



Fairhaven Board of Selectmen

October 1, 2018 Meeting Minutes

Present: Vice Chairman Charles Murphy, Clerk Robert Espindola Town Administrator Mark Rees, and Administrative Assistant Vicki Paquette. Chairman Daniel Freitas was absent.

Vice Chairman Murphy called the meeting to order in the Town Hall Banquet Room at 6:36 p.m. The meeting was recorded by Cable Access.

MINUTES

Mr. Murphy motioned to approve the minutes of the September 24, 2018 meeting, open session. Mr. Espindola seconded. Vote was unanimous. (2-0)

TOWN ADMINSTRATORS REPORT

- Mr. Rees told the Board that he had recently attended a Municipal Partnership Conference in Worcester sponsored by the Governor's office. Workshops included ways to address water management issues such as flooding and storm water surges, the session focused on being innovative in the local government setting
- Mr. Rees informed the Board that he recently signed the Town Hall roof repair and snow guard installation project authorization letter
- Mr. Rees attended kick off meeting with Comm-Trac, the company that will be installing the Town's fiber optic network. Work is expected to start in November and be complete by January 2019
- Mr. Rees reported that he and Vinnie Furtado, Board of Public Works Superintendent attended a Commission on Disability meeting and heard from a representative from Southeastern Regional Transit Authority (SRTA) regarding assisting the mobility impaired residents in winter months to clear the snow from their sidewalks
- Mr. Rees along with other Town Officials, Lieutenant Governor Karen Polito, Representative Bill Straus and Senator Mark Montigney's office participated in a ribbon cutting ceremony at Union Wharf for the recent completion for the public safety marina and the additional work on shoring up the bulkheads on the wharf. The Lt. Governors encouraged the Town to apply for state grants to complete the project
- Mr. Rees said that Town Hall bid farewell to longtime custodian Frank Fostin with a breakfast buffet in the banquet room on September 28, 2018

- Assistant Superintendent Tara Kohler and Mr. Rees approved IT Director Nicole Potter's appointment of Erin Costa for the new position of Media and Communications Specialist. Ms. Costa has considerable marketing and social media experience
- Mr. Rees updated the Board regarding the interviews for a new Conservation Agent. Human Resources Director, Anne O'Brien, will be conducting interviews and has narrowed down the search to five candidates

COMMITTEE LIAISON REPORTS

- Mr. Espindola will be meeting at UMass Dartmouth regarding Economic Development
- Mr. Espindola reported that the Dog Park Committee will hold a meeting this week, he will be the Selectmen's liaison for this committee
- Mr. Murphy told the Board that the Commission on Disability met with SRTA representatives. SRTA reminded residents in the winter months to clear snow from sidewalks in front of their residence. They also wanted to remind bus riders that even in the event of inclement weather a bus will stop to pick you up even if it is not a designated stop
- Mr. Murphy updated the Board that the Sister City/Manjiro will have some visitors from Japan coming to Fairhaven for a visit in October

NOVEMBER 6, 2018 STATE ELECTION

Mr. Espindola made a motion to adopt the Warrant for the State Election to be held on November 6, 2018. Mr. Murphy seconded. Vote was unanimous. (2-0) (Attachment A)

POLL WORKERS—NOVEMBER 6, 2018 STATE ELECTION

Mr. Murphy made a motion to approve the poll workers for the November 6, 2018 State Election. Mr. Espindola seconded. Vote was unanimous. (2-0) (Attachment B)

WEDDING AT TOWN HALL

Mr. Rees explained that Kourtney Arruda has requested use of the upstairs landing in front of the Auditorium doors for a wedding ceremony on Friday, October 5, 2018. This will be during business hours so she has asked for the custodial fee to be waived.

Mr. Espindola made a motion to approve a wedding ceremony for October 5, 2018 from 11:00am – 1:00pm and to waive the fees. Mr. Murphy seconded. Vote was unanimous. (2-0)

CDBG GRANT

Mr. Rees told the Board that this will be passed over for this meeting.

APPOINTMENT OF BUILDING COMMISSIONER

Human Resources Director, Anne O'Brien and Mr. Rees introduced Kristian White to the Board. Mr. White was the top choice for the position of Building Commissioner. Mr. White has previously worked for the city of Walpole and is extremely qualified. Mr. White told the Board he is looking forward to bringing his skills and knowledge to the Town. Mr. Espindola made a motion to approve the appointment by Mr. Rees of Kristian White to the position of Building Commissioner. Mr. Murphy seconded. Vote was unanimous. (2-0) (Attachment C)

HOPPY'S LANDING PARKING FEES

Mr. Rees explained that the issue of the parking at Hoppy's Landing has been ongoing for quite some time. Harbor Master, Tim Cox and Frank Coelho, Chairman of the Marine Resources Committee were in attendance. Mr. Coelho said the Marine Resources Committee reviewed the new parking fees and approved the recommendations to have special spots designated for free parking for cars without trailers. (Attachment D) There will be designated spots for vehicles pulling trailers. The parking meter has been installed for these spots. Customers may pay with cash, credit or debit. Mr. Coelho and his Board expressed concerns over the boulders that were placed on Causeway Road because they feel the rocks are not eye appealing. The Marine Resources Committee would like to see a different solution for the boulders and passed out a copy of the minutes from a recent Board of Public Works meeting where they discussed the placement of the boulders. (Attachment E) Mr. Espindola made a motion to approve the amendment to the rules and regulations for the fees section of Hoppy's Landing to reflect the discontinuance of charges for vehicles. Mr. Murphy seconded. Vote was unanimous. (2-0)

EXPANDED UNION WHARF REGULATIONS

Mr. Rees told the Board that roughly 2 years ago Harbor Master, Tim Cox created 2 new slips at Union Wharf. Discussion centered on the types of boats that should be allowed in the 2 new slips and the fees that they should be charged. The amended rules and regulations would allow for a lottery system for the slips in the event of a waiting list. The proposed "fee schedule" calls for a \$1500 yearly fee. Selectmen felt this was an adequate fee due to the fact that there is no electricity or running water at these slips. Mr. Espindola made a motion to adopt the North Side of Union Wharf regulations as written with the \$1500 for yearly fee prorated if necessary. Mr. Murphy seconded. Vote was unanimous. (2-0) (Attachment F)

MARINE RESOURCES COMMITTEE CHARGE

Mr. Rees, in his ongoing efforts to update charges for the Boards and Committees, has made some recommendations to the Marine Resources Committee Charge originally adopted on July 11, 2016. Selectmen and Marine Resources Committee Chair Frank Coelho discussed the efforts of the committee and the lack of a quorum due to members not showing up for meetings. Mr. Rees suggested that the membership be limited to five at large members and one representative from the Board of Selectmen and one from the Board of Public Works. He proposed there be no alternate representatives from the Board of Public Works or the Board of Selectmen unless there is a conflict of interest. Mr. Espindola made a motion to approve the Marine Resources Committee Charge changing the total number of members to seven including one voting Liaison from the Board of Public Works and one voting liaison from the Board of Selectmen. Mr. Murphy seconded. Vote was unanimous. (2-0) (Attachment G)

MS4 PERMIT NOTICE OF INTENT

Mr. Rees explained to the Board that in any Municipality, sewage and drainage are either contained in the same pipe or in two separate pipes. In those municipalities where sewage is carried in a separate system than drainage (rain water), the EPA requires this community to have a permit granting stipulated permission for the drainage discharge.

The Town applied for such a permit back in 2003. Since then, the Town has been following the required protocol of the permit, such as, but not limited to, storm water education, sweeping streets, cleaning catch basins and compiling and submitting an annual report.

The first round of permits are expiring but more work still needs to be done. This permit mandated by the State for long-term health of waterways.

Mr. Espindola made a motion to approve the MS4 Permit notice of intent and to authorize the Chair to sign on Behalf of the Board. Mr. Murphy seconded. Vote was unanimous. (2-0) (Attachment F)

TOTAL CONFECTIONS LLC PACKAGE STORE/ ALL ALCOHOL LICENSE

Selectmen met with Cathy Melanson, owner of Emma Jeans Bakery, who is requesting to place an article on the Special Town Meeting Warrant for her to amend her current liquor license, which does not allow for her to sell or transfer her Package Store/ Full Alcohol license to another location from its current location at 115 Huttleston Avenue. (Attachment G) On May 5, 2012 the beer and wine license was voted at Town Meeting and went before Special Legislation to become an All Alcohol license. (Attachment H). The license reads “non-transferable to another location, but the licensing authority may grant the license to a new applicant at the same location.”

Ms. Melanson told the Board that she would like to move the license someplace that is not as family friendly as her bakery. In order to transfer the license, she will now have to follow the same process and go before Town Meeting and Special Legislation.

Mr. Espindola had concerns because Ms. Melanson had go to Special legislation to obtain the all alcohol license, and he is worried that this could impact our cap on the recreational marijuana licenses that can be issued. Mr. Rees assured the Board that Ms. Melanson's license would not impact the recreational marijuana licenses but if someone else in the future goes before Special Legislation as Ms. Melanson did and they are issued a license then it could affect the marijuana licenses. In order for Ms. Melanson to have an article placed on Special Town Meeting she would need to petition 100 hundred signatures or have the Selectmen place the article on the warrant. Mr. Espindola made a motion to allow Total Confections to place a Special Town Meeting article on the warrant that would allow for the language that limits the transportability of this license to other locations. Mr. Murphy seconded. Vote was unanimous. (2-0)

SPECIAL TOWN MEETING ARTICLES REVIEW

Selectmen reviewed the articles for Special Town Meeting. Mr. Rees told the Board that he has spoken with Town Counsel regarding the citizen petition asking that an extension be granted on the recreational marijuana moratorium. Mr. Rees told the Board that Town Counsel revamped the wording for it to be legally binding. Doug Brady, the lead petitioner, spoke to the Board and agreed with the revamped wording by Town Counsel. Tim Keogh, owner of BASK, Inc, the Town's only current medical marijuana facility had concerns that if residents signed the petition under the original wording, then they may not have understood what they were signing for. Mr. Brady assured Mr. Keogh and the Board that petitioners were asked very clearly "Do you want to ask Special Town Meeting members to extend the moratorium" Selectmen agreed there was no miscommunication on the words used.

OTHER BUSINESS

- Mr. Espindola read an invitation for the Grand Opening of MO LIFE at Lambeth Park on October 12, 2018. All are welcome to attend
- Mr. Espindola reminded residents about the Hazardous Waste Day at the Department of Public Works on Arsene Street on October 6, 2018. There will be a recycle rodeo and all items will be donated to Gifts to Give in Acushnet
- Mr. Espindola encouraged everyone to watch the Public Service Announcement produced by Cable Access for the Board of Health on recycling
- Mr. Espindola and Mr. Murphy expressed how proud he is of all the work that has been done at Union Wharf. He was pleased to see the Lieutenant Governor Karen Polito, Representative Bill Straus, and Senator Mark Montigney's office at the ribbon cutting ceremony
- Mr. Murphy reminded residents that the Fairhaven Rotary Club and the Board of Health are working together to collect plastic bags
- Mr. Murphy wished Chairman Freitas well and Mr. Rees good luck on his trip Washington D.C.

- Mr. Murphy reminded residents the annual Fire Station Open House is this Sunday, October 7, 2018 from 1-3 pm

At 8:00pm Mr. Espindola made a motion to adjourn. Mr. Murphy seconded. Vote was unanimous. (2-0)

Respectfully Submitted,

Vicki L. Paquette

Vicki Paquette
Administrative Assistant
(Approved on 10/22/2018)

Documents appended:

- A: State Election Warrant**
- B: Poll Workers – State Election**
- C: Building Commissioner resume**
- D: Hoppy’s Landing parking fees**
- E: Handout from Frank Coelho- BPW minutes**
- F: Union Wharf Rules and Regulations**
- G: Marine Resources Committee charge**
- H: MS4 NOI**

D-1

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

SS.

To the Constables of the Town of FAIRHAVEN

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in the State Election to vote at:

- PRECINCT 1 – TOWN HALL, WILLIAM STREET ENTRANCE
PRECINCT 2 – HASTINGS MIDDLE SCHOOL, SCHOOL STREET ENTRANCE
PRECINCT 3 – HASTINGS MIDDLE SCHOOL, SCHOOL STREET ENTRANCE
PRECINCT 4 – FAIRHAVEN FIRE STATION MMEETING ROOM, 146 WASHINGTON STREET
PRECINCT 5 – RECREATION CENTER, 227 HUTTLESTON AVENUE
PRECINCT 6 – RECREATION CENTER, 227 HUTTLESTON AVENUE

on TUESDAY, THE SIXTH DAY OF NOVEMBER, 2018, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices and questions:

- SENATOR IN CONGRESS. FOR THIS COMMONWEALTH
GOVERNOR and LIEUTENANT GOVERNOR. FOR THIS COMMONWEALTH
ATTORNEY GENERAL. FOR THIS COMMONWEALTH
SECRETARY OF STATE. FOR THIS COMMONWEALTH
TREASURER AND RECEIVER GENERAL. FOR THIS COMMONWEALTH
AUDITOR. FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS. NINTH DISTRICT
COUNCILLOR. First DISTRICT
SENATOR IN GENERAL COURT 2nd BRISTOL DIST/PLYMOUTH DIST
REPRESENTATIVE IN GENERAL COURT. TENTH BRISTOL DISTRICT
DISTRICT ATTORNEY BRISTOL DISTRICT
CLERK OF COURTS. BRISTOL COUNTY
REGISTER OF DEEDS. BRISTOL SOUTHERN DISTRICT
COUNTY COMMISSIONERS BRISTOL COUNTY

QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 2, 2018?

SUMMARY

This proposed law would limit how many patients could be assigned to each registered nurse in Massachusetts hospitals and certain other health care facilities. The maximum number of patients per registered nurse would vary by type of unit and level of care, as follows:

- In units with step-down/intermediate care patients: 3 patients per nurse;

- In units with post-anesthesia care or operating room patients: 1 patient under anesthesia per nurse; 2 patients post-anesthesia per nurse;
- In the emergency services department: 1 critical or intensive care patient per nurse (or 2 if the nurse has assessed each patient's condition as stable); 2 urgent non-stable patients per nurse; 3 urgent stable patients per nurse; or 5 non-urgent stable patients per nurse;
- In units with maternity patients: (a) active labor patients: 1 patient per nurse; (b) during birth and for up to two hours immediately postpartum: 1 mother per nurse and 1 baby per nurse; (c) when the condition of the mother and baby are determined to be stable: 1 mother and her baby or babies per nurse; (d) postpartum: 6 patients per nurse; (e) intermediate care or continuing care babies: 2 babies per nurse; (f) well-babies: 6 babies per nurse;
- In units with pediatric, medical, surgical, telemetry, or observational/outpatient treatment patients, or any other unit: 4 patients per nurse; and
- In units with psychiatric or rehabilitation patients: 5 patients per nurse.

The proposed law would require a covered facility to comply with the patient assignment limits without reducing its level of nursing, service, maintenance, clerical, professional, and other staff.

The proposed law would also require every covered facility to develop a written patient acuity tool for each unit to evaluate the condition of each patient. This tool would be used by nurses in deciding whether patient limits should be lower than the limits of the proposed law at any given time.

The proposed law would not override any contract in effect on January 1, 2019 that set higher patient limits. The proposed law's limits would take effect after any such contract expired.

The state Health Policy Commission would be required to promulgate regulations to implement the proposed law. The Commission could conduct inspections to ensure compliance with the law. Any facility receiving written notice from the Commission of a complaint or a violation would be required to submit a written compliance plan to the Commission. The Commission could report violations to the state Attorney General, who could file suit to obtain a civil penalty of up to \$25,000 per violation as well as up to \$25,000 for each day a violation continued after the Commission notified the covered facility of the violation. The Health Policy Commission would be required to establish a toll-free telephone number for complaints and a website where complaints, compliance plans, and violations would appear.

The proposed law would prohibit discipline or retaliation against any employee for complying with the patient assignment limits of the law. The proposed law would require every covered facility to post within each unit, patient room, and waiting area a notice explaining the patient limits and how to report violations. Each day of a facility's non-compliance with the posting requirement would be punishable by a civil penalty between \$250 and \$2,500.

The proposed law's requirements would be suspended during a state or nationally declared public health emergency.

The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect. The proposed law would take effect on January 1, 2019.

A YES VOTE would limit the number of patients that could be assigned to one registered nurse in hospitals and certain other health care facilities.

A NO VOTE would make no change in current laws relative to patient-to-nurse limits.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 2, 2018?

SUMMARY

This proposed law would create a citizens commission to consider and recommend potential amendments to the United States Constitution to establish that corporations do not have the same Constitutional rights as human beings and that campaign contributions and expenditures may be regulated.

Any resident of Massachusetts who is a United States citizen would be able to apply for appointment to the 15-member commission, and members would serve without compensation. The Governor, the Secretary of the Commonwealth, the state Attorney General, the Speaker of the state House of Representatives, and the President of the state Senate would each appoint three members of the commission and, in making these appointments, would seek to ensure that the commission reflects a range of geographic, political, and demographic backgrounds.

The commission would be required to research and take testimony, and then issue a report regarding (1) the impact of political spending in Massachusetts; (2) any limitations on the state's ability to regulate corporations and other entities in light of Supreme Court decisions that allow corporations to assert certain constitutional rights; (3) recommendations for constitutional amendments; (4) an analysis of constitutional amendments introduced to Congress; and (5) recommendations for advancing proposed amendments to the United States Constitution.

The commission would be subject to the state Open Meeting Law and Public Records Law. The commission's first report would be due December 31, 2019, and the Secretary of the Commonwealth would be required to deliver the commission's report to the state Legislature, the United States Congress, and the President of the United States.

The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect. The proposed law would take effect on January 1, 2019.

A YES VOTE would create a citizens commission to advance an amendment to the United States Constitution to limit the influence of money in elections and establish that corporations do not have the same rights as human beings.

A NO VOTE would not create this commission.

QUESTION 3: REFERENDUM ON AN EXISTING LAW

Do you approve of a law summarized below, which was approved by the House of Representatives and the Senate on July 7, 2016?

SUMMARY

This law adds gender identity to the list of prohibited grounds for discrimination in places of public accommodation, resort, or amusement. Such grounds also include race, color, religious creed, national origin, sex, disability, and ancestry. A "place of public accommodation, resort or amusement" is defined in existing law as any place that is open to and accepts or solicits the patronage of the general public, such as hotels, stores, restaurants, theaters, sports facilities, and hospitals. "Gender identity" is defined as a person's sincerely held gender-related identity, appearance, or behavior, whether or not it is different from that traditionally associated with the person's physiology or assigned sex at birth.

This law prohibits discrimination based on gender identity in a person's admission to or treatment in any place of public accommodation. The law requires any such place that has separate areas for males and females (such as restrooms) to allow access to and full use of those areas consistent with a person's gender identity. The law also prohibits the owner or manager of a place of public accommodation from using advertising or signage that discriminates on the basis of gender identity.

This law directs the state Commission Against Discrimination to adopt rules or policies and make recommendations to carry out this law. The law also directs the state Attorney General to issue regulations or guidance on referring for legal action any person who asserts gender identity for an improper purpose.

The provisions of this law governing access to places of public accommodation are effective as of October 1, 2016. The remaining provisions are effective as of July 8, 2016.

A YES VOTE would keep in place the current law, which prohibits discrimination on the basis of gender identity in places of public accommodation.

A NO VOTE would repeal this provision of the public accommodation law.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this _____ day of _____ 2018.

SELECTMEN OF FAIRHAVEN

I, Carolyn Hurley, Constable of the Town of Fairhaven, do hereby certify that I have duly served this warrant as required by the General Laws of Massachusetts and the By-Laws of the Town of Fairhaven by posting an attested copy thereof in the six precincts and/or polling places on

Constable

POLL WORKERS

for the

November 6, 2018

State Election

PRECINCT 1

Bernadette Costa, 19 Huttleston Avenue, 508-264-5505-----Warden – U
Janice Rose, 44 Jerusalem Road, 508-993-7219 -----Clerk – U
George Diggle, 21 Summer Street, 508-996-1976 -----Worker – U
Terrence Meredith, PO Box 684, 508-994-8751-----Worker – U

PRECINCT 2

Mary Cunha, 201 Nasketucket Way, 508-241-3775 -----Warden –D
Christine Alfonse, 38 Veranda Avenue, 508-997-1975 -----Clerk – R
Elaine Burgo, 147 Merrimac Street, 508-965-5719-----Worker-D
Carole Fauteux, 87 Harding Road, 508-992-1045 ----- Worker – U

PRECINCT 3

Lee Bachand, 152 Acushnet Rd, Matt, 774-202-0500-----Warden – U
Sandra LeBlanc, 17 Elm Avenue, 508-992-2498-----Clerk – D
Mary Yarmac, 85 Laurel Street, 860-884-2163-----Worker – D
Michelle Letts, 7 Andrew Avenue, 508-957-0777-----Worker – U

PRECINCT 4

Linda Therrien, 287 Huttleston Avenue, 508-996-2068-----Warden – U
Rosalie Hutchinson, 201 Ocean Meadows, 508-971-0046 -----Clerk - U
Catherine Delano-Calamari, 44 William St #1, 508-364-8688-----Worker- D
Pamela Greene, 109 Washington Street, 508-994-9310-----Worker – R

PRECINCT 5

Diane Rocha, 346 Huttleston Avenue, 774-606-7005-----Warden – D
Elaine L. Rocha, 7 Holiday Drive, 508-992-2246-----Clerk – D
Elizabeth Sylvia, 3 Holiday Drive, 508- 996-9956-----Worker – D
Mary Grace, 89 Spring Street, 508-994-5636 -----Worker– D

PRECINCT 6

David Chevalier, 31 Phoenix Street, 603-801-1689-----Warden -D
Linda Chevalier, 31 Phoenix Street, 603-801-1690 -----Clerk – D
Joan Mello, 15 New Boston Road, 508-994-5488-----Worker – U
Sandra Melanphy, 37 Evergreen Street, 508-994-4241-----Worker – U

Kristian D. White

[REDACTED]

[REDACTED]

[REDACTED]

August 24, 2018

Town of Fairhaven
Human Resources Department
40 Center Street
Fairhaven, MA 02719

Re: Building Commissioner/Zoning Enforcement Officer Position

Dear Sir or Madam,

Please accept this cover letter in response to the Building Commissioner/Zoning Enforcement Officer position for the Town of Fairhaven that is currently posted. Please find attached my resume and three references for your review and consideration.

Please allow me to highlight my strengths and current/past employment below:

- Currently employed with Town of Walpole, for four years, working as Deputy Building Commissioner, Deputy Building Inspector, and Zoning Enforcement Officer. In this position, I oversee daily operations of the building department, inspect commercial and residential buildings under construction, enforce zoning by-laws, examine plans for building construction or alteration; work with local/state inspectors, building commissioners, engineers, Board of Health, and fire department.
- Worked for the City of Taunton, for three years within the Building Department, as a Carpenter. In this position, I collaborated with the Building Superintendent, Commissioner, and Building Inspector on the design, building, and implementation of proposed work plans.
- Over 27 years of supervisory and hands-on experience in building design and construction
- Owned and operated my own remodeling and restoration business for approximately 6 years providing state of the art custom design work to residential and commercial customers
- Ensured all projects adhere to OSHA and Massachusetts Building Code standards and regulations
- Active licenses/certifications: Certified Building Commissioner, Certified Building Inspector, Certified Zoning Inspector, Certified Building Official, SEMBOA member, Construction Supervisor License; HIC license

I welcome the opportunity to learn more about the Building Commissioner/Zoning Enforcement Officer position that you currently have available for the Town of Fairhaven. If you have any questions or need additional information, please do not hesitate to contact me via cell at [REDACTED] or via email at [REDACTED]

Thank you in advance for your time and consideration.

Sincerely,

Kristian D. White

Kristian D. White

Kristian D. White

Experience:

Town of Walpole, Massachusetts
Walpole MA

December 2013 - Present

Deputy Building Commissioner / Zoning Enforcement Officer

November 2015 – Present

- Oversee daily operations of the building department which includes plumbing/gas, electrical, and building inspectors as well as office administration
- Responsible for plan review, permit application approvals, zoning interpretations, building inspections, and issuance of Certification of Occupancy
- Collaborate with local and state inspectors, building commissioners, lawyers, professional engineers/architects, designers, and building contractors in order to help resolve building code, zoning, and legal issues. Worked closely with Attorney General and Board of Health on the abandoned house initiative project which successfully placed many abandoned houses back into use
- Assist Commissioner with zoning interpretations, annual town report, and budget completion.
- Appointed interim Building Commissioner from November 2015 through March 2016. Supervised a team of 3 building inspectors, 1 electrical inspector, 1 plumbing inspector, and administrative staff. Prepared and presented 2016 budget to Town Administrator.

Deputy Building Inspector / Zoning Enforcement Officer

December 2013 – October 2015

- Examined plans for building construction or alteration for compliance with the Massachusetts State Building Code, the Rules and Regulations of the Architectural Access Board and the Walpole Zoning By-Laws; Issued building permits, and collect/account for prescribed fees.
- Inspected Commercial and Residential buildings under construction; including repair and alteration work. Ensured work was in compliance with all approved construction documents.
- Enforced the Walpole Zoning By-Laws. Inspect all signs annually; responded to zoning complaints and investigated violations; investigated all complaints pertaining to the construction and use of occupancy of buildings
- Coordinated all inspection services pertaining to construction or alteration of buildings in the Town of Walpole; including electrical, plumbing, and gas.
- Scheduled, coordinated, and maintained all 110 and 304 inspections with Fire Department. Reviewed building permit applications and plans for zoning compliance. Monitored conditions placed on variances and special permits granted by the Zoning Board of Appeals. Maintained associated records including records of occupancy and use.

City of Taunton, Massachusetts
Taunton MA

December 2010 – December 2013

Carpenter, Building Department, Department of Public Works

- Responsible for daily repair, maintenance, and inspection of all public building facilities (i.e. schools, police, fire and municipal)
- Ensured all projects completed adhere to OSHA and Massachusetts State Building Code standards and regulations
- Worked closely with other tradesman and municipal departments to facilitate completion of assignments
- Collaborated with Building Superintendent, Commissioner, and Inspectors on the design, building, and implementation of proposed work plans
- Worked with City Mayor and City Clerk to address emergency related matters

KDW Remodeling & Restoration, Owner
Taunton MA

December 2004 – December 2010

- Owned and operated company focused to providing state of the art custom design work to residential and commercial customers; specializing in energy efficient and antique home renovations; ensuring all work met Massachusetts Building Code standards and regulations
- Directed, managed, and was responsible for all aspects of the job including drafting proposals, design layout, framing, roofing, siding, foundations, finish work, scheduling and supervising subcontractors
- Designed, remodeled, installed and built custom homes, garages, decks, sunrooms, bathrooms, roofs, windows, doors, family rooms, finished basements, and kitchens
- Worked with fire department officials, local inspectors, building commissioners, architects, and engineers as well as maintained relationships with commercial vendors and tradesman which helped with completion of jobs
- Worked closely with customers to ensure a complete understanding of what is to be expected, materials needed, and timeframe for job completion

Edco Collaborative
Brookline MA

October 1995 – November 2004

Adaptive Design Assistant, Massachusetts Department of Education

November 1999 – November 2004

- Designed equipment specific to special needs students to help them adapt to everyday life and increase their independence
- Worked closely with each student to understand their individual needs in order to deliver a product which achieved the student's individual educational goal(s) (i.e., custom desks and furniture)
- Maintained workshop and built stations to allow for completion of sophisticated devices which included working with wood, metal, plastics, fabric, and electronics
- Communicated and met with Occupational Therapists, Physical Therapists, Speech Therapists, Aids, Special Education teachers, and parents to work toward the student's independence
- Involved with the students' yearly community play which included set design, building of props, painting, and layout

Vocational Assistant, Massachusetts Department of Education

October 1995 – November 1999

- Assisted in the vocational instruction of special needs students in the South District programs utilizing acceptable teaching methodologies
- Maintained an appropriate atmosphere and environment conducive to vocational growth to ensure maximum student development
- Participated in the work stipend program maintaining appropriate records and time sheets
- Involved in the implementation of the printing program and worked directly with the students to train them on all areas of the program
- Ensured that all vocational instruction of special needs students were in compliance with state guidelines

Brouillette & Fortin Contractors
Raynham MA

November 1987 – September 1995

Construction Supervisor/Carpentry Foreman/Sales Representative

March 1992 – September 1995

- Scheduled appointments with prospective clients and subcontractors, prepared written proposals which reflected estimated costs
- Supervised subcontractors and ensured all assignments were completed according to blueprints and/or specifications within the Massachusetts Board of Building Regulations and Standards
- Managed a team of four employees and responsible for all operations related to personnel, equipment, materials, building permits, and total appearance of job site
- Performed duties from frame work to finish work including job excavation, surveying, concrete footings, foundations, siding, and installation of windows and doors

Roofing Foreman

April 1990 – March 1992

- Trained, managed, and supervised a crew of five employees
- Responsible for materials, general maintenance of equipment, and job site appearance
- Performed residential and commercial roofing including slate, copper, EPDM rubber, and modified roofing systems adhering to Massachusetts Building Code
- Tracked and recorded all documentation regarding warranties, pricing, and accounts receivable/payable
- Maintained a 35% profit margin on all job assignments

Laborer / Apprentice

November 1987 (Co-Op Program) – April 1990

Educational & Technical

Licenses:

Certified Zoning Inspector ICC/AACE

Certified Building Commissioner #BO-1909

Certified Local Building Inspector

SEMBOA Member (as of 2013)

Certified Building Official - ICC

Construction Supervisor License #088572

Home Improvement Contractor License #146175

Certified Lead Paint Renovator (RRP)

Commercial Driver's License (CDL) –Class B

Bristol Plymouth Vocational Technical High School -Graduate, Carpentry Major -1988

Computer

Skills:

Microsoft Word, Microsoft Excel, Microsoft Outlook, GEO-TMS Permitting, ViewPoint Permitting



**Town of Fairhaven
Massachusetts**
Office of Marine Resources
40 Center Street
Fairhaven, MA 02719

Timothy Cox

Harbormaster/ Shellfish Warden

Rules and Regulations of Hoppy's Landing

*As Amended 5/19/05 by Hoppy Landing Advisory Committee,
As Amended 6/15/05 by Hoppy Landing Advisory Committee,
As Amended 8/15/05 by Hoppy Landing Advisory Committee,
The Advisory Committee reviewed the Rules and Regulations as noted by Town Counsel, Blair Bailey
As Reviewed by Town Counsel, 3/7/2006
Approved by Board of Selectmen, May 30, 2006
Modified by Board of Selectmen, October 1, 2018*

Fees

1. For dinghy's, skiffs, tenders used to get to and from moorings within the Hoppy's Landing mooring area, beach storage will be allowed on the beach area just west of the dock. The storage rate will be thirty five dollars (\$35) per year and a boat sticker must be displayed on the transom of the dinghy, skiff, or tender.
2. Vehicles with Boat Trailers parking rates are set at fifty dollars (\$50) annually or seven dollars (\$7) per day of use. Boat owners wishing to purchase an annual fifty dollar (\$50) sticker must first show proof of payment that all Waterways User Fees and Boat Excise Taxes must be paid in full before an annual parking sticker can be purchased. There will be no parking fees for Vehicles without Boat Trailers.
3. A limited number of fishing gear storage areas are available for licensing from the Selectmen's Office, upon consultation with the Harbormaster. The licensing period runs from September 1 to August 31 at a rate of two hundred fifty dollars (\$250.) per twenty by forty foot area, as assigned by the Harbormaster.

Rules and Regulations

1. All boat mooring, dinghy storage and fishing gear storage privileges are subject to a yearly fee schedule, and pertinent waterway user fees and boat excise taxes and shall be permitted annually by the Harbormaster.

2. All users of the Hoppy's Landing facility must obey the lawful orders of the Harbormaster and/ or his assistants. Failure to obey these orders or instructions may result in the loss of the privilege to use the facilities. Repeated failure to follow these orders or instructions may result in the permanent loss of the privilege to use the facilities.
3. If any person who shall refuse or neglect to move his/her boat or material on the Hoppy's Landing property when and as directed by the Harbormaster and/or his assistants such refusal may result in the loss of the privilege to use the facilities. Repeated failure to follow these orders or instructions may result in the permanent loss of the privilege to use the facilities.
4. Use of the boat launch ramp and floats are on a first come, first serve basis and must be used in an expedient manner to allow others the privilege of utilizing the facilities in a timely manner.
5. No vessels are to be docked to the floats for more than two (2) hours due to repairs, gear or bait transport, unless approved by the Harbormaster. If such unapproved vessels continue to be secured to the dock, the Harbormaster will remove the vessel at the expense of such party.
6. At no time may any fishing gear for the purposes of keeping bait fish fresh may be kept, tied, or secured to the dock or floats. If such unapproved gear is found, the Harbormaster will remove the gear at the expense of such party.
7. No recreational fishing, or swimming will be allowed within the immediate confines of the floats, dock and boat ramp areas at any time. Recreational fishing, swimming and other recreational uses are encouraged throughout all other areas of the property.
8. Vehicle parking in areas where prohibited by signage is cause for a parking citation. All parking regulations are posted and will be strictly enforced by the Harbormaster, his assistants (parking control officers) and the Police Department. Any vehicle found to be illegally parked will be subject to a \$25 fine.
9. All waterways user fees and boat excise taxes not paid within sixty days of billing may result in the loss of mooring and launching privileges.
10. Overnight parking of vehicles and boat trailers may be allowed with prior notification and approval of the Harbormaster. However, overnight camping is prohibited in all areas of the Hoppy's Landing property, either by use of camping trailers, tents, or open sleeping bags.
11. The storage of commercial fishing gear, lobster cages is available in a limited area within a one-hundred foot square parcel southwest of the pond. All interested parties will be considered on a per request basis by the Harbormaster. See licensing agreement for further rules and requirements.
12. Designated picnic areas, when established by the Town of Fairhaven, shall be defined as an area containing picnic tables and or fireplaces specifically established by the Town of Fairhaven for the outdoor consumption and/or preparation of food.
13. No alcoholic beverages of any kind shall be permitted within the confines of Hoppy's Landing property.

14. No person shall leave, place, or dispose of in any manner, garbage, waste, refuse, ashes, cans, bottles, paper, motor vehicles, bicycle, furniture, glass, oil, sewerage, anything of any unsightly or unsanitary nature, except in receptacles provided for such purposes.

15. No person shall kindle, build, maintain or use a fire other than in the picnic area for such use. Any fire shall be continuously under the care and direction of a competent adult from the time of kindling until it is extinguished.

16. No person shall solicit, sell, rent, advertise or offer to sell or rent, hawk, peddle, display, or distribute any goods, wares, tangible or intangible property, in any area of Hoppy's Landing except by permit and authority issued by the Board of Selectmen.

17. Rules and regulations may be changed at any time by the Board of Selectmen and shall become effective upon publication. Furthermore these rules and regulations shall be posted at the landing and provided to all holders of waterways permits and licenses.

18. Anyone found in violation of these by-laws, rules and regulations may be subject to a fine of twenty dollars (\$20.00) pursuant to G.L. c.88 section 19 for each offense. Each day of violation shall constitute a separate offense. The only exception to this fine schedule is the parking violations as outlined in rule #10.

Town of Fairhaven
Board of Public Works Meeting
August 27, 2018

Mr. Hobson - Are the boulders on Causeway Road going to stay?

Mr. Furtado - No one has called the office and complained about them.

Mr. Wotton – I would like to see the boulders be only a temporary solution. Eventually I would like to see a walkway put there so people could walk Causeway Road safely.

Mr. Ristuccia - We should look into enforcing where people should be parking. Right now, I have seen people parking in front yards on Alder Street and Almond Street. There should be a designated spot so people can park.

Mr. Wotton - I would like to see street signs put on top of the traffic lights at Narragansett Blvd at Huttleston Avenue, Sconticut Neck Road at Huttleston Avenue and Alden Road at Huttleston Avenue. In addition, in front of 4 Maple Avenue a tree has uprooted and made a mess of the sidewalk. They are currently there fixing eight feet of sidewalk. Can we fix this issue as well while we are there? On Manomet Street, there are potholes that need to be filled.

C. Marine Resources Committee – BPW Related Matters

VIII. Set Date for the Next Meeting

Mr. Ristuccia motioned to hold the next meeting on September 4, 2018 at 6:00 p.m. Mr. Silvia seconded. Vote unanimous.

IX. Executive Session

X. Adjourn

Mr. Ristuccia motioned to adjourn the meeting at 6:45 p.m. Mr. Silvia seconded. Vote unanimous.

Respectfully submitted,

Rebecca L. Vento
Administrative Assistant

Minutes Approved September 4, 2018



Timothy Cox
Harbormaster/ Shellfish Warden

Town of Fairhaven
Massachusetts
Office of Marine Resources
40 Center Street
Fairhaven, MA 02719

NORTH SIDE OF UNION WHARF REGULATIONS

Approved by the Board of Selectmen on October 1, 2018

1.General Use Regulations

1.1 Except in an emergency, no boat will tie up to any of the Town's wharves, floats or piers without the permission of the Harbormaster.

1.2 No person shall leave any boat or vessel, or any fishing equipment, fish or any other personal property, or waste, upon any Town landing, float, wharf or pier for any period longer than reasonably necessary during the loading or unloading of a vessel.

1.3 The Town will not be responsible for any loss or damage to boats or vessels at the Town wharves, floats, piers or moorings. Owners will be held responsible for damage caused by them or their vessels to structures and pilings and related facilities owned by the Town of Fairhaven.

1.4 No rope, line or other equipment shall be allowed to pass across any channel or dock in such a way that it would be likely to obstruct or interfere with navigation or the use of the facilities.

1.5 Except in an emergency, no boat shall fuel at the Town's wharves, floats or piers without

the permission of the Harbormaster. Fueling must comply with all state and federal regulations.

1.6 All boats or vessels using any of the Town's wharves, floats or piers shall observe all Police, Fire, Health and sanitary regulations of the Town, and the owners, operators and occupants of such boats shall not permit acts contrary to good order, public safety or public health, including public profanity or obscene language or indecent exposure or behavior. No one using any of the Town's wharves, floats or piers shall cause any unnecessary noise, loud talking or playing of music or other devices between the hours of 10:30 p.m. and 7:30 a.m.

1.7 The Harbormaster has the right to determine if any vessel in Town waters is unseaworthy, dangerous or in such a badly deteriorated condition as to render it unsafe. Upon making such a determination, the Harbormaster shall give notice to the owner by posting notice of such determination on the vessel, and **(a)** if the address of the owner is known, then by mail, email, or hand-delivery to the owner, or **(b)** if the owner is unknown, then by publication in a newspaper of general circulation within the Town. If after 10 days following the publication or written notice as provided in the preceding sentence, the owner has failed to remedy the conditions leading to the determination, the Harbormaster may take appropriate steps for removal of the vessel. At any time, the Harbormaster, notwithstanding the foregoing, may act immediately in event of an emergency to take appropriate steps for immediate removal of any vessel that presents an eminent threat to life or property, provided, however, that as soon as practicable after taking such action, notice of the action taken shall be provided in the manner set forth in this section. If, after 30 days from the date of notice or publication, the owner of a removed vessel shall fail to reimburse the Town for removal cost, the vessel may then, at the discretion of the Harbormaster, be sold at public action to cover the costs of removal. This shall not be deemed to apply to vessels in immediate distress as a result of current emergencies, as determined by the Harbormaster.

2. Union Wharf – North – Use Regulations,

2.1. Fishing boats, charter boats, tug boats, cargo boats and other boat used for commercial or educational purposes and of the design and dimensions to allow for the vessel to safely berth

at the assigned slip shall be eligible to moor on that portion of the North side of Union wharf between the public safety marina and the pre-existing berths for large fishing boats.

3. Union Wharf – North Application and Selection Process.

3.1 The owner of a vessel eligible to moor at Union Wharf North shall complete a written application on a form provided by the Harbormaster. Such application may be left at the office of the city or town clerk by the master of such commercial vessel. The Harbormaster will make an initial determination whether the application is complete and whether the applicant is qualified under the terms of these regulations. He shall act on application for such permits within a period of seven days from his receipt thereof. If the harbormaster fails to act within such period, such permit shall then be deemed to have been granted. Any refusal to grant such permits within such period shall be in writing by the harbormaster and shall include the reasons for such refusal. The determination of the Harbormaster may be appealed by the applicant to the Board of Selectmen in writing which appeal must be received by the office of the Board of Selectmen no later than three days following notice to the applicant of the Harbormaster's determination. In addition to an appeal to the Board of Selectmen, any person aggrieved by the decision of the harbormaster may appeal to the division of waterways of the department of environmental protection within thirty days of such decision.

3.1.1. In the event of an emergency, and to prevent imminent harm to persons or property the Harbormaster may waive these application requirements for a period of up to 7 days, and may allow a vessel to moor on Union Wharf North during the period of waiver.

3.2. Open slips shall be filled on a "First Come/First Served Basis" from those applicants who have completed their applications and have maintained their eligibility under the terms of these regulations, and who enter into an agreement with the Town as set forth in these regulations.

3.2.1. Should the number of qualified applications submitted by the initial deadline for applications exceed the number of slips available, following any appeals to the Board of

Selectmen under Section 3.1., above, the Harbormaster will conduct a lottery with each qualified application given a number in the order in which they are drawn. In a descending order, the available slips will be awarded to the applicants until the slips are fully allocated, after which the remaining applications shall be placed on a waiting list also in descending order. Applications received after the initial deadline will be placed on the waiting list in the order received. Annually in December of each year, each applicant on the waiting list who wishes to remain on the waiting list for the upcoming calendar year shall notify the Harbormaster in writing of his desire to remain on the waiting list. If an applicant fails to so notify the Harbormaster by December 31st, the Harbor master will remove the applicant from the waiting list.

3.3 All applications shall be reviewed for completeness, and initially approved by the Harbormaster, before being submitted to the town administrator for final approval by the Board of Selectmen. In order for an application to be approved, the application must meet all the following criteria:

3.3.1 The application must be filled out completely and signed by the owner or operator of the vessel. The applicant must provide proof of ownership of the vessel, or of authority from the owner to act as operator of the vessel.

3.3.2 The applicant must be a resident of the town and show proof of residence upon request.

3.3.3 The applicant must show proof of insurance coverage, with the Town as an additional insured, for General Liability in the amount \$1,000,000.00 and for Pollution Coverage in the amount of \$1,000,000 applicable for the duration of the proposed agreement.

3.3.4. The applicant must not have any recent or existing violations of maritime rules or regulations. An application may be denied if the applicant's history of maritime violations shows a pattern of failure to comply with rules and regulations intended to protect the public health, safety and welfare.

3.3.5. The applicant must be in good standing and current with the "Waterways Usage

Fee” as outlined in the Town of Fairhaven Bylaws, Chapter 145-16.

3.3.6. The applicant will be required to sign a hold harmless and indemnification agreement in a form approved by the Town releasing and holding the town harmless for any claims arising from or related to the use of the wharf, and indemnifying the Town for any claims for damage arising from or related to the applicant’s use of the wharf.

4. Union Wharf North– Terms, Termination of Agreement, & Invoicing Terms

4.1 Terms of Agreement: Upon the submission of an approved application to the Town Administrator, the Board of Selectmen may enter into an agreement with the applicant. At the discretion of the Board of Selectmen an agreement may be seasonal or annual. It shall commence on the day it is signed by the Board of Selectmen and shall continue for the duration of the agreement, or the end of the then current calendar year, whichever is first.

4.2 Annual Agreement Change and Renewal Terms: Unless otherwise provided by its terms, each annual agreement shall renew for a period of 12 months commencing January 1 of the following year, subject to the following requirements. No later than December 1 of the current term of the agreement the owner or operator shall provide to the town administrator proof of insurance for the following year, a statement by the harbormaster that he has no violations in the Town, and that he is in good standing and current with the “Waterways Usage Fee”. No later than December 31 of the current term of the agreement the owner or operator shall pay the dockage fees for the following year. Notwithstanding the foregoing, the Town of Fairhaven reserves the right to change the terms of the agreement prior to renewal.

4.3 Termination of Agreement:

4.3.1 The Board of Selectmen reserves the right to terminate the agreement at any time with 30 days written notice to the vessel owner if it determines that termination is in the best interest of the public health, safety or welfare..

4.3.2 The Board of Selectmen reserves the right to terminate the agreement, and the Applicant will forfeit all fees paid to the Town of Fairhaven, if the Harbormaster determines that the slip or dockage area has been abandoned. A slip or dockage area shall be considered abandoned by the Harbormaster, if the slip or dockage area has not been used by the applicant for a period of 60 days, not including a period of time necessary for repair or maintenance; or regardless of duration, if the vessel is subject to an agreement for mooring or storage at another facility, other than for repair or maintenance; or regardless of duration, if the applicant is no longer the owner or operator of the vessel.

4.3.3 The Town of Fairhaven reserves the right to terminate the agreement immediately if there is reason to believe that the party is acting in a manner or conducting business that is in violation of these regulations or of the terms of the agreement, or of a Town of Fairhaven Bylaw or regulation, or any state or federal regulation or law.

5. Dockage Fees and Payment Terms

5.1 Dockage Fees: Dockage fees shall be set annually by the Board of Selectmen. Vessel owners shall be notified 30 days prior to the automatic renewal period of any fee changes.

5.2 Payment: All payments must be paid within 30 days of invoice. No agreement shall renew until the dockage fees for the following year have been paid in full.

2018/2019 Union Wharf North

Fee Schedule

Annual Rate: \$1,500.00

Town of Fairhaven

Marine Resources Committee

The Marine Resources Committee is an advisory board to the Board of Selectmen involving matters relating to tidal waterways and associated public facilities such as marine ramps, docks, wharves, piers and moorings. In that capacity, the Marine Resources Committee shall perform the following advisory functions:

1. In consultation with the Harbormaster/Shellfish Officer, periodically make recommendations to the Board of Selectmen for revision of the Town of Fairhaven Waterways Regulations and Shellfish Regulations.
2. With the assistance of the Harbormaster/Shellfish Officer and the Director of Planning and Economic Development, be responsible for making recommendations to the Board of Selectmen and the Planning Board regarding long-range planning for the harbor and its resources, including matters relating to moorings, piers and docks, land acquisition, water sheet zoning, storm water runoff mitigation, protection of the harbor's resources and sea level rising as a result of global warming.
3. With the assistance of the Harbormaster/Shellfish Officer, advise and make recommendation on water-related capital infrastructure improvements such as ramps, docks, wharves and piers to the Town Administrator and Capital Planning Committee.
4. Annually review waterways fees, harbor fees, shellfish license fees and other related charges or fees with the Harbormaster/Shellfish Officer and the Town Administrator and advise the Board of Selectmen regarding adjustments as needed.
5. Provide guidance and recommendations to the Board of Selectmen and Town Administrator on marine resource policy issues.
6. Act as a resource and aid to the Harbormaster/Shellfish Officer, when requested, to assist in the carrying out the responsibilities of that office.
7. Prepare annually for inclusion in the Town Report a written summary of the Committee's activities during the prior year.

The Marine Resources Committee shall consist of seven (7) voting members who shall be appointed annually as follows:

Five (5) members will be at large and appointed by the Board of Selectmen

One (1) member shall be on the Board of Selectmen and appointed by a majority of the Board of Selectmen.

One (1) member shall be on the Board of Public Works and appointed by a majority of the Board of Public Works.

Adopted by vote of the Board of Selectmen on October 1, 2018.

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part I: General Conditions

General Information

Name of Municipality or Organization: State:

EPA NPDES Permit Number (if applicable):

Primary MS4 Program Manager Contact Information

Name: Title:

Street Address Line 1:

Street Address Line 2:

City: State: Zip Code:

Email: Phone Number:

Fax Number:

Other Information

Stormwater Management Program (SWMP) Location

Eligibility Determination

Endangered Species Act (ESA) Determination Complete?

Eligibility Criteria (check all that apply): A B C

National Historic Preservation Act (NHPA) Determination Complete?

Eligibility Criteria (check all that apply): A B C

Check the box if your municipality or organization was covered under the 2003 MS4 General Permit

MS4 Infrastructure (if covered under the 2003 permit)

Estimated Percent of Outfall Map Complete? If 100% of 2003 requirements not met, enter an estimated date of completion (MM/DD/YY):

(Part II, III, IV or V, Subpart B.3.(a.) of 2003

Web address where MS4 map is published:
if outfall map is unavailable on the internet an electronic or paper copy of the outfall map must be included with NOI submission (see section V for submission options)

Regulatory Authorities (if covered under the 2003 permit)

Illicit Discharge Detection and Elimination (IDDE) Authority Adopted? Effective Date or Estimated Date of Adoption (MM/DD/YY):

Construction/Erosion and Sediment Control (ESC) Authority Adopted? Effective Date or Estimated Date of Adoption (MM/DD/YY):

Post- Construction Stormwater Management Adopted? Effective Date or Estimated Date of Adoption (MM/DD/YY):

(Part II, III, IV or V, Subpart B.5.(a.) of 2003 permit)

Click to lengthen table

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary

Identify the Best Management Practices (BMPs) that will be employed to address each of the six Minimum Control Measures (MCMs). For municipalities/organizations whose MS4 discharges into a receiving water with an approved Total Maximum Daily Load (TMDL) and an applicable waste load allocation (WLA), identify any additional BMPs employed to specifically support the achievement of the WLA in the TMDL section at the end of part III.

For each MCM, list each existing or proposed BMP by category and provide a brief description, responsible parties/departments, measurable goals, and the year the BMP will be employed (public education and outreach BMPs also requires a target audience). **Use the drop-down menus in each table or enter your own text to override the drop down menu.**

MCM 1: Public Education and Outreach

BMP Media/Category (enter your own text to override the drop down menu)	BMP Description	Targeted Audience	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal	Beginning Year of BMP Implementation
Brochures/Pamphlets	Mailing, Website, event, phone contact, site visit, Pet Waste Outreach Program and/or other means	Residents	Public Works Department	Town to distribute first educational message to this audience over permit term	2019
Brochures/Pamphlets	Mailing, Website, event, phone contact, site visit, and/or other means	Businesses, Institutions and Commercial Facilities	Public Works Department	Town to distribute first educational message to this audience over permit term	2019
Brochures/Pamphlets	Mailing, Website, event, phone contact, site visit, and/or other means	Developers (construction)	Public Works Department	Town to distribute first educational message to this audience over permit term	2020
Brochures/Pamphlets	Mailing, Website, event, phone contact, site visit, and/or other means	Industrial Facilities	Public Works Department	Town to distribute first educational message to this audience over permit term	2020
School Curricula/Programs	Mailing, Website, event, phone contact, site visit, and/or other means	Residents	Public Works Department	Town to distribute second educational message to this audience over permit term	2021

Web Page	Mailing, Website, event, phone contact, site visit, and/or other means	Businesses, Institutions and Commercial Facilities	Public Works Department	Town to distribute second educational message to this audience over permit term	2021
Web Page	Mailing, Website, event, phone contact, site visit, and/or other means	Developers (construction)	Public Works Department	Town to distribute second educational message to this audience over permit term	2022
Web Page	Mailing, Website, event, phone contact, site visit, and/or other means	Industrial Facilities	Public Works Department	Town to distribute second educational message to this audience over permit term	2022

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 2: Public Involvement and Participation

BMP Categorization	Brief BMP Description (enter your own text to override the drop down menu)	Responsible Department/Parties (enter your own text to override the drop down menu)	Additional Description/ Measurable Goal	Beginning Year of BMP Imple- mentation
Public Review	SWMP Review	Public Works Department	Allow annual review of stormwater management plan and posting of stormwater management plan on website	2018
Public Participation	Provide an opportunity for the public to comment on the SWMP	Public Works Department	Allow public to comment on stormwater management plan annually	2018

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 3: Illicit Discharge Detection and Elimination (IDDE)

BMP Categorization (enter your own text to override the drop down menu)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
SSO inventory	Develop SSO inventory in accordance of permit conditions	Public Works Department	Complete within 1 year of effective date of permit	2018
Storm sewer system map	Create map and update during IDDE program completion	Public Works Department	Update map within 2 years of effective date of permit and complete full system map 10 years after effective date of permit	2019
Written IDDE program	Create written IDDE program	Public Works Department	Complete within 1 year of the effective date of permit and update as required	2018
Implement IDDE program	Implement catchment investigations according to program and permit conditions	Public Works Department	Complete 10 years after effective date of permit	2020
Employee training	Train employees on IDDE implementation	Public Works Department	Train annually	2018
Conduct dry weather screening	Conduct in accordance with outfall screening procedure and permit conditions	Public Works Department	Complete 3 years after effective date of permit	2019
Conduct wet weather screening	Conduct in accordance with outfall screening procedure	Public Works Department	Complete 10 years after effective date of permit	2020
Ongoing screening	Conduct dry weather and wet weather screening (as necessary)	Public Works Department	Complete ongoing outfall screening upon completion of IDDE program	2022

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 4: Construction Site Stormwater Runoff Control

BMP Categorization <small>(enter your own text to override the drop down menu or entered text)</small>	BMP Description	Responsible Department/Parties <small>(enter your own text to override the drop down menu)</small>	Measurable Goal <small>(all text can be overwritten)</small>	Beginning Year of BMP Implementation
Site inspection and enforcement of Erosion and Sediment Control (ESC) measures	Complete written procedures of site inspections and enforcement procedures	Public Works Department	Complete within 1 year of the effective date of permit	2018
Site plan review	Complete written procedures of site plan review and begin implementation	Public Works Department	Complete within 1 year of the effective date of permit	2018
Erosion and Sediment Control	Adoption of requirements for construction operators to implement a sediment and erosion control program	Public Works Department	Complete within 1 year of the effective date of permit	2018
Waste Control	Adoption of requirements to control wastes, including but not limited to, discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes	Public Works Department	Complete within 1 year of the effective date of permit	2018

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 5: Post-Construction Stormwater Management in New Development and Redevelopment

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
As-built plans for on-site stormwater control	The procedures to require submission of as-built drawings and ensure long term operation and maintenance will be a part of the SWMP	Public Works Department	Require submission of as-built plans for completed projects	2019
Target properties to reduce impervious areas	Identify at least 5 permittee-owned properties that could be modified or retrofitted with BMPs to reduce impervious areas and update annually	Public Works Department	Complete 4 years after effective date of permit and report annually on retrofitted properties	2021
Allow green infrastructure	Develop a report assessing existing local regulations to determine the feasibility of making green infrastructure practices allowable when appropriate site conditions exist	Public Works Department	Complete 4 years after effective date of permit and implement recommendations of report	2021

<p>Street design and parking lot guidelines</p>	<p>Develop a report assessing requirements that affect the creation of impervious cover. The assessment will help determine if changes to design standards for streets and parking lots can be modified to support low impact design options.</p>	<p>Public Works Department</p>	<p>Complete 4 years after effective date of permit and implement recommendations of report</p>	<p>2021</p>
<p>Ensure any stormwater controls or management practices for new development and redevelopment meet the retention or treatment requirements of the permit and all applicable requirements of the Massachusetts Stormwater Handbook</p>	<p>Adoption, amendment, or modification of a regulatory mechanism to meet permit requirements</p>	<p>Public Works Department</p>	<p>Complete 2 years after effective date of permit</p>	<p>2019</p>

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 6: Municipal Good Housekeeping and Pollution Prevention

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
O&M procedures	Create written O&M procedures including all requirements contained in 2.3.7.a.ii for parks and open spaces, buildings and facilities, and vehicles and equipment	Public Works Department	Complete and implement 2 years after effective date of permit	2019
Inventory all permittee-owned parks and open spaces, buildings and facilities, and vehicles and equipment	Create inventory	Public Works Department	Complete 2 years after effective date of permit and implement annually	2019
Infrastructure O&M	Establish and implement program for repair and rehabilitation of MS4 infrastructure	Public Works Department	Complete 2 years after effective date of permit	2019
Stormwater Pollution Prevention Plan (SWPPP)	Create SWPPPs for maintenance garages, transfer stations, and other waste-handling facilities	Public Works Department	Complete and implement 2 years after effective date of permit	2019
Catch basin cleaning	Establish schedule for catch basin cleaning such that each catch basin is no more than 50% full and clean catch basins on that schedule	Public Works Department	Clean catch basins on established schedule and continue to report number of catch basins cleaned and volume of material moved annually	2018
Street sweeping program	Sweep all streets and permittee-owned parking lots in accordance with permit conditions	Public Works Department	Sweep all streets and permittee-owned parking lots once per year in the spring	2018

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Total Maximum Daily Load (TMDL) Requirements

Use the drop-down menus to select the applicable TMDL, action description to meet the TMDL requirements, and the responsible department/parties. If no options are applicable, or more than one, enter your own text to override drop-down menus.

Applicable TMDL	Action Description	Responsible Department/Parties (enter your own text to override the drop down menu)
Buzzards Bay (Bacteria/Pathogen)	Adhere to requirements in part A.III of Appendix F	Public Works Department
N/A	Adhere to requirements in part A.I of Appendix F	N/A
N/A	Adhere to requirements in part A.I of Appendix F	N/A

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Requirements Related to Water Quality Limited Waters

Use the drop-down menus to select the pollutant causing the water quality limitation and enter the waterbody ID(s) experiencing excursions above water quality standards for that pollutant. Choose the action description from the dropdown menu and indicate the responsible party. If no options are applicable, or more than one, **enter your own text to override drop-down menus.**

Pollutant	Waterbody ID(s)	Action Description	Responsible Department/Parties <small>(enter your own text to override the drop down menu)</small>
Fecal Coliform	MA 95-31 Acushnet River, 95-42 New Bedford Inner Harbor, MA 95-63 Outer New Bedford Harbor, MA 95-62 Buzzards Bay, MA 95-64 Little Bay, MA 95-65 Nasketucket Bay	Adhere to requirements in part III of Appendix H	Public Works Department
Nitrogen	MA 95-33 Acushnet River, MA 95-42 New Bedford Inner Harbor, MA 95-63 Outer New Bedford Harbor, MA 95-67 Nasketucket River	Adhere to requirements in part I of Appendix H	Public Works Department
Oil and Grease	MA 95-33 Acushnet River, MA 95-42 New Bedford Inner Harbor	Adhere to requirements in part V of Appendix H	Public Works Department
N/A		Adhere to requirements in part V of Appendix H	
N/A		Adhere to requirements in part V of Appendix H	

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Part IV: Notes and additional information

Use the space below to indicate the part(s) of 2.2.1 and 2.2.2 that you have identified as not applicable to your MS4 because you do not discharge to the impaired water body or a tributary to an impaired water body due to nitrogen or phosphorus. Provide all supporting documentation below or attach additional documents if necessary. Also, provide any additional information about your MS4 program below.

- 1) Where a "beginning year" is requested we have listed the first year of the applicable fiscal year. Fiscal years run from July 1 to June 30 and correspond to permit years (i.e. permit year 1 is 2018).
- 2) For the purposes of NOI outfall mapping, "receiving waters" are considered as waterbodies and wetlands delineated by the USGS 25k hydrography data layers, which consists of hydrographic (water-related) features including surface waters (rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters and vernal pools). The number of outfalls into a receiving water segment listed in Part II: Summary of Receiving Waters include those discharging within a 100' of a wetland or 200' of a surface water. All other outfalls are considered to be upland of receiving waters and are included in the map for use by the Town only.
- 3) According to Appendix C - Endangered Species Act Eligibility Guidance and the IPaC report, the project meets USFWS Criteria B. A letter requesting concurrence with this and the determination of "may affect, not likely to adversely affect" for the Town of Fairhaven was submitted to USFWS on August 23, 2018. A letter of concurrence from USFWS is expected and will be submitted upon receipt to complete the ESA determination.

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Part V: Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name:

Title:

Signature:

Date:

[To be signed according to Appendix B, Subparagraph B.11, Standard Conditions]

Note: When prompted during signing, save the document under a new file name

NOI Submission

Please submit the form electronically via email using the "Submit by Email" button below or send in a CD with your completed NOI. You may also print and submit via mail using the address below if you choose not to submit electronically. The outfall map required in Part I of the NOI (if applicable) can be submitted electronically as an email attachment OR as a paper copy. **Permittees that choose to submit their NOI electronically by email or by mailing a CD with the completed NOI form to EPA, will be able to download a partially filled Year 1 Annual Report at a later date from EPA.**

Submit by email using this button. Or, send an email with attachments to: stormwater.reports@epa.gov

Save NOI for your records

EPA Submittal Address:

United States Environmental Protection Agency
5 Post Office Square - Suite 100
Mail Code - OEP06-1
Boston, Massachusetts 02109-3912
ATTN: Newton Tedder

State Submittal Address:

Massachusetts Department of Environmental Protection
One Winter Street - 5th Floor
Boston, MA 02108
ATTN: Fred Civian

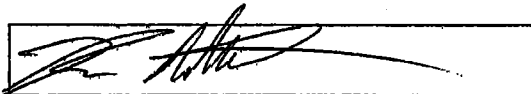
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Name:

Title:

Signature: 

Date:

[To be signed according to Appendix B, Subparagraph B.11, Standard Conditions]

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Name:

Daniel Freitas

Title:

Chairman, Selectbaord

Signature:



Date:

10/2/18

[To be signed according to Appendix B, Subparagraph B.11, Standard Conditions]

Note: When prompted during signing, save the document under a new file name