



Fairhaven Board of Selectmen

May 11, 2015 Meeting Minutes

Present: Chairman Geoffrey Haworth, Vice Chairman Charles K. Murphy, Sr., Clerk Robert J. Espindola, Executive Secretary Jeffrey Osuch, and Administrative Assistant Anne Kakley.

Chairman Geoffrey Haworth called the meeting to order in the Town Hall Banquet Room at 6:32 p.m. The meeting was audio recorded by the Selectmen's Office and video recorded and telecast by the Government Access channel.

MINUTES

- Mr. Murphy motioned to approve the minutes of the **April 14, 2015** meeting, **open** session. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Mr. Murphy motioned to approve the minutes of the **April 27, 2015** meeting, **open** session. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Mr. Murphy motioned to approve the minutes of the **May 2, 2015** meeting, **open** session. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Mr. Murphy motioned to release the Executive Session minutes of the **November 3, 2014** meeting, as redacted. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Mr. Murphy motioned to release the Executive Session minutes of the **November 17, 2014** meeting, as redacted. Mr. Espindola seconded. Vote was unanimous. (3-0).

EXECUTIVE SECRETARY'S REPORT

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

- Tuesday, **May 12**
 - 3:30 p.m. – Mattapoisett Water Advisory at BPW
 - 4:30 p.m. – Mattapoisett Water District at BPW
- Thursday, **May 21**
 - 8:30 to 9:30 a.m. – Forum meeting – BBC
 - 10:00 a.m. – FEMA meeting re: Jan. 26-28 snowstorm

PIZZERIA BRICK – COMMON VICTUALER'S LICENSE

The Board reviewed a Common Victualer license for Pizzeria Brick. Mr. Murphy motioned to approve the license. Mr. Espindola seconded. Vote was unanimous. (3-0).

WELCOME STREET ACCEPTANCE

Town Planner Bill Roth presented the Board with a street acceptance plan for the northern portion of Welcome Street, as accepted by the May 2, 2015 Town Meeting. Mr. Murphy motioned to approve the Street Acceptance and sign the original mylars. Mr. Espindola seconded. Vote was unanimous. (3-0).

GOOD ENERGY

The Board reviewed the Good Energy aggregate documents. Mr. Murphy motioned to file the aggregate documents with the Department of Public Utilities. Mr. Espindola seconded. Vote was unanimous. (3-0).

Mr. Espindola will attend a conference with the DOER on May 20 to learn the next steps in the Town aggregation process.

TOWN INSURANCE

At 6:45 p.m., the Board met with John Beauregard of the Sylvia Group to discuss the Town's insurance portfolio renewal. Mr. Beauregard congratulated the Town on achieving a significant drop in its premium as a result of a worker's compensation overhaul with Stephenson and Brook.

As a result of the improved use of worker's compensation, Traveler's insurance would now be willing to carry worker's compensation for the Town voluntarily. Mr. Beauregard advised that the Town continue to employ Stephenson and Brook in some capacity for another year.

The Board thanked Mr. Beauregard for his help in working with Town department heads to improve the worker's compensation situation and educate the department heads. Mr. Murphy motioned to approve the renewal of the Town's insurance policy with Travelers Insurance. Mr. Espindola seconded. Vote was unanimous. (3-0).

TOWN MASTER PLAN

At 7:09 p.m., the Board met with Town Planner Bill Roth at the request of Selectman Espindola, to hear more about the process of creating/updating a Master Plan for the Town. Mr. Roth said that the last Master Plan was completed in 1996 and that a Master Plan can last 20 years if there is an update done at the ten year mark, but there was no update done to the 1996 plan. He said that the main focus of a Master Plan should look at updating the Town's zoning, including the creation of more specific business zones. He said there would be considerable public involvement in the process and the Town would need to hire a consultant. The last Master Plan cost between \$90,000 to 120,000, he said, and they would have to seek appropriation at Town Meeting. The process of creating a Master Plan would take nine months to a year.

OXFORD SCHOOL CLEAN UP

At 7:22 p.m., the Board met with John Medeiros, President of the Lions Club and Vice President of the North Fairhaven Improvement Association. He said that on June 6, the two groups and various volunteers intended to clean up around the Oxford School and fire station there. He said he was looking for permission from the Board to do the clean-up and for volunteers from the public.

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

SOCIAL DAY RECLASSIFICATION

Due to an unexpected family issue, COA director Anne Silvia could not be present to discuss her request from the Board in Attachment A, to reclassify Social Day positions.

Mr. Espindola asked if the positions would be included in the non-union personnel review. Mr. Murphy said that they would be. Mr. Espindola said that he did not think that the non-union personnel review would take long and that the Board should avoid any reclassifications until they could receive that report. Mr. Murphy said that he thought the Personnel Board submitted separately because the funding source is a revolving account. He said that he would take the Social Day request to the Personnel Board for its review.

FORT PHOENIX 5K

The Board reviewed a request from Kathy Lopes to hold the annual Fort Phoenix 5K on September 13. Mr. Murphy motioned to approve the request. Mr. Espindola seconded. Vote was unanimous. (3-0).

OUR LADY'S HAVEN PARKING

The Board reviewed a final agreement between the Town and Our Lady's Haven for use of the Rogers School parking lot while the property is not in use. The agreement was reviewed by Town Counsel. Mr. Murphy motioned to approve the agreement and authorize the Chairman to sign. Mr. Haworth seconded. Vote carried with one dissenting vote from Mr. Espindola. (2-1).

EVERSOURCE GAS PERMITS

Mr. Murphy motioned to approve Eversource permits for 34 Center Street; 20 Harborview Ave; 2 Holiday Ave; 74 Harding Street (all previously approved by the BPW). Mr. Espindola seconded. Vote was unanimous. (3-0).

SIDEWALK PROJECT CONTRACT AND NOTICE OF AWARD

Mr. Osuch presented the bids for the Fairhaven Town Hall brick sidewalk project. Architect Joseph Booth recommended the bid of \$231,295 from LAL Construction out of Fall River.

Mr. Espindola said that some residents have expressed concern to him about the project. Mr. Osuch said that the project has been approved by the Community Preservation Committee and Town Meeting and that there will always be dissent on some projects.

Mr. Haworth asked if they would be running an electrical conduit. Mr. Osuch said that the project was designed to make it possible for the Town to run a conduit for ornamental street lights at a later date.

Mr. Murphy motioned to approve the contract with LAL Construction in the amount of \$231,295 and authorize the Chairman to sign a Notice of Award with LAL. Mr. Espindola seconded. Vote was unanimous. (3-0).

UNION WHARF DEMOLITION NOTICE OF AWARD

Mr. Roth advised the Board that the lowest bid for the Union Wharf Demolition project was Jay-Mor Enterprises out of Hudson, NH, with a bid of \$259,870 for the removal of the old MacLean Seafood Building and oil tank. Mr. Murphy motioned to award the bid in that amount to Jay-Mor Enterprises and authorized the Chairman to sign any and all associated documents. Mr. Espindola seconded. Vote was unanimous. (3-0).

UNION WHARF CHANGE ORDER #3

Mr. Roth presented the Board with a Change Order for work at Union Wharf in the amount of \$134,195 with CLE Engineering. Mr. Murphy motioned to approve Change Order #3. Mr. Espindola seconded. Vote was unanimous. (3-0).

TOWN ADMINISTRATOR HIRING

Mr. Osuch said that in addition to the bid received from the Collins Center, the Town would have to seek additional quotes on the Town Administrator hiring process. Mr. Osuch said that three other firms had been identified as possible sources of additional quotes and that he would work to obtain proposals from those firms. Mr. Espindola noted that because the Town Administrator article was in the Special Town Meeting, the funding would be available to them right away. He said that he wanted the selected firms to also offer their anticipated start time and length of process.

NON-UNION EVALUATION

The Board reviewed a proposal from Jeff DuPont of LaurelRidge Consulting for a review of Town non-union personnel positions in the amount of \$8,000. Mr. Haworth asked if the Board should consider seeking additional proposals. Mr. Osuch said that it would be unlikely that they could find a proposal lower than \$8,000. Mr. Osuch will get a formal proposal from Mr. DuPont for the next meeting.

9 LITTLE BAY ROAD

The Board reviewed a letter from the Health department regarding an ongoing safety and health issue at 9 Little Bay Road. See Attachment B. The Board acknowledged a need for counsel related to the need to clean the property. Mr. Murphy motioned to authorize the use of legal services not to exceed \$1,500. Mr. Espindola seconded. Vote was unanimous. (3-0).

SELECTMEN'S OFFICE TABLETS

The Board reviewed a spreadsheet from Ms. Kakley outlining the Board's choices for a tablet to assist in their efforts to reduce paper consumption. After the cost of a new copier from Capital Outlay for FY16, the office will be able to expend about \$550 on each tablet. The Board will review the options presented by Ms. Kakley and give their preference at the next meeting.

EMAIL FOR ELECTED OFFICIALS

The Board discussed the possibility of having a Town-based email for all paid, elected Town officials, namely the Board of Selectmen, the Board of Health, the Town Moderator, and the Tree Warden. The Board discussed potential concerns, and agreed to place the topic on a subsequent agenda for follow-up consideration.

KENO LICENSE APPLICATION

The Board received a letter from the Massachusetts State Lottery Commission regarding a Keno license application from Fort Phoenix Post #2892. The Board indicated no objections to the application and will not submit any comment.

POLICE – EDUCATIONAL BENEFITS

The Board reviewed a memo from Police Chief Michael Myers indicating that he had enough remaining in his FY15 payroll to offset the previously approved educational incentive pay increase for Officer Marcy Haaland.

2015 MEMORIAL DAY PARADE

The Board read a letter of invitation from Kathleen Clement of the Memorial Day Committee inviting them to the May 25 Memorial Day Parade. The Board all indicated that they would be in attendance. The Chairman will deliver General Logan's Orders.

SRPEDD LETTER – ENERGY AGGREGATION

The Board read a request from Ross Perry of SRPEDD requesting a letter of support from the Board of Selectmen to various State officials, offering support for the Community Energy Aggregation project, which was stalled out at the DOER. Mr. Murphy motioned to send the letter in Attachment C with one correction. Mr. Espindola seconded. Vote was unanimous. (3-0).

OTHER BUSINESS

- Mr. Murphy said that there would be a used bike drive on May 17. The drive is put on by the Rotary Club and will send refurbished bicycles to developing countries
- Mr. Murphy praised the May 3 Cherry Festival put on by the Friendship Society
- Mr. Murphy informed the public that the 2015 Beach Permits were available at the Board of Public Works
- Mr. Espindola applauded Dereck Goff for achieving the rank of Eagle Scout
- Mr. Espindola said that there would be a group ride coming up with the SouthCoast Bikeway, and that he would share a date soon
- Mr. Haworth said that the Board would begin with summer attire at the next meeting
- Mr. Haworth said that he was working with the Building Commissioner to do periodic inspections of car dealerships and body shops to verify compliance.
- Mr. Haworth said that he has been subjected to abusive behavior from the owner(s) of Spring Street garage as a result of his dealership inspections

At 8:29 p.m., Mr. Murphy motioned to enter Executive Session, pursuant to MGL 30A § 21:

1. Police Settlement

Mr. Espindola seconded the motion to enter Executive Session for the aforementioned reason, not to reconvene into open session afterward. Vote was unanimous. (3-0)

Roll call vote: Mr. Haworth in favor. Mr. Murphy in favor. Mr. Haworth in favor.

Respectfully,

Anne O'Brien-Kakley
 Administrative Assistant
 Minutes approved 05/26/2015



Town of Fairhaven Massachusetts

COUNCIL ON AGING INFORMATION AND REFERRAL CENTER

229 Huttleston Avenue
Fairhaven, Massachusetts 02719-1956
Telephone: (508) 979-4029 / (508) 979-4081
Fax: (508) 979-4116
ASilvia@Fairhaven-MA.Gov

May 4, 2015

Dear Selectmen,

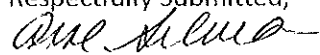
I am respectfully sending this letter as a request for your approval for wage increases for two Supportive Social Day employees, Susan Roderiques and Maggie Harrison.

In December of 2014, the personnel board approved an increase in wage for Susan Roderiques, Assistant Coordinator, to advance from Level 5, Step 5, which is currently \$15.95 per hour, to Level 7 Step 5 which would be an increase to \$17.94 per hour. Susan works 35 hours per week and her salary comes from the Support Social Day revenue. During the Selectmen's meeting on January 12, 2015, the selectmen tabled all employee wage increase until after the next Town meeting would be May 2, 2015. I originally put in the request for a wage increase for Susan because I felt the difference between her salary and the Social Day Coordinators salary are too far apart in comparison to their assigned duties. The Social Day revenue can support this wage increase.

Maggie Harrison was originally a volunteer in the Supportive Social Day Program. She was hired in October of 2014 as a temporary aid so that monies from the ARAW Grant (used to support the wages of Social Day Aids) would be utilized by the end of 2014. She was being paid \$9.70 which is Level A Step 2. Since the Social Day Program has grown, it was decided by the Social Day Coordinator and this director that a 19 hour aid position was needed to be able to support the structure of the program. Maggie was hired as a part time Social Day Aid Level 2, Step 1, at \$11.32 an hour for 19 hours per week starting on January 5, 2015. However, this request did not go before the Personnel Board (which was an error on my part thinking it was not necessary) before she was hired so Maggie's wage was returned to \$9.70 per hour until the Personnel Board approved it. A letter was sent to the Personnel Board on January 13, 2015 for approval. I am asking that Maggie's wage return to a Level 2 Step 1 at \$11.32. Maggie's salary comes from the ARAW (10 hours) and the Social Day Revenue (9 hours).

I am also asking that you please consider allowing both Susan and Maggie to receive retro-active pay from January 1, 2015. The total retro-active pay for Susan would be \$1,323.55 and \$584.82 for Maggie, both coming from Social Day Revenue. As of April 1, 2015 the Supportive Social Day had a total revenue to date of \$138,959.00.

Thank you for your time and consideration concerning this matter.

Respectfully Submitted,

Anne Silvia, Director
Fairhaven Council on Aging

RECEIVED
2015 MAY -5 P 2:01
BOARD OF SELECTMEN
FAIRHAVEN MASS



TOWN OF FAIRHAVEN

MASSACHUSETTS

Attachment B

OFFICE OF THE BOARD OF HEALTH

TOWN HALL

40 Center Street

Tel. (508) 979-4022

Fax (508) 979-4079

May 7, 2015

Selectman Charles K. Murphy, Sr.
Town Hall
Fairhaven, MA 02719

Dear Mr. Murphy,

RE: 9 Little Bay Road

You have asked for an estimate to clean the property at 9 Little Bay Road. I have spoken to a private contractor and John Charbonneau at the BPW. Both estimate that it will take 4-6 rolloffs of C&D waste at a cost of about \$600 per rolloff. An additional \$1,500 - \$2,000 is an estimate for labor and materials. The total estimated cost range is therefore between \$3,900 - \$5,600. I have attached recent photos of the site for your review as well.

Sincerely,


Patricia Fowle, RS,CHO
Health Agent

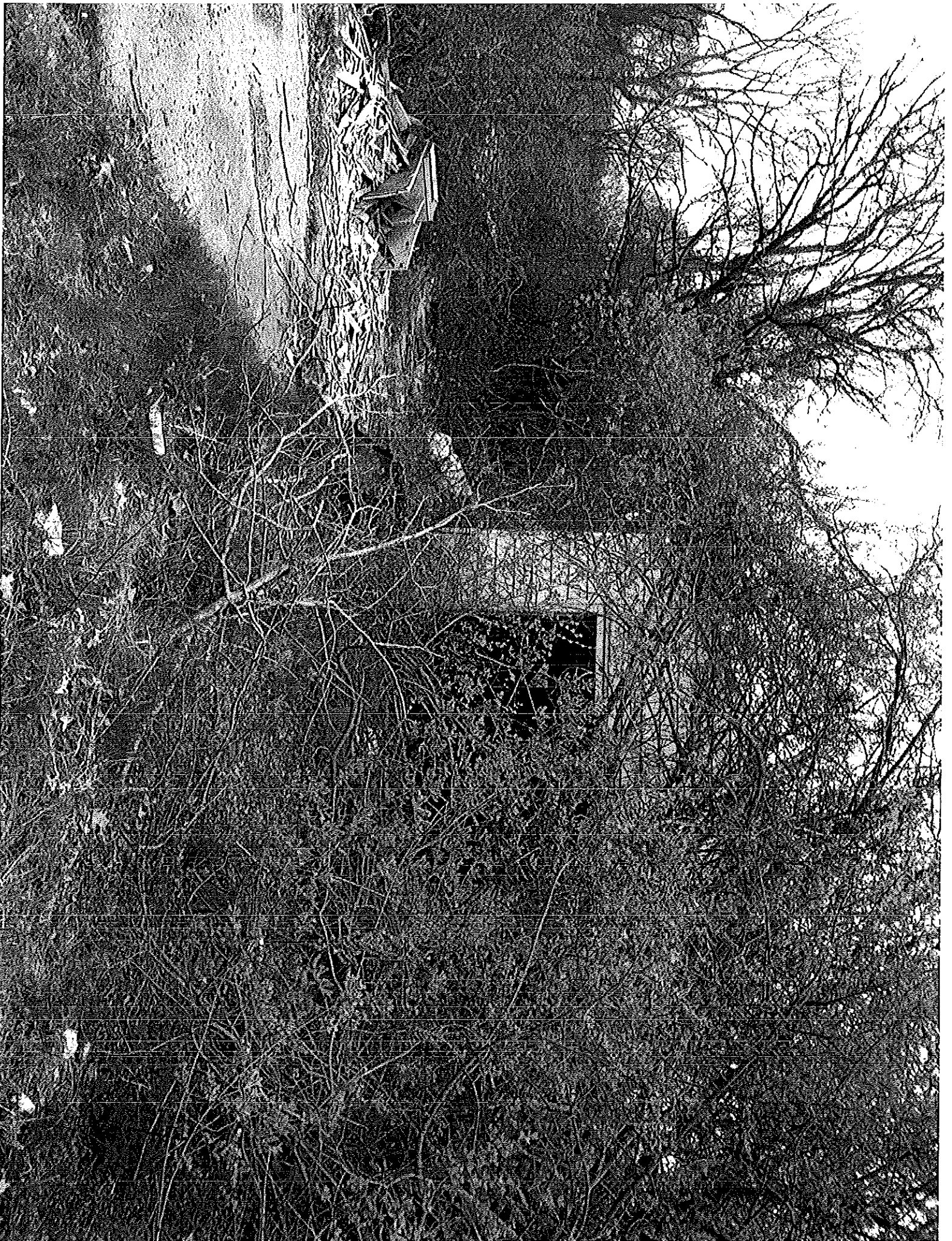
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BOARD OF SELECTMEN
FAIRHAVEN MASS

2015 MAY -7 A 11:30

RECEIVED





City / Town Letterhead

Dear

Excessively high winter electricity rates are affecting the pocketbooks of our residents, the budgets of our businesses and the economies of our communities.

In order to safeguard our communities from financially damaging electricity price spikes next winter we have organized ourselves into the Southeastern Regional Planning and Economic Development District (SRPEDD) Community Electricity Aggregation Buying Group now consisting of 16 cities and towns, all listed on this document, representing approximately 412,000 residents (200,000 voters).

Our goal is to procure electricity for our residents and businesses collectively through a municipal aggregation program under M.G.L Chapter 164 Section 134 in order to can provide budget certainty and financial savings for our constituents on their electricity bills. The combined savings are expected to be approximately \$14,700,000 per year, with overall impact more than doubled by the economic multiplier effect, resulting in a significant financial stimulus to local economies.

We began the required regulatory approvals process by submitting plans to DOER on February 13th, 2015.

We ask that our state's officials and Governor do everything in their power to ensure that the SRPEDD Group's municipal aggregation plans are expedited through the DOER and DPU regulatory process so that the necessary approvals are complete no later than August 31st, 2015.

Completing the regulatory review and approvals before August 31st, 2015 is extremely critical as it will enable our consultant, Good Energy, to run a competitive bid and coordinate the transition of our communities' electricity accounts to the winning supplier ahead of November's winter rate increase.

Missing this date will negatively impact voters in Southeastern Massachusetts and the businesses and residents of our community.

Sincerely,

{name (Chief Elected Official / Town Manager)}
{City / Town}

CC Ross Perry, Director of Municipal Partnerships, SRPEDD

List of Cities and Towns participating in the SRPEDD CEA as of April 22, 2015:

Attleboro	Acushnet	Carver	Dartmouth	Dighton
Fairhaven	Fall River	Freetown	New Bedford	Northbridge
Norton	Plainville	Rehoboth	Seekonk	Somerset
Swansea				