



Fairhaven Board of Selectmen

October 2, 2017 Meeting Minutes

Present: Chairman Robert Espindola, Vice Chairman Daniel Freitas, Clerk Charles Murphy, Town Administrator Mark Rees, and Administrative Assistant Anne O'Brien.

Mr. Espindola called the meeting to order in the Town Hall Banquet Room at 6:33 p.m. The meeting was recorded by Cable Access.

MOMENT OF SILENCE

The Board held a moment of silence for the victims of the October 1, 2017 Las Vegas massacre, that left 58 people dead and 546 people injured. The Board also held a moment of silence for Ann Fostin, mother of employees Frank and Wayne Fostin.

MINUTES

- Mr. Freitas motioned to approve the minutes of the August 30, 2017 meeting, open session. Mr. Murphy seconded. Vote was unanimous. (3-0).
- Mr. Freitas motioned to approve the minutes of the September 12, 2017 meeting, open session. Mr. Murphy seconded. Vote was unanimous. (3-0).
- Mr. Freitas motioned to approve the minutes of the September 18, 2017 meeting, open session. Mr. Murphy seconded. Vote was unanimous. (3-0).

TOWN ADMINISTRATOR REPORT

Mr. Rees updated the Board on several matters:

- The Human Resources Director held five harassment training sessions, with the assistance of labor counsel. Attendance was required for town employees and strongly encouraged for volunteers.
- Mr. Rees held a productive meeting with members of MassDOT, BPW, SRPEDD and Rep. Straus' designee, to discuss traffic issues, crosswalk and signage needs at Benoit Square, on September 20.
- The Economic Development Committee met on September 19 to discuss a kick-off with XFM Associates for a Development Plan.
- The most recent department head meeting was held at the School Administration Building by the Information Technology department. Included in the discussion was the Town master plan, budget calendar and Community Preservation projects.

- HKT Architects was the winning bidder for the Facilities Improvement Plan. Work on this project will begin soon.
- Akuity Technologies has begun with an integrated IT plan for all Town departments.
- Bill Roth, Tim Cox and Mr. Rees met with Eric Dawicki of Northeast Maritime to discuss relocating NMI's marine assets to Fairhaven.
- On October 3, Bill Roth and Mr. Rees will attend a Massachusetts Municipal Association conference on the new Marijuana Law.

COMMITTEE LIAISON REPORTS

Under committee liaison reports:

- Mr. Freitas said that the Historical Commission met, and that the Rogers Memorial light in front of the High School has been repaired and is operational once again.
- Mr. Freitas said that the Marine Resources Committee will be discussing a possible need for repairs to the Hoppy's Landing building.
- Mr. Murphy said that the Commission on Disability met, and is sponsoring a sign language class for a limited number of residents. The COD will also be recommending an appropriation for further accessibility efforts at the Town Hall.
- Mr. Espindola said that the Southeastern Regional Transportation Association met, and that SRTA is slated to lose about 25 percent of its mechanics to retirement in the next couple years. As such, SRTA has partnered with vocational high schools to create a training program that will create a new pool of qualified mechanics for the organization.

LIBRARY TRUSTEE – SELECTMEN'S APPOINTEE

The Board reviewed a letter from Library Director Carolyn Longworth, recommending the re-appointment of Kathy Lopes to the Millicent Library Board of Trustees, as the Selectmen's appointee (Attachment A). Mr. Freitas motioned to appoint Ms. Lopes to the Selectmen's representative on the Millicent Library Board of Trustees. Mr. Espindola seconded. Vote was unanimous. (3-0).

OFF BROADWAY – USE OF TOWN HALL AUDITORIUM

The Board reviewed a request for use of the Town Hall auditorium, from Off-Broadway School of Dance. See Attachment B. Mr. Freitas motioned to approve the use of the Town Hall Auditorium for December 17, 2017, and approve the use of the auditorium for recitals on December 15 and 16; further, to waive the rental fee for the recital dates (12/15 and 12/16 only). Mr. Espindola seconded. Vote was unanimous. (3-0).

MEDEX PRESCRIPTION CHANGES

Mr. Rees reached out to Cook and Company to get more information on changing the formulary for Medex subscribers. Mr. Rees said that the Town could maintain current rates without changing the formulary for now, but a mandatory increase will be coming in 2019. The Board

requested informational sessions to be held prior to this increase, so Medex subscribers are prepared for the change.

Mr. Freitas motioned to maintain the Medex rate. Mr. Murphy seconded. Vote was unanimous. (3-0). Mr. Freitas motioned to maintain the current Medex formulary structure. Mr. Murphy seconded. Vote was unanimous. (3-0).

QUAHOG DREDGING

The Board reviewed correspondence from the Marine Resources Committee regarding quahog dredging regulations. See Attachment C. After some discussion, Mr. Freitas motioned to approve the deletion of rule #6 of the Town dredging regulations. Mr. Murphy seconded. Vote was unanimous. (3-0).

DOUGLAS WINE AND SPIRITS CHANGE OF DIRECTOR

The Board reviewed a requested change of directors for People's Liquors (Douglas Wine and Spirits). See Attachment D. Mr. Freitas motioned to approve the change of directors as requested. Mr. Murphy seconded. Vote was unanimous. (3-0).

REDUCING SPEED LIMIT

Mr. Rees updated the Board to the requirements involved in lowering the Town's speed limit to 25, per the Municipal Modernization Act. Town Counsel has reviewed the matter, and determined that the measure would need to be authorized by Town Meeting. The Board authorized Mr. Rees to work with Town Counsel on drafting an article for the next Town Meeting warrant.

EVERSOURCE WORK

Per the request of Mr. Espindola, the Board discussed communication from Eversource, regarding clear cutting and construction along David Drown Blvd. Mr. Espindola said that Eversource has indicated that this work is to improve accessibility to the lines and reduce liability. See Attachment E.

MASTER PLAN

At 7:06 pm, the Board met with Planning Board chairman Wayne Hayward and Director of Planning and Economic Development William Roth, to discuss progress on the Town's 2040 Master Plan.

Mr. Roth said that they are in the eighth month of a 12 month process, with three public hearings complete and a fourth scheduled. The project is on schedule and on budget. Mr. Hayward gave a brief history to how the RFP for the master plan was generated and what the final document will contain.

The Board thanked Mr. Roth and Mr. Hayward for their ongoing work.

OPIOID TASK FORCE

At 7:12 pm, the Board met with Peter DeTerra, chairman of the Board of Health, Mary Freire-Kellogg, Health Agent, Jeannine Lopes, Vice Chair of the Board of Health, and Police Chief Michael Myers, to discuss a Greater New Bedford regional Opioid Task Force, and the Town's partnership with Seven Hills to address the regional epidemic of opioid drug addiction. A representative was not present from the Fire Department, because the Fire Department was at a task force workshop in New Bedford at the same time as the meeting.

The discussion focused on communication efforts, outreach, and overdose/treatment response, including documentation.

At 7:42 p.m. Mr. Freitas motioned to enter executive session, pursuant to MGL Ch. 30A, section 21, to discuss strategy with respect to litigation – North Street. Mr. Murphy seconded. Roll call vote: Mr. Murphy in favor. Mr. Espindola in favor. Mr. Freitas in favor. Vote was unanimous. (3-0).

Respectfully,

Anne O'Brien

Anne O'Brien
Administrative Assistant
Minutes approved 10/30/2017

Documents appended:

- A. Letter from Carolyn Longworth re: Kathy Lopes reappointment to the Millicent Library Board of Trustees
- B. Application for use of the Town Hall Auditorium – Off Broadway Dance
- C. Letter from Marine Resource Committee re: quahog dredging regulations
- D. People's Liquors change of directors
- E. Email correspondence re: Eversource



Attachment A
The Millicent Library
Fairhaven, Massachusetts

September 19, 2017

Board of Selectmen
Town of Fairhaven
Fairhaven, MA 02719

Dear Selectmen,

Kathy Lopes is a Library Trustee appointed by the Board of Selectmen. Her term is ending with the September annual meeting.

I spoke with her about it and she would very much like to be reappointed to another term as a Trustee (new term will end 2021). She has been a valuable member of the board for several years.

Her address is:

Kathy L. Lopes
100 Cedar ST
Fairhaven, MA 02719
lopeska@aol.com
508-991-2194

Sincerely,

Carolyn Longworth
Library Director

SELECTMEN'S MEETING
Agenda Item

Application for Use of the Town Hall
Auditorium

From
OFF BROADWAY SCHOOL OF
DANCE
For
A dance recital

Date Requested

Sunday, December 17, 2017
5:00 PM-9:00 PM

Police Chief: ✓
Fire Chief: ✓
Bldg. Comm: ✓
Health Agent: ✓
Liability Cert.: ✓
Release Form: ✓

USE OF TOWN HALL AUDITORIUM

Please supply further information in regards to the event you are requesting to be held in the Fairhaven Town Hall Auditorium:

-Give complete description of event to be held:

A holiday-themed dance recital for children ages 3+

-Will any items be sold, given, exhibited, advertised or displayed? (Please describe):

Flowers, candy, and water will be sold.

-How many people are expected to attend event?:

350

-Will Food and/or drinks be served? (Please list); also SEE REGULATIONS FROM BOARD OF HEALTH ENCLOSED WITH THIS APPLICATION:

Boxed candy and water bottles.

Release and Indemnification Agreement

In consideration of the rental from the Town of Fairhaven ("Town") of the Town Hall Auditorium, the undersigned hereby releases and forever discharges the Town and its officers, agents and employees from all suits, claims and demands of any nature whatsoever, including for negligence, which he or she or his or her heirs or assigns may ever have for any personal or bodily injury, death or property damage arising out of, related to or resulting from, in whole or in part, the use of the premises as described above.

The undersigned further agrees, for him or herself and his or her heirs and assigns, to defend and indemnify the Town and its officers, agents and employees against all such suits, claims and demands by any third party, including invitees and others, and to save them forever harmless therefrom.

If any damage to the Town Hall Auditorium or any equipment or appurtenance therein, results from any act or neglect of the undersigned, its agents, guests, licensees or invitees, The undersigned shall be liable therefore and shall upon demand, reimburse the Town for all costs and expenses of such repairs and damages.

The undersigned hereby acknowledges that he or she has read and understands this release and Indemnification, and that if he or she is signing on behalf of another person or entity, he or she is authorized to do so and that such other person or entity intends to be fully bound hereby.

Signature:

Nicole Sanders

Printed Name:

Nicole Sanders

Date:

9/13/17

Before me,

Deen Pini

Witness Signature



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/20/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER FRANCIS L. DEAN AND ASSOCIATES, LLC 1776 S. NAPERVILLE ROAD, BLDG-B P.O. BOX 4200 WHEATON, IL 60189 www.fdean.com 800-745-2409	CONTACT NAME:	
	PHONE (A/C, No, Ext): 800-745-2409	FAX (A/C, No): 630-665-7294
	E-MAIL ADDRESS: info@fdean.com	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: United States Fire Insurance Company	
	NAIC # 21113	
INSURED SPORTS AND RECREATION PROVIDERS ASSOCIATION (PURCHASING GROUP) AND ITS PARTICIPATING MEMBERS: Off Broadway School of Dance 132 South Main St Acushnet, MA 02743	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES

CERTIFICATE NUMBER: USP245393

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			SRPGP-101-0716	06/22/2017 12:00 AM	06/22/2018 12:01 AM	GENERAL AGGREGATE	\$1,000,000.00
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						PRODUCTS - COM/OP AGG	\$1,000,000.00
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						PERSONAL & ADV INJURY	\$1,000,000.00
							EACH OCCURRENCE	\$1,000,000.00
	GEN'L AGGREGATE LIMIT APPLIES PER:						FIRE DAMAGE (Any one fire)	\$300,000.00
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						MED EXP (Any one person)	\$5,000.00
								\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Per accident)	\$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> HIRED AUTO						PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB						EACH OCCURRENCE	\$
	EXCESS LIAB						AGGREGATE	\$
	<input type="checkbox"/> OCCUR							\$
	<input type="checkbox"/> CLAIMS-MADE							\$
	DED							\$
	RETENTION \$							\$
							EACH OCCURRENCE	\$
							GENERAL AGGREGATE	\$
								\$
	GL Premium:							\$335.00

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Dance training including leaping, jumping, tuming, muscle stretching, lifts, basic tumbling

CERTIFICATE HOLDER

Off Broadway School of Dance
132 South Main St
Acushnet, MA 02743

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Francis L. Dean



ADDITIONAL INTEREST SCHEDULE

DATE (MM/DD/YYYY)
06/20/2017

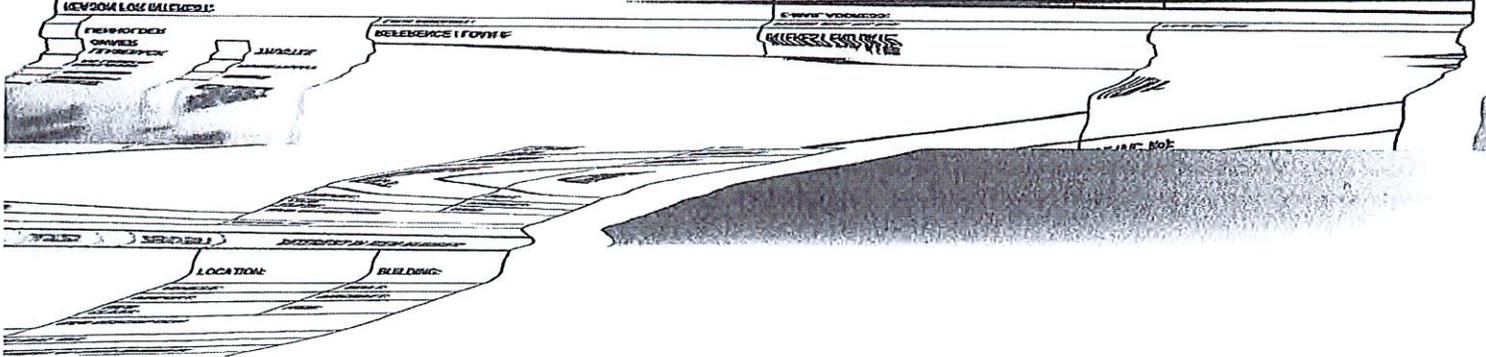
AGENCY		CARRIER United States Fire Insurance Company	NAIC CODE 21113
POLICY NUMBER SRPGP-101-0716/USP245393		EFFECTIVE DATE 06/22/2017	NAMED INSURED(S) Off Broadway School of Dance

ADDITIONAL INTEREST (Not all fields apply to all scenarios - provide only the necessary data)

INTEREST	NAME AND ADDRESS	RANK:	EVIDENCE:	CERTIFICATE	POLICY	SEND BILL	INTEREST IN ITEM NUMBER		
<input checked="" type="checkbox"/> ADDITIONAL INSURED <input type="checkbox"/> BEACH OF WARRANTY <input type="checkbox"/> CO-OWNER <input type="checkbox"/> EMPLOYEE AS LESSOR <input type="checkbox"/> LEASEBACK OWNER <input type="checkbox"/> LIENHOLDER <input type="checkbox"/> LOSS PAYEE <input type="checkbox"/> MORTGAGEE <input type="checkbox"/> OWNER <input type="checkbox"/> REGISTRANT <input type="checkbox"/> TRUSTEE	Zeiterion Theatre 684 purchase st new bedford, MA 02740							LOCATION:	BUILDING:
	REFERENCE / LOAN #:			INTEREST END DATE:			VEHICLE:	BOAT:	
	LIEN AMOUNT:			PHONE (A/C, No, Ex):			AIRPORT:	AIRCRAFT:	
				E-MAIL ADDRESS:			ITEM CLASS:	ITEM:	
REASON FOR INTEREST:							ITEM DESCRIPTION:		

INTEREST	NAME AND ADDRESS	RANK:	EVIDENCE:	CERTIFICATE	POLICY	SEND BILL	INTEREST IN ITEM NUMBER		
<input checked="" type="checkbox"/> ADDITIONAL INSURED <input type="checkbox"/> BEACH OF WARRANTY <input type="checkbox"/> CO-OWNER <input type="checkbox"/> EMPLOYEE AS LESSOR <input type="checkbox"/> LEASEBACK OWNER <input type="checkbox"/> LIENHOLDER <input type="checkbox"/> LOSS PAYEE <input type="checkbox"/> MORTGAGEE <input type="checkbox"/> OWNER <input type="checkbox"/> REGISTRANT <input type="checkbox"/> TRUSTEE								LOCATION:	BUILDING:
	REFERENCE / LOAN #:			INTEREST END DATE:			VEHICLE:	BOAT:	
	LIEN AMOUNT:			PHONE (A/C, No, Ex):			AIRPORT:	AIRCRAFT:	
				E-MAIL ADDRESS:			ITEM CLASS:	ITEM:	
REASON FOR INTEREST:							ITEM DESCRIPTION:		

INTEREST	NAME AND ADDRESS	RANK:	EVIDENCE:	CERTIFICATE	POLICY	SEND BILL	INTEREST IN ITEM NUMBER		
<input checked="" type="checkbox"/> ADDITIONAL INSURED <input type="checkbox"/> BEACH OF WARRANTY <input type="checkbox"/> CO-OWNER <input type="checkbox"/> EMPLOYEE AS LESSOR <input type="checkbox"/> LEASEBACK OWNER <input type="checkbox"/> LIENHOLDER <input type="checkbox"/> LOSS PAYEE <input type="checkbox"/> MORTGAGEE <input type="checkbox"/> OWNER <input type="checkbox"/> REGISTRANT <input type="checkbox"/> TRUSTEE								LOCATION:	BUILDING:
	REFERENCE / LOAN #:			INTEREST END DATE:			VEHICLE:	BOAT:	
	LIEN AMOUNT:			PHONE (A/C, No, Ex):			AIRPORT:	AIRCRAFT:	
				E-MAIL ADDRESS:			ITEM CLASS:	ITEM:	
REASON FOR INTEREST:							ITEM DESCRIPTION:		





Timothy Cox
Harbormaster

Attachment C
Town of Fairhaven
Department of Natural Resources
40 Center Street Fairhaven, MA 02719
(508) 984-4529 ext. 124

September 25, 2017

Town of Fairhaven
Board of Selectmen
40 Center Street
Fairhaven, MA 02719

RE: Amendment to the Quahog Dredge Regulations for the Town of Fairhaven

Dear Board of Selectmen,

On behalf of the Marine Resources Committee, we believe two revisions should be made to the Quahog Dredge Regulations for the Town of Fairhaven:

First, Rule #3 states "Dredge boats shall only be allowed to operate in all Fairhaven waters from Monday thru Friday of any given week, 8:15 a.m. to 4:00 p.m." The committee wishes to amend this rule, adding that dredge boats be able to access from the North of Egg Island to Chamber Street from December 1st through April 30th.

Second, Rule #6 states "No dredge boat shall be allowed any further North of Baxter Avenue, to a line drawn due West from the end of Baxter Avenue due to resource management restrictions." The committee wishes to remove this rule altogether from the Quahog Dredge Regulations for the Town of Fairhaven.

Sincerely,

Frank Coelho
Chairman, Marine Resources Committee

2017 SEP 27 A 8:53

Attachment D

SELECTMEN'S MEETING AGENDA ITEM

Note: For this transaction, attendance by applicant not required

Change of Officers/Directors Only

For

People's Super Liquor Stores, Inc.
d/b/a DOUGLAS WINE & SPIRITS
1 People's Way
Fairhaven, MA 02719

Bldg.-Not required for this transaction
Health-Not required for this transaction

Attachment E

From: [Mark Rees](#)
To: [Anne O'Brien](#)
Cc: [Bob Espindola](#)
Subject: FW: Eversource work at Sconticut Neck and David Drown Blvd
Date: Thursday, September 28, 2017 1:51:38 PM

Will do

From: Bob Espindola
Sent: Thursday, September 28, 2017 1:48 PM
To: Charles J. Tavares <charles.tavares@eversource.com>
Cc: Mark Rees <mrees@fairhaven-ma.gov>
Subject: Re: Eversource work at Sconticut Neck and David Drown Blvd

Charlie,

Thank you for the prompt response.

That is very helpful.

Anne ... If you can please include this under our correspondence for Monday I would appreciate that.

Thanks,

Bob

On Thu, Sep 28, 2017 at 1:30 PM, Charles J. Tavares <charles.tavares@eversource.com> wrote:

Good afternoon Bob:

It's good to hear from you.

The work you are seeing is part of a transmission line reliability improvement project we are doing. Eversource is replacing some of the older wood structures with steel. We are also improving the 13,200 volt distribution circuit below it as well.

I hope this is helpful and maybe we will see you again at Acushnet Co.

Sincerely,

Charlie

=====

Charles J. Tavares, Senior Account Executive - Eastern Region, MA
Eversource Energy
50 Duchaine Blvd.
New Bedford, MA 02745
[\(508\) 441-5832](tel:(508)441-5832)

✉charles.tavares@eversource.com



www.eversource.com

www.linkedin.com

* Please note my new address: [50 DUCHAINE BLVD, NEW BEDFORD, MA 02745](#)

From: Bob Espindola [mailto:selectmanbobespindola@gmail.com]

Sent: Thursday, September 28, 2017 11:59 AM

To: Charles J. Tavares <charles.tavares@eversource.com>

Cc: mrees ([fairhaven-ma.gov](mailto:mrees@fairhaven-ma.gov)) <mrees@fairhaven-ma.gov>

Subject: Eversource work at Scoticut Neck and David Drown Blvd

"EXTERNAL EMAIL SENDER: Do not click on links or attachments if sender is unknown or if the email is unexpected from someone you know, and never provide a user ID or password."

Charlie,

I hope things are going well for you. I understand we will be seeing you at Acushnet Company again one of these days soon.

As far as the Town of Fairhaven goes, can you tell me what all the work on David Drown Blvd and just across Scoticut Neck Road is about? I can see new steel poles going up. Is that a reliability issue being addressed or is there new service running through there?

I know people in town are curious and I'd like to be able to provide some sort of information during our next Board of Selectmen meeting this coming Monday night, if possible.

Thanks,

Bob

Cell [\(774\) 263-1046](tel:7742631046)

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