

FAIRHAVEN BOARD OF SELECTMEN

Meeting Agenda

Monday, March 22, 2021

6:30 p.m.

Town Hall – 40 Center Street – Fairhaven

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TOWN CLERK

2021 MAR 18 P 3:42

FAIRHAVEN,
MASS.

Due to the recent changes by Governor Baker to the Open Meeting Law, G.L. c. 30A. § 20, we are providing public access via the phone number and meeting ID below:

Log on to: <https://zoom.us/j/97995682112?pwd=eFh5eGZFU25QM3hKSXRBSkpRd3A2UT09>

or call: 1-929-205-6099

Meeting ID: 979 9568 2112

Passcode: 370027

The meeting can also be viewed live on Channel 18 or on FairhavenTV.com

A. TOWN ADMINISTRATOR'S REPORT

B. COMMITTEE LIAISON REPORTS

C. ACTION

1. Approve the Election warrant for Annual Town Election- April 5, 2021
2. Approve to close and sign the Warrant for the Annual Town Meeting- June 12, 2021
3. Request to join: Apparatus Study Committee- Joy Nichols
4. Subordination of Mortgage: CDBG- William R. Cusson Jr. and Diana Harrison, Trustees of the Cusson Harrison Living Trust

D. APPOINTMENTS

1. 7:00 pm Dedication for the Michael A. Sullivan Emergency 911 Communication Center
2. 7:05 pm Solar and Storage- Letter of Intent

E. POSSIBLE ACTION/DISCUSSION

1. Memorial Day and Fourth of July Parade recommendations
2. Rogers School – Capital Planning
3. Discuss use of Town Attorney
4. Review termination letter from Community Paradigm Associates and discuss next steps in the TA Search process.
5. Revised FY22 Budget/Town Meeting Calendar
6. FY22 Cable Enterprise Budget

F. CORRESPONDENCE

1. Social Media Policy – Boards and Committees

G. NOTES AND ANNOUNCEMENTS

1. The next regularly scheduled meeting of the Board of Selectmen is **Monday, April 12 2021** at 6:30 p.m. in the Town Hall Banquet Room.

ADJOURNMENT

Subject matter listed in the agenda consists of those items that are reasonable anticipated (by the Chair) to be discussed. Not all items listed may be discussed and other items not listed (such as urgent business not available at the time of posting) may also be brought up for discussion in accordance with applicable law.

MGL, Ch. 30a, § 20(f) requires anyone that intends to record any portions of a public meeting, either by audio or video, or both, to notify the Chair at the beginning of the meeting.

WARRANT

C1

For Annual Town Election for Monday, April 5, 2021 and
Annual Town Meeting to act on the Articles in the warrant, Saturday, June 12, 2021
At 9:00 AM in the Walter Silveira Auditorium at the
Elizabeth I. Hastings Middle School

COMMONWEALTH OF MASSACHUSETTS

BRISTOL: SS

To the Constable of the Town of Fairhaven in said County.

GREETINGS:

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

For election, Monday, April 5, 2021

Precinct 1 – Town Hall – 40 Center Street entrance
Precinct 2 – Hastings Middle School – 30 School Street entrance
Precinct 3 – Hastings Middle School – 30 School Street entrance
Precinct 4 – Fire Station Meeting Room – 146 Washington Street
Precinct 5 – Recreation Center – 227 Huttleston Avenue
Precinct 6 – Recreation Center – 227 Huttleston Avenue

In said precincts in said town on Monday, April 5, 2021 at ten o'clock in the forenoon then and there to bring their ballots for question to be voted by ballot, viz:

One Selectman for three years, two school committee members for three years, one Board of Health member for three years, one Commissioner of Trust Funds for three years, two Board of Public Works members for three years, two Planning Board members for four years, one Planning Board member for a three-year unexpired term, one Planning Board member of a two-year unexpired term, one Housing Authority member for five years, one Housing Authority member for a one-year unexpired term, one Moderator for three years, one Tree Warden for three years and Town Meeting Members in accordance with Section 2 of Chapter 285 of the Acts of 1930 and amendments thereto establishing in the Town of Fairhaven Representative Town Government by limited Town Meeting as follows:

Precinct 1: 24 for 3 years – 7 for 1 year
Precinct 2: 24 for 3 years – 15 for 2 years – 7 for 1 year
Precinct 3: 23 for 3 years – 8 for 2 years – 4 for 1 year
Precinct 4: 25 for 3 years – 4 for 2 years – 9 for 1 year
Precinct 5: 23 for 3 years
Precinct 6: 24 for 3 years – 9 for 1 year

The polls shall be open from 10:00 AM to 8:00 PM and the inhabitants qualified as Town Meeting Members shall meet on Saturday, June 12, 2021 at 9:00 AM in the Walter Silveira Auditorium of the Elizabeth I. Hastings Middle School to act upon the following articles:

WARRANT
FOR THE ANNUAL TOWN MEETING
SATURDAY, JUNE 12, 2021 AT 9:00 AM
IN THE WALTER SILVEIRA AUDITORIUM
AT THE ELIZABETH I. HASTINGS MIDDLE SCHOOL

COMMONWEALTH OF MASSACHUSETTS BRISTOL, s.s

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

GREETINGS:

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

On Saturday, the twelveth day of June at 9:00 a.m. in the Walter Silveira Auditorium at the Elizabeth I. Hastings Middle School, then and there, to act upon the following articles:

ARTICLE 1: MEASURER OF WOOD AND BARK

To see if the Town will vote to instruct the Selectmen to appoint a Measurer of Wood and Bark.

Petitioned by: Board of Selectmen

ARTICLE 2: TOWN REPORT

To receive the Annual Report of Town Officers.

Petitioned by: Board of Selectmen

ARTICLE 3: REPORT OF COMMITTEES

To hear and act upon the reports of any committees, or committee appointed in Town Meeting and to choose any committees or committee the Town may think proper and to raise and appropriate a sum of money for the expense of same, or to take any other action with relation to either of said matters, as the Town may deem necessary and proper.

Petitioned by: Board of Selectmen

ARTICLE 4: SETTING SALARIES OF TOWN OFFICERS-FY22

To see if the Town will vote to fix the compensation of the Town's Elected Officers and that said compensation be effective July 1, 2021.

- A. Board of Selectmen (3 members)
- B. Town Clerk
- C. Moderator
- D. Tree Warden
- E. Board of Health

Or take any other action relative thereto.

Petitioned by: Board of Selectmen

ARTICLE 5: BILLS OF PRIOR YEAR – Paid from FY22 funds

<u>Vendor</u>	<u>Amount</u>	<u>Petitioner</u>
Southcoast Physicians Service	\$122.22	Fire Department
SMG Compass Medical	\$362.21	Fire Department
Corvel Corp	\$41.10	Fire Department
HKT Architects	\$1,333.16	Fire Department

and others that may be brought forward.

Petitioned by: Town Administrator

ARTICLE 6: FY21 GENERAL FUND OPERATING BUDGET ADJUSTMENTS

To see if the Town will vote to amend Article 4 of the October 10, 2020 Special Town Meeting "General Fund Operating Budget-FY21" as follows:

1. \$9,000 be transferred from Surplus Revenue (Free Cash) to Assessors, Contracted Services.
2. \$50,000 be transferred from Surplus Revenue (Free Cash) to Town Hall, Contracted Services.

Petitioned by: Town Administrator

ARTICLE 7: ROADWORK-FY21

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to do the following roadwork, or take any other action relative thereto:

1. Bellevue Street – Adams Street to Francis Street
2. Fisherman Road – Balsam Street to Fir Street

3. Massasoit Avenue-Adams Street to Francis Street

Petitioned by: Board of Public Works

ARTICLE 8: SEWER CAPITAL FEE-FY21

To see if the Town will vote to transfer from the Sewer Retained Earnings of June 30, 2020 Sewer Capital Fee a sum of money to the Sewer Capital Improvements Stabilization Fund or to take any other action relative thereto.

Petitioned by: Board of Public Works

ARTICLE 9: GENERAL FUND OPERATING BUDGET – FY22

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund the balance of the FY22 General Fund Operating Budget or take any other action relative thereto

Petitioned by: Board of Selectmen

ARTICLE 10: WATER ENTERPRISE FUND OPERATING BUDGET – FY22

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund the balance of the FY22 Water Enterprise Fund Operating Budget or take any other action relative thereto

Petitioned by: Board of Public Works

ARTICLE 11: SEWER ENTERPRISE FUND OPERATING BUDGET – FY22

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund the balance of the FY22 Sewer Enterprise Fund Operating Budget or take any other action relative thereto

Petitioned by: Board of Public Works

ARTICLE 12: TOWN OF FAIRHAVEN CABLE TELEVISION ENTERPRISE FUND BUDGET – FY22

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund the balance of the FY22 Town of Fairhaven Cable Television Enterprise Fund Budget or take any other action relative thereto

Petitioned by: Board of Selectmen

ARTICLE 13: FAIRHAVEN PUBLIC SCHOOLS CABLE TELEVISION ENTERPRISE FUND BUDGET – FY22

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund the balance of the FY22 Fairhaven Public Schools Cable Television Enterprise Fund Budget or take any other action relative thereto

Petitioned by: Board of Selectmen

ARTICLE 14: GENERAL FUND CAPITAL PLAN FY22

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund, in aggregate without regards to individual line items, Capital Equipment/Projects in the General Fund or take any other action relative thereto:

Petitioned by: Board of Selectmen and Capital Planning Committee

ARTICLE 15: WATER ENTERPRISE CAPITAL PLAN – FY22

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money in aggregate without regards to individual line items from the Water Enterprise account to fund Capital Equipment/Projects or take any other action relative thereto:

Petitioned by: Board of Public Works

ARTICLE 16: SEWER ENTERPRISE CAPITAL PLAN – FY22

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money in aggregate without regards to individual line items from the Sewer Enterprise account to fund Capital Equipment/Projects or take any other action relative thereto:

Petitioned by: Board of Public Works

ARTICLE 17: ROADWORK – FY22

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money not to cumulatively exceed \$400,000 in the aggregate without regards to individual line items to do roadwork, in the order of priority as determined by the Board of Public Works or take any other action relative thereto:

Petitioned by: Board of Public Works

ARTICLE 18: STATE AID TO HIGHWAYS – FY22

- A. To see if the Town will vote to authorize the Board of Public Works to accept and enter into contract for the expenditure of any funds allotted or to be allotted by the Commonwealth of Massachusetts for the construction, reconstruction and improvements of Town roads, or take any other action relative thereto.
- B. To see if the Town will vote to appropriate and transfer from available funds a sum of money for capital improvements on local roads, subject to the conditions detailed by the

Massachusetts Highway Department pursuant to the MGLS and Transportation Department's Chapter 90 Guidelines, or to take any other action relative thereto.

Petitioned by: The Board of Public Works

ARTICLE 19: FUNDING CAPITAL STABILIZATION FUND – FY22

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, including surplus revenue (Free Cash) to be deposited in the Capital Stabilization Fund as authorized by Chapter 40, Section 5B of the General Laws, or take any other action relative thereto

Petitioned by: Town Administrator

ARTICLE 20: AMBULANCE STABILIZATION – FY22

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money not to cumulatively exceed \$65,000 to be deposited in an Ambulance Stabilization Fund as authorized by Chapter 40 Section 5B of the General Laws, or take any other action relative thereto.

Petitioned by: Fire Chief

ARTICLE 21: SOCIAL DAY CARE CENTER – FY22

To see if the Town will vote to authorize the Fairhaven Council on Aging to expend in the Fiscal Year 2021 a sum of money not to cumulatively exceed \$175,000.00 from the Grant Account known as "Receipts Reserved for Appropriation for Fairhaven Supportive Social Day Program" for the purpose of providing a Social Day Program for Senior Citizens or take any other action relative thereto.

Petitioned by: Council on Aging

ARTICLE 22: PROPAGATION OF SHELLFISH-FY22

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money for the propagation of shellfish, or take any other action relative thereto.

Petitioned by: Harbormaster

ARTICLE 23: COMMUNITY PRESERVATION PROGRAM APPROPRIATIONS – FY22

To see if the Town will vote to appropriate or to reserve for later appropriation, and to authorize the Community Preservation Committee to expend or reserve, from the Community Preservation Fund available funds and FY22 Estimated Receipts as set forth herein, the following amounts for community preservation purposes, with such expenditures to be subject to conditions to be specified

in applications and award letters from the Community Preservation Committee, with each item considered a separate appropriation:

PROPOSED FISCAL YEAR 2022 COMMUNITY PRESERVATION BUDGET	
APPROPRIATIONS	
Purpose	Recommended Amounts
Reserve for Future Appropriation	
A. Acquisition, creation, and preservation of Open Space, and its rehabilitation and restoration.	\$60,000
B. Acquisition, creation, and preservation of Historic Resources	\$60,000
C. Acquisition, creation, and preservation of Community Housing	\$60,000
Spending Appropriations	
C.	
Administrative Spending Appropriation	
F. To fund the Community Preservation Committee's annual expenses for: Personal Service; Purchase of Services; Supplies; Other charges/expenditures.	\$ 12,600
Total Recommended Appropriations	\$192,600

And, whereas Massachusetts General Law, Chapter 44B requires that the Town appropriate for spending, or set-aside for future spending, from the fund balance at least 10% for open space, 10% for historic preservation, and 10% for community housing.

And, whereas the existing reserves and recommended appropriations for open space, historic preservation, and community housing each exceed 10% of the Community Preservation Fund Estimated Receipts.

And, whereas Town Meeting may vote to delete any of the recommended amounts.

Therefore, in the event that recommended amounts are deleted, vote to appropriate as a reserve for future spending from the FY 2022 Community Preservation Fund Estimated Receipts the minimum necessary amounts to allocate not less than 10% (\$60,000) for open space, not less than 10% (\$60,000) for historic preservation, and not less than 10% (\$60,000) for community housing.

, or take any other action relative thereto.

Petitioned by: Community Preservation Committee

ARTICLE 24: REVOLVING FUNDS – FY22

To see if the Town will authorize and / or re-authorize the following Revolving Accounts under the provisions of Massachusetts General Law Chapter 44 Section 53 E ½ under the following terms:

Revolving Fund	Authorized to Spend	Revenue Source	FY22 Limit
Hazardous Materials	Fire Chief	Disposal fees/charges	\$ 100,000
Sustainability	Sustainability Committee	Fees/charges	\$ 10,000
Hoppy's Landing	Board of Selectmen and/or Town Administrator	Fees/charges from users of Hoppy's Landing	\$ 25,000
Town Hall Auditorium	Town Administrator	Town Hall auditorium rental fees	\$ 2,000
Park Utilities	Board of Public Works	User fees	\$ 2,000
NEW Mooring Fees	Marine Resources	Mooring Fees	\$ 2,000
Mattress Recycling	Board of Health	Fees for mattress disposal	\$ 2,000
Hoarding Remediation	Board of Health	Revenue from textile recovery boxes	\$ 1,000

Or take any other action relative thereto:

Petitioned by: Board of Selectmen

ARTICLE 25: MASS HISTORICAL COMMISSION GRANT MATCH

To see if the Town will vote to appropriate \$30,000.00 as a local match for a grant from the Massachusetts Historical Commission of \$15,000.00 to update 125 of the historic Inventory of Historic Assets Surveys in the Town (of about 293 records) on the Massachusetts Cultural Resource Information System (MACRIS)

Petitioned by: Planning & ECD

ARTICLE 26: FEMA GRANT-ENGINE TO ENGINE 2 – 5% MATCH

To see if the Town will vote to transfer from Surplus Revenue (Free Cash), \$28,750 for required matching funds associated with FEMA Grant for the acquisition of a Fire Engine or to take any other action relative thereto;

Petitioned by: Fire Chief

ARTICLE 27: FEMA GRANT-AIR PACKS 5% MATCH

To see if the Town will vote to transfer from Surplus Revenue (Free Cash), \$24,585 for required matching funds associated with FEMA Grant for the replacement of Fire SCBA Airpacks or to take any other action relative thereto;

Petitioned by: Fire Chief

ARTICLE 28: PORT AUTHORITY GRANT 25% MATCH-NEW ENGINES ON HARBORMASTER BOAT

To see if the Town will vote to transfer from Surplus Revenue (Free Cash), \$10,905 for required matching funds associated with Port Security Grant for the replacement of two (2) engines for the Harbormaster Boat or to take any other action relative thereto;

Petitioned by: HarborMaster

ARTICLE 29: FAIRHAVEN PUBLIC SCHOOLS PROCUREMENT OFFICER CONTRACTS-FY22

To see if the Town will vote, pursuant to G.L. c. 30B, § 12(b), to authorize its procurement officer to award contracts for Fairhaven Public Schools student transportation

services, Fairhaven Public Schools food services, and Fairhaven Public Schools extended day services for a term not to exceed five years, including any renewals, extensions, or options.

Petitioned by: School Committee

ARTICLE 30: AMENDMENT TO ZONING MAP: FLOOD INSURANCE RATE MAP

To see if the Town will enact the following amendments to the Zoning Bylaw Chapter 198 Section 28, Floodplain and Nasketucket River Basin Districts:

- 1) Add to 198-28.A panels: 25005C0391H, 25005C0392G, 25005C0394H, 25005C0411G, 25005C0413G dated July 8, 2020.
- 2) Delete from 198-28.A panels: 25005C0391F, 25005C0392F, 25005C0394F, 25005C0411F, 25005C0413F dated July 7, 2009.
- 3) In 198-28A revise the date of the Bristol County Flood Insurance Study (FIS) report date to July 8, 2020.
- 4) Add 198-28F.12 as follows: Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.
- 5) Add 198-28F.13 as follows: Within Zones AH and AO on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures. (c, d, e communities, if AH or AO appear).

The revised bylaw with these changes will read as follows with additions indicated in text that is **bold and underlined** and deletions indicated with strikethroughs (~~aaaa~~) as follows:

§ 198-28 Floodplain and Nasketucket River Basin Districts. [Added 4-3-1971 ATM by Art. 83; amended 3-30-1972 ATM by Art 79; 5-18-1976 ATM by Art. 73; 1-22-1977 STM by Art. 4; 5-13-1978 ATM by Art. 54; 10-7-1982 STM by Art. 14; 5-4-1985 ATM by Art. 19; 5-4-1985 ATM by Art. 27; 1-22-1988 STM by Art. 4; 5-7-1988 ATM by Art. 12; 5-3-1997 STM by Art. 15; 5-2-2009 ATM by Art. 12; 5-3-2014 STM by Art. 7]

- A. The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Fairhaven designated as Zone A, AE, AH, AO, A99, V, or VE on the Bristol County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The Map panels of the Bristol County FIRM that are wholly or partially within the Town of Fairhaven are panel numbers ~~25005C0391F, 25005C0392F, 25005C0393F, 25005C0394F, 25005C0411F, 25005C0413F, 25005C0425F, 25005C0482F, 25005C0501F, 25005C0502F, 25005C0503F, and 25005C0504F~~ dated July 07, 2009; and 25005C0391G, 25005C0393G, 25005C0394G and 25005C0482G dated July 16, 2014 **and 25005C0391H, 25005C0392G, 25005C0394H, 25005C0411G, 25005C0413G dated July 8, 2020.** The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Bristol County Flood Insurance Study (FIS) report date ~~July 16, 2014~~ **July 8, 2020.** The FIRM

and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, and Conservation Commission.

B. The purposes of the Floodplain District are to:

- (1) Ensure public safety through reducing the threats to life and personal injury.
- (2) Eliminate new hazards to emergency response officials.
- (3) Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding.
- (4) Avoid the loss of utility services which, if damaged by flooding, would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding.
- (5) Eliminate costs associated with the response and clean up of flooding conditions.
- (6) Reduce damage to public and private property resulting from flooding waters.

C. The Floodplain District is established as an overlay district to all other districts.

- (1) All development in the district, including structural and nonstructural activities, whether permitted by right or by special permit, must be in compliance with MGL c. 131 § 40 and with the following:
 - (a) Massachusetts State Building Code sections on floodplain and coastal high-hazard areas (currently 780 CMR).
 - (b) Wetlands protection regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00).
 - (c) Inland wetlands restriction, DEP (currently 310 CMR 13.00)
 - (d) Coastal wetlands restriction, DEP (currently 310 CMR 12.00)
 - (e) Minimum requirements for the subsurface disposal of sanitary sewage, DEP (currently 310 CMR 15, Title 5)
 - (f) Fairhaven Wetlands Bylaw (currently Chapter 192 of the Code of the Town of Fairhaven).
- (2) Any variance from the provisions and requirements of the above-referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

D. An Order of Conditions from the Conservation Commission is required before building permit shall be issued for construction or expansion by 500 square feet or more of a principal building on land less than the specified elevations above mean sea level (MSL) as provided in the Bristol County Flood Insurance Rate Maps as supplied for the Town of Fairhaven, MA, by the U.S. Corps of Engineers or on any barrier beach or sand dune within 300 feet horizontally of the mean high water line.

E. Without limiting the generality of the forgoing, failure or inability to comply with the following shall be presumed hazardous to health and safety.

F. For all new structures or for proposed improvements which equals or exceeds 50% of market value of the unimproved structure, or for any proposed improvements the cost of which together with the cost of improvements made in the previous five calendar years equals or exceeds 50% of the market value of the structure before such improvements, the lowest floor

level, including that of the basement, if provided, and structural members supporting the lowest floor must be elevated not less than the specified elevations above mean sea level (MSL) as provided in the Flood Insurance Rate Maps as supplied for the Town of Fairhaven, Massachusetts effective July 7, 2009, ~~and July 16, 2014~~ **and July 8, 2020.**

- (1) Structural requirements for construction in flood zones are as provided in the Massachusetts State Building Code, which code requirements are not waived nor superseded by the provisions of this Zoning Bylaw. In addition to those code requirements, the following requirements shall also apply within the designated flood zones for the Town of Fairhaven:
 - (a) Structures for all other uses other than dwelling units must also conform to Subsection C(1)(a).
 - (b) All new construction or substantial improvements for any use shall be located landward of the reach of mean high tide.
- (2) Individual sewage disposal systems shall not be subject to inundation in the event of coastal flooding to six-foot elevation above mean sea level.
- (3) Water supplies shall not be subject to more than temporary interruption or contamination, in the opinion of the Board of Health or its agents, in the event of coastal flooding to six-foot elevation above mean sea level.
- (4) Unless protected by sea walls, pilings or other foundations shall extend not less than six feet below grade in sand and not less than four feet below grade in other materials or to such greater depth as the Building Commissioner may require to prevent scouring beneath foundations.
- (5) Foundations shall be designed by a registered civil engineer or architect to withstand hydraulic pressure, and shall be of reinforced concrete, or if of masonry units, shall have a poured cap tied with reinforcing rods to the footings.
- (6) No vegetation on the ocean side of the crest of any primary dune (a hill or ridge of sand piled up by the wind with no other dune between it and the ocean front) shall be destroyed, nor the crest height of such dune be lowered. All disturbed dune areas shall be stabilized with beach grasses or other means.
- (7) Man-made alteration of sand dunes within Zone VE which would increase potential flood damage are prohibited.
- (8) The placement of mobile homes for year round or seasonal use is prohibited in the Floodplain overlay district.
- (9) In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- (10) In a riverine situation, the Building Commissioner shall notify the following of any alteration or relocation of a watercourse:
 - (a) Adjacent Communities,
 - (b) NFIP State Coordinator, Massachusetts Department of Conservation and Recreation
 - (c) NFIP Program Specialist, Federal Emergency Management Agency, Region I

- (11) All subdivision proposals must be designed to assure that:
- (a) such proposals minimize flood damage;
 - (b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 - (c) adequate drainage is provided to reduce exposure to flood hazards.
- (12) Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.**
- (13) Within Zones AH and AO on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures. (c, d, e communities, if AH or AO appear).**

G Nasketucket River Basin District (NRB)

- (1) The purpose of the Nasketucket River Basin District is to preserve, protect and maintain the quantity and especially the quality of the surface water and groundwater of this district which waters comprise and/or contribute to the existing and potential sources of water supply of the Town of Fairhaven and also to protect the public health, safety and general welfare of the Town residents and to conserve the natural resources of the town. The interpretations, orders, decisions, permits, judgments and findings of all parties, Town boards and departments, agents and officials in respect to all matters pertaining to this district, shall be consistent with and in accord with the spirit and intent of the above-stated purpose of this district. No facilities or activities hereafter listed in this section as restricted or prohibited shall be permitted within the Nasketucket River Basin District except by special permit from the Zoning Board of Appeals, upon demonstration by the applicant that the economic use of the property is infeasible under this rule and that water supply contamination will not result from the proposed facility or activity.
- (2) List of restricted facilities or activities:
- (a) Fuel or combustible hydrocarbon storage.
 - [1] Underground storage prohibited.
 - [2] Aboveground storage over 55 gallons prohibited. (An exception to this restriction is the storage of heating oil inside the building to be heated)
 - (b) Commercial laundries and cleaners.
 - (c) Road salt storage and application.
 - (d) Commercial parking lots.
 - (e) Gasoline stations and commercial garages (e.g. for motor vehicle sales, repair or service).
 - (f) Pesticide applications, storage or use for commercial purposes.
 - (g) Fertilizer applications, storage or for commercial purposes.
 - (h) Leaching fields, cesspools or surface or subsurface discharges of leachable wastes; (an exception to this restriction shall permit these facilities or activities within 300 feet westerly of New Boston Road, provided that all applicable wetlands, Board of Health and building permits have been previously obtained).
 - (i) Storage or stockpiling manure.

- (j) Storage or disposal of hazardous materials or wastes as defined by EPA or OSHA regulations.
 - (k) Gravel pits or other excavations of sand, soil, rock or ledge for sale or commercial purposes (excepting normal excavations incidental to building construction, farming operations, water conservation, water retaining ponds, public utilities, installation and maintenance, and highway construction).
 - (l) Junk and salvage yards, dumps, disposal sites or landfills for solid or liquid wastes.
 - (3) The preceding enumerated items [Subsection D(2)(a), fuel storage, subsection D(2)(d), commercial parking lots, Subsection D(2)(e), gasoline stations and commercial garages, Subsection D(2)(g), fertilizer applications, and Subsection D(2)(i) storage and stockpiling of manure] existing on the passage of this chapter may be continued, repaired, or maintained but without enlargement, nor addition to the existing facility, nor without changing the function of the existing structure to a function more hazardous or contaminating (in amount or type) to the basin aquifer or water supply.
- H. No person shall remove, fill, dredge or build upon any bank, marsh, swamp or flat bordering on coastal or inland water or any other land subject to tidal action or coastal flooding without a Special Permit from the Zoning Board of Appeals. Such a permit shall be issued upon confirmation that the requirements of the Wetland's Act (MGL c 131 §§ 40 & 40A) will be met and granting of the same will not be hazardous to health or safety and not harmful to the shellfish and aquatic resources of the town.
- or take any other action relative thereto

Petitioned by: Planning Board

ARTICLE 31: ADOPTION OF WATER WAYS REGULATION BYLAW-FY22

To see if the Town will vote to authorize the Board of Selectmen to enact comprehensive regulations regarding the waterways of the Town of Fairhaven, by

A.) Deleting Chapter 145 of the Town code and inserting in its place the following:

“Chapter 145 Waterways

§145 – 1 Regulatory Authority

The Board of Selectmen shall have the authority to adopt, and from time- to-time to amend, such comprehensive regulations for the use of the waterways of the Town of Fairhaven as may be recommended to them by the Harbormaster.

§145 – 2 Penalties for Violation

Except as otherwise provided by law, the penalty for a violation of the waterways regulations enacted hereunder, shall be \$ 300.00. Each day that such violation continues shall be deemed a separate violation. The monetary penalty set forth herein shall be in addition to any

applicable regulatory penalty, including but not limited to, the suspension or revocation of any license or permit, or the disqualification of the violator from obtaining any license or permit.

§145 – 3 Non-criminal Disposition

Fines assessed hereunder may be recovered by indictment, or on complaint to the District Court, or by non-criminal disposition in accordance with §21D of Ch. 40 of the General Laws.” and

B.) Amending §1 – 6,D. (2) by deleting the phrase:

“shellfish department regulations, mooring and anchorage regulations, boat ramp parking regulations”, and inserting in its place

“waterways regulations of the Board of Selectmen”

and by deleting §§ 1-6D, (10) and (11);

and

C.) Deleting Chapter. 177 Union Wharf Fees

or to take any other action thereon

Petitioned by: Harbormaster

ARTICLE 32: BY-LAW: THIN FILM PLASTIC BAG BAN-FY22

To see if the town will vote to adopt the following by- law on thin film plastic bag ban

Definitions. Each of the following terms as used in this proposal are defined as follows. Any terms that have not been defined specifically herein shall have their normal English meanings, unless the context indicates otherwise.

BULK ITEMS Any Merchandise, including, without limitation, fruits, vegetables, nuts, grains, candy and hardware, that is not pre-packaged and for which the determination of how many units are to be packaged and sold together is left to the customer.

Merchandise

shall mean any goods, articles, products and food, including prepared food, which are sold directly to customers.

MERCHANT shall mean any person, corporate entity, partnership or other public or private legal entity that sells merchandise directly to customers. All Merchant Locations that operate under the same corporate brand, and regardless of whether they are franchised or otherwise separately owned, operated or managed, shall be considered the same Merchant.

MERCHANT LOCATION

shall mean any retail, wholesale or restaurant location at which Merchandise is sold directly to customers.

THIN-FILM PLASTIC BAG shall mean plastic bags that have a thickness of less than 1.0 mils.

Applicability. The proposed by-law shall apply to any Merchant that operates a Merchant Location within the Town within a building that has a gross floor area, exclusive of any outdoor retail and dining space, of at least 5,000 square feet.

Prohibited activities. The use, distribution and sale of Thin-Film Plastic Bags by Merchants for the following purposes is prohibited: A. For the bagging of purchased Merchandise at the point of sale or checkout, and regardless of whether the Thin Film Plastic Bags were provided to the customer at a different location within the Merchant Location; B. For the delivery of purchased Merchandise to customers off site from the Merchant Location.

Exemptions. The following uses of Thin-Film Plastic Bags by Merchants are specifically not prohibited:

A. The stocking and offering for sale of Merchandise that is pre-packaged in Thin-Film Plastic Bags by the manufacturer or wholesale distributor from which the Merchant obtained said goods; and

B. The packaging or wrapping of any of the following Merchandise in Thin-Film Plastic Bags, prior to the point of sale or checkout, by either the customer or the Merchant: (1) Bulk items; (2) Meat and seafood; (3) Bakery products; (4) Flowers and potted plants; and (5) Newspapers, magazines and other periodicals that are not pre-wrapped by the publisher.

Effective date. The proposed by-laws shall enter into effect, and be enforceable against Merchants, one year from the date on which it is approved by the Attorney General.

Enforcement.

A. Enforcing agents. Each violation of this proposed by-law shall be enforced by the Board of Health or the Board of Selectmen and any other person so designated by the Board of Health or the Board of Selectmen.

B. Penalties. A fine of \$200 shall be imposed for each violation of the provisions of this proposed by-law, which fine shall be enforced through the noncriminal method of disposition as provided by Massachusetts General Laws, Chapter 40, Section 21D. Each day of a continuing violation shall be considered a separate violation.

C. Responsible parties. When the offending Merchant is not a person, this proposed by-law shall be enforceable against any and all individual owners, partners, operators and managers of the Merchant Location at which the violation occurred.

Petitioned by: Frederick L. Jones, et. al.

ARTICLE 33: LAND ACQUISITION AND ENGINEERING DESIGN SERVICES FOR PUBLIC SAFETY FACILITY and DISPOSAL OF BRIDGE STREET PIER-FY22

To see if the Town will

- A. transfer from the Capital Stabilization Fund a sum of money to
 - 1) purchase or acquire by eminent domain all or part of the property located at 172 Bridge Street and shown on assessors' map 26 / lot 1, and
 - 2) engage an architect/engineer to design a public safety facility at that location, and
- B. authorize the Selectmen to convey the pier, formerly a public landing, at the west end of Bridge Street in Fairhaven, Massachusetts, along with the boat ramp located on the north side of that pier, together containing about 49 square rods, as shown more fully on Sheet 1A of a plan by F. M. Metcalf, dated July 16. 1914, and recorded at Book 13, Page 6, in the Bristol (South) Registry of Deeds,

or take any other action relative thereto.

Petitioned by: Board of Selectmen

ARTICLE 34: MUNICIPAL LIGHT PLANT/TELECOMMUNICATIONS FACILITY-FY22

To see if the town will vote pursuant to M.G.L. C.164 sec.36 to acquire a municipal light plant and to authorize such plant to construct, purchase or lease, and maintain such facilities as may be necessary for the distribution or the operation of a telecommunications system for municipal use or for the use of its customers, pursuant to M.G.L. C.164 sec.47E, or as otherwise authorized by law, or to take any other action thereto.

Petitioned by: Broadband Study Committee

ARTICLE 35: SHORT-TERM RENTALS

2020 PROPOSED GENERAL BYLAW AMENDMENT TO IMPOSE A 3% COMMUNITY IMPACT FEE ON SHORT TERM RENTALS

To see if the Town will enact the following amendments to the Town Bylaw Chapter that would allow the Town to adopt a general bylaw amendment that would impose a three percent (3%)

Community Impact Fee, per Section 3D (b) of M.G.L. Chapter 64G, to be paid monthly on the total amount of rent for each transfer of occupancy of any professionally managed short-term rental units and on short-term rental units located within a two-family or three-family dwelling that includes the operator's primary residence. By statute, thirty five percent

(35%) of all community impact fees received pursuant to this Order shall be dedicated to either affordable housing or local infrastructure projects within the Town. The Town of Fairhaven already has a six percent (6%) Hotel Room Occupancy Tax that automatically applies to Short Term Rentals as of July 1, 2019 based on the new law (Section 3D (b) of M.G.L. Chapter 64G).

- 1) That the Town of Fairhaven accepts the provisions of Section 3D (a) of M.G.L. Chapter 64G, and hereby imposes a 3 percent (3%) community impact fee on

the total amount of rent for each transfer of occupancy of a professionally managed short-term rental unit that is located within the Town. All community impact fees received pursuant to this Order shall be paid to the Department of Revenue monthly by the operator.

2) That the Town of Fairhaven accepts the provisions of Section 30 (a) of M.G.L. Chapter 64G, and hereby imposes a 3 percent (3%) community impact fee on the total amount of rent for each transfer of occupancy within a two-family or three-family dwelling that includes the operator's primary residence short-term rental unit that is located within the Town. All community impact fees received pursuant to this Order shall be paid to the Department of Revenue monthly by the operator. To see if the town will vote to create Bylaw Chapter 190 in order to allow and regulate Short-Term rentals and to see if the Town will create community Impact Fee of 3% on Short-Term rentals to pay for the regulation and enforcement.

Petitioned by: Planning & EDC

ARTICLE 36: AMENDMENT TO BPW BY-LAW SOLID WASTE & RECYCLING CURBSIDE

To see if the town will vote to add a section to the Town of Fairhaven By-laws or to take any other action relative thereto.

- a. Customers shall place solid waste and recycling curbside prior to 7:00am on the designated collection day but no earlier than 5:00pm on the day prior to the designated collection day.
- b. Customers shall remove all acceptable solid waste containers from the public layout (street or sidewalk) as soon as practicable or, in any event, no later than 7:00pm on the designated collection day for the area.

Petitioned by: Board of Public Works

ARTICLE 37: AMENDMENT TO THE TOWN'S PLANNING BY-LAWS CHAPTER 194 STORMWATER MANAGEMENT

To see if the town will vote to Amend Chapter 194 Stormwater Management, illicit discharge, soil erosion, sediment control or take any other action relative thereto.

Petitioned by: Board of Public Works

ARTICLE 38: STREET ACCEPTANCE ROBERT STREET

To see if the Town will vote to accept the layout of a parcel of land shown as Robert Street on a plan entitled "Street Layout and Acceptance Plan for Robert Street", scale: 1" = 30', dated October 2, 2019 and prepared by GCG Associates, Inc., Wilmington, MA., said Robert Street is 40 feet in width and contains 15,745 square feet +/-.

Beginning at a point at the intersection of the northerly sideline of Robert Street and the westerly sideline of Castle Avenue, as shown on plan here after referenced; thence

South 01:53' 45" East, along the westerly sideline of Castle Avenue, forty and zero hundredths feet (40.00) to a point; thence

South 88:46' 30" West, along the southerly sideline of Robert Street, three hundred twenty-eight and twenty-six hundredths feet (328.26) to a point; thence

Along a non-tangent arc to the right with a radius of thirty and zero hundredths feet (30.00) a distance of one hundred forty-four and seventy-one hundredths feet (144.71) to a point; thence

North 88:46' 30" East, along the northerly sideline of Robert Street, three hundred twenty-eight and thirteen hundredths feet (328.13) to the point of beginning.

The above description for Robert Street is a 40' wide way and contains 15,745 square feet +/-

Above described parcel being shown as Robert (40' Wide Right of Way) Street on "Street Layout and Acceptance Plan for Robert Street" Scale 1"=40' Dated 10/02/2019 prepared by GCG Associates, Inc. Said plan to be recorded at the South Bristol Registry of Deeds.

Or to take any action thereon.

Petitioned by: the Board of Public Works

ARTICLE 39: HISTORIC TOWN HALL LAMPS

To see if the town will vote to raise and appropriate, borrow or transfer from available funds a sum of money for the purchase and installation of four (4) decorative street lamps on three (3) sides of Town Hall. One (1) on Walnut Street, one (1) on William Street, and two (2) on Center Street. Cost not to exceed \$25,000.00 or take any action relative thereto.

Petitioned by: Historical Commission

ARTICLE 40: AUTHORIZE BOS TO PETITION TO IMPOSE A CHECKOUT BAG CHARGE

To see if the Town will vote to authorize the Selectboard to petition the General Court to adopt legislation, as set forth below, to implement a minimum charge of \$0.10 for all new checkout bags distributed in the Town of Fairhaven, which legislation would have the underlying purposes of 1) incentivizing consumers to reuse checkout bags, the most environmentally sustainable and economical option, 2) allowing consumers to have the choice of not paying for unwanted or unneeded new checkout bags, 3) allowing collected money to be retained by the retailer so as to help businesses defray the costs of switching to more environmentally sustainable checkout bag options, and 4) reducing the generation of waste and associated costs of disposal and recycling that must be borne by the Town and its residents; provided, however, that the General Court may make clerical and editorial changes of form only to said bill, unless the Selectboard approves amendments to the bill prior to

enactment by the General Court; and provided further that the Selectboard shall be authorized to approve any such amendments which shall be within the scope of the general public purposes of this petition; or to take any other action relative thereto.

~~AN ACT~~ AUTHORIZING THE TOWN OF FAIRHAVEN TO ESTABLISH A FEE FOR CHECKOUT

SECTION 1. The following words, unless the context clearly requires otherwise, shall have the following meanings:

“Checkout Bag” shall mean a bag provided by a retail establishment to a customer at the point of sale. Checkout bags shall not include bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or check out area of the store.

“Retail Establishment” shall mean any business facility that sells goods directly to the consumer whether for or not for profit, including but not limited to, retail stores, restaurants, pharmacies, convenience and grocery stores, liquor stores, and seasonal and temporary businesses.

SECTION 2. (a) Notwithstanding any general or special law to the contrary, any retail establishment which makes available checkout bags in the Town of Fairhaven shall charge for each such bag equal to or greater than \$0.10 per checkout bag, as established by regulations to be duly promulgated by the Fairhaven Board of Health.

(b) All monies collected pursuant to this section shall be retained by the retail establishment.

(c) Any charge for a checkout bag shall be separately stated on a receipt provided to the customer at the time of sale and shall be identified as the “checkout bag charge” thereon.

SECTION 3. (a) The Health Agent for the Fairhaven Board of Health or his/her designee shall have authority to enforce this law and any regulations promulgated thereunder. This law may be enforced through any lawful means in law or in equity, including but not limited to, noncriminal disposition pursuant to G.L. c. 40 § 21D and Article VI of the Town of Fairhaven General Bylaws.

(b) The Fairhaven Board of Health may adopt and amend rules and regulations to effectuate the purposes of this law.

SECTION 4. If any provision of this law is declared to be invalid or unenforceable, the other provisions shall be severable and shall not be affected thereby.

SECTION 5. This act shall take effect three months after its passage

Petitioned by: Conservation Commission

ARTICLE 41: ZONING BY-LAW CHANGE CHAPTER 198-33

To see if the town will vote to enact the following amendments to the Zoning Bylaw chapter 198-33 to change and/or add definitions from Massachusetts General Law to the definitions section (198-33) and other locations within the Fairhaven Codebook where the revised definitions reside.

Petitioned by: Planning Board

ARTICLE 42: ZONING BY-LAW CHANGE Chapter 198-29.6 – SOLAR PHOTOVOLTAIC ENERGY FACILITIES

To see if the town will vote to amend the bylaws Chapter 198-29.6 – Solar Photovoltaic Energy Facilities (SPEF) to allow solar power for export in the business and Industrial Districts as an accessory use with a special permit.

Petitioned by: Planning Board

ARTICLE 43: DISCONTINUE PORTION DEAN ST & LIVESEY PARKWAY

To see if the town will vote to discontinue that portion of Dean Street east of its intersection with Adams Street, and that portion of Livesey Parkway (formerly known as Spruce Street) south of its intersection with Morton Street, both as appearing on assessors map 22A; or to take any other action thereto.

Petitioned by: Board of Selectmen

ARTICLE 44: CHANGE TREE WARDEN FROM ELECTED TO APPOINTED

To see is the Town will vote to .

Petitioned by: Board of Selectmen

ARTICLE 45: TRANSFER FROM SURPLUS REVENUE-FY22

To see is the Town will vote to transfer a sum of money from Surplus Revenue for the reduction of the tax levy, or take any other action relative thereto.

Petitioned by: Board of Selectmen

ARTICLE 46: CHANGE THE NAME OF THE BOARD OF SELECTMEN TO SELECT BOARD

To change the name of The Board of Selectmen to Select Board or take another action relative thereto.

Petitioned by: Ann Richard

ARTICLE 47: INCREASE BOARD OF SELECTMENT FROM THREE (3) TO FIVE (5)

To see if the Town will vote to accept the following article:

In accordance with the Articles of the Constitution of the Commonwealth, the Fairhaven Board of Selectmen is hereby directed to petition the General Court for passage of the act relative to the Town Board of Selectmen, providing as follows:

Section 1: Notwithstanding any general or special law to the contrary, the number of members on the Fairhaven Board of Selectmen shall be increased from three (3) to five (5). The Board of Selectmen shall annually elect a chairperson from among its members.

Section 2: At the first Annual Town Election to occur following the passage of this act by the Massachusetts General Court, three (3) Selectmen shall be elected. The candidate receiving the highest number of votes in that election shall serve a three (3) year term, the candidate receiving the second highest number votes shall serve a two (2) year term and the candidate receiving the third highest number of votes shall serve a one (1) year term. Thereafter, as the terms of Selectmen expire, successors shall be elected for terms of three (3) years.

Section 3:

This act shall take effect upon its passage.

Or take any other action relative thereto.

Petitioned by: Donna McKenna

ARTICLE 48: CREATE A NEW NINE MEMBER CHARTER COMMITTEE

To see if the Town will vote to create a new nine-member committee, to be known as the Fairhaven Charter Committee, to be appointed by the Moderator, which committee shall be charged with the review of all aspects of local government organization and structure, including, without limitation, regional relationships and the operation of all Town departments, boards, committees and commissions, elected and appointed, and make a report or recommendations to the 2022 Annual Town Meeting, or such later town meeting as the Moderator may approve, with the goal of presenting a proposed charter at the 2022 Annual Town Meeting, which special legislation would be forwarded to the General Court for review and approval, in accordance with the Home Rule Amendment, Section 8, and further to raise and appropriate or transfer from available funds a sum of \$10,000.00 to pay for the expenses of such Committee, or take any other action relative thereto.

Petitioned by: Kyle Bueno

ARTICLE 49: ESTABLISH AN ETHICS COMMITTEE

To see if the Town shall vote to establish an ethics committee which shall be elected by the town voters each year at the time of the Spring Election. This will be a three member board and anyone serving on this board cannot have any dealings with the town from which they receive financial gain. Members of this board cannot serve on any other board elected or appointed. For the purposes of the first election the person with the highest vote total will serve for three years, the person who receives the second highest vote total will serve for two years, and The Ethics Board will have the following responsibilities and powers. They can investigate any conduct which appears to be unethical or illegal. They can ask for the records from any town board which would include minutes of meetings, e-mails, and any other correspondence which is asked that pertains to their inquiry. If malfeasance is found they can go directly to town meeting with a recommendation with options that include a: call for censure, a vote of no confidence, and an impeachment of a town official. Furthermore as representatives of the town they can ask for the Attorney General to investigate any activity which through their inquiry they found to be illegal or in violation of the open meeting law. Furthermore if they feel that a committee or member of a committee is operating in violation of the bylaws of the town they will contact that board and ask that immediate action to remedy the violation be taken. Any citizen can file a complaint with the Ethics Committee and if requested it will be mandated to be put on their agenda at the next scheduled meeting. The committee will determine within thirty days what course of action if any will be taken regarding the complaint. The Ethics Committee will also prepare a code of ethics to be voted by the annual Spring town meeting in 2021. Or to take any other action relative thereto.

Or take any other action relative thereto.

Petitioned by: Mary Freire-Kellogg

ARTICLE 50: ESTABLISH TERM LIMITS FOR ELECTED BOARD MEMBERS

To see if the Town will vote to adopt into Town bylaw: Term Limits for Elected Board Members

We the registered voters of the Town of Fairhaven petition the town meeting to vote on the Article to vote on the following Article. To see if the Town shall vote to establish-TERM LIMITS for Elected Board Members

We the registered voters of Fairhaven petition the town meeting to vote on the Article to see if the Town shall vote to adopt a by law to be enacted immediately, commencing with the spring election of 2021, and to take any other action relative thereto, as follows:

RECEIVE

The term for any elected town official shall be limited to a maximum of two consecutive terms. The total length of service for any elected official shall not exceed six years in any particular office. Any elected official who has already served a maximum term of six years in any particular office at the time

such by-law is enacted, shall be prohibited from further serving in the same position, for an

additional term after the expiration of his/her current term of office.

To be voted by the annual Spring town meeting in 2021. Or to take any other action relative thereto.

Or take any other action relative thereto.

Petitioned by: Mary Freire-Kellogg

ARTICLE 54: AMEND TOWN BYLAW CHAPTER 115 “RIGHT TO FARM”

To see if the Town will vote to amend Town bylaw Chapter 115 "Right to Farm, Section 3 and Chapter 405 “ ANIMALS” Section 2 to clarify the permitting requirement for animals is. Waived on all parcels greater than 5 Acres in the Town of Fairhaven as these parcels are determined to be zoned as Agricultural in Chapter 155 Section -3 in the current Fairhaven Bi-Laws.

Or take any other action relative thereto.

Petitioned by: Mary Freire-Kellogg

ARTICLE 55: AMEND TOWN BYLAW CHAPTER 516 “RECALL ELECTIONS”

To see if the Town will vote to amend Town bylaw Chapter 516: "Recall Elections", Section 2 to reduce the registered voter signature requirement from twenty (20) percent to ten (10) percent as follows:

"The recall petitions shall be returned and filed in the office of the Town clerk within Thirty days following the date the petitions were issued, signed by at least

10 percent of the total number of registered voters duly recorded on the registration list of the Town clerk as of the preceding Town election."

Or take any other action relative thereto.

Petitioned by: Mary Freire-Kellogg

ARTICLE 56: AMEND TOWN BYLAW CHAPTER 516 “RECALL ELECTIONS”

To see if the Town will vote to amend Town bylaw Chapter 516: "Recall Elections, Section 2 to reduce the registered voter signature requirement from twenty (20) percent to ten (10) percent, and to increase the time frame for obtaining those signatures, as follows:

"The recall petitions shall be returned and filed in the office of the Town clerk within (14) fourteen days (30) thirty days following the date the petitions were issued, signed by at least (20) percent (10) percent of the total number of registered voters duly recorded on the registration list of the Town clerk as of the preceding Town election."

Or take any other action relative thereto.

Petitioned by: John Farrell

ARTICLE 57:

We the undersigned registered voters of the Town of Fairhaven, hereby petition your Board to insert in the warrant of the next Annual or Special Town Meeting an article for the Rezone of the following described property. Portions of 267 Huttleson Avenue from (Existing Zoning) Multi-family to Proposed Zoning: Business

Petitioned by: GB Knowles

ARTICLE : OTHER BUSINESS

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

And you are hereby directed to serve this warrant by posting an attested copy thereof on or near the front or main entrance of the polling place in Precinct 1, Town Hall; and on or near the entrance of the polling place in Precinct 2 and 3, Elizabeth I. Hastings Middle School, School Street; and on or near the entrance of the polling place in Precinct 4, Fire Station meeting room, 146 Washington Street; and on or near the front or main entrance of the polling place in Precinct 5 and 6, Recreation Center, 227 Huttleston Ave; seven days at least prior to the date of the meeting.

HEREOF FAIL NOT, and make due return of this warrant to the Town Clerk at the time and place of the meeting aforesaid.

Given under our hands this ____ day of ____ in the year two thousand twenty.

Selectmen of Fairhaven,

Daniel Freitas

Robert Espindola

Keith Silvia

A true copy, ATTEST:

Constable of Fairhaven

Fairhaven Fire Department
Fairhaven, MA 02719

Apparatus Study Committee

March 4, 2021

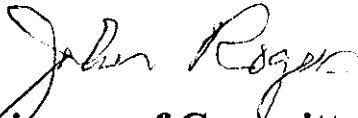
**Board of Selectmen
Town Hall
34 Center St
Fairhaven, MA 02719**

Gentlemen;

I am requesting that you Appoint Dep. Chief Joy Nichols as a member of the Apparatus Study Committee.

Thank you for your assistance in this matter.

JOHN ROGERS

A handwritten signature in black ink that reads "John Rogers". The signature is written in a cursive style with a large, stylized "J" and "R".

Chairman of Committee

SUBORDINATION OF MORTGAGE

Town of Fairhaven, with its principal place of business at Office of Planning and Economic Development, 40 Center Street, Fairhaven, Massachusetts 02719, holder of the following:

Mortgage (\$83,450.00) from Diana L. Harrison to the Town of Fairhaven dated May 24, 2011 and recorded in the Bristol County S.D. Registry of Deeds in Book 10118, Page 132. (hereinafter "the Subordinated Mortgage")

hereby agree that the Subordinated Mortgage and the obligations secured thereby shall be and hereby are subordinate and junior in right to the following:

Mortgage from William R. Cusson, Jr., and Diana Harrison, Trustees of the Cusson Harrison Living Trust to Flagstar Bank, FSB in the original principal amount of \$165,000.00 dated _____ and recorded at the Bristol County (S.D.) Registry of Deeds in Book _____, Page _____, and to future advances thereunder, to the same extent as if said mortgage had been executed and recorded and all advances made thereunder prior in time to the execution and recording of the "Subordinated Mortgage".

IN WITNESS WHEREOF, the said Town of Fairhaven has caused its corporate seal to be affixed and these presents to be signed in its name and behalf by _____, it duly authorized _____, this 22nd day of March, 2021.

Town of Fairhaven

By: _____

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss

_____, 2021

Then personally appeared the above named _____, who proved to me through satisfactory evidence of identification which was _____ to be the person whose name is signed on this document, and acknowledged to me that said instrument was signed and sealed on behalf of said savings bank and that he signed it voluntarily for its stated purpose before me,

Notary Public

My commission expires:

3/9/21 - Tuesday

This Subordination
was written by
the Flagstar Bank
atty. of Prov. RI.

to be signed + notarized
Given to Vicki



Commonwealth of Massachusetts
TOWN OF FAIRHAVEN

POLICE DEPARTMENT

1 Bryant Lane

Fairhaven, MA 02719

Phone 508-997-7421

Fax 508-997-3147

www.fairhavenpolice.org

Michael J. Myers
Chief of Police

March 1, 2021


Town of Fairhaven
Board of Selectman
40 Center Street
Fairhaven, MA 02719

Dear Sirs,

On behalf of myself and staff members at the Police Department, I am requesting to dedicate and name the dispatch communications center after a retired employee Michael Sullivan. Michael was employed with the town for 18 years until he was forced by his own medical ailment to announce his retirement. Michael was dedicated to the department and would show up for work after his treatments as not to miss a shift. He worked countless double shifts and was a staple here on the 4-12 shift. He was proud to be here and his work ethic was admirable. Michael passed away from cancer shortly after retirement.

This year my administrative assistant had a framed photo of dispatcher Sullivan made to gift the dispatchers at Christmas. They were allowed to hang it and it has had a positive outpouring of memories and overall been good moral to the department. Officer Sniezek was one touched by the sentiment causing him to stop in to request if it was an option that we consider doing some type of memorial for him. Jaunna my assistant, Officer Frank Sniezek and Dispatcher Marie Spooner have written a little dedication and will pay the cost associated with the plaque. I am in favor of the dedication and would appreciate any consideration into making this an event. Attached, for your review, is the dedication they would like to have written on the plaque.

Respectfully,


Michael J. Myers
Chief of Police



The Fairhaven Police Department proudly announces

The Michael A Sullivan Emergency 911 Communication Center

It is with great honor, The Town of Fairhaven and the Town of Fairhaven Police Department dedicates the "Emergency 911 Communication Center" to Michael A. "Sully" Sullivan.

Dispatcher Sullivan began his career with the Fairhaven Police Department on March 22, 1999 and continued until his retirement on June 1, 2017. During his career, Dispatcher Sullivan was truly one of the most respected members of our department. His dedication, professionalism and the respect he demonstrated was admired by all who worked with him. Dispatcher Sullivan, will be remembered for his extremely hard work ethic and his support for his peers. Dispatcher Sullivan had an infectious smile, a great sense of humor, but most of all he was dedicated and proud to serve and assist the officers of our department. His main objective and goal each shift was making sure the officers he was working with were safe and had as much information as they possibly could at all times! Dispatcher Sullivan was truly proud of his service to our department and the Town of Fairhaven. His willingness to come to work each and every day to help others was never unnoticed by his peers.

Prior to starting his career with the Fairhaven Police Department, Michael A. "Sully" Sullivan honorably served our country for 22 years in the United States Army. Dispatcher Sullivan sadly passed away on March 23, 2019 after a lengthy and courageous battle with cancer. Dedicating our communication center in his honor will allow the legacy he created to be remembered by all who served with him. Rest peacefully our dear friend and thank you for your dedicated service to our department!

Officially dedicated March 22, 2021



D2

Wendy Graves <wgraves@fairhaven-ma.gov>

Updated Solar LOI

1 message

Matt Shortsleeve <mshortsleeve@solect.com>

Fri, Mar 5, 2021 at 1:17 PM

To: Whitney McClees <wmcclees@fairhaven-ma.gov>, wgraves@fairhaven-ma.gov

Hi Whitney and Wendy,
Attached please find the updated solar Letter of Intent reflecting the Hastings Middle School and the Council on Aging canopy projects, and removing the High School.

If I can be of assistance in presenting to the Selectboard meeting, I'd be happy to do so.

Please let me know your feedback on this and next steps. We'd really like to secure SMART Block 5 for these if possible, so I hope the LOI will be agreeable and we can get it signed.

Thanks and have a great weekend!
Matt

--

Matt Shortsleeve | Vice President, Development[Schedule a Meeting with Matt](#)**Solect Energy**

89 Hayden Rowe St. | Hopkinton, MA 01748

(o) (508-598-3511 x735 | (c) 617-797-7832

solect.com | mshortsleeve@solect.com

Connect with us on [LinkedIn](#) | [Twitter](#) | [Facebook](#)

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**Solect PO PPA LOI Fairhaven MS COA 20210305.docx**

123K

**Letter of Intent for Solar Power Purchase Agreement
Town of Fairhaven
SED Fairhaven Hastings Middle School**

March 5, 2021

To: Whitney McClees
Conservation Agent and Sustainability Coordinator
Town of Fairhaven
40 Center Street
Fairhaven, MA 02719

Solect Energy Development LLC (“Solect” or “Provider”) and Town of Fairhaven (“Host”), desire to enter into Power Purchase Agreements (“PPA”) and Lease Agreements or grants of Easement (“Site Control”) for electricity to be produced by solar power electric generating projects, potentially including energy storage, to be located at three Town owned locations (the “Projects”), but recognize that the Massachusetts Department of Energy Resources’ SMART Incentive Program awards incentives on a first come first served basis, and therefore, Host’s power purchase rate is subject to the approved incentive for each Project. The PPA rates for each Incentive Award are presented in Attachment 1.

This Letter of Intent (the “Letter”) is intended to formalize both Parties willingness and intent to enter into good faith negotiations to execute a PPA, Electricity Services Agreement (“ESA”) (if energy storage is included), and Site Control pursuant to which Solect will develop the Projects under the PowerOptions Solar Program.

1. **Project Development Activities**

Solect seeks to develop, design, construct, finance and operate the Projects presented in Attachment 2 and sell to Host the electric energy produced by the Projects.

Host owns or is the beneficial leaseholder of the sites listed in Attachment 2 and seeks to make a portion of such sites available to Provider for constructing, operating and maintaining solar powered electric generating and energy storage Projects. Host will allow Provider reasonable access to the sites to perform pre-development and design work as described below, at no cost to Host. Provider shall, during the term of this Letter, maintain the insurance set forth in the Attachment 3 to this Letter. Provider shall enter upon the sites only in the company of a representative of Host.

Solect may, at its expense, assess the suitability of Host’s premises for the Projects. To do so, Solect may perform engineering, design, site or structural analysis (excluding intrusive or destructive tests or inspections without Host’s prior approval), and may submit applications for SMART incentives, and utility interconnection of the Host’s site to determine feasibility, safety, and to ensure the proper installation, maintenance, and operation of the solar and energy storage Projects. If during the performance of such assessment, Solect discovers any conditions that in Solect’s reasonable judgment would prevent the successful completion of the Projects, Solect shall promptly advise Host of the same, and if the Parties are unable to reach agreement on how to address such conditions in the PPA to enable successful completion of the Projects, Solect may terminate this Letter, and the Parties will have no further obligations hereunder.

2. Agreements

Subject to the conditions in this letter, Host and Solect agree to undertake good faith negotiations to enter into a PPA, ESA, and Site Control document for each Project. Within two hundred seventy (270) days of the issuance of a Preliminary Statement of Qualification from the SMART Program Administrator, Solect shall confirm the PPA rate that it will offer to the Host for the Project. Initial proposed rates are shown in Attachment 1. The Parties recognize that the pricing for the Projects will be subject to SMART Program incentives, the execution by Solect and the taxing authority of agreements for payment in lieu of taxes ("PILOT"), and that the final PPA rates must be agreed to by both Parties and may differ from those shown in Attachment 1. Subject to the Parties' agreement, Host agrees to execute the PowerOptions program PPA, ESA and Site Control documents as soon as reasonably practicable. The parties may extend this Letter upon mutual written agreement.

This Letter is contingent upon successful receipt of the SMART Program qualification, and subject to Solect achieving the PPA rates for each location as presented in Attachment 1, the Parties' mutual satisfaction with PPA rates and agreement regarding site-specific upgrades (if any).

This Letter expresses the desire of both Parties to enter into negotiations to undertake and complete the Projects as outlined above, and to complete all necessary documents, and processes to meet the associated timeline. If the Parties are unable to reach agreement on any adjustments to the PowerOptions PPA and Site Control document, or other agreement to address site-specific upgrades, then this Letter shall terminate. This Letter shall be governed by Massachusetts law.

This Letter shall expire 360 days after the date of Host's countersignature below, unless the parties agree, in writing, to extend the term.

Sincerely,

Solect Energy Development LLC

By: _____

Name: James Dumas

Title: Manager/COO

ACCEPTED AND AGREED TO AS OF THE DATE SET FORTH BELOW BY AUTHORIZED
REPRESENTATIVE OF HOST

Town of Fairhaven

By: _____

Name:

Title:

Date: _____

(signature page – Letter of Intent – Town of Fairhaven)

ATTACHMENT 1

3/5/2021

Town of Fairhaven

Solar PPA Summary

Site	Block 5			Block 6			PILOT
	PPA	Y1 Save	20 Yr Save	PPA	Y1 Save	20 Yr Save	
Hastings Middle School PV+ESS	0.102	\$ 22,800	\$ 744,000	0.11	\$ 19,500	\$ 702,450	\$ 130,000
Council on Aging / Rec Ctr	CUSTOM - STANDALONE FTM, BILL CREDITS / LEASE						\$ 146,000
Total PPA Savings		\$ 22,800	\$ 744,000	0.110	\$ 19,500	\$ 702,450	
PILOT			\$ 276,000			\$ 276,000	
Total Savings + Income			\$ 1,020,000			\$ 978,450	

Does not include costs if any for utility impact studies or system upgrade charges

Assumes PILOT Agreement with Host Community

Savings estimates assume cost of supply and delivery kWh inflation 1.5%

Site	kWh	Offset	CO2 Tons Avoid	kWDC	PILOT
Hastings Middle School	410,000	120%	6,000	363	\$ 130,000
Council on Aging / Rec Ctr	540,000		5,100	511	\$ 146,000
Totals	950,000		11,100	874	\$ 276,000

ATTACHMENT 2

Project Site Information

Hastings Middle School – 30 School Street Fairhaven, Massachusetts 02719

Fairhaven Council on Aging - 227-229 Huttleston Avenue Fairhaven, Massachusetts 02719

ATTACHMENT 3

Insurance Requirements

Provider will have valid commercial general liability, workers compensation, and business auto insurance as follows:

- Commercial general liability insurance will be in the following amounts: \$1,000,000 for each occurrence and \$2,000,000 aggregate.
- Workers compensation insurance or self-insurance indicating compliance with any applicable labor codes, laws or statutes, state or federal, where Installer performs work.
- Auto coverage not less than 1 million dollars (\$1,000,000) each accident for bodily injury and property damage, and 1 million dollars (\$1,000,000) in the aggregate.



Department of Veterans' Services

Town of Fairhaven

To The Selectman,

I have been on Zoom meetings once a week with the state Department of Veterans Services since the pandemic started. What the state has suggested in our last meeting was Memorial Day and 4th of July parades they believe the Governor would leave up to each individual town. I have spoken to members of both committees, and have gotten the same answer to do one last time virtually. I have also spoken to our current Health Agents for their input. My suggestion for Fairhaven would be to skip both this year and start our first one in November with Veterans Day parade. I have read and watched what has been put out saying by end of July that anyone who wants a vaccination should have had the opportunity to get one. This is my recommendation; I leave it in your capable hands for your decision.

Thanks,
Bradford Fish



To be discussed at meeting



To be discussed at meeting



March 15, 2021

Mr. Daniel Freitas, Chairman
Fairhaven Board of Selectmen
40 Center Street
Fairhaven, MA 02719

Dear Mr. Freitas:

Please be advised that Ari Sky and Jennifer Callahan have contacted me regarding the Fairhaven Town Administrator search. Both candidates wish to immediately withdraw from the process and from consideration by the Town of Fairhaven.

Sincerely,

Bernard Lynch
Principal

Milestone	Date
Town Administrator Presents Budget Calendar to Board of Selectmen	Monday, November 16, 2020
Capital Budget Instructions Distributed	Wednesday, November 18, 2020
Operating Budget Instructions Distributed	Tuesday, November 24, 2020
Capital Budget Project Requests due	Friday, December 4, 2020
Town Administrator/Finance Director present revenue forecast	Monday, December 21, 2020
Capital Planning Committee submits prioritized Capital Budget Requests to Town Administrator	Monday, December 21, 2020
Operating Budget Requests due	Monday, December 21, 2020
Departments meet with Budget Team to review budget requests	Week of January 5-9, 2021
School Superintendent submits his recommended School Budget to School Committee (On or About)	Wednesday, January 6, 2021
Town Administrator Recommended Operating Budget issued to Board of Selectmen and Finance Committee	Monday, January 25, 2021
Board of Selectmen Goal Setting Workshop	January - February 2021
Departments/Boards to submit final articles	Monday, March 15, 2021
Warrant for Annual Town Meeting Closes	Monday, March 22, 2021
Selectmen Sign Warrant	Monday, March 22, 2021
Town Clerk Posts "Legal" Warrant (on or before)	Friday, March 26, 2021
School Committee votes on School Budget	Late March, 2021
Annual Town Election	Monday, April 5, 2021
Finance Committee conducts hearings on Operating and Capital Budgets	February - April 2021
Citizen Petition Articles submission deadline	Friday, April 16, 2021
Board of Selectmen Vote on Operating and Capital Budgets	Monday, April 26, 2021
Finance Committee issues its recommendations on operating and capital budgets	Friday, May 7, 2021
Warrant and Finance Committee Report sent to the printer	Friday, May 14, 2021
Warrant Book & Finance Committee report distributed to Town meeting members	Friday, May 28, 2021
Town Meeting Coordination Meeting*	Wednesday, June 2, 2021
Motions Completed	Monday, June 7, 2021
Pre-Town (Precinct) Meeting	Wednesday, June 9, 2021
Annual Town Meeting	Saturday, June 12, 2021

*Attendees: Town Moderator, Chair Board of Selectmen, Chair Planning board, BPW Chair & Superintendents,
 Town Clerk, Chair of Finance Committee, Town Counsel, School Committee Chair & Superintendent, Town Administrator,
 Finance Director, Town Accountant, HR Director, IT Director, Cable T.V. Director, others to be determined.

FY22 Cable Budget



To be discussed at meeting

Acceptable Use Policy – Computer, Technology, Email, Cell Phone, Internet, Social Media

43-1. *Policy.* The Town of Fairhaven may provide email and/or Internet access to employees who are connected to the municipal network server at the Town Offices and, additionally, to various employees in other town buildings. The purpose of providing these services to employees is to improve communication between departments and to provide the means to communicate and obtain information via the Internet. These services shall be used to improve the efficiency and effectiveness of municipal operations. Access and Control of the Town's technology resources, equipment, and information shall be as follows:

The Town has established these policies to set the standards for the proper and allowed uses of the Town's telecommunications systems including telephones, email, facsimile machines (faxes), cell phones, and the Internet, including social media, and to set the standards expected of town personnel in the use of private equipment and media. The use of these capabilities and equipment is subject to the same management oversight as any other employee activity. The Town reserves the right to review and monitor employees' use of Town systems and communication devices. Employees are advised that they have no legitimate expectation of privacy in regard to their use of the Town's system and communication devices.

Violation(s) of this policy may result in disciplinary action being taken against the employee, up to and including termination from employment.

Email: Electronic data in the form of email is considered a public record and as such is subject to the requirements of the Public Records Law (MGL c 66) including the requirement to maintain that data, and as applicable to make that data available to the public upon request. Federal courts have also held that electronic mail is considered a record for purposes of the Federal Freedom of Information Act. Electronic data that is generated or communicate by a town employee in the course of his employment, will be considered a public record regardless of whether the equipment used is town owned or personally owned.

Appropriate Use: Email and related online services are the property of the Town and are to be used for business matters directly related to the operational activities of the Town and as a means to further the Town's objective to provide efficient, complete, accurate, and timely services.

Users shall act professionally, properly identifying themselves, and shall ensure that they do not misrepresent themselves or the Town.

The telecommunications systems (including Town office Wi-Fi access) shall not be used for:

- Personal gain or to conduct personal business, political activity, non-Town-related fundraising activity, or charitable activity;
- The transmission of materials used for commercial promotion, product endorsement, or political lobbying;
- Discriminate, or promote discrimination, on the basis of race, color, national origin, age, marital status, sex, political affiliation, religion, disability, or sexual preference; to promote, cause, or contribute to sexual harassment; or to promote personal, political, or religious business or beliefs;
- To violate any of the Town's personnel policies;

- For any illegal activity, including but not limited to, the transmission of copyrighted or trade secret material, the transmission of obscene, defamatory, or threatening material, or the propagation of any criminal activity.

No user shall violate the computer security systems or procedures implemented by the Town, the IT Director or his/her designee, including proper use of passwords, security systems, and virus detection programs. For security purposes, employees should either log off or revert to a password screensaver when leave their computer for an extended period. When leaving for the day, employees should log off and power down all electronic equipment.

Employees are expected to use careful consideration before opening emails or files from unknown senders. Employees are prohibited from downloading or transferring unauthorized software or files. No user shall pirate, download, or transfer software for which the user does not have the proper licensing. Additional restrictions or regulations on the importing of remote files may from time to time be imposed, and such restrictions or regulations shall be considered part of this policy.

Internet browsing should be limited to Internet sites directly related to the user's job function. Internet browsing for personal use is prohibited. The use of town equipment and access for the purpose of private social networking is prohibited. Users shall not engage in activities that could cause congestion and disruption of networks and systems, including but not limited to consuming excessive system resources.

Open Meeting Law Compliance: All provisions of the Massachusetts Open Meeting Law apply to email communication.

41-2. Social Networking. Whether acting within the scope of employment for the Town, or not, employees are encouraged to use professional judgment at all times concerning personal and professional use of social networking sites. In using social networking sites, employees should at all times be respectful to co-workers, residents, or persons seeking assistance from the Town. Employees should not disclose confidential information, engage in any unlawful activity, or convey information that is disparaging or defamatory while using social networking sites, and must refrain from making comments or statements based upon race, color, gender, national origin, religion, ancestry, age, sexual orientation, disability, maternity leave, genetics, active military status, or another basis prohibited under state or federal anti-discrimination statutes, or which may otherwise interfere with the ability of the Town government to function properly. Such statements or comments occurring online and/or through the use of social networking sites will not be tolerated and may be subject to disciplinary action.

Subject to applicable law, online activity outside of work that violates the Town's Personnel Policies may subject an employee to disciplinary action, up to and including termination.

Use of social media during work hours, except as related to town business or postings, is prohibited and subject to disciplinary action.

43-3. Mobile Devices Provided by the Town. Employees whose work requires the issuance of a mobile device will be provided such device at the recommendation of the Department Head and the approval of the Town Administrator. Employees who do not accept a Town mobile device, and instead opt to use their own device, shall be eligible to receive a stipend, upon furnished proof of cell phone invoice paid. Such proof shall be provided to the Town Accountant's office, along with any reimbursement/payable

cover sheets, and shall be signed by the Town Administrator for reimbursement. Employees who opt to use their own mobile devices for Town business must seek approval from their Department Head and should be advised that their device may be subject to records access laws. The rate of payment for cell phone stipends will be periodically reviewed. Proposed cell phone stipends must be included in the annual departmental budget and are subject to Town Meeting appropriation. Users are responsible for the physical safety of their Town-provided devices and must report lost/stolen/damaged equipment immediately to the technology staff (IT Department).

43-4. Usage Guidelines.

- Detailed records of the use of Town mobile devices are public records and may be requested at any time.
- Mobile devices provided by the Town are to be used predominately for work-related purposes. Personal use that incurs charges must be paid for by the employee.
- In addition to this policy, the use of mobile devices is governed by personnel policies which relate to the use of all Town computing equipment.
- Town employees and elected officials may use social media and social networking services and tools for personal use outside of the workplace. However, these types of tools can sometimes blur the line between professional and personal interactions. Therefore, employees and elected officials are reminded that as representatives of the Town of Fairhaven, the above policies should be taken into consideration when participating in these services at any time, particularly when identifying themselves as employees of the Town or when context might lead to that conclusion, employees and volunteers should use discretion and common sense when employing social media, to help prevent inadvertently compromising professional, legal, or ethical standards, or otherwise violating this policy.