



FAIRHAVEN SELECT BOARD

Agenda

Monday, October 17, 2022

6:30 p.m.

Town Hall – 40 Center Street – Fairhaven

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

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

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

Join Zoom Meeting

<https://us06web.zoom.us/j/88272385943?pwd=OUhVTjFpR3NVbXNjczRlZmJ1Unlndz09>

Meeting ID: 882 7238 5943

Passcode: 787838

A. MINUTES

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

B. TOWN ADMINISTRATOR REPORT

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

C. COMMITTEE LIAISON REPORTS

D. ACTION ITEM:

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

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

E. PUBLIC COMMENT

F. BOARD MEMBER ITEMS

G. CORRESPONDENCE:

1. Marine Resources Thank You

H. NOTES AND ANNOUNCEMENTS

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

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

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

ADJOURNMENT

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

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

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

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

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



Fairhaven Select Board Meeting Minutes September 19, 2022

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

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

Ms. Powers opened the meeting at 6:31 pm. Ms. Powers requested a moment of silence in honor of Queen Elizabeth II who passed September 8, 2022.

Minutes

Motion: Mr. Murphy motioned to approve the open session minutes of September 6, 2022. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Motion: Mr. Murphy motioned to approve the executive session minutes of September 6, 2022. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Town Administrator Report

Ms. Ellison updated the Select Board on:

Staffing Update

- We are almost fully staffed, still interviewing for two positions. In the final stage of Building Commissioner interview process. The Insurance Advisory Board will be recreated and will consist of employees, retirees, and a representation from each union. They will be responsible for reviewing and advising on insurance related items such as costs, etc.

Financial Management Review

- The Financial Management Review provided is a draft for review and feedback from the Board. There are a few components that need adjustments. Mr. Espindola would like the Town Administrator to comment line by line on the recommendations when the new report is brought forward.

Fairhaven TV Haunted Halloween Event: October 27, 2022

- The Haunted Halloween Event will be October 27, 2022 from 5pm – 8 pm.

Fairhaven / New Bedford Bridge Replacement Meeting: October 3, 2022, Fairhaven High School

- The first public meeting on the Fairhaven / New Bedford bridge replacement will be held on October 3, 2022 at 6:30 pm at Fairhaven High School. Ms. Ellison is urging the public to participate. The Select Board meeting that was to be held at the Town Hall at the exact time and date will be moved to the bridge replacement meeting so all Board members can attend and speak freely. The information will be shared on the web page and social media.

Other Updates

- There was an incident at the Office of Tourism last week in which a pride banner was turned around. Ms. Ellison is handling the situation and stated the Town of Fairhaven supports diversity, equity, and inclusion.
- There are social media posts regarding rumors of potential issues with 911 calls. Negotiations are being held with the Fire Union, but at no time is the Town of Fairhaven unsafe. We are staffed, there is mutual aid, and there will be service for all calls.
- The Town Auction was a success. Anything that wasn't sold the BPW will hold aside and can be sold at govdeals.com.

Committee Liaison Reports

Mr. Espindola reported:

- Mr. Espindola provided updates on The Fairhaven Bikeway Committee, Broadband Study Committee, and the South Coast Bikeway Alliance (Attachment A).

Mr. Correy reported:

- The Economic Development Committee had a couple of resignations. The new pharmacy came to introduce themselves.
- The Belonging Committee met, it was Cam Durant's first meeting as staff advisor. They will be asking for a gift account to be set up for donations, they will be participating in the upcoming Kid's Fest, and will be also making a statement regarding the incident at the Office of Tourism, they are interested in opening a social media account. Hispanic History Month is September 15, 2022 through October 15, 2022.

Mr. Silvia reported:

- The Historical Commission met at the Academy Building. The Commission got to see the ADA compliance updates that were made. They also used an old stone piece with a hitching post that will be used as parking guard. A request will be coming in front of the Select Board to fly the military flags on their relative 'birthdays'.

Mr. Murphy reported:

- The Sister City Committee met on September 15, 2022 which in Japan is Respect for Elders Day. The teachers program was a success. They are encouraged to tour the museum with their students.
- The Vocational students are involved again in maintenance at the Carriage House.

Appointment to Belonging Committee: Diane Hahn:

Ms. Hahn addressed the Board and told them about herself.

Motion: Mr. Murphy motioned to appoint Ms. Diane Hahn to the Fairhaven Belonging Committee for a term to end May 2023. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

Change of DBA Amendment: The Pasta House Restaurant to Bocca:

Ms. Powers read the request to change the name of the Pasta House Restaurant to Bocca.

Motion: Mr. Murphy motioned to change the name of Pasta House Restaurant to Bocca as outlined in the application and in accordance to ABCC regulations. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

Stormwater Pollution Prevention Plan:

Ms. Ellison stated this is an agreement between the Municipality and the Board of Public Works. Back up information provided (Attachment B). Superintendent Vincent Furtado, via Zoom, reiterated Ms. Ellison's information.

Motion: Mr. Murphy motioned to approve and authorize the Chair to sign the Stormwater Prevention Plan. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Special Education Stabilization Fund Expenditure:

Superintendent Tara Kohler requested from the Board \$58,000 to be expended from the Special Education Stabilization Fund, Per MGL Section 13 E, due to unexpected increases disclosed during last year's budget process. The School Committee voted on September 14, 2022 to approve the expenditure.

Motion: Mr. Murphy motioned to expend \$58,000 from the special education stabilization fund as outlined in MGL Section 13 E. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

Broadband Study Committee Mission Statement:

Mr. Espindola presented the Mission State of the Broadband Study Committee, noting the changes he would like made to the charge (Attachment C).

Motion: Mr. Murphy motioned to accept the new charge for the Broadband Study Committee. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Board Member Items

Mr. Correy:

- Mr. Correy thanked Representative Straus for the tour of Center School in Mattapoissett. It was nice to see a building similar to the Roger's School functional and preserved. Thanked the Fairhaven Pop Warner for the invitation to go and watch the game.

Mr. Murphy:

- The Logao Committee was featured in the magazine Alprasa, showing the Mayor, Cristina Calisto Decq Mota's visit to Fairhaven and Bristol, Rhode Island.

Mr. Espindola:

- Thanked Mr. Furtado and the former Chair of the Bikeway Committee for their participation in the Safe Route to School discussion.

Notes and Announcements:

The next regularly scheduled meeting of the Select Board is Monday, October 3, 2022 at 6:30 pm at Fairhaven High School. The Board will be attending the Fairhaven / New Bedford Bridge Replacement Public Meeting.

Motion: Mr. Murphy motioned to adjourn. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

Adjourned 7:18 pm

Respectfully submitted on behalf of the Select Board Clerk. (SS)

Attachments:

- A. Committee Liaison Report
- B. Stormwater Pollution Prevention Information
- C. Broadband Study Committee Change to Charge

DRAFT

Committee Liaison Report – Bob Espindola – September 6th, 2022

The Fairhaven Bikeway Committee The Committee has not met since our last meeting but there was a public hearing held on Thursday night last week relative to the Safe Routes to School Project that is proposed to reconstruct the sidewalks and travel lanes between the bike path crossing Scoticut Neck Road and the Leroy L. Wood Elementary School.

Vinnie Furtado was on the Panel and Town Engineer Michael Carter was present. I pulled the selected slides from the presentation to illustrate what the project is about and the full set of slides can be found on the Mass DOT website at the following link.

The project is a budgeted at nearly \$2M, with 80% paid by the Federal Government, 20% by the State and the Town would be responsible for Right of Way issues related to Town Property.

The schedule calls for 75% and 100% design to be completed simultaneously for “Expediting” purposes and for Advertising in October of 2023 and construction in the spring of 2024.

Anyone can comment in writing up to 10 days after the public hearing so that would be up until September 25th and the details on how to do that are included in the slide presentation.

Broadband Study Committee. The Broadband Study Committee has not met since our last Select Board meeting. One development, however, is that the Mass Broadband Institute has finally announced. The BSC has been waiting for this announcement to see if there is an opportunity to expand the scope of the Fairhaven Housing Authority project the Town received the \$250K grant for.

MBI seems to be leaning toward passing the \$50M program funds through the Regional Planning Authorities (RPA’s) like SRPEDD. I have reached out to Jeffrey Walker, Executive Director of SRPEDD and he said that he had a meeting scheduled this week and will contact me in the coming weeks to set up a meeting to discuss how the Town of Fairhaven may be able to leverage these funds through SRPEDD. Fairhaven Housing Authority Director Krisanne Sheedy will be included in discussions once the concepts have been framed out.

The Digital Access program outlines the following goals ...

Partners will work with local and regional organizations to implement digital equity projects in six program areas:

1. WiFi Access Initiative
2. Public Space Internet Modernization Initiative
3. Connectivity Initiative for Economic Hardship
4. Digital Literacy Initiative
5. Device Distribution and Refurbishment Program
6. Education, Outreach and Adoption

<https://broadband.masstech.org/digital-equity-programs>

Southeastern Regional Planning and Economic Development District (SRPEDD) SRPEDD traditionally holds no meeting in the month of August.

Southeastern Mass. Metropolitan Planning Organization (SMMPO). The meeting scheduled for September 20th has been cancelled.

The South Coast Bikeway Alliance Pedal for the Path fund raiser held on Sunday, September 11th, was very successful with 137 riders participating. All of them passed through Fairhaven where they were treated to a free Lemonade right at the bike path by Dorothy Cox's who set up along the bike path which was very appreciated by all the riders on a hot day.



Back in 2018, the Selectboard and BPW jointly entered signed a permit with the EPA agreeing to conduct stormwater control.

In any Municipality, sewage and drainage are either contained (conveyed) in the same pipe or in two separate pipes. In those municipalities (Fairhaven is one) where sewage is carried in a separate system than drainage (rain water), the EPA requires this community to have a permit granting stipulated permission for the drainage discharge. The EPA calls this permit MS4 which stands for municipal separate storm sewer system. Some of the items we have to conduct as part of our permit are...

- The Town is required to continue (we have been doing this since 2003) with public education and outreach and have to target our audience to ensure that residents and businesses are aware to not throw various materials down the storm drain.
- The Town has to map its entire drainage system and collect samples at all of its outfalls. Depending on the results revealed from these collected samples, the Town will be required to investigate high bacteria counts and remove them from the system.
- The Town is required to conduct annual stormwater training and create various SOP's to ensure permit compliance.
- The Town must require and issue a stormwater permit to any contractor conducting construction in Town and enforce the recent bylaw that was created for this purpose should the contractor fail to comply with stormwater cleanup.
- The Town has to create a stormwater pollution prevention plan for all of its municipal owned buildings.



**Fairhaven Select Board
Meeting Minutes
October 3, 2022**

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

Fairhaven / New Bedford Bridge Replacement:

The Select Board attended the MassDOT meeting to discuss: Fairhaven / New Bedford Bridge Replacement of the US Route 6 over the Acushnet River Bridge. This was a virtual / in-person public information meeting held and recorded by MassDOT. Recording can be found at the Town of Fairhaven website (fairhaven-ma.gov).

Respectfully submitted on behalf of the Select Board Clerk. (SS)



Fairhaven Select Board & Finance Joint Meeting Minutes October 6, 2022

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

Finance Committee Members Present: Chair Padraic Elliot, Vice-Chair Lisa Plante, Robert Grindrod, Jennifer Dupras, Peter Gardener, Denise Barr, Therese Szala, Linda Gallant, via Zoom, Carolyn Roberts, and Finance Director Wendy Graves.

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

Ms. Powers opened the Select Board meeting at 6:02 pm. Mr. Elliot opened the Finance Committee meeting at 6:03 pm. There was a moment of silence for Andy Green.

Select Board Action Items:

Riverside Cemetery Request to use the Town Hall Auditorium:

Ms. Powers stated the request from Riverside Cemetery Inc. for the use of the Town Hall Auditorium on Saturday, October 29, 2022. Mr. Silvia asked if both the custodial fee and rental fee be waived for this event. Mr. Frank Fostin will be covering the custodial duties.

Motion: Mr. Murphy motioned to approve the use of the Town Hall Auditorium for Riverside Cemetery Inc. on October 29, 2022, waiving the custodian and rental fee. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

Permanent Polling Location:

Ms. Ellison spoke on behalf of Town Clerk, Linda Fredette. The Board of Registrar and the Town Clerk are requesting the Fairhaven Recreation Center be the only permanent polling location for the Town. It will be more efficient and easier to staff than having multiple locations.

Motion: Mr. Murphy motioned to designate and approve the Fairhaven Recreation Center, located at 227 Huttleston Avenue, as the permanent voting location for the Town. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

Open Meeting Law Complaints:

The Select Board received a couple of Open Meeting Law complaints from Mr. Patrick Higgins. Ms. Powers discussed and addressed the concerns. She asked if the Board would approved the response to the complaints as outlined in the letter. (See Attachment A)

Motion: Mr. Murphy motioned to send Mr. Higgins the response to the Open Meeting Law complaint filed on September 23, 2022. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Finance Committee Action Items:

Reserve Fund Transfer Request: Town Clerk \$1,410.80

Mr. Elliot explained the process of Reserve Fund Requests to the new members of the Finance Committee. Mr. Elliot read the transfer request from Town Clerk, Linda Fredette, for \$1,410.80, to be placed into account 001-161-00-0145 (office supplies), for banners to visibly mark precincts at the new permanent polling location in time for the election on November 8, 2022. Discussion ensued about the cost.

Motion: Ms. Plante motioned to approve the transfer of \$1,410.80 from the Reserve Fund to account 001-161-00-0145. Mr. Grinrdod seconded. Roll call vote: Padraic Elliot in favor, Jennifer Dupras in favor, Robert Grinrdod in favor, Linda Gallant in favor, Theresa Szala, Lisa Plante in favor, Denise Barr in favor, Peter Gardener in favor, Carolyn Roberts in favor. (9-0-0)

Joint Meeting Action Item:

The Select Board and Finance Committee reviewed the warrant for the Special Town Meeting to be held Tuesday, November 15, 2022. The Finance Committee reviewed, commented and questioned all articles having to do with finance, those with potential monetary implications. Many questions were asked and answered by department heads who also attended the meeting. The Select Board reviewed all the articles as well as those financially based. They addressed the tree bylaw, special officer special legislation, and citizens petitions to name a few.

Motion: Mr. Murphy motioned to adjourn the Select Board meeting. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Motion: Mr. Grinrdod motioned to adjourn the Finance Committee meeting. Ms. Plante seconded. Roll call vote: Padraic Elliot in favor, Jennifer Dupras in favor, Robert Grinrdod in favor, Linda Gallant in favor, Theresa Szala, Lisa Plante in favor, Denise Barr in favor, Carolyn Roberts in favor. (9-0-0)

Adjourned 8:32 pm

Respectfully submitted on behalf of the Select Board Clerk. (SS)

A. Open Meeting Law Response Letter

TOWN OF FAIRHAVEN HOUSEHOLD HAZARDOUS WASTE DAY



SATURDAY- OCTOBER 22, 2022

BPW BUILDING, 5 ARSENE STREET

8 A.M. TO 12 P.M

FAIRHAVEN RESIDENTS ONLY – PROOF OF RESIDENCY REQUIRED

From the Garage & Workbench

Oil based Paint – Stains & Varnishes – Wood Preservatives – Solvents & Glues – Fiberglass Resins – Gasoline & Kerosene – Antifreeze & Motor Oil – Brake Fluid – Carburetor Fluid – Car Wax & Polishes – Driveway Sealer – Roofing Tar – Swimming Pool Chemicals

***Latex Paint** for recycling only. Dried/hard paint can go straight into trash. Only bring the good stuff!

From the Yard

Poisons – Insecticides – Fungicides – Chemical Fertilizers – Weed Killers – Moth Balls – Flea Control Products

From the House

Rubber Cement – Airplane Glue – Photo Chemicals – Chemistry Sets – Furniture Polish – Floor & Metal Polishes – Oven Cleaner – Drain & Toilet Cleaners – Spot Remover – Rug & Upholstery Cleaner – Hobby & Art Supplies, Fluorescent Tubes, Mercury Devices, Lithium & Alkaline Batteries

Please DO NOT BRING THESE ITEMS:

Empty containers/trash – Commercial or Industrial Waste – Radioactive Waste & Explosives – Infectious & Biological Wastes – Ammunition & Fireworks – Fire Extinguishers – Prescription Medicines & Syringes – Asbestos

How to Safely Transport these Hazardous Materials

- Leave materials in original containers
- Tighten caps and lids
- Pack in sturdy, upright boxes and pad with newspapers
- NEVER MIX CHEMICALS
- Pack your car and drive directly to Arsene Street

Who we are

The Fairhaven Supportive Senior Social Day Program is a structured and supervised senior program that takes place daily at the Fairhaven Council on aging.

Our highly qualified and devoted staff provides age-appropriate activities that foster the mental growth, enhance the self-image, and preserve life long skills in our senior participants.

We always maintain a high level of personalized socialization due to our supervised ratio of 1 staff member to 8 seniors. Our staff is also CPR and AED trained.

Tuesday, Wednesday & Thursday
 8:30 am - 3:00pm
 8:30 am - Continental Breakfast
 11:30 am - Nutritious Hot lunch
 2:00 pm - Healthy afternoon snack
 3:00 pm- Return Home
FULL & HALF DAY RATES AVAILABLE

OUR SENIORS ENJOY

- Arts & Crafts
- Bingo
- Birthday & Holiday Celebrations
- Brain stimulating activities
- Certified pet therapy visits
- Cooking for special occasions
- Community events
- Competitive Games
- Daily seated exercises
- Health & safety education
- Indoor bowling & mini golf
- Intergenerational programs
- Knitting & sewing projects
- Live bands & dancing
- Luncheon outings
- Manicures, hairdressing
- Meeting seniors from other centers
- Nostalgic readings & discussions
- Tap-n- time
- Theatrical performances



WHO WE SERVE

Elders who are socially isolated and would benefit from a fun supportive environment outside of their home.

Elders who are continent, can eat without assistance, but are physically frail, and/or memory impaired.

Caregivers who need some free time while a trained professional watches their relative.

Family members who are concerned about elders staying home alone and deteriorating mentally.

TRANSPORTATION

Van pick-up and drop-off its available for our seniors at an additional cost.

-- OR --

Family members and caregivers can transport the senior in their own vehicle.



FREE ONE DAY TRIAL

The Fairhaven Supportive Senior Social Day Program is the best kept secret in town. Seniors love us and caregivers get valuable time to themselves.

The program offers physically frail and/ or mentally impaired seniors a safe, supportive, and supervised environment where they can be themselves, interact with other seniors, have personalized attention, and have fun all day long!



VISITATION IS ENCOURAGED

We invite you to visit us so you can see how happy our senior clients are!

if you know of a senior who would fit well into our program and would benefit from our daily socialization, please call to make an appointment for his or her *FREE* one day trial!

We are open:
Tuesday, Wednesday & Thursday
8:30am - 3:00 pm
To schedule a visit please call
508.979.4029

FUNDING

The program at Fairhaven Supportive Senior Social Day is a fee-based and funded in part by the Executive Office of Elder Affairs and Coastline Elderly Services - the Area Agency on Aging.

This community based supportive day care is supported by the Fairhaven Council on Aging as an option within the continuum of long-term care.

The above-mentioned financial sources do not cover all costs. The Fairhaven Supportive Senior Social Day Program gratefully accepts any voluntary donations, which are used entirely to enhance its programs.

All contributions are kept completely confidential and are not a requirement for admission into the program.

Fairhaven Council on Aging
229 Huttleston Avenue
Fairhaven, MA 02719
508.979.4029

FAIRHAVEN SUPPORTIVE SENIOR

Social Day Program



Serving Seniors of:
Acushnet, Dartmouth,
Fairhaven, Marion,
Mattapoisett, New
Bedford & Rochester

OCTOBER 2022

Fairhaven Senior Lifestyles

Dedicated to serving Fairhaven's finest, our senior citizens

*There is something haunting
in the light of the moon
Joseph Conrad*

**BEWARE !!!
THE OCTOBER NEWSLETTER
IS FRIGHTENING!** 

229 Huttleston Avenue, Fairhaven, MA 02719

Phone: 508.979.4029

Fax: 508.979.4116

Email: MReed@Fairhaven-ma.gov

Website: www.fairhaven-ma.gov



Committee Liaison Report – Bob Espindola – October 17th, 2022

Broadband Study Committee. I met with SRPEDD representatives regarding the prospect of working with the Regional Planning Authority and Mass Broadband Institute to potentially expand the scope of the project in the Fairhaven Housing Authority (Community Compact Cabinet grant). SRPEDD will be providing a proposal for consideration shortly and I will be reviewing that with Ms. Ellison to determine what next steps and procurement requirements will be.

I also met also with consultant Entry Point and Director of the Housing Authority, Krisanne Sheedy about the project. She explained that there is a major renovation project ongoing at the Oxford Terrace site and there may be an opportunity to work with their engineers to see if there is anything that can be done in their current project planning that may help with the Broadband project.

Lastly, I also registered for a workshop that MBI is putting on next week aimed at sharing knowledge, strategies, and best practices for digital equity planning with key state, regional and local partners to maximize the potential impact afforded by the federal programs.

The workshop is meant for Regional Planning Agency staff and key community stakeholders and will cover;

- Best practices and strategies for municipal, community, and private sector partners to use in closing the digital divide.
- Step by step process for executing a Digital Equity plan
- Understanding of State and Federal digital equity policy and funding program context under ARPA and IJJA
- Clear definitions and terminology used in the digital equity

Southeastern Regional Planning and Economic Development District (SRPEDD) SRPEDD met on September 28th Senator **Michael Rodrigues, Chair of the Senate Ways and Means Committee** provided for an update from the Legislature and opportunity to tap into his insights and expertise with regard to projects and issues of importance to all of us in SE Mass. He talked about the fact that Governor Baker recently announced that “Stronger-than expected state tax revenues have led to a major surplus for Fiscal Year 2022”, which will result in nearly \$3 billion in excess revenue to the taxpayers. This will result in scaling back of plans that the State had previously for investments in a number of different areas, and it means they will be going back to the drawing board to figure out what adjustments they will need to make to their previously targeted initiatives.

Southeastern Mass. Metropolitan Planning Organization (SMMPO). The meeting scheduled for October 18th has been cancelled.

100 Cedar Street
Fairhaven, MA 02719
October 12, 2022

Fairhaven Select Board
40 Center Street
Fairhaven, MA 02719

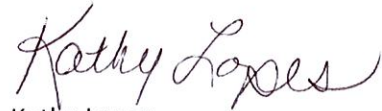
Dear Select Board,

I have submitted a permit application with the State to hold the Ft. Phoenix Polar Plunge on Sunday, January 1, 2023 at 10 a.m. at Ft. Phoenix State Beach Reservation. Although the event is not held on Town Property, I come before the Select Board each year to request your support and the support of the Fairhaven Fire Department for the ambulance to be on site for the event.

Our event remembers the victims of domestic violence. Our net proceeds go to the Fairhaven Dollars for Scholars scholarships for high school students.

I hope that you will support this event and would be happy to answer any questions that you have.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Lopes".

Kathy Lopes
Ft. Phoenix Polar Plunge Chair

Board and Committee Volunteer Application

CULTURAL COUNCIL

Submitted on Monday, September 19, 2022 – 3:20 pm

Full Name: *Alexandra Caine*

Address:

I am writing to the Select Board to request an appointment regarding the Cultural Council. I am interested in getting involved with the cultural aspect of Fairhaven.

I have been a board member on small nonprofits before, one being involved in Restorative Justice and the other helping international women further their education. I have worked in the nonprofit art industry previously at WateFire Providence and hold on master degree in Nonprofit Management with a concentration in Project Management from Northeastern University.

My children have grown up in Fairhaven and I would like to express my gratitude to town that helped them both out in different ways by volunteering some of my time. They are both in college now, so my life has opened up and it allows me to be more involved in my community. I am new to the process, so any guidance in what steps to follow would be appreciated.

Thank you,

Alexandra Caine

Board and Committee Volunteer Application

BELONGING COMMITTEE

Submitted on Friday, September 16, 2022 - 6:41pm

Full Name: *Eryn S. Tomascik*

Address: *22 Cottage St.*

Good afternoon! I am writing to the Select-Board point of contact with the referral of Laura Gardner, a fellow Fairhaven Resident, regarding the recently established Belonging Committee. I am writing to express a formal intent of interest, which also includes a resume and lived experience as a transgender woman living in Fairhaven. I have been a resident since the early 1990s, and though I have also lived in Woonsocket, RI, New Bedford, East Falmouth, and Swansea, my heart has always been in Fairhaven. I also come to the table with three+ years of DEI experience, including operating as the Chairwoman for the LGBTQIA+ Sub-Committee & Workgroups at Aspire Health Alliance and the Duffy Health Center, respectively. I also recently began facilitating the Duffy Health Center's annual all-staff training's LGBTQIA+ Competency presentation, and also facilitate the Duffy Health Center's New Employee Orientation "Passport Program" LGBTQIA+ Competency bi-monthly abridged presentation/training.

Thank you in advance for your consideration!

All the best,

Eryn S. Tomascik
(she/her/hers)
AA, BA, Case Manager,
Duffy Health Ctr.
Owner & Creative Director,
ESP Eryn Spencer Productions

Board and Committee Volunteer Application

Economic Development Committee

Submitted on Friday, September 23, 2022 - 10:19am

Full Name: Patrick J Carr

Address: 141 Pleasant Street

How long have you been a Fairhaven resident? 45 years

What Board(s) or Committee(s) are you interested in joining? What is your reason for joining? I would like to become a voting member on the economic development commission.

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

Have you (or are you currently) served on any Town of Fairhaven Boards? If so, please indicate what Board and number of years: I am presently on the Fairhaven zoning board of appeals

Interests and Qualifications (tells us about yourself): I am partners in 2 family owned businesses for 26 years in which my wife Suzanne and my daughter Erin are partners and employees. I am an advocate for Town of Fairhaven and would like to contribute anything that is of value to this board. I would be honored to serve if chosen for this position



Office of Veterans Services
229 Huttleston Avenue
Fairhaven, MA 02719

Telephone: 508-979-4029 Fax: 508-979-4116

September 16, 2022

Stasia Powers, Chair
Fairhaven Selectboard
40 Center Street
Fairhaven MA 02719

Dear Ms. Powers and Selectboard Members,

On behalf of the Fairhaven Historical Commission and the Fairhaven Lions Club I am writing to ask permission to fly a flag of each military branch upon the birthday of said branch and the week following at Fort Phoenix. I believe this will be a wonderful tribute to every Veteran in Fairhaven.

The flags will be procured by the Fairhaven Lions Club.

It is my understanding we must be granted permission to fly a flag under the American flag in town 60 days prior to the date.

We are already late for permission to fly the Marine flag. The Marines birthday is celebrated each year on November 10. Would you be kind enough to grant a waiver on the 60 day rule?

Following is a list of flags to be flown and the dates of birthdays for each military branch. I understand there will be a ceremony each birthday.

November 10, 2022	Marines
June 14, 2023	Army
October 13, 2023	Navy
August 4, 2023	Coast Guard
September 18, 2023	Air Force

I look forward to hearing your decision.

Sincerely,

Brad Fish, VSO

TOWN OF FAIRHAVEN - BOARD OF PUBLIC WORKS
REQUEST TO USE TOWN PROPERTY



Date of Event: 11/24/2022 Time: 9:00 A.M.

Name: Eric Tavares

Address: 15 Hutton St

City/Town/Zip: Fall River, Ma, 02720

Phone #: _____

Email: _____

Location Request: Cushman Park

Type of Event: 5k Run and Walk

Estimated Number of People Attending: 250-300

Special Requests -

Additional Fee may apply: _____

Fee: \$25.00 non refundable - Check made payable to "Town of Fairhaven"

WAIVE FEE - NON PROFIT @

Date Paid: _____ Receipt # _____ Check # _____

Rules & Regulations: No food or alcoholic beverages are permitted on the premise.

No tents are allowed on premise.

All decorations must be removed when function is completed.

Limited amount of chairs for elderly.

Area must be cleaned when function is completed.

*unless otherwise noted.

*

Approved:  Date: 9-14-22

Not Approved: _____ Date: _____

Town of Fairhaven
40 Center Street
Fairhaven MA 02719

**WAIVER OF LIABILITY
RELEASE AND INDEMNIFICATION**

Event Information

Name of Event: Fairhaven Turkey Trot
Event Location: Cushman Park
Event Date(s): 11/24/2022
Event Host/Coordinator: Greater New Bedford Track Club / Eric Tavares

Release and Indemnity

In consideration of the services of the Town of Fairhaven and my being permitted to use its park(s) and/or facilities to participate in the Event and activity referenced above and any related activities (collectively, the "Event"), I hereby attest that, after reading this Waiver of Liability, Release, and Indemnification completely and carefully, I acknowledge that my participation in the Event is entirely voluntary, and I further understand and agree as follows:


ASSUMPTION OF RISK/LIABILITY RELEASE AND INDEMNITY: I acknowledge that the Town of Fairhaven does not guarantee safety. I understand that incidental to my participation in the Event, I may be engaging in activities that involve the risk to me, any individual accompanying me, and to other people of property loss and damage, serious personal injury, illness, permanent disability, dismemberment, and death.

I understand these risks may result from the actions, negligence and failure to act of myself and others (including, but not limited to, other individuals in attendance at the Event) and from the condition of any property, facilities or equipment used. I also understand that there may be risks involved that are not known to me or to the Town of Fairhaven, and may not be foreseen or reasonably foreseeable by any of us at this time or at the time of the Event. I agree to assume all of the foregoing risks.

I hereby **RELEASE** the Town of Fairhaven, its officers, agents, employees, and assigns from all suits, claims, and demands of any nature whatsoever, which I, my heirs or assigns, or any third party including invitees and others, may ever have including, but not limited to, personal or bodily injury, death, or property damage arising out of, related to, or resulting from, in whole or in part, my participation in the Event.

I agree to **INDEMNIFY AND HOLD HARMLESS** the Town of Fairhaven, its officers, agents, employees, and assigns from all suits, claims, and demands of any nature whatsoever, by any third party including invitees and others, including, but not limited to, suits, claims and demands arising from personal or bodily injury, death, or property damage arising out of, related to, or resulting from, in whole or in part, my participation in the Event.

I HAVE CAREFULLY READ THE ABOVE RELEASE AND INDEMNIFICATION AND UNDERSTAND THE CONTENTS THEREOF AND SIGN THIS RELEASE AND INDEMNIFICATION AS MY OWN FREE ACT.

Participant's Name: Eric Tavares
Signature:  Date: 9/14/2022
Complete Address: 15 Hutton St, Fall River, Ma, 02720

FAIRHAVEN IMPROVEMENT ASSOCIATION
P.O. BOX
FAIRHAVEN, MASS. 02719

Dear Selectboard Chairman Stassia Powers ,

It has been a great year as all our town organizations have been able to have their normal events throughout the year. The Fairhaven Improvement Association has one more event this year and that is our sing a long. We will be getting together on December 10th at 6:00 pm with the singing of Christmas songs in the front of the Town Hall. Approximately at 6:20 Santa arrives on a fire truck in front of the Town Hall and greets the children. Two years ago we had Sharon Jensen and a few of her students leading the singing. We also had the Miss New Bedford Outstanding Teen, the Apple Peach Queen and the Wampanoag princes to take pictures with the children. Hopefully we can get the girls again this year. We also have hot cocoa and cookies and dounut holes for the children to munch on. We are requesting as we have for many years in the past to use the Town Hall and the auditorium for this event. The event usually wraps up around 8:30. I will contact Kevin Fournier and if he is can't cover this event I will gladly cover the event for him. We would appreciate the board giving us permission to use our wonderful Town Hall.

Thank You
Frank Fostin
Co Chairman Sing a Long Committee

The below taken from

<https://www.arborday.org/programs/treecityusa/#standardsSection>

Your community can receive annual Tree City recognition by [meeting four overarching standards](#). They include:

Tree City USA Standards

To qualify as a Tree City USA community, you must meet four standards established by the Arbor Day Foundation and the National Association of State Foresters. These standards were established to ensure that every qualifying community would have a viable tree management program and that no community would be excluded because of size.

Four Standards for Tree City USA Recognition

STANDARD 1

A Tree Board or Department

Someone must be legally responsible for the care of all trees on city- or town-owned property. By delegating tree care decisions to a professional forester, arborist, city department, citizen-led tree board or some combination, city leaders determine who will perform necessary tree work. The public will also know who is accountable for decisions that impact community trees. Often, both professional staff and an advisory tree board are established, which is a good goal for most communities.

The formation of a tree board often stems from a group of citizens. In some cases a mayor or city officials have started the process. Either way, the benefits are immense. Involving residents and business owners creates wide awareness of what trees do for the community and provides broad support for better tree care.

STANDARD 2

A Public Tree Care Ordinance

Cities and towns in the U.S. have both public and private property within their jurisdictional boundaries. Trees on public property are a public good, and caring for these trees is a vital element of the Tree City USA program. A public tree care ordinance or

law forms the foundation of a city's tree care program; it provides an opportunity to set good policy and back it with the force of law when necessary.

A key section of a qualifying ordinance is one that **assigns authority over public trees**. This could be through the establishment of a tree board or forestry department—or both—and gives one of them the responsibility for public tree care (as reflected in Standard 1).

Qualifying ordinances will also **provide clear guidance for planting, maintaining, and/or removing trees from streets, parks, and other public spaces**.

Importantly, a public tree care ordinance **must be in effect 24/7/365**. In other words, the policies for tree planting, care, and removal of trees codified in the ordinance must be continuous, not triggered by an event like landscaping requirements or the land development process.

Beyond that, the ordinance should be flexible enough to fit the needs and circumstances of the particular community. There are many ways to strengthen a tree ordinance, including the task of crafting and implementing a plan of work, a clause protecting public trees from damage, or the requirements for tree care businesses.

For tips and a checklist of important items to consider in writing or improving a tree ordinance, [see Tree City USA Bulletin #9](#).

STANDARD 3

A Community Forestry Program With an Annual Budget of at Least \$2 Per Capita

City trees provide many benefits—clean air, clean water, shade and beauty to name a few—but they also require an investment to remain healthy and sustainable. By providing support at or above the \$2 per capita minimum, a community demonstrates its commitment to grow and tend these valuable public assets. Budgets and expenditures require planning and accountability, which are fundamental to the long-term health of the tree canopy and the Tree City USA program.

To meet this standard each year, the community must document at least \$2 per capita toward the planting, care and removal of city trees—and the planning efforts to make those things happen. At first this may seem like an impossible barrier to some communities. However, a little investigation usually reveals that more than this amount is already being spent on tree care. If not, this may signal serious neglect that will cost far more in the long run. In such a case, working toward Tree City USA recognition can be used to reexamine the community's budget priorities and redirect funds to properly care for its tree resources before it is too late.

STANDARD 4

An Arbor Day Observance and Proclamation

An effective program for community trees would not be complete without an annual Arbor Day ceremony. Citizens join together to celebrate the benefits of community trees and the work accomplished to plant and maintain them. By passing and reciting an official Arbor Day proclamation, public officials demonstrate their support for the community tree program and complete the requirements for becoming a Tree City USA!

This is the least challenging—and probably most enjoyable—standard to meet. An Arbor Day celebration can be simple and brief or an all-day or all-week observation. It can include a tree planting event, tree care activities or an award ceremony that honors leading tree planters. For children, Arbor Day may be their only exposure to the green world or a springboard to discussions about the complex issue of environmental quality.

The benefits of Arbor Day go far beyond the shade and beauty of new trees for the next generation. Arbor Day is a golden opportunity for publicity and to educate homeowners about proper tree care. Utility companies can join in to promote planting small trees beneath power lines or being careful when digging. Fire prevention messaging can also be worked into the event, as can conservation education about soil erosion or the need to protect wildlife habitat.

THE FOLLOWING CAN BE SEEN AT

[HTTPS://WWW.ARBORDAY.ORG/PROGRAMS/TREECITYUSA/#BENEFITSSECTION](https://www.arborday.org/programs/treecityusa/#benefitssection)

PROGRAM HISTORY

Started in 1976, Tree City USA is one of the Arbor Day Foundation's oldest programs. Our founders had a vision for a greener, healthier America, and hoped this initiative would inspire change on a nationwide level.

The first Tree City USA cohort was comprised of 42 communities in 16 states. Today, the program includes more than 3,600 communities from all 50 states, Washington D.C., and Puerto Rico.

We've seen a lot of change over the years — but our participants' passion for trees has remained the same.

Our story isn't over. We hope to continue growing our network, city by city, until every American can live in a Tree City USA community.



WHY BECOME A TREE CITY USA COMMUNITY?

A thriving urban forest offers many advantages to communities. Here are just a few:

- Trees help absorb the sounds of traffic in urban areas by 40%.
- Neighborhoods with trees are seven to nine degrees cooler than those without.
- Trees reduce energy costs up to 25% by shading buildings and protecting them from winter winds.
- Homes with trees have higher property values.
- Green space plays a major role in improving mental and physical health.
- Planting and maintaining trees absorbs carbon dioxide in the atmosphere, mitigating the effects of climate change.

Publicly demonstrating your commitment to the environment is a great way to build pride among residents, as well as position your community as an attractive place to live. To help you share your award, we send signs, flags, press releases, and other materials after your acceptance.

We the Selectboard of the Town of Fairhaven acknowledge National Arber Day and our town plns to celebrate it and recognize the intrinsic value to trees in out community.



Sheri Souza <ssouza@fairhaven-ma.gov>

Belonging Committee Gift Account

1 message

Kylie Bateman <batemanjk@gmail.com>

Sat, Sep 24, 2022 at 7:22 PM

To: selectboard@fairhaven-ma.gov

Good day,

At our last Belonging Committee meeting we agreed to request a gift account be set up for the committee so we can consider donations. Could we be considered on an agenda for an upcoming meeting?

Thank you,

-Kylie

SELECT BOARD'S MEETING

MONDAY, October 17, 2022

**Amendment Change of LLC Manager
Amendment Change of Manager**

Application submitted by:

**OSJL Spirits, LLC, d/b/a/ Ocean State Job Lot
11 Berdon Way
Fairhaven, MA 02719
Attorney Nicole M. Levesque**

****All documents required for Amendment on file in the Select Board's
office.**



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

RECEIVED

2022 OCT -7 P 3:24

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM

BOARD OF SELECTMAN

APPLICATION FOR AMENDMENT-Change of Officers, Stock or Ownership Interest

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN STATE ZIP CODE

For the following transactions (Check all that apply):

- New License
- Change of Location
- Change of Class (i.e. Annual / Seasonal)
- Change Corporate Structure (i.e. Corp / LLC)
- Transfer of License
- Alteration of Licensed Premises
- Change of License Type (i.e. club / restaurant)
- Pledge of Collateral (i.e. License/Stock)
- Change of Manager
- Change Corporate Name
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Management/Operating Agreement
- Change of Officers/
Directors/LLC Managers
- Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees)
- Issuance/Transfer of Stock/New Stockholder
- Change of Hours
- Other
- Change of DBA

THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL

Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3
 Chelsea, MA 02150-2358



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street, Boston, MA 02114
 www.mass.gov/abcc

RECEIVED

AMENDMENT-Change of Manager

Change of License Manager

2022 OCT -7 P 3:22

1. BUSINESS ENTITY INFORMATION

Entity Name

Municipality

ABCC License Number

OSJL Spirits, LLC

Fairhaven

BOARD OF SELECTMAN
 FAIRHAVEN
 89301-PK-0384

2. APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name

Title

Email

Phone

Jenn Fredette

Licensing Coordinator

permits@osjl.com

401-443-9775

3A. MANAGER INFORMATION

The individual that has been appointed to manage and control of the licensed business and premises.

Proposed Manager Name

Maggie Francisco

Date of Birth

2/5/1976

SSN

011-70-5707

Residential Address

39 Fulton Street, New Bedford, MA 02740

Email

STL253@osjl.com

Phone

508-999-1602

Please indicate how many hours per week you intend to be on the licensed premises

45

Last-Approved License Manager

Nicholas Brunette

3B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?*

Yes No *Manager must be U.S. citizen

If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers. Have you ever been convicted of a state, federal, or military crime?

Yes No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

3C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
9/21		Store Team Leader	Ocean State Job Lot	Nicholas Brunette
7/15	6/21	Store Manager	Kohls	Lance Lazard

3D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? Yes No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature

M. Francisco

Date

8/31/22

WARRANT

Town Meeting to Act on Articles in the Warrant
Tuesday, November 15, 2022 at 7:00 p.m.
in the Walter Silveira Auditorium at the
Elizabeth I. Hastings Middle School.

ARTICLE 1: AMEND FY23 GENERAL FUND OPERATING BUDGET

To see if the Town will vote to amend Article 8 of the June 18, 2022 Town Meeting "General Fund Operating Budget – FY23" or take any other action relative thereto.

Petitioned by: Town Administrator

Motion: Move that the Town vote to amend Article 8 of the June 18, 2022 Annual Town Meeting "General Fund Operating Budget – FY23" as follows.

1. Transfer from Surplus Revenue as follows:

- A. \$2,000 be transferred from Surplus Revenue (Free Cash) to Animal Control – Gasoline.
- B. \$6,500 be transferred from Surplus Revenue (Free Cash) to Council on Aging – Gasoline.
- C. \$25,000 be transferred from Surplus Revenue (Free Cash) to Fire Department – Gasoline.
- D. \$12,500 be transferred from Surplus Revenue (Free Cash) to Highway Department – Gasoline
- E. \$4,000 be transferred from Surplus Revenue (Free Cash) to Park Department – Gasoline.
- F. \$33,000 be transferred from Surplus Revenue (Free Cash) to Police Department – Gasoline.
- G. \$5,000 be transferred from Surplus Revenue (Free Cash) to Marine Resources – Gasoline.
- H. \$4,000 be transferred from Surplus Revenue (Free Cash) to Tree Department – Gasoline.
- I. \$4,690 be transferred from Surplus Revenue (Free Cash) to Council on Aging – Repairs & Maintenance Building.
- J. \$4,000 be transferred from Surplus Revenue (Free Cash) to Recreation Department – Repairs & Maintenance Building.
- K. \$3,000 be transferred from Surplus Revenue (Free Cash) to Town Clerk – Postage.
- L. \$11,500 be transferred from Surplus Revenue (Free Cash) to Conservation Department – Contracted Services.

2. Transfer from Enterprise Funds as follows:

- A. \$12,000 be transferred from Water Retained Earnings to Water Department – Gasoline.
- B. \$8,000 be transferred from Sewer Retained Earnings to Sewer Department – Gasoline.
- C. \$2,794 be transferred from Water Retained Earnings to Water Department Salaries & Wages.
- D. \$2,111 be transferred from Sewer Retained Earnings to Sewer Department Salaries & Wages.
- E. \$3,157 be transferred from Town Cable Retained Earnings to Town Cable Department Salaries & Wages.

3. Transfer from Wage and Salary Reserve as follows:

- A. \$2,200 be transferred from Wage and Salary Reserve to Select Board/Town Administrator Salaries & Wages.
- B. \$1,640 be transferred from Wage and Salary Reserve to Human Resources Salaries & Wages.
- C. \$2,967 be transferred from Wage and Salary Reserve to Town Accountant Salaries & Wages.
- D. \$2,531 be transferred from Wage and Salary Reserve to Treasurer/Collector Salaries & Wages.
- E. \$1,744 be transferred from Wage and Salary Reserve to Assessors Salaries & Wages.

- F. \$1,137 be transferred from Wage and Salary Reserve to Elections & Registration Salaries & Wages.
- G. \$1,426 be transferred from Wage and Salary Reserve to Town Hall Salaries & Wages.
- H. \$2,519 be transferred from Wage and Salary Reserve to Planning and Economic Development Salaries & Wages.
- I. \$104 be transferred from Wage and Salary Reserve to Board of Appeals Salaries & Wages.
- J. \$1,957 be transferred from Wage and Salary Reserve to Conservation/Sustainability Salaries & Wages.
- K. \$2,689 be transferred from Wage and Salary Reserve to Police Department Salaries & Wages.
- L. \$3,093 be transferred from Wage and Salary Reserve to Fire Department Salaries & Wages.
- M. \$3,568 be transferred from Wage and Salary Reserve to Building Department Salaries & Wages.
- N. \$2,627 be transferred from Wage and Salary Reserve to Marine Resources Salaries & Wages.
- O. \$1,490 be transferred from Wage and Salary Reserve to Highway Department Salaries & Wages.
- P. \$4,189 be transferred from Wage and Salary Reserve to Board of Public Works Administration Salaries & Wages.
- Q. \$1,865 be transferred from Wage and Salary Reserve to Tree Warden Department Salaries & Wages.
- R. \$2,175 be transferred from Wage and Salary Reserve to Board of Health Salaries & Wages.
- S. \$2,596 be transferred from Wage and Salary Reserve to Council on Aging Salaries & Wages.
- T. \$1,771 be transferred from Wage and Salary Reserve to Veterans Salaries & Wages.
- U. \$4,107 be transferred from Wage and Salary Reserve to Recreation Department Salaries & Wages.
- V. \$1,548 be transferred from Wage and Salary Reserve to Tourism Salaries & Wages.
- W. \$1,363 be transferred from Wage and Salary Reserve to Park Department Salaries & Wages.

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: Simple majority

ARTICLE 2: AMEND FY23 WATER ENTERPRISE OPERATING BUDGET

To see if the Town will vote to amend Article 9 of the June 18, 2022 Town Meeting “Water Enterprise Operating Budget – FY23” or take any other action relative thereto.

Petitioned by: Board of Public Works

Motion: Move that the Town vote to amend Article 9 of the June 18, 2022 Annual Town Meeting “Water Enterprise Operating Budget – FY23” as follows:

Transfer \$15,000 from Water Retained Earnings to Water Department – Salaries for the purpose of a retirement payoff.

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: Simple majority

ARTICLE 3: SPECIAL EDUCATION RESERVE FUND

To see if the Town will vote to transfer \$58,000 from Surplus Revenue (Free Cash) to be deposited in the Special Education Reserve Fund as authorized by Chapter 40, Section 13E of the General Laws, or take any other action relative thereto.

Petitioned by: School Department

Motion: Move that the Town vote to transfer \$58,000 from Surplus Revenue (Free Cash) be deposited in the Special Education Reserve Fund as authorized by Chapter 40, Section 13E of the General Laws.

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: Simple majority

ARTICLE 4: SOUTH STREET PUMP STATION VALVE REPLACEMENT

To see if the Town will vote to raise and appropriate, borrow, or transfer \$50,000 from available funds to replace a valve at the South Street Pumping Station or take any other action relative thereto.

Petitioned by: Board of Public Works

Motion: Move that the Town vote to transfer \$50,000 from Sewer Enterprise Retained Earnings to replace a valve at the South Street Pumping Station.

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: Simple majority

ARTICLE 5: HOME RULE PETITION

To see if the Town will vote to authorize the Select Board to petition the Massachusetts General Court for special legislation revising the process for selecting applicants from the centralized state waiting list for housing at the Fairhaven Housing Authority to address the disproportionate housing of non-local applicants under the current system so that Fairhaven residents and Fairhaven employees may experience shorter waiting periods.

Petitioned by: Housing Authority

Motion: Move to adopt as written in the warrant.

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: Simple majority

ARTICLE 6: BILLS OF PRIOR YEAR – Paid from FY23 funds

To see if the Town will vote to pay the bills of prior year.

<u>Vendor</u>	<u>Amount</u>	<u>Petitioner</u>
A. Med-Tech	535.30	Fire Department

Petitioned by: Finance Director

Motion: Move to approve \$535.30 for a bill of a prior year, with the funds coming from Surplus Revenue (Free Cash).

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: 9/10 pursuant to G.L. c, 44, s.64

ARTICLE 7: TOWN HALL ELEVATOR

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money not to exceed \$8,250 to repair the Town Hall elevator to meet the State of Massachusetts requirements to receive the elevator permit, or take any other action relative thereto.

Petitioned by: Town Administrator

Motion: Move that the Town will vote to transfer \$8,250 from Surplus Revenue (Free Cash) to fix the Town Hall elevator.

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: Simple Majority

ARTICLE 8: TOWN ADMINISTRATOR'S OFFICE FURNITURE

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money not to exceed \$31,500 to purchase office furniture to make the office function able, or take any other action relative thereto.

Petitioned by: Town Administrator

Motion: Move that the Town will vote to transfer \$31,500 from Surplus Revenue (Free Cash)

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: Simple Majority

ARTICLE 9: AMBULANCE REQUEST FOR ADDITIONAL FUNDS

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money not to exceed \$75,000, for additional funding needed for the Ambulance purchase voted on the General Fund Capital article 13C at the June 18, 2022 Town Meeting.

Petitioned by: Fire Department

Motion: Move to appropriate \$75,000 from Ambulance Receipts Reserved for Appropriation.

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: Simple Majority

ARTICLE 10: SAFE ROUTE TO SCHOOLS

To see if the Town will vote to authorize the Select Board to acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Select Board shall determine, permanent and temporary easements and other rights or interests in land on certain parcels of land shown on plans titled "Massachusetts Department of Transportation Highway Division Plan and Profile of Scoticut Neck Road in the Town of Fairhaven Bristol County Preliminary Right of Way Plans," prepared by Chappell Engineering Associates, LLC, as said plans may be amended, for construction, public way, utility, and/or other municipal purposes; and, further, to authorize the Select Board to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisitions and other acts authorized herein; and, further, to

authorize the Select Board to seek authorization and approval of the General Court, which may include a petition brought pursuant to the provisions of Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts relative to certain permanent and temporary easements to be located upon land owned by the Town of Fairhaven; and further, to accomplish these purposes and acquisitions, to raise and appropriate a sum of money to defray the costs associated with this project and the acquisitions of the rights and interests identified herein; or take any other action relative thereto.

Petitioned by: Board of Public Works

Motion: Move to adopt as written in the warrant.

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: Simple Majority unless seeking to authorize a borrowing

ARTICLE 11: THERMAL CAMERA SYSTEM – HARBORMASTER BOAT

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money not to exceed \$9,020 to replace the Harbormaster Thermal Camera System, or take any other action relative thereto.

Petitioned by: Marine Resources

Motion: Move to transfer \$9,020 from Surplus Revenue (Free Cash) for the replacement of the Harbormaster Thermal Camera System.

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: Simple Majority

ARTICLE 12: FUND LABOR CONTRACTS FY23

To see if the town will vote to fund contracts for the clerical, police, dispatchers, fire, highway, water and sewer unions or take any other action relative thereto:

- A. Clerical Union
- B. Police Union
- C. Dispatchers Union
- D. Fire Union
- E. Highway Union
- F. Water Union
- G. Sewer Union

Petitioned by: Town Administrator

May need an additional motion to waive the notice provisions of Section 50-9. Also, the numbers will have to be added once the contracts are settled

Motion: Move to adopt the following:

- A. Select Board/Town Administrator Salaries and Wages – Move adoption and the sum of \$ be transferred from FY23 Wage and Salary Reserve.

- B. *Human Resources Salaries and Wages – Move adoption and the sum of \$ be transferred from FY23 Wage and Salary Reserve.*
- C. *Treasurer/Collector Salaries and Wages- Move adoption and the sum of \$ be transferred from FY23 Wage and Salary Reserve.*
- D. *Town Clerk Salaries and Wages- Move adoption and the sum of \$ be transferred from FY23 Wage and Salary Reserve.*
- E. *Assessors Salaries and Wages- Move adoption and the sum of \$ be transferred from FY23 Wage and Salary Reserve.*
- F. *Police Department Salaries and Wages- Move adoption and the sum of \$ be transferred from FY23 Wage and Salary Reserve.*
- G. *Fire Department Salaries and Wages- Move adoption and the sum of \$ be transferred from FY23 Wage and Salary Reserve.*
- H. *Building Department Salaries and Wages- Move adoption and the sum of \$ be transferred from FY23 Wage and Salary Reserve.*
- I. *Marine Resources Salaries and Wages- Move adoption and the sum of \$ be transferred from FY23 Wage and Salary Reserve.*
- J. *Highway Department Salaries and Wages– Move adoption and the sum of \$ be transferred from FY23 Wage and Salary Reserve.*
- K. *Board of Health Salaries and Wages- Move adoption and the sum of \$ be transferred from FY23 Wage and Salary Reserve.*
- L. *Council on Aging Salaries and Wages- Move adoption and the sum of \$ be transferred from FY23 Wage and Salary Reserve.*
- M. *Park Department Salaries and Wages- Move adoption and the sum of \$ be transferred from FY23 Wage and Salary Reserve.*
- N. *Water Department Salaries and Wages- Move adoption and the sum of \$ be transferred from Water Enterprise Retained Earnings.*
- O. *Sewer Department Salaries and Wages – Move adoption and the sum of \$ be transferred from Sewer Enterprise Retained Earnings.*

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: Simple Majority

ARTICLE 13: FIRE ENGINE 4 REPAIR

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds \$70,000 to repair Fire Engine 4, which needs a complete engine rebuild due to mechanical issues that placed it out of service, or to take any other action relative thereto.

Petitioned by: Fire Department

Motion: Move to transfer \$70,000 from Surplus Revenue (Free Cash) for the repair of Fire Engine 4.

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: Simple Majority

ARTICLE 14: EMERGENCY POLICE BOAT REPAIRS

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds \$18,558 to repair broken items needed for the safe operations and transport of the Police Boat. Replace steering controls, trailer, and FLIR (Forwarding Looking Infrared) unit, or to take any other action relative thereto

Petitioned by: Police Department

Motion: Move to transfer \$18,558 from Surplus Revenue (Free Cash) for the repair of the Police Boat.

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: Simple Majority

ARTICLE 15: APPOINTMENT OF SPECIAL OFFICERS

To see if the town will vote to amend Article 9-Special Legislation for the appointment of retired police officers as special police officers from the special town meeting of Saturday, June 7, 2003, to allow retired police officers town work until the age of 70 instead of 65 as is currently allowed.

SPECIAL TOWN MEETING-SATURDAY, JUNE 7, 2003 WALTER SILVEIRA AUDITORIUM - ELIZ. HASTINGS
MIDDLE SCHOOL TOWN MEETING MEMBERS PRESENT 244 - QUORUM REQUIRED 100

ARTICLE 9-SPECIAL LEGISLATION FOR THE APPOINTMENT OF RETIRED POLICE OFFICERS AS SPECIAL POLICE OFFICERS IN THE TOWN OF FAIRHAVEN

Voted unanimously to authorize the Board of Selectmen to petition the General Court for the passage of legislation to authorize the following:

REQUEST TO AMEND AS FOLLOWS;

*SECTION 1. ~~The Board of Selectmen~~ **The Chief of Police** of the Town of Fairhaven, **with Town Administrator approval**, may appoint, as they deem necessary, retired Fairhaven police officers as special police officers for the purpose of performing police details or any other police duties arising therefrom or during the course of police detail work, regardless of whether or not related to the detail work. The retired police officers must have been regular Fairhaven police officers and retired based on superannuation. **No retired police officer shall be appointed as a special police officer pursuant to this act if that officer has been retired for more than five(5) years.** The special police officers shall **NOT** be subject to the same maximum age restrictions as applied to regular Fairhaven police officers under chapter 32 of the General Laws, **but shall not be eligible, to serve as special police officers if they have reached the age of 70.** A special police officer must pass a medical examination, by a physician or other certified professional chosen by the town, to determine that he is capable of performing the essential duties of a special police officer, the cost of which shall be borne by the special police officer, prior to performing police details.*

*SECTION 2. Special police officers appointed under this act shall not be subject to chapter 31 of the General Laws, ~~or to~~ section 99A of chapter 41 of the General Laws **or chapter 150E of the General laws.***

SECTION 3. Special police officers shall, when performing the duties under section 1, have the same power to make arrests and perform other police functions as do regular police officers of the Town of Fairhaven.

SECTION 4. Special police officers shall be appointed for an indefinite term, subject to removal by the Board of Selectmen **Chief of Police, with Town Administrator approval**, at any time with 14 days written notice. Upon request, the Board of Selectmen **Chief of Police** shall provide reasons for removal in writing. **A special police officer's appointment shall automatically terminate upon the officer reaching the age of 70.**

SECTION 5. Special police officers shall also be subject to the rules and regulations, policies and procedures and requirements of the Fairhaven police department and Chief of Police of the Town of Fairhaven including restrictions on the type of detail assignment, requirements regarding medical examinations to determine continued capability to perform the duties of a special police officer, requirements for training, requirements for firearm licensing and qualification and requirements regarding uniforms and equipment. Special police officers shall not be subject to section 96B of chapter 41 of the General laws.

SECTION 6. Special police officers shall be sworn before the town clerk of the Town of Fairhaven who shall keep a record of all such appointments.

SECTION 7. Special police officers appointed under this act shall be subject to section 100 and section 111F of chapter 41 of the General Laws. The amount payable under said section 111F of chapter 41 shall be calculated by averaging the amount earned over the prior 52 weeks as a special police officer working police details, or averaged over such lesser period of time for any officer designated as special police officer less than 52 weeks prior to the incapacity. In no event shall payment under said section 111F of chapter 41 exceed, in any calendar year, the limitation on earning contained in paragraph (b) of section 91 of chapter 32 of the General Laws. Payment under said section 111F of chapter 41 shall terminate ~~when a special police officer reaches the age of 65. In the event the age limitation applicable to regular police officers serving the town is increased from the current 65 years of age, the termination of benefits under said section 111F of said chapter 41, as the benefits extend beyond the age of 70 for any special police officer.~~ **in accordance with said section 111F of said chapter 41 or at the conclusion of the employment term, whichever occurs sooner.** Special police officers appointed under this act shall not be subject to section 85H of said chapter 32, nor eligible for any benefits pursuant thereto.

SECTION 8. Appointment as a special police officer shall **NOT** entitle any individual appointed as such to assignment to any detail.

SECTION 9. Retired Fairhaven police officers serving as special police officers under this act shall be subject to the limitations on hours worked and on payments to retired town employees under paragraph (b) of section 91 of chapter 32 of the General Laws.

SECTION 10. This act shall take effect upon its passage.

Petitioned by: Police Chief

Motion: Move to adopt as written in the warrant

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: Simple Majority

ARTICLE 16: PUBLIC SHADE TREE BYLAW

To see if the town will vote to amend the General Provisions of the By-Law to include Chapter 88- Fairhaven Public Tree as following:

Purpose:

- 1) The Town finds that the preservation of existing trees, the promotion of new tree planting and the maintenance of the community forest is a public purpose that protects the public health, welfare, environment, aesthetics and quality of life of the Town and its citizens. The purpose of this bylaw is to promote a diverse, healthy and sustainable community forest in order to maintain the historic character of Fairhaven, to provide for the general welfare and enhance the appearance and land values of the Town. The Town has invested substantial resources for many years to plant and maintain trees and these trees belong to the citizens of the Town. The Town also recognizes the need for a highly reliable network of public utilities to supply businesses, homes, hospitals and other services in an area subject to storms and high winds and therefore includes rules for emergency work and tree removal when necessary.

§ 88-2. Definitions:

- 1) Certified Arborist – An arborist certified by the Massachusetts Arborists' Association or the International Society of Arboriculture, or any successor of either organization.
- 2) Diameter at Breast Height (DBH) – The standard measure of tree having at least four (4) inches in diameter at a height of four and one-half (4.5) feet above the existing grade at the base of the tree. If the tree splits into multiple trunks below four and one-half (4.5) feet above the existing grade, the DBH shall be considered to be the measurement taken at the narrowest point beneath the split.
- 3) Drip line – A vertical line running through the outermost portion of the crown (outer branch tips) of a tree and extending to the ground.
- 4) Emergency - When one or more portions of a tree or a whole tree falls, or is likely to fall, onto or dangerously close to property, vehicles or power lines with the likelihood of causing property damage or personal injury.
- 5) Hazard Tree –A tree that has structural defects in the roots, stem, or branches that may cause the tree or parts of the tree to imminently fail, where such failure may cause property damage or personal injury.
- 6) Pruning– The selective removal of plant parts, such as branches, buds, or roots to meet specific goals and objectives such as improving the tree's structure, removing dead limbs or directing new, healthy growth.
- 7) Public Shade Tree – Trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the Town other than a State Highway, and all trees, shrubs, bushes, and as further defined in Massachusetts General Laws Chapter 87, §1. Public shade trees are commonly called Street trees. When it appears in any proceeding in which the ownership of or rights in a tree are material to the issue, that, from length of time or otherwise, the

boundaries of the highway cannot be made certain by records or monuments, and that for that reason it is doubtful whether the tree is within the highway or a park or on land surrounding a public building, it shall be taken to be public property until the contrary is shown.

- 8) Remove (including removing and tree removal) – The cutting down of any Public Shade Tree or Town Tree and all other acts which cause the actual removal or the effective removal through damaging, poisoning, or other direct or indirect actions resulting in the death of a public tree, including, but not limited to, excessive or improper pruning.
- 9) Standard, ANSI A300 – The generally accepted industry standards for tree care practices developed by the Tree Care Industry Association (TCIA) and written by the Accredited Standards Committee (ASC) A300.
- 10) Top or Topping – The cutting back of limbs to stubs within the tree’s crown to such a degree as to remove the normal canopy and disfigure the tree.
- 11) Town Trees – All trees, other than public shade trees, located on Town lands, including parks, schoolyards, conservation lands, and any other land owned by the Town.
- 12) Tree Warden – The agent of the Town having primary enforcement responsibilities under this chapter and MGL c. 87 and charged with the responsibility for review, notification and record keeping required pursuant to this chapter.

§ 88-3. Protection of Public Shade Trees and Town Trees:

1) Tree Warden:

- A. The Tree Warden shall have the primary care and control of all public shade trees, shrubs and growths in the town. This includes public shade trees in the Right of Way of streets, except those within a state highway. The Tree Warden shall also have the primary care and control of town trees if so requested in writing by the town board or department with authority over that Town land.
- B. The Tree Warden shall enforce all the provisions of law for the care and preservation of such trees, shrubs and growths.
- C. The Tree Warden shall keep detailed records of requests, complaints, public hearings and actions taken such as planting, pruning and removing public shade trees and town trees. Such records shall include the date, location, species and a narrative detailing the action taken and the reason.
- D. These Tree Warden records shall be continually updated, and shall be filed with the Department of Planning annually. These records shall be provided upon request by the public and maintained by the Tree Warden as Keeper of the Record.
- E. The Tree Warden shall adhere to the regulations for the care, preservation, maintenance and removal of public shade trees, or other trees under their control, as established in this bylaw.
- F. The Tree Warden may designate a qualified Deputy Tree Warden with the approval of the Town Administrator who should have the following training as recommended by the Massachusetts

Tree Wardens' & Foresters' Association, the Massachusetts Department of Conservation and Recreation (DCR), and the USDA Center for Urban & Community Forestry:

- 1) Three (3) years supervisory experience in commercial or municipal tree care;
- 2) Be a Certified Arborist (preferred but not required);
- 3) Have a Massachusetts Pesticide License within 90 days of employment (preferred but not required);
- 4) Associate of Science Degree in Arboriculture / Urban Forestry or a related degree (preferred but not required).

G. All employees of the Town performing tree work shall have specialized training in the care and maintenance of public shade trees. This shall include training in the proper use of the required equipment, planting, pruning and landscaping (including grass cutting) around trees without harming the tree.

2) **Permitting:**

- A. Public Shade Trees shall not be cut, trimmed or removed, in whole or in part, by any person other than the Tree Warden or their deputy, even if he be the owner of the fee in the land on which such tree is situated, except upon a permit in writing from said Tree Warden after a public hearing, in which no objection was submitted in writing within 14 days of the public hearing. Public Shade Tree public hearings shall be conducted during meetings of another Town Board, such as the Planning Board, Park Commission or Select Board as determined by the Town Administrator. The Tree Warden or their deputy shall cause a notice, stamped by the Town Clerk, of the time and place of such hearing thereof, which shall identify the size, type and location of the shade tree or trees to be cut down or removed and why, to be posted in two or more public places in the town and upon the tree at least seven days before such hearing and published in a newspaper of general circulation in the town once in each of two successive weeks. The first publication to be not less than seven days before the day of the hearing. The posting on the tree shall be done in a manner that will not cause harm to the tree.
- B. Tree wardens shall not cut down or remove or grant a permit for the cutting down or removal of a Public Shade Tree if before, at, or within 14 days of the public hearing as provided in the preceding section, objection in writing is made by one or more persons. If no such objection is made the tree warden shall report to the Town Administrator, and may proceed with the proposed work upon receipt of written approval from the Town Administrator. If such an objection in writing is made and the Tree Warden believes the tree(s) should be cut, trimmed or removed, then the Tree Warden may advertise a second duly noticed public hearing at a Select Board Meeting. The Tree Warden may proceed with the proposed work upon receipt of written approval from the Select Board filed with the Town Clerk.
- C. The Massachusetts Department of Transportation has the care and control of all trees, shrubs and growths within state highways.

- D. In addition to the procedural requirements set forth above, no public shade tree or town tree shall be removed for the purpose of, or during the construction of, streetscape improvements unless approved in writing by the Planning Board. Except as otherwise required by state or federal law for roadway design, the Planning Board subdivision regulation regarding trees shall apply to all streetscape improvements.
- E. The Planning Director, Conservation Agent, Superintendent of Public Works and Town Administrator shall be notified at the time of advertisement when any tree removal public hearings are scheduled.
- F. A valid tree work permit from the Tree Warden shall be obtained, prior to doing any of the following work:
- 1) Pruning of a Public Shade Tree or Town Tree.
 - 2) Removal of a Public Shade Tree or Town Tree.
 - 3) Excavation within or adjacent to the public right-of-way or Town property which may disturb roots of any Public Shade Tree or Town Tree, including, but not limited to, the installation of utilities, curb cut permits, or work on the sidewalks.
 - 4) Application for a tree work permit shall be made to the Tree Warden a minimum of 30 business days prior to commencement of the planned work, except in an unforeseen emergency. Application for work on Town lands shall also be submitted to the town board or department with authority over that Town land.
 - 5) It is the obligation of the contractor to positively verify that trees to be trimmed or removed are growing within the public right-of-way, or on other town land, and require a work permit.
 - 6) All work by a Utility Company on Public Shade Trees shall be supervised in the field by an attending Massachusetts certified arborist, who shall be responsible for the work performed, and shall maintain regular contact with the Town's Tree Warden. All work shall be done according to the approved Utility Annual Vegetation Management Plan and/or the Utility Annual Hazard Tree Removal for that year and in accordance with the accepted standards.
 - 7) Both the contractor and the utility shall be responsible for ensuring that the bucket operators are trained and knowledgeable of the standards of this chapter, including the latest American National Standards Institute (ANSI) Standard and National Arborist Association (NAA) Pruning Standards.
- G. Violations of any provision of this bylaw maybe punished by forfeiture of up to five hundred dollars per tree to the use of the Town.

- 3) **Utility Vegetation Management Plan:** Publication, Notification and Review of a Utility Annual Vegetation Management Plan

- A. Any Annual Vegetation Management Plan shall include, but not be limited to, a map (hardcopy and digital) of the circuits where the maintenance work will be performed, a detailed narrative describing the work to be performed, the tree maintenance standards that will be followed and any foreseeable variance from those standards.
 - B. Any Annual Vegetation Management Plan shall conform to the most current and relevant standards of the American National Standard Institute (ANSI); National Electric Safety Code 218 Tree Trimming; and OSHA 29 CFR Part 1910 Line Clearance Tree Trimming Operations.
 - C. Upon receipt of an Annual Vegetation Management Plan the Tree Warden shall send the plan and notice of the public hearing to the Planning Director, Conservation Agent, Superintendent of Public Works and Town Administrator to be distributed to their Board or Commission. Notice of the public hearing shall be published in a newspaper of general circulation in the Town once in each of two successive weeks. The first publication may not be less than 14 days before the day of the hearing and posted in a conspicuous place in the Town Hall for a period of not less than 14 days before the day of the hearing. The public hearing shall be held with the Planning Board within 45 days of receipt of the Annual Vegetation Management Plan.
 - D. The Tree Warden may approve the Annual Vegetation Management Plan only with the consent of the Planning Board which may instruct the Tree Warden to approve the plan, approve the plan with conditions, or deny the plan.
- 4) **Utility Annual Hazard Tree Removal Plan:** Publication, Notification and Review of Utility Annual Hazard Tree Removal Plan
- A. Any Annual Hazard Tree Removal Plan shall include, but not be limited to, the specific trees that the utility has identified as a hazard and proposes to remove.
 - B. Any Annual Hazard Tree Removal Plan shall comply with local ordinances and regulations.
 - C. Any Annual Hazard Tree Removal Plan shall be submitted not less than 90 days prior to the date a utility proposes to begin tree removal.
 - D. Upon receipt of an Annual Hazard Tree Removal Plan the Tree Warden shall send the plan and notice of the public hearing to the Planning Director, Conservation Agent, Superintendent of Public Works and Town Administrator to be distributed to their Board or Commission. Notice of the public hearing shall be published in a newspaper of general circulation in the Town once in each of two successive weeks. The first publication may not be less than 14 days before the day of the hearing and posted in a conspicuous place in the Town Hall for a period of not less than 14 days before the day of the hearing. The public hearing shall be held with the Planning Board within 45 days of receipt of the Annual Hazard Tree Removal Plan.
 - E. The Tree Warden may approve the Annual Hazard Tree Plan only with the consent of the Planning Board which may instruct the Tree Warden to approve the plan, approve the plan with conditions, or deny the plan.

- F. Upon receipt of the Annual Hazard Tree Removal Plan, the Tree Warden, or a designee thereof, shall notify the utility in writing within 60 days whether or not the plan has been approved, approved with modifications and/or conditions or denied.

§ 88-4. Planting:

- A. No public shade tree or town tree shall be planted for the purpose of, or during the construction of, streetscape improvements unless approved in writing by the planning board. Except as otherwise required by state or federal law for roadway design, the planning board subdivision regulation regarding trees shall apply to all streetscape improvements.
- B. The Tree Warden with the Planning Board or Board, Committee or Commission so authorized, shall develop and maintain an up-to-date listing of trees considered most desirable for new plantings along streets with locations.

§ 88-5. Maintenance:

- 1) **Pruning Standards:** In order to minimize adverse impacts of pruning on the Town's public trees, all work performed shall comply with the following requirements and standards.
 - A. Pruning shall be done in such a manner as to protect current tree health with all possible regard for future growth and development
 - B. All work will be performed in compliance with the current ANSI standard and National Arborist Association (NAA) pruning standards.
 - C. No major limb or a limb with a diameter greater than 15% of the tree diameter at breast height (dbh) shall be removed unless approved by the Tree Warden, prior to the commencement of pruning.
 - D. Climbing irons shall not be used by employees on any tree, except when in the process of complete tree removal
 - E. Unless otherwise authorized by the Tree Warden in writing, it shall be unlawful as a normal practice for any person or firm to top any Town tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical, may be exempted from this chapter at the determination of the Tree Warden.
 - F. A reasonable attempt shall be made to trim dead wood from the area being worked.

Petitioned by: Planning Department

Motion: Move to adopt as written in the warrant

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required: Simple Majority

ARTICLE 17: CITIZENS PETITION – REDUCE SALARY OF TOWN ADMINISTRATOR

To see if the Town will vote to reduce the current Town Administrator salary line to \$1.00 by transferring the balance in excess of \$1.00 to Free Cash.

Petitioned by:

Motion:

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required:

ARTICLE 18: CITIZENS PETITION - STREET ACCEPTANCE ALVES WAY 2-10

To see if the Town will accept as a public street Alves Way from 2 to 10, or take any other action relative thereto.

Petitioned by: Tony Alves

Motion:

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required:

ARTICLE 19: CITIZENS PETITION – HARD SURFACE SANDRA LANE

To see if the Town will vote to reconstruct, hard-surface of Sandra Lane a distance of approximately 673 feet.

Petitioned by: Patrick Rosparka

Motion:

Finance Committee Recommendation:

Select Board Recommendation:

Vote Required:



Town of Fairhaven
Select Board
Proclamation

WHEREAS, Freemasonry or Masonry consists of fraternal organizations that trace their origins to the local fraternities of stonemasons, which from the end of the fourteenth century regulated the qualifications of stonemasons and their interaction with authorities and clients; and

WHEREAS, the Masonic Lodge was chartered in 1872 and for 150 years Freemasons have met at George H. Tabor Lodge of Fairhaven, Massachusetts; and

WHEREAS, Masons are taught that all men are equal and individual freedom of thought and action, as well as morality and ethics, are the concepts and ideals upon which the Order is founded; and by teaching the great principles of Brotherly Love, Relief and Truth and through its fellowship, its compassion and its concern, Freemasonry enables men to serve God, family, country, neighbors and self; and

WHEREAS, Masons are men of good standing and moral character, known to be leaders in the community and dedicate themselves to the service of others; and

WHEREAS, George H. Tabor Lodge of Fairhaven, Massachusetts is a nonprofit organization that has dedicated themselves to the service of Fairhaven and the surrounding community.

NOW, THEREFORE, BE IT RESOLVED the Fairhaven Select Board hereby recognizes the George H. Masonic Lodge, Grand Lodge of Massachusetts of Free and Accepted Masons and their members as they celebrate 150 years of Freemasonry. Passed and proclaimed this ...

Given under our hands and seal on this day, The Fifteenth Day of October, in the year of our Lord Two Thousand and Twenty-Two.

Stasia Powers

Leon E. Correy III

Robert J. Espindola

Keith Silvia

Charles K. Murphy, Sr.



Linda Fredette
Town Clerk

Town of Fairhaven Massachusetts

Town Clerk's Office

Town Hall · 40 Center Street · Fairhaven, MA 02719
Telephone: 508-979-4023 x 3 · Email: clerk@fairhaven-ma.gov

October 13, 2022

To: Select Board

From: Town Clerk's Office

Action is requested in response to the changes made to section 72 of MGL 54, which now charges the Select Board with detailing a sufficient number of police officers or constables for each polling location.

On June 22, the election reform law (the "VOTES Act") was signed into law by Governor Baker. The VOTES Act makes many of the changes from the pandemic permanent (eg., Vote by Mail and Early In-Person Voting). In addition, the assignment of the number of police officers and/or constables at polling places now requires a vote of the Select Board.

The Town of Fairhaven has 6 precincts that will vote in 1 polling location-the Fairhaven Recreation Center, 227 Huttleston Ave. The assigned officers are responsible for delivering the ballots and voting machines to the precincts in the morning, and back to the Town Hall at the end of the night, as well as to preserve order and to protect the election officers and supervisors from any interference with their duties.

During the Sept State Primary, three (3) officers were assigned to work at the Rec Center. One (1) inside the gymnasium, one (1) in the lobby area/front door, and one (1) to assist with traffic in the parking lot. This arrangement worked well, but since the General Election will most likely have a higher turnout, my recommendation is to assign four (4) police officers to the polling location, with two (2) officers stationed inside the gymnasium to maintain order in the six precincts.

The following action is recommended:

MOTION: Move to approve a sufficient number of police officers, but not less than four (4), at the polling location (Rec Center, 227 Huttleston Ave) for the November 8, 2022 General Election, to preserve order and to protect the election officers and supervisors from any interference with their duties, and to aid in enforcing the laws relating to elections, as required by Section 72 of MGL Chapter 54.

Further, move to designate the Police Chief the authority to assign specific police officers according to scheduling and availability. The Town Clerk will advise the Police Chief on the location and time the officers are needed.

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

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

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

**COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

WARRANT FOR 2022 STATE ELECTION

SS.

To the Constables of the City/Town of Fairhaven

GREETINGS:

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

All Fairhaven Precincts (1-6)

Polling location: Fairhaven Recreational Center, 227 Huttleston Avenue

On **TUESDAY, THE EIGHTH DAY OF NOVEMBER, 2022**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

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

GOVERNOR and LIEUTENANT GOVERNOR_____	FOR THIS COMMONWEALTH
ATTORNEY GENERAL_____	FOR THIS COMMONWEALTH
SECRETARY OF STATE_____	FOR THIS COMMONWEALTH
TREASURER_____	FOR THIS COMMONWEALTH
AUDITOR_____	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS_____	NINTH DISTRICT
COUNCILLOR_____	FIRST DISTRICT
SENATOR IN GENERAL COURT_____	SECOND BRISTOL & PLYMOUTH DISTRICT
REPRESENTATIVE IN GENERAL COURT_____	TENTH BRISTOL DISTRICT
DISTRICT ATTORNEY_____	BRISTOL DISTRICT
SHERIFF_____	BRISTOL COUNTY
COUNTY COMMISSIONERS_____	BRISTOL COUNTY
REGISTER OF DEEDS (to fill vacancy)_____	BRISTOL SOUTHERN DISTRICT

QUESTION 1: PROPOSED AMENDMENT TO THE CONSTITUTION

Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in joint sessions of the two houses on June 12, 2019 (yeas 147 – nays 48); and again on June 9, 2021 (yeas 159 – nays 41)?

SUMMARY

This proposed constitutional amendment would establish an additional 4% state income tax on that portion of annual taxable income in excess of \$1 million. This income level would be adjusted annually, by the same method used for federal income-tax brackets, to reflect increases in the cost of living. Revenues from this tax would be used, subject to appropriation by the state Legislature, for public education, public colleges and universities; and for the repair and maintenance of roads, bridges, and public transportation. The proposed amendment would apply to tax years beginning on or after January 1, 2023.

A YES VOTE would amend the state Constitution to impose an additional 4% tax on that portion of incomes over one million dollars to be used, subject to appropriation by the state Legislature, on education and transportation.

A NO VOTE would make no change in the state Constitution relative to income tax.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

SUMMARY

This proposed law would direct the Commissioner of the Massachusetts Division of Insurance to approve or disapprove the rates of dental benefit plans and would require that a dental insurance carrier meet an annual aggregate medical loss ratio for its covered dental benefit plans of 83 percent. The medical loss ratio would measure the amount of premium dollars a dental insurance carrier spends on its members' dental expenses and quality improvements, as opposed to administrative expenses. If a carrier's annual aggregate medical loss ratio is less than 83 percent, the carrier would be required to refund the excess premiums to its covered individuals and groups. The proposed law would allow the Commissioner to waive or adjust the refunds only if it is determined that issuing refunds would result in financial impairment for the carrier.

The proposed law would apply to dental benefit plans regardless of whether they are issued directly by a carrier, through the connector, or through an intermediary. The proposed law would not apply to dental benefit plans issued, delivered, or renewed to a self-insured group or where the carrier is acting as a third-party administrator.

The proposed law would require the carriers offering dental benefit plans to submit information about their current and projected medical loss ratio, administrative expenses, and other financial information to the Commissioner. Each carrier would be required to submit an annual comprehensive financial statement to the Division of Insurance, itemized by market group size and line of business. A carrier that also provides administrative services to one or more self-insured groups would also be required to file an appendix to their annual financial statement with information about its self-insured business. The proposed law would impose a late penalty on a carrier that does not file its annual report on or before April 1.

The Division would be required to make the submitted data public, to issue an annual summary to certain legislative committees, and to exchange the data with the Health Policy Commission. The Commissioner would be required to adopt standards requiring the registration of persons or entities not otherwise licensed or registered by the Commissioner and criteria for the standardized reporting and uniform allocation methodologies among carriers.

The proposed law would allow the Commissioner to approve dental benefit policies for the purpose of being offered to individuals or groups. The Commissioner would be required to adopt regulations to determine eligibility criteria.

The proposed law would require carriers to file group product base rates and any changes to group rating factors that are to be effective on January 1 of each year on or before July 1 of the preceding year. The Commissioner would be required to disapprove any proposed changes to base rates that are excessive, inadequate, or

unreasonable in relation to the benefits charged. The Commissioner would also be required to disapprove any change to group rating factors that is discriminatory or not actuarially sound.

The proposed law sets forth criteria that, if met, would require the Commissioner to presumptively disapprove a carrier's rate, including if the aggregate medical loss ratio for all dental benefit plans offered by a carrier is less than 83 percent.

The proposed law would establish procedures to be followed if a proposed rate is presumptively disapproved or if the Commissioner disapproves a rate.

The proposed law would require the Division to hold a hearing if a carrier reports a risk-based capital ratio on a combined entity basis that exceeds 700 percent in its annual report.

The proposed law would require the Commissioner to promulgate regulations consistent with its provisions by October 1, 2023. The proposed law would apply to all dental benefit plans issued, made effective, delivered, or renewed on or after January 1, 2024.

A YES VOTE would regulate dental insurance rates, including by requiring companies to spend at least 83% of premiums on member dental expenses and quality improvements instead of administrative expenses, and by making other changes to dental insurance regulations.

A NO VOTE would make no change in the law relative to the regulations that apply to dental insurance companies.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

SUMMARY

This proposed law would increase the statewide limits on the combined number of licenses for the sale of alcoholic beverages for off-premises consumption (including licenses for "all alcoholic beverages" and for "wines and malt beverages") that any one retailer could own or control: from 9 to 12 licenses in 2023; to 15 licenses in 2027; and to 18 licenses in 2031.

Beginning in 2023, the proposed law would set a maximum number of "all alcoholic beverages" licenses that any one retailer could own or control at 7 licenses unless a retailer currently holds more than 7 such licenses.

The proposed law would require retailers to conduct the sale of alcoholic beverages for off-premises consumption through face-to-face transactions and would prohibit automated or self-checkout sales of alcoholic beverages by such retailers.

The proposed law would alter the calculation of the fine that the Alcoholic Beverages Control Commission may accept in lieu of suspending any license issued under the State Liquor Control Act. The proposed law would modify the formula for calculating such fee from being based on the gross profits on the sale of alcoholic beverages to being based on the gross profits on all retail sales.

The proposed law would also add out-of-state motor vehicle licenses to the list of the forms of identification that any holder of a license issued under the State Liquor Control Act, or their agent or employee, may choose to reasonably rely on for proof of a person's identity and age.

A YES VOTE would increase the number of licenses a retailer could have for the sale of alcoholic beverages to be consumed off premises, limit the number of “all-alcoholic beverages” licenses that a retailer could acquire, restrict use of self-checkout, and require retailers to accept customers’ out-of-state identification.

A NO VOTE would make no change in the laws governing the retail sale of alcoholic beverages.

QUESTION 4: REFERENDUM ON AN EXISTING LAW

Do you approve of a law summarized below, which was approved by the House of Representatives and the Senate on May 26, 2022?

SUMMARY

This law allows Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a standard driver's license or learner's permit if they meet all the other qualifications for a standard license or learner's permit, including a road test and insurance, and provide proof of their identity, date of birth, and residency. The law provides that, when processing an application for such a license or learner's permit or motor vehicle registration, the registrar of motor vehicles may not ask about or create a record of the citizenship or immigration status of the applicant, except as otherwise required by law. This law does not allow people who cannot provide proof of lawful presence in the United States to obtain a REAL ID.

To prove identity and date of birth, the law requires an applicant to present at least two documents, one from each of the following categories: (1) a valid unexpired foreign passport or a valid unexpired Consular Identification document; and (2) a valid unexpired driver's license from any United States state or territory, an original or certified copy of a birth certificate, a valid unexpired foreign national identification card, a valid unexpired foreign driver's license, or a marriage certificate or divorce decree issued by any state or territory of the United States. One of the documents presented by an applicant must include a photograph and one must include a date of birth. Any documents not in English must be accompanied by a certified translation. The registrar may review any documents issued by another country to determine whether they may be used as proof of identity or date of birth.

The law requires that applicants for a driver's license or learner's permit shall attest, under the pains and penalties of perjury, that their license has not been suspended or revoked in any other state, country, or jurisdiction.

The law specifies that information provided by or relating to any applicant or license-holder will not be a public record and shall not be disclosed, except as required by federal law or as authorized by Attorney General regulations, and except for purposes of motor vehicle insurance.

The law directs the registrar of motor vehicles to make regulations regarding the documents required of United States citizens and others who provide proof of lawful presence with their license application.

The law also requires the registrar and the Secretary of the Commonwealth to establish procedures and regulations to ensure that an applicant for a standard driver's license or learner's permit who does not provide proof of lawful presence will not be automatically registered to vote.

The law takes effect on July 1, 2023.

A YES VOTE would keep in place the law, which would allow Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a driver's license or permit if they meet the other requirements for doing so.

A NO VOTE would repeal this law.

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

Given under our hands this _____ day of _____, 2022.
(month)

Select Board of Fairhaven

Stasia A Powers, Chair

Robert J Espindola

Keith Silvia

Leon Correy III

Charles K Murphy, Sr

A TRUE COPY, ATTEST:

Linda Fredette, Town Clerk

I, _____,
Constable of the Town of Fairhaven, do hereby certify that I have duly served this Warrant as required by the General Laws of Massachusetts and the By-Laws of the Town of Fairhaven by posting an attested copy thereof in the precinct/polling locations on ____/____/____.

Warrant must be posted by **November 1, 2022** (at least *seven days prior* to the **November 8, 2022** State Election).

Marine Resources Thank You:

Dear Ms. Powers and Members of the Select Board,

We just wanted to send a note of appreciation to the team of the marine resources department for the town.

About a month ago, our neighbor called and advised that our 18-foot Sea Ray inboard-outboard boat was looking like it was sinking--it was. We estimated we had less than an hour to save it. The boat tow company was called but they were quite busy and there was not enough time for them to make it. The harbor master arrived to our boat in Little Bay and helped pump it out and helped us get it to the the town boat launch where we got it out high and dry. Fortunately the boat's engine was not flooded and we were able to take it to Rick's Marine Outboard where they were able to pinpoint the source of the leak and make necessary repairs.

This may be a common event for the harbor master but it was not typical for us and we sure appreciate the prompt and professional support--just thought you all should know.

Yours truly,
John and Cynthia Behan
7 Peirces Pt.
Fairhaven, MA