



FAIRHAVEN SELECT BOARD
Meeting Minutes
December 4, 2023

FAIRHAVEN TOWN CLERK
RCUD 2023 DEC 21 PM12:26

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

Mr. Correy opened the meeting at 6:32p.m.

MINUTES

Pass over.

TOWN ADMINISTRATOR REPORT

Ms. Ellison reported out:

- Congratulations to the Fairhaven High School Football Team, Division Six Super Bowl Champions. Ms. Ellison suggested a citation for the team at the next Select Board meeting.
- Department Heads are fully staffed. The Treasurer will be relocating to the Collector's Office.
- Building Commissioner Randy Bassett provided an update on the department, fees collected year-to-date, short-term rental process and answered clarifying questions from the Board.
- Conservation Agent Bruce Webb provided an update on the department, the revised fee structure, revised submission and deadline timeline, meeting schedule, working with the Tree Warden, reviewing a Natural Gas Aggregation, a sustainability planting project and answered clarifying questions from the Board.
- A list of suggested reading and watching materials related to Diversity, Equity and Inclusion was included in the packet as a follow-up to the last Board meeting. (*Attachment A*).

Motion: Mr. Espindola motioned to take Action Item C1 out of order. Ms. Powers seconded. The motion passed unanimously (5-0-0).

FARMLAND OF LOCAL IMPORTANCE PROGRAM

Mr. Webb introduced Albert Averill from the United States Department of Agriculture (USDA) who reviewed a presentation (*Attachment B*) regarding an opportunity for farmland owners to apply for the program. The Town is being asked to designate an official to be the signatory for applicants of this program.

The Board asked questions about the program, the response from other communities and other concerns that have been raised in other communities and the overall process.

Motion: Mr. Espindola motioned to recognize additional soils that are suitable for crop production by formally acknowledging Farmland of Local Importance and authorize the Town Administrator as signatory. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Espindola motioned to take Action Item C2 out of order. Ms. Powers seconded. The motion passed unanimously (5-0-0).

2024 TAX RATE

Assessor Joanne Correia addressed the Board and presented the 2024 Tax Rate compiled by the Assessor's Office and the Board of Assessors. This is the tax rate for calendar year 2024. (*Attachment C*)

Motion: Mr. Espindola motioned to adopt the split tax rate of 1.75 or 87.93% Residential and 12.07% Commercial/Personal Property. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Mr. Espindola thanked Ms. Correia and distributed a graph to the Board with a heading "Taxes Paid vs. Home

Value and Tax Rate" (*Attachment D*).

TOWN ADMINISTRATOR REPORT

Ms. Ellison continued her report:

- OML Violation: Historical Commission. A violation was recently received by the Historical Commission with a strong admonition from the Attorney General's Office. Ms. Ellison is available for reviewing concerns about a meeting or an agenda to assist any board.
- Old-Time Holiday is Saturday, December 9th with additional activities on Sunday, December 10th
- Cana recently opened under one of the Town's Host Community Agreements with Elevation. Ms. Carreiro is researching upcoming changes from the Cannabis Control Commission and potential impacts to Town revenue.

REVENUE FORECAST

Budget Consultant George Samia addressed the Board and referred to the forecast document he prepared (*Attachment E*) and answered clarifying questions about the report and format. He advised the Board that this will be a living document and numbers within will continue to change through and beyond the budget process.

SALT WINDS CONSERVATION RESTRICTION

Ms. Ellison spoke to this item and referred to the packet materials (*Attachment F*).

Motion: Mr. Espindola motioned to accept and place the Conservation Restriction on the Salt Winds Reserve as described. Ms. Powers seconded. The motion passed unanimously (5-0-0).

SHED ON TOWN PROPERTY: NORTH FAIRHAVEN IMPROVEMENT ASSOCIATION (NFIA)

Andrew Romano from the NFIA addressed the Board. He explained that a shed was built at the property at 267 Adams Street without permission from the Town. Discussions had happened at the NFIA and due to the limited storage space, a group of NFIA members worked on the project and a shed was built in the spring of 2023. Mr. Romano stated it was his understanding that John Medeiros had reviewed the project with the interim Building Commissioner and had what was needed to proceed.

The Board asked clarifying questions and thanked the NFIA for all the work they do in the community. Mr. Correy reminded everyone that there needs to be an understanding that Town boards need to follow the proper processes especially when a project involves Town property.

Mr. Silvia motioned to remove the shed. There was no second to the motion.

Mr. Correy asked Mr. Bassett about the process for fines. Mr. Bassett explained fines are generally double the permit fee and, in this case, would be one hundred dollars.

Motion: Mr. Espindola motioned to allow the shed on Town property located at 267 Adams Street in Fairhaven, MA to stay with a fine of one hundred dollars. Ms. Powers seconded.

Discussion and Public Comment ensued related to the shed.

Patrick Carr, 141 Pleasant Street spoke regarding the shed and asked who was the NFIA president at the time the shed was built. Mr. Romano advised it was Pauline Parker. Mr. Carr stated that the area of Benoit Square has limited parking, the NFIA has two spots and the procedure for this shed was not followed. He stated concerns about the process due to dig safe and whether the Historical Commission was consulted.

Brian Messier, 82 Pleasant Street added that the NFIA structure is used during storms and emergencies and raised a concern about whether the Fire Chief was consulted related to apparatus that might be stored there.

Ann Richard, 46 Hedge Street asked if complaints were received about the shed. Mr. Bassett said he received a

complaint and Ms. Ellison said the Town does not disclose who reports an issue or complaint to the Town.

Motion: Mr. Espindola amended his earlier motion: to allow the shed on Town property located at 267 Adams Street in Fairhaven, MA to stay with a fine of one hundred dollars and pending the Fire Chief and the Town signing off. Ms. Powers seconded. The motion passed (3-2-0) Mr. Silvia and Mr. Correy opposed.

ZONING BOARD OF APPEALS APPOINTMENT OF ASSOCIATE MEMBER

The Board had an application on file from Maria Carvalho.

Motion: Mr. Espindola motioned to appoint Maria Carvalho to the Zoning Board of Appeals as an Associate Member for a term to end May, 2025. Mr. Murphy seconded. The motion failed (2-2-1) Ms. Powers abstained, Mr. Silvia and Mr. Correy opposed.

Ruy daSilva, 30 Bayview Avenue addressed the Board about memberships and feeling like he is being taken off boards because he is on the Planning Board and Zoning Board of Appeals and questioned if there is a target on him, he has done his time on the boards.

Mr. Correy stated he appreciates the comments but they are not relative to the topic at hand. Mr. Murphy asked who sets the number of full and associate members and Ms. Ellison explained it is the statute.

Ms. Powers recused herself from the discussion.

ECONOMIC DEVELOPMENT COMMITTEE (EDC) APPOINTMENT

Nils Isaksen addressed the Board, introduced himself and spoke to his interest in serving on the EDC and his qualifications.

Motion: Mr. Espindola motioned to appoint Nils Isaksen to the Economic Development Committee for a term to end May, 2024. Ms. Powers seconded. The motion passed unanimously (5-0-0).

HISTORICAL COMMISSION APPOINTMENT

Nate Bekemeier introduced himself to the Board and spoke to his interest in serving on the Historical Commission.

Motion: Mr. Espindola motioned to appoint Nate Bekemeier to the Historical Commission for a term to end May, 2025. Ms. Powers seconded. The motion passed unanimously (5-0-0).

ARPA COUNTY FUND ALLOCATION

Ms. Ellison explained to the Board there is a balance of \$14,635.03 in ARPA County funds to reallocate and use for administrative costs. This would shift that portion of administrative costs from the ARPA Local funds to the ARPA County funds and allow the Town to utilize all ARPA County funds.

Motion: Mr. Espindola motioned to appropriate the remaining ARPA County Funds presently at \$14,635.03 to pay for administrative costs. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Ms. Powers asked if a status report could be provided for the projects. Ms. Ellison advised that the projects are in process and the only completed project to date is the water flushing.

REQUEST FOR RELEASE OF LOT: LINCOLN DRIVE

Jeffrey Sanders of Winslow & Sanders addressed the Board and reviewed the packet materials regarding the request to release the lots as outlined (*Attachment G*).

Motion: Mr. Espindola motioned to authorize the release of lots 5 and 6 off Lincoln Drive/Jason Terrace for sale from Jean Jason, as personal representative of the estate of Jeannine Jason to Seaport Homes, LLC and to authorize the Town Administrator to execute any documents needed in connection with said release.

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

NIP BAN IMPLEMENTATION

Ms. Ellison advised the Board that a memo regarding Alcoholic “Nip” Bottles from the Board of Health was distributed to impacted businesses on November 20, 2023 that included a misprint. The memo should have stated “if you need more information to implement” and not “if you need more time”. A correction was being sent out to these businesses. There is no extension to the implementation of the bylaw, it will be effective on January 1, 2024.

Ms. Ellison’s office is available to share information and resources, for example, asking what other communities have done to exhaust inventory.

Public Comment:

Mark Reilly, a commercial business owner with two liquor stores in Fairhaven, addressed the Board. He talked about the profits on nip sales, recent litigation in New Bedford, additional time needed to implement and asked the Board to delay the implementation. He distributed a sheet listing an alternative to the nip ban (*Attachment H*) that is modeled after the approach taken in Connecticut. He asked if the Board could delay on enforcement.

Mr. Correy stated the Town Meeting was on May 6, 2023 and businesses have had the time since to prepare. Discussion ensued regarding potential alternative approaches, having further discussion, delaying implementation and not setting a precedent. Mr. Correy recommended concerned businesses contact Ms. Ellison for questions on next steps.

Ann Richard, 46 Hedge Street, addressed the Board and asked to clarify the statement made about the Fairhaven Police and enforcement. Ms. Ellison said that the ban is in effect for January 1, 2024 and the police will be reminded. No delay in enforcement.

RESCIND CHAPTER 220 SPECIAL MUNICIPAL EMPLOYEES

Ms. Ellison addressed the Board and explained what deeming a special employee can do and the impact on conflict of interest.

Mr. Espindola asked how other towns handle. Mr. Correy asked for additional details and for the list to be broken out for the next meeting.

DRAFT DECISION: RASPUTIN’S

Mr. Correy referenced the draft decision letter and asked for any further discussion on the matter. (*Attachment I*)

Motion: Mr. Espindola motioned to approve and sign the decision letter to Fourth and Long, Inc. doing business as Rasputin’s Tavern as written. Ms. Powers seconded. The motion passed unanimously (5-0-0).

CORRESPONDENCE

- Select Board invitation to the staff holiday party at the Council on Aging, Veterans’ Service Office and Recreation Center
- Abutter’s Notice: work at 110 Middle Street by the Seaport Resort & Marina

COMMITTEE LIAISON REPORTS

Mr. Espindola reported on:

The Broadband Study Committee, The Massachusetts Broadband Coalition, SRPEDD and The Livable Streets Committee (*Attachment H*)

Ms. Powers had no meetings to report on

Mr. Murphy had no meetings to report on

Mr. Silvia had no meetings to report on

Mr. Correy had no meetings to report on

PUBLIC COMMENT

Patrick Carr, 141 Pleasant Street addressed the Board. He congratulated the Fairhaven High School Blue Devils, the parents, cheerleaders, the coach and his father for the Super Bowl win. He then said he wanted to address the question raised by Mr. Silvia regarding the Select Board appointment process at the November 20, 2023 meeting and the June 5, 2023 meeting. Mr. Carr asked Ms. Powers why she recused herself to which she advised due to Mr. Romano being on a fundraising committee that she is also on. Mr. Carr asked if this was known to Ms. Powers prior to the June 5, 2023 meeting. Mr. Correy advised Mr. Carr that his agenda request to discuss this would be placed on the next meeting agenda.

Paresh Patel of Cardoza's addressed the Board and said he needs more time to implement the ban due to the loss the ban will cause. Mr. Correy advised Mr. Patel to contact the Town Administrator to meet and discuss ideas on implementation.

BOARD MEMBER ITEMS

Mr. Espindola updated the Board on a traveling 9/11 Memorial coming to Gillette Stadium on December 9, 2023 for the Army-Navy Game that will then come to New Bedford on December 10, 2023. There is a service planned for Monday, December 11, 2023 in honor of LCpl. Matthew R Rodriguez. Posters are outside Town Hall.

Mr. Murphy congratulated the Fairhaven Blue Devils

Mr. Correy congratulated the Fairhaven Blue Devils and thanked the Grid Iron club for the opportunity to address the team. He reminded everyone about the craft fair at the Recreation Center on Sunday, December 10, 2023.

Motion: Mr. Espindola motioned to enter into Executive Session pursuant to G.L. c. 30A, § 21(a)(2) "[t]o conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel"; (Angie Lopes Ellison) and not to return to Open Session. Ms. Powers seconded. Roll Call Vote. Mr. Espindola in favor, Ms. Powers in favor, Mr. Murphy in favor, Mr. Silvia in favor and Mr. Correy in favor. The motion passes unanimously (5-0-0).

Meeting adjourned to Executive Session at 10:01p.m.

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

ATTACHMENTS:

- A. Diversity, Equity and Inclusion reading and watching list
- B. Farmland of Local Importance Program
- C. 2024 Tax Rate
- D. Taxes Paid vs. Home Value and Tax Rate – Robert Espindola
- E. Revenue Forecast – George Samia
- F. Salt Winds Conservation Restriction
- G. Lincoln Drive
- H. Fairhaven Environmental Fee Program – Mark Reilly draft document
- I. Rasputin's Decision letter
- J. Committee Liaison Report – Robert Espindola

Approved on December 18, 2023



**Town of Fairhaven
Massachusetts
Office of the Town Administrator
40 Center Street · Fairhaven, MA · 02719**

MEMORANDUM

To: Select Board

From: Angie Lopes Ellison

Date: November 20, 2023

Re: Book on Racism

A few have asked - the book I had referenced at tonight's meeting is "White Fragility" by Robin DiAngelo

Another must read is "How to be an anti racist" by Ibram X Kendi

Alternative options:

- "Waking up white" by Debbie Irving
- "Race Talk and the Conspiracy of Silence" by Derald Wing Sue

I hope you do actually read them. I am available to have discussions thereafter.

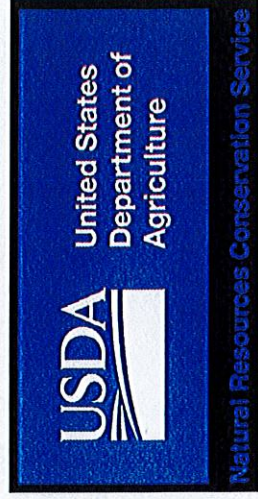
Update

November 30, 2023

Netflix Documentary, 'Stamped from the Beginning' by Ibram X Kendi
2019 Film, 'American Son'

Farmland of Local Importance Soils

Recognition in Massachusetts



USDA is an equal opportunity provider, employer, and lender.

Why is USDA NRCS reaching out to MA towns?

USDA, Natural Resources Conservation Service (NRCS)

Agricultural Conservation Easement Program – ACEP

- **Agricultural Land Easement – ALE**

ALE is a Partnership: 50/50 funding

- **Massachusetts Dept. of Ag Resources (APR), Land Trusts, Towns**

The farmland owner is paid the market value less the agricultural value of the land in exchange for limiting non-agricultural uses.



ALE Funding Eligibility Based in Part on Soils



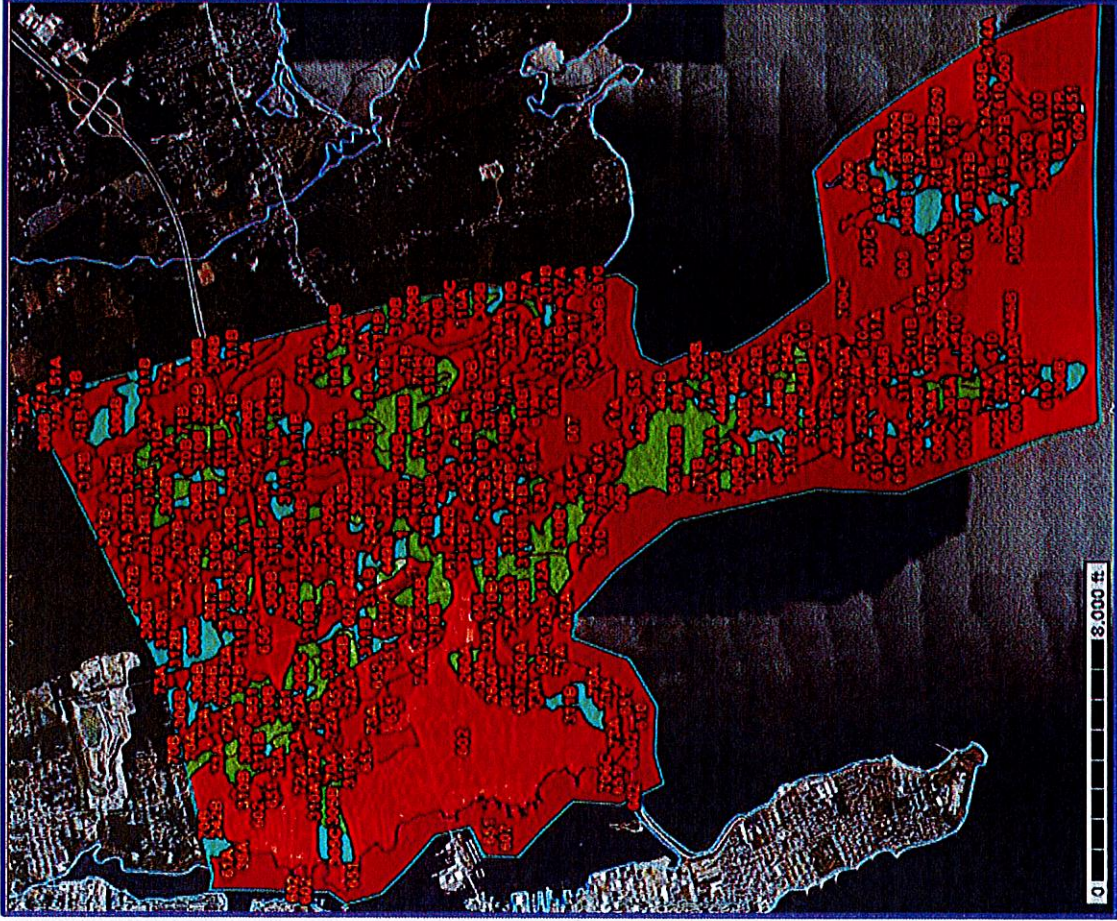
USDA, NRCS Soil Survey

- Soil maps
- Soil properties
- Land use interpretations



Source of Soil Survey information: [Web Soil Survey - Home \(usda.gov\)](http://websoilsurvey.sc.egov.usda.gov)

Soil Survey applies farmland class to soil map units



Green – “prime farmland” soil map units

Blue – “farmland of statewide importance” map units

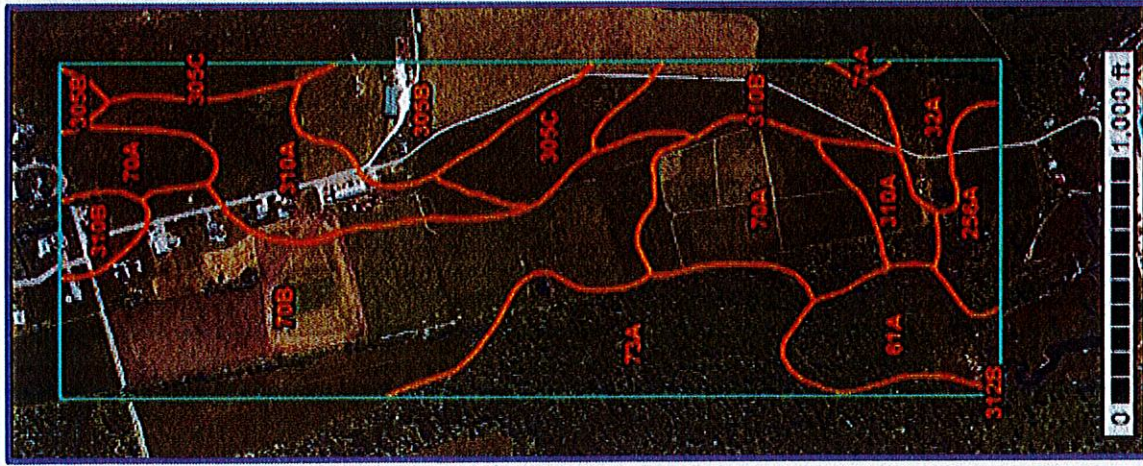
Red – “not prime farmland

??? – farmland of local importance-???

ALE eligibility - at least 50% important farmland soils.

FLI counts the same as PF and FSI

Objective: recognize soils, in addition to those mapped prime farmland and farmland of statewide importance that are suited for crop production as Farmland of Local Importance.



Farmland of Local Importance =

- a list of Soil Survey map units that have evidence of suitability for crop production within a locality but ...
- are not classed as important farmland soils (prime farmland, unique farmland, farmland of statewide importance) in the Soil Survey.
- When acknowledged, these soils can be considered for USDA Natural Resources Conservation Service, Agricultural Land Easement funding eligibility.

greater preservation potential.

Farmland of Local Importance

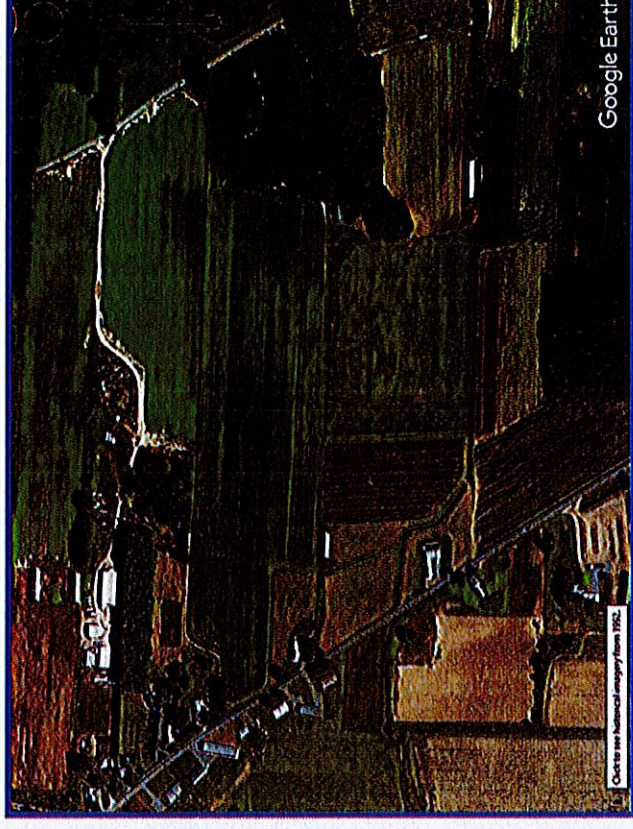
In some local areas there is concern for certain additional farmlands for the production of food, feed, fiber, forage, and oilseed crops, even though these lands are not identified as having national or statewide importance. Where appropriate, these lands are to be identified by the local agency or agencies concerned. In places, additional farmlands of local importance may include tracts of land that have been designated for agriculture by local ordinance.

The Farmland of Local Importance

Initiative

Ensure all lands suited for crop production are recognized...

- **greater potential for farmland preservation funding eligibility**
- **alternative for the farmland owner**
- **maintain agricultural capacity into the future**
- **preserve open space/rural character**



Farmland of Local Importance Recognition Process

Premise – the town values open space, rural character, agriculture, small business, landowner choice.

Review the land use and soil mapping.
<https://websoilsurvey.sc.egov.usda.gov>

Compile evidence of suitability for crop production.

- aerial imagery
- land use on soil types
- local knowledge

List the soil map units with evidence of crop production that are in addition to the important farmland soils in the Soil Survey.

Farmland of Local Importance for Town of Templeton, Massachusetts

In the Town of Templeton, Massachusetts, there is concern for certain additional farmlands for the production of food, feed, fiber, forage, and oilseed crops, not identified as prime farmland, unique farmland, or farmland of statewide importance. In accordance with the Code of Federal Regulations title 7 part 657, lands in the Town of Templeton represented by the following soil survey map units as qualified are identified by the local agency concerned and approved by the signatories as farmland of local importance.

Farmland of local importance qualifying conditions take into consideration the highly erodible land and wetland compliance provisions of the Food Security Act of 1985 and associated USDA program eligibility however, farmland of local importance designations do not guarantee compliance with the Act.

Inventories of important farmland soil survey map units do not constitute a designation of any land area to a specific land use.

Map Unit Symbol	Map Unit Name	Qualifier
282D	Colton gravelly loamy sand, 15 to 25 percent slopes	Where suited for hay and/or perennial fruit production, and/or improved pasture.
351D	Becket fine sandy loam, 15 to 25 percent slopes	Where suited for hay and/or perennial fruit production, and/or improved pasture.
900E	Becket-Monadnock association, 15 to 45 percent slopes, extremely stony	Where the distribution of surface stones and boulders allows hay and/or perennial fruit production viability and/or improved pasture.
905C	Peru-Marlow association, 3 to 15 percent slopes, extremely stony	Where the distribution of surface stones and boulders allows crop production viability.
908C	Becket-Skerry association, 0 to 15 percent slopes, extremely stony	Where the distribution of surface stones and boulders allows crop production viability.
913E	Lyman-Tunbridge-Berkshire association, 15 to 45 percent slopes, very rocky	Where the distribution of surface stones and boulders, rock outcrop, and shallow to bedrock soils allows hay and/or perennial fruit crop production viability, and/or improved pasture.
917B	Pillsbury-Peacham association, 0 to 8 percent slopes, extremely stony	Where historically ¹ drained, or growing season saturation in years of normal precipitation and the distribution of surface stones and boulders do not preclude crop production ² viability.

¹ "Historically" is defined as prior to December 23, 1985, in accordance with the wetland conservation provisions of the Food Security Act of 1985.

² Crop production is the process of managing land to grow and harvest food, feed, fiber, forage, and/or oilseed crops including fertilizing, pest control, irrigation, cultivating, and preparation for planting as applicable to the crop, and harvesting to maintain viable yields without causing excessive erosion. In addition to row crops, crop production includes hay and other feed crops, perennial fruit and nut crops, and improved pasture. Improved pasture is defined as grazing lands that are not in crop rotation and are planted primarily to introduced domesticated native forage species that receive periodic renovation and/or cultural treatments such as tillage, fertilization, mowing, and weed control.

The qualifiers ensure compliance with USDA wetland provisions and distinguish soil map units that are suited for crop production.

Note: There is no regulatory association with the designation.

The acknowledgement of
Farmland of Local Importance
recognizes the lands the Soil
Survey misses. It helps overcome
limitations of the Soil Survey.

Farmland of Local Importance
for
Town of Templeton, Massachusetts

924C	Tunbridge-Lyman-Berkshire association, 3 to 15 percent slopes, extremely stony	Where the distribution of surface stones and boulders, rock outcrop, and shallow to bedrock soils allows crop production viability.
Source: Soil Survey of Worcester County, Massachusetts, Northwestern Part (MA614)		

DANIEL WRIGHT
Digitally signed by DANIEL
WRIGHT
Date: 2023.02.16 07:28:26 -0500

Daniel Wright
State Conservationist
USDA-Natural Resources
Conservation Service

Date

Carrie Novak 2/14/2023
Carrie Novak
Chair, Agricultural Commission
Town of Templeton, Massachusetts

Date

Official Designation

- Document signed by NRCS State Conservationist and Local Official
- Housed in NRCS Field Office Technical Guide, Section II

efotg.sc.egov.usda.gov/#/state/MA

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Welcome to NRCS Field Office Technical Guide (FOTG)

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State:

Massachusetts (MA)

▼

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Section 1 - General Resource References

Section 2 - Natural and Cultural Resources Information

Climatic Data

Cultural Resources Information

National Environmental Policy Act and Special Environmental Concerns

Soils Information

Forestland Productivity

Highly Erodible Soils (HEL) and Potentially Highly Erodible Soils (PHEL)

Hydric Soils

Nitrate Leaching Index

Soils Designated as Farmland of Local Importance

Documents (11)

Export Grid

Highlights Only

Document Title	Type	Pub Date	End Date	Subject	Keywords	Abstract	Size (kb)	Info
01_List of Massachusetts Towns with Soils Designated as Farmland of Local Importance		2022-01-24	-	Important Farmland, Soils Information	soil, farmland	List of Massachusetts towns with soils designated as Farmland of Local Importance.	169	
02_Farmland of Local Importance Designation Protocol		2020-02-27	-	Important Farmland, Soils Information	soil, farmland	Process for designating soil map units as Farmland of Local Importance within a town.	198	
Belchertown Farmland of Local Importance		2021-05-25	-	Important Farmland, Soils Information	soil, farmland	Documentation of town of Belchertown soil map units designated as Farmland of Local Importance	277	

FOTG - <https://efotg.sc.egov.usda.gov/#/state/MA>



If the town wants to help NRCS help farmland owners ...

- Assistance may be needed to verify cropping/land use history
- Identify a signatory! Duly recognized official: Cons Com Chair, Ag Com Chair, Select Board Chair, Planning Board Chair, Mayor, Town Administrator or other staff who represents the town's values and concerns re: agriculture, open space, small business, conservation.

Acknowledging additional lands that are verifiably suited for crop production is a formality that enables NRCS to consider them if/when a farm landowner seeks participation in a federally funded preservation program. THANK YOU!

Contact info ...

Al Averill, Certified Professional Soil Scientist

albert.averill@usda.gov

413-253-4356





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

Attachment C

Ronnie Manzone, Chair
Pamela K. Davis, MAA, Member
Ellis B. Withington, Member

Joanne Correia, Principal Assessor
Phone: (508) 979-4023, x-8111
Facsimile: (508) 979-4079
Email: jcorreia@fairhaven-ma.gov

December 4, 2023

To: Select Board

From: Board of Assessors

Subject: Tax Rate Classification

As required by law, the Select Board must vote on the minimum residential factor, residential exemption, Open Space (the Town currently does not have Open Space Property) and the small business exemption. We have provided examples of the CIP (Commercial, Industrial & Personal Property) shifts for the residential factor in the attached presentation. Our recommendation is to adopt a shift of 1.75 which would be a vote of 87.93.

For Fiscal Year 2024, this will result in a small rate decrease in both rates as illustrated below:

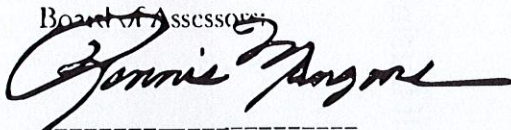
FY2024 Residential Property	\$9.23/1000
FY2023 Residential Property	\$9.95/1000
FY2024 CIP Property	\$18.37/1000
FY2023 CIP Property	\$19.78/1000

The average single-family home value for FY2024 is $\$397,455 \times \$9.23/1000 = \$3,668.56$

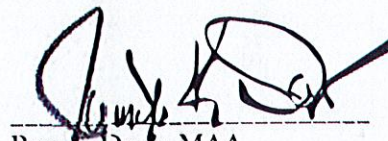
The average single-family home value for FY2023 was $\$394,058 \times \$9.95/1000 = \$3,920.88$

If a single tax rate was approved, the tax rate would be \$10.50/1000 for all property. The average residential value of \$397,455 would result in a bill of \$4,173.33 vs. \$3,668.56.

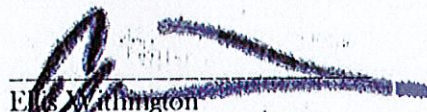
Board of Assessors:



Ronnie Manzone, Chair



Pamela Davis, MAA



Ellis B. Withington

Four Votes are taken

Tax Rate Shift

Residential Exemption

Open Space

Small Business Exemption



[This Photo](#) by Unknown Author is licensed under [CC BY](#)



How is a tax rate set?

When the budget to operate the Town is finalized by the Select Board and Town Meeting, all receipts (actual and estimated) except for real estate and personal property taxes are subtracted.

In Fiscal Year 2024, the final budget was \$74,589,980 and the receipts totaled to \$40,696,696 leaving \$33,893,284 to be raised by real and personal property tax.

Taxable valuation for FY24 is \$3,229,181,043.

Dividing the taxable value into the monies to be raised by RE & PP tax makes a single rate of \$10.50 per thousand of value.

How is the Tax Rate split to give relief to the Residential Class of properties?

The total residential class valuation was 86.13% of the total taxable valuation and the Commercial, Industrial and Personal Property total valuation was 13.87%.

With a single tax rate, each class raises the proportional share of the amount of money to raise (known as the levy)

That means for FY24 the Residential class would raise 86.13% of the levy (\$33,893,284) and the Commercial, Industrial, Personal Property classes would raise the balance.

To “split the rate” giving the residential class some relief, the Town historically has voted to give the maximum allowed shift to the Commercial, Industrial and Personal Property classes.



How is the “shift” calculated?

In this example of FY24 tax rates, the Commercial, Industrial and Personal Property classes (CIP), being 13.87% of total taxable value would have raised \$4,700,998.

Voting the max shift of 1.75% changes the amount of levy raised by the CIP classes to \$8,224,909 (\$8,224,909 – 4,700,998), an increase of \$3,523,911.

That increase to CIP is subtracted from the amount of levy to be raised by the residential class from \$29,192,286 (as a single rate) to \$25,668,375 (29,192,286 – 3,523,911)

Taxable values of each class stay the same so the rate to raise the levy is what changes

Result of Tax Shift

Total Residential Value divided into the total levy the Residential Class to raise (expressed "per thousand of value")

$$\text{\$25,668,375} / \text{\$2,781,393,700} = \text{\$9.23}$$

Total CIP Value divided into the total levy the CIP raised (again expressed "per thousand of value")

$$\text{\$8,224,909} / \text{\$447,787,343} = \text{\$18.37}$$

Impact of Tax Shift

Residential Tax examples:

Value	At the single rate	At the adopted Shift	Savings
\$200,000	\$2,100.00	\$1,846.00	\$254.00
\$300,000	\$3,150.00	\$2,769.00	\$381.00
\$400,000	\$4,200.00	\$3,692.00	\$508.00
\$500,000	\$5,250.00	\$4,615.00	\$635.00

What If ... Scenario Worksheet

CIP Shift	Res Factor	Res rate	Comm rate	Ind rate	Pers prop rate
1.7000	0.8873	9.31	17.84	17.84	17.84
1.7100	0.8857	9.30	17.95	17.95	17.95
1.7200	0.8841	9.28	18.05	18.05	18.05
1.7300	0.8825	9.26	18.16	18.16	18.16
1.7400	0.8809	9.25	18.26	18.26	18.26
1.7500	0.8793	9.23	18.37	18.37	18.37

Tax Differences on Shift Options

SHIFT %	RESIDENTIAL RATE	CIP RATE	AVE. RES. VALUE	RESIDENTIAL TAX	AVE COMM/IND VALUE	TAX	RESIDENTIAL DIFFERENCE	C/I DIFFERENCE
1.75	\$ 9.23	\$ 18.37	\$ 397,455	\$ 3,668.51	\$ 868,305	\$ 15,950.76	0	0
1.74	\$ 9.25	\$ 18.26	\$ 397,455	\$ 3,676.46	\$868,305	\$ 15,855.25	\$ 7.95	\$ (95.51)
1.73	\$ 9.26	\$ 18.16	\$ 397,455	\$ 3,680.43	\$868,305	\$ 15,768.42	\$ 11.92	\$ (182.34)
1.72	\$ 9.28	\$ 18.05	\$ 397,455	\$ 3,688.38	\$868,305	\$ 15,672.91	\$ 19.87	\$ (277.85)
1.71	\$ 9.30	\$ 17.95	\$ 397,455	\$ 3,696.33	\$868,305	\$ 15,586.07	\$ 27.82	\$ (364.69)
1.70	\$ 9.31	\$ 17.84	\$ 397,455	\$ 3,700.31	\$868,305	\$ 15,490.56	\$ 31.80	\$ (460.20)

Open Space Discount

There is no property within the Town that is classified as Open Space so the vote should be no.



Residential Exemption

This exemption is given to all owner-occupied properties...the property being used by the owner as his or her domicile.

The calculation is taking the total residential class valuation and dividing by the number of parcels that class reflects and getting an average residential value.

The vote is to take from 1 – 35% of the average residential value and that is subtracted, to all qualified properties, from the taxable value.



In FY24, the Average Residential Value was \$397,455 (\$2,781,393,700/ 6,998)
The Selectboard has the ability to choose a value exemption of up to 35% of the average.
THERE IS A REVERSE IMPACT that should be taken into account and that is the
Residential tax rate increases “paying for” the residential exemption so not to impact any other class of
property.

Example:

The impact at a 20% vote and a 30% vote:

Assumption/guesstimate – 4,500 of the residential properties are eligible (owner occupied properties)

20% of \$397,455 = \$79,491 (rounded)	30% of \$397,455 = \$119,236 (rounded)
4,500 X \$79,491 = \$357,709,500	4,500 X \$119,236 = \$536,562,000

Total Residential Value – Total value Residential exemption = new Taxable Residential Value

\$2,781,393,700 - \$357,709,500 = \$2,423,684,200
\$2,781,393,700 – \$536,562,000 = \$2,244,831,700

It was established that the Residential Class is going to raise \$25,668,375 – that does not change.

At 20% the new Residential Tax Rate would be \$25,668,375 / 2,423,684,200 = \$10.59

At 30% the new Residential Tax Rate would be \$25,668,375 / 2,244,831,700 = \$11.43

Example of impact

Original Value	No Exemption	20% Res Exemption	30% Res Exemption
\$200,000 –	\$1,846.00	\$1,276.19	\$923.13
\$300,000 –	\$2,769.00	\$2,335.19	\$2,066.13
\$400,000 –	\$3,692.00	\$3,394.19	\$3,209.13
\$500,000 -	\$4,615.00	\$4,453.19	\$4,352.13
\$600,000-	\$5,538.00	\$5,512.19	\$5,495.13

The higher the assessed value – the higher the tax even with the exemption. This happens around the \$550,000 assessed value and up in this example.

Residential Exemption Caution

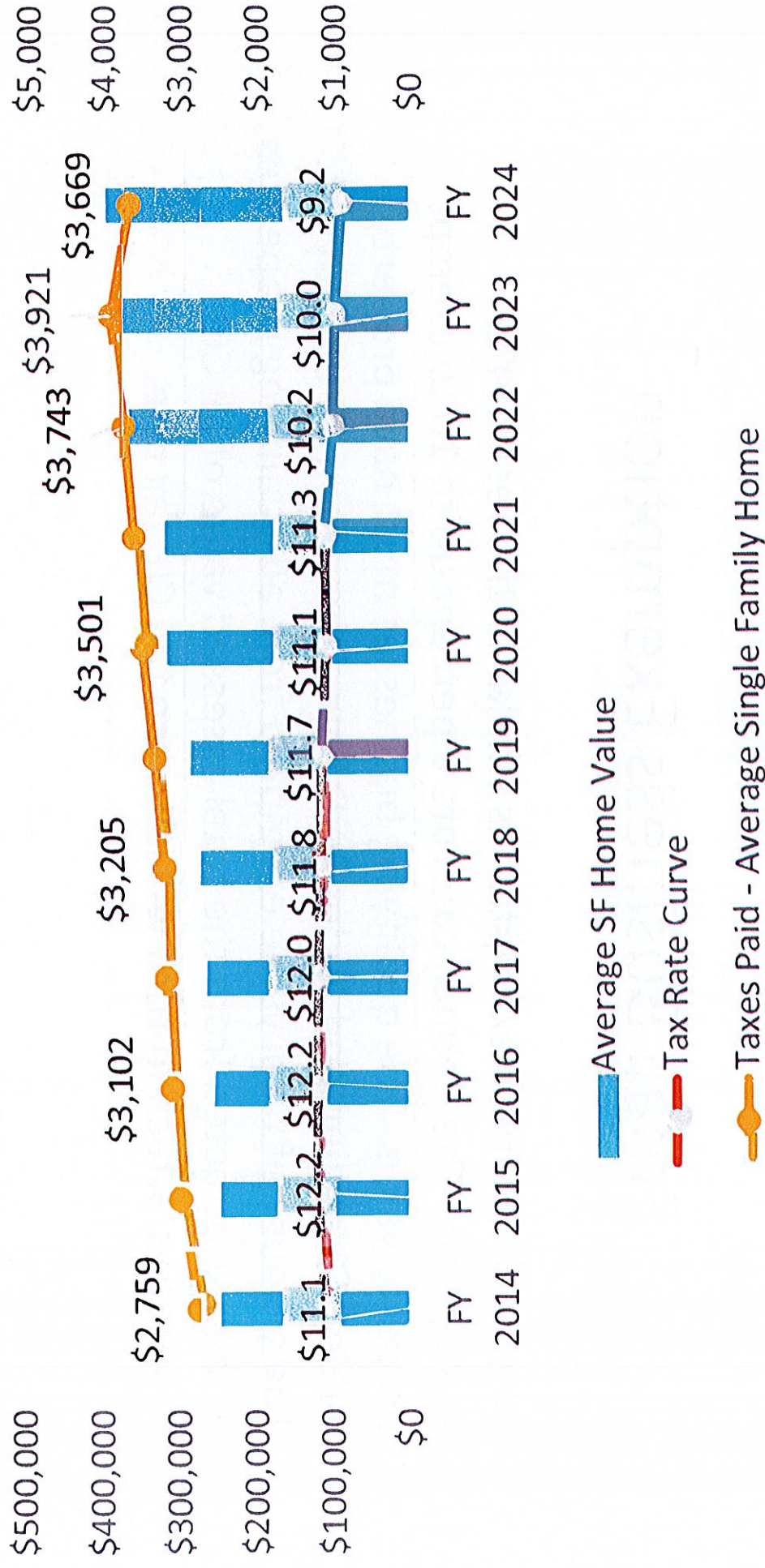
In order to adopt this exemption, the Assessors Department will need at least a 10-month lead-time as the administration of this exemption is a complicated process of determining what accounts would be eligible. There is an application process that must be completed prior to the Town adopting any % of exemption. Any residential exemption that is not pre-determined and applied for after the billing will come out of the Overlay Account. Any deficit of the overlay account MUST be raised in the following year which will take from the overall budget limits of that year.

Small Business Exemption

The small business exemption is similar to the residential exemption. The Council can vote a percent up to 10 to exempt property value. The qualifying businesses must have property valued \$1 million and under AND have fewer than 10 employees. The amount of total value exempted from all qualifying properties is then subtracted from the total assessed value of all CIP properties, which in turn will increase the CIP tax rate.



Taxes Paid vs. Home Value and Tax Rate



FINANCIAL FORECASTING WORKSHEET
TOWN OF FAIRHAVEN
FISCAL YEAR 2024

Attachment E

day, December 4, 2023

1.) REVENUE SOURCES :	FY24 ACTUAL	SUBTOTAL	INFORMATION
Tax Levy for FY - 2024 -			
Prior Year Levy Limit	\$ 31,985,881.00		Base Year No Change
Amended FY 2023 Growth	\$ 69,780.00		Base Year No Change
Add FY - 2024 - 2.5%	\$ 801,392.00		Base Year No Change
Add FY - 2024 - New Growth	\$ 244,874.00		Base Year No Change
Add FY - 2024 - Override	\$ -		Base Year No Change
FY - 2024 - Levy Limit	\$ 33,101,927.00		Base Year No Change
Add FY - 2024 - Debt Excl	\$ 812,176.00		Base Year No Change
FY - 2024 - Maximum Allowable		\$ 33,914,103.00	BASE YEAR NO CHANGE
State Aid for FY - 2024 -			
Cherry Sheet Receipts			
<i>Less Charges & Chief Remit</i>	\$ 12,364,636.00		Base Year No Change
School Construction Aid	\$ -		
FY - 2024 - State Aid		\$ 12,364,636.00	BASE YEAR NO CHANGE
Local Receipts/Income for FY - 2024 -			
Local Receipts	\$ 8,895,000.00		Base Year No Change
Water Receipts (Budget)	\$ 593,097.00		Base Year No Change
Water Receipts (Indirect Costs)	\$ 536,795.00		Base Year No Change
Sewer Receipts (Budget)	\$ 1,316,799.00		Base Year No Change
Sewer Receipts (Indirect Costs)	\$ 858,700.00		Base Year No Change
Sewer Unreserved Fund Balance (Retained Earnings)	\$ 275,819.00		
Cable TV Receipts (Budget)	\$ 213,950.00		Base Year No Change
Cable TV Receipts (Indirect Costs)	\$ 16,422.00		Base Year No Change
School Cable TV Receipts (Budget)	\$ 158,251.00		Base Year No Change
School Cable TV Receipts (Indirect Costs)	\$ 2,061.00		Base Year No Change
CPC Receipts	\$ 440,000.00		
CPC Reserves and or Balances (Voted ATM/STM)	\$ 225,000.00		
CPC Unreserved Fund Balance (Retained Earnings)	\$ 540,005.00		
FY - 2024 - Local Receipts/Income		\$ 19,771,819.00	BASE YEAR NO CHANGE
Surplus Revenue/Free Cash for FY - 2024 -			
Free Cash	\$ 4,549,732.00		Base Year No Change
FY - 2024 - Surplus Revenue/Free Cash		\$ 4,549,732.00	BASE YEAR NO CHANGE
Other Available Funds for FY - 2024 - (<i>from FY 2023 (2024) FY</i>)			
Wage & Salary Reserve	\$ 366,000.00		Base Year No Change
Gilt-Animal Shelter	\$ 8,000.00		Base Year No Change
Waterways Fun	\$ 52,000.00		Base Year No Change
Ambulance RR for Approp	\$ 1,555,000.00		Base Year No Change
Capital Stabilization Fund	\$ 1,238,032.00		Base Year No Change
Subdivision Mgt Fees	\$ 10,000.00		Base Year No Change
Social Day-COA RR for Approp	\$ 20,000.00		Base Year No Change
Wetlands Conservation	\$ 10,000.00		
FY - 2024 - Other Available Funds		\$ 3,259,032.00	BASE YEAR NO CHANGE
TOTAL REVENUE SOURCES		\$ 73,859,322.00	BASE YEAR NO CHANGE

2.) EXPENDITURES/EXPENSE :

Total Appropriations (G.F. Budgets)	\$56,036,901.00	
Total Appropriations (Water Enterprise Fund Budget)	\$3,593,007.00	Base Year No Change
Total Appropriations (Sewer Enterprise Fund Budget)	\$4,292,617.00	Base Year No Change
Total Appropriations (Cable TV Fund Budget)	\$213,958.00	Base Year No Change
Total Appropriations (School Cable TV Fund Budget)	\$158,251.00	Base Year No Change
Total Appropriations (CPC Fund Budget)	\$1,205,005.00	Base Year No Change
Total Appropriations (Other Appropriations)	\$7,808,764.00	

FY - 2024 - Appropriations/Operating Budget

	\$73,308,503.00	BASE YEAR NO CHANGE
Tax Title (Treasurer/Collector)		BASE YEAR NO CHANGE
Overlay Deficits		BASE YEAR NO CHANGE
Snow & Ice Deficits		BASE YEAR NO CHANGE
Other Deficits		BASE YEAR NO CHANGE
Overlay/Abatelements & Exemptions	\$ 530,000.00	BASE YEAR NO CHANGE

TOTAL EXPENDITURES

\$ 73,838,503.00	BASE YEAR NO CHANGE
------------------	---------------------

3.) EXCESS OR DEFICIT (Revenues - Expenditures)

\$ 20,819.00

4.) OTHER RAISE AND APPROP. (Articles) :

Article #???? Insert Title
Article #???? Insert Title

\$

FY - 2024 - Other Raise and Approp. (Articles)

\$

GRAND TOTAL

\$20,819.00

6.) FOOTNOTES :

A) Cherry Sheet Offsets = \$40 (156.00 Actual)
Cherry Sheet Charges = \$711,421.00 Actual

FINANCIAL FORECASTING WORKSHEET
TOWN OF FAIRHAVEN
FISCAL YEAR 2025

Monday, December 4, 2023

1.) REVENUE SOURCES :	FY25 ESTIMATED	SUBTOTAL	INFORMATION	TALLY
Tax Levy for FY - 2025 -				
Prior Year Levy Limit	\$33,101,926.00		This Line has Increased From FY24	\$1,116,043.00
Amended FY 2024 Growth	\$0.00		This Line has Decreased From FY24	(\$14,732.00)
Add FY - 2025 - 2.5%	\$627,548.00		This Line has Increased From FY24	\$26,154.00
Add FY - 2025 - New Growth	\$329,942.00		This Line has Decreased From FY24	\$93,069.00
Add FY - 2025 - Override	\$0.00		This Line has Increased From FY24	\$0.00
FY - 2025 - Levy Limit	\$ 34,259,416.00		This Line has Increased From FY24	\$1,137,433.00
Add FY - 2025 - Debt Excl.	\$783,115.56		This Line has Decreased From FY24	(\$24,002.44)
FY - 2025 - Maximum Allowable	\$ 35,042,531.56	This Line has Increased From FY24	\$1,128,428.56	
State Aid for FY - 2025 -				
Cherry Sheet Receipts			This Line has Increased From FY24	\$381,341.80
A (Police, Fire, & Airport) Grants	\$12,745,977.80		This Line has Increased From FY24	\$0.00
School Construction Aid	\$0.00			
FY - 2025 - State Aid	\$ 12,745,977.80	This Line has Increased From FY24	\$381,341.80	
Local Receipts/Income for FY - 2025 -				
Local Receipts	\$9,301,065.25		This Line has Increased From FY24	\$456,063.25
Water Receipts (Budget)	\$0.00		This Line has Decreased From FY24	(\$1,133,007.20)
Water Receipts (Indirect Costs)	\$0.00		This Line has Decreased From FY24	(\$116,748.00)
Sewer Receipts (Budget)	\$1.00		This Line has Decreased From FY24	(\$1,318,248.00)
Sewer Receipts (Indirect Costs)	\$0.00		This Line has Decreased From FY24	(\$458,743.00)
Sewer Unreserved Fund Balance (Retained Earnings)	\$1.00		This Line has Decreased From FY24	(\$472,818.00)
Cable TV Receipts (Budget)	\$0.00		This Line has Decreased From FY24	(\$113,153.20)
Cable TV Receipts (Indirect Costs)	\$0.00		This Line has Decreased From FY24	(\$16,422.20)
School Cable TV Receipts (Budget)	\$0.00		This Line has Decreased From FY24	(\$135,293.00)
School Cable TV Receipts (Indirect Costs)	\$0.00		This Line has Decreased From FY24	(\$2,884.00)
CPC Receipts	\$0.00		This Line has Decreased From FY24	(\$449,508.00)
CPC Reserves and/or Balances (Voted ATM/STM)	\$0.00		This Line has Decreased From FY24	(\$221,904.00)
CPC Unreserved Fund Balance (Retained Earnings)	\$0.00		This Line has Decreased From FY24	(\$532,000.00)
FY - 2025 - Local Receipts/Income	\$ 9,301,065.25	This Line has Increased From FY24	(\$10,470,763.76)	
Surplus Revenue/Free Cash for FY - 2025 -				
Free Cash	\$0.00		This Line has Decreased From FY24	(\$4,349,732.00)
FY - 2025 - Surplus Revenue/Free Cash	\$ -	This Line has Decreased From FY24	(\$1,549,732.00)	
Other Available Funds for FY - 2025 - (Self-Reserve Excluding BCL)				
Wage & Salary Reserve	\$0.00			
Gift Animal Shelter	\$0.00			
Waterways Fund	\$0.00			
Ambulance RR for Approp	\$0.00			
Capital Stabilization Fund	\$0.00			
Subdivision Mgt Fees	\$0.00			
Social Day-COA RR for Approp	\$0.00			
Wetlands Conservation	\$0.00			
FY - 2025 - Other Available Funds	\$ -	This Line has Decreased From FY24	(\$3,259,032.00)	
TOTAL REVENUE SOURCES	\$ 67,089,574.61	This Line has Decreased From FY24	(\$10,762,747.20)	

FINANCIAL FORECASTING WORKSHEET
TOWN OF FAIRHAVEN
FISCAL YEAR 2025

Monday, December 4, 2023

2.) EXPENDITURES/EXPENSE :

Total Appropriations (G F. Budgets) \$56,036,901.00
Total Appropriations (Water Enterprise Fund Budget) \$0.00
Total Appropriations (Sewer Enterprise Fund Budget) \$0.00
Total Appropriations (Cable TV Fund Budget) \$0.00
Total Appropriations (School Cable TV Fund Budget) \$0.00
Total Appropriations (CPC Fund Budget) \$0.00
Total Appropriations (Other Appropriations) \$0.00

This Line has Increased From FY24 \$0.00
This Line has Decreased From FY24 (\$1,543,207.00)
This Line has Decreased From FY24 (\$4,292,912.00)
This Line has Decreased From FY24 (\$231,970.00)
This Line has Decreased From FY24 (\$356,251.00)
This Line has Decreased From FY24 (\$1,205,002.00)
This Line has Decreased From FY24 (\$7,878,748.00)

FY - 2025 - Appropriations/Operating Budget

Tax Title (Treasurer/Collector)

Overlay Deficits

Snow & Ice Deficits

Other Deficits

Overlay/Abatements & Exemptions

This Line has Decreased From FY24 (\$17,271,602.00)
This Line is Level To FY24 #VALUE!
This Line is Level To FY24 #VALUE!
This Line is Level To FY24 #VALUE!
This Line is Level To FY24 #VALUE!
This Line is Level To FY24 (\$530,000.00)

TOTAL EXPENDITURES

3.) EXCESS OR DEFICIT (Revenues - Expenditures)

4.) OTHER RAISE AND APPROP. (Articles) :

Article #????? Insert Title
Article #????? Insert Title

FY - 2025 - Other Raise and Approp. (Articles)

5.) GRAND TOTAL

6.) FOOTNOTES

A) Cherry Street Deficits = \$43,000.00 Article
Cherry Street Charges = \$111,421.00 Article

1.) Town Of FairhavenTax Levy

	FY24 6/30/2023 Actual	FY25 12/4/2023 Estimated	\$ Incr./Decr.	% Incr./Decr.
Prior Year Levy Limit	\$31,985,881.00	\$33,101,926.00	\$1,116,045.00	3.49%
Amended FY 2023 Growth	\$69,780.00	\$0.00	(\$69,780.00)	-100.00%
Add FY - 2025 - 2.5%	\$801,392.00	\$827,548.00	\$26,156.00	3.26%
Add FY - 2025 - New Growth	\$244,874.00	\$329,942.00	\$85,068.00	34.74%
Add FY - 2025 - Override	\$0.00	\$0.00	\$0.00	0.00%
FY - 2025 - Levy Limit	\$33,101,927.00	\$34,259,416.00	\$1,157,489.00	3.50%
Add Fy - 2025 - Debt Excl.	\$812,176.00	\$783,115.56	(\$29,060.44)	-3.58%
FY - 2024 - Maximum Allowable	\$33,914,103.00	\$35,042,531.56	\$1,128,428.56	3.33%

LEVY LIMIT

TOWN OF FAIRHAVEN

Fiscal Year 2019-2024 Actual

HISTORICAL

1 TO CALCULATE THE FY 2019 LEVY LIMIT

A	FY 2018 Levy Limit	\$25,076,342	
A1	ADD Amended FY 2018 Growth	\$0	
B	ADD (A + A1) * 2.5%	\$666,909	
C	ADD FY 2019 New Growth	\$223,121	
C1	ADD FY 2019 New Growth Adjustment	\$0	
D	ADD FY 2019 Override	\$0	
E	FY 2019 Subtotal	\$27,566,372	\$27,566,372
F	FY 2019 Levy Ceiling	\$53,421,027	FY 2019 LEVY LIMIT

1 TO CALCULATE THE FY 2020 LEVY LIMIT

A	FY 2019 Levy Limit	\$27,566,372	
A1	ADD Amended FY 2019 Growth	\$0	
B	ADD (A + A1) * 2.5%	\$689,159	
C	ADD FY 2020 New Growth	\$229,329	
C1	ADD FY 2020 New Growth Adjustment	\$0	
D	ADD FY 2020 Override	\$0	
E	FY 2020 Subtotal	\$28,484,859	\$28,484,859
F	FY 2020 Levy Ceiling	\$58,244,671	FY 2020 LEVY LIMIT

1 TO CALCULATE THE FY 2021 LEVY LIMIT

A	FY 2020 Levy Limit	\$28,484,859	
A1	ADD Amended FY 2020 Growth	\$0	
B	ADD (A + A1) * 2.5%	\$712,121	
C	ADD FY 2021 New Growth	\$333,613	
C1	ADD FY 2021 New Growth Adjustment	\$0	
D	ADD FY 2021 Override	\$0	
E	FY 2021 Subtotal	\$29,530,593	\$29,530,593
F	FY 2021 Levy Ceiling	\$59,157,093	FY 2021 LEVY LIMIT

1 TO CALCULATE THE FY 2022 LEVY LIMIT

A	FY 2021 Levy Limit	\$29,530,593	
A1	ADD Amended FY 2021 Growth	\$0	
B	ADD (A + A1) * 2.5%	\$738,265	
C	ADD FY 2022 New Growth	\$463,407	
C1	ADD FY 2022 New Growth Adjustment	\$0	
D	ADD FY 2022 Override	\$0	
E	FY 2022 Subtotal	\$30,732,262	\$30,732,262
F	FY 2022 Levy Ceiling	\$57,573,120	FY 2022 LEVY LIMIT

1 TO CALCULATE THE FY 2023 LEVY LIMIT

A	FY 2022 Levy Limit	\$30,732,262	
A1	ADD Amended FY 2022 Growth	\$0	
B	ADD (A + A1) * 2.5%	\$768,307	
C	ADD FY 2023 New Growth	\$185,312	
C1	ADD FY 2023 New Growth Adjustment	\$0	
D	ADD FY 2023 Override	\$0	
E	FY 2023 Subtotal	\$31,685,881	\$31,685,881
F	FY 2023 Levy Ceiling	\$72,515,011	FY 2023 LEVY LIMIT

1 TO CALCULATE THE FY 2024 LEVY LIMIT

A	FY 2023 Levy Limit	\$31,685,881	
A1	ADD Amended FY 2023 Growth	\$69,780	
B	ADD (A + A1) * 2.5%	\$801,392	
C	ADD FY 2024 New Growth	\$244,874	
C1	ADD FY 2024 New Growth Adjustment	\$0	
D	ADD FY 2024 Override	\$0	
E	FY 2024 Subtotal	\$33,101,926	\$33,101,926
F	FY 2024 Levy Ceiling	\$0	FY 2024 LEVY LIMIT

PROJECTIONS

1 TO CALCULATE THE FY 2025 LEVY LIMIT

A	FY 2024 Levy Limit	\$33,101,926	
A1	ADD Amended FY 2024 Growth	\$0	
B	ADD (A + A1) * 2.5%	\$827,544	
C	ADD FY 2025 New Growth	\$329,042	
C1	ADD FY 2025 New Growth Adjustment	\$0	
D	ADD FY 2025 Override	\$0	
E	FY 2025 Subtotal	\$34,259,416	\$34,259,416
F	FY 2025 Levy Ceiling	\$0	FY 2025 LEVY LIMIT

1 TO CALCULATE THE FY 2026 LEVY LIMIT

A	FY 2025 Levy Limit	\$34,259,416	
A1	ADD Amended FY 2025 Growth	\$0	
B	ADD (A + A1) * 2.5%	\$856,485	
C	ADD FY 2026 New Growth	\$329,912	
C1	ADD FY 2026 New Growth Adjustment	\$0	
D	ADD FY 2026 Override	\$0	
E	FY 2026 Subtotal	\$35,445,844	\$35,445,844
F	FY 2026 Levy Ceiling	\$0	FY 2026 LEVY LIMIT

PROJECTIONS

1 TO CALCULATE THE FY 2027 LEVY LIMIT

A	FY 2026 Levy Limit	\$35,445,844	
A1	ADD Amended FY 2026 Growth	\$0	
B	ADD (A + A1) * 2.5%	\$886,146	
C	ADD FY 2027 New Growth	\$329,912	
C1	ADD FY 2027 New Growth Adjustment	\$0	
D	ADD FY 2027 Override	\$0	
E	FY 2027 Subtotal	\$36,661,931	\$36,661,931
F	FY 2027 Levy Ceiling	\$0	FY 2027 LEVY LIMIT

1 TO CALCULATE THE FY 2028 LEVY LIMIT

A	FY 2027 Levy Limit	\$36,661,931	
A1	ADD Amended FY 2027 Growth	\$0	
B	ADD (A + A1) * 2.5%	\$916,549	
C	ADD FY 2028 New Growth	\$329,912	
C1	ADD FY 2028 New Growth Adjustment	\$0	
D	ADD FY 2028 Override	\$0	
E	FY 2028 Subtotal	\$37,908,421	\$37,908,421
F	FY 2028 Levy Ceiling	\$0	FY 2028 LEVY LIMIT

1 TO CALCULATE THE FY 2029 LEVY LIMIT

A	FY 2028 Levy Limit	\$37,908,421	
A1	ADD Amended FY 2028 Growth	\$0	
B	ADD (A + A1) * 2.5%	\$947,710	
C	ADD FY 2029 New Growth	\$329,912	
C1	ADD FY 2029 New Growth Adjustment	\$0	
D	ADD FY 2029 Override	\$0	
E	FY 2029 Subtotal	\$39,186,074	\$39,186,074
F	FY 2029 Levy Ceiling	\$0	FY 2029 LEVY LIMIT

1 TO CALCULATE THE FY 2030 LEVY LIMIT

A	FY 2029 Levy Limit	\$39,186,074	
A1	ADD Amended FY 2029 Growth	\$0	
B	ADD (A + A1) * 2.5%	\$979,651	
C	ADD FY 2030 New Growth	\$329,912	
C1	ADD FY 2030 New Growth Adjustment	\$0	
D	ADD FY 2030 Override	\$0	
E	FY 2030 Subtotal	\$40,495,648	\$40,495,648
F	FY 2030 Levy Ceiling	\$0	FY 2030 LEVY LIMIT

1 TO CALCULATE THE FY 2031 LEVY LIMIT

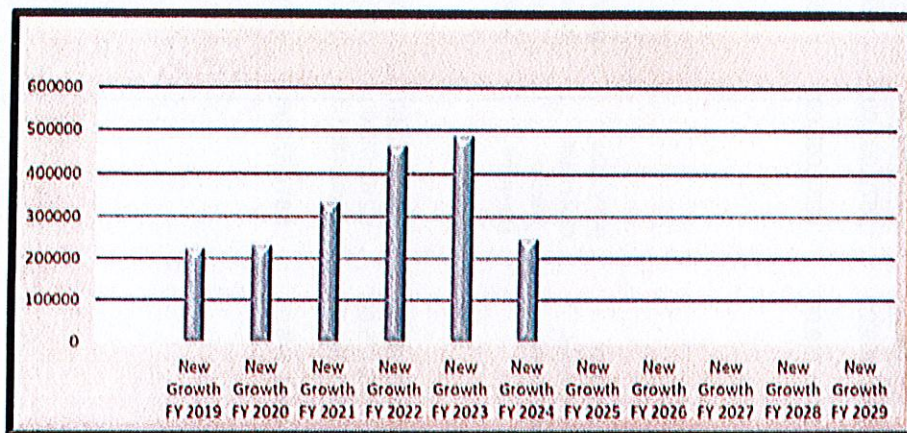
A	FY 2030 Levy Limit	\$40,495,648	
A1	ADD Amended FY 2030 Growth	\$0	
B	ADD (A + A1) * 2.5%	\$1,012,331	
C	ADD FY 2031 New Growth	\$329,912	
C1	ADD FY 2031 New Growth Adjustment	\$0	
D	ADD FY 2031 Override	\$0	
E	FY 2031 Subtotal	\$41,838,002	\$41,838,002
F	FY 2031 Levy Ceiling	\$0	FY 2031 LEVY LIMIT

NEW GROWTH

New Growth FY 2019	\$223,121.00
New Growth FY 2020	\$229,325.00
New Growth FY 2021	\$333,613.00
New Growth FY 2022	\$463,407.00
New Growth FY 2023	\$485,312.00
New Growth FY 2024	\$244,874.00
New Growth FY 2025	\$0.00
New Growth FY 2026	\$0.00
New Growth FY 2027	\$0.00
New Growth FY 2028	\$0.00
New Growth FY 2029	\$0.00

6 YEAR AVERAGE

\$329,942.00



[illegible][illegible]

2.) Town Of Fairhaven State Aid

	FY24 6/30/2023 Actual	FY25 12/4/2023 Estimated	\$ Incr./Decr.	% Incr./Decr.
Cherry Sheet Receipts (Less Charges & Offset Items)	\$12,364,636.00	\$12,745,977.80	\$381,341.80	3.08%
School Construction Aid	\$0.00	\$0.00	\$0.00	0.00%
Total State Aid	\$12,364,636.00	\$12,745,977.80	\$381,341.80	3.08%

STATE AID

Town Of Fairhaven

Cherry Sheets FY 2019-2024

	FISCAL 2019	FISCAL 2020	FISCAL 2021	FISCAL 2022	FISCAL 2023	FISCAL 2024
A EDUCATION						
Distributions and Reimbursements						
Charter ZD	\$7,794,726.00	\$8,164,470.00	\$8,291,230.00	\$8,343,040.00	\$9,027,153.00	\$9,021,203.00
School Transportation	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Charter Tuition Reimbursement	\$0.00	\$0.00	\$14,000.00	\$0.00	\$0.00	\$0.00
Small Growth School Reimbursement	\$0.00	\$0.00	\$0.00	\$0.00	\$16,423.00	\$20,015.00
Offset Items - Reserve for Direct Expenditure:						
School Choice Reimbursement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sub-Total, All Education Items:	\$7,794,726.00	\$8,164,470.00	\$8,305,230.00	\$8,343,040.00	\$9,043,576.00	\$9,041,218.00
		4.75%	1.73%	0.46%	8.38%	6.72%
B GENERAL GOVERNMENT:						
Distributions and Reimbursements						
Unrestricted General Government Aid	\$3,331,555.00	\$2,394,507.00	\$2,394,507.00	\$2,478,315.00	\$2,612,144.00	\$2,695,733.00
Local Share of Racing Taxes	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Regional Public Libraries	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Urban Revitalization	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Veterans Benefits	\$510,071.00	\$521,846.00	\$549,133.00	\$522,561.00	\$545,841.00	\$542,800.00
E-emp. VBS and Elderly	\$95,899.00	\$96,784.00	\$96,320.00	\$95,364.00	\$94,842.00	\$92,108.00
State Owned Land	\$154,041.00	\$166,179.00	\$170,503.00	\$186,881.00	\$255,265.00	\$303,698.00
Offset Items - Reserve for Direct Expenditure:						
Public Libraries	\$22,446.00	\$24,079.00	\$30,817.00	\$32,499.00	\$35,188.00	\$40,066.00
Sub-Total, All General Government:	\$3,114,512.00	\$3,203,355.00	\$3,183,280.00	\$3,217,620.00	\$3,495,701.00	\$3,464,395.00
C TOTAL ESTIMATED RECEIPTS	\$10,909,338.00	\$11,367,957.00	\$11,488,509.00	\$11,561,598.00	\$12,449,277.00	\$13,116,113.00
A COUNTY ASSESSMENTS:						
County Tax	\$226,580.00	\$233,108.00	\$238,206.00	\$248,962.00	\$255,205.00	\$262,745.00
Spiral County Retirement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Even County Reg Comm Center	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sub-Total, County Assessments	\$226,580.00	\$233,108.00	\$238,206.00	\$248,962.00	\$255,205.00	\$262,745.00
B STATE ASSESSMENTS AND CHARGES:						
Retired Employees Health Insurance	\$43,784.00	\$45,585.00	\$48,827.00	\$50,094.00	\$50,615.00	\$52,407.00
Retired Teachers Health Insurance	\$4,820.00	\$4,824.00	\$4,923.00	\$5,045.00	\$5,050.00	\$5,328.00
Metropolitan Area Planning Council	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Metropolitan Area Planning Council	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Old Colony Planning Council	\$16,666.00	\$13,780.00	\$15,469.00	\$15,469.00	\$9,760.00	\$13,120.00
RISK Non-Removal Surcharge	\$65,264.00	\$64,219.00	\$69,210.00	\$71,113.00	\$65,468.00	\$70,855.00
Sub-Total, State Assessments:	\$126,474.00	\$128,418.00	\$138,436.00	\$141,681.00	\$135,898.00	\$151,710.00
C TRANSPORTATION AUTHORITIES:						
MFTA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Boston Metro, Transit District	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Regional Transit	\$34,606.00	\$35,471.00	\$36,354.00	\$37,267.00	\$38,199.00	\$39,154.00
Sub-Total, Transportation Assessments:	\$34,606.00	\$35,471.00	\$36,354.00	\$37,267.00	\$38,199.00	\$39,154.00
D ANNUAL CHARGES AGAINST RECEIPTS:						
Multi-Year Repayment Program	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Special Education	\$0.00	\$1,571.00	\$0.00	\$0.00	\$0.00	\$0.00
STRAP Repayments	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sub-Total, Annual Charges Against Receipts:	\$0.00	\$1,571.00	\$0.00	\$0.00	\$0.00	\$0.00
E TUITION ASSESSMENTS:						
School Choice	\$102,515.00	\$140,736.00	\$262,710.00	\$305,893.00	\$333,045.00	\$394,121.00
Charter School Sending Tuition	\$0.00	\$26,817.00	\$67,556.00	\$13,791.00	\$22,090.00	\$41,596.00
Sub-Total, Tuition Assessments:	\$102,515.00	\$167,553.00	\$330,266.00	\$319,684.00	\$355,135.00	\$435,717.00
F TOTAL ESTIMATED CHARGES:						
	\$428,965.00	\$501,922.00	\$474,770.00	\$477,045.00	\$774,907.00	\$711,421.00
AVAILABLE FOR BUDGET	\$10,457,927.00	\$10,842,035.00	\$10,783,322.00	\$10,852,054.00	\$11,689,182.00	\$12,364,636.00
		\$394,109.00	\$52,144.00	\$68,732.00	\$267,126.00	\$675,404.00

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Town Of Fairhaven

Cherry Sheet Estimates FY 2025 - FY 2030

	FISCAL 2024 Actual	FISCAL 2025 Estimated	FISCAL 2026 Estimated	FISCAL 2027 Estimated	FISCAL 2028 Estimated	FISCAL 2029 Estimated	FISCAL 2030 Estimated
A EDUCATION							
Distributions and Reimbursements							
Chapter 70	\$9,631,703.00	\$9,596,098.40	\$10,366,493.80	\$10,720,889.20	\$11,101,294.60	\$11,403,600.00	\$11,836,075.40
School Transportation	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Charter Tuition Reimbursement	\$20,015.00	\$24,016.00	\$29,021.00	\$32,022.00	\$36,027.00	\$40,030.00	\$44,033.00
Smart Growth School Reimbursement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other Items - Reserve for Direct Expenditure	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
School Choice Receiving Tuition	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sub-Total, All Education Items:	\$9,651,718.00	\$10,621,116.40	\$10,395,514.80	\$10,765,912.20	\$11,137,311.60	\$11,508,710.00	\$11,880,108.40
B GENERAL GOVERNMENT:							
Distributions and Reimbursements							
Unrestricted General Government Aid	\$2,695,723.00	\$2,786,508.60	\$2,841,404.20	\$2,914,229.80	\$2,987,075.40	\$3,059,911.00	\$3,132,746.60
Local Share of Racing Taxes	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Regional Public Libraries	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Urban Revitalization	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Veterans Benefits	\$342,800.00	\$399,225.80	\$475,651.60	\$542,027.40	\$608,503.20	\$674,929.00	\$741,354.80
Exempt VES and Elderly	\$802,108.00	\$793,349.80	\$776,591.60	\$759,833.40	\$743,075.20	\$726,317.00	\$709,558.80
State Owned Land	\$303,698.00	\$333,629.40	\$363,560.80	\$393,492.20	\$423,423.60	\$453,355.00	\$483,286.40
Other Items - Reserve for Direct Expenditure:							
Public Libraries	\$40,656.00	\$40,576.00	\$47,100.00	\$50,622.00	\$54,144.00	\$57,666.00	\$61,188.00
Sub-Total, All General Government:	\$3,464,355.00	\$3,534,351.60	\$3,694,306.20	\$3,674,354.80	\$3,744,321.40	\$3,814,378.00	\$3,884,434.60
C TOTAL ESTIMATED RECEIPTS	\$13,116,113.00	\$13,557,468.00	\$13,998,823.00	\$14,440,178.00	\$14,881,533.00	\$15,322,888.00	\$15,764,543.00
A COUNTY ASSESSMENTS:							
County Tax	\$265,745.00	\$273,576.00	\$281,411.00	\$289,244.00	\$297,077.00	\$304,910.00	\$312,743.00
Suffolk County Retirement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Essex County Reg Comm Center	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sub-Total, County Assessments	\$265,745.00	\$273,576.00	\$281,411.00	\$289,244.00	\$297,077.00	\$304,910.00	\$312,743.00
B STATE ASSESSMENTS AND CHARGES:							
Retired Employees Health Insurance	\$52,407.00	\$54,131.60	\$55,856.20	\$57,580.80	\$59,305.40	\$61,030.00	\$62,754.60
Mosquito Control Projects	\$5,228.00	\$5,429.60	\$5,631.20	\$5,832.80	\$6,034.40	\$6,236.00	\$6,437.60
Air Pollution Districts	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Metropolitan Area Planning Council	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Old Colony Planning Council	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
RMV Non-Renewal Surcharge	\$13,120.00	\$12,412.00	\$11,704.00	\$10,996.00	\$10,288.00	\$9,580.00	\$8,872.00
Sub-Total, State Assessments:	\$70,855.00	\$71,973.20	\$73,091.40	\$74,209.60	\$75,327.80	\$76,446.00	\$77,564.20
C TRANSPORTATION AUTHORITIES:							
MBTA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Boston Metro, Transit District	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Regional Transit	\$39,154.00	\$40,063.60	\$40,973.20	\$41,882.80	\$42,792.40	\$43,702.00	\$44,611.60
Sub-Total, Transportation Assessments:	\$39,154.00	\$40,063.60	\$40,973.20	\$41,882.80	\$42,792.40	\$43,702.00	\$44,611.60
D ANNUAL CHARGES AGAINST RECEIPTS:							
Multi-Year Repayment Program	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Special Education	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
STRAP Repayments	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sub-Total, Annual Charges Against Receipts:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
E TUITION ASSESSMENTS:							
School Choice Sending Tuition	\$294,121.00	\$332,442.20	\$370,763.40	\$409,084.60	\$447,405.80	\$485,727.00	\$524,048.20
Charter School Sending Tuition	\$41,546.00	\$49,855.20	\$58,164.40	\$66,473.60	\$74,782.80	\$83,092.00	\$91,401.20
Sub-Total, Tuition Assessments:	\$335,667.00	\$382,297.40	\$428,927.80	\$475,558.20	\$522,188.60	\$568,819.00	\$615,449.40
F TOTAL ESTIMATED CHARGES:	\$711,421.00	\$767,912.20	\$824,403.40	\$880,894.60	\$937,385.80	\$993,877.00	\$1,050,568.20
AVAILABLE FOR BUDGET	\$12,364,636.00	\$12,745,977.80	\$13,127,319.60	\$13,508,661.40	\$13,890,003.20	\$14,271,345.00	\$14,652,686.80
Net Debt, Prior Year		\$381,341.80	\$381,341.80	\$381,341.80	\$381,341.80	\$381,341.80	\$381,341.80
		3.06%	2.90%	2.94%	2.62%	2.75%	2.67%

3.) Town Of Fairhaven Local Receipts/Income

	FY24 6/30/2023 Actual	FY25 12/4/2023 Estimated	\$ Incr./Decr.	% Incr./Decr.
Local Receipts	\$8,895,000.00	\$9,301,065.25	\$406,065.25	4.57%
Water Receipts (Budget)	\$3,593,007.00	\$3,600	(\$3,593,007.00)	-100.00%
Water Receipts (Indirect)	\$5,862,745.00	\$0.00	(\$5,862,745.00)	-100.00%
Sewer Receipts (budget)	\$3,316,795.00	\$0.00	(\$3,316,795.00)	-100.00%
Sewer Receipts (Indirect)	\$858,700.00	\$0.00	(\$858,700.00)	-100.00%
Sewer Unreserved Fund Balance (Retained Earnings)	\$475,818.00	\$0.00	(\$475,818.00)	-100.00%
Cable TV Receipts (budget)	\$711,948.00	\$0.00	(\$711,948.00)	-100.00%
Cable TV Receipts (Indirect)	\$10,222.00	\$0.00	(\$10,222.00)	-100.00%
School Cable Receipts (budget)	\$134,751.00	\$0.00	(\$134,751.00)	-100.00%
School Cable Receipts (Indirect)	\$2,014.00	\$0.00	(\$2,014.00)	-100.00%
CPC Receipts (budget)	\$440,000.00	\$0.00	(\$440,000.00)	-100.00%
CPC Reserves and or Balances (Voted ATM/STM)	\$225,000.00	\$0.00	(\$225,000.00)	-100.00%
CPC Unreserved Fund Balance (Retained Earnings)	\$540,005.00	\$0.00	(\$540,005.00)	-100.00%
Total Local Receipts/Income	\$19,771,819.00	\$9,301,065.25	(\$10,470,753.75)	-52.96%

LOCAL RECEIPTS Town Of Fairhaven FYSCAL 2019 - FYSCAL 2023

	FISCAL 2019	FISCAL 2020	FISCAL 2021	FISCAL 2022	FISCAL 2023	FISCAL 2024	FISCAL 2025	FISCAL 2026	FISCAL 2027
	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	Estimate	Estimate	Estimate	Estimate
MOTOR VEHICLE EXCISE	\$1,982,959.00	\$2,042,201.64	\$1,852,253.00	\$2,453,969.00	\$2,214,162.00	\$2,375,000.00	\$0.00	\$0.00	\$0.00
OTHER EXCISE									
a. Meals	\$352,109.00	\$329,939.77	\$315,888.00	\$415,188.00	\$445,233.00	\$375,000.00	\$0.00	\$0.00	\$0.00
b. Room	\$239,128.00	\$256,735.90	\$229,610.00	\$361,258.00	\$402,601.00	\$325,000.00	\$0.00	\$0.00	\$0.00
c. Other	\$22,901.00	\$41,058.47	\$97,530.00	\$38,065.00	\$34,847.00	\$25,000.00	\$0.00	\$0.00	\$0.00
d. Cannabis	\$0.00	\$0.00	\$26,321.00	\$401,239.00	\$399,452.00	\$375,000.00	\$0.00	\$0.00	\$0.00
PENALTIES AND INTEREST ON TAXES AND EXCISE	\$421,326.00	\$280,238.10	\$343,709.00	\$300,746.00	\$264,297.00	\$325,000.00	\$0.00	\$0.00	\$0.00
PAYMENTS IN LIEU OF TAXES	\$167,772.00	\$180,799.28	\$98,804.00	\$22,624.00	\$0.00	\$15,000.00	\$0.00	\$0.00	\$0.00
CHARGES FOR SERVICES - WATER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CHARGES FOR SERVICES - SEWER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CHARGES FOR SERVICES - HOSPITAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CHARGES FOR SERVICES - SOLID WASTE FEES	\$107,646.00	\$169,744.21	\$184,785.00	\$300,684.00	\$88,834.00	\$75,000.00	\$0.00	\$0.00	\$0.00
OTHER CHARGES FOR SERVICES	\$69,373.00	\$92,092.00	\$66,221.00	\$85,829.00	\$91,453.00	\$60,000.00	\$0.00	\$0.00	\$0.00
FEES	\$235,380.00	\$234,063.86	\$269,974.00	\$268,811.00	\$311,920.00	\$241,000.00	\$0.00	\$0.00	\$0.00
a. Cannabis Impact Fee	\$96,465.00	\$178,879.80	\$94,755.00	\$477,520.00	\$405,881.00	\$475,000.00	\$0.00	\$0.00	\$0.00
b. Community Impact Fee Short Term Rentals	\$0.00	\$0.00	\$0.00	\$0.00	\$5,863.00	\$0.00	\$0.00	\$0.00	\$0.00
RENTALS	\$50,421.00	\$27,500.39	\$49,834.00	\$74,426.00	\$119,891.00	\$37,000.00	\$0.00	\$0.00	\$0.00
DEPATMENTAL REVENUE - SCHOOLS	\$2,674,347.00	\$2,795,942.96	\$2,708,021.00	\$2,576,950.00	\$2,720,090.00	\$2,500,000.00	\$0.00	\$0.00	\$0.00
DEPATMENTAL REVENUE - LIBRARIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEPATMENTAL REVENUE - CEMETERIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEPATMENTAL REVENUE - RECREATION	\$238,534.00	\$233,578.76	\$84,503.00	\$155,524.00	\$207,007.00	\$100,000.00	\$0.00	\$0.00	\$0.00
OTHER DEPATMENTAL REVENUE	\$1,046,244.00	\$999,007.34	\$774,837.00	\$759,750.00	\$652,445.00	\$800,000.00	\$0.00	\$0.00	\$0.00
LICENSES AND PERMITS	\$405,084.00	\$427,930.20	\$641,971.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
a. Building Permits	\$0.00	\$0.00	\$0.00	\$673,096.00	\$438,268.00	\$475,000.00	\$0.00	\$0.00	\$0.00
b. Other Licenses and permits	\$0.00	\$0.00	\$0.00	\$0.00	\$148,352.00	\$175,000.00	\$0.00	\$0.00	\$0.00
SPECIAL ASSESSMENTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
FINES AND FORFEITS	\$7,760.00	\$5,605.00	\$10,514.00	\$7,157.00	\$6,959.00	\$7,000.00	\$0.00	\$0.00	\$0.00
INVESTMENT INCOME	\$327,755.00	\$279,241.27	\$55,397.00	\$39,243.00	\$538,404.00	\$45,000.00	\$0.00	\$0.00	\$0.00
MEDICAID REIMBURSEMENT	\$126,505.00	\$94,673.90	\$98,241.00	\$203,288.00	\$29,456.00	\$90,000.00	\$0.00	\$0.00	\$0.00
MISCELLANEOUS RECURRING (PLEASE SPECIFY)	\$21,415.00	\$71,339.89	\$49,420.00	\$0.00	\$72,760.00	\$0.00	\$0.00	\$0.00	\$0.00
MISCELLANEOUS NON-RECURRING (PLEASE SPECIFY)	\$51,457.00	\$88,727.47	\$350,392.00	\$1,350,113.00	\$84,799.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTALS	\$8,654,581.00	\$8,809,300.23	\$8,392,980.00	\$10,965,471.00	\$9,682,994.00	\$8,895,000.00	\$0.00	\$0.00	\$0.00

LOCAL RECEIPTS Town Of Fairhaven FYSCAL 2019 - FYSCAL 2023

	FISCAL 2024 RECAP Estimated	FISCAL 2025 Estimated	FISCAL 2026 Estimated	FISCAL 2027 Estimated	FISCAL 2028 Estimated	FISCAL 2029 Estimated	FISCAL 2030 Estimated
MOTOR VEHICLE EXCISE	\$2,375,000.00	\$2,432,800.75	\$2,490,601.50	\$2,548,402.25	\$2,606,203.00	\$2,664,003.75	\$2,721,804.50
OTHER EXCISE							
a. Meals	\$375,000.00	\$398,281.00	\$421,562.00	\$444,843.00	\$468,124.00	\$491,405.00	\$514,686.00
b. Room	\$325,000.00	\$365,868.25	\$406,736.50	\$447,604.75	\$488,473.00	\$529,341.25	\$570,209.50
c. Other	\$25,000.00	\$25,486.50	\$25,973.00	\$26,459.50	\$26,946.50	\$27,432.50	\$27,919.00
d. Cannabis	\$375,000.00	\$474,863.00	\$574,726.00	\$674,589.00	\$774,452.00	\$874,315.00	\$974,178.00
PENALTIES AND INTEREST ON TAXES AND EXCISE	\$325,000.00	\$285,742.75	\$246,485.50	\$207,228.25	\$167,971.00	\$128,713.75	\$89,456.50
PAYMENTS IN LIEU OF TAXES	\$15,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CHARGES FOR SERVICES - WATER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CHARGES FOR SERVICES - SEWER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CHARGES FOR SERVICES - HOSPITAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CHARGES FOR SERVICES - SOLID WASTE FEES	\$75,000.00	\$70,297.00	\$65,594.00	\$60,891.00	\$56,188.00	\$51,485.00	\$46,782.00
OTHER CHARGES FOR SERVICES	\$90,000.00	\$65,520.00	\$71,040.00	\$76,560.00	\$82,080.00	\$87,600.00	\$93,120.00
FEES	\$241,000.00	\$260,135.00	\$279,270.00	\$298,405.00	\$317,540.00	\$336,675.00	\$355,810.00
a. Cannabis Impact Fee	\$475,000.00	\$552,354.00	\$629,708.00	\$707,062.00	\$784,416.00	\$861,770.00	\$939,124.00
b. Community Impact Fee Short Term Rentals	\$0.00	\$1,465.75	\$2,931.50	\$4,397.25	\$5,863.00	\$7,328.75	\$8,794.50
RENTALS	\$37,000.00	\$54,367.50	\$71,735.00	\$89,102.50	\$106,470.00	\$123,837.50	\$141,205.00
DEPATMENTAL REVENUE - SCHOOLS	\$2,500,000.00	\$2,511,435.75	\$2,522,871.50	\$2,534,307.25	\$2,545,743.00	\$2,557,178.75	\$2,568,614.50
DEPATMENTAL REVENUE - LIBRARIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEPATMENTAL REVENUE - CEMETERIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEPATMENTAL REVENUE - RECREATION	\$100,000.00	\$92,118.25	\$84,236.50	\$76,354.75	\$68,473.00	\$60,591.25	\$52,709.50
OTHER DEPATMENTAL REVENUE	\$800,000.00	\$701,550.25	\$603,100.50	\$504,650.75	\$406,201.00	\$307,751.25	\$209,301.50
LICENSES AND PERMITS							
a. Building Permits	\$475,000.00	\$584,567.00	\$694,134.00	\$803,701.00	\$913,268.00	\$1,022,835.00	\$1,132,402.00
b. Other Licenses and permits	\$175,000.00	\$212,088.00	\$249,176.00	\$286,264.00	\$323,352.00	\$360,440.00	\$397,528.00
SPECIAL ASSESSMENTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
FINES AND FORFEITS	\$7,000.00	\$6,799.75	\$6,599.50	\$6,399.25	\$6,199.00	\$5,998.75	\$5,798.50
INVESTMENT INCOME	\$45,000.00	\$97,662.25	\$150,324.50	\$202,986.75	\$255,649.00	\$308,311.25	\$360,973.50
MEDICAID REIMBURSEMENT	\$90,000.00	\$65,737.75	\$41,475.50	\$17,213.25	\$0.00	\$0.00	\$0.00
MISCELLANEOUS RECURRING (PLEASE SPECIFY)	\$0.00	\$12,841.25	\$25,682.50	\$38,523.75	\$51,365.00	\$64,206.25	\$77,047.50
MISCELLANEOUS NON-RECURRING (PLEASE SPECIFY)	\$0.00	\$8,335.50	\$16,671.00	\$25,006.50	\$33,342.00	\$41,677.50	\$50,013.00
TOTALS	\$8,895,000.00	\$9,280,317.25	\$9,680,634.50	\$10,080,951.75	\$10,488,318.00	\$10,912,897.50	\$11,337,477.00
		\$385,317.25	\$400,317.25	\$400,317.25	\$407,366.25	\$424,579.50	\$424,579.50

4a.) Surplus Revenue Free Cash

	FY24 6/30/2023 Actual	FY25 12/4/2023 Estimated	\$ Incr./Decr. % Incr./Decr.
Free Cash	\$4,549,732.00	\$0.00	(\$4,549,732.00) -100.00000%
Total Surplus Revenue Free Cash	\$4,549,732.00	\$0.00	(\$4,549,732.00) -100.00000%

1.) Expenditures/Expense

	FY24 6/30/2023 Actual	FY25 12/4/2023 Estimated	\$ Incr./De cr.	% Incr./De cr.
Total G.F. Appropriations (Budgets)	\$56,036,901.00	\$56,036,901.00	\$0.00	0.0000%
Total Water Enterprise Appropriations (Budgets)	\$3,593,007.00	\$0.00	(\$3,593,007.00)	-100.0000%
Total Sewer Enterprise Appropriations (Budgets)	\$4,292,617.00	\$0.00	(\$4,292,617.00)	-100.0000%
Total Cable Enterprise Appropriations (Budgets)	\$213,958.00	\$0.00	(\$213,958.00)	-100.0000%
Total School Cable Enterprise Appropriations (Budgets)	\$158,251.00	\$0.00	(\$158,251.00)	-100.0000%
Total CPC Appropriations (Budgets)	\$1,205,005.00	\$0.00	(\$1,205,005.00)	-100.0000%
Total Appropriations (Other Appropriations)	\$7,808,764.00	\$0.00	(\$7,808,764.00)	-100.0000%
Total Expenditures/Expense	\$73,308,503.00	\$56,036,901.00	(\$17,271,602.00)	-23.5602%

2.) Other Expenditures/Expense

	FY24 6/30/2023 Actual	FY25 12/31/2023 Estimated	\$ Incr./Decr.	% Incr./Decr.
Snow & Ice Deficits	\$0.00	\$0.00	\$0.00	#DIV/0!
Overlay Abatements & Exemptions FY 2023	\$530,000.00	\$0.00	(\$530,000.00)	-100.0000%
Total Expenditures/Expense	\$530,000.00	\$0.00	(\$530,000.00)	-100.0000%

Budget Summary

	FY24 6/30/2023 Actual	FY25 12/4/2023 Estimated	\$ Incr./Decr.	% Incr./Decr.
Revenues :				
1.) Tax Levy for FY -2023-	\$ 33,914,103.00	\$ 35,042,531.56	\$1,128,428.56	3.3273%
2.) State Aid for FY -2023-	\$ 12,364,636.00	\$ 12,745,977.80	\$381,341.80	3.0841%
3.) Local Receipts/Income for FY -2023:-	\$ 19,771,819.00	\$ 9,301,065.25	(\$10,470,753.75)	-52.9580%
4a.) Surplus Revenue Free Cash for FY - 2023 -	\$ 4,549,732.00	\$ -	(\$4,549,732.00)	-100.0000%
4b.) Other Available Funds for FY -2023-	\$ 3,259,032.00	\$ -	(\$3,259,032.00)	-100.0000%
Total Revenues	\$ 73,859,322.00	\$ 57,089,574.61	(\$16,769,747.39)	-22.7050%
Expenses :				
1.) Expenditures/Expense for FY -2023-	\$ 73,308,503.00	\$ 56,036,901.00	(\$17,271,602.00)	-23.5602%
2.) Other Expenditures/Expense for FY -2023-	\$ 530,000.00	\$ -	(\$530,000.00)	-100.0000%
Total Expenses	\$ 73,838,503.00	\$ 56,036,901.00	(\$17,801,602.00)	-24.1088%
Other Raise and Approp. (Articles)	\$ -	\$ -	\$0.00	#DIV/0!
\$985,135.00 OPEB \$0.00 Roads				
Budget Surplus/Deficit	\$ 20,819.00	\$ 1,052,673.61	\$1,031,854.61	4956.3121%

Salt Winds Reserve CR Overview 732 Sconticut Neck Road, Fairhaven

Property Basics

- 5.6 acres
- Sconticut Neck, across the road from FALPT's Shipyard Farm property
- Property contains hayfields, woods, trail access to Buzzards Bay
- Owner: Buzzards Bay Coalition (acquired property via Chapter 61A ROFR from the Town)
- Abuts FALPT's Monondach Marsh property at the rear

Conservation Values Protected

- Agricultural Soils – prime ag soils on site
- Habitat Protection – state-mapped Critical Natural Landscape coverage
- Sea Level Rise Adaptability – enhances resilience, flood protection
- Open Space Expansion – adds to assemblage of protected open space in area
- Public Access – passive recreational use, trail leading to shoreline
- Governmental Planning – supports Town OSRP, Master Plan, MVP (resilience)

CR

- Extinguishes subdivision and development potential
- Allows agriculture, vegetation management and habitat restoration
- Allows public access and passive recreation
- Allows trails, small pervious parking area and public access amenities

Other

- Town Con Comm to purchase CR
- Town Meeting approved CPA funding of \$50,000
- Combined with non-Town funds - \$25,000 state grant
- Companion CR held by BBC on 3.3 acres owned by abutter

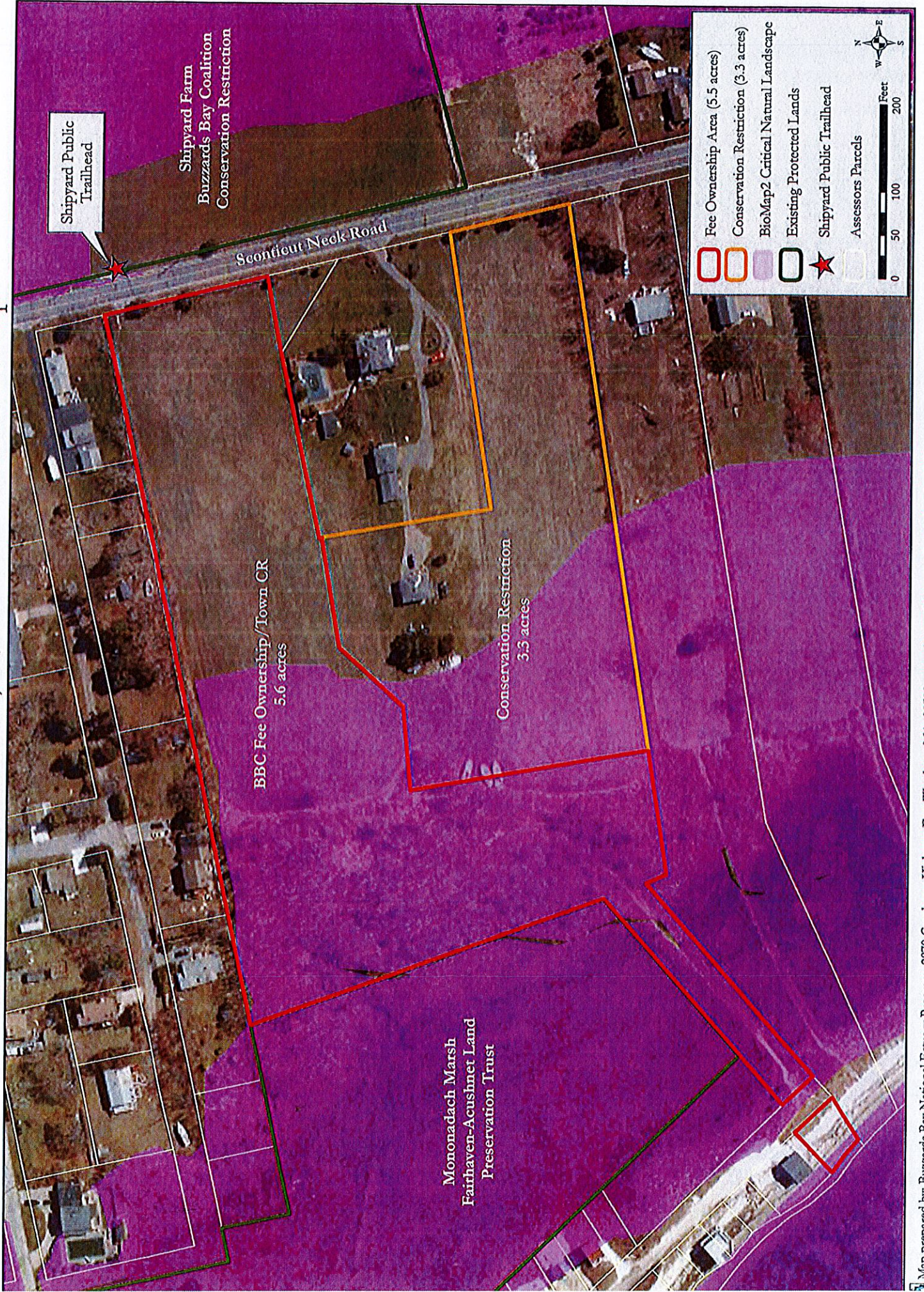
Salt Winds Conservation Project, Fairhaven



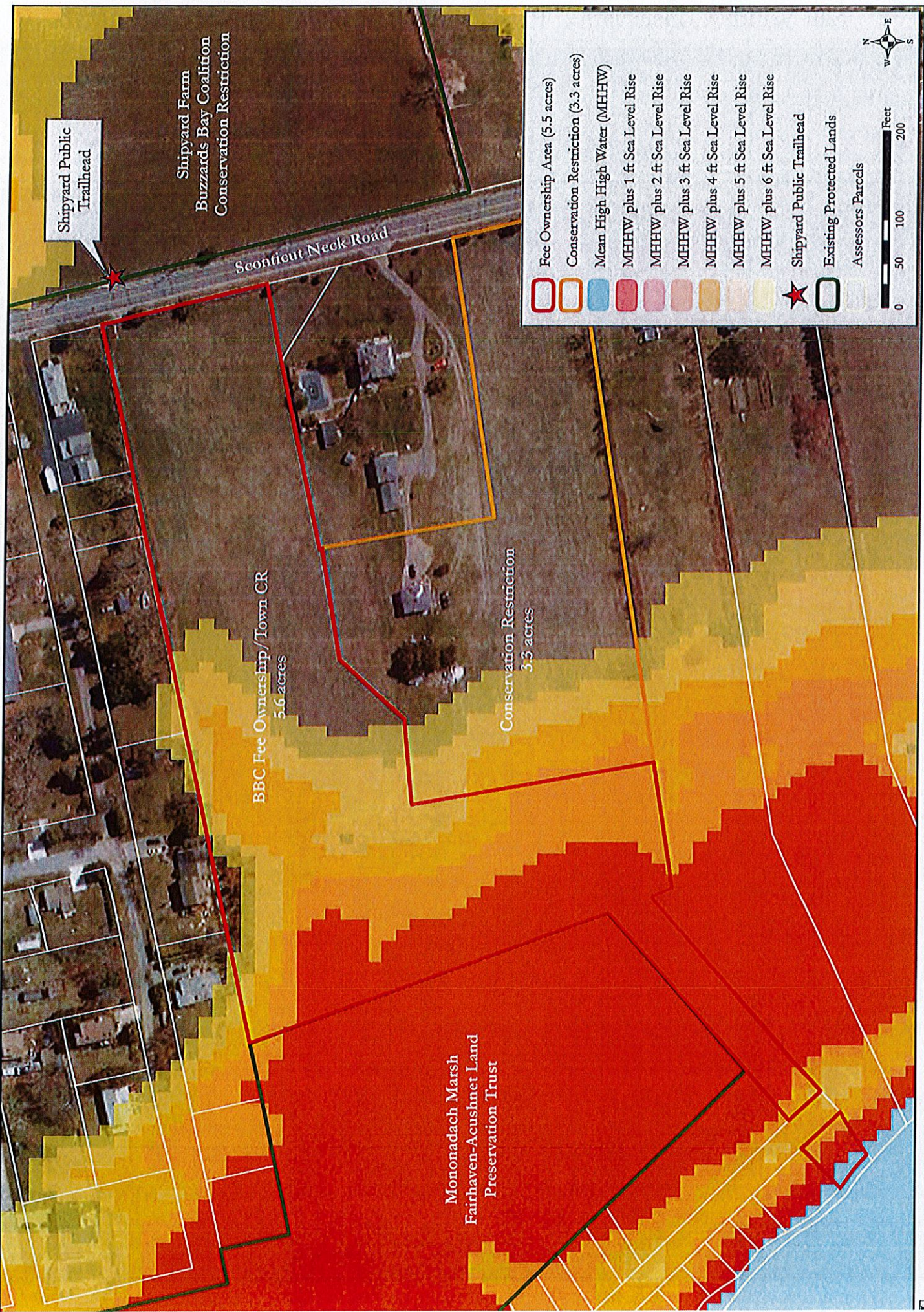
Salt Winds Conservation Project, Fairhaven - Prime Farmland Soils



Salt Winds Conservation Project, Fairhaven - NHESP BioMap2



Salt Winds Conservation Project, Fairhaven - Potential Extent of MHHW with Sea Level Rise



Salt Winds Conservation Project, Fairhaven - Open Space Context



Attachment G

Our office represents Jean Jason as Personal Representative of the Estate of Jeannine Jason who is the Seller of land located off Lincoln Drive/Jason Terrace. The Buyer of the land is Seaport Homes LLC represented by Christian Farland and Farland Corp. The Buyer has received a building permit but in order to close on the sale of the property the Town would need to provide written consent releasing the lots for sale. Please find the Agreements in question and previous correspondence from the Town regarding their release attached.

Please let me know the process to have the Select Board approve the release.

Thanks,
Jeff

Jeffrey P. Sanders, Esq.
Winslow & Sanders
109 Fairhaven Road, Unit E
Mattapoisett, MA 02739
Phone: 508-884-9813
Fax: 508-884-9818

**Town of Fairhaven
Massachusetts
Board of Public Works**

9/17/85



VICTOR OLIVEIRA, JR.,
MANUEL CORREIRA,
PAUL E. FRANCIS,
DAVID SZELIGA
JOSEPH CATALDO, JR.

Chairman
Vice-Chmn.
Clerk

September 11, 1985

Fairhaven Planning Board
Town Hall
40 Centre Street
Fairhaven, MA. 02719

Re: East End of Jason Terrace

Gentlemen:

Mr. Tangney has requested an opinion as to what is needed at the east end of Jason Terrace to make it acceptable for development. The following list of items need to be installed:

1. A Drainage System consisting of 4 or 6 Catch Basins at the corner of Jason Terrace and Jason Terrace (90° corner) and at Jason Terrace and Lincoln Drive must be installed and connected to a pipeline crossing one of the lots to the State Drainage Ditch abutting Route 240. The drainage line across the lot will require a 15' easement for maintenance. Pipe to be Reinforced Concrete and meet Town Standards.
2. The Section of Jason Terrace in question should be constructed according to existing requirements - 12" of gravel, 3" of asphalt pavement, asphalt berm curbing on both sides, landscaping, a drainage system, and the connection of the 6" water main from Lincoln Drive to the existing section of Jason Terrace, including a hydrant if necessary.
3. The existing section of Jason Terrace is unaccepted and the developer should be required to construct this portion of Jason Terrace to meet existing standards to make the road acceptable. That would include plans and descriptions required for acceptance at Town Meeting. Lincoln Drive at the north end of Jason Terrace was accepted by Town Meeting in 1970.

If you have any questions, please call or I can attend your meeting to discuss details.

Very truly yours,

FAIRHAVEN BOARD OF PUBLIC WORKS

Jeffrey W. Osuch
Jeffrey W. Osuch
Superintendent

JWO/gwb

When the State laid out the right of way for Route 240, the taking included all of the property abutting the eastern side of the sub-division and also some of the land within it.

In March 1976, item marked "D" was presented to the Planning Board realigning lots 12-16-5 and 6 and they are now designated as lots 85M-85N and 85R. Lot 85R was attached to Lot 85L, and the stub end of Lincoln Drive (never accepted) was discontinued.

In view of the above, I have contacted Mr. Osuch as to what actions the Board of Public Works would require and have attached a copy of his letter, Item "E", outlining the steps necessary to conform.

I am therefore suggesting that the restrictions be removed and that any building permits issued for the area be issued only on the condition that the B.P.W. requirements are implemented.

Respectfully,

Nicholas J. Taugmeyer
Town Planner

NFT/ew
enc.



FAIRHAVEN TOWN PLANNER

Nicholas F. Tangney, *Planner*
Office: 992-9228
Home: 996-4593

Town Hall
Fairhaven, Mass. 02719

Sept. 26, 1985

Board of Selectmen
Town Hall
Fairhaven, Mass.

Re: Lincoln Dr.
& Jason Terrace

Attention: Everett Macomber, Chairman

Gentlemen:

Your attention is called to the referenced subject and to the attached data on same.

The owner of the lots involved, Mr. Jason, has approached me with the object of getting the lots, now restricted, into a buildable condition. He believes that the need for same in Fairhaven is of importance and I agree with him. I also think that the restrictions put on these lots is no longer necessary and Mr. Osuch also believes that they are obsolete. Therefor, this letter to your Board asking for the release of those previously imposed restrictions.

Item marked "A" shows the sub-division for the area as signed by the Planning Board on July 16, 1959. One of the conditions at the time was that Lots 12 and 16 were to be left as a PONDING area so as to prevent surface water run-off to the abutting lots to the east of the sub-division.

Item marked "B" is an agreement signed by the owners and Board of Selectmen confirming the reservation of Lots 12 and 16 for ponding requirements. This item is dated Oct. 11, 1966.

Item marked "C" dated Oct. 27, 1971 allows a trade-off of the ponding requirements from Lots 12 and 16 to 5 and 6. This modification was signed by the Board of Selectmen at that time.

FAIRHAVEN — Says it all

PROUD OF ITS PAST — CONTROLLING ITS FUTURE



Massachusetts
Office of the Selectmen

*Man
Terra*

EVERETT J. MACOMBER, JR., Chairman
ROBERT W. FOSTER
WALTER SILVEIRA

October 2, 1985

Mr. Nicholas F. Tangney
Town Planner
Fairhaven, MA 02719

RE: Lincoln Drive and Jason Terrace

Dear Sir:

The Board of Selectmen has no objection to re-leasing the lots presently held for ponding in the Lincoln Drive, Jason Terrace area.

It is recommended that Mr. Jason's attorney prepare the necessary document to have this accomplished and then we will submit it to our counsel for approval.

The requirements as set out by the Board of Public Works must also be met and should be a part of any release that is signed.

Very truly yours,

BOARD OF SELECTMEN

Everett J. Macomber Jr.

Everett J. Macomber, Jr.
Chairman

AST:s

Drawer 9 Item 7 in file

*3 lots at
15 m each
88 ft. frontage
each*

ROGER W. &
JEANNINE M. JASON
LOT 85L

LINCOLN DRIVE
(Public 40' Wide 1970 L.O.)
478.57' TO ALDEN ROAD
415.43' TO ALDEN ROAD

NG BOARD
SUBDIVISION
REQUIRED.

TERRACE

85R
A = 6,118 s.f.

85N
A = 17,023 s.f.

240

MERIDIAN OF 1972 ALDERS
ROAD ALTERATION

(Private)

ES & EMMA L.
PITTLER
N20°-46'-56"E
132.04'

85M
A = 25,116 s.f.

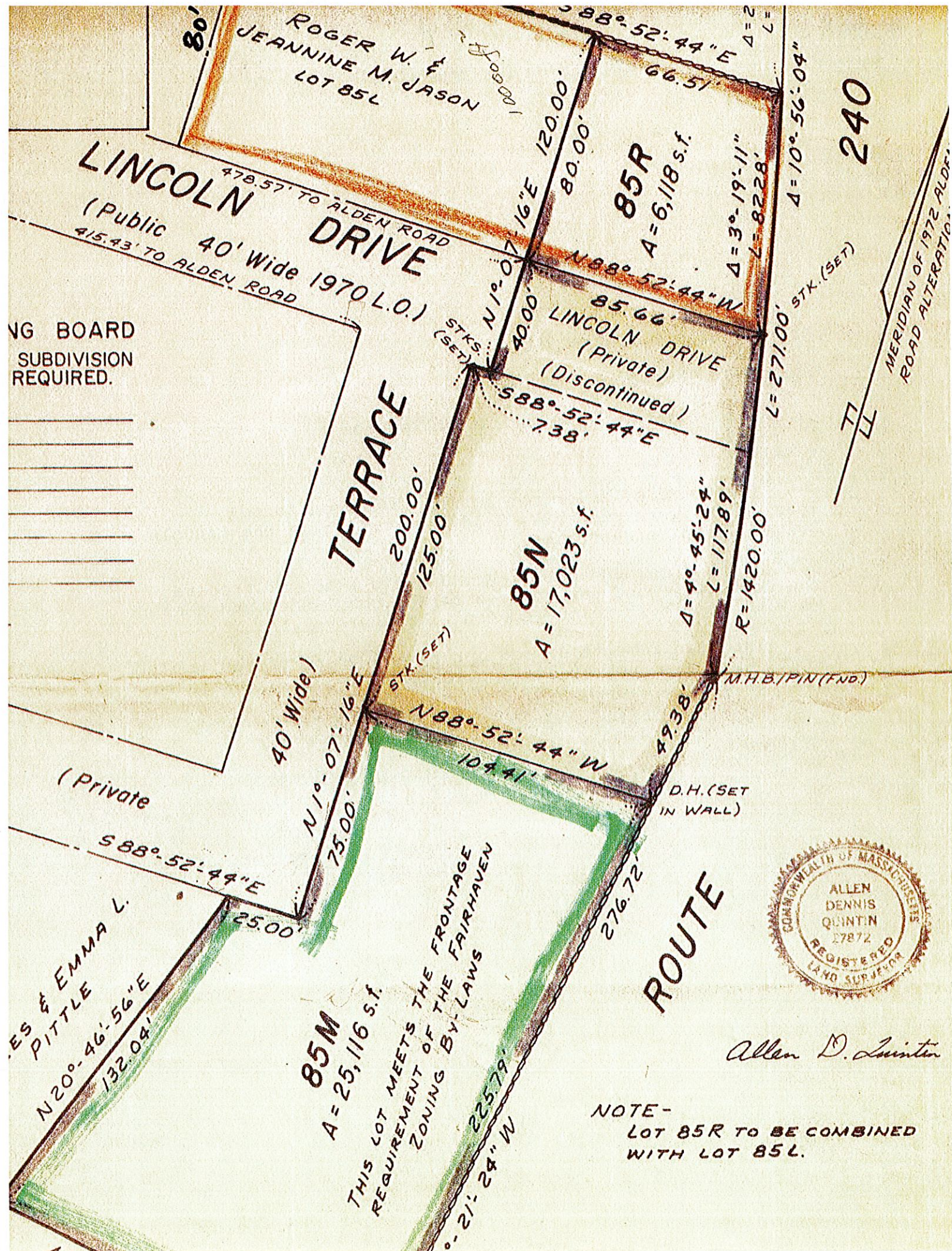
THIS LOT MEETS THE FRONTAGE
REQUIREMENT OF THE FAIRHAVEN
ZONING BY-LAWS

ROUTE



Allen D. Quintin

NOTE -
LOT 85R TO BE COMBINED
WITH LOT 85L.



10763

AGREEMENT

KNOW ALL MEN BY THESE PRESENTS that I, William M. Jason and Mary L. Jason, of Fairhaven, County of Bristol and Commonwealth of Massachusetts and for my heirs at law, executors, administrators, successors and assigns hereby agree with the Town of Fairhaven, a municipal corporation duly established by the laws of the Commonwealth of Massachusetts as follows:

1. To install a suitable and necessary drainage system for the benefit of the land area included in a Plan of Land in Fairhaven, Mass., surveyed for Emily L. Alden by Corse & Tibbette, (C. S.), dated February 16, 1958 and recorded on July 22, 1958 in the Bristol County (S. D.) Registry of Deeds, Plan Book 57, Page 23.

2. To retain and reserve Lots Twelve and Sixteen as set out on the above mentioned Plan as a ponding area and not to fill in, sell, convey, grant, or otherwise dispose of by deed, or any other instrument said Lots Twelve and Sixteen without the written consent of the said Town of Fairhaven. If an excavation is necessary in order that the said area shall be able to contain the water so that it will not spill over onto abutting property the said party of the first part agree to perform the necessary excavation to carry out this purpose and to fence in or otherwise safeguard the area for persons or animals.

3. The cost of installing said drainage system and all maintenance, repairs and replacements shall be borne by the said party of the first part.

4. To erect a pipeline or lines, which may be necessary, in accordance with the diagram contained on a Plan hereto annexed and marked "A," the said pipeline or pipelines to extend to and

BOOK 1537 PAGE 543

Doc 1537 Mar 544

empty into Lots Twelve and Sixteen.

5. The party of the first part and those claiming thereunder shall be legally responsible for any and all legal liability in connection with the provisions herein stated.

IN WITNESS WHEREOF the said William M. Jason and Mary L. Jason and the Town of Fairhaven, by a duly authorized official, affix their seals and signatures this 11th day of October 1966.

William M. Jason
William M. Jason

Mary L. Jason
Mary L. Jason

TOWN OF FAIRHAVEN
Edna L. Simeon

By: Earl W. Freeman

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

October 11, 1966

Then personally appeared the above named William M. Jason and Mary L. Jason and acknowledged the foregoing instrument to be their free act and deed, before me.

Edward J. Hartington
Edward J. Hartington
Notary Public
My Commission Expires:
October 27, 1972

Received & recorded October 18, 1966 at 12:57 min P.M.

1631 164

13045 AGREEMENT

KNOW ALL MEN BY THESE PRESENTS that I, Mary L. Jason, of Fairhaven, County of Bristol and Commonwealth of Massachusetts and for my heirs at law, executors, administrators, successors and assigns hereby agree with the Town of Fairhaven, a municipal corporation duly established by the laws of the Commonwealth of Massachusetts as follows:

1. To install a suitable and necessary drainage system for the benefit of the land area included in a Plan of Land in Fairhaven, Mass., surveyed for Emily L. Alden by Corse & Tibbette, (C. E.), dated February 18, 1958 and recorded on July 22, 1958 in the Bristol County (S.D.) Registry of Deeds, Plan Book 57, Page 23.

2. To retain and reserve Lots Five and Six as set out in place of Lots 12 and 16 according to a previously signed and on the above mentioned Plan as a ponding area and not to fill in, sell, convey, grant or otherwise dispose of by deed, or any other instrument said Lots Five and Six without the written consent of the said Town of Fairhaven. If an excavation is necessary in order that the said area shall be able to contain the water so that it will not spill over onto abutting property the said party of the first part agrees to perform the necessary excavation to carry out this purpose and to fence in or otherwise safeguard the area for persons or animals.

3. The cost of installing said drainage system and all maintenance, repairs and replacements shall be borne by the said party of the first part.

4. To erect a pipeline or lines, which may be necessary, in accordance with the diagram contained on a Plan hereto annexed and marked "A", the said pipeline or pipelines to extend to and

empty into Lots Five and Six.

5. The party of the first part and those claiming thereunder shall be legally responsible for any and all legal liability in connection with the provisions herein stated.

IN WITNESS WHEREOF the said Mary L. Jason and the Town of Fairhaven, by a duly authorized official, affix their seals and signatures this 27th day of October 1971.

Mary L. Jason
Mary L. Jason

TOWN OF FAIRHAVEN

BY: Harold M. Wood Jr.

Frank Silvino

William H. Perry

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

Oct. 27, 1971

Then personally appeared the above named Mary L. Jason and acknowledged the foregoing instrument to be her free act and deed, before me.

Edward J. Harrington Jr.
Edward J. Harrington, Jr.
Notary Public
My Commission Expires:
April 28, 1978

Received & recorded Dec. 2, 1971 at 10:00 hrs. 1 min. A.M.

Box 1631, Box 163

Attest: John Jones Register

Fairhaven Environmental Fee Program

1. Retailers holding licenses under M.G.L. c. 138, section 15 in the Town of Fairhaven may participate in a voluntary program designed to reduce the incidence of careless disposal of miniature containers holding 100ml of alcoholic beverages or less.
2. Under the program a five (5) cent charge is paid by the retailer to the wholesaler for every 50ml or 100ml purchased. This charge is listed separately and is not part of the invoiced cost of the alcoholic beverage.
3. The five (5) cent charge collected by the wholesaler from the retailer shall be placed in a segregated bank account dedicated solely to this program.
4. Beginning January 1, 2024 and every six month thereafter, the wholesaler shall calculate the amount collected under this program and within thirty (30) days thereafter pay the amount collected in that six (6) month period to the Town of Fairhaven.
5. All payments received by the Town of Fairhaven pursuant to the provisions of this program shall be expended by the Town of Fairhaven. **[RESERVED: Intent of semi-annual donations to be used for local pollution mitigation and/or addressing substance abuse within the Fairhaven community. Specific spending guidelines to be determined by the Select Board of the Town of Fairhaven.]**
6. Thirty (30) days after the payment to the Town of Fairhaven, the wholesaler shall file a report with the Select Board of the Town of Fairhaven detailing the number of such beverage containers sold in the Town of Fairhaven by such wholesaler in the preceding six-month period and the amounts paid to the Town of Fairhaven.

In Re:)	
)	
FOURTH AND LONG, INC.)	DECISION OF THE SELECT BOARD
d/b/a)	OF THE TOWN OF FAIRHAVEN
RASPUTIN'S TAVERN)	ACTING AS THE LOCAL
)	LICENSING BOARD
)	

The Select Board of Fairhaven, Massachusetts, ("Select Board") at all times hereto constituting and acting as the Local Licensing Authority, pursuant to Massachusetts General Laws chapter 138, hereby adopts the following findings and decision ("Decision") regarding the alleged liquor license violations of Fourth and Long, Inc., d/b/a Rasputin's Tavern ("Rasputin's") located at 122 Main Street in Fairhaven, Massachusetts.

APPLICABLE LAW

G.L. c. 138

204 CMR 2.04(2)

(2) No licensee for the sale of alcoholic beverages shall permit any disorder, disturbance or illegality of any kind to take place in or on the licensed premises. The licensee shall be responsible therefor, whether present or not.

Fairhaven Town Ordinance § 204-6

A. All hours of sale by a licensee shall be during the time periods noted on the license. Additionally, no holder of a restaurant license shall be entitled to serve alcoholic beverages before or beyond the posted hours of operation of the restaurant.

B. No sale of alcohol or alcoholic beverages shall be permitted before or after the time periods stated on the license. When a license allows for the consumption of alcohol or alcoholic beverages on the premises, within 15 minutes after closing, all bottles, glasses or containers used for drinking purposes shall be cleared off the tables and bar, and no alcoholic beverage shall be consumed more than 15 minutes after closing. This prohibition applies to all persons, including but not limited to patrons, members, guests or employees. No later than 30 minutes after closing, all patrons, members, guests or other members of the public shall have vacated the premises. Nothing shall prevent the licensee, his or her employees or agents from remaining in the premises so long as in the performance of such task or tasks as authorized by law.

Fairhaven Town Ordinance § 204-8

A. The issuance of a license shall not be deemed a compliance by the licensee with any other law or regulation. It is the licensee's sole obligation to comply with any other laws or regulations. It is expressly understood by the licensee that the local licensing authority, when allowed by law,

may take action against the licensee for failure to comply with the provisions of other laws or regulations.

B. By submitting any application required herein or under the provisions of MGL c. 138, and by accepting any license granted, the licensee or proposed licensee warrants and represents to the local licensing authority that said licensee shall be in compliance with all rules, regulations and laws governing the operation of their business prior to selling any alcohol or alcoholic beverages under said license, including but not limited to all Building Code requirements, occupancy requirements and state and local health rules, regulations and laws, and the licensee acknowledges and understands that the granting of any such license is a condition precedent to the exercise of the rights granted under said license.

C. Nothing contained herein these regulations shall be deemed to entitle a holder of a license to sell or deliver alcohol or alcoholic beverages other than as provided for by the specific license granted.

J. The local licensing authority or its agents may at any time enter upon the premises of any person or entity who is licensed by it to ascertain the manner in which the licensee conducts the business carried on under such license. All duly appointed police officers for the Town of Fairhaven holding the rank of detective, sergeant or above shall be deemed the authorized agents for the local licensing authority. The Building Commissioner shall be deemed an authorized agent for the purpose of inspecting the licensed premises to ensure compliance with the floor plan required to be submitted by these regulations. Nothing contained herein shall be deemed to limit any individual's authority to enter the premises as may be otherwise provided for by law. Additionally, the local licensing authority may appoint such other individuals as agents as it deems fit.

L. After a hearing held in conformance with the applicable provisions of law, if any license holder is found to be in violation of these rules and regulations or the rules and regulations of the ABCC or any applicable law, the licensing authority shall impose such minimum penalty or penalties for violations of law or rules and regulations as provided for in Appendix A [see Exhibit 1]. of these rules and regulations, it being expressly stated that the penalties provided for in said Appendix A shall be the minimum penalty imposed for those violations listed, and the Board may impose more severe penalties or take such other action as provided for by applicable law if the Board determines the facts warrant the same. In the event that there is found to be a violation of any said rule, regulation or law, and no specific penalty is provided for in Appendix A, the licensing authority will look to Appendix A as a guideline in fashioning a penalty.

PUBLIC HEARING

On September 18, 2023, the Select Board held a duly noticed hearing on the Rasputin's alleged liquor license violations. **The hearing was opened at 8:01 pm.** Members of the Select Board present were:

- Select Board Chair Leon Correy,
- Select Board Vice-Chair Charlie Murphy,

- Select Board Clerk Stasia Powers,
- Select Board member Keith Silvia, and
- Select Board member Bob Espindola

Mr. Correy began by stating that the Select Board is holding a hearing on alleged violations by Fourth and Long, Inc. d/b/a Rasputin's Tavern, located at 122 Main Street, of its liquor license, common victualler license, applicable laws and an agreement between Rasputin's and the Town dated July 31, 2019 [See Exhibit 2, which is incorporated into this decision by reference.]

The purpose of the hearing is to determine whether Rasputin's has committed the alleged violations and, if so, to determine the penalties to be imposed.

Mr. Correy advised the Board that they will hear from the Police Department first.

Fairhaven Police Chief Michael Myers presented a report compiled by Fairhaven Police Lt. David Sobral that recapped the alleged violations over the last four years since the agreement was signed on July 31, 2019 [see Exhibit 2]. The Department's concern is safety and compliance with the law. The owner, Mr. Cebula, has become combative which has caused officers responding to calls at Rasputin's to be concerned for their safety.

Mr. Correy asked that anyone who will be speaking or testifying to step forward to be sworn in. He then swore in those who stepped forward.

Lt. Sobral addressed the Board. He stated he has been with the Fairhaven Police Department for forty years. He reviewed the report and summaries of the alleged violations [see Exhibit 2]. He explained that the security plan is not being followed and there is no working relationship with Rasputin's. It is common for officers to be sent to these types of establishments at closing time to help clear the area and to maintain the peace. This is done not just at Rasputin's.

Town Attorney Heather White asked Lt. Sobral to confirm these were his reports and to read the list of twenty-seven alleged violations into the record, which he did.

Attorney Tyler Henseler representing Rasputin's addressed the Select Board and stated his objections to the process included being prepared to cross examine what was read into the record and that the Alcoholic Beverages Control Commission ("ABCC") case law regarding "totem pole hearsay" or triple hearsay due to the preparation of reports. He further stated that he objects for the record under MGL c. 138 under triple hearsay or totem pole hearsay. Atty. Henseler stated he would like to ask questions about the reports without waiving any rights.

Atty. Henseler questioned Lt. Sobral about items in the reports and stated an objection under totem pole hearsay to each item Lt. Sobral offered testimony to.

Atty. White advised the Select Board that this is not a court hearing and is not subject to the same rules as a court hearing, the Select Board can accept or reject any of the testimony if they choose.

Fairhaven Police Sergeant Michael Bouvier was questioned about items in the report he observed and responded to.

Atty. Henseler stated objections under tottem pole hearsay to items in the report from Fairhaven Police Lt. Kevin Kobza (not present) and Fairhaven Police Officer Andrew Dillon (not present).

Atty. Henseler spoke to each of the alleged violations and stated that they violate due process due to the age of the alleged violations, stale records, no witnesses to refute the testimony and no opportunity to collect fresh evidence. He referenced cases to cite his objections for the record.

Atty. Henseler further stated that the alleged violations are also simple misunderstandings that Mr. Cebula has rectified, and one is an allegation of underage drinking, and that individual is an employee who was in training and her actions were not observed inside.

Atty. Henseler questioned Liam Mullen who is listed in the report regarding May 7, 2023, events. Mr. Mullen stated he was dropped off in the parking lot and did not enter Rasputin's.

Atty. White asked Mr. Mullen why he was there to which he stated he parked his car there and was going to go in but didn't.

Atty. Henseler requested the removal of the alleged violations as a violation of his client's due process rights and asked for each of the alleged violations to be treated as a first notice of progressive discipline.

The Select Board asked questions regarding the security plan, cameras, whether third party reports are admissible in court, process for providing notice, hours of operation and the security plan from the July 31, 2019, agreement.

Atty. White summarized for the Select Board regarding hearsay that it is up to the Select Board to determine what is relevant and reliable including what is reasonably inferred from the police report. Everything in the report is subject to review in this hearing. Lt. Sobral explained that his summaries are taken from the police reports and actual calls to the Fairhaven Police Department.

Public Comment: No Public Comment was received.

The Select Board asked if the 2019 agreement can be amended.

Atty. White referred to the schedule of penalties and that the Select Board can amend the license and impose additional conditions.

Atty. Henseler stated Rasputin's is open to discuss the same.

The liquor license hearing was closed at 9:30 p.m.

The Board asked questions to Atty. White as to the timeline of addressing the alleged violations. Atty. White advised the Board they could continue the hearing to have time to review the material and then return to deliberate it in a public meeting.

Motion: Mr. Espindola motioned to continue the hearing and deliberation to the next Select Board meeting. Ms. Powers seconded. The motion passed unanimously (5-0-0).

DELIBERATION

On October 23, 2023, the Select Board began its deliberations on the Rasputin's alleged liquor license violations. Members of the Select Board present were:

- Select Board Chair Leon Correy,
- Select Board Vice-Chair Charlie Murphy,
- Select Board Clerk Stasia Powers,
- Select Board member Keith Silvia, and
- Select Board member Bob Espindola

Atty. Henseler representing Rasputin's Tavern was present with Mr. Cebula.

Town Administrator Angie Ellison reviewed that since the meeting of September 18, 2023, the Board was provided guidance from Town Attorney Chris Petrini. The hearing was closed on September 18, 2023, and the Board will deliberate on five dates of violation: December 18, 2021, January 22, 2023, May 7, 2023, June 11, 2023, and September 6-7, 2023.

For each of the above dates and alleged violations the Select Board will deliberate and vote as to whether Rasputin's is responsible or not responsible for each.

Persons in possession of alcoholic beverages after hours:

December 18, 2021	responsible (5-0)	<i>passed</i>
January 22, 2023	responsible (5-0)	<i>passed</i>
May 7, 2023	responsible (4-1)	<i>passed</i>
June 11, 2023	responsible (4-1)	<i>passed</i>

Sale to underage persons

June 11, 2023	responsible (0-5)	<i>failed</i>
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Other violations of Board rules/regulations, ABCC or state law (sales to intoxicated persons)

May 7, 2023	responsible (2-3)	<i>failed</i>
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Other violations of Board rules/regulations, ABCC or state law (disturbance of peace)

September 6-7, 2023	responsible (5-0)	<i>passed</i>
May 7, 2023	responsible (3-2)	<i>passed</i>

Mr. Correy recapped the dates of alleged violations the Board voted as responsible and confirmed with Select Board Clerk Ms. Stasia Powers.

Motion: Mr. Espindola motioned for persons in possession of alcoholic beverages after hours the Board finds Rasputin's Tavern responsible on December 18, 2021, January 22, 2023, May 7, 2023, and June 11, 2023. And for Other violations of Board rules/regulations, ABCC or state law disturbance of peace on September 6 through 7, 2023 and May 7, 2023. Ms. Powers seconded. The motion passed unanimously (5-0-0).

FINDINGS

Accordingly, the Select Board does also hereby find:

1. The Select Board, by and through the Fairhaven Police Department, did enter upon the premises of the licensee, Rasputin's, to ascertain the manner in which the licensee conducts the business carried on under such license.
2. The Select Board held a duly noticed hearing in which it found that the licensee, Rasputin's, has failed to comply with certain applicable laws and regulations.
3. The Select Board and as allowed by law, may take action against the licensee for failure to comply with the provisions of other laws or regulations.
4. After a duly noticed hearing, the Select Board found the licensee, Rasputin's, to be in violation of the following laws and regulations:
 - a. The licensee, Rasputin's, violated 204 CMR 2.04(2) on December 18, 2021, January 22, 2023, and June 11, 2023, by permitting disorder, disturbance, or illegality of any kind to take place in or on the licensed premises.
 - b. The licensee, Rasputin's, violated the Fairhaven Town Ordinance § 204-6 on September 6-7, 2023, by permitting alcohol to be served to, possessed and/or consumed by patrons after closing and/or the posted hours of operation.
 - c. The licensee, Rasputin's, violated both 204 CMR 2.04(2) and the Fairhaven Town Ordinance § 204-6 on May 7, 2023 by permitting alcohol to be served to, possessed and/or consumed by patrons after closing and/or the posted hours of operation and by permitting disorder, disturbance or illegality of any kind to take place in or on the licensed premises whether the licensee shall be responsible therefor, whether present or not.

5. Accordingly, the Select Board shall impose such penalty or penalties for violations of law or rules and regulations as provided for in Appendix A [see Exhibit 1]. Further, in the event that there is found to be a violation of any said rule, regulation or law, and no specific penalty is provided for in Appendix A, the licensing authority will look to Appendix A as a guideline in fashioning a penalty.

PENALTIES

On October 23, 2023, the Select Board began its deliberations on Rasputin's alleged liquor license violations. Members of the Select Board present were:

- Select Board Chair Leon Correy,
- Select Board Vice-Chair Charlie Murphy,
- Select Board Clerk Stasia Powers,
- Select Board member Keith Silvia, and
- Select Board member Bob Espindola

On September 18, 2023, the Fairhaven Select Board heard evidence of the following violations, and deliberated regarding the same on October 23, 2023:

- 1) Rasputin's Tavern violated local and state law by allowing persons to be in possession of alcoholic beverages after hours on the premises on December 18, 2021; January 22, 2023; May 7, 2023; and June 11, 2023;
- 2) Rasputin's Tavern violated local and state law by serving alcohol to an underaged individual on September 7, 2021;
- 3) Rasputin's Tavern violated state and local law by selling alcohol to intoxicated persons on May 7, 2023; and
- 4) Rasputin's Tavern violated local and state law by it or its patrons disturbing the peace on or near the premises on May 7, 2023, and September 6-7, 2023.

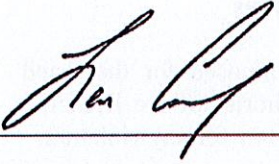
Accordingly, pursuant to MGL c. 138 and Chapter 204 and Appendix A of the Town of Fairhaven Bylaws, the Select Board is authorized to assess certain penalties and impose certain conditions on the all alcoholic beverages license of Rasputin's Tavern, and so voted the penalties and conditions at its public meeting on November 20, 2023, **as fully set forth in Exhibit 3 hereto, which is incorporated by reference.**

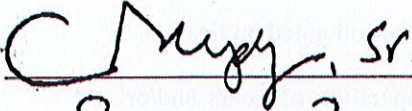
In issuing this determination, the Select Board has relied upon the oral and written representations made during the aforementioned hearings. All minutes from all meetings of the Select Board that address this issue and Rasputin's are hereby incorporated herein by reference.

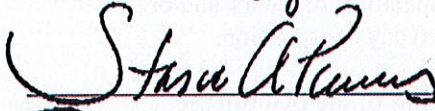
Each finding, term, penalty, and condition of this Decision is intended to be severable. Any invalidity in any finding, term, penalty, or condition of this Decision shall not be held to invalidate any other finding, term, penalty, or condition of this Decision. If any findings, terms, penalties, or conditions are deemed impermissible by the ABCC or a court of competent jurisdiction, then the remaining findings, term, penalties, and conditions shall remain in full force and effect and shall be enforceable to the fullest extent permitted by law.

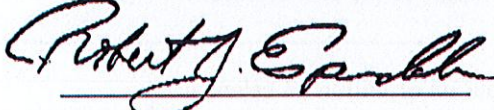
By vote at its meeting on December 4, 2023, the Town of Fairhaven Select Board adopted this Decision.

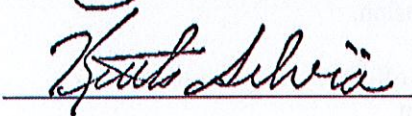
Town of Fairhaven, Select Board











2023.11.20 Fairhaven Decision-Rasputin's Tavern (620-01)

ALCOHOLIC BEVERAGES (EXHIBIT 1)

204 Attachment 1

Appendix A Penalties for Violations of Law, Rules and Regulations

The penalties provided herein are the minimum penalties to be imposed for the listed violations. Nothing contained herein shall be deemed to limit the authority of the licensing board from imposing more severe penalties or any penalty authorized by law for any violation.

1. Sale or service of alcoholic beverages before or after time period noted on license:

First offense: written reprimand and/or a reduction in operation of hours and/or amendment to the terms of the license or a minimum of two days' suspension.

Second offense, if occurring on or within 12 calendar months of the first offense: a minimum 14 days' suspension.

Second offense, if occurring after 12 calendar months but on or within 24 calendar months of the first offense: a minimum seven days' suspension.

Second offense, if occurring after 24 months of the first offense: discretion of the licensing authority, but not less than three days' suspension.

Third offense, if occurring on or within 36 calendar months of the first offense or on or within 12 calendar months of a second offense: revocation of license.

Third offense, if occurring after 36 calendar months of the first offense or after 12 calendar months of second offense: discretion of the licensing authority, but not less than 14 days' suspension.

In determining the action to be taken, including the duration of each such suspension, the Board shall consider the following factors: the licensee's past history of any violations, or lack thereof, including any other licensed establishment owned or operated by the licensee or in which the licensee has an ownership interest of 10% or more; how soon before and how long after legal hours of sale the violations occurred; and the number of individuals to whom an illegal sale or service has occurred. In the event that any such sale or service is found to have occurred more than 30 minutes before or after legal hours for sale, the Board may increase the suspension by one day for each 30 minutes or portion thereof. In the event any such sale or service is found to have been made to more than one person, the Board may increase the suspension by one day for each additional person.

2. Persons on the premises in possession of alcoholic beverages more than 15 minutes after legal hours of sale:

First offense: written reprimand and/or a reduction in operation of hours and/or amendment to the terms of the license or a minimum two days' suspension.

FAIRHAVEN CODE

Second offense, if occurring on or within 12 calendar months of the first violation: minimum 10 days' suspension.

Second offense, if occurring after 12 calendar months but on or within 24 calendar months of the first offense: discretion of the local licensing authority, but not less than five days' suspension.

Third offense, if occurring on or within 36 calendar months of the first offense or on or within 12 calendar months of a second offense: revocation of license.

Third offense, if occurring after 36 calendar months of the first offense or after 12 calendar months of a second offense: discretion of the licensing authority, but not less than seven days' suspension.

In determining the action to be taken, including the duration of each such suspension, the Board shall consider the following factors: licensee's past history of any violations, or lack thereof, including any other licensed establishment owned or operated by the licensee or in which the licensee has an ownership interest of 10% or more; how long after legal hours of sale the violations occurred; and the number of individuals in possession of alcoholic beverages after legal hours of sale. In the event that any person is found to be in possession of alcoholic beverages more than 30 minutes after legal hours for sale, the Board may increase the suspension by one day for each 30 minutes or portion thereof. In the event more than one person is found to be in possession of alcoholic beverages after legal hours for sale, the Board may increase the suspension by one day for each such person.

3. Sale or delivery to underaged person or underaged person in possession of alcoholic beverages:

First offense: written reprimand and/or a reduction in operation of hours and/or amendment to the terms of the license or a minimum four days' suspension.

Second offense occurring on or within six calendar months of the first offense: minimum 30 days' suspension.

Second offense, if occurring after six calendar months but on or within 24 calendar months of the first offense: discretion of the local licensing authority, but not less than 14 days' suspension.

Third offense, if occurring on or within 24 calendar months of the first offense or on or within 12 calendar months of a second offense: revocation of license.

Third offense, if occurring more than 24 calendar months after the first offense or more than 12 calendar months after a second offense: discretion of the local licensing authority, but not less than 21 days' suspension.

ALCOHOLIC BEVERAGES

In determining the action to be taken, including the duration of each such suspension, the Board shall consider the following factors: licensee's past history of any violations, or lack thereof, including any other licensed establishment owned or operated by the licensee or in which the licensee has an ownership interest of 10% or more; the number of individuals who are underaged persons to whom a sale or delivery of alcoholic beverages has been made or who are found to be in possession of alcoholic beverages. The Board may increase the suspension by two days for each such person.

4. Interference with or hindering a member, agent or employee of the Alcoholic Beverages Control Committee or local licensing authority:

First offense: minimum three days' suspension.

Second offense: minimum 14 days' suspension.

Third offense: revocation of license.

5. Section 12 licensee (pouring license), employee or agent involved in the sale or delivery of alcoholic beverages for off-the-premises consumption:

First offense: minimum three days' suspension.

Second offense: minimum 14 days' suspension.

Third offense: revocation of license.

6. Section 12 licensee for any violation, not otherwise provided for, of the applicable rules and regulations of the Board, the ABCC or state law.

First offense: written reprimand and/or a reduction in operation of hours and/or amendment to the terms of the license or a minimum two days' suspension.

Second offense occurring on or within six calendar months of the first offense: minimum seven days' suspension.

Second offense, if occurring after six calendar months but on or within 24 calendar months of the first offense: discretion of the local licensing authority, but not less than 14 days' suspension.

Third offense, if occurring on or within 24 calendar months of the first offense or on or within 12 calendar months of a second offense: revocation of license.

Third offense, if occurring more than 24 calendar months after the first offense or more than 12 calendar months after a second offense: discretion of the local licensing authority, but not less than seven days' suspension.

FAIRHAVEN CODE

In determining the action to be taken, including the duration of each such suspension, the Board shall consider the following factors: licensee's past history of any violations, or lack thereof, including any other licensed establishment owned or operated by the licensee or in which the licensee has an ownership interest of 10% or more; the number of individuals who are underaged persons to whom a sale or delivery of alcoholic beverages has been made or who are found to be in possession of alcoholic beverages. The Board may increase the suspension by two days for each such person.

7. Section 15 licensee (package store) for a violation of the applicable rules and regulations of the Board, the ABCC or state law:

First offense: written reprimand and/or a reduction in operation of hours and/or amendment to the terms of the license or a minimum two days' suspension.

Second offense occurring on or within six calendar months of the first offense: minimum seven days' suspension.

Second offense, if occurring after six calendar months but on or within 24 calendar months of the first offense: discretion of the local licensing authority, but not less than 14 days' suspension.

Third offense, if occurring on or within 24 calendar months of the first offense or on or within 12 calendar months of a second offense: revocation of license.

Third offense, if occurring more than 24 calendar months after the first offense or more than 12 calendar months after a second offense: discretion of the local licensing authority, but not less than seven days' suspension.

In determining the action to be taken, including the duration of each such suspension, the Board shall consider the following factors: licensee's past history of any violations, or lack thereof, including any other licensed establishment owned or operated by the licensee or in which the licensee has an ownership interest of 10% or more; the number of individuals who are underaged persons to whom a sale or delivery of alcoholic beverages has been made or who are found to be in possession of alcoholic beverages. The Board may increase the suspension by two days for each such person.

**SUMMARY OF 2020 YEAR OF CALLS FOR SERVICE/INCIDENTS AT
RASPUTIN'S TAVERN**

- 1) 7/19/2020 0150 CALL FOR SERVICE: C/P LARGE GATHERING OUTSIDE THE BAR HAD TO BE DISPURSED, NO ISSUES.
- 2) 7/25/2020 0148 CALL FOR SERVICE: C/P LARGE GATHERING OUT FRONT OF BAR, FIREWORKS LIT IN THE STREET. INCIDENT REPORT DOCUMENTED.
- 3) 7/26/2020 0139 CALL FOR SERVICE: C/P MONITORING THE CLOSURE OF THE BAR AT 2AM.
- 4) 8/8/2020 0106 CALL FOR SERVICE: DISTURBANCE LOUD NOISE. M/C'S PLAYING MUSIC UPON ARRIVAL TO THE BAR, LARGE GROUP WAS DISPURSED INCIDENT REPORT DOCUMENTED.
- 5) 8/8/2020 0119 CALL FOR SERVICE: MV CRASH, PATRON INSIDE BAR NOTIFIED HIS MC WAS STRUCK BY A VEHICLE LEAVING THE FRONT AREA OF THE BAR. INCIDENT REPORT DOCUMENTED.
- 6) 8/9/2020 0156 CALL FOR SERVICE: C/P MONITORING THE CLOSURE OF THE BAR. LARGE GATHERING IN PK LOT WAS DISPURSED.
- 7) 8/23/2020 0132 CALL FOR SERVICE: DISTURBANCE AND ALTERCATION OUTSIDE BAR AND PK. LOT. INCIDENT REPORT DOCUMENTED.
- 8) 9/8/2020 2051 CALL FOR SERVICE: COVID COMPLIANCE CHECK OF THE BAR.
- 10) 9/9/2020 2001 CALL FOR SERVICE: COVID COMPLIANCE CHECK OF THE BAR.
- 11) 10/28/2020 2200 CALL FOR SERVICE: DISTURBANCE TWO UNWANTED PATRONS CAUSING ISSUES. INCIDENT REPORT DOCUMENTED.
- 12) 10/28/2020 2251 CALL FOR SERVICE: COVID COMPLIANCE CHECK OF THE BAR. INCIDENT REPORT DOCUMENTED.
- 13) 11/25/2020 2206 CALL FOR SERVICE: GENERAL SERVICES

LARGE GROUP OF PATRONS IN FRONT OF RASPUTINS.
PARTIES MOVED VEHICLE FROM NO PARKING ZONE AND
LARGE GROUP DISPURSED.

RESPECTFULLY SUBMITTED,

LT David R. Sobral
LIEUTENANT DAVID R. SOBRAL #019
FAIRHAVEN POLICE DEPARTMENT

**SUMMARY OF 2021 YEAR OF CALLS FOR SERVICE/INCIDENTS AT
RASPUTIN'S TAVERN.**

- 1) 1/2/21 0039 CALL FOR SERVICE: LOUD DISTURBANCE
- 2) 1/8/21 2212 CALL FOR SERVICE: UNWANTED PERSON
- 3) 3/8/21 0243 CALL FOR SERVICE: GENERAL DISTURBANCE
- 4) 4/4/21 2320 CALL FOR SERVICE: UNWANTED PERSON/ PC/REPORT
- 5) 4/4/21 0205 CALL FOR SERVICE: INTOXICATED FEMALE AT MV
- 6) 4/7/21 0313 CALL FOR SERVICE: PAST ASSAULT & BATTERY/REPORT
- 7) 4/11-4/23/21 CALL FOR SERVICE: MULTIPLE CALLS / C-P AT CLOSING
- 8) 5/11-5/16/21 CALL FOR SERVICE: MULTIPLE CALLS C-P AT CLOSING
- 9) 5/21/21 2119 CALL FOR SERVICE: UNWANTED MALE PARTY
- 10) 5/27/21 0010 CALL FOR SERVICE: OWNER OF BAR BITE BY PATRONS
DOG, OWNER POSSIBLE PROVOKED DOG PRIOR TO BEING BITTEN
- 11) 6/5/21 0159 CALL FOR SERVICE: OFFICER MONITORING C-P CLOSING
- 12) 6/6/21 2055 CALL FOR SERVICE: UNWANTED PERSON/ ISSUES IN PAST
- 13) 6/26/21 0156 CALL FOR SERVICE: MONITORING CLOSING OF BAR C-P
- 14) 6/30/21 0208 CALL FOR SERVICE: MONITORING CLOSING OF BAR/ 18-
20 PATRONS LEAVING BAR MALE PARTY YELLING, ALL DISPERSED
- 15) 7/28-9/2 21 CALL FOR SERVICES: MULTIPLE CALLS FOR C-P
MONITORING THE CLOSING OF THE BAR. ON SEVERAL OCCASSIONS
SEVERAL DISTURBANCES LARGE AND SMALL GROUPS YELLING
AND LOITERING CAUSING DISTURBANCES OUTSIDE THE BAR AND
WITHNIN THE NEIGHBORHOOD.
- 16) 9/7/21 0042 CALL FOR SERVICE: GENERAL DISTURBANCE, ASSAULT &
BATTERY, ARREST OF FEMALE PARTY, ALSO UNDER AGE
CONSUMPTION OF ALCOHOL WITHIN THE BAR
INVESTIGATION/REPORT ALSO FURTHER CRIMINAL CHARGES
BROUGHT AGAINST MALE PARTY
- 17) 9/12/21 0155 CALL FOR SERVICE: MONITORING C-P CLOSING OF BAR
- 18) 9/24/21 1855 CALL FOR SERVICE: INTOXICATED MALE ATT. TO GET
INTO VEHICLE TO LEAVE.
- 19) 9/24/21 2132 CALL FOR SERVICE: DISORDERLY PERSON/MALE
REMOVED FROM BAR TRYING TO PICK FIGHTS WITH PATRONS.
- 20) 9/25/21 0152 CALL FOR SERVICE: MONITORING C-P CLOSING OF BAR
- 21) 9/29/21 0218 CALL FOR SERVICE: SUSPICIOUS MV RUNNING OUTSIDE
BAR WITH MALES INSIDE VEHICLE BEING LOUD, PARTIES DISPERSED
- 22) 10/2/21 0149 CALL FOR SERVICE: MONITORING C-P CLOSING OF BAR.
- 23) 10/3/21 0204 CALL FOR SERVICE: MONITORING C-P CLOSING OF BAR
- 24) 10/30/21 0158 CALL FOR SERVICE: FIGHT BETWEEN SEVERAL MALE
PARTIES. INVESTIGATION REVEALED TWO MALES ATTEMPTING TO

GET A FRIEND WHO WAS INTOXICATED INTO VEHICLE.

25) 12/12/21 0200 CALL FOR SERVICE: MONITORING C-P CLOSING OF BAR.

26) 12/14/21 0230 CALL FOR SERVICE: ASSAULT & BATTERY STABBED IN
FACE OUTSIDE THE BAR AREA. INCIDENT REPORT AND CHARGES
FILED FROM INCIDENT.

27) 12/18/21 0210 CALL FOR SERVICE: MONITORING C-P CLOSING OF BAR
OFFICER OBSERVED A PERSON ENTER BAR AT 0202, DID NOT EXIT TILL
0215-0220. ANOTHER PATRON LEFT AT THAT TIME FRAME 7 MV'S
WERE PARKED IN LOT ACROSS THE STREET. UPON LOOKING INTO BAR
AT THE BAR, ONE BEING THE OWNER (MATT CEBULA) WHO WAS
OBSERVED DRINKING AND THREE BEHIND THE BAR.

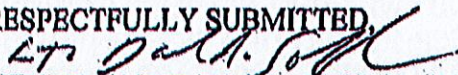
RESPECTFULLY SUBMITTED,

Lt. David R. Sobral
LIEUTENANT DAVID R. SOBRAL #019
FAIRHAVEN POLICE DEPARTMENT

SUMMARY OF 2022 YEAR OF CALLS FOR SERVICE AT
RASPUTIN'S TAVERN

- 1) 6/14/2022 0210 CALL FOR SERVICE: C-P CHECK MONITORING THE CLOSING OF THE BAR.
- 2) 6/19/2022 0144 CALL FOR SERVICE: C-P MONITORING THE CLOSING OF THE BAR.
- 3) 6/23/2022 0201 CALL FOR SERVICE: C-P MONITORING THE CLOSING OF THE BAR.
- 4) 7/1/2022 0204 CALL FOR SERVICE: C-P MONITORING THE CLOSING OF THE BAR.
- 5) 7/7/2022 0206 CALL FOR SERVICE: C-P MONITORING THE CLOSING OF THE BAR.
- 6) 7/14/2022 0208 CALL FOR SERVICE: 911 SILENT CALL/OPEN LINE. HEARD MULTIPLE PARTIES ARGUING IN PARKING LOT OF BAR.
- 7) 7/31/2022 0204 CALL FOR SERVICE: C-P MONITORING THE CLOSING OF THE BAR.
- 8) 8/4/2022 0220 CALL FOR SERVICE: DISTURBANCE/ASSAULT FEMALE PARTY REPORTS BEING ASSAULTED WHILE LEAVING THE BAR.
- 9) 8/6/2022 0224 CALL FOR SERVICE: DISTURBANCE, OFFICER MONITORING THE CLOSING OF THE BAR OBSERVED PARTIES GATHER ON CORNER NEAR BAR HORSEPLAYING, WAITING FOR RIDE FROM THE BAR.
- 10) 9/6/2022 1709 CALL FOR SERVICE: UNWANTED PERSON. MALE PARTY WAS ASKED TO LEAVE SEVERAL TIMES, PARTY FINALLY LEFT IN TAXI NO FURTHER ISSUES.
- 11) 9/10/2022 2334 CALL FOR SERVICE: DISTURBANCE/DAMAGED PROPERTY. FEMALE REPORTS MALE PARTY AT THE BAR LEFT AND CAUSED DAMAGE TO HER MV.
- 12) 10/30/2022 0052 CALL FOR SERVICE: PARKING VIOLATIONS, OFFICER OBSERVED ILLEGALLY PARKED MV'S (NO PARKING ZONE) AREA OF BAR.
- 13) 10/30/2022 0218 CALL FOR SERVICE: DISTURBANCE/THREATS. MALE PARTY INSIDE BAR MAKING THREATS AND TRYING TO FIGHT WITH OTHER PARTIES INSIDE HE BAR. PARTY REMOVED, PEACE RESTORED.
- 14) 12/9/2022 2005 CALL FOR SERVICE: DISTURBANCE/THREATS. MALE PARTY MADE THREATS TO SHOOT UP THE BAR AND THREATS TO STAB TWO OTHER PARTIES INSIDE THE BAR. MALE PARTY ARRESTED/REPORT COMPLETED.

- 15) 12/12/2022 2135 CALL FOR SERVICE: SUSPICIOUS/ASSAULT. MALE PARTY STATED HE WAS DRINKING IN THE BAR AND HIS CELL PHONE AND KEYS WERE TAKEN FROM HIM. HE STATED HE WAS "HAMMERED". OWNER AND OTHER PARTY GRABBED MALE AND TOOK HIS KEYS/CELL PHONE WHICH WERE RETURNED BACK TO MALE PARTY.
- 16) 12/24/2022 0501 CALL FOR SERVICE: MALE PARTY REPORTS BEING ASSAULTED INSIDE THE BAR BY A "GIANT PERSON" WHO SLAMMED HIM OFF THE FLOOR. PARTY INJURED AND WAS TRANSPORTED TO THE HOSPITAL. OWNER CLAIMED THAT HE DID NOT RECALL ANY INCIDENT FROM THE NIGHT PRIOR. INCIDENT REPORT COMPLETED.
- 17) 12/27/2022 1404 CALL OR SERVICE: PAST ASSAULT IN BAR. MALE PARTY WAS ASSAULTED ON 12/25/2022 @ 0200 BY THE OWNER OF THE BAR AND THREATENED BY THE OWNER. "GET OUT OF MY BAR, OR I'LL KILL YOU". BELIEVES ASSAULT HAS TO DO WITH A PAST ASSAULT AGAINST HIS FRIEND, WHICH OCCURRED INSIDE THE BAR ON 12/24/2022. INCIDENT REPORT COMPLETED.

RESPECTFULLY SUBMITTED,

LIEUTENANT DAVID R. SOBRAL #019
FAIRHAVEN POLICE DEPARTMENT

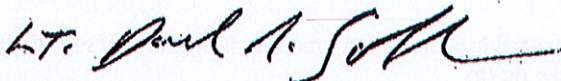
SUMMARY OF 2023 YEAR OF CALLS FOR SERVICE AT
RASPUTIN'S TAVERN

- 1) 1/14/2023 0158 CALL FOR SERVICE: C-P MONITORING THE CLOSING OF THE BAR.
- 2) 1/22/2023 10334 CALL FOR SERVICE: DISTURBANCE/OFFICER OBSERVED THE OWNER OF THE BAR EXIT THE ESTABLISHMENT AT 0330. OWNER WAS UPSET, CLAIMING HARASSMENT. OFFICER OBSERVED SEVERAL PEOPLE INSIDE THE BAR AFTER HOURS. OWNER TOLD OFFICER HE COULD SERVE ALCOHOL AFTER 2AM IF HE WISHED. LIQUOR LAW VIOLATIONS/INCIDENT REPORT COMPLETED.
- 3) 2/15/2023 0118 CALL FOR SERVICE: GENERAL DISTURBANCE/ UNWANTED PERSON WAS REFUSING TO LEAVE THE BAR. FEMALE PARTY YELLING AND SWEARING AT OTHER PATRONS.
- 3) 3/8/2023 0018 CALL FOR SERVICE: REPORT OF A FIGHT INVOLVING A KNIFE. TWO PARTIES WERE CHARGED CROSS COMPLAINTS RE: ASSAULTS AGAINST ONE ANOTHER. INCIDENT REPORT COMPLETED.
- 4) 4/11/2023 0035 CALL FOR SERVICE: UNWANTED PERSON CREATING ISSUES IN THE BAR. REMOVED SEVERAL TIMES, ADVISED TO OBTAIN A NO TRESPASSING ORDER AGAINST FEMALE PARTY.
- 5) 4/22/2023 1019 CALL FOR SERVICE: OWNER REPORTS VANDALISM TO HIS VEHICLE. 3 DIFFERENT POINTS OF IMPACT UPON THE WINDSHIELD. OWNER ALSO REPORTS HE SLEPT AT THE BAR THIS PAST NIGHT BECAUSE HE WAS INTOXICATED LAST NIGHT AND GOING THROUGH A DIVORCE AT HOME. INCIDENT REPORT COMPLETED.
- 6) 4/24/2023 0035 CALL FOR SERVICE: UNWANTED PERSON. FEMALE PARTY REMOVED FROM BAR, PEACE RESTORED.
- 7) 5/7/2023 10514 CALL FOR SERVICE: LIQUOR LAW VIOLATIONS (SEVERAL PATRONS AND OWNER INSIDE BAR, ALCOHOL ON BAR, AFTER HOURS VIOLATIONS) DISTURBANCES/ARRESTS/COMPLAINTS OF TWO MALE PARTIES FROM THE BAR. INCIDENT REPORT, ARREST REPORT AND CRIMINAL COMPLAINT REPORT AND LIQUOR LAW VIOLATION REPORT COMPLETED.
- 8) 5/8/2023 0155 CALL FOR SERVICE: C-P MONITORING THE CLOSING OF THE BAR.
- 9) 5/12/2023 3211 CALL FOR SERVICE: SUSPICIOUS MV IN THE VIC. WASH ST. OPERATOR WAS SLEEPING IN MV THAT WAS IDLING. MALE PARTY STATED HE HAD CONSUMED ALCOHOL AT RASPUTINS.

MALE PARTY LATER CALLED HIS MOTHER, WHO RESPONDED AND
TOOK CARE AND CUSTODY OF HIM.

- 10) 5/27/2023 0215 CALL FOR SERVICE: C/P MONITORING CLOSURE OF
THE BAR AS PATRONS EXITED THE ESTABLISHMENT WAITING FOR
RIDES.
- 11) 6/2/2023 0021 CALL FOR SERVICE: DISTURBANCE/LOUD NOISE.
FEMALE REPORTS MULTIPLE PARTIES OUTSIDE THE BAR BEING
LOUD WAKING UP HER CHILDREN.
- 12) ~~6/11/2023 0215 CALL FOR SERVICE: LIQUOR LAW VIOLATIONS AT
RASPUTIN'S TAVERN UNDER AGE SERVING A MINOR AND AFTER
HOURS VIOLATIONS INCIDENT REPORT DOCUMENTED~~
- 13) 6/11/2023 2201 CALL FOR SERVICE: C/P CHECK OF RASPUTIN'S
TAVERN FOR UNDER AGE CONSUMPTION /MINORS OF ALCOHOL.
- 14) 7/2/2023 0209 CALL FOR SERVICE: C/P MONITORING THE CLOSURE OF
THE BAR.

RESPECTFULLY SUBMITTED,



LIEUTENANT DAVID R. SOBRAL #019
FAIRHAVEN POLICE DEPARTMENT

AGREEMENT

This agreement is entered into this 31st day of July 2019 by the Board of Selectmen for the Town of Fairhaven, as the licensing authority for the Town of Fairhaven pursuant to MGL c. 138 (the "Board"), and Fourth and Long, Inc., d/b/a Rasputin's Tavern ("Rasputin's") (collectively, the "Parties").

Whereas, Rasputin's is the holder of an All Alcohol Beverages license issued by the Town of Fairhaven pursuant to G.L. c. 138, a common victualler's license issued pursuant to G.L. c. 140, and a restricted entertainment license issued pursuant to G.L. c. 140; and

Whereas, the Board issued to Rasputin's a notice of hearing on the following alleged violations:

- Alcoholic beverages were sold or supplied to under age persons in violation of G.L. c. 138§34, and the Town of Fairhaven Alcoholic Beverage Regulations 204-7 (a).
- Alcoholic beverages were sold or supplied to intoxicated persons in violation of G.L. c. 138§69, and the Town of Fairhaven Alcoholic Beverage Regulations 204-6.
- The sale and use of illegal drugs occurred in, on or around the licensed premises in violation of 204 CMR 2.05 (2).
- Disturbances of the peace, including but not limited to noise, fighting, and public urination, and the possession and use of an explosive device (since the June 3, 2019 hearing), occurred in, on or around the licensed premises in violation of 204 CMR 2.05(2).
- Alcoholic beverages were dispensed in an unsanitary manner, in the form of so-called "body shots", in violation of 204 CMR 2.05 (8).
- Employees of the licensee were allowed to dance on the bar, causing an unsanitary condition in violation of 204 CMR 2.05 (8).
- Employees of the licensee provided entertainment in violation of your limited entertainment license, in the form of dancing on the bar while clad in bikinis, in violation of G.L. c. 136 §4 and 204 CMR 2.05 (2); and

Whereas, a hearing on the alleged violations was held by the Board on June 3, 2019, and on July 22, 2019 at which the Board made specific findings with regard to the alleged violations; and

Whereas, under the provisions of the Alcoholic Beverages Regulations of the Town of Fairhaven, the minimum combined penalty for the alleged violations would be sixteen days suspension; and

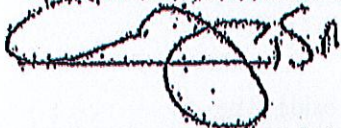
Whereas, the Parties wish to resolve all disputes between them regarding the alleged violations and to avoid further proceedings, including appeals;

Therefore, the Parties agree as follows:

1. The Board will reconsider and amend its findings of July 22, 2019 and find no violations for the following alleged violations:

- Alcoholic beverages were sold or supplied to under-age persons in violation of G.L. c. 138§34, and the Town of Fairhaven Alcoholic Beverage Regulations 204-7 (a);
 - Alcoholic beverages were sold or supplied to intoxicated persons in violation of G.L. c. 138, §49, and the Town of Fairhaven Alcoholic Beverage Regulations 204-6;
 - The sale and use of illegal drugs occurred in, on or around the licensed premises in violation of 204 CMR 2.05 (2).
2. Based on its findings that the remaining alleged violations (excluding the reference to an explosive device) occurred, the Board imposes an eight day suspension of the sale of alcoholic beverages by Rasputin's for eight (8) days, and that suspension to occur from August 1, 2019 to August 8, 2019 inclusive.
 3. Rasputin's waives any and all rights of appeal from the findings and penalty as set forth in Paragraph 2, above.
 4. Rasputin's will apply for approval of a change in manager to be heard by the Board at its meeting on September 9, 2019. Should the current Manager of Record, Matthew Cebula, cease his commercial fighting activities and/or otherwise have the time to devote himself to acting as Manager of Record, nothing herein shall prejudice Mr. Cebula's right to apply for said position of Manager of Record.
 5. Rasputin's will comply with the security plan attached hereto as Exhibit A.

Town of Fairhaven Board of Selectmen,
By Charles Murphy, Chairman



Rasputin and Long Inc. d/b/a Rasputin's Tavern
By its Matthew Cebula, President

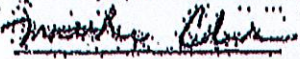


Exhibit A

Security Plan

1. There will be a "manager log". The manager log will be maintained behind the bar and it will provide law enforcement the name, cell phone, and address of all the on-duty managers. The log will also include the past on-duty managers listed daily. There will be a designated manager on duty at all times the bar is open.
2. There will be "ID scanner" at the front door to assure persons entering will be over the age of twenty-one.
3. There will be the following minimum security on duty:
 - Saturday through Thursday, 10:00 pm to closing- One security personnel
 - Friday, 1pm to 10:00pm - One security personnel
 - Friday, 10 pm to closing- Two security personnel
4. The security personnel will be responsible for the following:
 - Entry of persons over 21 only (use of scanner at entrance)
 - Assuring restrooms are not overly crowded or groups entering at the same time
 - Notify bartenders if person is intoxicated
 - Assure people are not bringing in their own alcohol, nor are they exiting the premises with alcoholic beverage.
 - Call police when there is a disturbance
 - Make sure there is one security personnel outside at the time of closing to assure people are moving along
 - Make sure employees are not dancing on table, bar, or doing body shots.
5. The manager will make sure that security cameras are working and that they are recording and, if necessary, provide recordings to law enforcement to assist in any investigation.

EXHIBIT 3

FAIRHAVEN SELECT BOARD MOTIONS RE FOURTH & LONG, LLC, d/b/a RASPUTIN'S TAVERN VOTED AT NOVEMBER 20, 2023 BOARD MEETING

MOTION 1: Penalties for Individual Violations

Motion: Ms. Powers motioned to issue the following penalties to Rasputin's Tavern for its violations of the following local and state liquor laws. Mr. Silvia seconded.

- 1) For the penalty of persons in possession of alcoholic beverages after hours on December 18, 2021, the Board issues a six (6) day suspension.
- 2) For the penalty of persons in possession of alcoholic beverages after hours on January 22, 2023, the Board issues a six (6) day suspension.
- 3) For the penalty of persons in possession of alcoholic beverages after hours on June 11, 2023, the Board issues a six (6) day suspension.
- 4) For the penalties of persons in possession of alcoholic beverages after hours AND other violations of Board rules/regulations, ABCC or state law to wit disturbing the peace and sales to intoxicated persons on May 7, 2023, the Board issues a six (6) day suspension.
- 5) For the penalties of sale to an underaged person AND other violations of Board rules/regulations, ABCC or state law to wit disturbing the peace on September 6-7, 2023, the Board issues a six (6) day suspension.

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

MOTION 2: Penalty Schedule

Motion: Ms. Powers motioned to issue the following penalty schedule to Rasputin's Tavern for its violations of local and state liquor laws beginning on December 15, 2023. Mr. Sylvia seconded.

That Rasputin's Tavern be closed and locked and that no customers shall enter or be served for a total of thirty (30) 24-hour periods broken down into ten (10) 24-hour periods in December 2023; ten (10) 24-hour periods in January 2024; and ten (10) 24-hour periods in February 2024. A notice shall be posted at all entrances to the establishment and shall read: This establishment is closed today to serve a suspension due to violations of Town of Fairhaven's Code of Ordinances Alcoholic Beverages Section 204-1-204--20 and Appendix A governing the sale of alcoholic beverages and related to Massachusetts General Law c. 138.

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

MOTION 3: Modification of License

Motion: Ms. Powers motioned to modify the liquor license of Rasputin's Tavern as follows. Mr. Silvia seconded.

The liquor license of Rasputin's Tavern is hereby modified to include the following conditions that shall at all times govern its future operations beginning on December 15, 2023.

- 1) Rasputin's Tavern shall at all times comply with Fairhaven Code Section 204-1 and 204-10, Appendix A thereto, and M.G.L. c. 138 in operating its premises.
- 2) Rasputin's Tavern shall maintain a manager log. The manager log shall be maintained behind the bar and it shall provide law enforcement the names, cell phone, and address of all on-duty managers. The log shall also include the past on-duty managers listed daily. There shall be a designated manager on duty at all times while the bar is open to the public. The manager log shall be retained for at least three years for inspection by the police department upon request.
- 3) Rasputin's Tavern shall maintain an ID scanner at the front door to assure persons entering will be over the age of 21 and shall maintain such ID scanner at all times in good working order.
- 4) Rasputin's Tavern shall hire and provide the following minimum security on duty. Sunday through Thursday 10 PM to closing - one security personnel. Friday 1PM to 10PM - one security personnel, 10PM to closing - two security personnel. Saturday 1PM to 10PM - one security personnel, 10PM to closing - two security personnel. Said security personnel shall be in addition to the manager on duty.
- 5) The security personnel will be responsible for the following. Entry of persons over 21 only. Use of the scanner at entrance. Assuring restrooms are not overly crowded or groups entering at the same time. Notify bartenders if persons are intoxicating. Assure people are not bringing in their own alcoholic beverages nor exiting the premises with alcoholic beverages. Call police when there is a disturbance. Make sure there is one security personnel outside at the time of closing to assure people are moving along. Make sure employees are not dancing on table, bar, or doing body shots.
- 6) Rasputin's Tavern shall make sure that security cameras are working and that they are recording and if necessary provide security recordings to law enforcement to assist in any investigation. The licensee shall retain security footage for at least 120 days for inspection by the police department upon request.
- 7) Rasputin's Tavern shall position and direct security cameras to detect and

record all people entering and exiting the establishment through the front door.

- 8) **Rasputin's tavern shall check the operation of the security cameras to confirm they are accurately recording video on a daily basis. If the management becomes aware that a security camera is not working properly as a result of such daily check, the manager shall notify the police department of same within 24 hours of becoming so aware and shall inform the police department of what steps are being taken to remedy the issue and when the issue will be remedied.**
- 9) **Rasputin's Tavern shall acquire and keep in good working order a scanner for purposes of checking the identifications of all patrons entering the establishment and such scanning shall be done at all times within the view of the security camera. Such scanning records shall be retained for at least 3 years for inspection by the police department upon request.**
- 10) **Rasputin's Tavern shall keep a log at the premises which shall record the identification of the security personnel on duty for each shift as set forth above, the manager on duty for each night shift when Max Cebula is not the manager on duty, and regular updates with regard to the security camera being checked for proper operation and repairs if needed. Such logs shall be retained for at least three years for inspection by the police department upon request.**
- 11) **Any material violation of this order/security plan shall be subject to the investigation/hearing/disciplinary provisions set forth in Fairhaven Code Section 204-1 and Section 204-10 and Appendix A thereto as may from time to time be amended, including but not limited to potential imposition of the penalties set forth in Section 6 of Appendix A including potential permanent revocation of Rasputin's Tavern license. Rasputin's Tavern agrees that each violation of this agreement determined by the Select Board shall constitute a separate offense. Any imposition of penalties for violation of this agreement shall be in addition to any other discipline that the Select Board has the authority to impose after a providing hearing under Fairhaven Code 204-1 and 204-10 and Appendix A thereto and M.G.L. c. 138.**

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

Bob Espindola – Committee Liaison Report 12-4-2023

The Broadband Study Committee

In an unexpected development, we learned that the Fairhaven Housing Authority held a meeting where the subject of the Broadband Grant was brought up for a vote. Citing that uncertainty of future costs, the FHA voted to decline the project funds be spent for a FHA project.

As I mentioned in a prior meeting, we have been working to identify potential costs for service after the Wifi system is built out and the first year or two of service is 100% paid for by the grant. We were under the impression that the FHA was going to wait for this information before they took this type of vote.

Sean Powers plans to attend the next meeting of the Fairhaven Housing Authority to be sure all their questions were answered before we consider the project officially dead.

In the meantime, as I mentioned in my last Committee Liaison Report, there is at least one fall back plan should the Housing Authority project officially be withdrawn.

Through the Broadband Coalition, we learned that the Town of Bourne had a similar experience, where the Town decided not to move forward with their original plans for their Broadband Grant. The Town switched gears and decided to fund a project in their business district with their grant funds. That change was approved by the state and was built out in just a few months, with a number of commercial subscribers signing onto the new service, at a lower rate than they were paying from the incumbent provider, Comcast.

The Broadband Study Committee will be meeting next on Wednesday, December 13th and at that meeting they will consider all options for the Town with regard to the Broadband Grant and look to make a recommendation to the Select Board.

The Massachusetts Broadband Coalition will be meeting on December 14th

SRPEDD does not typically meet during the month of November but schedules a mid-December meeting to avoid the holiday season (where the meeting would typically fall on the fourth Wednesday of the month. So that meeting will be on Wednesday, December 13th.

The Liveable Streets Committee will be meeting on Thursday, December 7th.