



# Fairhaven

# Neighborhood News

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*The little paper  
with a big voice!*

Volume 8, Issue 26 • July 18, 2013

**Teeming with information you need.  
(And some you don't need, but will be glad you have anyway.)**

## All on the water in Fairhaven this weekend



TOP: Swimmers and kayakers spotting them stretch from Davy's Locker in New Bedford to Fort Phoenix in Fairhaven on Saturday, 7/13, for the 20th annual Buzzards Bay Swim. More than 260 swimmers took to the water. See page 16 for story. ABOVE: Led by the New Bedford Fire Boat, a parade of boats approaches the hurricane barrier for the second annual Blessing of the Boats in at Fort Phoenix during Maritime Day on Saturday, 7/13. See page 17 for story. *Photos by Beth David See them in color at [www.NeighbNews.com](http://www.NeighbNews.com) Visit us at [www.Facebook.com/NeighbNews](http://www.Facebook.com/NeighbNews) to see more photos of these and other events. Individual photos are available for purchase.*



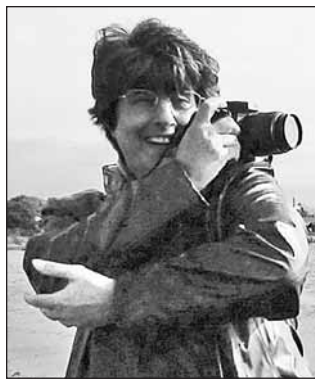
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# From The Editor

WEST ISLAND —  
A day late and many dollars short.



Beth David, Publisher

We're baackk. And so much has happened. Did you miss us? Where to begin?

Homecoming was cancelled on 6/29 (see page 25). The thunderstorms that morning were just a bit too much for organizers. They were afraid that vendors, with their nice metal tent poles, would get zapped. Then it cleared up, and that made people think cancelling was a bad idea. It's New England people, these things happen.

Unfortunately, the many nonprofit organizations that count on this event for their biggest fund-raiser, were stuck. Two of them, though, used social media to try to recoup. The North Fairhaven Improvement Association decided to sell its cacoila and accompanying buns out of their headquarters in Beniot Square. They posted it on Facebook, a bunch of us passed the message along, and they sold out in no time at all. Pretty cool, eh? I understand that the East Fairhaven IA also got rid of its strawberries, although the strawberry shortcake would've been better.

We have a new election date (page 21). Sorry to say that the last day to take out nomination papers is 7/18, the day we're back, so you don't have much time if you're interested in running for a Board of Health seat. I'll let you know next week who's running.

Shaw's announced that the Fairhaven store is closing. Geesh...a lot can happen in two weeks, huh?

That's a shame, but competition is competition. We all have it, we all have to contend with it. They did carry a few things that I'm having a tough time finding at other stores. Hopefully, the other Shaw's stores will pick up some of those items. I don't know, though, the people I spoke to didn't exactly inspire confidence. Meanwhile, I stocked up on what was left on the shelves at our Shaw's.

Fairhaven had a July 4th parade and a blessing of the boats (see pages 16 & 17). Now, c'mon guys, the Army Corps of Engineers wouldn't send someone to open the gates so the Reverends could bless the boats as they sailed through the gate. My sources said that the Corps blamed the "sequester." Remember that?

Really, people? Really? You couldn't spare someone to open a #%\$&@\*^#\*\$ padlock and stand there for one lousy stinking @#\$\$ hour?

Really? How much can it cost to do that?

Maybe that's the question, huh? Maybe government workers are getting paid so damned much that it costs a fortune to have someone spend two hours on a Saturday to open a padlock.

Heaven help us all.

The turbines are still in the thick of things. See letters on pages 22 & 23. The developer has submitted a mitigation proposal (or several) to the selectboard. It was all in executive session, though, so I don't know what was in it. We'll get those details to you as soon as we have them.

The Friends of Fairhaven Wind group is gaining steam, though, so things should stay interesting for awhile.

Well, I hope you all missed us. My little vacation was

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## CORRECTIONS/CLARIFICATIONS

In our story on the quahog relay in our last issue (6/27/13), we incorrectly stated the number of bushels transplanted by the Fairhaven Natural Resources Department. It was 1,000 bushels. We apologize for any confusion our error may have caused.

LETTER: cont'd next page

## LETTER: cont'd from previous page

supposed to result in a new floor in my living room and woodstove room with plenty of time left over for day trips.

Yeah, right.

I wrote three blogs about the nightmare that is my home renovation project ([www.bethdavid.net/blog](http://www.bethdavid.net/blog)). The first one was hysterical. The second one was really funny. The third one was funny. Then it wasn't funny anymore. The project is still not finished. I've got boxes everywhere and am now back in my deadline life.

What on earth was I thinking?

No blogs about the boat yet. I haven't had a chance to take it out. I haven't even had a chance to paint those seat frames.

My *Little Water Buggy* is just sitting in the driveway. The only water it's seeing is rain, which is substantial, but not quite the same.

Speaking of boats, the Harbormaster has commandeered a public dock to put his boat in. He not only put his boat there, but managed to lock out the public (see page 4). When people found out that the dock in question was built with public funds and is supposed to be open to the public, they brought it to the attention of the selectboard.

The board authorized the harbormaster to ask the Seaport Council if he can still leave his boat there, basically asking for permission to keep the public locked out. It's supposed to be until he can find another spot, but hey, it's July. The public has a right to the space. I find it very disturbing that any town official thinks it's okay to lock the public out of any public space, but especially

access to the water. Our ways to get to our precious Atlantic Ocean are constantly under threat from neighbors and people who simply think they have a right to keep the rest of us out.

There are places that are private, plenty of them, and people should not violate those spaces. The places that are open to the public are few and dwindling, and they should not be violated, either. We need to guard them with extreme vigilance and not let anyone take them away from us. As one neighbor said, why can't we all share?

I'm tired of hearing how it's all changed in our "post 911 world. I don't want to hear about Homeland Security and all the expensive equipment on the boat. That's your problem. We have a right to enjoy that water, too, not just those endowed with special rights from Homeland Security or not.

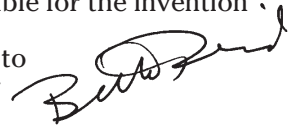
I don't know what the Seaport Council will say. I hope they will order that gate unlocked, fast. But even if they don't, the selectboard must insist that the Harbormaster to unlock that gate. It's just not right to keep the public out.

Now, about the Zimmerman trial. I'm no legal genius, so maybe I missed it, but I have just one question: why didn't Trayvon Martin have the right to stand HIS ground?

### Random thought for the week

Special thanks to Willis Haviland Carrier and Michael Faraday, who are largely responsible for the invention of the modern air conditioner.

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# Selectboard hears complaints

Beth David  
Editor

The Fairhaven Selectboard sided squarely with two town officials at the center of complaints during Monday's meeting, 7/15.

Louis Baptiste of RRR Auto on Route 6 complained that Building Inspector Wayne Fostin "discriminated" against him for years by harassing him over signage at his business, but did nothing to stop Fairhaven Getty across the street from having too many cars on the lot.

RRR is a used car lot and car repair shop with a license for 100 cars. Fairhaven Getty is a gas station and repair shop with a license for 11 cars.

Armed with photos taken by Mr. Fostin, Mr. Baptiste said it was clear that the cars at the Getty station were sharing license plates to fool the inspector into thinking some of the cars were registered.

He said Getty owner Hatem "Tim" El Rifai "always has an overage of cars," puts "bogus plates" on them and that Mr. Fostin "let's him get away with it."

Selectboard member Bob Espindola, however, said the pictures were not clear that the cars in the picture were not registered. He said he could not see the license plates.

Peppered throughout Mr. Baptiste's presentation were accusations that Mr. Fostin was incompetent and unqualified.

"With all due respect," selectboard chair Charles Murphy told Mr. Baptiste, Mr. Fostin "is qualified."

Mr. Baptiste insisted that Mr. Fostin's own photos clearly showed the violation that was being ignored.

"I'm not trying to be a wiseguy here," said Mr. Baptiste. "But I have my life savings in my business."

He said he has complained about the gas station before, but to no avail.

"It's a gas station, not a used car lot," said Mr. Baptiste.

Mr. Murphy said that the board would send Mr. Fostin out to check again, but that he had been to the Getty station three times and found no violations three times.

He said continually sending Mr. Fostin out to check on a business that is always found in compliance would, eventually, be considered harassment of that business.

Mr. Baptiste, however, would not be swayed.

"I know what he said, but I showed you what he's doing."

Mr. Murphy said the board would send Mr. Fostin out again, but would not continue to do so.

"He's being rewarded somehow," said Mr. Baptiste, but backed away from accusing Mr. Fostin of taking money, saying instead that a "thank-you" is a reward.

Mr. Fostin said he would go out to the business as often as necessary, but that the situation is really a police matter if Mr. El Rifai is truly switching plates on cars.

"I have no jurisdiction," said Mr. Fostin.

"I don't see discrimination," said selectboard member Geoffrey Haworth. "I see the building inspector trying to do his job."

Mr. El Rifai told the board that he had no objection to Mr. Fostin or any other official visiting his business as often as they deemed necessary. He repeatedly said he respected Mr. Baptiste "like my father," but that Mr. Baptiste was hostile from the start.

He said sometimes customers leave cars that are not working in the lot. He said he never used different plates on cars. Once, he said, he changed the registration from one car to another and then back again because his wife decided she did not like the diesel.

"She changed her mind so we put it back," he said.

Mr. Fostin will check the lot again.

The board also heard from residents on two matters regarding the Harbormaster's execution of his duties.

Ted Lorentzen faced the board armed with documents stating that a dock in the village section of town was repaired with Seaport Council money and was clearly meant to be a public access dock. Harbormaster David Darmofal recently blocked access to that dock with a locked fence to secure the town's boat there.

Mr. Darmofal acknowledged that he did not know about the restrictions on the deal and that he would move the boat if the Seaport Council told him he had to, however, he asked the board to give him permission to ask the Seaport Council to change the terms of the dock's usage to allow the Harbormaster to continue to restrict access, at least until he can find

**SELECT: cont'd on page 17**

# New BOH election to be held on 9/9

By Mali Lim

Neighb News Correspondent

Residents representing both sides of the wind turbine debate turned out in droves for the July 1 selectboard meeting. Approximately 70 residents, including members of Windwise and Friends of Fairhaven Wind, packed a sweltering town hall meeting room for an hour-long discussion on wind turbine compliance and the new Board of Health election with few outbursts and no angry confrontations, leading selectboard chair Charles Murphy to thank everyone for "keeping their cool."

With the Superior Court's ruling that the April 1 Board of Health election was invalid, the selectboard announced a new BOH election for September 9.

Several members of the public called for new elections all across the board, not just for the BOH. The fact that an uncounted ballot was found in a ballot box threw the whole election into question, they argued.

"If you say that [the process] wasn't done right from the beginning, you can't say it for only one election," said Dan Freitas, a former Board of Public Works member who formed the Friends of Fairhaven Wind.

Another resident disagreed, saying that he was there to see the selectboard schedule a new BOH election and not there "to give a former board of selectman who lost his seat by 200 votes an extra shot at winning back his seat," an apparent reference to Brian Bowcock's loss to Geoffrey Haworth.

Mr. Murphy replied that the courts had made the selectboard's job clear for one thing only, and that was to set a date for a new BOH election.

"Do I have concerns about Town Counsel not telling us about this [extra] ballot? Absolutely. But that is something that I need to take up with Town Counsel," said Mr. Murphy.

In another controversial matter, Sumul Shah of Fairhaven Wind told the board that night that recent tests showed that the wind turbines are currently and fully in compliance with noise regulations.

Simply shutting down one of the turbines at night made the project quieter and brought the noise below the threshold levels, he said, adding that this was one solution they were offering in their noise mitigation

**7/1: cont'd on page 24**



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# AROUND TOWN HAPPENINGS

## Lobster Dine-Out

At Our Lady's Haven, 71 Center St., Fairhaven, on Thursday, 7/25 from 4:30-6 p.m. Tickets available at the reception desk: \$14. Includes: Chowder, Lobster Roll, French Fries, Coleslaw, Dessert and Beverage.

Proceeds to benefit the residents of Our Lady's Haven.

## Save the Date

Who is Steve Thornton and why is he coming to West Island on August 16 at 7 p.m.? Check in next week for more details.

## Lobster/Clambake

By the Fairhaven Improvement Association, on Sunday, 7/21 at the West Island Improvement Association Community Center, 41 Causeway Rd., Fairhaven. Come at 12 noon to socialize. Chowder starts promptly at 1PM. Cash bar. Price: \$42 Per Person.

Meal includes chowder, lobster, clams, mussels (if you want), all the usual fixins' fish, sausage, potato, onion ,corn..... watermelon for dessert.

Limited number of tickets are sold. Contact Linda at 508-994-8751 or 508-542-1735 for tickets.

## Farmer's Market

On the lawn of Fairhaven High School, corner of Main Street and Route 6, from 1-4 p.m. Sunday. Organic, locally grown foods, hand crafts. For more information contact ann.richard@gmail.com

## Free Concerts

The Fairhaven Improvement Association's Summer Concert series has begun. On **July 18**, the "Infractions" will bring the Happening Horns back by popular demand. "Blues Train" is scheduled for **July 25**. On **August 1**, "Critical Mass" will entertain. "Captain Malibu, which played their debut on the auditorium stage due to a rain storm, will close the series on **August 8**.

The concerts are performed in front of the Town Hall on Center Street. These are events for young and old alike. Bring your chairs or blankets and be prepared to spend a pleasant evening enjoying the music and relaxing in a beautiful historic

setting. Concerts are free and take place rain or shine. In the case of rain, the performance is moved into the Town Hall auditorium.

## Bicycle Rides

This Thursday July 18th, 2013 and on **every Thursday in July and in August** the Fairhaven Bikeway Committee is sponsoring a bike ride starting at Fort Phoenix. This will be a family friendly ride led by members of the Fairhaven Bikeway Committee. If you plan to take part in this ride plan to be at Fort Phoenix on Thursday July 18, 2013 at 6:00 PM. Following rides may include some off the road biking but will always allow for an alternate ride for families.

We encourage everyone to go to the town bikeway committee's web site at [http://fairhaven-ma.gov/pages/fairhavenma\\_bcomm/Bike](http://fairhaven-ma.gov/pages/fairhavenma_bcomm/Bike) and check out a number of different bike routes in Fairhaven for bikers to use.

## Motorcycle Run

Danny's Run for ALS Motorcycle Run and Pig Roast, will be held on Sunday, 7/21, at the Seaport Inn and Marina, 110 Middle St., Fairhaven, in loving memory of Daniel Michael Perry. Rain date 7/28. Registration begins at 9 a.m., ride leaves at 11. Cost: \$15. For tickets call Jacqueline at 508-287-8779.

Entertainment by The Kulprits and Acoustic Dynamite. Spirit Medium Bill bean, Athena's Home Novelties.

Proceeds to benefit the ALS Family Charitable Foundation, [www.alsfamily.org](http://www.alsfamily.org) or 508-759-9696

## FHS Tour

Fairhaven High School Tour, **Friday, 7/19, 2013, 10:00 a.m. to noon**, Fairhaven High School, 12 Huttleston Ave., Fairhaven. Tour the "Castle on the Hill," which was donated to the town by Henry H. Rogers in 1906. Guide: Bob Foster. For more information, email [info@fairhavenalumni.org](mailto:info@fairhavenalumni.org).

## ACE concerts

The following performances will be held at the Fairhaven High School Performing Arts Center, 12 Huttleston Ave. (Larch Ave. entrance), Fairhaven by the Acushnet Classic Ensemble. ACE is a youth orchestra of some of the area's finest young

musicians, who are dedicated to the performance of classical music. Air conditioned and wheelchair accessible. **Free**. For more information, contact Doreen Nelsen at 508-994-1098.

Supported in part by the Fairhaven Public Schools, corporate and private donations, and the Cultural Councils of Acushnet, Dartmouth, Fairhaven, Mattapoisett, Rochester and Westport, which are supported by the Massachusetts Cultural Council, a state agency.

## Dress Rehearsal

The Acushnet Classic Ensemble **Dress Rehearsal, Wednesday, July 24, 1:00 p.m.** A one-hour afternoon rehearsal/performance.

## "Pops" Concert

**Thursday, July 25, and Friday, July 26, 2013, 7:00 p.m.**

## At the Millicent

At the Millicent Library, 45 Center St., Fairhaven, in the Library Auditorium, Walnut Street entrance. Accessible. To register, call the library at 508-992-5342, or email Jane Murphy ([jmurphy@sailsinc.org](mailto:jmurphy@sailsinc.org)). Visit <http://www.millicentlibrary.org/>

**Teen Group!** This year's Teen Theme is "Beneath the Surface." Parties, Manga and Anime, Movies, Crafts, Game days, Wii, special Teen Raffles and more; your input is appreciated! Light refreshments are served. Check out the online calendar and the Millicent Library Facebook page for more information. Teen Tuesdays will be held on July 23rd, and July 30th..

**Gamernoon/Crafternoon** Wednesdays, July 24th & 31st, 2-5 p.m. Come and play games and make crafts in the downstairs Auditorium.

**Tie-Dye with Dr. Toby Dills!** Monday, July 22nd, 10:00 a.m. to 12:00 on the Unitarian Lawn. Bring a white cotton T-shirt or other white cotton item to dye, or purchase one from Dr. Dills. Age 3+, with parent assistance. Teen helpers get a free shirt.

**Tales from the Talespinner** with Dr. Toby Dills. Wednesday, July 24th, 10:00-11:00 a.m. in the downstairs Auditorium. Sign up! Ages 3 and up. Some of the stories are a little scary!

**Kid Yoga.** Learn relaxation, good posture and balance! Taught by Ms. Stephanie. Call for dates.

# HAPPENINGS OVERTOWN

## Knowles to be honored/free event

Katherine Knowles will be honored at a public reception celebrating her years as Chief Executive Officer of the Zeiterion Theatre on **Thursday, 7/25, from 5 to 7pm at the Waypoint Event Center at the Fairfield Inn, 185 MacArthur Drive, New Bedford.** Over the nine years Knowles served as CEO of the Z, her passion and commitment brought first class talent and programming to the Z's New Bedford stage. Knowles also developed strong, quality education programs centered on the theater that serve the greater New Bedford region. In addition, Knowles was instrumental in securing funding for the theater's rehabilitation and in working with the city to provide management services for the building that houses a number of community organizations and productions.

Many members of the greater New Bedford community are joining together to sponsor the reception for Knowles. The event presents an opportunity to recognize the many achievements accomplished under Knowles and thank her for her service and dedication to the community. The public is invited to the evening event featuring light refreshments and cash bar. There is no admission charge.

Community members are invited to add their thoughts and best wishes for Knowles to "memory books" that will be presented to Knowles during the event. **The books will be available for signing in advance of the reception from Monday July 22, 2013 through noon on July 25th at ArtWorks! 384 Acushnet Avenue, New Bedford.** Guests may also sign the books the evening of the reception. People may email [info@artworksforyou.org](mailto:info@artworksforyou.org) with text and images they would like to have added to the books if they are unable to contribute in person.

## Cooling Centers

The local forecast for the New Bedford area over the next several days calls for daytime temperatures above 90 degrees. The following is a list of City facilities accessible during their normal hours of operation for relief from the heat over the course of

this week:

- All Senior Centers are open 9:00am-3:00pm, Monday through Friday. (Brooklawn Park, Buttonwood Park, Downtown Ashley Park, Hazelwood Park)
- Libraries: Main Library, 613 Pleasant Street; Casa Da Saudade, 58 Crapo Street; Wilks Branch, 1911 Acushnet Avenue; Lawler Branch, 745 Rockdale Avenue; Howland-Green Branch, 3 Rodney French Blvd

## Free Concerts

The City of New Bedford will host a series of free summer concerts on the New Bedford waterfront during t July and August. The first of its kind, Summer Sound Series will feature live musical entertainment on State Pier in Downtown New Bedford. Residents and visitors will dance to the music of local artists, enjoy beverages available for purchase, and relax along New Bedford's beautiful working waterfront.

The public is invited to bring their chairs and enjoy front row seating to performances by the following bands **from 6 -8 pm.:**

**7/19 - Joaquin Santos & Band:** The hottest soul music experience around, Joaquin has been performing with the best of the best in New England. Joaquin, a New Bedford native, will feature some of the finest musicians from Boston to showcase a summer soul night on the pier with R & B, funk and some blues!

**7/26 - Ritmo Masacote:** A 13 piece Cuban Salsa Orchestra Powerhouse comprised of some of Berklee's most talented professors/alums/students and NY & Boston's finest musicians. Many of the members are in their early twenties, but don't let them fool you. This young, charismatic cast produces commanding presentations full of life, spirit, and contagious energy.

**8/9 -Craig DeMelo The Whiskey Poet & Band:** The twenty-eight year old has been playing stages from coast-to-coast since 2002. He's been to every major club in New England, opening for such National Acts as Howie Day, Hootie and the Blowfish, Matchbox 20, the Mighty Mighty Bosstones, Less than Jake, and Griffin House. He's also had three successful tours in California in 2007, 2008, and

2009. Along the way, he's written over 80 songs.

**8/16 - Living On A Bad Name:** National act Bon Jovi tribute that was born right here in New Bedford in 2010. Since then this rock band has risen to a "blue chip" tribute act, having played in 9 states and in over 120 venues. World renowned guitarist Ethan Brosh and former local radio celebrity Ken Pittman lead this fun filled act and encourage audiences to sing and dance stage side all night long.

**8/23 - Jammin: A Tribute To Bob Marley:** CHRIS WATERS portrays Bob Marley in JAMMIN': A Tribute To Bob Marley. They are the PREMIERE Bob Marley Tribute worldwide!! You will find NO OTHER band that recreates the sights and sounds of Bob Marley's 70's stage performance like JAMMIN'.

**8/30 - The J.Kelley Band:** A Rock'N'Roll Pop/Rock revelation out of New Bedford, MA. Mixing heartfelt lyrics, sing-a-long choruses, and excellent musicianship with energetic live shows, J.Kelley and the band turn new listeners into instant fans.

Concertgoers are encouraged to continue to enjoy their summer evenings in New Bedford at one of the many fine restaurants that will offer concert night specials. A full list of participating dining venues is available at [destinationnewbedford.org](http://destinationnewbedford.org).

## Space Saturday

On Saturday, July 20, New Bedford Whaling National Historical Park will be offering Space Saturday, a day of hands-on activities about science and space travel. The event will run from 10:00 am-4:00 pm, and will feature Dick Methia, a national finalist in the NASA Teacher in Space project and former New Bedford High School English teacher. At 3:00 pm, Methia will give a fascinating 45-minute presentation on living and working in space. Opening the event at 10:00 am, Lisa Pratt, science teacher at Roosevelt Middle School and NASA space camp alum will present an introduction to space camp and lead soda bottle rocket launches. Activities for all ages. All events take place at New Bedford Whaling National Historical Park's visitor center, located at 33 William Street in downtown New Bedford. Free.



# HAPPENINGS/OTHER LATITUDES

## Harbor Days

Mattapoisett Lions Club will hold its annual Harbor Days on **July 19, 20 and 21. Over 100 crafters and artisans will set up in Shipyard Park (rain or shine) from 9:00am to 6:00pm on Saturday and Sunday from 9:00am-4:00pm.** There is continuous entertainment throughout the weekend.

The Lions Club's famous home-made Chowder and Seafood Roll (or Chicken Sandwich) Dinner on Friday July 19 at 5:30pm starts off the weekend followed by a free concert by The Relics (7-10pm). Saturday evening is the Lobster Dinner at 5:30pm and a new Family Movie Night at 8:00pm under the tent. Sunday is the pancake breakfast from 8:00am - 11:00am. Food booths featuring hot dogs and hamburgers, linguica, and cacaoila rolls, and the Lions' famous Strawberry Shortcake are open throughout the weekend along with live entertainment on the Gazebo. There is also a You Pick 'em Auction all weekend, a Silent Auction on Saturday afternoon and the annual Harbor Days Raffle that will be drawn on Sunday at 3:30pm. All proceeds benefit Lions charities and local projects helping those in need within our community.

## Mattapoisett Friends of the Elderly at Harbor Days

Come and join us for the fun and festivities at Shipyard Park on July 20 & 21. Look for our table (T5) under the main tent. We have several new items for you this year. We have a spectacular variety of BBQ/kitchen aprons (they come boxed), wooly wire-frame toy poodles (not suitable for little ones), sets-of-four original scrimshaw prints (suitable for framing), and Mattapoisett landmark note card sets. Get more details at the table.

## Book Signing

Author Carol Andersen Book Signing Event on Saturday, 7/20 from 2:00-4:00 p.m. at Barnes & Noble, 392 U.S. 6, North Dartmouth.

Anderson, a resident of Middleboro, MA, will be available to sign copies of her book *A Chance of Snow*. New Englanders know that winter weather forecasts are entirely unpredictable. On December 27, a

few days before Carly Richardson and Rob Shaw are to be married, the city of Boston is caught completely off guard when a forecast calling for a chance of snow turns into a dangerous nor'easter.

Carly's world is torn apart that night when her fiancé is killed in a freak roadside accident. After months of being unable to pick up the pieces, she gives up everything... her job, her home, her friends, and takes a job in northern Vermont, hoping to start over again. The move doesn't turn out quite the way she had planned, and she finds herself caught up in another snow-related tragedy and a strange twist of fate that puts her own life at stake.

## Free Tennis Clinic

District Attorney Sam Sutter and his group of volunteers will be holding free tennis clinics in the towns of Westport and Norton.

This year's free youth tennis clinics will be held on **Saturday, July 20th and Saturday, July 27th at the Westport Middle School tennis courts.**

The second set of two clinics will held on Saturday, August 3rd and Saturday, August 10th at the Wheaton College tennis courts in Norton.

Area children between 7 and 9 years old will take the court on all Saturdays from 9 to 10 a.m., while children between the ages of 10 and 14 will be instructed from 10:15 to 11:15 a.m. on both Saturdays.

Parents and children can register for the clinic by logging on to [http://bristolda.com/DA/Events\\_files/WSTPRT\\_13\\_Tennis.pdf](http://bristolda.com/DA/Events_files/WSTPRT_13_Tennis.pdf) or [http://bristolda.com/DA/Events\\_files/NORTON\\_13\\_Tennis.pdf](http://bristolda.com/DA/Events_files/NORTON_13_Tennis.pdf) or by calling Volunteer Coordinator Brian Rose at 508-961-1972 or by picking up a registration form at one of the following locations: District Attorney's Office, 120 South Main Street, Fall River; District Attorney's Office, 40 Broadway, Taunton

Walk in registrations are permitted, although participants are asked to arrive 15 minutes prior to the start of the clinic.

## Farmers Market

The **Acushnet Farmer's market** is open **every Saturday from 9-1, rain or shine at 186 Leonard Street.**

Featuring local vendors offering fruits and vegetables, baked goods, honey, eggs, and other local products; hand made knitted items, jewelry, and all natural goat's milk soap and lip balm.

## Free concerts

Running Brook Vineyard and Winery has announced their free summer music and wine events for the 2013 season. Local musicians, including Jeff Dunn, Frank Noonan, the Delta Charlie Band, Saucy Jack and Midlife Crisis have joined the line up of musical guests at the Dartmouth vineyard located at 335 Old Fall River Road.

Both music and wine lovers are invited to bring a picnic, the family and friends and enjoy music under the tent (weather permitting) or in the winery. A free music and wine event will be held **every Sunday afternoon through Labor Day weekend.** The winery opens at noon, music starts at 1. Frank Noonan will be crooning Frank Sinatra covers during special Saturday evening event on August 3 from 5 to 7 p.m.

Tastings at the winery are \$8; purchases are not required to enjoy the music events. For more information on Running Brook Vineyard and Winery, please visit their website [www.runningbrookwine.com](http://www.runningbrookwine.com) or call the winery at (508) 985-1998.

July 21, Midlife Crisis; July 28, Jeff Dunn; August 3, Frank Noonan (5 to 7 pm); August 4, Saucy Jack; August 11, Delta Charlie Band; August 18, Midlife Crisis; August 25, Jeff Dunn

## Free Shakespeare

Buzzards Play Productions, Inc. will present Shakespeare's Twelfth Night at the Onset Bandshell. **Show dates are July 21, 22, 23, then 28, 29, 30, and August 4, 5, 6: which are all Sunday, Monday, Tuesday nights, starting at 6:30pm. There will be an additional show on Sunday August 11th.** It will be a DOUBLE FEATURE, because that Sunday will also have a performance of the High School Production of Romeo & Juliet!

For more information visit <http://www.kickstarter.com/projects/1704353750/shakespeare-on-vacation> or contact the theatre at Buzzplayprod@gmail.com, 508-591-3965.



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**Re-Elect  
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Board of Health**

I am Peter DeTerra and I am running for re-election to the Board of Health in Fairhaven's special election on September 9. There is so much more work to be done through the Board of Health. I am grateful to all of you who have been with me on this journey, and I want to thank you for all your support these past few months.

I am asking for your continued support as the journey continues to allow me to work with all the citizens of Fairhaven to bring consensus to this town.

Call me at 508-992-1838 or inbox me on Facebook (Peter DeTerra), or email me at PeterDeTerra@yahoo.com

And again, I want to thank the citizens of Fairhaven. And don't forget to vote on Monday, September 9. And remember, you can always get an absentee ballot if you're not in town that day.

**Spaghetti Supper  
Fund-Raiser  
Seaport Inn  
Thursday, Aug., 1  
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Thank you,  
  
Peter DeTerra

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Sun.: Noon-10 p.m.

---

**Local Bands at  
Down The Hatch:**  
*Music at 8 Thurs.-Fri. and at 3 on Sun.*

<p><b>Fri. 7/19:</b> Delta Charlie Band <b>Sat., 7/20:</b> Wold and the Jam <b>Sun., 7/21:</b> Chris Richards,</p>	<p><b>Fri. 7/26:</b> The Relics <b>Sat., 7/27:</b> Chris Richard Trio <b>Sun., 7/28:</b> Thom &amp; Jeff</p>
--	--

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508-993-3434 • www.EarlsMarina.com • Visit us on Facebook!**

# Recipe of the Week

## Peanut Butter Squares

- 1 cup graham cracker crumbs
- 1 cup melted margarine
- 1 cup peanut butter
- 1 pound powdered sugar
- 12 oz. bag chocolate chips

Combine cracker crumbs, margarine, peanut butter and sugar until smooth.

Press into 13x9 inch pan.

Melt chocolate chips and spread evenly over top.

Refrigerate until firm; cut into squares.

*Submitted by Andrea Moniz*

### To share a recipe with your neighbors

Mail to 166 Dogwood St., Fairhaven, MA 02719; fax to 508-991-5580; email to [neighbnews@comcast.net](mailto:neighbnews@comcast.net)

# MMMM Good



At the Fairhaven Senior Center, Shirley Ponsart, client of Fairhaven Senior Social Day, is really enjoying a 'Smore which she helped to make with chocolate, marshmallows and graham crackers. With the help of staff and volunteers, each of the clients also created their own, unique hat fashioned from paper bags. Shirley's hat is adorned with butterflies. It was another day of fun for the clients of Senior Social Day at the Fairhaven Senior Center. Photo submitted. See it in color at [www.NeighbNews.com](http://www.NeighbNews.com)



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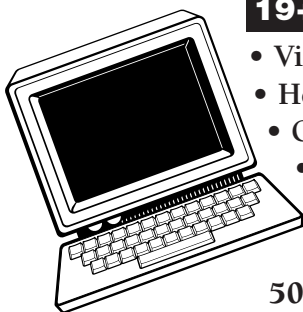
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# Acushnet selectboard: no lease for community center

By Jean Perry

## Neighb News Correspondent

The lease for the Acushnet Community Center located at the old Marie Howard School is up, and on 7/15 the Acushnet Selectboard voted to close the facility and consider options for future use of the building.

The board received a letter from Everett Hardy III, urging board members to reinstate the lease, keep the center open for town activities, and suggested the town fund the center's operation using Community Preservation Committee funds, the new Energy Fund, and set up a new revolving account.

Chairperson Leslie Dakin expressed appreciation for Mr. Hardy's letter, then made his own suggestion that the Town investigate if converting the old school into affordable housing would be feasible, adding that Acushnet desperately needs more public housing with its current three-year waiting list of about 30 people.

"I think that's a worthwhile endeavor to look at," said Selectboard Member David Wojnar.

Mr. Wojnar told board members that he had been contacted by the Russell Memorial Library Board of Trustees and he would prefer to meet with them to discuss the possible interest of relocating the library to the Community Center building.

Selectboard Member Kevin Gaspar

said the board should explore all options available before they rush into a lease. Although he agreed that it would be worthwhile to explore the affordable housing idea, he pointed out that there currently is no sewer there and he would be interested in the input of the Acushnet Housing Authority.

The board previously granted a 30-day extension on the Community Center's lease to allow for the emptying of the facility, but the building will remain closed to the general public.

Acushnet Zoning Board of Appeals meetings that used to take place at the Community Center building will now be held at Town Hall.

Also at the meeting, the board released an official statement asking the Environmental Protection Agency to withdraw its proposed settlement agreement with AVX Corporation for \$366 million for the PCB cleanup of the Acushnet River and New Bedford Harbor. The board said the amount is not enough to cover the entire cost of the cleanup.

The board also rejected the agreement's release of all liability and future responsibility to the community, in agreement with the Buzzard Bay Coalition's stance on the matter.

The board voted to support the BBC's acceptance of Attorney Philip Beaugard of the Law Offices of Beaugard, Burke, & Franko, who

will represent the Town pro bono as an amicus party (not a party to the litigation, but the court's decision may affect its interest) to proceedings before the United States District Court for the District of Massachusetts.

"A generation of residents in our town, which was founded on the banks of the Acushnet River, has lost the ability to fish and swim while we wait for a full cleanup of the toxic PCB pollution," the Selectboard's statement reads.

The EPA first estimated the cost of the cleanup at \$130 million. So far, \$456 million has been spent, and now the EPA estimates it will cost another \$401 million more to finish the project.

The board asserts in the letter that AVX should be required to pay for the full cleanup.

In other matters, the board set the Town's rate for an ice cream vendor permit at \$50.

The board voted to advertise for the open position of accounting clerk, after a failed effort to seek candidates already on file.

The board approved several budget amendments, and Mr. Dakin pointed out that the actual budget has not been affected since the changes were only line item transfers.



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# SMCU donates books to schools

## Press Release

For the seventh consecutive year, Southern Mass Credit Union, in conjunction with the Massachusetts Credit Union League, recently participated in a 'Children's Book Drive' collecting new and used children's books. Books collected were generously donated by credit union members, employees, families and friends.

Since the inception of the book drive, Southern Mass Credit Union has chosen local schools to receive the books to help stock their library shelves and promote student literacy, SMCU donated books to the following schools who participate in the credit union's 'School Savings' deposit program:

East Fairhaven Elementary School  
 Leroy L. Wood Elementary School  
 St. Joseph Catholic School  
 Hastings Middle School  
 Our Sisters' School

"On behalf of Southern Mass Credit Union, I would like to thank everyone who participated this year for their support and generosity in donating books to our annual book drive,"

stated Daniel Waltz, President and CEO of Southern Mass Credit Union. "As a community credit union, we are pleased to distribute these books among our local schools helping to promote literacy for the students."

In addition to the books, SMCU made a monetary donation to each school to help the schools purchase additional books for their libraries.

Southern Mass Credit Union, headquartered at 123 Alden Road in Fairhaven with a branch office located at 2926 Acushnet Avenue in New Bedford and a branch office located inside Fairhaven High School for students, faculty and staff. SMCU is a full service community credit union with approximately \$190 million in assets and 10,358+ members. The credit union offers a variety of competitive savings, checking, auto

loans, mortgage loans and equity lines of credit to everyone who lives, works or attends school in Bristol, Barnstable and Plymouth counties. For more information on credit union membership, services or products, contact SMCU at 508-994-9971.



SMCU School Savings Manager Rose M. Ferreira (l) presents a check and books to Hastings Middle School Principal Wayne Miller. Submitted photo. See it in color at [www.NeighbNews.com](http://www.NeighbNews.com)

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<http://fairhavenma.virtualltownhall.net>

### Kool Kids Summer

Kool Kids is for children entering grades 1 to age 12. Children will have fun each day by participating in a variety of sports, games and art activities. Each session will also include special themed events. Children are grouped by the Grade they will enter in the Fall. Don't miss out on this great summer program. Last years program was full almost every week. Sign up early!

Hours: Monday thru Friday 8AM-3PM, Drop off 7:45AM-Pick up 3PM

\*extended day will be available; AM only (7AM) - \$25, PM only (4PM) - \$25, Both \$40

Session 5: July 22-July 26. Session 6: July 29-Aug. 2. Session 7: Aug. 5-Aug. 9 Session 8: Aug. 12-Aug. 16 Session 9: Aug. 19-Aug. 23 All sessions are \$125 for members and \$150 for non members

### Beginner Tennis

Beginner Tennis for ages 6-10 Last session is August 19th-August 22nd Program is held at Hastings Middle school. Time 9am-12pm. please register at the Recreation center. Member price \$40./nonmember \$50.

### Zumba Toning

Fitness with a Latin beat. Come learn the Sumba, Meringue and the Cha Cha every Monday & Wednesday 5pm to 6pm Member drop \$5.00/ Nonmember \$7.00

### Kool Kids Fall/NEW

Fairhaven Recreation is running a new After School program right in your elementary school this fall! Registrations are being accepted now. Sign up for the week or just one day. Children will meet in the cafeteria, have a snack, do homework and play sports and games. This program runs from the end of the school day until 5 p.m. every day that school is in session. Member/non-member rates and sibling discounts!! Call or visit the rec for more info.

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Visit our new website at:  
[http://fairhavenma.virtualltownhall.net/Pages/FairhavenMA\\_COA/index](http://fairhavenma.virtualltownhall.net/Pages/FairhavenMA_COA/index)

### Mall Trips

7/24: Plymouth Shopping

7/31: Hyannis Mall, Xmas Tree Shop, Trader Joes

### Entertainment

EVERY THURSDAY, 12:30-2:30 p.m., featuring the OTs, \$2 donation

### Special Activities

#### Cape Cost Jazz Cruise

Sun. 8/4. Leaves Fhvn. Sr. Center 11:00 a.m. Lunch on your own at Kool Kone, returning to Sr. Center around 5:30. Call COA, 508-979-4029. \$25.00

#### Fit-Quest

No guilt, no competition, supportive fitness group. Meets every Thursday, 8:30-10 a.m. at the Senior Center. Discuss weight loss strategies in our quest to get fit!

#### SHINE Counselors

SHINE Counselors are always available to answer all of your health insurance concerns .

SHINE Counselors will determine if you qualify for the Government to stop deducting the Medicare Part B Premium of \$104.90 from your Social Security check each month. They can also complete the Mass. Health application for you free of charge, if you meet the income and asset

limits. Call 508-979-4029 and ask for Lucille.

#### Senior Work-Off Program

Earn a \$500.00 tax credit for 62.5 hours work. Work in a town department. Looking for someone to do custodial work at the St. Center and seniors to work in various town departments. For more information call the Senior Center and ask for Phyllis.

#### Emergency/Hurricane Preparedness Meeting

The Massachusetts Office on Disability and the Fairhaven Council on Aging are meeting with emergency preparedness professionals to explore ways to meet the needs of elders and those with disabilities during times of emergencies. Learn about response resources and procedures within your community during times of emergency or natural disasters

Mon. 7/22 1:00-2:30 p.m. Elders over 60 or those with disabilities will receive an Emergency Go Pack R.S.V.P. by 7/17, 508-979-4029

### Ongoing Programs

Call 508-979-4029 for days and times

A/G Consumer Mediator; Bingo; Board Meeting/monthly; Bridge; Caregiver Support & Education Group; Chair Yoga, Computer Training; Friends of Elderly/ monthly meeting; A Grant is available for heating your home; Grocery Shopping; Live Band; Medical Transportation; Nutrition Program/ meal served; Osteoporosis class; Outreach Coordinator; PACE Fuel Assistance; Pitch; Reassurance Program; Shopping; Supportive Senior Social Day Program; Tai Chi; Tap 'N' Time, Walking Clubs, Zumba.



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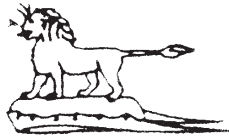
- Make your rings bigger or smaller
- Repair any breaks in your jewelry
- Replace skinny ring backs (shanks)
- Reset stones that have fallen out
- Tighten loose stones
- Set new stones if you lost them
- Repair worn or broken prongs
- New settings for your stones
- Solder charms on a bracelet
- Replace old clasps
- Repair broken necklaces or bracelets
- Reinforce worn loops (bails) on pendants
- Restring necklaces
- Repair pins
- And the list goes on....



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## 262 join cold and rainy swim

By Beth David  
Editor

A cold and rainy morning greeted the 262 people swimming across the harbor from Davy's Locker in New Bedford to Fort Phoenix in Fairhaven on Saturday, 7/13, for the 20th annual Swim for the Bay sponsored by and benefitting the Buzzards Bay Coalition. The skies cleared up and the temperature got warmer, but not until after most swimmers had started the 1.2 mile trek. Swimmers had raised \$95,000 that will benefit the BBC which supports education, conservation, research and advocacy work to clean up the bay.

Fund-raising is not over yet, though. Swimmers this year have been working toward an exciting challenge: if they collectively raise \$135,000 and 30 swimmers each raise \$1,000 each, longtime swimmer Larry Fish of West Falmouth will donate an additional \$25,000 to the BBC. Supporters can donate to the swim through July 27 at [www.savebuzzardsbay.org/swim](http://www.savebuzzardsbay.org/swim).

A light headwind greeted swimmers as they kicked off around 7:30 a.m. By 9 a.m. the final swimmer had arrived at the finish line at Fort Phoenix in the Fairhaven.

Along the way swimmers encountered a lot of small jellyfish called "comb jellies," that do not sting, but were a bit of a distraction.

Kathryn Duff, 52, and Genevieve Hunt, 54, both of New Bedford, called themselves the "Gladiators of Grove Street."

Ms. Hunt swam for the first time and admitted she was "petrified."

"It was a goal," she said. "I wanted to do something physically challenging."

Ms. Duff has been participating in

the swim for years, winning the Cuttyhunk Award, reserved for those who have swum the route at least 10 times, which is equivalent to swimming to Cuttyhunk in the Elizabeth Island chain.

She said the headwind was a "little disconcerting," but the jellyfish were more of a problem this year.

Ms. Hunt said it was like swimming through tapioca because of them.

Both women said they swam to support the organization and the city.

"It supports our great port city," said Ms. Duff.

"This is the crown jewel of New Bedford, our bay," said Ms. Hunt.

The event drew swimmers from across the region and as far as away as Colorado, Florida and South Dakota, ranging in age from 12 to 73.

After the swim, participants, volunteers and fans celebrated at a finish line beach party, complete with food and drinks, massage therapists, live music and a live radio broadcast with Michael Rock of FUN 107. The event concluded with an awards ceremony.

CBB President Mark Rasmussen told participants and the scores of spectators that the first swim in 1993 had only 16 swimmers and everyone thought they were crazy to swim in the dirty bay.

"The water quality was no where near what we see today. It's amazing the progress we've made," he said, adding that there was still more work to do.

The fastest swimmer was 15-year-old Alex Gallant of Lakeville, who covered the course in 22:17. Right behind him was the fastest female, Morgan McCarthy, 23, of East Orleans, who swam in 22:50. The Wheeler Watershed Challenge Cup for the



fastest team went to the Freetown Lakeville Masters (Brett Pacheco of New Bedford; Andrea Desjardins Newman of Pawtucket, R.I.; Sarah Renaud of Norton; and Emily Deneault of Berkley) with an average time of 30:14.

The Quicks Awards for the fastest boys and girls high school teams both went to Apponequet High School in Lakeville. The "Apponequet A" boys team had an average time of 23:07 and the "Apponequet Lady Lakers" had an average time of 27:30.

"We'll put the money to good use," said 17-year-old Alex Turner of the \$1,000 prize the two teams will bring back to their school, noting that the prize will help them improve the school's pool facility and supplies.

Last-place favorite Gerry Payette (1:18:59) of Fairhaven came in second to last this time, just ahead of Philomene Tavares (1:25:44), who came in last and just behind Mr. Rasmussen (1:15:14) who came in third from last.

For a full list of results and photos, visit <http://www.savebuzzardsbay.org/2013BuzzardsBaySwim>.

The top fundraiser was Steve Johnson of Cambridge, who raised \$5,765. The Freetown Lakeville Masters raised \$1,590, the most for a team.



TOP: Paula Lazaroff, 48, shows her strength as she arrives at Fort Phoenix in Fairhaven after swimming from Davy's Locker in New Bedford for the 20th annual Swim for the Bay event benefitting the Buzzards Bay Coalition on Saturday, 7/13. LEFT: At 13 years old, Leighton Marcovici was one of the younger participants. MIDDLE: Martha Arruda, 53, shows her strength as she reaches the finish line. RIGHT: Jose Vinagre is clearly delighted with his fourth-from-last finish. Photos by Beth David. See them in color at [www.NeighbNews.com](http://www.NeighbNews.com). Visit us at [www.Facebook.com/NeighbNews](http://www.Facebook.com/NeighbNews) for more photos of this and other events. Individual photos are available for purchase.



# Maritime Day includes blessing of the boats



The Fairhaven Business Association held the second annual maritime day at Fort Phoenix on Saturday, 7/13. Local vendors set up booths, the US Coast Guard Auxiliary was on hand to give boating safety tips, and about 15 boats sailed through the hurricane barrier to be blessed. The Army Corps of Engineers, however, would not open the gates to let the Rev. Betty McLure of the First Congregational Church and the Rev. Paul Wheeler of Trinity Lutheran Church bless the boats with holy water. The two Reverends positioned themselves on the north side of the hurricane barrier and the boats got as close as they dared. ABOVE: The Rev. Ms. McLure tries her best to get the holy water to reach *The Chloe Rose* (LEFT) and the Fairhaven Harbormaster's boat (RIGHT), as the Rev. Mr. Wheeler calls out the blessing: "The blessing of God Almighty, the Father, the Son and the Holy Spirit, be upon this vessel and all who come aboard, this day and forever." Photos by Beth David. See them in color at [www.NeighbNews.com](http://www.NeighbNews.com) Visit [Facebook.com/NeighbNews](https://www.facebook.com/NeighbNews) for more photos.

**SELECT:** cont'd from page 4  
another place.

Mr. Lorentzen and Mr. Darmofal were both adamant in their stances.

Several neighbors who use the dock were also present to protest the Harbormaster's commandeering of their access to the river.

Mr. Darmofal said there was "nothing underhanded" in what he did, and acknowledged his error.

Mr. Lorentzen and the neighbors, were not happy with the idea that the town would ask the Seaport Council to legitimize the taking of the dock. He said that the town showed a disregard of the rules and that it did not abide by its signed agreements.

"If Natural Resources is going to have boats, then they need a place to put them and not take public access," said Mr. Lorentzen.

"I'm not an unreasonable person," he said. "It's not your dock to do anything you want with."

Garth Rowe, who lives on Middle Street and uses the dock, said he did not understand why the Harbor-master had to lock everyone else out just because he needed the dock.

"We should all be able to share," said Mr. Rowe.

"It saddens me to think that we'll be further alienated from the waterfront," said Faye Bartling. She said the area has become "so industrialized" it feels "like a foreign place."

Neighbors have been complaining

about noise and air quality problems with Fairhaven Shipyard.

She said it was not "reasonable" to keep the neighbors out.

"We can't keep you out," said Mr. Murphy, adding they will "remedy" the situation as quickly as possible.

Mr. Darmofal, however, seemed to have different opinion.

"I need that spot," he said flatly. "Times have changed."

Mr. Lorentzen disagreed, "The practical solution is to have a place to put your boat that doesn't take public access away."

The matter will be discussed at the next meeting on Thursday, 7/25.

Mr. Darmofal also came under fire by Ronald Lacasse who has been trying to get a mooring on the south side of Crow Island.

Mr. Darmofal insisted that the mooring field was too crowded on the south side. He said he offered a mooring on the north side, but Mr. Lacasse did not want it.

The two went back and forth about how many moorings are empty. Mr. Darmofal said he had not determined that there were any moorings that had been empty for at least two years in the area Mr. Lacasse wanted. Mr. Darmofal said that when he did, they would be filled by the waiting list, in order, but that he was "inclined" to reduce that mooring field anyway.

Mr. Lacasse insisted that he had proof that there were moorings that

were available.

Mr. Darmofal said he wanted to reconfigure that particular mooring field and remove moorings, not add them. He would not budge on giving Mr. Lacasse the spot he wanted.

The two men went back and forth for quite some time, discussing specific mooring numbers, who owned them, who used their boats, who didn't use their boats, how congested a mooring field should be, etc.

"I will not add any moorings to that site," said Mr. Darmofal adamantly.

"He just blows smoke," said Mr. Lacasse. "There's no reason I can't have a mooring now."

The selectboard supported Mr. Darmofal's decision, saying the bylaws clearly state it is within his jurisdiction as Harbormaster to make all mooring decisions.

In other business the board:

- Agreed to seek solicitations from law firms for town counsel. Mr. Haworth stated his intent to find a specialty lawyer for labor contracts, saying the town did not seem to be very good at negotiating contracts. Mr. Murphy agreed, saying the town's legal needs are diverse.
- Convened in executive session to discuss mitigation proposals by Fairhaven Wind LLC on operation of the two industrial wind turbines off Arsene Street.

# Planning continues Earle Street, approves Welcome Street

By Jean Perry

## Neighb News Correspondent

There was Welcome Street and Not-so-welcome Street at the Fairhaven Planning Board meeting on 7/9, with about a dozen Earle Street neighbors vehemently opposing a two-lot definitive subdivision for applicant Mary Vander Pol, the wife of the late Butch Vander Pol who served on the Planning Board for more than 30 years.

The matter was continued until 8/27 after Engineer Ken Ferreira gave the board an overview of the plan while neighbors chomped at the bit for their chance to express concerns over the rising water table, excessive flooding, and past grievances the neighbors have had with the Vander Pols' development of their land.

The two-lot subdivision is technically a three-lot subdivision, with one plot to be divided in two and a grandfathered lot in the back, currently unbuildable, that Ms. Vander Pol hopes to turn into a buildable lot.

Fire Chief Tim Francis has issues with the plan that does not include public water or sewer, making the installation of a fire hydrant impossible. Director of Planning and Economic Development Bill Roth said the fire chief was "very adamant" about the issue Mr. Roth said needed to be seriously looked at.

Issues with the Conservation Commission will need to be addressed before the Planning Board can take a vote, including the plan to use chip seal for the road which ConCom has historically frowned upon.

No problem, Mr. Ferreira told the board, saying that getting approval

for a Request for Determination with ConCom was "a quick process."

"Have you been to a Conservation Commission meeting lately?" asked Planning Board Chairperson Wayne Hayward.

Mr. Roth concurred. "It's going to take you a lot longer than you think."

Mr. Hayward added that neighbors opposing the plan will likely follow Mr. Ferreira to the ConCom meeting.

First neighbor to speak was Marc Raimondo of 421 Huttleston Avenue whose house, according to Ms. Vander Pol's surveyor, encroaches on Earle Street, a paper street owned exclusively by Ms. Vander Pol, she claimed.

Mr. Raimondo said the lines were doctored and his house really does not sit on the street. He said Ms. Vander Pol says the back section of his house sticks out two feet onto Earle Street. He said Ms. Vander Pol wanted him to knock down that section of his house, and that if Earle Street is developed his property will surely flood.

"This directly affects my family," said Mr. Raimondo, "and it doesn't seem to bother them at all."

Sean Higgins of 422 Huttleston Avenue said the Vander Pols could have done the work to fix Earle Street years ago when they began development. He said because of the elevation, everyone is getting flooded out.

"I can't even count the number of variances they have requested," said Mr. Higgins.

Michelle Ventura of 417 Huttleston Avenue said her house used to be the office of the old Vander Pol Nurseries and she has multiple drainage issues, with water sometimes reaching as

high as her car doors.

Kevin Shaw of 423 Huttleston Avenue said he throws money in drainage "to no end" and still gets water in his basement, which is getting worse as the water table rises over time.

"Drainage is an absolute joke," said Mr. Shaw.

Joe Guard of 415 Huttleston Avenue and Michael Gaj of Jenney Street also complained of flooding and drainage issues on their properties.

After the matter was continued and the hearing closed, Mr. Ferreira approached the board and stated that three different surveyors have verified that Mr. Raimondo's house does encroach on Earle Street.

Also at the meeting, the board approved a lot release for Welcome Street with only some minor suggestions from Mr. Roth.

The board praised the work done so far, with Mr. Hayward saying he was very impressed with what he saw.

One obstacle remains relevant to the as-builts because of an existing lawsuit between the Town and the engineer of the Welcome Street Subdivision, Tibbets Engineering. The Fairhaven Board of Public Works is suing Tibbets Engineering for significant delays and cost overruns in the the Howland Road project.

"We do not know where we stand with that, but this is their (BPW) issue," said Mr. Roth.

The special permit hearing for Brahmin Leather on 77 Alden Road was continued until 8/13 due to significant issues that need to be addressed by ConCom. •••

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## Fairhaven business celebrates one year with discounts

Press Release

Carol Murchie, founder of Your Virtual Sherpa, is offering a special discount on developing Wordpress websites for small businesses in southeastern Massachusetts and Rhode Island that either need their first website or need to turn an existing old website into one that better leverages today's social media and designed for today's search technology. From early July until Labor Day (midnight), Your Virtual Sherpa can offer a \$100 discount on any of the packages it offers in

creating a Wordpress-based website. Current website packages with pricing are available by visiting [www.yourvirtualsherpa.com/services/wordpress-websites](http://www.yourvirtualsherpa.com/services/wordpress-websites); if interested in the special offer, complete the standard contact form and enter the offer code "SUMMER2013" in the Subject line.

"Wordpress is a versatile tool for creating content and functionality in a website while freeing the businessperson from being locked into a highly complicated and costly to maintain system," Carol notes. "I have seen what happens when someone is

talked into an expensive solution that will cost much more, with the long term maintenance costs proving higher than expected."

Your Virtual Sherpa has had many years of experience working with clients who were more gifted in other knowledge than in technology and is dedicated to creating a web presence for small businesses who haven't got the time or expertise to launch a site that is optimized for search engines like Google, mobile device usability, and other functionality such as

**SHERPA: cont'd on page 20**



# Two nabbed in St. Mary's Church needy fund break-in

*Fairhaven Police Press Release*

The Fairhaven Police Department received an alarm call from St. Mary's Church, located at 436 Main Street just after 12:45 p.m. on Tuesday, 7/16. When officers arrived, they entered the church and found that a depository box labeled "Needy Family Fund" had been broken into and damaged.

As police were canvassing the neighborhood, they spoke with a witness who observed a suspicious vehicle not far from the church just before the break. The witness told police two male parties walked away from the car toward the church and returned a short time later. They got back into the car, described as a black 2000 Volkswagen Jetta, and left the area.

Sergeant Michael Botelho broadcast a description of the car to

surrounding police departments. A short time later, a vehicle matching that description was located by Acushnet Police Officer Jeremy Fontes in the 300 block of Main Street in Acushnet. The vehicle was stopped and the occupants were taken into custody after police found burglarious instruments and clothing in the car that matched the description provided by the witness.

Placed under arrest were 24-year-old Justin Lucas of 127 Mulberry Street, second floor, Fall River and 24-year-old Brandon Dubois of 44 Hood Street, third floor, also of Fall River.

Both men are being charged with larceny from a building, breaking and entering into a depository, possession of burglarious instruments and vandalism. Dubois was also charged with possession of a Class E con-



trolled substance after police located three Xanax tablets in his possession. Police recovered over \$300.00 in cash.

Brandon Dubois (TOP) and Justin Lucas (LEFT), both of Fall River, have been charged with breaking into the Needy Family Fund at St. Mary's Church in Fairhaven.



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# Public Hearings/Legal Notices

## Board of Appeals

The Fairhaven Board of Appeals will hold a Public Hearing on Tuesday, August 6, 2013, at 6:00 PM in the Town Hall to consider the following petitions:

1. **Petitioner: Peter Huckabee**, Manomet Street, Plat 43, Lots 170-172, Book 10405 and Page 335; 198-22 Accessory Buildings: An accessory building must be on the same lot as the principle building.
2. **Petitioner: Ronald D. & Charlene A. Conway**, 4 David Drown Boulevard, Plat 28, Lot 22E, Book 3091 and Page 41; Administrative Appeal of denial of a Sign Permit Application.
3. **Petitioner: Caroline Percy Marcoux**, 114 Balsam Street & Lots 27, 28, Plat 43A, Lots 26, 27, 28, Certificate #22705 and #20293; (Lot 26)198-18: short 19' of the required 20' side setback, short 10' of the required 30' front setback and short 16,680 sq ft of the required 30,000 sq ft; (Lots 27 & 28)198-18: short 20' of the required 140' frontage. All within a RR District at 114 Balsam Street & Lots 27, 28.

*Peter DeTerra, Chairman*

## Conservation Commission

The Fairhaven Conservation Commission will hold a Public Hearing on July 29, 2013 at 6:30 P.M. in the Fairhaven Town Hall. Purpose is for the Request for Determination of the following matters as required by Massachusetts General Laws Chapter 131 Section 40 as amended.

- Notice of Intent Applicant Dave Hebert Location 56 Goulart Memorial Drive Plot 42 Lot 23B Purpose authorization of existing and proposed structures, dredging (improvement and maintenance) and disposal area.
- Request for determination Applicant Arthur C & Carol W. Traub Location 8 Nonquitt Ave Plot 32A Lot 156 Purpose construct a 2 car garage and perform percolation test within 100' of BVW and within a VE flood zone.
- Request for Determination Applicant Magali M. Carrera Revocable Trust Location 76 Weeden Road Plot 32 Lot 03A Purpose construct 12' x 12' deck within 100' buffer zone to BVW and within a VE flood zone.
- Request for determination Applicant Robert Baccelli Location 29 Mangham Way Plot 31A Lot 300A Purpose install a foundation for shed within the 100' buffer zone to BVW.
- Notice of Intent Applicant Karen Goodhue Location 345 Bridge Street Plot 30 Lot 18 Purpose perform test pits for septic system replace within 100' of BVW and within the NRB
- Request for Determination Applicant Bradley & Melanie Stone Location 84 Fort Street Plot 5 Lot 007 Purpose remove existing lawn and replace with sand, beach grass and Rosa Ragusa within 100' of coastal bank and within a AE flood zone.
- Request for Determination Applicant Alan B. Hopwood Location 1 Bayberry Street Plot 42 Lot 11 Purpose to repair existing licensed coastal revetment.

*Respectfully Submitted*

*Joseph Taylor, Chairman*

*Fairhaven Conservation Commission*

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION WATERWAYS REGULATION PROGRAM Notice of License Application Pursuant to M.G.L. Chapter 91 Waterways License Application Number W03-0480/T# W035738 (Revised) Earl's Marina

**NOTIFICATION DATE: July 24, 2013**

Public notice is hereby given of the waterways application by Earl's Marina to construct and maintain a floating wave attenuator system, gabion bank stabilization, to maintain an existing pile held float system, boat ramp, piers, and other structures, and to dredge at 56 Goulart Memorial Drive, in the municipality of Fairhaven, over the waters of Nasketucket Bay. The proposed project has been determined to be water-dependent.

The Department will consider all written comments on this Waterways application received by within 30 days subsequent to the "Notification Date". Failure of any aggrieved person or group of ten citizens or more, with at least five of the 10 residents residing in the municipality(s) in which the license or permitted activity is located, to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c).

Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (508) 946-2748. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

Written comments must be addressed to: Carlos T.B. Fragata, Environmental Analyst, DEP Waterways Regulation Program, 20 Riverside Drive, Lakeville, MA 02347.

## PUBLIC NOTICE OF ENVIRONMENTAL REVIEW

**PROJECT:** Proposed maintenance and improvement dredging

**LOCATION:** 56 Goulart Memorial Drive Fairhaven, MA

**PROPONENT:** Dave Hebert — Earl's Marina

The undersigned is submitting an Environmental Notification Form ("ENF") to the Secretary of Energy & Environmental Affairs on or before July 31, 2013.

This will initiate review of the above project pursuant to the Massachusetts Environmental Policy Act ("MEPA", M.G.L. c. 30, s.s. 61-62I). Copies of the ENF may be obtained from Land & Sea Engineering LLC, PO Box 2907, Avon, CO 81620. Telephone 508-776-0956

Copies of the ENF are also being sent to the Conservation Commission and Planning Board of Fairhaven, MA where they may be inspected.

The Secretary of Energy & Environmental Affairs will publish notice of the ENF in the Environmental Monitor, will receive public comments on the project for 20 days, and will then decide, within ten days, if an environmental Impact Report is needed. A site visit and consultation session on the project may also be scheduled. All persons wishing to comment on the project, or to be notified of a site visit or consultation session, should write to the Secretary of Energy & Environmental Affairs, 100 Cambridge St., Suite 900, Boston, Massachusetts 02114, Attention: MEPA Office, referencing the above project.

**By Dave Hebert — Earl's Marina, Inc.**

## SHERPA: cont'd from page 18

capturing customers for mailing lists, newsletters, and other tools for engaging people in your business. Your Virtual Sherpa also will provide inherent support for social media presence such as Facebook, LinkedIn, Twitter and other platforms that make sense for a specific client.

Your Virtual Sherpa also can guide small businesses beyond website services by assisting in the selection of other business support software such as management software and customer relationship software (CRM).

"I have seen some small businesses that have made choices in mission-critical software that is seriously flawed such as using an underlying technology that is poorly supported and possibly obsolete," remarks Carol. "I am not hardwired to any single solution because I like to know what problem the business owner wants to solve before I suggest

a technology product — it's not a 'one-size-fits-all' world out there."

For example, a tree and landscape business may get by well on Quickbooks and MS Office for keeping track of expenses and client contacts whereas another similar business might benefit from investment in a specialty program that can store landscape design plans, job details and photos that can be viewed on a smart phone or tablet out in the field, ANSI 300 standards or a tree & plant management resource database for fertilizer application, identifying plant diseases and treatment, and easy job quoting functionality.

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## Fairhaven Meetings

### Board of Appeals

Tues., 8/6, Town Hall, 6 p.m.

### Board of Public Works

Mon., 7/22, Arsene St., 6:00 p.m.

### Conservation Commission

Mon., 7/29, Town Hall, 6:30 p.m.

### Government Study Comm

Thurs., 7/25, Arsene St., 6 p.m.

### Personnel Board

Tues., 8/13, Town Hall, 4 p.m.

### Planning Board

Tues., 8/13, Town Hall, 6:30 p.m.

### Selectboard

Thurs., 7/25, Town Hall, 6:30 p.m.

## Acushnet Meetings

### Board of Appeals

Mon., 8/5, COA, 5:30 p.m.

### Board of Assessors

Wed., 7/31, Town Hall, 5:30 p.m.

### Board of Health

Mon., 7/1, Parting Ways, 6 p.m.

### Conservation Comm

Wed., 7/24, Town Hall, 7 p.m.

### Selectboard

Mon., 7/29, Town Hall, 4 p.m.

## TIDE TABLE

US Army Corps of Engineers, Cape Cod Canal/Wing's Neck

	July, 2013	HIGH		LOW	
		a.m.	p.m.	a.m.	p.m.
Thursday	18	0400	1640	0935	2257
Friday	19	0506	1744	1038*	2356
Saturday	20	0610	1844	1138*	----
Sunday	21	0709	1939	0051*	1237*
Monday	22	0803	2032	0145*	1335*
Tuesday	23	0856	2123	0235*	1432*
Wednesday	24	0948	2214	0322*	1527*
Thursday	25	1040	2305	0405*	1619*
Friday	26	1132	2357	0445*	1710
Saturday	27	----	1225	0525*	1801
Sunday	28	0048	1317	0605	1901

\*- Predicted minus tides from -0.1 ft. to -1.0 ft  
\*\*-Predicted minus tides from -1.1 ft to -2.0 ft or more

## Special Board of Health election date set

The Fairhaven Selectboard has chosen Monday, Sept. 9, for the date of the new Board of Health election made necessary after Superior Court Judge Robert Kane threw out the April 1 BOH election due to a combination of irregularities and the closeness of the race.

Residents who want to run for the seat currently held by incumbent Peter DeTerra and challenged by John Wethington, may take out nomination papers at the town clerk's office until 5 p.m. on Thursday, 7/18.

Candidates must gather 50 certified signatures of registered voters in Fairhaven and return nomination papers by 5 p.m. on Monday, 7/22.

Residents who are not registered to vote have until Tuesday, August 20, to register. The Town Clerk's office will be open from 8:30 a.m.–8 p.m. on that day to register voters. Residents may also register to vote during regular business hours at the town clerk's office, Monday–Friday, 8:30 a.m.–4:30 p.m.

The last day to withdraw nomination papers is August 7 at 5 p.m.

Mail-in voter registration forms are available at the town clerk's office, the Millicent Library and state and federal offices.

For more information, contact Fairhaven Town Clerk Eileen Lowney, 508-979-4025, Fairhaven Town Hall, 40 Center Street, Fairhaven, MA 02719.

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# Letters from our readers

## Community Center director bids sad farewell

On June 25th, the proposed Acushnet Library/Community Center project was defeated by 50 votes. Unfortunately for the children in town, this means the closing of the Community Center. I have been involved in the Community Center since 1992 when Everett Hardy, newly elected selectman, and Charlie Pelletier, DARE officer, got the idea to renovate the vacant Marie S. Howard School for use as a Community Center.

The Center opened on October 17, 1997, and has been operating successfully without any financial assistance from the town since. However, increased operating expenses have created a financial burden that can no longer be met. The merger with the Library would have allowed us to continue to offer programs and activities for Town residents, but that did not happen.

I would like to thank all of the people who worked so hard in this second election to make this project a reality. I am especially grateful to the Girl Scouts, their leaders Cheryl Jesse and Debbie Rock, and their parents for supporting us with their time and endless energy. Gina Lafontaine and Jodi Perreira were instrumental in acquiring almost 700 signatures to get the article on Town Meeting floor in May. Justine Reed was helpful in getting the article passed so that it could move to the ballot in June. In addition, I owe my gratitude to the Trustees of the Library and the Friends of the Library for their undying support of the Community Center.

I feel most badly for the children in town who no longer have a place to get math tutoring for free, a place to have their Scout meetings, or a place to attend dances and learn the proper way to socialize with their peers. It's just too bad that some of the voters of Acushnet cannot see that our children are the most valuable asset in this town. They do not have their own high school, and now they no longer have a Community Center. This vote has affected the quality of life for our children and has created a town where they are not a priority.

Hopefully our selectmen will move forward in some way to show our

children how important they are and that this really is a good place for them to live.

Again I thank all of those who supported the Center not just in this election but over the last 20 years. It's going to be very difficult to remove 20 years of memories from the Center and lock the doors forever. However, I am grateful for having had the opportunity to work with so many wonderful people.

*Nancy Francis  
Treasurer/Co-Director with Cheryl  
Jesse, Acushnet Community Center*

## Questionnaire was biased

Recently, the [Fairhaven] Town Counsel, Tom Crotty, wrote a questionnaire targeting those households who had previously submitted complaints about the wind turbines in Fairhaven. The questions were written in a manner that was intentionally prejudicial, in an attempt to stack the upcoming board of health meeting with those who are actually favorable toward the wind turbines. In other words, Crotty wanted to ensure the most favorable possible group would be at the meeting. There is simply no other way to read this survey. This process, known to scientists as cherry-picking, completely invalidates any results — not to mention a complete waste of taxpayer's money! No wonder there is so little trust left in town government.

To make matters worse, the survey was emailed to recipients with addresses on the "TO" line, instead of the "BCC", effectively publicizing the identity of all turbine complainants. This directly violates the written privacy policy at the top of the survey, and irreparably violates the guarantee of privacy given in the electronic complaint forms by the Health Board.

Ask yourself. If you were on that TO line, would you be likely to file any future complaints after this? Mission accomplished.

Don't think this was a simple mistake or an isolated incident on Crotty's part. It is actually part of a long standing pattern of underhanded intimidation and manipulation that was commonplace in town government during Brian Bowcock's reign of terror. For example, Bowcock sent a letter to Henry Fereirra's workplace (RISD), attempting to disparage him

with no cause, and misrepresenting this poison letter as though it were sanctioned by the entire Select Board. More recently, Crotty pressured participants during the election recount, telling them that if they did not settle the election now, they could be in a lot of trouble.

Crotty was conspicuously absent at the Select Board meeting when Fairhaven Wind came to discuss their non-compliance. It was conspicuous because Crotty himself was on the agenda. Chairman Charlie Murphy wanted to find out why Crotty knew that a ballot had mysteriously turned up after the botched election, but failed to report it. This information was directly germane to the issue of whether the town should order a new election — also on the agenda that night.

Murphy clearly wanted to ask these questions in public, as he should. Under his leadership, this Select Board deserves credit for injecting much needed fresh air and sunshine into town government. Small wonder Crotty didn't show up. Apparently, he prefers to ask the questions, not answer them.

In my opinion, Crotty should be terminated immediately as Town Counsel, and the Select Board should lodge a complaint against him for ethical misconduct with the Massachusetts Bar Association. Before dismissing him, however, Crotty should be required to answer a written questionnaire, specially designed for him, asking why he consistently favors Fairhaven Wind's interests over those of the town.

The questionnaire should ask: "Have you now, or ever, accepted compensation for any reason from Fairhaven Wind, its agents, or its business associates? Do you expect to receive any money or other compensation from them in the future, for work you have engaged in during your tenure as Town Counsel?" At this point, the town residents have a right to know the answers.

Deception goes along with intimidation as part of the pattern. The closing of the questionnaire read: "Sincerely, For the Fairhaven Board of Health, Patricia Fowle, Health Agent". Recipients were given the undeniable impression that the survey was fully

**LETTERS: cont'd next page**



## Letters: from previous page

sponsored by the Health Board. Yet, no vote was ever taken to sanction the survey, its contents, or its emailing. If any members of the Board tacitly approved these measures without public discussion or a vote, they are in direct violation of Massachusetts open meeting laws. They must be referred to the Attorney General's office for further scrutiny.

If Pat Fowle agreed to place her name in the closing, knowing that it was not properly sanctioned, she should also be terminated immediately for complicity in this fraud. If her name was used without her consent, or if she was coerced — a distinct possibility — then she should be questioned closely and publicly about her role, and why she did not report this to town officials. At a minimum, she should be required to identify who pressured her.

It is genuinely encouraging to see Charlie Murphy, Bob Espindola, and Geoff Haworth working so hard to restore the honesty, integrity, and public trust in town government; but they clearly have their work cut out for them if they want to put an end to this long established pattern. Hopefully, they will not shrink from eliminating those who continue to do things the old way. They need to perform emergency cancer surgery to restore the health of public trust in Fairhaven.

*Curt Devlin, Fairhaven*

### **Turbines are a financial benefit to town**

A lot has been written about the Fairhaven Turbines and the complaints that have been filed. What hasn't been written about is the cost to the taxpayers if the turbines are shut down for an extended period of time. The town receives \$100,000.00 a year for the lease of the land behind the sewage treatment plant. Last year we saw a savings of close to \$60,000.00 in the town's electric rates. That is \$160,000.00 net profit for the town. Unfortunately the town spent \$28,000.00 last year defending against frivolous lawsuits filed by the opposition group, WindWise and its members. We still don't know the total loss for this year's "do over" election but it appears to be approaching the \$30,000.00 mark, from what I hear.

The reason we put a bid out for the

town land was to have additional revenue stream that this town definitely needs.

The town does not own the turbines. The Town of Fairhaven has a binding contract with Fairhaven Wind LLC. The estimated cost for the shutdown from 7 p.m.-7 a.m. so far has been \$1600.00 per day. They have been shut off for the last 30 days, so the cost loss is \$48,000.00. Who do you think is going to pay for this lost revenue?

Let's clarify the talk about compliance issues. The turbines were found to be out of compliance, once in November, 2012 and 4 times in February, 2013. Notice they were never out of compliance in June or July. If the developer decides to take this to court, who do you think will win the judgment? The judge will look at the facts of the case minus the vocalization of any group for or against this project.

If the town's officials decide to unilaterally shut the turbines down from 7-7 permanently, make no mistake about it, your municipal services will be cut and taxes will rise. Hopefully these same officials make the correct choice for the whole town and not a vocal minority. We don't need a political solution to appease any group!

You may ask how I came to the conclusion of reduced services and higher taxes. When the developer takes us to court the judge will order a judgment. The town will have to pay for the lost revenue from the turbines and possible damages to the developer's business. Remember, there is no proof the turbines are out of compliance for these last 2 months.

The 5000 homes in town are considered "the town." You pay taxes to the Town of Fairhaven, you also pay for judgments against the Town of Fairhaven. The judgment money has to come from somewhere. So, the first thing to go is town services that are offered and when there is no place left to cut, the taxpayers are responsible for the rest. Simple!

Hopefully, there is a solution out there that makes all parties happy. I don't want to see the town I grew up in and love paying

for the noise of a minority voice who opposed these turbines before they were ever even constructed.

*Daniel Freitas, Fairhaven*

### **Government study comm. hit the ground running**

The Fairhaven Town Government Study Committee is pleased to announce that our group has been formed and has completed our first meeting. The Committee completed a full agenda including the group's organization and procedures, a review of relevant Open Meeting Law and State Ethics regulations and engaging discussion about the important work we are prepared to tackle.

By unanimous votes we elected our officers: Phil Washko as Chairman, Bernard Roderick as Vice Chairman and Linda Meredith as Recording Secretary.

During discussions on the potential actions we will take to achieve our goals, a common theme surfaced in our commitment to keep the public informed and engaged in this process. To that end we discussed a public facing website (to be completed soon) which will provide ongoing progress updates, announcements and reference material as well as several avenues through which everyone can communicate with the committee and make their voices heard.

We also voted to set aside ten minutes at the beginning and end of each meeting for public comment. Having established our operating procedures, we concluded by reinforcing the importance of the work we have begun and our collective enthusiasm to complete this daunting task.

We are meeting again on Thursday, July 25 at 6pm at the DPW Building on Arsene Street.

*Phil Washko, Chairman*



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# Fairhaven Wind LLC statement on turbines not shutting down

*Statement from Fairhaven Wind LLC*

The North Turbine in Fairhaven was being serviced Thursday (7/11) through Friday and was off most of the time on those days as well as did not operate most of Saturday. Work on the North Turbine finished around 7:30 pm on Saturday at which time it appears the technicians left the North Turbine in "ready" mode which meant it could run if there was sufficient wind.

Although the turbines were accessed remotely around 7 p.m. to turn them off, the fact that the North Turbine was being worked on meant that the "stop" operation order did not go through since remote access cannot override local access for obvious safety reasons. When Fairhaven Wind management double checked the shutdown status at 11 p.m., management found both turbines still in operating mode. At that time, the South Turbine was shut down but the North Turbine was not accessible due to a communication

error. From 7 p.m. to 11 p.m., the South Turbine generated approximately 10.6 kilowatt hours (kWh), which is an effective capacity factor of less than 0.2%. During the Saturday overnight hours (7 p.m. to 7 a.m.) when the North Turbine continued to be in "ready" mode, the North Turbine generated approximately 18 kWh, which is equivalent to 0.1% of the potential production during that time period. Half of that production occurred from 10:30 pm to 11:30 pm. The low production is due to very light winds, meaning the turbines would not have operated during the vast majority of the night anyway.

On Sunday evening, again there was a communication problem with the North Turbine. After several attempts at 7 p.m. by different personnel to remotely shut the North Turbine down, a technician was dispatched to the site to manually turn off the North Turbine. During the 2 hours of operation prior to the manual shutdown, the North Turbine

generated approximately 230 kWh, or approximately 7.67% of its total potential capacity.

Due to Sunday's manual shutdown, on Monday morning technicians had to be dispatched to Fairhaven to recommence operation of both turbines, which occurred around 10 a.m. Monday. As wind conditions were light during that morning, Fairhaven Wind does not believe any production was lost due to this late commencement of operation.

Fairhaven Wind will be investigating the communication problems with the turbines to seek to avoid these problems in the future.

Fairhaven Wind remains committed to working with the Town of Fairhaven and all regulatory bodies to ensure the continued operation of the Fairhaven turbines to provide renewable power in a safe and environmentally beneficial manner while generating cost savings to the Town of Fairhaven in accordance with our contracts.

7/1: cont'd from page 4

proposal. The company has also been experimenting with feathering the blades, which showed some effects on reducing noise levels.

"We will continue to fine tune feathering the blades to maximize output while reducing noise so there will not be a need to shut down the turbines," he said.

Some members of Windwise, including residents who lived near the WTs, argued that simply lowering the noise levels was not enough.

Grant Menard likened it to the quiet but steady drip of a leaky faucet; it is not the noise level that is bothersome, since a leaky faucet is certainly nowhere near 10 decibels, but the incessant repetitiveness of the sound that is so unnerving.

On the other side of the argument, members of the newly formed Friends of Fairhaven Wind, many of whom also live in proximity to the turbines, called on the selectboard to allow the turbines to keep running if the

developer can prove it can adhere to noise regulations. The reason the group formed, said Mr. Freitas, was that there were many residents who welcomed the turbine project and were concerned about the anti-turbine direction of town boards.

"We hear it being said that you're "Windwise candidates," Mr. Freitas told board members. "Well, some of us here voted for you and you're representing us as well. You're not here to represent Windwise, you're representing the whole town."

Mr. Shah expressed a willingness to sit with the selectboard, the BOH, and residents on both sides to discuss the noise reduction proposals.

"We know this mitigation plan will work, although we know that there is no plan that will be accepted by 100% of the town," he said.

"We entered a 30-year contract with the town and we have the right to operate a successful business," said Mr. Shah. "We're definitely doing good for the town and for the people

of Fairhaven."

He said that the turbines are intended to save money for the town in the long run but that each night the turbines are shut down represents a loss of \$1,600.

"This constant state of conflict is not sustainable. If we really want a united Fairhaven, it's time to stop pitting us against neighbors and neighbors against us," he concluded. "We need to stop taking extreme positions. It's time to come up with a compromise."

The selectboard agreed to form a committee that would include a member from their board, the BOH and representatives from the DEP to discuss the noise mitigation plans.

"There are two things that I'm looking for," said Mr. Murphy. "A way to save money for the people of Fairhaven and a way to let people have a good night's sleep."

"We have to find some common ground that people can live with," said Mr. Haworth. ●●●

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## While we were gone...

By Beth David  
Editor

Lots of stuff happened while we were on our two-week summer publication break, some fun, some not-so-fun.

The Selectboard scheduled a new election for the Board of Health to be held on Monday, 9/9. Last day to get nomination papers is Thursday, 7/18. Contact the clerk's office, 508-979-4025, for details on how to enter that race.

The annual Homecoming Day fair was cancelled due to rain and thunderstorms. The North Fairhaven

Improvement Association, however, managed to make lemonade from the lemons, or more literally, quarts from sandwiches. The NFIA had 300 pounds of cacaoila and the appropriate number of rolls for their booth at the fair and needed to get rid of it. They put the word out on Facebook that they were selling it by the quart with six rolls for \$10, to go. They sold out very quickly.

Great use of social media by the NFIA members.

The East Fairhaven Improvement Association also managed to sell off their strawberries, using Facebook to

contact people, too.

The area also got news that the Shaw's in Fairhaven is closing. Apparently the area just can't sustain a Stop & Shop, Shaw's and Market Basket all so close to each other. The Shaw's in Dartmouth will remain open. The blowout clearance sale prices in Fairhaven have gotten the parking lot filled up to levels it probably never saw before. The store still has some inventory left, but it all must go according to the signs.

See below for photos of other events that went on while we were gone.

### July 4th celebration



Fairhaven held its annual costume parade on July 4th at 9:30 a.m., preceded by an antique car show. The parade started at Cushman Park and ended at Fort Phoenix where a short ceremony celebrating the Independence Day included the reading of the Declaration of Independence by Selectboard Chair Charles Murphy and the firing of the Fort's 5 big cannons (LEFT) RIGHT: Marilyn Monroe, with a little help from Ethel Frates, visited Fairhaven for the antique car show before the parade on July 4. Photos by Heidi Winnett. See them in color at [www.NeighbNews.com](http://www.NeighbNews.com)

### Bottle rockets



The Millicent Library hosted Toby Dills for a demonstration of water propelled Bottle Rockets made from two-liter soda bottles. Dr. Dills explained the principles behind space flight with the rockets that youngsters made themselves and then tased on the lawn of the Unitarian Church on July 8. Photo by Jim Mahaney.

### Going once, going....GONE



The line is out the door at the headquarters of the North Fairhaven Improvement Association in Benoit Square on Saturday, 6/29. The NFIA got stuck with 300 pounds of cacaoila and the rolls to go with it when the annual Homecoming Day Fair got cancelled due to thunderstorms in the early morning. The day cleared up, though, and word spread through Facebook that the organization was selling a quart of cacaoila and six rolls for \$10. The NFIA sold out in a just a few hours. Photo by Jeff Lucas.

# ConCom has new member, finally signs enforcement order

By Jean Perry

## Neighb News Correspondent

The fourth time was a charm for an Enforcement Order against James Connors of 61 Nakata Avenue on 7/15 during the Fairhaven Conservation Commission meeting.

Chairperson Joe Taylor had already tried three times in vain to secure a fourth signature on the document after Cora Peirce, former ConCom member who resigned in June, refused to sign it.

This time, with a quorum in the sweltering un-air-conditioned room, including new ConCom Member Louise Barteau, member Jay Simmons signed his name on the enforcement order for the unpermitted cinderblock wall that Mr. Connors constructed on top of an existing seawall, a no-no in a velocity zone.

NSTAR Representative Ken Conti presented preliminary plans for the development of six NSTAR-owned plots along Thompson Street, Doane Street, and Farmfield Street for the first time.

The plots that Mr. Conti called "surplus properties" are currently wooded, with scattered forested wetlands, and are slated for development and construction of single-family homes.

Abutters and neighbors, worried about flooding and drainage, attended the meeting to catch a glimpse of the plans and voice their concerns to the commission before ConCom members head out on 7/28 for an on-site visit of the properties.

Christopher Tapper of 36 Phoenix Street was worried that work in the proposed area would exacerbate his existing flooding issues because of run-off.

Mr. Tapper wanted a guarantee that the proposed work would not affect his property, a guarantee which ConCom Member Steve Pereira explained was simply not possible. Mr. Tapper said the flooding problem is already so bad that he has photos of himself in a kayak floating on his property.

Robyn Figuenick on 30 Thompson Street said her concern was over the new houses obstructing the flow of storm water from the west that drains into the wetlands.

The discussion was quite lengthy, with neighbors asking questions in

order to familiarize themselves with the ConCom process.

The matter was continued until 7/29.

Also at the meeting, the commission denied a request to amend an existing order of conditions for Bella Vista Island and may instead issue the property owner an enforcement order for a substantial deviation from the approved plan.

Property owner Heiam Alsawalhi initially received approval to repair a section of an existing stone wall. Instead, the property owner constructed an additional 400 feet of

---

Also at the meeting, the commission denied a request to amend an existing order of conditions for Bella Vista Island and may instead issue the property owner an enforcement order for a substantial deviation from the approved plan.

---

stone wall.

Applicant Sherry Gomes of 16 Wilbur's Point was approved for restoring the landscaping to pre-Hurricane Sandy conditions. The work will include the removal of sand, rocks, and shells from the lawn, and the loaming and reseeding of the grass.

The notice of intent for a single-family house filed by applicant Ronal Oliveira of 2 Meadow Lane was approved. The footprint of the new house will be considerably less than the existing house that will be demolished. There are no wetlands on the property; however due to its location in the Nasketucket River Basin, a filing is required by law before work can done.

The commission swiftly approved the construction of a shed for Russell Enos of 38 Camel Street under the advisement of Conservation Commissioner Wayne Fostin, who said he had viewed the property and had no issues with the plan.

In other business:

- The commission approved a concrete foundation for a shed for Peter Huckabee of Manomet Street.
- Vernetta Enterprises Inc. of 24 Egypt Lane was approved for the installation of a sewer connection to an existing house.
- The commission granted Robert Brown of 6 Wilbur's Point permission to pour a cement slab to replace an existing shed within a velocity zone and within 100 feet of a coastal bank.
- Rene and Karen Manny were approved to perform a percolation test at their 366 Bridge Street property.
- The commission approved a shed and rear deck for Sharon Ristuccia of 192 Balsam Street.
- John Lewis and Susan Kenney of 23 Nelson Avenue were approved for the construction of a two-car garage.

Several items on the agenda were continued until a later date:

- Heiam Alsawalhi of Bella Vista Island for the reconstruction of an existing groin, installation of a 40-foot wooden pier, and construction of a ten-foot wide crushed stone path leading to the beach. Continued 7/29
- Joseph Batista of 32 Nakata Avenue to verify wetland line and perform a perc test. Continued 8/12
- Fairhaven Acushnet Land Preservation Trust to construct a walking path on the west of Scoticut Neck Road. Continued 9/9
- Brahmin Leather of 77 Alden Road to verify the wetland line. Continued 7/29.

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