



## FAIRHAVEN SELECT BOARD

### Meeting Minutes

*Monday, December 19, 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.

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

**Ms. Powers opened the meeting at 6:30 pm**

**Moment of Silence:** For those lost in the past year to suicide. During this holiday season please check in with loved ones and try to help wherever you can. If you are suffering there is help. The Suicide Hotline can be called at 988.

#### **MINUTES:**

**Motion:** Mr. Murphy made a motion to accept the Open Session minutes of the December 5, 2022 meeting. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

**Motion:** Mr. Murphy made a motion to accept the Executive Session minutes of the December 5, 2022 meeting. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

#### **TOWN ADMINISTRATOR:**

- Animal Control Officer (ACO) Terry Cripps presented an overview of the operations of the Animal Shelter including how donations are accepted through their gift account as a follow-up to the December 5, 2022 Select Board meeting. Officer Cripps introduced his assistant, Abigail Griffiths. He explained that donations received into the gift account are used for expenses not covered under the budget and gave several examples. He thanked the many volunteers for the work they do at the shelter and also Fairhaven resident, Michelle Adesso, on the Van Sloun Foundation Board who has recommended Fairhaven for donations whenever possible. Captain Michael Botelho and Lieutenant David Sobral were also in attendance.

The Board thanked Officer Cripps and the team for their dedication and hard work to raise the profile of animals in need.

- Ms. Ellison introduced Board of Health (BOH) Agent Dave Flaherty to review information on proposed Title V changes. There will be additional public comment opportunities on January 24, 2023 and January 25, 2023 at 6:00 p.m. This has been posted on the Town Website including a link to the Massachusetts Department of Environmental Protection (DEP) where you can register for one of the upcoming sessions. Mr. Flaherty presented his memo recapping the proposed changes to Title V and referred to letters from State Senator Markey and the Town of Falmouth (*Attachment A*). A link to the Town of Dartmouth's response is included in the announcement posted and residents can also contact the Board of Health for more information.
- Vacancies on Committees has been reviewed and an updated list of volunteer opportunities can be found under the Boards and Committee section on the Town Website. Please fill out the online form if interested in a Board or Committee; even if there are no open seats, the Board can consider appointing associate members. Ms. Ellison suggested staggering terms to maintain the knowledge base within the committees. Fairhaven TV has created a PSA that will be running between meetings.
- The Fire Department and Council on Aging recently were awarded grants. The Executive Office of Public Safety and Security and Department of Fire Services (DFS) awarded \$18,172 for safety

equipment to the Fairhaven Fire Department. The Massachusetts Council on Aging awarded \$8,000 to use for the Social Day Program from the FY23 Field Demonstration Project Service Incentive Grant. Ms. Ellison commended the staff for their work on these grants.

- Ms. Ellison restated her offer to schedule one-on-one meetings with Select Board members, monthly or quarterly, reach out to Ms. Hart Almeida to schedule time.
- The Rogers School Reuse Committee is eligible to apply to be on the National Registry and they are about to start the application process. While the Rogers School case is still in litigation, the Committee is working through the process to apply to be on the National Registry.

#### **Accept donations to the gift account for the Animal Shelter**

The Fairhaven Animal Shelter received a \$5,000 donation from the Van Sloun Foundation. A second donation of \$2,566 was received from funds raised at a pet photo with Santa opportunity held by volunteer Eric Letendre.

**Motion:** Mr. Murphy made a motion to accept the gift of \$5,000 from the Van Sloun Foundation to the animal shelter's gift account. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

**Motion:** Mr. Murphy made a motion to accept the gift of \$2,566 from Eric Letendre to the animal shelter's gift account. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

#### **Collective Bargaining Agreements: Clerical and Highway**

Contracts between the Town of Fairhaven and Unions representing Clerical Employees and Highway Employees were approved through Special Town Meeting and the Board will vote to ratify the contracts. Ms. Ellison added that the contracts are both retroactive to July 1, 2022 and an addendum will be attached that shows the wage scale referred to in each agreement.

**Motion:** Mr. Murphy made a motion to ratify the Collective Bargaining Agreement between The Town of Fairhaven and the Clerical Employees Council 93, American Federation of State, County, and Municipal Employees AFL-CIO for July 1, 2022 – June 30, 2025. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

**Motion:** Mr. Murphy made a motion to ratify the Collective Bargaining Agreement between The Town of Fairhaven and the Highway Division Employees Council 93, American Federation of State, County, and Municipal Employees AFL-CIO for July 1, 2022 – June 30, 2025. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

#### **Fairhaven Homecoming, Saturday, June 24, 2023**

The Board received a letter from Ms. Barbara Acksen, Chair of the 2023 Fairhaven Homecoming Committee, requesting the use of Town Hall lawn and restrooms and the outdoor space; they will coordinate with Fairhaven Police to block off Center, Walnut, William and Union Streets on June 24, 2023. The Committee will coordinate with BPW for street cleaning and clean-up.

**Motion:** Mr. Murphy made a motion to approve the use of Town Hall and the public outdoor space on June 24, 2023 for the Homecoming Event. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

#### **Surplus item: Town Yard cobblestone**

Cobblestone has accumulated at the Town Yard through various street rebuilding projects and needs to be deemed "surplus" in order to sell.

**Motion:** Mr. Murphy made a motion to deem the cobblestone at the town yard as surplus. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

seconded. The motion passed unanimously (5-0-0)

**Marine Resources Committee appointment: James Moraux**

Harbormaster Tim Cox spoke on behalf of James Moraux who was unavailable to attend and explained that Mr. Moraux works in the industry and had previously been appointed but had stepped down for another member to be appointed.

**Motion:** Mr. Murphy made a motion to appoint James Louis Moraux to the Marine Resources Committee for a term to end May 2023. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

**Capital Planning Committee appointments: Paul Kitchen; Robert Furtado**

The Board received two applications for the Construction Representative on the Capital Planning Committee; Mr. Paul Kitchen and Mr. Robert A. Furtado.

Mr. Kitchen attended via zoom and reviewed his background and interest in the Capital Planning Committee.

Mr. Robert A. Furtado addressed the Board and explained that he has more residential knowledge and with Mr. Kitchen's experience, he offered to yield the spot to Mr. Kitchen. Mr. Espindola commented that he had reached out to Mr. Furtado due to the open spot, his experience and his past work on the Finance Committee.

**Motion:** Mr. Murphy made a motion to appoint Paul Kitchen to the Capital Planning Committee for a term to end May 2025. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

**Motion:** Mr. Murphy made a motion to appoint Robert A. Furtado as an Ex-Officio, non-voting member to the Capital Planning Committee for a term to end May 2024. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

**Belonging Committee appointment: Alliea Group**

Ms. Group attended via zoom and reviewed her background and interest in the Belonging Committee.

**Motion:** Mr. Murphy made a motion to appoint Alliea Group to the Belonging Committee for a term to end May 2023. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

**Commission on Disability appointments: Annemarie Chagnon; Ronnie Medina**

Mr. Medina attended via zoom and reviewed his interest in rejoining the Commission on Disability. He was one of the original members and had stepped down previously and wants to re-join.

Ms. Chagnon was not available to speak to her application. Mr. Murphy recommended both Ms. Chagnon and Mr. Medina for the Commission on Disability.

**Motion:** Mr. Murphy made a motion to appoint Annemarie Chagnon and Ronnie Medina to the Commission on Disability for a term to end May 2023. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

**Broadband Study Committee appointment: Ronnie Medina**

Mr. Medina reviewed his interest in the Broadband Study Committee.

**Motion:** Mr. Murphy made a motion to appoint Ronnie Medina to the Broadband Study Committee for a term to end May 2023. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

### **January Select Board meeting dates**

Ms. Ellison will be on vacation starting December 23, 2022 and returning on January 3, 2023 and there will not be time to properly prepare and build the agenda with the Chair for the January 3, 2023 meeting. The Board discussed conflicts with the January meetings. Based on business the Board needs to attend to by January 10, 2023 the suggestion was made to move the January 3rd meeting to January 9th and move the January 17th meeting to January 23rd.

Discussion continued regarding conflicts in general, planning in advance and the potential to review future dates and consider a change in their policy to allow for better planning ahead. At this time members of the Board planned around the dates currently established.

No change at this time to the January 17, 2023 meeting and Mr. Correy will work with Ms. Ellison on the agenda. Ms. Ellison will review and advise the Board on the meeting calendar highlighting holidays at the January 9th meeting.

**Motion:** Mr. Murphy made a motion to move the January 3, 2023 Select Board meeting to January 9, 2023. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

### **Town Administrator Cost-of-Living Adjustment (COLA)**

Ms. Ellison addressed the Board regarding a COLA of 2% to be applied to her contract. She explained her focus had been on resolving the COLA for staff and bargaining unit contracts and viewed deciding on a COLA for her could be a perceived conflict of interest and should be discussed by the Board.

**Motion:** Mr. Murphy made a motion to approve a 2% Cost-of-Living Adjustment (COLA) to the Town Administrator, Angie Lopes Ellison. Mr. Silvia seconded. Mr. Murphy amended his motion to approve a 2% COLA to the Town Administrator for this year and then, each year going forward, apply the same COLA percentage to the TA that is applied to non-union staff. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

### **Town Administrator Evaluation**

Ms. Powers read through the evaluation form, including the comments and scores in each category, from the consensus document compiled by HR Director, Cam Durant. (***Attachment B***). Mr. Correy read the rating scale the Board used: Far Exceeds Expectations-5, Exceeds Expectations-4, Meets Expectations/Average-3, Needs Improvement-2, Fails to Meet Expectations-1 and Not Applicable

The Board thanked Mr. Durant and Labor Counsel, John Clifford, for compiling the document.

**Motion:** Mr. Murphy made a motion to accept and approve the Town Administrator Evaluation and to have the chair sign on behalf of the Select Board. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

### **COMMITTEE LIAISON REPORTS**

*Mr. Espindola reported:*

Mr. Espindola provided updates on the Broadband Study Committee, Fairhaven Bikeway Committee, Southeast Regional Planning and Economic Development District (SRPEDD) and the Sustainability Committee. (***Attachment C***)

*Mr. Correy reported:*

The 40R Working Group met and discussed different building types and preferences. The Belonging Committee met and discussed upcoming events like Black History Month. Southeast Regional Transit

Authority (SRTA) met and discussed the number of stops that are within a three to a five-minute walk from each other which does not have much impact on Fairhaven. The Economic Development Committee (EDC) met and voted to add a member and sent a memo to the Select Board Chair. When the Broadband Equity Grant application is completed, Mr. Correy will need assistance from the Broadband Study Committee.

*Mr. Silvia reported:*

The Historical Commission met and Mr. Silvia was unable to be present due to attending a meeting in New Bedford about CAD Cells.

*Mr. Murphy reported:*

The Sister City Committee has a future meeting scheduled. The Lagoa Friendship Pact meeting was rescheduled to January 2023 due to no quorum.

*Ms. Powers reported:*

The 40R Working Group discussed the two Plaza locations as being their initial focus point.

**PUBLIC COMMENT**

Ms. Michelle Costen of 54 Spring Street addressed the Board about housing and her opinion that not enough work is being done regarding displaced people and homelessness impacts created by investors purchasing housing in Fairhaven which is driving prices. She referred to action taken by one town, Bozeman, Montana to try and increase affordable housing and limiting things like short term rentals.

The Board thanked Ms. Costen. for speaking on the issue and will look into the matter further as well as look for any opportunities to address the concern.

Ms. Ellison pointed out that in terms of short-term rentals, the Bylaw had been passed on this and that once the Town has a full-time Building Commissioner in place the concern will have their full attention.

Ms. Karen Vilandry of 34 Huttleston Ave. addressed the Board and asked if Fairhaven has an Environmental Representative and asked if Environmental Justice also includes housing and the effects of contamination from New Bedford Harbor.

There is no one currently serving in this capacity for Fairhaven. Mr. Espindola suggested a web search for: "Environmental Justice"

**BOARD MEMBER ITEMS**

Mr. Espindola wished everyone a Merry Christmas and Happy Holidays. He appreciates the focus on new employees on the Town Website. Mr. Espindola asked about goal setting for the January meeting. Ms. Ellison shared her recommendation and that the Board can prioritize goals from the full list and revise any goals they feel are priority. She will send out details on goals setting for January before she starts vacation.

Mr. Correy reminded everyone that it is the second night of Hanukkah and also wished everyone Merry Christmas and Happy Holidays for those who celebrate and all that is celebrated. He thanked Ms. Ellison, the Board and all employees for the work they do. He thanked Troop 52 for the Question-and-Answer session he attended with them and their participation in the Old-Time Holiday event. He also reminded everyone to get involved in a board or a committee! Happy New Year and be safe!

Mr. Silvia thanked Mr. Eric Dawicki for his work on Marine Resources. He also wished everyone a Merry Christmas-stay healthy and happy.

Mr. Murphy discussed how he has seen first-hand the housing impacts mentioned by Ms. Costen earlier and that we do need help in our community for the homeless because it is happening in town. He wished everyone a Happy and Safe Holiday season. He reminded everyone about the Polar Plunge on New Year's Day, 10AM at Fort Phoenix.

Ms. Powers wished everyone a Happy Holiday season. She thanked the departments and committees for their work and the level of collaboration that is taking place; she looks forward to this continuing in 2023.

**CORRESPONDENCE:**

Ms. Powers read a letter from Mr. Vincent Furtado, Mattapoissett River Valley Water District, regarding the language revision made to the Borrowing Vote memo. (*Attachment D*).

**NEWS AND ANNOUNCEMENTS**

The next regularly scheduled meeting of the Select Board is *Monday, January 9, 2023* at 6:30 p.m. in the Town Hall Banquet Room

Adjourned at 9:05PM

Respectfully submitted on behalf of the Select Board Clerk (aa)

**Attachments:**

- A. Proposed Title V updates**
- B. Town Administrator Evaluation, December 2022**
- C. Committee Liaison Report: Robert Espindola**
- D. Mattapoissett River Valley Water District letter**



Town of Fairhaven  
Board of Health

40 Center Street  
Fairhaven, MA 02719  
Tel: (508) 979-4023

ATTACHMENT A

**MEMO**

Date: December 19, 2022

From: David Flaherty, Health Agent, Board of Health

Re: Proposed Title 5 Revisions

Late last summer DEP called various health departments to say they were considering new Title 5 regulations for improving impaired embayments in SE MA, Cape Cod & the Islands. This was in response to lawsuits by various environmental organizations. These regulations were due to be enacted in early January.

Basically the DEP is requiring all Towns in SE MA, Cape Cod and the Islands who are in a Nitrogen Sensitive Area, to have a plan on improving septic systems that may affect these embayments. These towns have 5 years to report and implement these plans, which include replacing all existing septic systems regardless of their age or status, by retrofitting or re-constructing with Enhanced Nitrogen removal technology. Sewering was another solution.

An alternative to the 5 year time frame would be for the town to apply for a Watershed Permit which grants the town 20 years to implement these requirements. I looked into how to apply for the watershed permit and basically we need to hire a Professional Engineer as a consultant which could be expensive.

Around Thanksgiving DEP announced public comment without releasing any information beforehand that the general public could understand. These public comment meetings were met with confusion and anger. The DEP then added more public response dates and moved the regulation enactment date to late January.

The process is not meant to work this way, especially when the financial impact is so great. There will be no "grandfathering" and many feel that these regulations have been thrust upon taxpayers and municipalities without regard for regular due process. If you see the list on the website link from Dartmouth it will list the members of the NSA Committee that pushed these regulations. Mostly people who had the most to gain.

In closing, these regulations do not take into consideration cranberry farming and other agricultural efforts impact the rivers, streams & bays. I have reached out to DEP to get clarification as to the extent Fairhaven will be involved with these changes; I haven't heard back yet. I will keep attempting to get clarification and direction for Fairhaven as I feel we are unique insofar as the extent of our sewer system here.



# Fairhaven, MA Town Administrator Evaluation - Consensus Review of Angie Lopes Ellison December 2022

<p><b>Section 1: Agreed upon Goals and Objectives</b></p>	<p><b><u>Goal 1: Human Resources</u></b>  <b><u>Improvements</u></b>            To strengthen the Town's Human Resources operation in ways that will enhance employee productivity, create an atmosphere of mutual respect and teamwork, develop an equitable and competitive compensation and benefits plan, and foster employee accountability for job performance.</p> <ul style="list-style-type: none"> <li>• Present Personnel Rules and Regulations for Select Board approval from which an Employee Handbook will be written. All town employees will be provided training on these new personnel documents</li> <li>• Continue to work with Department Directors on developing succession and cross training plans for key employees</li> <li>• Develop a training program for employees and volunteers on conflict of interest, sexual harassment, cyber security, official communications, and other laws, policies and regulations as appropriate and necessary</li> </ul> <p>Ensure that the functions of human resources department are fully put into place consistent with town bylaws</p>	<p><b><u>Goal 2: Financial Sustainability</u></b>            Establish long term financial sustainability for the Town by adherence to approved financial policies regarding reserve levels, balanced budgets and capital financing, financial forecasting, controlling fixed costs (pension, OPEB, Health Insurance) and augmenting revenues (tax base expansion, grants, user fees).</p> <ul style="list-style-type: none"> <li>• Develop a monthly Executive Summary Report of Key Financial Indicators available to the Select Board.</li> <li>• Review town's financial policies in consultation with DOR, Auditors and Financial Advisor</li> <li>• As part of the FY23 operating budget process review the adequacy of department staffing levels to ensure department mission is accomplished and to leverage grant opportunities.</li> <li>• Continue to implement best practices for cash management at department level with an emphasis on improving customer service and internal controls.</li> <li>• Develop and implement a comprehensive plan for the use of state and federal covid relief funds consistent with regulations.</li> </ul>	<p><b><u>Goal 3: Inter and Intra Governmental Cooperation</u></b>            Identify and advance opportunities for cooperation between Town departments, Fairhaven Public Schools, neighboring municipalities, non-profit organizations and regional governments as ways to improve services and reduce costs.</p> <ul style="list-style-type: none"> <li>• Review possible ways that the town and school building maintenance can be made more efficient and effective, by applying for Community Compact Grant to study feasibility of establishing a consolidated facility management operation.</li> <li>• Determine the feasibility of establishing a regional Police/Fire 911 Public Safety Answering Point</li> <li>• Study the feasibility and necessity of a Revenue Sharing Agreement with Fairhaven Public Schools</li> <li>• Consistent with state regulations, develop and implement a program of electronic scanning of paper records (or eliminate as appropriate) with the intent to create virtual Town Hall, free up office space and reduce fire risks</li> </ul>
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# Fairhaven, MA Town Administrator Evaluation - Consensus Review of Angie Lopes Ellison

## December 2022

Category Average Score	4.20	3.40	4.00
Section Average Score	3.87		

### COMMENTS

Human Resources: Made exceptional strides towards this goal, with a policy document prepared right after starting. Angie could have benefitted from discussing the nuances of each department with department heads prior to setting those policies (and probably got more initial buy in) But overall, great to have it in place. Also we now have a HR director which is a much needed role.

Financial: Angie has been constrained in this area with employee limitations to providing the necessary reports, I see with the upcoming transition to a new finance director a renewed hope that the financial reporting to the board will be vastly improved . Her efforts to keep spending in check as she got up to speed and improving the process of communication with the finance committee will significantly pay off.

Inter and Intra Governmental Cooperation:

I see this as a strength of Angie's, she is working hard to build relationships with communities around the commonwealth, often referring to some benchmarking she has done with a colleague and with the School Department within our municipality. She has reinstated the department head meetings to encourage cooperation and communication between departments. She is working on the regionalization of dispatch and working on a project to handle paper records to better serve the community.

## Fairhaven, MA Town Administrator Evaluation - Consensus Review of Angie Lopes Ellison December 2022

<b>Section 2:</b> Knowledge, Skills, and Professional Development	1. Maintains knowledge of current developments affecting the practice of local government management	2. Willing to try new ideas to supplement or stretch resources and improve the management of services and programs. Shows originality in approaching problems, creates effective solutions, and is able to visualize the implications of various alternatives	3 Exercises fair and unbiased professional judgment in providing services and arriving at decisions	4. Anticipates and analyzes problems to develop effective approaches for solving them
<b>Category Average Score</b>	4.60	4.20	4.00	4.20
<b>Section Average Score</b>	4.25			

### COMMENTS

This has been Ms Ellison's strongest area in my opinion, as she has been focused on professional development. Angie has been attending as many committees as possible that she can attend, which has had a positive impact on each committee. Angie is very creative and provides her rationale on how it will positively affect Fairhaven. Angie has had some tough decision making and holds her employees accountable for their job tasks. Angie follows up on her conversations with people in the community and I have been witness to several of these follow up communications with our citizens.



## Fairhaven, MA Town Administrator Evaluation - Consensus Review of Angie Lopes Ellison December 2022

<b>Section 3: Core Responsibilities:</b> Staffing, personnel, financial, and management relations	1. Is successful at recruiting and retaining competent personnel and appointees for town and ensures the fair and equitable treatment of employees	2. Encourages heads of departments to make decisions within their jurisdictions with minimal manager involvement, yet maintains general control of operations; provides the right amount of communication to the staff. Instills confidence and promotes initiative through to promote their program rather than restrictive controls for their programs while still monitoring operations at the department level	3. Directs the preparation of a balanced budget that provides services at levels consistent with elected body policy and direction. Makes the best possible use of available funds, conscious of the need to operate the organization in an efficient and effective manner	4. Monitors the budget to ensure that funds are spent correctly. Budget is prepared in a readable and easy-to-understand format. Keeps the elected body apprised of major financial issues affecting the organization	5. Motivates and communicates well with staff. Exhibits a loyal, cooperative attitude towards co-workers and the organization.	6. Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback
	3.60	3.40	4.00	3.40	3.00	3.40
<b>Category Average Score</b>						
<b>Section Average Score</b>	3.47					

### COMMENT

The Town had experienced a high level of turnover at key positions in recent months. Much of this may be attributable to external factors but we cannot view her work in this area as a positive until the results show stability, especially in key department head positions.

Angie has not yet led the Town through the full budget process, due to her hire date. This will be something to observe more closely in the next review cycle. Angie has been working hard to ensure her staff is accountable and she seems to provide good feedback when improvements need to be made.



# Fairhaven, MA Town Administrator Evaluation - Consensus Review of Angie Lopes Ellison

December 2022

Section 4: Leadership, Board Relations, and Personal Qualities	1. Energetic and willing to spend the time necessary to do a good job, has good initiative, and is a self-starter	2. Seeks and accepts constructive criticism of work. Demonstrates appropriate diplomacy and restraint in professional relationships. Demonstrates ability to work well with individuals and groups	3. Maintains high standards of ethics, honesty and integrity in all professional matters.	4. Conducts self in an impartial manner toward the SB. Refrains from criticism of SB members and actions of the Board
	5.00	3.80	4.00	3.80
Category Average Score	3.80			
Section Average Score	4.15			

## COMMENTS

Angie has demonstrated a high level of energy, has worked long days and put in considerable time on weekends to ensure that her work is getting done. She has far exceeded expectations in this area.

Angie provided a long, impressive list of accomplishments/in progress for the team that she leads. She has played a major role in several new initiatives, including setting up a retreat for the Board, researching and appointing new Town Counsel, creating a policy for block parties at the request of residents, revamping the Towns Auction process, etc.

She has gone above and beyond with her efforts to further her education and certifications in areas that will benefit the Town, such as ADA Compliance, etc. Angie has been open to constructive criticism and has demonstrated good problem solving skills when trying to improve on things that are brought to her attention. Angie needs to understand that it is OK not to have all the answers, all the time. When she finds herself in a situation where she does not have the answers it is important for her to take ownership of that and to wait until she has all the facts before reporting during public meetings. Angie should refrain from advising Board members on issues that relate to conflict of interest and Ethics unless she is certain that she is correct. Her opinions have not always been aligned with State Ethics Guidance.



## Fairhaven, MA Town Administrator Evaluation - Consensus Review of Angie Lopes Ellison December 2022

<b>Section 5:</b> Community Relations and Communications	1. Provides the boards and committees with information (written and/or verbal) concerning matters of importance to the organization in a timely fashion and provides equal information to all members without prejudice	2. Writes in a clear and concise manner, using terms and styles that are easily understood by the intended reader.	3. Speaks in a clear, distinct and understandable manner.	4. Is approachable, accessible, and responsive to the community, and displays diplomacy and tact when responding to others	5. Cooperates with neighboring communities and the county. Cooperates with other regional, state, and federal government agencies	6. Meets with and listens to members of the community to discuss their concerns, and strives to understand their interests
<b>Category Average Score</b>	3.40	4.40	4.40	4.40	4.00	4.40
<b>Section Average Score</b>	4.17					

### COMMENTS

This is one area I believe Angie needs improvement. Proactive outward communication is hard. I would like to see her get some help to actively promote the wonderful things that are going on in the town to assist in preventing miscommunications, rumors, and fake news.

Person to person, written and verbally, Angie is a wonderful communicator. Although it could be said Ms Ellison would be afforded more leniency if she were a man with respect to how she interacts with her employees. I still feel she is a bit too harsh in her delivery. It comes across as hard and unrelenting. There's a balance that I'm confident she will learn in time.

**Fairhaven, MA Town Administrator Evaluation - Consensus Review of Angie Lopes Ellison**  
**December 2022**

**Final Composite Score:** 4, Exceeds Expectations

**Comment:**

Angie was hired with the intent to use her knowledge and experience to move the Town in the right direction, which I feel she has done in the time she has been the Town Administrator. There is a definite opportunity for improvement in task management as well, including setting priorities, and in providing feedback to Board members about where things that were requested stand. Angie should always provide Board members with information (resume, background, why they were chosen from the field) when requesting the Board to approve her appointment. There is room for improvement with communication ahead of Board meetings. Recommendations for major policy decisions should be explained as thoroughly to the Board as they are to Staff members.

**Signatures:**

\_\_\_\_\_ Date: \_\_\_\_\_

Stasia Powers

Chair of the Select Board

\_\_\_\_\_

Angie Lopes Ellison

Town Administrator

Date: \_\_\_\_\_

## **Committee Liaison Report – Bob Espindola – December 19th, 2022**

### **Broadband Study Committee.**

I met with Ms. Ellison, consultant EntryPoint and Committee Chair Sean Power to discuss the list of open issues that have been on hold awaiting completion of Town Meeting.

We reviewed and Ms. Ellison signed a proposal from Entry Point to provide consulting services associated with Project Management, Coordination and Oversight of the project, all provided remotely with coordination through Town contacts. The contract was signed for an amount not to exceed \$9,800 and this will help advance the project now.

Entry Point representative Ben Miller, Ms. Ellison and I met with representatives of the Fairhaven Housing Authority and DPW on Friday last week to review the site logistics and to discuss possible “In-Kind Services” that may be provided by the FHA and DPW to match funds provided by the \$250K Compact Community Cabinet Broadband Grant, as outlined in the Grant Application. Things like drilling through sidewalls and trenching for contractor to lay conduit were examples of in-kind donations that may be possible.

### **Fairhaven Bikeway Committee**

Fairhaven Bikeway Committee met on Thursday night last week to discuss the condition of the Bike Path and the fact that the funding to resurface the path has been on hold for five (5) years.

Several people from the community attended the meeting in addition to the Bikeway Committee members and all parties expressed an interest in advancing the resurfacing forward to this upcoming FY24 Capital Plan.

The committee voted unanimously to send a letter to Ms. Ellison and Ms. Graves (to ask that it be shared with the Capital Planning Committee) detailing concerns about the path deterioration, safety concerns and the benefits of moving forward with resurfacing sooner rather than later. Photos showing the significant deterioration of the path, a traffic study showing the typical annual use level and letters of support will be included as references in the letter.

One resident, Ken Rogers, actually took the time to count over one hundred cracks in the pavement from end to end within Fairhaven.

The committee is asking specifically for the Capital Planning Committee to make the resurfacing project a priority for this upcoming year (FY24) year and to fund the resurfacing, per the recommendation of DPW Superintendent Vinnie Furtado, all in one year.

SRPEDD met last Wednesday night. Much of the meeting centered on Multi-Family Zoning Requirements for MBTA communities so not applicable to Fairhaven. SRPEDD continues to promote that Municipalities should look to take advantage of funds available through the Division of Local Technical Services (DLTS). SRPEDD also



announced they are expanding to handle all the new opportunities available through Federal and State Grant Programs.

As a reminder, these are the key areas that SRPEDD covers



#### **Comprehensive Planning**

Assisting communities to evolve in ways that reflect local priorities and needs in land use, housing, and urban form.

[LEARN MORE](#)



#### **Environmental Planning**

Enhancing nature's inherent resilience in creating thriving, sustainable communities.

[LEARN MORE](#)



#### **Transportation**

Helping to implement regional transportation networks to effectively serve users of public transit, roadways, bike paths, and pedestrian spaces.



#### **Economic Development**

Bringing resources to our region to create new economic opportunities.



#### **Homeland Security**

Preparing to keep persons in our region safe and secure; ready for the unexpected.

SMMPO will be meeting tomorrow afternoon.

#### Sustainability

Two members of the Sustainability Committee, Ann Richard and Laura Gardner, approached me recently and asked me if I thought the Select Board might support an Electric Bus program that would, over time, replace the existing buses with electric powered vehicles.

Coincidentally, I had previously signed up for the Mass Municipal Association webinar on Electric Vehicles and Charging Stations. When I attended the seminar, did pay particular attention to the Electric Bus program. There is a federal program and a state program.

The following excerpt from the MMA website sums up the key points in the webinar and the MMA website contains the full webinar recording as well as the full slide presentation. I've attached some notes from select slides of the presentation for your convenience.

Given the School Bus contracts are under the purview of the School Department and there are other Town Departments that may benefit from Electrification of some of their vehicles over time, this may represent an opportunity for intergovernmental collaboration (i.e. to study this opportunity collectively and determine if it



makes sense for the Town of Fairhaven to pursue). There may also be some opportunity for regionalization in this area as well (say through SRPEDD).

The Massachusetts Clean Energy and Climate Plan calls for EVs to account for a majority of new cars sold in the state by 2030 as a primary strategy to reduce emissions. Various pieces of state legislation codify many of the components of the Clean Energy and Climate Plan, establish incentives for the implementation of these components, and create funding sources to promote implementation.

Carrie Lavallee, deputy administrator and chief engineer at the Massachusetts Department of Transportation, discussed the state's Electric Vehicle Infrastructure Deployment Plan, known as its NEVI plan, which was approved by the Federal Highway Administration in September. She said the National Electric Vehicle Infrastructure program will provide Massachusetts with significant formula funding over five years to support the construction and operation of charging stations along major highway corridors.

The session concluded with a review of existing municipal programs in Massachusetts meant to leverage funding and incentivize the use of EVs. Additional grant funding opportunities are anticipated to be available upon establishment and approval by the EV Intergovernmental Coordinating Council.



## Electric Vehicle (EV) Policy Landscape and Municipal Opportunities

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**Commonwealth of Massachusetts**

Daniel Gatti, Director of Clean Transportation Policy, EEA  
Carrie Lavallee, Deputy Administrator and Chief Engineer, MassDOT

*December 14, 2022*



## Significant EV Policy Developments

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- November 2021: Congress passes the Infrastructure Investment and Jobs Act (IIJA), which provides billions in funding for EV-related initiatives
- June 2022: EEA releases Clean Energy and Climate Plan for 2025/2030 calling for 200,000 EVs on the road by 2025 and over 900,000 EVs by 2030
- August 2022: Gov. Baker signs *An Act Driving Clean Energy and Offshore Wind* and *An Act Relative to Massachusetts's Transportation Resources and Climate* which make a number of changes to EV incentive programs and provided funding authorization for EV infrastructure
- August 2022: Congress passes Inflation Reduction Act, extending federal EV tax credit and making a number of changes to encourage point of sale incentives and domestic manufacturing
- August-September 2022: MassDOT submits National EV Infrastructure Plan (NEVI) to USDOT, opening up \$63M in federal funds for EV infrastructure along highway corridors in Massachusetts
- November 2022: Governor Baker signs Economic Development bill, providing \$50M in funding for electric vehicle charging and \$50M for electric vehicle incentives

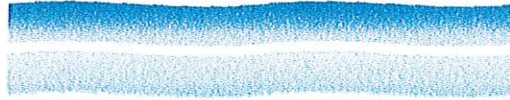


## Municipal Opportunities: New and Forthcoming

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- **IRA:** Municipalities, via dealerships, can now benefit from the federal tax credit under Section 30D or new commercial vehicle tax credit under Section 45W
- **IJA:** Provides a total of \$5B in funding for electric school buses over a five year period. MassCEC's ACT School Bus provides additional technical support and grant funding for installation of infrastructure to support electric school buses
- **Congestion Mitigation and Air Quality (CMAQ):** Grant funding available for micromobility and e-bikes; Req for MassDOT to fill this in/update, add detail about timeline, if possible
- **MassDOT's NEVI Plan:** Req for MassDOT to fill this in or eliminate
- Future additional grant funding opportunities are anticipated to be available upon establishment and approval by the electric vehicle intergovernmental coordinating council. EEA will stay in communication through the spring as progress gets underway





November 9, 2022

Town of Fairhaven  
Select Board  
40 Center Street  
Fairhaven, MA 02719

Re: Mattapoissett River Valley Water District  
Borrowing Vote

Dear Chairman Powers:

Back on May 6, 2022, the Mattapoissett River Valley Water District Commission (MRVWDC) voted to borrow the sum of \$7,200,000 for the purpose of financing the construction of water treatment facility upgrades including, but not limited to, ultrafiltration system and related appurtenances replacement, ultraviolet disinfection system, supervisory control and data acquisition (SCADA) system upgrades, engineering and all other related professional fees.

This vote was undertaken pursuant to the authority of the MRVWDC in Chapter 367 of the Acts of 2004 and M.G.L. Ch. 40N.

Per the referenced enabling act, with any borrowing, a vote is required, and communication of said vote to the Select Boards of all three District Towns is also required. The Select Boards then have a 45-day period in which they can hold a Town Meeting to object the vote. The

MATTAPOISETT RIVER VALLEY WATER DISTRICT  
P.O. BOX 1055  
MATTAPOISETT, MA. 02739



enabling act also states that the Select Boards are not required to hold a Town meeting within the 45 days to make determination on the vote, and therefore, the vote would be valid.

Following the above, on May 6, 2022, the MRVDWC forwarded correspondence to your attention advising you of the above. This borrowing was subsequently, commutatively approved at the Town Meetings of Fairhaven, Mattapoisett and Marion.

Due to the current interest rates, the MRVWDC may seek said borrowing from the State of Massachusetts Clean Water Trust. As a result, the original language contained in the vote of May 6, 2022, had to be modified to reflect the required verbiage of the State.

As such, please find the updated, approved, borrowing verbiage as an attachment.

Please note that the vote of November 8 does not change the scope nor cost of the project, but, again, only includes the revised language to satisfy the State's borrowing requirements should this funding mechanism be made available to the MRVWDC.

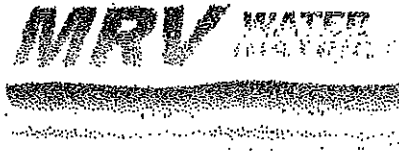
Should you have any questions in this matter, please feel free to contact me at 508-979-4031.

Regards

A handwritten signature in blue ink, appearing to read 'Vincent D. Furtado', written in a cursive style.

Vincent D. Furtado,  
Chairman

Attachment (1)



Voted: that \$7,200,000 is appropriated for the purpose of financing the construction of water treatment facility upgrades including, but not limited to, ultrafiltration system and related appurtenances replacement, ultraviolet disinfection system, supervisory control and data acquisition (SCADA) system upgrades, engineering and all other related professional fees, and including without limitation all costs thereof; and that this appropriation shall be raised by borrowing under Chapter 367 of the Acts of 2004 and further that with this vote the Commission is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C, as most recently amended by St. 2014, c259 and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Commission is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available to the project and to take any other action necessary to carry out the project.

Vincent Pirtado, Chairman

Randy Parker

Michael Lorenzo

Henri Renault, Vice Chairman