



FAIRHAVEN SELECT BOARD AGENDA

March 11, 2024 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 Joint Select Board and Finance Committee Minutes of February 21, 2024
2. Approve Select Board minutes of February 26, 2024 – Open Session
3. Approve Select Board minutes of February 26, 2024 – Executive Session

B. TOWN ADMINISTRATOR

1. Staffing Update
2. Department Head Updates: Facilities, Tourism
3. Board Resignation: Zoning Board of Appeals Associate Member Nick Sylvia
4. Meet the Candidates Night: Thursday, March 21, 2024 at 6:00p.m. Town Hall Auditorium
5. Finance Updates
6. Other

C. ACTION / DISCUSSION

1. 100th Birthday Recognition: Claire A. Carter
2. Level 3 (Fast) Charging Stations: Request from East Coast Renewable Energy
3. Aquaculture Site: Blue Stream Shellfish, LLC
4. Aquaculture License Renewals: Blue Stream Shellfish, LLC; John Mills
5. Commission on Disability Appointment
6. Lagoa Friendship Pact Committee Appointment
7. Event Request: The Nemasket Group's 11th Annual 5K Walk/Run, May 4, 2024
8. Town Hall Auditorium Rental: Fairhaven Dollars for Scholars, May 22, 2024
9. Town Hall Auditorium Rental: Candidates Debate Night, March 23, 2024
10. Annual Town Meeting Articles List

D. CORRESPONDENCE

1. MassDOT Chapter 90 Program FY25 apportionment
2. City of New Bedford Water and Wastewater Rate Increases

E. COMMITTEE LIAISON REPORTS

F. PUBLIC COMMENT

G. BOARD MEMBER ITEMS

H. NEWS AND ANNOUNCEMENTS

1. The next regularly scheduled Select Board meeting is *Monday, March 25, 2024* at 6:30 p.m.

I. EXECUTIVE SESSION

1. 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 (Review Pending Litigation Cases)

ADJOURNMENT

<https://us06web.zoom.us/j/89485993911?pwd=OFd5MzJvVnBxQklxLzdQcFRlYVM0QT09>

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 (i.e. urgent business not available at the time of posting) may also be brought up for discussion in accordance with applicable law.



Monday, March 11, 2024

Meeting Minutes

- **February 21, 2024 – joint Select Board and Finance Committee**
- **February 26, 2024 – Open Session**
- **February 26, 2024 – Executive Session**



Fairhaven Select Board & Finance Committee Joint Meeting Minutes February 21, 2024

Select Board Members Present: Vice-Chair Charles Murphy Sr., Clerk Stasia Powers, Select Board member Keith Silvia, Select Board member Robert Espindola, Town Administrator Angie Lopes Ellison, Assistant Town Administrator of Finance Anne Carreiro.

Finance Committee Members Present: Chair Padraic Elliott, Vice-Chair Claire Millette, Robert Grindrod, , Peter Gardner, James Souza and Patricia Pacella.

Present via zoom: Finance Committee members Chris Fidalgo and Stephen Levesque

Not present: Select Board Chair Leon Correy, Finance Committee members Peter Gardner and David Patterson

Mr. Murphy called to order the Select Board meeting at 6:30 p.m.

Mr. Elliott called to order the Finance Committee meeting at 6:32 p.m.

MINUTES

Select Board Motion: Mr. Espindola motioned to accept, the January 8, 2024 Executive Session minutes of the Select Board. Ms. Powers seconded. The motion passed unanimously (4-0-0).

BUDGET REVIEW

Ms. Ellison provided an update on the FY25 Budget Working Group and explained it is an advisory group to meet and review the FY25 budget in a strategic planning process to generate ideas to bring to these public meetings. The group has three main goals: avoid an override proposal, avoid staff layoffs and review revenues. Departments have been reviewing their budgets for cuts.

Mr. Elliott asked for new budget sheets to see changes. Ms. Ellison advised that once a new draft is available, it will be labeled as draft two and distributed and reminded everyone that the budget documents are living documents and will continue to change as updates come in. Ms. Carreiro reviewed the attachments handed out, FY25 Budget Analysis and Revenue Totals for Solid Waste and Cannabis (*Attachment A*).

Discussion ensued regarding cannabis revenue at zero and if this is confirmed, impact fees, the Town's options regarding the Cannabis Control Commission (CCC) changes and other budget line item clarification questions. Ms. Ellison explained that the CCC has voted for new regulations and some communities have been in litigation with some cannabis businesses winning back impact fees. Ms. Ellison and Ms. Carreiro met with Town Counsel to discuss all potential options and the Town has to follow the CCC regulations. Regarding other budget line items, most changes reflect a reduction on one to centralize on another line item, for example Geographic Information System (GIS) Software, Other Post-Employment Benefits (OPEB) and tuition.

FY2025 BUDGET – FIRE DEPARTMENT

Fire Chief Todd Correia and Deputy Chief Joy Nichols presented an overview of the Fire Department's FY25 budget (*Attachment B*). The presentation covers the Fire Department, Emergency Management and Fire Alarm Division.

Chief Correia reviewed budget line items, changes and requests and answered questions about the overtime calculation, past practice in year-end transfers, contract, staffing levels, insurance reimbursement, ambulance services, billing, forty-two-hour weekly schedule, gas, diesel, Fire Alarm division, the use and maintenance of the Emergency Management building on Sconticut Neck Road.

Chief Correia discussed Capital requests: gear, replace vehicle, replace bucket truck. Questions on the use of the bucket truck, how many bucket trucks are owned by the Town, what they are used for, who uses them and can a percentage of use of each be prepared.

Articles related to the Fire Department were reviewed (*Attachment C*).

Recommended fee adjustments and comparisons from Bristol County were reviewed (*Attachment D*). Discussion ensued regarding the types of fees, number of permits and the impact of current to recommended fees.

FY2025 BUDGET – TOWN HALL DEPARTMENTS

Facilities Manager Kevin Fournier presented the budget line items for Town Hall facilities. He explained the consolidation of maintenance staff from Town Hall, Council on Aging, Recreation Center and the Police/Fire station under his department, the fee for rental of Town Hall for events and past practice on waiving. The personnel sheets were reviewed. An update was provided on projects approved at Town Meeting.

Ms. Carreiro addressed the wage reserve question explaining that the FY24 budget had six hundred thousand from which five hundred sixty-nine was allocated to public safety once contracts were ratified and thirty thousand to the facilities manager position.

Discussion ensued regarding application for funds through the Community Preservation Committee (CPC), CPC's position on funding for restoration at historical buildings if there has been neglect, what is considered neglect versus aging, preventative maintenance, the retaining wall outside of the accessibility ramp facing the offices of Human Resources, Benefits and Payroll, the digitization of records at Town Hall, state record retention requirements and the large format printer in the East Room.

Mr. Fournier reviewed articles requested (*Attachment C*)

Ms. Ellison reviewed other budget line items under the Select Board department, the consolidation of office supplies under the Town Hall which will show as an increase and reduction to zero for the departments that were consolidated. Ms. Hart explained further that all options to get the best price for supplies needed is being done through COMMBUYS.

Ms. Ellison explained other initiatives to reduce cost through centralization of copiers, elimination of individual printers, reduction in mileage through the use of the Town's two electric vehicles and staff development training through shared webinars. Discussion on wind turbine revenue and what fund is being used for budget consultant George Samia.

Ms. Ellison, Ms. Carreiro and Human Resources Director Cameron Durant discussed articles (*Attachment C*).

Ms. Carreiro reviewed the personnel sheets, the reorganization of the Finance Team with the reduction of salary that will result and moving payroll under the Human Resources department. Ms. Carreiro, Ms. Ellison and Mr. Durant addressed questions about the reorganization of positions within the Finance Team and the Assessor's salary reduction with field work to be completed through contracted services.

The organization chart showing the previous and current Finance Team will be sent as a follow-up.

Mr. Espindola asked if there would be a program to charge for the use of the electric charging stations. Ms. Ellison explained that the charging stations were obtained through a grant and public access was part of it; right now, it is open access and charging for use will be considered in the future.

Discussion ensued regarding the legal services line item. Ms. Ellison explained that this line item has gone up and

there have been questions about it. It is currently close to the budget total with a few months left in FY24. There are differences in the current firm versus previous Town Counsel. In FY24 there have been public hearings including Rasputin's, Collective Bargaining contract negotiations, Town Meeting, Special Town Meeting, training, bylaw review and existing cases are some of the legal services that have been expended. Questions on the rates, departments using and overall total were discussed. The rates and invoices for legal services year to date will be summarized and provided as a follow-up to the discussion and questions.

Ms. Ellison advised that the departments have been asked to review their budgets for additional cuts and once the next draft is prepared it will be sent out. In regards to revenue sources, additional department recommendations on fees is being done and the Board of Public Works (BPW) will be reviewing a trash fee.

The next meeting was discussed and the next joint meeting will be moved to **Wednesday, February 28, 2024** at Town Hall.

Finance Committee adjourned at 10:06pm

The Select Board adjourned at 10:06pm

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

ATTACHMENTS:

- A. FY25 Budget Analysis and Revenue Totals for Solid Waste and Cannabis
- B. Fire Department's FY25 budget presentation
- C. Warrant Article Requests
- D. Recommended Fire Department fee adjustments, comparisons from Bristol County

Approved on ____ 2024



FAIRHAVEN SELECT BOARD

Meeting Minutes

February 26, 2024

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

Mr. Correy opened the meeting at 6:30p.m.

PUBLIC HEARING

The Public Hearing for the FY24 Community Development Block Grant (CDBG) Application, Hedge Street, Phase Four opened at 6:35p.m.

Planning and Economic Development Director Paul DiGiuseppe reviewed the notice and introduced project consultant Melissa Jenks and consultant Mike Carter of GCG Associates addressed the Board via zoom. Mr. DiGiuseppe recapped the project history and provided an overview of phase four (*Attachment A*). Ms. Jenks reviewed the revised budget sheets included in the presentation.

The Board asked if the public concerns with Americans with Disabilities Act accessibility (ADA) and traffic calming will be addressed in this phase and if there will be any impacts to trees.

Public Comment:

Diane Hahn of Francis Street addressed the board about the previous work at the corner of Plymouth and Francis, promises of granite curb, removal and replacement of trees, suggestion for the corners and curbs, the lawn outside of her home, the final feel of a village for the neighborhood and the potential to discuss the atmosphere.

Ann Richard of Hedge Street addressed the Board and said her area was in phase two and is a wonderful addition and it has helped with parking. She said Mr. Carter and Mr. DiGiuseppe have done a great job and those on Hedge Street support it.

The Public Hearing remained open during adjournment for Executive Session.

Motion: Mr. Espindola motioned to take item J Executive Session out of order. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Espindola motioned to enter into Executive Session pursuant to MGL Chapter 30A, Section 21 (a)(2): To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel – Town Administrator. And to return to open session thereafter. Roll Call Vote: Mr. Espindola opposed, Ms. Powers in favor, Mr. Murphy in favor, Mr. Silvia in favor and Mr. Correy in favor. The motion passed (4-1-0) Mr. Espindola opposed.

Discussion ensued regarding exemptions for Executive Session. Mr. Espindola referred to a handout of an email he sent to the Board and Ms. Ellison on February 22, 2024 containing determinations of the Attorney General regarding Executive Sessions and asked for verification that it was not to discuss goals for the Town Administrator.

Ms. Ellison addressed the matter and stated that there are specific matters in her contract and when they need to be discussed they need to be discussed and negotiated in Executive Session and that if the Board would like to negotiate in Open Session, they would first enter Executive Session to discuss and then come back to Open Session. Regarding goals and goal setting, if the Board is setting goals for the community that can be done in Open Session and that the Board cannot set a goal and go against her contract in Open Session. Reference was made to the messaging and interpretation of Mr. Espindola's dissemination of this information to the Board prior to tonight and his previous references earlier in the year to not sharing opinions prior to meetings. Ms. Ellison restated everything in her contract

is done in Executive Session and then, once done, comes out in an Open Session.

Mr. Espindola clarified that the information that was forwarded was the Attorney General's opinion. He referred to the goals set the prior two years in Open Session and referred to goals in existing contract as being already set and until the Board has a determination in writing he will not take part.

Ms. Ellison read from her contract (*Attachment B*) Section 5, Performance Evaluation. She reminded the Board that for ease of transition she took the previously established goals in her first year and last year and for this year it would be mutually agreed upon, negotiated in Executive Session and based on her contract.

Mr. Espindola restated his interpretation that it does not meet the standard of Executive Session. If there is not an agreement by the Board, he will not participate in the Executive Session.

Mr. Correy commented on the divisive environment of the last year and advised the Board they will enter Executive Session per the agenda as stated and can obtain clarity from Counsel to bring to a future meeting.

Meeting adjourned to Executive Session at 7:09p.m.

Open Session resumed at 8:07p.m.

The Public Hearing for the FY24 Community Development Block Grant (CDBG) Application, Hedge Street, Phase Four continued at 8:07p.m.

No further comments or discussion on the Public Hearing

The Public Hearing for the FY24 Community Development Block Grant (CDBG) Application, Hedge Street, Phase Four closed at 8:08p.m.

Motion: Mr. Espindola motioned to approve the FY24 Community Development Block Grant application for improvements to Hedge Street, Phase 4 as presented and to authorize the Select Board Chair to sign the FY24 Community Development Block Grant application-related documents and to designate the Town Administrator, Angeline Lopes Ellison as the Environmental Certifying Officer. Ms. Powers seconded. The motion passed unanimously (5-0-0).

EXECUTIVE SESSION

Labor Counsel Attorney Rich Massina addressed the Board in Open Session regarding the concerns expressed prior to the Board adjourning to Executive Session at 7:09p.m.

Atty. Massina advised that regarding the discussion prior to the Executive Session as to the purpose of the Executive Session and confusion on goal setting; the specific reason for the Executive Session this evening was to discuss strategy for negotiations for the Town Administrator contract that expires in 2025. The session tonight was not to set goals, that is a separate process. The purpose this evening was to discuss the strategy and how the Board goes about negotiating the agreement in the sanctity of Executive Session. Then, once the agreement is complete, the Board would discuss in Open Session before a vote is taken.

MINUTES

Motion: Mr. Espindola motioned to accept the minutes of February 12, 2024 as amended. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Discussion on the amendment ensued and Ms. Powers explained that in Committee Liaison Report the reference in Financial Policy Review Committee should read "Capital Planning and Unfunded Liabilities: Other Post-Employment Benefits (OPEB)"

Motion: Mr. Espindola motioned to accept the minutes of February 12, 2024, Executive Session. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Espindola motioned to accept the minutes of February 7, 2024 joint Select Board and Finance Committee meeting minutes. Ms. Powers seconded. The motion passed unanimously (5-0-0).

TOWN ADMINISTRATOR

Ms. Ellison reported on:

- Staff Updates: Departments are staffed.
- Department Head Updates:
Assessor Joanne Correia provided an update on the department (*Attachment C*).

The Board asked to clarify the budget shift in wages was due to Ms. Correia's work and what the consultant would do and for how long.

Treasurer Lisa Rose provided an update on the department including: the Treasurer's office relocation to within the Collector's office, the work to finalize the Sewer Treatment borrowing, a review being done on Town possessions for potential auction and letters to tax title accounts to set up a payment plan. She advised all efforts are being made to bring money into the Town.

The Board asked about engaging other groups like the Historic Commission and Conservation during the process of an auction. Ms. Rose agreed and advised there will be a process followed to include necessary departments.

Collector Pamela Bettencourt provided an update on the department including: third and fourth quarter tax bills were completed and mailed, excise tax bills were mailed, demands for sewer and water have been sent, tax title work advertised and posted, cross training of the Assistant Treasurer/Collector and continued training within the office of the new collector. Ms. Bettencourt recently celebrated thirty years with the Town.

The Board thanked Ms. Bettencourt for her update.

- The Belonging Committee is partnering with other organizations, Town departments and other businesses on an April Food drive, details are posted online.
- The Board and Town Administrator have been invited to participate in Coastline's March for Meals, a ride-a-long with meals for wheels, the Board should contact the Council on Aging to schedule time to participate
- Reminder that Town Hall will be closed to the public on Wednesday, February 28, 2024 for a staff professional development day, EARLY VOTING will still take place in the banquet room.
- Staff Contact Protocol: Ms. Ellison reminded the Board that the staff is receiving requests that should come through her office to help balance the workload and avoid duplicating efforts as well as balance priorities. Please ensure you have reached out to Ms. Ellison first.

Mr. Espindola asked if her reference was to posting of packets online or to the format of budget documents similar to previous budget consultant Mr. Bienvenue because they have not seen them. Ms. Ellison advised that this is a general reminder and ask and that if any member needs, they can speak with her offline.

- Request for Proposal (RFP)/Invitation for Bid (IFB) matrix: Ms. Ellison referred to the form and explained its use in regards to the procurement process.
- Website Redesign: the work is moving forward to make the Town's website more user friendly and organized.

Mr. Espindola asked what company. Ms. Ellison advised it is John Guilfoil Public Relations (JGPR), they handle PR for the police department.

BOARD OF ASSESSORS APPOINTMENT

Mr. Espindola stated he would like to have a joint meeting with the Board of Assessors to discuss circumstances as he has just spoken with another member and would like to understand what is going on before this Board considers a new appointment.

Discussion ensued about the request, Mr. Withington's resignation that was received on February 7, 2024 and making an appointment tonight.

Daniel Lane then addressed the Board and explained his background and qualifications.

The Board asked questions about his experience with shipyards. Mr. Lane explained that he can do the same work that Mr. Withington had in that regard and that there are a number of shipyard cases with the Appellate Tax Board (ATB) that have been open for years that he will help to work on.

Motion: Ms. Powers motioned to appoint Daniel Lane to the Board of Assessors for a term to end May, 2025. Mr. Silvia seconded. The motion passed (4-1-0) Mr. Espindola opposed.

LIVABLE STREETS APPOINTMENT

Miles Grant addressed the Board via zoom and explained his interests and background.

Mr. Espindola commented that Mr. Grant has attended meetings and is impressed.

Motion: Mr. Espindola motioned to appoint Miles Grant to the Livable Streets Committee for a term to end May, 2024. Ms. Powers seconded. The motion passed unanimously (5-0-0).

TOUR DE CRÈME CHARITY BIKE RIDE EVENT: SUNDAY, MAY 19, 2024

The Board reviewed the application for approval to hold the event.

Motion: Mr. Espindola motioned to approve the Tour de Creme to be held on May 19, 2024 as outlined in the proposal, contingent on approval by Police, Fire and BPW and to be signed by the chair of the Select Board. Ms. Powers seconded. The motion passed unanimously (5-0-0).

14 OXFORD STREET CONCERNS

Select Board member Silvia addressed the Board regarding numerous and longstanding complaints that have been brought to his attention from neighbors of 14 Oxford Street and photos given to Mr. Silvia (*Attachment D*). Mr. Espindola asked if the Board was considering the continuation asked for by Attorney Nicholas Sylvia in email to the Board on February 25, 2024.

Motion: Mr. Espindola motioned to table discussion to a further date in reference to the letter from 14 Oxford Street's attorney asking for more time. No second.

Ms. Ellison advised the Board that Town Counsel was made aware of the attorney's request and the Select Board would be listening to the concerns similar to past practice when other Board members have asked for items to be placed on the agenda. Jurisdiction for action would be with other boards and the Select Board can make recommendations for other boards to review.

Discussion ensued regarding the photos, cars with expired inspection stickers parked on surrounding streets including one on West Street that has been hit, vehicles impeding the trash collection vehicles from passing without multiple-point turns, concerns about emergency response vehicles being impeded by these vehicles, a handout from the Building Commissioner of Town bylaw §125-1 (*Attachment E*).

Mr. Correy said the Board should listen to the concerns and review the materials and then the Board can advise the Town Administrator to review with the Board of Health or other departments as needed.

Atty. Sylvia, 53 Boston Hill Road, representing Jay Simmons addressed the Board. He advised them that Mr. Simmons is ready to work side-by-side with deadlines and a strategy and asks for an administrative continuance as he is dealing with the death of his father and the posted agenda gave no indication as to what the concerns were.

Patrick McLoughlin of 2 Lafayette Street addressed the Board. He said that neighbors have been trying to work on concerns with the property at 14 Oxford Street since 2003 and they understand the current passing of Mr. Simmons' father. He reviewed the vehicles: one vehicle has an inspection sticker expired since September, 2020 with two flat tires and has not moved in forty-two months, another vehicle with flat tires has not moved in thirty-seven months and the vehicle on West Street has not moved in fourteen months. The vehicle on West Street causes trucks to have to back-up and turn multiple times or drive on the edge of the lawn of another neighbor to get by. Mr. McLoughlin reached out to the Select Board office in June, 2023 and the concerns were referred to the Fairhaven Police. There is an additional concern now that the pictures show waste that needs to be removed from the property. The potential for hazardous waste on the site is now a concern.

Select Board member Silvia referred to the photos and concerns of items on the property: multiple vehicles, fridges, buckets, drums, etc. that may need assessment from the Board of Health, Building Department and Conservation.

Nina Jones of 7 Oxford Street addressed the Board regarding safety and does not want to see an issue now that the debris there is known like the fire at the end of Lafayette and West Streets in 1992.

Select Board member Silvia recapped that he would like to request an onsite inspection by the Building Commissioner, Board of Health and Conservation Agent to assess the area.

Motion: Mr. Espindola motioned to request the Town Administrator coordinate removal of any vehicles illegally parked and illegally present on the property at 14 Oxford Street at the earliest opportunity and all concerns raised tonight be addressed in an administrative fashion with the attorney of 14 Oxford Street after a list of concerns is presented to them in writing. Ms. Powers seconded. Discussion ensued.

Select Board member Silvia asked for Ms. Ellison to oversee any actions needed and any additional referrals needed to address the issues. Mr. Espindola recapped his motion and the portion regarding the attorney from 14 Oxford Street in the motion would mean a mutual agreement of the two parties.

Health Agent David Flaherty addressed the Board and explained that on February 8, 2024 he initiated contact and spoke with Mr. Simmons regarding a plan. Mr. Flaherty said he did not know of the issues in the yard, he saw the driveway and car that appeared to be undriveable and images from Google Earth and GIS. The approach has been the same as with any resident. Mr. Espindola asked about resources for hoarding. Mr. Flaherty said he will work with Mr. Simmons and review resources. Select Board member Silvia asked for an onsite walk-through to identify any hazardous materials. Mr. Flaherty said he would work with Deputy Fire Chief Nichols.

Conservation Agent Bruce Webb addressed the Board, he has not been onsite and cannot confirm what may or may not be onsite. He does agree with Mr. Flaherty's assessment of opening up a conversation to develop a plan of action for clean-up. Mr. Webb added that circumstances could exist that could alter the wetlands if there is debris in the buffer zone like vehicular fluids, which could be viewed as a violation under the Wetlands Protection Act.

Ms. Powers thanked Mr. Webb and Mr. Flaherty for compassion in their approach and acknowledged that there does appear to be a serious problem that the Town needs to address and also help the resident as much as possible.

Mr. Espindola asked if a referral to a resource like "Solution to Pollution" could be considered.

Select Board member Silvia asked if the Board wanted to have an individual in this situation as the Chair of the Conservation Commission. Mr. Correy advised that the Board would not discuss that matter tonight.

Ms. Ellison proposed an amendment to the earlier motion: To request the Town Administrator coordinate the clean-up efforts at 14 Oxford Street with the departments of the Board of Health, Conservation Commission Agent and

Building Commissioner in collaboration with public safety: Police and Fire to ensure compliance with all regulations and follow-up with the Select Board.

The Town will work with the attorney for 14 Oxford Street. Select Board member Silvia asked about removal of vehicles within seventy-two hours. Mr. Correy said Ms. Ellison will work with the proper departments to make sure this is addressed in a timely manner and in consideration of Mr. Simmons' circumstances and the loss of his father.

Motion: Mr. Espindola accepted the amended motion: To request the Town Administrator coordinate the clean-up efforts at 14 Oxford Street with the departments of the Board of Health, Conservation Commission Agent and Building Commissioner in collaboration with public safety: Police and Fire to ensure compliance with all regulations. Ms. Powers seconded. The motion passed unanimously (5-0-0).

DEPARTMENT FEES

The Board was provided with an analysis of Marine Resources fees. Other departments' fees and analysis are being gathered for review.

Motion: Mr. Espindola motioned to approve the fee increases to the Mooring Fees and Waterways Fees as recommended by the Town. Ms. Powers seconded. The motion passed unanimously (5-0-0).

TOWN ELECTION BALLOT QUESTION

The Board reviewed the Town Election ballot question.

Motion: Mr. Espindola motioned to include at the Town Election a ballot question: Shall the Town vote to have its elected Town Clerk become an appointed Town Clerk of the Town: Yes __ No __. Ms. Powers seconded. The motion passed unanimously (5-0-0).

2023 SELECT BOARD ANNUAL REPORT SUBMISSION

Ms. Powers advised the Board that the report draft in the packet needs a correction to change "Taunton River" to "New Bedford Harbor."

Motion: Mr. Espindola motioned to accept the 2023 Select Board/Town Administrator Annual Report with the replacement of Taunton River with New Bedford Harbor. Ms. Powers seconded. The motion passed unanimously (5-0-0).

COMMITTEE LIAISON REPORTS

Mr. Espindola reported on:

SRPEDD meets February 28, 2024 and The Broadband Study Committee has not met. Broadband Coalition and Livable Streets Committee updates are in Mr. Espindola's report (*Attachment D*).

Ms. Powers reported:

The Financial Policy Review Committee meets this week and they are making progress. Economic Development is planning another business gathering event on April 11, 2024.

Mr. Murphy reported:

The Sister City Committee is preparing for the Cherry Blossom Festival. The Manjiro Festival will take place in Japan this October.

Mr. Silvia reported:

A traffic study is in process regarding the intersection of Bridge and Adam Streets. No meetings to report on.

Mr. Correy reported:

Digital Equity is wrapping up.

PUBLIC COMMENT - None received.

BOARD MEMBER ITEMS

Mr. Espindola responded to earlier comments from Mr. Correy and said he is proud of his twelve-year record on entering executive session and understanding every executive session follows Attorney General's (AG) guidelines in order to advocate to stop conversations or leave if they are not following the AGs guidelines. When in doubt he has reached out to confirm or ask for guidance. He said he wanted to elaborate about the documents posted online and the policy to try and post everything online that is not confidential and in budget season it is important and he is asking for them to be posted online.

Mr. Espindola continued and said regarding the Capital Plan projects recommended and the five-year plan is what he has been referring to and use of the templates that were used last year by Mr. Bienvenue. He said he would like to see what was promised earlier for consistency including debt services and reserves. This would allow the public to follow along as well.

Ms. Powers said the Financial Policy Review Committee (FPRC) have been reviewing Capital Planning and they did want to also see the back-up for the projects to understand better which were emailed to Ms. Ellison to gather. Ms. Ellison said there are software limitations with the tool that has been used to enter the Capital Projects into and the Town is looking at options to update software which does not negate the five-year plan.

Ms. Powers commented on the meeting and the need to treat each other with respect because we owe this to the community. The Board can strongly disagree but also set an example that we can debate and be respectful.

Mr. Murphy asked for volunteers for the Lagoa Friendship Pact Committee and added that you do not need to be Portuguese in order to apply, they promote the Portuguese culture.

Mr. Espindola asked for more visibility into legal proceedings in the Town and referred to reading about an ongoing case in the Neighborhood News. He was not aware of the status when he was asked about it. He asked for an updated list for the Board.

Mr. Correy said part of the Board's job to act as the Town Administrator's (TA) boss and not any one individual Board member to do so. It is the Board's duty to provide a safe, comfortable and fair working environment, follow the terms of the TA's contract and negotiate if there is an issue within it for the next contract. When there is a contract, there are consequences for lack of results that are managed through the contract. The Board should not be a vessel or catalyst for public attacks of the TA. The Board hired someone to do a job and it is up to the Board to allow the person to do the job. The Board has a responsibility to work together to get things done on behalf of the Town and to support and provide a safe working environment for our employee acknowledging racist incidents and issues, it may not be the reputation of the Town but incidents happened. There are many ways to get things done.

NEWS AND ANNOUNCEMENTS

The next regularly scheduled Select Board meeting is on Monday, March 11, 2024 at 6:30p.m.

Meeting adjourned at 10:00p.m.

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

ATTACHMENTS:

- A. Public Hearing: FY24 Community Development Block Grant (CDBG) Application, Hedge Street, Phase 4
- B. Town Administrator Ellison's contract
- C. Assessor's Report: Joanne Correia
- D. Committee Liaison Report: Robert J. Espindola

Approved on ____ 2024



Monday, March 11, 2024

Town Administrator

- **Board Resignation: ZBA, Nick Sylvia**
- **Meet the Candidates Night, Thursday, March 21, 2024**
- **Finance Updates**

Tue, Feb 27, 2024 at 2:07 PM

Hello Select Board,

Nicholas Sylvia has sent you a message via your contact form (<https://www.fairhaven-ma.gov/user/49/contact>) at fairhavenma.

Message:

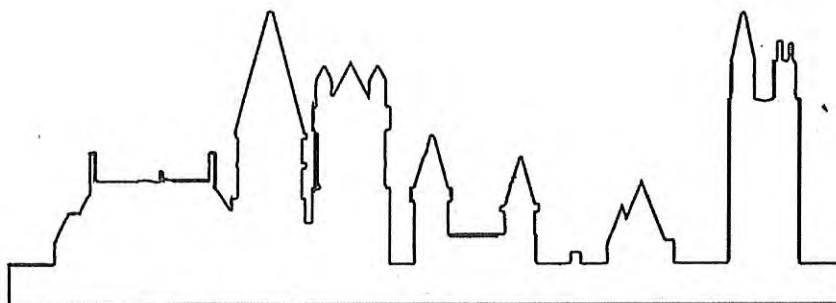
Hello,

Please accept this message as my official notice of resignation from the Zoning Board of Appeals as an associate member. It was a pleasure to serve the board and I want to thank the select board for the appointment.

At this time, I am more focused on helping residents of the town in different ways. In order to prevent quorum issues from arising, I would be happy to continue serving through the next meeting. Please let me know. Thank you again.

Sincerely,

Nicholas Sylvia

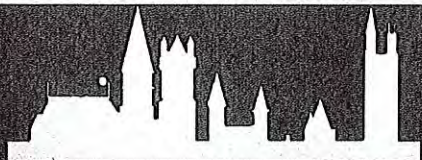


TOWN OF FAIRHAVEN

MEET THE 2024

CANDIDATES NIGHT

**Thursday, March 21 - 6:00pm - Town Hall Auditorium
LIVE on Channel 18 and FairhavenTV.com**



**TOWN OF FAIRHAVEN
MEET THE 2024
CANDIDATES NIGHT**

**SUBMIT
YOUR
QUESTIONS**

**Please submit your questions to FairhavenTV@gmail.com by March 17.
Please specify which position the question is intended for.**

Residents are asked to submit questions in advance to be asked anonymously to candidates. Each candidate for a particular seat will have an opportunity to answer the same question, with a rotation of who answers first.

Town of Fairhaven
FY 25 Budget as of 2/26/24

Deficit		(2,170,753.00)	(2,170,753.00)
Trash Fee Revenue		<u>700,000.00</u>	
	Remaining	(1,470,753.00)	
Reviewing FY25 increase in Fee/Permits			
Reviewing new growth			
Additional cuts that will not impact layoffs			
Special Revenue Funds/Reserves			
		<u>800,000.00</u>	<u>800,000.00</u>
Remaining deficit		(670,753.00)	(1,370,753.00)

FY25 General Fund Budget including/abate chrges = \$61,808,019.

Cuts:					
Budget	School	(45% x 670,753 deficit)	301,838.00	617,000.00	
Budget	Police	(10% x 670,753 deficit)	67,053.00	139,000.00	* = 209,000
Budget	Fire	(8% x 670,753 deficit)	53,660.00	110,000.00	* = 180,000
Budget	BPW	(7% x 670753 deficit)	<u>47,000.00</u>	<u>96,000.00</u>	* = 166,000
			469,551.00	962,000.00	
					(210,000 will have to be reallocated above* due to nondept expd)
All other departments			<u>201,202.00</u>	<u>408,753.00</u>	
			670,753.00	1,370,753.00	

FY - 2025 - Local Receipts/Income	\$ 10,536,078.00	\$ 10,639,177.34	\$ 10,743,663.59	\$ 10,849,562.60	\$ 10,956,900.76	\$ 11,065,706.08
Surplus Revenue/Free Cash for FY - 00 -						
Free Cash	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
FY - 00 - Surplus Revenue/Free Cash	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other Available Funds for FY - 00 - (See Recap Schedule B2)						
Wage & Salary Reserve	\$0.00	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
Gift-Animal Shelter	\$8,000.00	\$8,000.000	\$8,000.000	\$8,000.000	\$8,000.000	\$8,000.000
Waterways Fun	\$52,000.00	\$52,000.000	\$52,000.000	\$52,000.000	\$52,000.000	\$52,000.000
Ambulance RR for Approp	\$1,500,000.00	\$1,500,000.000	\$1,500,000.000	\$1,500,000.000	\$1,500,000.000	\$1,500,000.000
Capital Stabilization Fund	\$0.00	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
Subdivision Mgt Fees	\$10,000.00	\$10,000.000	\$10,000.000	\$10,000.000	\$10,000.000	\$10,000.000
Social Day-COA RR for Approp	\$20,000.00	\$20,000.000	\$20,000.000	\$20,000.000	\$20,000.000	\$20,000.000
Wetlands Conservation	\$10,000.00	\$10,000.000	\$10,000.000	\$10,000.000	\$10,000.000	\$10,000.000
FY - 2025 - Other Available Funds	\$1,600,000.00	\$1,600,000.00	\$1,600,000.00	\$1,600,000.00	\$1,600,000.00	\$1,600,000.00
TOTAL REVENUE SOURCES	\$59,653,997.77	\$61,094,503.00	\$62,614,681.22	\$63,992,703.84	\$65,589,896.76	\$67,228,853.44

DEBT SERVICE FY25 - FY49

AS OF

Thursday, February 22, 2024



Monday, March 11, 2024

Action / Discussion

- **100th Birthday Recognition: Claire A. Carter**
- **Level 3 (Fast) Charging Stations: Request from East Coast Renewable Energy**
- **Aquaculture Site: Blue Stream Shellfish, LLC**
- **Aquaculture License Renewals: Blue Stream Shellfish, LLC; John Mills**
- **Commission on Disability Appointment**
- **Lagoa Friendship Pact Committee Appointment**
- **Event Request: The Nemasket Group's 11th Annual 5K Walk/Run, May 4, 2024**
- **Town Hall Auditorium Rental: Fairhaven Dollars for Scholars, May 22, 2024**
- **Town Hall Auditorium Rental: Candidates Debate Night, March 23, 2024**
- **Annual Town Meeting Articles List**

Claire A. Duval was born March 15th, 1924 to Arsene and Anna Duval. She was the second oldest of seven. She grew up in North Fairhaven, living with her family in the apartment above the Duval business, Oxford Pharmacy. After graduating from Sacred Hearts School, she went on to Fairhaven High School where she was a dedicated class officer, spirited and enthusiastic cheerleader and received her senior class superlative for "best looking". She was affectionately called Penny by many.

After High School, Claire met the equally "good looking" Bernard F. Carter. They married and Claire followed Bernard to Paris Island, South Carolina where he trained as a Navy pilot. Service completed, Claire followed him again to Georgetown University in Washington D.C.. After earning his D.D.S., doctor of dental surgery, they returned to Fairhaven, purchasing their first and only home at 121 Green St.. The closing was on Valentine's Day, 1953, one month before the birth of their second child. There were five children in all, Mark, Susan, Ann, Meg and Ned. The large house allowed room for the young doctor's practice. It remained for three decades. Dr. Carter was well known for his pro bono dental care to the town's elementary school students.

Unfortunately Dr. Carter passed at the young age of 55 in 1979, one year before the birth of his first grandchild. With two young children still at home, Claire returned to the work force. Many remember Claire when she was employed at the Fairhaven Savings Bank. All of Claire's children successfully graduated from Fairhaven High and Claire was able to retire to her beloved home.

As she celebrates her 100th birthday in relative good health, still in the beloved home purchased on Valentine's Day, let's wish Mrs. Carter many more trips around the sun.

From: Nick Valorie <nvalorie@ecrenewable.com>

Date: Fri, Feb 16, 2024 at 5:57 AM

Subject: Level 3 (FAST) charging stations for Fairhaven

To: Conservation_agent@Fairhaven-MA.gov <Conservation_agent@fairhaven-ma.gov>

Good morning Bruce,

It was a pleasure meeting you on Wednesday. Below is a long email but I wanted to be as clear as possible based upon our conversation and your want to research everything.

Thank you for taking the time to meet and speak to East Coast Renewable Energy (ECR) about donating Level 3 (FAST) charging stations for the Town of Fairhaven. As expressed, ECR's donation is 100% based upon the current incentives by National Grid and Eversource. Those incentives will be shown on the proposals.

In order for me to create proposals, I will need:

1. Electric bill on location of chargers.
2. Number of chargers at that location:
 - a. Note, per current incentive, there is a max of three (3) chargers per location:
 - i. Each charger has two ports, so there will be two (2) parking spots dedicated to each Level 3 charger.

As discussed, you want to research the incentive, so I have attached sample documents for Eversource clients:

1. Sample ROI / NPV on the chargers:
 - a. I will explain the break down below.
2. Sample Eversource proposal.
3. Current terms and conditions for you as you are in Eversource Territory.
 - a. Please note, the terms, conditions and incentives can change at any time, we need to submit the documents to receive the "pre-approval" to grasp the current terms, conditions and incentives.
4. Specs on the chargers we recommend:
 - a. If you want a different charger, we can offer other chargers.

Below is some information I think is important:

1. ROI/NPV – these numbers are based upon installing three (3) charging stations per location:
 - a. Electric rate of \$0.25
 - b. Charging cost of \$0.42
 - c. Average charge:
 1. Low Utilization is 1 person charging per day per port.
 1. Meaning 6 people as this document is based upon 3 charging stations with dual ports.
 2. Mid utilization is 2 people charging per day per port:
 1. Meaning 12 people.
 3. High utilization is 4 people charging per day per port:
 1. Meaning 24 people.
 - d. Includes the Maintenance costs.
2. Once I have the locations and the number of chargers at each location, I will draft up a proposal,

similar to the second attachment. The town will need to sign the bottom of the proposal and a W9 for us to submit to Eversource to receive the "pre-approval". Please note, by signing the proposal, nothing is binding but understood if the incentives do not change, the town will move forward and install.

3. The "pre-approval" process is taking about 2-3 months. Once the "pre-approval" is received, you will need to sign off on the "pre-approval" and the installers documents to take the next steps. By signing those documents, things are now binding. If the "pre-approval" differs from what we originally signed, nothing is binding and we can cancel.
4. Autel charging stations:
 - a. Autel is deeply rooted in the automobile industry.
5. ECR will be donating the cloud based software, Autel, for the first five (5) years.
 - a. You can set / adjust the prices to charge.
6. ECR donates an extended warranty on the Autel chargers.
 - a. Factory warranty is 2 years
 - b. ECR extends for 3 years
 - c. Total equipment warranty is 5 years.
7. Maintenance agreement:
 - a. Cost of this is \$600.00 per port.
 - b. This covers:
 1. Twice a year maintenance.
 2. FREE Labor during the maintenance agreement.

The only out of pocket expense for the town, based upon ECR donating the cost of the installation and equipment, based on the current incentive is:

1. Cost of electricity.
2. Maintenance agreement:
 - c. Optional.
3. Insurance:
 - c. Optional.
4. Cloud software:
 - c. Year 6 and on.

Please note, the town will receive 100% of the revenues but also have to cover 100% of the expenses. If the town does not want to own and operate the chargers, ECR will own and operate and offer the town a 50% profit share. We can discuss this in depth over the phone.

Nick Valorie

East Coast Renewable Energy

President

C: 508-400-9236

www.ECRenewable.com



EV Charging Station ROI Calculator

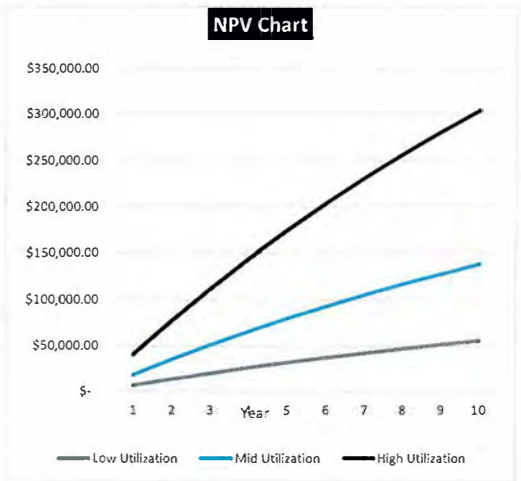
Site Information			
	Low Utilization	Mid Utilization	High Utilization
Current Electricity Rate	\$ 0.25	\$ 0.25	\$ 0.25
Number of Charging Ports	6	6	6
Average (kW) Draw per station	60	60	60
Charging Sessions Per Week	7	14	28
Charging Session Length (Hrs)	0.5	0.5	0.5

Implementation Cost			
	Low Utilization	Mid Utilization	High Utilization
EVSE	\$ 410,711.89	\$ 410,711.89	\$ 410,711.89
Permitting	\$ -	\$ -	\$ -
Labor	\$ -	\$ -	\$ -
Materials	\$ -	\$ -	\$ -
Signage	\$ -	\$ -	\$ -
Parking Lot Painting	\$ -	\$ -	\$ -
Bollards	\$ -	\$ -	\$ -
Misc.	\$ -	\$ -	\$ -
Subtotal	\$ 410,711.89	\$ 410,711.89	\$ 410,711.89
Rebates & Incentives	\$ 410,711.89	\$ 410,711.89	\$ 410,711.89
ECR Donation	\$ 10,711.89	\$ 10,711.89	\$ 10,711.89
Net Total After Rebates & Donations	\$ 0.00	\$ 0.00	\$ 0.00


Operating Cost			
	Low Utilization	Mid Utilization	High Utilization
Annual Electricity Consumption (kWh)	65,520.00	131,040.00	262,080.00
Standby Electricity Consumption (kWh)	788.40	788.40	788.40
Demand Charge Per (kW)	\$ -	\$ -	\$ -
Annual Electricity Cost	\$ 16,577.10	\$ 32,957.10	\$ 65,717.10
Annual Network Cost	\$ -	\$ -	\$ -
Annual Maintenance Cost	\$ 3,400.00	\$ 3,400.00	\$ 3,400.00
Annual Demand Charge Cost	\$ -	\$ -	\$ -
Total	\$ 19,977.10	\$ 36,357.10	\$ 69,117.10

Revenue			
	Low Utilization	Mid Utilization	High Utilization
Rate Per Hour	\$ -	\$ -	\$ -
Rate Per kWh	\$ 0.42	\$ 0.42	\$ 0.42
Rate Per Session	\$ -	\$ -	\$ -
Subtotal	\$ 27,518.40	\$ 55,036.80	\$ 110,073.60
Annual Advertising (Per Station)	\$ -	\$ -	\$ -
Carbon Credit (Per Station)	\$ -	\$ -	\$ -
Subtotal	\$ -	\$ -	\$ -
Total	\$ 27,518.40	\$ 55,036.80	\$ 110,073.60

NPV			
	Low Utilization	Mid Utilization	High Utilization
Year 1	\$ 7,541.30	\$ 18,679.70	\$ 40,956.50
Year 2	\$ 14,253.03	\$ 35,304.57	\$ 77,407.64
Year 3	\$ 20,584.85	\$ 50,988.40	\$ 111,795.51
Year 4	\$ 26,558.27	\$ 65,784.47	\$ 144,236.89
Year 5	\$ 32,193.56	\$ 79,743.03	\$ 174,841.97
Year 6	\$ 37,509.88	\$ 92,911.48	\$ 203,714.69
Year 7	\$ 42,525.28	\$ 105,334.55	\$ 230,953.10
Year 8	\$ 47,256.78	\$ 117,054.43	\$ 256,649.71
Year 9	\$ 51,720.47	\$ 128,110.91	\$ 280,891.80
Year 10	\$ 55,931.49	\$ 138,541.56	\$ 303,761.70



Project Information	
Project Name:	NGRID SITE EXAMPLE
Project Address:	ANYWHERE NGRID, MA 01851
Contact:	Nick Valorie
Email:	0
Phone:	0



Projected Annual Performance							
	Low Utilization	Mid Utilization	High Utilization		Low Utilization	Mid Utilization	High Utilization
Annual Visitors	2,184	4,368	8,736	Annual Profit	\$ 7,541.30	\$ 18,679.70	\$ 40,956.50
kwh's Delivered	65,520	131,040	262,080	Simple Payback (Yrs)	0.00	0.00	0.00
Driving Miles Delivered (.25 kWh/miles)	262,080	524,160	1,048,320	Discount Rate	6%	6%	6%
				NPV (10 Years)	\$ 55,931.49	\$ 138,541.56	\$ 303,761.70

EV Charging Solution Estimate

December 14, 2023



SOLUTION:

(3) Dual-Port DCFC Publicly Accessibly
Charging Stations

INFRASTRUCTURE

Specific Location TBD (Pending Utility Engineering Guidance)

- 1 New 600A 480V 3P Electric Service Dedicated to EVSE
- 1 New Power Distribution Cabinet with Meter Socket
- 80ft trenching from new power cabinet to EVSE locations
- 3 new bases for EV Stations
- 10 protective bollards
- 6 EV Parking Line Striping
- 6 EV Parking Signage
- 1 All required permitting and inspections

EV CHARGING EQUIPMENT

- 3 120KW Dual Port MAXICHARGER W/5 yr Warranty
- 5 Yr Software Plan ⁴
- System start-up and onboarding to monitoring platform

Optional Adders

Annual O&M Service Plan \$3,600/yr

- includes bi-annual maintenance and check-up

ESTIMATED TOTAL PROJECT COST:	\$250,500
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ESTIMATED UTILITY INFRASTRUCTURE INCENTIVE:	Make Ready Provided by Eversource
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ESTIMATED UTILITY EVSE EQUIPMENT INCENTIVE:	\$240,000
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COST LESS INCENTIVES:	\$10,500
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F8911 ALTERNATIVE FUEL VEHICLE REFUELING TAX CREDIT EST.: ^{1,2}	NOT IN QUALIFIED CENSUS TRACT	-
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¹ The 30C Alternative Fuel Infrastructure Tax Credit, also referred to as the 8911 tax credit, gives qualifying businesses a 30% tax credit, up to \$100,000, for the purchase and installation of EV charging infrastructure. Businesses must have installed the stations between Jan. 1, 2023, and Dec. 31, 2032, and must claim the credit on their federal tax return via form 8911 which can be found here: <https://www.irs.gov/forms-pubs/about-form-8911>

² Disclaimer - We are not tax advisors and does not guarantee any tax credits or incentives. Please review with your tax advisor before making any assumptions. Please visit: <https://atdc.energy.gov/laws/10513>

³ Service plan includes unlimited phone and on-site support from the manufacturer

⁴ Stations must be networked for 5-YR's for rebate eligibility

MASSACHUSETTS COMMERCIAL ELECTRIC VEHICLE CHARGING PROGRAM

SITE HOST & LICENSE AGREEMENT

This SITE HOST AND LICENSE AGREEMENT (“Agreement”) is entered into as of the ___ day of _____, 2023 (“Effective Date”), by and between NSTAR ELECTRIC COMPANY d/b/a Eversource Energy, a Massachusetts corporation and electric company, with an address at 247 Station Drive, Westwood, Massachusetts 02090 (“Company”) and _____, a _____, with an address at _____ (“Site Host”). The Company and Site Host are each referred to herein sometimes as a “Party” and collectively as “Parties”. Now, therefore, in consideration of the foregoing, the mutual promises set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties hereby agree as follows:

1.0 Background

- 1.1 The Company has received approval of the Massachusetts Department of Public Utilities (“DPU”) for a program for facilitating siting and installation of Electric Vehicle Supply Equipment (“EVSE”) within the Company’s electric service territory in D.P.U. Docket No. 21-90 (“Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its Phase II Electric Vehicle Infrastructure Program and Electric Vehicle Demand Charge Alternative Proposal”) approved by the DPU on 12/30/2022 (the “Program”).
- 1.2 The Site Host has offered to host EVSE on property owned or controlled by the Site Host located within the Company’s electric service territory at the address(es) listed in Exhibit A (“Site”). The Site Host has submitted an EV Program Intake Application to the Company for installation of certain electric service infrastructure at the Site (defined below as the “Facilities”). Before the Company can proceed with the installation of the Facilities at the Site, the Company requires permission from the Site Host to access the Site and perform the work of installing the Facilities. Installation of the Facilities will be performed by the Company and a contractor approved to perform such construction work (“Make Ready Contractor”).

2.0 Site Host Eligibility Requirements and Representations

- 2.1 Site Host is a commercial electric service customer of the Company.
- 2.2 Site Host agrees to provide one or more locations at the Site for the installation of EVSE and other infrastructure. The specific locations of the EVSE and infrastructure at the Site has been determined by the Site Host in coordination with the Company and, if needed, the supplier of the EVSE (“Supplier”) and is presented in the Site Sketch shown in Exhibit B.
- 2.3 Site Host is the fee owner of Site or has a long-term (10 years or longer remaining term) lease or ground lease of the Site.
 - 2.3.1 If Site Host has a lease, the lease expressly provides that the Site Host has the authority to grant utility license rights for the provision of utility services to the Site.

- 2.3.2 If the lease does not so provide, the Site Host shall be solely responsible for obtaining the necessary license or consent from the fee owner for the installation of the Facilities at the Site, in the form of Exhibit D, or otherwise in form and substance satisfactory to the Company.
- 2.3.3 If Site Host is neither a fee owner nor a long-term lessee of the Site, Site Host is responsible for obtaining from the landowner the necessary license rights for the Company to access the Site for purposes of installation of the Facilities.
- 2.4 To the best of the Site Host's knowledge, the Site is free from "hazardous materials", as those terms are defined in applicable state and federal laws and regulations. In the event pre-existing "hazardous materials" are discovered at the Site during installation of the Facilities, the Company's sole obligation shall be to comply with the Utility Related Abatement Measures ("URAM") set forth in 310 CMR 40.0460 *et seq.* as amended from time to time, and all other responsibility with respect to such "hazardous materials" shall be that of the Site Host. The Site is free from any property restrictions that would prohibit the installation of the EV infrastructure, including any institutional controls, Environmental Land Use Restrictions ("ELUR"), Activity and Use Limitation ("AUL") and/or engineering controls (i.e., Engineered Barrier, soil cap, remediation systems), as defined in 310 CMR 40.000 *et seq.* as amended from time to time. In the event any of these controls exists on the Site, the Site Host is responsible for compliance, under the supervision of its License Site Professional. The Site Host is not aware of any resource areas regulated under any applicable federal, state, or local environmental law for which the Site Host has not obtained an approval for the EV infrastructure installation.
- 2.5 Site Host has full corporate power and authority to enter into and perform this Agreement in accordance with its terms, and neither the execution of this Agreement, nor its performance, will conflict with or violate any other agreement or instrument by which the Site Host or the Site is bound. There are no claims or actions pending or, to Site Host's knowledge, threatened against the Site Host or the Site that would prevent or interfere with the performance of this Agreement. To the best of the Site Host's knowledge, there are no known or suspected conditions (including environmental conditions) at the Site that would prevent or impede the installation of the Facilities by the Company.

3.0 Site Host Obligations

The Site Host shall:

- 3.1 Procure the EVSE from the Supplier and provide proof of such purchase (including pricing) to the Company before installation of the Facilities is scheduled to take place. Failure to provide proof of such purchase will void any funding commitment or scheduled work reserved for Site Host at the Site.
- 3.2 Procure EVSE and an EV Network that are approved by the Program, as per the Company's latest Massachusetts Commercial EVSE Qualified Products List. Site Host agrees that the EV Network and quantity, type, and location of the EVSE cannot be modified by the Site Host following execution of this Agreement, unless the Site Host submits a new application to the Program.
- 3.3 Procure not less than two (2) so-called "Level II" EVSE ports, or not less than one (1) so-called "DC Fast" EVSE port (minimum 50 kilowatts output per port).
- 3.4 Work with an EVSE Installer to install, activate, and commission the EVSE, obtaining all necessary approvals, permits, and licenses to do so.

- 3.5 Operate and maintain the EVSE at the Site for at least five (5) years from the date the EVSE are first placed in service (“In-Service Date”).
- 3.6 Allow access to the EVSE as described below:
 - 3.6.1 For Sites qualifying as Public/Workplace, Site Host shall allow access to the EVSE to all persons who can access the Site. Access to the EVSE must be allowed for a minimum of four (4) hours per day and shall continue to be provided for as long as EVSE are operated at the Site.
 - 3.6.2 For Sites qualifying as Fleet, Site Host shall restrict access to fleet vehicles only.
 - 3.6.3 For Sites qualifying as Multi-Unit Dwelling, Site Host shall allow access to the EVSE to all residents and guests with access to the Site, except in the event EVSE is installed at a minimum of twenty (20) percent of the total parking spaces at the site.
- 3.7 Agrees to pay for all metered electric services provided by the Company for the EVSE at the Company’s applicable rates and tariffs. If a separate utility meter is installed, Site Host acknowledges that the electric account shall be assigned to a commercial electric rate class.
- 3.8 Pay any Site Host Contribution toward the cost of the EVSE or infrastructure as described in the Pre-Approval Letter presented in Exhibit C prior to construction commencing at the Site. Failure to pay Site Host Contribution will void any funding commitment or scheduled work reserved for Site Host at the Site.
- 3.9 Comply with all Massachusetts General Laws (M.G.L. c. 166, s. 21A et seq.), Occupational Safety and Health Administration (OSHA) Laws and Regulations, and any other applicable requirements regarding work or activity in the proximity of energized electric lines.
- 3.10 Obtain any applicable federal, state, and local environmental permits and approvals required by law for the installation of the Facilities at the Site.

4.0 Company and Contractor Obligations

The Company and Make Ready Contractor shall:

- 4.1 Provide and install the necessary infrastructure at the Site to energize the EVSE, which may include interconnection to the Company’s electric distribution system, as shown in Exhibit B. Such infrastructure may consist of poles, conduits, ducts, cables, wires, switches, transformers, concrete pads, manholes, handholes, supporting foundations, culverts, and all other accessory and appurtenant equipment and material necessary in the opinion of the Company to enable the safe and reliable operation of the EVSE at the Site (collectively, “Facilities”). Site Host acknowledges and agrees that some of the Facilities may be interconnected with existing electric equipment currently serving the Site and are owned/maintained by the Site Host (“Existing Facilities”). The Company shall also make all necessary upgrades or modifications to its distribution system off-Site, to the extent required to provide service to the EVSE at the Site.
- 4.2 Obtain all federal, state, and local permits to complete the installation of the Facilities, except for environmental permits, which are the sole responsibility of the Site Host.
- 4.3 Perform all work in a good and workmanlike manner by competent personnel or contractors, in conformity with all applicable permits, licenses, ordinances, laws and regulations, and free from any liens for labor or materials, in a manner and location reasonably acceptable to the Site Host and the Company. Site Host

agrees that any field changes in the location of the Facilities shall be subject to prior review and written approval of the Company, which shall not be unreasonably withheld.

4.4 Pay incentives as follows:

4.4.1 EVSE Rebates, up to the incentive amounts presented in Exhibit C, shall be paid to either the Site Host or Make Ready Contractor upon installation and activation of the EVSE and post-inspection, if needed.

4.4.2 “Make Ready” Rebates for the design and installation of the Facilities, up to the incentive amounts presented in Exhibit C, shall be paid to the Make Ready Contractor. The Make Ready Contractor may invoice 80% of the total Make Ready incentive amount upon passed municipal wire inspection and invoice the remaining 20% upon activation of the EVSE, post-inspection (if needed), and receipt of a signed Project Close-Out Form.

4.4.3 Facilities installed by the Company to establish the interconnection to the Company’s electric distribution system and any off-Site distribution system upgrades or modifications shall be paid for by the Company.

5.0 Program Incentives and Third-Party Funding

5.1 The Site Host, Make Ready Contractor, and Supplier shall provide the Company with an estimate for the actual cost of the EVSE and Facilities, which the Company will use to determine the incentives amounts shown in Exhibit C.

5.2 In the event the actual cost of the EVSE or installation of the Facilities exceeds the total Program rebates, the Site Host shall be responsible for the incremental cost.

5.3 The EVSE rebates presented in Exhibit C are dependent on Environmental Justice Community (“EJC”) eligibility and public accessibility, as defined below:

5.3.1 An EJC meets one of the following criteria established by the Massachusetts Executive Office of Energy and Environmental Affairs, as per the most recent census data: (1) the annual median household income is 65 percent or less of the statewide annual median household income; (2) minorities comprise 40 percent or more of the population; (3) 25 percent or more of households lack English language proficiency; or (4) minorities comprise 25 percent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 percent of the statewide annual median household income.

5.3.2 The Program’s definition of “publicly accessible” for public and workplace segments is in line with that of the Massachusetts Department of Environmental Protection’s Electric Vehicle Incentive Program (“MassEVIP”): The program participant must allow the general public practical access to, and use of, the parking space and charging station for seven days per week, 24 hours per day. The program participant is permitted to charge a parking fee and, if the location has access restrictions, may reduce the hours of public access to no less than twelve hours per day, seven days per week.

5.3.3 Site Host may use the EVSE Rebate solely for the purchase and installation of EVSE.

5.4 Site Host is required to apply for MassEVIP or other available state or federal funding to the extent that it is available and aligned with the Program’s offerings, and to report the receipt of any such funding to the Company.

- 5.5 The Company shall deduct any third-party funding received, applied for, or that the Site Host is eligible for from the total Program rebates, which may include both Make Ready and EVSE rebates. In the event the Site Host is eligible for third party funding but chooses to not comply with the third party's eligibility requirements, the Company shall deduct the amount the Site Host would have been eligible for if compliant.
- 5.6 If receipt of approval for third-party funding is not received within 60 days of application and upon written request from Site Host, the Company may proceed with original incentive levels and the Company shall modify the incentives in the Pre-Approval Letter accordingly. If third-party funding is received after issuance of the modified Pre-Approval Letter but before time of rebate payment, the Company shall deduct the amount received from the total Program rebates and shall modify the incentives in the Pre-Approval Letter accordingly. Under no circumstances shall third-party rebates, when combined with the rebates and incentives provided by the Program, exceed an amount equal to the total (100%) of the actual cost of the EVSE and infrastructure.
- 5.7 The Site Host hereby agrees to the incentive amounts shown in Exhibit C.

6.0 Ownership and Ongoing Operation and Maintenance

- 6.1 Following the installation of the Facilities, all Facilities installed up to the metering point within the Site pursuant to this Agreement ("Company-Side Facilities") shall remain the property of the Company and the Company shall pay all taxes assessed thereon. All other Facilities installed past the metering point ("Customer-Side Facilities") and Existing Facilities, shall be owned, and maintained by the Site Host or the Supplier, as appropriate.
- 6.2 Site Host hereby grants to the Company, its successors and assigns, the permission, from time to time as may be necessary to enter upon the Site to install, repair, renew and maintain Company-Side Facilities, including, at the option of the Company, the replacement of said Facilities with electrical equipment of different size and voltage, along with the necessary cables, conduits, wires, sustaining or protecting fixtures, and service connections attached thereto constituting a line for the distribution of electricity and lines for telecommunications for control and metering purposes, in, upon, under, along and across the Site. The Company shall provide reasonable notice to the Site Host of such work, unless in the event of an emergency, as determined by the Company. In the event the Company is required to relocate Company-Side Facilities or any related sustaining or protecting fixtures due to the request or direction of the Site Host or any person acting under the authority or direction of the Site Host, the Site Host shall reimburse the Company for the reasonable costs thereof.
- 6.3 Site Host shall not erect or permit any structures or obstructions which, in the reasonable judgment of the Company, might interfere with the safe operation and maintenance of the Company-Side Facilities. The Company shall have the right to cut down and keep trimmed vegetation as the Company may from time to time deem reasonably necessary for the safe operation and maintenance of said Facilities. Site Host agrees that there shall be no interference with pedestrian and vehicular access to said Facilities. It is understood that access to said Facilities includes travel through the Site at any time for inspection and maintenance, and for emergency repairs, by all manner of vehicles and on foot. In addition, Site Host may be required, at its cost, to temporarily relocate vehicles or other equipment located within the Site to allow the Company and its contractors access to the said Facilities. Site Host acknowledges and agrees that the Company does not hereby assume any responsibility for the ownership, operation or maintenance of Customer-Side Facilities or Existing Facilities which shall remain the responsibility of the Site Host.

6.4 Site Host shall promptly reimburse the Company for the actual costs, as reasonably determined by the Company, of repair or replacement of any Company-Side Facilities that has been injured or damaged by the Site Host, its agents, invitees, contractors, or their respective employees.

7.0 Liability and Indemnification

7.1 The Company shall procure and maintain at its expense, at all times during the performance of any work under this Agreement, public liability insurance, including personal injury and property damage, and automobile liability insurance in amounts of \$2,000,000 combined single limit each, against all claims and demands of any injury to person or property which may occur or be claimed to have occurred on the Site as a result of the work on the Site by the Company or its contractors. Site Host shall be designated as an additional insured party on the general liability policy and on the self-insured general liability program shall be treated as if an additional insured. The Company shall, before entry upon the Site for the purposes of installing the Facilities, furnish the Site Host with a valid certificate of such insurances. Site Host acknowledges that Company may self-insure all or part of its insurance obligations hereunder.

7.2 THE COMPANY HEREBY EXPRESSLY DISCLAIMS ANY AND ALL REPRESENTATIONS AND WARRANTIES REGARDING THE FACILITIES AND/OR THE EVSE, WHETHER EXPRESS OR IMPLIED, INCLUDING SPECIFICALLY BUT WITHOUT LIMITATION THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR ANY PARTICULAR PURPOSE. Neither by inspection or non-rejection nor in any other way does the Company give any warranty, expressed, or implied as to the adequacy, safety or other characteristics of any equipment, wiring or devices, installed on the Site.

7.3 The Company shall be excused from performance and shall not be liable in damages or otherwise if and to the extent that it shall be unable to do so or prevented from doing so by statute or regulation or by action of any court or public authority having or purporting to have jurisdiction in the premises; or by loss, diminution, or impairment of electrical service from generating plants or suppliers or the systems of others with which it is interconnected; or by a break or fault in its transmission or distribution system; failure or improper operation of transformers, switches, or other equipment necessary for electric distribution; or by reason of storm, flood, fire, earthquake, explosion, civil disturbance, labor dispute, act of God, or public enemy, failure of any supplier to perform, restraint by any court or regulatory agency, or any other intervening cause, whether or not similar thereto; the Company shall use reasonable efforts under the circumstances to overcome such cause and to resume full service. The Site Host shall be excused from performance and shall not be liable in damages or otherwise to the extent any delay or failure of the Site Host to perform its contractual obligations hereunder is due to conditions or circumstances which are beyond its control, including by reason of storm, flood, fire, earthquake, explosion, civil disturbance, labor dispute, act of God, or public enemy.

7.4 Unless there is negligence on the part of the Company, the Company shall not be liable for damage to the person or property of the Site Host or any other persons resulting from the use of electricity or the presence of the Company's Facilities on the Site. In any event, the Company shall not be liable in contract, in tort (including negligence and G.L. c. 93A), strict liability or otherwise for any special, indirect, or consequential damages whatsoever including, but not limited to, loss of profits or revenue, loss of use of equipment, cost of capital, cost of temporary equipment, overtime, business interruption, spoilage of goods, claims of customers of the Site Host or other economic harm resulting from the Facilities, Company's work at the Site or Site Host's participation in the Program.

8.0 Electric Distribution Terms and Conditions

This Agreement is subject to and shall be governed by, to the extent applicable, by the Company’s “Terms and Conditions – Distribution Service”, as approved by the DPU from time to time, and shall further be governed by, and construed and enforced in accordance with, the internal laws of the Commonwealth of Massachusetts, without regard to principles of conflicts of law. Any action brought with respect to this Agreement shall be brought in, and the sole place of venue and jurisdiction for said action shall be in Boston, Massachusetts.

9.0 Other

- 9.1 Site Host agrees to grant permission to Company and its data processing vendor to receive all required data recorded on EVSE from the EV Network provider monthly for at least four (4) years from the In-Service Date.
- 9.2 Upon Company’s request, Site Host shall participate in a Customer Satisfaction Survey conducted by the Company following the installation of the Facilities, at no cost to the Site Host.

10.0 Terms of Agreement

- 10.1 This Agreement embodies the entire agreement between the Parties with respect to the subject matter hereof, and supersedes any and all prior negotiations, agreements and understandings, written or oral, formal or informal, all of which are deemed to be merged herein. No provision of this Agreement be supplemented, terminated, modified, or waived except by a writing signed by both Parties.
- 10.2 Any notice or other communication authorized, required, or desired to be given under this Agreement shall be in writing and delivered by hand against receipt, by first class certified mail, postage prepaid, return receipt requested, by express mail or express courier service providing proof of delivery, or by electronic transmission providing confirmation of receipt, if addressed to the party intended to receive the same to the address or e-mail address set forth below:

If to Site Host:

Attn: _____

Telephone Number: _____

Email Address: _____

If to Company:

NSTAR Electric Company
 d/b/a Eversource Energy
 247 Station Drive SE210
 Westwood, Massachusetts 02090
 Attn: EV Make Ready Program
 Email Address: MAEVcharging@eversource.com

All such notices shall be deemed to have been duly given on (i) the date of receipt if delivered by hand, if sent by express courier service or sent by electronic transmission (with a confirmation copy sent by first

class mail) or (ii) the earlier of the date of receipt and the date of first attempted delivery by the U.S. Postal Service, if transmitted by mail as aforesaid. Either Party may change the address to which any such notice, report, demand, request or other instrument or communication to such party is to be delivered or mailed, by giving written notice of such change to the other parties, but no such notice of change shall be effective unless and until received by such other parties.

- 10.3 All exhibits to this Agreement are hereby incorporated by this reference into this Agreement.
- 10.4 This Agreement may be executed in counterparts, each of which shall be deemed an original. The captions contained in this Agreement are for convenience of reference only and shall not affect the construction to be given to any of the provisions hereof.
- 10.5 Neither Party shall be permitted to assign its rights or obligations under this Agreement; however, the provisions of this Agreement shall be binding on, and inure to the benefit of, the respective successors and successors in title of the Parties.
- 10.6 No employee, officer, director, stockholder, manager, member or any person or entity in any way affiliated with either Party shall have any personal liability with respect to this Agreement, any instrument delivered by such Party, or the transaction contemplated hereby, nor shall the property of any such person or entity be subject to attachment, levy, execution, or other judicial process.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed as a sealed instrument by their respective duly authorized representatives, as of the date first above written.

NSTAR ELECTRIC COMPANY

d/b/a Eversource Energy

By: _____
Name: _____
Title: Program Manager, Electric Mobility

SITE HOST

By: _____
Name: _____
Title: _____

PROPERTY OWNER (if different)

By: _____
Name: _____
Title: _____

EXHIBIT A – LIST OF COVERED SITES FOR EV SITE HOST AGREEMENT

EXHIBIT B – DESIGN SKETCH (ATTACHED)

EXHIBIT C – PRE-APPROVAL LETTER (ATTACHED)

EXHIBIT D – FORM OF EASEMENT (ATTACHED, IF NECESSARY)

EXHIBIT A

LIST OF COVERED SITES FOR EV SITE HOST AGREEMENT

- 1.
- 2.
- 3.
- 4.
- 5.

SPECIFICATIONS **MAXICHARGER DC FAST 60KW-240KW WITH 20KW INCREMENTS**

PART NUMBERS

DCFC 60KW-120KW

DCFC 140KW-240KW

60kW: UF060xxxxx, 80kW: UF080xxxxx,
100kW: UF100xxxxx, 120kW: UF120xxxxx

140kW: UF140xxxxx, 160kW: UF160xxxxx,
180kW: UF180xxxxx, 200kW: UF200xxxxx,
220kW: UF220xxxxx, 240kW: UF240xxxxx

The "xxxxx" portion of the product part number represents the various product configurations.

ELECTRICAL

CONNECTOR OPTION*	Dual CCS1, or CCS1 + CHAdeMO	Dual CCS1/CCS1 Boost, or CCS1 + CHAdeMO
MAX. INPUT AC CURRENT	60kW: 91A, 80kW: 122A; 100kW: 152A, 120kW: 182A	140kW: 213A, 160kW: 245A, 180kW: 270A; 200kW: 305A, 220kW: 335A, 240kW: 365A
NOMINAL INPUT AC CURRENT	60kW: 83A, 80kW: 110A; 100kW: 138A, 120kW: 165A	140kW: 181A, 160kW: 207A, 180kW: 230A; 200kW: 260A, 220kW: 285A, 240kW: 310A
INPUT VOLTAGE RANGE	480 V AC - 15 % to +10 % @ 60 Hz	
DC OUTPUT VOLTAGE	CCS1: 150 to 950 V DC, CHAdeMO: 150 to 500 V DC	
NETWORK TYPE	TN-S, TN-C, TN-C-S, & TT (External RCD** Required)	
AC INPUT CONNECTION	3P + PE (No Neutral)	
PROTECTION	Over-Current, Over-Voltage, Under-Voltage, Ground-Fault, Over-Temperature, Short-Circuit, Insulation Monitor (IMD), & Surge Protection	
OVERVOLTAGE CATEGORY	AC Side (Input) OVC: III	
POWER FACTOR (> 50 % LOAD)	≥ 0.98	
THDI (> 50 % LOAD)	≤ 5 %	
PEAK EFFICIENCY	≥ 96 %	
STANDBY POWER	80 W	
SHORT CIRCUIT CURRENT RATING	≥ 65 kA	
ENERGY METERING	Class A	

USER INTERFACE & COMMUNICATION

CONNECTIVITY	Internet Access Via 4G / Wi-Fi / Ethernet (RJ 45)
USER AUTHENTICATION	QR Code, RFID, Credit Card (Optional)
ISO 15118 PLUG & CHARGE	Yes
DIN 70121	Yes
INTERFACE	27" LCD High-Contrast Touchscreen (15.6" Optional)
ACCESSIBLE FOR WHEELCHAIR USERS	Yes
COMMUNICATIONS PROTOCOLS	OCPP 1.6 JSON, OCPP 2.0.1 (Can Be Upgraded Later)
RFID READER	ISO 14443 A+B to Part 4 & ISO/IEC 15693, Mifare, NFC, Calypso, Ultralight, PayPass, HID & More
EMERGENCY BUTTON	Yes
SOFTWARE UPDATE	OTA Update Via Web Portal
CONTROL AND CONFIGURATION	Web Portal, On-Board Service Portal

GENERAL CHARACTERISTICS

PROTECTION RATINGS	NEMA 3R Outdoor Use & IK-10
ENCLOSURE TYPE	Stainless Steel 430
OPERATION ALTITUDE	6561 Ft (6561 to 9843 Ft. with Power Derating)
OPERATING TEMPERATURE	-31 °F to +131 °F (+122 °F to +131 °F with Linear Power Derating)
STORAGE TEMPERATURE	-40 °F to +158 °F
HUMIDITY	< 95 % RH, Non-Condensing
NOISE LEVEL	< 65 dB @1 m/25 °/Full Load/800 VDC
MOUNTING	Free-Standing Cabinet
CABLE LENGTH	15 ft (Optional: 20 or 25 ft)
DIMENSIONS (H X W X D)	76.8 x 32.3 x 23.6 in. (1950 x 820 x 600 mm) 76.8 x 32.3 x 27.6 in. (1950 x 820 x 700 mm)

CERTIFICATIONS & STANDARDS

COMPLIANCE & SAFETY	UL 2202, UL 2231-1, UL 2231-2, NEC Article 625, CSA C22.2 No. 107.1-16
EMC COMPLIANCE	FCC Part 15 Class A, Class B (Optional)
WARRANTY	24 Months with Warranty Extensions Available



* CCS1 Max 200A, CCS1 Boost 300A (Max 400A) ** RCD: Residual Current Detector For Ground Fault Protection



Town of Fairhaven
Marine Resources Department
40 Center St., Fairhaven, MA 02719

March 7, 2024

To: Fairhaven Select Board

Leon E. Correy III, Charles K. Murphy, Sr., Stasia Powers, Keith Silvia, Robert J. Espindola

Subject: Marine Resources Committee – Aquaculture Permits & Fee recommendations

Dear Select Board members,

At the request of Harbor Master Tim Cox, I am writing to inform you of the results from the February Marine Resource Committee meeting. The following motions were approved and are recommended to the Select Board for adoption.

- Blue Stream Shellfish Floating Upweller System is recommended for approval in new location at the South-West corner of Jacks Cove, approximate position (Lat: 41°35'46.16"N Long:70°50'44.70"W).
- Blue Stream Shellfish Aquaculture License is recommended for a (5) year renewal.
- John Mills Aquaculture License is recommended for a (5) year renewal.

As always, please reach out if you have any questions.

Respectfully yours,

Michael McNamara

Michael McNamara

Chairman - Fairhaven Marine Resources Committee

mcnamaramike@comcast.net

CC: tcox@fairhaven-ma.gov
alopesellison@fairhaven-ma.gov

SELECT BOARD'S MEETING

Monday, March 11, 2024

**Request submitted,
Blue Stream, Blue Stream Shellfish, LLC**

**The Marine Resource Committee unanimously voted to recommend
approving aquaculture site.**

Proposal

Floating Upweller System (FLUPSY) in Jack's Cove



Objective: To deploy one solar powered floating upweller raft system (three solar components and one upweller component) on a fixed four point mooring in Jack's Cove. Placement of the FLUPSY raft system is 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: Seasonal use from 15 May to 1 December of each year. The rafts will be deployed at the proposed 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.



Figure 1: Chart location of FLUPSY.

Figure 2: Raft system depicted in cove at scale.

Approximate Location: Lat: 41° 35' 46.16"N Long: 70° 50' 44.70"W

Description: As noted above, the site (location identified in Figure 1) was selected to protect from northeast and southwest winds, which can flush small oyster seed from the structure with a strong wave surge through the raft system. Additionally, the site is constrained to require 4 feet of water at low tide while not placed in deep enough water to interfere with normal operations in the mooring field.

Proposed Layout: The raft system is composed of four 8' by 20' floats, where one of the rafts is a conventional FLUPSY to hold oyster seed while the other three rafts hold the photovoltaic infrastructure (panels, batteries and electronics) required to operate the complex (Figure 3). Because the FLUPSY pump system has been adjusted to ensure adequate flow through the upweller silos, it will require a three raft solar complex to ensure 24/7 operation of the ½ hp

“Ice Eater” axial flow pump. The orientation of the three solar rafts are arranged to prevent shading of the panels from a second solar array to the south of it. The resulting raft complex is approximately 16’ by 60’ with a mooring footprint of approximately 34’ by 84’ (raft complex inserted to scale in Figure 2).

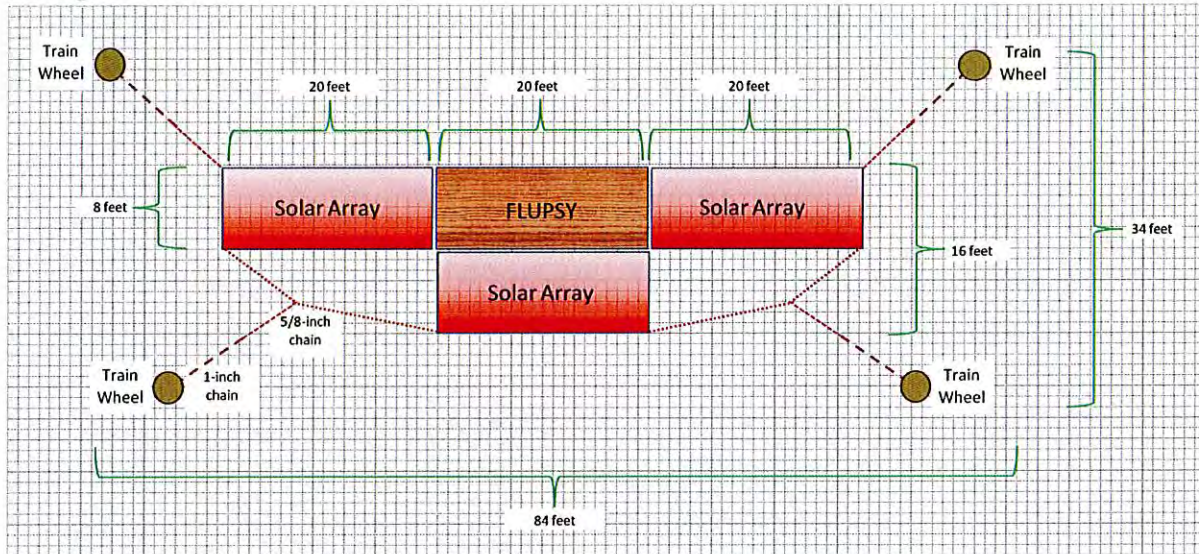


Figure 3: Schematic diagram of FLUPSY complex with dimensions noted.

The 4-point mooring array will consist of a bridle of 5/8" galvanized chain from the raft complex shackled to a 6-foot length of 5/8" galvanized riser chain that is, in turn, shackled to 8 feet of 1" galvanized bottom chain looped through the center opening of a 600 lb. train wheel. The raft complex will be held in an east/west linear configuration near the 4-foot (MLW) contour with the train wheel moorings at each end of the raft complex. The overall footprint of the entire raft system with moorings is 84’ by 34’ (2,856 square feet), equivalent to 0.066 acres.

From Goulart Memorial Drive, the only portion of the system in view from the road will be the three rafts of solar panels, similar to the view noted in Figure 4. The rest of the system is tucked behind the solar rafts and not readily visible from the roadway.



Figure 4: A solar raft that will align parallel to Goulart Memorial Drive and be visible from the road.

Operations:

The BSS nursery, consisting of one FLUPSY system at Jack's Cove 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 (May/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.

Both FLUPSY complexes will be visited daily and cleaned of biofouling 2-3 times weekly by BSS employees. The stock will be removed and size-graded on a semi monthly basis to ensure optimal growth and to remove 20-25 mm juveniles for transfer to the farm.

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

SELECT BOARD'S MEETING

Monday, March 11, 2024

Request submitted by:

**Blue Stream, John Mills
For 5 year Aquaculture License**

**The Marine Resource Committee unanimously voted to recommend
that the Select Board grant a five-year license to both Blue Stream and
John Mills.**

27 December 2023

Marine Resources Department
Fairhaven Town Hall
40 Center Street
Fairhaven, MA 02719

To Whom It May Concern:

Please accept this letter as a request to renew our Aquaculture License that allows continued operation of Blue Stream Shellfish LLC in the waters of Fairhaven. As initially permitted by the Select Board, Blue Stream Shellfish is licensed for the following operations:

- A 46-acre farm site located in Nasketucket Bay (Shellfish Classification area BB21) and bounded by the following corner coordinates:
 - NE - 41°36'42.90"N x 70°50'13.38"W
 - NW - 41°36'50.10"N x 70°50'26.04"W
 - SE - 41°36'27.54"N x 70°50'25.32"W
 - SW - 41°36'35.82"N x 70°50'37.56"W
- A 0.07-acre site located in Round Cove (Shellfish Classification area BB18.1) that accommodates the Blue Stream Shellfish processing barge and floating upweller system and bounded by the following coordinates:
 - NE - 41°35'53.13"N x 70°50'38.51"W
 - NW - 41°35'52.67"N x 70°50'39.43"W
 - SE - 41°35'52.83"N x 70°50'38.25"W
 - SW - 41°35'52.38"N x 70°50'39.22"W

Blue Stream Shellfish would like to request that the renewed license be awarded for a 5-year interval.

Thank you,



Dale F Leavitt
Member – Blue Stream Shellfish



Physical Address

53 Goulart Memorial Drive | Fairhaven, MA 02719

Phone

(401) 450-2581

Email

dale@bluestreamaquaculture.com

WESTISLANDOYSTERS.COM

Volunteer Application

Full Name: Krystal L. Lunn

How long have you been a Fairhaven resident: 38 Years

What Board/Committee are you interested in joining and your reason:

Commission On Disability

I am interested in joining to help make a difference.

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

Have you (or are you currently) served on any Town of Fairhaven Boards: No

Interests and Qualifications: I have a bachelor's degree in psychology. I am a mom of a 10-year-old son with autism and a 7-year-old daughter who has mild to moderate hearing loss in her right ear. I have been advocating the last 10 years in the school system making sure children's IEPs are being followed. The last 3 years I have been trying to bring integration into our local sports teams. Having a son who loves sports but is on the spectrum can sometimes make it difficult and not always accepted. However, my son and I have shown there is always a way you just have to find one that works.

Volunteer Application

Full Name: Alyssa Botelho

How long have you been a Fairhaven resident: 22 years

What Board/Committee are you interested in joining and what is your reason for joining:

Hello! I'd like to become an at-large member of the **Lagoa Friendship Pact Committee.**

My connection to Portugal runs deep through my family roots. While I'm a third-generation Portuguese-American, my father is fully Portuguese, with his grandparents originating from São Miguel, specifically from Povoação and Furnas. My heritage has always intrigued me, and I've been eager to explore and reconnect with this aspect of my background.

In addition to my personal ties, I am, as many of you know, also a filmmaker. Currently, I'm immersed in researching for a future screenplay that aims to intertwine the historical connections between Portugal and the United States. I believe that being part of the committee would provide invaluable insights and resources to enrich my creative process.

I share a genuine passion for fostering cultural exchange and collaboration between our countries. Witnessing the commendable work already accomplished by the committee, I am enthusiastic about contributing to its ongoing efforts.

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

Currently serving on: Broadband Study Committee (2020-present)

SELECT BOARD'S MEETING

Monday March 11, 2024

Action Item for:

Annual 5K Road Race

Application submitted by:

The Nemasket Group's 11th Annual 5K Walk/Run

**The event will start and end at
Fort Phoenix in Fairhaven, MA.**

Date and Times to be held:

Saturday May 4, 2024 9 a.m.-11 a.m.



February 20, 2024

Mr. Leon E. Correy III
Chair of the Board of Selectmen
Town of Fairhaven
40 Center St.
Fairhaven, MA 02719

Dear Mr. Correy and Board of Selectmen,

I am writing to you regarding The Nemasket Group's 11th Annual 5K Walk/Run that is scheduled to take place on Saturday, May 4, 2024. The event will start and end at Fort Phoenix in Fairhaven, MA. Our 5K event is special to us this year because The Nemasket Group is celebrating 40 years of dedicated service in 2024. In supporting thousands of individuals with disabilities across Southeastern Massachusetts for decades, we are proud that our Southcoast roots were our original supportive community. With our former location in Fairhaven and now being based in Mattapoisett, we have been surrounded by people who share our vision within this wonderful community base.

Here at the Nemasket Group, our mission is to help the individuals and families we support with a unique, and individualized approach that is well-suited for them. We acknowledge that everyone is different in their ways, and we celebrate and encourage that here at The Nemasket Group. We find this event to be more inclusive because it allows people from all walks of life to join us in supporting our mission.

We ask you to please consider our Walk/Run event itinerary will start at 9:00 AM and be completed by 11:00 AM. The route is the same course that we have used for the past several years. The Walk/Run route that we have identified is:

Start at Fort Phoenix
Right on Old Fort
Left on Green St.
Right on Rodman St.
Left on Adam St.
Left on Bridge St.
Left on Main St.
Left on South St.
Right on Fort St.
Left on Old Fort St.
End at Fort Phoenix

Please feel free to contact me with any questions or for more information at 508-999-4436.

Sincerely,

Margaret LeBrun
Executive Director

**Proudly supporting Southeastern
Massachusetts for 40 years!**

SELECT BOARD'S MEETING

Monday March 11, 2024

Action Item for:

Town Hall Auditorium rental

Application submitted by:

**Fairhaven Dollars for Scholars
Non-Profit Organization
c/o Sherry Lopes
64 Green St
Fairhaven, MA**

Date and Times to be held:

May 22, 2024 6:00 p.m.-8:30 p.m.



TOWN OF FAIRHAVEN

40 CENTER STREET
FAIRHAVEN, MA 02719

APPLICANT FOR THE USE OF TOWN HALL AUDITORIUM

Name of Organization Fairhaven Dollars For Scholars

Responsible Officer Sherry Lopes Tel. No. _____

Address _____

Purpose of Use Scholarship Awards Ceremony

Date Requested 5/22/2024 Begin Time 6:00 End Time 8:30

REQUESTED USE APPROVED TO AVAILABILITY:

Conditions:

Select Board

Police Chief/Representative

Date

Fire Department Inspection
(if applicable)

Board of Health
(if applicable)

Building Department Inspection
(if applicable)

FEES (To be completed by the Office of the Select Board) (non-profit rate)

Rental Fee x 2.5 hrs. at \$ 50⁰⁰ hr. = \$ 125.00

Plus refundable security deposit in the amount of the rental fee = \$ _____

1 Custodian x 3.5 hrs. at \$ 50⁰⁰ hr = \$ 175.00

____ Police x _____ hrs. at \$ _____ hr = \$ _____

TOTAL FEES = \$ 300.00

Office Use only

I have received \$ _____ in fees and security deposit for the use of the Town Hall Auditorium on behalf of
Town of Fairhaven from _____

Organization

Date: _____

Signed: _____

Select Board

(Security Deposit will be returned after inspection of the premises by the Select Board or its deignee, less any charge for clean up or repair.)

SELECT BOARD'S MEETING

Monday, March 11, 2024

Action Item for:

Town Hall Auditorium rental

Application submitted by:

**Keith Silvia Committee to Elect
c/o Keith Silvia
21 Holiday Drive
Fairhaven, MA**

Date and Time to be held:

Saturday, March 23, 2024 1:00-3:00 p.m.



Town of Fairhaven
Massachusetts
Select Board

40 CENTER STREET
FAIRHAVEN, MA 02719

TEL: (508) 979-4023
FAX: (508) 979-4079
Selectmen@Fairhaven-MA.gov

APPLICANT FOR THE USE OF TOWN HALL AUDITORIUM

Name of Organization Keith Silvia Committee to Elect
Responsible Officer Keith Silvia Tel. No. 774-21032249
Address 21 Holiday Dr
Purpose of Use Candidates Debate
Date Requested Sat 3/23/24 Begin Time 1p End Time 3p

REQUESTED USE APPROVED TO AVAILABILITY:

Conditions:

REQUEST FOR AUDIO / VISUAL TECHNICIAN: YES NO

Fee will be \$100.00 (up to three hours). Each additional hour will be charged \$25.00. Additional fee will be charged once additional hour begins. Cash or Check made out to The Town of Fairhaven /Town Cable

Select Board

Police Chief/Representative

Date

Fire Department Inspection

Board of Health

Building Department Inspection

FEES (To be completed by the Office of the Select Board)

Office Use only

Rental Fee x <u>3</u> hrs. at \$ <u>50</u> hr.	=	\$ <u>150.00</u>
Plus refundable security deposit in the amount of the rental fee	=	\$ _____
<input checked="" type="checkbox"/> Audio \$100.00 plus x _____ hrs. at \$25.00 /hr.	=	\$ <u>100.00</u>
<input checked="" type="checkbox"/> Custodian x <u>3</u> hrs. at \$ <u>50</u> hr	=	\$ <u>150.00</u>
Police x _____ hrs. at \$ _____ hr	=	\$ _____
TOTAL FEES	=	\$ <u>400.00</u>

I have received \$ _____ in fees and security deposit for the use of the Town Hall Auditorium on behalf of
Town of Fairhaven from _____
Organization

Date: _____ Signed: _____
Select Board

(Security Deposit will be returned after inspection of the premises by the Select Board or its deignee, less any charge for clean up or repair.)



**Town of Fairhaven
Massachusetts
Select Board**

40 Center Street
Fairhaven, MA 02719

Tel: (508) 979-4023
Fax: (508) 979-4079
selectboard@Fairhaven-MA.gov

Release and Indemnification Agreement

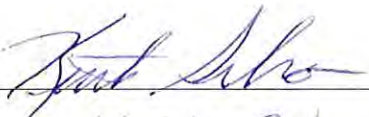
In consideration of the rental from the Town of Fairhaven ("Town") of the Town Hall and or Town Hall Auditorium, the undersigned hereby releases and forever discharges the Town and its officers, agents and employees from all suits, claims and demands of any nature whatsoever, including for negligence, which he or she or his or her heirs or assigns may ever have for any personal or bodily injury, death or property damage arising out of, related to or resulting from, in whole or in part, the use of the premises as described above.

The undersigned further agrees, for him or herself and his or her heirs and assigns, to defend and indemnify the Town and its officers, agents and employees against all such suits, claims and demands by any third party, including invitees and others, and to save them forever harmless therefrom.

If any damage to the Town Hall and or Town Hall Auditorium or any equipment or appurtenance therein, results from any act or neglect of the undersigned, its agents, guests, licensees or invitees, The undersigned shall be liable therefore and shall upon demand, reimburse the Town for all costs and expenses of such repairs and damages.

The undersigned hereby acknowledges that he or she has read and understands this release and Indemnification, and that if he or she is signing on behalf of another person or entity, he or she is authorized to do so and that such other person or entity intends to be fully bound hereby.

Signature:



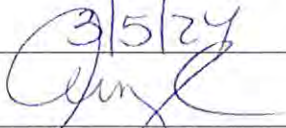
Printed Name:

Keith Silva

Date:

3/5/24

Before me:



Witness Signature

**Town of Fairhaven
FY 2025**

**Articles to be included in FY25 Budget (Source of Funding = Free Cash)
As of 3/7/2024**

<u>Department</u>	<u>Description</u>	<u>Amount</u>
a. Select Board	OPEB	200,000
b. Select Board	Capital Stabilization	150,000
c. Select Board	Compensated Absences	300,000
d. Select Board	Preventative building repairs	50,000
e. Select Board	Grant Writing Consultant	60,000
f. Select Board	Clerical tuition (CBA)	10,000
g. Retirement	Retiree COLA base increase \$16,000 to \$17,000	89,000
h. Marine Resources	Shellfish propagation	16,950
Fire	FEMA 5% match - Gear equipment	12,000
Fire	Mannequin	2,450
i. Recreation	Rec Ctr equipment	10,000
Rec Ctr / COA	Wall divider	17,780
j. Highway	Highway equipment	30,000
k. Highway	Leaf vacuum	7,500
l. Facilities Mgt	Basketball hoops @ Livsey Park	7,000
m. Park	Utility trailer	3,000
n. Human Resources	Breakroom cabinets	1,200
Total		966,880

Warrant Article List

FUNDING SOURCE (if the article requires funds, ex. free cash, stabilization fund, etc. please be specific, if unsure, contact Anne Carreiro ext. 8120)	REQUESTED BY (include Department/Board/Committee)	SUMMARY OF ARTICLE (this should include the following to describe the article in detail: who/what/where/when/why/how much)	ARTICLE LANGUAGE (type the article as you are requesting it to appear in the warrant)
Borrowing	Broadband Study Committee	FUNDING FOR THE FIBER OPTIC PROGRAM	Vote to authorize the Treasurer to borrow, with the approval of the Select Board, up to \$20,645,527 to fund a town wide fiber optic internet system as provided in Massachusetts General Laws chapter 44, Section 8(8).
Fee collected for internet access.	Broadband Committee	Establish a Municipal Fiber Enterprise Fund	Establish a Municipal Fiber Enterprise Fund. To see if the Town will vote to accept the provisions of General Laws Chapter 44, Section 53F ½ establishing the Fairhaven Municipal Fiber as an Enterprise Fund effective for the fiscal year beginning July 1, 2025; or to take any other action relative thereto.
Water Enterprise Fund	Water Department / Board of Public Works	Water Enterprise Fund Operating Budget	To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund the FY25 Water Enterprise Fund Operating Budget or take any other action relative thereto.
Sewer Enterprise Fund	Sewer Department / Board of Public Works	Sewer Enterprise Fund Operating Budget	To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund the FY25 Sewer Enterprise Fund Operating Budget or take any other action relative thereto.
Chapter 90	Board of Public Works	State Aid to Highways	<p>A.To see if the Town will vote to authorize the Board of Public Works to accept and enter into contract for the expenditure of any funds allotted or to be allotted by the Commonwealth of Massachusetts for the construction, reconstruction and improvements of Town roads, or to take any other action relative thereto.</p> <p>Request:Adoption</p> <p>B.To see if the Town will vote to appropriate and transfer from available funds the sum of \$(ADD \$ AMOUNT HERE) for capital improvements on local roads, subject to the conditions detailed by the Massachusetts Highway Department pursuant to Chapter 90, Section 34 of the MGLS and the Transportation Departments Chapter 90 Guidelines, or to take any other action relative thereto.</p> <p>Request: \$ (ADD \$ AMOUNT HERE)</p>
General Fund - removed from budget request	Board of Public Works	New Equipment - Highway Department and Park Dept	<p>To see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum of money for the following purposes or to take any other action relative thereto.</p> <p>Highway Department Request: \$30,000.00</p> <p>Park Department Request: \$20,000.00</p>
Free Cash	School Committee	TRANSFER FROM SURPLUS REVENUE TO FUND SPECIAL EDUCATION RESERVE FUND	To see if the Town will vote to transfer \$44,387 from Surplus Revenue (Free Cash) to be deposited in the Special Education Reserve Fund as authorized by Chapter 40, Section 13E of the General Funds.
Sewer Capital Improvements Stabilization Fund	BOARD OF PUBLIC WORKS	Transfer from Sewer Capital Improvements Stabilization Fund to Sewer Nitrogen Plant	To see if the Town will vote to transfer a sum of money from the Sewer Capital Improvements Stabilization Fund to Article Sewer Nitrogen Plant (TM23 Article 15A \$70,000.000) or to take any other action relative thereto. Amount Available to Transfer: \$2,328,760.07
General Fund	Board of Public Works	Road Work FY25	To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to do the following roadwork, or take any other action relative thereto: Request:\$425,000
n/a	Board of Public Works	Stormwater Bylaw	Placeholder Stormwater Bylaw is still being drafted by Engineer

FUNDING SOURCE (if the article requires funds, ex. free cash, stabilization fund, etc. please be specific, if unsure, contact Anne Carreiro ext. 8120)	REQUESTED BY (include Department/Board/Committee)	SUMMARY OF ARTICLE (this should include the following to describe the article in detail: who/what/where/when/why/how much)	ARTICLE LANGUAGE (type the article as you are requesting it to appear in the warrant)
n/a	Board of Public Works	Flow Neutral Bylaw	Placeholder Storm Neutral Bylaw is still being drafted
n/a	Board of Public Works	Drought Bylaw	Placeholder This is in litigation
Sewer Enterprise Fund	Board of Public Works	TRANSFER FROM SEWER PROJECT TM 5-6-17 ARTICLE 14B TO SEWER NITROGEN PLANT ARTICLE TM 6-18-22 ARTICLE 15A	To see if the Town will vote to transfer a sum of money from the Sewer Project Article 14B from TM 5-6-17 to Article 15A Sewer Nitrogen Plant from 6-18-22 or to take any other action relative thereto. Amount Available to Transfer: \$280,364.48
Revolving Fund	Fire Department	Hazardous Materials Revolving Fund. Authorized to spend by the Fire Chief. Disposal fees/charges not to exceed \$100,000 in any fiscal year.	This is normally included by TA however the Chief wanted a google form submitted to verify his need to continue the revolving fund.
General Fund - Free Cash	Fire Department	Requesting \$12,000 as a 5% match for a FEMA Grant submitted for 40 sets of fire gear. Current gear is at the end of it's life and must be replaced to comply with NFPA standards.	\$12,000 request for a 5% match for a FEMA Grant to purchase new fire gear.
Capitol - Stabilization	Fire Department	Requesting \$2,000,000 for acquisition of land for public safety complex	Requesting \$2,000,000 be transferred from the Capital Stabilization for the appraisal and acquisition of property for a future public safety complex. Includes legal support.
None	Fire Department	Proposal to increase Fire Department Fee Schedule	Request to increase the fees associated with permits and inspections at the Fairhaven Fire Department.
n/a	Fairhaven Police-Animal Control	Adoption of new animal control bylaws to align with MGL Ch. 140 s 136a-174f	Amendment to Bylaws Governing Animals, Dogs, and Animal Control in the Town of Fairhaven. To see if the town will make amendments and additions to Bylaws Ch. 87,206,405 to bring bylaws in line with MA General Law and other statutes.
NA	Planning Board	Proposal to amend the zoning bylaw for primarily administrative changes as well as promoting small scale growth	I'll provide the full amendment separately.
NA	DPW, Conservation and Sustainability, and Planning- could change to Boards	Updating the Stormwater Bylaw Chapter 194, Zoning Bylaw Ch 198-31.1 and Ch 322-26	To be submitted separately
Prior Article Revision	Joanne Correia - Assessors' Office	Town Meeting 5-6-23 Article 11a (line 4) Revision - \$25,000	The Assessors' Office is requesting a revision to the description of line 4 in Article 11a of the May 6, 2023 town meeting article, from Personal Property Audits in the Assessing Department to Assessment Audits. This request will allow the remaining funds totaling \$5300 to be used on Real Estate audits if needed.
n/a	Board of Assessors	Assessment of New Construction	The Board of Assessors is requesting for the Town of Fairhaven to adopt Section 40 of Chapter 653 of the Acts of 1989, to allow the assessment of new buildings, structures, or other physical improvements that occurred between January 2nd and June 30th, for the fiscal year beginning July 1st.
Community Preservation Act Funds	Community Preservation Committee	The FY 25 CPC recommendations for funding	To see if the Town will vote to appropriate or to reserve for later appropriation \$1, 032,800, and to authorize the Community Preservation Committee to expend or reserve, from the Community Preservation Fund available funds and FY25 Estimated Receipts as set forth herein, the following amounts for community preservation purposes, with such expenditures to be subject to conditions to be specified in applications and award letters from the Community Preservation Committee, with each item considered a separate appropriation: (More details will be included)
NA	Ad Hoc Tree Bylaw Panel	Revise Chapter 76: Tree Warden to update qualifications. Create new Bylaw Chapter 88 to address the management of public shade trees.	To be submitted separately.
Free Cash	Dept of Planning and Economic Development	The Dept of Planning & Economic Development requests \$25,000 to be used to hire a consultant to help update the Zoning Bylaw to implement the Town Master Plan starting in FY 25.	To see if the Town will vote to pay \$25,000 from Free Cash for a consultant to help update the Zoning Bylaw to implement the Town Master Plan. These funds will be combined with other funding sources to complete this initiative.
CITIZENS PETITION	Connie Hilton	Street Light on pole 30412 across from 20 Bass Creek Road	

Warrant Article List

draft 1
March 7, 2024

FUNDING SOURCE (if the article requires funds, ex. free cash, stabilization fund, etc. please be specific, if unsure, contact Anne Carreiro ext. 8120)	REQUESTED BY (include Department/Board/Committee)	SUMMARY OF ARTICLE (this should include the following to describe the article in detail: who/what/where/when/why/how much)	ARTICLE LANGUAGE (type the article as you are requesting it to appear in the warrant)
CITIZENS PETITION	Adam Rogers	Additional Liquor License	To see if the Town will vote to amend authorize the Select Board of the Town of Fairhaven to petition the General Court for the passage of legislation authorizing the issuance of a Restaurant/All Alcohol License to Southcoast Pickleball LLC of 4 David Drawn Blvd. in the Town of Fairhaven, notwithstanding any limitations on the number of licenses issued under teh provisions of Chapter 138 of the Massachusetts General Laws as amended. This license is non-transferable to another location, but the licensing authority may grant the license to a new applicant at teh same location.
CITIZENS PETITION	Robert Santos	Revoke Article 22 from Annual Town Meeting of May, 2023	Revoke article 22 from Annual Town Meeting in May, 2023 and put the issue on the ballot and let the voters decide
CITIZENS PETITION	Stevie Pimentel	Revoke Article 22 from Annual Town Meeting of May 6, 2023	Revoke article 22 from Annual Town Meeting in May, 2023 and put the issue on the ballot and let the voters decide



Town of Fairhaven

WARRANT

The inhabitants qualified as Town Meeting Members shall meet on
Saturday, May 4, 2024 at 9:00 am
in the Walter Silveira Auditorium at the Elizabeth I. Hastings Middle School
to Act on the following Articles in the Warrant:

Majority Vote needed unless stated otherwise

ARTICLE 1: MEASURER OF WOOD AND BARK

To see if the Town will vote to instruct the Select Board to appoint a Measurer of Wood and Bark.
Petitioned by: Select Board

Motion: To adopt as written in the warrant

Select Board: Recommend Adoption

ARTICLE 2: TOWN REPORT

To receive the Annual Report of Town Officers.
Petitioned by: Select Board

Motion: To receive the Annual Report of Town Officers

Select Board: Recommend Adoption

ARTICLE 3: REPORT OF COMMITTEES

To hear and act upon the reports of any committees, or committee appointed in Town Meeting and to choose any committees or committee the Town may think proper and to raise and appropriate a sum of money for the expense of same, or to take any other action with relation to either of said matters, as the Town may deem necessary and proper.
Petitioned by: Select Board

Motion: To adopt as written in the warrant

Select Board: Recommend Adoption

ARTICLE 4: BILL OF PRIOR YEAR-Paid from FY23 funds

To see if the Town will vote to pay the unpaid bills of a prior fiscal year. And others that may be brought forward, or take any other action relative thereto
Petitioned by: Town Accountant

<u>Vendor</u>	<u>Amount</u>	<u>Petitioner</u>
Stryker	\$2,191.90	Fire Department

Motion: To approve as listed in the warrant, with funds coming from Surplus Revenue (Free Cash)

Select Board: Recommend
Finance Committee: Recommend

Vote Required: Four-Fifths (4/5) Majority

ARTICLE 5: FY24 FUND ADJUSTMENTS

5A FY23 GENERAL FUND ADJUSTMENTS

To see if the Town will vote to amend Article 5A of the May 6, 2023 Town Meeting “General Fund Operating Budget-FY24” as follows, or take any action relative thereto:

- 1. Transfer from Surplus Revenue (Free Cash) as follows:
 - A.

Petitioned by: Town Administrator

Motion: To amend “FY 24 General Fund Operating Budget” to transfer from Surplus Revenue (Free Cash) the amounts as written

Select Board: Recommend

Finance Committee: Recommend

5B FY24 SEWER FUND ADJUSTMENTS

To see if the Town will vote to transfer from the June 30, 2023 Sewer Retained Earnings of Sewer Capital Fee \$xxx.xx to the Sewer Capital Improvements Stabilization Fund or take any action relative thereto:

Petitioned by: Board of Public Works

Motion: To transfer from the June 30, 2023 Sewer Retained Earnings Capital Fee of \$xxx.xx to the Sewer Capital Improvements Stabilization Fund.

Select Board: Recommend

Finance Committee: Recommend

ARTICLE 6: FUND LABOR CONTRACTS

ARTICLE 7 TOWN OPERATING BUDGETS -FY25

7A: GENERAL FUND OPERATING BUDGET-FY25

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the amounts listed on the accompanying table to fund the Fiscal Year 2025 General Fund Operating Budget or take any other action relative thereto:

Petitioned by: Town Administrator

See Appendix A, page ##### for full budget description

7B: WATER ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the Water Enterprise Fund for Fiscal Year

2025 or take any other action relative thereto:

Petitioned by: Town Administrator and Board of Public Works

Motion: To raise and appropriate a sum of \$xxx.xx to fund the Water Enterprise Fund for fiscal year 2025

Select Board: Recommend ___

Finance Committee: Recommend ___

7C: SEWER ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the Sewer Enterprise Fund for Fiscal Year 2025 or take any other action relative thereto:

Petitioned by: Town Administrator and Board of Public Works

Motion: To raise and appropriate a sum of \$xxx.xx to fund the Sewer Enterprise Fund for fiscal year 2025

Select Board: Recommend ___

Finance Committee: Recommend ___

7D: TOWN CABLE ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the Town Cable Enterprise Fund for Fiscal Year 2025 or take any other action relative thereto:

Petitioned by: Town Administrator

Motion: To raise and appropriate a sum of \$xxx.xx to fund the Town Cable Enterprise Fund for fiscal year 2025

Select Board: Recommend ___

Finance Committee: Recommend ___

7E: SCHOOL CABLE ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the School Cable Enterprise Fund for Fiscal Year 2025 or take any other action relative thereto:

Petitioned by: Town Administrator and School Committee

Motion: To raise and appropriate a sum of \$158,251 to fund the School Cable Enterprise Fund for fiscal year 2024

Select Board: Recommend Adoption
 Finance Committee: Recommend Adoption

ARTICLE 8: GENERAL FUND CAPITAL PLAN

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following sums of monies to fund the capital equipment and projects listed below, or take any other action relative thereto:

<u>Line</u>	<u>Department/Project</u>	<u>Amount</u>	<u>Funding Source</u>
	Public Works Department		
1	Road Work FY25	\$425,000	
2			
3			
4			
	Total recommended General Fund Capital Budget		

Petitioned by: Town Administrator

Motion: To transfer a sum of \$xxx.xx from Surplus Revenue (Free Cash) to fund the capital projects as listed (items 1-x) for fiscal year 2025

Select Board: Recommend ___
 Finance Committee: Recommend ___

ARTICLE 9: WATER ENTERPRISE FUND CAPITAL PLAN

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following sums of monies to fund the capital equipment and projects of the Water Enterprise Fund listed below, or take any other action relative thereto:

<u>Line</u>	<u>Project</u>	<u>Amount</u>	<u>Funding Source</u>
1	Portable Trailer	\$50,000	Water Enterprise Fund
2	Sconticut Neck Water Tower Maintenance	\$1,000,000	Water Enterprise Fund

Petitioned by: Board of Public Works

Motion: To transfer from Water Retained Earnings the sum of \$1,050,000 to fund the capital equipment and project as listed.

Select Board: Recommend ___
 Finance Committee: Recommend ___

ARTICLE 10 SEWER ENTERPRISE FUND CAPITAL PLAN

10A: SEWER ENTERPRISE FUND CAPITAL BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following sums of monies to fund the capital equipment and projects of the Sewer Enterprise Fund listed below, or take any other action relative thereto:

<u>Line</u>	<u>Project</u>	<u>Amount</u>	<u>Funding Source</u>
1	Inflow and Infiltration Study	\$250,000	Sewer Enterprise Fund
2	South Street Pump Station Pump Replacement	\$500,000	Sewer Enterprise Fund
3	4" Goodwin Pump	\$75,000	Sewer Enterprise Fund

Petitioned by: Board of Public Works

Motion: To transfer from sewer retaining earnings a sum of \$825,000 to fund

Select Board: Recommend

Finance Committee: Recommend

ARTICLE 11 OTHER BUDGET ITEMS - APPROPRIATIONS

11A FUNDING OF ARTICLES

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum of monies for the following purposes or take any action relative thereto.

<u>Line</u>	<u>Fund</u>	<u>Amount</u>	<u>Source</u>
1	Transfer to Ambulance Stabilization Fund	70,000	Ambulance Fund
2	Transfer to Other Post-Employment Benefit (OPEB) Trust Fund	200,000	Free Cash
3	Capital Stabilization	150,000	Free Cash
4	Compensated Absences	300,000	Free Cash
5	Preventative Building Repairs	50,000	Free Cash
6	Grant Writing Consultant	60,000	Free Cash
7	Clerical Tuition (per Collective Bargaining Agreement)	10,000	Free Cash
8	Retiree COLA base increase \$16,000 to \$17,000	89,000	Free Cash
9	Shellfish Propagation Program	16,950	Free Cash
10	FEMA 5% Match – Gear Equipment	12,000	Free Cash
11	Mannequin	2,450	Free Cash
12	Recreation Center Equipment	10,000	Free Cash
13	Recreation Center/Council on Aging Wall Divider	17,780	Free Cash
14	Highway Equipment	30,000	Free Cash
15	Leaf Vacuum	7,500	Free Cash
16	Basketball Hoops – Livsey Park	7,000	Free Cash
17	Utility Trailer	3,000	Free Cash
18	Breakroom Cabinets	1,200	Free Cash
	Total	\$966,880	

See Appendix B for Article Summary and Line Item Descriptions

Petitioned by: Town Administrator

Motion: To transfer from Surplus Revenue (Free Cash) the sum of \$966,880 to fund the Reserve line articles for the amount as written, except article 1, which is from Ambulance

Reserve Fund

Select Board: Recommend ___
Finance Committee: Recommend ___

11B: INCREASE AND FUND COLA BASE FOR RETIREES

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to increase the cost of living (COLA) base for retirees, beneficiaries, and survivors beginning July 1, 2024, from \$16,000 to \$17,000 consistent with the provisions of Chapter 188, Section 19 of the Acts of 2010.

Article Summary and Description

State law allows Massachusetts Municipal Retirement systems to increase the base pension amount upon which an annual cost of living adjustment (COLA) up to 3% can be applied. These increases in the base are required to be in increments of \$1,000 up to a maximum base amount of \$18,000. Currently the Fairhaven Retirement System's COLA base is set at \$16,000 and this article, if approved, would increase the base to \$17,000. This would result in an annual increase in pension benefits of \$510 per retiree. The average annual pension benefit for a Fairhaven retiree is \$26,967, so applying the additional \$510 would result in an increase of 1.8%, significantly below the current rate of inflation. It should also be noted that Town of Fairhaven employees do not participate in the Federal Government Social Security System which applies their annual COLA to the entire pension amount and not a portion of it as does the Fairhaven Retirement System.

Petitioned by: Town Administrator

Motion: To transfer from available Surplus Revenue (Free Cash) \$xx to increase the cost of living (COLA) base for retirees, beneficiaries, and survivors beginning July 1, 2024, from \$16,000 to \$17,000 consistent with the provisions of Chapter 188, Section 19 of the Acts of 2010.

Select Board: Recommend ___
Finance Committee: Recommend ___

ARTICLE 12: FY25 COMMUNITY PRESERVATION COMMITTEE APPROPRIATIONS

To see if the Town will vote to appropriate or to reserve for later appropriation, and to authorize the Community Preservation Committee (CPC) to expend or reserve, from the Community Preservation Fund available funds and FY25 Estimated Receipts as set forth herein, the following amounts for community preservation purposes, with such expenditures to be subject to conditions to be specified in applications and award letters from the Community Preservation Committee, with each item considered a separate appropriation:

<u>PROPOSED FISCAL YEAR 2025 COMMUNITY PRESERVATION BUDGET</u>		
	<u>APPROPRIATIONS</u>	<u>Recommended Amounts</u>
	Reserve for Appropriation	
A.	Acquisition, creation, and preservation of Open Space, and its rehabilitation and restoration.	\$70,000
B.	Acquisition, creation, and preservation of Historic Resources	\$70,000
C.	Acquisition, creation, and preservation of Community Housing	\$70,000

D	Emergency Reserve Account	\$20,000
	Total Reserves for Appropriation	\$230,000
	Spending Appropriations	
E.	FHS – Boiler Room Roof Replacement (\$92.7K Und. Bal.)	\$92,700
F.	Lib. – Electrical Upgrades (\$76k Est. Historic & \$309.7K Est. Receipts)	\$385,700
G.	Town Hall Repairs – Stairs and Exterior Caulking (\$30K Und. Bal.)	\$30,000
H.	BBC – Carvalho Woods Conservation Project (\$110K Und. Bal.)	\$110,000
I.	BPW – Phoenix Rail Trail Handicapped Accessible Tables (\$5K Est. Receipts)	\$5,000
J.	BPW – Macomber Park BMX Track (\$201K Und. Bal. & \$76K Est. O.S.)	\$277,000
K.	Cushman Park Pathways (19K Und. Bal.)	\$19,000
L.	FHA – Anthony Haven Window Replacement (\$100K Est. Housing)	\$100,000
	Administrative Spending Appropriation	
M.	To fund the Community Preservation Committee’s annual expenses for: Personal Service; Purchase of Services; Supplies; Other charges/expenditures (Estimated Receipts)	\$13,400
	Total Recommended Spending Appropriations	\$1,032,800

And, whereas Massachusetts General Law, Chapter 44B requires that the Town appropriate for spending, or set-aside for future spending, from the fund balance at least 10% for open space, 10% for historic preservation, and 10% for community housing.

And, whereas the existing reserves and recommended appropriations for open space, historic preservation, and community housing each exceed 10% of the Community Preservation Fund Estimated Receipts.

And, whereas Town Meeting may vote to delete any of the recommended amounts.

Therefore, in the event that recommended amounts are deleted, vote to appropriate as a reserve for future spending from the FY 2025 Community Preservation Fund Estimated Receipts the minimum necessary amounts to allocate not less than 10% (\$70,000) for open space, not less than 10% (\$70,000) for historic preservation, and not less than 10% (\$70,000) for community housing, or take any other action relative thereto.

Article Summary and Description

- A. Open Space Reserve: This is to reserve at least the minimum 10% of anticipated revenues to remain in compliance with the Community Preservation Act.
- B. Historic Preservation Reserve: This is to reserve at least the minimum 10% of anticipated revenues to remain in compliance with the Community Preservation Act.
- C. Community Housing Reserve: This is to reserve at the least the minimum 10% of anticipated revenues to remain in compliance with the Community Preservation Act.
- D. Emergency Reserve Account: A reserve account for emergencies that need funds but fall outside of the normal CPC Application and Review process. Projects would still need to be approved by Town Meeting.
- E. Fairhaven High School Boiler Room Roof Replacement project: Replacement of the boiler room’s existing ballasted EPDM roof with a new PVC roof.

- F. Millicent Library Electrical Upgrade project: An upgrade to an 800 amp electrical system, the creation of a new main electrical room, and the replacement and relocation of the electrical panels as necessary.
- G. Town Hall Stairs and Exterior Caulking Repairs project: Repairs to the Town Hall front stairs and the exterior caulking of the building.
- H. BBC Carvalho Woods Conservation Project: For the Town, by and through the Conservation Commission, to purchase a conservation restriction (\$80,000) and pay for project costs and public access enhancements (\$30,000) on a 5.92-acre vacant lot at 144 Shaw Road. The CR would permanently protect the lot and allow for the creation of a walking trail from the Phoenix Bike Path near the north of the property to Shaw Road and the existing Carvalho Farm trail to the south.
- I. BPW Phoenix Rail Trail Handicapped Accessible Tables project: Add two handicapped accessible tables at rest areas along the Phoenix Rail Trail / Bike Path.
- J. BPW Macomber Park BMX Track project: Create a new BMX bike track along the north side of Macomber Park.
- K. Cushman Park Pathways project: Extend the paved path that goes around Cushman Park to the north and east sides, alongside the running track.
- L. Fairhaven Housing Authority – Anthony Haven Window Replacement project: Replace 75 windows to preserve the integrity of the public housing complex with 24 one-bedroom apartments for seniors over 60 and handicapped/disabled tenants.
- M. To see if the Town will vote to fund the Community Preservation Committee’s annual expenses of \$13,400 for: Personal Service; Purchase of Services; Supplies; Other charges/expenditures (Estimated Receipts)

Petitioned by: Planning Director

Motion: To adopt as written in the warrant, including appropriations and allocations in the amounts specified and from the sources specified in the Article Summary and Description.

Select Board: Recommend
 Finance Committee: Recommend

ARTICLE 13: REVOLVING FUNDS

To see if the Town will authorize or re-authorize the following Revolving Accounts under the provisions of Massachusetts General Law Chapter 44, Section 53 E ½ and to amend General Bylaws Section 2-6 to add new revolving funds under the following terms:

Revolving Fund	Authorized to Spend	Revenue Source	FY24 Limit
Hazardous Materials	Fire Chief	Disposal fees/charges	\$100,000
Sustainability	Sustainability Committee	Fees/charges	\$10,000
Hoppy’s Landing	Select Board and/or Town	Fees/charges from users of Hoppy’s	\$25,000

	Administrator	Landing	
Town Hall Auditorium	Town Administrator	Town Hall Auditorium rental fees	\$2,000
Park Utilities	Board of Public Works	User fees	\$2,000
Shellfish Mitigation	Marine Resources	Mitigation fees	\$25,000
Mooring Fees	Marine Resources	Mooring fees	\$2,000
Mattress Recycling	Board of Health	Fees from mattress disposal	\$1,000
Hoarding Remediation	Board of Health	Revenue from textile recovery boxes	\$1,000
Wellness	Wellness Committee	Fees, BCBS reimbursements, vendors	\$2,500
Supportive Social Day Program	Council on Aging Director	Receipts reserved for appropriation for supportive social day	\$175,000

Or take any other action relative thereto:

Petitioned by: Town Administrator

Motion: To adopt as written in the warrant

Select Board: Recommend ___
 Finance Committee: Recommend ___

ARTICLE 14: BYLAW STORMWATER

BYLAW – BEING DRAFTED BY ENGINEER

Petitioned by: Board of Public Works

Motion: To adopt as written in the warrant

Select Board: Recommend ___
 Finance Committee: Recommend ___

ARTICLE 15: BYLAW FLOW NEUTRAL

BYLAW – BEING DRAFTED BY BPW

Petitioned by: Board of Public Works

Motion: To adopt as written in the warrant

Select Board: Recommend ___
 Finance Committee: Recommend ___

ARTICLE 16: BYLAW DROUGHT

BYLAW – BEING DRAFTED BY BPW

Petitioned by: Board of Public Works

Motion: To adopt as written in the warrant

Select Board: Recommend ___
 Finance Committee: Recommend ___

ARTICLE 17: BYLAW TREE

BYLAW – BEING DRAFTED BY TREE WARDEN AND SUB-TEAM

Petitioned by: Board of Public Works

Motion: To adopt as written in the warrant

Select Board: Recommend ___

Finance Committee: Recommend ___

ARTICLE 18: CITIZENS PETITION – STREET LIGHT

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money for the installation and maintenance of the following street light, or take any action relative thereto:

Install an additional street light on pole 30412, across from Bass Creek Road.

Petitioned by: Connie Hilton

Motion: To be provided by petitioner

Select Board: Recommend ___

Finance Committee: Recommend ___

ARTICLE 19: CITIZENS PETITION – LEGISLATION FOR A RESTAURANT/ALL ALCOHOL LICENSE

To see if the Town will vote to amend authorize the Select Board of the Town of Fairhaven to petition the General Court for the passage of legislation authorizing the issuance of a Restaurant/All Alcohol License to Southcoast Pickleball LLC of 4 David Drawn Blyd. in the Town of Fairhaven, notwithstanding any limitations on the number of licenses issued under teh provisions of Chapter 138 of the Massachusetts General Laws as amended. This license is non-transferable to another location, but the licensing authority may grant the license to a new applicant at teh same location.

Petitioned by: Adam Rogers

Motion: To be provided by petitioner

Select Board: Recommend ___

Finance Committee: Recommend ___

ARTICLE 20: CITIZENS PETITION – REVOKE ARTICLE 22 § 5

To see if the Town will vote to revoke Article 22 of the May 6, 2023 Town Meeting “Amend bylaws, Chapter 83 Alcoholic Beverages and Drugs”

We, the undersigned voters and I come as a whole to address the recent ban on the sale of alcohol containers less than less than 100ml. We are unhappy with the bylaw change that was put into place at the annual town meeting on May 6, 2023. I petition for the Town of Fairhaven to revoke Article 22: Section 5, Prohibit Sale of Plastic Alcohol “Nip” Bottles. In addition, I petition the members of Town to put the issue on the ballot and let the voters decide on it.

Petitioned by: Stevie Pimental

Petitioned by: Robert C. Santos

Motion: To be provided by petitioner

Select Board: Recommend ___

Finance Committee: Recommend ___

ARTICLE 21: OTHER BUSINESS

To act upon any other business which may legally come before this meeting.

And you are hereby directed to serve this warrant by posting an attested copy thereof on or near the front or main entrance of the polling place for all Precincts at the Fairhaven Recreation Center, 227 Huttleston Avenue, seven days at least prior to the date of the meeting.

Appendix A, Article 7A General Fund Operating Budget

Appendix B, Article 11A Funding of Reserve Articles

Appendix C, Salaries Calendar Year (CY) 2022

DRAFT



Monday, March 11, 2024

Correspondence

- MassDOT Chapter 90 Program FY25 apportionment
- City of New Bedford Water and Wastewater Rate Increases



MAURA T. HEALEY
GOVERNOR

OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE BOSTON, MA 02133
(617) 725-4000

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RECEIVED
COMPLECT BOARD
004MARI11:0111:01
KIMBERLY DRISCOLL
LIEUTENANT GOVERNOR

February 27, 2024

Angeline Lopes Ellison
Town Administrator
Town of Fairhaven
40 Center St.
Fairhaven, MA 02719

Dear Angeline Lopes Ellison,

We are pleased to announce that under the administration of Governor Maura Healey and Lieutenant Governor Kim Driscoll, a total of \$400 million for Fiscal Year 2024 and Fiscal Year 2025 was filed for the MassDOT Chapter 90 Program to support local infrastructure across the Commonwealth's 351 cities and towns over the next two years.

This funding demonstrates the Administration's continued support in strengthening municipal partnerships and providing financial resources that support transportation improvements at the local level.

This letter certifies that, contingent upon legislative approval of the \$200 million annual bond authorization, Fairhaven's Chapter 90 apportionment for Fiscal Year 2025 is \$507,654.04.

This apportionment will automatically be incorporated into your existing Chapter 90 contract with MassDOT with no further action needed by the municipality. Apportionments for all communities are available online at www.mass.gov/chapter-90-program. Please note that while the bill enacting these funds has been filed, the funds are not available for municipal use until final legislative approval is obtained.

The Chapter 90 Program is an integral part of maintaining and enhancing your community's infrastructure and is an essential component of our state-local partnership. We look forward to working with you in the coming year to continue the success of this program.

Sincerely,

Maura Healey
Governor

Kim Driscoll
Lieutenant Governor



D 2
Department of Public Infrastructure

Jamie Ponte
Commissioner

Water
Wastewater
Highways
Engineering
Cemeteries
Park Maintenance
Forestry

CITY OF NEW BEDFORD
Jonathan F. Mitchell, Mayor

February 28, 2024

SELECT BOARD
2024MAR710:4710:47

Town of Fairhaven
Board of Selectman
40 Center Street
Fairhaven, MA 02719-2973

Subject: City of New Bedford
Water and Wastewater Rate Increases

Dear Board Members:

Please be advised that on July 13, 2021, the City of New Bedford's Water Board voted to increase New Bedford's Water Commodity Rates, Water Base Rates, and Meter Rental Fees consecutively for five years. As a result, effective July 1, 2024, the Water Commodity Rate for the Town of Fairhaven will increase from \$5.16 to \$5.60 per 100 cubic feet and the Water Base Rates and Meter Rental Fees will increase to the following schedule:

	Water Base Rates	Meter Rental
Size	Annual	Annual
5/8"	\$49.58	\$15.83
3/4"	\$74.37	\$25.64
1"	\$123.96	\$30.77
1 1/2"	\$248.14	\$53.29
2"	\$396.88	\$75.47
3"	\$793.77	\$299.59
4"	\$1,240.24	\$403.53
6"	\$2,480.47	\$677.64
8"	\$3,968.62	\$534.98
10"	\$5,704.91	\$534.98
12"	\$7,689.33	\$534.98

In pursuant to the Inter-municipal Agreement between the City of New Bedford and the Town of Fairhaven, Article III, Section 306, Consumer Price Index, the City hereby notifies the Town of Fairhaven of the annual fee adjustment. Based on the January CPI, the City's calculation reflects an increase to both Water and Wastewater Commodity Rates, however, Water Commodity Rate will only increase by the approved Water Board Rate. Therefore, the annual Wastewater Commodity Rate adjustment is calculated as follows:

January 2023 CPI = 299.170
January 2024 CPI = 308.417

$$\text{Wastewater Rate} = \$7.10/100\text{ccf} \times 1.0309 = \$7.32$$

Both these rates will go into effect on all bills issued after July 1, 2024. Please advise that an additional Wastewater rate may be adopted before July 1, 2024, affecting the previously mentioned rate. If an additional increase does occur, a secondary letter will be sent to the Town of Fairhaven with the newly adopted rate. If you have any questions, please do not hesitate to contact our Water Registrar, Fernando Gomes at 508-979-1550 x67551 or Fernando.Gomes@newbedford-ma.gov.

Sincerely,



Jamie Ponte
Commissioner

Cc: Jonathan F. Mitchell, Mayor
Bob Ekstrom, CFO



Monday, March 11, 2024

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 (Review Pending Litigation Cases)