



# Fairhaven Board of Selectmen

## January 4, 2016 Meeting Minutes

**Present:** Chairman Geoffrey Haworth, Vice Chairman Charles K. Murphy, Sr., Clerk Robert Espindola, Executive Secretary Jeffrey Osuch, and Administrative Assistant Anne O'Brien.

Chairman Geoffrey Haworth called the meeting to order in the Town Hall Banquet Room at 6:35 p.m. The meeting was audio recorded by the Selectmen's Office and video recorded by the Government Access channel.

### MINUTES

- Mr. Murphy motioned to approve the minutes of the **December 14, 2015** meeting, **open** session. Mr. Espindola seconded. Vote was unanimous. (3-0).

### EXECUTIVE SECRETARY'S REPORT

In his report, Mr. Osuch shared the following deadlines:

- January 8 at 4:00 pm – Street Acceptances
- January 15 at 4 pm – Department budgets
- January 22 at 4 pm – Deadline for Town Meeting articles

### STRATFORD GROUP

Mr. Osuch suggested that the Board select a liaison for starting negotiations with the Stratford Group. After some discussion, Mr. Murphy motioned to name Mr. Espindola the liaison in the negotiations process. Mr. Espindola seconded. Vote was unanimous. (3-0).

### ANNUAL LICENSE RENEWALS

The Board reviewed the remaining applications for 2016 license renewals. Spring Street Auto was not included on the list because of owed taxes and incomplete paperwork.

Mr. Murphy motioned to renew the 2016 Car Dealer license for Full Throttle contingent upon the receipt of site plans by May 1, 2016. Mr. Espindola seconded. Vote was unanimous. (3-0).

Mr. Murphy motioned to renew the 2016 Car Repair license for Full Throttle and Jiffy Lube contingent upon the receipt of site plans by May 1, 2016. Mr. Espindola seconded. Vote was unanimous. (3-0).

## **TOWN REPORT – SELECTMEN’S OFFICE**

The Board reviewed a Town Report for the Selectmen’s Office, as drafted by Mr. Osuch and revised by Ms. O’Brien. The Board made two minor corrections. Mr. Murphy motioned to approve the Town Report for the Selectmen’s Office with the two corrections. Mr. Espindola seconded. Vote was unanimous. (3-0).

## **ROGERS SCHOOL PROPOSALS**

The Board reviewed three tenuous proposals for the disposal of the Rogers School. Letters of interest in submitting a proposal were due by December 31, 2015.

The three interested parties are:

- Stella Marnik – Ms. Marnik submitted a letter stating that she would like to see the property razed and cleared for a community park in Henry Huttleston Rogers’ name. See Attachment A.
- Michael Tavares – Mr. Tavares is a Nova Scotia resident who grew up in Fairhaven and still has family in Fairhaven. He is proposing a condo conversion in the original building, likely for 55+ residents, and the creation of housing lots after the removal of the Rogers addition. Mr. Tavares is also proposing the continuation/completion of Union Street through the lot.
- Eric Dawicki – Mr. Dawicki is interested in submitting a proposal for the expansion of the Northeast Maritime Institute.

The Board requested that the Selectmen’s Office send a copy of the Rogers-Oxford RFP to Mr. Dawicki, Mr. Tavares, and Ms. Marnik for their consideration in submitting a formal proposal. Mr. Murphy motioned to set Monday, February 8, at 4 pm as the deadline for Rogers School proposals. Mr. Espindola seconded. Vote was unanimous. (3-0).

The Board also requested that the letter from Mr. Tavares be forwarded to the Planning Board c/o of its Chairman, Wayne Hayward, for comment.

## **PILOT AGREEMENT – NEW BOSTON ROAD**

The Board reviewed a PILOT request from Clean Energy Collective for a project on 197 New Boston Road. See Attachment B.

Mr. Osuch said that the Board would want to meet with the Board of Assessors before making any decisions. The Board will compile its questions related to the PILOT offer from Clean Energy Collective, will research PILOT agreements in other towns, and will request additional information from the Board of Assessors.

The Board will research PILOT agreements from other municipalities and will contact the Board of Assessors for a joint meeting.

## **MACKATAN GENERAL STORE – BEER AND WINE SELLING HOURS**

At 7:22 p.m., the Board met with Christopher Medeiros of the Mackatan General Store. Mr. Medeiros submitted to the Board a letter requesting that his beer and wine selling hours be expanded to be the same selling hours as the other establishments in town: Monday through Saturday from 8 am to 11 pm and Sunday from 10 am to 11 pm. In addition to Mr. Medeiros, store co-owner Troy Tennyson was present.

In addition to the expanded beer and wine sales hours, Mr. Medeiros requested the addition of three picnic tables and a bench at his location. The Board said that any seating would have to be approved by the Board of Health (BOH). The BOH had given the Mackatan General Store a variance for the seating originally, but revoked it, claiming that the liquor license had prompted a change in seating because alcohol could not be consumed on the premises.

Mr. Haworth opened the meeting to public comment.

Those speaking in favor of the expanded hours included: Melissa Arrighi, Bob Konicki, Tim Evans, JP Lemieux, Mark Dunn, Terry Meredith, Scott Promfrit, Michael Ristuccia, Howe Allen, Linda Meredith, Mike McNamara, Chris Walczak. Abutters Tom and Diane Smith (37 Causeway Road) said that the picnic tables proposed were too close to their backyard and expressed concern about expanding the alcohol sales hours.

Mr. Murphy encouraged anyone complaining of the operations of the Mackatan General Store to go into the store and speak with the proprietors to seek a resolution instead of waiting for public hearings, so their concerns may be addressed and resolved quicker.

The Board was supportive of the request from Mr. Medeiros. Mr. Murphy motioned to approve the following wine/beer sales hours for the Mackatan General Store: Monday through Saturday, 8:00 a.m. to 11:00 p.m., and Sunday from 10:00 a.m. to 11:00 p.m. Mr. Espindola seconded. Vote was unanimous. (3-0).

At 8:03 p.m., Mr. Murphy motioned to enter executive session to discuss Town Administrator negotiations, to reconvene in open session afterward. Mr. Espindola seconded. Vote was unanimous. (3-0). Roll call vote: Mr. Murphy in favor. Mr. Haworth in favor. Mr. Espindola in favor.

## **OPEN SESSION**

The Board reconvened in open session at 8:28 p.m.

## **TOWN ADMINISTRATOR APPOINTMENT**

Mr. Murphy motioned to accept the employment agreement with Town Administrator Mark Rees and authorized the chairman to sign the same. Mr. Espindola seconded. Vote was unanimous. (3-0).

Mark Rees was recognized. Mr. Rees thanked the Board for the opportunity to be the Town's first Town Administrator.

Mr. Murphy motioned to set an official start date of January 5, 2016 for Mr. Rees. Mr. Espindola seconded. Vote was unanimous. (3-0).

### **DUSSAULT – SPRING STREET AUTO**

The Board will issue a letter to the Dussaults of Spring Street Auto to inform them that they will be on the next agenda to discuss their failure to complete license renewal paperwork and operating without a license.

### **OTHER BUSINESS**

Under Other Business:

- The Board thanked Mr. Osuch for his years of service and dedication to the Town. Mr. Osuch was named the 2015 Fairhaven "Man of the Year" by the Standard-Times
- Mr. Espindola thanked the Police and Fire departments for closing a "communication gap" with the organizers of the annual Polar Plunge
- Mr. Espindola acknowledged the 2015 Fairhaven "Woman of the Year", Council on Aging director Anne Sylvia

At 8:45 p.m. Mr. Murphy motioned to enter Executive Session, pursuant to MGL 30A § 21:

1. Treasurer contract negotiations
2. Stratford Group negotiations – Oxford School

Mr. Espindola seconded the motion to enter Executive Session for the aforementioned reasons, not to reconvene into open session afterward. Vote was unanimous. (3-0)

Respectfully,

Anne O'Brien  
Administrative Assistant  
Minutes approved 01/19/2016

Request form Stella Pifko Marnik

I would like my proposal to be heard concerning the Rogers School.

To make Rogers School and the entire property a parking lot and playground for all the residents to enjoy.

Why do we have to sell the property to make money for something that was given to us.

Our Lady's Haven is also another property given by this generous man and the only parking they have is on the streets surrounding the building and it certainly is not sufficient. Something plain but beautiful for the town with Henry Huttleston Rogers's name would be a very nice tribute for the man who gave so much to the town.

Stella Pifko Marnik  
56 Green Street  
Fairhaven, MA 0271

508-999-1889

RECEIVED  
2015 NOV 30 P 1:19  
BOARD OF SELECTMAN

EI

Jeff Osuch

**From:** Anne O'Brien  
**Sent:** Thursday, November 12, 2015 8:37 AM  
**To:** Jeff Osuch  
**Subject:** FW: PILOT Agreement  
**Attachments:** Fairhaven Memo To ES - 111115.docx; CEC PILOT Agreement - 197 New Boston Road, Fairhaven - 111115.doc

Attachment B

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**From:** Rayo Bhungara [<mailto:rbhumgara@sustain2050.com>]

**Sent:** Wednesday, November 11, 2015 1:03 PM

**To:** Anne O'Brien

**Subject:** PILOT Agreement

Dear Jeff: Hope you are doing well. We spoke on October 27. I am a development consultant with Clean Energy Collective (CEC). CEC is developing a 2 MW project on 197 New Boston Road. Attached is a proposal and a PILOT Agreement for your review. Please call me if you have any questions or need additional information. Thank you.

rayo

Rayo Bhungara  
President  
Sustainable Strategies 2050 LLC  
396 Washington Street, #248  
Wellesley, MA 02481  
p: (617)413-8858  
f: (781)237-4499  
e: [rbhumgara@sustain2050.com](mailto:rbhumgara@sustain2050.com)  
w: [www.sustain2050.com](http://www.sustain2050.com)





TO: JEFFREY OSUCH, EXECUTIVE SECRETARY, TOWN OF FAIRHAVEN, MA  
FROM: RAYO BHUMGARA, DEVELOPMENT CONSULTANT, CLEAN ENERGY COLLECTIVE  
DATE: NOVEMBER 11, 2015  
SUBJECT: REQUEST FOR A PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT – SOLAR PROJECT AT 197 NEW BOSTON ROAD, FAIRHAVEN, MA

### **PROJECT DESCRIPTION**

The Fairhaven Community Solar Array will be one of the first operational “Community Shared Solar” (“CSS”) projects in the Commonwealth. This new program enacted into the State’s Renewable Portfolio Standard (“RPS”) Statute in May 2014, solves an inherent lack of fairness in renewable energy programs. While all of us pay into these programs via our electric rates, only those homes and businesses that own their roofs, and have roofs that face the right direction, are free from shade, and have the right structural elements can install solar and reap the benefits that we all pay into. Community Shared Solar solves this by enabling all homes and businesses to tap into the benefits of solar, through a community shared project, instead of having to have one on their roof.

#### **Land Lease**

The Project currently is under a Lease Agreement with the landowners, Richard and Donna Costa of Fairhaven, MA. The Lease has an initial 25-year term.

#### **Interconnection**

The Project is currently undergoing a System Impact Study with Eversource.

#### **Permitting and Site Agreements**

The project is currently going through the local permitting process.

#### **Construction & Completion**

The project construction start date is expected to be March 11, 2016 and construction completion date is expected to be October 25, 2016. Actual start of operation will be dependent upon the utility’s schedule for completing the interconnection to the grid.



## **SOLAR SYSTEM SUMMARY**

System Size: 2000 kW AC  
Mounting System: RBI  
Photovoltaic Modules: Yingli 230W and Jinko Solar 305W  
Inverters: Advanced Energy 3TL Series  
Transformer: Pacific Crest

## **REVENUE & EXPENSE ASSUMPTIONS**

BASE LEASE TERM – 25 years  
SYSTEM SIZE - 2000 KW AC  
PRODUCTION ESTIMATE (Year 1) – 3,768,000 Kwh (annual panel degradation – 0.67%)  
CONTRACT RATE FOR ELECTRICITY - \$0.160/Kwh (estimated)  
SREC PRICE - \$175/Mwh (estimated for 10 years only)  
SYSTEM COST (FOR COMPONENTS DESCRIBED ABOVE) - \$1,200/KW AC

## **METHODOLOGY FOR DEVELOPING PILOT PAYMENTS**

1. Base Lease Term – 25 years
2. Cost Basis – based on a breakdown of equipment costs (modules, invertors, racking, transformers, onsite electrical infrastructure) we estimated \$1,200/KW AC
3. Accelerated Depreciation – we used a 10 year accelerated depreciation schedule with 25% residual value
4. Average Taxes/Year – we divided the total taxes by 25 years to come up with taxes owed per year
5. Taxes owed/year – \$13,762/MW AC, we will increase it to \$14,000/MW AC

## **WHY A PILOT IS IMPORTANT FOR FINANCING A SOLAR ENERGY GENERATION FACILITY**

The construction of solar generation facility is capital intensive. A substantial portion of the income in the first 5 - 10 years will go towards paying back the development costs and the tax equity investor and for debt service. There are additional costs including lease payments, operation and maintenance costs, insurance, administrative costs etc. which also have an impact on cash flows. In order to make the project financially viable, we would request a PILOT where the tax payments are both reasonable and normalized over a 25 year term. The proposal we have put forth provides a reasonable tax payment that the



project can absorb but at the same time gives a predictable source of income to the Town over a 25 year term.

**PILOT AGREEMENT**

A PILOT Agreement has been attached for your review.



TO: JEFFREY OSUCH, EXECUTIVE SECRETARY, TOWN OF FAIRHAVEN, MA  
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