



FAIRHAVEN SELECT BOARD

Agenda

Monday, December 5, 2022

6:30 p.m.

Town Hall – 40 Center Street – Fairhaven

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and via remote means, in accordance with applicable law. This means that members of the public body as well as members of the public may access this meeting in person, or via virtual means. In person attendance will be at the meeting location listed above, and it is possible that any or all members of the public body may attend remotely, with in-person attendance consisting of members of the public.

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

Log on or call 1-929-205-6099

Join Zoom Meeting

<https://us06web.zoom.us/j/85877105333?pwd=VEZ6MzIURkZuditmOXkyZk1wL2FvUT09>

Meeting ID: 858 7710 5333

Passcode: 348939

A. EXECUTIVE SESSION

Pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements”: Public Records Law, G.L. c. 4, s. 7(26) and Open Meeting Law, G.L. c. 30A, §§ 22(f), (g) (consider release of minutes of 10-17-22 executive session)

RETURN TO OPEN SESSION 6:50 p.m.

B. MINUTES:

1. Approve the minutes of November 7, 2022 – Open Session
2. Approve the minutes of November 14, 2022 – Special Session - Town Warrant
3. Approve the minutes of November 21, 2022 – Open Session

C. TOWN ADMINISTRATOR:

1. REMINDER - Town Hall closed to the public – Staff Training Day, Thursday, December 8, 2022
2. SEC Report: dredging in the harbor
3. SEC Grants – Municipal Harbor Plan consultant and Phase 5b of Union Wharf
4. Tax Rate Approval Notice – Fiscal Year 2023
5. Fairhaven Old-Time Holiday on Saturday, December 10, 2022
6. Massachusetts Office on Disability, Community Access Monitor (“MOD CAM”)
7. Deadline for submission of Town Report Cover Photos
8. REMINDER - Capital Improvement Requests deadline: December 16, 2022 and review process, Capital Planning Committee

D. ACTION ITEM:

1. Open Meeting Law Complaint: October 17, 2022 Executive Session
2. Fairhaven Retirement request for Cost of Living Adjustment (“COLA”)

3. Additional street signage request: Morton St./Main St.
4. Minimum Wage increase, Adjustment of Wage Schedule
5. Accept an anonymous donation of \$20,000 to the Animal Shelter
6. Reassignment of Marine Resources Committee member Eric Dawicki and appointment of James L. Moraux
7. 2023 License/Permit Renewals (see attached)
8. ARPA Requests
9. Broadband Update

E. COMMITTEE LIASON REPORTS

F. PUBLIC COMMENT

G. BOARD MEMBER ITEMS

H. CORRESPONDENCE:

1. Mattapoisett River Valley Water District, Borrowing Vote revised language

I. NEWS AND ANNOUNCEMENTS

1. The next regularly scheduled meeting of the Select Board is **Monday, December 19, 2022** at 6:30 p.m. in the Town Hall Banquet Room

ADJOURNMENT

Subject matter listed in the agenda consists of those items that are reasonably anticipated (by the Chair) to be discussed. Not all items listed may be discussed and other items not listed (such as urgent business not available at the time of posting) may also be brought up for discussion in accordance with applicable law.

MGL, Ch. 30a, § 20(f) requires anyone that intends to record any portions of a public meeting, either by audio or video, or both, to notify the Chair at the beginning of the meeting.

NEW BEDFORD PORT AUTHORITY NOVEMBER 2022 PROJECT UPDATE

C2



Photo by Ed Pepin

Presentation



- Introduction
- Current Projects Updates (Design & Construction)
 - Bottom of CAD Cell No. 4/North Terminal/Lower Harbor CAD Cell Capping - Stage 2
 - Foss Marine Terminal
 - Revere Copper
 - Phase V Dredging – Stage 3





Fairhaven
Massachusetts



MassDEP
Commonwealth of Massachusetts
Department of Environmental Protection



**US Army Corps
of Engineers®**

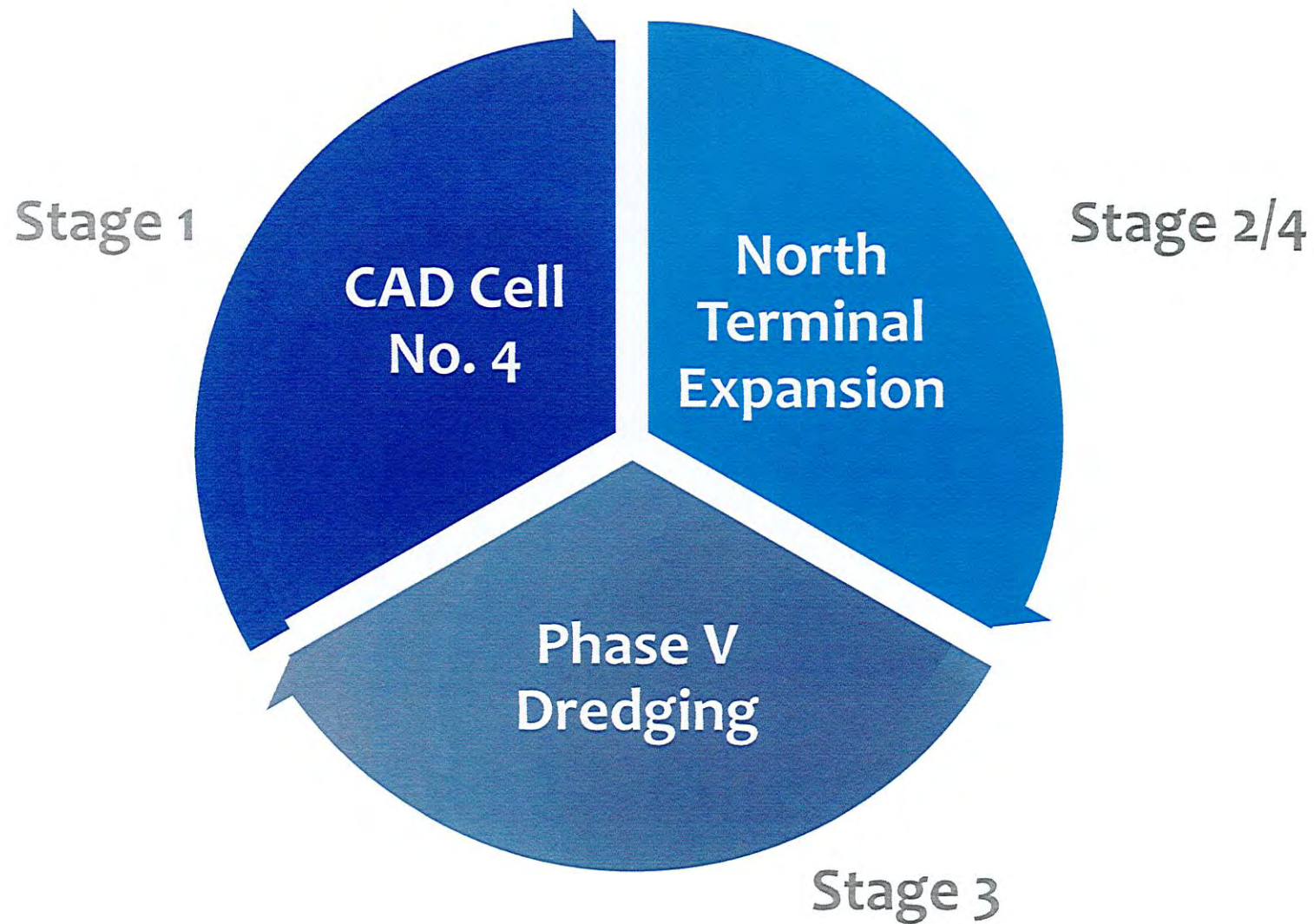


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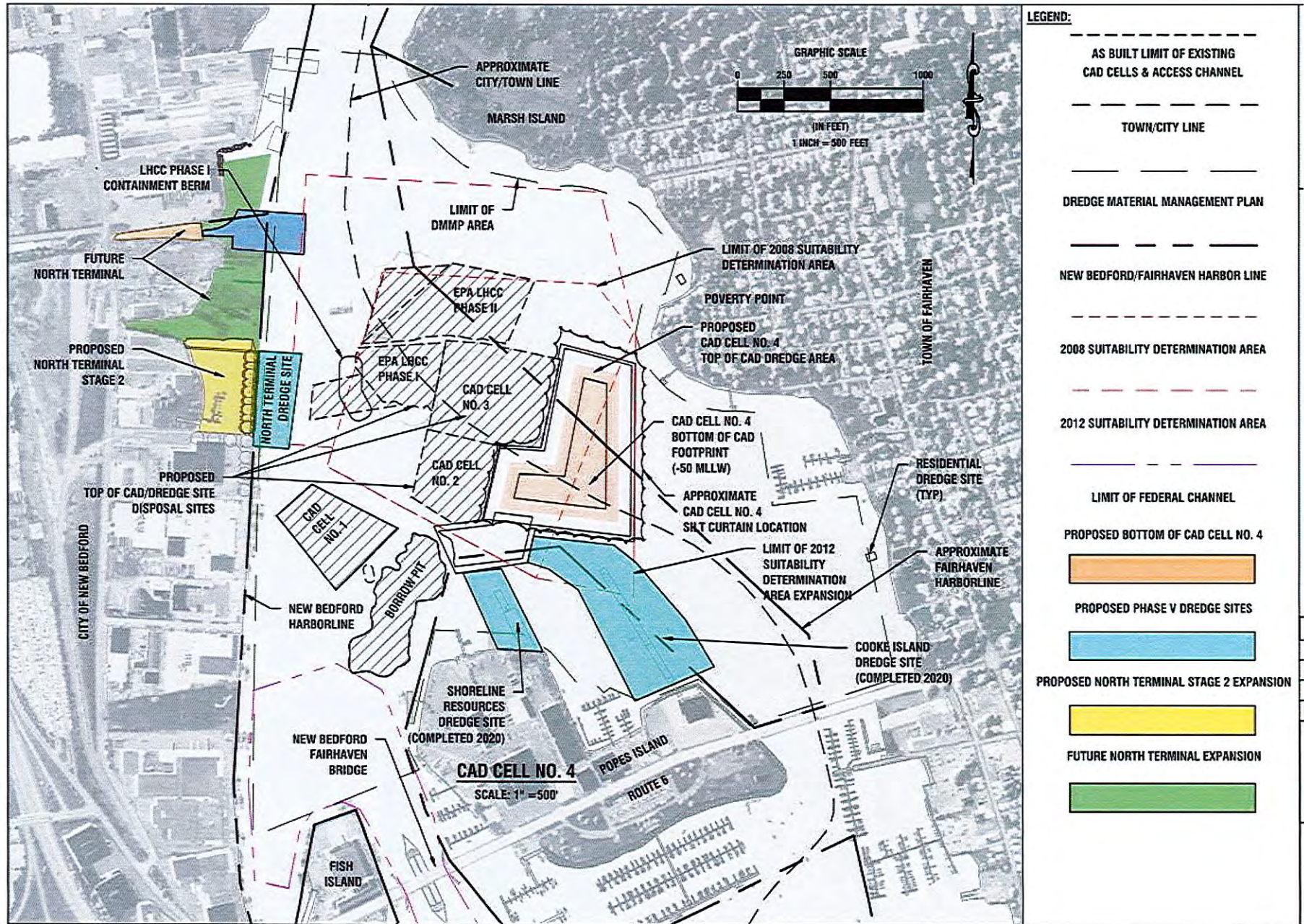
Current Project Updates

- Bottom of CAD Cell No. 4/North Terminal/Lower Harbor CAD Cell Capping - Stage 2
- Phase V Dredging – Stage 3
- Foss Marine Terminal
- Revere Copper

CAD Cell No. 4 – North Terminal – Phase V Dredging Project Statement of Work



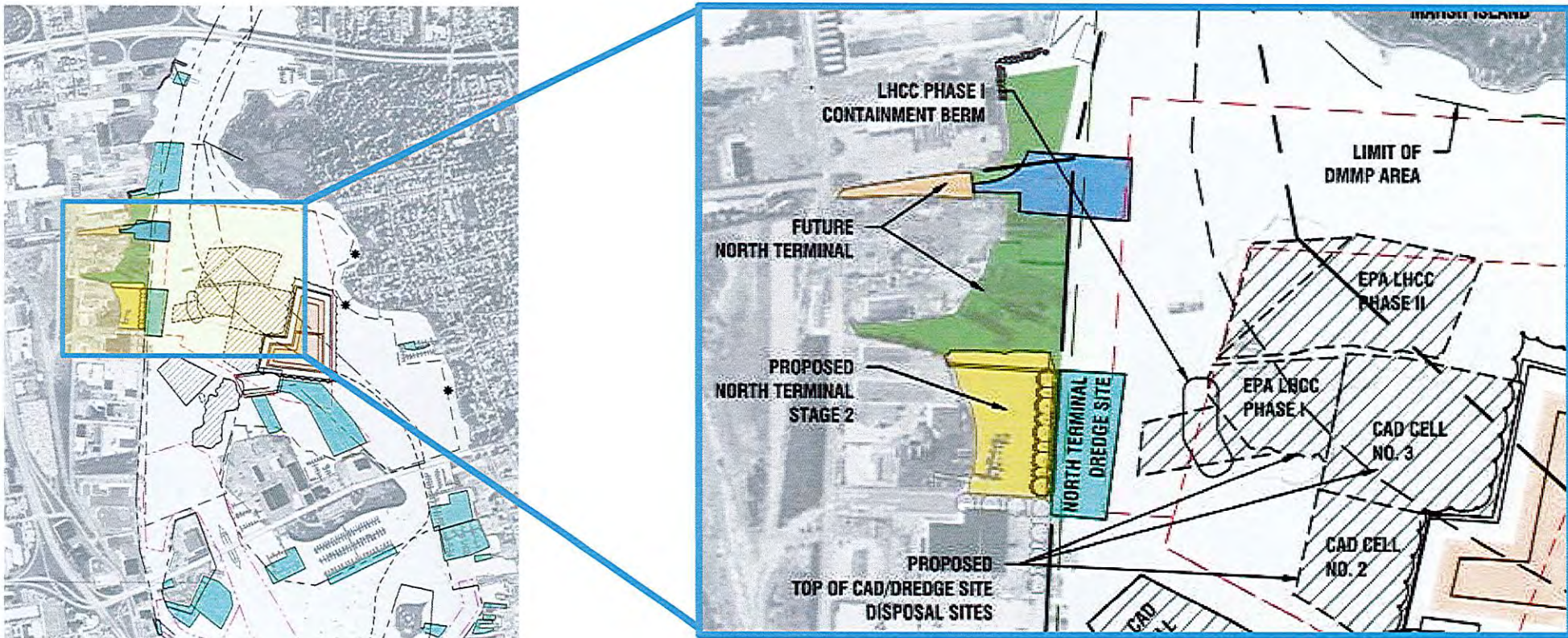
Stage 1 & 2 - Update on CAD Cell #4/North Terminal



Stage 2 - North Terminal Expansion

- Terminal Extension = +/-455 LF of bulkhead / commercial berth space
- Terminal Area = +/-130,000 SF (3 acres) (capping existing sediments)
- BUILD Grant for \$15.4 M
- Beneficial re-use +/-100,000 cy from BOC

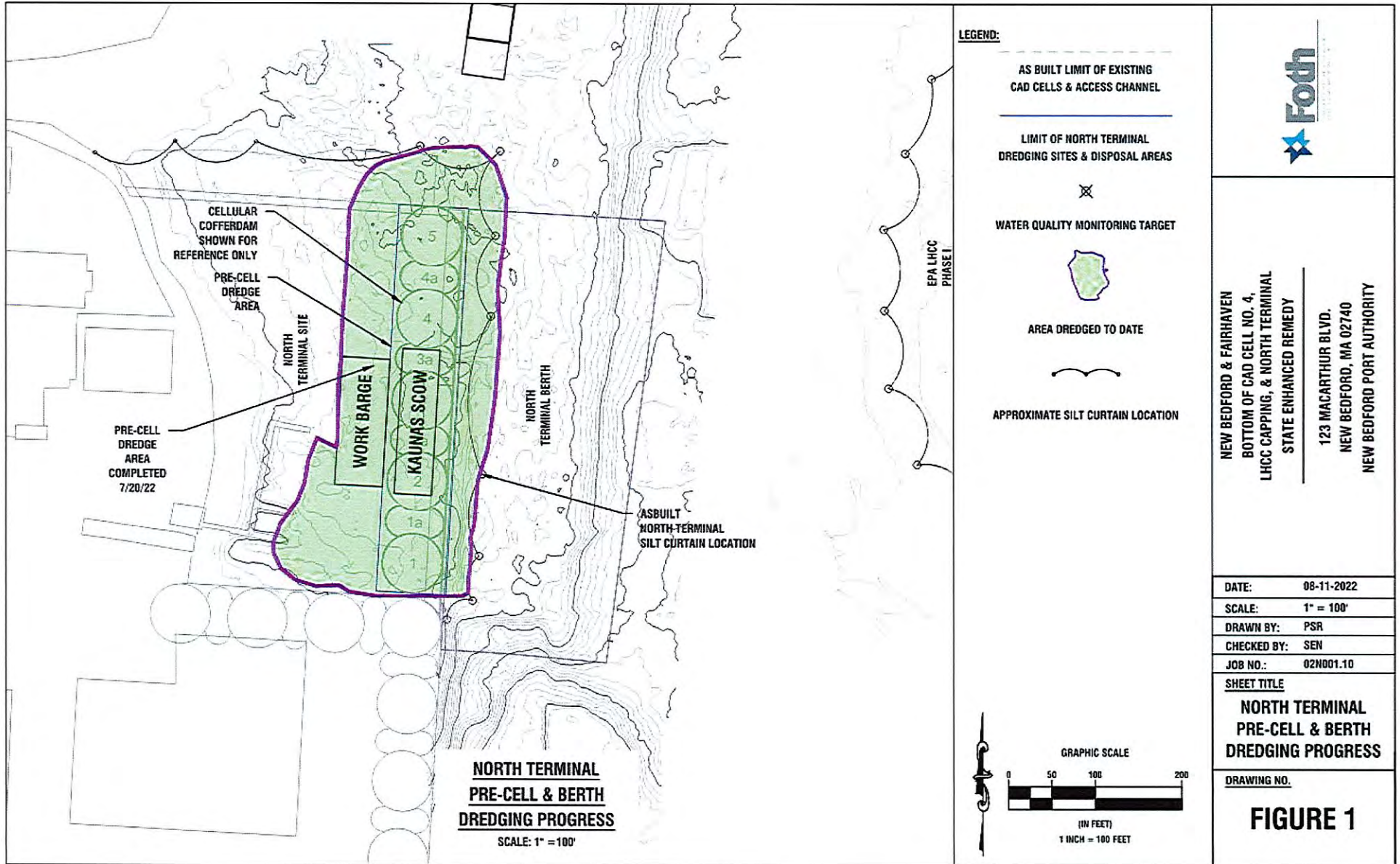
North Terminal



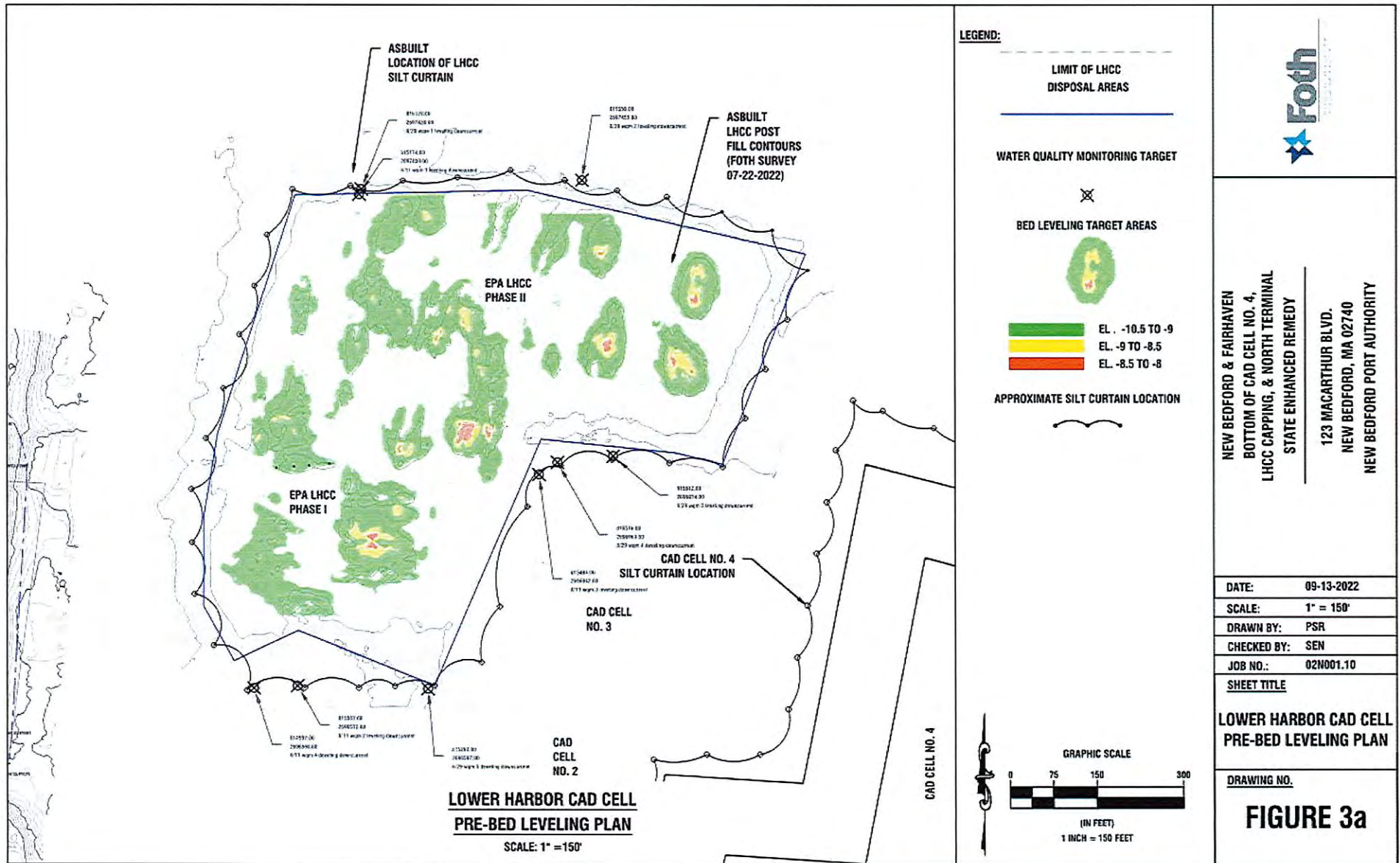
North Terminal Expansion Progress

- Terminal Pre- Cell Dredge
 - NT Silt Curtain Installed and LHCC Silt Curtain Installed in June of 2022
 - Pre-Cell Dredge of soft sediment to approximate -21 + 1' OD
 - Approximately 24,000 CY
 - LHCC Disposal
 - Bed Leveling
- Cellular Cofferdam Installation
 - Major Cells 1 -4 Installed
 - Minor Cells 1a and 2a installed
- BOC Dredging & Backfill
 - CAD 4 Silt Curtain Installed October 2022
 - BOC Dredging began 11/09/2022
 - Backfill into Cell 1
 - Approximately 750 CY / day anticipated production
 - 2 Material Barges in rotation

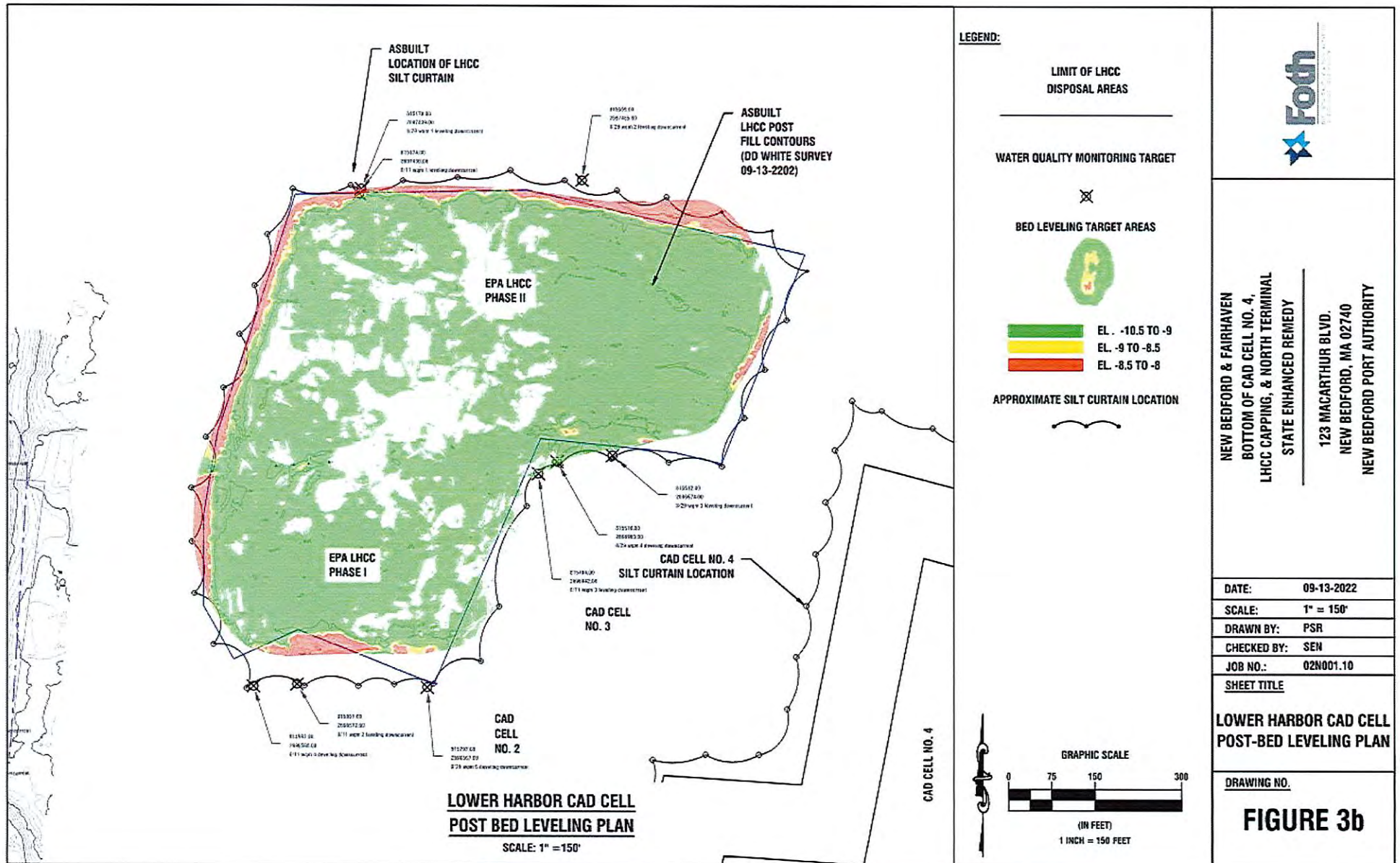
Pre-Cell Dredge Cut



Lower Harbor CAD Cell Disposal (Pre Bed Leveling)

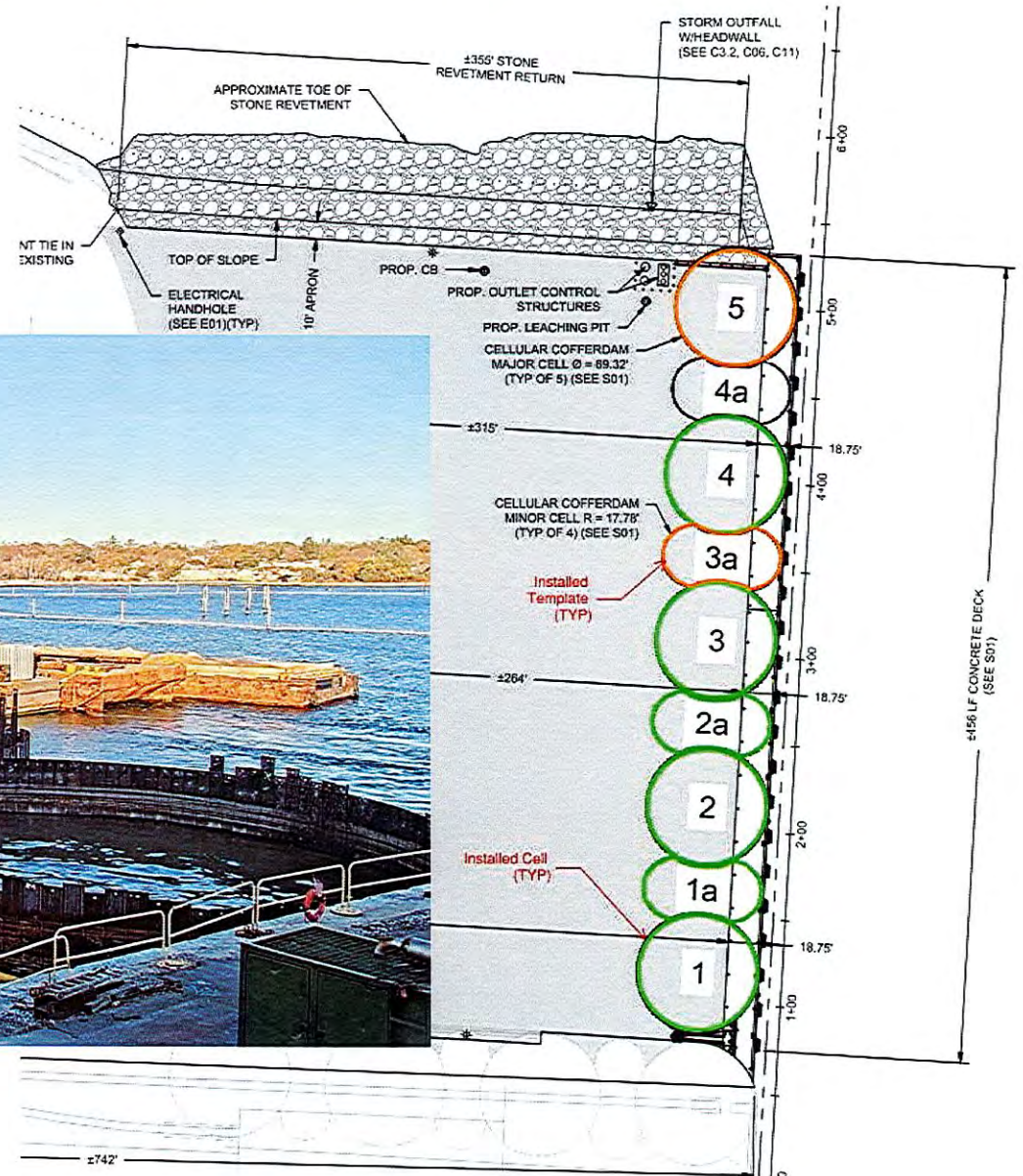


Lower Harbor CAD Cell Disposal (Post Bed Leveling)



North Terminal Expansion Progress

Cellular Cofferdam Installation
Major Cells 1 -4 Installed
Minor Cells 1a and 2a installed



North Terminal Expansion Progress

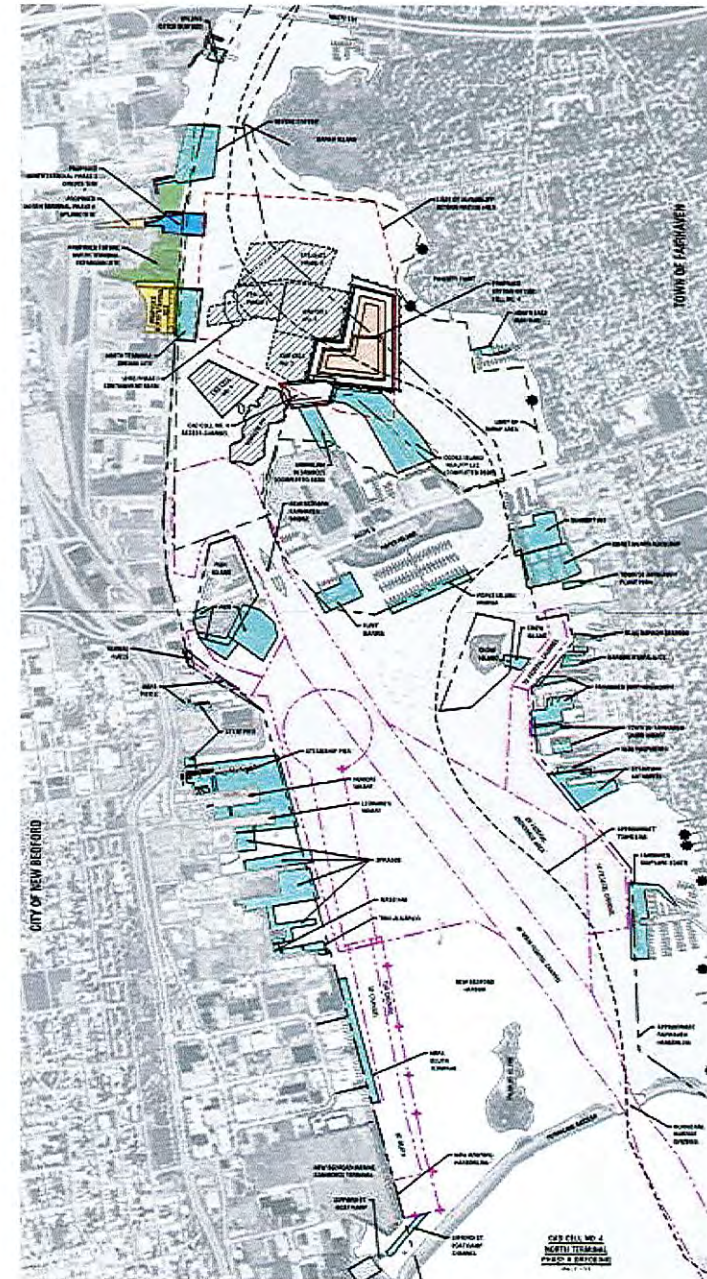


Bottom of CAD Cell No. 4



Stage 3 – Phase V Dredging

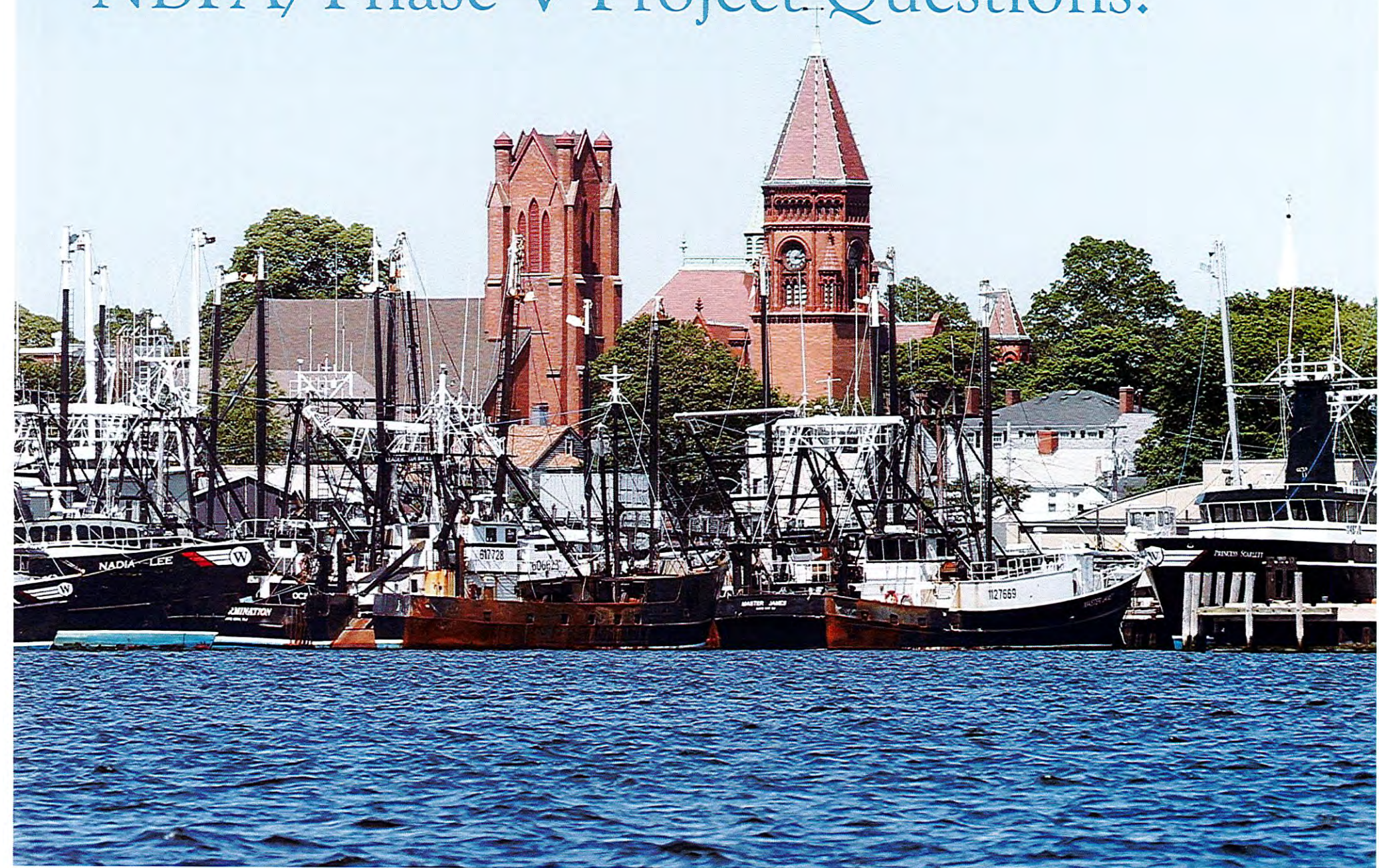
- 29 Commercial Dredge Sites + 8 Residential Dredge Sites
- Shoreline Resources & Cooke's Island Dredge Sites completed in Summer 2020
- Sediment sampling Lab Analysis completed in Spring of 2022
- TSCA Determination Submittals to EPA completed September 2022
- Stage 3 Work Plan submittal, expected January 2023
- Stage 3 Construction, expected Fall 2023 (Pending Completion of CAD Cell No .4)



NBPA/Phase V Project Schedules

Milestone	Timeline
Stage 1 - CAD Cell Construction (Top & Middle of CAD)	Stage 1 - CAD Cell Construction (Top & Middle of CAD) (Complete October 2020)
Construction Contract for North Terminal Phase 1 Expansion & Bottom of CAD Cell No. 4	March 2022
Stage 2 – North Terminal Expansion	April 2022 – September 2023
Stage 2 - CAD Cell Construction (Bottom of CAD)	November 2022 – July 2023
Stage 2 - North Terminal Dredging	July 2023 – August 2023
Stage 2 – LHCC Capping	January 2023 – April 2023
Stage 3 - Phase V Dredging Construction	September 2023– July 2024
Stage 4 - North Terminal Phase 2 Expansion	June 2023 – March 2024

NBPA/Phase V Project Questions?

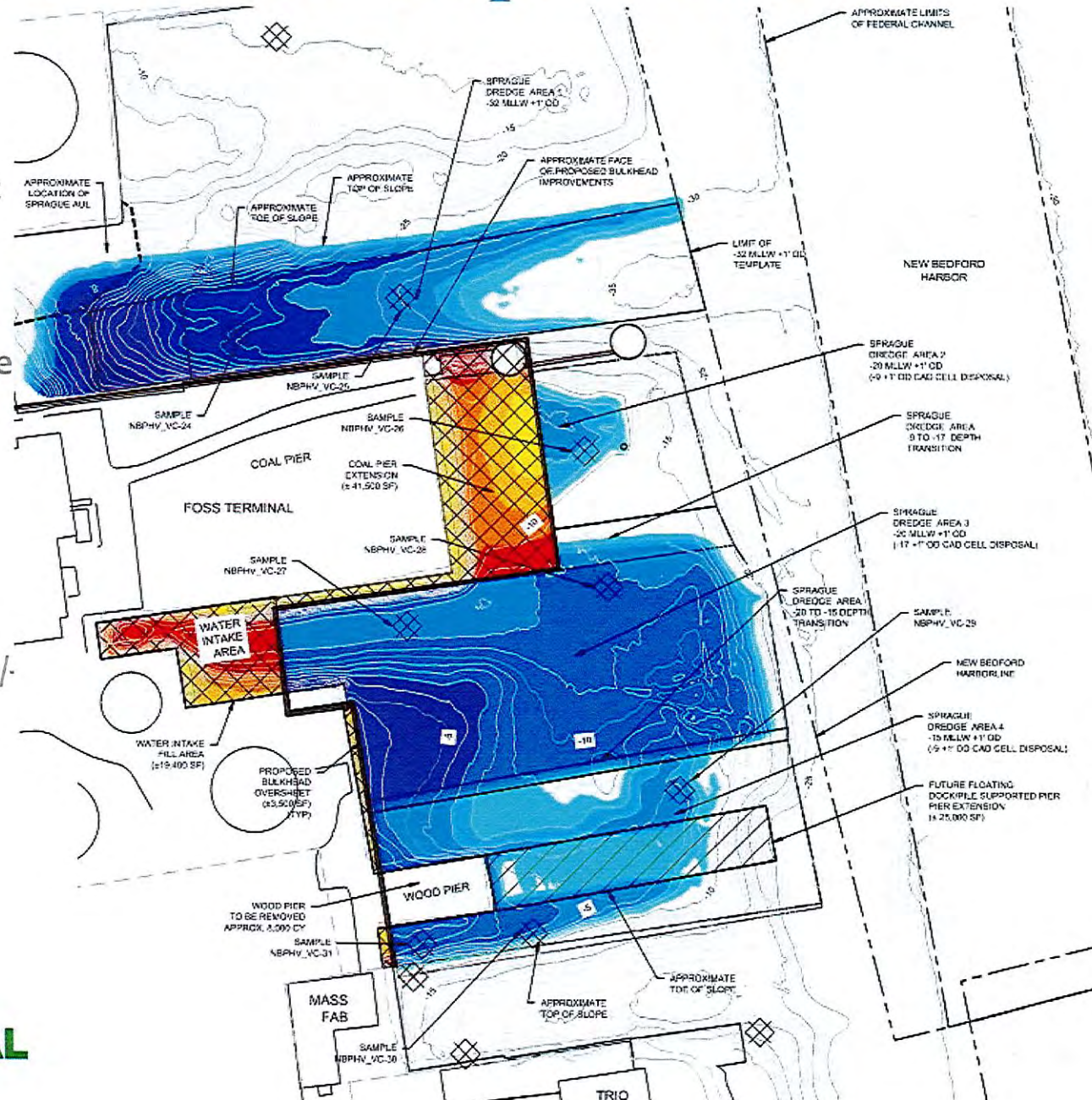


Foss Marine Terminal Improvements

- Bulkhead Work Plan Submitted to SER 10/24/2022
- Steel Sheet pile Bulkhead Oversheet = +/-1,800 LF of King Pile Bulkhead
- Dolphin & Wood Pier Demolition
- Coal Pier Extension and Water Intake Area Fill = +/- 43,500 CY (54,800 SF)
- 15,000 CY of Beneficial Reuse Material from Bottom of CAD Cell No. 4
- Phase V Dredge Site Contaminated Sediment Removal = +/- 76,000 CY (+/- 315,000 SF)



**NEW BEDFORD
FOSS MARINE TERMINAL**

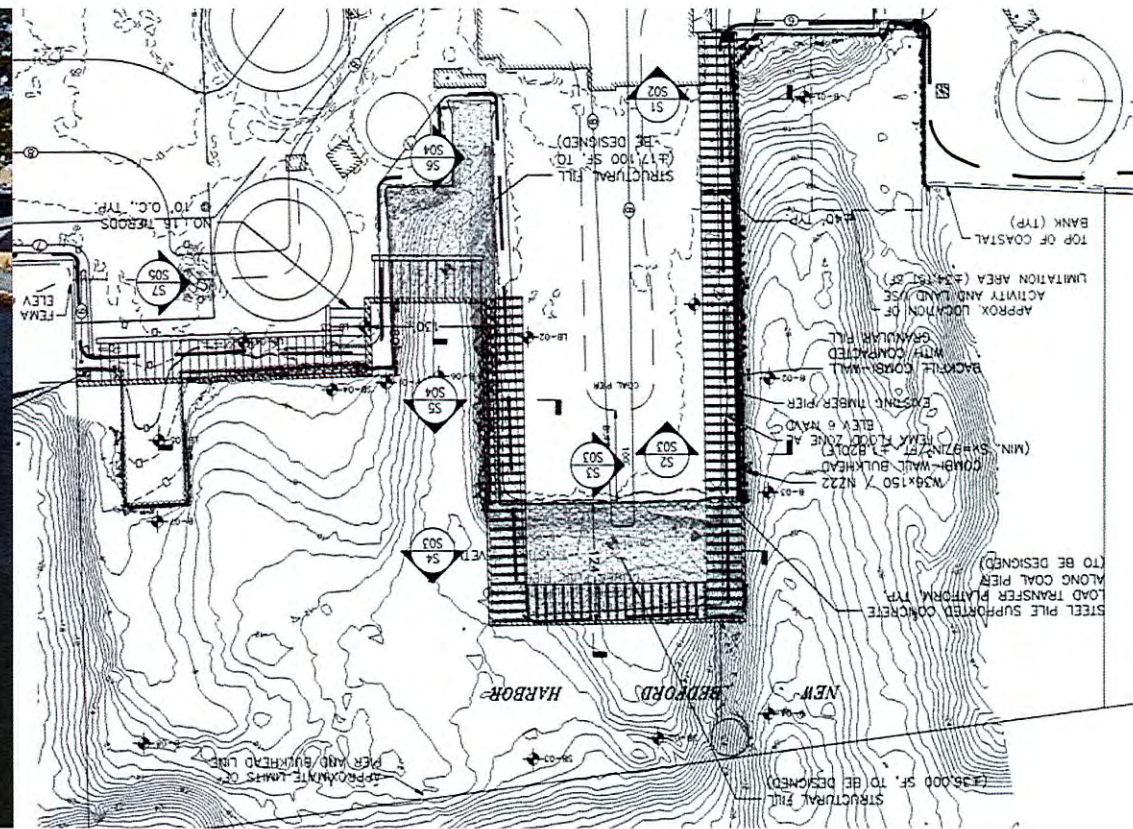


Foss Marine Terminal Improvements

Existing Conditions Photo

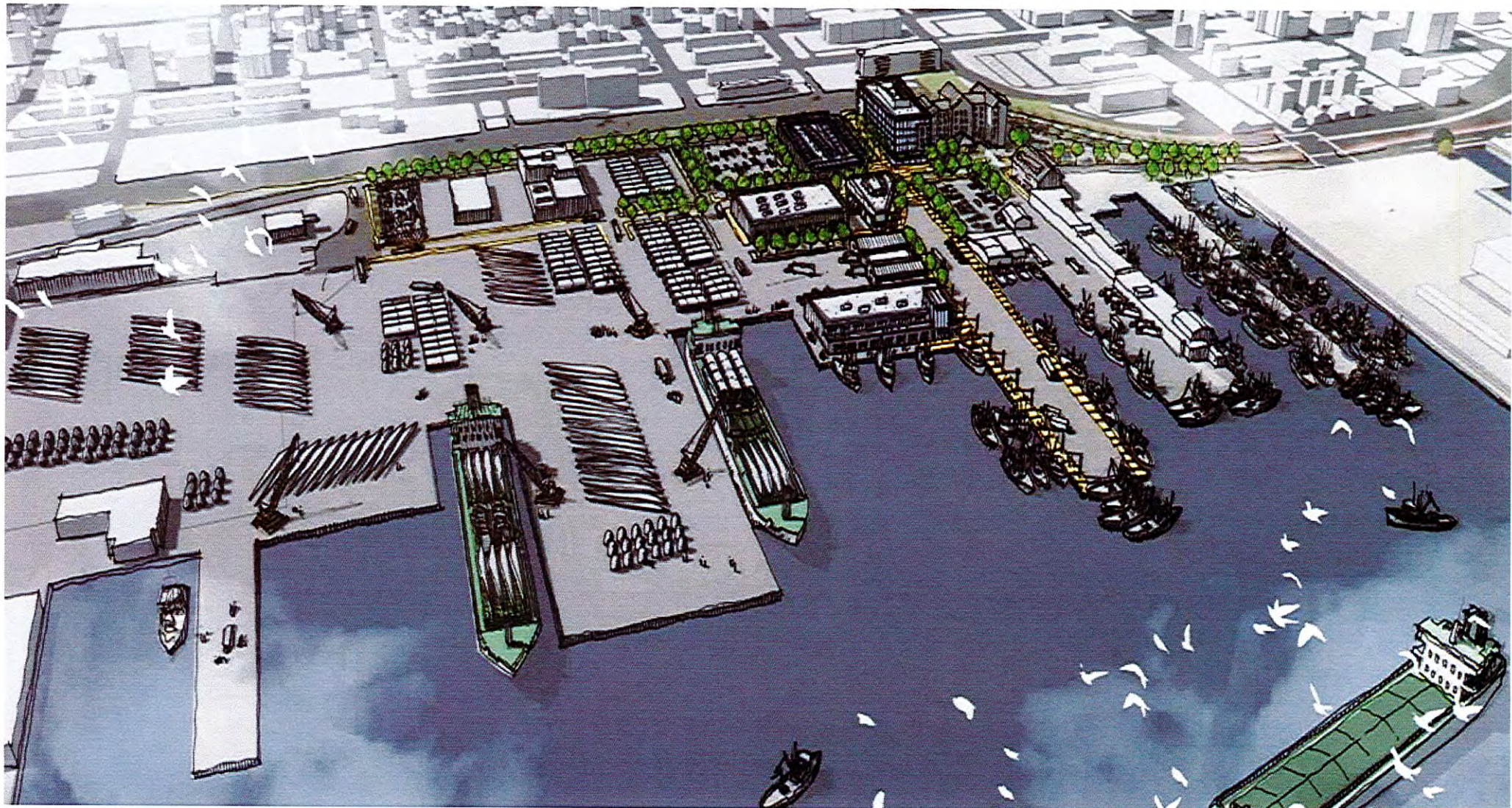


Proposed Bulkhead



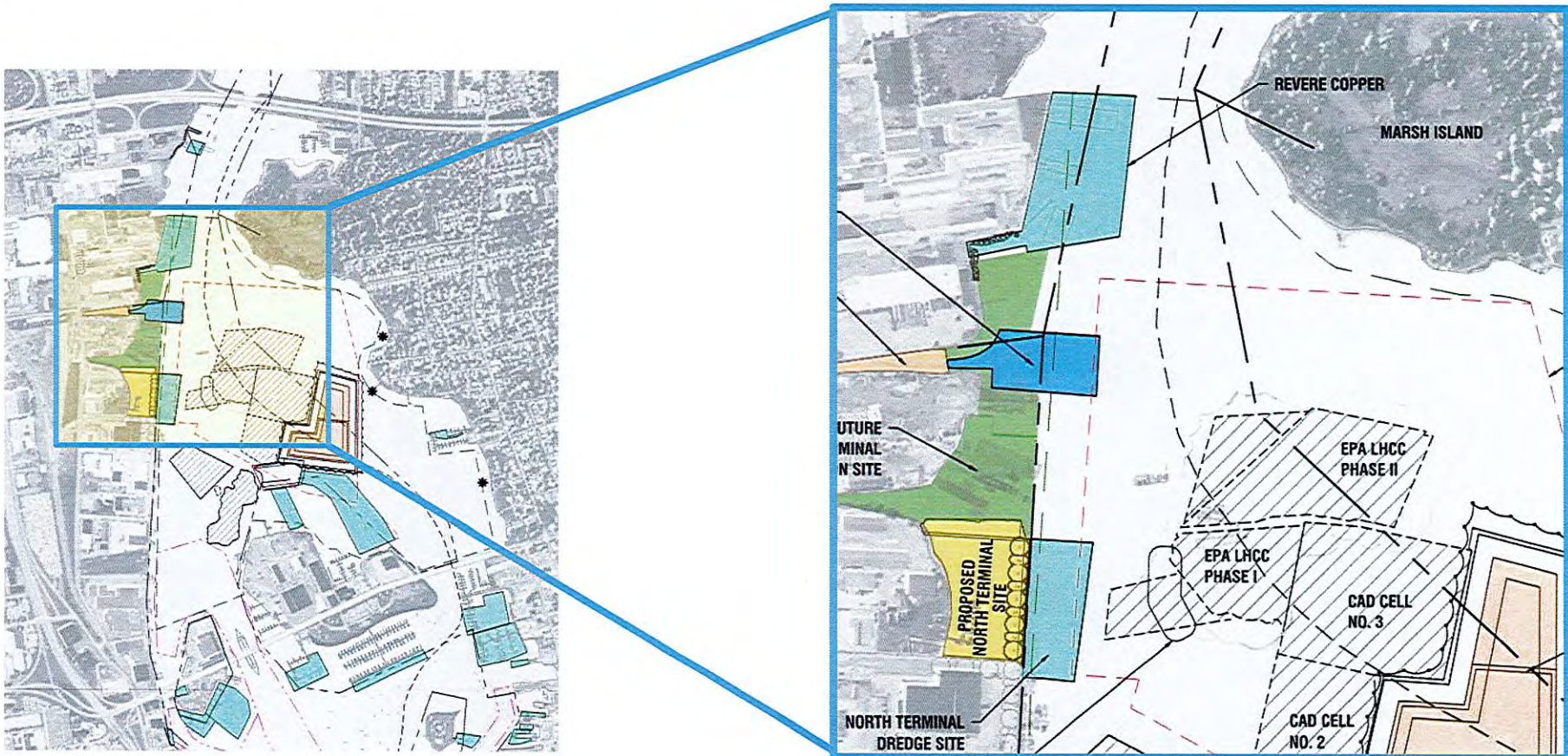
Foss Marine Terminal Improvements

Proposed Site Rendering



Revere Copper Bulkhead Improvements

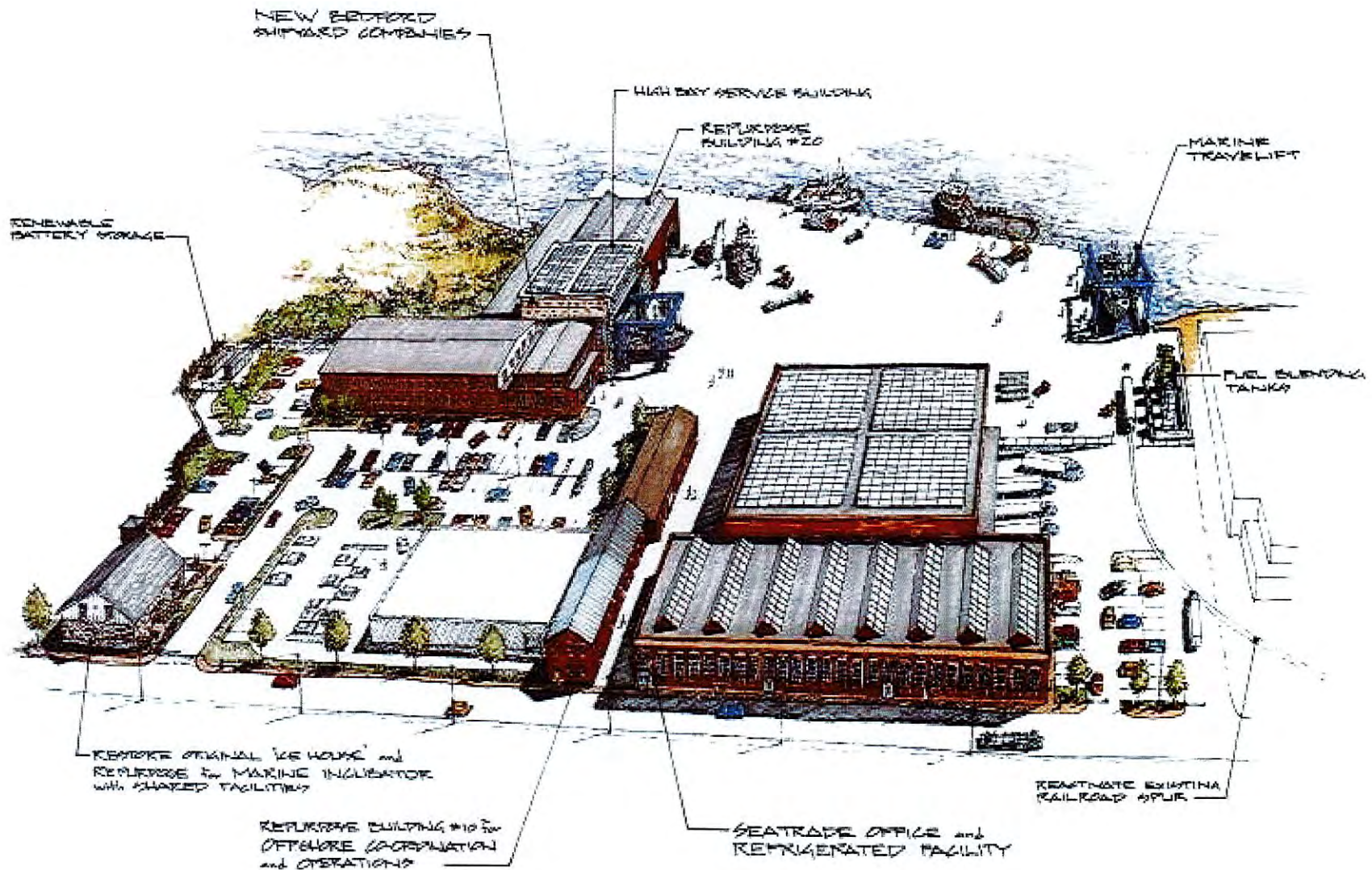
- Steel sheet pile Bulkhead Oversheet = +/-1,000 LF of bulkhead
- Site Improvements for redevelopment as a Shipyard and Offshore Wind Support Facility
- Phase 1 of Construction scheduled to begin in December of 2022 (Bulkhead Installation)
- Phase V Dredge Site Contaminated Sediment Removal = +/- 66,000 CY (+/-200,000 SF)



Revere Copper Bulkhead Improvements



Multiuse Site Redevelopment



Questions?



TAX RATE RECAPITULATION

Fiscal Year 2023

I. TAX RATE SUMMARY

la. Total amount to be raised (from page 2, IIe)	\$ 69,192,356.78
lb. Total estimated receipts and other revenue sources (from page 2, IIIe)	36,407,067.29
lc. Tax Levy (Ia minus Ib)	\$ 32,785,289.49
ld. Distribution of Tax Rates and levies	

CLASS	(b) Levy percentage (from LA5)	(c) Ic above times each percent in col (b)	(d) Valuation by class (from LA-5)	(e) Tax Rates (c) / (d) x 1000	(f) Levy by class (d) x (e) / 1000
Residential	75.9142	24,888,690.23	2,501,382,209.00	9.95	24,888,752.98
Net of Exempt					
Open Space	0.0000	0.00	0.00	0.00	0.00
Commercial	16.9829	5,567,892.93	281,489,909.00	19.78	5,567,870.40
Net of Exempt					
Industrial	2.1625	708,981.89	35,841,380.00	19.78	708,942.50
SUBTOTAL	95.0596		2,818,713,498.00		31,165,565.88
Personal	4.9404	1,619,724.44	81,886,937.00	19.78	1,619,723.61
TOTAL	100.0000		2,900,600,435.00		32,785,289.49

MUST EQUAL 1C

Signatures
Assessors Daniel Lane, Town Assessor , Fairhaven , dlane@fairhaven-ma.gov 508-979-4023 11/18/2022 2:51 PM Comment:

Documents
No documents have been uploaded.

Do Not Write Below This Line --- For Department of Revenue Use Only

Reviewed By:	Bethiny Moseley
Date:	11/23/2022
Approved:	Anthony Rassias
Director of Accounts:	Deborah A. Wagner

TAX RATE RECAPITULATION

Fiscal Year 2023

Deborah A. Wagner

TAX RATE RECAPITULATION
Fiscal Year 2023

II. Amounts to be raised

Ila. Appropriations (col.(b) through col.(g) from page 4)		<u>67,916,110.59</u>
IIb. Other amounts to be raised		
1. Amounts certified for tax title purposes	0.00	
2. Debt and interest charges not included on page 4	0.00	
3. Final Awards	0.00	
4. Retained Earnings Deficit	0.00	
5. Total cherry sheet offsets (see cherry sheet 1-ER)	35,188.00	
6. Revenue deficits	0.00	
7. Offset receipts deficits Ch. 44, Sec. 53E	0.00	
8. CPA other unappropriated/unreserved	0.00	
9. Snow and ice deficit Ch. 44, Sec. 31D	0.00	
10. Other :	0.00	
TOTAL IIb (Total lines 1 through 10)		<u>35,188.00</u>
Ilc. State and county cherry sheet charges (C.S. 1-EC)		724,907.00
Ild. Allowance for abatements and exemptions (overlay)		516,151.19
Ile. Total amount to be raised (Total Ila through Ild)		<u>69,192,356.78</u>

III. Estimated receipts and other revenue sources

IIIa. Estimated receipts - State		
1. Cherry sheet estimated receipts (C.S. 1-ER Total)	12,449,277.00	
2. Massachusetts school building authority payments	0.00	
TOTAL IIIa		<u>12,449,277.00</u>
IIIb. Estimated receipts - Local		
1. Local receipts not allocated (page 3, col (b) Line 24)	8,545,547.00	
2. Offset Receipts (Schedule A-1)	0.00	
3. Enterprise Funds (Schedule A-2)	9,358,325.18	
4. Community Preservation Funds (See Schedule A-4)	554,500.00	
TOTAL IIIb		<u>18,458,372.18</u>
IIIc. Revenue sources appropriated for particular purposes		
1. Free cash (page 4, col (c))	2,934,601.85	
2. Other available funds (page 4, col (d))	2,564,816.26	
TOTAL IIIc		<u>5,499,418.11</u>
IIId. Other revenue sources appropriated specifically to reduce the tax rate		
1a. Free cash..appropriated on or before June 30, 2022	0.00	
1b. Free cash..appropriated on or after July 1, 2022	0.00	

TAX RATE RECAPITULATION
Fiscal Year 2023

2. Municipal light surplus	0.00	
3. Other source :	0.00	
TOTAL III d		<u>0.00</u>
III e. Total estimated receipts and other revenue sources (Total III a through III d)		<u>36,407,067.29</u>
IV. Summary of total amount to be raised and total receipts from all sources		
a. Total amount to be raised (from II e)		<u>69,192,356.78</u>
b. Total estimated receipts and other revenue sources (from III e)	<u>36,407,067.29</u>	
c. Total real and personal property tax levy (from I c)	<u>32,785,289.49</u>	
d. Total receipts from all sources (total IV b plus IV c)		<u>69,192,356.78</u>

TAX RATE RECAPITULATION
Fiscal Year 2023

LOCAL RECEIPTS NOT ALLOCATED *

Receipt Type Description	(a) Actual Receipts Fiscal 2022	(b) Estimated Receipts Fiscal 2023	Percentage Change
==> 1. MOTOR VEHICLE EXCISE	2,453,960.00	2,000,000.00	-18.50
2. OTHER EXCISE			
==> a.Meals	415,188.00	400,000.00	-3.66
==> b.Room	361,258.00	350,000.00	-3.12
==> c.Other	38,065.00	35,000.00	-8.05
==> d.Cannabis	401,239.00	350,000.00	-12.77
==> 3. PENALTIES AND INTEREST ON TAXES AND EXCISES	300,746.00	300,000.00	-0.25
==> 4. PAYMENTS IN LIEU OF TAXES	22,624.00	5,000.00	-77.90
5. CHARGES FOR SERVICES - WATER	0.00	0.00	0.00
6. CHARGES FOR SERVICES - SEWER	0.00	0.00	0.00
7. CHARGES FOR SERVICES - HOSPITAL	0.00	0.00	0.00
8. CHARGES FOR SERVICES - SOLID WASTE FEES	300,684.00	175,000.00	-41.80
9. OTHER CHARGES FOR SERVICES	85,829.00	60,000.00	-30.09
10. FEES	268,811.00	241,000.00	-10.35
a.Cannabis Impact Fee	477,520.00	450,000.00	-5.76
b.Community Impact Fee Short Term Rentals	0.00	0.00	0.00
11. RENTALS	74,426.00	37,000.00	-50.29
12. DEPARTMENTAL REVENUE - SCHOOLS	2,576,950.00	2,520,547.00	-2.19
13. DEPARTMENTAL REVENUE - LIBRARIES	0.00	0.00	0.00
14. DEPARTMENTAL REVENUE - CEMETERIES	0.00	0.00	0.00
15. DEPARTMENTAL REVENUE - RECREATION	155,524.00	100,000.00	-35.70
16. OTHER DEPARTMENTAL REVENUE	759,750.00	750,000.00	-1.28
17. LICENSES AND PERMITS			
a.Building Permits	673,096.00	650,000.00	-3.43
b.Other licenses and permits	0.00	0.00	0.00
18. SPECIAL ASSESSMENTS	0.00	0.00	0.00
==> 19. FINES AND FORFEITS	7,157.00	7,000.00	-2.19
==> 20. INVESTMENT INCOME	39,243.00	25,000.00	-36.29
==> 21. MEDICAID REIMBURSEMENT	203,288.00	90,000.00	-55.73
==> 22. MISCELLANEOUS RECURRING	0.00	0.00	0.00
23. MISCELLANEOUS NON-RECURRING	1,350,113.00	0.00	-100.00
24. Totals	10,965,471.00	8,545,547.00	-22.07

Signatures

TAX RATE RECAPITULATION

Fiscal Year 2023

Accounting Officer

I hereby certify that the actual receipts as shown in column (a) are, to the best of my knowledge correct and complete, and I further certify that I have examined the entries made on page 4 of the above-indicated fiscal year tax rate recapitulation form by the City / Town / District Clerk and hereby acknowledge that such entries correctly reflect the appropriations made and the sources from which such appropriations are to be met.

Anne M. Carreiro, Accountant, Fairhaven, acarreiro@fairhaven-ma.gov 508-979-4023 | 10/27/2022 2:16 PM

Comment:

Documents

No documents have been uploaded.

* Do not include receipts in columns (a) or (b) that were voted by the City / Town / District Council or Town Meeting as offset receipts on Schedule A-1, enterprise funds on Schedule A-2, or departmental revolving funds per Chapter 44, Section 53E 1/2. The Recap Page 3 Support form must be submitted to support increases / decreases of estimated receipts to actual receipts. ==> The Recap Page 3 Support form must be submitted to support increases/ decreases of FY 2023 estimated receipts to FY 2022 estimated receipts to be used in calculating the Municipal Revenue Growth Factor (MRGF). The Recap Page 3 Support form must be submitted to list each receipt type included in rows 22 and 23, Miscellaneous Recurring and Non-Recurring.

TAX RATE RECAPITULATION

Fiscal Year 2023

City/Town Council or Town Meeting Dates	FY*	APPROPRIATIONS						AUTHORIZATIONS MEMO ONLY		
		(a) Total Appropriations Of Each Meeting	(b) ** From Raise and Appropriate	(c) From Free Cash (See B-1)	(d) From Other Available Funds (See B-2)	(e) From Offset Receipts (See A-1)	(f) From Enterprise Funds (See A-2)	(g) From Community Preservation Funds (See A-4)	(h) *** Departmental Revolving Funds	(i) Borrowing Authorization (Other)
06/18/2022	2023	66,709,618.00	53,751,969.00	2,472,020.00	2,299,917.00	0.00	7,631,212.00	554,500.00	170,500.00	57,675,000.00
06/18/2022	2022	541,412.85	0.00	184,463.85	0.00	0.00	356,949.00	0.00	0.00	0.00
11/15/2022	2023	665,079.74	535.30	278,118.00	264,899.26	0.00	121,527.18	0.00	0.00	0.00
	Total	67,916,110.59	53,752,504.30	2,934,601.85	2,564,816.26	0.00	8,109,688.18	554,500.00		

* Enter the fiscal year to which the appropriation relates.

** Appropriations included in column (b) must not be reduced by local receipts or any other funding source.

Appropriations must be entered gross to avoid a duplication in the use of estimated or other sources of receipts.

*** Include only revolving funds pursuant to Chapter 44, Section 53 E 1/2.

Signatures	
Clerk	
I hereby certify that the appropriations correctly reflect the votes taken by City / Town / District Council.	
Linda Fredette, Town Clerk , Fairhaven , lfredette@fairhaven-ma.gov 508-979-4023 11/16/2022 3:34 PM	
Comment:	

Documents
No documents have been uploaded.

**Levy Limit
Fiscal Year 2023**

FOR BUDGET PLANNING PURPOSES

I. TO CALCULATE THE FY 2022 LEVY LIMIT

A. FY 2021 Levy Limit	29,530,590	
A1. Amended FY 2021 Growth	0	
B. ADD (IA + IA1)*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	<u>30,732,262</u>	
F. FY 2022 Levy Ceiling	67,573,128	I. <u>30,732,262</u>
		FY 2022 Levy Limit

II. TO CALCULATE THE FY 2023 LEVY LIMIT

A. FY 2022 Levy Limit from I	30,732,262	
A1. Amended FY 2022 Growth	0	
B. ADD (IIA + IIA1)*2.5%	768,307	
C. ADD FY 2023 New Growth	485,312	
C1. ADD FY 2023 New Growth Adjustment	0	
D. ADD FY 2023 Override	0	
E. ADD FY 2023 Subtotal	<u>31,985,881</u>	
F. FY 2023 Levy Ceiling	72,515,011	II. <u>31,985,881</u>
		FY 2023 Levy Limit

III. TO CALCULATE THE FY 2023 MAXIMUM ALLOWABLE LEVY

A. FY 2023 Levy Limit from II.	31,985,881	
B. FY 2023 Debt Exclusion(s)	830,719	
C. FY 2023 Capital Expenditure Exclusion(s)	0	
D. FY 2023 Stabilization Fund Override	0	
E. FY 2023 Other Adjustment :	0	
F. FY 2023 Water/Sewer	0	
G. FY 2023 Maximum Allowable Levy	<u>32,816,600</u>	

Signatures

Board of Assessors

Daniel Lane, Town Assessor , Fairhaven , dlane@fairhaven-ma.gov 508-979-4023 | 11/16/2022 3:18 PM

Levy Limit
Fiscal Year 2023

Documents

No documents have been uploaded.

FAIRHAVEN, MA
Old-Time Holiday



Saturday, December 10, 2022
HISTORICAL FAIRHAVEN CENTER

Millicent's Holiday Fun & Book Sale

Book sale, children's craft activity, music, treats
 45 Center St., 9 am - 3 pm (crafting 11 am - 2 pm)

Town Hall Shops

*Booths by non-profit groups in the auditorium,
 NFIA Cafe in banquet room: meat pies, spinach pies,
 chowder, kale soup*

Town Hall, 40 Center St., 10 am - 3 pm

Congregational Church Holiday Fair

Craft booths, baked goods, thrift shop & more
 Congregational Church, 34 Center St., 10 am - 3 pm.

Lobster Roll Luncheon

Lobster rolls, stuffed quahogs, chowder, hot dogs.
 Congregational Church, 34 Center St., 11 am - ?

Unitarian Church Holiday Marketplace

Craft booths, holiday greens & more
 Unitarian Church, 102 Green St., 10 am - 3 pm

Unitarian Church Tours

Unitarian Church, 102 Green St. 10 am - 3 pm

Holiday Soup & Sandwich Luncheon

Harrop Center, 47 Center St., 11:30 am - 2:00 pm

**Santa's Sweet Shop at
 Northeast Maritime Institute
 with Dorothy Cox's**

*Open for candy, fudge, hot chocolate, music.
 Visit and take photos with Santa 11 am - 2 pm.*

Northeast Maritime Institute
 32 Washington St., 10 am - 3 pm

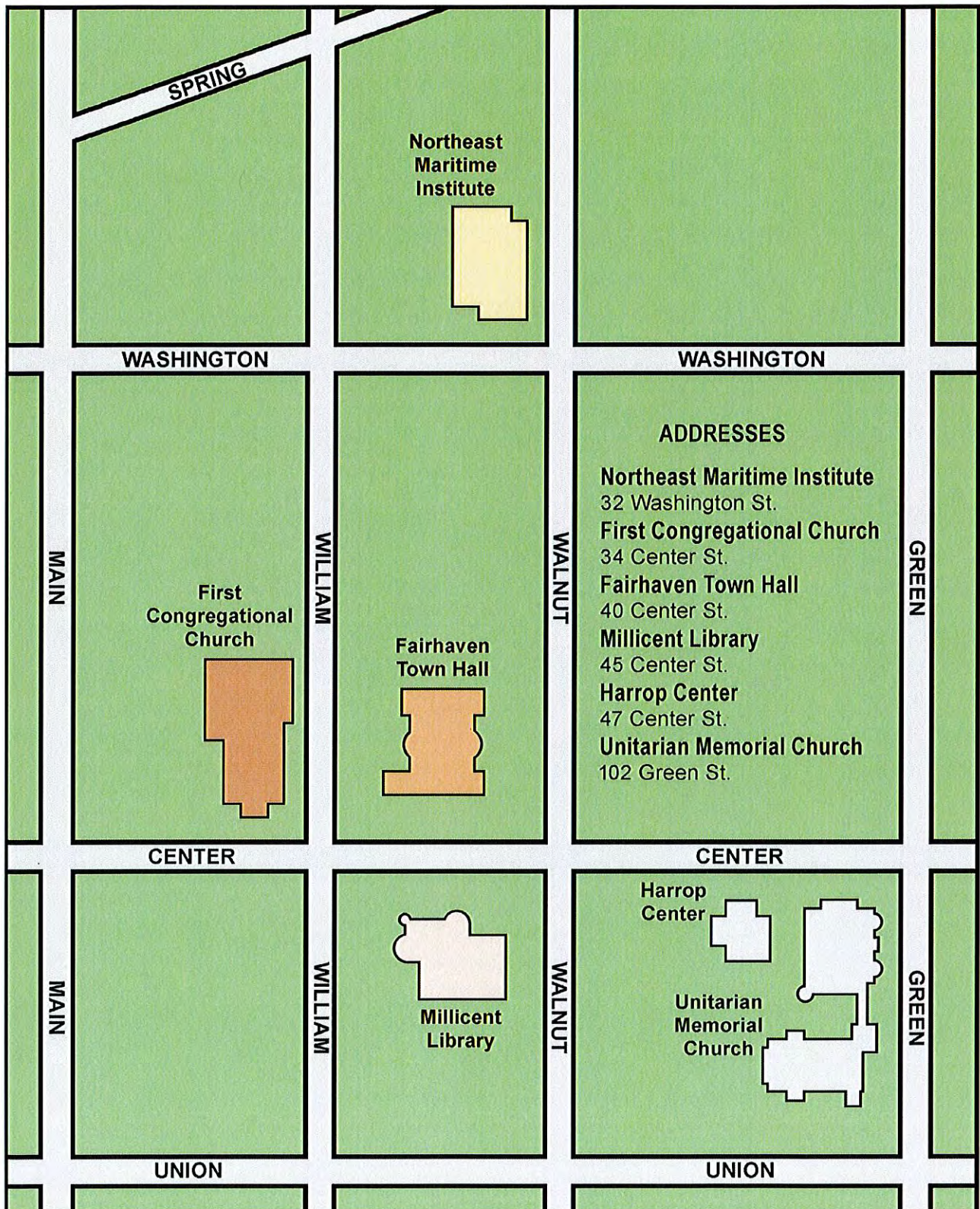
Town Hall Sing-along

Town Hall, 40 Center St., 6:00 p.m.

Sponsored by Fairhaven Improvement Association.

The Old-Time Holiday is sponsored by Fairhaven non-profit and church groups and is coordinated and promoted by the Fairhaven Office of Tourism. Complete program listings are available from <http://Fairhaventours.com>. For more information, contact the Fairhaven Office of Tourism, 141 Main Street, Fairhaven, telephone 508-979-4085, email FairhavenTours@fairhaven-ma.gov. The Visitors Center will not be open on Saturday, December 10, during the Old-Time Holiday.

Fairhaven Old-Time Holiday Locations



Community Access Monitor Program

Since the creation of the Community Access Monitor Project in 1985, approximately 12,000 people have been trained by the Massachusetts Office on Disability to survey buildings for accessibility and to advocate for compliance. Over 2,000 people have been certified as Community Access Monitors.

Initially, the Community Access Monitor Project emphasized the enforcement of the Architectural Access Board's Rules and Regulations. Now, with the federal Americans with Disabilities Act in effect, requirements for access have broadened to include communication and programmatic as well as architectural accessibility. As the scope of accessibility legislation has broadened, so has the role of the Community Access Monitor.

The workbook contains information on access legislation and provides a step-by-step process for conducting assessments and encouraging voluntary compliance with the Americans with Disabilities Act and the Architectural Access Board Rules and Regulations.

Accessibility

Architectural, communication, programmatic, and policy barriers prevent people from participating fully in society. People with disabilities cannot assume they can use common public places, such as stores, banks, offices, and restaurants, or participate in ordinary activities, such as working, getting an education, visiting friends, and attending community events. Most non-disabled people take these freedoms for granted.

Accessibility means much more than ramps for wheelchair access. People with all types of physical, sensory, cognitive and other disabilities must be ensured equal access to facilities, services, and programs. People with disabilities must not be discriminated against through structural barriers, unequal policies and practices, or inaccessible means of communication and dissemination of information.

The Role of the Community Access Monitor

Community Access Monitors play an essential role in encouraging access improvements. While they do not have legal enforcement authority, monitors have proven to be highly effective advocates. Monitors are encouraged to be a full partner in the implementation process by coordinating advocacy efforts with municipal disability commissions, Independent Living Centers, ADA Coordinators, building inspectors, and others.

Being a Community Access Monitor requires knowledge of access laws and regulations, understanding of the range of organizations that have responsibilities under both state and federal regulations, skill in surveying and advocacy, and the ability to be persuasive and persistent. Through this training program, you will gain the knowledge and skills you need to become an effective accessibility advocate.¹

Getting Involved

Accessibility in Massachusetts is mandated by complex and far-reaching state and federal laws, whose enforcement depends upon the active involvement of the disability community. Get involved; every individual makes a difference. The law is behind you. Through your efforts, and the collective effort of the Community Access Monitor Program of MOD and the whole advocacy movement, you will help bring about change.

Acknowledgments:

The artwork displayed on the cover and spine of the binder was created by Sidewalk Sam.

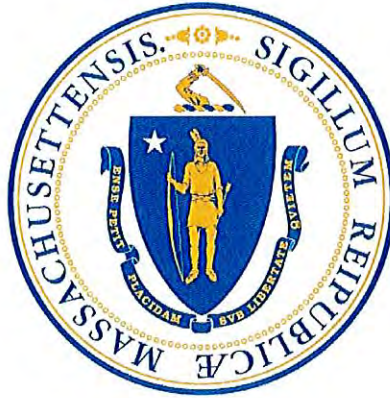
This program is supported in part by a grant from DBTAC - New England ADA Center from the National Institute on Rehabilitation and Research (NIDRR).

¹ MOD exercises no supervisory control or authority over Monitors. Although MOD is available for consultation, it does not in any way indemnify or otherwise assume any responsibility for Monitor's actions or failures to act.

Community Access Monitor RIGHTS AND RESPONSIBILITIES

1. You have the right to public information
2. You have the right to use your designation as a Massachusetts Community Access Monitor in your advocacy work.
3. You have the right to call the Massachusetts Office on Disability for technical assistance.
4. You have the right to advocate for voluntary compliance.
5. You have the right to fill out and file complaint forms when appropriate.
6. You have the responsibility to complete surveys and report your findings to the property owner.
7. You have the responsibility to use your designation as a Community Access Monitor **only** in a volunteer capacity.
8. You have the responsibility to decline requests for advice in situations where you lack expertise.
9. You have the responsibility to keep up to date in your knowledge about the intent and scope of both state and federal regulations.
10. You have the responsibility to notify the organization in writing of your interest in assessing its accessibility.

Community Access Monitor



This is to certify that:

Angie Lopes Ellison

*has successfully completed the two-day training
provided by:*

*The Massachusetts Office
on Disability*

Granted: November 3, 2022

A handwritten signature in blue ink that reads "Mary Mahon McCauley".

Mary Mahon McCauley, Executive Director



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

C7

Tel: (508) 979-4023
Fax: (508) 979-4079

Selectboard@Fairhaven-MA.gov

MEMO

Date: December 5, 2022

From: Select Board /Office of the Town Administrator

To: Town Departments/ Residents

Re: 2022 Town Report Cover Photos

The Select Board office is calling for submissions for this year's Annual Town Report. Please send your digital photos to Selectboard@Fairhaven-MA.gov No more than three submissions per person, please. Deadline is Friday, January 6, 2023 at 4:00 pm.

Sincerely,

Amy Almeida
Assistant to the Town Administrator



OPEN MEETING LAW COMPLAINT FORM

D1

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Patrick Last Name: Higgins

Address: P O Box 290

City: Northport State: AL Zip Code: 35476

Phone Number: 8662838301 Ext. _____

Email: patrick@patrickhiggins.co

Organization or Media Affiliation (if any): Patrick Higgins and Associates

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

Individual Organization Media

Public Body that is the subject of this complaint:

City/Town County Regional/District State

Name of Public Body (including city/town, county or region, if applicable): Fairhaven Select Board

Specific person(s), if any, you allege committed the violation: Stasia Powers

Date of alleged violation: 10/17/2022

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

The Fairhaven Select Board violated the open meeting law as follows:

1. Held an illegal executive session by entering executive session "To obtain legal advice" which is not one of the 10 exemptions that allow a public body to enter executive session.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

Require all Town of Fairhaven Select Board members to attend a open meeting law training webinar given by the Division of Open Government. See <https://www.mass.gov/service-details/open-meeting-law-trainings> for the schedule and to register.

Release the minutes for the illegal executive session without delay.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

Publication to Website. As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

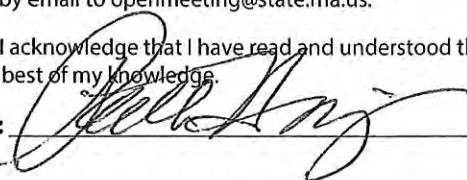
II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: 

Date: 11/15/2022

For Use By Public Body
Date Received by Public Body:

For Use By AGO
Date Received by AGO:



FAIRHAVEN TOWN CLERK
RCUD 2022 OCT 13 PM5:48

FAIRHAVEN SELECT BOARD

Agenda

Monday, October 17, 2022

6:30 p.m.

Town Hall – 40 Center Street – Fairhaven

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and via remote means, in accordance with applicable law. This means that members of the public body as well as members of the public may access this meeting in person, or via virtual means. In person attendance will be at the meeting location listed above, and it is possible that any or all members of the public body may attend remotely, with in-person attendance consisting of members of the public.

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

Log onto: or call 1-929-205-6099

Join Zoom Meeting

<https://us06web.zoom.us/j/88272385943?pwd=OUhVTjFpR3NVbXNjczRlZmJlUnlndz09>

Meeting ID: 882 7238 5943

Passcode: 787838

A. MINUTES

1. Approve the minutes of September 19, 2022 — Open Session
2. Approve the minutes of October 3, 2022 — MassDOT Public Meeting
3. Approve the minutes of October 6, 2022 — Joint Session with Finance Committee

B. TOWN ADMINISTRATOR REPORT

1. Staff Updates: Fire Department New Hires
2. Broadband Municipal Light Board Update
3. Intern Opportunities / Vocational Students
4. Capital Strategy Solutions: ARPA
5. Hazmat Day (Board of Health): October 22, 2022, 8am – 12pm
6. Senior Social Day Program Returning
7. Newsletter from Recreation Center / Council on Aging
8. Wellness Initiative Human Resource Benefits
9. Other

C. COMMITTEE LIAISON REPORTS

D. ACTION ITEM:

1. Fire Department Promotions
2. Polar Plunge
3. Appointment to Cultural Council: Alexandra Caine
4. Appointment to Belonging Committee: Eryn S. Tomascik
5. Appointment to Economic Development Committee: Patrick Carr
6. Military Birthday Flags

7. Event Permit: 2022 Turkey Trot 5K fun run: Thursday November 24, 2022, 9:00 am
8. Event Permit: Fairhaven Improvement Association Sing-A-Long
9. Tree City USA / Arbor Day: Declaration
10. Gift Account Request: Belonging Committee
11. Amendment of LLC Manager: Ocean State Job Lot
12. Close Warrant for November 15, 2022 Special Town Meeting
13. Review and Recommendations for Warrant Articles
14. Approve Warrant for Posting
15. Proclamation Vote: Masons
16. Approve Number of Police Officers at Polls
17. Approve Poll Worker List (Appendix A)
18. Sign Warrant for November 8, 2022 Election

E. PUBLIC COMMENT

F. BOARD MEMBER ITEMS

G. CORRESPONDENCE:

1. Marine Resources Thank You

H. NOTES AND ANNOUNCEMENTS

1. The next **regularly** scheduled meeting of the Select Board is **Monday, November 7, 2022** at 6:30 p.m. in the Town Hall Banquet Room

I. EXECUTIVE SESSION-Pursuant to MGL Ch. 30A§ 21(a)(7)

1. To obtain legal advice pursuant to *Suffolk Construction v. DCAM*, 449 Mass. 444 (2007) (Article 16 of the 11-55-22 STM).

ADJOURNMENT

Subject matter listed in the agenda consists of those items that are reasonable anticipated (by the Chair) to be discussed. Not all items listed may be discussed and other items not listed (such as urgent business not available at the time of posting) may also be brought up for discussion in accordance with applicable law.

MGL, Ch. 30a, § 20(f) requires anyone that intends to record any portions of a public meeting, either by audio or video, or both, to notify the Chair at the beginning of the meeting.

To: Select Board
 From: Town Clerk
 Date: 10/13/2022
 RE: November 8, 2022-Poll Workers

Below is the list of the Poll Workers I have scheduled to work at the Nov 8th State General Election, as well as some possible alternates, for your approval.

	Alfonse, Christine	R	38 Veranda Avenue	Fairhaven, MA 02719
	Bettencourt, Pam	U	12 Evergreen Street	Fairhaven, MA 02719
	Branco, Maria	U	13 Reservation Road	Fairhaven, MA 02719
	Burgo, Elaine	D	147 Merrimac Street	New Bedford, MA 02740
	Capizano, Charles	D	14 Tanner Lane	Fairhaven, MA 02719
	Carvalho, M J	U	29 Newbury Avenue	Fairhaven, MA 02719
	Chevalier, Linda	D	31 Phoenix Street	Fairhaven, MA 02719
	Costa, Bernadette	U	19 Huttleston Ave	Fairhaven, MA 02719
	Diggle, George	U	21 Summer Street	Fairhaven, MA 02719
	Duval, Jodi	U	46 Wilding Street	Fairhaven, MA 02719
	Ellis, Anne	U	310 Mill Road	Fairhaven, MA 02719
	English, Erin	D	1 Bates Street	Fairhaven, MA 02719
	Fauteux, Carole	U	87 Harding Road	Fairhaven, MA 02719
	Goulart, Myles	U	19 Barefoot Path	Plymouth, MA 02360
	Mattos, Dennis	D	14 Newton Street	Fairhaven, MA 02719
	Melanson, Cathy	U	110 Adams Street	Fairhaven, MA 02719
	Millette, Claire	U	138 Main Street 1	Fairhaven, MA 02719
	Moniz, Lisa	U	23 Harvard Street	Fairhaven, MA 02719
	Parker, Pauline	U	38 Blackburn Street	Fairhaven, MA 02719
	Romano, Andrew	D	223 Main Street, 1FLR	Fairhaven, MA 02719
	Rose, Lisa	U	12 Summer Street	Fairhaven, MA 02719
	Silvia, Kathryn	D	25 Harvard Street	Fairhaven, MA 02719
	Therrien, Linda	U	287 Huttleston Ave	Fairhaven, MA 02719
alt	Hooley, Heather	D	119 Nellie Road	New Bedford, MA 02740
alt	Osuch, Deborah	D	9 Sunset Beach Rd	Fairhaven, MA 02719
alt	Shifman, Diane	U	123 Sawyer St #3	New Bedford, MA 02740
alt	Souza, Margaret	U	34 McGann Terr	Fairhaven, MA 02719
alt	Sylvia, Joseph	U	326 Huttleston Ave	Fairhaven, MA 02719
alt	Thomas, Rachel	D	1 Teal Circle	Fairhaven, MA 02719
alt	Thomas, Michael	D	1 Teal Circle	Fairhaven, MA 02719
alt	Welty, Kym	U	37 Buttonwood St	New Bedford, MA 02740

Fairhaven Retirement System
40 Center Street
Fairhaven, MA. 02719
Phone: 508-979-4023 ext. 121
Cell: 774-634-6668
Fax: 508-993-9486

November 29, 2022

Town of Fairhaven Selectboard
40 Center Street
Fairhaven, Ma. 02719

Dear Selectboard,

On November 16, 2022, the Governor signed Chapter 269 of the Acts of 2022 into law. This act provides the local retirement systems with a local option to increase the Cost of Living Adjustment ("COLA") for Fiscal Year 2023 up to 5 percent on the base amount (\$15,000) specified, pursuant to G.L. c. 32, § 103.

At the Fairhaven Retirement Board meeting held on November 22, 2022, the Board voted to increase the Cost of Living Adjustment (COLA) from 3% to 5% for Fiscal Year 2023, retroactive to July 1, 2022. Based on the foregoing, the Board respectfully requests that you approve this increase.

If you have any questions, please email Anne Carreiro, Chairperson of the Fairhaven Retirement Board a few days before the December 5th meeting to allow sufficient time to answer any questions.

Sincerely,


Mary Sturgeon, Administrator

Encl: PERAC Memo #29/2022

Cc: Retirement Board

MEMORANDUM

TO: All Retirement Boards

FROM: John W. Parsons, Esq., Executive Director 

RE: 5% Local COLA option

DATE: November 18, 2022

On November 16, 2022, the Governor signed Chapter 269 of the Acts of 2022 into law. This act provides the local retirement systems with a local option to increase the Cost of Living Adjustment ("COLA") for Fiscal Year 2023 to up to 5 percent on the base amount specified pursuant to G.L. c. 32, § 103. The approval of the increase can occur at any time during the fiscal year and will take effect as of July 1, 2022.

The local approval mechanism is different than traditional COLA increases and COLA base increases. In order for a system to adopt a COLA increase pursuant to this act, **the retirement board must vote for the increased amount and then it must also receive local approval.**

For purposes of this act, local approval means:

- In a city, the mayor must recommend the increase to the city council and the council must vote in favor.
- In a city having a Plan D or Plan E charter, the city manager must recommend the increase to the city council and the council must vote in favor.
- In a town, the chief executive officer¹ - the select board in nearly all cases - must vote in favor to accept the increase rather than the town meeting as is the case for COLA base increases.
- In a district, or other political subdivision, the governing board, commission or committee must vote in favor to accept the COLA increase.

¹ As defined in G.L. c. 4, § 7, "chief executive officer", when used in connection with the operation of municipal governments shall include the mayor in a city and the select board in a town unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter.



MEMORANDUM - Page Two

TO: All Retirement Boards
FROM: John W. Parsons, Esq., Executive Director
RE: 5% Local COLA option
DATE: November 18, 2022

- In a regional system, two-thirds of the cities and towns within the system must approve the increase. This is done in the same fashion as stated above for municipalities: in a city, by the city council upon recommendation by the mayor or, in a city with a Plan D or Plan E charter, the city manager; or, in a town, by approval of the chief executive officer (likely the select board) as defined by G.L. c. 4, § 7.
- In a county, the county commissioners, who normally do not have a role in COLAs nor COLA base increases, must vote to accept **and** two-thirds of the cities and towns within the system must approve the increase in the same manner as stated above for regional systems.

Though many local systems are comprised of multiple units such as housing authorities and districts, the two-thirds language only applies to regional and county systems as the approval specified in the statute only refers to cities and towns as voting political subdivisions.

Section 2 of the act provides that a COLA increase pursuant to this act is retroactive to July 1, 2022. Any COLA increase, in addition to any COLA previously adopted for FY 23, will become part of the fixed amount of a retirees' retirement allowance in the same manner as all COLAs granted pursuant to section 103.

PERAC has already received questions about estimating the cost of the enhanced COLA. PERAC Actuary John Boorack has provided the following formula for a conservative full-cost estimate, not a one-year estimate, to assist boards in their planning:

$$(0.2) \times (\text{COLA base}) \times (\# \text{ of retirees/beneficiaries})$$

If you have any questions about this memo, please contact PERAC's General Counsel, Judith Corrigan, at (617) 591-8904 or at judith.a.corrigan@mass.gov.

Commonwealth of Massachusetts
TOWN OF FAIRHAVEN
POLICE DEPARTMENT
1 Bryant Lane
Fairhaven, MA 02719
Phone 508-997-7421
Fax 508-997-3147
www.fairhavenpolice.org

Michael J. Myers
Chief of Police

To: Chief Michael J. Myers

From: Lieutenant David R. Sobral

Date: 12/01/2022

Request for traffic/parking control

On September 14th, 2022 the undersigned officer along with Paul Foley from the Planning board had a meeting with Mr. John Medeiros from the NFIA. Mr. Medeiros had informed me that there were issues with the traffic flow in the area of Morton Street and Livesey Park Way area. He stated that Since the renovations which occurred at the old Oxford School which has been totally renovated and reopened as apartments there are traffic and safety issues occurring in that area.

Mr. Medeiros said that he has observed on several occasions vehicles that have exited the driveway located on the east side of the Oxford Residences Apartments travel out of the driveway and make a left turn and travel west bound on Morton Street towards Main Street. Mr. Medeiros stated that there is a one way sign to travel east bound at Morton Street and Main Street towards the park, but there is no other signage (one way sign) at the bottom of the street at Morton St. and Livesey Park Way. There is also no other signage stating no left turn coming out of the parking lot.

Upon viewing the area that day with Mr. Medeiros and Mr. Foley, and also seeing for myself as I was working a detail in the area recently that several vehicles did travel illegally west bound on Morton Street towards the Main Street intersection. This type of activity is concerning and dangerous, and if it continues it could result in a motor vehicle crashes if one vehicle is traveling legally east bound on Morton Street and another vehicle traveling illegally west bound on Morton Street towards Main Street.

The traffic flow in the area has increased due to the Oxford Residence Apartments which have a section for their tenant parking which is located to the rear of the building

on the east side of the property. There is also a new section of parking in the same lot which was divided in half, parking for the residences and the other half of the lot designated for Public parking just east of the tenant parking area.

My recommendation for the public safety interest of the area would be adding an additional one way parking sign at the base of the roadway on the north side of the street facing east bound at the corner of Morton Street and Livesey Park Way. I also recommend that a "No left turn" sign be placed at the exit area of the driveway for vehicles exiting the parking lot onto Livesey Park Way. Both these signs will be visible upon anyone trying to exit the parking lot. Livesey Park Way has three one way signs which determine the flow of traffic north bound towards Glenhaven Ave. This should alleviate the traffic flow issue in this area for the future!

Mr. Medeiros also brought to my attention that there is no signage at the top of the intersection of Morton Street and Main Street informing the general public that there is a Public parking lot area located on the east side of the Oxford Residence Apartment complex at the base of Livesey Park. The parking lot has a total of 28 parking spaces and 2 handicapped spaces for the general public to park. In the main lot there is signage pointing to the residence parking area and the Public parking area within the lot.

Mr. John Medeiros is requesting some type of signage (Public Parking) for the general public, to be placed at the top of the intersection of Morton Street and Main Street to assist in notifying the general public of the designated public parking area to the rear of the Oxford Residence Apartments.

This is not a public safety issue regarding the Public Parking signs requested by Mr. John Medeiros.

Respectfully Submitted,



Lieutenant David R. Sobral #019

Fairhaven Police Department

Operations/Patrol Division



FAIRHAVEN POLICE DEPARTMENT
REQUEST FOR TRAFFIC OR PARKING CONTROL

****OFFICIAL USE ONLY****

Location: MORTON STREET Intersection of: LIVESLEY PARK WAY
Control: ADDITIONAL "ONEWAY SIGN" Approval Date: _____

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

Requested by: <u>JOHN MEDEINOS</u>	Location: <u>MORTON STREET</u>
Address: <u>285 MAIN STREET</u> <u>FAIRHAVEN, MA. 02719</u>	Intersection of: <u>LIVESLEY PARK WAY</u>
Telephone: <u>508-992-2959</u>	Date: <u>SEPT. 14TH 2022</u>
Type of Control Requested: <u>"ONEWAY SIGN" ON MORTON STREET EAST SIDE</u> <u>VIC. LIVESLEY PARKWAY. "NO LEFT TURN SIGN" AT DRIVEWAY EXIT OF</u> <u>OXFORD RESIDENCES APARTMENTS. (NON PUBLIC SAFETY) PUBLIC PARKING STOP</u> <u>AT MORTON/MAIN ST. ISSUE</u>	
Reason for Request: <u>ONEWAY SIGN DUE TO VEHICLES TRAVELING ILLEGALLY</u> <u>W/B ON MORTON ST. TOWARDS MAIN ST. NO LEFT TURN SIGN FOR</u> <u>NOTIFICATION NOT TO TRAVEL WRONG WAY ON ROADWAY (MORTON ST.)</u>	

****OFFICIAL USE ONLY****

Approved: _____

Investigated by: LT. [Signature]

Denied: _____

Investigation: * See Supplement Report for further
INFO. ON INVESTIGATION *

[Signature]

Police Chief

Board of Selectmen

Approval Date

Compliance Date

Minimum Wage

M.G.L. Chapter 151, Sections 1, 2, 2A, and 7

In Massachusetts, all workers are presumed to be employees. The minimum wage applies to all employees, except:

- agricultural workers (\$8.00 per hour is the minimum wage for most agricultural workers),
- members of a religious order,
- workers being trained in certain educational, nonprofit, or religious organizations, and
- outside salespeople.

Effective Date	Minimum Wage	Service Rate
January 1, 2017	\$ 11.00	\$3.75
January 1, 2019	\$ 12.00	\$4.35
January 1, 2020	\$ 12.75	\$4.95
January 1, 2021	\$ 13.50	\$5.55
January 1, 2022	\$ 14.25	\$6.15
January 1, 2023	\$ 15.00	\$6.75

A 2018 law made changes to the minimum wage, and Sunday and holiday premium pay.

Chapter 121 of the Acts of 2018, known as the “Grand Bargain” made changes to the minimum wage, Sunday premium pay, and holiday pay requirements. See the link below for the statutory changes.

I. BASIC MINIMUM WAGE:

January 1, 2019	\$12.00 per hour;
January 1, 2020	\$12.75 per hour;
January 1, 2021	\$13.50 per hour;
January 1, 2022	\$14.25 per hour;
January 1, 2023	\$15.00 per hour;

Source:

<https://www.mass.gov/service-details/minimum-wage-and-overtime-information>



Commonwealth of Massachusetts
TOWN OF FAIRHAVEN

POLICE DEPARTMENT
1 Bryant Lane
Fairhaven, MA 02719
Phone 508-997-7421
Fax 508-997-3147
www.fairhavenpolice.org

Michael J. Myers
Chief of Police

November 29, 2022

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

Dear Sirs,

I would like to request permission from the board to accept a large donation for the Animal Shelter in the amount of \$ 20,000. They donor requested to remain as anonymous.

Respectfully,

Michael J Myers
Chief of Police

2023 RENEWALS
FOR APPROVAL BY THE SELECT BOARD
DECEMBER 5, 2022

LIQUOR LICENSES, FAIRHAVEN, MA 02719

****Contingent on Inspections (in red)**

1. Gene's Famous Seafood, 146 Huttleston Avenue, Fairhaven, MA
2. The Bitter End Lounge, 407-409 Huttleston Avenue, Fairhaven, MA
3. Frontera Grill, 214 Huttleston Avenue, Fairhaven, MA
4. Sweet Ginger Asian Cuisine & Bar, 179-181 Huttleston Ave., Fairhaven, MA
5. Mike's Restaurant, 390 Huttleston Ave., Fairhaven, MA
6. Dorothy Cox's Candies, 21 Berdon Way, Fairhaven, MA
7. Wah May Restaurant, 51 Main Street, Fairhaven, MA
8. Elisabeth's Restaurant, 1 Middle Street, Fairhaven, MA
9. 99 Restaurant & Pub, 32 Sconticut Neck Road, Fairhaven, MA
10. Southcoast Wine & Spirits, 355 Huttleston Ave., Fairhaven, MA
11. Brick Pizzeria Napoletana, 213 Huttleston Ave., Fairhaven, MA
12. Minerva Pizza House, 75 Main Street, Fairhaven, MA
13. Paul's Sports Corner, 19 Howland Road, Fairhaven, MA
14. Connolly's Liquor Mart, 36 Howland Road, Fairhaven, MA
15. Old Oxford Pub, 346 Main Street, Fairhaven, MA
16. Fairhaven Wine & Spirits, 105 Sconticut Neck Rd., Fairhaven, MA
17. Sivalai Thai Cuisine, 130 Sconticut Neck Rd., Fairhaven, MA
18. M&J Fairhaven Inc., Riccardi's Restaurant, 1 David Drown Blvd Fairhaven
19. Bayside Lounge, 125 Sconticut Neck Rd., Fairhaven, MA
20. Friendly Farm Convenience, 121 Sconticut Neck Road, Fairhaven, MA
21. Cardoza's Wine & Spirits, 6 Sconticut Neck Road, Fairhaven, MA
22. Douglas Wine & Spirits, 1 Peoples Way, Fairhaven, MA
23. The Pasta House Restaurant, Bocca, 100 Alden Road, Fairhaven, MA

24. Fort Phoenix Post 2892, Veterans of Foreign Wars of USA, 109 Middle Street, Fairhaven, MA
25. Acushnet River Safe Boating Club, 801 Middle Street, Fairhaven, MA
26. Off The Hook, 56 Goulart Memorial Drive, Fairhaven, MA
27. Ice House, LLC, 136 Huttleston Ave., Fairhaven, MA
28. Fairhaven Seaport Hospitality Inc., Seaport Inn and Marina, 110 Middle Street, Fairhaven, MA
29. Vila Verde Restaurant, 362-364 Main Street, Fairhaven, MA
30. Rasputin's Tavern, 122 Main Street, Fairhaven, MA
31. Ocean State Job Lot, 11 Berdon Way, Fairhaven, MA
32. Moriarty Liquors, 101 Middle Street, Fairhaven, MA
33. Town Crier, 5 Maitland Street, Fairhaven, MA
34. Courtyard Restaurant, 270 Huttleston Avenue, Fairhaven, MA
35. The Bar on Middle, 47 Middle Street, Fairhaven, MA
36. Scuttlesbutts Liquors, 407-409 Main Street, Fairhaven, MA
37. Huttleston License, LLC Stevie's A Package Store, 115 Huttleston Ave., Fairhaven, MA
38. Traveler's Ale House, 111 Huttleston Ave., Fairhaven, MA
39. Southcoast Pickleball LLC., 4 David Drown Blvd., Fairhaven, MA
40. Gulf Resources Inc., 277 Bridge Street, Fairhaven, MA

CAR DEALER LICENSES, FAIRHAVEN, MA

1. Fairhaven Gas, Inc. 134 Huttleston Avenue, Fairhaven, MA
2. Fairhaven Gas, Inc., Valero's, 130 Huttleston Avenue, Fairhaven, MA
3. Hive Motorcars, LLC, 10 Arsene Way, Fairhaven, MA
4. Guard Enterprises, 110 Alden Road, Fairhaven, MA
5. Alden Buick GMC, 6 Whalers Way, Fairhaven, MA
6. Alden Mazda, 250 Bridge Street, Fairhaven, MA
7. Artistic Auto Body & Auto Sales, 98 Middle Street, Fairhaven, MA
8. Sarkis Enterprises, Inc. (A & A Auto), 196 Huttleston Ave., Fairhaven, MA
9. RRR Auto Sales, 372 Huttleston Avenue, Fairhaven, MA
10. First Hot Line Auto Sales Inc., Fairhaven Getty Auto Sales, 371 Huttleston Avenue, Fairhaven, MA

REPAIR LICENSES, FAIRHAVEN, MA

1. Fairhaven Gas, Inc. 134 Huttleston Ave, Fairhaven, MA
2. Guard Enterprises, 110 Alden Road, Fairhaven, MA
3. Alden Buick GMC, 6 Whalers Way, Fairhaven, MA
4. Alden Mazda, 250 Bridge Street, Fairhaven, MA
5. Artistic Auto Body & Auto Sales, 98 Middle Street, Fairhaven, MA
6. Sarkis Enterprises, Inc., (A & A Auto), 196 Huttleston Ave., Fairhaven, MA
7. A-1 Crane Company, 86-88 Middle Street, Fairhaven, MA
8. Aaron's Auto Glass, 232 Huttleston Ave., Fairhaven, MA
9. Jiffy Lube #1229, 31 Alden Road, Fairhaven, MA
10. Automotive Diagnostic Service, 162 Sconticut Neck Rd., Fairhaven, MA
11. Dattco Sales & Service, 72 Sycamore Street, Fairhaven, MA
12. Nice N' Clean Car Wash, 320 Huttleston Avenue, Fairhaven, MA
13. Rick's Services, 241 R. Huttleston Avenue, Fairhaven, MA
14. Manny's Service Station, 82 Bridge Street, Fairhaven, MA
15. Sullivan Tire Company, 9 Plaza Way, Fairhaven, MA
16. JR's Auto Shop, 276 Huttleston Avenue, Fairhaven, MA
17. Roland's Tire Service, 11 Howland Road, Fairhaven, MA
18. RRR Auto Sales, 372 Huttleston Avenue, Fairhaven, MA
19. Leban Fuel Inc., Fairhaven Getty, 371 Huttleston Avenue, Fairhaven, MA

COMMON VICTAULER LISENSSES, FAIRHAVEN, MA

1. Papa Gino's Pizza, 171 Huttleston Ave, Fairhaven, MA
2. Subway, 42 Fairhaven Commons Way, Fairhaven, MA
3. Taco Bell, 33 Alden Road, Fairhaven, MA
4. Subway, 19 Plaza Way, Fairhaven, MA
5. Burger King, 180 Huttleston Ave., Fairhaven, MA
6. Tropical Smoothies Café, 29 Alden Road, Fairhaven, MA

7. McDonald's Restaurant, 14 Plaza Way, Fairhaven, MA
8. Wendy's Restaurant, 7 Fairhaven Commons Way, Fairhaven, MA
9. Mac's Soda Bar, 116 Sconticut Neck Road, Fairhaven, MA
10. Dunkin Donuts, 18 Plaza Way, Fairhaven, MA
11. Dunkin Donuts, 32 Howland Road, Fairhaven, MA
12. Little Village Café, 23 Center Street, Fairhaven, MA
13. Palace Pizza & More, 142 Huttleston Ave., Fairhaven, MA
14. Galaxy Pizza, 142 Main Street, Fairhaven, MA
15. Scramblers Breakfast & Bagel, 2 Sconticut Neck Rd., Fairhaven, MA
16. 7-Eleven, 188 Huttleston Ave., Fairhaven, MA
17. Brady's Ice Box, 12 Ferry Street, Fairhaven, MA
18. Margaret's Restaurant, 16 Main Street, Fairhaven, MA
19. Jake's Dinner, 104 Alden Road, Fairhaven, MA
20. Mystic Café, 398 Main Street, Fairhaven, MA
21. Flour Girls Baking, 230 Huttleston Ave., Fairhaven, MA
22. The Nook Café, 58 Washington Street, Fairhaven, MA
23. Festiva Buffet, 31 Berdon Way, Fairhaven, MA
24. Honey Dew Donuts, 87 Huttleston Ave, Fairhaven, MA
25. Phoenix Restaurant, 140 Huttleston Ave., Fairhaven, MA
26. Yia Yia's Pizza Café, 381 Sconticut Neck Rd., Fairhaven, MA
27. Jersey Mike's Subs, 215 Huttleston Ave., Fairhaven, MA
28. 168 Sushi Kitchen, 8-1 Sconticut Neck Rd., Fairhaven, MA
29. Main Street Scoops, 382 Main Street, Fairhaven MA
30. Makatan Company Store, West Island Creamery, 39 Causeway Road., Fairhaven, MA

LODGING HOUSE LICENSES, FAIRHAVEN, MA 02719

1. Kopper Kettle Guest House, 41 Huttleston Avenue, Fairhaven, MA
2. Delano Homestead Bed & Breakfast, 39 Walnut Street, Fairhaven, MA

PRIVATE LIVERY LICENSE, FAIRHAVEN, MA 02719

1. Elite Transportation, 1 Deerfield Lane, Fairhaven, MA

Municipal Allocation	\$1,682,861
County Allocation	\$2,716,540
Total	\$4,399,401

PROPOSED PROJECTS

Schools	Playground Resurface	\$240,000	2.22 Strong Healthy Communities: Neighborhood Features That Promote Health & Safety
Fire	Security Cameras Public Safety	\$5,000	1.11 Community Violence Interventions
Fire	Fire Rescue Boat	\$750,000	Revenue Replacement - Municipal Allocation Only
Fire	Message Board	\$120,000	1.7 Other Public Health Expenses (Communications)
Police	Replacement of Police Boat	\$875,000	1.11 Community Violence Interventions
Police	Parks and Beaches Cameras	\$266,000	1.11 Community Violence Interventions
Police	Specialized Emergency Response Vehicles	\$80,000	1.11 Community Violence Interventions
Police	Police UAS Drone	\$30,000	1.11 Community Violence Interventions
Police	Fixed Solar Speed Signs	\$9,500	Revenue Replacement - Municipal Allocation Only
Police	Equipment Storage Unit	\$16,000	Revenue Replacement - Municipal Allocation Only
Public Works	Water Main Flush	\$300,000	5.11 Drinking Water Transmission & Distribution
Recreation	Recreation Playground	\$200,000	2.22 Strong Healthy Communities: Neighborhood Features That Promote Health & Safety
Cable TV	Touchview Ultra Interactive Panel	\$4,635	1.14 Other Public Health Services
Marine Resources	Shellfish Boat Controller Replacement	\$2,881	Revenue Replacement - Municipal Allocation Only
Technology	Technology Switch and Access Points	\$2,171	Revenue Replacement - Municipal Allocation Only
Public Works	Wastewater Treatment Plant	\$1,000,000	5.1 Clean Water: Centralized Wastewater Treatment
Facilities	HVAC Town Hall	\$18,000	1.14 Other Public Health Services
Administration	Previous Requests	\$480,000	Revenue Replacement - Municipal Allocation Only
Total: Proposed Projects		\$4,399,187	



ARPA Funding Requests

School Department: Playground Resurface

Estimated Cost: \$200,000-\$240,000

The Fairhaven School Department has submitted a project to resurface a playground that is currently in poor condition and poses a significant need for replacement. The poor condition of the playground poses a safety risk to students and community members. The PIP surfacing will include removal and disposal of PIP rubber surfacing system, as the main play area is 10,817 Square Feet. Surface America Playbound Poured-in-Place Rubber Surfacing system will be installed by a factory crew. This playground in particular has been frequently used by the general public and has seen significant wear and tear, with the most noticeable wear and tear occurring during the 2020 calendar year. Estimated date of completion is July 30, 2023



Fire Department: Camera Funding

Estimated Cost: \$5,000

Priority 1 project of the proposed package from the Fire Department includes funding for new security cameras around the fire station and public safety complex. The current quote of the project exceeded the budget allocated at the June 2022 Town Meeting. The Fire Department is seeking an additional \$5,000 to finish the project. The estimated completion schedule is 60 days.



Fire Department: Fairhaven Fire Rescue Boat

Estimated Cost: \$750,000

Priority 2 project of the proposed package from the Fire Department includes funding for a fireboat. The Fire Department has been without a fireboat for nearly a decade, and recent events in the area justify the need to maintain a fire boat with fire suppression capability. This boat will be used for rescue, fire suppression, and medical response. At this time, Fairhaven cannot fight a fire from the waterside of a building, diminishing our firefighting capability. The intention is to help reduce our marine unit vessels by combining this vessel as a joint fire and harbormaster vessel, to consolidate marine units and personnel. Estimated completion schedule is 18-24 months out from the time of order.



Fire Department: Message Boards

Estimated Cost: \$120,000

Priority 3 project of the proposed package from the Fire Department includes funding for Message Boards. The Fairhaven Fire Department is seeking funding for electronic permanent sign boards. The sign boards will be dual-faced and placed at the public safety complex and the Senior/Recreation Center. The primary purpose of these signs is to tie into the public safety communications network and provide visual signs on pending or current emergencies. When no emergencies are pending or existing, the Senior/Recreation Center and Public Safety administration will be able to advertise current events or safety preparedness messages on the sign. The boards cost \$60,000 per location, and the estimated completion schedule is 6 months from the time of placing the order.



Police Department: Replacement Police Boat

Estimated Cost: \$875,000

Proposed Project 1 from the Police Department is the purchase of a replacement police boat. This will replace the current police boat with a new modern vessel. The marine division has become increasingly busy with marine related emergencies. With the wind industry coming to the port a vessel that can handle large vessel transports and emergency calls will be needed to ensure safety in this area. Estimated date of completion is 6/1/2024



Police Department: Parks and Beaches Cameras

Estimated Cost: \$266,000

Proposed Project 2 from the Police Department is the purchase of new security cameras that will complete the traffic camera system that was installed in 2022. These cameras will enhance public safety at town beaches and parks. The estimated date of completion is 12/1/2023



Police Department: Specialized Emergency Response Vehicles

Estimated Cost: \$80,000

Proposed Project 3 from the Police Department is for the purchase of all new electric emergency response vehicles to assist the department in responding to areas that are impossible to get to by cruiser or boat. Such areas include bike paths, beaches, forest, and wetlands. Estimated completion date is 7/1/2023



Police Department: Police UAS Drone

Estimated Cost: \$30,000

Proposed Project 5 from the Police Department is for the replacement of the department's existing drone. The replacement will be a more capable unit that is more up to date. The estimated completion date is 5/1/2023



Police Department: Fixed Solar Speed Signs

Estimated Cost: \$9,500

Proposed Project 6 from the Police Department is for additional signage to roads for enhanced public safety. The aim is to alter the speed at which drivers travel. These signs also record historical speed data which can be compiled and analyzed. The estimated date of completion is 6/1/2023



Police Department: Equipment Storage Unit

Estimated Cost: \$16,000

Proposed Project 7 from the Police Department is for storage units for police equipment. These will provide much needed additional indoor storage space for sensitive police equipment that is currently stored outside. The estimated date of completion is 5/1/2023



Water Main Flush

Estimated Cost: \$300,000

The proposed project from the Public Works department is for the hiring of an outside consultant, Hydra Tech, to conduct a full water main flush. The towns of Fairhaven, Marion, Mattapoisett, and Rochester each get their Public Water Supply from a regional water treatment plant overseen by a Water District. At the most recent annual Town Meetings for each of the aforementioned Towns, there was an article to approve the borrowing of \$7.2 M to add disinfection and more importantly, to upgrade the filtration system, which has a life-span of 5-7 years and has been in service circa 14 years. Although all the Towns approved this cumulative borrow for the upgrade, due to equipment delays, we are looking at 12-18 months. As the filtration system needs upgrading now, and this system is critical in removing particulate matter from water, the Town of Fairhaven is experiencing occasional dirty water being supplied to residents and businesses. Flushing the entire water system would buy the town time in the interim until a long-term solution. The town in its entirety would benefit from the flushing.



Recreation Playground

Estimated Cost: \$200,000

The Recreation Department is seeking funds to replace the playground behind the Recreation Center. The location is a convenient stop along the bike path that makes it a potential attraction for many kids and families. Known users of the playground include area residents, and the participants of the Kool Kids summer program at the recreation center. As the playground was built in 2003 it is aging out of code and non-ADA compliant surface, and is lacking amenities such as benches, and trash and recycle receptacles. The playground is on a wood fiber surface and consists of four swings (2 child-size and two toddler-size), an overhead glider and a platform surface with slides. According to the ADA Transition Plan, the swings should be made more accessible and a piece of accessible equipment placed on an ADA approved



surface should be added. In addition, an accessible path from the parking lot to the playground must also be added.

The one-time funds will be used to design and construct a playground that will be suitable for all ages and abilities, meet all safety standards and stand the test of time. The Recreation Dept. will maintain the site properly by having annual inspections done to ensure safety and keep the equipment in excellent condition. Improvements at the Recreation Center Playground will provide significant public benefit consistent with the priorities of the Town of Fairhaven Master Plan and the Fairhaven Open Space and Recreation Plan goals. The renovation will rehabilitate an existing recreational site that is in poor condition and will increase accessibility to a recreation site. The project will link together opportunities for both active and passive recreation while preserving the existing green space/tree life, incorporating artistic and educational features, and improving site safety and access with new poured in place rubber surfacing. The playground will feature elements and structures for both younger children, as well as school-age children and early teens. To engage the older children and early teens, the structures will be designed with fitness elements that will challenge the youth, promote strength and assist in fighting childhood obesity. The estimated completion date will be June 2023.

Touchview Ultra Interactive Panel

Estimated Cost: \$4,635

The Cable department as submitted a proposal for a Touchview 75 inch Ultra Interactive Panel. This panel would be used to set up an additional location for Hybrid Government Meetings. A recent bylaw passed at Town Meeting that adopted the use of Remote Access for all government meetings for public participation regardless of the legislation decisions about the use of Remote Participation for Boards & Committees has currently extended thru March 31, 2023. This purchase would also be used for hybrid meetings at a third location in the Public Works Building, to supplement the current 2 Town Hall hybrid meeting locations.



Shellfish Boat Controller Replacement

Estimated Cost: \$2,881

The proposed project is for a replacement Shellfish Boat Controller. The current Shellfish Boat has damaged controllers and is in need of replacement parts. The estimated date of completion is February 2023.



Technology Switch and Access Points**Estimated Cost: \$2,171**

The Information Technology Department has requested replacement of IT switches and access points. This equipment would be used by the Fire Department to increase connectivity and network speeds.

Partial Funding for Wastewater Treatment Plant**Estimated Cost: \$1,000,000**

The Department of Public Works would like the Town to consider funding a portion of the upcoming Wastewater Treatment Plant project with ARPA funds. The intent is to lessen the amount that the Town will need to borrow and finance the overall project, and in turn save the ratepayers some of the rate increases that are expected as this 50 million dollar project commences.

HVAC Improvements Town Hall**Estimated Cost: \$18,000**

These much needed HVAC improvements will improve air handling and temperature control in the Town Hall. The request includes installation of mini split units and a plan that will maintain the integrity of the existing building. Equipment, labor and electric wiring of the new units are all included in this cost.

Committee Liaison Report – Bob Espindola – December 5th, 2022

Broadband Study Committee.

The Broadband Study Committee met on Thursday night last week and discussed the status of the FHA Fiber Project, which is on hold pending questions that need to be answered by Ms. Ellison related to Procurement, proposals, etc. There was a meeting scheduled this past Tuesday with Ms. Ellison but it needed to be cancelled due to a scheduling conflict. That meeting is now scheduled again for Tuesday this coming week. Hopefully, answers from that meeting will allow that project to move forward.

Attendance at the meetings has been problematic with some members missing quite a few meetings. I'd like to remind people that there are openings on the committee so anyone who is interested should follow the instructions on the Towns website to express their interest.

Fairhaven Bikeway Committee

Fairhaven Bikeway Committee Chair Amy Roderick and I met with Ms. Ellison to discuss several concerns that have been raised by the Committee including;

- 1) Poor condition of the bike path with many deep cracks and ruts that have been increasing significantly in recent years. The committee has received complaints from frequent users of the path and was interested in the status of the overlay project that has been placed on hold for several years.
- 2) Very poor quality patches along Sconticut Neck Road from NSTAR Gas project that has been going on for about the last six months. Many cyclists ride that stretch of Sconticut Neck Road heading onto and off the bike path and former Bikeway Committee member Geoff Sullivan pointed out the safety issues with the grooved pavement running along the neck from the Bike Path crossing down to Manhattan Ave, near Mac's Soda Bar. Ms. Ellison offered to work with Superintendent Vinnie Furtado to contact NSTAR Gas to see if they can fix the problem and make that stretch safer for cyclists.
- 3) Safety of the pipe bollards. There have been several reported accidents from cyclists hitting the pipe bollards. Committee members will be researching alternatives that could be used more safely.