



FAIRHAVEN SELECT BOARD

Agenda

Monday, February 28, 2022

6:30 p.m.

Town Hall – 40 Center Street – Fairhaven

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and via remote means, in accordance with applicable law. This means that members of the public body as well as members of the public may access this meeting in person, or via virtual means. In person attendance will be at the meeting location listed above, and it is possible that any or all members of the public body may attend remotely, with in-person attendance consisting of members of the public.

Log on to <https://us06web.zoom.us/j/87557068019?pwd=eGtYZFdseElrRkFKb29ZbkoyZWYrdz09>

or call 1-929-205-6099

Meeting ID: 875 5706 8019

Passcode: 760188

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

A. MINUTES

1. Approve the minutes of February 7, 2022 – Open Session
2. Approve the minutes of January 7, 2022 – Executive Session
3. Approve the minutes of February 10, 2022 – Open Session
4. Approve the minutes of February 10, 2022 – Executive Session
5. Consider the release of Executive Session minutes from August 17, 2020- June 21, 2021, as redacted

B. TOWN ADMINISTRATOR REPORT

C. COMMITTEE LIAISON REPORTS

D. APPOINTMENTS

1. 6:30 pm Swearing in of new Police Officers
 - a. Jillian Jodoin & K9 Blue
 - b. Andrew Dillon
 - c. Ethan Horsley
2. 6:45 pm Consider Changing the date of the Annual Town Meeting

E. POSSIBLE ACTION/DISCUSSION

1. Consider appointing new Town Administrator Angie Lopes Ellison
2. Discuss Town Administrator Search Process
3. Bridge Street site suitability study for public Safety Facility and/or Recycling Center
4. Hazard Mitigation Plan update grant approval
5. Request to remove the parking meter at Hoppy's Landing
6. Approval of final agreement for use of town electricity at Hoppy's Landing: Blue Stream Shellfish, LLC
7. Request to join Sustainability Committee: John Pond

8. Request to join Commission on Disability: Eleanor Chew
9. Appoint Sean Daley from associate member to full member of the Broadband Study Committee
10. Approve Special One Day Liquor License-- Buzzards Bay Coalition on June 18, 2022
11. Event Permit: The Nemasket Group 5K walk/run, Saturday, May 7, 2022, 9:00 am
12. Discuss possible changes to the Select Board Committee Liaison appointments
13. FY23 Goal #2, Objective D (Appointed Committees)
14. FY23-27 Town Administrators Recommended General Fund Capital Improvement Plan
15. FY23 Town Administrators Recommended Water and Sewer Enterprise Fund Budgets
16. FY23 Town Administrator's Recommended Cable/Town & School Enterprise Budget
17. Review of Town Meeting Articles for May 7, 2022 Annual Town Meeting
18. Mask Mandate update

F. PUBLIC COMMENT

G. CORRESPONDENCE

1. Resignation from Belonging Committee: Diane Hahn
2. Update on DOR Financial Management Review

H. EXECUTIVE SESSION

1. To discuss Strategy with respect to potential litigation, personnel- MGL c. 30A, § 21(a)(3)
2. To investigate charges of criminal misconduct – MGL c. 149 § 52C and c.66 §15
3. To discuss complaints or charges brought against, a public officer, employee, staff member or individual- MGL c. 30A, § 21(a)(1)

I. NOTES AND ANNOUNCEMENTS

1. The next **regularly** scheduled meeting of the Select Board is **Monday, March 14, 2022** 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.



Fairhaven Select Board Meeting Minutes February 7, 2022

Present: Chairman Robert Espindola, Vice-Chairwoman Stasia Powers, Clerk Keith Silvia and Interim Town Administrator Wendy Graves

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

Chairman Robert Espindola opened the meeting at 6:32 pm in the Town Hall Banquet Room and announced the Board will be entering into executive session.

Minutes

Ms. Powers made a motion to approve the Open Session Minutes of January 10, 2022 as amended. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to approve the Open Session Minutes of January 22, 2022. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to approve the Open Session Minutes of January 24, 2022 as amended. Mr. Silvia seconded. Vote was unanimous. (3-0)

Town Administrator Report

Ms. Graves said she has been busy working on the budgets for the upcoming fiscal year. Ms. Graves passed out a copy of the Budget calendar but noted some of the dates may change depending on the outcome of the Town Administrator search.

Committee Liaison Reports

Ms. Powers will meet with the Lagoa Friendship Pact Committee on February 8, 2022.

Mr. Silvia met with the Historical Commission, and told the Board; the bridge plaque was discussed and the plaque will be cleaned but not brought back to its original state without the patina.

Mr. Espindola attended the Broadband Study Committee meeting last week, where they discussed getting an article ready for the Annual Town Meeting in May for the second half of the municipal light project. The Committee and the consultant are in the process of setting up a pilot project to test the feasibility of the project but are currently on hold waiting to see if the ARPA funds will be available for this.

Mr. Espindola said at a recent Bikeway Committee meeting, the members discussed the use of E-bikes (electric bikes) on the bike path and had concerns over the speed factor with these bikes.

Mr. Espindola said SRPEDD is allocating over several billion dollars in funds for bridge repair program and several surrounding communities will be receiving funds for repairs

Planning Director Paul Foley and Mr. Espindola will be attending a webinar on economic development.

Mr. Espindola said SRTA is having a staffing shortage and will be cutting down on some bus routes.

As part of the Southcoast bikeway alliance, Mr. Espindola said the next phase of the bike path will be continuing but the larger phase to connect Mattapoisett, Marion, and Wareham will be on hold for now.

Appointment of Council on Aging Director

Ms. Graves introduced the person chosen to replace retiring Council on Aging Director Anne Silvia. Martha Reed brings with her 30 years of experience working with the elderly; she has grant writing experience and was also a former outreach coordinator. Ms. Reed told the Board she is eager to start her position and continue with the programs that are currently at the senior center. She is looking forward to bringing back some programs that have been lost due to Covid and thanked the Board for the opportunity. Board members welcomed Ms. Reed to her position.

Ms. Powers made a motion to approve the appointment of Martha Reed as the Council on Aging Director. Mr. Silvia seconded. Vote was unanimous. (3-0)

Town Administrator Search

Mr. Espindola handed out a memo regarding his thoughts on possible scenarios for the next steps in the Town Administrator search. (Attachment A). Both Ms. Powers and Mr. Silvia feel that there is still one good candidate and would like to interview her. Mr. Espindola has reservations about interviewing only one person and would like to see the search process start over. Collins Center Consultant Mary Aicardi told the Board, the Search Committee did put forth 3 good candidates, as they were tasked to do and by extending the search again; there is a possibility of limiting the number of candidates that will apply because many towns in the commonwealth are looking for a Town Administrator currently.

Ms. Powers made a motion to amend the decision that was agreed with the Select Board with the Collins Center and eliminate the requirement of interviewing of no less than 2 but more than 5 candidates. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to interview Ms. Angie Lopes Ellison for the position of Town Administrator at the next earliest convenience. Mr. Silvia seconded. Vote was unanimous. (3-0)

The Board and Ms. Aicardi discussed possible dates and time for the interview.

Ms. Powers made a motion to set the next meeting for February 2, 2022 at 6:30 pm for the interview of Ms. Ellison. Mr. Silvia seconded. Vote was unanimous. (3-0)

Discuss Power Options contract renewal

Mr. Espindola said this is something the Board should act quickly on as the prices can change at a moment notice and the Town needs to be able to get the best price for electricity.

Ms. Powers made a motion to allow the interim Town Administrator and the Sustainability Coordinator, Ms. McClees to handle all negotiations for the renewal of the Power Options and to provide electricity on behalf of the town. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to authorize the interim Town Administrator to work with Ms. McClees to get bids and procure electricity according to the advice of Power Options. Mr. Silvia seconded. Vote was unanimous. (3-0)

Hazard Mitigation Plan Grant

Mr. Espindola would like to have the Sustainability Coordinator, Whitney McClees, meet with the Board at their next meeting to explain more about this.

Ms. Powers made a motion to table the Hazzard Mitigation Plan Grant until the next meeting. Mr. Silvia seconded. Vote was unanimous. (3-0)

Select Board Goals and Objectives / Open Space and Recreation Planning Committee

Mr. Espindola read a memo (Attachment B) from Special Project Coordinator Mark Rees stating that the Select Board FY23 Goals and Objectives have been updated and completed. The only response was from Recreation Director Warren Rensehausen to add Conservation, Planning and the Recreation Director to the Open Space and Recreation Committee.

Mr. Espindola said the Open Space plan was originally created as an ad hoc committee but this is an important committee to continue with. Mr. Espindola feels there is ambiguity between the Select Board and the Board of Public Works regarding the parks and open space and recommends there be a discussion with the Select Board, the Board of Public Works and Town Counsel before making any decisions. Ms. Powers feels this is the perfect opportunity for cooperation and to carefully plan what the town wants for open spaces; and since this ties into the Master Plan the town is already headed in the right direction.

Ms. Powers made a motion to set up a joint meeting with the Board of Public Works to discuss the Open Space and Recreation plan at a future Select Board meeting. Mr. Silvia seconded. Vote was unanimous. (3-0)

Mr. Espindola said he received an email regarding the goal concerning attendance on committees and limitations on joining. The Board will look further into this at a future time.

Ms. Powers made a motion to approve the FY23 Goals and Objectives document as presented in the packet. Mr. Silvia seconded. Vote was unanimous. (3-0)

Riverside Cemetery Trusstees

Mr. Espindola said normally this type of request would go through the Town Administrator, but because of Covid concerns, Mr. Espindola asked to place this on the agenda for the Board to decide. Riverside Cemetery Trustees would like to use the Town Hall Auditorium for their annual meeting on Saturday, April 30, 2022 because the space is large enough for the committee to safely socially distance.

Ms. Powers made a motion to allow the Riverside Cemetery Trustees to use the Town Hall Auditorium on Saturday, April 30, 2022 and to waive the rental fee but keep the custodian's fee. Mr. Silvia seconded. Vote was unanimous. (3-0)

Mask Mandate update

Mr. Espindola read a memo (Attachment C) from Health Agent Dave Flaherty recommending not changing the mask mandate at this time. While the numbers seem to be coming down, to err on the side of caution the Town should still remain proactive.

Public Comment

There were no comments, questions or concerns at this time.

Mass DOT: Intersection of Alden Road and Route 6

Mr. Espindola read an email from MassDOT (Attachment D) regarding the intersection of Alden Road and Route 6. MassDOT is in the process of obtaining a design consultant to evaluate this intersection and prepare a design for the addition of pedestrian signals. Installation in late summer is anticipated.

Cable Advisory Committee representative to Broadband Study Committee

Mr. Espindola said the Cable Advisory Committee has appointed Thomas McAfee as their representative on the Broadband Study Committee.

Commission on Disability Resignation

Mr. Espindola read a letter of resignation from Maria Walker from the Commission on Disability.

Ms. Powers made a motion to accept the resignation of Maria Walker from the Commission on Disability and thank her for her service. Mr. Silvia seconded. Vote was unanimous. (3-0)

At 8:33 pm Ms. Powers made a motion to enter into executive session pursuant to M.G.L. Chapter 30, Section 21 for the Review of Executive Session minutes from August 17, 2020- June 21, 2021. Mr. Silvia seconded. Vote was unanimous. (3-0)

Roll Call vote: Ms. Powers in favor, Mr. Silvia in favor, Mr. Espindola in favor.

Respectfully submitted,



Vicki L. Oliveira
Administrative Assistant

- A. Memo: Town Administrator search
- B. Memo: Open Space
- C. Memo: Mask update
- D. Email: Route 6/Alden Road



Fairhaven Select Board Meeting Minutes February 10, 2022

Present: Chairman Robert Espindola, Vice-Chairwoman Stasia Powers, Clerk Keith Silvia and Interim Town Administrator Wendy Graves and Administrative Assistant Vicki Oliveira

Also present: Mary Aicardi and Angie Lopes Ellison

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

Chairman Robert Espindola opened the meeting at 6:31 pm in the Town Hall Banquet Room and announced the Board will be entering into executive session.

Discussion of Questions, Logistics and Process for Interviews

Ms. Aicardi consolidated the questions previously sent to the Collins Center from the Select Board members and reviewed them with the Board to determine the ones that will be asked in the interview.

The Board reviewed the questions with Ms. Aicardi and made some suggestions and edits.

At 7:00 pm the Board took a 20-minute recess while the Ms. Aicardi updated the edits to the questions

Interview of Town Administrator Finalist: Angie Lopes Ellison

Ms. Aicardi introduced Angie Lopes Ellison to the Board and asked the interview questions on behalf of the Select Board.

Ms. Ellison has over 10 years' experience in municipal government, 17 years in higher education management and currently is the City Administrator for the city of North Adams, MA.

Ms. Ellison said she has family in the area and understands the community. She told the Board Fairhaven "feels like home." Ms. Ellison holds a Masters Certificate in Local Government Leadership & Management from Suffolk University, a Master of Arts in American Studies from the University of Massachusetts and a Bachelor of Arts in Political Science from Southern Massachusetts University as well as a working knowledge of 5 languages.

Upon completion of the interview, Ms. Ellison left the room so the Board could discuss their thoughts on the interview and deliberate a decision.

Ms. Powers made a motion to appoint Ms. Angie Lopes Ellison to be the next Town Administrator subject to negotiations. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Ellison and Ms. Aicardi returned to the Banquet room and thanked the Board. She said she would be able to start her new position in late March.

At 9:01 pm Ms. Powers made a motion to enter into executive session to conduct negotiations with non-union personnel pursuant to MGL, Ch. 30A, Sec. 21(a) (2): Town Administrator and not to reconvene in open session. Mr. Silvia seconded. Vote was unanimous. (3-0)

Roll Call vote: Ms. Powers in favor, Mr. Silvia in favor, Mr. Espindola in favor.

Respectfully submitted,



Vicki L. Oliveira
Administrative Assistant

motion to release the executive session minutes from August 17, 2020 through June 7, 2021 as recommended by Selectman Silvia and Attorney Crotty as discussed in executive session.

Jillian Jodoin & K9 Blue

Officer Jillian Jodoin was selected as the K9 Handler in July. Fleet Cruiser 401 was outfitted with a state-of-the-art Canine Kennel and temperature monitoring system by American Aluminum. On September 21st Officer Jodoin, with representatives of the Bristol County Sheriff's Office K9 Division, traveled to Maranatha Kennels in Maine to select the new canine. The dog selected was a 7-month-old Black American Labrador Retriever.

With the help of social media and our amazing community the friendly black lab was named Blue, in honor of our Fairhaven Blue Devils. Officer Jodoin and partner K9 Blue started the Bristol County Narcotics Detection Dog Academy on September 27th and graduated with recognition on December 3rd. Officer Jodoin and K9 Blue will continue training for Narcotics detection monthly. In the future they will continue to further their skills in tracking and community policing.

From October 2021 -December 31st, 2021 Officer Jodoin and K9 Blue participated in just over 400 hours of training, conducted twelve narcotic searches, five community policing calls, and five demonstrations.¹

Officers Andrew Dillon & Ethan Horsley

On September 20th Andrew Dillon and Ethan Horsley began basic police recruit training at the Plymouth Police Academy. They both graduated February 18th. Officer Dillon earned a bachelor's degree in Sociology/Crime and Justice with a minor in Business Management from Suffolk University. Officer Horsley earned a bachelor's degree in Criminal Justice from Bridgewater University. Both are residents of the Town of Fairhaven.

¹ Written and contributed by K9 Handler Officer Jillian Jodoin

MEMORANDUM

TO: Select Board
FR: Mark Sylvia, Town Moderator
DT: February 24, 2022
CC: Wendy Graves - Interim Town Administrator, Tom Crotty – Town Counsel, Precinct Town Meeting Chairs
RE: Postponing Town Meeting to June

As preparations for the 2022 Annual Town Meeting quickly approach, it is necessary to discuss whether the proceedings will be held in person or remotely. It is my sense that many town officials would prefer to meet in person in 2022 if it is safe and responsible to do so.

For the past two years, due to unprecedented circumstances surrounding the COVID 19 pandemic, we have safely and responsibly conducted our town meeting business remotely. I recognize that it has not been ideal, as we all prefer to conduct our town meeting business in person. However, we came together as a community and a local government, to continue the work of our legislative branch successfully and in the best way possible.

The conditions today are improving, although vigilance and precaution are still critical practices for us to follow. If town meeting were held in February or March, it appears that a remote town meeting would be the best course of action. Fortunately, our town meeting is held in May and assuming conditions continue to improve, the likelihood of conducting a safe, in person town meeting at that time seems likely although not a guarantee.

That said, if it is our intention to hold our 2022 Annual Town Meeting in person, I believe it is advisable that we postpone the May meeting to a Saturday in June. This will allow more time for conditions to improve and increase the probability of a safe in person meeting. Dates to consider are June 4, 2022, June 11, 2022 and June 18, 2022. I am not aware of any conflicts on those dates but defer to the Select Board, which ultimately has the authority to postpone town meeting.

It is important to note, that we will continue to monitor the situation and follow any updated guidance from the Board of Health, MA Department of Public Health and the Center for Disease Control and Prevention. If it is determined before we convene a postponed town meeting in June that it is no longer safe to meet in person, we have the ability to transition to a remote meeting. Moreover, we can integrate voluntary precautions into any in person meeting including making masks and hand sanitizer readily available.

Finally, I would also like to offer as additional support for postponing the Annual Town Meeting to June, that it will enable the newly appointed Town Administrator time to transition into their new role and prepare for town meeting.

Thank you for your time and consideration. I will be present at your February 28, 2022 meeting to discuss this further.



Vicki Oliveira <vloliveira@fairhaven-ma.gov>

Re: Public Meeting Laws

Thomas P. Crotty <tomcrotty@tcrottylaw.com>

Wed, Feb 23, 2022 at 2:23 PM

Reply-To: tomcrotty@tcrottylaw.com

To: Bob Espindola <selectmanbobespindola@gmail.com>, Mark Sylvia <msylvia11@comcast.net>

Cc: Wendy Graves <wgraves@fairhaven-ma.gov>, Vicki Paquette <vloliveira@fairhaven-ma.gov>

All

The select board can designate the date for town meeting by vote at any meeting of the board. (The town code requires that the election portion of the town meeting be held on the first Monday in April, and the remainder, the business portion of the meeting, be adjourned to a later date. But the town meeting does not actually convene on election day. It has been the accepted custom that the select board designates the adjourned date by simple vote of the board at any posted board meeting.)

Also, the recent legislative extension of the Covid related provisions of the open meeting law run through July 15, 2022. But that does not appear to apply to town meeting. Unless the governor declares a further public health emergency, town meeting must be concluded by the end of June.

Tom

Thomas P. Crotty

Thomas P. Crotty & Associates, PLLC

7 Fort Street

Fairhaven, MA 02719

TomCrotty@tcrottylaw.com

Cell/SMS: 508-916-7862

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[Quoted text hidden]

E1

E2

To be discussed at Meeting





Town of Fairhaven

E3

Department of Planning & Economic Development

Town Hall • 40 Center Street • Fairhaven, MA 02719

Telephone (508) 979-4023 • FAX (508)-979-4087

pfoley@fairhaven-ma.gov

Memorandum

Date: February 24, 2022

To: Select Board, Wendy Graves, Mark Rees, Police & Fire Chiefs, DPW Superintendent

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

RE: Site Readiness Grant Phase 2 ESA for 194 Bridge Street

In November 2020 the Town of Fairhaven was awarded a \$75,000 grant through the MassDevelopment Site Readiness Grant program to look at environmental and other barriers to development in the Route 6/240 Redevelopment Target Area. Through the Site Readiness Grant we hired Fuss & O'Neill to conduct up to ten (10) Phase I Environmental Site Assessments on properties in the Redevelopment Target Area. The purpose of this was to identify environmental issues that are preventing development in the Target Area and take steps to address them and seek funds to clean them up if necessary.

A Phase I Environmental Site Assessment is conducted to determine the presence of contamination or recognized environmental conditions (REC's). It is a desktop study that involves a review of publically available records, a site inspection and an interview with the property owner, all of which helps to form an educated opinion of environmental conditions of the site. A Phase I ESA is required during a real estate transaction to provide disclosure on potential environmental risks at a property.

Through the grant the consultants have conducted five (5) Phase 1 ESA's in Town at the following locations: 194 Bridge Street; 172 Bridge Street (Drive-In property); 180 Bridge Street (Little Peoples College parking); 120 Alden Road (Fairhaven/Koopman Lumber); and 14 Plaza Way.

The Phase 1 ESA at 194 Bridge, and previous studies done at the property, indicate that the first 100-120 feet of the property along Bridge Street east of the transmission lines may not have any waste buried below the surface. Behind that (north) is an area shown on a 1999 Test Boring Map labelled as "Waste Area A" that extends another 100 to 120 feet into the property east of the regional transmission wires with various waste such as bottles, wood waste, ash, construction and demolition waste and other items. Waste Area A extends to the back of the property on the west side of the property. Behind that is an area labelled Waste Area B.

On Friday February 18, 2022 I met with the consultants and Mark Rees in Town Hall. At this meeting we discussed using the remaining funds in the grant (approximately \$28,000) and approximately \$25,000 in ARPA funds to complete a Phase 2 ESA on a rectangular section of the property east of the transmission lines and 200-225 feet back from Bridge Street to conduct more and deeper soil borings, drilling for monitoring wells and an evaluation of methane migration. The purpose of this is to get a better idea of exactly what kind of waste is located in this area, what it will take to remove the waste, identify sources of funding to remove it and determine whether this is potentially a location to safely locate a public facility upon.

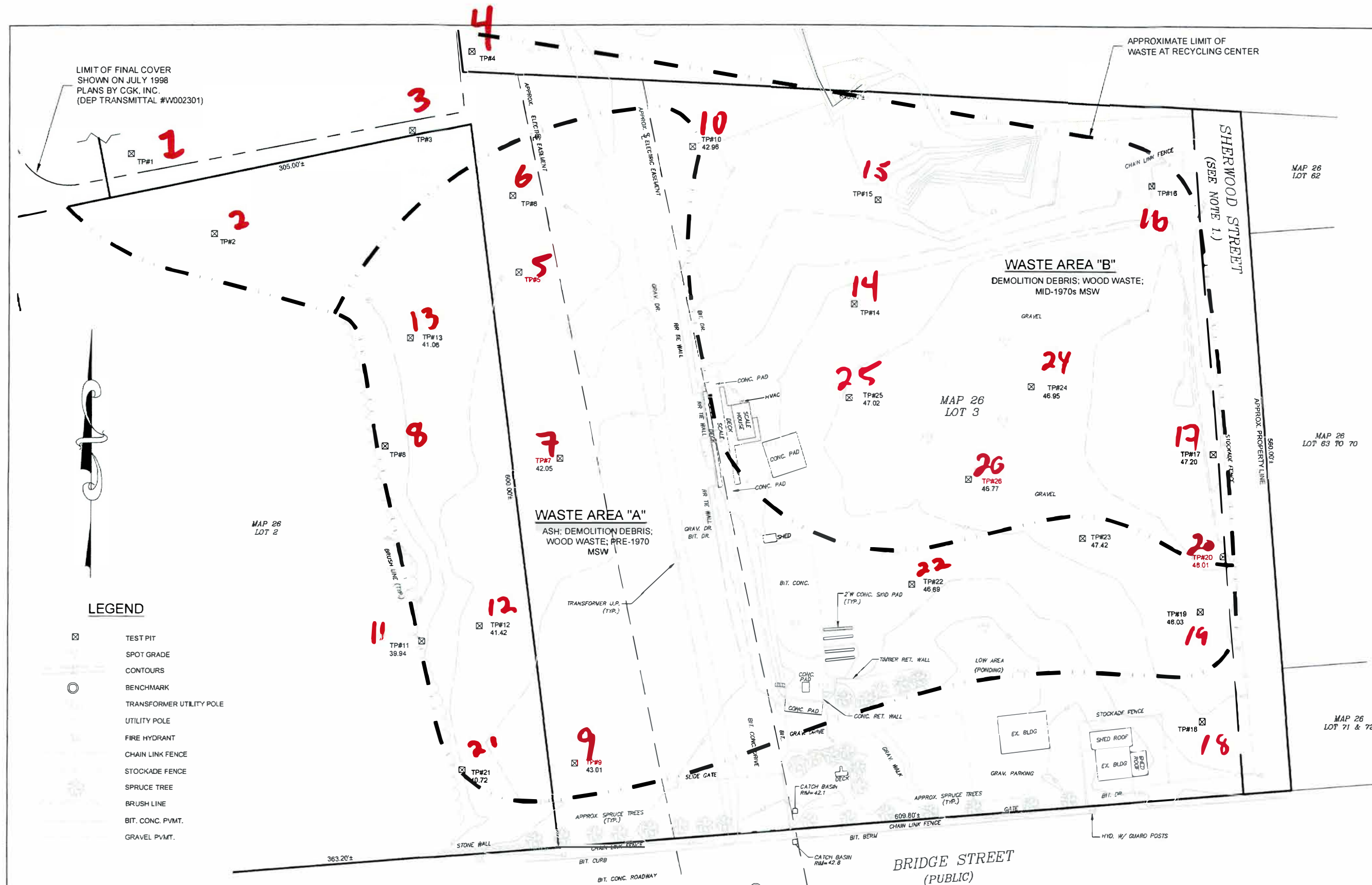


FIGURE 2
EXISTING
CONDITIONS

Fairhaven Landfill
Fairhaven,
Massachusetts

0 40 80
Scale in feet

Note: Existing conditions plan shown was taken from a plan entitled "Recycling Center Limit of Waste, Bridge Street Landfill, Prepared for the Town of Fairhaven", dated 10/31/98 by Cushing, Goins, & Kirschner, Inc.

Date: 08/19/05

Project: 128928

Scale: 1" = 80'

File: ExCond-11x17

BROWN AND
CALDWELL

48 Leona Drive, Suite C
Middleborough,
Massachusetts 02346
Tel. (508) 923-0879
Fax. (508) 923-0894

NOTES:

1. SHERWOOD STREET IS REFERENCED IN A DEED FROM JOHN KALIFE TO JOHN J. KALIFE AND SOPHIE KALIFE DEED BOOK 1393 PAGE 278 AND SHOWN ON THE TOWN OF FAIRHAVEN ASSESSORS PLAT #26 AS "CONTEMPLATED SHERWOOD STREET" AND IS NOT A CONSTRUCTED WAY. SHERWOOD STREET IS NOT A WAY LISTED IN THE TOWN CLERK'S RECORDS OR DEFINED BY PLANS OR DEEDS RECORDED WITH THE BRISTOL COUNTY REGISTERS OF DEEDS. NO DETERMINATION AS TO THE FEE IN SHERWOOD STREET IS INTENDED OR MADE BY THIS SURVEY AND PLAN. PRIOR TO ANY CONSTRUCTION ON, IN OR NEAR TO SAID STREET, A DETERMINATION OF THE FEE TITLE TO SHERWOOD STREET MUST BE MADE TO MAINTAIN THE REQUIRED MINIMUM ZONING SETBACKS.
2. LOCATIONS AND TOPOGRAPHY BASED ON AN ACTUAL FIELD SURVEY PERFORMED BY G.A.F. ENGINEERING, INC. ON MARCH 5, 1998 AND AUGUST 4, 1998.
3. ELEVATIONS BASED ON N.G.V.D.



Paul Foley <pfoley@fairhaven-ma.gov>

Fairhaven GIS - Attached Proposal for 194 Bridge St Ph II ESA

1 message

Wendy Tram <wtram@fando.com>

Fri, Feb 25, 2022 at 9:53 AM

To: Paul Foley <pfoley@fairhaven-ma.gov>, "Cohen, Jennifer" <JCohen@massdevelopment.com>

Cc: Brian Kortz <BKortz@fando.com>

Paul and Jennifer,

Please see our attached proposal for the Phase II ESA at the [194 Bridge Street](#) site. As we discussed last week, this Phase II will provide further information on the environmental quality of the site and whether it will be compatible with a redevelopment plan for a public safety building. Environmental investigations are an iterative process where the results may dictate additional actions in order to fully understand contamination and cleanup requirements. Therefore, this is not the end-all for all Phase II activities at the site. However, we feel that the proposed Phase II will help to quantify some of the unknown conditions regarding the site and will help the Town determine whether a redevelopment at this site is feasible.

As we discussed last week, due to the site being part of the former landfill, MassDEP should be consulted prior to initiating field work. We have carried a meeting with them in our first task. Furthermore, the Town should be aware that MassDEP may require additional investigations and/or response actions based on the results of the Phase II, whether or not the redevelopment plan moves forward.

Regarding the Phase II schedule, this will depend on MassDEP's availability for a meeting and availability of subcontractors for the field investigation, but we understand that the Town is hoping to have results in April to prepare for Town Meeting in May. Once authorized, we will develop a schedule with you.

Finally, we understand that the remaining funds in the MassDevelopment grant can be allocated towards this Phase II. To date, we have invoiced \$35,875, and if we account for the remaining costs to complete the other four Phase I's we are currently working on plus an overall summary report, we expect to have \$27,500 remaining in the grant that can be allocated towards this Phase II.

Note that Brian is out the remainder of this week but will be back on Monday. I can be available as needed if you have any questions or would like to discuss further.



Wendy Tram, EIT

Environmental Engineer

Fuss & O'Neill, Inc. | 108 Myrtle Street, Suite 502 | Duxbury, MA 02111
617.282.4675 x4725 | wtram@fando.com
www.fussandoneill.com | [Twitter](#) | [Facebook](#) | [LinkedIn](#)

**sig-lock_Final Proposal for Ph II SOW 194 Bridge St, Fairhaven.pdf**
338K



FUSS & O'NEILL

February 25, 2022

Mr. Paul Foley
Director, Department of Planning & Economic Development
Town of Fairhaven
40 Center Street
Fairhaven, MA 02719

RE: Proposal for Phase II Environmental Site Assessment
194 Bridge Street, Fairhaven, MA
Fuss & O'Neill Reference No. Vision No. 20160481.P50

Dear Ms. Cohen:

Fuss & O'Neill, Inc. (Fuss & O'Neill) is pleased to submit this proposal to provide a Phase II Environmental Site Assessment (ESA) for the parcel located at 194 Bridge Street in Fairhaven, Massachusetts (the "subject property" or "Site"). This proposal was prepared following a discussion with the Town of Fairhaven (the Town) and MassDevelopment conducted on February 18, 2022.

Project Understanding

In 2021, the Town received a Site Readiness Program Grant from MassDevelopment to review environmental conditions and development constraints in a 300-acre Target Area. As part of this program, in February 2022, Fuss & O'Neill completed a Phase I ESA for the Site. The parcel is presently occupied by the Fairhaven Animal Shelter, Fairhaven Harbormaster, and a compost/soil storage operation. The February 2022 Phase I ESA identified one (1) recognized environmental condition (REC). Historical records indicated that landfill operations and waste burial associated with the former Fairhaven Landfill were conducted at the Site, despite the final cover system of the landfill being limited to just the adjoining properties to the northwest and not the Site itself. Based on a review of available records for the Site, the horizontal and vertical extents of buried waste were not fully evaluated, and a thorough evaluation of the quality of environmental media (e.g. soil, groundwater, soil gas) has not been conducted for the Site.

We understand that the Town is evaluating the potential redevelopment of the Site for a public safety complex, particularly in the 200-feet of frontage from Bridge Street. The Phase II ESA proposed herein was developed to evaluate the environmental quality of the Site to assist the Town in evaluating the redevelopment potential and constraints.

1550 Main Street
Suite 400
Springfield, MA
01103
F 413 452-0445
800 286-2469
F 508 533-5143

www.fondoo.com

02 family
Connecticut
Maine
Massachusetts
New Hampshire
Rhode Island
Vermont



Mr. Paul Foley
February 25, 2022
Page 2

Scope of Services

Task 1. Field Activities

Sampling Plan and MassDEP Meeting

Fuss & O'Neill will develop a field sampling plan, field schedule, and health and safety measures prior to mobilization to the Site. This plan will be coordinated with the Town, and we have assumed that the Town will coordinate access to the Site for the proposed activities.

Prior to initiating field activities, we will consult with personnel from the Massachusetts Department of Environmental Protection (MassDEP) Southeast Regional Office. We have budgeted two (2) half-day meetings with the MassDEP and the Town. The purpose of the meetings will be to review the Site status, the proposed Phase II ESA activities, and the potential redevelopment plan for the Site. Activities that may be required by MassDEP (e.g. post-closure use permits), outside the scope of the activities proposed herein, can be conducted under supplemental agreement to the extent that those are required.

Prior to sampling activities, Fuss & O'Neill will mobilize a staff member to stake out proposed sampling locations. As part of utility clearance, and at least 72-hours prior to ground-breaking activities, Fuss & O'Neill will contact Dig Safe System, Inc. (DigSafe), the Massachusetts on-call utility locating service, to mark utilities where they enter the Site.

Soil Gas Survey

Fuss & O'Neill will conduct a one-day soil gas survey at up to 10 soil gas locations throughout the Site for the purpose of evaluating the potential for vapor migration. The survey will be conducted utilizing a hammer drill and soil gas stainless-steel sampling rods, advanced to approximately two feet below grade (fbg), within the soil column. Prior to sampling, each location will be purged for approximately 10-minutes and then screened for the presence of total organic vapors (TOV) using a photoionization detector (PID) and a four-gas meter that measures methane, oxygen, carbon dioxide, and hydrogen sulfide levels.

Test Pit Investigation

Fuss & O'Neill staff will mobilize to the Site to observe test pits and collect soil samples for laboratory analysis. Test pits will be advanced within the first 200-feet of frontage on the northern side of Bridge Street, for the purposes of delineating waste and performing sampling activities, summarized as follows:



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- We assume that the Town will provide an excavator and operator for one (1) field day to facilitate advancement of test pits and restoration with the excavated spoils. The test pits will be excavated to a maximum depth of up to 10-fbg.
- For health and safety reasons, utilize a four-gas meter to monitor methane, oxygen, carbon dioxide, and hydrogen sulfide levels.
- Screen soil for TOV using a PID. Classify soil using the Unified Soil Classification System (USCS), and record physical characteristics (color, odor, moisture content, gradation, presence of anthropogenic fill materials).
- Collect up to five (5) soil samples from the shallow soil cover layer. If evidence of contamination is identified in a test pit, multiple soil samples may be collected from different intervals to evaluate vertical extents.
- The five (5) soil samples plus one (1) trip blank for quality control (QC) will be submitted to Pace New England of East Longmeadow, Massachusetts (Pace) for analysis on a seven business-day turnaround. The following analytical parameters are proposed for soil samples:
 - Volatilize organic compounds (VOC) by United States Environmental Protection Agency (USEPA) Method 8260. Note the trip blank will be analyzed for VOCs.
 - Semi-volatile organic compounds (SVOC) by USEPA Method 8270.
 - Total petroleum hydrocarbons (TPHs) by USEPA Method 8100.
 - 14 metals from the MassDEP Compendium of Analytical Methods (CAM).
 - Polychlorinated biphenyls (PCBs) by USEPA Method 8082.
 - Select metals by the Toxicity Characteristic Leaching Procedure (TCLP) (if total metals results are greater than 20 times the hazardous waste value). We have budgeted for analysis for two metals by TCLP in each of five soil samples.

Soil Boring Investigation and Monitoring Well Installation

Fuss & O'Neill staff will mobilize to the Site to observe the advancement of soil borings, installation of monitoring wells, and to collect soil samples for laboratory analysis. Soil borings will be advanced throughout the Site to facilitate collection of soil samples and future collection of groundwater samples, summarized as follows:

- Mobilize a drilling contractor to the Site for two (2) field days.
- Advance up to six (6) soil borings using the hollow-stem auger (HSA) drilling method. Environmental samples will be collected from a stainless-steel split-spoon. The split-spoon will be decontaminated between sampling intervals. Soil borings have been proposed up to 20-fbg.
- For health and safety reasons, utilize a four-gas meter to monitor methane, oxygen, carbon dioxide, and hydrogen sulfide levels.



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- Screen soil for TOV using a PID. Classify soil using the USCS and record physical characteristics (color, odor, moisture content, gradation, presence of anthropogenic fill materials).
- Collect up to 12 discrete soil samples, two (2) samples from each boring. One (1) sample from each location will be collected from a shallow interval of soil cover material, and the other sample will be collected from the foundation soil beneath the buried waste, if observed. Samples will be collected based on field indicators of environmental impact (e.g. elevated PID, staining, odor). Sampling of the buried waste material, if observed, for laboratory analysis is not proposed.
- The 12 soil samples plus one (1) trip blank for QC will be submitted to Pace and analyzed for the following analytical parameters on a seven business-day turnaround:
 - VOCs by USEPA Method 8260. Note the trip blank will be analyzed for VOCs.
 - SVOCs by USEPA Method 8270.
 - TPHs by USEPA Method 8100.
 - CAM 14 metals.
 - PCBs by USEPA Method 8082.
 - Select metals by the TCLP (if total metals results are greater than 20 times the hazardous waste value). We have budgeted for analysis for two metals by TCLP in each of six soil samples.
- Complete each of the six (6) borings with a permanent monitoring well, for a total of six (6) monitoring wells. Monitoring wells will be constructed of two-inch diameter schedule 40 polyvinyl chloride (PVC), a 10-foot length well screen flush-threaded to two-inch diameter schedule 40 PVC riser pipe, completed with a flush-mounted road box cover. The screen slot size will be 0.01 inches, or 10-slot size. The well screen will be set at a water-bearing depth, within the waste layer or foundation soil to evaluate conditions of groundwater water quality at these strata.
- If possible, soil cuttings will be replaced in the borehole, and the excess will be stockpiled on the Site. Costs for containerizing cuttings into 55-gallon drums and off-Site disposal are not included herein but can be conducted under supplemental agreement.

Well Development, Sampling, and Survey

Fuss & O'Neill staff will mobilize to the Site to develop previously completed monitoring wells, collect samples for laboratory samples, and to perform an elevation survey. These activities are summarized as follows:

- As part of a well elevation survey, we will survey the elevation of each monitoring well using rod-and-level techniques, and reference elevations to a nearby benchmark previously documented in reference to the landfill, to facilitate the evaluation of the direction of groundwater flow.



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- At least three (3) well volumes will be purged from each well to remove fine particles to facilitate collection of samples.
- We will collect groundwater samples from each monitoring well utilizing low flow sampling procedures.
- The six (6) groundwater samples plus one (1) trip blank for QC will be submitted to Pace for analysis of the following analytical parameters on a seven business-day turnaround:
 - VOCs by USEPA Method 8260. Note the trip blank will be analyzed for VOCs.
 - SVOCs by USEPA Method 8270.
 - PCBs by USEPA Method 8082.
 - CAM 14 metals. Prior to collection for metals analysis, samples will be field-filtered using a 0.45-micron filter.
- Purge water recovered from each monitoring well shall be discharged to the ground surface near the point of generation (not directly into the well). Costs for containerization and off-Site disposal are not included herein.

Task 2. Phase II ESA Report

At the conclusion of field activities and laboratory analysis, we will provide a Phase II ESA report to summarize our findings. The summary report will include the following elements:

- Summary of sampling activities, means and methods.
- Soil boring/monitoring well and test pit logs.
- Sample locations figure.
- Summary of analytical results.
- Laboratory analytical reports.
- Comparison of analytical data to the MCP RCS-1 Reportable Concentrations (RCs) in soil (310 CMR 40.0361), MCP RCGW-1 RC in groundwater (310 CMR 40.0362), and applicable soil gas levels as referenced in the MassDEP Solid Waste Facility Regulations (310 CMR 19.000).

Based on historical uses of the Site as a former landfill, the results of the Phase II ESA may trigger reporting obligations to MassDEP and potentially, additional response actions may be required under the Massachusetts Contingency Plan (MCP) and/or the MassDEP Solid Waste Facility Regulations. Regulatory notifications, reporting, and response actions under the MCP (310 CMR 40.0000) would be the responsibility of the property owner (i.e. the Town of Fairhaven). If oil and/or hazardous materials beyond the established thresholds are identified in soil, groundwater, and/or soil gas, additional actions beyond the limits of the overall redevelopment project may be required per the MCP.



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Fuss & O'Neill has not included professional services to assist with reporting obligations per the MCP or additional activities based on the results of the Phase II ESA proposed herein. However, the conclusions of the Phase II ESA will identify potential obligations and recommend additional actions, if warranted. Should further services be needed to meet the obligation(s), Fuss & O'Neill can provide these services under a supplemental agreement.

Task 3. Remedial Planning

Based on the results of the Phase II ESA, we will assist the Town in evaluating potential remediation requirements for the Site and their compatibility with the proposed redevelopment plan. We have budgeted 32 hours to conduct activities under this task, as requested by the Town. These activities may include development of a work plan for additional investigation activities that may be warranted, initial reviews of remedial technologies, order-of magnitude remedial cost estimates, and meetings with the Town and project stakeholders.

Task 4. Meetings and On-Call Services

We anticipate that additional meetings and/or additional coordination activities with MassDevelopment, the Town, MassDEP, or other project stakeholders may be warranted throughout the project. Therefore, we have included a total of 16 hours to provide coordination, attend meetings, and conduct other on-call activities, as requested.

Exclusions

The following exclusions apply to our work:

- Fuss & O'Neill will rely on the Town to provide access to the Site for the proposed activities.
- Fuss & O'Neill has not included services to contract a third-party excavator. We have assumed that the Town will provide excavation labor to assist with the test pit investigation.
- The laboratory analytical scope included herein is intended to capture a range of typical contaminants in soil and groundwater associated with landfills and redevelopment sites, to identify the nature and extents of these contaminants, and solid wastes, at the site. This list is not exhaustive of all potential contaminants of concern. Specifically, post-closure groundwater monitoring under the Solid Waste Facilities Regulations (310 CMR 19.132[2]) includes additional groundwater constituents, referenced as "indicator parameters," which are not proposed as part of this sampling program.
- The MassDEP Solid Waste Facilities Management program may require additional information (e.g. work plan submittal for MassDEP approval, a permit application for the



Mr. Paul Foley

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exploratory work, or reporting in the form of a Comprehensive Site Assessment or similar document upon completion) as part of this process. These actions may depend on their review of the project as outlined in Task 1. In the event that such administrative requests occur, we will work with the project team to establish the level of effort for these activities.

- Fuss & O'Neill has not included professional services to assist with reporting obligations per the MCP or additional activities beyond the results of the Phase II ESA.

Schedule

We are prepared to commence the proposed tasks upon receipt of Authorization to Proceed, weather permitting. Fuss & O'Neill will work with you to develop a project schedule commensurate with the scope and sequence of our work.

Fees

We propose a budget be established for professional services in support of this effort as outlined below. We will bill these services on an hourly basis, and this budget would not be exceeded without expressed authorization.

Task	Fee
1. Field Activities	\$52,100
2. Phase II ESA Report	\$9,600
3. Remedial Planning	\$5,000
4. Meetings and On-Call Services	\$2,700
Total	\$69,400

Billing will be monthly according to our current Rate Schedule in effect at the time services are provided. A typical copy is attached.

General Terms and Conditions

The attached General Terms and Conditions will apply to the services described above.

Unless expressly instructed by the client to the contrary, Fuss & O'Neill will consider the data provided by organizations that are engaged with respect to mapping current climate conditions and follow the recommendations of applicable municipal, state and/or federal guidelines and standards for design, including consideration of project purpose and location, and future climate conditions relevant to the design life and/or anticipated service life or duration of the project, using applicable available data relevant to the project geography.



FUSS & O'NEILL

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Receipt of a signed copy of the Authorization to Proceed enclosed with this proposal or issuance of a purchase order referencing this proposal will serve to authorize the work outlined in the Scope of Services.

Thank you for requesting engineering services from Fuss & O'Neill. We look forward to working with you on this project.

Sincerely,

Wendy Tram, EIT
Environmental Engineer

Brian E. Kortz, CPG, LSP, CNU-A
Associate

Attachments: Authorization to Proceed
General Terms and Conditions
Rate Schedule

c: Ms. Jennifer Cohen, MassDevelopment



E4

Vicki Oliveira <vloliveira@fairhaven-ma.gov>

Re: MEMA Hazard Mitigation Grant Statement of Interest

Whitney McClees <wmcclees@fairhaven-ma.gov>

Mon, Feb 7, 2022 at 11:49 AM

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

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

From: **Whitney McClees** <wmcclees@fairhaven-ma.gov>

Date: Mon, Jan 24, 2022 at 09:57

Subject: MEMA Hazard Mitigation Grant Statement of Interest

To: Bob Espindola <selectmanbobespindola@gmail.com>

CC: Wendy Graves <wgraves@fairhaven-ma.gov>

Hi Bob,

I am working with Punchard Consulting, who assisted the town with several of our recent planning efforts, to submit a Statement of Interest to MEMA for inclusion in their Hazard Mitigation Plan update grant. Right now, it is just a statement of interest to be included in MEMA's application to FEMA and no commitment of funds or other Town resources at this time. One of the questions on the statement of interest form is "Has the Chief Elected or Appointed Official of Jurisdiction Approved this project application?", with answer options of yes, no, and I don't know.

I have attached the draft SOI Punchard Consulting prepared for your review (answers in blue). Please let me know if I can select yes in answer to the project application approval question.

Best,
Whitney

Whitney McClees

Conservation Agent and Sustainability Coordinator

Town of Fairhaven

40 Center Street

Fairhaven, MA 02719

508-979-4022 ext. 128

she/her/hers

--

[Quoted text hidden]

**MEMA Statement of Interest_HMP Update for Fairhaven.docx**

30K

C&CB/Planning/Advance Assistance Statement of Interest (SOI)
for
FY 2021 Building Resilient Infrastructure and Communities (BRIC)
FY 2021 Flood Mitigation Assistance (FMA)
DR-4496-MA Hazard Mitigation Grant Program (HMGP)

Please complete the form below detailing your intent to apply for Building Resilient Infrastructure and Communities (BRIC), Flood Mitigation Assistance (FMA) and/or Hazard Mitigation Grant Program (HMGP) project funding, and a member of our grant staff will respond as soon as possible.

*Asterisk denotes a required field

Have you reviewed the FEMA guiding principles and strategic plan?*

☐ Yes ☒ No

Community/Organization Name*

(Eligible entities include: State Agencies, Federally Recognized Tribal organizations, Municipal/Local Governments)

Town of Fairhaven

What is the current status of your local Hazard Mitigation Plan (HMP)?*

FEMA Approved

Title of Capability & Capacity Building/Planning Activity*

(Your project name, i.e. Mountain Street Culvert - Project Scoping)

Hazard Mitigation Plan Update

Project Type *

(Please select one. Refer to FEMA BRIC Program Support Material documents on our MEMA BRIC/FMA page for project type details.)

Planning

Scope of Work*

(Clearly describe your activity)

The Town of Fairhaven, with the support of an experienced mitigation planning consultant, will prepare a comprehensive update to our existing, FEMA Approved Hazard Mitigation Plan that is set to expire on June 25, 2023. The plan update process will help ensure that our Hazard Mitigation Plan continues to meet all federal regulations (44 CFR §201.6) based on the latest planning requirements and guidance from FEMA and MEMA. Our plan will be updated to leverage and incorporate new information, data, and best practices for hazard mitigation planning. It will also be updated to maintain consistency and alignment with other applicable state-level plans and programs, such as the State Hazard Mitigation & Climate Adaptation Plan (SHMCAP) and Municipal Vulnerability Preparedness (MVP) program.

The plan update process will include, but not be limited to, the following specific project tasks. Upon completion and plan approval, the final plan update will be formally adopted by the Town of Fairhaven.

1. Reconvene the Hazard Mitigation Planning Committee (HMPC)
2. Prepare Public Outreach & Stakeholder Engagement Strategy
3. Update Community Profile
4. Update Hazard Analysis & Risk Assessment
5. Update Capability Assessment
6. Update Mitigation Strategy
7. Update Plan Maintenance Process
8. Document the Entire Plan Update Process
9. Prepare Draft Plan for Public Review
10. Prepare Final Plan for MEMA/FEMA Review and Approval

More details on the Town's plan update process are specified in Section 5 (Plan Maintenance) of our current Hazard Mitigation Plan that was adopted in 2018 (see Five-Year Plan Review and Update).

What are the expected outcomes?*

(Clearly describe why are you undertaking this scope of work)

Expected outcomes include a comprehensive update to our existing Hazard Mitigation Plan that results in swift review, approval, and local adoption prior to the plan's scheduled expiration in June 2023. The Town of Fairhaven also expects the plan update process will support our efforts to continue assessing, communicating, and reducing our risks to natural hazards and other climate-related vulnerabilities. The Town has made progress with many of the mitigation actions included in our 2018 plan, and this project will provide us with the opportunity to build and expand upon these successes and those resulting from our more recent MVP planning efforts. The plan update process will also enable the Town to address conditions that have changed since 2018, such as changes in local hazard risks, Environmental Justice (EJ) populations, current mitigation capabilities, or in the types of mitigation actions now being implemented. Lastly, we expect the update process will help further align our plan with other state plans as referenced above in addition to help FEMA achieve some of its goals and objectives as stated in its 2022-2026 Strategic Plan, such as building a climate resilient nation.

What is the total cost estimate for the project?*

(Rough estimate is acceptable.)

\$30,000

How many months would the project take to complete?*

(Rough estimate is acceptable.)

8 months

*Please provide anticipated source of local (Non-Federal) cost share (25% minimum). **
(Identify, as well, any partnerships – either financial or in-kind)

Combination of Cash / In-Kind

Has the Chief Elected or Appointed Official of Jurisdiction Approved this project application? *

☒ Yes ☐ No ☐ I don't know

Have you applied for and/or received any funding from another agency/source for the project? *

☐ Yes ☒ No ☐ I don't know



Town of Fairhaven
Marine Resources Committee
40 Center St., Fairhaven, MA 02719

February 23, 2022

From:
Michael McNamara
Chairman Fairhaven Marine Resources Committee

To:
Fairhaven Select Board
Robert J. Espindola, Stasia Powers, Keith Silvia
40 Center St.
Fairhaven, MA 02719

Subject: Marine Resources Committee – Hoppy's Landing Parking Revenue

Dear Select Board members,

At the February 3rd meeting of the Marine Resource Committee, a review of Hoppy's Landing revenue and expenditures was conducted. It was discovered that in most recent years, revenue has turned negative with net losses over a ten-year period exceeding \$35,000. Although capital improvements and maintenance have been large contributors to Hoppy's ramp and parking expenses, the automated parking meter has been identified as an unjustified expense. There are significant fees associated with the operation of this meter including monthly charges for internet connectivity, meter subscription, credit card transactions and banking fees along with an annual service contract. Over the last two years these fees have averaged nearly \$6000 annually while credit card revenue intake has only averaged \$4000. Additional revenue occurs from cash and parking permits, however; a meter is not necessary for these transactions.

Although the Harbor Master and this committee originally recommended the meter back in 2018 as an enhancement to managing parking at Hoppy's, the increasing fees were not anticipated. By unanimous vote, the Marine Resource Committee recommends that the Select Board move to terminate the automated parking meter and associated contracts. Parking collection fees can revert to being paid by cash or check, which currently remains an option for those without a credit card. If this action is taken, net revenues are forecast to be positive discounting any unforeseen major repairs or capital improvements. The Marine Resource Committee is committed to providing sustainable access to our marine resources. Should this change be adopted, we will monitor the effect and advise as necessary.

Respectfully yours,

Michael McNamara

Chairman - Fairhaven Marine Resources Committee

mcnamaramike@comcast.net

CC:

bspindola@fairhaven-ma.gov

Spowers@fairhaven-ma.gov

Ksilvia@fairhaven-ma.gov

vloliveira@fairhaven-ma.gov

tcox@fairhaven-ma.gov

ssouza@fairhaven-ma.gov

<i>Hoppy's Meter</i>	<i>Total Revenue</i>	<u>Comcast</u>	<u>ITS</u>	<u>Auth.Net</u>	<u>Heartland</u>	<u>Total Meter Expense</u>	<u>Revenue after Meter Expense</u>
		<u>Internet</u>	<u>meter</u>	<u>meter transactions</u>	<u>bank</u>		
FY20							
July	\$ 967.00	\$ 107.39	\$ 65.00	\$ 34.10	\$ 177.53		
August	\$ 2,836.00	\$ 107.39	\$ 65.00	\$ 33.10	\$ 196.65		
September	\$ 1,112.00	\$ 107.39	\$ 65.00	\$ 25.15	\$ 74.50		
October	\$ 724.00	\$ 107.39	\$ 65.00	\$ 19.90	\$ 53.45		
November	\$ 218.43	\$ 107.39	\$ 65.00	\$ 15.80	\$ 50.19		
December		\$ 107.39	\$ 65.00	\$ 15.00	\$ 50.81		
digital parking installation			\$ 850.00	\$ -	\$ -		
January		\$ 107.39	\$ 45.00	\$ 15.00	\$ 119.00		
warrenty			\$ 1,614.00	\$ -	\$ -		
February		\$ 107.39	\$ 45.00	\$ 15.00	\$ 50.00		
extra bill validator			\$ 1,385.00	\$ -	\$ -		
March	\$ 100.00	\$ 107.39	\$ 45.00	\$ 15.00	\$ 50.00		
April		\$ 107.39	\$ 45.00	\$ 15.35	\$ 50.00		
May	\$ 1,039.50	\$ 107.39	\$ 45.00	\$ 22.40	\$ 50.02		
June	\$ 4,178.50	\$ 107.39	\$ 45.00	\$ 35.50	\$ 51.60		
	\$ 11,175.43	\$ 1,288.68	\$ 4,509.00	\$ 261.30	\$ 796.22	\$ 6,855.20	\$ 4,320.23
FY21							
July	\$ 1,115.00	\$ 107.39	\$ 45.00	\$ 36.90	\$ 82.72		
August	\$ 2,877.00	\$ 107.39	\$ 45.00	\$ 36.70	\$ 136.40		
September	\$ 1,439.50	\$ 107.39	\$ 45.00	\$ 23.80	\$ 109.50		
October	\$ 700.00	\$ 107.39	\$ 45.00	\$ 23.80	\$ 106.38		
November	\$ 712.00	\$ 107.39	\$ 45.00	\$ 20.35	\$ 105.85		
December	\$ 339.00	\$ 107.39	\$ 45.00	\$ 15.45	\$ 173.95		
January	\$ 14.00	\$ 107.39	\$ 45.00	\$ 15.00	\$ 104.95		
February	\$ 50.50	\$ 107.39	\$ 45.00	\$ 15.35	\$ 104.98		
March	\$ 250.00	\$ 107.39	\$ 45.00	\$ 15.35	\$ 104.98		
April	\$ 1,358.50	\$ 107.39	\$ 45.00	\$ 16.05	\$ 130.03		
warrenty			\$ 1,614.00				
May	\$ 1,029.50	\$ 107.39	\$ 45.00	\$ 24.20	\$ 132.13		
June	\$ 2,478.00	\$ 107.39	\$ 45.00	\$ 33.10	\$ 148.28		
	\$ 12,363.00	\$ 1,288.68	\$ 2,154.00	\$ 276.05	\$ 1,357.43	\$ 5,076.16	\$ 7,286.84
FY22							
July	\$ 1,479.00	\$ 107.39	\$ 45.00	\$ 31.35	\$ 154.15		
August	\$ 1,687.50	\$ 107.39	\$ 45.00	\$ 36.90	\$ 155.61		

September	\$ 1,288.00	\$ 107.39	\$ 45.00	\$ 23.50	\$ 133.45		
October	\$ 420.00	\$ 107.39	\$ 45.00	\$ 18.50	\$ 131.12		
November		\$ 107.39	\$ 22.50	\$ 16.05	\$ 130.20		
December		\$ 107.39	\$ -	\$ 15.00	\$ 228.95		
January		\$ 107.39	\$ -	\$ 15.00	\$ 129.95		
February							
March							
April							
May							
June							
	\$ 4,874.50	\$ 751.73	\$ 202.50	\$ 156.30	\$ 1,063.43	\$ 2,173.96	\$ 2,700.54



E6

Vicki Oliveira <vloliveira@fairhaven-ma.gov>

Fwd: Blue Stream Use of Town Electric Supply

1 message

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

Wed, Feb 16, 2022 at 11:09 AM

FYI....

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

From: **Thomas P. Crotty** <tomcrotty@tcrottylaw.com>
Date: Wed, Feb 16, 2022 at 10:58 AM
Subject: Blue Stream Use of Town Electric Supply
To: Timothy Cox <tcx@fairhaven-ma.gov>, Wendy Graves <wgraves@fairhaven-ma.gov>

Tim and Wendy

Attached is a proposed final draft for execution of the agreement to allow Blue Stream to use the town's electric supply at Hoppy's Landing.

John Beauregard has reviewed and approved the insurance provisions.

Please review the attached and let me know whether you have any questions or comments.

Once I have your approval of the form I will send it to Blue Stream to sign, and we will then have the town sign.

Wendy,

If you can put this on the agenda for Monday the Board can authorize you to sign for the town.

Thanks

Tom

Thomas P. Crotty

Thomas P. Crotty & Associates, PLLC

7 Fort Street

Fairhaven, MA 02719

TomCrotty@tcrottylaw.com

This e-mail message is generated from the law firm of Thomas P. Crotty & Associates, PLLC, and may contain information that is confidential and may be privileged as an attorney/client communication or as attorney work product. The information is intended to be disclosed solely to the addressee(s). If you are not the intended recipient, any disclosure, copying, distribution or use of the contents of this e-mail information is prohibited. If you have received this e-mail in error, please notify the sender by return e-mail and delete it from your computer system.

2 attachments



TPC Execution Draft pdf 20220216.PDF
163K



TPC Cert of Insurance(1) 20220211.pdf
218K



BLUESTR-01

DWHITE

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/10/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Smithwick & Mariners Insurance, Inc. 366 U.S. Route One Falmouth, ME 04105	CONTACT NAME:		
	PHONE (A/C, No, Ext): (207) 781-5553	FAX (A/C, No): (207) 781-5571	
	E-MAIL ADDRESS: fal@smithwick-ins.com		
	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Atlantic Specialty Insurance Company		27154
INSURED Blue Stream Shellfish, LLC PO Box 150 Ware, MA 01082	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		
	INSURER F :		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			710040969-0000	9/10/2021	9/10/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 PRODUCTS RECALL \$ 25,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N / A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Certificate holder is named as additional insured as required by written contract.

CERTIFICATE HOLDER

CANCELLATION

Town of Fairhaven 40 Center Street Fairhaven, MA 02719	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

Agreement

Agreement entered this ____ day of _____ 2022, by the Town of Fairhaven, with a principal place of business at Town Hall, 40 Center Street, Fairhaven, MA 02719, (hereinafter called the “Town”) and Blue Stream Shellfish, LLC, with a principal place of business at 60 East St. Ware, MA 01082, (hereinafter called “Blue Stream”).

Whereas, Blue Stream has been licensed by the Town to operate an aquaculture facility in waters of the Town near Causeway Road in Fairhaven, and

Whereas, Blue Stream will perform activities related to that license on property located on Causeway Road, which activities will require the installation of electric power, and

Whereas the Town owns the adjacent property known as Hoppy’s Landing, which is serviced with metered electric power,

Therefor the parties agree:

1. The term of this agreement shall be six months from the date set forth above, provided that this agreement may be extended for two additional successive periods of six months by written request of Blue Stream to the Town, not to exceed a cumulative period of eighteen months unless otherwise agreed in writing by the parties. Those obligations of Blue Stream not performed during the term of this agreement shall survive its termination.
2. Blue Stream will be allowed during the term of this agreement to acquire electric power by direct (hard-wired) connection to the Town’s electric service at Hoppy’s Landing. Blue Stream shall arrange for, and be solely responsible for all costs, including but not limited to, costs for labor, materials, permitting, and inspections, associated with the

connections necessary to accomplish the direct connection. All work performed in establishing the connection shall be subject to review and approval by the utility company and the Town.

3. No later than sixty days following termination of this agreement Blue Stream will restore the Town's property to its prior condition, including but not limited to the removal of all equipment and materials installed by Blue Stream under this agreement, and the replacement and restoration of any property of the Town that was damaged or altered under this agreement.
4. During the term of this agreement, and so long as Blue Stream is receiving electric power through connection to the Town's electric service, Blue Stream will be responsible to the Town for the full cost for electricity measured at the meter at Hoppy's Landing regardless of the amount of electricity used by Blue Stream, or by the Town or others at that location. Payment shall be due within twenty days of the Town's delivery to Blue Stream of notice of the charges.
5. Except to the degree that a claim arises in part, or in whole, from the acts or omissions of the Town, its officers, employees or agents, Blue Stream shall indemnify and hold harmless the Town from and against any and all claims arising from Blue Stream's use of the Town's property or electric power, and shall further indemnify and hold harmless the Town from and against any and all claims arising from any breach or default in the performance of any obligation on Blue Stream's part to be performed under the terms of this agreement, or arising from any negligence of Blue Stream, or any of Blue Stream's agents, contractors or employees, and from and against all costs, attorney's fees, expenses and liabilities incurred in the defense of any such claim or any action or proceeding

brought thereon; and in case any action or proceeding be brought against the Town by reason of any such claim, Blue Stream upon notice from the Town shall defend the same at Blue Stream's expense by counsel satisfactory to the Town. Blue Stream, as a material part of the consideration to the Town, hereby assumes all risk of damage to property or injury to persons, arising from Blue Stream's use of the Town's property or electric power, and Blue Stream hereby waives all claims in respect thereof against the Town.

6. Blue Stream shall, at Blue Stream's expense, obtain and keep in force during the term of this Agreement a policy of comprehensive public liability insurance insuring against any liability arising out of the ownership, use, occupancy, or maintenance of the the Town's property or electric power and all areas appurtenant thereof. Such insurance shall be in an amount of not less than One Hundred Thousand and 00/100 dollars for injury to or death of one person in anyone accident or occurrence and in an amount of not less than Five Hundred Thousand and 00/100 (\$500,000.) dollars for injury to or death of more than one person in any one accident or occurrence. Such insurance shall further insure the Town and Blue Stream against liability for property damage of at least Fifty Thousand and 00/100 (\$50,000.) dollars. The limits of said insurance shall not, however, limit the liability of Blue Stream hereunder. If Blue Stream shall fail to procure and maintain such insurance the Town may, but shall not be required to, procure and maintain the same, but at the expense of Blue Stream.

SIGNATURE PAGE FOLLOWS

The Town of Fairhaven, by

_____, its _____

Blue Stream Shellfish, LLC,

_____, its _____



E7

Vicki Oliveira <vloliveira@fairhaven-ma.gov>

sustainability committee

john pond <[REDACTED]m>
To: selectboard@fairhaven-ma.gov

Wed, Feb 9, 2022 at 10:55 AM

Dear Slectmen

About a month ago I stopped in the slectmens office to inquire about submitting an article on this years warrant to band the use of single use plastic bags I was informed that that Whitney McClees the town sustainability coordinator was working on some measures to enact this. subsequently I was able to speak to her in person I find her to be both a courteous, able, and well informed young lady.

She informed me cities have the authority to levy a fee on these bags towns don't and that there was an article on the town warrant to submit this to the state legislature last year it passed. However the state didn't act on it.

I would encourage this town to redouble its effort, also if this town doesn't have a similar article for this years warrant please E-Mail me to tell me, I will try to submit an article on this years warrant.

I was informed by Whitney There are some openings on the sustainability committee they meet once a month. She told me that this is an appointed position. This being the case I would like to submit my request to be appointed to this committee

Respectfully Yours
John Pond Fair haven Ma.
[REDACTED]

RECEIVED

180 Main St.
Fairhaven, MA. 02719
2 February, 2022

2022 FEB -9 A 10:16

BOARD OF SELECTMAN
FAIRHAVEN MASS

Select Board
Town of Fairhaven
40 Center St.
Fairhaven, MA. 02719

Dear Members of the Select Board,

I understand that there is an opening on the Commission on Disability and I seek your consideration in appointing me to the commission.

I have a Bachelor's in Special Education with a minor in Early Childhood Education. After 38 years in the Early Childhood field, much of it with children with special needs in day care or school-based settings and early intervention, I believe that my knowledge and experience would be a benefit to this commission.

If you have any questions, please feel free to call me at [REDACTED]

Thank you for your consideration and I look forward to hearing from you.

Sincerely yours,



Eleanor Chew

BOARDS AND COMMITTEES

Board/Committees	Name	Title
Broadband Study Committee	Robert Espindola	Ex-Officio
	Thomas McAfee	Cable Advisory Rep
7 members	Derek Frates	Staff appointment by TA (Rep)
2 at large	Cathy Melanson	EDC rep
BOS rep	Vacant	at large
EDC rep	Sean Powers	at large
2 Associates (only voting if needed for quorum)	Alyssa Botelho	at large
Cable Advisory rep	Sean Daly	Associate- non voting
TA appointee	Vacant	Associate- non voting



E10

RECEIVED

2022 FEB -8 A 11: 36

BOARD OF SELECTMEN
FAIRHAVEN, MASS

February 4, 2022

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

BOARD OF DIRECTORS

Mike Angelini, *Chair*
Mike Huguenin, *Vice-Chair*
Chris Schade, *Treasurer*
Scott Zeien, *Clerk*
Mark Rasmussen, *President*
Julius Britto
John Bullard
Virginia Clark
David Croll
Andrew Dimmick
Howard Gifford
Tally Garfield
Samuel Gray
Melissa Haskell
Kat Jones
Lloyd Macdonald
Kendra Medina
Chris Neill
Christine Parks
Skylah Reis
Laura Ryan Shachoy
Steve Smith
Hilary Prouty Vineyard

Dear Fairhaven Board of Selectmen,

The finish line of the **Buzzards Bay Swim** has been held successfully at DCR's Fort Phoenix State Reservation in Fairhaven, MA for the past 28 years. This year's event has been scheduled for Saturday, June 18, 2022.

For the past several years, we've requested and received a one-day liquor license for this event and permission from DCR to distribute no more than one beer per 21-and-over swimmer between the hours of 7:00-11:00 a.m. Our beer partner is Cisco Brewers from New Bedford and the distribution has gone very smoothly with no issues.

With that in mind, we would like to request permission again this year. Beer will be made available only to registered swimmers who have paid a \$25 registration fee, who are over 21, and quantity is limited to just one serving per swimmer. We will have a separate, stand-alone 10' x 10' pop-up tent that is roped off from the public where a TIPS certified bartender will dispense beer from a keg into compostable cups that will be collected by the BBC and composted post-event. Signage will be kept to a minimum inside the beer tent only. Servers will also be wearing gloves and facemasks.

DCR is willing to issue an alcohol waiver for the event as long as we 1) secure a one-day special liquor license from the Town of Fairhaven, 2) provide DCR with a certificate of insurance including liquor liability and 3) secure a police detail for the beer tent only during hours of service from 7:30am-10:30am.

Please let us know if you have questions or concerns, or if you need more information. Thank you for your time and consideration.

Best regards,

Jonah Guerin
Events Manager
guerin@savebuzzardsbay.org
(508) 999-6262 x207

www.savebuzzardsbay.org



114 Front Street, New Bedford, Massachusetts 02740 | Tel: 508-999-6363 Fax: 508-984-7913



TOWN OF FAIRHAVEN

APPLICATION FOR SPECIAL LICENSE

General Law Chapter 138, Section 14

Date: 2/4/22

To the Licensing Board:

The undersigned hereby applies for a SPECIAL LICENSE under provisions of Chapter 138, Section 14

to sell

beer only

(Beer and Wine)

or

(All Alcoholic Beverages)

For a Buzzards Bay Swim to be held at

DCR's Fort Phoenix State Reservation

by **a TIPS certified bartender**

date **Saturday, June 18, 2022**

from **7 am** to **11 am**

Name of Applicant: **Jonah Guerin, Events Manager**

Address of Applicant: **114 Front St**

New Bedford, MA 02740

Telephone: **508-999-6363 x207**

For a banquet or public dinner, the applicant should be responsible, manager of the banquet or public dinner.

For a picnic, field day or outing, applicant should be a representative of responsible organization or individual.

FEE:

Beer & Wine \$20.00

All Alcoholic \$35.00

RECEIVED

February 11, 2022

2022 FEB 22 P 1:12

Mr. Charles K. Murphy, Sr.
Chair of the Board of Selectman
Town of Fairhaven
40 Center St.
Fairhaven, MA 02719

Dear Mr. Murphy and Board of Selectman,

We are writing today in regards to The Nemasket Group's 9th Annual 5K Walk/Run that will be taking place on Saturday, May 7th. The event will be starting and ending at Fort Phoenix in Fairhaven, MA.

This event is very important to The Nemasket Group and will raise money as well as awareness for our organization and mission. Although we have moved our offices to Mattapoisett, we still always consider Fairhaven as home and would like to continue our event there.

The Walk/Run will start at 9:00 AM and be completed by 11:00 AM. The Walk/Run route that we have identified is:

Fort Phoenix
Right on Old Fort
Left on Green St.
Right on Rodman St.
Left on Adam St.
Left on Bridge St.
Left on Main St.
Left on South St.
Right on Fort St.
Left on Old Fort St.
Fort Phoenix

This is the same route that we have used for the past several years.

Please contact me at 508-999-4436 with any questions you may have or for more information.

Sincerely,



Dustin Green
Executive Director

501 (C-3)
Non-Profit Corporation

109 Fairhaven Road
Mattapoisett, MA 02739

(508)999-4436

Fax (508)997-9239

www.nemasketgroup.org

CAREER & SUPPORT SERVICES:
Job Paths
Family Connections
Community Living
Building Futures
Agency with Choice

Board	Name	Voting Member
Affirmative Action Officer	Wendy Graves	NO
Belonging Committee	Bob Espindola	NO
Bristol County Advisory Board	Bob Espindola	YES
Broadband Study Committee	Bob Espindola	YES
Cable Advisory Committee	Stasia Powers	YES
Capital Planning Committee		NO
Contract Compliance Officer		N/A
Commission on Disability	Marcus Ferro	YES
Dog Park Study Committee	Stasia Powers	YES
Economic Development Committee	Bob Espindola	YES
Fair Housing Coordinator	Keith Silvia	NO
Historical Commission	Keith Silvia	YES
Lagoa Friendship Pact Committee	Stasia Powers	YES
Local Emergency Planning Committee	Stasia Powers	YES
Marine Resources Committee	Keith Silvia	YES
Millicent Library Board of Trustees	Keith Silvia	YES
Rogers Reuse Committee	Keith Silvia	NO
Sister City Committee	Stasia Powers	YES
Southeastern Regional Planning and Economic Development I	Bob Espindola	YES
Southeastern Regional Transit Authority Board	Paul Foley	YES

Goal 2: Town Committees Collaboration

Recognizing that volunteers, both elected and appointed, play an integral part in improving Town government and enhancing civic engagement establish methods and practices that will enhance collaboration and coordination between various boards, improve interaction with the public, and provide educational resources to ensure compliance with applicable federal, state and local laws and regulations.

FY23 Objectives:

A) Update current Committee Handbook to reflect the most up to date information, laws policies, and regulations and ensure distribution and acknowledgement to current and new members of town committees/boards/commissions. (TA)

B) As part of the annual committee report submission process include a questionnaire requesting information as to adequacy of resources, opportunities for collaboration and future projects/work plans (TA)

C) Continue to improve that effectiveness of Select Board committees by ensuring that they have written direction as to their purpose, type of membership and term. Meet at least annually with committee chairs to discuss status of committees' mission and work (SB/TA)

D) Develop a policy regarding attendance at meetings by members of committees appointed by the Select Board including provisions for alternative members and limitations on serving on multiple committees (SB/TA)

E) Promote training opportunities to town committee members and staff to become informed on laws/regulations/policies and best practices in committees' areas of responsibility. Encourage achievement of relevant certifications and licenses. (SB/TA)



Vicki Oliveira <vloliveira@fairhaven-ma.gov>

Additional agenda items for February 28th meeting

Bob Espindola <selectmanbobespindola@gmail.com>

Thu, Feb 10, 2022 at 10:03 AM

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

Wendy and Vicki,

Please add the following items to our agenda for February 28th.

1) FY23 Goal #2, Objective D (Appointed Committees)

- Discuss policy regarding meeting attendance policy
- Discuss policy regarding Full Members vs. Associate Members
- Discuss policy regarding serving on multiple Boards

2) Consider possible changes to Committee Liaison positions.

Thank you.

Bob

E14

E15

E16

Please bring your budget books to the meeting.

Budgets can also be found at [fairhavenma | \(fairhaven-ma.gov\)](https://fairhavenma.gov)

[TA Recommended GF CIP, FY 23-27](#)

[TA Recommended Water Enterprise Budget FY23](#)

[TA Recommended Sewer Enterprise Budget FY23](#)



	Article Title	Petitioner
1	Measurer of Wood and Bark	TA/BOS
2	Town Report	TA/BOS
3	Report of Committees	TA/BOS
4	Setting Salaries of Town Officers-FY23	TA/BOS
	A. Board of Selectmen	
	B. Town Clerk	
	C. Moderator	
	D. Tree Warden	
	E. Board of Health	
5	Bills of Prior Year	TA/BOS
6	FY22 Budgets	TA/BOS
	A. Bristol Aggie	Treasurer
7	Sewer Capital Improvements Revenue FY21 to Stabilization Fund	BPW
8	FY23 General Fund Operating Budget	TA/BOS
9	FY23 Water Enterprise Fund Operating Budget	BPW
10	FY23 Sewer Enterprise Fund Operating Budget	BPW
11	FY23 Town Cable Enterprise Fund Operating Budget	Cable
12	FY23 School Cable Enterprise Fund Operating Budget	Cable
13	General Fund Capital Plan	TA/BOS
	A. Fire Engine 2 Tool Project	
	B. Public Safety Complex	
	C. Replace Voting Machines	
	D. Ambulance / Stretcher Replacement	
	E. Police Cruiser Replacements	
	F. High School-Repair and Replace Southeast & Southwest Gables	
	G. High School Alumni Stadium Restroom Facility	
	H. Computer Hardware Equipment Replacement	
	I. Life Pak 15 Replacement (3 Units)	
	J. Replace Loader	
	K. Computer Server for offsite electronic storage	
	L. Beach mat to provide for handicap access to Town Beach	
	M. Replace Boiler at Town Hall	
	N. COA/Rec Building Roof Replacement (design & construction)	
	O. Replacement of Engines on Harbormaster Boat	
	P. Roof Replacement at Emergency Mgt Building	
	Q. Upgrade Town/School Phone System	
	R. Replace window blinds/shades at Town Hall	
	S. Control Desk Radio Upgrade	
14	Water Enterprise Capital Plan	BPW
	A. Utility Truck with Plow	
	B. Repainting Sconticut Neck Water Tower	
	C. Water Gate Valve maintenance	
15	Sewer Enterprise Capital Plan	BPW
	A. Sewer Treatment Plant Upgrade	
	B. Inflow and Infiltration Prevention	
	C. Sunset BeachSewer Extension	
	D. Sewer Force Mains upgrade	
	E. Blower Building Roof replacement-Sewer Treatment Plant	
16	Roadwork FY23	
	A. Bayview Avenue	BPW
	B. Farmfield Street	BPW
	C. Bonney Street	BPW
17	State Aid to Highways FY23	BPW
18	Funding Capital Stabilization Fund	TA/BOS
19	Ambulance Stabilization	Fire Chief
20	Social Day Care	Council on Aging
21	Propagation of Shellfish FY23	Harbormaster
22	FY23 Community Preservation Program Appropriations	CPC
	A. Library Sidewalks (Phase 2)	
	B. Spring Street Firehouse Renovations	

	C. Pickleball at Livesey Park	
	D. Whitfield-Manjiro Carriage House Cultural Center	
23	Revolving Funds	VARIOUS DEPT/BOARDS
24	Land Acquisition & Engineering design for Public Safety Facility	TA/BOS
25	Transfer from Surplus Revenue	TA/BOS
26	Fund Labor Contracts	TA/BOS
	A. Clerical Union	
	B. Police Union	
	C. Fire Union	
	D. Highway Union	
	E. Water Union	
	F. Sewer Union	
	Municipal Light Plant	Broadband Study
	Senior Work-off Program	Council on Aging
	Propagation of Shellfish \$23,396 (disturbed by dredging)	Harbormaster
	Retirement COLA	Retirement Board
	Additional funds to supplement Article 16B from the October 20, 2020 meeting-Water Dept Van	BPW
	Amend Chapter 194 Storm Management - Erosion and Sediment	BPW
	Tree Warden from elected to Appointed	BPW
	Amend BPW By-law - Solid Waste & Recycling	BPW
	Safeway to Schools	BPW
	Circular Window in Town Hall	TA/BOS
	Town Hall Repair \$8000	TA/BOS
	Update General Provisions of bylaw, section 1-6, noncriminal disposition of violations	Conservation Agent
	Climate change vulnerability assessment grant match	Conservation Agent
	Disposable Plastic Pollution Reduction bylaw	Conservation Agent
	Polystyrene Reductin bylaw	Conservation Agent
	Wetlands bylaw updates	Conservation Agent
	Public Shade Tree bylaw	Planning Director
	Upper Narragansett Avenue Rezone	Planning Director
	Public Facilities Setback	Planning Director
	Light Pollution Prevention	Planning Director
	<u>Citizens Petitions:</u>	
	Hard Surface- Bonney Street	Sheri Bettencourt
	Hard Surface- Chase Road	Rick Spoor
	Hard Surface- Ebony Street	Janet Pitman
	Hard Surface- Reservation Road	Natalie Caetano
	Hard Surface-Mill Road from 291 Mill to 312 Mill	Brian Lopes
	Hard Surface-Yankee Lane from Mill Road to 20 Yankee Lane	Brian Lopes
	Rezoning- 114 Sconticut Neck Road	Ronald Oliveira
	Street Acceptance- Mill Road- from 291-312	Brian Lopes
	Street Acceptance-Yankee Lane from Mill Road to 20 Yankee Lane	Brian Lopes
	Reynold's Drive	Atty Russ Whynocht
	Street Lights	
	A. Welcome Street	Ivan Ketchum

To be discussed at Meeting





Town of Fairhaven Massachusetts

Town Clerk's Office

G1
Linda Fredette
Acting Town Clerk

Town Hall · 40 Center Street · Fairhaven, MA 02719
Telephone: 508-979-4023 x 3 · Fax: 508-979-4079 · Email: clerk@fairhaven-ma.gov

I hereby resign from the
Belong Committee and the
Commission on Disability.
Diane E. Hahn 2/11/22

FAIRHAVEN,
MASS.
FEB 11 2022

*Ms. Hahn has already resigned from Commission on Disability on October 4, 2021



RE: Town of Fairhaven request to move forward with DOR Financial Management Review ****EXTERNAL EMAIL****

4 messages

Kalivas, Theodore D. (DOR) <kalivast@dor.state.ma.us>

Wed, Feb 16, 2022 at 2:03 PM

To: "wgraves@fairhaven-ma.gov" <wgraves@fairhaven-ma.gov>, "vloliveira@fairhaven-ma.gov" <vloliveira@fairhaven-ma.gov>

Cc: "Blake, Zachary H. (DOR)" <blakez@dor.state.ma.us>

Hi Wendy,

My name is Theo Kalivas at the Financial Management Resource Bureau (formerly Technical Assistance Bureau) at the DOR's Division of Local Services. I am the project manager assigned to the town's Financial Management Review Update, and I wanted to let you know that we are ready to move forward with the project. This will involve myself and another FMRB staff member (in this case Bureau Chief Zack Blake) conducting interviews with the town's financial management staff regarding both day-to-day tasks and long-term and structural financial matters. The goal is to track the town's progress in implementing the recommendations included in the 2012 Financial Management Review and offer any necessary guidance or new recommendations. I was hoping we could have a phone call in the next few days to discuss the project's scope, any particular concerns the town may have, and to settle on some dates for our interviews. Please let me know when would be a good time to call. Thank you!

Best,

Theo Kalivas

Project Manager

MA Department of Revenue • Division of Local Services • Financial Management Resource Bureau

P.O. Box 9569, Boston, MA 02114-9569

Phone: 617.626.2353 | Fax: 617.660.9869 | Email: kalivast@dor.state.ma.us | Web: www.mass.gov/dls

From: Blake, Zachary H. (DOR) <blakez@dor.state.ma.us>

Sent: Wednesday, February 16, 2022 1:41 PM

To: Kalivas, Theodore D. (DOR) <kalivast@dor.state.ma.us>

Subject: FW: Town of Fairhaven request to move forward with DOR Financial Management Review ****EXTERNAL EMAIL****

Fairhaven request

Zack Blake

Chief, Financial Management Resource Bureau

Supporting a Commonwealth of Communities

From: Bob Espindola <selectmanbobespindola@gmail.com>

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]



Rev-1_Memo to BOS_6-29-2020 Meeting_6-23-2020 (5) (1).pdf
97K

Wendy Graves <wgraves@fairhaven-ma.gov> Thu, Nov 18, 2021 at 10:27 AM
To: Anne Carreiro <acarreiro@fairhaven-ma.gov>, Vicki Oliveira <vloliveira@fairhaven-ma.gov>

FYI

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

From: **Blake, Zachary H. (DOR)** <blakez@dor.state.ma.us>

Date: Thu, Nov 18, 2021 at 8:06 AM

Subject: RE: Town of Fairhaven request to move forward with DOR Financial Management Review **EXTERNAL EMAIL**

To: Robert Espindola <respindola@fairhaven-ma.gov>

Cc: Wendy Graves <wgraves@fairhaven-ma.gov>

Hi Bob,

I have Fairhaven slated for a January 1st start date.

Zack Blake

Chief, Financial Management Resource Bureau

Division of Local Services
mass.gov/dls | [DLS Alerts](#) | [DLS YouTube Channel](#)

Supporting a Commonwealth of Communities

From: Robert Espindola <respindola@fairhaven-ma.gov>

Sent: Thursday, November 18, 2021 8:00 AM

To: Blake, Zachary H. (DOR) <blakez@dor.state.ma.us>

Cc: Wendy Graves <wgraves@fairhaven-ma.gov>

Subject: Re: Town of Fairhaven request to move forward with DOR Financial Management Review **EXTERNAL EMAIL**

This Message Is From an External Sender

This message came from outside your organization.

Zach,

Can you provide any update on when your work with Fairhaven will be scheduled?

Thank you.

Bob

[Quoted text hidden]

Bob Espindola <selectmanbobespindola@gmail.com> Thu, Aug 5, 2021 at 8:23 AM
To: "Blake, Zachary H. (DOR)" <blakez@dor.state.ma.us>
Cc: Keith Silvia <ksilvia@fairhaven-ma.gov>, Mark Sylvia <msylvia11@comcast.net>, "Robert J. Espindola" <respindola@fairhaven-ma.gov>, Stasia Powers <spowers@fairhavenps.net>, Vicki Paquette <vloliveira@fairhaven-ma.gov>, Wendy Graves <wgraves@fairhaven-ma.gov>

Thank you for confirming and we look forward to working with you.

Bob

[Quoted text hidden]

Blake, Zachary H. (DOR) <blakez@dor.state.ma.us> Thu, Aug 5, 2021 at 8:21 AM
To: Bob Espindola <selectmanbobespindola@gmail.com>
Cc: "Robert J. Espindola" <respindola@fairhaven-ma.gov>, Stasia Powers <spowers@fairhavenps.net>, Keith Silvia <ksilvia@fairhaven-ma.gov>, Wendy Graves <wgraves@fairhaven-ma.gov>, Vicki Paquette <vloliveira@fairhaven-ma.gov>, Mark Sylvia <msylvia11@comcast.net>

Bob,

I received the Select Board's request and will coordinate our project through Wendy. We look forward to working with Fairhaven on the Financial Management Review update.

Thank you,

Zack Blake

Chief, Technical Assistance Bureau

Supporting a Commonwealth of Communities

From: Bob Espindola <selectmanbobespindola@gmail.com>
Sent: Wednesday, August 4, 2021 9:38 PM
To: Blake, Zachary H. (DOR) <blakez@dor.state.ma.us>
Cc: Robert J. Espindola <respindola@fairhaven-ma.gov>; Stasia Powers <spowers@fairhavenps.net>; Keith Silvia <ksilvia@fairhaven-ma.gov>; Wendy Graves <wgraves@fairhaven-ma.gov>; Vicki Paquette <vloliveira@fairhaven-ma.gov>; Mark Sylvia <msylvia11@comcast.net>
Subject: Town of Fairhaven request to move forward with DOR Financial Management Review ****EXTERNAL EMAIL****

This Message Is From an External Sender

This message came from outside your organization.

Mr. Blake,

At the August 4th meeting of the Town of Fairhaven Select Board, the three (3) member Board voted unanimously to request the Department of Revenue Division of Local Services to conduct an update of the 2012 Financial Management Review.

The Board actually reviewed the 2012 report and the attached Memo from June 29th of 2020 as the basis for this request.

Additionally, we would like to inform you that the Town recently initiated a Charter Review process (<https://www.fairhaven-ma.gov/charter-committee>).

We think there may, potentially, be some synergy between the DOR Financial Management Review and the Charter study effort, but that remains to be seen.

I have copied the Interim Town Administrator, Wendy Graves, Administrative Assistant, Vicki Oliveira, Select Board members Stasia Powers and Keith Silvia and Town Moderator, Mark Silvia who is heading up the Charter Committee.

Please let us know if there is anything additional you would need from us in order to get the Town of Fairhaven onto your schedule for this review.

Feel free to call me to discuss further if you would like.

Respectfully,

Bob Espindola

Chair

Town of Fairhaven Select Board

Cell (774) 263-1046

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