



Fairhaven Board of Selectmen

Meeting Minutes

October 7, 2019

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FAIRHAVEN,
MASS.

Present: Chairman Charles Murphy, Vice Chairman Robert Espindola, Selectman Daniel Freitas, Town Administrator Mark Rees and Administrative Assistant Vicki Paquette.

Chairman Murphy called the meeting to order in the Town Hall Banquet Room at 6:36 p.m.

The meeting was recorded by Cable Access.

MINUTES

Mr. Espindola made a motion to approve the minutes of September 23, 2019 - Open Session. Mr. Murphy seconded. Mr. Freitas abstained because he was not present at that meeting. Vote was unanimous. (2-0)

TOWN ADMINISTRATORS REPORT

Mr. Rees updated the Board:

- Mr. Rees had a good training session with department heads regarding the Goals/Objectives workshop, next week they will be meeting next week to go over the GANTT software
- Massachusetts Association of Conservation Commission awarded Whitney McClees with a certificate of achievement for successfully completing eight units of MACC's Fundamentals for Conservation Commissioners certificate training program. (Attachment A)
- Mr. Rees attended the Manjiro Festival dinner at the New Bedford Whaling Museum

COMMITTEE LIASON REPORTS

Mr. Espindola updated the Board that the Broadband Study Committee met and developed a Request for Proposal (RFP) for a feasibility study.

Mr. Espindola met with Marine Resources Committee and they discussed having the brush cut and moving the boulders at Hoppy's Landing.

Mr. Espindola told the Board he met with the Wellness Committee and they are trying to restructure the program.

Mr. Freitas said he will be attending the Historical Commission meetings again now that his daughter's volleyball games are over.

Mr. Freitas said he attended the Fairhaven Fire Department's annual Open House on Sunday and it was a great turnout.

Mr. Murphy said he attended the Manjiro Festival and the dinner over the weekend.

KIDS ART DAY

Mr. Murphy read a memo from the Town Fine Arts Department regarding a Kids Paint- A- Long that will be held at Town Hall on October 19, 2019. This is a free event open for kids ages 7-12.

Mr. Espindola made a motion to approve the Kids Art Day on October 19, 2019. Mr. Freitas seconded. Vote was unanimous. (3-0)

LCPL MATTHEW RODRIGUEZ MEMORIAL FOUNDATION 5K

Mr. Murphy read a request letter from town Veterans Agent Brad Fish regarding the annual 5K Walk/Run for the LCpl Matthew Rodriquez Memorial Foundation to take place at Fort Phoenix on Sunday, November 3, 2019. Mr. Espindola made a motion to approve the LCpl Matthew Rodriquez Memorial Foundation annual 5K Walk/Run on Sunday, November 3, 2019 at Fort Phoenix. Mr. Freitas seconded. Vote was unanimous. (3-0)

REAPPOINTMENT TO THE MILLICENT LIBRARY TRUSTEES

Mr. Murphy read a letter from Library Director Carolyn Longworth requesting the reappointment of member Cheryl Moniz for another three year term. Mr. Espindola made a motion to reappoint Cheryl Moniz as a trustee to the Millicent Library Board. Mr. Freitas seconded. Vote was unanimous. (3-0)

MUNICIPAL REPRESENTATION ON PRIM BOARD

Mr. Rees explained to the Board that the town is part of the Pension Reserves Investment Management (PRIM) Board. The PRIM Board is charged with the general supervision of the Pension Reserves Investment Trust (PRIT) Fund. This governing board includes teachers and State employees but currently has no municipal representation on the PRIM board. The letter is to ask that the State Legislature consider appointing 2 municipal representatives on the board. Mr. Espindola made a motion authorize the Chairman to sign the municipal representation letter on behalf of the Board. Mr. Freitas seconded. Vote was unanimous. (3-0) (Attachment B)

PUBLIC NOTICE OF NON-DISCRIMINATION

Mr. Rees explained to the Board that the Public Notice of Non-Discrimination pursuant to the Americans with Disabilities Act (ADA) document will allow the Town to update the current ADA plan that has not been updated for approximately 20 years. Mr. Espindola made a motion to adopt the public notice of the Town's non-discrimination policy. Mr. Freitas seconded. Vote was unanimous. (3-0) (Attachment C)

GREIVANCE PROCEDURE

Mr. Rees explained to the Board that the Grievance Procedure under the Americans with Disabilities Act provides a formal policy for someone who feels they have been discriminated

against because of a disability to file a complaint via the Town Administrator and then the Board of Selectmen. (Attachment D)

Mr. Espindola made a motion to approve the Grievance Procedure under the Americans with Disabilities Act. Mr. Freitas seconded. Vote was unanimous. (3-0)

Mr. Espindola made a motion to re-appoint Town Administrator Mark Rees as the ADA Coordinator for the Town of Fairhaven. Mr. Freitas seconded. Vote was unanimous. (3-0)

TOWN HALL HANDICAP ACCESS REPORT

At 7:03 p.m. the Board met with Patrick Ryan from the office of J.M. Booth and Associates Architects to discuss the handicap accessible improvements to town hall. The concern is that the main floor elevator drops visitors off into a private office with no clear pathway to the main hallway. Mr. Ryan presented 4 options ranging in price from \$20,000 to \$45,000, in addition a chairlift could be installed that would make the entire main floor ADA accessible. The cost of a chair lift is estimated at \$77,000. In all the options it is suggested to move the Veterans/Principal Assessor space elsewhere and have that space become a conference room and therefore creating a clear pathway for visitors. Mr. Espindola suggested having Mr. Rees reach out to the town hall employees for their input since the employees know the building and their customers. In order to complete this project the funding will have to be approved at the Special Town Meeting. (Attachment E)

HACKER STREET PARKING

Mr. Espindola recused himself because he has a relative that lives on Hacker Street. Mr. Rees told the Board that this issue is continued from the last board meeting and since then he has held a community forum for the residents of Hacker Street who met with himself, the Town Planner Paul Foley, Police Lieutenant Dave Sobral and Public Works Superintendent Vinnie Furtado. He said there were 14 residents who attended the forum and they came to a resolution regarding the types of signs and the placement of the signs on the street. Mr. Rees said the issue of the home business on Hacker Street was discussed. Several residents from Hacker Street were present and expressed their disappointment that the first notice of the citizen petition for the no parking signs was the community forum letter they received from the Town. They felt some of their neighbors did not communicate to the entire street that they had submitted a petition for no parking signs. Jean Sewal, 62 Hacker Street, would like to see the residents that are on the corners of Hacker Street be included as well because this will affect them even though they do not have Hacker Street addresses. Lori Walton is upset that the neighbors that filed the petition have not been at any of the follow up meetings for the discussions. The Board will notify all the residents, including the adjacent addresses to attend the next Board of Selectmen's meeting for the purpose of taking a vote on the no parking signs. (Attachment F)

COUNCIL ON AGING VACANCY

Mr. Murphy read a letter from Susan Oiestad requesting membership on the Council on Aging Board of Directors for the vacant seat. Mr. Espindola made a motion to appoint Susan Oiestad to the Council on Aging Board of Directors. Mr. Freitas seconded. Vote was unanimous. (3-0)

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CAPITAL IMPROVEMENT PLANNING COMMITTEE VACANCIES

Mr. Rees updated the Board that presently there are two vacancies on the Capital Improvement Planning Committee (CIP), one for a representative for open space and recreation and the other for someone experienced in building and construction management. Residents David Faunce and Steve Hickox have both applied for the open spots. Mr. Faunce was in attendance to meet with the board. Mr. Espindola made a motion to appoint Stephen Hickox to fill the Building and Construction Management position. Mr. Freitas seconded. Vote was unanimous. (3-0)

Mr. Espindola made a motion to appoint David Faunce to the vacant seat for the Open Space and Recreation position. Mr. Freitas seconded. Vote was unanimous. (3-0)

SUSTAINABILITY

Chairman Murphy said that there are vacant seats on the Sustainability Committee for any resident who may be interested in joining.

PREPARATION FOR TOWN MEETING

Mr. Rees told the Board he met with the Finance committee in preparation for the November Special Town meeting. Mr. Rees reviewed the articles with the Board. The Board voted on some of the articles as follows:

Mr. Espindola made a motion to recommend at Special Town Meeting: **Bills of Prior Years – Paid from FY 20 Funds.** Mr. Freitas seconded. Vote was unanimous. (3-0)

Mr. Espindola made a motion to recommend at Special Town Meeting: **Amend Article 14, May 4, 2019 ATM General Fund Operating Budget- FY 20: Town Clerk/Elections Salaries and Wages, Marine Resources Operating Expenses, Fire Department Operating Expenses.** Mr. Freitas seconded. Vote was unanimous. (3-0)

Mr. Espindola made a motion to recommend at Special Town Meeting: **Amend Article 17, May 4, 2019 ATM General Fund Capital Budget- FY 20: Police Department – equipment and weapons storage lockers, Fire Department–Patient Transport Stretchers for ambulances, Land acquisition/Design & Engineering – Public Safety Facility, Central Fire Station/Polling location – handicap access, Town Hall– Handicap access.** Mr. Freitas seconded. Vote was unanimous. (3-0)

Mr. Espindola made a motion to recommend at Special Town Meeting: **Amend Article 21, May 4, 2019 ATM Ambulance Stabilization Fund – FY 20: Increase transfer into fund from \$50,000 to \$65,000.** Mr. Freitas seconded. Vote was unanimous. (3-0)

Mr. Espindola made a motion to recommend at Special Town Meeting: **Amend Article 27, May 4, 2019 ATM—Social Day Care- FY 20: Increase expenditure authorization from \$160,000 to \$175,000.** Mr. Freitas seconded. Vote was unanimous. (3-0)

RESIGNATION FROM CABLE ADVISORY

Chairman Murphy read a letter of resignation from Kenneth Souza on the Cable Advisory Committee. The Board thanked Mr. Souza for his service to the committee and wished him well. Mr. Espindola made a motion to accept the resignation of Kenneth Souza from the Cable Advisory Committee. Mr. Freitas seconded. Vote was unanimous. (3-0)

RESIGNATION FROM THE COMMISSION ON DISABILITY

Chairman Murphy read a letter from Trina Bigham on the Commission on Disability. Mr. Murphy stated she has been a big asset to the Committee for more than 20 years, he thanked her for her service. Mr. Espindola made a motion to accept the resignation from Trina Bigham from the Commission on Disability. Mr. Freitas seconded. Vote was unanimous. (3-0)

LAND ACQUISITION – DEPARTMENT OF CONSERVATION AND RECREATION

Mr. Rees told the Board the Town has received notice from the Department of Recreation and Conservation (DCR) regarding a piece of land adjacent to Fort Phoenix that they are acquiring. Under State law they must notify the Town at least 120 days prior to the purchase for informational purposes. DCR is requesting the Town sign a waiver to agree to a reduction of the notice period required by the regulations. Mr. Espindola made a motion to authorize the Chairman to sign the waiver of 120 days' notice. Mr. Freitas seconded. Vote was unanimous. (3-0) (Attachment G)

MASSACHUSETTS HOUSING PARTNERSHIP GRANT AWARD

Chairman Murphy read a letter from the Massachusetts Housing Partnership announcing a grant award to the Fairhaven Housing Authority for \$14,000. (Attachment H)

TREE ISSUES – 33/34 WILLIAM STREET

Chairman Murphy read a letter from 33 William Street resident Don Carlos Collasius regarding 2 town trees at 33 & 34 William Street. Mr. Collasius is requesting the town to perform a level 3 tree assessment on these trees to determine their safety. Mr. Rees told the Board he met with the tree warden GB Knowles, and Mr. Knowles is waiting on a new bucket truck for the tree department in order to perform the assessment of the tree. Mr. Collasius requested that the Board of Selectmen file an injunction against the tree warden to force him to perform the level three tree assessment. The Board all agreed that they will not take another elected official to court but believe that the tree warden will perform the assessment once the new bucket truck arrives in order of importance of other tree issues in town. The Board suggested to Mr. Collasius that he may file action in court himself if he so chooses. (Attachment I)

NOTES/ANNOUNCEMENTS

Mr. Espindola said he thought the Manjiro Festival was very nice.

Mr. Espindola said he met with Mr. Rees, Town Planner Paul Foley and Conservation Agent Whitney McClees regarding possible sites for the Dog Park.

Mr. Murphy told the Board the Town held a successful surplus auction on September 28, 2019 and raised over \$11,000. Mr. Murphy thanked Kim Nogueira, Charlene Polson, Kyle Winderlick and John Gagliardi.

Mr. Murphy said he had a full weekend where he attended the local farmers market, the Manjiro Festival and the Sister City dinner as well as the Congregational Church's 225th anniversary celebration service.

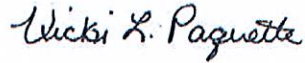
At 8:08 p.m. Mr. Espindola made a motion to adjourn to executive session to discuss:

1. Sewer Union Contract MGL Chapter 30A, Section 21(a) 3
2. Acquisition of Real Estate – Public Safety Facility MGL Chapter 30A Section 21 (a) 6

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

Roll Call Vote: Mr. Murphy in favor, Mr. Espindola in favor, Mr. Freitas in favor

Respectfully submitted,



Vicki Paquette
Administrative Assistant
(Approved 11/4/2019)

Documents appended:

A: Massachusetts Association of Conservation Commission press release

B: PRIM Board email and letter

C: ADA Public Notice

D: ADA Grievance Procedure

E: Town Hall handicap access report

F: Hacker Street memo

G: DCR Land acquisition letter

H: Massachusetts Housing Partnership grant letter

I: Letter from 33 William Street resident



Massachusetts Association of Conservation Commissions

protecting wetlands, open space and biological diversity through education and advocacy

FOR IMMEDIATE RELEASE:

Date: October 1, 2019

FOR INFORMATION CONTACT:

Dorothy A. McGlincy

617-489-3930

dorothy.mcglincoy@macccweb.org

LOCAL RESIDENT COMPLETES

CONSERVATION COMMISSION CERTIFICATE TRAINING PROGRAM

The Massachusetts Association of Conservation Commissions (MACC) announced that it has awarded Whitney McClees, associated with the Fairhaven Conservation Commission, a Certificate of Achievement for successfully completing eight units of MACC's Fundamentals for Conservation Commissioners certificate training program.

The Fundamentals program provides conservation commissioners and others with the basic knowledge and practical tools essential to carrying out many responsibilities of administering the Wetlands Protection Act and for open space planning and protection. Such training promotes sound, consistent fact based decision-making and builds respect for commission determinations. MACC's training program is the only comprehensive program offered to those involved with the Wetlands Protection Act and open space planning.

By achieving her certificate, Whitney has shown dedication to the good work of the conservation commission to protect our natural resources for current and future generations.

MACC is a non-profit environmental organization founded in 1961 to support, educate and advocate on behalf of conservation commissions. MACC works for strong, workable, science-based laws and regulations regarding wetlands, other water resources, open space, and biological resources. MACC offers educational programs throughout the state. Call MACC at 617-489-3930 or visit www.maccweb.org for more information.



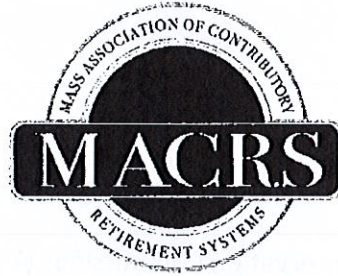
Mary Sturgeon <msturgeon@fairhaven-ma.gov>

Support an Increase on the Prim Board

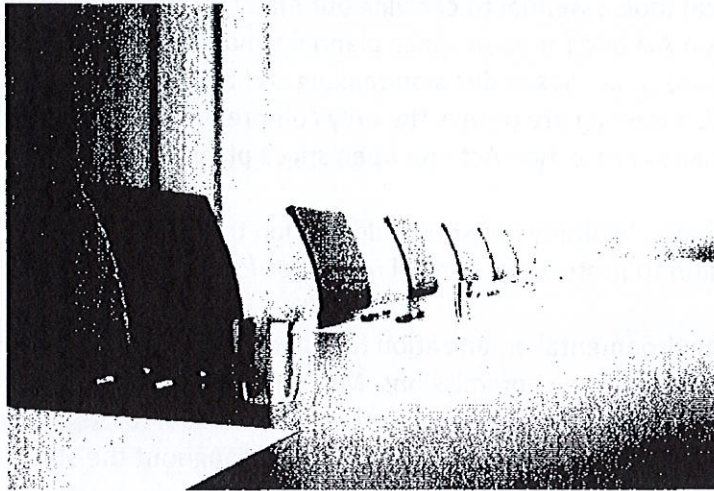
1 message

MACRS <macrs104@gmail.com>
Reply-To: macrs104@gmail.com
To: msturgeon@fairhaven-ma.gov

Tue, Sep 17, 2019 at 8:30 AM



CALL-TO-ACTION TO SUPPORT AN INCREASE MEMBERSHIP ON THE PRIM BOARD.



Support S.1551 and H.2216:
An act to increase membership on the PRIM Board

This act will allow Massachusetts Association of Contributory Retirement Systems ("MACRS") to appoint one (1) representative from a regional or county retirement board and one (1) representative from a municipal

retirement board that has assets invested in the PRIT fund to the PRIM Board. The Mass Teachers Association has opposed our efforts, claiming we would dilute Mass Teachers' voice on the Board. We must join together so that all of our voices are represented. Please support our efforts by signing the attached letter in support.

ACTION NEEDED:

Complete and sign the letter of support, which can be found *here* on our website.

Email letter of support to *MACRS104@gmail.com* on or before 09/30/19

MACRS | P.O. Box 80042, Springfield, MA 01138

Unsubscribe msturgeon@fairhaven-ma.gov

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September 24, 2019

Joint Committee on Public Service
Room 507/Room 156
State House
Boston, MA 02133

Dear Committee Members:

I am writing in support of S.1551 and H.2216 An act to increase membership on the PRIM Board. This act will allow Massachusetts Association of Contributory Retirement Systems ("MACRS") to appoint one (1) representative from a regional or county retirement board and one (1) representative from a municipal retirement board that has assets invested in the PRIT fund to the PRIM Board.

According to the 2018 annual statement from the Public Employee Retirement Administration Commission ("PERAC"), of the 104 retirement systems in the Commonwealth, fifty-six (56) of them are fully invested¹ in the PRIT fund, with several others having some level of investment in the fund. Currently there are nine (9) members of the PRIM Board that are charged to act as trustees for each retirement system that invest in the PRIT fund. The trustees are responsible for the control and management of the PRIT fund, which is not regulated by PERAC. However, only the State Employees' Retirement Board and the State Teachers Retirement Board hold seats on the PRIM Board. In fact, they each hold two (2) seats comprising of 4 members out of the nine (9) member board. This act will expand the representation for regional or county and municipal retirement systems that are not under the purview of the State or State Teachers' retirement systems.

The PRIT fund was created to invest the funds of the State Employee's Retirement Board and State Teachers Retirement Board, however, they also invest millions of funds from regional, county and municipal Retirement Systems. Our Retirement System has [insert dollar amount] invested in the PRIT fund. As investors, we are asking for representation on the PRIT Board.

Please accept this letter as testimony in support of S.1551 and H. 2216.

Very truly yours,

Board Chairman/Mayor

¹ These Boards have three or fewer investors, one of which is PRIT.



Town of Fairhaven
Massachusetts
40 Center Street
Fairhaven, MA 02719

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

PUBLIC NOTICE

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Fairhaven will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: Town of Fairhaven does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: Town of Fairhaven will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Town of Fairhaven programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: Town of Fairhaven will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Town of Fairhaven offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Town of Fairhaven, should contact the office of the Town Administrator as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town of Fairhaven to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden. Complaints that a program, service, or activity of Town of Fairhaven is not accessible to persons with disabilities should be directed to the Town Administrator.

The Town of Fairhaven will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.



Town of Fairhaven
Massachusetts
40 Center Street
Fairhaven, MA 02719

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

GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). This may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Fairhaven.

The Town of Fairhaven's Personnel Policy governs employment-related complaints of disability discrimination. The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to: The Town Administrator, Town of Fairhaven, 40 Center Street, Fairhaven, MA 02719.

Within 15 calendar days after receipt of the complaint, The Town Administrator or his or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, The Town Administrator or his or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Fairhaven and offer options for substantive resolution of the complaint.

If the response by The Town Administrator or his or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Fairhaven Board of Selectmen or their designee.

Within 15 calendar days after receipt of the appeal, the Board of Selectmen or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Board of Selectmen or their designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by The Town Administrator or his or her designee, appeals to the Fairhaven Board of Selectmen or their designee, and responses from these two offices will be retained by the Town Clerk for at least three years.

FAIRHAVEN TOWN HALL ADA ASSESSMENT REPORT

Prepared for:
Fairhaven Board of Selectmen
40 Center St.
Fairhaven, MA

Prepared by:
J. M. Booth & Associates, Inc Architects
47 N. 2nd St
New Bedford, MA

October 3, 2019



INTENT

JMBA+Architects was commissioned to review the accessible path for the first floor. The Town desired to have a public path from the north banquet hall up to the main level of the building which is several steps above the accessible entrance. This report will describe the previous work and the changes which will be necessary to allow the public to use the elevator to access the main offices area of the first floor. We will also discuss alternatives for the two offices located on the south side of the first floor which will accommodate the public as well.

BRIEF HISTORY OF ACCESSIBILITY MODIFICATIONS & EXISTING CONDITIONS

The original building modifications were completed in 1996 and included the installation of a new exterior ramp at the northeast side of the property which led to the exterior doorway at the northeast stair. The historic nature of the structure allowed for this entrance to become the barrier-free access to the building, provided directional signs were installed at the other entrances of the building. Brass signage was installed in 1996, to direct handicap patron to this entrance.



Exterior Ramp at Northeast corner of Town Hall

On the interior, a new elevator was installed in the north west corner of the building which allowed access to the upper first floor via the Assessor's office. The elevator along with the new stair and landing, allowed access to the main level of the first floor. The door, seen in the picture at the right, leads into the current Assessor's office, while allowing the required access, it also minimizes the security of this office.



Elevator Landing within Banquet Hall

Automatic operators were installed on this door. As seen in the photograph to the right. The operator was installed on the interior of the door.



Door from Elevator platform into Assessor's Office. Note power operator on top of door.

The door from the Assessor's office has an automatic operator installed, although the swing of the door is into the space. Note the door knob on the right side of the door.



Door from Assessor's Office to upper corridor,
leading to the Main office and Building Department

PROPOSED BUILDING MODIFICATIONS

In order to provide security to the Town Assessor, we recommend modifying the office layout with new walls, approximately 8 feet tall within the existing offices (see attached plans). This would separate the office from the accessible path. The resulting area could be used as a conference room, or a more public oriented area to allow the public to access the main offices on the first floor. Our Estimates includes new lighting in the resultant spaces as well as electrical work that may be required to create a new office.

In the 1996 design, a telephone was intended to be installed in the Banquet Room to allow disabled individuals to contact the two office located at the south entry and on the lower first floor level. The phone was intended to be installed adjacent to the stair door along with a directory of the various departments including the departments located in the Basement and on the mezzanine under the stage on the upper floor. This alternative is allowed by the American's with Disabilities Act which states the following:

- (i) Alterations to historic properties shall comply, to the maximum extent feasible, with the provisions applicable to historic properties in the design standards specified in § 35.151(c).
- (ii) If it is not feasible to provide physical access to an historic property in a manner that will not threaten or destroy the historic significance of the building or facility, alternative methods of access shall be provided pursuant to the requirements of § 35.150.



It is our opinion, that modifying the stair at the Center St side of the first floor would alter the historic significance of the building entry. In our experience, in this instance, a phone placed within the accessible path and a corresponding conference area for the employees to meet with the public is an acceptable alternative. This was provided at the time the elevator was installed, but apparently removed from the Banquet Room since that project was completed. The attached plan indicates the area to be designated for this purpose.

Accessible Route

Our attached plans indicate the accessible route from the handicap entry door on the North Side of the building. This door was legally designated the barrier-free entry at the time the elevator was installed. The accessible path extends through the Banquet Room to the elevator via the Northwest stair tower. Each door has been fitted with an automatic door opener. Once a visitor is within the west entry the elevator provides access to the upper first floor, the second floor auditorium, various auditorium level offices and conferences spaces and finally the stage.

The Mezzanine level located beneath the stage is not accessible and would be infeasible to make it accessible as there are limited areas which would require structural changes to provide access. This floor, which currently houses the town planner, would also be included in the telephone directory suggested above, located within the Banquet Room.

In the Basement the areas that are used by offices will also need to be included on the telephone directory.

RECOMMENDATIONS

We offer the following recommendations to conform to the latest ADA guidelines

1. Renew the exterior signage that direct the public to the accessible path and the exterior ramp at the east side of the building.
2. Define the accessible path within the building by installing new signage at the northeast stair, within the Banquet Room, directing the public to the elevator, and within the circular stair at the northwest side of the building.
3. Adding a new telephone station within the Banquet Room along with a workstation or desk. Provide a building directory at this desk with instructions to contact the needed department, also indicating if it is accessible by the elevator. The directory should also be provided in braille.
4. At the upper first floor level of the elevator, provide signage directing the public to the various offices accessible through the door to the new conference room.
5. Modify office layouts on the first floor in 4 possible configurations:

Option A - Within the former Assessor Office, build a three-quarter height wall to separate the Assessor from the newly created conference room complete with a door to access the conference room

Within the new conference room, change the door swing of the door leading to the upper first floor corridor so the door swings towards the wall rather than into the space. This would require a new automatic door opener, and the existing one to be removed. By changing the door swing the new conference room becomes more usable.



Option B - Within the former Assessor Office, build a three-quarter height wall to separate the Principal Assessor from the outer assessor's office, and the previous veterans office will become a conference room.

Option C - Within the former Assessor Office, build a three-quarter height wall to separate the Principal Assessor from the outer assessor's office.

Within the former Veteran's Office, build a three-quarter height wall to separate the Veteran's Office from a new conference room where the Veteran's office was previously located.

Within the new conference room, change the door swing of the door leading to the upper first floor corridor so the door swings towards the wall rather than into the space. This would require a new automatic door opener, and the existing one to be removed. By changing the door swing the new conference room becomes more usable.

Option D - Within the former Assessor Office, build a three-quarter height wall to separate the Assessor from the newly created Veterans Office

The former Veterans Office would become the main Assessor's Office

6. Install a vertical wheelchair lift inside the current Tax Collectors Office accessible from the main corridor and making the front portion of the town hall (tax collector and clerk) accessible to the public.
7. Relocate the Town Administrator's/Selectmen's Office to the current Tax Collector's Office, and the Tax Collector's Office to the current Town Admin Office, in an effort to make the tax collector's office more accessible to the public. It is our understanding that the Tax Collector's Office is utilized more frequently by the public than the Town Admin. Office.
8. A new fire alarm horn strobe would need to be added to the new offices / conference rooms created by the various office modifications.



COST ESTIMATES

FAIRHAVEN TOWN HALL ADA IMPROVEMENTS				1924.00	Option - A	
PRELIMINARY COST ESTIMATE						
03-Oct-19				16:47		
PROJECT COST ESTIMATE SUMMARY						
Description				Factor	Totals	
CONSTRUCTION COST SUBTOTAL (not including General Conditions)					\$20,493	
DESIGN CONTINGENCY				5.00%	\$1,025	
SUBTOTAL PRELIMINARY COST ESTIMATE (before G.C. Cost & Adjustment Factors)					\$21,517	
GENERAL CONTRACTOR ADMINISTRATIVE COST AND OVERHEAD & PROFIT						
GENERAL CONDITIONS (from Section 01100)					\$3,000	
OVERHEAD				5.00%	\$1,076	
PROFIT				10.00%	\$2,152	
BOND				2.50%	\$694	
SUBTOTAL BEFORE ADJUSTMENT FACTORS					\$28,439	
CONSTRUCTION CONTINGENCY				10.00%	\$2,844	
Permits						
Means Location Factor						
TOTAL PRELIMINARY COST ESTIMATE					\$31,282	
Architectural/Engineering Fee				12.00%	\$3,754	
Cost to print for bidding					\$500	
Total					\$4,254	
TOTAL PRELIMINARY COST ESTIMATE WITH SOFT COSTS					\$35,536.32	
Section	Description				Division Total	Remarks
01 1000	General Conditions				3,000.00	
02 4100	Demolition				314.90	
06 1000	Rough Carpentry				766.91	
06 2000	Finish Carpentry				1,727.78	
07 9510	Sealants & Caulking				250.00	
08 1000	Doors & Frames				885.93	
'08 7000	Hardware				4,965.21	
09 2600	Gypsum Bd Systems				1,088.53	
'09 9000	Painting				2,672.37	
10 9000	Building Specialties				1,500.00	
26 0000	Electrical				6,321.09	
SUBTOTAL CONSTRUCTION COST ESTIMATE					20,492.71	

FAIRHAVEN TOWN HALL ADA IMPROVEMENTS			1924.00	Option - B	
PRELIMINARY COST ESTIMATE					
03-Oct-19			16:48		
PROJECT COST ESTIMATE SUMMARY					
Description		Factor	Totals		
CONSTRUCTION COST SUBTOTAL (not including General Conditions)			\$22,726		
DESIGN CONTINGENCY		5.00%	\$1,136		
SUBTOTAL PRELIMINARY COST ESTIMATE (before G.C. Cost & Adjustment Factors)			\$23,863		
GENERAL CONTRACTOR ADMINISTRATIVE COST AND OVERHEAD & PROFIT					
GENERAL CONDITIONS (from Section 01100)			\$3,000		
OVERHEAD		5.00%	\$1,193		
PROFIT		10.00%	\$2,386		
BOND		2.50%	\$761		
SUBTOTAL BEFORE ADJUSTMENT FACTORS			\$31,203		
CONSTRUCTION CONTINGENCY		10.00%	\$3,120		
Permits					
Means Location Factor					
TOTAL PRELIMINARY COST ESTIMATE			\$34,323		
Architectural/Engineering Fee		12.00%	\$4,119		
Cost to print for bidding			\$500		
Total			\$4,619		
TOTAL PRELIMINARY COST ESTIMATE WITH SOFT COSTS			\$38,942.12		
Section	Description			Division Total	Remarks
01 1000	General Conditions			3,000.00	
02 4100	Demolition			314.90	
06 1000	Rough Carpentry			796.60	
06 2000	Finish Carpentry			1,869.59	
07 9510	Sealants & Caulking			250.00	
08 1000	Doors & Frames			885.93	
'08 7000	Hardware			4,965.21	
09 2600	Gypsum Bd Systems			1,920.94	
'09 9000	Painting			4,057.48	
10 9000	Building Specialties			1,500.00	
26 0000	Electrical			6,165.62	
SUBTOTAL CONSTRUCTION COST ESTIMATE			22,726.27		

FAIRHAVEN TOWN HALL ADA IMPROVEMENTS			1924.00	Option - C	
PRELIMINARY COST ESTIMATE					
03-Oct-19			16:49		
PROJECT COST ESTIMATE SUMMARY					
Description			Factor	Totals	
CONSTRUCTION COST SUBTOTAL (not including General Conditions)				\$30,364	
DESIGN CONTINGENCY			5.00%	\$1,518	
SUBTOTAL PRELIMINARY COST ESTIMATE (before G.C. Cost & Adjustment Factors)				\$31,882	
GENERAL CONTRACTOR ADMINISTRATIVE COST AND OVERHEAD & PROFIT					
GENERAL CONDITIONS (from Section 01100)				\$3,000	
OVERHEAD			5.00%	\$1,594	
PROFIT			10.00%	\$3,188	
BOND			2.50%	\$992	
SUBTOTAL BEFORE ADJUSTMENT FACTORS				\$40,656	
CONSTRUCTION CONTINGENCY			10.00%	\$4,066	
Permits					
Means Location Factor					
TOTAL PRELIMINARY COST ESTIMATE				\$44,721	
Architectural/Engineering Fee			12.00%	\$5,367	
Cost to print for bidding				\$500	
Total				\$5,867	
TOTAL PRELIMINARY COST ESTIMATE WITH SOFT COSTS				\$50,587.61	
Section	Description			Division Total	Remarks
01 1000	General Conditions			3,000.00	
02 4100	Demolition			314.90	
06 1000	Rough Carpentry			1,563.52	
06 2000	Finish Carpentry			3,347.41	
07 9510	Sealants & Caulking			375.00	
08 1000	Doors & Frames			1,771.86	
'08 7000	Hardware			5,430.42	
09 2600	Gypsum Bd Systems			3,009.47	
'09 9000	Painting			6,729.85	
10 9000	Building Specialties			1,500.00	
26 0000	Electrical			6,321.09	
SUBTOTAL CONSTRUCTION COST ESTIMATE				30,363.50	

FAIRHAVEN TOWN HALL ADA IMPROVEMENTS

1924.00

PRELIMINARY COST ESTIMATE

Option - D

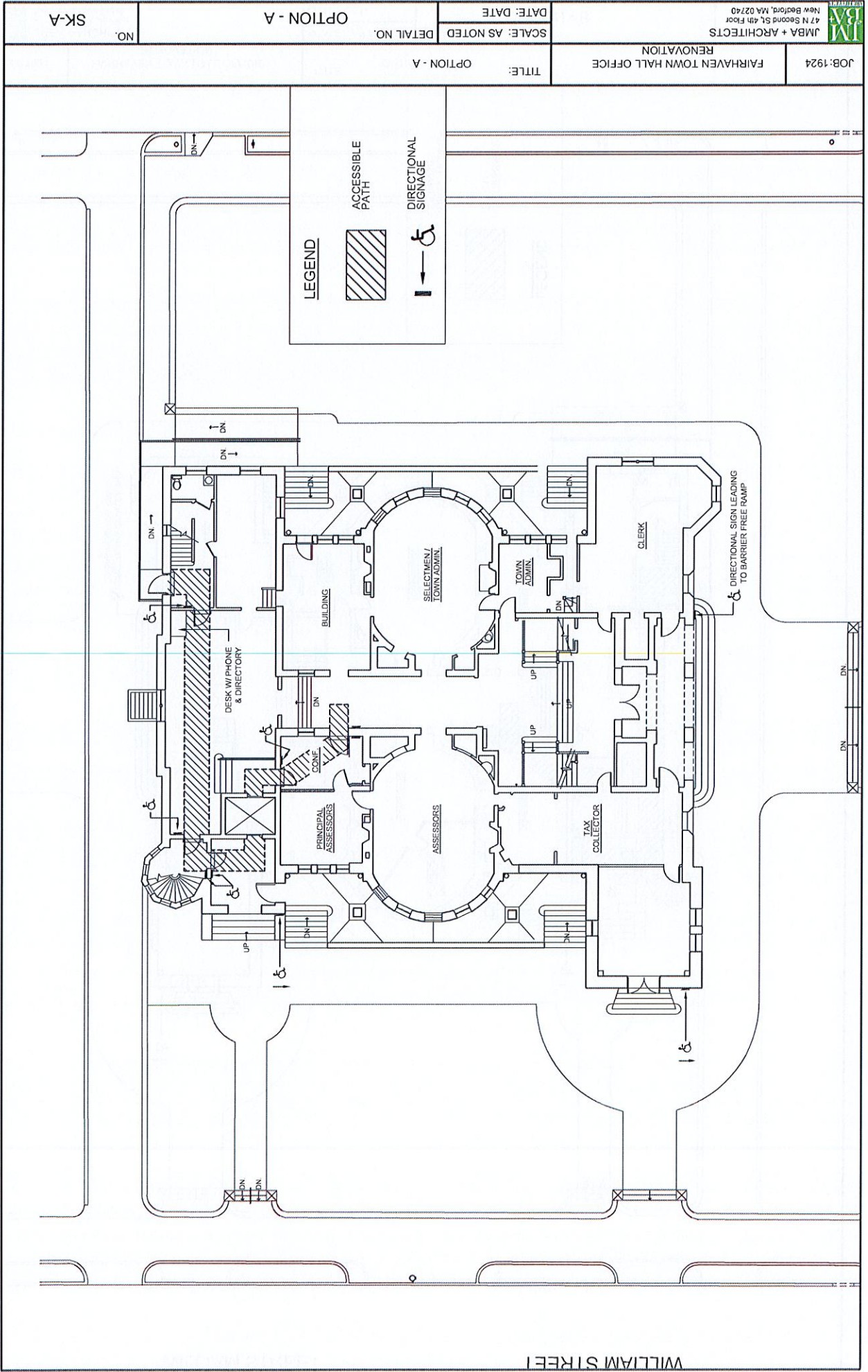
03-Oct-19

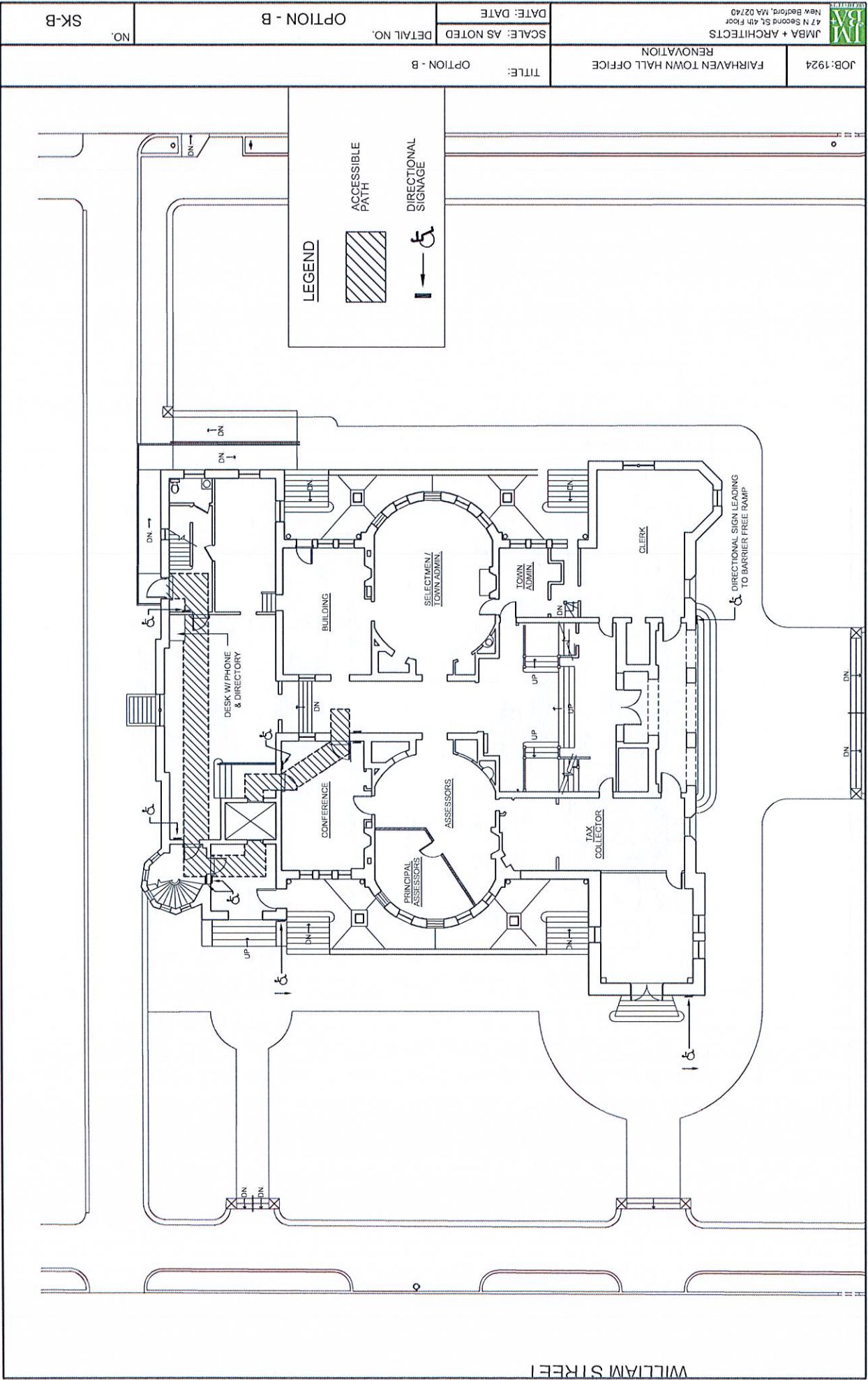
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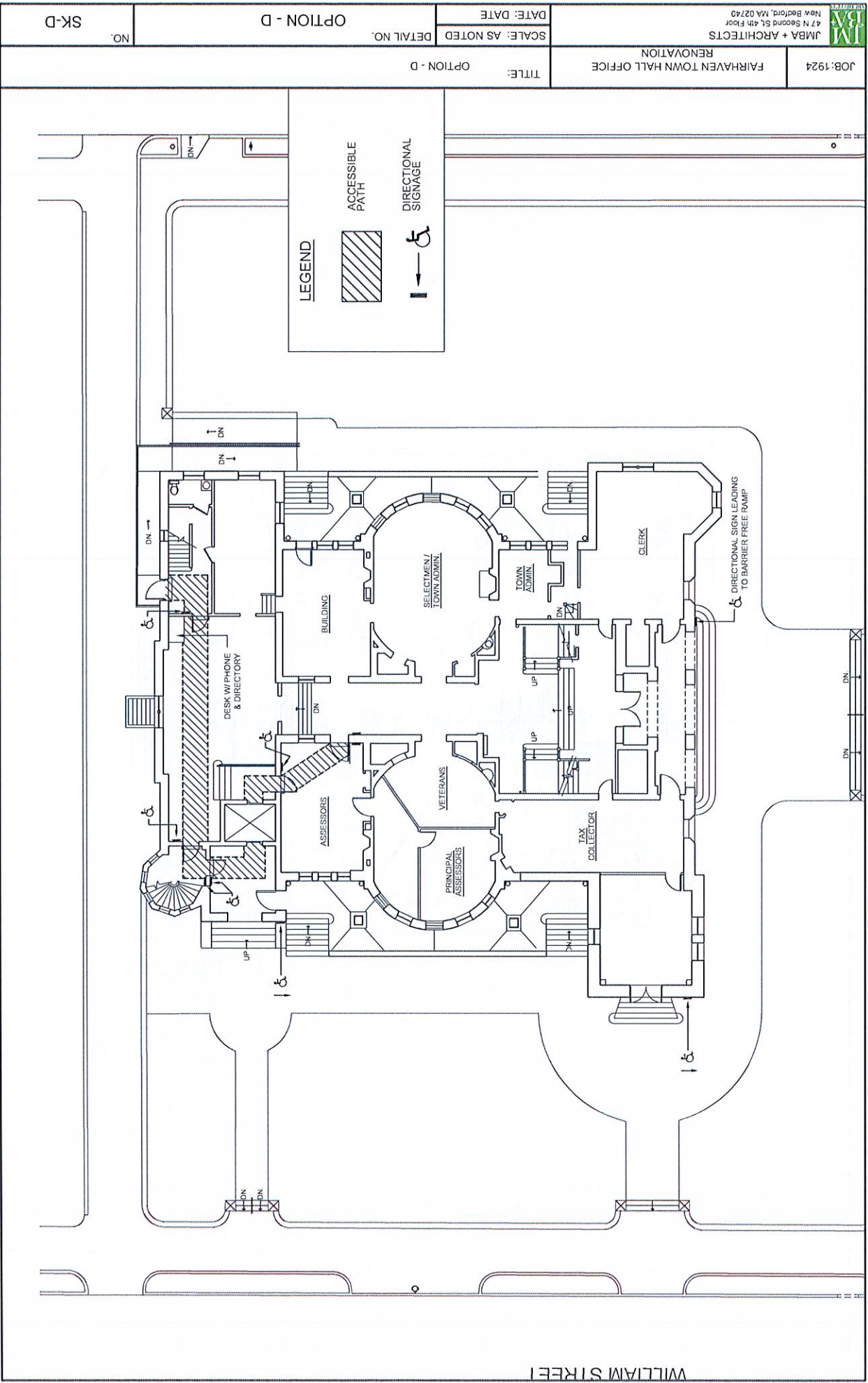
PROJECT COST ESTIMATE SUMMARY

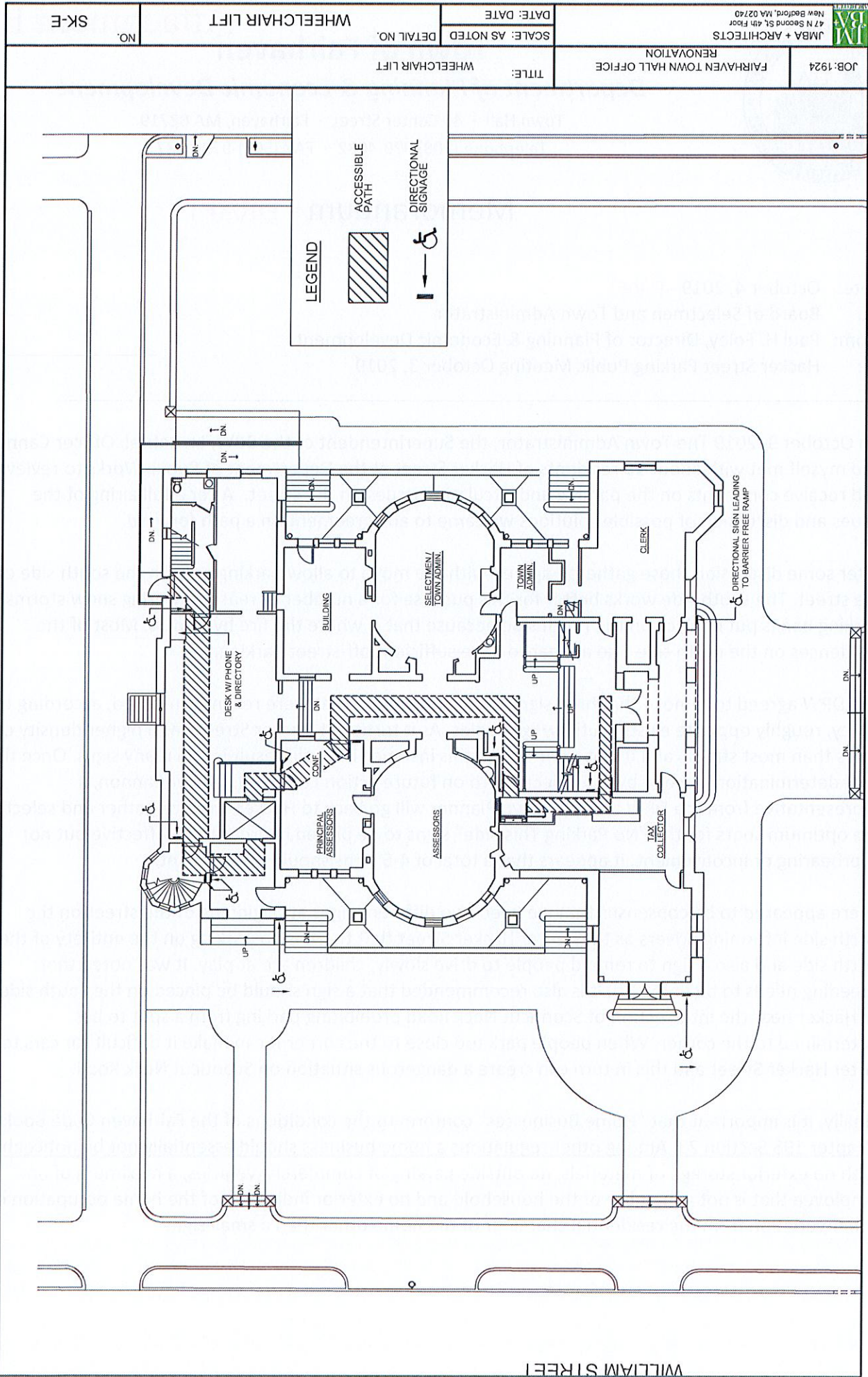
Description	Factor	Totals	
CONSTRUCTION COST SUBTOTAL (not including General Conditions)		\$24,179	
DESIGN CONTINGENCY	5.00%	\$1,209	
SUBTOTAL PRELIMINARY COST ESTIMATE (before G.C. Cost & Adjustment Factors)		\$25,388	
GENERAL CONTRACTOR ADMINISTRATIVE COST AND OVERHEAD & PROFIT			
GENERAL CONDITIONS (from Section 01100)		\$3,000	
OVERHEAD	5.00%	\$1,269	
PROFIT	10.00%	\$2,539	
BOND	2.50%	\$805	
SUBTOTAL BEFORE ADJUSTMENT FACTORS		\$33,001	
CONSTRUCTION CONTINGENCY	10.00%	\$3,300	
Permits			
Means Location Factor			
TOTAL PRELIMINARY COST ESTIMATE		\$36,301	
Architectural/Engineering Fee	12.00%	\$4,356	
Cost to print for bidding		\$500	
Total		\$4,856	
TOTAL PRELIMINARY COST ESTIMATE WITH SOFT COSTS		\$41,156.86	
Section	Description	Division Total	Remarks
01 1000	General Conditions	3,000.00	
02 4100	Demolition	314.90	
06 1000	Rough Carpentry	1,299.08	
06 2000	Finish Carpentry	2,241.97	
07 9510	Sealants & Caulking	375.00	
08 1000	Doors & Frames	885.93	
'08 7000	Hardware	4,965.21	
09 2600	Gypsum Bd Systems	2,881.41	
'09 9000	Painting	3,549.61	
10 9000	Building Specialties	1,500.00	
26 0000	Electrical	6,165.62	
SUBTOTAL CONSTRUCTION COST ESTIMATE		24,178.72	

FAIRHAVEN TOWN HALL ADA IMPROVEMENTS		1924.00	Wheelchair Lift	
PRELIMINARY COST ESTIMATE				
03-Oct-19		16:53		
PROJECT COST ESTIMATE SUMMARY				
Description		Factor	Totals	
CONSTRUCTION COST SUBTOTAL (not including General Conditions)			\$45,014	
DESIGN CONTINGENCY		5.00%	\$2,251	
SUBTOTAL PRELIMINARY COST ESTIMATE (before G.C. Cost & Adjustment Factors)			\$47,265	
GENERAL CONTRACTOR ADMINISTRATIVE COST AND OVERHEAD & PROFIT				
GENERAL CONDITIONS (from Section 01100)			\$6,000	
OVERHEAD		5.00%	\$2,363	
PROFIT		10.00%	\$4,726	
BOND		2.50%	\$1,509	
SUBTOTAL BEFORE ADJUSTMENT FACTORS			\$61,863	
CONSTRUCTION CONTINGENCY		10.00%	\$6,186	
Permits				
Means Location Factor				
TOTAL PRELIMINARY COST ESTIMATE			\$68,050	
Architectural/Engineering Fee		12.00%	\$8,166	
Cost to print for bidding			\$500	
Total			\$8,666	
TOTAL PRELIMINARY COST ESTIMATE WITH SOFT COSTS			\$76,715.57	
Section	Description		Division Total	Remarks
01 1000	General Conditions		6,000.00	
02 4100	Demolition		1,000.00	
05 1200	Miscellaneous Metals		1,876.40	
06 1000	Rough Carpentry		443.51	
06 2000	Finish Carpentry		1,760.58	
07 9510	Sealants & Caulking		250.00	
08 1000	Doors & Frames		885.93	
09 2600	Gypsum Bd Systems		672.33	
'09 9000	Painting		1,125.27	
10 9000	Building Specialties			
140000	Wheelchair Lift		29,000.00	
220000	Plumbing / Fire Protection		5,000.00	
26 0000	Electrical		3,000.00	
SUBTOTAL CONSTRUCTION COST ESTIMATE			45,014.02	









JMBA + ARCHITECTS
47 N Second St. 4th Floor
New Bedford, MA 02740

JOB: 1924

FAIRHAVEN TOWN HALL OFFICE
RENOVATION

TITLE:

WHEELCHAIR LIFT

SCALE: AS NOTED
DATE: DATE

DETAIL NO.

WHEELCHAIR LIFT

NO.

SK-E

WILLIAM STREET



Attachment F

Town of Fairhaven
Department of Planning & Economic Development

Town Hall • 40 Center Street • Fairhaven, MA 02719
Telephone (508) 979-4082 • FAX (508)-979-4087

Memorandum - DRAFT

Date: October 4, 2019 - **DRAFT**

To: Board of Selectmen and Town Administrator

From: Paul H. Foley, Director of Planning & Economic Development

RE: Hacker Street Parking Public Meeting October 3, 2019

On October 3, 2019 The Town Administrator, the Superintendent of the BPW, Lt. Sobral, Officer Cannon and myself met with about 16 residents of Hacker Street at the Department of Public Works to review and receive comments on the parking and circulation issues on the street. After a full airing of the issues and discussion of possible solutions we came to an agreement on a path forward.

After some discussion those gathered agreed with the move to allow parking only on the south side of the street. The south side works better for this purpose for a number of reasons. During snow storms a parking ban is put in place on the north side because that is where the fire hydrant is. Most of the residences on the north side also appear to have sufficient off-street parking.

The DPW agreed to remove the three signs on the north side that were recently installed, according to policy, roughly opposite existing utility/light poles. As it turns out Hacker Street has a higher density of poles than most streets and it was clear that in this instance it would result in too many signs. Once the final determination is made by the Select Board on future action Lt. Sobral, Officer Cannon, a representative from the DPW and the Town Planner will go back to Hacker Street together and select the optimum spots for the "No Parking This Side" signs to be placed in order to be effective but not overbearing or inconvenient. It appears that a total of 4-5 signs should be sufficient.

There appeared to be consensus that we need two different signs at beginning of the street on the north side informing drivers as they enter Hacker Street that there is no parking on the entirety of the north side and also a sign to remind people to drive slowly, children are at play. It was noted that speeding needs to be enforced. It is also recommended that a sign should be placed on the south side of Hacker near the intersection of Sconticut Neck Road prohibiting parking from a spot to be determined to the corner. When people park too close to the corner it can make it difficult for cars to enter Hacker Street and this in turn can create a dangerous situation on Sconticut Neck Road.

Finally, it is important that "Home Businesses" conform to the conditions of the Fairhaven Code Book Chapter 198 Section 23. Among other regulations a home business should essentially not be noticeable with no exterior storage of materials, no outside parking of commercial vehicles, a maximum of one employee that is not a member of the household and no exterior indication of the home occupation or other variation from the residential character of the home other than a small sign.



Attachment G

September 24, 2019 2019 SEP 26 A 10:54

**Certified Mail Return Receipt Requested
No. 7018 1830 0001 8003 9942**

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

RE: Approximately 3.6 Acres of Land at Fort Phoenix State Reservation

Dear Members of the Board:

The Massachusetts Department of Conservation and Recreation (DCR) is considering the purchase of the fee in six parcels of land located at Fort Phoenix State Reservation in Fairhaven. State regulations (301 CMR 51.00) require DCR to provide you and certain other public officials with written notice of any planned purchase by DCR at least 120 days prior to purchase for informational purposes. This letter is intended to serve as such notice.

The parcels under consideration contain a total of approximately 3.6 acres of undeveloped land located off Doane Street at the northerly end of Fort Phoenix State Reservation and are identified (in red) by the enclosed map marked "Exhibit A." If DCR acquires the property, the property will be added to Fort Phoenix State Reservation and managed for conservation and recreational purposes.

Should DCR decide to pursue this acquisition, it may be necessary to complete the transaction in less than the 120-day notice period required by the regulations. We therefore request that you agree to a reduction of the notice-period time, by signing the enclosed waiver form to indicate your approval of the reduction of the 120-day notice period and returning it to us using the signed waiver using the enclosed self-addressed envelope.

If you have any questions regarding this matter, kindly contact Sean Getchell, Director of Government Affairs, at (617) 626-4991. For your information, DCR has sent similar notices to Senator Mark Montigny, Representative William Straus, the Bristol County County Commissioners and the Southeastern Regional Planning and Economic Development District. Thank you.

Very truly yours,

Louis M. Ross
Assistant General Counsel

Enclosures

COMMONWEALTH OF MASSACHUSETTS · EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation
251 Causeway Street, Suite 600
Boston MA 02114-2119
617-626-1250 617-626-1351 Fax
www.mass.gov/dcr



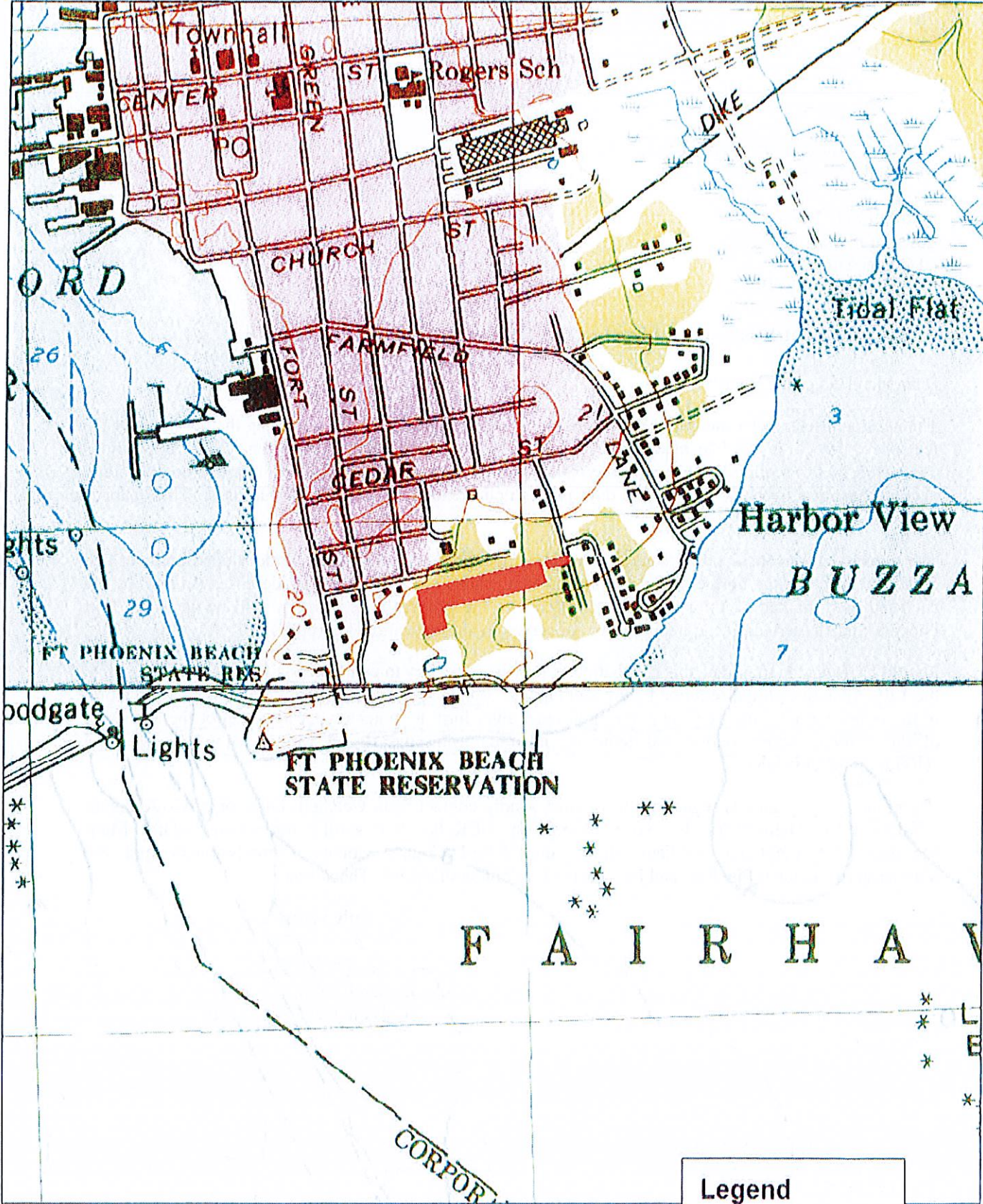
Charles D. Baker
Governor

Karyn E. Polito
Lt. Governor


Kathleen A. Theoharides, Secretary, Executive
Office of Energy & Environmental Affairs

Leo Roy, Commissioner
Department of Conservation & Recreation

Exhibit A



Legend

 Subject Parcel

120-DAY WAIVER FORM

Pursuant to Chapter 51 of Title 301 of the Code of Massachusetts Regulations, I, Charles K. Murphy, Sr., as Chairman of the Town of Fairhaven Board of Selectmen, hereby agree to waive the 120-day notice period as required by said regulations as to the six parcels of land containing approximately 3.6 acres of undeveloped land, located off Doane Street in Fairhaven, Massachusetts adjacent to the Fort Phoenix State Reservation, in which the Department of Conservation and Recreation is considering acquiring an interest.

Town of Fairhaven,
By its Board of Selectmen

Date: _____, 2019

Charles K. Murphy, Sr., Chairman

September 9, 2019

Krisanne Sheedy, PHM, MPHA, MCPPO
Executive Director
Fairhaven Housing Authority
275 Main Street
Fairhaven, MA 02719

RE: Main Street Surplus Land

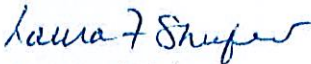
Dear Ms. Sheedy:

The Massachusetts Housing Partnership (MHP) is pleased to award the Fairhaven Housing Authority with direct technical assistance and a grant not to exceed \$14,000 for necessary third-party assistance with Bohler Engineering. The grant, funded through the LHA Surplus Land Grant program, will be used to fund pre-development engineering work to determine site feasibility at the Main Street parcel. A representative from Bohler Engineering will contact you to visit the site and arrange any field work.

The goal of the MHP technical assistance is to determine the site feasibility and land capacity for the development of affordable housing on the surplus located on Main Street, Fairhaven. If determined to be feasible, MHP will assist the FHA in creating a Request for Proposals for a developer.

We look forward to working with you.

Sincerely,



Laura F. Shufelt
Assistant Director of Community Assistance

On Behalf of the Fairhaven Housing Authority, I accept the terms of this grant agreement:

Signature

Title

Date

Cc: Charles K. Murphy, Sr., Select Board Chair
Senator Mark C Montigny
Representative William M. Straus

160 Federal Street
Boston, Massachusetts 02110
Tel: 617-330-9955
Fax: 617-330-1919

www.mhp.net

Attachment I

4-OCT-2019

To: Fairhaven Board of Selectman

From: Don Carlos Collasius 33 William st

Re: 2 town owned trees

Dear Sirs

I am requesting that the board take action to mitigate the dangerous situation regarding the two town owned trees by 33 and 34 William St. You are well aware of this and you have told me during your board meetings on 2 occasions that you would reach out to the tree warden and then call me. Mr. Freitas and Mr. Espindola you have not called me. Please refer to the minutes of previous board meetings if your memories do not serve you on this.

When you responded to me during a board meeting that there was nothing you could do regarding the tree wardens lack of action and obstructionist behavior I suggested you write him a letter. You only did so when pressed by me.

As my self's and my fellow town constituent's elected representatives and charged and paid to run this town in a safe manner I am requesting you take action to file a complaint against the tree warden and get an injunction to make him preform the level 3 tree assessment myself and my neighbors have been asking for and the warden has committed to doing.

If you are not willing to do that I ask the town engage a third party arborist to perform the assessment.

If the tree warden does preform this assessments I want the town to engage a third party arborist to review and confirm the findings as the tree warden has provided false information on numerous occasions that calls into question either his ability or his honesty.

Thank you,

Don C. Collasius

RECEIVED
OCT-3 A 11:21
BOARD OF SELECTMAN
FAIRHAVEN MASS

