



Fairhaven Board of Selectmen

February 4, 2013 Meeting Minutes

Present: Selectman Chairman Brian Bowcock, Vice Chairman Charles Murphy, Clerk Robert Espindola, Executive Secretary Jeffrey Osuch, Administrative Assistant Anne Kakley.

Chairman Brian Bowcock called the meeting to order in the Town Hall Banquet Room at 6:34 p.m.

MINUTES

- Mr. Murphy motioned to approve the minutes of the **January 22, 2013** meeting, **open** session. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Mr. Murphy motioned to approve the minutes of the **January 22, 2013** meeting, **executive** session. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Mr. Murphy motioned to approve the minutes of the **January 24, 2013** meeting, **open** session. Mr. Espindola seconded. Vote was unanimous. (3-0).

EXECUTIVE SECRETARY'S REPORT

In his report, Mr. Osuch updated the Selectmen on the following meetings:

- Tuesday, **February 5** –
 - 10:00 a.m. – Wood School Job Meeting
 - 2:00 p.m. and 6:00 p.m. – Discrimination and Harassment Training for departments
- Wednesday, **February 6** –
 - 10:00 a.m. – FEMA – Hurricane Sandy
- Thursday, **February 7** –
 - 8:00 a.m. to 1:00 p.m. – UMass Dartmouth – Alternative Energy Meeting
 - 7:00 p.m. – Finance Committee
- Friday, **February 8** –
 - 9:00 a.m. – Meeting with Sprint representative John Wilson
- Monday, **February 11** –
 - 9:30 a.m. – Monthly Council on Aging meeting

- 3:00 p.m. – Worker’s Compensation meeting with Bonnie Brook
 - 6:30 p.m. – Selectmen’s Budget meeting
- Tuesday, **February 12** –
 - 10:00 a.m. – Wood School Job Meeting
 - 3:30 p.m. – Mattapoisett River Valley Advisory Committee meeting at BPW
 - 4:30 p.m. – Mattapoisett River Valley District Committee meeting at BPW
 - 6:30 p.m. – New School Committee at the Town Hall
- Thursday, **February 14** –
 - 12:30 p.m. – Economic Summit Meeting
 - 2:00 p.m. – Police negotiations
 - 3:30 p.m. – Dispatchers negotiations
 - 7:00 p.m. – Finance Committee

WOOD SCHOOL UPDATE

In his school construction update, Mr. Osuch said that the mason had completed brickwork and the roofers were continuing with their work. The brickwork needs to be washed. Sheetrock has begun and is a month ahead of schedule. Despite some setbacks, the project is, overall, slightly ahead of schedule.

FINANCIAL POLICIES DRAFT

Dr. Bowcock noted that the Board had received from Mr. Osuch a draft copy of financial policies and procedures for the Town of Fairhaven to consider adopting. The draft was created based on the financial policies adopted by other towns.

Mr. Osuch said it was up to the Board to review the draft document and decide what they want to keep or change. He said that the Board of Selectmen and the Finance Committee needs to agree upon a limit for general revenue and financial policies.

Mr. Murphy said that he liked the draft that Mr. Osuch compiled.

Mr. Espindola asked if they would have to run the draft by Town Counsel for review. Mr. Osuch said that he would submit it to Town Counsel if it was the will of the Board to do so.

Dr. Bowcock said that the Board should take another week to look the draft over, and then the Board can have a later discussion on its opinions regarding the draft. This draft will only be the financial portion of the policies and procedures manual.

KYOCERA – EPA/AVX SETTLEMENT

The Board reviewed a draft letter from Buzzard’s Bay Coalition President Mark Rasmussen regarding the proposed settlement between AVX and the EPA regarding PCB clean-up in New

Bedford Harbor. It was discovered that there are ties between the AVX corporation and Kyocera and Fairhaven's Japanese sister city, Tosashimizu. In his draft letter, Mr. Rasmussen asked the Board to use their connection to appeal to the responsible party to ensure a fair clean-up that would not be financially borne by New Bedford, Fairhaven or Acushnet.

The Board resolved to ask Gerry Rooney about sending the letter, citing a desire to not strain the relationship between Tosashimizu and Fairhaven. Mr. Murphy further noted that Mr. Rasmussen could contact Acushnet and New Bedford to see if he could arrange one meeting between all the affected towns for representatives of Kyocera to attend. Dr. Bowcock said that he would follow up with Mr. Rasmussen and Mr. Rooney and report back to the Board.

PLANNING BOARD APPOINTMENT

At 7:00 p.m., Dr. Bowcock opened up a joint meeting with the Planning Board to appoint one person to complete an unexpired term. In addition to the Board of Selectmen, the following members of the Planning Board were in attendance: Chairman Wayne Hayward, Jeffrey Lucas, Gary Staffon, Peter Nopper, Rene Fleurent, and Kaisa Holloway Cripps. Also present were Planning Board candidates John Farrell and Cathy Melanson. An additional candidate, Susan Spooner, was unable to attend the meeting.

John Farrell was invited to speak to the boards. Mr. Farrell is a new Fairhaven resident as of 2012 and comes from Middleborough. He has not served on a civic board, but he is a property manager with a background in law enforcement and housing. He wants to get involved with local government and would intend to run for the Planning Board if selected.

Cathy Melanson said that she was a lifelong resident of Fairhaven and has experience as a resident building a home, as the owner of income property, and as a business owner. She is familiar with the function of the Planning Board and the bylaws. She wants to serve Fairhaven. Ms. Melanson also intends to run for Planning Board.

Applicant Susan Spooner was not present, due to a schedule conflict. Mr. Espindola requested that the Board read Ms. Spooner's follow-up email in the interest of fairness. It was read by the Chairman. (See Attachment A).

Dr. Bowcock nominated all three applicants to fill the one vacancy. Mr. Lucas seconded. The votes were as follows: Mr. Hayward voted John Farrell. Gary Staffon voted Cathy Melanson. Jeffrey Lucas voted John Farrell. Peter Nopper voted for John Farrell. Rene Fleurent voted John Farrell. Kaisa Holloway Cripps voted John Farrell. Charles Murphy voted John Farrell. Robert Espindola voted John Farrell. Brian Bowcock voted Cathy Melanson. John Farrell was appointed, (7-2). The Board congratulated Mr. Farrell and Dr. Bowcock told Mr. Farrell that he would need to be sworn in by the Town Clerk.

UNION WHARF SMALL BOAT BASIN

The Board read a request from Tim Cox asking for slip approval for Aaron Cebula at Union Wharf Small Boat Basin. Mr. Murphy motioned to approve the slip as requested. Mr. Espindola seconded. Vote was unanimous. (3-0).

NSTAR GAS PERMIT

The Board approved an NSTAR gas permit for 26 Hawthorne Street between Main Street and Alden Road. Mr. Murphy motioned. Mr. Espindola seconded. Vote was unanimous. (3-0).

TOWN MEETING ARTICLE ORDER

The Board proceeded with drafting the order of the articles received for Annual Town Meeting, scheduled for May 4, 2013. Before pulling slips, Dr. Bowcock asked the Board if they wished to include the three School Department articles in the general pull, or place them at the end of the warrant, because they did not submit their articles on time. It was the will of the Board to include the School Department articles in the general pull.

Additionally, Dr. Bowcock asked the Board to review the four articles submitted by Mr. Espindola. The first article from Mr. Espindola asked for a Capital Planning Advisory Committee to be established. Dr. Bowcock indicated that the Board would be authorized to establish such a committee without a Town Meeting vote or a bylaw. Mr. Osuch said that the terms for such a committee should be staggered. Mr. Murphy said that he was comfortable with establishing the Capital Planning Advisory Committee and that he would like the item on an upcoming meeting. The Board agreed that, at an upcoming meeting, it would outline what the committee's goals and functions would be. Mr. Espindola withdrew his article for Capital Planning Advisory Committee.

The Board reviewed an article from Mr. Espindola asking to establish a second Stabilization fund for capital improvement projects. Mr. Osuch said that the Town already has a Stabilization fund and had the authority to establish a second one, but there would have to be a way to fund it. Mr. Espindola said that the Town could find a "creative" way to fund it. Mr. Murphy suggested placing the article in for consideration, with the understanding that it could be withdrawn or passed over if necessary. Mr. Murphy motioned to include the Stabilization article. Mr. Espindola seconded. Vote was unanimous. (3-0).

The Board then reviewed two related articles from Mr. Espindola – one related to photovoltaic solar lease and one related to photovoltaic consulting fees. Dr. Bowcock said that he did not think that the photovoltaic lease article would be viable because it alludes to Town involvement for a solar project on a building that is under the school's purview. He invited Mr. Espindola to reconsider the article and resubmit for the Special Town Meeting.

At 7:39 p.m., the Board pulled slips for the May 4, 2013 Annual Town Meeting. See Attachment B for the article order, as determined. Dr. Bowcock said that the Board would be calling a deadline for Special Town Meeting articles soon.

MAIL PROTOCOL FOR SELECTMEN'S OFFICE

As requested by Mr. Espindola, the Board reviewed the current protocol for opening mail in the Selectmen's Office. Currently, the Selectmen's Office staff opens any mail that comes into the office, as long as it isn't marked "confidential". Mr. Espindola had requested that the office staff not open any mail addressed to him directly.

Mr. Osuch said that the policy has always been that the mail gets opened unless it is marked confidential. He said that there has never previously been a problem with this method.

Mr. Espindola also expressed concern that the Selectmen did not have a procedure for "logging" and signing off on mail as received.

Discussion ensued regarding office mail. In the end, the Board agreed to initial mail as it is received with the understanding that office staff would file the mail once all pieces are initialed by the Selectmen.

GAS AND DIESEL

The Board reviewed a spreadsheet outlining projected costs for department gas and diesel use in the upcoming year. Mr. Osuch explained that a lot of the impending cost would be dependent on the price of fuel in the upcoming year and departmental consumption. Mr. Murphy motioned to approve \$3.60/gallon for gas and diesel estimates. Mr. Espindola seconded. Vote was unanimous. (3-0).

EARLY RETIREMENT REQUEST

The Board received a letter from Donn M. Fletcher, Deputy Fire Chief, requesting Early Retirement Incentive. Mr. Fletcher said his retirement date would be July 1, 2015. The Board praised Mr. Fletcher for serving the Town with distinction. Mr. Murphy motioned to accept his Early Retirement Incentive request. Mr. Espindola seconded. Vote was unanimous. (3-0).

VOKE RENOVATION PROJECT MEETING

The Board then read a letter from Greater New Bedford Regional Vocational Technical High School Superintendent Linda Enos, inviting the Town to send a representative to attend a meeting to discuss a meeting regarding borrowing for the school renovation project. The meeting is scheduled for Friday, March 8, at 9:00 a.m. Mr. Murphy motioned to send Mr. Osuch. Mr. Espindola seconded. Vote was unanimous. (3-0).

FY14 BUDGET

Mr. Osuch reviewed the Governor's cherry sheet for FY14 with the Board. (See Attachment C).

Mr. Osuch presented the Board with a projected revenue spreadsheet and "General Fund Only" draft. All departments have submitted their FY14 budgets, said Mr. Osuch, except for the GNB Vocational High School. Additionally, there were about \$1.1 million in article requests. Mr.

Osuch said that, in the upcoming weeks, the Board would have to determine which figure they would want to go with for creating a balanced budget.

Mr. Espindola disputed the estimated revenue figure for the wind turbines, saying that the Town should be able to expect more revenue than Mr. Osuch's conservative estimate. Mr. Osuch said that it was not prudent to build a revenue figure from conjecture.

OTHER BUSINESS

In other business:

- Dr. Bowcock announced that the Town would be changing over to single stream recycling. Residents no longer have to separate their recyclables for pick-up.
- Dr. Bowcock presented a concern from the Commission on Disability regarding handicap accessibility at the East Fairhaven School at the last election.
- Mr. Murphy congratulated the Town's recent graduates from Police Academy: Alexander Kissla, Wayne Mello, and Andrew Quentin. Mr. Murphy said that he attended the graduation ceremony on Friday, February 1, 2013.
- Dr. Bowcock offered condolences to the Winnett family on the passing of Carl Winnett, who had been actively involved in the Tabor Lodge and Fairhaven Little League.
- Dr. Bowcock offered condolences to the Vanderpol family on the passing of Marinus "Butch" Vanderpol, a long-time member of the Planning Board.
- Mr. Espindola said that he has finished the application for Solarize Massachusetts and asked if the Board would allow him to sign on behalf of the Board. Dr. Bowcock said that he would like the Board to sign the document itself.

The Board entered Executive Session at 8:58 p.m. to discuss Non-Union Personnel (correspondence), Police Personnel, Police Negotiations, Clerical Union Negotiations, and to pick interviewees for Finance Director. Mr. Murphy motioned to enter Executive Session. Mr. Espindola seconded. Vote was unanimous. (3-0). Roll call vote: Dr. Bowcock in favor. Mr. Murphy in favor. Mr. Espindola in favor.

Respectfully,

Anne Kakley

Selectmen's Secretary
(Minutes approved 2/19/2013)