

FAIRHAVEN BOARD OF SELECTMEN

Meeting Notice of joint meeting with the Board of Selectmen and the Finance Committee

Agenda

Monday, December 7, 2020

6:30 p.m.

Town Hall Banquet Room – 40 Center Street – Fairhaven

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:

<https://zoom.us/j/99112813735?pwd=Yy9yMjE1WTJWVi9ya25XakFEQidhUT09>

or call 1- 929-205-6099

Meeting ID: 991 1281 3735

Passcode: 825236

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

A. MINUTES

1. Approve minutes of November 2, 2020 – Open Session
2. Approve minutes of November 2, 2020 – Executive Session
3. Approve minutes of November 16, 2020 – Open Session
4. Approve minutes of November 19, 2020 – Open Session- added meeting
5. Approve minutes of November 19, 2020 – Executive Session- added meeting

B. TOWN ADMINISTRATOR'S REPORT

C. COMMITTEE LIAISON REPORT

D. ACTION

1. Appointment of Acting Fire Chief
2. PILOT Agreement- 46 Charity Stevens Lane
3. Volunteer/Committee Handbook updated
4. Adjustment of Wage and Classification Schedule, due to Minimum Wage increase

E. APPOINTMENTS

1. 7:00 pm: Tax Rate Classification Hearing
2. 7:10 pm: Joint meeting with Fairhaven Housing Authority to appoint member to vacant seats
 - a. Marie Saunders
 - b. Stephen Furtado
 - c. Marc Scanlon

- d. Ronnie Manzone
- e. Eleanor Chew

F. DISCUSSION/POSSIBLE ACTION

- 1. Workplace Climate Assessment

G. CORRESPONDENCE

- 1. One Selectman Representative needed for the Community Preservation Committee (CPC)
- 2. Resignation of Nicholas Sylvia from Conservation Commission
- 3. Deadline for submission of Town Report Cover photos

H. NOTES AND ANNOUNCEMENTS

- 1. The next regularly scheduled meeting of the Board of Selectmen is Monday, December 21, 2020 at 6:30 p.m. in the Town Hall Banquet Room.

I. EXECUTIVE SESSION

- 1. Strategy with Respect to Litigation: MGL Chapter 30A, Section 21(a)3
 - a) West Island Realty (Petition for Certificate of Title-Ristuccia Tax Taking)
 - b) Anne O'Brien—MCAD complaint

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.



Fairhaven Board of Selectmen Meeting Minutes November 2, 2020

Present: Chairman Daniel Freitas, Vice-Chairman Robert Espindola, Selectman Keith Silvia, Town Administrator Mark Rees, and Cable Access Director Derek Frates

Present via Zoom: Town Counsel Tom Crotty, Administrative Assistant Vicki Oliveira, Cable Production Coordinator Eric Sa, Geoff Haworth, Jeff Lucas, Cathy Melanson, Planning Director Paul Foley, and members of the public.

The meeting was videotaped on Cable Access and Zoom meeting application.

Chairman Freitas opened the meeting at 6:32 pm in the Town Hall Banquet Room and read the following statement:

"This Open Meeting of the Fairhaven Board of Selectmen is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus."

In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed and encouraged to participate remotely.

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Minutes

Mr. Espindola made a motion to approve the minutes of October 19, 2020 – Open Session. Mr. Silvia seconded. Vote was unanimous. (3-0)

Mr. Espindola made a motion to approve the minutes of October 20-21, 2020 – Open Session. Mr. Silvia seconded. Vote was unanimous. (3-0)

Town Administrator's Report

Bids were opened for the Academy Building project, one for the front door restoration and the second for the handicap access project. Since the Commission didn't have enough money for both projects, the

Historical Commission decided to go forward with the Handicap Access portion and has awarded the contract to Kneeland Construction out of Medford Mass at a cost of \$149,175 and to seek funding for the front door restoration at the next town meeting.

The Town was recently awarded a \$14,300 grant through the state's Sustainable Material Recovery Program. The Board of Public Works, with the assistance of the Board of Health, is anticipating using the funds to enhance Fairhaven's hazardous waste day collection program.

The Police Chief has said the department is moving forward with being fully accredited by the Massachusetts Police Accreditation Program with the required internal assessment being completed by December 9, 2020. The Fairhaven Police Department was awarded the initial certification for accreditation status in September of 2019 and are now moving forward with full accreditation status. This accreditation is a coveted award that symbolizes professionalism, excellence and competence and as a community we should be just proud of the department's accomplishments.

Mr. Rees has approved the Police Chief's appointment of Fairhaven resident Josue Ostolaza has new police officer in the department, subject to his passing required tests and graduating from the police academy. Mr. Ostolaza comes highly recommended, is currently a corrections officers at the Bristol County Sheriff's Office and has earned an Associate's Degree in Legal Services from the Community College of Rhode Island. He also a Marine Corp. Veteran who served during Operation Iraqi Freedom.

Chris Carmichael started today as the Town's Building Commissioner he and Mr. Rees and held a brief meeting with the other inspectors in the department to introduce him to them and to talk about ways the department operations can be streamlined and improved going forward.

Committee Liaison Reports

Mr. Espindola said he met with the Bikeway Committee and members Mat Coes and Lois Callahan are working on a video that will highlight the Fairhaven bike path.

Mr. Espindola met with SRPEDD where they held a conference on climate change.

Mr. Espindola said the Broadband Study Committee has received approximately 104 surveys back so far.

Mr. Silvia said the Library has not met since the last Selectmen's meeting.

Mr. Freitas expects Bristol Aggie to meet soon.

Request to join Cultural Council

Mr. Espindola made a motion to appoint Wendy Drumm to the Fairhaven Cultural Council. Mr. Silvia seconded. Vote was unanimous. (3-0)

Mr., Espindola made a motion to appoint Suzan Galpin to the Fairhaven Cultural Council. Mr. Silvia seconded. Vote was unanimous. (3-0)

Request to join Conservation Commission

Mr. Espindola made motion to appoint Cory Pietraszek to the Conservation Commission. Mr. Silvia seconded. Vote was unanimous. (3-0)

Mr. Espindola made a motion to appoint John Dallen to the Cultural Council. Mr. Silvia second. Vote was unanimous. (3-0)

The Board will recommend Ronnie Medina to the Conservation Commission to an associate position.

Open Meeting Law Complaint- Stephane Robbins

Mr. Rees told the Board that Town Counsel has reviewed the Open Meeting Law complaint filed by Stephane Robbins and has drafted a response for the Board stating that the Board was not in violation of the Open Meeting Law. (Attachment A)

Mr. Espindola made a motion to authorize Mr. Rees to send the response letter to the Attorney General's office and to Mr. Robbins. Mr. Silvia seconded. Vote was unanimous. (3-0)

Union Wharf: Property Available for Disposition, Art 11, Oct 20, 2020 Special Town Meeting

Mr. Espindola made a motion to declare the town property at Union Wharf available for disposition as per Article 11, at the October 20, 2020 Special Town Meeting. Mr. Silvia seconded. Vote was unanimous. (3-0)

Joint meeting with the Planning Board— to fill vacancy appointment: Jessica Fidalgo

Via Zoom, members of the Planning Board, Jeff Lucas, Geoff Haworth, and Cathy Melanson met in a joint meeting with the Board of Selectmen for the purpose of appointing someone to the vacant seat on the Planning Board. This position will be held until the next election. There was one applicant interested in filling the vacant seat. Jessica Fidalgo answered questions, via Zoom, and explained why she would like to be appointed to the Planning Board.

Mr. Espindola made a motion to appoint Jessica Fidalgo to the Planning Board until the next election. Mr. Silvia seconded. Vote was unanimous. (6-0)

Roll call vote: Cathy Melanson in favor, Jeffrey Lucas in favor, Geoff Haworth in favor, Bob Espindola in favor, Keith Silvia in favor, Dan Freitas in favor

Continued Public Hearing: Fairhaven Meadows, LLC, d/b/a Nasketucket Bay Vineyards: Farmer's Series Pouring License

Mr. Rees told the Board Mr. Christy is aware that he needs to submit more information before the Board can approve the license.

Mr. Espindola made a motion to continue the public hearing until November 16, 2020. Mr. Silvia seconded. Vote was unanimous. (3-0)

Robert Hobson- Lobster Basin, Union Wharf

Robert Hobson and Michelle Potter met in the Banquet Room with the Board regarding Union Wharf. Mr. Hobson feels that the Town is giving away spots at Union Wharf that should belong to the commercial fishermen. Town Counsel explained that back in 1943 the Town owned all of Union Wharf but reserved ownership of the basin and the right to use the lobster basin. Town Counsel said permission to use the land can be revoked at any time. Ms. Potter and Mr. Hobson urged the Board to "do what is fair." Planning Board member, Jeff Lucas, feels the Planning Board and other committees should review this as they are there to assist the Board of Selectmen in their decisions.

Mr. Espindola made a motion to ask the Marine Resources Committee to address the Union Wharf issue and make a recommendation to the Board of Selectmen and to ask the Economic Development Committee to also review. Mr. Silvia seconded. Vote passed. (2-1)

License Agreement with Casey Boat Realty, LLC

Mr. Rees told the Board that Town Counsel has drafted a license agreement with Casey Boat Realty, LLC but there has been no response back as of this meeting from Casey Boat.

Audit of Building Fees

Mr. Rees read a memo from Auditor Zachary Fentross of Melanson and Heath who stated that after an investigation into way Building Department calculate charges for payment fees. Mr. Fentross does not feel there is any fraud taking place in the Building Department and he offered several recommendations for improvements to the collection system to ensure consistency with calculating fees. (Attachment B)

Town Administrator Recruitment position statement

Via Zoom, Paradigm Associates Consultant Sharon Flaherty, reviewed the position statement with the Board. Mr. Espindola said he would like to see Acushnet included in the education portion of the statement. Mr. Freitas and Mr. Silvia requested more time to read the statement, as they had received the updated version at the meeting. Mr. Rees suggested holding a special Selectmen's meeting to discuss the changes. (Attachment C)

Mr. Freitas left the meeting at 7:54 pm

Vice- Chairman Espindola took over the meeting.

Screening Committee for Town Administrator search

Mr. Rees told the Board three positions on the screening committee have been filled. John Farrell Jr. will represent the Planning Board, Bernie Roderick will represent the Finance Committee and Colin Veitch will represent the School Committee.

Mr. Espindola made a motion to table the screening committee agenda item. Mr. Silvia seconded. Vote was unanimous. (2-0)

Annual Board of Selectmen Goal setting session

Mr. Rees said the practice over the last 3-4 years is to have the Board of Selectmen establish the Goals and Objectives, but Mr. Rees feels this would be better suited to wait until the Town hires a new Town Administrator when Mr. Rees retires in January.

Notes and Announcements

Mr. Espindola reminded residents that he will hold his virtual office hour Tuesday, November 3, 2020 with special guests, Planning Director Paul Foley and Veterans Agent Brad Fish.

Mr. Espindola reminded residents to go out and vote tomorrow.

Mr. Espindola thanked Cable Access Director Derek Frates for a successful Virtual Halloween Party.

At 8:05 pm Mr. Espindola made a motion to go into Executive Session, not to reconvene into Open Session, to discuss Strategy with respect to litigation: MGL Chapter 30A, Section 21(a) 3

1. New England Preservation and Development, LLC Law suit
2. Anne O'Brien—MCAD complaint

Mr. Silvia seconded. Vote was unanimous. (2-0)

Roll call vote: Mr. Silvia in favor, Mr. Espindola in favor.

Respectfully submitted,

A handwritten signature in black ink that reads "Vicki L. Oliveira". The signature is written in a cursive style.

Vicki L. Oliveira
Administrative Assistant

Attachments:

1. Open Meeting Law Complaint/Response
2. Memo from Zach Fentross
3. Town Administrator position statement

DRAFT



Fairhaven Board of Selectmen Meeting Minutes November 16, 2020

Present: Vice-Chairman Robert Espindola, Selectman Keith Silvia, Town Administrator Mark Rees, and Cable Access Director Derek Frates

Absent: Chairman Daniel Freitas

Present via Zoom: Town Counsel Tom Crotty, Administrative Assistant Vicki Oliveira, Cable Production Coordinator Eric Sa, and members of the public.

The meeting was videotaped on Cable Access and Zoom meeting application.

Vice-Chairman Espindola opened the meeting at 6:33 pm in the Town Hall Banquet Room and read the following statement:

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Town Administrator’s Report

Mr. Rees told the Board the Fairhaven Fire Department held a soft opening for COVID testing, there will be more testing on Saturday, November 21, 2020.

The Town has recently received \$406,000 in reimbursement for COVID related expenses from the State.

Mr. Rees reminded the Board that at their last meeting they adopted new COVID meeting protocols. All Board members are required to wear masks even when social distancing in the meetings unless someone cannot hear you. The mask can be temporarily removed while talking. This was a continued joint effort with the Fire Department, Board of Health and Human Resources to address the COVID saturation.

Committee Liaison Reports

Mr. Silvia attended the Historical Commission meeting, where they discussed the ADA ramp in the back of the Academy Building and the idea of putting street lamps around Town Hall.

Mr. Silvia will meet with Cable Advisory and the Library this week.

Mr. Espindola said members of the Bikeway Committee, Mat Coes and Lois Callahan, produced a video that highlights the Fairhaven Bike path. Mr. Espindola said that SRPEDD also participated in the video and also created an interactive map of key spots along the bike path. Mr. Espindola will attend the regular SRPEDD meeting in December.

Mr. Espindola met with the Marine Resources Committee last week where they discussed the Casey Boat/Union Wharf issue. The Committee felt they needed the advice of Town Counsel for this issue.

Mr. Espindola said the Economic Development Committee will be addressing the Waterways Rules and Regulations at their next meeting.

Mr. Espindola said the Broadband Study Committee has received over 200 surveys back so far.

Request to join Historical Commission

Mr. Silvia made a motion to appoint Kathyne Moniz to the Historical Commission. Mr. Espindola seconded. Vote was unanimous. (2-0)

Request to join Sustainability Committee

Mr. Silvia made a motion to appoint Kathyne Moniz to the Sustainability Committee as an alternate member Mr. Espindola seconded. Vote was unanimous. (2-0)

Community Electricity Aggregation Program, revised electricity supply agreement

Mr. Silvia made a motion to table the Community Electricity Aggregation Program, revised electricity supply agreement until a future meeting. Mr. Espindola seconded. Vote was unanimous. (2-0)

FY19 CDBG: Hedge Street Phase 2, surplus funds

The FY19 Community Block Grant (CDBG) will conclude in March 2021 with a surplus of approximately \$15,000 in administrative accounts due to staff vacancies and conservative spending. Planning Director Paul Foley is recommending that the Town request the Department of Housing and Economic Development (DHCD) approve transferring this surplus to the Hedge

Street Phase 2 construction project to reduce the amount of the Town's Chapter 90 funds needed. (Attachment A)

Mr. Espindola made a motion to move to request DHCD to amend Fairhaven's FY19 CDBG by moving surplus administrative funds to the Hedge Street Phase 2 construction project and to authorize the Chairman of the Selectmen to sign all related documents. Mr. Silvia seconded. Vote was unanimous. (2-0)

Continued Public Hearing: Fairhaven Meadows, LLC, d/b/a Nasketucket Bay Vineyards: Farmer's Series Pouring License

At 7:06 pm Mr. Espindola opened the continued public hearing for Nasketucket Bay Vineyards.

Mr. Rees updated the Board that the Town has reached out to owner Nick Christy and offered assistance to him. There were no questions, comments or concerns from the public.

Mr. Silvia made a motion to continue the public hearing until such time the proper documents are received. Mr. Espindola seconded. Vote was unanimous. (2-0)

JEJM, Corp, d/b/a Travelers Ale House, 111 Huttleston Ave: Transfer of Restaurant/All Alcohol License and Pledge of said License

At 7:15 pm Mr. Espindola opened the public hearing for Traveler's Ale House. Owner Minh Tieu, Cathy Melanson and Attorney John Markey were present via Zoom to answer any questions the Board may have. There were no comments, questions or concerns from the public.

Vice-Chairman Espindola read the public hearing notice. (Attachment B). Mr. Rees said once the Board approves the transfer the information will then be sent to the State for final approval.

Mr. Silvia made a motion to approve the transfer of a restaurant/all alcoholic license and pledge of said license. Mr. Espindola seconded. Vote was unanimous. (2-0)

Screening Committee for Town Administrator search

Mr. Rees explained this is a seven person committee and each of the Selectmen will appoint a citizen-at-large. Selectman Freitas will be part of the search committee and therefore not appoint someone.

Selectmen Silvia has appointed Dr. Brian Bowcock as his choice and Selectman Espindola has chosen Eric Dawicki.

Mr. Silvia made a motion to table the employee appointment until the next meeting. Mr. Espindola seconded. Vote was unanimous. (2-0)

Meeting Schedule, 1st half of 2021

Mr. Silvia made a motion to table the Meeting Schedule, 1st half of 2021 until the next meeting. Mr. Espindola seconded. Vote was unanimous. (2-0)

Budget /Town meeting calendar FY22

Mr. Silvia made a motion to table the Budget /Town meeting calendar FY22 until the next meeting. Mr. Espindola seconded. Vote was unanimous. (2-0)

Consider Changes to the Wellness Committee Mission, Structure and membership

Mr. Silvia made a motion to table the Consider Changes to the Wellness Committee Mission, Structure and membership until the next meeting. Mr. Espindola seconded. Vote was unanimous. (2-0)

Selectmen's meeting agenda packet- public availability

Mr. Silvia made a motion to table the Selectmen's meeting agenda packet- public availability until the next meeting. Mr. Espindola seconded. Vote was unanimous. (2-0)

Personnel Policies and Procedures

Mr. Rees told the Board there are few final steps that need to be done before the Selectmen can vote to adopt the updated personnel policy. The Town Administrator is required by Town by-laws to hold a public hearing. Mr. Rees will conduct a public hearing on November 30, 2020 at 4:30 pm.

Mr. Rees will present his final recommendations to the Board at their meeting on December 7, 2020.

Resignation on Fairhaven Housing Authority

Mr. Silvia made a motion to accept the resignation of John Farrell Jr. from the Fairhaven Housing Authority and thank him for his time. Mr. Espindola seconded. Vote was unanimous. (2-0)

At 7:27 pm Mr. Silvia made a motion to adjourn. Mr. Espindola seconded. Vote was unanimous. (2-0)

Respectfully submitted,



Vicki L. Oliveira
Administrative Assistant

Attachments:

- A. Budget Revision Form/ Close out letter
- B. Public Hearing Notice- Traveler's Ale House



Fairhaven Board of Selectmen Meeting Minutes November 19, 2020

Present: Chairman Daniel Freitas Vice-Chairman Robert Espindola, Selectman Keith Silvia, Town Administrator Mark Rees, and Cable Access Director Derek Frates

Present via Zoom: Town Counsel Tom Crotty, Administrative Assistant Vicki Oliveira, Cable Production Coordinator Eric Sa, and members of the public.

The meeting was videotaped on Cable Access and Zoom meeting application.

Vice-Chairman Espindola opened the meeting at 4:33 pm in the Town Hall Banquet Room and read the following statement:

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Community Electricity Aggregation Program, revised electricity supply agreement

Mr. Espindola recused himself because he has recently started a new business that is in the energy field.

Mr. Rees reminded the Board that they had recently voted to change the power mix for the municipal aggregation program which allows for discounted electricity and green energy. The Board is being asked to sign the supply agreement. (Attachment A)

Mr. Silvia made a motion to accept the Community Electricity Aggregation Program and to authorize the Chairman to sign. Mr. Freitas seconded. Vote passed. (2-0-1)

Mr. Espindola returned into the room.

Screening Committee for Town Administrator search

Mr. Rees said there is one vacant seat for a town employee on the Town Administrator Search Committee.

Mr. Espindola made a motion to nominate Town Accountant Anne Carreiro for the employee seat on the Town Administrator Search Committee. Mr. Silvia seconded. Vote was unanimous. (3-0)

Meeting Schedule, 1st half of 2021

Mr. Espindola made a motion to approve the first half of calendar 2021 Board of Selectmen meeting schedule. Mr. Silvia seconded. Vote was unanimous. (3-0) (Attachment B)

Budget /Town meeting calendar FY22

Mr. Espindola made a motion to approve the FY22 Budget Calendar as presented in their packet. Mr. Silvia seconded. Vote was unanimous. (3-0) (Attachment C)

Consider Changes to the Wellness Committee Mission, Structure and membership

Mr. Silvia feels that currently there is a lack of interest for participants. Mr. Freitas said he didn't see a lot of interest at this time but may like to see this brought back at a later time. Mr. Espindola said he feels this is an important committee and would like to see this program continue. Mr. Espindola said interest has dropped off because the former members no longer work for the town but a lot of grant money that comes to this committee.

Mr. Silvia made a motion to disband the Wellness Committee. Mr. Freitas seconded. Vote passed. (2-1)

Selectmen's meeting agenda packet- public availability

Mr. Rees told the Board that most towns have the selectmen's meeting packet available to the public prior to the meeting for greater transparency. Mr. Freitas had concerns over Executive Session material not being made public. Mr. Rees assured him that executive session will not be made available.

Mr. Espindola made a motion, starting with the next Selectmen's meeting to have the meeting packet available to the public electronically posted within 24 hours of the meeting. Mr. Silvia seconded. Vote was unanimous. (3-0)

At 5:04 pm Mr. Espindola made a motion to adjourn to executive session, not to reconvene to open session to discuss:

Strategy with respect to litigation: MGL Chapter 30A, Section 21(a) 3

1. New England Preservation and Development, LLC Law suit (Rogers School)
2. West Island Realty (Petition for Certificate of Title – Ristuccia Tax Taking)

Mr. Silvia seconded. Vote was unanimous. (3-0)

Roll Call vote: Mr. Silvia in favor, Mr. Espindola in favor, Mr. Freitas in favor

Respectfully submitted,



Vicki L. Oliveira
Administrative Assistant

Attachments:

- A. Community electricity aggregation agreement
- B. Board of Selectmen 1st half of calendar 2021 meeting schedule
- C. FY2022 Budget calendar



TOWN OF FAIRHAVEN

MASSACHUSETTS

FIRE DEPARTMENT / EMERGENCY MEDICAL SERVICE

146 Washington Street, Fairhaven, MA 02719

Emergency # 911



TIMOTHY P. FRANCIS

Chief of Department

Tel: (508) 994-1428

Fax: (508) 994-1515

Email: tfrancis@fairhaven-ma.gov

December 1, 2020

Mark Rees, Town Administrator
40 Center Street
Fairhaven, MA 02719

Dear Mark,

This letter is to announce my intent to retire from the Fairhaven Fire Department on January 8, 2021. I have humbly and happily served my department and the Town of Fairhaven for over 40 years and I feel that it is the right time for me to retire. Fire and EMS has been rapidly moving towards technology and it is time for the next generation to take the lead.

With that being said, upon my retirement you and the Board of Selectmen will have a decision to make as to who will be the next Fire Chief for the Town of Fairhaven. We requested a promotional Fire Chief exam that took place in October, and Deputy Chief Correia was the sole applicant to take the exam. However, due to the pandemic Civil Service has had some delays and I do not believe that there will be an established Fire Chief's list to hire a permanent candidate from upon my retirement. I highly recommend that you promote Deputy Chief Todd Correia to the position of Provisional Fire Chief until a list is established. As you are well aware, Deputy Chief Correia has done a tremendous amount for our Department and I feel that he is the only qualified choice as my replacement. The task of appointing the next Fire Chief is yours and the Board's and once that appointment takes place, then other vacancies within the department that will be created can be filled as well.

I would like this opportunity to thank you and the Board of Selectmen for all your support during my years as Fire Chief. I also have much respect and appreciation for all Department Heads within the Town of Fairhaven, many I have worked alongside for a very long time. It was not easy to come to the decision to retire, but as my final days get closer I know it was the right decision for me and my family.

Respectfully yours,

Timothy Francis
Chief of Department

PROVISIONAL PROMOTION

(G.L. Ch. 31, Sec. 15)
Form 15A 9/2003

**HUMAN RESOURCES DIVISION
CIVIL SERVICE UNIT**☐

State Service

☒

Municipal Service

City or Town: FairhavenDepartment: Fire Department

Division: _____

Bureau: _____

To: The Personnel Administrator

Date: December 7, 2020Name of Employee: Todd Correia SSN: [REDACTED]

Position into which provisional promotion is requested:

Title: Fire Chief Effective Date: January 9, 2021Title of permanent position
from which promoted: Deputy Fire Chief

One of the following paragraphs must be completed, including signature. If the appointing authority is not certain that the position is or is not in the next higher grade, he/she should complete paragraph 2 to prevent any delay in processing.

1. Provisional promotion of the above employee is requested. The position to which promotion is requested is in the next higher grade.

Signature of Appointing Authority: Mark H. Pees

2. Provisional promotion of the above named employee is requested. The position to which promotion is requested is not in the next higher grade.

- (a) Statement of sound and sufficient reason why provisional promotion will be for the public good.

- (b) I hereby certify that there is no employee in the next lower grade and willing to accept.

Signature of Appointing Authority: _____

The following statement applies on MUNICIPAL PROMOTIONS ONLY:

This is to notify you that I have made a provisional promotion of the person named above.

I have forwarded copies of this letter to the Treasurer and to Human Resources
(Insert title of Auditor, Accountant, etc.)Requisition No. 06954

Re: PILOT agreement for 46 Charity Stevens Lane

1 message

Mark Rees <mrees@fairhaven-ma.gov>

Thu, Nov 19, 2020 at 4:00 PM

To: "Carey, Gregory" <CareyG@conedceb.com>, Vicki Oliveira <vloliveira@fairhaven-ma.gov>

Hi Greg, we will put this on the Selectmen's agenda for their December 7th meeting.

Mark

On Thu, Nov 19, 2020 at 11:54 AM Carey, Gregory <CareyG@conedceb.com> wrote:

Hello Mark,

Have you had the opportunity to review the PILOT agreement that I sent you for Charity Stevens Lane? I'm happy to get on a call with you to discuss it if you have any questions or comments.

Thank you.

Greg Carey

Project Developer

Con Edison Clean Energy Businesses

100 Summit Lake Drive

Valhalla, NY 10595

M: (617) 834-8567

E: CareyG@conedceb.com

W: ConEdCEB.com



Nothing contained in this e mail shall be considered a legally binding agreement, amendment or modification of any agreement, each of which requires a separate fully executed agreement in writing with signatures. The Con Edison Clean Energy Businesses, Inc., through its three main subsidiaries; Con Edison Development, Con Edison Energy, and Con Edison Solutions, develops, owns and operates renewable and energy infrastructure assets and provides energy related products and services to wholesale and retail customers. It is headquartered, along with its subsidiaries, in Valhalla, NY. We are an Affirmative Action/Equal Opportunity Employer. Please visit the Con Edison Clean Energy Businesses online at www.conedceb.com for more information.

AGREEMENT

FOR PAYMENT IN LIEU OF TAXES FOR PERSONAL PROPERTY

between

Fairhaven MA 4, LLC

and

Town of Fairhaven, MA

dated as of _____, 2020

DRAFT

AGREEMENT FOR PAYMENT IN LIEU OF TAXES

THIS AGREEMENT FOR PAYMENT IN LIEU OF TAXES (this "Agreement") is made and entered into as of this ____ day of _____, 2020 (the "Effective Date") by and between Fairhaven MA 4, LLC, a Colorado limited liability company, with a principal place of business at 100 Summit Lake Drive, Suite 210, Valhalla, NY 10595 ("Developer") and the TOWN OF FAIRHAVEN, a municipal corporation duly established by law and located in Bristol County, Commonwealth of Massachusetts and unless otherwise expressly stated, acting in all instances, by and through its Board of Selectmen (the "Town"). Developer and the Town are collectively referred to in this Agreement as the "Parties" and are individually referred to as a "Party".

WHEREAS, Developer plans to build, own and operate a solar photovoltaic energy system (the "Project") with an expected nameplate capacity (the "Anticipated Nameplate Capacity") of approximately 2.000 megawatts ("MW") alternating current ("AC") on approximately 10 acres of land leased to Developer located at 46 Charity Stevens Lane, Fairhaven, Massachusetts, more particularly described in the attached Exhibit A (the "Property") under the terms of a lease, dated April 22, 2019, by and between the owner of the Property, as landlord, and Developer, as tenant (the "Lease");

WHEREAS, it is the intention of the Parties that Developer make annual payments to the Town in lieu of personal property taxes on the Project, in accordance with M.G.L. c. 59, § 38H(b) (Acts of 1997 Chapter 164, Section 71(b), as amended) and the Massachusetts Department of Revenue regulations adopted in connection therewith;

WHEREAS, because both Developer and the Town need an accurate projection of their respective expenses and revenues with respect to the personal property that is taxable under law, the Parties believe that it is in their mutual best interests to enter into this Agreement fixing the payments that will be made with respect to all taxable personal property incorporated within the Project for the term of the Agreement;

WHEREAS, the Parties intend that, during the term of the Agreement, this Agreement will provide for the exclusive payments in lieu of all personal property taxes that Developer (or any successor owner of the Project) will be obligated to make to the Town with respect to the Project, provided, however, that the Parties do not intend for this Agreement to affect any direct payments for services provided by the Town to the Project, including but not limited to, permit fees, consultant services associated with any permit applications, water and sewer services, and similar payment obligations not in the nature of property taxes that Developer is otherwise obligated to pay the Town;

WHEREAS, the Town is authorized to enter into this Agreement with Developer; and

WHEREAS, the Parties recognize that the taxes that would otherwise be due under M.G.L. c. 59 based upon the full and fair cash valuation of the Project would result in a tax burden which would be highest at the inception of the Project and would decline over the life of the Project and that, in light of their agreement to a schedule of fixed annual payments in lieu of personal property tax, (i) at the end of the term of the Agreement, the sum of such fixed annual payments will equal such aggregate tax burden and (ii) there will be a stipulated accruing tax burden amount as set forth in Exhibit B (the "Accrued Tax Burden") which may be payable in certain circumstances as set forth below, and;

WHEREAS, the Parties have reached this Agreement after good faith negotiations:

NOW THEREFORE, in exchange for the mutual commitments set forth herein and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

1. Payments in Lieu of Taxes. Developer agrees to make annual payments to the Town in lieu of all personal property taxes that would otherwise be assessed against the Project (the "Annual Payments") for a period of twenty (20) consecutive fiscal tax years, commencing with the first fiscal tax year following the Commercial Operations Date (as defined below) at a rate of \$16,586 per MW AC of the nameplate capacity of the Project per annum. Exhibit B sets forth the anticipated Annual Payments to be made hereunder based on the Anticipated Nameplate Capacity of the Project. Each Annual Payment will be paid to the Town in two (2) equal installments on July 1 and January 2 of each fiscal year following the Commercial Operations Date and continuing throughout the remainder of the Term, defined below, and the annual payment amount and payment date will be noted on a semi-annual bill issued by the Town to the Developer. Except to the extent that Paragraph 2 of the Agreement provides otherwise, Developer agrees that the payments in lieu of taxes under this Agreement will not be reduced on account of a depreciation factor, revaluation or reduction in the Town's tax rate or assessment percentage beyond that anticipated by the Parties and already reflected in the agreed per megawatt rate, and the Town agrees that the payments in lieu of taxes will not be increased on account of an inflation factor, revaluation or increase in the Town's tax rate or assessment percentage beyond that anticipated by the Parties and already reflected in the agreed per MW AC rate.

2. Adjustments to Annual Payments. Adjustments to Annual Payments shall be made, if at all, only in accordance with this Paragraph 2.

a. Nameplate Capacity Changes. If, as of the date Developer receives from the local

electric utility written authorization to interconnect and commence operations of the Project (the "Commercial Operations Date"), the installed MW AC nameplate capacity of the Project is more or less than the Anticipated Nameplate Capacity set forth herein by more than 0.001 MW AC, the dollar amount of the Annual Payments to be made hereunder as reflected on Exhibit B shall be increased (if more) or decreased (if less) by a unit price of \$16,586 per MW AC for each MW AC (or portion thereof) change in such capacity. In addition, if after the Commercial Operations Date, as a result of the addition, replacement, enhancement, or removal of Project equipment, improvements or other property, the installed MW AC nameplate capacity of the Project is increased or decreased by more than 0.001 MW AC, the remaining Annual Payments, or portions thereof, shall be similarly adjusted for each MW AC change in such capacity, provided that, in the event of a removal resulting in a decrease in Annual Payments, such decrease shall not be effective unless and until the applicable Project equipment, improvements or other property has been removed from the Property and Exhibit B shall be updated such that the annual Tax Burden, Annual Payments, and Accrued Tax Burden after the effective date of the adjustment shall be adjusted to reflect that change, provided that the adjusted Annual Payments will be equal annual payments for the remainder of the Term; provided, however, that the portion of those future Annual Payments which constitutes payment toward the Accrued Tax Burden which existed prior to the effective date of the adjustment will not be adjusted. Within fourteen (14) days following the Commercial Operations Date, Developer shall provide written notice to the Town certifying that date and the MW AC nameplate capacity of the Project as installed as of that date.

b. Notice of Changes in Capacity. Within fourteen (14) days prior to the addition, replacement, removal or enhancement of Project equipment, improvements or other property resulting in a change in MW AC nameplate capacity of the Project, Developer shall provide written notice to the Town describing, in reasonable detail, the equipment, improvements or other property added, replaced, removed or enhanced; the resulting change in MW AC nameplate capacity of the Project; any corresponding adjustment to Annual Payments under this Paragraph 2; and the basis for such change in capacity.

c. Disputes. Any dispute between the parties arising under this Paragraph 2 shall be subject to the arbitration provisions of Paragraph 11.

3. Inventory and Inspection. Within six (6) months after the Commercial Operations Date, Developer shall prepare and provide to the Town an inventory of personal property incorporated into the Project as of the Commercial Operations Date (the "Inventory"). To the extent that inventory should change, Developer will promptly update the said Inventory and submit the same to the Town. The Town, its officers, employees and consultants and representatives shall have the right upon not less than ten (10) days prior written notice (except in an emergency) to Developer to periodically inspect the Project for the purpose of confirming and verifying the Project and compliance with this Agreement. During any such inspection, the Town shall

comply with all reasonable Developer safety requirements. Developer's representative may, at the Developer's sole election, accompany the Town on all such inspections.

4. Payment Collection. Security. To the extent allowed by law, the provisions of M.G.L. c. 60 and other applicable law will govern the collection of any payments in lieu of taxes provided for in this Agreement as though they were personal property taxes due and payable to the Town, and a claim or proceeding brought by the Town for non-payment under this Agreement, or for non-payment of taxes due on the Property, shall not be subject to arbitration. In the event of a bankruptcy filing by Developer, the Accrued Tax Burden shall be due and payable immediately, and the Town may revoke this Agreement.

5. Tax Status. Separate Tax Lot. The Town agrees that from the Effective Date until the end of the Term (defined below), the Town will not assess Developer for any personal property taxes with respect to the Project or the Property to which Developer might otherwise be subject under Massachusetts law, and the Town agrees that this Agreement will exclusively govern the payments of all ad valorem personal property taxes and payments in lieu of such taxes that Developer will be obligated to make to the Town with respect to the Project, provided, however, that this Agreement is not intended to affect, and will not preclude, other assessments of general applicability by the Town for excise taxes on vehicles due pursuant to M.G.L. c. 60A and for services provided by the Town to the Project, including but not limited to, permit fees and consultant services. The Town agrees that no personal property taxes will be due from or assessed to Developer with regard to the Project other than the payments in lieu of taxes described in this Agreement. Notwithstanding anything to the contrary in this Agreement, this Agreement does not affect or limit in any way the assessment and collection of (i) taxes for property not included in the Project, and (ii) real property taxes for the Property other than taxes attributable to the Project (provided that Developer acknowledges that, to the extent the Property is removed from M.G.L. c. 61A, the underlying land will no longer be classified and taxed as agricultural land).

6. Successors and Assigns. This Agreement will be binding upon the successors and assigns of Developer, and the obligations created hereunder will run with the Property and the Project. In the event that Developer sells, transfers, leases or assigns the Property or all or substantially all of its interest in the Project, this Agreement will thereafter be binding on the purchaser, transferee, lessee or assignee. A Notice of this Agreement may be recorded in the applicable Registry of Deeds forthwith upon execution. Developer is expressly permitted to assign this Agreement to any affiliate or to any successor in interest in the Project and following such assignment Developer shall be relieved of all further liability hereunder provided that the assignee assumes in writing all further obligations of Developer hereunder. Developer is also permitted to collaterally assign this Agreement to its financing parties. In the event that the successor or assign of Developer is a tax-exempt entity and such tax-exempt entity does not agree in writing to assume Developer's remaining obligations under this Agreement, this Agreement shall terminate and. Developer shall pay the Town the Accrued Tax Burden as of such date.

7. Statement of Good Faith. The Parties agree that the payment obligations established by this Agreement were negotiated in good faith in recognition of and with due consideration of the full and fair cash value of the Project, to the extent that such value is determinable as of the date of this Agreement in accordance with M.G.L. c.59, § 38H. Each Party was represented by counsel in the negotiation and preparation of this Agreement and has entered into this Agreement after full and due consideration and with the advice of its counsel and its independent consultants. The Parties further acknowledge that this Agreement is fair and mutually beneficial to them because it reduces the likelihood of future disputes over personal property taxes, establishes tax and economic stability at a time of continuing transition and economic uncertainty in the electric utility industry in Massachusetts and the region, and fixes and maintains mutually acceptable, reasonable and accurate payments in lieu of taxes for the Project that are appropriate and serve their respective interests. The Town acknowledges that this Agreement is beneficial to it because it will result in mutually acceptable, steady, predictable, accurate and reasonable payments in lieu of taxes to the Town. Developer acknowledges that this Agreement is beneficial to it because it ensures that there will be mutually acceptable, steady, predictable, accurate and reasonable payments in lieu of taxes for the Project.

8. Additional Documentation and Actions. Each Party will, from time to time hereafter, execute and deliver or cause to be executed and delivered, such additional instruments, certificates and documents, and take all such actions, as the other Party reasonably requests for the purpose of implementing or effectuating the provisions of this Agreement and, upon the exercise by a Party of any power, right, privilege or remedy pursuant to this Agreement that requires any consent, approval, registration, qualification or authorization of any third party, each Party will execute and deliver all applications, certifications, instruments and other documents and papers that the exercising Party may be so required to obtain.

9. Partial Invalidity. If, for any reason, including a change in applicable law, a property tax is imposed on the Project in addition to the payments in lieu of taxes due under this Agreement, the payments in lieu of taxes due under this Agreement will be decreased on an annual basis by the amount of the property taxes actually paid to the Town for each year. If for any reason, including a change in applicable law, a payment in lieu of taxes is provided for that is less than that provided for in Paragraph 1 of this Agreement, any amount provided for in this Agreement over and above such lesser amount shall be considered a payment by Developer to the Town as the host community of the Project. In no event, except as provided for in Paragraph 2 hereof, shall the payment amounts provided for herein be reduced below the level called for in Paragraph 1.

10. Notices. All notices, consents, requests, or other communications provided for or permitted

to be given hereunder by a Party must be in writing and will be deemed to have been properly given or served upon the personal delivery thereof, via courier delivery service or in such other manner of delivery that results in a confirmation of receipt, such as certified mail or Federal Express. Such notices shall be addressed or delivered to the Parties at their respective addresses shown below.

If to Developer:

Consolidated Edison Development, Inc.
100 Summit Lake Drive, Suite 210
Valhalla, NY 10595
Attn: President or Chief Executive Officer

If to Town:

Board of Selectmen
Town Hall Center Street Fairhaven, MA 02719
Attn: Town Administrator

Any such addresses for the giving of notices may be changed by either Party by giving written notice as provided above to the other Party.

11. Applicable Law. This Agreement will be made and interpreted in accordance with the laws of the Commonwealth of Massachusetts. The Parties each consent to the jurisdiction of the Massachusetts courts or other applicable agencies of the Commonwealth of Massachusetts regarding any and all matters, including interpretation or enforcement of this Agreement or any of its provisions. Venue for any action brought hereunder shall be the courts of Bristol County, Massachusetts, provided that where the provisions of this Agreement expressly provide for arbitration, the subject dispute shall be submitted to final and binding arbitration before the American Arbitration Association under its Rules for Commercial Arbitration, Arbitration proceedings shall be held in Fairhaven, Massachusetts, unless otherwise agreed by the parties.

12. Good Faith. The Parties shall act in good faith to carry out and implement this Agreement.

13. Force Majeure. The Parties recognize that there is the possibility during the term of this Agreement that all or a portion of the Property or Project may be damaged or destroyed or otherwise rendered unusable due to events beyond the control of either Party. These events are referred to as "Force Majeure". As used herein, Force Majeure includes, without limitation, the following events

- a. Acts of god including floods, winds, storms, earthquake, fire or other natural calamity;
- b. Acts of War or other civil insurrection or terrorism; or

c. Taking by eminent domain by any governmental entity of all or a portion of the Property or the Project.

In the event an event of Force Majeure occurs during the term of this Agreement with respect to any portion of the Property or Project that renders the Property or Project unusable for the customary purpose of the production of electricity for a period of more than sixty(60) days, then Developer may, at its election, notify the Town of the existence of this condition as well as of its decision whether or not to rebuild that portion of the Property or Project so damaged or destroyed or taken.

The Developer may elect not to rebuild that portion of the Project that has been damaged or taken, but to continue with the Agreement as to the remaining portion of the Project and the Developer may notify the Town of its termination of all provisions of this Agreement as it relates to the damaged or taken portion of the Project, in which case the Accrued Tax Burden, pro-rated for the damaged or taken portion of the Project, shall be immediately due and payable, and the damaged or taken portion of the Property and Project will thereafter be assessed and taxed as though this Agreement does not exist, to the extent further taxation of the damaged or taken portion of the Project is applicable.

In the alternative, Developer may elect not to rebuild that portion of the Project that has been damaged or taken, and to terminate the Agreement as to the whole Project, in which case the Accrued Tax Burden, or as applicable, a pro-rated portion thereof, shall be immediately due and payable in full, and the Developer shall notify the Town of its termination of all provisions of this Agreement and the whole Property and Project will thereafter be assessed and taxed as though this Agreement does not exist, to the extent further taxation of the Project is applicable.

14. Covenants of Developer. During the term of the Agreement, Developer will not voluntarily do any of the following:

a. seek to invalidate this Agreement, or otherwise take a position adverse to the purpose or validity of this Agreement, except as expressly provided herein;

b. convey by sale, lease, assignment or otherwise any interest in the Project to any entity or organization that qualifies as a charitable organization pursuant to M.G.L. c.59 Section 5 (Third); or

c. fail to pay the Town all amounts due hereunder when due in accordance with the terms of this Agreement which failure becomes a Default.

15. Representation and Warranty of Developer. Developer represents and warrants:

a. It is a corporation or other business entity duly organized, validly existing and in good standing under the laws of the state in which it was formed, and if a foreign corporation or entity, is, to the full extent required by law or regulation, registered with the Massachusetts Secretary of the Commonwealth, and has full power and authority to carry on its business as it is now being conducted.

b. This Agreement constitutes the legal, valid and binding obligation of Developer enforceable in accordance with its terms, except to the extent that the enforceability may be limited by applicable bankruptcy, insolvency or other laws affecting enforcement of creditors' rights generally or by general equitable principles.

c. It has taken all necessary action to authorize and approve the execution and delivery of this Agreement.

d. To Developer's knowledge, none of the documents or information furnished by or on behalf of Developer to the Town in connection with the negotiation and execution of this Agreement contains any untrue, false or inaccurate statement of a material fact or omits to state any material fact required to be stated therein, or necessary to ensure that the statements contained herein or therein, in the light of the circumstances in which they were made, are not misleading.

e. The person executing this Agreement on behalf of Developer has the full power and authority to bind it to each and every provision of this Agreement.

f. Developer is a "generation company" as such term is used and defined in M.G.L. c. 59, § 38H(b) and M.G.L. c. 164, § 1 (or their successor provisions).

16. Covenants of the Town. So long as Developer is not in Default (defined below) under this Agreement, the Town will not do any of the following:

a. seek to invalidate this Agreement or otherwise take a position adverse to the purpose or validity of this Agreement;

b. seek to collect from Developer any property tax upon the Project or any other improvement thereon in addition to the amounts herein;

c. impose any lien or other encumbrance upon the Property or the improvements thereon (including the Project) except as is expressly provided herein.

17. Certification of Tax Compliance. Pursuant to M.G.L. c. 62C, § 49A the undersigned Developer by its duly authorized representative certifies that it is in tax compliance with the tax

laws of the Commonwealth of Massachusetts.

18. Enforceability. Developer and the Town understand and agree that this Agreement shall be null and void and that no portion of this Agreement shall be enforceable, if: (a) this Agreement, or any material portion of this Agreement, is determined or declared to be illegal, void, or unenforceable; or (b) Developer or any successor or assignee of Developer, if any, is not a "generation company" as such term is used or defined in M.G.L. c. 59, § 38H(b), and M.G.L. c. 164, § 1 (or their successor provisions), and the Developer shall be liable under all applicable laws for the payment of taxes owed to the Town, with credit for those payments made by the Developer to the Town in reliance on this Agreement.

19. Default.

a. It shall be a default under this Agreement (a "Default") if either Party or its successor or assignee (the "Defaulting Party") fails to perform any of the material terms and conditions of this Agreement and such failure is not cured within thirty (30) calendar days (the "Notice Period") of the Defaulting Party's receipt of written notice of such failure from the other Party (the "Notice of Default"), provided that if such cure cannot reasonably be made within the Notice Period, such failure shall not be a Default hereunder provided that the Defaulting Party commences the cure within the Notice Period and works towards the cure with reasonable diligence unless despite such efforts the failure has not been cured within one year of its receipt of the Notice of Default. Upon the occurrence of a Default, the non-defaulting Party may terminate this Agreement by notice to the Defaulting Party.

b. Notwithstanding any other provisions in this Agreement for payment in lieu of taxes, in the event that the Developer or its successor or assign fails for any reason to make any payment due under the terms of this Agreement when such payment is due, and fails to cure that default within thirty (30) days of receipt of written notice of such violation, then the Town may terminate this Agreement and in the event of such termination the full amount of the Accrued Tax Burden as of the date of termination shall be immediately due and payable, and, to the extent allowed by law, collectible under all laws applicable to the collection of taxes, and the Property and Project will thereafter be assessed and taxed as though this Agreement does not exist, to the extent further taxation of the Project is applicable.

20. Term. This term of this Agreement (the "Term") shall commence on the Effective Date and notwithstanding any provision contained herein to the contrary shall terminate on the earlier of (i) the last day of the twentieth (20th) consecutive fiscal tax year following the Commercial Operations Date, (ii) the date on which the non-defaulting Party terminates this Agreement following a Default by the Defaulting Party in accordance with the provisions of Paragraph 18 above, or (iii) the date on which Developer terminates this Agreement in accordance with Paragraph 13 or by written notice to the Town following a termination of the Lease in accordance with the terms of the Lease. In the event of Developer's termination of this Agreement following such termination of the Lease, the full amount of the Accrued Tax Burden as of the date of termination shall be immediately due and payable, and, to the extent allowed by law, collectible under all laws applicable to the collection of taxes, and the Property and Project will thereafter be assessed and taxed as though this Agreement does not exist, to the extent further taxation of the Project is applicable.

21. Successor Agreement; Counterparts. Unless otherwise undertaken beforehand, not less than six (6) months prior to the last payment called for in Paragraph 1 above, the Parties may meet and negotiate a successor agreement to the within Agreement governing the tax treatment of the Project and/or the continuation of payments to the Town of Fairhaven as the host community for the Project. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which, together, shall constitute one and the same instrument.

Executed under seal by the undersigned as of the Effective Date set forth above, each of whom represents that it is fully and duly authorized to act on behalf of and bind its principals.

TOWN OF FAIRHAVEN
By its Board of Selectmen

Fairhaven MA 4, LLC

By: _____
Mark Noyes, President and Chief
Executive Officer

EXHIBIT A

The land in Fairhaven, Massachusetts, bounded and described as follows:

Beginning at the southeast corner of the land herein described at a point being the northeast corner of land now or formerly of Joseph & Helen Rezendes as shown on plan of land hereinafter mentioned; thence

NORTH 74° 26' 04" WEST in line of last-named land and by the end of Charity Stevens Lane as shown on said plan, Eight Hundred Fifty and 651/100 (850.65) feet to a point; thence

NORTH 72° 57' 12" WEST by said end of Charity Stevens Lane and land now or formerly of Anne M. Pacheco as shown on said plan, Seven Hundred Fourteen and 55/100 (714.55) feet to land of parties unknown; thence

NORTH 02° 56' 18" EAST in line of last-named land, Nine Hundred Ninety-six and 28/100 (996.28) feet to a point; thence

NORTH 01° 43' 31" EAST still in line of last-named land, Three Hundred Fifty-seven and 07/100 (357.07) feet to land now or formerly of Eva Morris as shown on said plan; thence

SOUTH 74° 16' 39" EAST in line of last-named land, One Thousand Four Hundred Thirty-three and 47/100 (1,433.47) feet to land of parties unknown; thence

SOUTH 02° 29' 30", more or less, EAST in line of last-named land, One Thousand Four Hundred Two and 50/100 (1,402.50) feet to land now or formerly of Joseph & Helen Rezendes and the point of beginning.

Containing 1,998,564 square feet, more or less.

Said parcel is shown on a plan of land in Fairhaven, MA. Surveyed for Allen C. & Elena L. Haskell dated June 29, 1993 and recorded with Bristol County (Southern District) Registry of Deeds in Plan Book 130, Page 71.

EXHIBIT B

Annual Payments (PILOT); Accrued Tax Burden

Fairhaven MA 4, LLC (Fairhaven F) - 46 Charity Stevens Lane

\$16,586 per MW (AC) per year. Assuming Project size of 2.000 MW (AC), the payments would be per the following schedule. Project size is subject to adjustment per the terms of the Agreement.

Year	Tax Burden	Tax Burden Per MW	Tax Payment Per MW	Proposed PILOT	Accrued Tax Burden
1	59,949	29,974	16,586	33,173	26,776
2	55,842	27,921	16,586	33,173	49,446
3	52,017	26,009	16,586	33,173	68,290
4	48,454	24,227	16,586	33,173	83,572
5	45,135	22,567	16,586	33,173	95,534
6	42,043	21,022	16,586	33,173	104,404
7	39,163	19,582	16,586	33,173	110,395
8	36,480	18,240	16,586	33,173	113,703
9	33,982	16,991	16,586	33,173	114,512
10	31,654	15,827	16,586	33,173	112,993
11	29,486	14,743	16,586	33,173	109,306
12	27,466	13,733	16,586	33,173	103,599
13	25,584	12,792	16,586	33,173	96,011
14	23,832	11,916	16,586	33,173	86,670
15	22,199	11,100	16,586	33,173	75,697
16	20,679	10,339	16,586	33,173	63,203
17	19,262	9,631	16,586	33,173	49,293
18	17,943	8,971	16,586	33,173	34,063
19	16,714	8,357	16,586	33,173	17,604
20	15,569	7,784	16,586	33,173	0
TOTAL	613,227	306,613	281,967	563,934	1,497,467

Boards and Committees Handbook
Town of Fairhaven, MA



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The Board of Selectmen is the appointing authority for advisory committees. The Board of Selectmen prepares the charge, sets the number of members and their terms, approves the membership and receives the reports and recommendations of the advisory committee. Advisory committees may be temporary for short term assignments or may have ongoing responsibilities. When a committee is appointed on a temporary basis for the purpose of a specific goal (i.e. "ad hoc"), the members will serve until the Board of Selectmen determines the committee assignment has been completed.

Residency: All advisory committees serve at the discretion of the Board of Selectmen. The Board of Selectmen will typically show appointing preference to full-time Town residents. However, the Board maintains the right to appoint non-residents to ad hoc or advisory committees as appropriate to the mission of the committee.

Important Reading

All board and committee members, associate members and alternate members should read the most recent Annual Town Report and Town by-laws. Both are contained within the Town's website, <https://www.fairhaven-ma.gov/where> (Find it Fast). The Town website is also a valuable source of information to the boards and committees, especially when all boards and committees submit their activities to the **Web Administrator** for inclusion on the site. If you wish to submit information on your board or committee for the Town website, please submit it to the **Web Administrator** at selectmen@Fairhaven-MA.gov.

*Waiting for
Erin -
emailed
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times
no answer*

All boards and committees members should review State laws pertaining to their board, commission or committee. For assistance in obtaining those State laws, please refer to the committee Chairman/Selectmen/Town Administrator's office.

Summaries of the Open Meeting Law and the Conflict of Interest and Ethics laws are included in this document. For more information on the Open Meeting Law, Conflict of Interest and Ethics laws, please contact the Town Clerk's office.

Members, Associate Members, and Alternate Members

The charge for most boards and committees specifies the number of full members and the number of alternate and/or associate members. Serving as an alternate or associate member is an excellent way to become familiar with the work of a particular board or committee before taking on the responsibility of a full member.

The exact role of alternate and associate members varies by board and committee and committee members should familiarize themselves with those roles by looking at the statutory regulations on Board of Selectmen charges for the individual committee.

for an orientation to the board or committee's role, responsibilities, and recent issues. Whenever possible, all issues related to the board or committee should be resolved with the chairperson of the committee, or other committee members.

Meeting Definition

Meetings of Town boards and committees are subject to Massachusetts Open Meeting Law. This law is based on the premise that the public is entitled to see the process of government and not simply its end result.

The Open Meeting Law was adopted by Section 18 of Chapter 28 of the Act of 2009. Follow this link for the full Open Meeting Law: <http://www.mass.gov/ago/government-resources/open-meeting-law/open-meeting-law-mgl-c-30a-18-25.html>

The Massachusetts Attorney General has the authority to interpret and enforce the Open Meeting Law and is expected to issue guidance documents and conduct training. All Town board and committee members should familiarize themselves with the Open Meeting Law. Please do not ever hesitate to call the Division of Open Government with your questions:

Massachusetts Division of Open Government

Web address: <http://www.mass.gov/ago/bureaus/government/the-division-of-open-government/>

Email: openmeeting@state.ma.us

Phone: (617) 963-2540

A board or committee meeting must be posted at least 48 hours in advance, and held in public even if there will be no vote or decision reached. Polling of board members for a decision prior to an open meeting of the board or committee is illegal and in violation of the Open Meeting Law. Except in very specific cases spelled out in the law, the public and the press have the right to attend all open meetings of government bodies.

All boards and committees must follow Open Meeting Law. A meeting occurs any time a quorum (usually a simple majority) of the members convenes and discusses or considers any public business or policy over which the board or committee has some jurisdiction or advisory power. A quorum shall not meet in private for purposes of deciding or deliberating toward a decision on public business unless it does so in a valid Executive Session. (See the Open Meeting Law section about Executive Session). Substantive discussions or deliberations on public business involving a quorum of members that occur via email, by telephone, or by sequential communications violate the Open Meeting Law. A board or committee may only conduct administrative business, such as scheduling meetings and setting agendas, by phone and email.

Conducting a Meeting

A board or committee is encouraged to follow Robert's Rules of Order. Although many small committee discussions may seem too casual to be called debate, it is advisable for the committee to observe a minimum of generally accepted parliamentary procedures. Guidance by the chairperson and adherence to customary parliamentary procedures or adopted rules of order can increase efficiency as well as maintain objectivity. Briefly, these procedures include:

- Decisions of the board or committee should be recorded by a member making a "motion" which clearly states what action the Board will be voting on. In order for a "motion" to be acted upon, it must be "seconded" by another member. Reference: **Appendix C: Intro to Robert's Rules.**
- In most instances, a decision is made by a simple majority vote of those board or committee members present and voting at the meeting.
- No votes taken in open session by a governmental body may be made by secret ballot.

Members of the public should be allowed to speak at a board or committee meeting only with permission of the chairperson. Any person may record a meeting with a tape recorder or any other means of audio reproduction and/or videotape equipment provided he or she announces his intention to do so and there is no active interference with the conduct of the meeting.

On May 4, 2019 the town meeting members voted to adopt a by-law that states "All meetings of Town boards, commissions and committees shall be broadcast live and/or recorded for future broadcast over the local cable television network and online viewing unless emergency, operational or technical conditions suspend the requirements hereof, as determined by Town Administrator, for broadcasts over the public access and government channels or the School Superintendent for broadcasts over the education channel."

Quorum

Except as otherwise specified by law, a majority of the regular members of the board or committee constitutes a quorum. A quorum must be present to call a meeting to order and a decision ordinarily requires the supporting vote of a majority of the members present and voting.

In the absence of a quorum, the chairperson may designate an alternate or associate member to sit for the duration of the meeting. If a quorum cannot be achieved, even with an associate(s), the meeting must disband and no deliberation or votes can be taken.

Public Hearing Process

Many boards and committees (such as the Board of Selectmen, the Planning Board and the Zoning Board of Appeals) are required by Massachusetts General Laws to conduct formal public hearings on some issues that come before them. Others may choose to conduct a public hearing on a matter before them in order to receive input from the community.

All formal public hearings must be conducted in accordance with Massachusetts General Laws and Town by-laws. Written hearing notices, the initiation of the hearing and the conclusions of

- Town Hall, Selectmen/Town Administrator's Office – 508-979-4023 ext. 2
- Board of Public Works – 508-979-4030
- Millicent Library – 508-992-5342
- Fire Department – 508-994-1428

Record Keeping

As a governmental body, each board and committee shall maintain accurate minutes of its meetings, setting forth at a minimum, the date, time, place, committee members present or absent, the meeting agenda and all votes or actions taken at each meeting, including executive session, provided that the records of any executive session may remain secret as long as publication may defeat the lawful purposes of the executive session, but no longer. The minutes of each meeting shall become a public record and be available to the public once accepted by the committee. Draft, unapproved minutes of the committee, are also considered public records and must be released if requested prior to the Committee accepting them. All votes taken in executive sessions shall be recorded roll call votes and shall become a part of the record of said executive sessions. No votes taken in open session shall be by secret ballot. Each board and committee shall vote to approve the minutes of their previous meeting at their next scheduled meeting and issue the approved minutes to the Town Clerk within 10 working days of the approval vote.

Public Records Law

Massachusetts General Laws, Chapter 66, Section 10 the Public Records Law, gives a right of public access to "public records", which are defined by Chapter 4, Section 7, Clause 26 to include any document, regardless of physical form or characteristics, made or received by a public official or employee to serve a public purpose, unless subject to a statutory exemption. Government records generated, received or maintained electronically, including electronic mail, constitute "public records" under this standard. Retention and destruction of these records should follow the schedule specified by Massachusetts General Laws, Chapter 66, Section 8. No public records should be deleted or destroyed without first consulting the Town Clerk. The Massachusetts Secretary of State's Public Records Division also provides guidance on public records matters at www.sec.state.ma.us/pre/preidx.htm. Printed records should be filed with related files of the board or committee. There is limited space available at Town Hall for files storage.

Use of Town Equipment and Facilities

Each board or committee is responsible for its own clerical work. However, with advance notice, the Selectmen/Town Administrator's office may provide some assistance in coordinating photocopying, mailings, and other services. Depending on services provided, and depending on whether or not a committee has a budget or a gift account, the Board of Selectmen/Town Administrator's office may charge expenses to that board/committee for such services as photocopies, use of supplies, mailings, etc.

A hard copy can be provided to you by the Town Clerk or Selectmen/Town Administrator's office if you do not have access to a computer.

The Open Meeting Law applies to every meeting of a quorum of a governmental body if any public business over which the governmental body has jurisdiction is discussed or considered. The Open Meeting Law does not apply to chance meetings or social meetings; however, no chance or social meeting can be held to circumvent the open meeting requirements.

The following is a summary of the lawful manner in which meetings of boards, committees and sub-committees are to be conducted:

1. The Open Meeting Law gives the public and the press the right to attend (although not necessarily to participate in) all committee meetings except those portions held in Executive Session.
2. The law requires that notice of meetings be publicly posted at least 48 hours in advance (except in a case of emergency) and that minutes be taken.
3. All meetings must have a quorum of members and be open to the public.
4. No private meetings are permitted where a quorum of members discusses or deliberates about any matter over which the board or committee has jurisdiction.
5. An on-site inspection of a project or program is not considered to be a "meeting" so long as the members do not deliberate during the inspection. A board or committee should not, during such an inspection, make any decisions or take any votes about matters within its jurisdiction. If a committee or board intends to make a decision or take a vote while on such a visit, then the visit would be considered a board or committee meeting and all Open Meeting Law requirements must be observed, such as proper meeting posting and taking of minutes.
6. Under the Open Meeting Law, an executive session may only be called for very specific purposes. **See Appendix D** for permissible reasons to enter Executive Session.
7. Executive Session procedure – the following steps must be taken *prior to* entering Executive Session:
 - a. Open Session must be convened first;
 - b. The presiding officer (ordinarily the chairperson) must give the purpose of an Executive Session. The purpose of the Executive Session must be one of the permitted purposes summarized above;
 - c. The presiding officer must indicate whether the board or committee will reconvene after Executive Session;
 - d. A majority roll call vote is needed to go into Executive Session;
 - e. The vote of each member must be recorded on a roll call vote and recorded in the minutes.

E-mail Usage

It is important for all board and committees members to know that there is no distinction in the law between written and electronic records. As a result, it is likely that email message written

Conflict of Interest Law for Public Officials and Employees

The Board of Selectmen seeks to ensure that compliance with the conflict of interest law is achieved by all and strongly urges all Town officials, including volunteer board and committee members, to familiarize themselves with the Conflict of Interest Law and to direct any questions they may have to the Selectmen/Town Administrator's office or the State ethics commission by calling "their attorney of the day" at (617) 371-9500.

To assist with compliance, the State Ethics Commission has posted an online training program on their website. This training must be completed upon appointment to a committee and the board/committee member must present the Town Clerk with a certificate of completion within **one month** of being appointed. The following overview of the Conflict of Interest Law is excerpted from the Ethics Commission's website <http://www.mass.gov/ethics> and may be based on the recent passage of the amendments to the State Ethics Act. Contact the Town Clerk for instructions on staying current with your Conflict of Interest certification throughout your term.

Chapter 268A of the Massachusetts General Laws governs your conduct as a public official. Below are some of the general rules that you must follow. You could face civil and criminal penalties if you take any prohibited action. There are some exemptions to these rules, so you may wish to seek legal advice from the State Ethics Commission – (617) 371-9500; or Town Counsel regarding how the law would apply in a particular situation. The term "public employee" includes both elected and appointed municipal employees, whether paid or unpaid, full-time or part-time. An unpaid volunteer board member is considered a public employee for purposes for the conflict of interest law.

In general:

- a. You may not ask for, or accept anything (regardless of its value), if it is offered in exchange for you agreeing to perform or not perform an official act.
- b. You may not ask for, or accept anything worth \$50 or more from anyone with whom you have official dealings. If a prohibited gift is offered, you may refuse it or return it; you may donate it to a non-profit organization, provided you do not take the tax write-off; you may pay the giver the full value of the gift; or, in the case of certain types of gifts, it may be considered "a gift to your public employer", provided it remains in the office and does not ever go home with you. You may not accept honoraria for a speech that is in any way related to your official duties.
- c. You may not hire, promote, supervise or otherwise participate in the employment of your immediate family or your spouse's immediate family.
- d. You may not take any type of official action which will affect the financial interests of your immediate family or your spouse's immediate family. For instance, you may not participate in licensing or inspection processes involving a family member's business.
- e. You may not take any official action affecting your own financial interest, or the financial interest of a business partner, private employer, or any organization for which you serve as an officer, director, or trustee. For instance: you may not participate in licensing,

Administrator's office – (508) 979-4023 ext. 2. Some potential conflicts are cured by a simple disclosure form filed in advance; others cannot be waived and require recusal. It is important for the member to understand and follow the proper course of action before proceeding.

The various disclosure forms can be found on the State Ethics Commission's website:

<http://www.mass.gov/ethics/disclosure-forms/municipal-employee-disclosure-forms/>

If you do not have access to a computer, the necessary forms will be printed for you by the Selectmen/Town Administrator's office. All completed forms must be completed in triplicate and filed with the Town Clerk, the Selectmen/Town Administrator's office, and one copy should be kept for the board or committee's personal files. If the board or committee member is recused, he must leave the room while the matter causing the conflict is being discussed to avoid any appearance of exerting undue influence.

The Conflict of Interest Law (Chapter 28 of the Acts of 2009) does the following:

- It strictly prohibits public officials from accepting gifts of "substantial value" for or because of their position.
- It increases the maximum punishment for bribery to \$100,000 and 10 years imprisonment.
- It increases the maximum penalties for conflict of interest law violations involving gifts and gratuities, revolving door violations and other abuses to \$10,000 and 5 years imprisonment.
- It increases penalties for civil violations of the conflict of interest laws up to \$10,000 per violation (up to \$25,000 for bribery).
- It makes compliance with the Ethics Commission's summons mandatory
- It increases the amount of time the Ethics Commission can proceed on an ethics violation from three (3) years to five (5) years.
- It gives the Attorney General concurrent jurisdiction with the Ethics Commission to enforce civil violations of the conflict of interest law.

Campaign Finance Law

Massachusetts General Laws Chapter 55, the Campaign Finance Law, regulates political activity by public employees and the use of public buildings and resources in campaigns and ballot issues. If a board or committee member receives a stipend of any amount, he or she is considered a public employee for the purpose of the Campaign Finance Law. This does not apply to elected officials. Public employees who take part in the political campaigns and the candidates and committees they support should be aware of this law. Public resources (government vehicles, office equipment and supplies and the paid time of public employees) may not be used for political campaign purposes, such as the election of a candidate or the passage or defeat of a ballot question. Soliciting or receiving campaign contributions in a government building is prohibited.

Appendix A: List of Boards and Committees*

Board or Committee	Type	Appointing Authority	Members	Associates or Alternates
Agricultural Commission	Advisory	Selectmen	5	1
Art Curator		Selectmen	1	1
Beautification Committee	Advisory	Selectmen	Not set	No
Bikeway Committee	Advisory	Selectmen	Not set	No
Board of Appeals	Statutory	Selectmen	5	Yes - 4
Board of Assessors	Statutory	Selectmen	3	No
Board of Health	Statutory	Elected	3	No
Board of Public Works	Statutory	Elected	5	No
Board of Selectmen	Statutory	Elected	3	No
Cable Advisory Committee	Advisory	Selectmen	Not set	No
Capital Planning Committee	Statutory	Selectmen	7	Yes
Commission on Disability	Statutory	Selectmen	9	Not less than 5
Commissioners of Trust Funds	Statutory	Elected	3	No
Community Preservation Committee	Statutory	Selectmen and other committees	9	No
Conservation Commission	Statutory	Selectmen	7	No
Council on Aging	Statutory	Selectmen	7	Yes
Cultural Council	Statutory	Selectmen	5-22	No
Economic Development Committee	Advisory	Selectmen	7	Yes
Finance Committee	Statutory	Elected by precincts	13	No
Fire Apparatus Study Committee	Advisory	Selectmen	Not set	No
Historical Commission	Statutory	Selectmen	7	Not more than regular members
Housing Authority	Statutory	Elected/Appointed	5	
Local Emergency Planning Committee	Advisory	Selectmen	Local Officials, 3 at-large	No
Marine Resources Committee	Advisory	Selectmen	5	No
Lagoa Friendship Pact Committee	Advisory	Selectmen	8	No
Millicent Library Trustees	Statutory	Selectmen & others	20	
Planning Board	Statutory	Elected	8	No
Registrar of Voters	Statutory	Selectmen	4	No
Retirement Board	Statutory	Elected/Appointed	5	No
School Committee	Statutory	Elected	6	No
Sustainability Committee	Advisory	Selectmen	7	5
Town Meeting Member	Statutory	Elected by precincts	Based on population	No
Wellness Committee	Advisory	Selectmen	9	Yes

- For a complete up to date list of Boards and Committees, contact the Town Clerk's Office

Appendix B1: Sample Agenda

FAIRHAVEN BOARD OF SELECTMEN

Meeting Agenda

Wednesday February 19, 2020

6:30 p.m.

Town Hall – 40 Center Street – Fairhaven

A. MINUTES

1. Approve the minutes of January 29, 2020 – Open Session
2. Approve the minutes of January 29, 2020 – Executive Session
3. Approve the minutes of February 10, 2020 – Open Session

B. TOWN ADMINISTRATOR'S REPORT

C. COMMITTEE LIAISON REPORTS

D. ACTION

1. Request to use Town Hall Auditorium for a Senior Talent Show: Sunday, May 3, 2020
2. Event Permit: Nemasket Group, Annual 5K walk/run, Saturday, May 2, 2020
3. Event Permit: South Shore Race Management: Race for A Reason 5K, Sept. 19, 2020
4. One Day Beer and Wine License Request: Buzzards Bay Coalition, June 27, 2020
5. Request to Fund "Paver" for Vietnam Veteran's Memorial Wall Committee-Fall River
6. Board of Selectmen Summer meeting schedule

E. DISCUSSION/POSSIBLE ACTION

1. Rogers School Developer's Financial Commitment Letter
2. Recreational Marijuana Host Community Agreement: Metro Harvest, Inc.
3. PILOT Agreement, Fairhaven MA 1, LLC, 279 Mill Road
4. PILOT Agreement, Fairhaven, MA 2, LLC 20 Yankee Lane
5. Personnel Policies and Procedures

F. CORRESPONDENCE

1. Notice of Public Hearing from Fairhaven Contributory Retirement System: Cost of Living Adjustment, March 24, 2020, 9:00 a.m.

G. NOTES AND ANNOUNCEMENTS

1. The next regularly scheduled meeting of the Board of Selectmen is **Monday, March 9, 2020** 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.

c. Once your motion is presented to the membership by the Chair it becomes "assembly property", and cannot be changed by you without the consent of the members.

5. Expanding on Your Motion

- a. The time for you to speak in favor of your motion is at this point in time, rather than at the time you present it.
- b. The mover is always allowed to speak first.
- c. All comments and debate must be directed to the Chair.
- d. Keep to the time limit for speaking that has been established.
- e. The mover may speak again only after other speakers are finished, unless called upon by the Chair.

6. Putting the Question to the Membership

1. The Chair asks, "Are you ready to vote on the question?"
2. If there is no more discussion, a vote is taken.
3. Alternatively, a motion to "move the previous question", if adopted, brings the question to a vote.

Voting on a Motion

The method of vote on a motion depends on the circumstances and the by-laws of your organization. There are five methods used to vote by most organizations:

- **Voice.** The Chair asks those in favor to say, "aye", those opposed to say "no". Any member may move for a exact count.
- **Roll Call.** Each member answers "yes" or "no" as his name is called. This method is used when a record of each person's vote is required.
- **General Consent.** When a motion is not likely to be opposed, the Chair says, "if there is no objection ..." The membership shows agreement by their silence, however if one member says, "I object," the item must be put to a vote.
- **Division.** Members raise their hands or stand with the ayes or the noes. A count is not necessarily required.
- **Ballot.** Members write their vote on a slip of paper. This method is used to maintain secrecy in votes.

Use It Properly

- Allow motions that are in order.
- Have members obtain the floor properly.
- Speak clearly and concisely.
- Obey the rules of debate.
- Most importantly, *BE COURTEOUS*.

Appendix E: Purposes for Convening into Executive Session

1. To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties. A public body shall hold an open session if the individual involved requests that the session be open. If an executive session is held, such individual shall have the following rights:
 - i. to be present at such executive session during deliberations which involve that individual;
 - ii. to have counsel or a representative of his own choosing present and attending for the purpose of advising the individual and not for the purpose of active participation in the executive session;
 - iii. to speak on his own behalf; and
 - iv. to cause an independent record to be created of said executive session by audio-recording or transcription, at the individual's expense.

The rights of an individual set forth in this paragraph are in addition to the rights that he may have from any other source, including, but not limited to, rights under any laws or collective bargaining agreements and the exercise or non-exercise of the individual rights under this section shall not be construed as a waiver of any rights of the individual.

2. To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel;
3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;
4. To discuss the deployment of security personnel or devices, or strategies with respect thereto;
5. To investigate charges of criminal misconduct or to consider the filing of criminal complaints;

Appendix F: Social Media Policy

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;

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.

Adopted by vote of the Board of Selectmen on September 10, 2018

ACKNOWLEDGEMENT OF RECEIPT OF BOARD AND COMMITTEE HANDBOOK

Please sign and return this page to the Town Clerk's Office.

I, _____, hereby acknowledge that I have
(Print Name)

received a copy of the "Town of Fairhaven's Board and Committees Handbook" and agree to familiarize myself with the contents thereof.

(Signature)

(Email address)

(Name of Board /Committee/Commission)

(Date)

D-4



Mark Rees <mrees@fairhaven-ma.gov>

FY21Classification and Compensation scale and wages rev dec 2020.pdf

3 messages

Anne O'Brien <aobrien@fairhaven-ma.gov>
To: Mark Rees <mrees@fairhaven-ma.gov>

Fri, Nov 20, 2020 at 10:51 AM

Hi Mark,

The minimum wage is going up to \$13.50 on January 1. Attached is a scale that I recommend the BOS accept before then, and distribute accordingly.

Anne

**FY21Classification and Compensation scale and wages rev dec 2020.pdf**
181K

Mark Rees <mrees@fairhaven-ma.gov>

Tue, Nov 24, 2020 at 11:32 AM

To: Anne O'Brien <aobrien@fairhaven-ma.gov>, Vicki Oliveira <vloliveira@fairhaven-ma.gov>

Thanks Anne, we will put on the Selectmen's agenda for their 12/7 meeting.

Mark

[Quoted text hidden]

--

Mark H. Rees
Town Administrator
Town of Fairhaven
Fairhaven Town Hall
40 Center Street, Fairhaven, MA 02719
(508) 979-4023
mrees@fairhaven-ma.gov

Vicki Oliveira <vloliveira@fairhaven-ma.gov>
To: Mark Rees <mrees@fairhaven-ma.gov>

Fri, Dec 4, 2020 at 11:27 AM

This is what Anne sent

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

From: **Anne O'Brien** <aobrien@fairhaven-ma.gov>
Date: Tue, Nov 24, 2020 at 12:07 PM
Subject: Fwd: FY21Classification and Compensation scale and wages rev dec 2020.pdf
To: Vicki Paquette <vloliveira@fairhaven-ma.gov>

Anne

Begin forwarded message:

From: Anne O'Brien <aobrien@fairhaven-ma.gov>
Date: November 20, 2020 at 10:51:01 AM EST

Effective January 1, 2021

Minimum wage: \$13.50/hr

NEW GRADE	Amount	1	2	3	4	5	6	7	8	9
1	Hourly	13.01	13.01	13.01	13.01	13.12	13.45	13.79	14.13	14.48
	Weekly	520.40	520.40	520.40	520.40	524.80	538.00	551.60	565.20	579.20
	Annual	27,060.80	27,060.80	27,060.80	27,060.80	27,289.60	27,976.00	28,683.20	29,390.40	30,118.40
2	Hourly	13.01	13.01	13.13	13.46	13.80	14.14	14.49	14.86	15.23
	Weekly	520.40	520.40	525.20	538.40	552.00	565.60	579.60	594.40	609.20
	Annual	27,060.80	27,060.80	27,310.40	27,996.80	28,704.00	29,411.20	30,139.20	30,908.80	31,678.40
3	Hourly	13.37	13.70	14.05	14.40	14.76	15.13	15.50	15.89	16.28
	Weekly	534.80	548.00	562.00	576.00	590.40	605.20	620.00	635.60	651.20
	Annual	27,809.60	28,496.00	29,224.00	29,952.00	30,700.80	31,470.40	32,240.00	33,051.20	33,862.40
4	Hourly	14.31	14.66	15.02	15.40	15.78	16.18	16.59	17.00	17.43
	Weekly	572.40	586.40	600.80	616.00	631.20	647.20	663.60	680.00	697.20
	Annual	29,764.80	30,492.80	31,241.60	32,032.00	32,822.40	33,654.40	34,507.20	35,360.00	36,254.40
5	Hourly	15.30	15.69	16.09	16.49	16.91	17.33	17.77	18.22	18.68
	Weekly	612.00	627.60	643.60	659.60	676.40	693.20	710.80	728.80	747.20
	Annual	31,824.00	32,635.20	33,467.20	34,299.20	35,172.80	36,046.40	36,961.60	37,897.60	38,854.40
6	Hourly	16.37	16.78	17.20	17.63	18.06	18.51	18.96	19.44	19.93
	Weekly	654.80	671.20	688.00	705.20	722.40	740.40	758.40	777.60	797.20
	Annual	34,049.60	34,902.40	35,776.00	36,670.40	37,564.80	38,500.80	39,436.80	40,435.20	41,454.40
7	Hourly	17.52	17.96	18.40	18.86	19.33	19.81	20.31	20.82	21.34
	Weekly	700.80	718.40	736.00	754.40	773.20	792.40	812.40	832.80	853.60
	Annual	36,441.60	37,356.80	38,272.00	39,228.80	40,206.40	41,204.80	42,244.80	43,305.60	44,387.20
8	Hourly	18.75	19.22	19.70	20.19	20.70	21.22	21.75	22.29	22.85
	Weekly	750.00	768.80	788.00	807.60	828.00	848.80	870.00	891.60	914.00
	Annual	39,000.00	39,977.60	40,976.00	41,995.20	43,056.00	44,137.60	45,240.00	46,363.20	47,528.00

Effective January 1, 2021

Minimum wage: \$13.750/hr

9	Hourly	20.06	20.56	21.07	21.60	22.14	22.70	23.27	23.85	24.44
	Weekly	802.40	822.40	842.80	864.00	885.60	908.00	930.80	954.00	977.60
	Annual	41,724.80	42,764.80	43,825.60	44,928.00	46,051.20	47,216.00	48,401.60	49,608.00	50,835.20

10	Hourly	21.46	22.00	22.55	23.11	23.70	24.30	24.90	25.52	26.15
	Weekly	858.40	880.00	902.00	924.40	948.00	972.00	996.00	1,020.80	1,046.00
	Annual	44,636.80	45,760.00	46,904.00	48,068.80	49,296.00	50,544.00	51,792.00	53,081.60	54,392.00

11	Hourly	22.96	23.53	24.12	24.74	25.35	25.98	26.62	27.29	27.98
	Weekly	918.40	941.20	964.80	989.60	1,014.00	1,039.20	1,064.80	1,091.60	1,119.20
	Annual	47,756.80	48,942.40	50,169.60	51,459.20	52,728.00	54,038.40	55,369.60	56,763.20	58,198.40

12	Hourly	24.56	25.17	25.82	26.46	27.12	27.80	28.50	29.20	29.94
	Weekly	982.40	1,006.80	1,032.80	1,058.40	1,084.80	1,112.00	1,140.00	1,168.00	1,197.60
	Annual	51,084.80	52,353.60	53,705.60	55,036.80	56,409.60	57,824.00	59,280.00	60,736.00	62,275.20

13	Hourly	26.53	27.19	27.88	28.57	29.28	30.02	30.76	31.54	32.32
	Weekly	1,061.20	1,087.60	1,115.20	1,142.80	1,171.20	1,200.80	1,230.40	1,261.60	1,292.80
	Annual	55,182.40	56,555.20	57,990.40	59,425.60	60,902.40	62,441.60	63,980.80	65,603.20	67,225.60

14	Hourly	28.40	29.10	29.82	30.58	31.23	32.12	32.92	33.74	34.58
	Weekly	1,136.00	1,164.00	1,192.80	1,223.20	1,249.20	1,284.80	1,316.80	1,349.60	1,383.20
	Annual	59,072.00	60,528.00	62,025.60	63,606.40	64,958.40	66,809.60	68,473.60	70,179.20	71,926.40

15	Hourly	30.38	31.14	31.92	32.72	33.54	34.38	35.25	36.13	37.04
	Weekly	1,215.20	1,245.60	1,276.80	1,308.80	1,341.60	1,375.20	1,410.00	1,445.20	1,481.60
	Annual	63,190.40	64,771.20	66,393.60	68,057.60	69,763.20	71,510.40	73,320.00	75,150.40	77,043.20

16	Hourly	32.50	33.31	34.15	35.00	35.87	36.77	37.68	38.63	39.60
	Weekly	1,300.00	1,332.40	1,366.00	1,400.00	1,434.80	1,470.80	1,507.20	1,545.20	1,584.00
	Annual	67,600.00	69,284.80	71,032.00	72,800.00	74,609.60	76,481.60	78,374.40	80,350.40	82,368.00

17	Hourly	34.78	35.66	36.55	37.46	38.40	39.36	40.35	41.36	42.38
	Weekly	1,391.20	1,426.40	1,462.00	1,498.40	1,536.00	1,574.40	1,614.00	1,654.40	1,695.20

Effective January 1, 2021
Minimum wage: \$13.50/hr

	Annual	72,342.40	74,172.80	76,024.00	77,916.80	79,872.00	81,868.80	83,928.00	85,028.80	88,150.40
18	Hourly	37.22	38.14	39.10	40.08	41.10	42.11	43.16	44.24	45.34
	Weekly	1,488.80	1,525.60	1,564.00	1,603.20	1,644.00	1,684.40	1,726.40	1,769.60	1,813.60
	Annual	77,417.60	79,331.20	81,328.00	83,366.40	85,488.00	87,588.80	89,772.80	92,019.20	94,307.20
19	Hourly	39.82	40.81	41.83	42.88	43.96	45.06	46.19	47.34	48.52
	Weekly	1,592.80	1,632.40	1,673.20	1,715.20	1,758.40	1,802.40	1,847.60	1,893.60	1,940.80
	Annual	82,825.60	84,884.80	87,006.40	89,190.40	91,436.80	93,724.80	96,075.20	98,467.20	100,921.60
20	Hourly	42.61	43.67	44.76	45.88	47.02	48.21	49.41	50.64	51.92
	Weekly	1,704.40	1,746.80	1,790.40	1,835.20	1,880.80	1,928.40	1,976.40	2,025.60	2,076.80
	Annual	88,628.80	90,833.60	93,100.80	95,430.40	97,801.60	100,276.80	102,772.80	105,331.20	107,993.60
21	Hourly	45.59	46.74	47.90	49.09	50.33	51.58	52.88	54.19	55.55
	Weekly	1,823.60	1,869.60	1,916.00	1,963.60	2,013.20	2,063.20	2,115.20	2,167.60	2,222.00
	Annual	94,827.20	97,219.20	99,632.00	102,107.20	104,686.40	107,286.40	109,990.40	112,715.20	115,544.00
22	Hourly	55.62	57.02	58.44	59.82	61.39	62.93	64.50	66.12	67.77
	Weekly	2,224.80	2,280.80	2,337.60	2,392.80	2,455.60	2,517.20	2,580.00	2,644.80	2,710.80
	Annual	115,689.60	118,601.60	121,555.20	124,425.60	127,691.20	130,894.40	134,160.00	137,529.60	140,961.60

FAIRHAVEN, MASSACHUSETTS
CLASSIFICATION PLAN
GRADE/POSITION

1
Gate Assistant - Seasonal
Receptionist
2
Assistant Animal Control Officer
Volunteer Coordinator - COA
3
Van Driver
4
Lifeguard - Seasonal (BPW)
5
Deputy Harbormaster/Shellfish Deputy Warden
Tree Laborer
6
Recreation Supervisor
Videographer
Assistant Harbormaster/Senior Shellfish Deputy Warden
7
Account Payable Clerk I
Outreach Worker - COA
Recording Secretary
Social Day Assistant Program Coordinator
Veteran's Administrative Assistant
8
Custodian
9
Account Payable Clerk II
On-Call Firefighter - Base (A-F)
10
Programs Coordinator - Recreation
Planning and Economic Development Administrative Assistant
11
Animal Control Officer
Social Day Director - Coordinator
12
Executive Assistant or Administrative Assistant (Fire)
Executive Assistant or Administrative Assistant (Police)
13
Fire Alarm Technician
14
Assistant to the Town Administrator
Gas and Plumbing Inspector

Health Inspector
Sealer of Weights and Measures
Tourism Director
Assistant Building Commissioner
Director of Community Television
Veterans Services Officer
Wiring Inspector
15
BPW Office Manager
Council on Aging Director
Fire Alarm Coordinator
Recreation Director
16
Assistant Sewer Superintendent
17
Conservation/Sustainability Coordinator
Harbormaster/Shellfish Warden
Health Agent
18
Human Resources Director
Principal Assessor
19
Building Commissioner
Planning and Economic Development Director
Town Accountant
20
Sewer Superintendent
Water Superintendent
21
Finance Director
22
<i>No Positions Assigned</i>

Accepted by vote of the Board of Selectmen 11-13-19

11/20/20, 12/3/20

TOWN OF FAIRHAVEN TAX RATE CLASSIFICATION HEARING

In accordance with Chapter 369 of the Acts of 1982, the Board of Selectmen will hold a public hearing on the issue of allocating the local property tax levy among the five major property classes. The hearing will be held in the Banquet Room of the Town Hall, Fairhaven, Massachusetts on December 7, 2020 at 7:00 PM. The hearing is held to give input to the Board of Selectmen who according to this state must determine the local property tax burden to be levied among the five property classes which are: residential, open space, commercial, industrial, and personal property. All interested taxpayers are invited to attend via Zoom and may present oral or written information on their view. The Board of Assessors will be in attendance to provide all information and data relevant to making their determination.

*Board of Selectmen: Robert Espindola,
Daniel Freitas, Keith Silvia
FNN 12/3/20*



Town of Fairhaven
Massachusetts
BOARD OF ASSESSORS
40 Center Street
Fairhaven, MA 02719

Ronnie Manzone, Chair
Pamela K. Davis, MAA, Member
Ellis B. Withington, Member

Delfino R. Garcia, Principal Assessor
Notary Public
Phone: (508) 979 4023
Facsimile: (508) 979-4079
Email: dgarcia@fairhaven-ma.gov

December 7, 2020

TO: Board of Selectmen

FROM: Board of Assessors

Subject: Tax Rate Classification FY21

As required by law, the Board of Selectmen must vote on the minimum residential factor, residential exemption and the small business exemption. We have provided examples of the CIP (Commercial, Industrial, Personal Property) shifts for the residential exemption in the attached spreadsheet. Our recommendations are shown on the accompanying sheet.

Values have increased slightly for Fiscal Year 2021. This will result in a rate increase in both rates as illustrated below:

FY2021 Residential Property \$11.29/1000

FY2020 Residential Property \$11.06/1000

FY2021 CIP Property \$22.53/1000

FY2020 CIP Property \$22.04/1000

The average single family home value for FY2020 was \$ 316,541 @ \$11.06 = \$3,500.94

The average single family home value for FY2021 is \$319,583 @ \$11.29 = \$3,608.09

(What will happen if we went to a single tax rate? If we went to a single tax rate, the rate would be \$12.87/1000 for all property. The average residential value of \$319,583 would have a bill of \$4,113.03 vs. the \$3,608.09.)

Board of Assessors:

Ronnie Manzone, Chair

Pamela Davis, MAA

Ellis Withington



Town of Fairhaven
Massachusetts
BOARD OF ASSESSORS
40 Center Street
Fairhaven, MA 02719

Ronnie Manzone, Chair
Pamela K. Davis, MAA, Member
Ellis B. Withington, Member

Delfino R. Garcia, Principal Assessor
Notary Public
Phone: (508) 979-4023
Facsimile: (508) 979-4079
Email: dgarcia@fairhaven-ma.gov

**Town of Fairhaven
FY 2021 Residential Factor/Tax Classification Hearing
Questions requiring a vote by the selectmen of Fairhaven and
Recommendations of the Board of Assessors.**

- Do you choose to have a residential exemption?
 - (a residential exemption reduces the taxable valuation of each residential property that is a taxpayers' principal residence. Fairhaven has not adopted this previously. This option is typically adopted in high rental areas and high concentrations of summer home. Chosen by 14 out of 351 communities)
 - The Board of Assessors recommends AGAINST adopting this exemption. It raises the residential tax rate and raises taxes on all residential property except those houses owned and occupied that are assessed for less than the average home.
- Do you choose to have a small commercial business exemption?
 - (a small commercial business exemption is an option that can reduce small business valuation by up to 10%. Fairhaven has not adopted this previously. This option has been adopted by 6 out of 351 communities)
 - The Board of Assessors recommends AGAINST adopting this exemption. It is difficult to determine who qualifies and the benefit is marginal while increasing taxes on those who do not qualify.
- Do you choose to have a single tax rate or a split tax rate? If a split rate is desired, what residential factor is desired?
 - The Board of Assessors recommends a residential factor of .876905. This is the same shift as has been used in the past. Supporting documentation has been submitted by Wendy Graves, Director of Finance/Treasurer.
 - The Board of Assessors recommends the split tax rate.

Board of Assessors

Ronnie Manzone, Chair
Pamela Davis
Ellis Withington

December 7, 2020

TOWN OF FAIRHAVEN

RESIDENTIAL

COMMERCIAL

TAX RATES

YEAR

SINGLE RATE

RESIDENTIAL

COMMERCIAL

1985	24.00		
1986	17.46		
1987	16.97		
1988	18.05		
1989	19.31		
1990		8.64	11.13
1991		9.63	12.26
1992		10.73	12.91
1993		12.01	14.44
1994		12.40	14.90
1995		12.90	15.62
1996		13.35	16.09
1997		13.28	16.01
1998		13.74	16.52
1999		14.52	17.39
2000		15.14	18.13
2001		15.14	18.17
2002		13.96	17.13
2003		11.82	17.65
2004		10.93	17.62
2005		8.35	16.66
2006		8.12	16.09
2007		7.92	15.61
2008		7.86	15.67
2009		8.30	16.51
2010		8.89	17.87
2011		9.56	19.3
2012		10.27	20.63
2013		10.77	21.58
2014		11.50	23.21
2015		12.15	24.50
2016		12.18	24.45
2017		12.04	24.27
2018		11.75	23.76
2019		11.67	23.47
2020		11.06	22.04
2021		11.29	22.53

TOWN OF FAIRHAVEN

TAX RATE SETTING INFORMATION

2003-2021

TAX RATE	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007
R&O	11.29	11.06	\$11.67	\$11.75	\$12.04	\$12.18	\$12.15	\$11.50	\$10.77	\$10.27	\$9.56	\$8.89	\$8.30	\$7.86	\$7.92
CIP	22.53	22.04	\$23.47	\$23.76	\$24.27	\$24.45	\$24.50	\$23.21	\$21.58	\$20.63	\$19.30	\$17.87	\$16.51	\$15.67	\$15.61
% INC/DEC - R&O	-3.26%	-5.87%	-3.07%	-3.53%	-1.15%	0.25%	5.65%	6.78%	4.87%	7.43%	7.54%	7.11%	5.60%	-0.76%	-2.46%
%INC/DEC - CIP	-4.01%	-7.24%	-3.30%	-2.82%	-0.74%	-0.20%	5.56%	7.55%	4.60%	6.89%	8.00%	8.24%	5.36%	0.38%	-2.98%
LEVY %															
R&O	75.33	75.48	74.17	73.37	73.61	74.44	73.79	73.68	74.77	74.29	73.65	74.63	74.87	75.51	77.24
CIP	24.67	24.52	25.83	26.64	26.19	25.56	26.21	26.32	25.22	25.71	26.35	25.36	25.13	24.49	22.76
MAX LEVY LIMIT	\$29,443,431	\$29,443,431	\$28,693,914	\$27,832,214	\$27,362,214	\$26,490,226	\$25,838,382	\$24,602,314	\$23,686,077	\$23,012,832	\$22,392,590	\$21,631,158	\$20,901,922	\$20,103,927	\$19,243,827
INC/DEC PRIOR YR	0	749,517	861,700	470,000	871,988	651,844	1,236,068	916,237	673,245	620,242	761,432	729,236	797,995	860,100	915,371
TOTAL VAL -R&O	2,032,700,211	2,003,263,056	1,821,454,765	1,735,546,770	1,676,161,570	1,616,429,584	1,567,999,037	1,571,013,997	1,643,990,895	1,664,771,423	1,724,276,967	1,816,496,043	1,884,061,962	1,929,314,756	1,857,031,061
TOTAL VAL -CIP	333,619,516	326,523,765	315,386,331	311,570,490	295,046,275	276,497,737	276,248,521	278,056,617	276,955,994	286,243,396	305,686,650	312,969,208	317,874,556	313,934,071	277,663,717
TOTAL VALUATION	2,366,319,727	2,329,786,821	2,136,841,096	2,047,117,260	1,971,207,845	1,892,927,321	1,844,247,558	1,849,070,614	1,920,946,889	1,951,014,819	2,029,963,617	2,129,465,251	2,201,936,518	2,243,248,827	2,134,694,778
% VAL - R&O	85.90%	85.98%	85.24%	84.78%	85.03%	85.39%	85.02%	84.96%	85.59%	85.32%	84.94%	85.30%	85.56%	86.01%	86.99%
% VAL -CIP	14.10%	14.02%	14.76%	15.22%	14.97%	14.61%	14.98%	15.04%	14.41%	14.68%	15.06%	14.70%	14.44%	13.98%	13.01%
CIP SHIFT	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%
NEW GROWTH	\$333,613	\$229,325	\$223,121	\$381,519	\$274,034	\$176,154	\$122,197	\$165,458	\$119,020	\$99,206	\$144,094	\$116,629	\$175,768	\$206,980	\$273,987
UNUSED LEVY															
CAPACITY	\$1,252	\$90,758	\$35,419	\$36,625	\$20,455	\$41,744	\$19,105	\$81,959	\$3,585	\$10,428	\$8,750	\$9,901	\$16,099	\$20,166	\$250,062

NOTE:

R&O is Residential and Open Space property

CIP is Commercial, Industrial and Personal Property



The Town of Fairhaven is seeking one Fairhaven Resident to serve on the Fairhaven Housing Authority to fill a vacant seat. This elected position will be appointed jointly by the Housing Authority and the Board of Selectmen to fill the vacancy until the term expires.

Letters of interest may be mailed to the Selectmen's Office, 40 Center Street, Fairhaven, MA 02719 by December 03, 2020 at 4:30 p.m. or emailed to Selectmen@Fairhaven-ma.gov



Vicki Oliveira <vloliveira@fairhaven-ma.gov>

FW: [Fairhaven MA] Vacant board seat (Sent by Marie Saunders, rizzle1102@hotmail.com)

Fhvn Housing <fhvnhousing@comcast.net>
To: Vicki Oliveira <vloliveira@fairhaven-ma.gov>

Wed, Oct 14, 2020 at 3:05 PM

Hi Vicki,

I just received this message from Marie Saunders that she is interested in the FHA Board position so please include her on the list. Would you be in contact with her if she needs to do anything more?

LMK.

Thanks,
Kris
Krisanne Sheedy, PHM, MPHA, MCPPO
Executive Director
Fairhaven Housing Authority
275 Main St.
Fairhaven, MA 02719
508-993-1144
FAX 508-717-0623

-----Original Message-----

From: cmsmailer@civicplus.com [mailto:cmsmailer@civicplus.com]
Sent: Wednesday, October 14, 2020 2:53 PM
To: fhvnhousing@comcast.net
Subject: [Fairhaven MA] Vacant board seat (Sent by Marie Saunders, rizzle1102@hotmail.com)

Hello ksheedy,

Marie Saunders (rizzle1102@hotmail.com) has sent you a message via your contact form (<https://www.fairhaven-ma.gov/user/110/contact>) at Fairhaven MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.fairhaven-ma.gov/user/110/edit>.

Message:

Hi Krisanne, I saw a notice that the Town of Fairhaven is seeking a Fairhaven resident to fill a vacancy on the current Fairhaven Housing Authority board.
I am at this time writing to advise that I would be interested in filling that vacancy. Let me know if any further information would be required on my part. Thank you.

Marie Saunders
350 Dana Farms
Fairhaven, MA 02719
508-264-1179

October 19, 2020

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

Dear Members of the Board,

Please accept this letter as my interest in the vacant position on the Fairhaven Housing Authority. As a resident of the Town since 1988, a Town Meeting member and a former member of the Fairhaven School Committee I continue to observe the positive steps being taken to preserve the integrity and historical significance of the Town.

Professionally I am a retired superintendent of schools and currently the Executive Director of the Global Learning Charter Public School in New Bedford. During my tenure as superintendent in the town of Somerset and the towns of Freetown and Lakeville I was directly involved in the construction and renovations of school buildings. Currently I am overseeing the pending renovations of the convent building at the St. Anthony's parish site to become the charter school's satellite campus. During my time on the Fairhaven School Committee I was involved in the planning of the Fairhaven High School addition.

Personally our three children and granddaughter live in Fairhaven. My wife and I are very fortunate that our family resides in our Town (two children with houses on our street) and see their future in the Town for many years. In 1988 my wife and I moved to Fairhaven from New Bedford. I was the general contractor of our new home in, at that time, a new development off of Alden Road, Edgewood Estates.

I look forward to your consideration of my intent to serve on the Board. Please let me know if there is any additional information you require.

Sincerely,



Stephen J. Furtado, Ph.D
7 Laura Lane
Fairhaven, MA 02719
Cell # 508-207-0487
stevef51@live.com

RECEIVED
2020 OCT 19 P 1:11
BOARD OF SELECTMEN
FAIRHAVEN, MA 02719

Marc Scanlon

PO Box 862

Fairhaven MA 02719 508-542-0754

E2c

RECEIVED

2020 NOV 19 A 1:40

BOARD OF SELECTMAN
FAIRHAVEN MASS

To Whom It May Concern:

I am writing to express my interest in the Housing Authority Board opening.

I am a lifelong resident who has many years' experience in not only civic but also town activity.

I would be proud to serve the town again in the capacity of Housing Authority board member. I believe my past experience would be an asset.

Thank you for the consideration in this matter.

Sincerely Yours,

A handwritten signature in dark ink, appearing to read "Marc Scanlon", written in a cursive style.

RECEIVED

2020 NOV 19 A 1:40

BOARD OF SELECTMAN
FAIRHAVEN MASS

Board of Selectmen /
Fairhaven Housing Authority
40 Center Street
Fairhaven, Mass.02719

11/18/20

Dear Sir/Madam,

I would like to enter my name for consideration to fill a vacancy on the Fairhaven Housing Authority. I have been involved in our community for most of my adult life and have the desire to serve in this capacity.

In regards to Town service, I am currently an active part-time detail police officer for the Town of Fairhaven and Chairperson of the Board of Assessors. I have served our community in varies capacities over the years, Selectman, Board of Public Works to name a couple. I shall attach my resume to this letter.

As you are aware, I am now a transgender woman and have been for the past 4 years. While my transition in our community has been relatively good and supportive, there are so many LGBTQI individuals that face discrimination every day. Having walked the walk, I have experienced what it is like to be a member of a diverse group, and it has truly made me a better person. I would like to be a caring voice for the LGBTQI community and all the fine citizens in the Town of Fairhaven.

In closing, I would like say thank you for your consideration. I have always put the interests of our town first, and have a strong record of that commitment. I would bring a wide base of knowledge to this position and believe that could be helpful in the Housing Authority's future.

Respectfully Submitted;



Ronnie Manzone
28 Brook Drive
Fairhaven, Mass. 02719

RONNIE MANZONE

EDUCATION

Fairhaven High School	Fairhaven, MA	1977
Fairhaven Fire Department Training Academy Courses: Fire Science and Fire Fighting	Fairhaven, MA	1978
Lee Institute Courses: Real Estate Practices & Procedures	New Bedford, MA	1980
University of Massachusetts Courses: Massachusetts Assessing Practices & Procedures Tax laws	Amherst, MA	1982/2010
New Bedford Police Academy (Full-time) Courses: Massachusetts Criminal Justice Training Council / Criminal Law / Police Procedures and practices	New Bedford, MA	1983
Southeastern Massachusetts Police Training Association Courses: Massachusetts Criminal Justice Training Council / Criminal Law / Procedure	Fairhaven, MA	2003
Department of Homeland Security FEMA Courses: NIMS 100 – Emergency Incident Command	Fairhaven, MA	2006
Department of Homeland Security FEMA Courses: NIMS 700 – Emergency Preparedness & Response	Fairhaven, MA	2007

RELATED EXPERIENCE

Town of Fairhaven

<i>Appointed Assistant Harbor Master</i>	Fairhaven, MA	2010 - 2013
<i>Appointed Assistant Shellfish Constable</i>	Fairhaven, MA	2010 - 2013
<i>Appointed Assessor, currently Chairman</i>	Fairhaven, MA	2006 - Present

Bristol County Sheriff's Office

<i>Background / Workman's Comp</i>	N. Dartmouth, MA	2008 – 2013
▪ Background Investigator		
▪ Workman's Comp Investigator		
▪ Criminal Investigator		
▪ Internal Affairs Investigator		
▪ Special Investigators Unit		
▪ PREA (Prison Rape Elimination Act) Investigator		
▪ Sexual Harassment Officer/Investigator		
▪ Affirmative Action Officer/Investigator		
▪ Civil/Criminal Process State/County		
▪ Investigations Division Court Liaison		
▪ Law Enforcement Deputy Sheriff		
▪ Director of Juvenile Secure Alternative Lockup Program		
▪ Director of Fleet Management		2013 –2020
▪ Policy Compliance Manager		2020 – Present

RECEIVED

2020 NOV 19 A 1:40

BOARD OF SELECTMAN
FAIRHAVEN, MA

Neighborhood Auto Services, Inc.

Gasoline Distribution / Auto / Truck Service New Bedford, MA 1973 - 2008

Co-Owner / Operator

- Overseeing six employees
- Marketing / Customer Relations/Service Advisor
- Billing/Clerical (Accounts Payable / Accounts Receivable)
- Building Maintenance
- Automobile/Truck Mechanic (Gasoline Engines, Chassis, Electrical, Air Condition)
37yrs
- Licensed Massachusetts Emission / Safety Program Inspector (inspecting motor vehicles for 34yrs)
- Gasoline Underground Storage / monitoring, ordering product, maintaining, compliance coordinator 37yrs

Town of Fairhaven

Fairhaven, MA

2005 -2008

Elected Selectman

- Executive Officer / Chairman
- Union negotiator
- Hired/Fired personnel
- Overseeing the Building Department, Police Department, Fire Department, Finance Department, Assessing Department, Emergency Management, Harbormaster, Shellfish Warden, Recreation Department, Tourism Department and the Council On Aging
- Responsible for creating balanced \$16 Million Dollar budget for departments listed above and School System
- Responsible for 16,000 residents

Martha's Vineyard Nantucket

Woods Hole, MA

2005 – 2007

Steamship Authority

Port Council Member

- Representing the port issues of the SSA and Town of Fairhaven
- Budget and Policy advisory board to the Board of Governors

Town of Fairhaven

Fairhaven, MA

2000 - 2005

Elected Public Works Commissioner

- Managing the Water Department, Sewer Department, Highway Department, Park Department, Boat Ramps, Beaches
- Responsible for creating operating budgets for departments listed above
- Union negotiator
- Hired/Fired personnel
- Oversaw motor vehicle maintenance and purchasing of all equipment)
- Commissioned all Public Works projects
- Responsible for 16,000 residents

Town of Dartmouth

Dartmouth, MA

1989 - 1992

Elected Assessor

- Residential and commercial appraisals
- Public Relations
- Liaison for the Department of Revenue (Division of Local Assessments)

Southeastern Massachusetts University

Dartmouth, MA

1985 - 1987

Police Officer

- Perform Police Patrols
- Investigations

Town of Fairhaven Fairhaven, MA 1983 - Present
Police Officer Fulltime/ Intermittent from 1985

- Emergency Medical Technician
- Perform Police Patrols
- Investigations
- Details

Town of Fairhaven Fairhaven, MA 1981 - 1982
Elected Assessor

- Residential and commercial appraisals
- Computer programmer
- Public Relations
- In liaison with the Department of Revenue (Local Assessments Division)

Bristol County Registry of Deeds New Bedford, MA 1979 - 1980
Technical Services/ hired as temp

- Overseeing deed processing

Town of Fairhaven Fairhaven, MA 1978 - 1983
Call Fire Fighter

- Responded to active fires
- Assigned to Engine 1

CERTIFICATIONS

-
- MA Licensed Building Construction Supervisor with No Restrictions Expires: July, 2021
 - Department of Revenue (Certified in Assessment Procedures) Received **June**, 1982
 - DOR MAAO Course 200 (Assessing/Exemption/Office Procedure Received May, 2013
 - CPR / Defibrillator constant in-service training
 - Certified First Responder constant in-service training
 - FEMA - NIMS 100 Certification Year Received: **June**, 2006
 - FEMA - NIMS 700 Certification Year Received: **April**, 2007
 - FAA Licensed Private Aircraft Pilot Year Received: 1983
 - U.S. Merchant Mariner's Seaman Documentation (O.S. Cert) Year Received: 2007
 - United States Coast Guard Certified in Piloting, Marine Engines, Year Received 1982
 - Open Water Scuba Diver Certificate Year Received : 1980
 - Class A Firearms License Year Received: 1977

SPECIAL SKILLS

Other Skills

- Boating / Seamanship experience 38yr
- Understand all facets of Marine Repair 38yrs
- Understand all facets of Building Construction 45yrs

REFERENCES

-
- Available upon request

E - 2 - E

180 Main St
Fairhaven, MA. 02719
November 29, 2020

Board of Selectmen
40 Center St.
Fairhaven, MA. 02719

Dear Board of Selectmen Members,

I am submitting this letter requesting your consideration in being appointed to one of the open positions on the Fairhaven Housing Authority Board.

Although I realize that I will not be able to replace either Mr. Simmons' or Mr. Farrell's experience and knowledge on the board, I will do my best to represent the board, the families and seniors they serve fairly and compassionately. I am also a good listener and a problem solver which I believe are essential in working with others for the betterment of the town we all so love.

Once I accept a position, I commit 100% to the position. As I am retired, I can meet during the days and to undertake any training that would be required to be the most productive person I could be on this board. As I am not on any current boards in the town, I feel this also makes me a viable candidate as my attentions will not be divided amongst other boards. I was a member of the Town Meeting Study Committee and I am a current Town Meeting Member.

I look forward to hearing from you regarding this position. Please feel free to contact me at (508)-996-6864 if you have any additional questions.

Sincerely yours,

Eleanor Chew



DRAFT

TOWN OF FAIRHAVEN WORKPLACE CLIMATE ASSESSMENT

DECEMBER 2020

Mary Beth Bernard, SHRM-SCP, SPHR
HR Key Solutions



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INTRODUCTION

The Town of Fairhaven town governance structure was changed from an Executive Secretary to a Town Administrator form of Government. AN ACT ESTABLISHING THE POSITION OF TOWN ADMINISTRATOR IN THE TOWN OF FAIRHAVEN. Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. The executive powers of the town of Fairhaven shall be vested in the board of selectmen, who shall have all the powers given to boards of selectmen by the General Laws, except for those executive powers granted to the town administrator.

The board of selectmen shall serve as the chief goal-setting and policy-making agency of the town of Fairhaven. The duties and responsibilities for day-to-day management of the town shall be delegated to the town administrator. The board shall act through the adoption of policy directives and guidelines which shall be implemented by the town administrator and the officers and employees appointed by, or under the authority of, the board. Individual selectmen shall not purport to represent the board or exercise the authority of the board except when specifically authorized by the board. This was approved, November 25, 2014.

In July 2020 The Fairhaven Board of Selectmen voted to issue an RFP for a consultant to perform an employee engagement and work culture survey to assess the work environment and management of Fairhaven workers and staff. have climate assessment done in the Summer of 2020.

The study incorporated the analysis of web information, Town records, interviews, policy reviews and analysis of metrics. In addition:

- Review of Town documents, General Code and web information.
- Discussion with Town Administrator, Human Resources Director and Board of Selectmen.
- Focus Group Exercise with 5 employees
- Compiling of Questionnaire based on the above interviews.
- Interviews with Department Heads and Town Staff – in person, by phone and via Zoom.
- Research on Town operations including annual Town Report and Town Charter.
- Analysis of employee turnover over the past five years.

INTERVIEW NOTES

Although metrics and data are important it is only through conversation that the true culture of this department could be ascertained. Interviews were conducted in person and by phone over three weeks. Thirty one full time employees were invited to participate, 27 responded and participated.

The survey document consisted of open ended questions as well as survey questions with a rating scale. A sample survey instrument is included in the report. Recommendations are outlined at the end of this document.



TOWN OF FAIRHAVEN – DEFINITIONS (ABRIDGED VERSION)

BOARD OF SELECTMEN

The board of selectmen shall:

- (a) enact rules and regulations to implement policies and to issue interpretations;
- (b) exercise, through the town administrator, general supervision over all matters affecting the interests or welfare of the town;
- (h) appoint, and may re-appoint, and enter into a contract for the employment of a town administrator for a term of not more than 3 years, who shall be a person with executive and administrative qualifications and especially fitted by education, training and experience to perform the duties of the office; provided, that the town may from time to time, by by-law, establish such additional qualifications as it deems necessary and appropriate;
- (i) remove the town administrator at any time, for just cause following a formal procedure including a written intent to dismiss, a written response and a public hearing, to be completed within 30 days after the issuance of a written intent to dismiss, in accordance with the terms of the town administrator's contract;
- (j) set the compensation for the town administrator, not to exceed an amount appropriated by the town meeting; and
- (k) designate a qualified person as acting town administrator to perform the duties of the office during any vacancy exceeding 30 days, caused by the town administrator's absence, illness, suspension, removal or resignation; provided, that the appointment of an acting town administrator shall be for a period not to exceed 180 days.

TOWN ADMINISTRATOR

SECTION 2. The town administrator shall be the chief administrative officer of the town of Fairhaven and shall act as the agent for the board of selectmen. The town administrator shall be responsible to the board of selectmen for coordinating and administering all town affairs under the jurisdiction of the board of selectmen.

The town administrator's powers and duties shall include those outlined in subsections (a) to (aa), inclusive.

- (a) Consult and advise the board of selectmen regarding its policies and implement those policies.
- (b) Attend all meetings of the board of selectmen, except when excused, and consult with and advise the board of selectmen on all matters that come before the board.
- (c) Attend all town meetings and advise the town meeting on all warrant articles within the jurisdiction of the board of selectmen.
- (d) Attend all finance committee meetings, except when excused by the board of selectmen, and keep the finance committee informed on all matters under the jurisdiction of the town administrator that come before the committee.
- (e) Manage and direct the daily reporting and supervision of all town departments under the jurisdiction of the board of selectmen including: assessors, building commission, council on aging, police, civil defense, animal control officer, gas inspector, plumbing inspector, wiring inspector and weights and measures inspector, recreation, highway, water, sewer, tree and park, planning, finance, finance director, collector, treasurer, accounting, veterans, town counsel, other committees appointed by and under the jurisdiction of the board of selectmen and the fire department, subject to section 42 of chapter 48 of the General Laws.
- (g) Except with respect to the school department, the town administrator shall have sole authority over the administration of personnel policies for all town employees. With respect to the fire department, such authority shall be subject to section 42 of chapter 48 of the General Laws. The town administrator shall act as the personnel board under all applicable laws and by-laws, except as otherwise set forth in this act. The personnel board as presently constituted shall be eliminated upon the appointment of the town administrator. The town may enact by-laws establishing the



wages, salaries and other benefits of employees, which shall be consistent with the authority granted to the town administrator in this act. Notwithstanding the elimination of the personnel board, all actions taken prior to the appointment of the town administrator by the personnel board within its authority, and by any other town official or

TOWN ADMINISTRATOR

board, with respect to personnel, including the appointment of all officers and employees, shall continue in full force and effect subject to future action by the town administrator within the town administrator's authority.

(h) Administer the town's insurance policies, including the ability to settle claims; provided, however, that all insurance contracts and claims settlements shall receive the approval of the board of selectmen.

(i) With the approval of the board of selectmen, appoint and remove all department heads under the direct control of the town administrator. Each department head, with the approval of the town administrator, shall appoint and remove all department staff within their respective departments. All appointments shall be based entirely on merit and fitness. All appointments and terminations shall be conducted in accordance with the General Laws, personnel policies, by-laws of the town of Fairhaven and any applicable employment contracts; provided, that fire department appointments shall also be subject to section 42 of chapter 48 of the General Laws.

(j) With the approval of the board of selectmen, reorganize any departmental structures under the jurisdiction of the town administrator.

(k) With the approval of the board of selectmen, negotiate all collective bargaining agreements on behalf of the town, except for the school department. The town administrator may seek the assistance of labor counsel if the town administrator deems it necessary to effect successful negotiations. All final agreements must be approved and executed by the board of selectmen.

(l) With the approval of the board of selectmen, establish compensation packages for all town employees under the jurisdiction of the town administrator, not subject to a collective bargaining agreement. Such compensation shall not exceed the amount appropriated therefor by town meeting and shall be subject to all applicable laws and by-laws.

.....

(t) Be responsible for coordination of operational and strategic planning for the town.

(y) Delegate and direct any qualified town official or employee to carry out any duty that is within the authority of the town administrator.

(z) During a temporary absence, with the approval of the board of selectmen, the town administrator may designate a qualified administrative employee or officer to exercise the powers and perform the duties of the town administrator.

(aa) Perform any other duties or tasks assigned by the board of selectmen, assigned by the town meeting or mandated by applicable state law.

SECTION 3. The town administrator of the town of Fairhaven shall have access to all municipal books, papers and documents or information necessary for the proper performance of the duties of the town administrator. The town administrator may, without notice, cause the affairs of any division or department under the town administrator's supervision, or the conduct of any officer or employee thereof, to be examined.



EMPLOYEE SURVEY QUESTIONNAIRE

Name	Title	Years in position
Reports to	Supervises	Hours
Job Satisfaction		
What attracted you to this job?		
How long is your commute?		
Do any of your family members work for the town?		
Do you socialize with coworkers?		
What motivates you to keep coming back?		
Teamwork		
Which coworkers do you regularly work with?		
What other departments do you regularly work with?		
What Boards and Committees do you usually work with?		
Personal Productivity		
Have you ever been recognized for your work?		
How has COVID-19 impacted your job?		
Communication		
How do you find out about workplace news and information such as new employees, new policies?		
How can communication be improved?		
Climate		
How would you define a positive workplace climate?		
How would you describe the current workplace climate in the Town of Fairhaven?		
What advice would you give Town Leaders for improving the climate?		
Climate Rating Scale: 1= Strongly Disagree 2= Disagree 3=Neither Disagree or Agree 4= Agree 5 = Strongly Agree		
Climate Assessment		
Does your current work environment allow you to express your opinions?	1 2 3 4 5	
Do you feel appreciated for the work you do?	1 2 3 4 5	
Do you feel that the work you do makes a difference in Fairhaven?	1 2 3 4 5	
How would you rate the culture of your department?	1 2 3 4 5	
How would you rate the culture of this organization?	1 2 3 4 5	
Do you like working here?	1 2 3 4 5	
Do you trust your coworkers?	1 2 3 4 5	
Do you feel that favoritism exists in the workplace in Fairhaven?	1 2 3 4 5	
Have you been properly trained to do your job?	1 2 3 4 5	
Are you given opportunity for training professional development?	1 2 3 4 5	
Do you feel other people get more opportunities than you do?	1 2 3 4 5	
Do you feel that the level of involvement by elected officials is appropriate?	1 2 3 4 5	
Do you have work life balance?	1 2 3 4 5	
The Town of Fairhaven is a great place to work	1 2 3 4 5	
Do you feel this study will actually be used to make improvements?	1 2 3 4 5	

THANK YOU FOR YOUR TIME!



SURVEY RESULTS BY CATEGORY

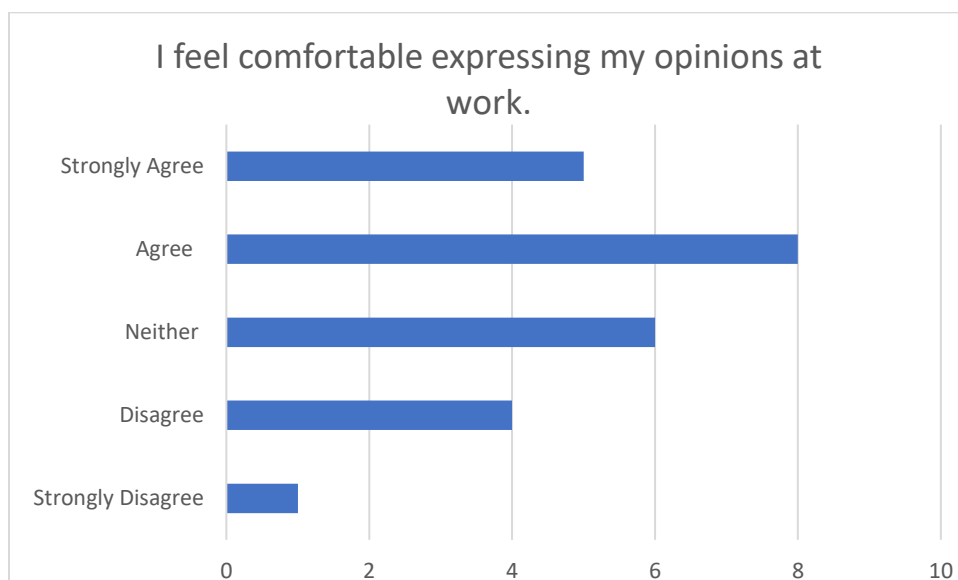
WORKPLACE CULTURE

HOW THE TOWN OF FAIRHAVEN EMPLOYEES DEFINE A POSITIVE WORKPLACE CULTURE:

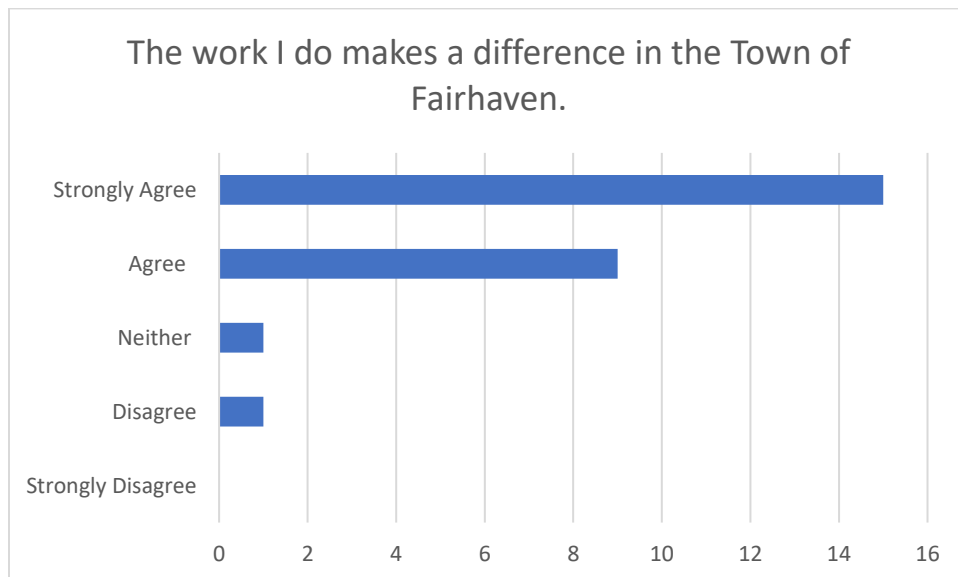
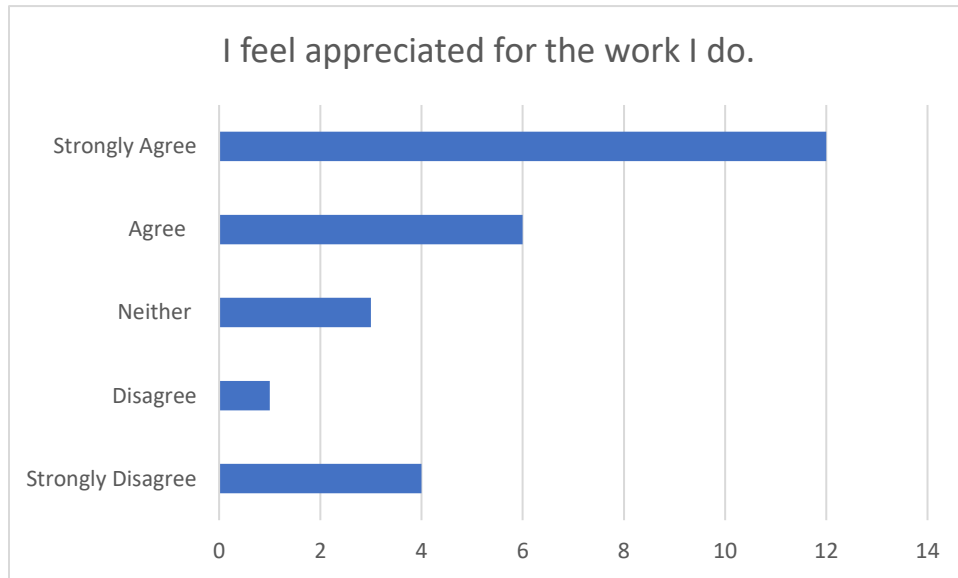
APPRECIATION	COLLABORATION	COMMUNICATION	DEDICATION
DEPTS WORK TOGETHER	FAIRNESS	FOCUS ON WORK	LIKE A FAMILY
NO RUMORS	OPEN DOORS	PROFESSIONALISM	RESPECT
SMILING	SUPPORT EACH OTHER	WELCOMING	WORK AS A TEAM

HOW THE TOWN OF FAIRHAVEN EMPLOYEES DEFINE THE CURRENT WORKPLACE CULTURE:

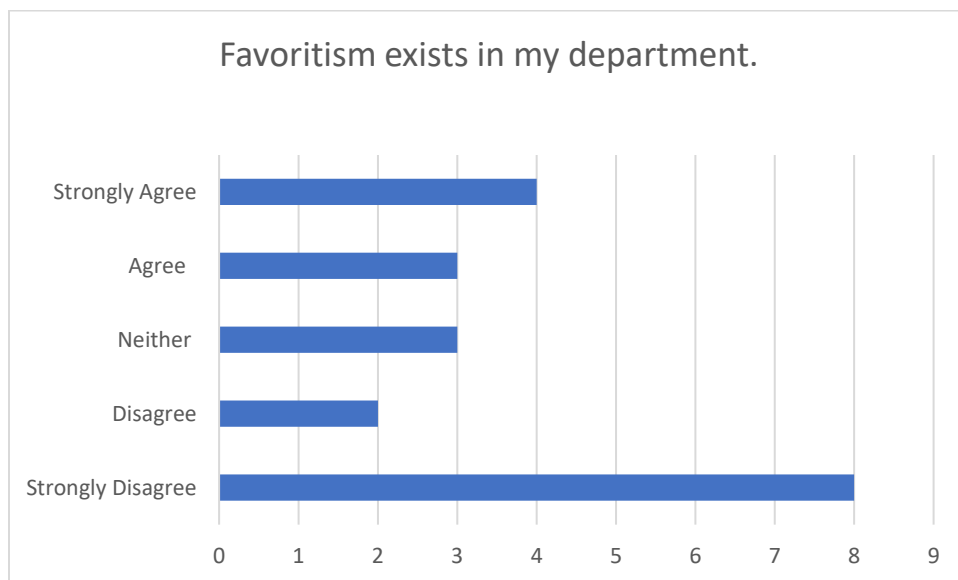
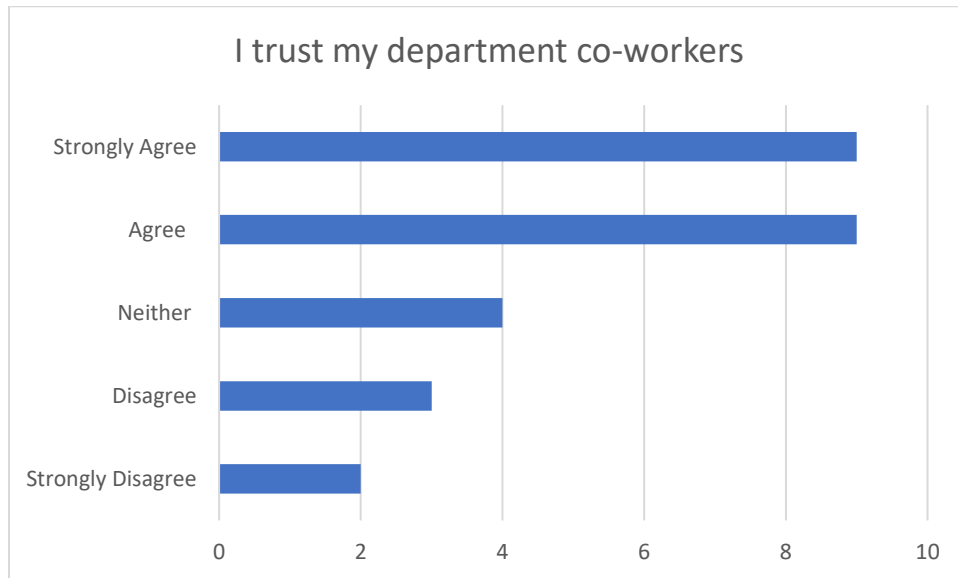
CLIQUES	CLOSED DOORS	DIVIDED	DYSFUNCTIONAL
GOSSIPY	LOSING GOOD PEOPLE	NEGATIVE	POLITICAL
RUMORS	SOUR	TOXIC	TURMOIL
UNFAIR SOCIAL MEDIA	UNSUPPORTIVE	UNWELCOMING	WORK ALONE



EMPLOYEE ENGAGEMENT



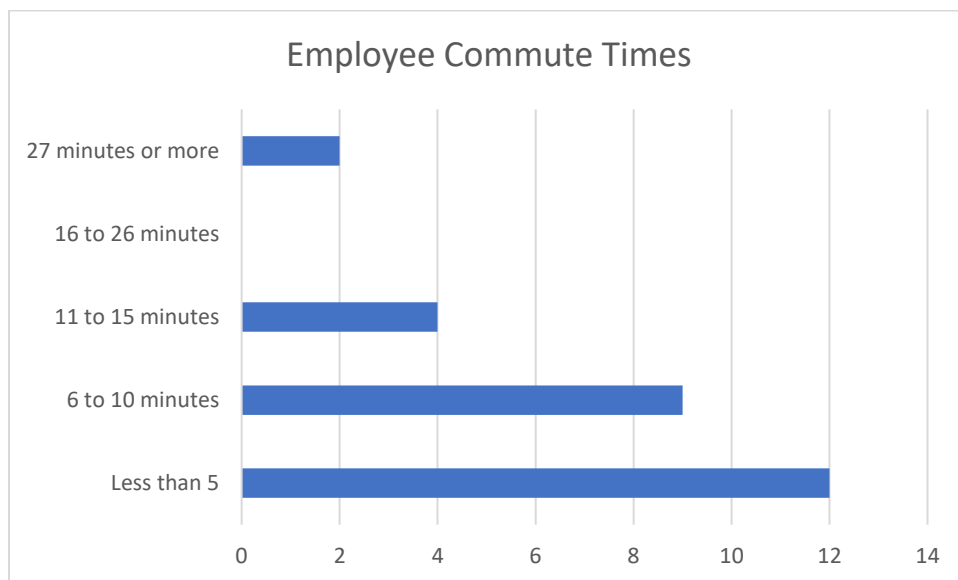
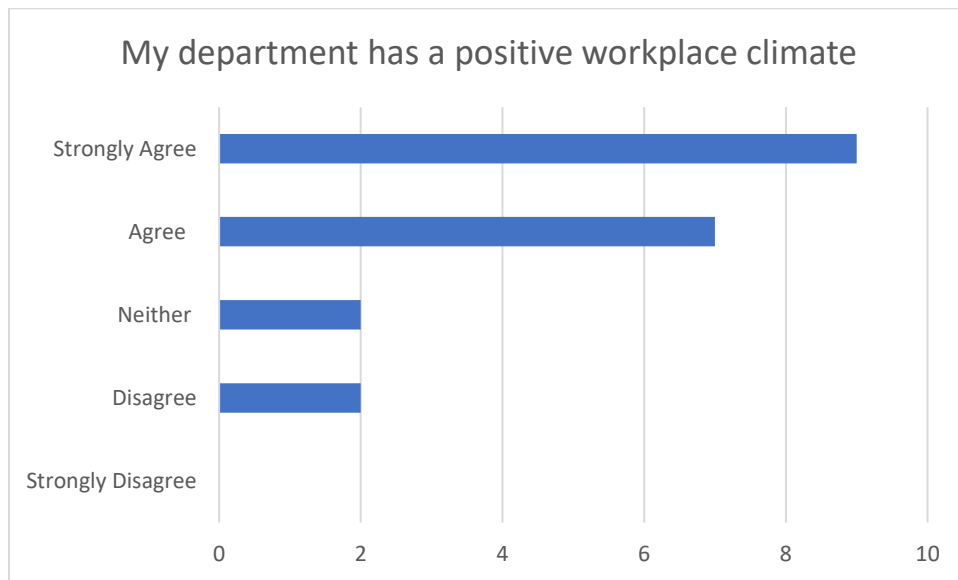
TEAMWORK

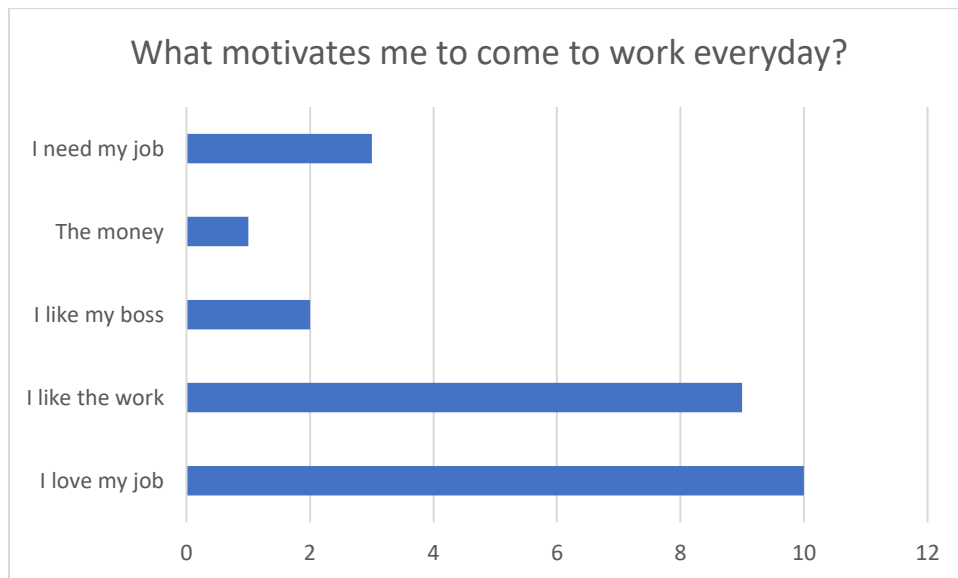
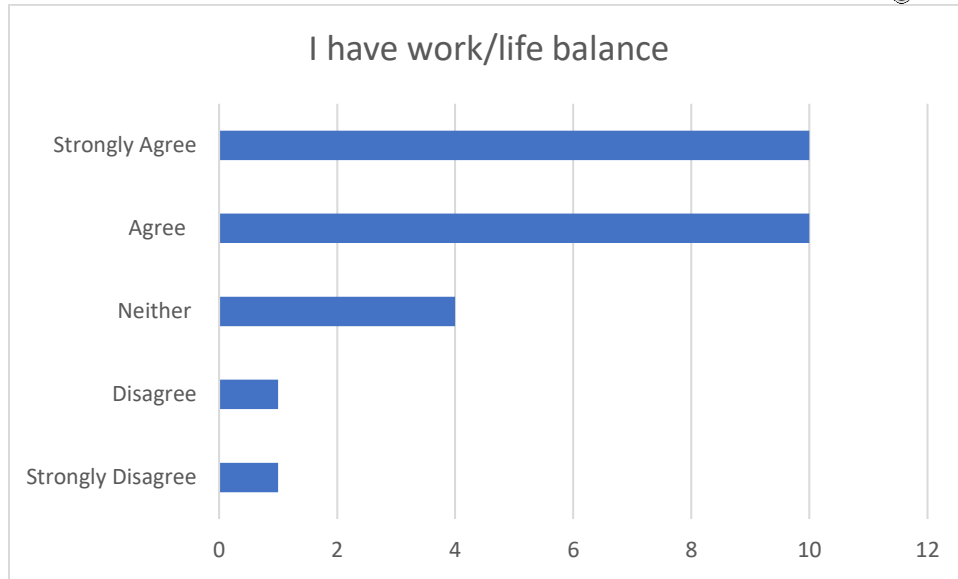


TRAINING AND DEVELOPMENT



JOB SATISFACTION





COMMUNICATION



WHAT ADVICE WOULD YOU GIVE TOWN LEADERS ON HOW TO IMPROVE COMMUNICATION AND CULTURE IN FAIRHAVEN?

STOP MISREPRESENTING EMPLOYEES IN THE MEDIA	UNITE PEOPLE INSTEAD OF DIVIDING THEM.	DON'T LISTEN TO GOSSIP. GET THE WHOLE STORY.
DON'T IGNORE ISSUES — SOLVE THEM.	SET A GOOD EXAMPLE ESPECIALLY AT PUBLIC MEETINGS.	GET OFF FACEBOOK.
COMMUNICATE WITH EMPLOYEES AT ALL LEVELS.	BE COMMUNICATIVE, APPRECIATIVE AND COLLABORATIVE.	STOP TARGETING GOOD EMPLOYEES.
ESTABLISH A CULTURE OF FAIRNESS.	COMMUNICATION IS KEY.	FOSTER TEAMWORK.



RESULTS AND RECOMMENDATIONS – WORKPLACE CULTURE

THE OVERALL RATING OF ORGANIZATIONAL CULTURE WAS 49%

“Culture can affect leadership just as much as leadership affects culture. Leaders are responsible for creating systems that develop organizational culture and reinforce workplace norms. Cultural norms in the workplace are adopted from the actions of the leader: where their attention is focused, how they react to crises and the behaviors they model”¹.

Based on interviews with the Board of Selectman Members Town Administrator, Human Resources Director, the Focus Group and the employees, they all demonstrated a clear understanding of a desirable workplace culture. From relatively new employees to long-time seasoned employees they all shared similar descriptions of an ideal work culture. The breakdown in culture was characterized in three key areas;

“ELECTED OFFICIALS ARE HAMPERING OUR ABILITY TO DELIVER CUSTOMER SERVICE TO THE RESIDENTS”

Due to misrepresentation of employee morale in the media. 80% of employees reported that they are embarrassed and disappointed that the public has a negative view. Although survey results show high levels of job satisfaction, trust and enthusiasm for their job, the public perception does not match the reality. They feel that leaders should pay closer attention and not make generalizations about the day to day work of the employees. Increased recognition of departments at televised Board Meetings and on social media would highlight the 89% satisfaction rating of employees who responded to the statement “I like working here”.

“WORKPLACE CLIQUES AND GOSSIP ARE DESTROYING THE ‘FAMILY ATMOSPHERE’

Although this is a common occurrence in workplaces, Fairhaven’s divisiveness seems to be getting worse. Employees pointed to high levels of terminations and resignations this year fueled by the divisions in the workplace. However, survey results show that department heads enjoy working with one another, and teams trust one another. 85% of employee felt that political interference, workplace gossip and favoritism were factors in these divides. Many stated that “it used to feel like a family at work” or “now ‘the rules don’t apply to everyone’ and some people are ‘protected’”. It would go along way to create some cross functional teams so that the employees can work together on common goals to break down the barriers. IT will be important for the next Town Administrator and Human Resource Director to create opportunities for team building, wellness activities and cross functional project teams. The adoption of the new Personnel Policies would be a great opportunity to bring people together for training and discussion in a non-controversial setting. In the current pandemic it may be challenging but still possible.

“COMMUNICATION BREAKDOWN”

Communication issues were mentioned in every conversation. Fueled not only by the pandemic and changing work conditions but also by the ‘cliques’ and ‘gossip’ in the work environment. Most employees had clear ideas on how communication, trust and respect should work together. Although positive communication exists within departments and among the department head group, there are breakdowns along the way. This is addressed in detail on page 16.

¹. BASS, B., & AVOLIO, B. (1993). TRANSFORMATIONAL LEADERSHIP AND ORGANIZATIONAL CULTURE. Public Administration Quarterly, 17(1), 112-121. Retrieved from <http://www.istor.org/stable/40862298>



RESULTS AND RECOMMENDATIONS – EMPLOYEE ENGAGEMENT

THE OVERALL EMPLOYEE ENGAGEMENT RATING WAS 89%

“Employee Engagement is measured by the ability and willingness of individuals to exert extra effort for the benefit of the company, their tendency to speak highly of the organization and their intent to stay”, according to Greg Harris present, Quantum Workplace, a market research company that surveys employee engagement.

Eighty nine percent of the employees (89%) felt that their work makes a difference to the Town of Fairhaven. There was much town pride and sense of accomplishment from these respondents.

The employees of Fairhaven’s response to “I like working here” was a 4.44 out of 5 rating or 89%. In addition, the respondents trusted their coworkers 75% of the time. This rating was attributed to some of the workplace ‘gossip’ and ‘cliques’ .

When asked if they felt appreciated for the work they do, 79% responded favorably. Although most felt appreciated by their immediate supervisor, only 10% had received a formal recognition for their work. Some recalled a ‘years of service pin’ distributed by Human Resources, others had received awards from local groups or organizations. It would go a long way if the Town made a practice of ‘highlighting’ departments and recognizing them publicly for the work they perform. It would also serve to negate some of the negative social media perceptions.

Eight percent (80%) of Town employees who were surveyed stated they felt that they had work/life balance. Of those respondents 20% felt that they worked 24/7 and the other 80% credited their work/life balance to the Town’s wellness initiatives.

The average commute time for employees surveyed is 5.4 minutes, with only two employees having a commute of 30 minutes or more. Most categorized themselves as “Townies” and a few employees lived close enough to walk to work.

The above Engagement ratings are very encouraging , as employee engagement is the key to rebuilding the workplace climate and culture in the Town of Fairhaven. The Town can capitalize on these engaged and committed employees by providing opportunity for recognition, positive depiction in the media and positive feedback to continue to motivate them. This will have a direct impact on customer service and employee morale.

RESULTS AND RECOMMENDATIONS – TEAMWORK

83% PERCENT OF EMPLOYEES FELT THAT THEIR DEPARTMENT CULTURE WAS FAVORABLE

Department culture ratings were high with most people feeling that within their department “people supported one another” were “collaborative” and “worked as a team” most of the time.

Employees responded with (75%) Seventy five percent favorability to the question “do you trust your coworkers”?

A vast majority of Department heads commented that they work well with other departments and the regular Department Head Meetings are a valuable teamwork component.



RESULTS AND RECOMMENDATIONS – TRAINING AND DEVELOPMENT

76% OF EMPLOYEES FELT THAT THEY RECEIVED THE PROPER TRAINING TO DO THEIR JOB

Long-term employees of 20 years or more responded most favorably to this question. Employees with 10 years or less have had to “find their way” and “learn on the job”.

Eighty four percent of employees stated that they were provided with ongoing opportunities for professional development and training. They felt supported by the Town to seek professional training.

RESULTS AND RECOMMENDATIONS – COMMUNICATION

Conversations about communication and culture went hand in hand throughout this study. Interviews demonstrated that communication among the Department Head group is excellent, with regularly scheduled Department Head Meetings in which “everyone is given a chance to speak” and “opportunities for collaboration arise that you would never have thought of”. Respect and camaraderie exist among the Department Head group.

Many Department heads are good at communicating relevant information from the Department Head meeting to their employees. There was a distinct dissatisfaction with employees as to how they learn about workplace changes such as staffing changes “sometimes the department head or HR will walk a new employee around and introduce them’ and policy changes “We usually get an email from HR with no explanation about the policy”

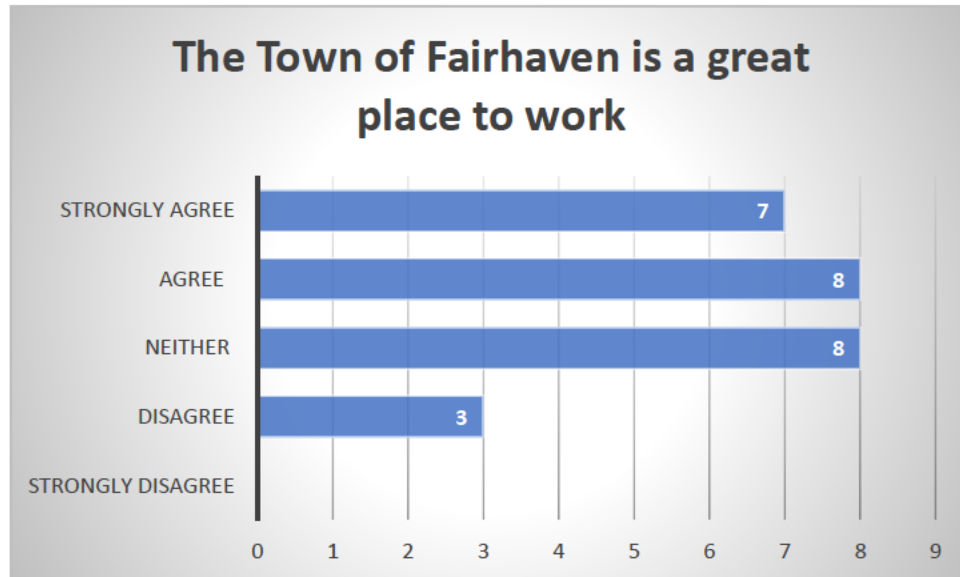
It is recommended that the Town take the time to communicate with all employees and take the time to make sure that policies are clearly explained. The adoption of the new Personnel Policies is a great opportunity to have an “all hands on deck” meeting to disseminate the policy and answer questions.

Additionally, Anti-Harassment policy is required by law to be distributed annually. The Town should endeavor to conduct training every other year. It is understood that these meetings are challenging in current pandemic times., but it should be a goal for HR.

Most importantly it is recommended that Elected Officials, Future Town Administrator and Human Resources Director please consider seeking opportunities for positive interactions with employees: recognition of employees for years of service or accomplishments at BOS meetings, community events that foster a cross functional team of Board members and employees and workshops. These actions will foster positive interactions and make employees feel valued. Refrain from negative comments about employees or groups. Be role models for the behavior you would like to see.

FINAL THOUGHTS

75% OF EMPLOYEES FELT THAT “THE TOWN OF FAIRHAVEN IS A GREAT PLACE TO WORK”



The results were consistent among long term and short-term employees, Department Heads and staff. Responses to this question included the following statements: “You should have asked me two years ago”, “It makes me sad, it used to be a 5.0”, “it has the potential to be”.

Some key opportunities exist for Town Leaders, future Town Administrator, and future Human Resources Director. Improve employee morale through increased communication, fostering co-worker relationships through better communication, motivating through recognition and encouraging employee wellbeing.

Dig deeper into termination/resignation and retirement data to find correlation between length of service, department, and any other possible problem areas. Review current exit interview practices with the intent to improve and provide a comprehensive exit interview with Human Resources or a neutral third party.

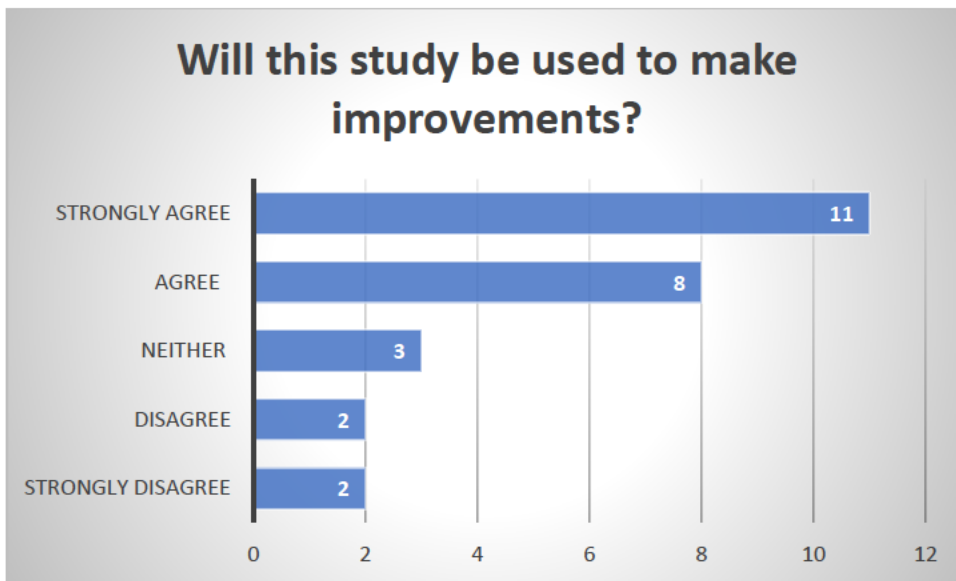
Think about the cost of turnover for the Town before fostering a negative culture and feeding into ‘gossip’ allowing productive employees to be isolated in a manner that is detrimental to a health workplace climate.

For future recruitment continue to maintain professional recruitment standards to attract qualified, engaged candidates.

The current employees exhibit a love for the Town and love the work that they perform. This is the foundation needed to restore the culture of this work environment.



80 % OF EMPLOYEES FELT THAT THIS STUDY WOULD BE USED TO IMPROVE WORKPLACE CULTURE



.Additionally, of the 80% who responded they expressed extremely optimistic comments. Nearly 90% of the respondents used the word “hope” in some form in their response: “I’m hopeful”, “hopefully”, “I really hope so”, “I’m hoping”. One respondent replied “I have faith in Fairhaven to do the right thing.”

For the employees who did not feel optimistic they stated that it depended upon whether or not the Board of Selectmen liked the results: “it depends on the outcome”, “not if it’s not what they don’t want to hear”, “they will refute it if they don’t like the findings”, and “it depends on the Selectmen”.

In conclusion, It was a pleasure to conduct this study and have the opportunity to meet the employees in person, on the phone and via Zoom. I would like to express my sincere thanks to all who participated for their honesty and hospitality.

Please take the following into consideration when deciding to utilize these findings:

“THERE IS NO BETTER WAY TO CAUSE RESENTMENT AMONG EMPLOYEES THEN TO ASK THEM TO GIVE THEIR FEEDBACK AND THEN FAIL TO ACT IN RESPONSE TO THEIR CONCERNS. HONEST, CONSTRUCTIVE FEEDBACK FROM EMPLOYEES START WITH TRUST AND THE UNDERSTANDING THAT EMPLOYEES CAN VOICE THEIR CONCERNS WITHOUT FEAR OF RETALIATION.”²

² (2009). MANAGING ORGANIZATIONAL COMMUNICATION. Society for Human Resource Management. from <https://www.Shrm.org/resourcesandtools/managingorganizationalcommunication.aspx>



Vicki Oliveira <vloliveira@fairhaven-ma.gov>

Selectmen's Meeting Dec. 7th- CPC representative needed

Ann Richard <ann.richard@gmail.com>

Mon, Nov 30, 2020 at 3:30 PM

To: Vicki Paquette <vloliveira@fairhaven-ma.gov>, Jeffrey Lucas <silverado504@msn.com>

Vicki-

I wasn't sure if I needed to use the agenda form online to make this request.

I don't really want to be on the agenda but there does need to be an agenda item about the need for the selectmen to choose a representative to the CPC. There is a vacancy that needs to be filled and it would be great for them to choose someone so we can have a full committee making decisions on the upcoming proposals. Our next meeting is on Dec. 16th.

Please let me know if you have any questions.

Thank you-

Ann Richard

Community Preservation Committee

Vice-Chair

✓



6-2
Vicki Oliveira <vloliveira@fairhaven-ma.gov>

Resignation

Nick Sylvia <nicholasrsylvia@gmail.com>

Sat, Nov 28, 2020 at 11:17 AM

To: Vicki Oliveira <vloliveira@fairhaven-ma.gov>

Cc: Whitney McClees <wmcclees@fairhaven-ma.gov>, Geoff Haworth <geoffhaworth2@gmail.com>

Ms. Oliveira,

This email shall serve as formal notice of my official resignation from the Town's Conservation Commission.

It has been an honor to serve the town as a Commissioner for the last few years. This resignation comes as a result of work obligations. When time becomes available in the future, I hope to be serving the Town again. Please convey my gratitude to the selectmen for this opportunity. Thank you.

Sincerely,

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Nicholas R. Sylvia, Esq.
Sylvia Law, PC
(508) 717-7869
345 Union Street
New Bedford, MA 02740

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Massachusetts
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selectmen@Fairhaven-MA.gov

MEMO

Date: December 7, 2020

From: Office of the Town Administrator/ Board of Selectmen

To: Town Departments/ Residents

Re: 2020 Town Report Cover Photos

The Selectmen's office is calling for submissions for this year's Annual Town Report. Please send your digital photos to Selectmen@Fairhaven-MA.gov. No more than three submissions per person, please. Deadline is January 7, 2021.

Sincerely,

Vicki L. Oliveira
Assistant to the Town Administrator