

Fairhaven Board of Selectmen

March 28, 2016 Meeting Minutes

Present: Chairman Geoffrey Haworth, Vice Chairman Charles K. Murphy, Sr., Clerk Robert Espindola, Town Administrator Mark Rees, and Administrative Assistant Anne O'Brien.

Chairman Geoffrey Haworth called the meeting to order in the Town Hall Banquet Room at 6:35 p.m. The meeting was audio recorded by the Selectmen's Office and video recorded by the Government Access channel.

MINUTES

- Mr. Murphy motioned to approve the minutes of the **March 14, 2016** meeting, **open** session. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Mr. Murphy motioned to approve the minutes of the **March 14, 2016** meeting, **executive** session. Mr. Espindola seconded. Vote was unanimous. (3-0).

TOWN ADMINISTRATOR'S REPORT

In his report, Mr. Rees reviewed recent Town Meeting votes made by the Finance Committee and updated the Board to meetings he recently attended, including a collaborative meeting between Town offices, the EPA and Fairhaven Shipyard abutters to discuss ongoing noise and pollution complaints from the shipyard.

COMMUNITY PRESERVATION COMMITTEE APPOINTMENT

The Board reviewed two letters of interest for a Selectmen's representative appointment on the Community Preservation Committee. The two letters received were from Ted Lorentzen and Roger Marcoux. See Attachment A.

Mr. Murphy said that he had spoken with Mr. Marcoux and favored his appointment. Mr. Espindola said that he would be happy with either applicant but that he slightly favored Mr. Lorentzen. Mr. Haworth stated that both were excellent applicants and that he did not have a preference. Ms. O'Brien stated that Mr. Marcoux submitted first, before there was a vacancy, and had followed up twice after the vacancy was declared. Mr. Murphy motioned to appoint Roger Marcoux to the Community Preservation Committee, to serve as the Selectmen's appointee. Mr. Espindola seconded. Vote was unanimous. (3-0).

SRPEDD APPOINTMENT

The Board acknowledged a letter from Jaime DeSousa indicating that he would no longer be able to serve on the SRPEDD (Southeastern Regional Planning and Economic Development District) council as a Fairhaven representative. Following his letter of resignation, the Board acknowledged a letter from Town Planner Bill Roth, indicating that he would like to fill the SRPEDD seat. Mr. Murphy motioned to appoint Bill Roth to the SRPEDD Selectmen's representative vacancy. Mr. Espindola seconded. Vote was unanimous. (3-0).

USE OF TOWN HALL AUDITORIUM - STEPS IN MOTION

The Board reviewed an application for use of the Town Hall auditorium from "Steps in Motion", for a production of James and the Giant Peach on July 7, 8 and 9, 2016. Mr. Murphy motioned to approve the use of the Town Hall auditorium with a rental fee of \$50/hour and a custodial fee of \$28.85/hr for the aforementioned dates. Mr. Espindola seconded. Vote was unanimous. (3-0).

NATIONAL DAY OF PRAYER

The Board reviewed a letter from Steven Bouley for the annual National Day of Prayer, scheduled for May 5, 2016. Mr. Bouley requested the use of the Town Hall steps on that day at noon for a prayerful ceremony and musical accompaniment, with the use of the Town Hall auditorium as a back-up in the event of bad weather. Mr. Murphy motioned to approve the request from Mr. Bouley, to use the Town Hall steps on May 5, 2016 and use the Town Hall auditorium as a back-up. Mr. Espindola seconded. Vote was unanimous. (3-0).

"SNOW WHITE" - ONE THEATER GROUP

The Board reviewed a request from Ashley Bendiksen of ONE Theater Group to hold a spring presentation of "Snow White" in the Town Hall auditorium. All proceeds will be donated to Cystic Fibrosis research. Dates requested are May 4, 5, 6, and 7. Mr. Murphy motioned to approve the use of the Town Hall auditorium for the ONE Theater Group for the aforementioned dates, with a waiver of the \$50/hr rental fee. ONE Theater Group will only be responsible for the \$28.85/hr custodial fee. Mr. Espindola seconded. Vote was unanimous. (3-0).

POLL WORKERS

The Board reviewed a request from the Town Clerk to approve a listing of poll workers for the April 4, 2016 Annual Town Election.

 Precinct 1 – Mr. Murphy motioned to approve poll workers: Bernadette Costa, Janice Rose, George Diggle and Terrence Meredith. Mr. Espindola seconded. Vote was unanimous. (3-0)

- Precinct 2 Mr. Murphy motioned to approve poll workers: Mary Cunha, Elaine Burgo, Rosalie Hutchinson, and Carole Fauteux. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Precinct 3 Mr. Murphy motioned to approve poll workers: Lee Bachand. Mary Grace, Grace Gwozdz, and Anne Ellis. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Precinct 4 Mr. Murphy motioned to approve poll workers: Linda Therrien, Pamela Greene, Nancy Perry, Catherine Delano-Calamari. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Precinct 5 Mr. Murphy motioned to approve poll workers: Christine Alfonse, Kathleen Audette, Madeleine Lavallee and Rebecca Baker. Mr. Espindola seconded. Vote was unanimous. (3-0).
- Precinct 6 Mr. Murphy motioned to approve poll workers: Joan Mello, Sandra Melanphy, Geraldine Frates, and Michelle Letts. Mr. Espindola seconded. Vote was unanimous. (3-0).

ROAD OPENING "EVERSOURCE" PERMITS

The Board reviewed a memo from Mr. Rees, requesting the delegation of authorization for road opening "Eversource" permits to be assigned to the Town Administrator. Mr. Rees said that with approval, the Town Administrator would be able to approve the permits, only after Board of Public Works approval. Mr. Murphy motioned to approve the request, and assign the approval authority for road opening permits to the Town Administrator. Mr. Espindola seconded. Vote was unanimous. (3-0).

HOMECOMING

The Board reviewed a letter from Homecoming Day Committee secretary Kendra Costa, requesting permission to hold the annual Homecoming Day event on Saturday, June 25, 2016. Mr. Murphy motioned to approve. Mr. Espindola seconded. Vote was unanimous. (3-0).

SAFER GRANT

The Board met with Fire Chief Timothy Francis and Lt. Todd Correia to discuss an application for a SAFER (Staffing for Adequate Fire and Emergency Response) grant. See Attachment B.

The SAFER grant would fund the addition of a firefighter to the Fire Department at no cost to the Town for two years. If the Town opts to apply for the grant, the Board of Selectmen would have to write a letter to Department of Homeland Security, expressing the commitment to avoid layoffs in that two year time period.

Mr. Murphy motioned to have one letter submitted from the Town Administrator agreeing to the grant provisions, and another letter from the Board of Selectmen to support the application. Mr. Espindola seconded. Vote was unanimous. (3-0).

SPECIAL TOWN MEETING WARRANT

The Board reviewed a draft warrant for the May 7, 2016 Special Town Meeting. See Attachment C.

The Board discussed an article for the disposition of the Oxford School to the Stratford Group. The Board will review a purchase and sale agreement from the Stratford Group at their next meeting on April 5. The Board agreed to hold an informational hearing after that meeting, on April 13, regarding the purchase and sale agreement with the Stratford Group, at 7:30 pm.

The Board reviewed a need for an environmental review of the Rogers School and will include it in the final version of the Special Town Meeting article for the disposition of the Rogers School.

The Board will review a final version of the Special Town Meeting for approval on April 5.

VOCATIONAL SCHOOL BOARD REPRESENTATIVE

Mr. Haworth said that he had held a joint meeting with the Town Moderator and the School Committee Chairperson to make a Fairhaven representative appointment to the Greater New Bedford Regional Vocational Technical High School Board. The selected applicant to fill the seat was Andrew Tillett. The Board thanked the other applicants for applying.

MEETING SCHEDULE

The Board set the following schedule for upcoming Selectmen's Meetings:

- April 5
- April 13
- May 2
- May 7
- May 23
- June 6
- June 20

Mr. Murphy motioned to set the aforementioned schedule. Mr. Espindola seconded. Vote was unanimous. (3-0).

OTHER BUSINESS

Under Other Business:

- Mr. Murphy said that Ashley Ford would be holding a test drive fundraiser on April 2. \$20 per test drive will be donated to the Fairhaven High School Class of 2016.
- Mr. Espindola congratulated the Fairhaven High School cheerleaders on winning the National Co-ed title.
- At 7:57 p.m., Mr. Murphy recused himself. Mr. Espindola announced that the 20th annual MOLIFE ball would be on April 9 from 6 pm to 12 am at White's of Westport. Mr. Murphy joined the meeting again at 7:58 p.m.
- Mr. Haworth reminded the public to come out and vote at the Annual Town Election on April 4, 2016

At 8:00 p.m. Mr. Murphy motioned to enter Executive Session, pursuant to MGL 30A § 21:

1. Non-union contract negotiation – Town Administrator

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

Respectfully, Anne O'Brien Administrative Assistant Minutes approved 04/05/2016

Attachment A

March 7, 2016

Attn.: Board of Selectmen

Town of Fairhaven

40 Center Street

Fairhaven, MA 02719



Gentlemen,

With a seat having become available for the Community Preservation Committee for the Town of Fairhaven, I would be proud to be considered for the open ad hoc committee member position.

A former West Island resident for years, now a permanent resident in Fairhaven Center, my former committee and business background includes years in the Town of Dartmouth as a board member and head of ways and means for the Dartmouth Youth Athletic Association (DYAA) and Dartmouth School Music Association (DSMA) organizations as well as a West Island Improvement Association (WIIA) treasurer and board member for over twenty years. Coupled with my professional business background in sales, marketing and project management, I will bring an excellent ear and additional business sense to the Community Preservation Committee.

Please keep me in when making your decision to fill the open position.

Sincerely Yours

Roger Marcoux

118 Laurel Street

Fairhaven MA 02719

Office 774-328-9006

Home 508-961-0068

Cell 508-272-7283

Email targetrm@comcast.net

PECEIVED

2016 MAR 15 A 9: 43

49 Union Street Fairhaven MA 02719 Tel# (508) 993-5248

POARD OF SELECT AT

Board of Selectmen Town of Fairhaven Town Hall 40 Center Street Fairhaven MA 02719

Gentlemen:

I understand that at this time there is a vacancy on the Community Preservation Committee. I would like to be considered to fill this vacancy. Having served on the Marine Resources Committee, formerly the Boat Ramps and Recreational Properties Committee, since 2008, I have decided not to seek reappointment to that committee and am looking for another opportunity to contribute to Fairhaven.

Respectfully,

Theodore Lorentzen

Theodore Country

Attachment B



TOWN OF FAIRHAVEN

MASSACHUSETTS

FIRE DEPARTMENT / EMERGENCY MEDICAL SERVICE

146 Washington Street, Fairhaven, MA 02719 Emergency # 911



Tel: (508) 994-1428 Fax: (508) 994-1515

Email: chief.francis@verizon.net

March 24, 2016

Mark Rees Town Administrator 40 Center St. Fairhaven, MA 02719

Mr. Rees.

The Fairhaven Fire & EMS Department is looking for the Board of Selectman's support in applying for a SAFER grant with the Department of Homeland Security. The grant focus is to improve and restore staffing and deployment capabilities so that fire departments can more effectively and safely respond to emergencies. More specifically the grant is designed to improve the following;

- Improve ability of the fire departments to assemble a sufficient number of firefighters at a structure fire in compliance with NFPA 1710 and 1720
- Assist fire departments to ensure that all first-arriving apparatus are staffed with a minimum
 of four qualified personnel who are capable of initiating the suppression response
- Improve firefighter safety by meeting minimum staffing guidelines

As a combination department (mixture of full time and part time staff) we are eligible to apply for this grant. We are looking to hire a new firefighter under this grant to attempt to meet three bullet points listed above.

The Town will not have to provide a match to this grant, and the grant is only available for two years. After two years it is expected the town will be able to absorb the cost of this firefighter. The government is also looking for a letter from the "government authority" stating that they will maintain staffing levels and not lay anyone off during the 2 years this firefighter will be funded. We feel that since we are in the beginning stages of coming out of our economic hardship and the ambulance revenue is continuing to rise each year that this will not be an issue.

Why are we asking for a firefighter?

The Fairhaven Fire & EMS Department is a multi-hazard, all purpose fire department. We handle all emergencies ranging from EMS, Fire, Hazardous Material, Technical Rescue, and Marine Response. Over the past two decades this department has seen over a 600% increase in calls for service. We have also seen an increase in inspections required by state law to be performed on a routine basis.

We are running with a five firefighter maximum and a required three firefighter minimum (four firefighter during the weekdays as per contractual obligations). Due to the run volume we have been maintaining a four firefighter/two paramedic minimum, twenty-four hours / seven days a week. Each ambulance run that comes in we lose at least two personnel to the call for an average of 90 minutes. If the shift is short staffed at four, we will need to bring an off duty personnel back in to bring the shift back up to three personnel.

Several points are being considered for this request. We are seeing an increasing run volume each year of 5% and 10% each year. We are seeing a decrease in the amount of call back and part time personnel responding back for coverage. We are seeing an increase in the amount of back to back calls, this means that the first ambulance goes on a call, the second ambulance or a fire call is coming in prior to getting manpower back in the station.

Lastly, we need to make sure our firefighters are safe. This grant looks at NFPA 1710 and 1720. NFPA 1710 is applicable to our department indicating that we should be striving for a four person engine and enough personnel respond to fire related calls who are capable of handling a variety of emergencies. The way we respond know, we are rolling the dice each and every time a call comes in, relying on off duty and part time personnel to increase manpower on scene to meet this recommendation.

Since 1995, we have only increased the shift manning by one person, with all four personnel coming out of ambulance revenues. We have seen a rapid reduction in the call department. We strive to maintain 24 personnel, but we are having difficulty retaining new part time staff. And of the part time employees that are currently on staff, most have full time jobs during the day thereby decreasing their availability. Most of the time, the part time personnel that we do acquire are only using this department as a stepping stone for a full time position, either with the Town of Fairhaven or another municipality.

We recognize and appreciate the Town's support for fiscal year 2016 where we added another day position to the roster. This roster position is again being filled and will be going to the Fire Academy in the near future. But we have seen an issue on the weekends as well. We are having difficulty getting the manpower back to keep at least the three firefighter minimum after an ambulance call.

The grant request, which still requires us to negotiate a change in hours with the union, will add a second day person to the day shift. At present the bulk of our daily calls are coming in between 09:00 and settling down to a manageable level at 19:00 hours.

We are looking to have the current day firefighter (working Monday through Friday) and the new day firefighter go on a rotating schedule that will always have an additional firefighter on seven days a week between the hours of 08:00 and 18:00. They will rotate their schedule weekly working the required 42 hours per week. Most likely there will be one day a week where their shifts overlap giving us one day with an addition two personnel.

We feel this will give us the additional coverage during the work day hours and also cover our weekend day shift ensuring that we continue to respond to calls efficiently and effectively for the taxpayers of Fairhaven.

Respectfully,

Timothy Francis
Chief of Department

WARRANT AND REPORT OF THE FINANCE COMMITTEE FOR THE SPECIAL TOWN MEETING SATURDAY, MAY 7, 2016 AT 9:15 A.M. AT THE ELIZABETH I. HASTINGS MIDDLE SCHOOL

COMMONWEALTH OF MASSACHUSETTS BRISTOL. s.s

To the Constable of the Town of Fairhaven in said county:

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Fairhaven qualified to vote on town affairs to meet as follows:

On Saturday, the seventh day of May 2016 at 9:15 a.m. in the Walter Silveira Auditorium at the Elizabeth I. Hastings Middle School, then and there, to act upon the following articles:

ARTICLE 1 – TOWN CHARGES

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund additional salary and operating expenses for the following departments. Said sum to be added to previously voted appropriations for FY 2015, or to take any other action relative thereto.

GENERAL GOVERNMENT

- 1. Weights and Measures
 - B. Salary Other

Request: \$64.99 **Recommend**:

- 2. Police Department
 - A. Salaries and Wages

Request: \$35,000.00 **Recommend**:

- 3. Greater New Bedford Vocational
 - A. Salaries and Wages

Request: \$2993.04 **Recommend**:

- 4. Fire Department
 - A. Salaries and Wages

Request: \$10,000.00 **Recommend**:

EMS Overtime

Request: \$10,000.00 **Recommend**:

5. General Fund – Debt

Request: \$50,000.00 **Recommend:**

6. Recreation Dept

Request: \$7,500.00 **Recommend:**

7. <u>Bristol Agricultural High School</u>

Request: \$4,838.00 **Recommend:**

8. <u>Legal Services</u>

Request: Recommend:

9. Water Department

Request: \$5,200.00 **Recommend:**

ARTICLE ___ - BILLS OF PRIOR YEAR - 9/10 VOTE

A. <u>Clerical Union appropriation</u>

Petitioned by: Board of Selectmen

Request: \$175.00 Recommend:

B. Associated Physicians – HMPP

Petitioned by: School Department

Request: \$200.00 Recommend:

C. <u>MES Solutions</u>

Petitioned by: Fire Chief

Request: \$1,500.00 Recommend:

D. <u>Steward Medical Group</u>

Petitioned by: Fire Chief

Request: \$141.58 Recommend:

E. <u>Surgi-Care</u>, Inc.

Petitioned by: Fire Chief

Request: \$74.23 Recommend:

F. Southcoast Hospitals Group

Petitioned by: Fire Chief

Request: \$306.47 Recommend:

G. Richard E. Tosi, M.D.

Petitioned by: Fire Chief

Request: \$132.82 Recommend:

H. Dr. Brian Bowcock, D.C.

Petitioned by: Fire Chief

Request: \$392.72 Recommend:

I. Anasthesia Associates of MA

Petitioned by: Police Chief

Request: \$2,240.00 Recommend:

J. <u>Gragil Associates, Inc.</u>

Petitioned by: Police Chief

Request: \$596.00 Recommend:

K. Southcoast Hospitals Group

Petitioned by: Police Chief

Request: \$11,202.83 Recommend:

L. Southcoast Hospitals Group

Petitioned by: Police Chief

Request: \$5,660.86 Recommend:

M. RAD Associates of Greater New Bedford

Petitioned by: School Department

Request: \$22.00 Recommend:

N. <u>Melanson and Heath</u>

Petitioned by: Treasurer

Request: \$1,000.00 Recommend:

O. <u>Monaghan Printing</u>

Petitioned by: Tree Warden

Request: Recommend:

ARTICLE _ - ANAEROBIC DIGESTER

To see if the Town will vote to transfer from Sewer Retained Earnings, a sum of money to inspect and clean the Anaerobic Digester at the Wastewater Treatment Plant, or to take any other action relative thereto.

Petitioned by: Board of Public Works

Request: Recommend:

ARTICLE _ - INFLOW AND INFILTRATION

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds from Sewer Retained Earnings, the amount of \$200,000 in order to comply with the Code of Massachusetts Regulation 314 CMR 12, 04 (2), which requires the Town to conduct a Townwide assessment on excessive Inflow and Infiltration based on MassDEP's *Guidelines for Performing I/I Analyses and Sewer Systems Evaluation Survey* or to take any other action relative thereto.

Petitioned by: Board of Public Works

Request: \$200,000

Recommend:

ARTICLE __ - STABILIZATION – SEWER BETTERMENTS

- A. To see if the Town will vote to authorize the Treasurer to transfer \$45,055.65 from account 029-000-3242-0000 into the Sconticut Neck Sewer Betterment Stabilization Fund account 084-000-3282-0200
- B. To see if the Town will vote to authorize the Treasurer to transfer \$14,016.00 from account 029-000-3245-0000 into the West Island Sewer Betterment Stabilization Fund account 084-000-3282-0400
- C. To see if the Town will vote to authorize the Treasurer to transfer \$6,375.48 from account 029-000-3244-0000 into the Nancy Street Sewer Betterment Stabilization Fund account 084-0000-3282-0300
- D. To see if the Town will vote to authorize the Treasurer to transfer \$160.00 from account 029-0003212-0000 into the Boulder Park Sewer Betterment Stabilization Fund account 084-000-3282-0100

Petitioned by: Board of Selectmen

Request:	Recommend:
A. \$45,055.65	
B. \$14,016.00	
C. \$6,375.48	
D. \$160.00	

ARTICLE _ SALE OF OXFORD SCHOOL

To see if the Town will vote to authorize the Board of Selectmen to sell to Stratford Capital Group, LLC, the land appearing at Assessors' Map 22A, Lot 192, and Assessors' Map 22A, Lot 193, and the buildings thereon, constituting the Oxford School, or to take any other action relative thereto.

Petitioned by: Board of Selectmen

Request: Adoption

Recommend: At Town Meeting

ARTICLE _ ROGERS DISPOSITION

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to hire a consultant knowledgeable in grants, tax credits, historical preservation, and real estate development, to assist the Town in the disposition of the Rogers Elementary

School and property, including any associated requirements and costs or to take any other action relative thereto.

Petitioned by: Town Administrator

Request:
Recommend:

ARTICLE __ - ROGERS AND OXFORD SCHOOL FISCAL YEAR 2017

To see if the Town will vote to raise and appropriate, borrow or transfer a sum of money to maintain the vacant Rogers and Oxford Schools during Fiscal Year 2017, including repairs, electricity, telephone, security, alarms, etc., and any other associated costs or take any other action relative thereto.

Petitioned by: Board of Selectmen

Request: \$8,000.00

Recommend:

ARTICLE - COMMUNITY PRESERVATION COMMITTEE APPROPRIATIONS?

To see if the Town will vote to appropriate and to authorize the Community Preservation Committee to expend from the Community Preservation Fund available as set forth herein, the following amounts for community preservation purposes, with such expenditures to be subject to conditions to be specified in applications and award letters from the Community Preservation Committee, with each item considered a separate appropriation:

APPROPRIATIONS	
Purpose	Recommended
	Amounts
Spending Appropriations –	
A. Bikeway Committee – Town Hall Bike Racks	\$ 1,000
B. Library – Fairhaven Star Newspaper Digitizing Project	\$ 31,000
Total Recommended Appropriations	\$32,000

Petitioned by: Community Preservation Committee

Request: \$32,000.00

Recommend:

ARTICLE _ - PILOT AGREEMENT WITH BLUE WAVE CAPITAL

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 59, Section 38H, and/or any other enabling authority, to ratify and approve, and to authorize the Board of Selectmen to negotiate

and enter into on such terms and conditions as the Board of Selectmen deems in the best interests of the Town, a so-called Payment in Lieu of Taxes (PILOT) Agreement with BWC Origination Fairhaven One, LLC, or its affiliate, with respect to payments for a sum certain in lieu of real and/or personal property taxes owed to the Town over a twenty (20) year period relative to a proposed solar electric generating facility at 211 Mill Road, Fairhaven, MA 02719, with an option for extension coterminous with the lease of said parcel; and to authorize the Board of Selectmen to take such actions and execute any necessary documents relating thereto; or act or do anything in relation thereto.

Petitioned by: Community Preservation Committee

Request: Recommend:

ARTICLE - HASTINGS MIDDLE SCHOOL ROOF

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the Board of Selectmen for the partial roof repair and replacement at the Hastings Middle School, 30 School Street, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which the Town has applied for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the Town to collaborate with the MSBA on this proposed repair project, any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town.

Petitioned by: Request: Recommend:

ARTICLE - OTHER BUSINESS

To act upon any other business which may legally come before this meeting.