



## FAIRHAVEN SELECT BOARD

### Agenda

*Monday, August 16, 2021*

*6:30 p.m.*

*Town Hall – 40 Center Street – Fairhaven*

RECEIVED  
TOWN CLERK

2021 AUG 12 P 3:47

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 on to: <https://zoom.us/j/91420441636?pwd=MVRHRIN0d003bFZrbGkvdCtUM1ZlQT09>

or call 1-929-205-6099

Meeting ID: 914 2044 1636

Passcode: 824532

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

#### A. MINUTES

1. Approval of minutes of July 28, 2021—Open Session
2. Approval of minutes of August 4, 2021—Open Session
3. Approval of minutes of August 9, 2021—Open Session
4. Approval of minutes of August 9, 2021—Executive Session

#### B. TOWN ADMINISTRATOR'S REPORT

#### C. COMMITTEE LIAISON REPORTS

#### D. ACTION

1. Event Permit: Nicole Podkova 5K Road Race: October 2, 2021
2. Request to join Economic Development Committee
  - a. Nils Isaksen
  - b. Travis Rapoza
3. Appoint Planning and Economic Development Director Paul Foley as the alternate SMMPO
4. Consider Representative Appointment to the Rogers Reuse Committee
  - a. Finance Committee- Lisa Plante
  - b. Planning Board- Wayne Hayward
5. Consider Representative Appointment to the Town Administrator Search Committee
  - a. School Committee Representative – Pam Kuechler
  - b. Finance Committee Representative – Robert Grindrod
  - c. Planning Board Representative – David Braga
  - d. Board of Public Works Representative – Cameron Durant
6. Town Administrator Search Committee Select Board Representative appointment
  - a. Selectman Espindola's appointment
  - b. Selectwoman Powers appointment
7. Town Administrator Search Committee At- Large vacancies—appoint two
  - a. Leon Correy
  - b. Phil Washko
  - c. Mark A. Badwey
  - d. Cathy Melanson

- e. Geoffrey Haworth II
- f. Anne Morton Smith
- g. Gloria Perperas

**E. POSSIBLE ACTION/DISCUSSION**

- 1. Town Administrator Search Position Statement update
- 2. Discuss the possibility of a Fall Town Meeting
- 3. Atlas Tack terms of engagement

**F. NOTES AND ANNOUNCEMENTS**

- 1. The next **regularly** scheduled meeting of the Select Board is Monday, August 23, 2021 at 6:30 p.m. in the Town Hall Banquet Room

**G. EXECUTIVE SESSION-- Pursuant to MGL Ch. 30A § 21**

- 1. Opioid Litigation Update

**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 28, 2021

Present: Vice-Chairman Robert Espindola Selectman Keith Silvia, Selectwoman Stacia Powers, Interim Town Administrator Wendy Graves and Administrative Assistant Vicki Oliveira

Also Present: Police Chief Michael Myers, Acting Town Clerk Linda Fredette and Rogers Reuse  
Committee Chairwoman Sue Loo

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

Acting Town Administrator Wendy Graves opened the meeting at 6:31 pm in the Town Hall Banquet Room until the board reorganizes.

### **Swearing in of new Police Officer**

Police Chief Myers introduced Zachary Viera, the newest police officer of the Fairhaven Police Department. Mr. Vieira is a lifelong Fairhaven resident and a graduate of Bridgewater State University with a degree in Criminal Justice. Officer Viera is a former dispatcher and part time police officer who recently graduated from the Police Academy where he earned a special award as the record holder for the fastest time running a mile and half. Acting Town Clerk swore Officer Viera into oath in front of family, friends and colleagues.

### **Minutes**

Mr. Espindola made a motion to approve the Open Session minutes of July 12, 2021. Mr. Silvia seconded. Ms. Powers abstained. Vote carried. (2-0-1)

### **Town Administrator's Report**

Ms. Graves reported:

The town's tax title auction has been rescheduled for Tuesday, September 28, 2021. The listing will change due to the Conservation Commission's interest in some of the properties on the list and adding some additional properties.

Several Town representatives attended the Bristol County Commissioner's meeting at Bristol Agricultural High School on July 15, 2021 to discuss the \$3.1 million of The American Rescue Plan Act of 2021 (ARPA) money that was sent to the county for municipal allocation.

Ms. Graves and Town Accountant Anne Carriero met with a grant writer and will be meeting with a consultant to continue to investigate the options aimed at state and federal grant money for the town's various project.

### **Committee Liaison Reports**

Mr. Espindola met with the Broadband Study Committee will meet next week to discuss engineering and talk about grants to build the broadband project.

Mr. Espindola attended the Bristol County Commissioners meeting where he learned there is money for infrastructure through the State. Mr. Espindola will reach out to Representative Straus.

Mr. Espindola said the South Coast Bikeway Alliance is planning a bike ride through Fairhaven.

Mr. Espindola said the Economic Development Committee met last week to discuss a possible grant opportunity. There is also an opening for one committee member.

Mr. Espindola worked with Veterans Agent Brad Fish on the Purple Heart Community dedication that will take place on Sunday, August 8, 2021 at Veterans Park.

Mr. Silvia met with the library trustees where they have a new employee handbook and will also be looking into putting an air conditioning system at the library.

Mr. Silvia told the Board Paul Foley is still looking into options for the Dog Park.

### **Reorganization of the Board**

Ms. Graves asked for nominations for the position of Chairperson of the Select Board.

Mr. Silvia made a motion to appoint Mr. Espindola Chairperson of the Select Board. Ms. Powers seconded. Vote was unanimous. (3-0)

Ms. Graves handed the gavel to Chairman Espindola.

Mr. Silvia made a motion to appoint Ms. Powers as the Vice-Chairperson of the Select Board. Mr. Espindola seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to appoint Mr. Silvia the Clerk of the Select Board. Mr. Espindola seconded. Vote was unanimous. (3-0)

### **Selectmen Liaison appointments**

The Board discussed the reorganization of the Select Board liaison appointments.

Ms. Powers made a motion to appoint the Board members as liaisons as follows:

- Ms. Powers as liaison for the Cable Advisory Committee, the Dog Park Committee, Lagoa Friendship Committee, and the Sister City Committee.
- Mr. Espindola to the Bristol County Advisory Board.
- Mr. Silvia to the Marine Resources Committee

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

### **Team Fuff Jimmy Fund walk**

Mr. Espindola read the letter from Carol Landeville requesting use of the bike path for a 5K fundraiser in memory of her husband Christopher.

Ms. Powers made a motion to approve the event permit for Team Fuff on October 3, 2021 subject to approval by the Fairhaven Police Department. Mr. Silvia seconded. Vote was unanimous. (3-0)



### **South Coast Bikeway Alliance Pedal for the Path**

At 7:27 pm Mr. Espindola recused himself, as he is a member of the South Coast Bikeway Alliance. Vice- Chairwoman Powers ran the meeting. Ms. Powers reviewed the route of the Pedal for the Path bike ride.

Mr. Silvia made a motion to approve the event permit for the South Coast Bikeway Alliance Pedal for the Path on Sunday, September 12, 2021. Ms. Powers seconded. Vote was unanimous. (2-0-1).

*Mr. Espindola returned and regained the meeting.*

### **2021 Turkey Trot 5K Fun Run**

Mr. Espindola read a letter from Eric Tavares, president of the Greater New Bedford Track Club requesting to hold the annual Turkey Trot 5K on Thanksgiving Day.

Ms. Powers made a motion to approve the Turkey Trot 5K on Thanksgiving Day, November 25, 2021. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Loan extension request: The Adventurer**

Mr. Espindola read a letter from Jobi Zink, Registrar at The Rosenbach asking for an extension on the loan of the ship model “*The Adventurer*” until early December 2021.

Ms. Powers made a motion to approve the extension of the loan of ship model “The Adventurer.” Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Request to join Zoning Board of Appeals- associate position**

Mr. Espindola read a letter from Zoning Board Chairman Peter Deterra announcing a vacancy for an associate position on the Zoning Board of Appeals. Mr. Espindola would like to see the position advertised before appointing anyone to the position to see if there is more interested parties.

Ms. Powers made a motion to advertise the Zoning Board of Appeals associate position. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Public Hearing Application for Class I Dealer/Repair License Change of location: Alden Imports, Inc. d/b/a Alden Mazda, 250 Bridge Street**

Chairman Espindola opened the public hearing at 7:00 pm and read the public hearing notice that was published in the local paper. Mr. Edward Craig Lutz, President of Alden Mazda, met with the Board and explained this application is for a change of location. Alden Mazda moved out of the leased building on Alden Road to their new owned and operated location on Bridge Street. The new license grants them permission to operate out of the new address. Building Commissioner Chris Carmichael spoke in favor of the transfer and there were no questions, comments, or concerns from the public. At 7:04 pm Mr. Espindola closed the public hearing.

Ms. Powers made a motion to approve the change of location only for a Class I dealer/repair license for Alden Imports, Inc. b/b/a Alden Mazda, 250 Bridge Street. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Mass Development RLTA Grant Opportunity**

Planning and Economic Development Director Paul Foley met via zoom with the Board to request the Board's support for a possible grant opportunity for the former Rogers School. (Attachment A) Mr. Foley discussed the opportunity with the Chair and Vice-Chair of the Rogers Reuse Committee who are in full support of this grant. This grant would be used for a feasibility study to help develop a new Request for Proposal (RFP) for the former school. Mr. Foley said with this grant, if the town were to sell the Rogers School, then the money would have to be paid back. Mr. Foley is requesting a letter of support from the Board and the Town Administrator.

Ms. Powers made a motion to support the application for the MassDevelopment Real Estate Technical Assistance (RETA) program grant application. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Meet and Greet: Precinct 4**

Precinct 4 Chairman Paul Foster told the Board the concerns he is hearing is in regards to the Town Administrator search. Residents are also concerned that the town departments are funded properly. Mr. Foster is in favor the individual precinct meet and greets but would like to see more residents be aware of this. Resident Ann Richard, via zoom chat, asked if Precinct 4 will be remapped. (Attachment B)

Precinct 4 resident, Marcus Ferro, expressed his concerns regarding the Tree Warden's avocation of willingness to do the tree warden job and not respond to emergencies. Mr. Ferro feels if the Tree Warden cannot fulfill his duties he was elected to, then he should resign.

### **Rogers Reuse Committee Mission Statement**

Mr. Espindola read the updated draft mission statement (Attachment C) for the Rogers Reuse Committee (RRC).

Mr. Espindola would like to see all correspondence for that committee go through Mr. Foley. Ms. Loo explained that every correspondence has always been done that way. The Board made a few amendments to the mission statement to add:

"The Planning and Economic Development Director will be the non-voting staff member of the committee. All communications will go through the staff contact."

Ms. Powers made a motion to approve the Rogers Reuse Committee mission statement as amended. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Town Administrator Screening Process**

Mr. Silvia asked if the Board will table this item because there may be a potential conflict of interest. Mr. Silvia has reached out to Town Counsel this week and is awaiting the answer. The Board agreed they will table this until the next meeting or call a special meeting next week for this purpose if the information from Town Counsel comes back in time.

### **Tree Warden issues**

Tree Warden, Don Collasius met with the Board to discuss some recent issues that have come up regarding the Tree Department. (Attachment D). Mr. Collasius said he hates having trees cut

down, his goal is to plant them, but Eversource will be cutting down, for free, 55 trees that are deemed hazardous.

Mr. Collasius stated that he researched the tree warden position before running for election and thought he knew a lot about the job, but after the most recent summer storm in July he realized more of the department and what happens in an emergency situation. Mr. Collasius feels his department should not be expected to cover emergencies and has concerns that if a member of his department were to be injured or worse killed, their pay would not cover the workers compensation and the town could potentially get sued. Board members discussed the responsibility of the Tree Warden and of the past tree wardens. Mr. Collasius feels that per MGL he is in charge of shade trees, if a shade tree falls, it is no longer a shade tree because it does not produce shade. Mr. Collasius is concerned over the town's liability coverage for his crew. Town Accountant Anne Carreiro said there are other part time employees in similar situations including, Council on Aging van drivers, Harbormaster shellfish deputies and call fire fighters among a few. Ms. Carreiro stated they all receive the same type of liability coverage. The Town's insurance company has determined the Town is receiving adequate coverage for its employees.

Public Works Superintendent Vinnie Furtado told the Board, via Zoom, that he recognized there is a problem with the Tree Warden position, that is the reason why he placed an article on the Town Meeting warrant to change the position over to the Public Works but Mr. Collasius spoke against it and the article failed. Fire Chief Correia told the Board; in the Emergency Response Plan, there are provisions for tree emergencies. Police Chief Myers has concerns for what will happen in an emergency if Mr. Collasius is not responding. Chief Myers said his main concern is emergencies and the Tree Wardens have always chipped up the trees and taken them away. Mr. Furtado stated his department can push trees out of the road but it is the responsibility of the Tree warden to needs to clean it up and take away the pieces.

Selectwoman Powers asked Mr. Collasius if he had the proper equipment and he answered "no." Ms. Powers would like to see a resolution to this issue.

Mr. Espindola suggested holding some meetings to come to a workable solution. Ms. Graves will coordinate a meeting with the Tree Warden, Town Attorney Crotty, Chief Myers, Chief Correia, Ms. Powers and Mr. Furtado to try to resolve some of the issues.

### **Building Commissioner Reminder Regarding Signs**

Mr. Espindola read a press release (Attachment E) from the Building Commissioner regarding the town's sign bylaw.

Building Commissioner Chris Carmichael met via zoom to remind residents and business that there is a town by-law regarding temporary signs; yard/garage sale, political, advertisement, etc. (Attachment). Mr. Carmichael told the Board the number of temporary signs around town has been extensive and he has been going out twice a month removing the illegal signs. Mr. Carmichael stated that he will be issuing fines to repeat offenders if necessary.

### **Notes and Announcements**

Mr. Espindola reminded residents about the Purple Heart Community ceremony to be held on August 8, 2021 at Veterans Park.

At 8:50 pm Ms. Powers made a motion to adjourn. Mr. Silvia seconded. Vote was unanimous. (3-0)

Respectfully submitted,

A handwritten signature in black ink that reads "Vicki L. Oliveira". The signature is written in a cursive, flowing style.

Vicki L. Oliveira

- A. Administrative Assistant
- B. Grant Opportunity memo- Rogers School
- C. Zoom Chat
- D. Rogers Reuse Committee Mission statement draft
- E. Tree Warden issues
- F. Sign by law press release

DRAFT



**Fairhaven Select Board  
Meeting Minutes  
August 4, 2021**

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

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

Acting Town Administrator Wendy Graves opened the meeting at 7:00 pm in the Town Hall Banquet Room.

**Diversity, Equity, Inclusion Committee**

Mr. Leon Correy met with the Board to discuss forming a new committee called the Belonging Committee. (Attachment A). Mr. Correy explained that this committee would represent diversity and equity, designed to bring people together. Mr. Correy said this committee will be representation for all groups and he would like to serve as a liaison and offer training and understanding for people and do community outreach. Mr. Correy said there are many other communities in Massachusetts that do not have a Diversity, Equity and Inclusion Committee (DEI). Resident Diedre Healy said, via Zoom, that she is in favor of this and would like to be a part of this committee.

The Board all agreed that this would be something they would like to see in Fairhaven. Ms. Graves reminded the Board that the budget for this year has been set, therefore there will be no funds for this committee. Mr. Espindola stated this committee is more advisory and most advisory boards do not have money in the budget. Mr. Espindola wanted to remind Mr. Correy when forming this committee that a number town employees are under union contracts and this committee would have to be mindful of those contracts.

Mr. Espindola would like to see more information before forming this committee so Mr. Correy will create a press release, mission statement and the membership information for the next Select Board meeting.

Resident Diane Hahn spoke to the Board in support of forming this committee.

Ms. Powers made a motion to show support for the DEI initiative. Mr. Silvia seconded. Vote was unanimous. (3-0)

**Liaison Appointment- Contract Compliance Officer**

The Board tabled this issue until a future meeting.

## **DOR Financial Management Review**

Mr. Espindola read a memo from June 29, 2020 requesting the Board take advantage of the free service offered by the Commonwealth of Massachusetts, Division of Local Services, Technical Assistance Bureau (Attachment B). Both Mr. Silvia and Ms. Powers are in agreement to this idea. Mr. Silvia said back in June he had concerns because the Town Hall didn't have the staff to conduct this review but now that the positions have been filled for a few months he is in favor of this.

Ms. Powers made a motion to send a letter on behalf of the Select Board requesting the financial review update. Mr. Silvia seconded. Vote was unanimous. (3-0)

*At 7:39 pm Mr. Silvia and Ms. Graves recused themselves from the meeting. Mr. Silvia's wife is the Council on Aging Director and Ms. Graves may be a candidate for the position.*

## **Town Administrator Screening Process**

Mr. Espindola said he has spoken to Town Moderator Mark Sylvia who has agreed to help in the search process for the next Town Administrator.

Mr. Espindola read a memo from April 12, 2021, outlining how he would like to see the search process proceed (Attachment C). Ms. Powers would like to see the Chair of Planning, Finance and School Committee appoint a representative to the Search Committee.

Mr. Espindola and Ms. Powers discussed the choices for a search consultant and agreed they would like to use the Collins Center.

The Board would like to have letters of interest for a citizen member- at large by August 12, 2021 at noon.

The Board will hold a meeting on August 16, 2021 at 6:30 for the purpose of appointing a screening committee.

Ms. Powers made a motion to approve the Town Administrator Screening process as outlined in the April 12, 2021 memo from Selectman Espindola with the exception of item 2a. which would now read that one member of the the School Committee, Finance Committee and the Planning Board will be appointed by the chair or said committee. Each Chair will be responsible to poll their committee members who will then be advanced to the Select Board to be appointed as a member of the screening committee. Mr. Espindola seconded. Vote passed. (2-0-1)

Resident Doug Brady questioned why a member of the Public Safety or the Public Works Departments are not part of the screening committee. Mr. Espindola reminded him that those departments report to the Town Administrator therefore it could create a conflict having them on the hiring committee.

Ms. Powers made a motion to hire the Collins Center at \$8,500 from the proposal of July 28, 2021 to recruit at Fairhaven Town Administrator. Mr. Espindola seconded. Vote passed. (2-0-1)

Mr. Espindola will notify the Collins Center and reach out to the Chairs of the committees involved in the search process.

*At 8:06 pm Selectman Silvia and Ms. Graves returned to the meeting.*



## **Notes and Announcements**

Mr. Silvia requested for the zoom chat comments at each meeting to be posted for the public to see.

Mr. Espindola said he would like to streamline the process of the precinct meet and greet at each meeting to help reach more residents.

Mr. Espindola said he would like to discuss the High School turf restroom project in relation to the Historical Commission at the next meeting.

At 8:13 pm Ms. Powers made a motion to adjourn. Mr. Silvia seconded. Vote was unanimous. (3-0)

Respectfully submitted,



Vicki L. Oliveira  
Administrative Assistant

- A. Belonging Committee memo
- B. DOR memo
- C. Town Administrator search memo



## **Fairhaven Select Board Meeting Minutes August 9, 2021**

Present: Chairman Robert Espindola Vice-Chairwoman Stacia Powers Clerk Keith Silvia, Interim Town Administrator Wendy Graves, Cable Access Director Derek Frates and Administrative Assistant Vicki Oliveira

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

Chairman Robert Espindola opened the meeting at 6:30 pm in the Town Hall Banquet Room.

### **Town Administrator's Report**

Ms. Graves told the Board she recently hired 2 recording secretaries and held a training session with them and Planning Director Paul Foley, Conservation Agent Whitney McClees and Cable Access Director Derek Frates.

Ms. Graves told the Board the Purple Heart ceremony was well attended.

Ms. Graves said a meeting was held with the Tree Warden and other Department Heads to help resolve some issues. The Tree Warden has agreed to respond the emergencies.

Ms. Graves said work continues with the American Rescue Plan Act of 2021 (ARPA) working group.

### **Committee Liaison Reports**

Mr. Silvia and Ms. Powers did not have any meetings since the last Board meeting.

Mr. Espindola attended a Broadband Study Committee meeting where they voted to have Ms. Graves sign a contract to expand the consulting services for the network feasibility study.

The ARPA working group has determined the feasibility study does not meet the criteria for the ARPA grant.

Mr. Espindola attended a Southeastern Massachusetts Metropolitan Planning Organization (SMMPO) training and he is hoping to apply for transportation project at Alden Road and Route Six. Planning Director Paul Foley will start the process with MassDOT to attain funding.

### **Gift Account for Police K-9**

Mr. Espindola read a memo from Police Chief Myers requesting a gift account to be set up for the new K9 Unit (Attachment A). This gift account will help offset any costs associated with the care of the Fairhaven Police K9, including veterinarian bills, food, equipment, specialized training or any other unforeseen costs.

Ms. Powers made a motion to approve and establish the K9 gift account. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Town Constable: Joseph Latimer**

Mr. Espindola read a letter from Joseph Latimer requesting to be appointed as a constable in Fairhaven.

Ms. Powers made a motion to approve Joseph Latimer as a constable subject to filing a bond with the Town Clerk. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Cable Advisory Committee: Thomas McAfee**

Mr. Espindola read a request from Thomas McAfee to join the Cable Advisory Committee.

Ms. Powers made a motion to appoint Thomas McAfee to the Cable Advisory Committee. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Nicole Podkowa 5K Road Race**

Mr. Espindola read a request from William Burns regarding holding the Nicole Podkowa 5K on October 2, 2021. Ms. Powers has concerns regarding the busy road the 5k will be travelling. The event organizers will reach out to the Fairhaven Police Department to coordinate. The Board will discuss the request at their next meeting.

### **Meet and Greet Precinct 5**

Precinct Five-member David Braga told the Board, even though Rogers School is not in his precinct, he feels this is a very important issue and would like to see this move along. He would like to see the main building stay and find a use for it.

### **FY21 Community Development Block Grant (CDBG) Application**

Planning and Economic Development Director Paul Foley introduced grant consultant Linda Overing and engineer Mike Carter to the Board to discuss the Phase 3 portion of the Hedge Street CDBG project. Chairman Espindola opened the public hearing at 7:02 pm by reading the public hearing notice. Ms. Overing told the Board there have been two successful, well attended meetings in 2020 with the Hedge Street neighborhood residents to get input on the engineering designs, which were funded with a FY19 CDBG. Mr. Carter gave a brief history of the project: Phase 1 (from the River to Cherry Street) and Phase 2 (from Cherry to Main Street) have already been improved. The upgrades proposed for the next phases are similar to those already made: new water, sewer, drainage, sidewalks, curbs and road surface.

Hedge Street, from Main Street to Adams Street, is over 1200 LF long and the cost of repairing that section is more than is available in the grant program, the repairs will be made in two phases. Phase 3, which is this year's CDBG application, will run from Main Street to approximately #70. Phase 4 would repair rest of the street, to Adams Street.

Mr. Carter told the Board the street will be narrowed by 1ft on the north side in order to made the sidewalks ADA compliant while saving the mature trees, including the large tree at #68. This will also have a traffic calming effect. During the neighborhood meeting, residents had noted concerns with speeding traffic. Two diseased trees will be removed and replaced. Residents had also commented that cars parked on the north side of Hedge Street at the Main Street intersection block sight lines and make it difficult to make a righthand turn. A "no parking" area will be added to eliminate this bottleneck.

Chairman Espindola asked for public comments. Ann Richard, who lives in the Phase 2 project area, asked if grant funds could be banked so the project did not need to be phased and for clarification of how the sewer improvements from Phase 2 would be linked to Phase 3. Ms. Overing indicated the CDBG program requires proposed projects to be completed in one grant cycle. Mr. Carter said the Phase 3 sewer main would be connected to the new Phase 2 sewer pipe in the Main Street intersection, not Adams Road. His engineering firm had built the phasing into the design to provide for transitions until Phase 4 can be reconstructed. James Brickhill and Dawne Babbitt both expressed concerns over the speeding traffic on the street. Mr. Foley will address the issue with the Police Chief and the Public Works Superintendent.

At 7:20 pm Chairman Espindola closed the public hearing portion of the meeting.

Ms. Powers made a motion to approve the FY21 CDBG application as presented for improvements to Hedge Street, Phase 3. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to authorize the Select Board chair to sign the Fy21 CDBG application documents. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to designate Chairman Espindola as Fairhaven's Environmental Certifying Officer. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Ocean State Job Lot: Change of Manager**

Ocean State Job Lot Store leader Nicholas Brunette met with the Board via Zoom to answer any questions the Board may have. Mr. Espindola said all the paperwork was in order for this transfer.

Ms. Powers made a motion to approve OSJL d/b/a Ocean State Job Lot, Change of manager to Nicholas Brunette. Mr. Silvia seconded. Vote was unanimous. (3-0)

*Selectman Silvia recused himself at 7:25 pm*

### **Town Administrator Screening Process**

Consultant Mary Aicardi from the Collins Center met via Zoom with the Board to discuss the Town Administrator Screening process. Mr. Espindola told Ms. Aicardi he has already set the

committee for the search process but would like to add 2 more members from the original composition.

Ms. Powers made a motion to reconsider the acceptance of the Town Administrator Screening process. Mr. Espindola seconded. Vote was unanimous. (2-0-1)

Ms. Powers made a motion to amend the Town Administrator Screening committee to add one Board of Public Works representative and one more Citizen at-large member. Mr. Espindola seconded. Vote was unanimous. (2-0-1)

Ms. Aicardi told the Board a little background about herself, reminding the Board that she was part of the process in the search when Town Administrator Mark Rees was hired. Ms. Aicardi will update the position profile for the next meeting.

School Committee Chairman Brian Monroe, via zoom, asked if Mr. Espindola wanted a Board member or a staff member as the representative for the School Committee. Mr. Espindola replied, "Board member".

Resident Ann Richard asked the Select Board if the same representatives from the last committee should not be appointed. Mr. Espindola stated it was at the discretion of the individual Boards who they chose.

*At 7:40 pm Mr. Silvia returned.*

*At 7:41 pm Mr. Espindola recused himself because he works in the energy field.*

#### **Solect Energy: Fairhaven Recreation Center—Solar Canopy**

Ms. Powers read an email from Matt Shortsleeve, Vice President of Development for Solect Energy explaining the scope of the solar canopy project at the Recreation Center. (Attachment D). Sustainability Coordinator Whitney McClees told the Board she is looking to pursue the canopy solar array at the Recreation Center and is requesting the approval of the Select Board to proceed and start the project. Mr. Silvia asked if there will be any charging stations for the electric vehicles at the Council on Aging? Ms. McClees said not at this time but possibly in the future.

Mr. Silvia made a motion to move the project forward for a Fall Town Meeting Article. Ms. Powers seconded. Vote was unanimous. (2-0-1)

*Mr. Espindola returned at 7:51 pm*

#### **Restroom Facilities for the FHS Turf Field project (Historic Register and Building Permit)**

Mr. Espindola read a letter from Historical Commission Chairman Wayne Oliveira stating the Historical Commission's concern regarding location of the restrooms on the football field. The letter stated the Historical Commission's willingness to work with the School committee to achieve a suitable solution for this project. Mr. Espindola read another letter from Mr. Oliveira to School Superintendent Baldwin that was sent in June 2021 stating the Historical commissions opposition to the location of the restrooms. Mr. Espindola read a response email from Assistant Superintendent Tara Kohler stating that the restrooms will be built to comply with the code and there is no reasonable options for site modification. (Attachment E)

Building Commissioner Chris Carmichael said the Historical Commission has the right to weigh in on the project as advisors to the Select Board. Currently there is still no building permit issued because the Historical Commission had questions regarding the bathrooms. Mr. Carmichael said this won't hold up the project, the Historical Commission was asked to provide their opinion.

Mr. Espindola said he attended an onsite meeting with the contractor, the project architect, Mr. Oliveira, Mr. Carmichael, School Business Manager Nicole Potter and Ms. Kohler to discuss the project and come to a resolution. There will be more meeting scheduled to resolve this issue.

Mr. Oliveira, Mr. Foley and Mr. Carmichael will work together to try to develop a historic overlay district for the future.

Ms. Powers made a motion to send a letter on behalf of the Select Board to the school department, addressed to Ms. Kohler and the School Committee advising them that the Select Board has reviewed their submittal of information and the Historic Commission submittal of information and would like to approve the location from a historic perspective as proposed on the plans and the Board would ask for the School Board will include with the Historic Commission in any discussion about screening of the building and not hold up the building permit and The Historical Commission will need to approve the screening solution. Mr. Espindola seconded. Vote passed. (2-1)

#### **Tree Warden: Deputy Tree Wardens**

Ms. Graves read a letter from the Tree Warden requesting the Board acknowledge two of his tree laborers as Deputy Tree Wardens so that if the Tree Warden were to be out of town, he could leave them in charge of the department (Attachment F). Town Attorney Tom Crotty said the State statute that creates the Tree Warden position says the Tree Warden can appoint deputies, but does have to notify the Select Board. Deputies can impose fines and take care of the Tree Department in the absence of the Tree Warden. Mr. Crotty reminded the Board, even though the laborers are appointed as deputies, they do not receive and increase in pay

The Board requested Mr. Collasius draft a memo to the Board stating his intentions.

#### **Leon Correy: Belonging Committee**

Leon Correy met via zoom with the Board to provide an update on the Belonging Committee. Mr. Espindola said Mr. Correy and Diedre Healy have drafted a press release for the Belonging Committee to announce the organization of this new committee. Mr. Correy will update the press release and send it out to the community (Attachment G). Ms. Powers suggested appointing Mr. Correy as the acting Chair of the committee.

Ms. Powers made a motion to approve the Town of Fairhaven Belonging Committee. Mr. Silvia seconded. Vote was unanimous. (3-0)

#### **Changing August Select Board Meeting Dates**

The Board discussed adding and/or changing the dates of the August meetings. Ms. Powers made a motion to hold Select Board meetings on August 16, 2021 at 6:30 pm and on August 23, 2021 at 6:30 pm. Mr. Silvia seconded. Vote was unanimous. (3-0)

#### **Committee Liaison Assignments**



Ms. Power told the Board she was willing to take on another committee as a liaison because the committees she is assigned too are not as active as others.

The Board reviewed the listing of liaisons to determine which ones to revise.

Ms. Powers made a motion to reconsider the appointment of Selectman Espindola on the Bristol County Advisory Board. Mr. Silvia seconded. Vote was unanimous. (3-0)

Mr. Espindola made a motion to approve Selectwoman Powers as the liaison on the Bristol County Advisory Board. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Zoning Fee Changes**

Building Commissioner Chris Carmichael met with the Board to request an increase in the Zoning Board fees to bring them up to current market standards (Attachment H). Mr. Carmichael told the board he is in the process of applying for a grant to bring the other town departments onto the online permitting system. Mr. Silvia said he feels the increase in fees is on target as he has checked the costs surrounding communities.

Ms. Powers made a motion to approve the fee schedule as outlined in the packet. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Mask Mandate**

The Board will watch how things progress before taking any action.

### **Correspondence**

Ms. Powers made a motion to accept the change of status of Rogers Reuse Committee voting member Gail Isaksen from full time member to associate member to make room for the representative positions. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to accept the resignation of Leon Corey on the Sustainability Committee and thank him for his time and service. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Notes and Announcements**

Mr. Espindola thanked the Board for all attending the Purple Heart ceremony and thanked Brad Fish, George Brownell and Kathy and Sheri Lopes for their hard work.

Ms. Espindola said he stopped by the Farmer's Market on Alden Road and bought some delicious sweet corn.

At 8:33 pm Ms. Powers made a motion to adjourn to executive session, to discuss the Rogers School Lis Pendens, not to reconvene to open session because having the discussion in open session would have detrimental effect on the Town's litigating position. Mr. Silvia seconded. Vote was unanimous. (3-0)

Respectfully submitted,

*Vicki L. Oliveira*

Vicki L. Oliveira  
Administrative Assistant

- A. Letter from Chief Myers for K9 gift account
- B. CDBG slide show and supporting documents
- C. Zoom Chat transcript
- D. Email and slide show presentation regarding Solar Canopy
- E. Letters from Historical commission and School Department
- F. Letter from Tree Warden requesting Deputy appointments
- G. Belonging Committee: Press Release
- H. Zoning fee changes memo

DRAFT

## Nicole Podkowa 5K

I reached out to Lt. Sobral on Tuesday, October 10. Lt Sobral will be reaching out to the organizers in regards to the route, and possibly making some small alterations. Lt Sobral will respond back to the Board once he has a more definite answer.



The Town of Fairhaven is seeking one Fairhaven Resident to serve on the Fairhaven Economic Development Committee to fill a term that will expire in May 2022. For information on the Economic Development Committee please visit our website at: <https://www.fairhaven-ma.gov/economic-development-committee> . For a complete list of all town vacancies please visit: <https://www.fairhaven-ma.gov/volunteer-opportunities>

Letters of interest may be mailed to the Selectmen's Office, 40 Center Street, Fairhaven, MA 02719 by August 9, 2021 at 4:30 p.m. or emailed to [Selectmen@Fairhaven-MA.gov](mailto:Selectmen@Fairhaven-MA.gov)

OK  
WLG



Vicki Oliveira <vloliveira@fairhaven-ma.gov>

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## Fwd: Letter of interest EDC

---

**Paul Foley** <pfoley@fairhaven-ma.gov>  
To: Vicki Oliveira <vloliveira@fairhaven-ma.gov>

Mon, Aug 9, 2021 at 9:47 AM

Vicki,  
In case you didn't also receive this letter (email) of interest from Nils Isaksen to be on the EDC.  
Paul

Paul H. Foley, AICP  
Director of Planning & Economic Development  
Fairhaven, Massachusetts

Town Hall, 40 Center Street  
(508) 979-4082 EXT. 122

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

From: **Nils Isaksen** <[REDACTED]@il.com>  
Date: Sat, Aug 7, 2021 at 9:23 AM  
Subject: Letter of interest EDC  
To: Paul Foley <pfoley@fairhaven-ma.gov>

To Whom it may concern  
My name is Nils Isaksen,  
I'm a registered voter and a Registrar for the town . I am presently a Rogers school reuse committee member and bell committee member I spear headed the renovation of the Oxford school cupola along with Keith Silvia and others . I'm retired from 40 years of working as a electrician and 25 of those years as a electrician at Fairhaven shipyard. I have lived in town for 43 years , I enjoy the quaintness of the town but also understand the need to attract businesses to town .  
Thank you for any consideration in this matter .  
Sincerely  
Nils Isaksen  
[REDACTED]  
Sent from my iPhone



Vicki Oliveira <vloliveira@fairhaven-ma.gov>

---

**[Fairhaven MA] Letter of Interest for the EDC (Sent by Travis Rapoza,**

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**Contact form at Fairhaven MA** <cmsmailer@civicplus.com>

Mon, Aug 9, 2021 at 10:08 AM

Reply-To: [REDACTED]

To: Board of Selectmen <selectmen@fairhaven-ma.gov>

Hello Board of Selectmen,

Travis Rapoza ([REDACTED]) has sent you a message via your contact form (<https://www.fairhaven-ma.gov/user/49/contact>) at Fairhaven MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.fairhaven-ma.gov/user/49/edit>.

Message:

Dear members of the Select Board,

I am writing to express my interest in filling the vacancy that has occurred on the Economic Development Committee. Having taken the time to review the 2017 and 2020 Economic Development Plans, I feel confident that I understand the path Fairhaven is trying to undertake to help its businesses and local economy thrive even more, especially in light of the pandemic which has posed such considerable economic challenges to all communities, including our own. By helping to execute the suggestions laid out by the plan, specifically by investing resources to help grow existing businesses in healthcare, manufacturing, retail, and food, while tackling the challenges posed by zoning and limited workspace, I believe I could be a worthy addition to this committee. Additionally, I am committed to helping further engage the public through additional social media and branding efforts to elevate the profile of the committee, its work, and successes.

Thank you for your consideration.

Sincerely,

Travis Rapoza





Wendy Graves &lt;wgraves@fairhaven-ma.gov&gt;

**Form for Alterate rep. SMMPO**

6 messages

**Bob Espindola** <selectmanbobespindola@gmail.com>

Mon, Aug 9, 2021 at 2:19 PM

To: Lilia Cabral-Bernard <lcabral@srpedd.org>, Vicki Paquette <vloliveira@fairhaven-ma.gov>, Wendy Graves <wgraves@fairhaven-ma.gov>, Paul Foley <pfoley@fairhaven-ma.gov>

Lilia,

If you could please send the form that is required for us to fill out for Fairhaven to designate an alternate SMMPO representative and cc allon copy here that would be great.

Vicki and Wendy.. If you could please add this to our agenda for our Monday, August 16th meeting I would appreciate that.

Paul .... I believe you mentioned you would be willing to serve as the alternate for me, in the event I can not make it to an SMMPO meeting. Please confirm you are OK with that either by sending me an email or feel free to call to discuss prior to next Monday.

Thanks,

Bob

**Wendy Graves** <wgraves@fairhaven-ma.gov>

Mon, Aug 9, 2021 at 2:25 PM

To: Bob Espindola &lt;selectmanbobespindola@gmail.com&gt;

Cc: Lilia Cabral-Bernard <lcabral@srpedd.org>, Vicki Paquette <vloliveira@fairhaven-ma.gov>, Paul Foley <pfoley@fairhaven-ma.gov>

Yes we will add it to the agenda for August 16th.

[Quoted text hidden]

**Paul Foley** <pfoley@fairhaven-ma.gov>

Mon, Aug 9, 2021 at 2:55 PM

To: Bob Espindola &lt;selectmanbobespindola@gmail.com&gt;

Cc: Lilia Cabral-Bernard <lcabral@srpedd.org>, Vicki Paquette <vloliveira@fairhaven-ma.gov>, Wendy Graves <wgraves@fairhaven-ma.gov>

Bob,

I will serve as your alternate on the SMMPO.

Thanks,

Paul

Paul H. Foley, AICP  
Director of Planning & Economic Development  
Fairhaven, Massachusetts

Town Hall, 40 Center Street  
(508) 979-4082 EXT. 122

On Mon, Aug 9, 2021 at 2:19 PM Bob Espindola <selectmanbobespindola@gmail.com> wrote:

[Quoted text hidden]



Robert Espindola, Chairman  
Stasia Powers  
Keith Silvia

Town of Fairhaven  
Massachusetts  
Office of the Board of Selectmen  
40 Center Street  
Fairhaven, MA 02719

Tel: (508) 979-4023  
Fax: (508) 979-4079  
[selectboard@fairhaven-ma.gov](mailto:selectboard@fairhaven-ma.gov)

August 17, 2021

Paul Mission  
SRPEDD  
88 Broadway  
Taunton, MA 02780

Dear Mr. Mission,

Please be advised that at their meeting on August 16, 2021, the Fairhaven Select Board voted unanimously to appoint Planning and Economic Development Director, Paul Foley as the alternate SMMPO representative for the Town of Fairhaven, in the event that Selectman Espindola is unable to attend a meeting. This appointment will be for the remainder of the fiscal year ending on June 30, 2022.

If you have any questions, please feel free to contact me.

Sincerely,

Vicki Oliveira  
Assistant to the Town Administrator

Cc: Lilia Cabral-Bernard, SRPEDD

## Self Nomination Form

### **Select Person/Council Member Representative to the Southeastern Massachusetts Metropolitan Planning Organization**

I Robert Espindola, as a member of the Board of  
Selectmen/Town Council for the Town of Fairhaven, declare  
my interest as a candidate for election by the SRPEDD Commission to the  
Southeastern Massachusetts Metropolitan Planning Organization  
(SMMPO) for a two-year term commencing on August 1, 2021.

Print Name: Robert Espindola

Street Address: 40 Center Street

Town: Fairhaven, MA Zip Code: 02719

Phone: 774-263-1046 email: selectmanbobespindola@gmail.com

Signature:  Date: 06/3/2021

Please return forms by 5:00 PM, Thursday, June 3, 2021 to:

Paul Mission

at:

[pmission@srpedd.org](mailto:pmission@srpedd.org)



Vicki Oliveira <vloliveira@fairhaven-ma.gov>

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## Committee Appointees

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PADRAIC ELLIOTT <pell6290@comcast.net>

Tue, Aug 10, 2021 at 8:32 PM

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

- Vicki

Robert Grindrod is appointed by the Finance Committee to the Town Administrator Screening Committee.

Lisa Plant is appointed by the Finance Committee to the Rogers Reuse Committee.

Pat Elliott  
Fin Com Chair



Vicki Oliveira <vloliveira@fairhaven-ma.gov>

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## Planning Board Appointments 8.10.2021

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**Planning Chair** <planningchair@fairhaven-ma.gov>

Tue, Aug 10, 2021 at 8:02 PM

To: Vicki Oliveira <vloliveira@fairhaven-ma.gov>, Bob Espindola <selectmanbobespindola@gmail.com>, Linda Fredette <lfredette@fairhaven-ma.gov>

Cc: Paul Foley <pfoley@fairhaven-ma.gov>, Stasia Powers <spowers@fairhaven-ma.gov>, Keith Silvia <ksilvia@fairhaven-ma.gov>, Wayne Hayward <whayward@fairhaven-ma.gov>, David Braga <dbraga420@g.rwu.edu>

Greetings:

The following planning board members have been appointed by vote of the planning board during the regular scheduled meeting of this day, August 10, 2021.

**Wayne Hayward,**

**Rogers Re-use Committee**

**David Braga,**

**Town Administrator Screening Committee**

Kind regards,

*John*

John Farrell

**Chairperson**

**Planning Board / Town of Fairhaven**



Vicki Oliveira <vloliveira@fairhaven-ma.gov>

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## Fwd: Town Administrator Screening Committee

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**Bob Espindola** <selectmanbobespindola@gmail.com>

Thu, Aug 12, 2021 at 3:37 PM

To: Brian Monroe <bmonroe@fairhavenps.net>, Stasia Powers <stasiapowersselectboard@gmail.com>, Vicki Paquette <vloliveira@fairhaven-ma.gov>, Wendy Graves <wgraves@fairhaven-ma.gov>, "pamrkuech[REDACTED]m" <pamrkuech[REDACTED]>

My apologies. I did not realize I was the only one on copy of this when it s me in snd should have forwarded to you at the time.

Bob

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

From: **Brian Monroe** <bmonroe@fairhavenps.net>

Date: Wed, Aug 4, 2021 at 8:12 PM

Subject: Town Administrator Screening Committee

To: Bob Espindola <selectmanbobespindola@gmail.com>

CC: Pam Kuechler <pkuechler@fairhavenps.net>

Good evening Bob,

The school committee representative to the Town Administrator search committee will be Pam Kuechler.

Please let me know if you need anything else.

V/r,

Brian





Vicki Oliveira <vloliveira@fairhaven-ma.gov>

---

**[Fairhaven MA] TA Search Committee (Sent by Cameron , [REDACTED])**

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**Cameron Durant** <[REDACTED]>

Tue, Aug 10, 2021 at 10:01 PM

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

Cc: Bob Espindola <selectmanbobespindola@gmail.com>, Stasia Powers <spowers@fairhaven-ma.gov>

Hello,

Last night I was appointed to represent the BPW, so we can actually disregard the request for an At Large seat. Also, thank you to the two Select Board members for their vote to add to the composition of the Board. I was sure to thank them both publicly on my Facebook page.

Regards,

Cam

[Quoted text hidden]



Selectman Espindola  
and  
Selectwoman Powers  
will each give their choice of  
appointment on the  
Town Administrator Screening  
Committee



Vicki Oliveira <vloliveira@fairhaven-ma.gov>

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## TA search

1 message

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**Leon Correy** <leoncorrey@leon4fairhaven.us>

Sat, Aug 7, 2021 at 12:17 PM

To: Bob Espindola <selectmanbobespindola@gmail.com>, Vicki Paquette <vloliveira@fairhaven-ma.gov>, Wendy Graves <wgraves@fairhaven-ma.gov>

Greetings,

I'm reaching out to request I be included in the search process. Based on my background I have the most familiarity with interviewing someone of this caliber who will demand the salary attached. I have the resume and the professional experience to be able to assess the person and their capacity to perform the job.

I also am able to look past any personal or political views they might have and look to the candidate who will serve the town best.

I am willing to clarify any points or answer any questions regarding my ability to search.



Vicki Oliveira <vloliveira@fairhaven-ma.gov>

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## Town Administrator Screening Committee appointment

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Phil Washko [REDACTED] >  
To: selectmen@fairhaven-ma.gov

Mon, Aug 9, 2021 at 9:20 AM

I'm requesting consideration for appointment to the Fairhaven Town Administrator Screening Committee. I have extensive knowledge in the TA position description having chaired the committee that drafted it in 2014. I have experience in the Town Administrator search process having served on the screening committee that helped find our first Town Administrator in 2015. I would welcome an opportunity to collaborate with a diverse group of appointees and committee representatives in finding the right candidate to hold our town's most important appointed position and forwarding them to the Select Board for their consideration.

Thank you.

Phil Washko



Vicki Oliveira <vloliveira@fairhaven-ma.gov>

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**[Fairhaven MA] TA Search Committee (Sent by Mark Badwey,**

**Contact form at Fairhaven MA** <cmsmailer@civicplus.com>

Mon, Aug 9, 2021 at 12:22 PM

Reply-To: [REDACTED]

To: Board of Selectmen <selectmen@fairhaven-ma.gov>

Hello Board of Selectmen,

Mark Badwey ([REDACTED]) has sent you a message via your contact form (<https://www.fairhaven-ma.gov/user/49/contact>) at Fairhaven MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.fairhaven-ma.gov/user/49/edit>.

Message:

To The Fairhaven Selectboard, August 6th, 2021

I would like to submit my name for consideration to become a member of the Fairhaven Town Administrator Search Committee.

Qualifications and History:

BA Management Umass Dartmouth  
MBA Management Umass Dartmouth  
25 year Management Career  
Past Member - Fairhaven Finance Committee  
Past Member - Fairhaven Town Government Study Committee  
Past Member - Fairhaven Town Clerk Study Committee  
Present Member - Fairhaven Town Meeting Member  
Present Member - Fairhaven Improvement Association  
Present Member - Fairhaven Historical Society  
Present Member - Friends of the Millicent Library

Having served my town in many different capacities I believe I have acquired a good working knowledge of Fairhaven town government. Hence, I know the skills and qualities that would be needed for a great and effective Town Administrator.

I consider myself fair, open-minded and a good judge of talent and character. I believe, that besides the necessary qualifications needed for such an important position, finding a leader who will create a positive culture is also extremely important.

Thank you for your time and consideration.

All the best,  
Mark A. Badwey  
[40 Winsegansett Ave.](#)  
Fairhaven, Ma 02719  
[REDACTED]

To the Fairhaven Selectboard,  
August 6th 2021

I would like to submit my name for consideration to become a member of the Fairhaven Town Administrator Search Committee.

Qualifications and History:

BA Management Umass Dartmouth  
MBA Management Umass Dartmouth  
25 Year Management Career  
Past Member - Fairhaven Finance Committee  
Past Member - Fairhaven Town Government Study Committee  
Past Member - Fairhaven Town Clerk Study Committee  
Present Member - Fairhaven Town Meeting Member  
Present Member - Fairhaven Improvement Association  
Present Member - Fairhaven Historical Society  
Present Member - Friends Of The Millicent Library

RECEIVED  
2021 AUG -9 P 1:37  
BOARD OF SELECTMAN  
FAIRHAVEN MASS

Having served my town in many different capacities I believe I have acquired a good working knowledge of Fairhaven town government. Hence, I know the skills and qualities that would be needed for a great and effective Town Administrator.

I consider myself fair, open-minded and a good judge of talent and character. I believe, that besides the necessary qualifications needed for such an important position, finding a leader who will create a positive culture is also extremely important.

Thank you for your time and consideration.

All the best,  
Mark A. Badwey  
40 Winsegansett Ave  
Fairhaven, Ma 02719  
[REDACTED]



Vicki Oliveira <vloliveira@fairhaven-ma.gov>

---

## TA Search Committee

1 message

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**Cathy Melanson** <[REDACTED]>  
To: Vicki Oliveira <vloliveira@fairhaven-ma.gov>

Tue, Aug 10, 2021 at 10:50 AM

To the Select Board,

I am writing this letter to be considered to be the At-Large representative for the TA Search Committee. As you know I was selected to be on the Committee the last time and I would like to continue this process and see it through. I am well aware of the importance of this Committee and I am all so well aware of the process. I sit on other boards and committees in this town because I feel that you should get involved with your town. I am fortunate to be retired and can devote my time as such. One of the reason I became a town meeting member was to be part of the growth and opportunities this town can offer, not only to our residents but all so to the businesses that call Fairhaven there home. I have been very active and will continue to do so. I appreciate the fact that Mr. Espindola is allowing past members. Please consider my request to serve on this Committee and bring this process to a conclusion.

Thank you,  
Cathy Melanson





Vicki Oliveira <vloliveira@fairhaven-ma.gov>

---

**[Fairhaven MA] Town Administrator Screening Committee (Sent by Geoffrey Haworth II, [REDACTED])**

1 message

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**Contact form at Fairhaven MA** <cmsmailer@civicplus.com>

Tue, Aug 10, 2021 at 11:20 PM

Reply-To: [REDACTED]

To: Board of Selectmen <selectmen@fairhaven-ma.gov>

Hello Board of Selectmen,

Geoffrey Haworth II (Geo [REDACTED]) has sent you a message via your contact form (<https://www.fairhaven-ma.gov/user/49/contact>) at Fairhaven MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.fairhaven-ma.gov/user/49/edit>.

Message:

Dear Select Board Members,

I am writing you today to request an appointment to the Town Administrator Screening Committee. I feel my qualifications make me an ideal candidate for this position. I was Chair of the Select Board during the first Town Administrator appointment and understand the process. I have served and continue to serve on elected and appointed boards in town. I am also a small business owner in the community.

I hope you will consider me an excellent fit for this important position.

Thank You,  
Geoff Haworth





Vicki Oliveira <vloliveira@fairhaven-ma.gov>

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## Town Administrator Screening Committee

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Anne Morton Smith <[REDACTED]>

Wed, Aug 11, 2021 at 2:32 PM

To: Robert Espindola <respindola@fairhaven-ma.gov>, spowers@fairhaven-ma.gov, Keith Silvia <ksilvia@fairhaven-ma.gov>, Vicki Oliveira <vloliveira@fairhaven-ma.gov>, selectmen@fairhaven-ma.gov

Dear Members of the Select Board,

I am writing to submit my candidacy for a position on the Town Administrator Screening Committee for the Town of Fairhaven.

In recent years I have become actively involved in town affairs and have been looking for a way to be of greater service. As a 20+ year team administrator of non-profit fundraising departments, and as a member of the senior management team of Bradley Hospital, I have gained significant experience in identifying individuals most suited for important positions. I have a keen ability to assess needs and to understand what individuals previously unknown to me can bring to broad service positions.

I would welcome the opportunity to join a committee of community members representing diverse backgrounds, and working together to bring forth the best candidates for consideration by the Select Board to lead our Town going forward.

Thank you for your consideration.

Anne Morton Smith  
[REDACTED]



Vicki Oliveira <vloliveira@fairhaven-ma.gov>

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**[Fairhaven MA] At Large Position/T. A. Screening Committee (Sent by gloria perperas, g[REDACTED]n)**

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Contact form at Fairhaven MA <cmsmailer@civicplus.com>

Thu, Aug 12, 2021 at 10:06 AM

Reply-To: [REDACTED]

To: Board of Selectmen <selectmen@fairhaven-ma.gov>

Hello Board of Selectmen,

gloria perperas (g[REDACTED]) has sent you a message via your contact form (<https://www.fairhaven-ma.gov/user/49/contact>) at Fairhaven MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.fairhaven-ma.gov/user/49/edit>.

Message:

August 12, 2021

To Whom It May Concern,

I am honored to be applying for an At Large Position for the Town Administrator Screening Committee for the Town of Fairhaven. Being a business owner for the last 42 years, with the last 24 years here in Fairhaven, as well as a property owner here since 1986, I have very strong ties to this beautiful town.

I am dedicated to community service here in Fairhaven.

- We have provided Beach Clean Ups at both West Island and Fort Phoenix.
- Having donated to the Fairhaven School System to pay for school lunch balances.
- Supporter of the Fairhaven High School After Prom Party.
- Former Fairhaven Rotary Member
- Former Board of Director Aveda Institute Providence , RI
- Former Board of Director Bristol Community College
- Former Board of Director Crystal Springs School
- Former Board of Director Artworks! New Bedford
- Former Board of Director Salter School of Fall River

Thank you for consideration for this position. I hope to meet soon to discuss further details.

Sincerely,

Gloria Perperas

[gperperas@fairhaven-ma.gov](mailto:gperperas@fairhaven-ma.gov)

[REDACTED]



Updated  
Position Statement  
was not ready in time  
for the Packets



# Discuss the possibility of a 2021 Fall Town Meeting

## October 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

## November 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

**E3**

Wendy Graves &lt;wgraves@fairhaven-ma.gov&gt;

---

**FW: Fairhaven Atlas Tack terms of engagement**

4 messages

**Thomas P. Crotty** <tomcrotty@tcrottylaw.com>

Tue, Aug 10, 2021 at 11:40 AM

Reply-To: tomcrotty@tcrottylaw.com

To: Wendy Graves &lt;wgraves@fairhaven-ma.gov&gt;, Bob Espindola &lt;selectmanbobespindola@gmail.com&gt;

Cc: "Michelle N. O'Brien" &lt;mobrien@pierceatwood.com&gt;

Wendy and Bob

Below are Michelle O'Brien's answers to Bob's questions on having Pierce Atwood advise the town on potential liability in a tax taking of the Atlas Tack site.

As for #1, I'm sure this was not initially budgeted as a separate legal expense. I suggested getting Pierce Atwood's advice only recently when it became apparent that EPA is unlikely to act on resolving the deterioration of the Atlas Tack building. That left it to the town to look into resolving it through a tax taking.

Please let me know if you have any other questions.

Thanks

Tom

Thomas P. Crotty

**Thomas P. Crotty & Associates, PLLC**

5 Dover Street, Suite 102

New Bedford, MA 02740-4992

[TomCrotty@tcrottylaw.com](mailto:TomCrotty@tcrottylaw.com)

Tel: 508-990-9101 Fax: 508-990-9108

Cell/SMS: 508-916-7862

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



**From:** Michelle N. O'Brien [mailto:mobrien@PierceAtwood.com]  
**Sent:** Monday, August 9, 2021 4:52 PM  
**To:** 'tomcrotty@tcrottylaw.com'  
**Subject:** RE: Fairhaven Atlas Tack terms of engagement

Tom,

Copied here are the questions, with my answers inserted.

1) Was this work anticipated when the budget was created such that the cost is already covered in our existing legal budget?

2) What is the estimated cost of this work in total?

The estimated cost of the legal analysis and summary of the town's potential CERCLA liability is \$3500 - \$4000. If the town wants us to assist with redevelopment efforts or related issues, we can do so at an additional cost. Our involvement – and the associated cost – is flexible.

3) Will the contract or P.O. for services establish a "not to exceed" amount (for hourly expenses and additional charges) that Peirce Atwood would need to have additional expenses above that amount authorized?

We did not establish a not-to-exceed amount for this work because the initial scope is limited; we are analyzing the town's potential CERCLA liability associated with a tax taking. Going forward, if we are asked to assist with other efforts associated with the Atlas Tack property, we could set a not-to-exceed amount.

4) Will Town Counsel be involved also or will you be the primary point of contact to share all of the history, files, etc?

I don't expect that we will need all of the history, files etc. for our current scope of work. I obtained a copy of the consent decree.

5) Will Pierce Atwood be consulting with government agencies, like the EPA and/or the DEP as part of their consulting work?

Yes, we will be (and have been already) in contact with EPA and the Department of Justice, and MassDEP as necessary.

Feel free to pass these responses along to the Town Administrator and Chair of the Board of Selectmen with your thoughts on question 1. Otherwise, let me know if I should respond directly to Wendy Graves.

Michelle

**Michelle N. O'Brien**  
PIERCE ATWOOD LLP

100 Summer Street  
22nd Floor Boston, MA 02110

PH 617.488.8146  
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[mobrien@PierceAtwood.com](mailto:mobrien@PierceAtwood.com)

BIO > Admitted in MA

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**From:** Thomas P. Crotty <[tomcrotty@tcrottylaw.com](mailto:tomcrotty@tcrottylaw.com)>  
**Sent:** Monday, August 9, 2021 11:44 AM  
**To:** Michelle N. O'Brien <[mobrien@PierceAtwood.com](mailto:mobrien@PierceAtwood.com)>  
**Subject:** Fairhaven Atlas Tack terms of engagement

\*\*\*This message originated outside your organization\*\*\*

Michelle

Below are some questions (highlighted) that the chairman of the board of selectmen raised.

Please give me a call to discuss at your convenience.

Thanks

Tom

Thomas P. Crotty

**Thomas P. Crotty & Associates, PLLC**

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New Bedford, MA 02740-4992

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Wendy,

Thank you for passing this along. I do have a few questions as follows;

- 1) Was this work anticipated when the budget was created such that the cost is already covered in our existing legal budget?
- 2) What is the estimated cost of this work in total?
- 3) Will the contract or P.O. for services establish a "not to exceed" amount (for hourly expenses and additional charges) that Peirce Atwood would need to have additional expenses above that amount authorized?
- 4) Will Town Counsel be involved also or will you be the primary point of contact to share all of the history, files, etc?

5) Will Pierce Atwood be consulting with government agencies, like the EPA and/or the DEP as part of their consulting work?

Thank you,

Bob

On Tue, Jul 20, 2021 at 11:53 AM Vicki Oliveira <[vloliveira@fairhaven-ma.gov](mailto:vloliveira@fairhaven-ma.gov)> wrote:

Good Morning,

Please see the attached correspondence from Pierce Atwood regarding Atlas Tack.

Best Regards,

[Redacted Signature]

Vicki L Oliveira

[vloliveira@fairhaven-ma.gov](mailto:vloliveira@fairhaven-ma.gov)

Assistant to the Town Administrator

Notary Public

Town of Fairhaven

40 Center Street

Fairhaven, MA 02719

PH: (508)979-4023 EXT. 101

FAX: (508) 979-4079

Town of Fairhaven

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**Bob Espindola** <[selectmanbobespindola@gmail.com](mailto:selectmanbobespindola@gmail.com)>

Tue, Aug 10, 2021 at 11:53 AM

To: Tom Crotty <[tomcrotty@tcrottylaw.com](mailto:tomcrotty@tcrottylaw.com)>

Cc: Wendy Graves <[wgraves@fairhaven-ma.gov](mailto:wgraves@fairhaven-ma.gov)>, "Michelle N. O'Brien" <[mobrien@pierceatwood.com](mailto:mobrien@pierceatwood.com)>

Tom,

Thank you.

This would not seem to be something that would qualify for a discussion in Executive Session, correct? I am just trying to figure out if that is appropriate for a next step or if we should be discussing this in Open Session.



Whichever answer is correct, Wendy, please plan to place it on our next meeting agenda, for next Monday night, August 16th, if you feel that timing is good. If in Executive Session, please remember to cite the reason that this subject meets the Executive Session exemption.

Thanks,

Bob

[Quoted text hidden]

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**Thomas P. Crotty** <tomcrotty@tcrottylaw.com>  
Reply-To: tomcrotty@tcrottylaw.com  
To: Bob Espindola <selectmanbobespindola@gmail.com>  
Cc: Wendy Graves <wgraves@fairhaven-ma.gov>

Tue, Aug 10, 2021 at 12:14 PM

Bob

I think discussing whether to retain Pierce Atwood could be done in open session, since you can discuss the purpose for retaining the firm (to advise on the possible tax taking of a former hazardous waste cleanup site) without going into the town's strategy in that regard.

A discussion of that advise, once it prepared to be given to the board, might be done in executive session, since that may entail a discussion of strategy with regard to litigation.

Tom

[Quoted text hidden]

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**Bob Espindola** <selectmanbobespindola@gmail.com>  
To: Tom Crotty <tomcrotty@tcrottylaw.com>  
Cc: Wendy Graves <wgraves@fairhaven-ma.gov>

Tue, Aug 10, 2021 at 1:23 PM

OK,

Thank you.

On that basis, Wendy, please include this in the Open Session for Monday, August 16th Meeting agenda.

Thank you.

Bob

[Quoted text hidden]

