New Bedford. Mr. Espindola stated that it is a grant-funded pre-diabetic screening program that will be administered through the YMCA. The program is valued at \$429 per person who enters the program (up to 12 people) and includes a one year membership to the YMCA among other things to benefit their health. Mr. Murphy said that it was a great

agreement and is in full support of it. The Board recognized Linda Schick of the Wellness Committee for her hard work in securing the \$15,000 in Wellness grants for the Town.

Mr. Murphy motioned to approve the Community Partner Agreement between the Town and the YMCA Southcoast.

Mr. Espindola seconded. Vote was unanimous. (3-0)

BICYCLE FUNDRAISER EVENT

The Board reviewed a request to have the bicycle fundraiser event for the Mattapoissett Land Trust and the Friends of the Mattapoissett Bike Path to pass through Fairhaven on Sunday, May 22, 2016. Discussion ensued and Mr. Espindola stated that the event is taking volunteers. Mr. Haworth requested that the Public Works, Fire, and Police Departments are notified so the appropriate safety measures are taken.

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

TOWN ADMINISTRATOR APPOINTMENT

The Board reviewed the appointment of Mark Rees to the Retirement Board. Mr. Rees said that the Retirement Board reviewed the laws closer and found that he did not have to be a member of the Fairhaven Retirement System to be a member of the Retirement Board, though it is his intention over time to become a member of the Retirement System.

Mr. Murphy motioned to appoint Mr. Rees to the Retirement Board. Mr. Espindola seconded. Vote was unanimous. (3-0)

BUZZARDS BAY COALITION WATERSHED RIDE

The Board reviewed a request from the Buzzards Bay Coalition to hold its 10th Annual Watershed Ride on Sunday, October 2, 2016. Mr. Murphy and Mr. Espindola supported the event. Mr. Haworth also approved, but stated that they too will have to notify the Public Works, Police, and Fire Departments beforehand.

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

RESIGNATION ACCEPTANCES

The Board received a resignation letter from James Souza of the Community Preservation Committee as the Selectmen's Representative and thanked Mr. Souza for his service to the Town. Bill Roth stated that it was not a pressing issue to replace Mr. Souza and that the deadline for applications could be posted in mid-March. The Board decided on the deadline being March 28th. Mr. Murphy motioned to accept Mr. Souza's resignation from the Community Preservation Committee. Mr. Espindola seconded. Vote was unanimous. (3-0).

Mr. Murphy motioned to announce the vacancy for the Community Preservation Committee and set the deadline for applications to be March 28, 2016. Mr. Espindola seconded. Vote was unanimous. (3-0)

Mr. Murphy then amended the motion and requested that all applications be in for March 21, 2016, which is a week prior to the March 28th meeting. He motioned to rescind his previous motion for the vacancy. Mr. Espindola seconded. Vote was rescinded. (3-0)

Mr. Murphy motioned to announce the vacancy for the Community Preservation Committee and set the deadline for applications to be March 21, 2016. Mr. Espindola seconded. Vote was unanimous. (3-0)

The Board received a letter from the Fairhaven Bell Committee, notifying the Board of the resignation of Nancy Perry effective January 14, 2016. Doug Brady, chairman of the committee, stated in the letter that the committee is always looking for new members. The Board thanked Ms. Perry for her service to the Town.

Mr. Murphy made a motion to accept Ms. Perry's resignation from the Fairhaven Bell Committee. Mr. Espindola seconded. Vote was unanimous. (3-0)

POLL WORKERS FOR MARCH 1st PRESIDENTIAL PRIMARY

The following poll workers were approved by the Board for the March 1st Presidential Primary.

PRECINCT 1: Bernadette Costa, George Diggle, Janet Miranda, and Dave Miranda.

Mr. Murphy made the motion to accept the Precinct 1 Poll Workers. Mr. Espindola seconded. Vote was unanimous. (3-0)

PRECINCT 2: Mary Cunha, Christine Alphonse, Carol Fauteux, and Madeline Lavallee.

Mr. Murphy made the motion to accept the Precinct 2 Poll Workers. Mr. Espindola seconded. Vote was unanimous. (3-0)

PRECINCT 3: Lee Bichon, Mary Grace, Janice Sylvia, and Anne Ellis.

Mr. Murphy made the motion to accept the Precinct 3 Poll Workers. Mr. Espindola seconded. Vote was unanimous. (3-0)

PRECINCT 4: Nancy Perry, Pamela Green, Grace Gwodz, and Pamela Bettencourt.

Mr. Murphy made the motion to accept the Precinct 4 Poll Workers. Mr. Espindola seconded. Vote was unanimous. (3-0)

PRECINCT 5: Diane Rocha, Elaine Rocha, Patricia Pacella, and Rebecca Baker.

Mr. Murphy made the motion to accept the Precinct 5 Poll Workers. Mr. Espindola seconded. Vote was unanimous. (3-0)

PRECINCT 6: Joan Mello, Sandra Melanphy, Gloria McGreevy, and Michelle Letz.

Mr. Murphy made the motion to accept the Precinct 6 Poll Workers. Mr. Espindola seconded. Vote was unanimous. (3-0)

UNION WHARF CHANGE ORDERS

Bill Roth and Tim Cox spoke with the Board about the balancing change order #11 because there is a dispute regarding a cave-in on the East Wall and what are the contractor's responsibilities. Work was done with the engineer, the contractor, and the state DCR representative John Driscoll and a change order for the amount of \$22,500 was agreed upon because the timber landing would be eliminated. Mr. Roth said that with the timber landing, the change order would have been \$47,000. He requested that the Board approve Change Order #11 for \$22,500 for the East Bulkhead Obstruction Remediation and eliminated the timber landing, putting solid fill in its place.

Mr. Murphy motioned to approve Change Order #11 in the amount of \$22,500. Mr. Espindola seconded. Vote was unanimous. (3-0)

Mr. Roth and Mr. Cox then presented Change Order #12 for \$54,500 to replace the lighting. They have about \$68,000 left on the \$2.15 million grant-funded project and they are able to install 3 light poles with raised 3 and a half foot concrete foundations, aluminum poles, and LED lights. Mr. Cox said that they are hoping to be back in service at Union Wharf in mid-March and that they plan on putting LED lights on the lobster boats for security. Further discussion ensued.

Mr. Murphy motioned to approve Change Order #12 in the amount of \$54,500 for lighting. Mr. Espindola seconded. Vote was unanimous. (3-0)

The Board reviewed Payment Recommendation #7 for \$146,988.75. Mr. Roth said it had been signed off by the engineer and Mr. Driscoll.

Mr. Murphy motioned to approve Payment Recommendation #7 in the amount of \$146,988.75. Mr. Espindola seconded. Vote was unanimous. (3-0)

The Board congratulated Tim Cox on receiving his Captain's License to pilot 50-ton vessels and for finding a missing boater and for his efforts every single day.

CANDIDATES' NIGHT APPROVAL

Mr. Haworth abstained from discussion and voting on this item because he is up for re-election.

Mr. Murphy, Mr. Espindola, and Mr. Rees discussed approving March 9th for Government Access Candidates' Night at the Fairhaven Senior Center. Mr. Rees said that Administrative Assistant Anne O'Brien had no issue in helping organizing the Candidates' Night, but she expressed some concerns about choosing a panelist for the debate. Mr. Rees said he would like to choose someone outside of the Town Hall. Mr. Murphy said that in the past, an organization picked someone from the press to be a panelist, so choices would be made between someone from the Neighborhood News, the Standard-Times, and WBSM Radio. This way, citizens can submit respectful questions to be asked and it would be someone who doesn't have political ties. Mr. Espindola and Mr. Rees agreed, and Mr. Rees said he would put the word out with the press. Selectboard Vice-Chairman Charles Murphy will serve as moderator.

Mr. Murphy motioned to approve March 9th for the Government Access Candidates' Night. Mr. Espindola seconded. Motion carries (2-1 abstain).

EXTENSION OF RESPONSE DATE FOR ROGERS SCHOOL DEVELOPMENT

The Board discussed a letter received by Michael Tavares, rescinding his proposal for Rogers School. Because of this, there was no need for discussion on the topic.

CAR DEALER /REPAIR LICENSE COMPLIANCE

The Town had received site plans from 13 sites and they were reviewed by Wayne Fostin, Building Commissioner, and Bill Roth, Town Planner. There were errors found in the plans of many of them, but there were two who were ready to be granted full one-year licenses by the Board. The first was Howard's Auto Sales and the second was Sullivan Tire and Auto Service.

Mr. Murphy motioned to grant a full 2016 license to Howard Katz of Howard's Auto Sales. Mr. Espindola seconded. Vote was unanimous. (3-0)

Mr. Murphy motioned to grant a full 2016 license to Sullivan Tire and Auto Service. Mr. Espindola seconded. Vote was unanimous. (3-0)

SNOW AND ICE DEFICIT SPENDING

The Department of Public Works notified the Board that they are requesting approval to spend up to \$15,000 for the Snow and Ice Deficit.

Mr. Murphy motioned to approve Snow and Ice Deficit spending for up to \$15,000. Mr. Espindola seconded. Vote was unanimous. (3-0)

CAPITAL PLANNING REQUEST FROM EMERGENCY MANAGEMENT

Mr. Haworth read a letter from Marc Jodoin from the Emergency Management Agency, stating that the EMA were not contacted to submit Capital Planning requests for the second year in a row. Mr. Jodoin said that they were trying to contact Drew Tillett of the Capital Planning Committee but received no response, even after several attempts from Fire Chief Tim Francis on their behalf. On December 16, 2015, Mr. Tillett contacted the EMA and said they were too late to submit any requests and that the Capital Planning Committee was submitting its recommendations to the Board of Selectmen on December 21, 2015. Mr. Tillett also said that he was informed that all department heads were contacted. Mr. Haworth stated that he spoke with Mr. Tillett and Mr. Tillett said the EMA was accidentally overlooked and not intentional by any means. Mr. Jodoin told Mr. Haworth that he would like the EMA's Capital Planning requests at least reviewed, if not approved.

Mr. Rees said that in order to make sure that they get the opportunity to get the requests reviewed, he would add them to the ones he already has under the "Requested" column. Mr. Rees stated that he reserves the right to recommend or not recommend them, but at least they will be included with all other requests. Mr. Haworth requested that Mr. Rees contact Mr. Jodoin and John Rogers of the EMA and notify them of the decision.

REQUEST TO REMOVE 61A CLASSIFICATION FOR 197 NEW BOSTON ROAD

Mr. Rees stated that the Planning Board has reviewed the request to remove the 61A classification of 197 New Boston Road and recommended that the Town does not purchase this parcel of land. Mr. Rees said that he agrees with the Planning Board.

Mr. Murphy and Mr. Espindola agreed with that recommendation. Mr. Haworth said that it has no purpose for the Town and that the pilot agreement for taxes will be worked out but there is no reason that it be involved in the 61A process.

Mr. Murphy made the motion not to exercise the right of first refusal on 197 New Boston Road. Mr. Espindola seconded. Vote was unanimous. (3-0)

ECONOMIC DEVELOPMENT COMMITTEE/INDUSTRIAL DEVELOPMENT COMMISSION

Mr. Haworth stated that the Economic Development Committee wants to reconstitute the idea of a seven-member committee with 2 one-year terms, 2 two-year terms, and 3 three-year terms with a Selectboard representative, the Town Administrator, the Planning Director, a Planning Board representative, and three at-large members with ties and experience with businesses in Fairhaven. Mr. Haworth requested that the Board appoint him as the Selectboard representative and said that they would be asking for a Planning Board member representative and would be posting for three at-large members with ties and experience with businesses in town if this is adopted.

Mr. Murphy stated that he was in favor of this because it would put a new and greater set of eyes on the economic development of the Town. Mr. Espindola thanked Mr. Rees and Bill Roth for doing the research and compiling the information. Mr. Murphy read the mission statement of the Scituate, MA Economic Development Committee and thought it was an excellent model for what the Fairhaven Economic Development Committee should strive to be: “The mission of the Commission is to enhance existing business community, attract new business, attract new customers, and encourage redevelopment and new development as may be advisable in order to increase the Town’s property tax revenue, income, job base, and overall economic health.” Mr. Espindola agreed, and said that in addition of the composition of the committee, they have to compose a document outlying a mission statement and a list of tasks and goals for the Board of Selectmen to review.

Mr. Murphy said the Board had received a request letter on January 28, 2016 from John Seed who would like to be on the committee.

Mr. Murphy motioned to make the deadline for requests to join the Economic Development Committee March 4, 2016 with the appointment date on March 7, 2016. Mr. Espindola seconded. Vote was unanimous. (3-0)

WOOD STREET/WASHINGTON STREET/HEDGE STREET SIGN REQUESTS

The Board reviewed a letter from Fairhaven Safety Officer Laurie Cannon regarding sign requests for Wood Street, Washington Street, and Hedge Street. Mr. Rees said that Officer Cannon is requesting that the removal of the Dead End sign on Hedge Street and the No Parking Here to Corner sign on Wood Street, and is recommending the placement of a handicap parking sign on Washington Street. Discussion ensued.

Mr. Murphy motioned to approve the recommendations of Safety Officer Cannon regarding sign requests for Wood Street and Washington Street and for nothing to be done on Hedge Street. Mr. Espindola seconded. Vote was unanimous. (3-0)

LETTER FROM THE NEW BEDFORD CITY COUNCIL ON THE OPIOID CRISIS

The Board reviewed a letter from the New Bedford City Council requesting that the surrounding towns of Freetown, Acushnet, Dartmouth, Mattapoisett, Marion, Fairhaven, and Wareham inform the Council on what their plans are regarding the utilization of Town properties or future site plans relative to the opioid crisis and if there are any treatment centers or plans for in-patient or outpatient treatment in those towns. The letter states that the City of New Bedford’s resources are exhausted from the influx of residents from the surrounding cities and towns expending its resources, and the Council requests assistance in handling this crisis.

Discussion ensued and Mr. Rees stated that the Town belongs to the Greater New Bedford Medical Corps and the Board of Health is applying for a grant to handle the crisis. He spoke briefly with Board of Health Agent Patricia Fowle about it and requested that the Board of Selectmen authorize him to meet with the Board of Health to review the document from the New

Bedford City Council after Town Meeting. He is willing to provide leadership in leading interested parties both locally and regionally to put together a strategy for Fairhaven to begin to address this very serious problem. Mr. Rees stated that, with the permission of the Board, he would draft a letter in response to the City Council's letter to address the situation.

Mr. Murphy motioned to approve Mr. Rees be the designee of the Board to speak with the Board of Health and draft a letter to the City of New Bedford. Mr. Espindola seconded. Vote was unanimous. (3-0)

MEMO FROM PLANNING BOARD RE: ROGERS SCHOOL

The Board opted to pass over this memo, due to Michael Tavares withdrawing his proposal. Doug Brady of the Fairhaven Bell Committee gave the Board a copy of Mr. Tavares' letter. Mr. Tavares determined that it would take a lot of time and money to get approval before anything could be built. The Board determined that any other requests for the property will be addressed in the next meeting.

MEMO FROM THE TOWN PLANNER RE: PLANNING BOARD RESIGNATION

Mr. Rees stated that two incumbents have taken out papers for re-election and another person had taken out papers to fill the one-year vacancy. He, Mr. Roth, and Mr. Haworth agreed that since there were only two meetings until the election, there was no need to fill the vacancy until the election. Mr. Murphy thanked Kaisa Holloway Cripps for her time on the Planning Board and her volunteerism for the Town of Fairhaven. Mr. Espindola and Mr. Haworth agreed that it was sad to see her leave several boards, but they wish her the best for the future.

Under Other Business:

- In case it didn't make it to air because of technical difficulties, Mr. Murphy said that the Board held a moment of silence for Richard "Dick" Cromwell at the beginning of the meeting. Mr. Cromwell will be greatly missed.
- Mr. Espindola reviewed the Cable Advisory Committee's public outreach meeting. He said it was a light turnout, but he appreciated the questions about the new Cable Access/Emergency Management Agency building. Attorney Solomon, the consultant Mr. Sherwood, and Nancy Richard from Plymouth Area Cable TV spoke of the capabilities of the Town by having Public Access Television available and that there was a meeting scheduled for the following night, Thursday February 18, 2016. Mr. Espindola stated that the architect, Joe Booth, had drawing plans done but still had numbers to put together before it can be considered by the Board.
- The next regularly scheduled meeting of the Board of Selectmen is Monday, February 29, 2016 at 6:30pm, reviewing the budget summaries.

At 7:43 p.m. Mr. Murphy motioned to enter Executive Session, pursuant to MGL 30A § 21:

1. Ambulance bill waiver request – resident
2. Ambulance bill waiver request – municipality
3. Bargaining meeting – Union employees
4. Bargaining meeting – Non-Union employees

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,
Ashlee Lentini
Principal Clerk