

## Revised

RECEIVED  
TOWN CLERK

2021 JUN -4 A 8:45

FAIRHAVEN BOARD OF SELECTMEN

Meeting Agenda

Monday, June 7, 2021

6:30 p.m.

Town Hall – 40 Center Street – Fairhaven

RECEIVED  
TOWN CLERK

2021 JUN -3 P 3:55

FAIRHAVEN,  
MASS.

FAIRHAVEN,  
MASS.

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

Log on to: <https://zoom.us/j/94644425417?pwd=Q2NjZ2tLbE1MMk5vTmZqa0diNnJBUT09>

or call: 1-929-205-6099

Meeting ID: 946 4442 5417

Passcode: 231492

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 gift of Boys Creek saltmarsh parcels
2. Request to fly the Pride Flag for the month of August
3. Appoint John Medeiros as full member of the Historical Commission
4. Appoint Maria (MJ) Carvalho to the Lagoa Friendship Pact Committee as the Historical Commission representative

### D. APPOINTMENT

1. 7:00 pm Approval of a Class II, Car Dealer's License: Hive Motorcars, LLC
2. 7:05 pm 99 Restaurant of Boston, LLC d/b/a 99 Restaurant and Pub: Change of manager
3. 7:10 pm Meet and Greet: Precinct One

### E. POSSIBLE ACTION/DISCUSSION

1. Discuss Rogers School proposal
2. Handicap sign- 54 Bayview
3. Discuss remote Town Meeting participation
4. Preparation for Annual Town Meeting, June 12, 2021

### F. NOTES AND ANNOUNCEMENTS

1. The next regularly scheduled meeting of the Board of Selectmen is Monday, June 21, 2021 at 6:30 p.m. in the Town Hall Banquet Room.

### G. EXECUTIVE SESSION

1. Real Estate Matters: MGL Chapter 30A, Section 21 (6): Rogers School lease

### 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.*



---

**FW: Boys Creek Saltmarsh Parcels**

1 message

**Thomas P. Crotty** <tomcrotty@tcrottylaw.com>

Thu, May 27, 2021 at 12:44 PM

Reply-To: tomcrotty@tcrottylaw.com

To: Wendy Graves &lt;wgraves@fairhaven-ma.gov&gt;, Vicki Oliveira &lt;vloliveira@fairhaven-ma.gov&gt;

Cc: Whitney McClees &lt;wmcclees@fairhaven-ma.gov&gt;

Wendy

The town meeting voted to approve the use of CPC funds to acquire several parcels on Boys Creek for conservation land through the Buzzards Bay Coalition. The form of the deed is attached.

In order for the property to be gifted to the conservation commission the acquisition must also be approved by the selectmen and the commission.

Would you please put this on the next available agenda for the board's approval, and Whitney please do the same for the commission.

Neither board has to sign the deed, but please let Allen Decker and me know the dates of the boards' votes.

Thanks

Tom

---

**From:** Allen Decker [mailto:[decker@savebuzzardsbay.org](mailto:decker@savebuzzardsbay.org)]**Sent:** Thursday, May 27, 2021 12:33 PM**To:** [tomcrotty@tcrottylaw.com](mailto:tomcrotty@tcrottylaw.com)**Subject:** RE: Boys Creek Saltmarsh Parcels

And, so you have it near the top of your Inbox, Tom, here's the ATM Article 18 that would be Exhibit A to the deed.

Allen

---

**From:** Allen Decker [mailto:[decker@savebuzzardsbay.org](mailto:decker@savebuzzardsbay.org)]**Sent:** Thursday, May 27, 2021 12:26 PM**To:** 'tomcrotty@tcrottylaw.com' <tomcrotty@tcrottylaw.com>**Subject:** RE: Boys Creek Saltmarsh Parcels

Hi Tom, the additional clause in the deed looks fine. One small edit, you repeat the phrase "shall be" at the end of the first line of the tracked text.

Please copy me when you send the deed over to the Con Comm and BoS for their votes then I can follow up with each on meeting dates and the like.

I'll get going on drafting the CR and being in touch with Whitney on adding the additional surrounding Con Comm land into the CR at the same time.

Thanks, Allen

---

**From:** Thomas P. Crotty [<mailto:tomcrotty@tcrottylaw.com>]  
**Sent:** Thursday, May 27, 2021 11:01 AM  
**To:** 'Allen Decker' <[decker@savebuzzardsbay.org](mailto:decker@savebuzzardsbay.org)>  
**Subject:** RE: Boys Creek Saltmarsh Parcels

Allen

See attached.

If this looks good we can have the ConComm and BoS vote their approval.

Tom

---

**From:** Allen Decker [<mailto:decker@savebuzzardsbay.org>]  
**Sent:** Wednesday, May 26, 2021 3:22 PM  
**To:** [tomcrotty@tcrottylaw.com](mailto:tomcrotty@tcrottylaw.com)  
**Subject:** RE: Boys Creek Saltmarsh Parcels

Tom?

---

**From:** Allen Decker [<mailto:decker@savebuzzardsbay.org>]  
**Sent:** Monday, May 24, 2021 5:11 PM  
**To:** 'tomcrotty@tcrottylaw.com' <[tomcrotty@tcrottylaw.com](mailto:tomcrotty@tcrottylaw.com)>  
**Subject:** RE: Boys Creek Saltmarsh Parcels

Tom, would it be acceptable to proceed with getting the deed through Town Hall and then work through the CR drafting, review and approval process?

I'm asking because we are interested in getting the property out of our ownership and the CR process with EEA and Town Hall review/approval can take weeks and weeks.

BTW, I'm fine with your edits to the deed.

Thanks, Allen

**Allen Decker**, Director of Land Protection

## BUZZARDS BAY COALITION

114 Front Street, New Bedford, MA 02740

Tel - 508-999-6363 x.204

[www.savebuzzardsbay.org](http://www.savebuzzardsbay.org)

---

**From:** Thomas P. Crotty [<mailto:tomcrotty@tcrottylaw.com>]  
**Sent:** Wednesday, May 12, 2021 10:51 AM  
**To:** 'Allen Decker' <[decker@savebuzzardsbay.org](mailto:decker@savebuzzardsbay.org)>  
**Cc:** 'Whitney McClees' <[wmcclees@fairhaven-ma.gov](mailto:wmcclees@fairhaven-ma.gov)>  
**Subject:** RE: Boys Creek Saltmarsh Parcels

Allen

Here's the redraft of the deed to conform to the provisions of the statute for gifts to the ConComm.

Let me know when you have the conservation restriction drafted for review.

When the documents are final the ConComm should vote to accept the gift, and then refer the documents to the Board of Selectmen to vote their approval.

Tom

---

**From:** Allen Decker [<mailto:decker@savebuzzardsbay.org>]  
**Sent:** Wednesday, May 5, 2021 3:24 PM  
**To:** Tom Crotty  
**Cc:** Whitney McClees  
**Subject:** RE: Boys Creek Saltmarsh Parcels

Hi Tom, attached is the copy of the certified TM article that would serve as Exhibit A.

The deed will cost \$156 to record at the New Bedford Registry. I'll include that project cost in the invoice I'm preparing to send to the Fairhaven CPC.

How's the review coming?

Cheers, Allen

---

**From:** Allen Decker [mailto:[decker@savebuzzardsbay.org](mailto:decker@savebuzzardsbay.org)]  
**Sent:** Friday, April 30, 2021 9:46 AM  
**To:** Tom Crotty <[tomcrotty@tcrottylaw.com](mailto:tomcrotty@tcrottylaw.com)>  
**Cc:** Whitney McClees <[wmcclees@fairhaven-ma.gov](mailto:wmcclees@fairhaven-ma.gov)>  
**Subject:** Boys Creek Saltmarsh Parcels

Hi Tom, good to talk recently on getting this conveyance squared away with Whitney and the Con Comm.

Attached is the initial draft of the deed. Take a look and let me know of comments/concerns.

I will contact the Town Clerk about the certified copy of Article 18 to attach.

Thanks, Allen

**Allen Decker**, Director of Land Protection

## BUZZARDS BAY COALITION

114 Front Street, New Bedford, MA 02740

Tel - 508-999-6363 x.204

[www.savebuzzardsbay.org](http://www.savebuzzardsbay.org)

---

### 2 attachments



**Deed Exhibit A - ATM 18.pdf**  
778K



**TPC Boys Creek BBC to Town ver 3 20210527.docx**  
27K



# Fort Phoenix and Boys Creek Marshes - Locus







# Town of Fairhaven

## Town Clerk's Office

Carolyn Hurley  
Town Clerk

Town Hall • 40 Center Street • Fairhaven, MA 02719

**ADJOURNED SPECIAL TOWN MEETING – WEDNESDAY, OCTOBER 21, 2020**  
**WALTER SILVEIRA AUDITORIUM – ELIZABETH HASTINGS MIDDLE SCHOOL**  
**TOWN MEETING MEMBERS PRESENT 141 - QUORUM REQUIRED 40**

### **ARTICLE 18: COMMUNITY PRESERVATION PROGRAM APPROPRIATIONS – FY21**

By majority vote, the Town voted 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 FY21 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 2021 COMMUNITY PRESERVATION BUDGET	
<b>APPROPRIATIONS</b>	
<b>Purpose</b>	<b>Recommended Amounts</b>
<b>Reserve for Future Appropriation</b>	
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
<b>Spending Appropriations</b>	
B. Fairhaven Housing Authority – Green Meadows Door Replacement	\$ 75,000
C. Buzzards Bay Coalition, Boys Creek Marsh Conservation Project	\$15,000

<b>Administrative Spending Appropriation</b>	
<b>F.</b> To fund the Community Preservation Committee's annual expenses for: Personal Service; Purchase of Services; Supplies; Other charges/expenditures.	\$ 12,600
<b>Total Recommended Appropriations</b>	<b>\$282,600</b>

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 2021 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.

**A TRUE COPY, ATTEST:**

  
 Carolyn Hurley – Town Clerk





---

**Form submission from: Selectmen's Meeting Agenda Request Form**2 messages

---

**Vicki Oliveira** <vloliveira@fairhaven-ma.gov> Wed, Jun 2, 2021 at 8:33 AM

To: Kyle Bueno &lt;kylebueno15@gmail.com&gt;

Cc: Daniel Freitas &lt;dfreitas@fairhaven-ma.gov&gt;, Wendy Graves &lt;wgraves@fairhaven-ma.gov&gt;

Good Morning,

Thank you for your email. By way of copy, I have forwarded your request to the Chairman of the Board of Selectmen for review.

Best Regards,

Vicki L Oliveira  
vloliveira@fairhaven-ma.gov  
Assistant to the Town Administrator  
Notary Public  
Town of Fairhaven  
40 Center Street  
Fairhaven, MA 02719  
PH: (508)979-4023 EXT. 101  
FAX: (508) 979-4079  
Town of Fairhaven

[Quoted text hidden]

**Fairhaven MA via Fairhaven MA** <cmsmailer@civicplus.com>

Tue, Jun 1, 2021 at 10:16 PM

Reply-To: Fairhaven MA &lt;cmsmailer@civicplus.com&gt;

To: Board of Selectmen &lt;selectmen@fairhaven-ma.gov&gt;

Submitted on Tuesday, June 1, 2021 - 10:16pm

Submitted by anonymous user: 2601:18e:c200:6b0:f038:b7be:ae15:8d

Submitted values are:

==Please provide the following information:==

Name: Kyle Bueno

Email: [kylebueno15@gmail.com](mailto:kylebueno15@gmail.com)

Address:

Phone: 774-526-2977

Do you wish this request to be confidential? No

How do you prefer to be contacted? Email

Is this item time sensitive? Yes

Topic you wish to discuss with the Board: Request to fly the Pride Flag at Town Hall for the month of August 2021 starting on Monday, August 2nd, 2021.

The results of this submission may be viewed at:

<https://www.fairhaven-ma.gov/node/318/submission/7771>

RECEIVED

2021 JUN -2 A 9:20

BOARD OF SELECT  
FAIRHAVEN

### General Release and Indemnity

I/we, Kyle Bueno, in consideration of the approval of my/our request to the Town of Fairhaven to be allowed to display a flag or banner on public property, do hereby agree to release the Town, and its officers, agents, and employees, from any and all liability for damage or injury suffered by me/us including but not limited to personal injury or property damage resulting from, or related to, the placement, display or removal by me/us or by any other person, of the flag or banner: and further I/we agree to indemnify, defend and hold harmless the Town, and its officers, agents, and employees, from any and all claims for damage or injury, including but not limited to personal injury or property damage resulting from, or related to, the placement, display or removal by me/us or by any other person, of the flag or banner.

Date: 06/02/2021

Signed:

Name (print) Kyle Bueno

Title (if signed on behalf of an organization):

\_\_\_\_\_



**Town of Fairhaven**  
**Massachusetts**  
Office of the Board of Selectmen  
40 Center Street  
Fairhaven, MA 02719

Tel: (508) 979-4023  
Fax: (508) 979-4079  
selectmen@Fairhaven-MA.gov

- 1) Any request to fly a flag / banner on Town Property must be made through the Selectmen's office at least 60 days in advance of the requested flying period.
- 2) The Board will only permit flags acknowledging proclamations made by from the federal government and/or the Commonwealth of Massachusetts, as well as flags/banners announcing local upcoming events that are open to the public, provided they are not in support of a candidate or political party, and are not primarily commercial in nature.
- 3) The Board of Selectmen will have final say, at their own discretion, on whether any flag / banner is appropriate to be displayed on any Town Facility.
- 4) Requests will not be granted for flags/banners to be displayed for longer than 30 days.
- 5) The Board of Selectmen shall have the right, at their own discretion, and upon a vote of the Board, to remove any flag / banner prior to the end of the approved time period. The Selectmen may choose, at the time of approval, to pass this authority to remove any flag / banner on to the Town Administrator.
- 6) For any time period where multiple requests are made, the time will be shared equally by all approved requests with not more than one flag or banner flown at any time.
- 7) The Town will not be responsible for hanging or taking down the banner but will provide direction on where it may be hung.
- 8) The flag, as displayed, must not interfere with any aspect of the operation of any Town Facility.
- 9) The requestor must present a signed, dated copy of the attached waiver along with their request to fly a flag/banner.





Town of Fairhaven  
Massachusetts  
Historical Commission  
40 Center Street  
Fairhaven, MA 02719

C3

**MEMO**

Date: June 3, 2021

From: Wayne Oliveira, Historical Commission Chairman

To: Board of Selectmen

Re: Historical Commission- full membership

The resignation of Kathryne Olsen has left an opening for a full Historical Commission member. The Commission unanimously voted at their June 2, 2021 meeting to nominate associate member John Medeiros to fill the full position. Please appoint Mr. Medeiros at your earliest convenience.

Thank you



Town of Fairhaven  
Massachusetts  
Historical Commission  
40 Center Street  
Fairhaven, MA 02719

## MEMO

Date: June 3, 2021

From: Wayne Oliveira, Historical Commission Chairman

To: Board of Selectmen

Re: Historical Commission representative- Lagoa Friendship Pact Committee

At their meeting on June 2, 2021, Historical Commission voted unanimously to appoint Maria (MJ) Carvalho as their representative on the Lagoa Friendship Pact Committee. Please approve this appointment at your next meeting.

Thank you.

# SELECTMEN'S MEETING

Monday, June 7, 2021  
@7:00 PM

**Application submitted for:**

Approval of a Class II, Car Dealer's License

From

Hive Motorcars, LLC  
10 Arsene Way  
Fairhaven, MA 02719  
Andrew Medeiros, Owner

---

Note: Former owner/location-Howard's Auto Sales (Retired)  
Taxes- OK  
WC-OK



## **TOWN OF FAIRHAVEN**

The Fairhaven Board of Selectmen will hold a Public Hearing on Monday, June 7, 2021 at 7:00 PM at the Town Hall, Banquet Room, 40 Center Street, Fairhaven, MA. Purpose for this hearing is to consider approval of an application submitted, requesting a Class II, Car Dealer License. Applicant; Hive Motorcars, LLC, 10 Arsene Way, Fairhaven, MA 02719, Andrew Medeiros, Owner.

## **BOARD OF SELECTMEN**

Daniel Freitas, Chairman  
Robert Espindola  
Keith Silvia

THE COMMONWEALTH OF MASSACHUSETTS

Town OF Fairhaven

RECEIVED

APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE OR ASSEMBLE SECOND HAND MOTOR  
VEHICLES OR PARTS THEREOF

2021 MAY -5 P 2:30

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a II BOARD OF SELECTMAN class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? HIVE Motocross LLC  
.....Business address of concern. No. 10 Arsenal Way St.,  
Fairhaven, MA, 02719 City - Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? LLC

3. If an individual, state full name and residential address.

.....4. If a co-partnership, state full names and residential addresses of the persons composing it.

5. If an association or a corporation, state full names and residential addresses of the principal officers.

President Andrew B. Melara 39 miles Stanley Dr DARTMOUTH MA, 02747

Secretary.....

Treasurer.....

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles?

If so, is your principal business the sale of new motor vehicles? No

Is your principal business the buying and selling of second hand motor vehicles? Yes

Is your principal business that of a motor vehicle junk dealer? No

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

8. Are you a recognized agent of a motor vehicle manufacturer?

*No*

(Yes or No)

If so, state name of manufacturer

9. Have you a signed contract as required by Section 58, Class 1?

*No*

(Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof?

*No*

(Yes or No)

If so, in what city - town

Did you receive a license?

For what year?

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked?

*No*

(Yes or No)

Sign your name in full

*[Signature]*

(Duly authorized to represent the concern herein mentioned)

Residence *39 miles Starchish D., Dorchester, Mass, 0277*

### IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH  
FULL INFORMATION, AND FALSE STATEMENTS  
HEREIN MAY RESULT IN THE REJECTION OF  
YOUR APPLICATION OR THE SUBSEQUENT  
REVOCATION OF YOUR LICENSE IF ISSUED.

NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)



APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after investigation.....

(Approved or Disapproved)

License No. ....granted.....20..... Fee \$.....

Signed.....

.....  
.....  
.....  
.....  
.....

---

CHAPTER 140 OF THE GENERAL LAWS, TER. ED., WITH AMENDMENTS THERETO (EXTRACT)

Section 57. No person, except one whose principal business is the manufacture and sale of new motor vehicles but who incidentally acquires and sells second hand vehicles, or a person whose principal business is financing the purchase of or insuring motor vehicles but who incidentally acquires and sells second hand vehicles, shall engage in the business of buying, selling, exchanging or assembling second hand motor vehicles or parts thereof without securing a license as providing in section fifty-nine. This section shall apply to any person engaged in the business of conducting auctions for the sale of motor vehicles,

Section 58. Licenses granted under the following sections shall be classified as follows:

Class 1. Any person who is a recognized agent of a motor vehicle manufacturer or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the purchase and sale of second hand motor vehicles being incidental or secondary thereto, may be granted an agent's or a seller's license; provided, that with respect to second hand motor vehicles purchased for the purpose of sale or exchange and not taken in trade for new motor vehicles, such dealer shall be subject to all provisions of this chapter and of rules and regulations made in accordance therewith applicable to holders of licenses of Class 2

Class 2. A person whose principal business is the buying or selling of second hand motor vehicles may be granted a used dealer's license.

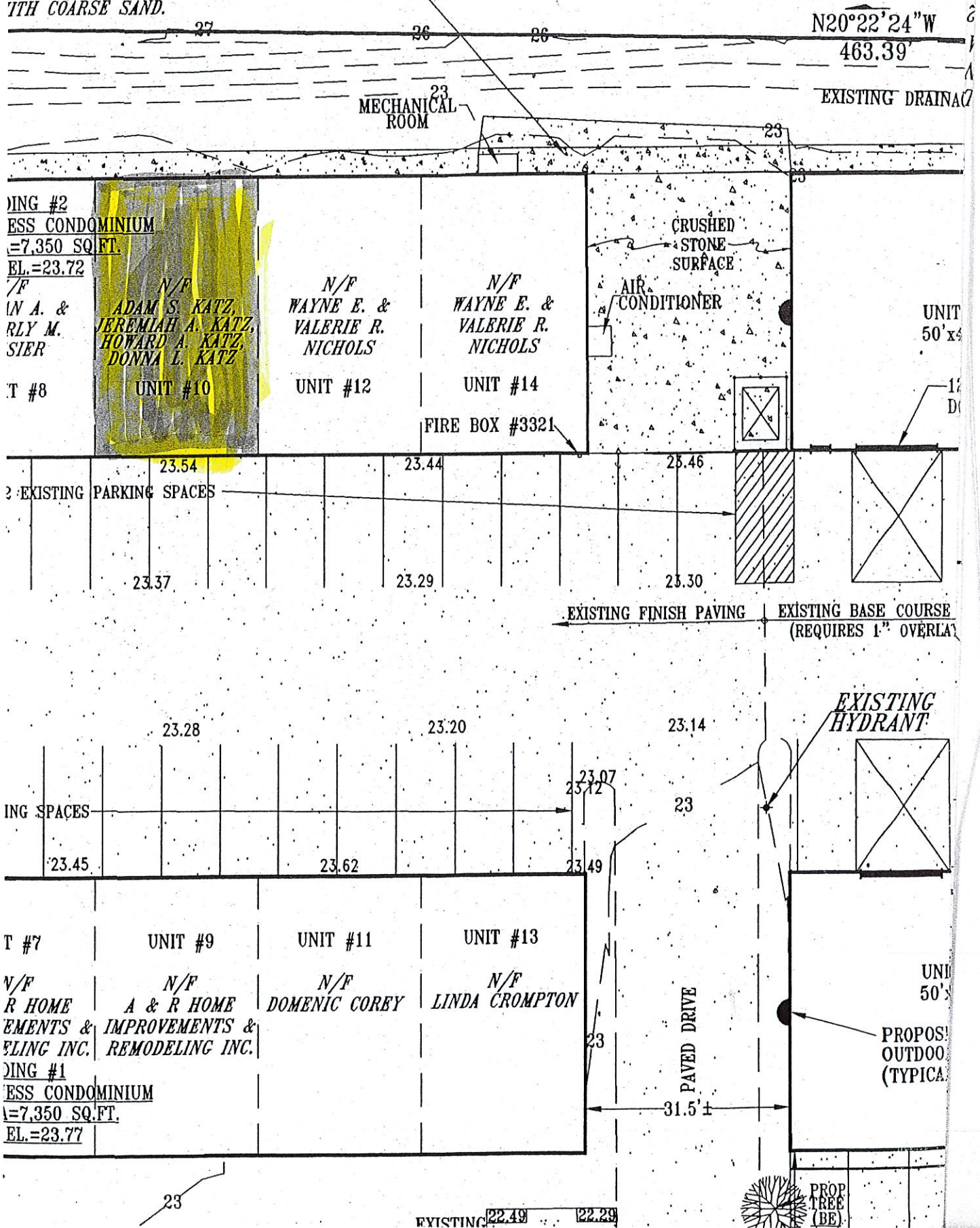
Class 3. A person whose principal business is the buying of second hand motor vehicles for the purpose of remodeling, taking apart or rebuilding and selling the same, or the buying or selling of parts of second hand motor vehicles or tires, or the assembling of second hand motor vehicle parts may be granted a motor vehicle junk license.

Section 59. The police commissioner in Boston and the licensing authorities in other cities and towns may grant licenses under this section which shall expire on January first following the date of issue unless sooner revoked. The fees for the licenses shall be fixed by the licensing board or officer, but in no event shall any such fee be greater than \$200. Application for license shall be made in such form as shall be approved by the registrar of motor vehicles, in sections fifty-nine to sixty-six, inclusive, called the registrar, and if the applicant has not held a license in the year prior to such application, such application shall be made in duplicate, which duplicate shall be filed with the registrar. No such license shall be granted unless the licensing board or officer is satisfied from an investigation of the facts stated in the application and any other information which they may require of the applicant, that he is a proper person to engage in the business specified in section fifty-eight in the classifications for which he has applied, that said business is or will be his principal business, and that he has available a place of business suitable for the purpose. The license shall specify all the premises to be occupied by the licensee for the purpose of carrying on the licensed business. Permits for a change of situation of the licensed premises or for additions thereto may be granted at any time by the licensing board or officer in writing, a copy of which shall be attached to the license. Cities and towns by ordinance or by-law may regulate the situation of the premises of licensees within class 3 as defined in section fifty-eight, and all licenses and permits issued hereunder to persons within said class 3 shall be subject to the provisions of ordinances and by-laws which are hereby authorized to be made. No original license or permit shall be issued hereunder to a person within said class 3 until after a hearing, of which seven days' notice shall have been given to the owners of the property abutting on the premises where such license or permit is proposed to be exercised. All licenses granted under this section shall be revoked by the licensing board or officer if it appears, after hearing, that the licensee is not complying with sections fifty-seven to sixty-nine, inclusive, or the rules and regulations made thereunder; and no new license shall be granted to such person thereafter, nor to any person for use on the same premises, without the approval of the registrar. The hearing may be dispensed with if the registrar notifies the licensing board or officer that a licensee is not so complying. Any person aggrieved by any action of the licensing board or officer refusing to grant, or revoking a license for any cause may, within ten days after such action, appeal therefrom to any justice of the superior court in the county in which the premises sought to be occupied under the license or permit applied for are located. The justice shall, after such notice to the parties as he deems reasonable, give a summary hearing on such appeal, and shall have jurisdiction in equity to review all questions of fact or law and may affirm or reverse the decision of the board or officer and may make any appropriate decree. The decision of the justice shall be final.



N/F  
TOWN OF FAIRHUR

DEEP INFILTRATION TRENCH  
BOTTOM OF TRENCH MUST BE  
FINEER AND ANY DELETERIOUS SOIL  
WITH COARSE SAND.





NUMBER

THE COMMONWEALTH OF MASSACHUSETTS

FEE

\$75.00

Town of Fairhaven

USED CAR DEALER'S LICENSE—CLASS II.  
TO BUY AND SELL SECOND-HAND MOTOR VEHICLES

In accordance with the provisions of Chapter 140 of the General Laws with amendments thereto

Howard G. Katz, d/b/a Howard's Auto Sales is hereby licensed to buy and sell second-hand motor vehicles at No. 10 Arsene

Way, Fairhaven on premises described as follows:

Limit of 4 Cars. Cars are to be stored inside of building. Hours; 8:00 AM - 6:00 PM

December 31, 2020.

2021

Robert J. Epikh  
By Silvia

THIS LICENSE EXPIRES JAN. 1, 2022

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE UPON THE PREMISES.

FORM 55 H&W HOBBS & WARREN™

(OVER)



# SELECTMEN'S MEETING

Liquor License Hearing

Monday, June 7, 2021

@7:05 PM

**Application submitted for:**

**A CHANGE OF MANAGER**

From

99 Restaurant of Boston, LLC

d/b/a 99 Restaurant & Pub

32 Sconticut Neck Road

Fairhaven, MA

**Proposed New Manager, Amy Sherburne**



*The Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION  
MONETARY TRANSMITTAL FORM**

**AMENDMENT-Change of Manager**

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL  
LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: ABCC PAYMENT WEBSITE

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE  
PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

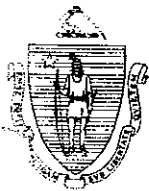
CITY/TOWN  STATE  ZIP CODE

For the following transactions (Check all that apply):

- |  |   |   |   |
|--|---|---|---|
| <input type="checkbox"/> New License                                   | <input type="checkbox"/> Change of Location   | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal)         | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License                           | <input type="checkbox"/> Alteration of Licensed Premises  | <input type="checkbox"/> Change of License Type (i.e. club / restaurant)  | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock)    |
| <input checked="" type="checkbox"/> Change of Manager                  | <input type="checkbox"/> Change Corporate Name  | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement               |
| <input type="checkbox"/> Change of Officers/<br>Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest<br>(LLC Members/ LLP Partners,<br>Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder       | <input type="checkbox"/> Change of Hours                              |
|  | <input type="checkbox"/> Other <input type="text"/>   |   | <input type="checkbox"/> Change of DBA                                |

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS  
TRANSMITTAL FORM ALONG WITH  
COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:

**Alcoholic Beverages Control Commission**  
**95 Fourth Street, Suite 3**  
**Chelsea, MA 02150-2358**



*The Commonwealth of Massachusetts*  
**Alcoholic Beverages Control Commission**  
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

**AMENDMENT-Change of Manager**

☐ **Change of License Manager**

**1. BUSINESS ENTITY INFORMATION**

Entity Name

Municipality

ABCC License Number

99 Restaurants of Boston, LLC

Fairhaven

038400024

**2. APPLICATION CONTACT**

The application contact is the person who should be contacted with any questions regarding this application.

Name

Title

Email

Phone

Amy Sherburne

General Managing Partner

30064@99restaurants.com

508-992-9951

**3A. MANAGER INFORMATION**

The individual that has been appointed to manage and control of the licensed business and premises.

Proposed Manager Name Amy Sherburne

Date of Birth

SSN

Residential Address

32 Sconticut Neck Rd | Fairhaven, MA 02719

Email

30064@99Restaurants.com

Phone

508-992-9951

Please indicate how many hours per week you intend to be on the licensed premises

50

Last-Approved License Manager

Anthony Santucci

**3B. CITIZENSHIP/BACKGROUND INFORMATION**

Are you a U.S. Citizen?\*

☒ Yes ☐ No \*Manager must be U.S. citizen

If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime?

☐ Yes ☒ No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

**3C. EMPLOYMENT INFORMATION**

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
11/20/2002		General Manager	99 Restaurants	Michelle Deane

**3D. PRIOR DISCIPLINARY ACTION**

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? ☐ Yes ☒ No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature

Date

## APPLICANT'S STATEMENT

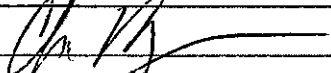
I, Charles Noyes the: ☐ sole proprietor; ☐ partner; ☒ corporate principal; ☐ LLC/LLP manager  
Authorized Signatory  
of 99 Restaurants of Boston, LLC  
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:



Date:

5/7/2021

Title:

President



### CORPORATE VOTE

The Board of Directors or LLC Managers of 99 Restaurants of Boston, LLC  
Entity Name  
duly voted to apply to the Licensing Authority of Fairhaven and the  
City/Town  
Commonwealth of Massachusetts Alcoholic Beverages Control Commission on 5/10/2021  
Date of Meeting

For the following transactions (Check all that apply):

☒ Change of Manager

☐ Other

"VOTED: To authorize Charles Noyes  
Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and  
do all things required to have the application granted."

"VOTED: To appoint Amy Sherburne  
Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the  
premises described in the license and authority and control of the conduct of all business  
therein as the licensee itself could in any way have and exercise if it were a natural person  
residing in the Commonwealth of Massachusetts."

A true copy attest,

Charles Noyes  
Corporate Officer /LLC Manager Signature

Charles Noyes  
(Print Name)

For Corporations ONLY

A true copy attest,

Corporation Clerk's Signature

(Print Name)



# Town of Fairhaven

40 Center Street  
Fairhaven, MA 02719

- ✓ Birth certificate
- ✓ Marriage license
- ✓ CORI form
- ✓ TIPS certification
- ✓ Serve Safe

**Documents on file with the Licensing Clerk**

# Meet Precinct One





---

**Meeting Agenda Request - Monday, June 7th**

1 message

---

**Bob Espindola** <selectmanbobespindola@gmail.com>

Wed, Jun 2, 2021 at 10:09 AM

To: Daniel Freitas <dfreitas@fairhaven-ma.gov>, Wendy Graves <wgraves@fairhaven-ma.gov>, Vicki Paquette <vloliveira@fairhaven-ma.gov>

Good morning,

I hope you are feeling better, Dan.

I would like to ask that the following line item be placed on our agenda for our next meeting, Monday, June 7th for Discussion / Possible Action;

- 1) Discuss Remote Meeting Participation
- 2) Discuss Rogers School Proposal (Please list in both Open Session and Executive session).

Thank you.

Bob



## Rogers School to be discussed at meeting



54 Bayview to be discussed at meeting





---

**Fwd: FW: MMA Breaking News**

1 message

---

**Bob Espindola** <selectmanbobespindola@gmail.com>  
To: Vicki Paquette <vloliveira@fairhaven-ma.gov>

Fri, Jun 4, 2021 at 12:24 PM

MMA asks administration and oversight committee to support permanent option to hold remote meetings - Massachusetts Municipal Association (MMA)

Vicki,

This attached email and the letter in the link attached are what I would like to include in the packet for Monday night under the Remote Participation line item.

Please let me know if you have any questions.

OK?

Thanks,

Bob

----- Forwarded message -----

From: **Jeffrey Walker** <jwalker@srpedd.org>

Date: Thu, May 27, 2021 at 8:40 AM

Subject: FW: MMA Breaking News

To: Alan Slavin - Wareham <aslavin@wareham.ma.us>, bmancovsky@comcast.net <bmancovsky@comcast.net>, wcostasr@aol.com <wcostasr@aol.com>, wkenney@fallriverma.org <wkenney@fallriverma.org>, wroth@taunton-ma.gov <wroth@taunton-ma.gov>, Bob Burgmann - Mattapoisett <bobburgm@gmail.com>, Bruce Maki - Carver <Bmaki985@comcast.net>, Carol Sullivan - Raynham <carolsullivan@comcast.net>, planning@freetownma.gov <planning@freetownma.gov>, cyarworth@plainville.ma.us <cyarworth@plainville.ma.us>, Cody Haddad- Dartmouth <chaddad@town.dartmouth.ma.us>, Daniel Austin Horowitz - Mansfield <dahorowitz@gmail.com>, Fred Uriot- Attleboro <fredusellshomes@yahoo.com>, cityplanner@cityofattleboro.us <cityplanner@cityofattleboro.us>, George Hovorka - Swansea <gmhovorka@aol.com>, Gerald Schwall - Rehoboth <gschwall@town.rehoboth.ma.us>, Greenwood Hartley - Rochester <ghartley3@townofrochester.com>, Jamie Ponte - New Bedford <Jamie.ponte@newbedford-ma.gov>, Janice Robbins - Mattapoisett <robbins.janice@comcast.net>, Janine Peccini - Taunton AL <jpeccini@taunton-ma.gov>, Jeff Carvalho- Dighton <jcarv76@gmail.com>, Jim Walsh - Carver <jim.walsh@carverma.gov>, Jim Whitin - Westport <JimWhitin@me.com>, Joe Callahan - Berkley <jcallahan@esm-inc.com>, John Ferreira- Fall River <jfgeneral@aol.com>, jhansen@town.swansea.ma.us <jhansen@town.swansea.ma.us>, Leeann Bradley <bradleyl@middleborough.com>, Leilani Dalpe - Middleborough <selectmandalpe@middleborough.com>, mendes\_lloyd@hotmail.com <mendes\_lloyd@hotmail.com>, lpirnie@nattleboro.com <lpirnie@nattleboro.com>, Mallory Aronstein- Swansea <maronstein@town.swansea.ma.us>, mclarner@nattleboro.com <mclarner@nattleboro.com>, Matthew Andrade- Raynham <mandrade@emrlty.com>, Michael King- Wareham <mking1568@gmail.com>, Nicole McDonald- Somerset <nmcdonald@town.somerset.ma.us>, nhills@verizon.net <nhills@verizon.net>, Patrick Sullivan- New Bedford AL <patrick.sullivan@newbedford-ma.gov>, Phoebe Lee - Seekonk <Phoebeleed@gmail.com>, Rene Fleurent, Jr.- Fairhaven <rjffhvn@hotmail.com>, Ricky Tith- Fall River AL <rickytith@caro-inc.org>, Robert Espindola - Fairhaven <selectmanbobespindola@gmail.com>, Sandy Ollerhead - Norton <sandyollerhead@gmail.com>, Stephen Taylor- Dartmouth <staylor@densefog.com>, Steve D'Amico - Seekonk <steve@sdamico.com>, Steve Hornsby- Norton <steve@hmmanagementconsulting.com>, steveleary@comcast.net <steveleary@comcast.net>, Steve Ouellette - Westport <wpt02790@yahoo.com>, sstarrett@townofrochester.com <sstarrett@townofrochester.com>

fyi- Rec'd from SRPEDD Chair Alan Slavin

**From:** Alan Slavin [aslavin@wareham.ma.us](mailto:aslavin@wareham.ma.us)  
**Sent:** Wednesday, May 26, 2021 8:20 PM  
**To:** Jeffrey Walker [jwalker@srpedd.org](mailto:jwalker@srpedd.org)  
**Subject:** Fwd: Alan, Act Today and Ask for Enactment of Legislation to Continue Important Municipal Options

Sent from my iPad

Begin forwarded message:

**From:** Massachusetts Municipal Association <[alerts@mma.org](mailto:alerts@mma.org)>  
**Date:** May 24, 2021 at 11:57:19 AM PDT  
**To:** Alan Slavin <[aslavin@wareham.ma.us](mailto:aslavin@wareham.ma.us)>  
**Subject:** Alan, Act Today and Ask for Enactment of Legislation to Continue Important Municipal Options  
**Reply-To:** [achampion@mma.org](mailto:achampion@mma.org)

Contact Your Legislator Today!



## **Abrupt End of State of Emergency on June 15 Will Create Huge Challenges for Cities and Towns**

### **Call Your Reps & Senators Today and Ask for Enactment of Legislation to Continue Important Municipal Options**

With the State Transitioning to a “New Normal,” Now is the Time to Talk to Your Legislators about Ensuring a Smooth Transition Out of the State of Emergency

Please Ask Your Representatives and Senators for Permanent Extensions to Continue:

- Remote Meetings and Hearings by Public Bodies
- Remote Town Meetings



- Voting-by-Mail and Electronic Signatures for Nomination Papers

- Expedited Permitting for Outdoor Service, Take-Out Alcohol, and Expanded Local Licensing Authority

May 24, 2021

Dear Alan Slavin,

The end of the COVID-19 state of emergency on June 15 will create a number of major transition challenges for government and businesses. At this critical juncture, as Massachusetts transitions to a “new normal,” it will be important to retain many of the special rules enabled by the emergency declaration, especially those that have fostered innovative approaches to governance and service delivery. Cities and towns want to use these options to improve operations on a permanent basis.

**Please Call Your Representatives and Senators TODAY! Legislation must be enacted BEFORE June 15 to allow remote public meetings and hearings to continue** – if the state of emergency ends before legislation passes, cities and towns will be forced to snap back to the old pre-pandemic rules, and more than 1,000 local boards, councils and commissions will be prevented from meeting virtually.

**[Please click this link to download a copy of MMA's letter to Legislative leaders, explaining the urgent need for action](#)**

### **Remote Participation by Public Bodies**

The most immediate and urgent issue that must be addressed prior to June 15 is enactment of a permanent extension of the ability to conduct public meetings and hearings remotely. Remote meetings have engaged more residents than ever before and have significantly increased transparency and insight into government operations and decision-making. Communities do not want to snap back to the overly confining pre-pandemic rules, and many are not in a position to do so quickly. Remote meetings and remote public participation should be made permanent, and this action should be expedited as a top legislative priority before the state of emergency ends to avoid disruption to local deliberations and decision-making.

### **Town Meetings, Elections and Voting**

MMA is working with municipal officials to identify the most important special rules and temporary statutes related to Town Meetings and elections that should continue going forward. Among these, we know many towns want a permanent option to conduct remote Town Meetings, and a large number want this authority to be extended to Open Town Meeting communities. In order to ensure complete safety during the upcoming fall 2021 and spring 2021 municipal elections, the Legislature should permanently extend the rules governing voting by mail and other election innovations, such as a permanent provision to ensure that candidates for municipal office during any future public health emergency can collect signatures electronically.

## Support for Local Economies

Our downtowns and Main Streets have been hit hard by the pandemic, and municipalities wish to continue to support their local businesses, including restaurants and other venues that are hoping to rebound this summer and fall. Many of these temporary options, including take-out alcoholic beverages, expedited permitting for outdoor service, and expanded licensing authority are slated to end on August 15 (60 days after the end of the state of emergency).

Please call your Senators and Representatives TODAY and ask that they move quickly to enact legislation to make all of these provisions permanent, so that cities and towns have a seamless transition out of the state of emergency.

Massachusetts can benefit from the innovations and lessons learned during the past 14 months, and use them to improve government operations, transparency and public engagement, and continue essential business assistance programs to ensure a swifter recovery for our communities. But this will require legislative action before June 15.

If you or your legislators have any questions, please contact MMA Senior Legislative Analyst Brittney Franklin at [bfranklin@mma.org](mailto:bfranklin@mma.org).

**PLEASE CALL YOUR LEGISLATORS TODAY**

**THANK YOU!**



Massachusetts Municipal Association  
3 Center Plaza  
Suite 610  
Boston, MA 02108  
(617) 426-7272 | [Email Us](#) | [View our website](#)

JUN

2

2021

Testimony



## MMA asks administration and oversight committee to support permanent option to hold remote meetings

[Home](#) → [Advocacy](#) → [Testimony](#)

---

The Honorable Marc R. Pacheco, Senate Chair

The Honorable Antonio F.D. Cabral, House Chair

Joint Committee on State Administration and Regulatory Oversight

State House

Boston, MA 02133

*(Delivered Electronically)*

Dear Senator Pacheco, Representative Cabral, and Distinguished Members of the Committee,

On behalf of cities and towns across the Commonwealth, the Massachusetts Municipal Association is writing to express our strong and enthusiastic support for the framework established within H. 3213 and S. 2104, An Act Updating the Open Meeting Law to Support Remote Participation.

The abrupt end of the state of emergency on June 15 will create a number of major transition challenges for government and businesses. The most immediate and urgent issue that must be addressed is enactment of a permanent extension of the ability to conduct public meetings and hearings remotely.

On March 12, 2020, the Governor used his state-of-emergency powers to issue an executive order suspending certain provisions of Section 20 of M.G.L. Chapter 30A,

allowing cities and towns to conduct meetings remotely. This was necessary because the existing state statute is woefully inadequate, does not allow remote participation in meetings unless a physical quorum is present, and reduces the ability of officials who are participating virtually to fully engage. Nearly overnight, cities and towns adopted new technology and software platforms and created a new and remarkably successful remote meeting experience for municipal leaders and the public.

Remote meetings have engaged more residents than ever before and have significantly increased transparency and insight into government operations and decision-making. Communities do not want to snap back to the overly confining pre-pandemic rules, and most are not in a position to do so quickly. Many localities have closed public buildings, repurposed meeting rooms to provide safer distancing for municipal staff, or have longer-term ventilation concerns that have yet to be addressed. Further, with many residents yet to be vaccinated, and immuno-compromised officials and members of the public unable to achieve full protection from the coronavirus, it is imperative that we continue the remote meeting option for local government. With multiple councils, boards and commissions in place in each of our 351 cities and towns, there are well over 1,000 public entities that rely on remote meetings and virtual platforms to conduct everyday business in much greater public view than ever before.

Different public bodies have different capacity and preferences for remote or in-person meetings. That is why we believe maintaining flexibility is important and why we disagree with the language in H. 3152 and S. 2082, which would mandate that each public body create an alternative means of public access to their deliberations. How one board chooses or is capable of operating remotely varies widely from other boards in the same city or town, and this variation is even more drastic from municipality to municipality, especially in those regions that still lack robust broadband infrastructure. Further, this mandate could be interpreted as immediately requiring expensive hybrid meeting formats that integrate in-person and virtual interaction. While that may be the format of the future, nearly every city and town hall would be forced to retrofit all meeting spaces with expensive technology (cameras, microphone systems, multiple large-screen displays, and more costly platform licenses). The best policy is to allow the option of remote



meetings, providing communities with a base upon which they can build going forward, investing in technology on an affordable, self-funded timeline.

For these reasons, we ask that you consider allowing public bodies the permanent option to hold remote meetings and that this action be expedited as a top legislative priority to avoid disruption to local deliberations and decision-making.

With your support, Massachusetts can act on the innovations and lessons learned during the past 14 months and use them to improve government operations, transparency and public engagement to ensure a swifter recovery for our communities. Along with the option of permanent remote meetings of public bodies, we also ask you to advance permanent legislation to allow for remote Representative and Open Town Meetings, election provisions such as the option to vote by mail and the ability to move municipal election and caucus dates during emergencies, and expedited permitting for outdoor table service and take-out alcoholic beverages.

The MMA and NAIOP Massachusetts–The Commercial Real Estate Development Association have collaborated on this issue, and with the support of both organizations we have attached further language building upon the framework offered by H. 3213 and S. 2104. These provisions are designed to embrace municipal and business perspectives to lead our communities forward into a permanent new era of open, transparent and efficient governance. We respectfully ask that you report out this language favorably.

We thank you for your leadership during the pandemic, and for your strong support for cities and towns. With the state of emergency scheduled to end in less than two weeks, it is imperative that the transition to our “new normal” is seamless. With your support, Massachusetts can act on the innovations and lessons learned during the past 14 months, and use them to improve government operations, transparency and public engagement, and ensure a swifter recovery for our communities.

Thank you very much for your interest in these very important local government matters. If you have any questions, please do not hesitate to have your office contact me or MMA

Senior Legislative Analyst Brittney Franklin at 617-426-7272 or bfranklin@mma.org at any time.

Sincerely,

Geoffrey C. Beckwith  
MMA Executive Director & CEO

# Advocacy Topics

ENERGY AND THE ENVIRONMENT ▼

---

FISCAL AFFAIRS ▼

---

MUNICIPAL AND REGIONAL ADMINISTRATION ▼

---

- See all
- Economic Development
- Housing Production
- Licensing
- **Local Government Administration**
- Marijuana (zoning and regulation)
- Planning and Zoning
- Procurement and Construction
- Public Records and Open Meetings
- Public Safety and Health
- Regionalization

Article	Article Title	Board of Selectmen Recommendations	Finance Comm Recommendations	Motion Maker	Second Maker	Vote Quantum	<b>E4</b> Presenter	Form of Presentation
1	Measurer of Wood and Bark	Adoption	-	D. Freitas	P. Elliott	Majority	N/A	
2	Town Report	Adoption	-	D. Freitas	P. Elliott	Majority	N/A	
3	Report of Committees	Adoption	-	D. Freitas	P. Elliott	N/A	N/A	
4	Setting Salaries of Town Officers-FY22	-	-	-	-	-	-	
	A. Board of Selectmen	Adoption	Adoption	D. Freitas	P. Elliott	Majority	W. Graves	
	B. Town Clerk	Adoption	Adoption	D. Freitas	P. Elliott	Majority	W. Graves	
	C. Moderator	Adoption	Adoption	D. Freitas	P. Elliott	Majority	W. Graves	
	D. Tree Warden	Adoption	Adoption	D. Freitas	P. Elliott	Majority	W. Graves	
	E. Board of Health	Adoption	Adoption	D. Freitas	P. Elliott	Majority	W. Graves	
5	Bills of Prior Year	-	-	-	-	-	-	
	A. SouthCoast Physicians Service	Adoption	Adoption	D. Freitas	P. Elliott	4/5ths	W. Graves	
	B. SMG Compass Medical	Adoption	Adoption	D. Freitas	P. Elliott	4/5ths	W. Graves	
	C. Corvel Corp	Adoption	Adoption	D. Freitas	P. Elliott	4/5ths	W. Graves	
	D. HKT Architects	Adoption	Adoption	D. Freitas	P. Elliott	4/5ths	W. Graves	
6	FY21 Budgets	-	-	-	-	-	-	
	A. Assessor's reval FY21	Adoption	Adoption	D. Freitas	P. Elliott	Majority	W. Graves	
	B. Broken sewer pipe at Town Hall FY21	Adoption	Adoption	D. Freitas	P. Elliott	Majority	W. Graves	
7	Roadwork FY21	-	-	-	-	-	-	
	A. Bellevue Street-Adams Street to Francis Street	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
	B. Fisherman Road-Balsam Street to Fir Street	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
	C. Massasoit Avenue-Adams Street to Francis Street	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
8	Sewer Capital Improvements Revenue to Stabilization Fund	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
9	FY22 General Fund Operating Budget	Adoption	Adoption	D. Freitas	P. Elliott	Majority	W. Graves	Video
10	FY22 Water Enterprise Fund Operating Budget	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
11	FY22 Sewer Enterprise Fund Operating Budget	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
12	FY22 Town Cable Enterprise Fund Operating Budget	Adoption	Adoption	D. Freitas	P. Elliott	Majority	W. Graves	
13	FY22 School Cable Enterprise Fund Operating Budget	Adoption	Adoption	D. Freitas	P. Elliott	Majority	R. Baldwin	
14	General Fund Capital Plan	-	-	-	-	-	-	
	A. SCBA Replacement	Adoption	Adoption	D. Freitas	P. Elliott	2/3rds	T. Correia	
	B. ACO Replacement Truck	Adoption	Adoption	D. Freitas	P. Elliott	Majority	M.Myers	
	C. Police Cruiser Replacements	Adoption	Adoption	D. Freitas	P. Elliott	Majority	M.Myers	
	D. Harbormaster/Shellfish Warden Truck Replacement	Adoption	Adoption	D. Freitas	P. Elliott	Majority	T. Cox	
	E. Computer Harware Equipment Replacement	Adoption	Adoption	D. Freitas	P. Elliott	Majority	C. Camara	
	F. Fire Engine ( Replaces Engine 2)	Adoption	Adoption	D. Freitas	P. Elliott	2/3rds	T. Correia	
	G. Plotter Scanner	Adoption	Adoption	D. Freitas	P. Elliott	Majority	C. Carmichael	
	H. Dashboard Cameras	Adoption	Adoption	D. Freitas	P. Elliott	Majority	M.Myers	
15	Water Enterprise Capital Plan	-	-	-	-	-	-	
	A. Akin Street Water main Replacement	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
16	Sewer Enterprise Capital Plan	-	-	-	-	-	-	
	A. Pump Station Improvement Design	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
	B. Inflow & Infiltration Study	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
	C. New Pick-up Truck	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
	D. Blower Building Roof	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
17	Roadwork FY22	-	-	-	-	-	-	
	A. Bonney Street-#45 Bonney Street to the end	Yield to petitioner	Ind Postponement	Petitioner	P. Elliott	N/A	Petitioner	
	B. Cove Street-Hathaway to Beachwood	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
	C. Eaton Road-Briercliffe to Waybridge	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
	D. Littleneck Road-Balsam to Ebony	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
	E. Pleasant Street-Washington to South	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
18	State Aid to Highways FY22	Adoption	Adoption	D. Freitas	P. Elliott	Majority	V. Furtado	
19	Funding Capital Stabilization Fund	Indef postpone	Adoption	D. Freitas	P. Elliott	N/A	N/A	
20	Ambulance Stabilization	Adoption	Adoption	D. Freitas	P. Elliott	Majority	T. Correia	
21	Social Day Care Center	Adoption	Adoption	D. Freitas	P. Elliott	Majority	A. Silvia	

Article	Article Title	Board of Selectmen Recommendations	Finance Comm Recommendations	Motion Maker	Second Maker	Vote Quantum	Presenter	Form of Presentation
22	Propagation of Shellfish FY22	Adoption	Adoption	D. Freitas	P. Elliott	Majority	T. Cox	
23	FY22 Community Preservation Program Appropriations	-	-	-	-	-	-	Video
	A. Skate Board Park Resurface	Adoption	Adoption	D. Freitas	P. Elliott	Majority	P. Foley	
	B. Green meadow Roof	Adoption	Adoption	D. Freitas	P. Elliott	Majority	P. Foley	
	C. Academy Building Front Door	Adoption	Adoption	D. Freitas	P. Elliott	Majority	W. Oliveira	Video
	D. Old Stone School Exterior	Adoption	Adoption	D. Freitas	P. Elliott	Majority	P. Foley	
	E. High School Windows Phase 4	Adoption	Adoption	D. Freitas	P. Elliott	Majority	P. Foley	
	F. Millicent Library Chimney	Adoption	Adoption	D. Freitas	P. Elliott	Majority	P. Foley	
	G. Unitarian Church	Adoption	Adoption	D. Freitas	P. Elliott	Majority	P. Foley	
	H. Whitfield-Manjiro Carriage House Extension	Adoption	Adoption	D. Freitas	P. Elliott	Majority	P. Foley	
	I. Community Preservation Committee's annual expenses	Adoption	Adoption	D. Freitas	P. Elliott	Majority	P. Foley	
24	New Revolving Fund-Mooring Fees	Adoption	Adoption	D. Freitas	P. Elliott	Majority	T. Cox	
25	Mass Historical Commission Grant match	Adoption	Adoption	D. Freitas	P. Elliott	Majority	P. Foley	Video
26	FEMA Grant- engine for engine 2 - 5 % match	Adoption	Adoption	D. Freitas	P. Elliott	Majority	T. Correia	
27	FEMA Grant - air packs 5% match	Adoption	Adoption	D. Freitas	P. Elliott	Majority	T. Correia	
28	Port Security Grant match-new engines on Harbormaster boat 25% match	Adoption	Adoption	D. Freitas	P. Elliott	Majority	T. Cox	
29	Fairhaven Public Schools contracts	Adoption	Adoption	D. Freitas	P. Elliott	Majority	R. Baldwin	
30	Floodplain by-law	Adoption	Yield to petitioner	D. Freitas	from the floor	2/3rd	P. Foley	Video
31	Waterways Rules and Regulations	Adoption	Adoption	D. Freitas	P. Elliott	Majority	T. Cox	
32	Revolving Funds	Adoption	Adoption	D. Freitas	P. Elliott	Majority	W. Graves	
33	Land Acquisition & Engineering design for Public Safety Facility	At Town Meeting	At Town Meeting	D. Freitas	P. Elliott	2/3rds	W. Graves	
34	Municipal Light Plant	Adoption	Yield to petitioner	D. Freitas	from the floor	Majority	Petitioner	Video
35	A. Short term rentals create by law	Adoption	Adoption	D. Freitas	P. Elliott	Majority	P. Foley	Video
	B. Community Impact fee of 3%-MGL 64G section 3D(a)	Adoption	Adoption	D. Freitas	P. Elliott	Majority	P. Foley	
	C. Community Impact fee of 3%-MGL 64G section 3D(b)	Adoption	Adoption	D. Freitas	P. Elliott	Majority	P. Foley	
36	Amendment to BPWs by law- solid waste and recycling curbside	Yield to petitioner	Yield to petitioner	Petitioner	from the floor	Majority	V. Furtado	
37	Chapter 198-31.1 Stormwater Management amendment to bylaw	Yield to petitioner	Yield to petitioner	Petitioner	from the floor	Majority	P. Foley	
38	Street acceptance: Robert Street	Yield to petitioner	Yield to petitioner	Petitioner	from the floor	Majority	Vinnie	
39	Historic Town Hall Street lamps	Adoption	Adoption	D. Freitas	P. Elliott	Majority	W. Oliveira	
40	Authorize BOS to petition to impose a checkout bag charge	Adoption	Yield to petitioner	D. Freitas	from the floor	Majority	W. McClees	
41	Zoning by law change chapter 198-33	Yield to petitioner	Yield to petitioner	Petitioner	from the floor	2/3rds	P. Foley	
42	Zoning by law change Chapter 198-29.6 - Solar Photovoltaic Energy Facilities	Yield to petitioner	Yield to petitioner	Petitioner	from the floor	2/3rds	P. Foley	
43	Discontinue portion Dean St & Livesey Parkway	Adoption	Yield to petitioner	D. Freitas	from the floor	Majority	T. Crotty	
44	Tree Warden from elected to appointed	Yield to petitioner	Yield to petitioner	Petitioner	from the floor	Majority	Vinnie	
45	Transfer from Surplus Revenue	At Town Meeting	At Town Meeting	D. Freitas	P. Elliott	Majority	W. Graves	
46	Changing the name to Selectboard	Adoption	Yield to petitioner	D. Freitas	from the floor	Majority	Petitioner	
47	Increase Board of Selectmen from 3 to 5	Yield to petitioner	Yield to petitioner	Petitioner	from the floor	Majority	Petitioner	
48	Create nine member committee known as the Fairhaven Charter Committee	Yield to petitioner	Adoption	Petitioner	P. Elliott	Majority	Petitioner	
49	Establish an ethics committee	Indef postpone	Yield to petitioner	Petitioner	from the floor	Majority	Petitioner	
50	Establish term limits for Elected board members	Yield to petitioner	Yield to petitioner	Petitioner	from the floor	Majority	Petitioner	
51	Amend Town bylaw chapter 115 "Right to Farm"	Yield to petitioner	Yield to petitioner	Petitioner	from the floor	Majority	Petitioner	
52	Amend Town bylaw Chapter 516 "Recall Elections"	Indef postpone	Yield to petitioner	Petitioner	from the floor	Majority	Petitioner	
53	Amend Town bylaw Chapter 516 "Recall Elections"	Indef postpone	Yield to petitioner	Petitioner	from the floor	Majority	Petitioner	
54	Rezone portions of 267 Huttleson Avenue	Yield to petitioner	Yield to petitioner	Petitioner	from the floor	2/3rds	Petitioner	
55	Street Lights	-	-	-	-	-	-	
	A. 16 Saltmarsh, move light from pole #179/12 to pole #179/11	Yield to petitioner	At Town Meeting	Petitioner	from the floor	Majority	Petitioner	
	B. 10 Saltmarsh-pole #179/13	Yield to petitioner	At Town Meeting	Petitioner	from the floor	Majority	Petitioner	
56	Amend Town bylaw Chapter 50-13 Part 2	Yield to petitioner	Yield to petitioner	Petitioner	from the floor	Majority	Petitioner	
57	Rehab new wing Rogers School	At Town Meeting	At Town Meeting	D. Freitas	P. Elliott	2/3rds	D. Brady	
58	North street drainage	At Town Meeting	At Town Meeting	D. Freitas	P. Elliott	2/3rds	W. Graves	
59	Chapter 194 Stormwater Management amendment to bylaw	-	-	-	-	-	-	
	A. Subsection #7	Yield to petitioner	Yield to petitioner	Petitioner	from the floor	Majority	V. Furtado	
	B. Rest of the article	Yield to petitioner	Yield to petitioner	Petitioner	from the floor	Majority	V. Furtado	



		Board of Selectmen	Finance Comm	Motion	Second	Vote		Form of
Article	Article Title	Recommendations	Recommendations	Maker	Maker	Quantum	Presentor	Presentation
60	Chapter 198-16 Zoning By-Law change	Adoption	Yield to petitioner	Petitioner	from the floor	2/3rds	P. Foley	Slide
61	Other Business	Adoption	-	-	-	-	-	