



# Fairhaven Board of Selectmen

## April 23, 2018 Meeting Minutes

**Present:** Chairman Daniel Freitas, Vice Chairman Charles Murphy, Clerk Robert Espindola, Town Administrator Mark Rees, and Administrative Assistant Vicki Paquette.

Mr. Freitas called the meeting to order in the Town Hall Banquet Room at 6:37 p.m. The meeting was recorded by Cable Access. An audio recording was made for the purpose of minutes.

### TOWN ADMINISTRATORS REPORT

Mr. Rees updated the Board on several matters:

- Mr. Rees reported that he will be presenting the wage and classification budget
- Mr. Rees has received word from ABC Disposal that they will discontinue their contract with the Town for the recyclables due to the increased costs. This may be an attempt to pressure the Town to pay more money. We are in negotiations with ABC to resolve the issue
- The Zoning Board of Appeals has met with the potential buyers of Oxford School. They are changing their 40B application from 63 units to 54
- Last week Mr. Rees attended the Mass Municipal Association environmental policy luncheon
- Mr. Rees attended the Fairhaven Improvement Association annual dinner on April 10, 2018 at the Wamsutta Club
- The Master Plan was approved by the Planning Board last Tuesday, April 10, 2018
- The Wellness Committee held the 3<sup>rd</sup> annual Wellness Fair on April 12, 2018
- Mr. Rees met with Mr. David Jones, who has offered his services to help fill the vacant Veteran's agent position

## **COMMITTEE LIASON REPORT**

Under Committee liaison reports:

- Mr. Espindola told the Board the last scheduled volleyball game sponsored by the Town Wellness Committee will be on Sunday, April 29, 2018 at 6:30 pm
- Mr. Espindola said SRPEDD will move forward with their study regarding potential sites for economic development
- Mr. Espindola stated there has been an issue with attendance for the SRTA meetings and they are asking for an alternate be appointed to help fill an absent position. Mr. Espindola also noted that he would like to see an alternate for the Library Trustees for the same purpose.

## **SELECTMENS MEETING SCHEDULE**

Mr. Murphy made a motion to approve the Selectmen's meeting schedule for the 2<sup>nd</sup> half of 2018. Mr. Espindola seconded. Vote was unanimous. (3-0) (See Attachment A)

## **FAIRHAVEN FIREFIGHTERS FISHING TOURNEMENT**

Mr. Murphy made a motion to approve the event permit for the Fairhaven Firefighters Association Local 1555 Fishing Tournament at West Island Marina and to waive the parking fees at Hoppy's Landing subject to the proceeds being used for charity. Mr. Espindola seconded. Vote was unanimous. (3-0)

## **SAINT JOSEPHS SCHOOL PROCLAMATION**

Mr. Freitas read a proclamation for Saint Joseph's Scholl congratulating them on their 110 year anniversary. Mr. Murphy will present the proclamation to the school on May 4, 2018 at their gala. Mr. Murphy made a motion to have the proclamation given to Saint Joseph's School for the 110<sup>th</sup> anniversary. Mr. Espindola seconded. Vote was unanimous. (3-0)

## **AL BENAC PORTRAIT**

Mr. Rees explained to the Board that Mrs. Berg and Mrs. Delano came to Mr. Rees asking permission to hang a portrait of Mr. Benac, in Town Hall. In attendance were Mrs. Cathy Delano, Mrs. Marta Berg and Mrs. Eleanor Crowell to present the portrait to the Selectmen. Mrs.

Delano explained that the portrait was given to them by Henry Gaitland and he has donated the frame. Mrs. Delano would like to see the portrait hang in the auditorium in the “Al Benac Gallery” among the many paintings and artwork that Mr. Benac was so key in obtaining for the Town. The Selectmen showed their support and thank the women for their great idea. Mr. Murphy made a motion to accept the picture of Mr. Benac for our Town Hall. Mr. Espindola seconded. Vote was unanimous. (3-0) (See Attachment B)

### **CDBG CONTRACT WITH FAIRHAVEN HOUSING AUTHORITY**

Mr. Rees told the Board that there is a minor adjustment to the CDBG contract with the Fairhaven Housing Authority. The contract needs to be accepted in the amount of \$524,784.06 and extending the time to December 31, 2018. Mr. Murphy made a motion to extend the date to December 31, 2018 in the amount of \$524,784.06 and to authorize the Chair to sign on behalf of the Board of Selectmen. Mr. Espindola seconded. Vote was unanimous. (3-0)

### **INDEMNIFICATION WITH BRALDEN, LLC**

Mr. Rees told the Board that the Fairhaven Protecting Society has possession of the Town’s antique fire truck known as Reserve Engine 4, the Maxim Pumper and are seeking a place to store it for the winter. Bralden LLC (Brahmin Leather Works, Inc) has agreed to garage the truck at its location at 265 Bridge Street. Mr. Murphy made a motion to authorize the Town Administrator to sign the indemnity agreement with Bralden LLC. Mr. Espindola seconded. Vote was unanimous. (3-0)

### **DIRECTOR OF PLANNING AND ECONOMIC DEVELOPMENT**

Mr. Rees introduce Gloria McPherson to the Board. Ms. McPherson has been chosen to become the Planning and Economic Development Director for Fairhaven. Ms. McPherson is a Umass, Amherst Graduate as well as a graduate of George Washington University. She has previous experience working with the City of New Bedford, MA, Provincetown, MA and Concord, New Hampshire. She has also worked for a construction company in the private sector. All Selectmen were impressed with her resume and stated they are looking to seeing how her background will fit into her position in Fairhaven. Mr. Murphy made a motion to approve the Town Administrator’s appointment of Gloria McPherson to the position of Planning and Economic Development Director. Mr. Espindola seconded. Vote was unanimous. (3-0)

### **BPW VACANCY**

Town Council Tom Crotty was in attendance to explain about the recent tie vote in the Board of Public Works between incumbent Robert Hobson and Albert Martin. Attorney Crotty explained

that normally if there was a tie vote for the seat on the BPW, the Massachusetts statute said failure to elect will result in the Board of Selectmen (BOS) and the Board of Public Works (BPW) will chose who takes the seat temporarily. Under a special act established by the BPW, it states that the BOS will fill the vacancy. Mr. Hobson had collected enough signatures but decided not to ask for a recount, but the time has run out for a re-count since this new information has become available. Attorney Louis Badwey has filed for a re-count in Superior Court as of this afternoon (April 23, 2018) on behalf of Mr. Hobson. The Judge has asked for everything to be put on hold until a hearing can be held on May 11, 2018. Until Mr. Hobson's successor is appointed he will remain on the BPW. Attorney Crotty explained that the Special Act isn't very clear and the Judge could decide that Mass General Law applies or the Special Act applies.

### **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)**

In attendance was BPW Superintendent Vincent Furtado to explain to the Board that he has negotiated to get the Town into compliance with the NPEDES. He further explained that 8 or 9 years ago the permit expired. The plant facility that the Town currently has was not designed to handle the amount of nitrogen that we currently have and the inner harbor currently has nitrogen problems. This will take the Town about 8 years to bring us into compliance. Mr. Furtado showed a timeline of the Fairhaven Capital and Compliance Plan. (See Attachment) Mr. Furtado said the time frame is that the rates will have to raise but they don't want to have to do it all at once as to not hit residents all at once with large fees. The Fairhaven Capital and Compliance plan order of consent has been approved by the BPW and Town Counsel. Article 20 on the Town Meeting warrant for \$180,000 to pay for affordability and alternative analysis studies. Mr. Murphy made a motion to authorize the Chair to sign on behalf of the Board the Consent Order. Mr. Espindola seconded. Vote was unanimous. (3-0) (See Attachment C)

### **CABLE TV FRANCHISE RENEWAL**

Mr. Rees explained that the preliminary assessment of denial allows the Town to gain more time to negotiate with Comcast. Mr. Murphy made a motion that the Board of Selectmen shall issue a preliminary assessment of denial. Mr. Espindola seconded. Vote was unanimous. (3-0)

### **ROGERS SCHOOL PROPERTY UPDATE**

Rogers Study Committee members Doug Brady, Nils Isaksen, Sue Loo and Gary Lavalette were in attendance to update the Board on the proposed project for Rogers School. Mr. Isaksen told the Board that it has received a preliminary proposal for Rogers School by New England Preservation and Development. Mr. Isaksen said the committee hasn't recieved anything further since the first time the developer met with them. Mr. Espindola said he was hoping this could be

further developed before Town Meeting. He would like to invite the Developer to a Selectmen's meeting to further discuss his plans.

### **PREPERATION FOR TOWN MEETING**

Mr. Rees presented a spreadsheet to the Board showing some minor shortfalls for the end of FY 18. There is \$82,000 from surplus revenue under Article 5 to cover the deficit. Mr. Murphy made a motion to recommend at Town Meeting the transfer of \$82,000 to the line items in Article 5. Mr. Espindola seconded. Vote was unanimous. (3-0)

Mr. Rees explained to the Board the Pay and Classification is important because it gives the Town more market compatibility. A consultant was hired to come in and classify various positions but has not come back with the final plan. This is based purely on job duties not job performance and not based on the person currently holding the position. Mr. Rees presented a spreadsheet to show how Fairhaven compares to other towns. Some positions are under paid compared to other towns. Mr. Murphy thanked Mr. Rees for his hard work and noted that for years the Personnel Board has struggled to get this done. Mr. Espindola pointed out to the Board that Mr. Rees obtained a grant to pay for the compensation consultant. Mr. Rees told the Board that at next week's meeting he will present the COLA Reserve for non-union employees.

### **JULY 4<sup>TH</sup> PARADE**

Mr. Rees told the Board he was approached by a resident regarding the July 4<sup>th</sup> parade. This person was looking to see if the Town would like to put together a 4<sup>th</sup> of July Parade Committee. Mr. Espindola thought this was a nice idea and would like to see other residents come out and volunteer. Mr. Rees will speak with Tourism Director Chris Richard on the subject. Mr. Murphy made a motion to form a parade committee. Mr. Espindola seconded. Vote was unanimous. (3-0)

### **PROMOTION OF LOCAL ELECTIONS**

Chairman Freitas spoke about his concerns regarding the recent local election in Town. There were only 6% of voters that came out to vote. Selectmen discussed ways that the residents can be notified when there are upcoming elections and possible ways to promote people to come out to vote.

### **MARINE CORPS LEAGUE 82<sup>ND</sup> CONVENTION**

Rick Sequin, Del Garcia and Bill Marmen from the Greater New Bedford Marine Corps League were in attendance to speak to the Selectmen about a convention that the Marine Corps League will be hosting from May 30, 2018 to June 3, 2018 at the Seaport Inn. There is a weekend of

activates for Marines as well as a memorial service for fallen marines. They are inviting local businesses to participate. (See Attachment D)

### **KENO TO GO**

Chairman Freitas read a letter from the Massachusetts State Lottery Commission regarding the KENO To Go. In accordance to M.G.L. c 10, section 27A, as amended, the Lottery's intent is to install a monitor at two locations: Friendly Farm Convenience, 121 Sconticut Neck Road and Scuttlebutts, 407 Main Street.

### **LETTER FROM JOHN POND**

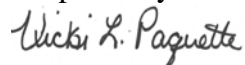
Chairman Freitas read a letter from resident John Pond regarding two trees that were slated to be removed and the Eagle Scout project at Little Bay. Mr. Rees explained that the newly elected Tree Warden, G.B. Knowles IV, had recently held a public hearing regarding the trees in question and will be doing more research to see if the trees should remain. In the matter of the stone house at Little Bay, Mr. Pond wants to see the Fairhaven Police go to check and make this a priority. Mr. Espindola reminded the Board that two members of the Board of Public Works have offered to pay out of their pocket to install surveillance cameras.

### **OTHER BUSINESS**

Mr. Murphy praised Dartmouth Total Fitness trainer Julie Fostin for all her efforts with the Wellness Committee. Mr. Espindola mentioned that the West Island 5K was this weekend and the F.A.L.L. Parade was on Saturday. Mr. Espindola also noted that V-Bikes is pulling out of our area but he will be looking at an alternative for the future. Mr. Freitas sent his thoughts to the family of Gill Santos, longtime the radio voice of the New England Patriots for 36 seasons and former resident of Fairhaven. Mr. Santos was a 1956 graduate of Fairhaven High School.

Mr. Murphy made a motion to adjourn at 8:58 pm. Mr. Espindola seconded. Vote was unanimous. (3-0)

Respectfully



Vicki L. Paquette

Administrative Assistant

(Approved on 5/14/2018)

**Documents appended:**

**A: Selectmen's schedule 2<sup>nd</sup> half of 2018**

**B: Al Benac portrait and letter**

**C: Fairhaven Capital and Compliance Plan**

**D: Marine Corps League Convention Agenda**



Town of Fairhaven  
Massachusetts  
Office of the Town Administrator  
40 Center Street  
Fairhaven, MA 02719

# Attachment A

Tel: (508) 979-4023  
Fax: (508) 979-4079  
selectmen@Fairhaven-MA.gov

## MEMO

Date: April 24, 2018

From: Mark Rees, Town Administrator

To: Town Departments

Re: Selectmen's Meeting Schedule for the 2<sup>nd</sup> half of calendar year 2018

Please be advised of the end of calendar year 2018 Selectmen's Meeting schedule:

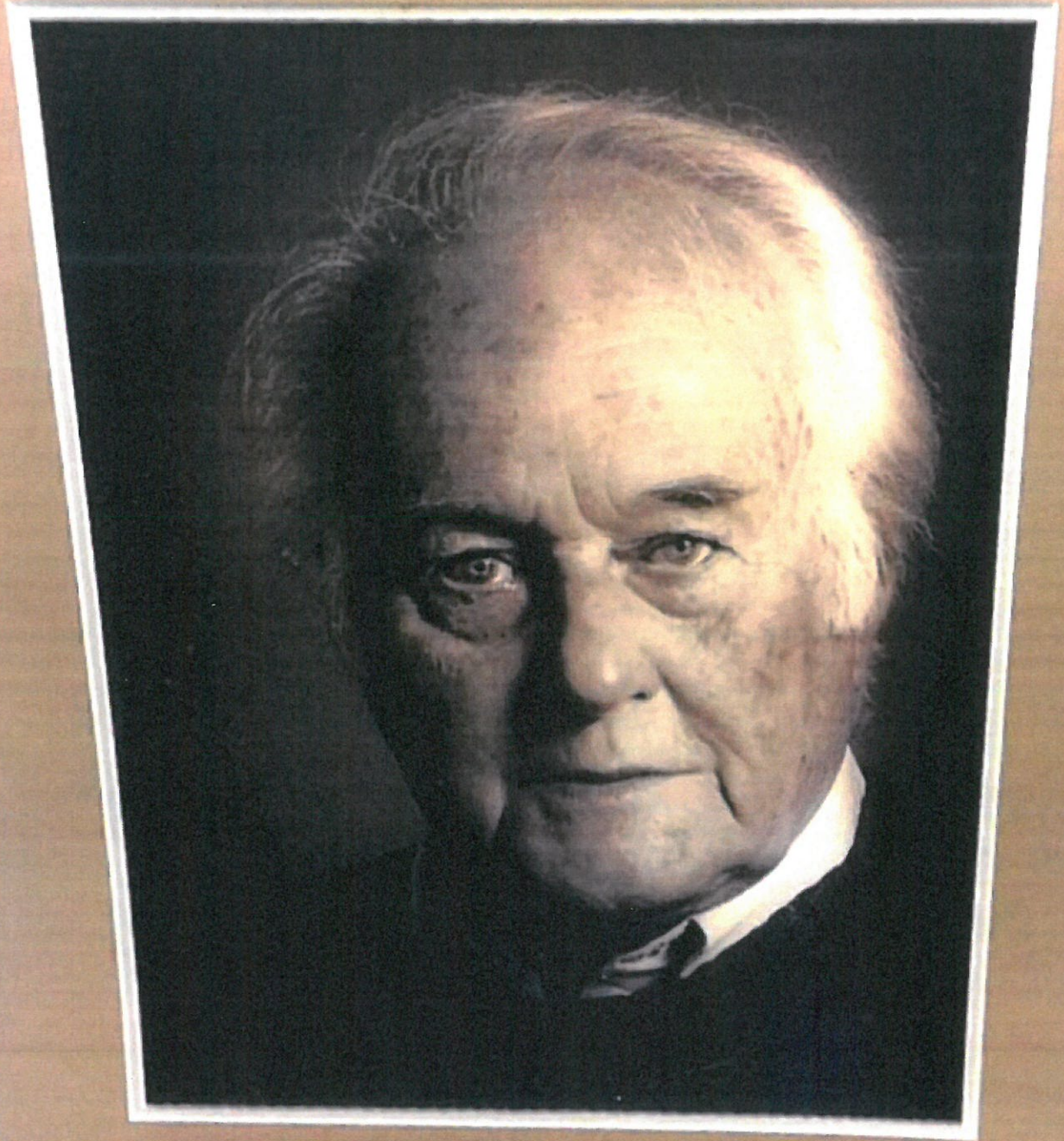
The Selectmen's Meeting schedule has been set for the second half of 2018. The meeting schedule is:

- Monday, July 16, 2018
- Monday, August 13, 2018
- Monday, September 10, 2018
- Monday, September 24, 2018
- Monday, October 1, 2018
- Monday, October 22, 2018
- Monday, November 5, 2018
- Monday, November 19, 2018
- Monday, December 3, 2018
- Monday, December 17, 2018

Thank you.



Attachment B





Dear Mr. Reese,

Have you been able to  
talk to the Board of Selectmen  
about our request to have the  
picture of Albert (Al) Bender,  
former curator of art for the  
Town of Taubman before  
his death February 1, 2018,  
hanging in the Town Hall?

Sincerely -

Martha Berg

Cathy Orlano

Berg { 508-997-8517  
{ cybergmiba@comcast.net

Fairhaven Capital & Compliance Plan																																																																				
ID	Task Name	Duration	Start	Finish	2018		2019				2020				2021				2022				2023				2024				2025				2026				2027				2028				2029																					
					Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
1	Preliminary Treatment & PS Upgrades	385 da...	Mon 7/24/17	Fri 1/11/19	[Gantt Bar]																																																															
2	<b>2018 Annual Town Meeting</b>	<b>0 days</b>	<b>Sat 5/5/18</b>	<b>Sat 5/5/18</b>	[Milestone 5/5]																																																															
3	End Anaerobic Digester Operation	0 days	Mon 5/7/18	Mon 5/7/18	[Milestone 5/7]																																																															
4	Affordability Analysis	130 days	Sun 7/1/18	Thu 12/27/18	[Gantt Bar]																																																															
5	Compliance Alternatives Analysis	260 days	Sun 7/1/18	Thu 6/27/19	[Gantt Bar]																																																															
6	West Island Plant Improvements	390 days	Sun 7/1/18	Thu 12/26/19	[Gantt Bar]																																																															
7	Update Existing Conditions	260 days	Sun 7/1/18	Thu 6/27/19	[Gantt Bar]																																																															
8	Expanded Influent Sampling Program	520 da...	Sun 7/1/18	Thu 6/25/20	[Gantt Bar]																																																															
9	<b>2019 Annual Town Meeting</b>	<b>0 days</b>	<b>Sat 5/4/19</b>	<b>Sat 5/4/19</b>	[Milestone 5/4]																																																															
10	Phase 1 I/I Project	260 da...	Mon 7/1/19	Fri 6/26/20	[Gantt Bar]																																																															
11	<b>2020 Annual Town Meeting</b>	<b>0 days</b>	<b>Sat 5/2/20</b>	<b>Sat 5/2/20</b>	[Milestone 5/2]																																																															
12	Design Nitrogen Upgrade	520 da...	Mon 7/6/20	Fri 7/1/22	[Gantt Bar]																																																															
13	Phase 2 I/I Project	260 da...	Wed 7/1/20	Tue 6/29/21	[Gantt Bar]																																																															
14	<b>2021 Annual Town Meeting</b>	<b>0 days</b>	<b>Sat 5/1/21</b>	<b>Sat 5/1/21</b>	[Milestone 5/1]																																																															
15	Design Pump Station Improvements	180 days	Thu 7/1/21	Wed 3/9/22	[Gantt Bar]																																																															
16	Phase 3 I/I Project	260 da...	Thu 7/1/21	Wed 6/29/22	[Gantt Bar]																																																															
17	<b>2022 Annual Town Meeting</b>	<b>0 days</b>	<b>Sat 5/7/22</b>	<b>Sat 5/7/22</b>	[Milestone 5/7]																																																															
18	CWSRF Application	40 days	Fri 7/1/22	Thu 8/25/22	[Gantt Bar]																																																															
19	CWSRF IUP Issued	0 days	Sun 1/15/23	Sun 1/15/23	[Milestone 1/15]																																																															
20	Phase 4 I/I Project	260 da...	Fri 7/1/22	Thu 6/29/23	[Gantt Bar]																																																															
21	Tabor Street Sewer Rehab Phase 2	260 days	Fri 7/1/22	Thu 6/29/23	[Gantt Bar]																																																															
22	Bid Pump Station Improvements	80 days	Mon 2/6/23	Fri 5/26/23	[Gantt Bar]																																																															
23	Bid Nitrogen Upgrade	80 days	Mon 2/6/23	Fri 5/26/23	[Gantt Bar]																																																															
24	<b>2023 Annual Town Meeting</b>	<b>0 days</b>	<b>Sat 5/6/23</b>	<b>Sat 5/6/23</b>	[Milestone 5/6]																																																															
25	Construct Nitrogen Upgrade	650 da...	Sat 7/1/23	Thu 12/25/25	[Gantt Bar]																																																															
26	Construct Pump Station Improvements	390 da...	Sat 7/1/23	Thu 12/26/24	[Gantt Bar]																																																															
27	<b>2024 Annual Town Meeting</b>	<b>0 days</b>	<b>Sat 5/4/24</b>	<b>Sat 5/4/24</b>	[Milestone 5/4]																																																															
28	<b>2025 Annual Town Meeting</b>	<b>0 days</b>	<b>Sat 5/3/25</b>	<b>Sat 5/3/25</b>	[Milestone 5/3]																																																															
29	Optimize Ultimate Nitrogen System	200 days	Fri 12/26/25	Thu 10/1/26	[Gantt Bar]																																																															

Project: Capital and Compliance Sched Date: Tue 3/13/18	Task		Project Summary		Manual Task		Start-only		Deadline	
	Split		Inactive Task		Duration-only		Finish-only		Progress	
	Milestone		Inactive Milestone		Manual Summary Rollup		External Tasks		Manual Progress	
	Summary		Inactive Summary		Manual Summary		External Milestone			

**Marine Corps League**  
**82nd**  
**Department Convention**



**Attachment D**  
**Dept. of Massachusetts**  
 Commandant Dave Porter  
 Sr. Vice Jim Sottile  
 Jr. Vice Cmdt Richard Broadnax  
 JA Carlos Vieira

## CONVENTION AGENDA

<b>WEDNESDAY May 30</b>
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1500 Check-in & Registration for early arrivals- dinner on your own or scheduled tour

<b>THURSDAY MAY 31st</b>
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1200 - ??	Acushnet River Valley Golf Course	685 Main St, Acushnet MA
0900 -1200	Registration Open	Hospitality Room
0900 -1400	Ships Stores Open	Hospitality Room
0900 -1400	Hospitality Room Open	Hospitality Room
0900 - 1200	Harbor Tour, 1 ½ Hrs. Narrated Tour Workshops (TBD)	
1200	Lunch	on Your Own
1300 - 1700	Hospitality Room (Taste of New Bedford, sightseeing, shopping, tours, Casinos, Workshops TBD)	
1700 -	Burger Burn Honorary Host Paul T. O'Reilly	VFW (Across the Street)
1700	You may also choose a tour or other diversion (i.e. Casino, Shopping, Private Tour of Local Military Museum)	

<b>FRIDAY June 1st</b>
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0800 - 1500	Golf	
0900 - 0900	Registration Open-Ship Store-Hospitality-Open Hospitality Room	
Time TBA	Harbor Tour Narrated Tour - Workshops	
1200 -1330	Lunch	On Your Own
1330 -1400	Commandants Council	Hospitality Suite
1400 -1550	Board of Trustees	Hospitality Suite
1600 -1700	Opening Ceremony	Banquet Hall
1700	MCL Raffle Drawing	Hospitality Room
1700 - 1750	Ships Stores Open	Hospitality Room
1700 - 1750	Hospitality Room	Hospitality Room
1800 - 1950	Clam/Lobster Boil	Fairhaven VFW
1900 ?	Grand Growl - 50/50 Raffle	Fairhaven VFW

<b>SATURDAY June 2nd</b>
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0800 - 0900	Registration Open	Hospitality Suite
0900 - 1130	Business Meeting Reopens	Banquet Hall
1145 - 1200	Memorial Service (Fort Phoenix Cannon Salute -Fort Phoenix)	
1200 - 1300	Lunch on your own or at the Fort	
1300 - ?????	Elections and Convention Closes	Banquet Hall
1800 - 1900	Light Hors D'oeuvres and Comraderie	Banquet Hall
1900 - ?????	Dinner and dancing	Banquet Hall

<b>SUNDAY JUNE 3rd</b>
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0930 - 1000	New Board of Trustees Meeting	Hospitality Room
1000 - 1100	Hotel Reimbursement	Hospitality Room

**Subject to Changes**