

Selectmen's Meeting – February 9, 2009

Mr. Silvia, Dr. Bowcock and Mr. Murphy were present.

Also in attendance was Jeffrey Osuch.

Mr. Silvia called the meeting to order at 6:30 p.m.

Mr. Silvia requested a moment of silence for Robert Bosworth, who passed away on Saturday.

Mr. Bosworth was Chairman of the Board of Public Works and very active in the North Fairhaven Improvement Association, as well as a member of many other groups in Town. He was very dedicated to his Town and will be greatly missed. The Board offered their condolences to his family and friends.

The wake will be held on Wednesday, February 11th, from 4:00 – 8:00 p.m. at Saunders Funeral Home in Mattapoisett. On Thursday, February 12th at 11:00 a.m., a ceremony will be held at Saunders and then proceed to the cemetery.

MINUTES OF FEBRUARY 2, 2009

Dr. Bowcock motioned to approve the minutes of February 2, 2009. Mr. Murphy seconded. Vote was unanimous.

Dr. Bowcock motioned to approve the minutes of the February 2, 2009 executive session. Mr. Murphy seconded. Vote was unanimous.

LIQUOR LICENSE HEARING DAVLAU CORP. D/B/A DOWN THE HATCH

Liquor License Hearing, for an altered premise transaction, continued from December 1, 2008 for Davlau Corp. d/b/a Down the Hatch was called to order at 7:00 p.m. Matthew Hebert, Manager, was present. Mr. Hebert explained he is working with the Board of Health and DEP regarding the septic system. He is waiting for correspondence from DEP and can't move forward until advice/recommendations are received from DEP and the Board of Health. Dr. Bowcock motioned to continue the hearing to March 23, 2009. Mr. Murphy seconded. Vote was unanimous. Mr. Hebert was reminded that the current Liquor License was renewed with the original conditions. Until the altered premise transaction is complete, the original "footprint" must be used.

POLICE DEPARTMENT

The Police Chief was in attendance and reviewed his FY 2010 budget request. Issues discussed included the School Resource Officer Program, which will no longer be funded

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by the State, the State's underfunding of the Quinn Bill and the discontinuance of central dispatching.

Mr. Silvia read the recommendation from the Police Chief to increase the fine for parking within a bus stop to \$100.00 in accordance with Chapter 465 of the Acts of 2008. (See attached.) Dr. Bowcock motioned to approve the increase. Mr. Murphy seconded. Vote was unanimous. The Police Chief will contact SRTA to verify bus stop sign locations.

EXECUTIVE SECRETARY'S REPORT

Mattapoissett River Valley Advisory Committee will meet on February 10, 2009 at 4:00 p.m. at the Board of Public Works.

Mattapoissett River Valley Water District Committee will meet on February 10, 2009 at 4:30 p.m. at the Board of Public Works.

A regional "Summit Meeting" for surrounding communities to discuss ways to combine and regionalize will be held at the Apponequet High School on February 10, 2009 beginning at 6:00 p.m.

Clerical Union meeting will be held on February 11, 2009 at 3:00 p.m. at Town Hall.

The Town's Economic Study Committee Meeting held on February 5, 2009 is scheduled to continue at 1:00 p.m. on February 12, 2009.

Finance Committee will meet on February 12, 2009 at 7:00 p.m. at the Board of Public Works.

Monday, February 16, 2009 is President's Day and Town Hall will be closed.

Mr. Osuch will attend the SEMASS meeting on February 18, 2009 from 10:00 a.m. to 12:00 noon.

Buzzards Bay Advisory Committee will meet on February 19, 2009 at 12:00 noon in Wareham.

Dispatcher Union Meeting is scheduled for February 19, 2009 at 12:30 p.m.

South Coast Wind Power Collaborative will meet at the Marion Music Hall on February 23, 2009 from 7:00 to 9:00 p.m.

A meeting to discuss the Howland Road Project is scheduled for February 24, 2009 at 10:00 a.m. at the District 5 Office in Taunton.

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Mr. Osuch summarized the letter from Skipper Realty, LLC, 110 Middle Street, requesting the Town fund a percentage to replace the seawall. (See attached.) The Board will review the matter.

Dr. Bowcock motioned to sign the "Waste Disposal Services Agreement" with Lombards Waste Services, Inc., 367 Rear Court Street, Unit 1, Plymouth, MA Mr. Murphy seconded. Vote was unanimous.

Dr. Bowcock motioned to authorize payment in the amount of \$12,371.03 to Contractors Network, Inc., 190 Taunton Avenue, Seekonk, MA. Mr. Murphy seconded. Vote was unanimous. (Union Wharf Building Emergency Repairs)

SCHOOL DEPARTMENT

Dr. Bowcock stated FY 10 Budgets were due January 21, 2009. To date, the School Committee has not submitted a budget. The School Budget is needed to begin making decisions for FY 10. Br. Bowcock requested the School Committee submit a "line item" budget, just like every other department. Mr. Osuch will contact the School Committee.

ANIMAL SHELTER GIFT ACCOUNT

Donations to the Gift Account totaling \$260.00 were accepted.

BUILDING DEPARTMENT

Construction Report for January 2009 will be placed on file

BOAT RAMPS & WATERFRONT RECREATIONAL PROPERTY COMMITTEE

Mr. Silvia read the letter from the Chairman of the Boat Ramps and Waterfront Recreational Property Committee requesting the Selectmen consider restoration measures for the stone barn at Little Bay. (See attached.) The Board agreed to add this to the list of potential projects if any "stimulus" money is received.

NATURAL RESOURCE DEPARTMENT

Mr. Silvia read the letter from the Shellfish Constable requesting the Board of Selectmen move "the line back to Baxter Avenue for the dredge boats" and reduce the number of Commercial Shellfish Licenses issued from 75 to 35. (See attached.) Dr. Bowcock motioned to move the boundary line back to Baxter Avenue for the dredge boats and cap the number of Commercial Licenses at 35. Mr. Murphy seconded. Vote was unanimous.

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ANNUAL TOWN ELECTION

Mr. Silvia read the list of Poll Workers for the April 6, 2009 Annual Town Election. (See attached.) Dr. Bowcock motioned to approve the list. Mr. Murphy seconded. Vote was unanimous.

SEMASS

Mr. Osuch summarized the Memorandum of Understanding to the Town's waste disposal agreement with SEMASS Partnership. (See attached.) Dr. Bowcock motioned to sign the Memorandum of Agreement. Mr. Murphy seconded. Vote was unanimous.

2009 LICENSE RENEWALS

Dr. Bowcock motioned to approve renewal of the Car Dealer License and Car Repair Licenses for O'Hara Mazda. Mr. Murphy seconded. Vote was unanimous.

Dr. Bowcock motioned to approve a Car Repair License for Leban Fuel, Inc. d/b/a Fairhaven Getty. Mr. Murphy seconded. Vote was unanimous.

ANNUAL TOWN MEETING

An article will be placed on the Annual Town Meeting Warrant for Trench Safety Regulations. The Department of Public Safety submitted two draft articles. One article gives the authority to the Board of Public Works Superintendent to issue trench permits, the other gives the authority to the Board of Selectmen to designate a Board or Officer to issue permits. Dr. Bowcock motioned to table the matter. Mr. Murphy seconded. Vote was unanimous. The Board of Public Works will discuss the matter at their next meeting.

Use of Engineering Funds to prepare plan(s) and legal description(s) for street acceptances will be decided at the next Selectmen's Meeting on February 23, 2009.

COLONIAL LIFE

Robert Potter, District General Agent for Colonia Life, briefly explained the proposal to have Colonial Life provide voluntary benefits to Clerical Union employees. Mr. Potter is requesting a "payroll slot". Dr. Bowcock motioned to approve the request. Mr. Murphy seconded. Vote was unanimous. A minimum of ten (10) employees is required.

SELECTMEN'S MEETING

Dr. Bowcock motioned to schedule a Selectmen's Meeting for Friday, February 13, 2009 at 12:00 noon. Mr. Murphy seconded. Vote was unanimous. The purpose of the meeting is to determine if a Special Town Meeting needs to be called. If a written and signed

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agreement to reduce budgets by 1% for FY 09 is not received from departments, a Special Town Meeting will be scheduled for March. The Town is facing a shortfall of \$273,000. for FY 09. The cost of a Special Town Meeting is approximately \$4,000.

OTHER MATTERS

Mr. Murphy offered condolences to the family and friends of Jim L'Italian, who passed away this week. Mr. L'Italian's family thanked the Police and the Police Chief for their help during this crisis.

Mr. Murphy stated he was very impressed with the new design of the Pasta House. Their official grand re-opening was today.

Mr. Murphy read to his son CJ's second grade class at St. Joseph's School during Catholic Schools Week and received many hand written thank you notes. Mr. Murphy commended St. Joseph's School for "doing a lot with a little".

Mr. Murphy read a letter from the Commission on Disability regarding volunteer jobs/job sampling in Fairhaven for people with disabilities. (See attached.)

Mr. Murphy said he met with the Planning Team on Emergency Preparedness Special Population Meeting at the Housing Authority. Meetings will be ongoing and monthly to try to ensure continued planning in the event of and type of emergency situation. He said representatives are from the Police Department, Fire Department, Housing Authority, EMS, Council on Aging and Board of Health. Mr. Murphy is also a member.

Mr. Silvia announced that Ann Richard will be honored by the North Fairhaven Improvement Association as an "Outstanding Person" on March 7, 2009 at the Century House.

EXECUTIVE SESSION

At 8:00 p.m., Dr. Bowcock motioned to go into executive session to discuss accident cases involving Police Officers, the High School "hazing" law suit, contract issues for Police, Fire, Dispatcher and Clerical Unions employees, a proposed Municipal Sewer Agreement with New Bedford, the Teresa Darwin case and not to reconvene in open session. Mr. Murphy seconded. Vote was unanimous. Roll call vote 3-0.

Jan St. Germain
Secretary