



FAIRHAVEN SELECT BOARD

Agenda

Monday, August 1, 2022

6:30 p.m.

Town Hall – 40 Center Street – Fairhaven

RECEIVED
TOWN CLERK

2022 JUL 28 P 3:55

FAIRHAVEN,
MASS.

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 onto:

<https://us06web.zoom.us/j/83255906440?pwd=TGZPRzZNWHVLYTBmSFU1OVI4ZFJsdz09>

or call 1-929-205-6099

Meeting ID: 832 5590 6440

Passcode: 987093

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

A. MINUTES

1. Approve the minutes of July 5, 2022— Open Session
2. Approve the minutes of July 5, 2022— Executive Session
3. Approve the minutes of July 18, 2022— Open Session
4. Approve the minutes of July 26, 2022— Open Session
5. Approve the minutes of July 26, 2022— Executive Session

B. TOWN ADMINISTRATOR REPORT

1. Health Agent update
2. Staffing Updates
3. Council on Aging extended hours on Wednesdays
4. ARPA (American Rescue Plan Act)
5. New Tree by-law panel
6. Office Relocation
7. Transportation Bond Bill
8. Vacancy on Board of Public Works
9. Cybersecurity Monitoring System
10. Other

C. COMMITTEE LIAISON REPORTS

D. PUBLIC HEARING

1. 7:00 pm: Transfer of Inn Holder License: Seaport Inn, LLC, 110 Middle Street

E. ACTION ITEMS

1. Representative Bill Straus: New Bedford Bridge project
2. Town Counsel appointment
3. FY21 Audit Report
4. Signing of Town Bonds
5. Rogers Reuse Committee
6. 40R Overlay Consultant and Working Group
7. Ocean State Job Lot: Amendment of Liquor license, Management Agreement
8. Event Permit: West Island 2022 Regatta, August 13, 2022
9. Event Permit: Conrad Henri Roy III 5K, September 10, 2022, 11 am
10. No parking sign request- Oliver Street
11. Stop sign request – Mina Street

F. PUBLIC COMMENT

G. BOARD MEMBER ITEMS

H. CORRESPONDENCE

I. NOTES AND ANNOUNCEMENTS

1. The next **regularly** scheduled meeting of the Select Board is **Monday, August 15, 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 July 5, 2022

Present: Select Board members Chair Stasia Powers, Vice-Chair Leon Correy, Clerk Robert Espindola, Select Board member Keith Silvia, Select Board member Charles Murphy Sr. and Town Administrator Angie Lopes Ellison.

Also present: Finance Committee members Chair Padraic Elliot, Jennifer Dupras, Carolyn Roberts, Claire Millette, Stephen Levesque, Peter Gardner, Denise Barr, Therese Szala, Linda Gallant, Robert Grindrod and Finance Director Wendy Graves.

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

Joint Meeting with Finance Committee

Ms. Powers called the joint meeting with the Finance Committee to order at 6:33 pm in the Town Hall Auditorium.

Finance Chairman Pat Elliot called the July 5th, 2022 joint meeting of the Finance Committee and the Select Board to order at 6:33 pm.

Ms. Powers asked for a moment of silence for the families and community members affected by all the tragedies and death in our community and around the world. Our deepest sympathies and prayer go to each and every one affected by such tragedy.

Ms. Powers called for a motion to take the agenda out of order to hold the discussion and votes of the year end transfers at the beginning of the meeting.

Motion: Mr. Murphy motioned to take the agenda out of order to hold the discussion and votes of the year end transfers at the beginning of the meeting. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Year End Transfers

The Finance Committee and the Select Board discussed the year end transfers and took votes as follows:

Finance Committee Motion: Mr. Grindrod motioned to transfer for the Select Board from Fairhaven Wind line to Workers compensation line in the amount of \$65,000. Ms. Dupras seconded. Vote was unanimous. (10-0-0)

Select Board Motion: Mr. Murphy motioned to transfer for the Select Board from Fairhaven Wind line to Workers compensation line in the amount of \$65,000. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Finance Committee Motion: Mr. Grindrod motioned to transfer for the Fire Department line from salary line to gasoline line in the amount of \$3,000. Ms. Millette seconded. Vote was unanimous. (10-0-0)

Select Board Motion: Mr. Murphy motioned to transfer for the Fire Department line from salary line to gasoline line in the amount of \$3,000. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Finance Committee Motion: Ms. Millette motioned to transfer for the Select Board from purchases of services line and transferred to salaries line of off duty school and police in the amount of \$792.59. Mr. Grindrod seconded. Vote was unanimous. (10-0-0)

Select Board Motion: Mr. Murphy motioned to transfer for the Select Board from purchases of services line and transferred to salaries line of off duty school and police in the amount of \$792.59. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Finance Committee Motion: Mr. Grindrod motioned to transfer for the Human Resources from Human Resources salary line to Human Resources contracted services line in the amount of \$32,175. Mr. Millette seconded. Vote was unanimous. (10-0-0)

Select Board Motion: Mr. Murphy motioned to transfer for the Human Resources from Human Resources salary line to Human Resources contracted services line in the amount of \$32,175. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Finance Committee Motion: Mr. Grindrod motioned to transfer for the Select Board from Fairhaven Wind line to legal line in the amount of \$6,000. Ms. Millette seconded. Vote was unanimous. (10-0-0)

Select Board Motion: Mr. Murphy motioned to transfer for the Select Board from Fairhaven Wind line to legal line in the amount of \$6,000. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

At 7:38 pm The Finance Committee adjourned their meeting and a 10-minute recess was taken by the Select Board. The meeting reopened at 7:48 pm with review of the minutes.

Minutes

Motion: Mr. Murphy motioned to approve the executive session minutes of May 23, 2022. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Motion: Mr. Murphy motioned to approve the open session minutes of June 6, 2022. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Motion: Mr. Espindola motioned to approve the executive session minutes of June 6, 2022 with some edits. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Motion: Mr. Murphy motioned to approve the open session minutes of June 18, 2022. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Town Administrator Report

Ms. Ellison update the Select Board on:

Staffing Updates

- Candidates for a Human Resources Director have been narrowed down and a decision will be made soon. Searches for Conservation Agent, Principal Assessor and Recreation Director are currently underway.

Citizens Emergency Rescue Team (CERT)

- Fire Chief Correia explained to the Select Board his efforts in trying to reestablish the CERT and requested volunteers from the public. Cable access has been working with Chief Correia to create a public service video to reach out to members of the community.

Search and Rescue efforts

- Chief Myers said Harbormaster Tim Cox found a boat and it led them to believe there may be a missing boater. Southeastern Mass Search and Rescue team was contacted for their assistance. This group is made up of 32 other communities that support each other in efforts such as this one. Off road vehicles were brought in to help with a search and rescue. Fortunately, this did not turn out to be a missing person but rather a case of a criminal act.

Electric Vehicle Incentive Program (EVIP) Charging Station

- The town EVIP consultant has been contacted to research grant opportunities for 2 more charging stations that will be in more visible locations in Fairhaven.

Opioid Litigation update

- Updates will be provided for the Opioid Litigation to Ms. Ellison through an online portal. Funding ideas are for mental health and school education programs.

Office Relocation

- Several offices will be relocated in the Town Hall. The Veteran's Agent is now located within the Council on Aging Center; leaving that office space for the Conservation Office. The Collector's Office and the Select Board office will swap locations. Part of the proposed change is to add a Dutch door therefore eliminating the need for customers to enter the office space; the counter in the current collector's office will be removed and then moved to the Select Board office space. Several residents had concerns over this potential move, stating privacy issues when they are paying bills or asking questions to the staff. Wayne Oliveira, Chairman of the Historical Commission raised some concerns over this proposed move due to the preservation restriction that is in place for Town Hall; he has contacted the Mass Historical Commission to inform them of the proposed changes. Some residents expressed their gratitude for the change and feel this will make the new Collector's office more ADA compliant.

Other

- Police K9 Blue has attended therapy dog training and has earned a promotion as a therapy dog. Bristol County sheriff's department is forming a therapy dog coalition that will allow schools and agencies to reach out for assistance if a tragedy has occurred and K-9 Blue is expected to be part of this effort.

Committee Liaison Reports

Mr. Espindola reported:

- The Fairhaven Bikeway Committee voted Amy Roderick as the new chair of the committee. The committee discussed ruts and bumps on the bike path and signage and agreed to set up a field trip to take a closer look and provide recommendations thereafter.
- The Broadband Committee met on June 27, 2022 to discuss a multitude of potential broadband funding sources including grant opportunities. Guest speaker was Joshua Eichen from Mass Broadband Institute (MBI). Housing Authority Director, Ms. Krissanne Sheedy, is very interested in integrating the Housing Authority initiative to add sensors in apartments to prevent illegal smoking on the property and MBI confirmed that this would be something that MBI grant funds could be used to supplement the grant the town already received from the Community Compact Cabinet grant program to help accomplish this.
- The Southeastern Mass. Metropolitan Planning Organization (SMMPO) held a joint meeting with the Joint Transportation Planning Group (JTPG). Planning Director Paul Foley was elected to serve as Vice Chair to the JTPG. One highlight from the SMMPO portion of the meeting was the announcement by Mass DOT representative Pamela Hazner, the Fairhaven-New Bedford Bridge engineering study has been funded for a cost of \$5M. Representative Bill Straus and Senator Montigny played a critical role in this process.

Mr. Correy reported:

- The Millicent Library Trustees met and closed out their budget. The Trustees would like to meet with Ms. Ellison to gain clarification on the Library's role in Fairhaven.
- SRTA also met and closed out their FY22 books but also did discuss the closing of the bus stop in Fairhaven.
- The Belonging Committee met and are eager to get started meeting and moving forward to educate the public.
- The Economic Development Committee met and voted Cathy Melanson as the chair and Travis Raposa as the vice chair.

Mr. Silvia reported:

- The Homecoming Fair and July 4th parade were both well attended.

Mr. Murphy reported:

- The Whitfield Manjiro Society is holding several classes this summer that are open to the public and available for course credits for those interested.
- The Mayor of Lagoa met with Ms. Ellison and Ms. Powers to commemorate the 500th anniversary of Lagoa and to prepare for the visit of the moving Lagoa art display.

Action

Zoning Board of Appeals

This item will be tabled until the next meeting to allow for others who have submitted a request to be considered.

Belonging Committee

Rachel Medeiros told the Board she is looking forward to serving on the Belonging Committee.

Motion: Mr. Murphy motioned to appoint Rachel Medeiros to the Belonging Committee for a term to end May 31, 2023. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Appointment of Measurer of Wood and Bark

Ms. Powers said it is customary per the town's by law to appoint a Measure of Wood and Bark. Tree Warden Don Collasius has agreed to accept the position as Measure of Wood and Bark.

Motion: Mr. Murphy motioned to appoint Don Collasius to as the Measurer of Wood and Bark for a term to end after the Annual Town Meeting in 2023. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Southcoast Community Foundation Scholarship

Ms. Powers said the Select Board has received a letter from the Southcoast Community Foundation listing the name of the Fairhaven High School Scholarship winners. The Select Board offered their congratulations to Marina Torres: Ladies Branch of the New Bedford Port Society Scholarship (\$1,200) Nellie Zygiel: Daniel P. Bergeron Scholarship (\$550) and the Matthew "Matty" Ryan Oliveira Scholarship (\$1,230).

Rogers School National Historical Register

Rogers Reuse Committee Chairwoman Sue Loo told the Select Board this is the second application for the former Rogers School to place the school on the National Historic Register after the first application was returned as incomplete. The Rogers Reuse Committee is seeking approval from the Select Board to submit the updated application to The Massachusetts Historical Commission. A discussion followed on the benefits of the former school being listed on the National Historic Register. (Attachment A)

Motion: Mr. Murphy motioned to approve the application to the national historic registry and to proceed with the process of gaining a historic designation as presented by the Roger School Reuse Committee. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Update of Oxford School Bell placement at Town Hall

Bell Committee Chairman Doug Brady provided an update to the Select Board on the placement of the Oxford School bell on the eastside lawn at Town Hall. New Bedford Vocational students have created a mock up facade of the Bell housing. On Saturday, July 10, 2022 members of the community are invited to come out and help determine placement on the Town Hall lawn. Mr. Brady stated, once a location has been selected, he will contact the Mass. Historical Commission to seek their approval.

Northeast Maritime Graduation

Ms. Powers stated the Select Board has received an application for the use of the Town Hall Auditorium for the Northeast Maritime Institute's graduation ceremony. Mr. Silvia suggested the Select Board waive the rental fee for the auditorium but only charge the custodian's fee.

Motion: Mr. Murphy motioned to approve the use of Town Hall on September 24, 2022 from 10:00 am –2:00 pm for the Northeast Maritime Graduation, waiving the town hall rental fee but charging the custodian's fee. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Our Lady of Angels Annual Three-Day Feast

Ms. Powers said the Select Board has received a request for a one day all alcohol beverages license for the Our Lady of Angels Annual Three-Day Feast, September 3, 4 & 5, 2022 Ms. Powers said this is an annual event in the town. Mr. Murphy stated he will abstain from the vote because he is the Treasurer of the Our Lady of Angels Association.

Motion Mr. Correy motioned to approve the one-day event alcohol beverage license for Our Lady of Angel Annual Three-Day Feast on September 3-5, 2022. Mr. Silvia seconded. Vote carried. Mr. Murphy abstained. Vote carried (4-0-1)

Land Donation: Austria Avenue

Ms. Ellison said Mrs. Janice M. Oliveira is looking to donate a small piece of land on Austria Avenue to the town. Ms. Ellison stated the Conservation Commission has already determined this is not a parcel they are interested in and there is no value for the town in taking this land over.

Motion: Mr. Murphy motioned to not to accept the parcel of land Lot 59 on the Fairhaven Assessor's map #29A. Mr. Silvia second. Vote was unanimous. (5-0-0)

Ms. Powers asked to take the agenda out of order.

Motion: Mr. Murphy motioned to take the Discussion on the Municipal Light Plant out of order. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Municipal Light Plant Discussion

Mr. Espindola reminded the Select Board the Municipal Light Plant was passed at the Annual Town Meeting and the Town is ready to take the next steps. Ms. Ellison said she has reached out to several attorneys seeking information regarding the next steps the town will need to take implement the plant; she has requested the Select Board to appoint Select Board member Espindola to work with her to move forward with this project.

Motion: Mr. Murphy motioned to appoint Select Board member Bob Espindola to work with the Town administrator on the establishment of the Municipal Light Plant and update the Select Board on a regular basis. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Dissolving the Broadband Study Committee

Ms. Powers said the Select Board will need to determine whether they would wish to dissolve the Broadband Study Committee. Mr. Espindola reminded the Select Board the charge says "Be present at the

Board of Selectmen's meeting when the final report is presented and comment on areas of agreement or disagreement." Mr. Espindola feels by disbanding the Broadband Study Committee too soon will result in the loss of some opportunities for the Town in regards to grants and will add more responsibility to the Town Administrator.

Ms. Ellison provided some edits to the charge of the Broadband Study Committee to read "To assist and guide in the municipal light plant and the broadband structure." Mr. Espindola would like to wait another meeting of the Select Board to update the charge once the Broadband Study Committee has a chance to meet and come up with the appropriate wording.

Residents John Methia and Gary Lavalette discussed their concerns regarding the formation of the Municipal Light Plant and the costs that it will have on the tax payers. Mr. Espindola reminded the Select Board that the Broadband Study Committee is exploring all options that will be the best fit for the Town.

Policy on Committee Attendance and Residency requirement

This item was tabled until a future meeting.

Holds on Committee Reappointments

Ms. Powers stated that there were 4 people who have been contacted regarding reappointment to committees. Mr. Espindola stated that he has not heard from Mr. Gledhill in many months in regards to the Bikeway Committee. Ms. Powers reported that Geoff Haworth has reached out and said he does not wish to be reappointed to the Belonging Committee. Mr. Silvia will follow up with Mr. Pond by phone to be sure that he has intentions of remaining on the Sustainability Committee. John Methia spoke to the Select Board regarding his reappointment to the Cable Advisory Committee and stated that he has attended 75% of the meetings of his committee and feels that he should not be removed, since there is not currently a policy on attendance. Ms. Ellison said she has been working on creating an attendance policy for boards and committees.

Motion: Mr. Murphy motioned to appoint John Methia the Cable Advisory Committee for a term to end May 31, 2023. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Select Board meeting of September 6, 2022 and State Primary Date

Ms. Powers said that there is a State Primary scheduled for the same day as the Select Board meeting and is recommending that the Select Board still meet that night as this meeting is already moved over due to the Labor Day holiday. All Select Board members agreed to hold a Select Board meeting Tuesday, September 6, 2022.

Public Comment

Kevin Gonsalves Jr., President of Local 1555 Fire Fighters Union asked the Select Board what their intentions are for the ARPA (American Rescue Plan Act) funds and premium pay for first responders who worked through the COVID pandemic. Ms. Powers said currently, the ARPA funds disbursements have not been decided. Ms. Ellison stated that there will be an ARPA discussion at a Select Board meeting and what the recommendations will be.

Board Member Items

Mr. Espindola wanted to remind anyone in the community that would like to speak with him to reach out directly to discuss any issues and he will still continue to hold his office hours the first Tuesday of each month.

Select Board members thanked the organizers of the Town's July 4th parade and thanked The Fairhaven Village Militia for the opportunity to fire the cannons at the Fort Phoenix.

Correspondence

Ms. Powers said the Sustainability Committee is conducting a Plastic Free Challenge and encourages members of the community to participate.

Ms. Powers read a letter from the Riverside Cemetery thanking the Select Board for the use of the Town Hall Auditorium for their spring meeting.

Adjournment

Motion: At 10:10 pm Mr. Murphy motioned to adjourn the regular meeting and go into executive session pursuant to MGL Ch. 30A § 21(a)(6) to consider the purchase, exchange lease or value of real property if the chair declares that and open meeting may have a detrimental effect on the negotiating position of the public body and not to return to open session. Mr. Silvia seconded. Roll Call Vote: Mr. Espindola in favor, Mr. Correy in favor, Mr. Murphy in favor, Mr. Silvia in favor, Ms. Powers in favor. Vote was unanimous. (5-0-0)

Respectfully submitted
On behalf of the Select Board Clerk,



Vicki L. Oliveira
Administrative Assistant

Attachments:

A. National Historic Register benefits and FAQ's



Fairhaven Select Board Meeting Minutes July 18, 2022

Present: Select Board members Chair Stasia Powers, Vice-Chair Leon Correy, Clerk Robert Espindola, Select Board member Keith Silvia, Select Board member Charles Murphy Sr., Town Administrator Angie Lopes Ellison and Administrative Assistant Vicki Oliveira.

Also present: Harbormaster Tim Cox

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

Ms. Powers opened meeting at 6:32 pm and asked for a moment of silence for Nelson Camara, brother of Information Technology Director Christopher Camara who passed suddenly last week.

Fairhaven Police Swearing In

Town Clerk Linda Fredette sworn in Alexander T. Silva, the newest member of the Fairhaven Police Department in front of family and friends. Officer Silva is a 26-year-old resident of Fairhaven who holds a Bachelor's Degree in Criminal Justice from Bridgewater State University and is a recent graduate of the 4th Recruit Officer Class from the Cape Cod Municipal Police Academy. He previously worked as a Civilian Dispatcher with the Fairhaven Police Department prior to being appointed as a Police Officer.

At 6:36 pm Ms. Powers said there will be a brief recess so Officer Silva can take some pictures with his family and the Select Board. The meeting re opened at 6:41 pm.

Minutes

The minutes were not ready so this item will be tabled until the next meeting.

Town Administrator Report

Ms. Ellison update the Select Board on:

Southcoast Community Foundation Scholarship winners / Bobby Bruso Memorial Scholarship winner

- The students were unavailable to attend the meeting due to prior commitments.

Staffing Updates

- Ms. Ellison was excited to announce the hiring of Cameron Durant as the Human Resources Director; he is expected to begin August 1, 2022. Mr. Durant was in attendance and said he looks forward to starting his employment and will hit the ground running.

Motion: Murphy motioned to approve the Town Administrator's appointment of Cameron Durant as the Human Resources Director. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Eversource Customer Rates

- Eversource will be increasing their rates; the increase is expected to be about \$15 per month for most customers. Ms. Powers encouraged residents to join the electric aggregation program through the town as an option for better rates.

Select Board Correspondence

- Select Board members to include the correspondence they may be getting as part of the agenda. There will be a correspondence as an item each week to the agenda.

Union Wharf Grant Award and West Island Dredging

- Harbormaster Tim Cox said he and Town Planner Paul Foley have been working to continue the work at Union Wharf. The Marine Resources Department and the Planning and Economic Development Department have been awarded two grants from the Seaport Economic Council totaling in the amount of \$1,200,000.00. The first grant awarded, written by Paul Foley, Planning Director, is \$1,000,000.00. This grant will serve to begin the process of fixing the North Side of Union Wharf. The Town match awarded is \$250,000.00.
- The Town also received a grant for \$200,000.00 to fund the West Island Dredging Project to be 'shovel ready' before the project can begin. Once the West Island Dredging is 'shovel ready', other grants can be applied for to the Massachusetts Dredging Program. Harbormaster Cox said the Town match award was \$40,000.00.

Grant writer summary

- The Town's grant writer has aided the town for grants totaling more than one million dollars.

Other

- The Town Clerk's office will be closed on Wednesday, July 20, 2022 due to some staffing shortages.
- The handicap door opening is 15 seconds not 45 as previously stated but can be increased if necessary.
- Public Works Department are currently replacing water meters but due to a supply chain issue the process is taking longer than anticipated.
- Mr. Espindola forwarded an email from a concerned resident over noise coming from the wind turbines stating there may be a mechanical issue.

Committee Liaison Reports

Mr. Espindola reported:

- The Fairhaven Bikeway Committee Chair Amy Roderick is working on the next meeting date.
- The Southcoast Bikeway Alliance met last week to discuss logistics for their Pedal for the Path fundraiser, to be held on Sunday, September 1, 2022.
- Ms. Ellison and Mr. Espindola reviewed the direction of the Broadband Study Committee (BSC) regarding the formation of the Municipal Light Board. Ms. Ellison suggested the town wait until new Town Counsel has been hired to see what expertise they may have in the area of Municipal Light Plants. Mr. Espindola will meet with current Chair Sean Powers and consultant Entry point to develop a specific set of recommended tasks for the BSC during the interim period.
- Mr. Espindola has been asked to participate in a Broadband Coalition at the state level

- Southeastern Mass. Metropolitan Planning Organization (SMMPO) will be meeting on Tuesday, July 19, 2022.

Mr. Correy reported:

- The Belonging Committee has met and had a guest speaker to discuss Disability Awareness month and is always looking for ways to engage the community.

Mr. Murphy reported:

- The Sister City Committee will meet next week.
- Lagoa Mayor Cristina Calisto recently visited Fairhaven as part of the kick-off event for the traveling photo display that will be at Town Hall the week of July 25, 2022.

Action

Public Hearing

At 7:04 pm Ms. Powers opened the public hearing for a new beer and wine license application for Southcoast Pickleball, LLC by reading the public hearing notice. Mr. Correy stated that he is an abutter to the property.

Manager Adam Roger said Southcoast Pickleball is looking for the beer and wine license to continue to create the social atmosphere that pickleball has become; and there no intention to open the business up as a bar. Eventually they would like to serve ice cream and revamp the mini golf course. He expects the pickleball courts to be open within the next few weeks. Abutter Newton Edwards addressed some concerns with the hours of operation and hopes Southcoast Pickleball will be respectful to the neighborhood.

Motion Mr. Murphy motioned to approve the beer and wine license for Southcoast Pickleball, LLC as submitted and in accordance with the Alcoholic Beverages Control Commission (ABCC) regulations with the hours of operation being from 9am - 9pm. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Ms. Powers closed the public hearing at 7:13 pm.

Zoning Board of Appeals—Associate Member

The Select Board met with 3 candidates for the vacant associate seat on the Zoning Board of Appeals (ZBA). Each candidate was asked to tell a little bit about themselves.

- Patrick Carr said he is a business owner in Fairhaven and has been a resident for over 40 years. This is the third time applying for a vacancy on the ZBA and would very much like to serve his community by giving back 110%.
- Maria J. Carvalho told the Select Board her background is in real estate law; she is bilingual and is retired so she has the time to commit to meetings. Ms. Carvalho also serves on the Historical Commission, the Cable Advisory Board and the Lagoa Friendship Committee.
- Denyce Wicht said she is new to Fairhaven and is looking to get involved in the community. She is a chemistry professor and feels her background in analytics can aid the ZBA in their decisions. Because of her work schedule, she is only able to attend the meetings remotely.

Each candidate said they would be willing to take any training opportunities that are available.

The Select Board discussed the qualifications of each candidate.

Motion Mr. Murphy motioned to appoint Patrick Carr as an associate member of the Zoning Board of Appeal for a term to end May 31, 2023. Mr. Silvia seconded. Mr. Espindola voted in the opposition. Vote carried. (4-1-0)

Sustainability Committee Reappointment

Resident John Pond told the Select Board he would like to remain an associate member of the Sustainability Committee; however, he does not have a computer and currently the committee meets remotely. Mr. Pond said he has a lot to offer the committee as he used to be involved in the environmental field. Ms. Powers offered for Mr. Pond to attend the meeting at Town Hall and a member of the cable staff will help him with the remote access for each Sustainability meeting while they continue to meet remotely.

Motion Mr. Murphy motioned to appoint John Pond to the Sustainability Committee for a term to end May 31, 2023. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Rogers School Request for Proposal results

This has been tabled until a future meeting.

5th annual Pedal for the Path—September 11, 2022

Mr. Espindola recused himself because he is the President of the South Coast Bikeway Alliance. Ms. Powers said the South Coast Bikeway Alliance is planning the fifth annual Pedal for The Path Fundraising ride to be held on Sunday, September 11, 2022. This year the proposed routes would travel through the center of Fairhaven and along the Phoenix Rail Trail.

Motion Mr. Murphy motioned to approve the Pedal for the Path event to be held on September 11, 2022. Mr. Silvia seconded. Vote was carried. (4-0-1). Mr. Espindola was an abstained vote due to his recusal.

Mr. Espindola returned to the meeting.

Participation in a Massachusetts Digital Infrastructure Collaborative

Mr. Espindola told the Board he has been asked to join a “Massachusetts Digital Infrastructure Collaborative” and feels this is a good opportunity for Fairhaven. This program offers municipalities the opportunity to share valuable information with each other and would serve as a channel of communication and a unified voice to state leaders with regard to any potential policy initiatives for the Broadband project.

Motion Mr. Murphy motioned to appoint Mr. Espindola as the representative to the Massachusetts Digital Infrastructure Collaborative. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Board and Committee by law

Ms. Ellison said the Select Board has been discussing attendance and code of conduct on boards and committees and had some concerns there could be liability issues. She has reached out to other communities for guidance and created a bylaw that would apply to elected and appointed board members. The Select Board discussed their concerns regarding overlap from other policies and who would be the enforcement agent for this policy.

Ann Richard, Chair of the Sustainability has concerns and feels there should be public hearings on this article before it is presented to Town Meeting for the public to have input. Ms. Ellison will send a copy to all Board and Committee chairs for review and schedule a public hearing.

Special Town Meeting date

Ms. Ellison spoke to the Town Clerk and the Town Moderator; both are available for November 15, 2022 for a special town meeting.

Motion Mr. Murphy motioned to set Fairhaven's Special Town Meeting date to be November 15, 2022. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Town Counsel appointment

Ms. Ellison interviewed six (6) town counsel firms and is recommending Petrini and Associates as her choice. The Select Board discussed the selection of firms interviewed and would like more time to review all the proposals before deciding. Ms. Ellison will forward all the firm names to the Select Board for review prior to the next Select Board meeting.

Personnel Policy

Ms. Powers and the Select Board thanked Ms. Ellison for her hard work in creating a personnel policy since the current policy is over 20 years old and is outdated.

Motion Mr. Murphy motioned to adopt the personnel policy as outlined. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Public Comment

Resident John Pond expressed his concerns with the proposed Municipal Light Plant project. Mr. Espindola addressed his questions.

Board Member Items

Mr. Silvia:

- The Bell Committee brought the bell facade to Town Hall and the group helped come up with the final location; once Mass Historical Commission has been contacted the bell committee can move forward

Mr. Espindola:

- The new bike path extension is beautiful and Mr. Espindola encouraged everyone to take a ride to see how beautiful it is.

- The residents in the sewer treatment plant neighborhood have been complaining to Public Works Superintendent Vinnie Furtado regarding the smell; Mr. Furtado will set up an online complaint form on the town's website.

Mr. Correy:

- Thanked Public Works Superintendent Vinnie Furtado and Sewer Superintendent Rene Robillard for their tour of the sewer treatment plant and found the experience interesting and fascinating.
- Encouraged residents to get involved and join a board or committee.

Mr. Murphy:

- Reminded residents the Lagoa Committee will host the traveling photo display starting on July 25, 2022. The photos will be on display in the Town Hall lobby.

Adjournment

Motion: At 8:42 pm Mr. Murphy motioned to adjourn. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Respectfully submitted
On behalf of the Select Board Clerk,



Vicki L. Oliveira
Administrative Assistant



Fairhaven Select Board
Meeting Minutes
July 26, 2022

Present: Select Board members Chair Stasia Powers, Vice-Chair Leon Correy, Clerk Robert Espindola, Select Board member Keith Silvia, Select Board member Charles Murphy Sr., Town Administrator Angie Lopes Ellison, Attorney Thomas Crotty and Administrative Assistant Vicki Oliveira.

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

Ms. Powers opened meeting at 5:02 pm and stated the purpose of the meeting was to enter into executive session.

Motion: At 5:04 pm Mr. Murphy made a motion to enter into executive session - Pursuant to MGL Ch. 30A § 21(a)(3); to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares in the matter of NEPD v. Fairhaven (Rogers School) and not to return to open session. Mr. Silvia seconded. Roll call vote: Mr. Murphy in favor, Mr. Silvia in favor, Mr. Correy in favor, Mr. Espindola in favor, Ms. Powers in favor. Vote was unanimous. (5-0-0)

Adjournment

Respectfully submitted
On behalf of the Select Board Clerk,

Vicki L. Oliveira
Administrative Assistant

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Infectious Disease and Laboratory Sciences
305 South Street, Jamaica Plain, MA 02130

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor



MARYLOU SUDDERS
Secretary

MARGRET R. COOKE
Commissioner

Tel: 617-624-6000
www.mass.gov/dph

TO: Massachusetts Healthcare Providers, Hospitals and EMS
Local Boards of Health

FROM: Catherine M. Brown, DVM, MSc, MPH, State Epidemiologist
Larry Madoff, MD, Medical Director, Bureau of Infectious Disease and Laboratory
Sciences
Sandra Smole, PhD, HCLD(ABB), Director, State Public Health Laboratory

SUBJECT: Clinical and Laboratory Testing Guidance for Monkeypox

DATE: July 26, 2022

BACKGROUND:

Since May 18, when the Massachusetts Department of Public Health (MDPH) reported the first case of monkeypox virus infection in a Massachusetts resident, there have been over 16,000 cases identified globally, almost 3,500 in the United States and over 90 cases in Massachusetts. **Although the majority of cases have been identified in gay, bisexual or other men who have sex with men (MSM), other states are beginning to identify cases occurring in individuals outside of that social network.**

ABOUT MONKEYPOX:

Monkeypox is a rare viral illness with an incubation period of up to 21 days (typically 1 -2 weeks). Illness may begin with flu-like signs and symptoms (fever, chills, malaise, headache, muscle aches/back aches) and swelling of the lymph nodes and progresses to a rash that can look like pimples or blisters that appears on the face, inside the mouth, and on other parts of the body, like the hands, feet, chest, genitals, or anus. Cases identified during this current outbreak may present only with rash illness without any other symptoms or may also develop mucosal lesions or proctitis. Most infections last 2-to-4 weeks and people are considered infectious throughout duration of symptoms.

The virus does not spread easily between people; transmission most frequently occurs through direct contact with monkeypox rash lesions, scabs, or body fluids. The virus can also be spread through contact with fomites (items that touched the rash lesions or body fluids (clothing, bedding, etc.)), or through large respiratory droplets following prolonged face-to-face contact.

Monkeypox lesions typically progress through specific stages—macules, papules, vesicles, and pustules—before scabbing and falling off. The characteristic lesions are deep-seated and well-circumscribed, often with central umbilication. More information supporting clinical recognition of the disease is available through the Centers for Disease Control and Prevention website at:

<https://www.cdc.gov/poxvirus/monkeypox/clinicians/clinical-recognition.html>. Monkeypox can occur concurrently with other illnesses, including other rash illnesses such as varicella-zoster virus and herpes simplex virus infections.

RECOMMENDATIONS FOR CLINICIANS:

Clinicians should consider testing for monkeypox virus in patients with a new onset, clinically compatible skin rash (exhibiting macular, papular, vesicular, or pustular lesions; generalized or localized; discrete or confluent; mucosal lesions; or proctitis). Known risk factors that increase the likelihood of monkeypox virus infection include individuals who in the previous 21 days:

- 1) report close contact with a person or people with confirmed or suspected monkeypox; OR
- 2) report close contact with a person or people who have a similar rash; OR
- 3) report they are a man (individual assigned male sex at birth) who has sex with men, or a transgender man who has sex with men, who regularly has proximate physical, sexual, or other close contact with other men, including encounters with individuals met through online dating applications or in social venues; OR
- 4) report residence in or travel to endemic areas of Africa and had contact with wild animals, especially small rodents.

However, clinicians should consider testing clinically compatible patients regardless of whether they have known risk factors for monkeypox and regardless of gender or sexual orientation.

Clinicians should also rule out more common causes of rash illness while considering monkeypox. Other diseases that can cause similar appearing rash lesions include:

- herpes
- secondary syphilis
- chancroid
- varicella-zoster virus

Patients who are at risk for exposure to monkeypox virus through sexual activity are also at risk for sexually transmitted infections and diagnostic testing should be comprehensive; coinfections are not uncommon.

Suspect monkeypox cases should be evaluated clinically using contact and droplet precautions (gloves, eye protection, surgical mask (N95 optional unless aerosol generating procedures are being performed), and a gown or disposable covering).

LABORATORY TESTING AND SPECIMEN COLLECTION:

Testing for non-variola orthopoxvirus (presumptive monkeypox virus) infection is available from the State Public Health Laboratory (SPHL) and is increasingly available from commercial and reference laboratories. Testing turn-around-time is expected to be somewhat shorter through SPHL and is available for:

- Clinically compatible patients with a known risk factor; AND
- Patients for whom there is a strong clinical suspicion of monkeypox who are hospitalized; AND

- Patients for whom there is a strong clinical suspicion of monkeypox and are at high risk of more severe disease† (e.g. pregnant people, children under 8 years of age, individuals with immune compromise, or people with concurrent disease/co-morbidities)
- Patients for whom cost of commercial testing is a concern

†More information about individuals at high risk for severe disease is available from CDC here:

<https://www.cdc.gov/poxvirus/monkeypox/clinicians/treatment.html>.

Laboratory testing at SPHL

Pre-approval for submission of specimens from patients that meet the criteria listed above is no longer required. Submission of specimens to SPHL from patients that do not meet those criteria does require pre-approval through the MDPH Division of Epidemiology at 617-983-6800 (available 24/7).

Acceptable specimen types include dry swabs of crusts and/or fluid from an active, open lesions; dry swabs of an intact vesicle or pustule; or a scab from a lesion. Providers may submit samples from up to 2 sites. Selection of lesions for sampling should focus on identifying lesions that appear different from each other. The rationale for this recommendation is that patients may have multiple diseases and swabs from two different appearing lesions enhances the ability to identify monkeypox virus if it is present. SPHL is not able to test submitted specimens for other pathogens. Note that there are no acceptable specimen types for testing PRIOR to the development of rash lesions.

Complete specimen collection, labelling and packaging and shipping guidance is available and can be viewed here: <https://www.mass.gov/doc/instructions-for-specimen-collection-for-orthopoxvirus-testing/download>. Please note that duplicate samples and throat swabs (in the absence of oral lesions) are no longer necessary and should not be submitted; however, swabs from up to two different lesions per patient may be submitted.

Laboratory testing at commercial/reference laboratories

Patients who don't meet the criteria for testing through SPHL can be tested through commercial or reference laboratories. Healthcare providers should consider ordering diagnostic tests for other infections, as clinically indicated, in addition to monkeypox virus. As of the date of this guidance, testing is available through:

- **Labcorp** <https://www.labcorp.com/tests/140230/monkeypox-orthopoxvirus-dna-pcr>
- **Quest Diagnostics** <https://testdirectory.questdiagnostics.com/test/test-detail/12084/monkeypox-virus-dna-qualitative-real-time-pcr?q=monkeypox&cc=MASTER>
- **Aegis Sciences Corporation** <https://www.aegislabs.com/our-services/monkeypox>
- **Sonic Reference Laboratory** https://directory.sonicreferencelab.com/tests?iframe_layout=srl

Questions about testing should be directed to the MDPH Division of Epidemiology at (617) 983-6800 available 24/7.

PUBLIC HEALTH RECOMMENDATIONS PENDING TEST RESULTS:

Anyone who is being tested for monkeypox is considered a Person Under Investigation (PUI) and should be told to isolate pending test results. Isolation at home is preferred and means staying away from household members to the extent possible. The PUI should cover all lesions and wear a mask at any time they are around anyone else. Household members should also mask if they must be in the same room. The PUI should have their own bedroom and should use a separate bathroom from household members (if

possible). Disinfection of high touch surfaces in a shared bathroom and kitchen between uses should be performed. Standard household cleaning/disinfectants may be used in accordance with the manufacturer's instructions.

TREATMENT FOR MONKEYPOX:

Most cases associated with the recent outbreak have had self-limiting disease not requiring hospitalization. However, certain conditions are associated with the possibility of more severe disease. Although there is no treatment specifically approved for monkeypox virus infections, the antiviral Tecovirimat (TPOXX), developed for use in patients with smallpox, is available for use, including presumptive use prior to laboratory test results

Patients who should be considered for treatment include:

- People with severe disease (e.g., hemorrhagic disease, confluent lesions, sepsis, encephalitis, or other conditions requiring hospitalization)
- People who may be at high risk of severe disease:
 - People with immunocompromise (e.g., human immunodeficiency virus/acquired immune deficiency syndrome infection, leukemia, lymphoma, generalized malignancy, solid organ transplantation, therapy with alkylating agents, antimetabolites, radiation, tumor necrosis factor inhibitors, high-dose corticosteroids, being a recipient with hematopoietic stem cell transplant <24 months post-transplant or ≥24 months but with graft-versus-host disease or disease relapse, or having autoimmune disease with immunodeficiency as a clinical component)
 - Pediatric populations, particularly patients younger than 8 years of age
 - People with a history or presence of atopic dermatitis, persons with other active exfoliative skin conditions (e.g., eczema, burns, impetigo, varicella zoster virus infection, herpes simplex virus infection, severe acne, severe diaper dermatitis with extensive areas of denuded skin, psoriasis, or Darier disease [keratosis follicularis])
 - Pregnant or breastfeeding people
- People with one or more complications (e.g., secondary bacterial skin infection; gastroenteritis with severe nausea/vomiting, diarrhea, or dehydration; bronchopneumonia; concurrent disease or other comorbidities)
- People with monkeypox virus aberrant infections that include accidental implantation in eyes, mouth, or other anatomical areas where monkeypox virus infection might constitute a special hazard (e.g., the genitals or anus)

Because tecovirimat is not approved for use for monkeypox virus infection, it is available for use under an EA-IND. However, treatment can be initiated prior to completing the EA-IND process as long as patient consent has been obtained. More information about tecovirimat is available here:

<https://www.cdc.gov/poxvirus/monkeypox/clinicians/Tecovirimat.html> and the process for obtaining the drug is available here: <https://www.cdc.gov/poxvirus/monkeypox/clinicians/obtaining-tecovirimat.html>.

POST-EXPOSURE VACCINATION FOR HIGH RISK MONKEYPOX CONTACTS:

People who are known or presumed to have been exposed to monkeypox are eligible to receive post-exposure vaccination with JYNNEOS. Vaccine is recommended to be administered within 4 days after exposure to prevent onset of disease but may be administered up to 14 days after exposure to help reduce disease severity. In the United States, the vaccine is being distributed only from the CDC; Massachusetts has received several allocations of vaccine already and more vaccine is expected to become available.

Current information about who is eligible to receive vaccine and where to access it is available on the DPH website here: <https://www.mass.gov/info-details/monkeypox-vaccination>.



Town of Fairhaven
Office of the Town Administrator
40 Center St., Fairhaven, MA 02719

MEMORANDUM

To: Select Board members

From: Angie Lopes Ellison, Town Administrator

Date: July 29, 2022

Re: American Rescue Plan Act (ARPA) Review and Recommendation

Below are the summary and use of ARPA funds as it stands to date:

March 2021, the federal government passed the ARPA, allowing state, county and local agencies impacted by COVID-19 pandemic to use allocated federal aid for public health and economic impacts to said communities. Based upon the US Department of the Treasury SLFRF Final Rule, 31 CFR § 35 at 194

(<https://home.treasury.gov/system/files/136/SLFRF-Final-Rule.pdf>) that SLFRF funds may be used:

- a) **Public Health and Negative Economic Impacts**: To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality. In addition to programs and services, the final rule clarifies that recipients may use funds for capital expenditures that support an eligible COVID-19 public health or economic response. For example, recipients may build certain affordable housing, childcare facilities, schools, hospitals, and other projects consistent with the requirements in this final rule and the Supplementary Information.

In addition, the final rule presumes that an expanded set of households and communities are “impacted” or “disproportionately impacted” by the pandemic, thereby allowing recipients to provide responses to a broad set of households and entities without requiring additional analysis. Further, the final rule provides a broader set of enumerated eligible uses available for these communities as part of COVID-19 public health and economic response, including making affordable housing, childcare, and early learning services eligible in all impacted communities and making certain community development and neighborhood revitalization activities eligible for disproportionately impacted communities.

Further, the final rule allows for a broader set of uses to restore and support

government employment, including hiring above a recipient's pre-pandemic baseline, providing funds to employees that experienced pay cuts or furloughs, avoiding layoffs, and providing retention incentives.

- b) **Premium Pay:** To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers. The final rule offers more streamlined options to provide premium pay, by broadening the share of essential workers who can receive premium pay without a written justification while maintaining a focus on lower-income and frontline essential workers.
- c) **Revenue Loss:** For the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; The final rule offers a standard allowance for revenue loss of \$10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation. Recipients that select the standard allowance may use that amount for government services.
- d) **Water, Sewer, and Broadband Infrastructure:** To make necessary investments in water, sewer, or broadband infrastructure. The final rule significantly broadens eligible broadband infrastructure investments to address challenges with broadband access, affordability, and reliability, and adds additional eligible water and sewer infrastructure investments, including a broad range of lead remediation and stormwater management projects.

ARPA also puts restrictions that funds may not be used for deposit into any pension fund or, for states and territories only, to directly or indirectly offset a reduction in net tax revenue resulting from a change in law, regulation, or administrative interpretation.

The funds allocated to Fairhaven is a net of:

Directed State funding is	\$1,602,861
Bristol County Allocation is	\$2,744,669

Present allocations: Bridge Street phase 2 environmental study- up to \$50,000

Recommended Uses:

- Hire a third-party administrative support
- Use the funds for water, sewer, and broadband infrastructure
- Use the fund to invest in our capital projects, including but not limited to upkeep of our occupied town buildings.

Town Administrator would administer, review and allocate the fund, with Select Board approving or modifying the TA's recommendation.



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

July 25, 2022

Angelina Lopes-Ellison
Town Administrator
Town of Fairhaven
Fairhaven Town Hall
40 Center Street
Fairhaven, MA 02719

Re: Fairhaven Town Hall, 40 Center Street, Fairhaven, MA
Preservation Restriction Review (MGL Chapter 184, ss. 31-33)

Dear Ms. Lopes-Ellison:

Thank you for submitting the information describing the proposed interior alterations to the Fairhaven Town Hall. Fairhaven Town Hall is individually listed in the State Register of Historic Places. The MHC holds a preservation restriction on the Fairhaven Town Hall as the result of grant funding received.

MHC staff has reviewed the project description including annotated photos and written summary. It is understood that the project will include but not be limited to the following: the addition of lighted emergency exit signs in various locations; the relocation of an existing freestanding decorative wood counter to another larger office space including the removal of an existing paneled half wall; the insertion of a new low half-door with a top shelf adjacent to an existing door opening (decorative metal gate to be removed and stored for possible future reuse); the addition of a locked extension onto an existing wood drop box which is built on the inside of an exterior door to facilitate after-hours deliveries; and minor carpentry repairs to existing damaged wood wainscoting in various locations. After review of the submitted proposal, the MHC is agreeable to the project description as presented under the terms of the preservation restriction agreement.

These comments are provided to assist in compliance with M.G.L. Chapter 184, Section 31-33 and the terms of the preservation restriction agreement.

If you have questions, please contact me at this office. Please contact the MHC regarding any potential significant project changes.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Holtz", written over a horizontal line.

Paul Holtz
Historical Architect
Co-Director Grants Division
Massachusetts Historical Commission

Cc: Wayne Oliveira, Fairhaven Historical Commission



The Town of Fairhaven is seeking one Fairhaven Resident to serve on the Fairhaven Board of Public Works to fill a vacancy. The Select Board and the Board of Public Works will meet on August 15, 2022, to appoint one person to serve in this position until the next town election.

Letters of interest may be mailed to the Select Board Office, 40 Center Street, Fairhaven, MA 02719 by August 11, 2021 at 4:00 p.m. or emailed to Selectboard@Fairhaven-ma.gov

Committee Liaison Report – Bob Espindola – August 1st, 2022

The Fairhaven Bikeway Committee meeting was cancelled due to lack of a quorum and will be rescheduled.

The South Coast Bikeway Alliance continues to plan for the 5th Annual Pedal for the Path ride on September 11th. The group will hold its Annual Meeting and election of Officers on August 9th.

Broadband Study Committee. I have schedule a meeting with Committee Chair Sean Powers and Entry Point Consultant Jeff Christensen for to review the transition plan for moving from a Broadband Study Committee to a Municipal Light Board and the specific goals for the BSC before it is phased out. Once that is complete, we will set up a meeting of the Committee to review recommendations and receive feedback and then will bring that to the Select Board for comment.

Southeastern Mass. Metropolitan Planning Organization (SMMPO). The SMMPO held a meeting on Tuesday, July 19th. There were two amendments made to the Regional Transportation Improvement Plan, both related to a pair of Taunton Projects valued at about \$8M and increased construction costs. Those proposed changes are out for public comment and the SMMPO will be having a special meeting on August 9th to review any comments and consider approving the changes.

Southeastern Regional Planning and Economic Development District (SRPEDD) met on Wednesday, July 27th.

SRPEDD wanted to encourage Municipalities to utilized the Municipal Assistance Hours available to each community every year at no cost (this is covered under our annual assessment and it's a "use it or lose it type of deal). This Past year Paul Foley applied for use of this program for the Alden Road study but the last time the program was utilized in Fairhaven was several years ago when the Economic Development Committee advocated for us for a vacant building survey. This is a free service that I believe the Town should look to take advantage of every year (available through the Select Board and/or Planning Board).

Special Guest Thomas O'Brien from the Plymouth County Treasurers office presented to the commission about several areas including;

- 1) **ARPA Guidance at the County level.** He suggested using the link for the Bristol County which is <https://www.bristolcountyarpa.com/>. He pointed out that Municipalities must sign a "Grant Agreement" and he said some communities were pretty aggressive out the gate applying for their allocations but most have been on a slower pace.
- 2) **Mayflower Municipal Health Insurance group.** <https://www.mmhg.org/>. Tom claims that the group is very competitive and encouraged SRPEDD communities to look into it. Their mission statement reads "The Mayflower Municipal Health Group offers high quality plans with low premiums and is the premier option for public health insurance in Southeastern Massachusetts."

- 3) **Plymouth County OPEB Trust** <https://www.plymouthcountyma.gov/plymouth-county-opeb-trust-pcot>. He called it a “better way to build a mousetrap” and things municipalities could benefit from the collaborative, regional approach the Trust takes in managing Other Post Employment benefits, which, as you know, is a massive liability for all municipalities, Fairhaven included.

PCOT is available to public entities in Plymouth, Barnstable, **Bristol**, and Norfolk counties. PCOT is administered by a national leader in OPEB trust administration, Public Agency Retirement Services (PARS) and utilizes the largest trustee of OPEB assets in the nation, U.S. Bank.

PCOT provides a FLEXIBLE and FULL-SERVICE approach



Contact:

Thomas O'Brien, Plymouth County Treasurer - 508-830-9130
/ tobrien@plymouthcountyma.gov

Our SRPEDD Packet also included follow up to what I mentioned from a prior SRPEDD meeting, an opportunity to utilize Junior and Senior year students from Bridgewater State University with an special focus on Risk Management. This could be an opportunity for low or no cost to the Town. See the summary below for details.

ACFI 476 Insurance and Risk Management Risk Management Project, Fall 2022 External Client Project Information

Overview of the Project

The students in ACFI 476 will work with the client to identify and analyze the client's risks and suggest ways in which the client can manage those risks. By the end of the semester, the client will receive a basic risk management plan that the client can apply to operations.

Types of Risk Included in the Risk Management Plan

Students will work in teams to identify, analyze and make treatment recommendations regarding the following types of risk for the client:

- **Property risk:** Risks involving damage to or destruction of the client's property, including loss of use of the property.
- **Liability and legal risk:** Risks involving the liability the client faces in conducting business, as well as the effects of legal requirements place on the client.
- **Personnel and people risk:** Risks involving the employees, contractors, volunteers and other people helping the client operate.
- **Operational risk:** Risks involving the processes, procedures and policies the organization follows in conducting the client's operations, including IT and cybersecurity risks.
- **Financial risk:** Risks involving the effects of market forces on the client's operations. This includes price changes for supplies and changes in interest rates on the client's financing.
- **Strategic risk:** Risks involving the effects of economic and social trends on the client's operations.

Role of the Client

The client will need to assist the students in the following ways:

- Establish a person within the client's organization to be the main contact for the project. This contact person should be available to respond to emails and phone calls from students and the instructor. The instructor will manage the students' emails and phone calls to ensure the content is professional and the volume reasonable.
- Provide information regarding the client's organization including basic financial information and operational plans. The instructor will work with the client to ensure the organization is comfortable with the level of detail it provides to the students and instructor.
- Meet with the students in class or via Zoom approximately four times during the semester to hear updates from the students, answer questions and provide feedback on the students' updates.
- Attend the presentations where the students provide their final recommendations, expected to be in early December. The client will receive a written report prior to the presentations so that questions can be asked of the students during their presentations. The client may also provide feedback about the project directly to the students during the final presentation session.
- Provide feedback to the instructor regarding the final recommendations and the entire process.

SELECT BOARD'S MEETING

**MONDAY, August 1, 2022
7:00 PM**

Transfer of Inn Holder License

Application submitted by:

**Seaport Inn, LLC
110 Middle Street
Fairhaven, MA 02719
Manager, Jami Calvao**

Taxes: ok
WC: ok
Bldg.: ok
Health: ok.



Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
www.mass.gov/abcc

APPLICATION FOR A TRANSFER OF LICENSE

Municipality

1. TRANSACTION INFORMATION

- ☒ Transfer of License
☐ Alteration of Premises
☐ Change of Location
☐ Management/Operating Agreement
- ☐ Pledge of Inventory
☐ Pledge of License
☐ Pledge of Stock
☐ Other
- ☐ Change of Class
☐ Change of Category
☐ Change of License Type
(§12 ONLY, e.g. "club" to "restaurant")

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

This is a transfer of a current license (Innholder All Alcoholic Beverages License) from Seaport Inn LLC to the new owner, Fairhaven seaport Hospitality Inc.

2. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
<input type="text" value="On-Premises-12"/>	<input type="text" value="§12 Hotel"/>	<input type="text" value="All Alcoholic Beverages"/>	<input type="text" value="Annual"/>

3. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Current or Seller's License Number FEIN

Entity Name

DBA Manager of Record

Street Address

Phone Email

Add'l Phone Website

4. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. If this application alters the current premises, provide the specific changes from the last approved description. You must also submit a floor plan.

see attached description made part hereof.

Total Sq. Footage	<input type="text" value="83,788"/>	Seating Capacity	<input type="text" value="1225"/>	Occupancy Number	<input type="text" value="1225"/>
Number of Entrances	<input type="text" value="9"/>	Number of Exits	<input type="text" value="9"/>	Number of Floors	<input type="text" value="2"/>

TOWN OF FAIRHAVEN

Notice is hereby given under Chapter 138 of the Massachusetts General Laws that Fairhaven Seaport Hospitality Inc., 110 Middle Street, Fairhaven, MA, Jami Calvao, Manager, has applied for a Transfer of an Inn Holder/All Alcoholic License.

The premises consists of an Inn, Restaurant, Conference Center & Function Room Complex on two floors consisting of 140 guest rooms and/or suites, 3 kitchens, laundry storage/maintenance area, including North wing cellar with no public access, restaurant & lounge, Admirals Table, includes Chart Room, Grand Ballroom, Martha's Vineyard/Nantucket Rooms, Woods Hole Room, indoor swimming pool & outside patio & adjoining tent area. The altered premise replaced & restored previous bar area named; "Scuttle Butts". Said premise is 52' X 30'7"; this premise will consist of a bar and dining room, the bar will be 18' x 12' & consist of 18 seats; Dining room will consist of 72 seats, & the attached kitchen will be 22'5" x 22'6". The description of this alteration, is to be added to the existing described premise. Restaurant is also included.

A hearing will be held at a Selectmen's Meeting, Fairhaven Town Hall, Banquet Room, 40 Center Street, Fairhaven, MA on Monday, August 1, 2022 at 7:00 PM.

BOARD OF SELECTMEN

Stasia Powers
Leon E. Correy III
Robert Espindola
Keith Silvia
Charles K. Murphy, Sr.



TOWN OF FAIRHAVEN, MASSACHUSETTS

Management Letter
For the Year Ended June 30, 2021

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2. Prepare for GASB Statement 87	3



To the Select Board
Town of Fairhaven, Massachusetts

In planning and performing our audit of the basic financial statements of the Town of Fairhaven, Massachusetts (the Town) as of and for the year ended June 30, 2021 (except for the Fairhaven Contributory Retirement System, which is as of and for the year ended December 31, 2020), in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, we considered the Town's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town's internal control. Accordingly, we do not express an opinion on the effectiveness of the Town's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the Town's financial statements will not be prevented, or detected and corrected on a timely basis. A reasonable possibility exists when the likelihood of an event occurring is either reasonably possible or probable as defined as follows:

- *Reasonably possible.* The chance of the future event or events occurring is more than remote but less than likely.
- *Probable.* The future event or events are likely to occur.

Our consideration of internal control was for the limited purpose described in the first paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

During our audit we became aware of other matters that we believe represent opportunities for strengthening internal controls and operating efficiency. The recommendations that accompany this letter summarize our comments and suggestions concerning those matters.

Merrimack, New Hampshire
Andover, Massachusetts
Greenfield, Massachusetts
Ellsworth, Maine

800.282.2440 | melansoncpas.com



The Town's written responses to our comments and suggestions have not been subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them.

This communication is intended solely for the information and use of management, the governing body, and others within the Town, and is not intended to be, and should not be, used by anyone other than these specified parties.

Andover, Massachusetts
May 11, 2022

RECOMMENDATIONS:

1. Expand Chart of Accounts

The Town currently records the activity associated with multiple opinion units within fund 084 in the general ledger. As a result, numerous reclassifying adjustments are required to properly present activity in the respective fund financial statements in accordance with Generally Accepted Accounting Principles.

The following accounts should be recorded as separate funds in the general fund:

- Internal service fund (proprietary funds)
- Stabilization fund (governmental funds)
- Sewer stabilization fund (proprietary funds)
- Various special revenue funds (governmental funds)

Additionally, the expendable portion of trust funds is reported in fund 082 and the nonexpendable portion is reported in fund 081 in the general ledger. As a result, numerous reclassifying adjustments are required to properly present activity in permanent trust fund (governmental funds) and private purpose trust fund (fiduciary funds) financial statements. These accounts should be classified in the general ledger based on the type of each trust fund, instead of expendable versus nonexpendable portions.

We recommend the Town expand the general ledger chart of accounts to eliminate the need for these reclassifying adjustments. Implementation of these recommendations will result in the proper presentation of the above noted funds.

2. Prepare for GASB Statement 87

GASB Statement 87 will apply to the Town in fiscal year 2022. Statement 87 addressed leases and significantly changes the accounting standards for leases and will require various leases to be reported on the Town's balance sheet.

We recommend the Finance Department prepare for these accounting changes by ensuring all other Departments are aware of the pending changes. The Finance Department should also consider establishing a lease accounting policy to ensure all material leases are properly identified.

VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Fairhaven, Massachusetts (the “Town”), certify that at a meeting of the board held August 1, 2022, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Further Voted: that the sale of the \$4,580,000 General Obligation Municipal Purpose Loan of 2022 Bonds of the Town dated August 10, 202 (the “Bonds”), to Robert W. Baird & Co., Inc. at the price of \$4,952,502.28 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on August 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2023	\$375,000	5.00%	2030	\$330,000	5.00%
2024	390,000	5.00	2031	195,000	5.00
2025	390,000	5.00	2034	210,000	4.00
2026	395,000	5.00	2037	250,000	4.00
2027	295,000	5.00	2040	275,000	4.00
2028	300,000	5.00	2043	300,000	4.00
2029	310,000	5.00	2048	565,000	4.00

Further Voted: that the Bonds maturing on August 1, 2034, August 1, 2037, August 1, 2040, August 1, 2043 and August 1, 2048 (each a “Term Bond”) shall be subject to mandatory redemption or mature as follows:

Term Bond due August 1, 2034

<u>Year</u>	<u>Amount</u>
2032	\$70,000
2033	70,000
2034*	70,000

*Final Maturity

Term Bond due August 1, 2037

<u>Year</u>	<u>Amount</u>
2035	\$80,000
2036	85,000
2037*	85,000

*Final Maturity

Term Bond due August 1, 2040

<u>Year</u>	<u>Amount</u>
2038	\$85,000
2039	90,000
2040*	100,000

*Final Maturity

Term Bond due August 1, 2043

<u>Year</u>	<u>Amount</u>
2041	\$100,000
2042	100,000
2043*	100,000

*Final Maturity

Term Bond due August 1, 2048

<u>Year</u>	<u>Amount</u>
2044	\$110,000
2045	110,000
2046	110,000
2047	115,000
2048*	120,000

*Final Maturity

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated July 20, 2022, and a final Official Statement dated July 27, 2022 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are

currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Bonds (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: August 1, 2022

Clerk of the Select Board

**FEE AGREEMENT and SCOPE OF SERVICES
FOR 40R DESIGN STANDARDS a/o GUIDELINES
For the
TOWN OF FAIRHAVEN**

1. The Town of Fairhaven, a Massachusetts municipal corporation, acting by and through its Select Board, with an address of 40 Center Street, Fairhaven, Massachusetts 02719, (the "Client") hereby agrees to retain the firm of Dodson & Flinker Landscape Architecture and Planning with offices at 40 Main Street, Suite 101 in Florence, Massachusetts (the "Consultant"), and Stephen Kelleher Architecture with offices at 57 Alden Road Fairhaven, Massachusetts (the "Subconsultant.")
2. The design services contemplated hereunder are generally described in the "Scope of Services" below dated June 22, 2022 and incorporated herein and as generally described in the RFP for Consultant Services for the Development of a 40R Overlay Bylaw and Design Guidelines for the Town of Fairhaven due April 26, 2022. Said "Scope of Services" is a summary of anticipated design services, with an estimate of approximate costs by task. The Client may request from time-to-time that the Firm provide additional but related design services.
3. Total Billing shall not exceed \$65,000.00 for fiscal year 2022. This may include Retainer Fee and aspects of the Research, Due Diligence, Mapping and preliminary investigations as time allows.
4. Total Billing shall not exceed \$60,000.0 for fiscal year 2023, subject to upward adjustment if and as necessary but only upon mutual agreement of the parties hereto.
5. Scope of Services
Working with the Planning Director, Town Boards/Committees, stakeholders, general public, The Town's legal consultant and 40R Working Group, the Consultant and their Subconsultant will help the Town develop a 40R Bylaw and in particular graphic architectural Design Standards and/or Design Guidelines for designated areas for development. The development of the Bylaw and Design Standards will include guiding the Town through the 40R process including Determination of Eligibility, density data, housing production summary and other requirements of MGL 40R and 40S, vote at Town Meeting and creating a process for monitoring development.
 - a. Research, due diligence and assisting with mapping and associated calculations:
 - i. Meet with Town staff and with the Town's chosen legal consultant to review the Chapter 40R process, assign responsibilities and establish deadlines. Including a walking and/or driving tour of the proposed District(s).

- ii. Review the Town's goals from the Master Plan and other Town Plans, the existing Zoning Bylaw, other codes, rules and regulations within the proposed District(s).
 - iii. Assist the Town's planning staff and legal consultant with mapping the District(s), including preparation of the so-called Locator Map(s), Residential Density Map(s) and Smart Growth Zoning Map(s), all required to accompany the Application referenced below. Assist the Town's planning staff and legal consultant with creating the so-called Density Data Spreadsheet and District Summary Information Spreadsheet, both required to accompany the Application referenced below.
- b. Town Visioning and Public Participation
 - i. Establish the Existing Conditions of the proposed District(s).
 - ii. Meet with municipal staff, boards and various stakeholders and the Town's 40R Working Group (if so designated beyond the Planning Board) to review the existing conditions, discuss a future approving authority for the Design Standards and/or Design Guidelines, and discuss where they will reside in the Town Code.
 - iii. Conduct public meetings to educate the public about 40R and a graphic preference survey to ascertain styles and densities that may be acceptable to the Town. The preference survey will also consider permitted and non-permitted uses; design; parking; affordability; procedures for project review and approval; and potential amendments.
 - iv. Develop conceptual diagrams, illustrative masterplans, models and visualizations to support the process of exploring alternative scenarios for the district and documenting a vision for the future.
 - v. Meet and/or consult, virtually and in person as needed, with Town staff, stakeholders and the 40R Working Group to review the plans, visualizations and results of the preference surveys, incorporating any corrections received, suggested revisions and other feedback.
- c. Design Standards

Work cooperatively, on an as-needed basis, with the Town's planning staff, legal consultant and 40R Working Group to create appropriate Design Standards and/or Guidelines for the District(s), consistent with the principles of Chapter 40R.
- d. Complete, file and advance the Application
 - i. Meet with the Planning Board and Economic Development Committee, together or separately, to review the Draft Design Standards/Guidelines, Zoning Bylaw amendment and Application package; and incorporate appropriate revisions.

- ii. Attend and present at the Select Board public hearing on the 40R Application.
 - iii. Finalize Draft Design Standards and/or Design Guidelines for Application package and submit to DHCD, in pursuit of a Letter of Eligibility.
 - iv. If and as required by DHCD, revise and re-submit Draft Design Standards and/or Design Guidelines and/or any of the related attachments thereto.
 - v. If and as routinely required by DHCD, revise and re-submit the Chapter 40R Design Standards and/or Design Guidelines. Coordinate with Town's planning staff and legal consultant regarding the revision(s) to the design standards and/or guidelines, if any. Confer with Town staff regarding the effect(s) of any required revisions on the Town's objectives in creating the District(s).
 - e. Adoption of the Bylaw amendment
 - i. Attend the Planning Board public hearing(s) on potential adoption of the Zoning Bylaw amendment, required by G.L. c. 40A, § 5.
 - ii. Attend the Annual or Special Town Meeting at which the aforesaid Zoning Bylaw amendment is presented for action.
 - iii. Upon adoption, aid the Town in submitting the approved Zoning Bylaw amendment to DHCD for final approval.
6. Schedule and Final Product:
- a. The Consultant shall perform the Services described above within approximately twelve (12) months of the contract initiation date.
 - b. The final product will be a document or documents with Design Standards and/or Design Guidelines that graphically and narratively describe the desired future development in the 40R and/or Town.

7. Fee Schedule

Invoices will be issued at regular intervals as the work proceeds, not to exceed monthly. Each invoice will represent a percentage of the total fee proportional to the work completed within each task. Fee totals may be shifted between tasks as the project proceeds to reflect changes in the scope as may be required to advance the goals of the project.

Task a	Research, due diligence and mapping	\$20,000.
Task b	Town Visioning and Public Participation	\$40,000.
Task c	Design Standards	\$50,000.
Task d	Application Process	\$5,000.
Task e	Bylaw Adoption	\$5,000.
Task f	Final Product	\$5,000.
	Project Total	\$125,000.

8. Retainer

Upon execution of the contract, \$65,000 will be due to the Consultant for work and costs estimated in this contract. The Town will be invoiced prior to deductions encumbered.

Town of Fairhaven

By: 

Date: June 27, 2022

Duly-authorized Town Administrator

Dodson & Flinker Landscape Architecture and Planning

By: 

Date: June 27, 2022

Peter Flinker, President

SELECT BOARD'S MEETING

MONDAY, August 1, 2022

Management Agreement

Application submitted by:

**OSJL Spirits, LLC, d/b/a Ocean State Job Lot
11 Berdon Way
Fairhaven, MA 02719
Attorney Nicole M. Levesque**

CONN KAVANAUGH

CONN KAVANAUGH ROSENTHAL PEISCH & FORD, LLP

Nicole M. Levesque
617-348-8237
nlevesque@connkavanaugh.com

July 30, 2022

VIA E-MAIL AND FEDEX (No: 274993820908)

Sharon Mills
Licensing Clerk, Town of Fairhaven
Town Hall
40 Center Street
Fairhaven, MA 02719
smills@fairhaven-ma.gov

RE: Application for Amendment of Liquor License – Management Agreement
OSJL Spirits, LLC, d/b/a Ocean State Job Lot | License No. 89301-PK-0384

Dear Ms. Mills:

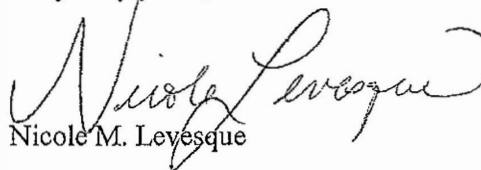
Enclosed for your review and filing with the Fairhaven Select Board please find:

1. OSJL Spirits, LLC, d/b/a Ocean State Job Lot's ("OSJL") Application for Amendment – Management Agreement, including all exhibits referenced therein;
2. A fully executed Applicant's Statement;
3. A fully executed Entity Vote;
4. CORI forms for each of OSJL's members and LLC manager; and
5. Proof of electronic payment via the Massachusetts Alcoholic Beverages Control Commission's ePay system in satisfaction of the filing fee.

Kindly review the attached at your earliest convenience and advise if you require anything further to process this request. If the application is satisfactory on its face, please proceed with scheduling the application for hearing before the Select Board and advise me of the date and time.

Thank you in advance for your assistance. I look forward to hearing from you soon.

Very truly yours,


Nicole M. Levesque

Enclosures
3141121.1 05658.000



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358

www.mass.gov/abcc

Management Agreement

- Payment Receipt
- Monetary Transmittal Form
- Management Agreement Application
- Vote of the Entity
- Management Agreement
- CORI Forms for all listed in Section 2 and attachments

2022 JUL 15 A 11:16

BOARD OF SELECTMAN
FAIRHAVEN MASS

1. LICENSEE INFORMATION

Entity Name	Municipality	ABCC License Number
OSJL Spirits, LLC, d/b/a Ocean State Job Lot	Fairhaven, MA	8 [REDACTED]

APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Nicole Levesque	Attorney	nlevesque@connkavanaugh.com	[REDACTED] 7

Please provide a narrative overview of the management agreement. Attach additional pages, if necessary.

As affiliates, Licensee and Manager share corporate resources. The parties seek to leverage these resources as it relates to Licensee's Liquor Operations for purposes of efficiency, cost, and consistency. Manager shall for compensation provide all corporate resources (payroll, staffing, human resources, etc.) to Licensee and assume all Liquor Operations, as defined, with the exception of purchasing alcohol which shall be retained by Licensee.

IMPORTANT NOTE: A management agreement is where a licensee authorizes a third party to control the daily operations of the license premises, while retaining ultimate control over the license, through a written contract. *This does not pertain to a liquor license manager that is employed directly by the entity.*

2. MANAGEMENT ENTITY

List all proposed individuals or entities that will have a direct or indirect, beneficial or financial interest in the management Entity (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name	Address	Phone
Please see Exhibit A		

Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime?

If yes, attach an affidavit providing the details of any and all convictions.

☐ Yes ☐ No



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

July 14, 2022

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

Subject: 2022 West Island Regatta Parking

Select Board Members,

Paul Casey from the West Island Regatta is requesting free parking at Hoppy's Landing on the day of, Saturday, August 13, 2022. We have agreed to this request in years past and I approve of the request on my end.

Thank you for your consideration in this matter.

Sincerely,

*Timothy Cox
Town of Fairhaven
Harbormaster / Shellfish Warden*



E9

Vicki Oliveira <vloliveira@fairhaven-ma.gov>

proposal for 5k in Fairhaven

1 message

Kim Bozzi [REDACTED]
To: vloliveira@fairhaven-ma.gov

Fri, Jul 15, 2022 at 9:23 AM

July 13, 2022

Dear Board of Selectmen,

I am writing to request permission to host a memorial/awareness walk/run 5k for the late Conrad Henri Roy III on September 10 of this year in the town of Fairhaven.

The event will begin and end at Fort Phoenix. It will begin at 9am and end at 11am. The following route has been identified:

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

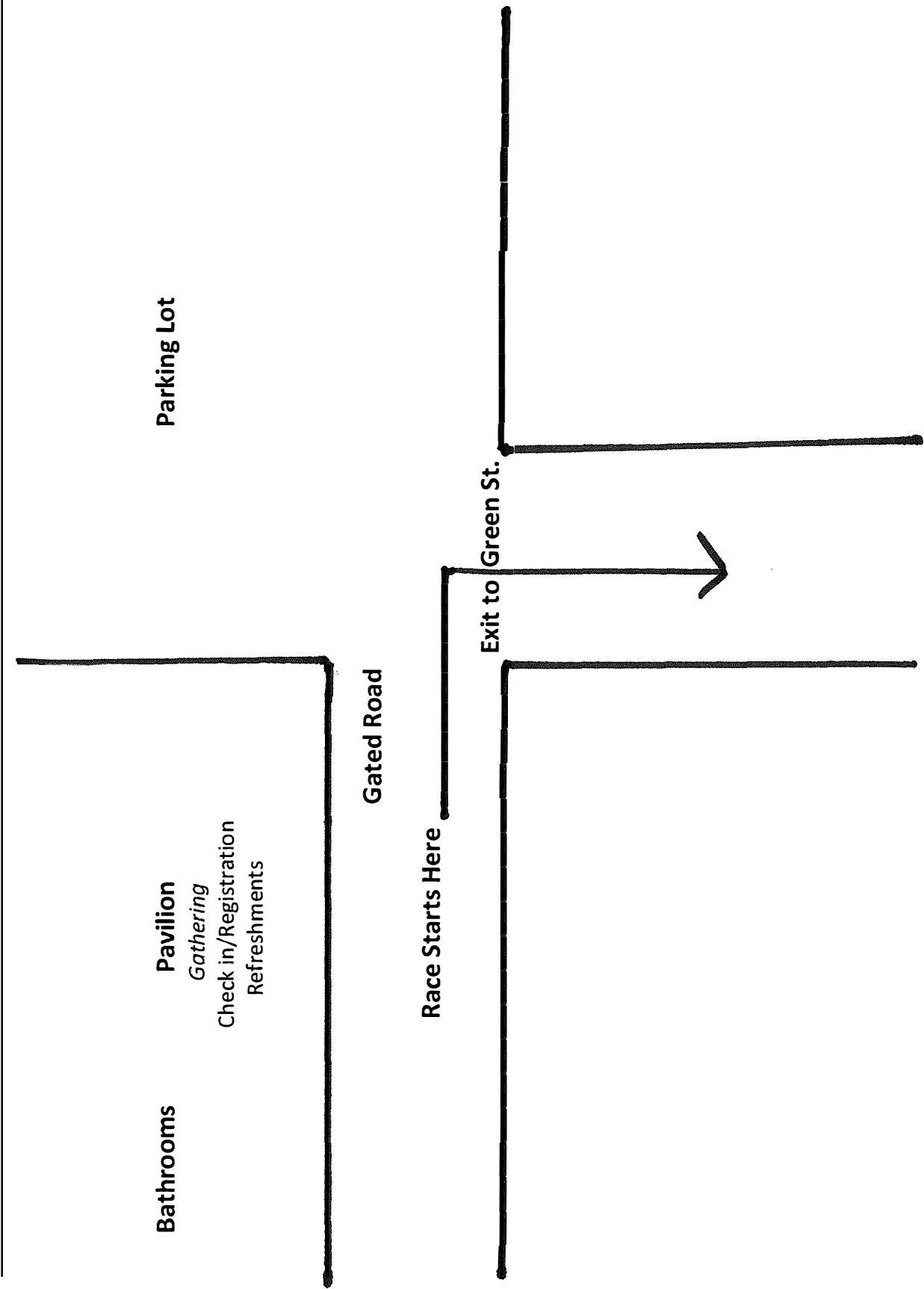
Please contact me if additional information is needed. Thank you for your attention.

Kim Bozzi
[REDACTED]

 **Site Layout.pdf**
23K

***Lt. Sobral is working with Ms. Bozzi on the details.**

Fort Phoenix State Reservation Site Layout





Vicki Oliveira <vloliveira@fairhaven-ma.gov>

proposal for 5k in Fairhaven

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

Thu, Jul 28, 2022 at 1:58 PM

Hi Vicki,

The Board approved the Conrad Roy 5k at their meeting on Monday, July 25, 2022.

Have a great day!

Becky

On Fri, Jul 15, 2022 at 11:04 AM Vicki Oliveira <vloliveira@fairhaven-ma.gov> wrote:

[Quoted text hidden]

--

Rebecca L. Vento
BPW Office Manager
5 Arsene Street, Fairhaven, MA 02719
rvento@fairhaven-ma.gov
Phone: 508-979-4030 x112
Fax: 508-979-4086



E10

FAIRHAVEN POLICE DEPARTMENT
REQUEST FOR TRAFFIC OR PARKING CONTROL

OFFICIAL USE ONLY

Location: OLIVER ST Intersection of: _____
Control: NO PARKING BETWEEN SIGNS Approval Date: _____

TO BE FILLED IN BY REQUESTING PARTY

Requested by: Police Dept. Location: OLIVER ST.
Address: _____ Intersection of: _____
Telephone: _____ Date: _____
Type of Control Requested: 4 NO PARKING BETWEEN SIGNS

Reason for Request: DUE TO CURVE IN THE ROADWAY, THE LINE OF SIGHT IS SEVERLY REDUCED. IF A CAR PARKS IN THE AREA BETWEEN THE ENTRANCE TO THE DEVELOPMENT (33) AND THE ISLAND, VEHICLES ARE FORCED INTO ONCOMING TRAFFIC. THIS HAS CAUSED CRASHES. SEE ATTACHED REPORT.

OFFICIAL USE ONLY

Approved: _____
Denied: _____

Investigated by: [Signature]

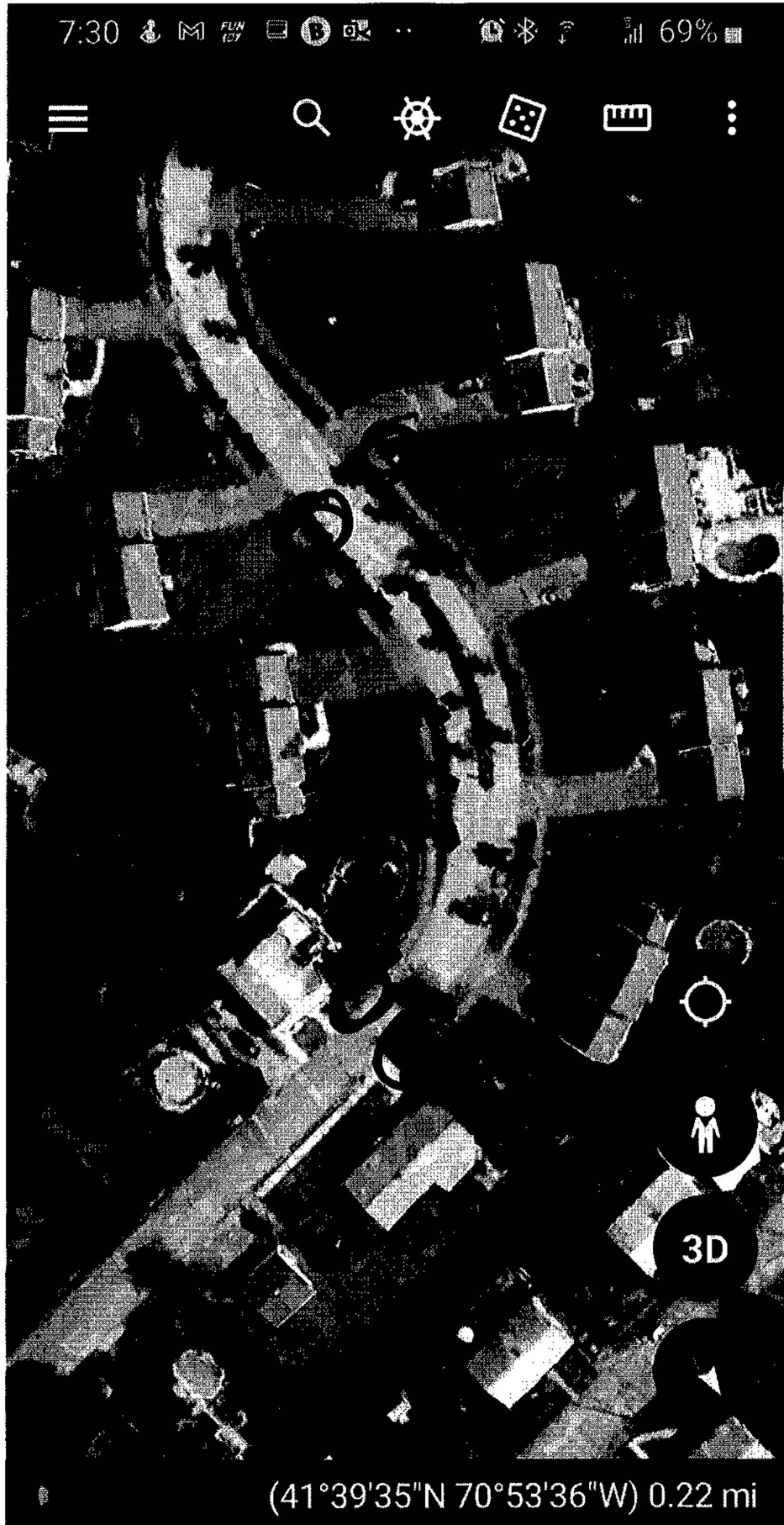
Investigation: I RECOMMEND THESE SIGNS GET INSTALLED. ATTACHED IS PHOTO WITH POSSIBLE POSITIONS

[Signature]
Police Chief

Board of Selectmen

Approval Date

Compliance Date





FAIRHAVEN POLICE DEPARTMENT
REQUEST FOR TRAFFIC OR PARKING CONTROL

****OFFICIAL USE ONLY****

Location: Mina Street
Control: STOP SIGNS

Intersection of: Nancy St. AND Marquette St.
Approval Date: _____

**** TO BE FILLED IN BY REQUESTING PARTY ****

Requested by: Police Dept.
Address: _____

Location: Mina St.
Intersection of: Nancy St. & Marquette St.

Telephone: _____

Date: _____

Type of Control Requested: 4 STOP SIGNS ON MINA ST @ intersection of Nancy St. & Marquette St.

Reason for Request: Per DOT regulations Section 213.04 Right of Way Intersections standard 03 A. Mina St. is less of important rd than Nancy St & Marquette St as shown by traffic counts. Per standard 04 B the ability to see conflicting traffic on approach not sufficient.

****OFFICIAL USE ONLY****

Approved: _____

Investigated by: Safety Officer Connor

Denied: _____

Investigation: Recommendation of stop signs to be placed on Mina St. (north & south bound) at the intersection of Nancy St. & Marquette St.

[Signature]
Police Chief

Board of Selectmen

Approval Date

Compliance Date

This is a screenshot of the Google Earth interface showing an aerial view of a suburban neighborhood. The map is oriented with North at the top. A network of streets is visible, including Oliver St, Mina St, Marguerite St, Nancy St, and Andrew Ave. A red pin, labeled 'Feature 1' in the legend, is placed on Mina St. The surrounding area is filled with green trees and some residential buildings. In the bottom right corner, there is a scale bar for 400 feet and the Google Earth logo. The top left corner contains a legend box with the title 'Untitled Map' and a prompt to 'Write a description for your map.' The legend also shows the red pin icon for 'Feature 1'.

An aerial satellite view of a suburban neighborhood. The map shows a grid of streets including Oliver St, Mina St, Marguerite St, Nancy St, and Andrew Ave. A red pin is placed on Mina St, near the intersection with Marguerite St. A legend in the top-left corner identifies 'Feature 1' with a blue pin icon and 'Mina St' with a red pin icon. A scale bar in the top-right corner indicates a distance of 400 feet. The Google Earth logo is visible in the bottom-right corner. The terrain is mostly green with trees and some residential buildings.

An aerial satellite view of a suburban neighborhood. The map shows a grid of streets including Oliver St, Mina St, Marguerite St, Nancy St, and Andrew Ave. A red pin is placed on Mina St, near the intersection with Marguerite St. A legend in the top-left corner identifies 'Feature 1' with a blue pin icon and 'Mina St' with a red pin icon. A scale bar in the top-right corner indicates a distance of 400 feet. The Google Earth logo is visible in the bottom-right corner. The terrain is mostly green with trees and some residential buildings.

An aerial satellite view of a suburban neighborhood. The map shows a grid of streets including Oliver St, Mina St, Marguerite St, Nancy St, and Andrew Ave. A red pin is placed on Mina St, near the intersection with Marguerite St. A legend in the top-left corner identifies 'Feature 1' with a red pin icon and 'Mina St' with a blue line icon. A scale bar in the bottom-right corner indicates a distance of 400 feet. The Google Earth logo is visible in the bottom-right corner. The terrain is mostly green with trees and some residential buildings.

An aerial satellite view of a residential neighborhood in Google Earth. The map shows a grid of streets including Oliver St, Mina St, Marguerite St, Nancy St, and Andrew Ave. A red pin icon, labeled 'Feature 1' in the legend, is placed on Mina St. The area is densely wooded with green trees and some houses are visible. In the bottom right, a multi-lane highway (Interstate 195) runs parallel to the residential area. A scale bar in the top right corner indicates a distance of 400 feet. The Google Earth logo is visible in the bottom right corner. A legend in the top left corner identifies the red pin icon as 'Feature 1'.



An aerial satellite view of a suburban neighborhood. The map shows a grid of streets including Oliver St, Mina St, Marguerite St, Nancy St, and Andrew Ave. A red pin is placed on Mina St, near the intersection with Marguerite St. Several houses with swimming pools are visible. A legend in the top-left corner shows a red pin icon labeled 'Feature 1'. A scale bar in the bottom-right corner indicates 400 feet. The Google Earth logo is in the bottom-right corner.

An aerial satellite view of a residential neighborhood in Google Earth. The map shows a grid of streets including Oliver St, Mina St, Marguerite St, Nancy St, and Andrew Ave. A red pin is placed on Mina St, labeled 'Feature 1' in the legend. The legend in the top left corner shows a red pin icon next to the text 'Feature 1' and 'Mina St'. A scale bar in the bottom right corner indicates a distance of 400 feet. The Google Earth logo is visible in the bottom right corner. The map shows houses, trees, and a large body of water on the right side.