



Fairhaven Board of Selectmen

December 5, 2016 Meeting Minutes

Present: Select Board Chairman Charles K. Murphy, Sr., Vice Chairman Robert J. Espindola, Clerk Daniel Freitas, Town Administrator Mark Rees and Administrative Assistant Anne O'Brien.

Mr. Murphy 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. Espindola motioned to approve the release of the Executive Session minutes for the meetings of **March 16, 2015, March 30, 2015 and April 8, 2015**. Mr. Freitas seconded. Vote was unanimous. (3-0).
- Mr. Espindola motioned to amend the minutes of the **November 7, 2016** meeting to correct a clerical error. See Attachment A. Mr. Freitas seconded. Vote was unanimous. (3-0).
- Mr. Espindola motioned to approve the minutes of the **November 21, 2016** meeting, **open** session. Mr. Freitas seconded. Vote was unanimous. (3-0).
- Mr. Espindola motioned to approve the minutes of the **November 21, 2016** meeting, **executive** session. Mr. Freitas seconded. Vote was unanimous. (3-0).

TOWN ADMINISTRATOR'S REPORT

In his report to the Selectmen, Mr. Rees:

- Added an action item from St. Joseph's Parish
- The payroll department will be able to accommodate the health insurance premium holiday in December.
- November 29 meeting will focus on Employee Assistance Program training for department heads.
- Non-union job descriptions have been finalized and will be reviewed with LaurelRidge Counseling for classification recommendations.
- Travel issues at Union Wharf have been resolved
- 40B zoning application for the Oxford School program is tentatively scheduled for early January.
- Mr. Rees applied on behalf of the Town to be a part of the Community Compact program for grant finances.

- Consultant Marc Wey will be holding two trainings for department heads in December for the employment of the Selectmen's goals.
- Judgment today ruled in favor of the Town of Fairhaven against the Huttleston Motel for working without permits and unsafe buildings.

DONATIONS – ACADEMY BUILDING

The Board reviewed a donation from Al Benac in the amount of \$6,550 for painting at the Academy Building. Mr. Espindola motioned to accept the gift of \$6,550 from Mr. Benac for the Academy Building. Mr. Freitas seconded. Vote was unanimous. (3-0).

The Board reviewed a donation from Gail Isaksen in the amount of \$4,850 for painting at the Academy Building. Mr. Espindola motioned to accept the gift of \$4,850 from Ms. Isaksen for the Academy Building. Mr. Freitas seconded. Vote was unanimous. (3-0).

The Board instructed Mr. Rees to send Mr. Benac and Ms. Isaksen a thank you note for their generosity.

TOWN MEETING ARTICLE DEADLINE

After some discussion, Mr. Espindola motioned to set a deadline of January 12, 2017, for citizen-petitioned articles. Mr. Freitas seconded. Vote was unanimous. (3-0).

POLAR PLUNGE

The Board reviewed an emailed request from Carol-Ann Days-Merrill to hold the annual Polar Plunge on January 1, 2017 to benefit Dollars for Scholars, to benefit Fairhaven students. Mr. Espindola motioned to approve the request, contingent on Police Department approval. Mr. Freitas seconded. Vote was unanimous. (3-0).

PROCLAMATION – FIRST RESPONDERS TO BOAT EMERGENCY

At 6:50 p.m. Mr. Murphy read a citation to all those involved in the saving of crew members and salvaging of the Captain Jeff on November 20, 2016. Family and friends of the rescuers were present to hear the citation from the Board. Captain Chief Desiree of the Coast Guard was also present. See Attachment B. The Board thanked these rescuers for their bravery.

TAX CLASSIFICATION HEARING

At 7:09 p.m., the Chairman opened a public hearing for the purposes of the annual Tax Classification. Present were Finance Director Wendy Graves, Assistant Assessor Delfino Garcia and Board of Assessors, Pamela Davis, and Ronald Manzone. See Attachment C.

After a presentation from the Board of Assessors on the CIP (Commercial, Industrial, Personal) shift, the Chairman opened the hearing to public comment. There was none. The Board of Selectmen took the following votes (based on recommendations from the Board of Assessors):

- Mr. Espindola motioned to opt against adopting the residential exemption. Mr. Freitas seconded. Vote was unanimous. (3-0).
- Mr. Espindola motioned to opt against adopting a small commercial business exemption. Mr. Freitas seconded. Vote was unanimous. (3-0).
- Mr. Espindola motioned to support the split tax rate and a residential factor of 0.867981. Mr. Freitas seconded. Vote was unanimous. (3-0).

The hearing closed at 7:17 p.m.

OTHER BUSINESS

In other business:

- Mr. Murphy read a letter from the St. Joseph's parish requesting use of the Town center streets for a caroling hayride on December 18, 2016, contingent on Police review. Mr. Espindola motioned to approve. Mr. Freitas seconded. Vote was unanimous. (3-0).
- Mr. Espindola reminded the public that the Old-Time Holiday would be Saturday, December 13.
- Mr. Freitas said that he had the honor of being a bartender at the Standard Times Neediest Family fundraiser on December 4. He said the event was fun and well-attended.
- Mr. Murphy was honored to represent the Board at the AAA/RMV ribbon cutting.
- Mr. Murphy announced the 2016 MOLIFE Woman of the Year: Anne Silvia.
- Mr. Murphy announced the 2016 MOLIFE Man of the Year: Brett St. Gelais.

At 7:30 p.m. Mr. Espindola motioned to enter Executive Session pursuant to MGL ch. 30a section 21, for:

- Collective bargaining (clerical, police, dispatcher, fire)

Mr. Freitas seconded. Vote was unanimous. (3-0). Roll call vote: Mr. Murphy in favor. Mr. Espindola in favor. Mr. Freitas in favor.

Respectfully,

Anne O'Brien
Administrative Assistant
Minutes approved 12/19/2016

DOCUMENTS REFERENCED:

- A. Excerpt of November 7, 2016 open session meeting minutes with clerical error to be corrected
- B. Citation for rescue workers
- C. All documents referenced in Tax Classification hearing

Brotherhood Association dinner in Springfield, MA, for their efforts in saving the life of the passenger in that accident.

- Two CPC projects were submitted to the Community Preservation Committee on behalf of the Board of Selectmen. A. a restoration of brick sidewalks, curbing and wheelchair ramps near the Millicent Library and the estimated cost is \$185,000, which will include conduits for lighting in the future. The sidewalks will not be narrowed for this project. B. funding to study the capital needs to maintain the Town Hall.

DISCLOSURE – PETER DETERRA

Mr. Rees reviewed a conflict of interest issue with the Board of Selectmen, related to Peter DeTerra of the Board of Health. Mr. DeTerra is the only contractor the Town could find that is qualified to mow the grass on top of the Town landfill. Because the Board of Health oversees the capped landfill, it presented a conflict of interest that Mr. DeTerra, a special municipal employee, is doing the work. As a result, Mr. Rees has completed the necessary form (23b) with the Town Clerk and now needs the Board of Selectmen to accept the disclosure and grant the exemption.

Mr. Espindola motioned to accept the disclosure and issue an exemption from the conflict of interest law for Mr. DeTerra to complete the mowing on the landfill for FY17. Mr. Freitas seconded. Vote was unanimous. (3-0).

FY17 LOCAL CULTURE

The Board reviewed a State contract for local Culture and Recreation. Mr. Espindola motioned to approve and sign. Mr. Freitas seconded. Vote was unanimous. (3-0).

↑ should read "Mr. DeTerra"

Mr. Espindola motioned

MATTHEW RODRIGUEZ

The Board reviewed a letter from the Matthew Rodriguez Run to Remember fund, requesting to move the date of the annual run from November 6, 2016 to March 26, 2017 at 10 am. Mr. Espindola motioned to approve the request. Mr. Freitas seconded. Vote was unanimous. (3-0).

AUDITORIUM USE – NMI GRADUATION

The Board reviewed an application from Northeast Maritime Institute for use of the Town Hall Auditorium on December 17, 2016 for a graduation ceremony. The NMI is aware that there is another applicant for use of the auditorium that same evening and is willing to coordinate with the other group to share the space. Mr. Espindola motioned to approve the application for use of the Town Hall Auditorium. Mr. Freitas seconded. Vote was unanimous. (3-0).

Mr. Freitas said that he had some concerns about the future use of the Town Hall auditorium, especially by private parties. He said that he would like to see a firm policy drafted and enforced to make sure that the Town Hall auditorium is used appropriately. Mr. Rees said that he would review the current Town Hall use policy and bring the matter before the Board at a future meeting.



Town of Fairhaven
Massachusetts
Office of the Selectmen

- Whereas:** The Fairhaven Fire Department and Harbormaster assisted in saving the crew of the scalloping vessel “Captain Jeff”, which was en route to drop off its catch in New Bedford when it got into trouble and began to sink; and
- Whereas:** The Buzzards Bay Task Force, which includes members of South Coast-area police, fire, and harbor personnel including the Fairhaven Fire Department, Emergency Medical Technicians, the Fairhaven Harbormaster, and the Assistant Harbormaster, responded; and
- Whereas:** With the assistance of the crews from Tucker-Roy Marine Salvage and Tow Boat US and despite cold sea spray, high winds, and high seas, they were able to get the crew of the Captain Jeff to safety and salvage the vessel, bringing it to Fairhaven Shipyard for repairs; and
- Whereas:** This rescue was made by the Fairhaven Fire Department and Emergency Medical Personnel Deputy Chief Todd Correia, Lt. Douglas Silveira, Firefighter Chauncey Burr, Lt. Brian Messier, Firefighter Brian Riggs, Firefighter Nicholas Gautreau, Lt. Joy Nichols, Firefighter Shawn Samanica, Fairhaven Harbormaster Timothy Cox, Assistant Harbormaster and Firefighter Todd Cox, as well as the New Bedford Assistant Harbormaster Brian Joseph; and salvage efforts were made by Tucker Roy Marine Salvage: Conrad Roy, Jr., John Roy, Conrad Lennard, Troy Werner, and Mike Almeida, and the crew from Tow Boat US: Clint Allen and Mike McNamara.

Now therefore, we, Charles K. Murphy, Robert Espindola, and Daniel Freitas, the Fairhaven Board of Selectmen would like to extend their gratitude to everyone involved in this bold and difficult rescue. We join with the Town of Fairhaven in thanking them for saving the lives of six people and for salvaging the vessel “Captain Jeff”.

Given under our hands and seal on this day,
the 5th of December in the year two thousand and sixteen.

Charles K. Murphy, Sr.

Robert J. Espindola

Daniel Freitas

MEMORANDUM

TO: Board of Selectmen
FROM: Mark H. Rees, Town Administrator
DATE: December 1, 2016
RE: Public Hearing-Joint Meeting with the Board of Assessors-Tax Classification Hearing

As a result of a miscommunication between the Assessor's Office and the Department of Revenue, the required legal posting of the Tax Classification hearing did not occur for the Tax Classification hearing that was conducted at your November 21, 2016. To correct this problem it will be necessary for the Board of Selectmen and the Board of Assessors to conduct the Tax Classification hearing again at your December 5, 2016 meeting; this time after being properly advertised. The numbers and recommendations provided to you at the November 21, 2016 have not changed.

CC: Board of Assessors.



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

Ronald J. Manzone, Chairman
Pamela K. Davis, MAA, Member
Ellis B. Withington, Member

Delfino R. Garcia, Asst. Assessor
Notary Public
Phone: (508) 979-4022
Facsimile: (508) 979-4018
Email: dgarcia@fairhaven-ma.gov

November 21, 2016

TO: Board of Selectmen

FROM: Board of Assessors

Subject: Tax Rate Classification FY17

We are asking the Board of Selectmen to vote on the minimum residential factor which creates the CIP Shift per the attached spreadsheet.

Residential and Open Space property (R&O) has increase an average of 3.6% while Commercial has also increased an average of 4.5%.

For Fiscal Year 2017, this will result in a small rate decrease in both rates as illustrated below:

FY2017 Residential Property	\$12.04/1000 (proposed rate)	X \$100,000 value = \$1,204.00
FY2016 Residential Property	\$12.18/1000	X \$100,000 value = \$1,218.00
FY2017 CIP Property	\$24.27/1000 (proposed rate)	X \$100,000 value= \$2,427.00
FY2016 CIP Property	\$24.45/1000	X \$100,000 value = \$2,445.00

The average single family home value for FY2016 was \$254,645 @ \$12.18 = \$3,101.58

The average single family home value for FY2017 is \$264,074 @ \$12.04 = \$3,179.45

Board of Assessors
Ron Manzone, Chairman
Pamela Davis, MAA
Ellis Withington



Ronald J. Manzone, Chairman
Pamela K. Davis, MAA, Member
Ellis B. Withington, Member

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

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Town of Fairhaven
FY 2017 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?

- Commercial*
Industrial Personal
- (A residential exemption reduces the taxable valuation of each residential property that is a taxpayer's principal residence by a fixed amount. Fairhaven has not adopted this previously. This option is typically adopted in high rental areas and high concentrations of summer homes. 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. The exemptions benefits the property owner and not the small business tenant.

• 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 .867981 which is the maximum shift of 1.75. 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
Ron Manzone, Chairman
Pamela Davis, MAA
Ellis Withington

November 21, 2016

Our recommendation

Selectmen are to vote a minimum residential factor

Of

.867981

MAX. – 1.75% we can impose

TOWN OF FAIRHAVEN			
RESIDENTIAL	COMMERCIAL	TAX RATES	
<u>YEAR</u>	<u>SINGLE RATE</u>	<u>RESIDENTIAL</u>	<u>COMMERCIAL</u>
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