



FAIRHAVEN SELECT BOARD AGENDA

June 20, 2023, 6:30 p.m.

Town Hall – 40 Center Street – Fairhaven

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

On March 24, 2023, the bill to extend Open Meeting Law regulations governing remote participation has passed MA legislation and been signed by the Governor. This bill will allow remote and hybrid meeting options for public bodies through March 31, 2025.

Pursuant to an amendment to Town Bylaw Chapter 50 § 13, all government meetings are available through web/video conference and are recorded.

A. MINUTES

1. Approve the minutes of May 15, 2023 – Open Session
2. Approve the minutes of May 31, 2023 – Open Session-Joint meeting with Finance Committee

FAIRHAVEN TOWN CLERK
ROUD 2023 JUN 15 PM 4:24

B. PUBLIC HEARING

1. 6:30pm-Blue Stream Shellfish LLC application to install shellfish nursery in municipal waters: Round Cove
2. 6:45pm-Eversource: petition to install approximately 25' (feet) of conduit and cable in West Street

C. EXECUTIVE SESSION 7:00PM

Pursuant to G.L. c. 30A, § 21(a)(1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual (Gary Lavalette)

RETURN TO OPEN SESSION 7:30PM

D. TOWN ADMINISTRATOR

1. Staffing Updates
2. Other

E. ACTION / DISCUSSION

1. Event Request: Parent Teacher Organization (PTO) Class of 2025 Union Wharf Dance, July 29, 2023
2. Municipal Aggregation Renewal
3. Eversource use of existing pole for an overhead crossing behind the DPW Water Treatment Facility
4. Appointment of Boards and Committees (see attached list)
5. Special One-Day Liquor License: St. Joseph Catholic Organization; Annual Blessing of the Bikes, request to reschedule to Sunday, June 25, 2023
6. Select Board Retreat/Retreats
7. Clarify roles and responsibilities under the Town Administrator Act and format of Select Board agenda
8. Open Meeting Law Complaint

F. CORRESPONDENCE

1. Disability Pride Month event
2. Massachusetts Department of Environmental Protection-Administrative Consent Order Amendment

G. COMMITTEE LIAISON REPORTS

H. PUBLIC COMMENT

I. BOARD MEMBER ITEMS

J. NEWS AND ANNOUNCEMENTS

1. The next regularly scheduled Select Board meeting is *Monday, July 17, 2023* at 6:30 p.m., Town Hall Banquet Room

ADJOURNMENT

<https://us06web.zoom.us/j/89485993911?pwd=OFd5MzJvVnBxOklxLzdQcFRlbnVMOQ09> Log on or call 1-929-205-6099, Meeting ID: 894 8599 3911, Passcode: 330130

Subject matter listed in the agenda consists of items 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 pasting) may also be brought up for discussion in accordance with applicable law.



FAIRHAVEN SELECT BOARD
Meeting Minutes
May 15, 2023 - DRAFT

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

The meeting was videotaped by Cable access and Zoom meeting application.

Mr. Correy opened the Select Board meeting at 6:30PM

A moment of silence was observed for New Bedford firefighter John Almeida, Jr. and William Provencher

TOWN ADMINISTRATOR REPORT

Ms. Ellison updated the Board on:

- Staffing updates: The Town is staffing for Town Planner and Finance Director/Treasurer/Collector
- Water Flushing Update, Board of Public Works (BPW) Superintendent, Vincent Furtado joined via zoom. Mr. Furtado discussed the history leading to the unidirectional flushing currently taking place in phases across town. They are taking an aggressive approach to clear the sediment and because they are not sure what to expect it will lead to the dirty water. Residents can test the water by using an outside spigot and they should avoid running hot water if not clear. If anyone has questions, they can contact the BPW at 508-979-4032.

Mr. Furtado thanked Ms. Ellison for applying for ARPA funds for this project and said other grants are being pursued as well through the state with the help of Select Board member Mr. Silvia and State Representative Strauss.

- An all Board, Committee, Commission meeting will take place on June 13, 2023 in the Town Hall auditorium. This is a mandatory meeting for all board members. Legal counsel will be present to review statutory requirements and other items. This is tied to one of the Select Board goals for 2023. Anyone with questions can call Ms. Hart in the office, 508-979-4023.
- The Town Counsel Summary Report of Conservation Commission was discussed (*Attachment A*). Legal counsel reviewed the jurisdictional conditions of the conservation commission and provided a summary of best practices and procedures.
- A meeting with Massachusetts Department of Transportation (MassDOT) was held regarding Benoit Square. Ms. Ellison, State Representative Strauss and Highway Superintendent Joshua Crabb were in attendance to discuss alternative options at the intersection at Benoit Square. Public safety has also weighed in (*Attachment B*). Additional meetings will be held by MassDOT.
- The Host Community Agreement (HCA) for Bask and Joint Venture are being worked on. There is one special permit left for an HCA and the Board can increase the number if they decide.
- The Memorial Day parade is on Monday, May 29th.
- Ms. Ellison, Police Chief Myers and Fire Chief Correia met and signed an Intermunicipal Agreement for Regional Dispatch with Holbrook. The Board asked about the timeframe for implementation, coverage area and if a copy was available. Ms. Ellison explained that a copy will be available once fully executed. She also thanked both Chief Myers and Chief Correia for their teamwork and moving this forward.
- Geoff Haworth submitted his resignation letter from the Conservation Commission. The other commissioners will be notified. Mr. Correy thanked him for his time on the commission.
- Eversource sent a notice that the state is looking for public comments on its 2023 Energy Efficiency Surcharges for effect July 1, 2023. The full notice with contact information is on the Town website.

Joint Transportation Planning Group (JTPG) appointment

The Joint Transportation Planning Group (JTPG) is the regional advisory group for all issues pertaining to

transportation in southeastern Massachusetts.

Motion: Mr. Espindola motioned to appoint Joshua Crabb and Vinnie Furtado to the Joint Transportation Planning Group (JTPG). Ms. Powers seconded. The motion passed unanimously (5-0-0).

Community Development Block Grant (CDBG) loan forgiveness 48 William Street: financial hardship

Ms. Ellison reviewed her memo recommending the CDBG loan be forgiven (*Attachment C*).

Motion: Mr. Espindola motioned to approve the Community Development Block Grant loan forgiveness for 48 William Street for the amount of \$24,600. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Southeastern Regional Planning and Economic Development District (SRPEDD) Appointment

Mr. Espindola advised the Board that this is a one-year commitment and expressed his willingness to continue as the SRPEDD appointee.

Motion: Ms. Powers motioned to appoint Robert Espindola as the Fairhaven Select Board representative to the Southeastern Regional Planning and Economic Development District. Mr. Murphy seconded. The motion passed unanimously (5-0-0).

Municipal Aggregation Renewal

Ms. Ellison explained that the representative from Good Energy asked to reschedule to a future meeting because they are in negotiations with other municipalities.

Chapter 32, § 21-32, changes to health insurance plan

Human Resources (HR) Director Cam Durant joined via zoom and explained that the Insurance Advisory Committee (IAC) has been meeting. The IAC is made up of representatives from each union along with HR and our municipal insurance services representative from Cook & Company to discuss ways to save money.

Jill Gallant-Shaw of Cook & Company Insurance Services, Inc. joined via zoom. She explained to the Board Chapter 32B, § 21-22 which the Board had invoked in 2019 but did not move forward with it. This provision is a way to control health care costs and make affordable plan options for employees. Ms. Gallant-Shaw asked the Board to consider re-invoking Chapter 32B, § 21-22 so negotiations could take place. The IAC initiated this process and supports it. If successful potential implementation is early fall.

Motion: Mr. Espindola motioned to reinvoke Mass General Law Chapter 32B, Section 21-22 as it relates to the changes to the town of Fairhaven's health insurance plan and payment. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Common Victualer License: Chipotle Mexican Grill of Colorado, LLC

The Select Board Office has all paperwork on file.

Motion: Mr. Espindola motioned to approve the Common Victualer license for Chipotle Mexican Grill of Colorado LLC doing business at 12 Plaza Way in Fairhaven MA. Ms. Powers seconded. The motion passed unanimously (5-0-0).

IT Cybersecurity Policy

Ms. Ellison explained this item had previously come before the Board and the auditors asked for the policy document. (*Attachment D*).

Motion: Mr. Espindola motioned to adopt the IT Cybersecurity policy as written. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Special Town Election Warrant

Acting Town Clerk Elisabeth Horan joined via zoom and reviewed the Warrant, Poll Workers and Police for the Special Town Election on Monday, June 5, 2023.

Motion: Mr. Espindola motioned to approve the June 5, 2023 Special Town Election warrant as written and to direct the constable to post in accordance with Mass General Law and applicable town bylaws. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Poll Workers for Special Town Election, Monday, June 5, 2023

Mr. Correy read the names and addresses of the poll workers for the Special Town Election on Monday, June 5, 2023 (*Attachment E*)

Motion: Mr. Espindola motioned to approve and appoint the poll workers as listed for the June 5, 2023 Special Town Election. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Police for Special Town Election, Monday, June 5, 2023

Motion: Mr. Espindola motioned to approve a sufficient number of police officers, but not less than two (2) at the polling location of 227 Huttleston Avenue in Fairhaven for the June 5, 2023 Special Town Election, to preserve order, and to protect the election officers and supervisors from any interference with their duties and to aid in enforcing the laws relating to elections as required by MGL Chapter 54, Section 72. Ms. Powers seconded. The motion passed unanimously (5-0-0).

CORRESPONDENCE

- Town of Fairhaven Parade Team; Fourth of July Parade. Ms. Ellison asked for questions about the event to be redirected it to the Town Administrator's Office so she can check with the staff liaison on details of the event.

COMMITTEE LIAISON REPORTS

Mr. Espindola reported:

Updates from the Broadband Study Committee, the Broadband Coalition, SRPEDD, Southcoast Bikeway Alliance and SMMPO. (*Attachment F*).

Ms. Powers had no meetings to report

Mr. Silvia reported:

Marine Resources discussed the Union Wharf bid that would be going out in a few weeks. They have also discussed parking concerns at Hoppy's Landing and potential uses to generate revenue. The Historical Commission signed bills and continue to work on the street light project. The Commission on Disability also met.

Mr. Murphy had no meetings to report

Mr. Correy reported:

The appointing authority met and appointed Wayne Oliveira to the Greater New Bedford Regional Vocational Technical High School Regional School District Committee. The Belonging Committee discussed Pride month in June. May is Asian American and Pacific American Islander Heritage Month. July is disability Pride month and they are partnering with the Council on Aging for an event. The Library met at the same time as the Belonging Committee. Digital Equity has signed a consultant and is starting work.

PUBLIC COMMENT

No public comments received

BOARD MEMBER ITEMS

Mr. Espindola thanked Select Board member Mr. Silvia for the efforts on grant funds as mentioned earlier by Mr. Furtado and Mr. Silvia's work on the street light project outside Town Hall. The mail carriers collected over five-thousand pounds of food for Shepard's Pantry. Also, Go Celtics!

Ms. Powers thanked Ms. Ellison and staff for their work on various projects discussed tonight like Benoit Square improvements in safety and efficiency, training for boards and committees, regionalized dispatch to decrease cost and improve services and working on health care costs for the staff and Town. All Town business kept moving forward despite no Finance Director and a Town Meeting.

Mr. Silvia commented on the street light work and the great crew working after hours on the project.

Mr. Murphy reminded everyone about the Memorial Day parade and hopes to see everyone there.

Mr. Correy expressed condolences to the family Wendy Graves through her father's illness and passing. Clean-up events are starting to come up around town that he will share on social media. He also reminded everyone to volunteer and get involved.

NEWS AND ANNOUNCEMENTS

The next regularly scheduled meeting of the Select Board is *Monday, June 5, 2023* at 6:30 p.m. in the Town Hall Banquet Room

Motion Mr. Espindola motioned enter Executive Session pursuant to G.L. c. 30A, § 21(a)(3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (Freire-Kellogg v. Fairhaven) at 8:21p.m. and not return to Open Session. Ms. Powers seconded. Roll Call Vote. Mr. Espindola in favor, Ms. Powers in favor, Mr. Correy in favor, Mr. Murphy in favor and Mr. Silvia in favor. The motion passed unanimously (5-0-0).

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

Attachments:

- A. Town Counsel memo regarding Conservation and Sustainability Department Best Practices and Procedures**
- B. MassDOT Benoit Square**
- C. CDBG memo 48 William Street: loan forgiveness**
- D. IT Cybersecurity Policy**
- E. Special Town Election Poll Workers list**
- F. Committee Liaison Report – Robert Espindola**



**Fairhaven Select Board & Finance Committee
Joint Meeting Minutes
May 31, 2023 - DRAFT**

Select Board Members Present: Chair Leon Correy, Clerk Stasia Powers, member Keith Silvia, member Robert Espindola and Town Administrator Angie Lopes Ellison

Not Present: Vice-Chair Charles Murphy Sr.

Finance Committee Members Present: Chair Padraic Elliot, Robert Grindrod, Claire Millette, Linda Gallant, Peter Gardner and Stephen Levesque

Mr. Correy called to order the Select Board meeting at 6:31p.m.

Mr. Elliot called to order the Finance Committee meeting at 6:31pm and yielded to Mr. Correy

ACTION / DISCUSSION

Ms. Ellison reviewed the purpose of the meeting tonight is to review FY2023 Year End Transfers between accounts.

The Select Board and Finance Committee reviewed each transfer request and made their recommendations as follows:

Transfer \$650.00 from Town Meeting advertising to Town Meeting Salary

Select Board Motion: Ms. Powers motioned to approve a \$650.00 transfer from the Town Meeting advertising account to the Town Meeting Salary account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve a \$650.00 transfer from the Town Meeting advertising account to the Town Meeting Salary account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Transfer \$800.00 from Finance Committee pre-printed forms to Town Meeting (POS equipment rental-sound equipment)

Select Board Motion: Ms. Powers motioned to approve an \$800.00 transfer from the Finance Committee pre-printed forms account to the Town Meeting (POS equipment rental) account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve an \$800.00 transfer from the Finance Committee pre-printed forms account to the Town Meeting (POS equipment rental) account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Transfer \$170,000.00 from Wind Turbines to Legal Account

Select Board Motion: Ms. Powers motioned to approve a \$170,000.00 transfer from the Wind Turbines account to the Legal account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve a \$170,000.00 transfer from the Wind Turbines account to the Legal account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Transfer \$11,000.00 from Wind Turbines to Workers' Compensation/Injured on Duty

Select Board Motion: Ms. Powers motioned to approve a \$11,000.00 transfer from the Wind Turbines account to the Workers' Compensation/Injured on Duty account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve a \$11,000.00 transfer from the Wind Turbines account to the Workers' Compensation/Injured on Duty account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Transfer \$3,700.00 from Wind Turbines to Mileage/Seminars

Select Board Motion: Ms. Powers motioned to approve a \$3,700.00 transfer from the Wind Turbines account to the Mileage/Seminars account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve a \$3,700.00 transfer from the Wind Turbines account to the Mileage/Seminars account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Transfer \$12,130.00 from Wind Turbines to Bristol Agricultural Assessment

Select Board Motion: Ms. Powers motioned to approve a \$12,130.00 transfer from the Wind Turbines account to the Bristol Agricultural Assessment account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve a \$12,130.00 transfer from the Wind Turbines account to the Bristol Agricultural Assessment account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Transfer \$4,800.00 from Wind Turbines to Medicare Tax

Select Board Motion: Ms. Powers motioned to approve a \$4,800.00 transfer from the Wind Turbines account to the Medicare Tax account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve a \$4,800.00 transfer from the Wind Turbines account to the Medicare Tax account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Transfer \$6,500.00 from Wind Turbines to Town Hall Utilities (Gas)

Select Board Motion: Ms. Powers motioned to approve a \$6,500.00 transfer from the Wind Turbines account to the Town Hall Utilities (Gas) account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve a \$6,500.00 transfer from the Wind Turbines account to the Town Hall Utilities (Gas) account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Transfer \$2,500.00 from Wind Turbines to Town Hall Utilities (Electric)

Select Board Motion: Ms. Powers motioned to approve a \$2,500.00 transfer from the Wind Turbines

account to the Town Hall Utilities (Electric) account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve a \$2,500.00 transfer from the Wind Turbines account to the Town Hall Utilities (Electric) account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Transfer \$10,000.00 from Wind Turbines to Street Lights

Select Board Motion: Ms. Powers motioned to approve a \$10,000.00 transfer from the Wind Turbines account to the Street Lights account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve a \$10,000.00 transfer from the Wind Turbines account to the Street Lights account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Transfer \$3,200.00 from Tree Department Salary to Tree Department Operations

Select Board Motion: Ms. Powers motioned to approve a \$3,200.00 transfer from the Tree Department Salary account to the Tree Department Operations account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve a \$3,200.00 transfer from the Tree Department Salary account to the Tree Department Operations account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Transfer \$6,800.00 from Tree Department Salary to Tree Department Operations-Contracted Services

Select Board Motion: Ms. Powers motioned to approve a \$6,800.00 transfer from the Tree Department Salary account to the Tree Department Operations-Contracted Services account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve a \$6,800.00 transfer from the Tree Department Salary account to the Tree Department Operations-Contracted Services account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Transfer \$6,840.00 from Town Cable Minor Equipment to Town Cable Salary

Select Board Motion: Ms. Powers motioned to approve a \$6,840.00 transfer from the Town Cable Minor Equipment account to the Town Cable Salary account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve a \$6,840.00 transfer from the Town Cable Minor Equipment account to the Town Cable Salary account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Transfer \$285.00 from Town Cable Supplies to Town Cable Salary

Select Board Motion: Ms. Powers motioned to approve a \$285.00 transfer from the Town Cable Supplies account to the Town Cable Salary account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve a \$285.00 transfer from the Town Cable

Supplies account to the Town Cable Salary account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Transfer \$7,441.00 from Election and Registration Salary to Election and Registration Contract Services

Select Board Motion: Ms. Powers motioned to approve a \$7,441.00 transfer from the Election and Registration Salary account to the Election and Registration Contract Services account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve a \$7,441.00 transfer from the Election and Registration Salary account to the Election and Registration Contract Services account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Transfer \$300.00 from Election and Registration Salary to Election and Registration Office Supplies

Select Board Motion: Ms. Powers motioned to approve a \$300.00 transfer from the Election and Registration Salary account to the Election and Registration Office Supplies account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Finance Committee Motion: Mr. Grindrod motioned to approve a \$300.00 transfer from the Election and Registration Salary account to the Election and Registration Office Supplies account. Ms. Millette seconded. The motion passed unanimously (6-0-0).

Finance Committee adjourned at 7:15PM

The Select Board adjourned at 7:15PM

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



PUBLIC HEARING

6:30p.m. – Blue Stream Shellfish LLC

In accordance with provisions of Chapter 130, Section 60 of MGL as amended and Rules and Regulations promulgated by the Fairhaven Board of Selectmen, that Blue Stream Shellfish LLC has filed a revised application to install a shellfish nursery installation at Hoppy's Landing within the municipal waters of the Town of Fairhaven. The revised application, including a plan showing the specific location of the proposed site, can be viewed at the Marine Resources Department at Town Hall. The current application is open for 30-day public comment finishing with a public hearing with the Board of Selectmen, to be held on June 20 at 6:30 PM.

SELECT BOARD'S MEETING

**MONDAY, June 20, 2023
6:35pm**

FLUPSYs Operations Plan

Submitted by:

**Dale Leavitt
Blue Stream Shellfish LLC
Fairhaven, MA 02719**

Operations Plan (revised 31 May 2023)

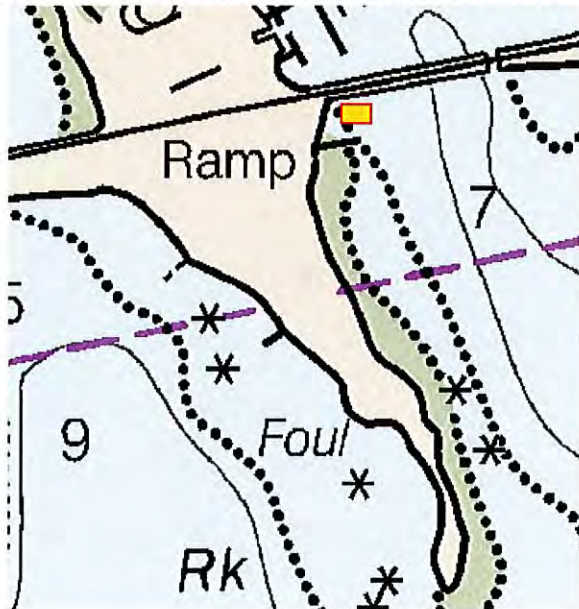
FLUPSYs at Hoppy's Landing



Objective: To deploy two solar powered floating upweller raft systems on a fixed four-point mooring north of the Town Dock at Hoppy's Landing. Placement of the FLUPSY raft system is selected to protect the small seed contained in the nursery from damage or loss due to northeast and southwest winds while holding the rafts in a set orientation to the sun during the interval when in use.

Time of Use: 15 May to 1 December of each year. The rafts will be deployed at the mooring site at the start of the season and removed from the site at the end of the season. The structures will be stored on land when not in use.

Location: Center of raft: Lat: 41° 35' 46.36"N Long: 70° 50' 34.59"W



In the current proposed placement, the raft system is located approximately 20' from the causeway, 90' from the wrack line on shore (assumed to be the MHW mark), and 60' from the Town Dock (based on Google Earth measurements.)

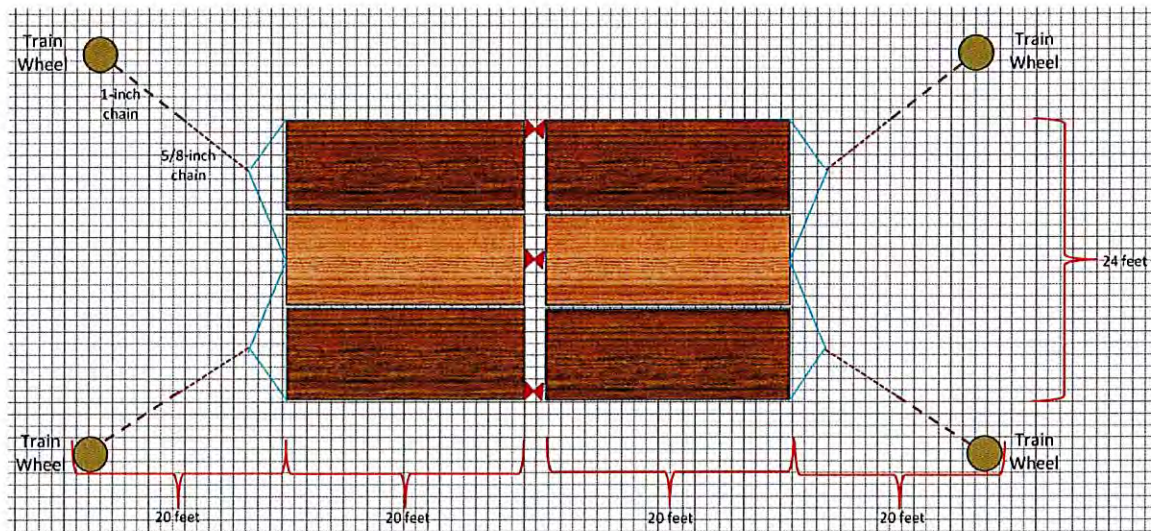
As noted above, the site was selected to protect from northeast winds, which can flush small oyster seed from the structure with a strong wave surge through the raft system. Additionally, the site was restricted to require 4 feet of water at low tide but not in deep enough water to interfere with normal operations in the mooring field.

Proposed Layout:

Each self-contained raft system is composed of three 8' by 20' floats, where two of the rafts are conventional FLUPSYs to hold oyster seed while the third raft holds the photovoltaic infrastructure (panels, batteries and electronics) required to operate the complex. The resulting raft complex is

approximately 20' by 24' and there will be two of these complexes linked together and moored at the proposed site. The previously approved third raft complex will remain moored with the BSS Harvest Barge at the north end of West Island Marina.

The mooring array will consist of a bridle of 5/8" Polysteel line from the raft complex shackled to an 10-foot length of 5/8" galvanized riser chain that is, in turn, shackled to 10 feet of 1" galvanized bottom chain looped through the center opening of a 600 lb. train wheel. The two linked raft complexes will be held in an east/west linear configuration near the 4-foot (MLW) contour with train wheel moorings at each corner of the raft complex. The overall footprint for the entire raft system including moorings is 80' by 36' (2,880 square feet), equivalent to 0.066 acres.



Operations:

The BSS nursery, consisting of two FLUPSY systems at Hoppy's Landing and one FLUPSY system at the BSS Harvest Barge, will be stocked with up to 6 million oyster seed starting at approximately 2.5 to 3 mm in length (June) and held in the complex until they achieve a size of 20-25 mm in approximately 3-4 months. At the 20-25 mm length, the juvenile oysters will be transferred to the West Island farm site.

The FLUPSY complexes will be visited daily and cleaned of biofouling semi-weekly by BSS employees. The stock will be removed and size-graded on a bi-weekly basis to ensure optimal growth and to remove 20-25 mm juveniles for transfer to the farm.

The total raft complex at Round Cove will be deployed in early May and will be removed on or about 1 December of each year for land-based storage.



PUBLIC HEARING

6:45p.m. – Eversource

In accordance with provisions of Chapter 130, Section 60 of MGL as amended and Rules and Regulations promulgated by the Fairhaven Select Board, that Eversource has petitioned to install approximately 25' (feet) of conduit and cable in West Street, Fairhaven. This proposed location is necessary to provide electric service to #2 West Street, Fairhaven.

May 23, 2023
RE: 12798560

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

Dear Select Board Members:

Enclosed is a petition to install approximately 25' (feet) of conduit and cable in West Street, Fairhaven.

This proposed location is necessary to provide electric service to #2 West Street, Fairhaven.
This petition will require a notice to abutters and a hearing.

Will you please present this petition before the Select Board for customary action and approval?

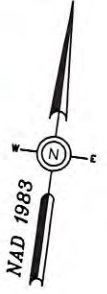
If you have any questions, please email Jessica.elder@eversource.com .

Warm Regards,

Jessica Elder

Jessica Elder
Right of Way Agent
NSTAR Electric
d/b/a EVERSOURCE ENERGY

Plan to accompany petition of **EVERSOURCE ENERGY** to install
 25'± of **1-4" conduit** from **POLE #146/1** to **HH 146/H1**
 for customer @ **#2 WEST ST.**



13-024
 2 WEST ST
 FAIRHAVEN
 02719
 N/F
 OLSON LARS V
 & RUTH E

13-028
 2 LAFAYETTE ST
 FAIRHAVEN 02719
 N/F
 HEALY DEIRDRE E

13-029
 4 LAFAYETTE ST
 FAIRHAVEN 02719
 N/F
 SHERMAN MICHAEL
 J & SANDRA D

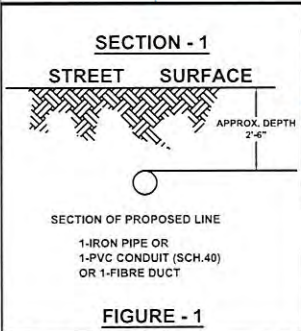
146/H1 ⊕

146/1

146/2

WEST ST

LAFAYETTE ST



LEGEND

- ⊕ Proposed Hand Hole
- ⊕ Existing Hand Hole
- Proposed Conduit
- - - Existing Conduit
- Existing Pole

INSTALL 1 - 4" PVC PIPE
 NO CONCRETE
 SECTION 1 FIG. 1 25'±



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARTNERS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION, OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW, THAT AGREES BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

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MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES
 BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

Plan #	12798560
Ward #	
Work Order #	12798560
Surveyed by:	N/A
Research by:	GR
Plotted by:	LM
Proposed Structures:	LM
Approved:	T THIBAUT
P#	

NSTAR EVERSOURCE
 ELECTRIC
 d/b/a

1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of	WEST ST
	FAIRHAVEN
Showing	PROPOSED CONDUIT LOCATION
Scale	1"=20'
Date	MAY 18, 2023
SHEET	1 of 1

Service Address: 2 WEST ST.	City: FAIRHAVEN	Page Number: 1 of 1 Pages	Auth. No.	Work Order Number: 12798560
Customer's Name/Title: RUTH OLSON		Prepared by: JOSEPHINE A. ALMEIDA MAY 8, 2023		
Sales Representative: JANET COSTA	RELOCATING SERVICE UNDERGROUND FROM P#146/1		Circuit Number: 2-240-209	
Electrician: MATT COSTA 508-717-9213			TLM: 240580 (30.7% LOADED)	
Switch Size: _____			Secondary Sheet Number: _____	

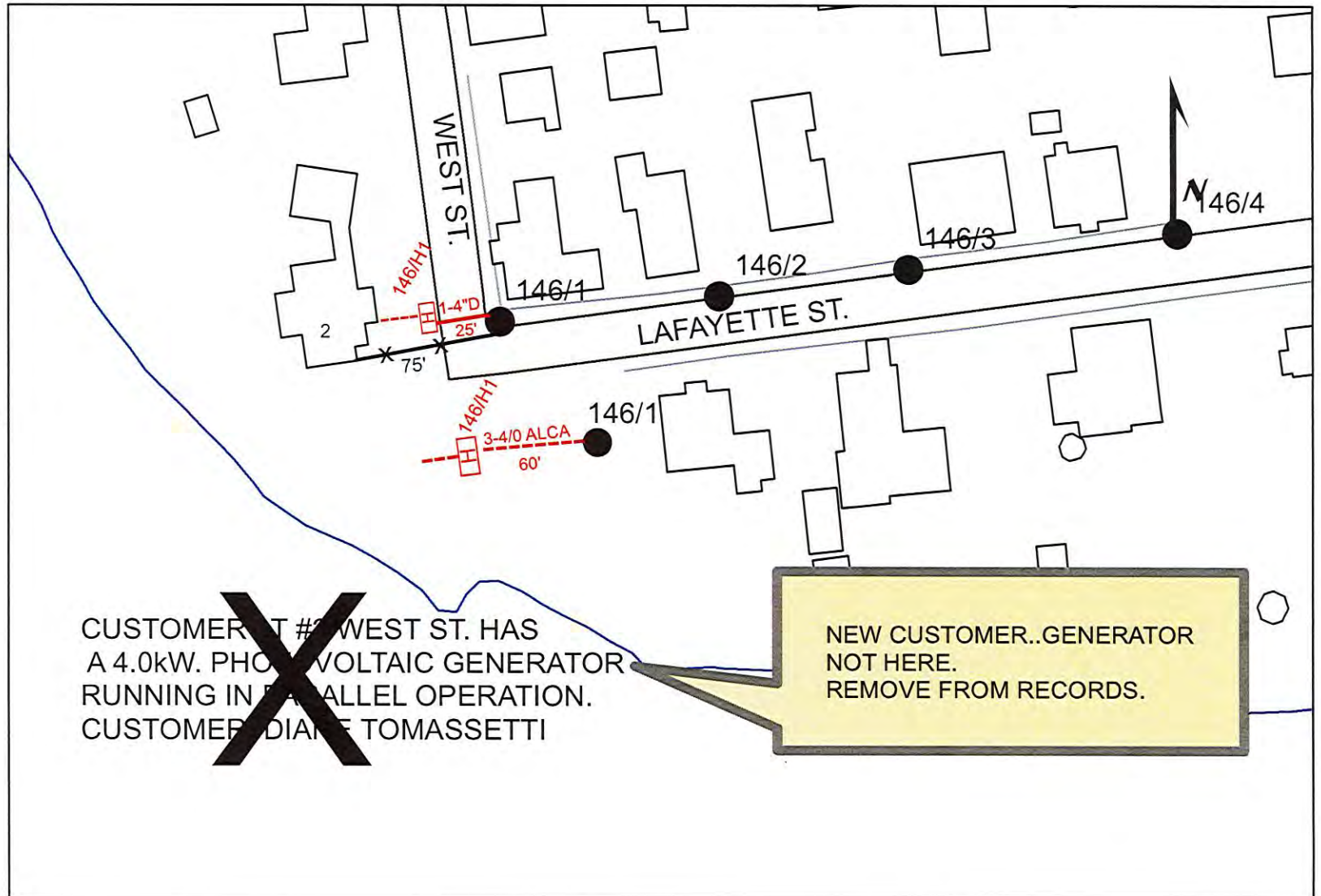
- EVERSOURCE TO INSTALL:
- 2-UGUARDS ON P#146/1.
 - FROM P#146/1 TO HH#146/H1 AT CUSTOMER'S PROPERTY LINE, INSTALL 4/0 AL SECONDARY. SPAN IS 60'.
 - CONNECT U/G SERVICE ON P#146/1 & IN HH#146/H1.
- ****

ALSO ON P#146/1, REMOVE 75' OF 2/3 ALCA SERVICE.

EVERSOURCE CONTRACTOR TO: INSTALL 1-4" DUCT, WITH RISER, & SWEEP FROM P#146/1 ACROSS STREET TO CUSTOMER'S PRIVATE PROPERTY, WITH A DROP OFF TO HH#146/H1.

CUSTOMER TO INSTALL FIBERGLASS HH#146/H1, JUST INSIDE PRIVATE PROPERTY.

EVERSOURCE TO ACQUIRE HH#146/H1.



CUSTOMER AT #2 WEST ST. HAS A 4.0kW. PHOTOVOLTAIC GENERATOR RUNNING IN PARALLEL OPERATION. CUSTOMER DIANE TOMASSETTI

NEW CUSTOMER..GENERATOR NOT HERE. REMOVE FROM RECORDS.

WO #12798560
2 WEST ST.
FAIRHAVEN, MA

13-024
2 WEST ST
FAIRHAVEN 02719
N/F
OLSON LARS V & RUTH E
2 WEST STREET
FAIRHAVEN, MA 02719

13-028
2 LAFAYETTE ST
FAIRHAVEN 02719
N/F
HEALY DEIRDRE E
2 LAFAYETTE STREET
FAIRHAVEN, MA 02719

13-029
4 LAFAYETTE ST
FAIRHAVEN 02719
N/F
SHERMAN MICHAEL J & SANDRA D
4 LAFAYETTE STREET
FAIRHAVEN, MA 02719

13-048
5 LAFAYETTE ST
FAIRHAVEN 02719
N/F
KNIPE ROBERT C & LAURA F
800 BROADWALK DRIVE UNIT 615
PONTE VEDRA BEACH, FL 32082



EXECUTIVE SESSION 7:00PM

Pursuant to G.L. c. 30A, §1(a)(1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual (Gary Lavalette)

RETURN TO OPEN SESSION 7:30PM



Event Request

Union Wharf Dance Request

- **Saturday, July 29, 2023, 6:00pm-10:00pm**

Police –

- require detail (2-3 officers)
- controlled ticket sales in advance only sold to students

Harbormaster –

- will be engaged and on-site

Fire –

- if requesting EMS on standby – \$120 per hour x 4 hours

Insurance –

- copy of liability insurance on file

MEMORANDUM

Tracey Francis

I am respectfully requesting use of Union Wharf to host a wharf dance for students on possibly Saturday, July 29th. Similar to what used to be held in Mattapoisett years ago. Hoping there would be about 300 kids there and they would be paying \$10.00 to get in. I have been in contact with the Fairhaven Police Department in regards to having a detail there. The hours that are being explored is 6-10p and there would be a dj there. I will also be looking into renting a port a potty.

I have spoken with the Isakens as they own buildings and part of Union Wharf and they have given me permission for this to take place. Karen Isaksen who sits on PTO with me is my point of contact.

Thank you,
Tracey Francis
Class of 2025 FHS class advisor
FHS PTO member

Renewable Energy & Products for Renewal

This memo provides an overview of your current product, guidance for how to determine the voluntary renewable energy percentage for the upcoming contract. It also discusses product names.

Summary of Recommendations in this Memo:

1. Default: Select the voluntary renewable percentage in your default product that is right for your community
2. Opt-Up
 - a. Drop the 50% optional product (state minimum is now over 50%)
 - b. Adjust the 100% optional product to be 100% total renewable energy (rather than 100% additional renewable energy)
3. Change the product names to better align with DPU requirements

1. Selecting Voluntary Renewable Percentage for Default Product

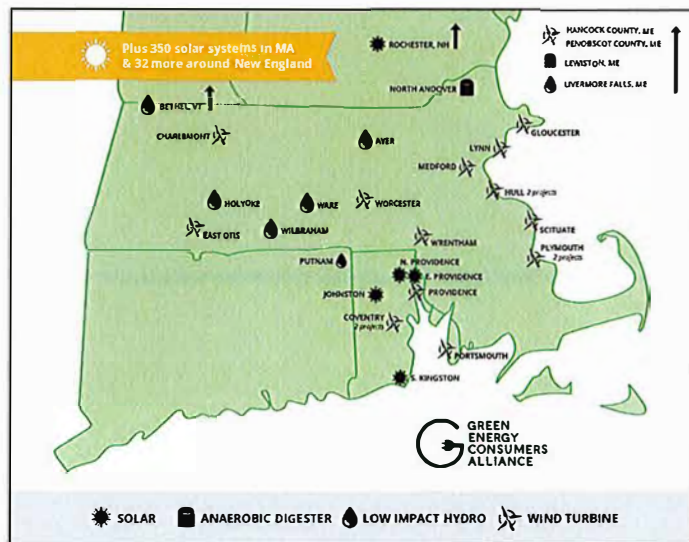
Your current default product and price through December 2023 is as follows:

	Name	Price
Default	Fairhaven Local Green 10%	10.865 cents/kWh

The default product contains 10% voluntary MA Class I renewable energy certificates (RECs), in addition to meeting the minimum required by State standards. In 2023, this means that your total renewable energy in the default product is 69%. If you maintained that 10% moving forward for the next contract, you would be at 72% in 2024, 73% in 2025 and 79% in 2026. See the separate **Attachment 1** PDF for full detail on the minimum State standards.

The cost of that voluntary 10% in the current contract is about 0.4 cents/kWh, at \$39.50/REC. For a typical Fairhaven residential customer, consuming about 500 kWh per month, that 10% costs \$1.98/month or \$23.70/year. The cost of MA Class I RECs is nearly the same as in the previous contract (now \$40/REC).

Your 10% voluntary renewable energy comes from MA Class I sources that are located exclusively within New England and a significant portion comes from within Massachusetts. These RECs are sourced through the non-profit Green Energy Consumers Alliance, and provided to the program's supplier. The map above shows Green Energy Consumers' sources.



Current State Standards

Below are current State minimum renewable standards for renewable energy, as defined by the Department of Public Utilities (DPU). It is broken out by each of the various sub-standards the DPU includes (and that must be used when reporting on total renewable percentages). As you can see, the State is on track for about 93% renewable energy by 2030.

Year	Clean Energy Standard*		CES-Existing ^	RPS Class II**	RPS Class II Waste Energy**	Total
	RPS Class I Carveout	Remainder				
2020	16%	4%		3%	4%	27%
2021	18%	4%	20%	4%	4%	49%
2022	20%	4%	20%	4%	4%	51%
2023	22%	4%	26%	4%	4%	59%
2024	24%	4%	27%	4%	4%	62%
2025	27%	3%	26%	4%	4%	63%
2026	30%	6%	26%	4%	4%	69%
2027	33%	9%	26%	4%	4%	75%
2028	36%	12%	26%	4%	4%	81%
2029	39%	15%	26%	4%	4%	87%
2030	40%	20%	26%	4%	4%	93%

*This incorporates the State's 2022 proposal that will accelerate the increase in the CES, starting in 2026.

^CES-Existing after 2026 may be adjusted by formula, but is set at 20% minimum. 26% used as estimate.

**Component percentages for Class II and Class II Waste Energy are rounded to nearest whole number.

The Next Default Product

We encourage municipalities to think about their additional renewable energy in terms of the price premium per year compared to the lowest their customers could be paying in the program, as well as what total renewable percentage they will achieve.

In terms of total renewable percentage, if the Town is seeking to be 100% renewable by 2030, including 10% voluntary in every contract would get you there. That is, if the State is going to be at 93% minimum renewables in 2030, adding 10% voluntary would be more than needed to reach 100%. Although this contract will only go through 2025 or 2026, the intent of discussing 2030 can help frame how much "progress" you need to make now. Your program will have at least one more contract before 2030 in which you have another opportunity to increase your percentage.

The relative price premium for the RECs was mentioned above and is shown in the table below. While it can be tempting to try to match the additional monthly cost of the renewables with the monthly savings you have historically achieved, it is important to remember that future savings

cannot be guaranteed. We hope that we continue to generate savings, but we do not have a crystal ball into the future. The program's pricing represents a hedge, or insurance policy: a known, guaranteed rate that gives the community certainty over its energy expenditures.

Extra MA Class I RECs	Cost for Average Residential User in Fairhaven (R-1)		Total Renewables		
	Monthly	Annual	2024	2025	2026
10% (current)	\$1.98	\$23.70	-	-	-
10%	\$2.00	\$24.0	72%	73%	79%
15%	\$3.00	\$36.0	77%	78%	84%
20%	\$4.00	\$48.0	82%	83%	89%
25%	\$5.00	\$60.0	87%	88%	96%

For additional perspective, there is the additional Class I renewable energy from other municipalities served by Good Energy. Those with a renewal this year are highlighted.

Municipality	Contract End	Voluntary Class I	Municipality	Contract End	Voluntary Class I
Brookline	Dec-24	35%	Melrose	Nov-24	10%
Arlington	Nov-24	30%	Waltham	Dec-23	10%
Bedford	Nov-24	20%	Rockland	Dec-24	10%
Somerville	Dec-24	20%	Dedham	Dec-23	10%
Winchester	Dec-24	20%	Westford	Dec-23	10%
Sudbury	Dec-23	15%	Hamilton	Dec-23	5%
Fairhaven	Dec-23	10%	Stoneham	Dec-23	5%
Milton	Nov-24	10%	Medford	Dec-24	5%
Gloucester	Dec-24	10%	Millis	Dec-23	5%

Next Steps for Default Product

The decision on renewable energy percentage is completely up to your Town. Due to the speed with which bids must be executed, to minimize risk premium from the supplier, we need to have clear guidance for how to set the percentage going into bid day.

We encourage you to utilize the information and pricing in this memo to set your desired percentage and to also provide guidance for whether and how to adjust that if REC prices on bid day come in significantly lower. While we don't expect major drops in REC pricing, it is helpful to have a plan. For example: if you were planning to add 10% and the REC price drops, would you

prefer to A) take the cost savings (e.g. add 10% RECs at a lower total cost) or B) increase the REC percentage so that you would spend the same amount as you would have otherwise (e.g. add 12% RECs at the price you were expecting for 10% RECs)?

Additional thoughts as you select your percentage:

- Maintaining your current 10% voluntary RECs is a reasonable approach and reflects what many municipalities are currently doing - you are continuing to provide the same level of environmental impact at roughly the same cost for consumers, which may be a prudent approach in these volatile energy markets. You will also reach nearly 75% total renewables, which is substantial and still leaves plenty of incentive for others to opt-up to 100%. And as mentioned previously, 10% voluntary would put you on a path for 100% total renewables in 2023.
- Our other communities that have increased voluntary renewables beyond 10% have tended to have strong, widespread community support for taking on the additional costs.
- Going above 20% additional renewables is certainly doable, but brings the default product very close in total renewables to the 100% product.

2. Voluntary Renewable for Optional Products

Your current optional products and pricing through December 2023 is as follows:

	Name	Price	Renewables
Optional	Fairhaven Basic	10.470 cents/kWh	Meets state minimum
	Fairhaven Local Green 50%	12.445 cents/kWh	Adds 50% MA Class I RECs on top of state minimum
	Fairhaven Local Green 100%	14.420 cents/kWh	Adds 100% MA Class I RECs on top of state minimum

The current aggregation programs of the group all include a "50%" and "100" product. We can refer to these as "opt-up" products.

Renewable Energy Percentages

The 100% product currently contains 100% voluntary renewable energy in addition to the minimum renewable energy required by the State (known as the RPS or Renewable Portfolio Standard). This means that the total renewable energy content is greater than 100% when adding voluntary and RPS together.

In years past, all of Good Energy's active programs structured their 100% product this way. The rationale for doing so was about impact: by going above 100% renewable, consumers could

have an outsized impact on adding renewable energy to our grid. To read how you can go above 100%, see the appendix to this memo.

Additionally, when the group's products were being developed, the state's minimum renewable energy content was quite low (about 19%). Over the nearly three years since, however, the state's minimum renewable energy has increased dramatically, due to 1) the creation of Clean Energy Standard (for new renewables) and Clean Energy Standard Existing (to keep old renewables active) and 2) legislative increases in the MA Class I requirements.

As the state's minimum renewable energy content has risen significantly, the premium to go above 100% has risen, as has the potential for confusion to customers.

As a result, Good Energy recommends that the group structure its 100% opt-up product as 100% total renewable energy, rather than 100% voluntary renewable energy. The difference is shown below:

	Year	State Mlimum Requirements	Voluntary Class I	Total
100% Voluntary	2023	59%	100%	159%
	2024	62%	100%	162%
	2025	63%	100%	163%
100% Total	2023	59%	41%	100%
	2024	62%	38%	100%
	2025	63%	37%	100%

Similarly, communities in the group also have a 50% opt-up product, which allows for up to 50% voluntary in addition to state minimums. Good Energy recommends that you not offer this product. Since the state minimum standard is now higher than 50%, there is no way to offer a 50% total product, and the 50% voluntary product would be confusing to customers when they see total renewables.

	Year	State Mlimum Requirements	Voluntary Class I	Total
50% Voluntary	2023	59%	50%	109%
	2024	62%	50%	112%
	2025	63%	50%	113%

In summary, Good Energy recommends each municipality have one opt-up product, which is 100% total renewable energy.

Preparing for the Transition with new Revised Optional Product

Under DPU's latest guidelines, if we change the amount of voluntary renewable energy in a product, the customers must affirmatively opt-back into the product. Otherwise they will be returned to utility Basic Service. To address this:

- 1) We can send emails to these 50% and 100% customers multiple months in advance of the contract transition, and do follow ups to ensure that they have as much time as possible to opt-in to the new rate; AND

- 2) The chosen supplier will mail written notification to every customer on the 50% and 100% product at least 30 days in advance of the new contract, notifying them of the upcoming switch and their options.

Leading up to and during the contract transition, Good Energy can keep the municipality apprised of how many customers have yet to sign up in case the Town wants to do follow up communications.

3. Product Names

The default product names use the term "Green" (e.g. Fairhaven Local Green). The Department of Public Utilities has found that the term "green" is too generic in a product name. They require you to define what you mean by "green" whenever the name is used, which is cumbersome and can lead to potential mistakes. The same is true for the term "local".

Most other Good Energy communities use the name "TownName Plus" for the 100% product and "TownName Standard" for the Default product. We also find that the branding of the program name is the strongest in town, not the product names (for example, the product name does not appear on the bill). As a result, other communities that have changed their product names have seen little, if any, confusion.

Good Energy recommends using the name "Fairhaven Plus" for the 100% product and "Fairhaven Standard" for the Default product.

4. Summary of Potential Final Product Suite

Based on the recommendations in this memo, the Town would have the following three products:

- Fairhaven Standard: Default product that includes additional MA Class I renewable energy (% TBD by the Town)
- Fairhaven Plus: A 100% total renewable energy product
- Fairhaven Basic: a product that just meets the state's minimum renewable energy requirements

Minimum Renewable Energy Content Requirements in MA

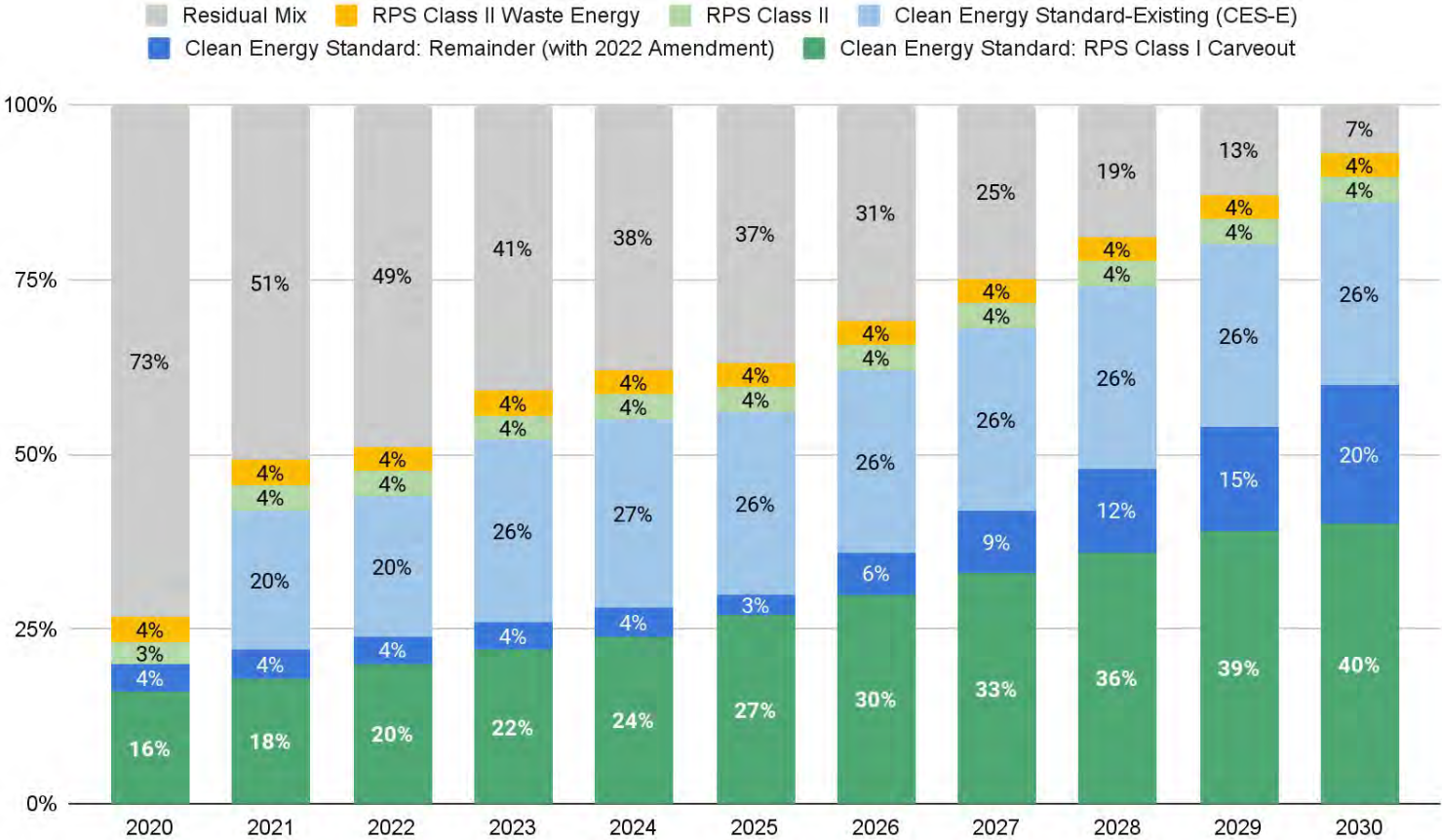
Year	Clean Energy Standard*		CES-Existing [^]	RPS Class II**	RPS Class II Waste Energy**	Total
	RPS Class I Carveout	Remainder				
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2021	18%	4%	20%	4%	4%	49%
2022	20%	4%	20%	4%	4%	51%
2023	22%	4%	26%	4%	3.5%	59%
2024	24%	4%	27%	4%	4%	62%
2025	27%	3%	26%	4%	4%	63%
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2030	40%	20%	26%	4%	4%	93%

*This incorporates the State's 2022 proposal that will accelerate the increase in the CES, starting in 2026.

[^]CES-Existing after 2026 may be adjusted by formula, but is set at 20% by default.

**Component percentages for Class II and Class II Waste Energy are rounded to nearest whole number.

Minimum Renewable Energy Content Requirements in MA



Definitions

Minimum renewable energy content: is defined in by the Department of Public Utilities* as including: Clean Energy Standard (including RPS Class I), Clean Energy Standard Existing Generation, RPS Class II, and RPS Class II Waste Energy. The Alternative Energy Portfolio Standard and Clean Peak Energy Portfolio Standard are not included in the definition of minimum renewable energy content.

Residual mix: Power that is not sourced from renewables is typically from the Residual Mix (i.e. the mix of all other sources of power on our shared New England electricity grid). That Residual Mix is primarily natural gas, although other fuels may present.

Clean Energy Standard, or CES: has a carveout for a portion that must be met with RPS Class I sources. The portion that is **not** carved out is referred to in this document as the “CES Remainder”

*See 19-07-A at 43-45 <https://fileservice.eea.comacloud.net/FileService.Api/file/FileRoom/12159003>

Supporting New Resources

- RPS Class I
- Clean Energy Standard (CES)

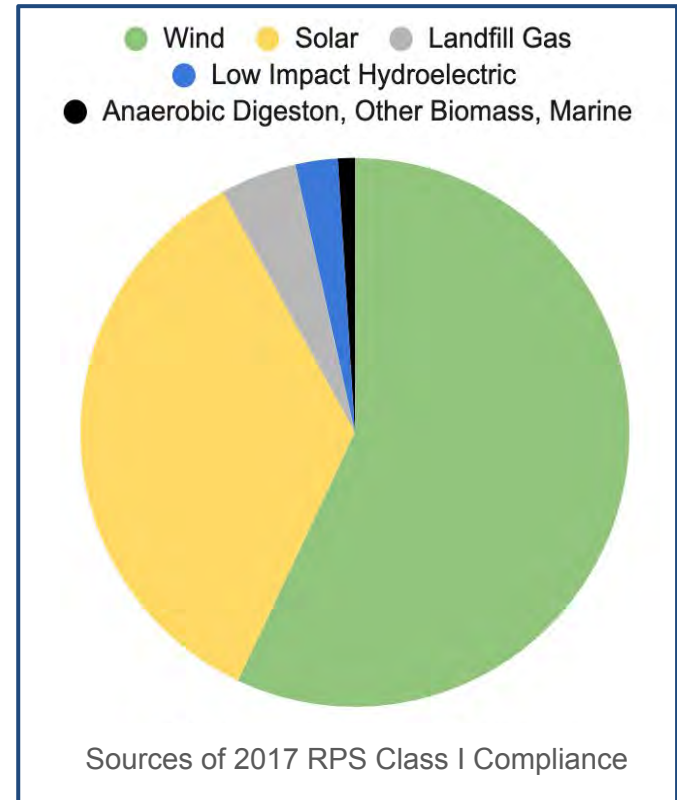
Maintaining Existing Resources

- RPS Class II
- RPS Class II Waste-to-Energy
- Clean Energy Standard-Existing (CES-E)



RPS Class I

- “Electricity production from qualified new renewable energy facilities” <https://www.mass.gov/service-details/program-summaries>
- Percentage increases annually
- May come from the sources shown at right and must:
 - Have started operation after 1997
 - Be located within New England, New York or Eastern Canada



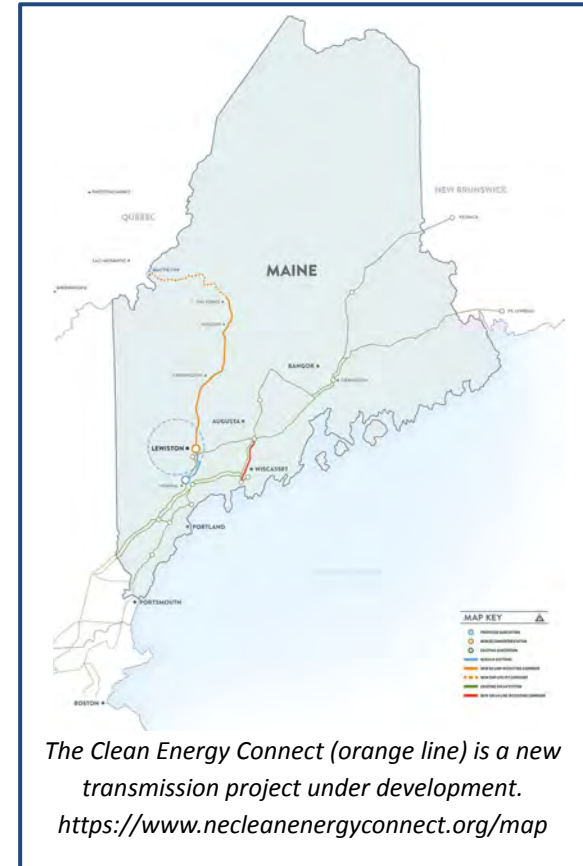
Clean Energy Standard (CES)

- “CES is designed to increase procurement of new clean energy over time” - <https://www.mass.gov/doc/frequently-asked-questions-massdep-clean-energy-standard/download>
- Percentage increases annually
- RPS Class I compliance counts toward the CES
- The remainder (or net) can be met with sources that meet these criteria:
 - RPS-Class I eligible **OR** demonstrate net lifecycle GHG emissions of at least 50% below those from the most efficient natural gas generator (e.g., hydro);
 - Be located in the ISO-NE control area, **OR** be located in an adjacent control area and utilize new transmission capacity; **AND**
 - Have commenced commercial operation after December 31, 2010

Clean Energy Standard (CES)

Currently, there is no large hydro or nuclear available to meet the the CES, therefore the remaining 4% comes from more MA Class I.

However, new transmission was under construction and if completed, eligible large hydro will become available from Canada.



RPS Class II

- “Financial incentives for the continued operation of qualified pre-1998 renewable generation units” - <https://www.mass.gov/service-details/program-summaries>
- Percentage may fluctuate, but relatively steady
- May come from same sources as Class I and located in same locations but must have started operation after before 1998
- Historically this is met primarily by hydropower, but in 2017 wind was majority

RPS Class II - Waste Energy

- Percentage is fixed
- Waste Energy facilities must be located within Massachusetts

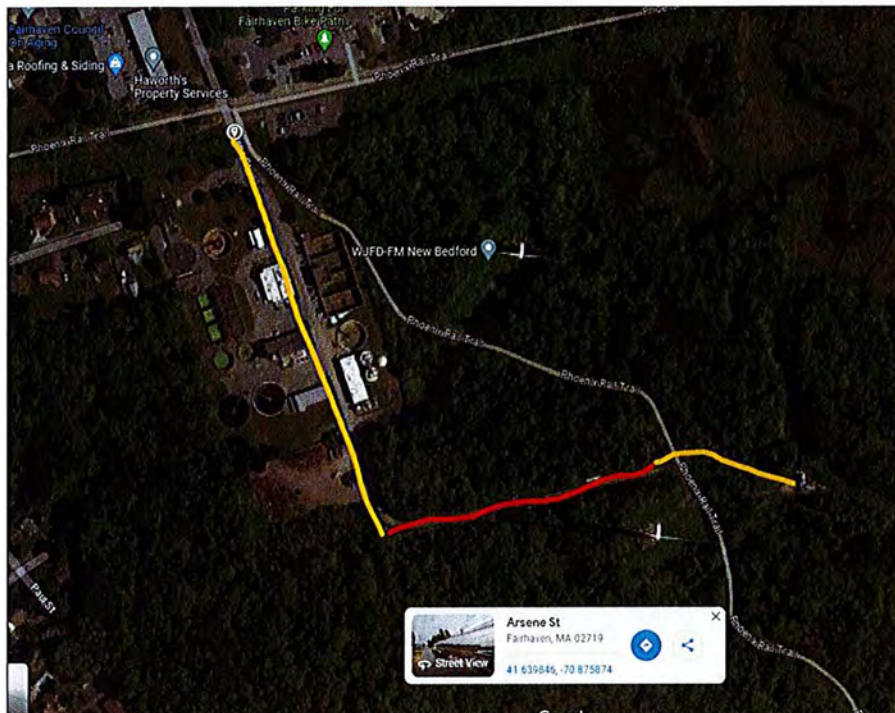
CES-Existing (CES-E)

- “CES-E is intended to maintain the historic contribution of existing clean energy generation units going forward” - <https://www.mass.gov/doc/frequently-asked-questions-massdep-clean-energy-standard/download>
- Percentage can fluctuate in order to maintain a consistent total purchase quantity
- May come from the sources that:
 - Are located in either Massachusetts, New Hampshire, Connecticut, or Eastern Canada (Quebec or Newfoundland and Labrador);
 - Commenced commercial operation before January 1, 2011; AND
 - Are a nuclear or hydroelectric generation unit with a nameplate capacity greater than 30 MW.

Eversource Request

Eversource request for the use of existing poles for an overhead crossing behind DPW Water Treatment Facility

Request to install fiber on the poles that run through the Fairhaven DPW Water Treatment Plant lot over to the WJFD-FM tower off Arsene Street. We propose using the existing poles and the passing over the Phoenix Bike Trail along with the existing power cables. This simple markup shows the fiber path on the existing poles (yellow) and in existing underground conduit (red):



The fiber cable that we would like to place will improve Eversource communications in this area of Fairhaven. Our present system is on Microwave and fog can slow that system. Having good information about how our equipment is working makes everyone safer, improves response times, and keeps the power on. Using a fiber cable provides a consistent path for Eversource communications.

The poles we propose to use are in place, and the installed fiber cable will have no effect on folks using the Bike Trail. No additional poles or conduits are required for this project. Installing the fiber on the poles to pass over the Bike Trail will take less than one day. We can schedule this work for pre-dawn (after dusk when the trail is not in use). We should not disrupt anyone's use of the trail during or after installation.

Please let us know what approvals or permits are needed to install this fiber cable.

Tuesday, June 20, 2023

<u>APPOINTMENT OF BOARDS AND COMMITTEES</u>	
<u>Affirmative Action, 1-year term</u>	
a. Angie Lopes Ellison	
<u>Emergency Management Director, 1-year term</u>	
a. Marc Jodin	
<u>Local Emergency Planning Committee</u>	
a. Todd Correia, Fire Chief	
b. Angie Lopes Ellison, TA	
c. Michael Myers, Police Chief	
d. Randy Bassett, Building Commissioner	
e. Marc Jodin, Emergency Management Director	
f. David Flaherty, Health Agent	
<u>Measurer of Wood and Bark, 1-year term</u>	
a. Don Collasius	
<u>Municipal Hearing Officer, 1-year term</u>	
a. Michael Myers	
<u>Oil Spill Coordinator, 1-year term</u>	
a. Todd Correia	
<u>Parking Clerk, 1-year term</u>	
a. Elisabeth Horan	
<u>Procurement Officer, 1-year term</u>	
a. Angie Lopes Ellison	

APPOINTMENT OF BOARDS AND COMMITTEES

<u>SEEKING REAPPOINTMENT</u>	<u>NEW APPLICANT</u>
<u>Conservation Commission (up to 7 members) 3-year term</u>	
a. Amy DeSalvatore	a. Robert Chase
	b. Andrew Saunders
	c. Chelsea Isherwood
	d. Ronnie Medina
	e. Chanda Kale
	f. Anthony Couto
<u>Historical Commission (between 3-7 members) 3-year term</u>	
a. John Medeiros	
b. David Braga	
<u>Sustainability Committee (up to 7 members) 1-year team</u>	
a. John Pond	

4/27/2023

To the Select Board,

It has been my privilege to volunteer on the Fairhaven Conservation Commission for the past nine years. I have attended regular conferences and trainings all through that time. Since retiring from full time work in landscape design and gardening, I have rarely missed a meeting or a site visit. I see the work of the Commission as increasingly important in protecting our wetlands for the wellbeing of the community- for preservation of water quality, for carbon sequestration and cooling, for protection of flood storage, and for mitigation of the increasing threat of storm damage. The Commission has a very busy and demanding schedule, but I believe we could take more of a role in educating the public on the need to be proactive rather than reactive to the environmental challenges we face, especially as a coastal community. I humbly request that you consider my reappointment for this coming term.

Sincerely,


Amy DeSalvatore

MEMORANDUM

Full Name: Robert Chase Jr

How long have you been a Fairhaven resident? 42 years

What Board(S)/Committee(s) are you interested in joining? What is your reason:
Conservation Committee

I feel it's important to protect our natural resources while still working with the residents of the town. With so much coastline and vulnerable land in our town, I feel it's important to keep a balance between protecting it and utilizing its space.

Have you attended a meeting of this Board or Committee? Yes

Have you (or are you currently) served on any Town of Fairhaven Boards? If so, please indicate what Board and number of years:

Interests and Qualifications: I am a lifelong resident of the Town of Fairhaven who cares about this town's future. I currently have three daughters in the school system and a son who graduated last year. I am self-employed and the owner of Chase Property Services.

MEMORANDUM

Full Name: Andrew Saunders

How long have you been a Fairhaven resident: 27 years

What Board(s)/Committee(s) are you interested in joining?
Fairhaven Conservation Commission

Have you attended a meeting of this Board or Committee: Yes

Have you (or are you currently) served on any Town of Fairhaven Boards?
If so, please indicate what Board and number of years:

I previously served as an associate member of the Fairhaven Conservation Commission in 1997.

Interests and Qualifications:

I am an attorney licensed to practice law in the Commonwealth of Massachusetts (admitted 1992). Throughout my career I have been involved in numerous matters involving The Massachusetts Wetlands Protection Act and its implementing regulations and their respective relationship(s) to companion laws such as the US Clean Water Act, MGL Ch 91, and various town by-laws involving wetland protection (including the Town of Fairhaven By-law).

MEMORANDUM

My name is Chelsea Isherwood, I live at 3 Teal Circle and I am interested in taking on the role of a voting member for Conservation Commission. I have been a lifelong resident of Fairhaven, as well as a Town Meeting member, and would love an opportunity to be of service to the town. In the past I have helped out on the sidelines with various town projects and campaigns when asked and provided the opportunity. I have also served as a non-voting member on the Conservation Commission since January 25, 2022.

I am passionate about this town and preserving its historic beauty and natural resources. The Conservation Commission plays an important role in that. I am educated and experienced with the Fairhaven's Wetlands bylaw, the Wetlands Protection Act, the Massachusetts Coastal Wetlands Regulations and Federal Emergency Management Agency (FEMA) Regulations. I am excited to continue to learn more through trainings and resources that are made available each year. Since becoming an associate member, I have participated in all the Conservation Commission meetings, and provided feedback to the commission to help protect resource areas and help Fairhaven resident protect their homes. I am interested in furthering my abilities in providing decisions, as well as feedback, to the commission, to the Fairhaven residents to help protect their homes, and to the town of Fairhaven.

I have experience as a Contracting Officer for the Navy, working acquisition for goods and services needed to protect our nation. In my seven years working this position, I have gained a lot of knowledge on working with engineers, and contractors. My career with the Navy, has also provided me training in construction and working acquisition actions for construction, ensuring contractors and the Navy adhere to a different set of regulations and guidelines. I have gained skills in understanding how to read through project plans and contracts, and would be able to offer the commission guidance on completing source selections for peer reviews. My skills can ensure that information listed in the request for quotes from the Conservation Commission has been reflected back in proposals from potential peer reviewers, and certified professionals, certifying the money spent by property owners and the town is spent wisely, without further costs being incurred. I believe these skills would be an asset to the residents of Fairhaven, as well as the commission to help show that the commission is not there to hinder the use of property, but to help protect residential properties and the 29 miles of Fairhaven coastline as storms get worse, and will continue to become more extreme in the future. This will also show that the Commission is not there to cause further financial burdens on the Fairhaven residents, but rather guidance for cost efficient options to complete their projects while protecting the environment.

In college I was a volunteer every week for Habitat for Humanity in Bridgeport, CT and participated in spring break Habitat for Humanity trips all four years, helping to build homes in North Carolina, Mississippi and Georgia. I was also the secretary for the Habitat for Humanity campus chapter. I gained skills not only in the different stages of buildings homes, but how to properly communicate with homeowners, as well as contractors. My time and experience with Habitat for Humanity has been carried with me every day, and has provided myself guidance on how to be a better property owner and to better communicate with other property owners.

Further, I would like to be transparent that I am related to a current member on the Conservation Commission. I would like to make it clear that I am an independent thinker and am capable of reviewing projects using my own knowledge and critical thinking to derive my own thoughts and decisions.

The world is ever changing, and the opportunity to be on the Conservation Commission as a voting member would be an honor to help navigate the delicate path of preserving and supporting Fairhaven's resource areas.

I hope you will please consider me for the role of a voting member. I would be honored to provide further services to the Conservation Commission.

MEMORANDUM

Full Name: RONNIE MEDINA

How long have you been a Fairhaven resident? 20 years

What Board(s)/Committee(s) are you interested in joining? What is your reason?
Conservation commission

Have you attended a meeting of this Board or Committee? Yes

Have you (or are you currently) served on any Town of Fairhaven Boards? If so, please indicate what Board and number of years:

I am currently serving on Conservation commission but I would like to be a voting member of the Conservation commission I was a non-voting for three years I would like to continue on the Conservation commission!

Interests and Qualifications:

I'm not quite the green thumb but I'm for regulation

And I always vote for what's right and also have a technical background

MEMORANDUM

Full Name: Dr. Chanda Kale

How long have you been a Fairhaven resident: 4 yrs

What Board(s)/Committee(s) are you interested in joining? What is your reason?

Con Comm.. I had unfortunate experience of storm damage, dealing with certain con comm members and issues I faced. I talked to various individuals in MASS DEP, Waterways etc. read a lot and spoke with few others to realize what an individual faces to get a permit in Fairhaven throu Con Comm. then I came to know changes and a void you have right now. Therefore offering my time to help even it means only for temporary basis until SB finds individuals to fill in the space.

Have you attended a meeting of this Board or Committee? No

Have you (or are you currently) served on any Town of Fairhaven Boards? If so, please indicate what Board and number of years: No

Interests and Qualifications: I am a dentist only working part time. Had a practice for 37 years in Brooklyn NY and served as a faculty New York College of Dentistry. I was a clinical director as well as academic organizer until 2017, which is when I resigned to plan my retirement in 2018. Besides doing clinical implant dentistry, I also teach a orthodontic study group sponsored by Academy Of general Dentistry.

MEMORANDUM

Full Name: Anthony Couto

How long have you been a Fairhaven resident: 48 years

What Board(s)/Committee(s) are you interested in joining?

Conservation commission

Reasons for joining: Give back to my community. I am also interested in resource protection of open space and our waterways.

Have you attended a meeting of this Board or Committee: Yes

Have you (or are you currently) served on any Town of Fairhaven Boards?

Interests and Qualifications: I am a lifelong resident of Fairhaven. I have volunteered for many years coaching youth sports. I enjoy the many outdoor recreation activities that we have in town and the role the conservation commission plays in protecting the environment. I feel the town has a very qualified agent who does a great job of informing the board on the projects being presented. If I am appointed I will make every attempt to attend all meetings and site visits. I am an independent thinker that would like the chance to serve. Thanks for the consideration.

SELECT BOARD'S MEETING

Agenda Item
Tuesday June 20, 2023

Special One Day Liquor License
All Alcoholic Beverages
(Note: Third Party Permit Submitted with application)

“Annual Blessing of the Bikes”
Officiated by
St. Joseph Catholic Church

To be held on the outside grounds
Of the Ice House Restaurant
136 Huttleston Avenue
Fairhaven, MA 02719

Date: Sunday, June 25, 2023
(This is a rain date from the previously approved Sunday May 7th date)

12:00 P.M.- 6:00 P.M.



TOWN OF FAIRHAVEN

APPLICATION FOR SPECIAL LICENSE

General Law Chapter 138, Section 14

Date: 6/5/23

To the Licensing Board:

The undersigned hereby applies for a SPECIAL LICENSE under provisions of Chapter 138, Section 14

to sell

All Alcoholic Beverages

(Beer and Wine)

or

(All Alcoholic Beverages)

For a an event to be held at

136 Huttleston Ave

Fairhaven, MA 02719

by St Joseph's Catholic Church

date Sunday June 25th (rain date)

from 12:00 p.m. to 6:00 p.m.

Name of Applicant: Ice House LLC DBA Ice House Bar and Grill

For a banquet or public dinner, the applicant should be responsible, manager of the banquet or public dinner.

For a picnic, field day or outing, applicant should be a representative of responsible organization or individual.

FEE:

Beer & Wine \$20.00

All Alcoholic \$35.00



Town of Fairhaven
Massachusetts
Select Board

40 CENTER STREET
FAIRHAVEN, MA 02719
TEL: (508) 979-4023
FAX: (508) 979-4079
Selectmen@Fairhaven-MA.gov

Permit for Third Party use of licensed premise
(For rental or donated use of hall or club by third party)

PLEASE PRINT

Licensee Name: St Joseph's Catholic Church

Date and Hours of Function: Sunday June 25, 2023 12:00 p.m.-6:00 p.m.

Name, Address and Telephone Number of Third-Party Group or Individual Ice House
136 Huttleston Ave Fairhaven, MA 02719

Name of Responsible Person: Aaron Hyslope

Type of Event Detailed Description)
Charity Event (Blessing fo the Bi kes)

Will There Be Entertainment. If Yes, Describe:
yes. A 4 piece band

Will Persons Under 21 Be Allowed to be present: Yes No

Estimated Number of Attendees: Estimated 350

Will There Be Security for the Event: Yes No

If Yes, Describe:

MUST BE SUBMITTED TO SELECT BOARD AT LEAST 3 BUSINESS DAYS BEFORE EVENT

Fax: 508-979-4079 or Email: LPina@Fairhaven-MA.gov

(Licensing Authority Use Only)

Police Detail Required: YES NO

Number of Officers

Police Chief or Designee Signature

Date



ACTION ITEM E 6

Select Board Retreat/Retreats

ACTION ITEM E 7

Clarify roles and responsibilities under the Town Administrator Act and format of the Select Board agenda

INVOICE



DATE
August 6, 2022

Nicole Chabot-Wieferich
15 Prospect Street
Stoughton, MA 02072
207.577.1913
nmchabot@gmail.com

INVOICE TO
Nicole Chabot-Wieferich
15 Prospect Street
Stoughton, MA 02072
207.577.1913
nmchabot@gmail.com

SESSION INFO

PAYMENT TERMS

DUE DATE

Strengths Training for Fairhaven Select Board.
Saturday, July 30, 2022 – 9am-1pm

\$500.00

On Receipt

— PAID —

AUG 22 2022

TOWN ACCOUNTANT
FAIRHAVEN, MA

Subtotal	\$500.00
Sales Tax	0
Total	\$500.00

THE BAKER- NEW BEDFORD
562 PLEASANT ST
NEW BEDFORD, MA 02740
ph 774-202-1901

TABLE: Inv 073022-01 Townhall
Fairhaven
Meeting
1 Guest
Server: Brandon
7/29/2022 10:48:55 AM
Sequence #: 0000149
ID #: 0306663

ITEM	QTY	PRICE
Non-Tax Morning Pastry PI (12@3.00)		\$36.00
Non-Tax Box Of Joe	1	\$24.99
Paper Goods (\$0.10 Per Pe (12@0.35)		\$4.20
Catering (Non Tax) (10@1.25)		\$12.50
Catering (Non Tax) (10@12.00)		\$120.00
Catering (Non Tax)	1	\$10.00
Subtotal		\$207.69
Total Taxes		\$0.00
Grand Total		\$207.69

Credit Purchase

Name : MANUALLY/ENTERED
CC Type : VISA
CC Num : xxxx xxxx xxxx 1166
Reference : 1166w702p9w3z66x
Approval : 909284
Server : Brandon
Ticket Name : Inv 073022-01 Townhall Fairhaven Me
eting

Payment Amount: \$207.69

Tip:

Total: 207.69

x

via phone

CUSTOMER COPY

I agree to pay the amount shown above.

Thank you for supporting THE BAKER!
ARTISAN PASTRY, BREAD, SANDWICHES & COFFEE!

§ A502-6. Town Administrator.

AN ACT ESTABLISHING THE POSITION OF TOWN ADMINISTRATOR IN THE TOWN OF FAIRHAVEN.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. The executive powers of the town of Fairhaven shall be vested in the board of selectmen, who shall have all the powers given to boards of selectmen by the General Laws, except for those executive powers granted to the town administrator.

The board of selectmen shall serve as the chief goal-setting and policy-making agency of the town of Fairhaven. The duties and responsibilities for day-to-day management of the town shall be delegated to the town administrator. The board shall act through the adoption of policy directives and guidelines which shall be implemented by the town administrator and the officers and employees appointed by, or under the authority of, the board. Individual selectmen shall not purport to represent the board or exercise the authority of the board except when specifically authorized by the board.

The board of selectmen shall:

- (a) enact rules and regulations to implement policies and to issue interpretations;
- (b) exercise, through the town administrator, general supervision over all matters affecting the interests or welfare of the town;
- (c) appoint the town counsel and any special counsels, and all members of committees, boards and commissions except the finance committee and except those appointed by the moderator, elected by the voters or under the jurisdiction of the school committee or of the board of public works and may make appointments to temporary posts and committees the board creates for special purposes. [Amended by Ch. 269, Acts of 2020, approved 1-6-2021]
- (d) have general administrative oversight of such boards, committees and commissions appointed by the board of selectmen;
- (e) have the responsibility and authority for licenses and other quasi-judicial functions as provided by the General Laws and by the by-laws of the town of Fairhaven;
- (f) issue all town meeting warrants;
- (g) review the annual proposed budget submitted by the town administrator and make recommendations with respect to the annual proposed budget as the board deems advisable; provided, however, that the town administrator shall present the budget to the town meeting, incorporating the recommendations of the board of selectmen;
- (h) appoint, and may re-appoint, and enter into a contract for the employment of a town administrator for a term of not more than 3 years, who shall be a person with executive and administrative qualifications and especially fitted by education, training and experience to perform the duties of the office; provided, that the town may from time to time, by by-law, establish such additional qualifications as it deems necessary and appropriate;
- (i) remove the town administrator at any time, for just cause following a formal procedure including a written intent to dismiss, a written response and a public hearing, to be completed within 30 days after the issuance of a written intent to dismiss, in accordance with the terms of the town administrator's contract;

(j) set the compensation for the town administrator, not to exceed an amount appropriated by the town meeting; and

(k) designate a qualified person as acting town administrator to perform the duties of the office during any vacancy exceeding 30 days, caused by the town administrator's absence, illness, suspension, removal or resignation; provided, that the appointment of an acting town administrator shall be for a period not to exceed 180 days.

SECTION 2. The town administrator shall be the chief administrative officer of the town of Fairhaven and shall act as the agent for the board of selectmen. The town administrator shall be responsible to the board of selectmen for coordinating and administering all town affairs under the jurisdiction of the board of selectmen.

The town administrator's powers and duties shall include those outlined in subsections (a) to (aa), inclusive.

(a) Consult and advise the board of selectmen regarding its policies and implement those policies.

(b) Attend all meetings of the board of selectmen, except when excused, and consult with and advise the board of selectmen on all matters that come before the board.

(c) Attend all town meetings and advise the town meeting on all warrant articles within the jurisdiction of the board of selectmen.

(d) Attend all finance committee meetings, except when excused by the board of selectmen, and keep the finance committee informed on all matters under the jurisdiction of the town administrator that come before the committee.

(e) Manage and direct the daily reporting and supervision of all town departments under the jurisdiction of the board of selectmen, including: assessors, building commission, council on aging, police, civil defense, animal control officer, gas inspector, plumbing inspector, wiring inspector and weights and measures inspector, recreation, tree, planning, finance, finance director, collector, treasurer, accounting, veterans, town counsel, other committees appointed by and under the jurisdiction of the board of selectmen and the fire department, subject to section 42 of chapter 48 of the General Laws, but not including the school department or the public works department. [Amended by Ch. 269, Acts of 2020, approved 1-6-2021]

(f) Review and advise the board of selectmen on all warrants for the payment of town funds as prepared by the town accountant in accordance with section 56 of chapter 41 of the General Laws.

(g) Except with respect to the school department, and except with respect to the hiring and firing of employees within the public works department, the town administrator shall have sole authority over the administration of personnel policies for all town employees. With respect to the fire department, such authority shall be subject to section 42 of chapter 48 of the General Laws. The town administrator shall act as the personnel board under all applicable laws and by-laws, except as otherwise set forth in this act. The personnel board as presently constituted shall be eliminated upon the appointment of the town administrator. The town may enact by-laws establishing the wages, salaries and other benefits of employees, which shall be consistent with the authority granted to the town administrator in this act. Notwithstanding the elimination of the personnel board, all actions taken prior to the appointment of the town administrator by the personnel board within its authority, and by any other town official or board, with respect to personnel, including the appointment of all officers and employees, shall continue in full force and effect subject to future action by the town administrator within the town administrator's authority. [Amended by Ch. 269, Acts of 2020, approved 1-6-2021]

(h) Administer the town's insurance policies, including the ability to settle claims; provided, however, that all insurance contracts and claims settlements shall receive the approval of the board of selectmen.

(i) With the approval of the board of selectmen, appoint and remove all department heads under the direct control of the town administrator. Each department head, with the approval of the town administrator, shall appoint and remove all department staff within their respective departments. All appointments shall be based entirely on merit and fitness. All appointments and terminations shall be conducted in accordance with the General Laws, personnel policies, by-laws of the town of Fairhaven and any applicable employment contracts; provided, that fire department appointments shall also be subject to section 42 of chapter 48 of the General Laws.

(j) With the approval of the board of selectmen, reorganize any departmental structures under the jurisdiction of the town administrator.

(k) With the approval of the board of selectmen, negotiate all collective bargaining agreements on behalf of the town, except for the school department. In collective bargaining negotiations with unions representing employees in the public works department, the town will be represented by the town administrator, the superintendent of public works and a member of the board of public works. The town administrator may seek the assistance of labor counsel if the town administrator deems it necessary to effect successful negotiations. All final agreements must be approved and executed by the board of selectmen. [Amended by Ch. 269, Acts of 2020, approved 1-6-2021]

(l) With the approval of the board of selectmen, establish compensation packages for all town employees under the jurisdiction of the town administrator, not subject to a collective bargaining agreement. Such compensation shall not exceed the amount appropriated therefor by town meeting and shall be subject to all applicable laws and by-laws.

(m) Submit to the board of selectmen a written proposed budget for town government for the ensuing fiscal year. The proposed budget shall detail all estimated revenue from all sources, and all proposed expenditures, including debt service for the previous, current and ensuing 5 years. The proposed budget shall include proposed expenditures for both current operations and capital projects during the ensuing year, detailed by department, committee, agency, purpose and position and proposed financing methods. The proposed budget shall include estimated revenues and free cash available at the close of the fiscal year, including estimated balances in special accounts. The town may, by by-law establish additional financial information and reports to be provided by the town administrator. To assist the town administrator in preparing the proposed annual budget of revenue and expenditures, the finance director, all boards, officers and committees of the town, including the school committee and the board of public works, shall furnish to the town administrator, in a writing in such a form as the town administrator shall establish, all relevant information in their possession, including a detailed estimate of the appropriations required and any available funds. [Amended by Ch. 269, Acts of 2020, approved 1-6-2021]

(n) Report on the probable amount required to be levied and raised by taxation to defray all expenses and liabilities of the town together with an estimate of the necessary tax rate.

(o) Establish calendar dates by which the proposed budget, revenue statement and tax rate estimate are to be submitted to the board of selectmen.

(p) Submit annually to the board of selectmen a 5-year capital improvements program, or the same as approved by a formal capital planning committee, to include: (i) a list of all capital improvements and supporting data proposed to be undertaken during the next 5 years; (ii) cost estimates, methods of financing and recommended time schedule; and (iii) the estimated annual cost of operating and maintaining any facility to be constructed or acquired.

- (q) Advise the board of selectmen at least monthly, of all departmental year-to-date revenues.
- (r) Direct action as deemed necessary to ensure that all operating and capital budgets under the direct control of the town administrator are maintained in accordance with the town meeting vote that approved those budgets and coordinate efforts with the governing bodies of those departments not under the direct supervision of the town administrator to ensure that those operating and capital budgets are maintained in accordance with the town meeting vote that approved those budgets.
- (s) Keep and complete records of the office of the town administrator and annually submit to the board of selectmen, unless requested to do so more frequently, a full report of the operations of the office.
- (t) Be responsible for coordination of operational and strategic planning for the town.
- (u) Serve as the procurement officer for the town, establish and enforce procurement policies and guidelines in accordance with applicable state laws.
- (v) Manage and oversee the use, maintenance, security and, with the approval of the board of selectmen, regulate the rental for all the town buildings, properties and facilities, including information technology, except those under the jurisdiction of the school department or the public works department, unless so requested by either of those departments. [Amended by Ch. 269, Acts of 2020, approved 1-6-2021]
- (w) Prepare the application of all town warrants for approval by the board of selectmen.
- (x) With the approval of the board of selectmen, prosecute, defend and settle all litigation for or against the town or its officers and employees, subject to such appropriation as may be necessary to effect settlement, except for litigation involving only the school department or the public works department, unless so requested by either of those departments. [Amended by Ch. 269, Acts of 2020, approved 1-6-2021]
- (y) Delegate and direct any qualified town official or employee to carry out any duty that is within the authority of the town administrator.
- (z) During a temporary absence, with the approval of the board of selectmen, the town administrator may designate a qualified administrative employee or officer to exercise the powers and perform the duties of the town administrator.
- (aa) Perform any other duties or tasks assigned by the board of selectmen, assigned by the town meeting or mandated by applicable state law.

SECTION 3. The town administrator of the town of Fairhaven shall have access to all municipal books, papers and documents or information necessary for the proper performance of the duties of the town administrator. The town administrator may, without notice, cause the affairs of any division or department under the town administrator's supervision, or the conduct of any officer or employee thereof, to be examined.

SECTION 4. All laws, by-laws, votes, rules and regulations, whether enacted by authority of the town of Fairhaven or any other authority, which are in force in the town on the effective date of this act, not inconsistent with this act, shall continue in full force and effect.

SECTION 5. No contract existing, and no action at law or suit in equity, or other proceeding pending, on the effective date of this act shall be affected by this act.

SECTION 6. The town of Fairhaven shall be governed by this act. To the extent that this act modified or repeals existing General Laws and special acts or the by-laws of the Town of Fairhaven, this act shall

govern.

SECTION 7. This act shall not impair the rights or obligations of any person holding a town office, or employed by the town, on its effective date, except those duties assigned by this act to another officer or employer, and except those duties which are subsequently assigned to another officer or employee pursuant to this act. No person who continues in the permanent full-time service or employment of the town shall forfeit their pay, grade or time in service as a result of this act.

SECTION 8. This act shall take effect upon its acceptance by the town of Fairhaven by a vote at the town meeting.

Approved, November 25, 2014.

Fax Cover Page



Recipient:

+1 (508) 979-4079

Leon E Correy III, Chairman, Select Bd



Date Sent:

06/09/2023



Number of Pages:

8 (including cover page)



Sender:

Patrick Higgins - Patrick Higgins and Associates



Reply-to Email:

patrick.higgins@patrickhiggins.com



Reply-to Phone:

+1 (508) 979-4079



Reply-to Fax:

+1 (508) 979-4079



Subject:

Formal Open meeting law complaint



Message:

Here is a formal open meeting law complaint against the Board of Selectmen





OPEN MEETING LAW COMPLAINT FORM

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

Northport

State: AL

Zip Code: 35476

Organization or Media Affiliation: 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: Leon E. Correy III, Chair

Date of alleged violation: 6/5/23

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. Did not accept the minutes of their April 18, 2023 meeting in a timely manner.

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.

Learn and comply with the open meeting law.
Make the acceptance of meeting minutes in a timely manner a priority.
All members of this public body MUST attend a formal open meeting law training webinar without delay.
Schedule can be viewed at <https://www.mass.gov/service-details/open-meeting-law-trainings>

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.

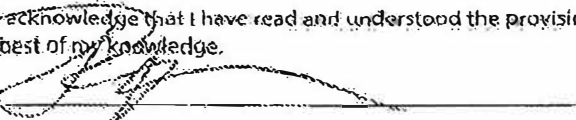
The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

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: 6/8/23

For Use By Public Body For Use By AGO
Don't use Do not use by public body Do not use by AGO



FAIRHAVEN SELECT BOARD AGENDA

June 5, 2023, 6:30 p.m.

Town Hall – 40 Center Street – Fairhaven

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

FAIRHAVEN TOWN BOARD
JUNE 5, 2023 6:30 P.M.

On March 30, 2023, the bill to extend Open Meeting Law regulations governing remote participation has passed MA legislation and been signed by the Governor. This bill will allow remote and hybrid meeting options for public bodies through March 31, 2025.

Pursuant to an amendment to Town Bylaw Chapter 50 § 13, all government meetings are available through web/video conference and are recorded.

A. MINUTES

1. Approve the minutes of April 18, 2023 – Open Session
2. Approve the minutes of May 1, 2023 – Open Session
3. Approve the minutes of May 1, 2023 – Executive Session
4. Approve the minutes of May 6, 2023 – Open Session

B. PUBLIC HEARING

1. 6:40PM Change of Manager, Paul's Sports Corner, Inc.
2. 6:45PM Blue Stream Shellfish LLC application to install shellfish nursery in municipal waters: Round Cove

C. TOWN ADMINISTRATOR

1. Staffing Updates
2. FY22 Audit Report: Marcum LLP (formerly Melanson)
3. FairhavenTV wins 2023 Hometown Media Award for "Best Magazine Show"
4. Rogers School Clean-up date
5. Select Board Retreat
6. Vineyard Wind project
7. Other

D. ACTION / DISCUSSION

1. Fairhaven Fire Fundraiser for Muscular Dystrophy
2. Conservation Restriction requests from Buzzards Bay Coalition: Salt Winds
3. Event procession approval: Our Lady of Angels, Sat., September 2nd and Mon., September, 4th, 2023
4. Intermunicipal Agreement: Public Health Excellence grant
5. Board, Committee and Commission alternate positions
6. Appointment of Boards and Committees (see attached list)
7. Appointment of Constables (see attached list)
8. Hedge Street Phase 3 Budget Amendment
9. Southeastern Massachusetts Metropolitan Planning Organization (SMMPO) Appointment

E. CORRESPONDENCE

1. Mass. Dept. of Agricultural Resources (MDAR) notice of Eversource's Vegetation Management Plan
2. Public Notification: Status Report Cumberland Farms Station V0015 to MassDEP
3. SRPEDD selected to host an American Connections Corps (ACC) member for 2023-24 Program Year
4. Fort Phoenix Beach Clean-up

F. COMMITTEE LIAISON REPORTS

G. PUBLIC COMMENT

H. BOARD MEMBER ITEMS

I. SPECIAL ELECTION RESULTS

J. NEWS AND ANNOUNCEMENTS

1. The next regularly scheduled Select Board meeting is *Tuesday, June 20, 2023* at 6:30 p.m., Town Hall Banquet Room

ADJOURNMENT

<https://www.fairhavenma.gov> or <https://www.fairhavenma.gov> Log on or call 1-929-205-6099, Meeting ID: 884 8599 3911, Passcode: 330130

Subject matter listed in the agenda consists of items 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.

FAIRHAVEN SELECT BOARD AGENDA*June 5, 2023, 6:30 p.m.***Board, Committee, Commission Appointments****Art Curator**

- a. Mark Badwey
- b. Kelly Smith

2. Bell Committee

- a. Douglas Brady
- b. Lee Baumgartner
- c. Nils Isaksen
- d. Jacqueline Kenworthy
- e. Helena Oliveira

3. Belonging Committee

- a. Jessica Fidalgo
- b. Laura Barillaro
- c. Rachel Medeiros
- d. Eryn Tomascik
- e. Gregory Weider

4. Bikeway Committee

- a. Amy Roderick
- b. Tim Garcia
- c. Will Gardner
- d. Mike Rotondo*
- e. Chip Hawthorne*

5. Broadband Study Committee

- a. Cathy Melanson
- b. Sean Powers
- c. Alyssa Botelho
- d. Sean Daly

6. Cable Advisory Committee

- a. Barbara Acksen
- b. Maria Carvalho
- c. Ronnie Medina
- d. John Methia

7. Capital Improvement Planning Committee

- a. Cathy Melanson

8. Community Preservation Commission

- a. Ann Richard
- b. Terrence Meredith
- c. Roger Marcoux*

9. Conservation Commission

- a. Amy DeSalvatore

10. Council on Aging

- a. Joan Mello

***Form due**

FAIRHAVEN SELECT BOARD AGENDA*June 5, 2023, 6:30 p.m.***11. Cultural Council**

- a. Lisa Breese
- b. Wendy Drumm

12. Economic Development Committee

- a. Cathy Melanson
- b. Kevin McLaughlin*

13. Historical Commission

- a. Maria Carvalho
- b. John Medeiros*
- c. David Braga*
- d. Gail Isaksen*

14. Lagos Friendship Pact Committee

- a. Maria Carvalho
- b. Cristina Pinto

15. Marine Resources Committee

- a. Michael McNamara
- b. Andrew Jones
- c. Michelle Potter
- d. David Hebert*

16. Rogers Reuse Committee

- a. Nils Isaksen
- b. Beverly Rasmussen
- c. Cathy Melanson
- d. Douglas Brady
- e. Susan Loo
- f. Barbara Acksen

17. Sustainability Committee

- a. Tim Garcia
- b. Ann Richard
- c. Susan Spooner
- d. Christin Ritz
- e. Karen Gent

18. Zoning Board of Appeals

- a. Ray DaSilva
- b. Patrick Carr

FAIRHAVEN SELECT BOARD AGENDA
June 8, 2023, 6:30 p.m.

CONSTABLES

Steven Borges
Matthew M. Botelho
Pamela A. Bourgault
Richard E. Ferreira
Joseph Latimer
Robert F. Jones
Kevin W. Kobza
Lawrence Machado
Scott McGarty
David Miller
Nicholas Sylvia
Herve W. Vandal, Jr.
Milan Whitaker



The Commonwealth of Massachusetts
 Office of the Attorney General
 One Ashburton Place
 Boston, Massachusetts 02108

OPEN MEETING LAW COMPLAINT FORM

Instructions for completing the Open Meeting Law Complaint Form

The Attorney General's Division of Open Government interprets and enforces the Open Meeting Law, Chapter 30A of the Massachusetts General Laws, Sections 18-25. Below is the procedure for filing and responding to an Open Meeting Law complaint.

Instructions for filing a complaint:

- o Fill out the attached two-page form completely. Sign and date the second page. File the complaint with the public body within 30 days of the alleged violation. If the violation was not reasonably discoverable at the time it occurred, you must file the complaint within 30 days of the date the violation was reasonably discoverable. A violation that occurs during an open session of a meeting is reasonably discoverable on the date of the meeting.
- o To file the complaint:
 - o For a local or municipal public body, you must submit a copy of the complaint to the chair of the public body AND to the municipal clerk.
 - o For all other public bodies, you must submit a copy of the complaint to the chair of the public body.
 - o Complaints may be filed by mail, by email, or by hand. Please retain a copy for your records.
- o If the public body does not respond within 14 business days and does not request an extension to respond, contact the Division for further assistance.

Instructions for a public body that receives a complaint:

- o The chair must disseminate the complaint to the members of the public body.
- o The public body must meet to review the complaint within 14 business days (usually 20-22 calendar days).
- o After review, but within 14 business days, the public body must respond to the complaint in writing and must send the complainant a response and a description of any action the public body has taken to address the allegations in the complaint. At the same time, the body must send the Attorney General a copy of the complaint and a copy of the response. The public body may delegate this responsibility to an individual member of the public body, its counsel, or a staff member, but only after the public body has met to review the complaint.
- o If a public body requires more time to review the complaint and respond, it may request an extension of time for good cause by contacting the Division of Open Government.

Once the public body has responded to the complaint:

- o If you are not satisfied with the public body's response to your complaint, you may file a copy of the complaint with the Division by mail, by email, or by hand, but only once you have waited for 30 days after filing the complaint with the public body. Mail may be sent to: The Division of Open Government, Office of the Attorney General, One Ashburton Place - 20th Floor, Boston, MA 02108. Emails may be sent to: openmeeting@state.ma.us.
- o When you file your complaint with the Division, please include the complaint form and all documentation relevant to the alleged violation. You may wish to attach a cover letter explaining why the public body's response does not adequately address your complaint.
- o The Division will not review complaints filed with us more than 90 days after the violation, unless we granted an extension to the public body or you can demonstrate good cause for the delay.

If you have questions concerning the Open Meeting Law complaint process, we encourage you to contact the Division of Open Government by phone at (617) 963-2540 or by email at openmeeting@state.ma.us.

Together, we can promote acceptance, understanding, and inclusion for all individuals within our community.

July 30, 2023

Disability Pride

Come to Fairhaven's First Disability Pride Month event where we will celebrate our Unified Sports Athletes, families, and those leading the way to an inclusive community.

Disability Pride Month is celebrated annually in July, the month that The Americans with Disabilities Act was signed in 1990. Disability Pride Month is a time for all disabled people to unapologetically celebrate our being as we are. Whether you are disabled or an ally, Disability Pride Month is full of so much to celebrate.

Diversity is our strength

Sunday July 30th, 2023

12PM-2PM

COA Courtyard

229 Huttleston Ave Fairhaven



Hosted by Fairhaven Belonging Committee and
Fairhaven's Commission on Disability



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Maura T. Healy
Governor

Kimberly Driscoll
Lt. Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

May 19, 2023

BY EMAIL: jrenton@rentonlegal.com

Bush Realty Trust
Attn: Harry J. Jacobvitz
c/o Jeff Renton, Esq.
P.O. Box 79574
Dartmouth, Massachusetts 02747

RE: FAIRHAVEN - BWSC
Release Tracking Number: **4-0023102**
173 Spring Street
ADMINISTRATIVE CONSENT ORDER
AMENDMENT
ENFORCEMENT DOCUMENT NUMBER
00014714

Dear Mr. Jacobvitz:

Please find enclosed a signed copy of the Administrative Consent Order Amendment ("Consent Order Amendment") that MassDEP is willing to enter into with you regarding the above referenced Site.

The Consent Order Amendment was executed on May 19, 2023. The terms and conditions of the Consent Order Amendment now apply and are binding.

If you have any questions regarding this Consent Order or any of the requirements contained in it, please contact Kathryn Carvalho at the letterhead address or by calling (508) 946-2742. MassDEP appreciates your cooperation in this matter.

Sincerely,

Millie Garcia-Serrano
Regional Director

MGS/JH/KC

Enclosure: Copy of Administrative Consent Order Amendment 00014714

SENT BY EMAIL

ec: Town of Fairhaven
Board of Health
Board of Selectmen

DEP-SERO

Deborah A. Marshall-Hewlitt, BWSC Audit Section Chief
Andrew Fowler, Regional Counsel
Kathryn Carvalho, BWSC Project Manager
Lara Goodine, Regional Enforcement Coordinator

William R. Hoyerman, LSP
Civil & Environmental Consultants, Inc.
bhoyerman@cecinc.com

Jeffery B. Renton, Esq.
Renton Legal PLLC
jrenton@rentonlegal.com

**COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In the matter of:
Bush Realty Trust

Enforcement Document Number: 00014714
Issuing Bureau: BWSC
Issuing Region/Office: SERO
Release Tracking Number: 4-0023102

SECOND AMENDMENT OF ADMINISTRATIVE CONSENT ORDER

The Department of Environmental Protection (“Department” or “MassDEP”) and the Respondent agree to amend and incorporate the following changes into Administrative Consent Order Amendment 00013764, concerning **173 Spring Street, Fairhaven, Massachusetts**:

1. *Section III, paragraph 10, that previously stated:*

10. Respondent shall perform the following actions:

- A. By **June 12, 2023**, submit to MassDEP a Phase II Comprehensive Site Assessment Report and a Risk Characterization (the Phase II Report) prepared in accordance with 310 CMR 40.0835 and 310 CMR 40.0900, respectively.
- B. By **August 17, 2023**, if the Phase II Report indicates that comprehensive response actions are necessary at the Site, also submit a Phase III Remedial Action Plan prepared pursuant to 310 CMR 40.0861. If, after the completion of the Phase III Remedial Action Plan, it can be demonstrated that a condition of No Substantial Hazard has been achieved and it is concluded that response actions to achieve a Permanent Solution are not currently feasible and Respondent submits a Temporary Solution Statement prepared in full accordance with 310 CMR 40.1000, Respondent need not comply with items C and D by the established dates.
- C. By **October 28, 2023**, the Respondent shall submit to MassDEP a Phase IV Remedy Implementation Plan (RIP) prepared in full accordance with the provisions of 310 CMR 40.0870.
- D. By **June 30, 2024**, either achieve and maintain Remedy Operation Status, in accordance with the provisions of 310 CMR 40.0893, or submit a Permanent Solution Statement or a Temporary Solution Statement in accordance with 310 CMR 40.1000.
- E. If at any time prior to **June 30, 2024**, the Respondent can demonstrate and document that a Permanent or Temporary Solution has been achieved at the Site in accordance with 310 CMR 40.1000, Respondent need not continue with Comprehensive Response Actions at the Site, pursuant to 310 CMR 40.0560(3).


is hereby amended to:

10. Respondent shall perform the following actions:
 - A. By **December 31, 2023**, submit to MassDEP a Phase II Comprehensive Site Assessment Report and a Risk Characterization (the Phase II Report) prepared in accordance with 310 CMR 40.0835 and 310 CMR 40.0900, respectively.
 - B. By **March 1, 2024**, if the Phase II Report indicates that comprehensive response actions are necessary at the Site, also submit a Phase III Remedial Action Plan prepared pursuant to 310 CMR 40.0861. If, after the completion of the Phase III Remedial Action Plan, it can be demonstrated that a condition of No Substantial Hazard has been achieved and it is concluded that response actions to achieve a Permanent Solution are not currently feasible and Respondent submits a Temporary Solution Statement prepared in full accordance with 310 CMR 40.1000, Respondent need not comply with items C and D by the established dates.
 - C. By **May 1, 2024**, the Respondent shall submit to MassDEP a Phase IV Remedy Implementation Plan (RIP) prepared in full accordance with the provisions of 310 CMR 40.0870.
 - D. By **December 31, 2024**, either achieve and maintain Remedy Operation Status, in accordance with the provisions of 310 CMR 40.0893, or submit a Permanent Solution Statement or a Temporary Solution Statement in accordance with 310 CMR 40.1000.
 - E. If at any time prior to **December 31, 2024**, the Respondent can demonstrate and document that a Permanent or Temporary Solution has been achieved at the Site in accordance with 310 CMR 40.1000, Respondent need not continue with Comprehensive Response Actions at the Site, pursuant to 310 CMR 40.0560(3).
2. The undersigned certify that they are fully authorized to enter into the terms and conditions of this Consent Order and to legally bind the party on whose behalf they are signing this Consent Order.
3. This Consent Order Amendment shall become effective on the date that it is executed by MassDEP.
4. The Department represents that the Regional Director has the authority to issue this Order on behalf of the Department.
5. The remaining provisions of this Order, specifically Section III, which addresses the terms and conditions for imposing stipulated penalties, are still in force.

In the Matter of: Bush Realty Trust
Enforcement Document No. 00014714
Page 3

Consented To:
BUSH REALTY TRUST

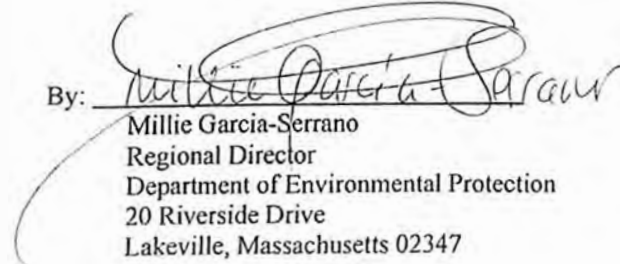
By:


Harry J. Jacobvitz
P.O. Box 79574
Dartmouth, Massachusetts 02747
Federal Employee Identification No. T00002364

Date: 5/9/23

Issued By:
DEPARTMENT OF ENVIRONMENTAL PROTECTION

By:


Millie Garcia-Serrano
Regional Director
Department of Environmental Protection
20 Riverside Drive
Lakeville, Massachusetts 02347

Date: 5/19/23

Committee Liaison Report – Bob Espindola – June 20th, 2023

Broadband Study Committee.

The Broadband Study Committee will be meeting on Thursday, June 22nd and, among other things, will be reviewing the report written by Entry Point (attached) about the Fairhaven Housing Authority project, reviewing the two Draft RFP' that are currently awaiting Ms. Ellison's review.

Broadband Coalition

The Broadband Coalition will be holding our June meeting on Monday, June 26th at 5:00 P.M.

I was able to attend a full day conference entitled "Internet for All" on Tuesday, June 13th in Worcester. The conference was hosted by The National Telecommunications Agency (NTIA) and the Mass Broadband Institute (MBI) and featured sessions on workforce development in the Broadband field, understanding impacted populations and barriers to internet access, innovations in connectivity and best practices in Digital Equity. I am hopeful that some of what I learned can be applied to working with the Fellow mentioned above.

SMMPO - I will be attending my last meeting as an elected member of the SMMPO on Tuesday afternoon, June 20th and will report on that verbally.

SRPEDD Commission The SRPEDD Commission will be meeting on June 28th. As I mentioned previously, SRPEDD received one of the fifteen Fellowships awarded in Massachusetts. The Fellow will earn a \$30K stipend working 1700 over the course of the next year doing Service in the area of Digital Equity and the fellow will be available to any of the 27 SRPEDD Communities who have an interest. The Americorps / Lead for America will pay for the Fellow to attend a week long training and SRPEDD will then provide office space and supervision for the Fellow. LFA will be recruiting candidates but they have also asked host organizations to recruit locally as they feel a local candidate with ambitions to work in this field following the fellowship would be ideal. SRPEDD will begin advertising the position on social media shortly and will be asking communities to assist with getting the word out. Please see attached position statement for reference.

Fairhaven Bikeway Committee / SouthCoast Bikeway Alliance. The Bikeway Committee does not have a meeting scheduled but should be meeting in the next few weeks. Will Gardner reports that the Safe Routes to School program has concluded after a very successful season where an average of about 30 students and some parents participated by riding to school and back on their bikes on each Friday.

I was able to attend the ribbon cutting ceremony on June 12th for the Bike Path extension that now leads into Mattapoissett Center. Again, Representative Straus, The Select Board of Mattapoissett and the Bike Path and Friends of the bike path in Mattapoissett deserve an enormous amount of credit for their leadership and perseverance to make that magnificent project come to fruition.



Angie Lopes Ellison
Town Administrator
Town of Fairhaven
40 Center Street
Fairhaven, MA 02719

Wednesday, June 14, 2023

RE: Contract/Project Closing Report

To Angie Lopes Ellison,

The intent of this report is fulfill your request for a detailed report of the work performed by EntryPoint as project management services under the contract executed in November 2022.

Pre-Contract History

EntryPoint Networks was made aware of a municipal fiber grant opportunity in April of 2022 through it's work with the State Broadband Office. Subsequently, EntryPoint assisted the Town of Fairhaven in administering a grant application at no cost to the town as a trusted partner.

The application's stated goals would extend fiber from the existing municipal fiber asset to the 163 State owned public housing living units located within the Dana Court and Oxford Terrace properties to improve pricing and service levels for the tenants. This work could serve as a foundation for future improvements in public safety, civic engagement, community resiliency, and the local economy for both the public housing properties and the surrounding neighborhoods. The budget estimate for the overall project, as submitted, was \$324,550. The project estimate relied on \$250,000 in grant funding combined with match funding of \$37,500 from the Town and \$37,050 from public housing as either in kind or direct contributions.

As a part of project development, EntryPoint facilitated and participated in meetings that included town leadership and public housing management to confirm the stakeholder's support for the application and verify their ability to actively participate. High level project design would place a small telecommunications shelter that would house the fiber terminations and equipment necessary to create the open access network. Individual fiber strands would be installed from a termination inside the shelter into each of the 163 living units and Customer Premise Equipment would be installed. Public housing residents desiring service would not require any installation but would be able to simply plug into the network device located in their unit, create an account, select their service and payment method and the service(s) would all be provisioned and available on demand.

Fairhaven was notified of the grant award some months later. In October 2022 Fairhaven reached out to EntryPoint requesting assistance with 'project management' due to a lack of both technical understanding and internal capacity. A Management Services Agreement that established a formal arrangement for EntryPoint to 'assist the Municipality to construct the Project' was provided and executed in November. A limit of \$9,800 was placed on the agreement out of expediency because of the short timeline available for project completion under the grant agreement.

To assist the Town with the project, EntryPoint's Projects Director at the time, Ben Miller, performed a local site visit at the public housing property in Fairhaven on

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12/16/2022 with Town leadership and housing management to discuss the project and outline a path forward. Outcomes from that meeting included the following:

1. Town administration was undergoing change.
2. Housing management had recently changed.
3. The housing property was having a backup generator installed which would have an impact on the project design.
4. The greatest risks to the project were the short timeline for completion as provided in the grant application and market volatility (materials and labor availability and cost increases).

Contract Work Performed by Month

December 2022: Early in December EntryPoint engaged in sourcing Internet Service Providers (ISPs) willing to provide service to the public housing residents using the projects constructed infrastructure. Using industry standard tools research was performed to identify telecommunications assets in the area capable of supporting a carrier neutral interconnect. After some hours of research, it was determined that the local area assets were owned by the local phone and cable company. They proved to be unable or unwilling to provide access to any new provider on their infrastructure. Further research found that OpenCape was serving the Fairhaven police department.

OpenCape was established in 2007 to provide broadband services to the cape region. OpenCape's mission is to ensure that all segments of the population have access to robust, reliable, and affordable internet connectivity. They were willing to use their fiber optic network to connect the public housing locations and deliver cost effective internet service.

An introductory meeting was held in December initially to verify project alignment and OpenCape's capacity to support the project. Secondary meetings were held to discuss expectations, including potential costs, customer support responsibilities, technical aspects, and timelines.

EntryPoint performed a site visit to discuss expectations and gain support from local stakeholders. The new public housing management was not informed of the project, and some time was spent outlining the project, objectives, and deliverables. Challenges to locating a small fiber shelter on the property were identified. The housing authority was sensitive to the location and how it would be powered. Due to the cost limitations of the project and market availability, purchasing a used shelter was recommended, and well received by the stakeholders.

Used shelter building design criteria were identified. Standard shelter design criteria will typically accommodate installation in most areas. Fairhaven wind load as a coastal town was identified to be 150 mph for essential infrastructure, and a preference for 3-phase power was also identified. These criteria are not commonly used, which made sourcing a used shelter challenging. This required extra time to find, evaluate costs, and procure a compliant structure.

To better support the available project budget and timeline, the concept of an exterior micro duct installation was discussed with the stakeholders. This would involve the installation of a single micro duct from the fiber shelter to the exterior of each unit, where the exterior wall would be penetrated to create a fiber path into the interior of each living unit. Cost models showed that installing a single large cable to

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the building with interior improvements that would create fiber raceways to get a fiber strand to each unit through the building's interior spaces would result in high construction costs compared to running all fiber strands on the exterior in micro ducts. Notably, the local cable operator recently ran a coaxial line to each unit as an improvement, and they also ran all the coaxial drops to each unit on the exterior.

Additionally, while it was initially thought that the municipal fiber system was already landed and in use inside the public housing property, the site visit revealed that the duct that was installed from the street to the interior of the housing facility when the municipal fiber system was constructed was blocked and no fiber path had been installed as expected.

Commtract is the area contractor that has constructed the Town's current municipal fiber optic asset. They are also under contract for maintenance. For this reason, it was necessary for EntryPoint to contact Commtract to exchange information. EntryPoint requested information relative to the current fiber asset, and Commtract informed EntryPoint of current operations and warranties to assure that any future work would not invalidate any existing warranties.

Billable hours for the month included contract completion, project management organization, middle mile research, and service provider acquisition activities for a total of **3.5 billable hours** that were billed to the town under the agreement.

January 2023: Industry outlets were contacted and provided with the fiber shelter design criteria to source a shelter that would fit within the project budget and comply with the housing authority's requirements. Due to the specific nature of some of the design requirements, options were limited. Regular contact was maintained with potential suppliers and the Town to procure a solution that met all stakeholders' expectations and project needs.

Billable hours for the month included developing shelter design criteria, performing a used market availability analysis, and sharing potential solutions with local stakeholders for approval. These activities resulted in **4 billable hours** under the agreement.

February 2023: Very few fiber shelters compliant with the Town's design criteria were found to be available in the used market. The few available units were in distant states and larger than required. Shipping costs could result in costs that might exceed the available budget. Additionally, recognizing that the available shelter site space was limited on the housing property, and that management was sensitive to its location, project management efforts focused on how the available shelters could potentially be located on the property. Fairhaven public works was engaged to request utility locates on the property to determine the most efficient way to locate the improvements within the property. Initial site designs were created electronically using Google Earth to determine the feasibility for the available options.

More design detail was required to inform decision making, including product availability. Initial outreach to potential labor and material providers was made to determine the best path to develop project specifications. A third-party engineering firm was approached to provide pricing to develop drawings both to facilitate stakeholder approvals and lead to construction drawings.

Three update meetings were held with Town leadership throughout the month, including a virtual walk through of the public housing property in an attempt find a shelter location and size acceptable to housing management.



Billable hours for the month included continuing market research to determine the availability of a used shelter acceptable to all parties, high level design modeling in software to determine existing utility placement to coordinate efficient fiber improvement placement and market availability for fiber duct and cable products and solutions. These activities resulted in **10 billable hours** under the agreement.

March 2023: The decision was made to move forward with a third-party engineering firm to create final construction drawings. The Town's fiber asset was uploaded into the firm's GIS/Auto Cad software for modeling. Preferred duct and fiber standards were identified and an initial high-level design that included shelter and duct locations on the lot was shared with the stakeholders in a Google Earth format. It was determined that while the shelter could possibly be powered by an extension from the public housing facility, utility power would be required in the future. The local electric utility and the electrical designer, and contractor working on the generator improvement at the site were engaged to assist with design decisions.

During this month, locating the fiber shelter on the property became a critical need as this location would drive all other design metrics and costs. There were hours devoted to communicating back and forth with property management. These communications included graphical representations of solutions in map format and actual pictures of shelter options and installations. Design efforts also included the sharing of potential solutions both for materials, such as vaults, pedestals, fiber, outside enclosures, and exterior building trims.

Hexatronics was identified as a product supplier of end-to-end micro duct solutions for both exterior and interior improvements. Multiple meetings were held with Hexatronics and design professionals to determine what products and design methodology would achieve the highest level of efficiency for the project. Datasheets were collected and standards identified that could be used to inform processes going forward. Exterior building trim products were identified and priced to protect the project budget before advancing the design to utilize products.

Commtract, electrical contractors, and other specialty contractors were consulted to analyze budget performance and gauge contractor interest in responding to a procurement process from the Town. It was determined that many contractors would not respond due to their current workload and the effort surrounding responding to a public RFP of this size.

The final week of the month included meetings on three separate days to resolve the shelter location, and in the absence of a shelter solution, an interior space within the property with power and environmental controls capable of housing the core network electronics. This work involved shifting the focus from designing an approved shelter location within the property, to identifying an existing interior space capable of housing the core network equipment that would also be acceptable to management.

Billable hours for the month included stakeholder meetings to discuss design decisions, potential shelter locations, electric service for the shelter, fiber and duct locations, and design standards. High level design modeling was shared with the Town and housing authority for review. A third-party contractor was used for some of the drafting activities and to create a GIS compliant design. A video conference with stakeholders at the housing facilities was held to try and identify an alternate interior location for the core network. These activities resulted in **29 billable hours** under the agreement and an engineering/drafting fee of \$1,182.50 incurred and paid by EntryPoint. By the end of March EntryPoint's contract budget only had another 1.5 hours remaining, with EntryPoint not invoicing for some hours, travel, or third-

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party engineering work. This highlights the need to resolve any outstanding design issues and find a management solution for the remainder of the project.

April 2023: The inability of the design/management team to identify a fiber shelter location acceptable to all stakeholders would result in project failure without an alternative location to house the equipment. The only potential alternatives would need to be already existing interior spaces capable of supporting equipment needs due to the project's budget and shrinking timeline. An in-person site visit was scheduled and performed on 4/12/2023. An interior space was identified in the southwest corner of the Oxford Terrace property in an old boiler room. The room once housed large coal fired boilers to supply hot water heating, but the systems have been upgraded to very small natural gas units leaving copious amounts of available floorspace in the boiler room. Additionally, there are existing phone terminations in the room and electrical panels, both demonstrate the room's capacity to support network equipment.

Housing management was amenable to relocating the core network into this interior space as it was remote from the private rooms, unused, and was easily upgraded to support the required racking, electrical circuits, and environmental controls. High level design considerations were adjusted to accommodate this new design.

Project complexities, combined with the requirement for high levels of outside project management on behalf of the Town, and the consumption of the \$9,800 available to EntryPoint to assist with project management demonstrated a requirement to establish a sustainable path forward for the project. Based on the project history, the current design information, the market conditions, and the limited availability of the skillsets, materials, and labor force required, a sole source recommendation was compiled by Commtract and EntryPoint to complete design, acquire materials, install the improvements, and turn up the services within the timeline and budget outlined in the grant application. This was presented to Town leadership on 4/28/2023 and rejected. EntryPoint was asked to provide the content for a Town issued RFP for materials and labor to construct the improvements outlined in the grant agreement. The current state of design is sufficient to inform a procurement process wherein the selected contractor will have to determine the exact placement of the fiber duct and vaults as a part of construction based on existing conditions.

The greatest project risks continue to be market availability of materials and labor combined with the technical nature of the work to be performed in a short period of time. EntryPoint has clearly articulated these concerns to city leadership.

Billable hours for the month included remote and in-person, onsite stakeholder meetings to discuss design adjustments to accommodate relocating the core network equipment from a shelter placed on the property into an interior space acceptable to all parties. No travel costs were charged to the Town for the onsite coordination meeting. These activities resulted in **7 billable hours** under the agreement.

May 2023: Two hours were spent creating RFP content for the Town, and another two hours were spent collecting historical information and creating this report for the Town.

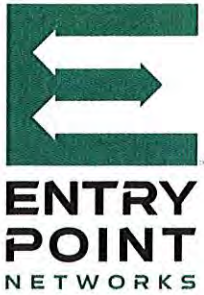
EntryPoint's total hourly contribution to the project exceeds 62 hours combined with travel expenses for two site visits, and over \$1,800 in engineering costs. Fairhaven currently carries a balance of \$9,000 due for services performed.

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It is our hope that this detailed report is sufficient to close out our engagement and that the Town will release payment for the services rendered.

Please let us know if you have any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'B. Patterson', with a long horizontal flourish extending to the right.

Bruce Patterson
Head of Operations

208-360-1279

bpatterson@entpnt.com

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STAFF		
TYLER	45	
BRUCE	12	
NICK	2	
ADMINISTRATION	1.5	from contract development and execution in NOV/DEC
TOTAL	60.5	12.5 hours in excess of contract by May 2023
\$200 per hour	\$12,100.00	
SUBCONTRACTOR		
RUCON	\$1,182.50	
GRAND TOTAL	\$13,282.50	
Invoiced	\$9,800.00	
Paid	\$800.00	
Due	\$9,000.00	

Date	Hours	Description
5/3/2023	2	Clean UP project documents and share
4/24/2023	1	Contract conversation for construction
4/28/2023	2	Procurement meeting with Fairhaven
3/31/2023	1	Video call with Housing authority, site review
3/29/2023	2	Design Work/ Project review
3/27/2023	2	Design Work/ Project review
3/24/2023	2	Meeting and Design Work
3/22/2023	2	Search for other locations for hut/ Electrical discussions
3/20/2023	1	Search for other locations for hut
3/17/2023	2	Design work and materials pricing
3/14/2023	3	Electrical design work, talk to contractors
3/13/2023	1	Design and Huts. Materials search for side of buildings
3/10/2023	2	Design and Meeting
3/9/2023	3	Hexatronic meeting and Design/ Rucon Meeting
3/6/2023	2	Design Work/ huts
3/2/2023	3	Shelter Work and Design Work
2/23/2023	1	Project info Review
2/22/2023	2	Hut search
2/21/2023	2	Project Planning
2/6/2023	3	Hut Procurement/ Locates
2/1/2023	2	Project meeting with Housing Authority/ Project Review
1/19/2023	2	Sourcing Huts
1/17/2023	2	Sourcing Huts
	45	TOTAL HOURS

Date	Hours	Description
11/7/2022	0	Create draft contract for public housing project management
11/8/2022	1	Meeting with Bob Espindola to discuss project management
12/7/2022	1	Meeting with OpenCape to discuss ISP services and interconnection
12/6/2022	1	Update meeting with leadership to discuss contract and process
3/9/2023	1	Meeting with Hexatronics to discuss microduct design materials
3/10/2023	1	Meeting with Bob Espindola to discuss microduct design
3/24/2023	1	Meeting with Bob Espindola to discuss design within property
4/12/2023	2	Site visit to Public Housing to identify core network location
4/27/2023	1	Coordinate sole source document with Commtract
4/28/2023	1	Meeting to discuss sole source recommendation
5/4/2023	2	Create draft RFP for fiber project
	12	TOTAL HOURS

On site visit with no charge for travel

Date	Hours	Description
11/7/2022	0	Review grant application and coordination meeting to discuss ISPs
11/8/2022	1	Emails and outreach to potential ISPs
11/10/2022	1	Middle mile research to identify potential interconnection point
12/6/2022	0	Update meeting with leadership to discuss contract and process
12/7/2022	0	Meeting with OpenCape to discuss interconnection
	2	TOTAL HOURS



Position Description: American Connection Corps (ACC) Member

Host Partner: Southeastern Regional Planning and Economic Development District (SRPEDD)

Position Title and Information:	Regional Broadband Coordinator 1700 Hours Full Time, 38 hours per week
Service Location:	Southeastern Regional Planning and Economic Development District (SRPEDD) 88 Broadway Taunton [Bristol County], MA 02780
Reports To:	Immediate Site Supervisor: Grant King 508-824-1367 ext. 314 Email: gking@srpedd.org Address: <i>same as above</i>

HOST ORGANIZATION MISSION:

It is the mission of the Southeastern Regional Planning and Economic Development District to plan for the future of southeastern Massachusetts that includes expansion of economic opportunity, protection of natural and historic resources, and development of excellent physical and cultural amenities.

SRPEDD serves a regional community of 27 municipalities (4 cities and 23 towns) which make up southeastern Massachusetts. Our work is place-based and community-focused, meaning that we work to formulate and implement plans that will achieve real quality of life improvements on the ground, and to ensure that these plans reflect the expressed needs of civically-engaged local communities.

POSITION SUMMARY

The Southeastern Regional Planning and Economic Development District (SRPEDD) is responsible for providing a broad menu of planning, economic development, and related technical assistance to the 27 member municipalities (4 cities and 23 towns; population 652,375) in beautiful Southeast Massachusetts. SRPEDD is looking for an energetic and innovative Regional Broadband Coordinator who is dedicated to working closely and collaboratively with area municipalities and stakeholders, traditionally underserved communities, and the region at large to advance and enhance digital access and equity. The successful candidate, in addition to working with SRPEDD staff to lead proactive and meaningful outreach and community engagement on the issue, will have opportunity to partner, work alongside, learn from, and integrate their initiatives with those of a diverse and collegial team of experienced planners, designers, advocates, and local leaders and stakeholders from across the region. Please visit: <https://www.srpedd.org> to learn more.

ESSENTIAL FUNCTIONS

ACC Program Activities:

- Conduct an initial listening tour in the first 1-2 months to assess community needs by hosting individual or group conversations with community members that represent the diverse range of demographics present in your community.
- Complete bi-weekly timesheets and monthly impact reports.
- Meet monthly 1:1 with your designated ACC Program Officer.
- Complete key training modules and certifications, including AmeriCorps 101 eCourses (through On3Learn), ACP enrollment training (Education Superhighway), and digital literacy training (through NorthStar).
- Attend regularly required ACC meetings and trainings, including bi-weekly Pods, quarterly training retreats, and Life After LFA webinar series.
- Lead event planning for two National Days of Service in your local area for both the MLK Day of Service (January) and AmeriCorps Week (March) with service projects related to digital inclusion.
- Recruit and coordinate local community volunteers to ensure buy-in and long-term sustainability of your projects.
- Serve productively and effectively across service environments and adhere to LFA, host site, and AmeriCorps policies and procedures.
- Meet AmeriCorps service hour benchmarks and complete full term of service (1700 hour minimum with service ending on **July 31, 2024**).

SRPEDD’s Approach:

The fellow will work with his/her/their SRPEDD Supervisor and a small group of regional leaders to prioritize the list of opportunities in the four (4) categories below and then help design an action plan to execute them. The fellow will endeavor to find at least one individual or organization in each of the twenty-seven SRPEDD communities to serve as a “Champion” in one of the activities listed below. He/she/they will facilitate networking and sharing of information among the community Champions.

1. Bridging the Digital Divide: ADOPTION + INCLUSION

- a. Research the local current state of digital inclusion needs and barriers; provide a detailed report of findings that can help identify areas of programming. Connect with local community organizations to understand their digital affordability and adoption needs; provide a detailed list of those needs to help form the strategy plan.
- b. Partner with workforce development centers to introduce, train, and prepare adult workers to pursue digital economy jobs, including remote work options.
- c. Identify and research outreach programs that could provide the underserved with access to effective internet services and devices, as well as digital skilling programs. Identify which community partners might be helpful to engage to deploy those programs.
- d. Deploy those identified programs, and organize train-the-trainer meetings for digital literacy efforts where appropriate. Ensure a post-service sustainability plan by engaging local partners to integrate the adoption and inclusion programs into their regular programming.
- e. Participate in outreach and other canvassing efforts to inform and enroll residents into the American Connectivity Program, which provides monthly internet bill subsidies to qualifying households.

2. Bridging the Digital Divide: BROADBAND ACCESS + INFRASTRUCTURE

- a. Research potential broadband infrastructure models that best match local needs.
- b. Coordinate with existing regional Committees (such as the Regional Economic Strategy Committee and the various Committees steering the SRPEDD Regional Resilience Plan) to help create, coordinate, and/or facilitate a local steering committee of diverse stakeholders, such as a **Broadband Action Team (BAT)**, to ensure that progress towards key development goals and partnerships are being met.
- c. Build an asset/resource bank for broadband work to understand potential investments in infrastructure including grants, gifts, private investment, etc., This asset mapping would also include the types and numbers of internet accessible equipment at schools' hot spots, mobile wireless, and other locations for access.
- d. Work with SRPEDD planners and Southeastern Massachusetts community leaders and representatives to identify, map, and understand which areas are eligible for different funding sources, or are slated to be awarded development investment.
- e. Deploy local speed-mapping efforts to ensure that maps are updated with accurate household internet speeds, thereby potentially increasing the availability of funding available for assistance.
- f. Facilitate discussions and partnerships with local area internet service providers in order to understand key challenges and opportunities to increase access across the community.
- g. Recommend an infrastructure model for the local community to adopt; provide a written report on the recommended model that details why it fits the local need and how to establish the model.
- h. Educate the community on the benefits of investing in broadband infrastructure, including when and how they will be affected by increased access.
- i. Identify community partners and their role in broadband development; build a bank of community partners through Excel/Google documents that includes their name, mission, contact information and how they can play a role with broadband development, access, and adoption.
- j. Communicate the mission, vision, and strategy of the broadband team to your community through in-person presentations as well as virtual channels such as email newsletters, social media, printed pieces and publications; provide continuous weekly, monthly, and quarterly updates to key stakeholders; capture compelling stories to tell your community's "broadband story" for ongoing communication efforts.
- k. Assist a community building a pilot Fiber to the Premises Broadband Project in a Housing Authority by providing education and support for tenants who may be intimidated by technology or the process of gaining access to the internet.

3. Economic Opportunity:

- a. Provide job readiness and skill-based training programs and certifications to high-need communities to increase employment opportunities.
- b. Connect individuals to safe, healthy, and affordable housing.
- c. Conduct community organization and small business training on best practices (SEO, digital marketing, etc.).
- d. Coordinate and integrate activities with SRPEDD's Comprehensive Economic Development Strategy (CEDS) and other regional initiatives and plans.

4. Health and Social Capital:

- a. Increase healthy outcomes for the aging and senior population, including improved capacity for independent living.
- b. Improve food security through food delivery, access, food banks, and community feeding programs.

COMPETENCIES

Required knowledge, skills and abilities include: ACC AmeriCorps Members must be comfortable speaking to groups and giving short presentations on a topic; researching complex topics; making phone calls and writing emails; facilitating meetings and discussions; attending virtual and online events; and possess basic skills with writing, verbal communication, email engagement, Excel/Google sheets, and notetaking. Familiarity with ESRI ArcGIS and the Adobe Creative Suite is a plus.

ELIGIBILITY REQUIREMENTS

To serve in AmeriCorps, you must:

- Be a US Citizen or Lawful Permanent Resident
- Possess a high school diploma or GED equivalent
- Pass a National Service Criminal History Check (NSCHC) that includes: an FBI fingerprint check, a National Sex Offender Registry check, and any state-specific required background checks for both State of Service and State of Residence.
- Not have completed more than three (3) prior AmeriCorps terms of service.
- Not hold other full-time employment; other obligations should not be temporary or part-time in nature and must not interfere with the program schedule and requirements (i.e. 40 hours/week, training dates, etc.).
- Not be enrolled in a full-time Undergraduate or Professional degree program during the fellowship and agree to maintain full healthcare coverage during the entirety of the fellowship recognizing LFA provides reimbursements for certain eligible healthcare premiums.

BENEFITS

Training

- 5-day ACC Orientation & Leadership Training in Wichita, Kansas (August 20-26, 2023).
- 5-day Virtual Winter Training Institute with your cohort (November TBD).
- 5-day Spring Training Retreat and national partner summit with your cohort in Minneapolis, Minnesota (March/April TBD).
- Scholarship opportunity to attend the National Digital Inclusion Alliance summit or a similar professional conference of your choice (Spring 2023).
- 3+ day in-person graduation ceremony and summit in Washington, DC (late July 2024).

Support

- Monthly 1:1 calls with a dedicated ACC Program Officer to support your professional and personal goals and planning for the future.
- Regular virtual Zoom trainings and pod sessions with your cohort.
- Access to an Employee Assistance Program for legal, financial, tax, and mental health resources.

Alumni

- Segal AmeriCorps Education Award - Upon successful completion of your AmeriCorps service year, you will earn a \$6,495 in scholarship funding for every 1,700 hours of service (one program year) that can be applied to current educational expenses or to repay qualified student loans. Learn more here. Note this scholarship is taxable and a person cannot earn more than the aggregate value of two, full-time education awards.
- Alumni graduate scholarships to a growing list of top MPA and MPP schools, including the Fels Institute at the University of Pennsylvania and the McCourt School of Public Policy at Georgetown.
- Grants available for up to \$2,500 for alumni to launch entrepreneurial initiatives to serve their community.
- Membership in a lifelong alumni network of talented, passionate, and dynamic leaders across the country.

Living Allowance

- A \$30,000 taxable stipend.
- [The Corps Network Health Care Plan](#) (Cigna) - available to those who are not already enrolled in a spouse's or family member's health care plan.

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Lead For America will endeavor to make a reasonable accommodation of an otherwise qualified applicant, AmeriCorps member, or team member related to an individual's: physical or mental disability; sincerely held religious beliefs and practices; and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon Lead For America's business operations. Any applicant or team member who needs an accommodation in order to perform the essential functions of their position should contact their assigned supervisor or ACC Program Officer for more information.