



Fairhaven Board of Selectmen

October 7, 2015 Meeting Minutes

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

Chairman Geoffrey Haworth called the meeting to order in the Town Hall Banquet Room at 6:41 p.m. The meeting was audio recorded by the Selectmen's Office and video recorded by the Government Access channel.

MINUTES

- Mr. Haworth tabled the approval of minutes of the **July 6, 2015** meeting, **executive** session.
- Mr. Murphy motioned to approve the minutes of the **September 28, 2015** 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 and events:

- **Saturday, October 10**
 - 12:00 p.m. – Removal of the Oxford School bell
- **Monday, October 12**
 - Town Hall closed
- **Tuesday, October 13**
 - 9:30 a.m. – COA Directors meeting
 - 12:00 to 2:00 p.m. – Flu Clinic for Town Hall employees
 - 3:30 p.m. – Mattapoisett River Valley Advisory Committee
 - 4:30 p.m. – Mattapoisett River Valley Water District – BPW
- **Thursday, October 15**
 - 8:00 to 9:30 a.m. – Forum meeting at New Bedford
- **Friday, October 16**
 - 8:00 to 10:00 a.m. – Legislative Breakfast in Marion at the Music Hall

Mr. Osuch said that the Board should consider reserving space on the October 26 agenda for the purposes of bringing in the Stratford Group and Alex Stylos of Sherwood Construction to discuss their proposals for the Oxford School. The Board agreed.

Mr. Osuch also noted that Wayne Hayward, Chairman of the Planning Board, had submitted a letter to the Board of Selectmen stating that the proposed changes in the Getty application for an increase in cars prompted a significant change in parking and flow on its plans. As such, he said that the application should first be reviewed by the Planning Board. The Board of Selectmen agreed and the application will be forwarded to the Planning Office.

SEWER RATE RELIEF FUND – FY16

The Board reviewed the annual request for a sewer rate relief for FY16. Mr. Murphy motioned to approve and sign the document. Mr. Espindola seconded. Vote was unanimous. (3-0).

AGRICULTURAL COMMISSION APPOINTMENT

The Board read a letter of interest from Ann Richard for the Agricultural Commission. Ms. Richard is a member of Green Fairhaven and the manager of the Fairhaven Farmer's Market. Mr. Murphy motioned to appoint Ms. Richard to a two-year term on the Agricultural Commission. Mr. Espindola seconded. Vote was unanimous. (3-0).

BUZZARD'S BAY ACTION COMMITTEE LEASE

The Board reviewed a final lease agreement with Buzzard's Bay Action Committee for the rental of second floor office space in the Town Hall for \$600/month. The lease is effective for one year. Mr. Murphy motioned to authorize the chairman to sign the lease agreement. Mr. Espindola seconded. Vote was unanimous. (3-0).

SOCIAL MEDIA USE POLICY

The Board reviewed changes made to a proposed Social Media Use policy for the Town of Fairhaven. Both Mr. Murphy and Mr. Espindola expressed interest in having the Website Administrator serve as the moderator for review of Social Media Use. Mr. Haworth said that the person overseeing the use of Social Media should have the authority to take action on any employee breaching the policy. Ms. O'Brien said that she could add language saying that the Website Administrator would report any breaches to the Town Administrator. The language will be changed in the policy and placed back on the next agenda for the Board's review.

NON-UNION PERSONNEL REVIEW

Mr. Osuch asked the Board if they had an update on the non-union compensation review performed by Jeff DuPont of LaurelRidge Consulting. Mr. Murphy said that copies of the non-union job description drafts are in the hands of the Personnel Board, which has not yet met on the matter. He said that the Personnel Board will meet before the October 26 meeting of the Board of Selectmen; the Board agreed to revisit the topic for October 26.

TOWN WELLNESS PROGRAM

The Board reviewed an application prepared by Mr. Espindola for a “Working on Wellness” grant program out of the Massachusetts Department of Health. Mr. Espindola advised that the grant could provide between \$5,000 and \$10,000 in grant money for the Town wellness program as a start-up. The deadline for application submissions is October 9. Mr. Murphy motioned to support the grant application and any required signatures. Mr. Espindola seconded. Vote was unanimous. (3-0).

TASC APPOINTMENT

Upon request of the Chairman, the Board tabled a discussion on the appointment of Phil Washko to the Town Administrator Study Committee. Mr. Haworth stated that Mr. Washko had requested the topic be tabled until Mr. Washko could be present to discuss the matter with the Board. The topic was raised by Dan Freitas, who claimed a conflict of interest in Mr. Washko’s appointment to TASC, as Mr. Washko is a potential candidate for Selectman. Mr. Murphy distributed an opinion from Town Counsel, stating that there was no conflict of interest.

WATER/SEWER STIPENDS

The Board revisited the topic of Water and Sewer stipends for licensed employees. Mr. Murphy motioned to approve the Water and Sewer stipends as outlined in Attachment A. Mr. Espindola seconded. Vote was unanimous. (3-0).

TAX DELINQUENCY

The Board reviewed a spreadsheet from the Town Finance Director outlining the various tax delinquencies throughout Town. Mr. Haworth had requested the list, saying that it was important for anyone holding a license issued by the Board of Selectmen to be current with their taxes. A brief discussion ensued regarding methods to make sure payments are current at permitting time. The spreadsheet required some clarification, so the Board tabled the discussion to their next meeting. Additionally, the Board requested a spreadsheet with just the commercial properties.

AQUACULTURE RULES AND REGULATIONS

At 7:07 p.m., the Board met with Harbormaster Timothy Cox to discuss a draft proposal of aquaculture rules and regulations for the Town of Fairhaven. According to Mr. Cox, the draft was made from language from other surrounding towns and the State, with some review of the Marine Resources Committee to make it specific to the Town of Fairhaven. Mr. Cox requested that the draft copy of the rules and regulations be forwarded to Town Counsel for review.

The Board called the document a “good start” and Mr. Espindola asked the Marine Resources Committee to present a “track changes” version of the document so the Board and Town Counsel can see where edits have been made throughout the process.

Mr. Haworth said that his only concern was with the annual fee and requested that Town Counsel address the annual fee section to make sure it is not in conflict with the Town's bylaw.

Mr. Murphy motioned to forward the document to Town Counsel for review. Mr. Espindola seconded. Vote was unanimous. (3-0).

TAYLOR SEAFOOD SCALLOP SEED

Mr. Cox told the Board that he had recently been offered a donation of scallop seed from Taylor Seafood via Rod Taylor. Mr. Taylor could be before the Board soon for a hearing on the revocation or suspension of his aquaculture license due to failure to comply with the terms of the agreement he made with the Town of Fairhaven. As such, Mr. Cox wanted to discuss the matter of accepting the donation with the Board.

Mr. Haworth was not supportive of accepting the donation, as he felt it would be sending the wrong message that the Board would be willing to extend leniency in exchange for materials or services. Mr. Espindola and Mr. Murphy were supportive of accepting the seed for the use of the Town, as long as Mr. Taylor knew that it would have no bearing on his license renewal.

Mr. Murphy motioned to accept the scallop seed with the understanding that Mr. Cox would tell Mr. Taylor that the donation would not affect the Board's actions on his license for failure to comply. Mr. Espindola seconded. Vote carried with one vote of opposition from Mr. Haworth. (2-1).

MUTUAL AID AGREEMENT

Mr. Cox asked the Board about the possibility of having a cross-appointment of deputies and marine officials from New Bedford to Fairhaven and vice versa to reduce liability issues. Mr. Osuch said that the arrangement sounded like an intermunicipal mutual aid agreement and that a document would have to be drafted. Mr. Cox will discuss the matter with the New Bedford Harbormaster's Office.

CLASS I and CLASS II LICENSES

The Board voted to approve a memo to be distributed to all holders of Class I and Class II and auto repair licenses in the Town of Fairhaven. (See Attachment B). Mr. Murphy motioned to approve the document for distribution and set a December 1 deadline for the submission of site plans. Mr. Espindola seconded. Vote was unanimous. (3-0).

BIKE RACKS AT TOWN HALL

At 7:30 p.m., the Board met with Mat Coes of the Bikeway Committee. Mr. Coes came before the Board to request its support in the Bikeway Committee's CPC application for two "hitching post" style bike racks at Town Hall. He said that the addition of the bike racks would contribute to making the Town "bike friendly".

The Board was supportive of the request. Mr. Espindola asked that the request receive the support of the Historical Commission as well in order to get the Board's full support.

Al Benac was recognized. Mr. Benac said that he liked the idea but that he did not think the project qualified for CPC funds. Mr. Osuch said that the project's eligibility was the CPC's decision to make.

Mr. Benac asked who would maintain the bike racks. Mr. Coes said that the posts would require virtually no upkeep.

Mr. Murphy motioned to support the Bikeway Committee's CPC application for bike racks at the Town Hall. Mr. Espindola seconded. Vote was unanimous. (3-0).

FISHING PIERS APPLICATION WITHDRAWAL

Mr. Osuch requested a clarification from the Board of Selectmen on what they wanted in communication from Town Counsel as it related to the Board's withdrawal from the Causeway fishing pier application. He said that he was unsure of what the letter should contain or to whom it should be addressed and asked for some clarification.

Mr. Espindola said that he thought the Board had requested that Town Counsel draft a letter based on their discussion, to withdraw the Town's application for the fishing piers. Discussion ensued.

Roland LeBlanc was recognized. Mr. LeBlanc said that he had gone to the DEP office and asked what the Town needed to do to withdraw the application. He said at that time he had been advised that the Board of Selectmen would have to take a vote to withdraw the application.

Mr. Murphy motioned to have Town Counsel send a clear letter that the Board of Selectmen were withdrawing their application for a fishing pier on the West Island Causeway. Mr. Espindola seconded. Vote was unanimous. (3-0).

CHANGE ORDER #9 – UNION WHARF

The Board read Change Order #9 in the amount of \$28,500 for the Union Wharf restoration project. The change order was to remove contaminated soil from the site onto a barge and move it to a nearby CAD cell. Mr. Murphy said that the change order was in the interest of public safety and motioned to approve the change order in the amount of \$28,500. Mr. Espindola seconded. Vote was unanimous. (3-0).

OTHER BUSINESS

Under Other Business:

- Mr. Murphy congratulated the event organizers for the Manjiro festival on another successful and enjoyable event.

- Mr. Espindola agreed, saying that he attended the Friendship dinner after the Manjiro festival and that it was well-organized, and that Mr. Murphy did a good job representing the Town with his speech to our Japanese visitors.
- Mr. Espindola said that there would be an Animal Shelter fundraiser at Carousel skating center on October 8, 2015.
- Mr. Espindola praised the Fire department for their successful Open House on October 4.
- Mr. Haworth said that the Tourism Department's annual Harvest Fun Day would be on October 11, 2015.

TASC

At 7:55 p.m., the Board met with the members of the Town Administrator Screening Committee. Henry Pietryzkowski, Mark Sylvia, Robert Baldwin, Kevin McLaughlin and David Darmofal were present. Absent were Phil Washko and Kathy Lopes.

The Board thanked them for volunteering for the committee. Mr. Sylvia said that the TASC had just completed their first meeting and that he had been elected Chairman; no clerk has been elected yet. They intend to start meeting in the following week.

At 8:06 p.m. Mr. Murphy motioned to enter Executive Session, pursuant to MGL 30A § 21:

1. Wendy Graves' contract
2. Union negotiating

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)

Respectfully,

Anne O'Brien-Kakley
Administrative Assistant
Minutes approved 10/14/2015

*Town of Fairhaven
Board of Public Works*

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Fairhaven, Massachusetts 02719
TEL. 508-979-4030
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bpw@fairhaven-ma.gov*



December 23, 2014

Personnel Board
Town of Fairhaven
40 Center St.
Fairhaven, MA 02719

Re: Wastewater and Water Stipends

Dear Personnel Board:

By means of this correspondence, please accept my request to the Personnel Board to consider making the disbursement of annual wastewater and water stipends for employees covered under your Board to be equal to those covered in other agreements.

The tables below show the discrepancy between what employees covered by your Board receive as an annual stipend versus what is disbursed to other Town employees who hold the same Water/Wastewater Operators Certification issued by the Commonwealth of Massachusetts.

Sewer

<u>License Grade</u>	<u>Teamsters Stipend</u>	<u>Personnel Board Stipend</u>
Grade I	\$ 525.00	\$400.00
Grade II	\$ 725.00	\$600.00
Grade III	\$ 950.00	\$800.00
Grade IV	\$1125.00	\$1000.00
Grade V	\$1325.00	\$1200.00
Grade VI	\$1525.00	\$1400.00
Grade VII	\$1725.00	\$1600.00

Water

<u>License Grade</u>	<u>Teamsters Stipend</u>	<u>Personnel Board Stipend</u>
Distribution 1	\$ 425.00	\$275.00
Distribution 2	\$ 625.00	\$475.00
Distribution 1	\$ 825.00	\$675.00
Treatment 1	\$ 425.00	\$275.00



TOWN OF
FAIRHAVEN

MASSACHUSETTS

THE FRIENDLY TOWN

OFFICE OF
DIRECTOR OF FINANCE/
TREASURER
TOWN HALL
TELEPHONE (508) 979-4026

3/3/2015

Personnel Board Minutes
January 6, 2015

RECEIVED
TOWN CLERK
25 MAR - 5 A 10 15
FAIRHAVEN,
MASS.

A meeting of the Personnel Board (PB) was held on January 6, 2015 in the Banquet Room at Town Hall. The meeting was called to order at 4:17 PM by Chairman Charles Murphy. Also in attendance were members Lindsay Gordon, Gary Souza, and Wendy Graves.

For the first item of business, Ms. Graves passed out copies of the Personnel Board minutes for December 5, 2014. Mr. Souza made a motion to accept the minutes with Ms. Gordon seconding the motion.

For the second item of business, there was a discussion with Town Accountant Anne Carriero regarding changing the level of the A/P Clerk Joyce Shepard. She handed out comparable salaries for the position for the surrounding towns. The position is currently a level 7, step 5. A motion to increase the position for level 9, step 3 was made by Ms. Gordon, and seconded by Mr. Souza. This would be an increase of \$.63 per hour or 3.5%.

For the third item of business, there was a discussion with Vincent Furtado regarding changing the level of the Sewer Superintendent and Water Superintendent due to their increased responsibility. There was a motion by Mr. Souza and seconded by Ms. Gordon to Propose a new level of 21 with steps 1 through 5 and to increase the Superintendent to level 21 step 5. This would be an increase of \$2.30 per hour or 6%.

For the fourth item of business, there was a discussion with Vincent Furtado regarding water/sewer stipend. He would like the non-union employees to receive the same amount for the license stipends. A motion by Mr. Souza and seconded by Ms. Gordon, to increase the stipends to what the union gets and they would like the stipends to be increased at the same time as the union stipends increase.

The next meeting will be February 10, 2015 at 3:30.

A motion to adjourn was made by Ms. Gordon and seconded by Mr. Souza, which was passed unanimously at 5:12 PM

Respectfully Submitted,
Wendy L. Graves

Approved: Wendy L. Graves

Date: 3/3/15



Wayne Fostin
Building Commissioner

Town of Fairhaven
Massachusetts
OFFICE OF THE
BUILDING DEPARTMENT

TOWN HALL
40 Center Street
Tel. (508) 979-4019
FAX: 979-4079

BOARD OF SELECTMEN
FAIRHAVEN MASS

2015 SEP 30 P 3:23

RECEIVED

September 30, 2015

Board of Selectmen

Gentleman as requested requirements for submitting a engineered site plan for Class I, Class II and repair garages licenses

Wayne Fostin
William Roth

This policy is for all Class I & Class II of used cars, all service stations that repair vehicles or sell vehicles. Before any 2016 renewal or new license may be approved by the Board of Selectmen,

A site plan drawn to an adequate scale that has been prepared by a licensed Engineer or Land Surveyor, and shall show the following:

- Actual property lines and easements (if any) dimensioned;
- Location and size of all existing or proposed structures including any existing structures within 100 feet of the site;
- existing conditions such as but not limited to: landscape features, edge of pavement and/or gravel, driveway openings, dumpster, gas pumps and all traffic patterns though site;
- area(s) that are used or proposed for vehicles being repaired
- spaces for customer parking and employee parking;
- area and number of spaces that are used or proposed for vehicles that are for sale;
- any special areas that are used or proposed to store vehicles and number of such spaces.;
- numbers of cars that are within in the garages.

Plans shall be reviewed by the Board of Selectmen for accuracy and compliance. The License holder will be required to submit an updated plan every five years. Failure to comply with the above stated policy will result in the license not being issued.