



FAIRHAVEN TOWN CLERK  
RCUD 2022 OCT 4 PM4:05

**TOWN OF FAIRHAVEN  
JOINT MEETING OF THE  
SELECT BOARD & FINANCE COMMITTEE  
Agenda**

**Thursday, October 6, 2022  
6:00 p.m.**

**Fairhaven High School, Library – 12 Huttleston Avenue – 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.*

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

<https://us06web.zoom.us/j/86834523343?pwd=RGYrbXFjUGpXcFhydDZCU2Y2QUtyZz09>

Meeting ID: 868 3452 3343

Passcode: 483830

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

**A. ACTION ITEM: FOR SELECT BOARD**

1. Riverside Cemetery Request to use Town Hall Auditorium
2. Permanent Polling Location
3. Open Meeting Law Complaints

**B. ACTION ITEM: FOR FINANCE COMMITTEE**

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

**C. REVIEW OF SPECIAL TOWN MEETING WARRANT ARTICLE: JOINT**

**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.*

RIVERSIDE CEMETERY, INC.  
274 Main Street, Fairhaven, Massachusetts 02719  
Telephone: 508-999-6978 Fax: 508-999-6964

RIVERSIDE CEMETERY

NASKATUCKET CEMETERY

RIVERSIDE CREMATORY

September 20, 2022

Ms. Stasia Powers  
Chairwoman, Select Board  
Fairhaven Town Hall  
40 Center Street  
Fairhaven, Mass. 02719

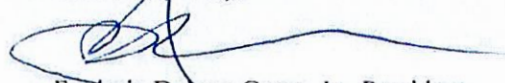
Dear Ms. Powers,

The trustees of the Riverside Cemetery remain deeply grateful for the kindness of the Select Board and the Town of Fairhaven in permitting the use of the auditorium at Town Hall for our annual meeting on Saturday April 30th. The meeting was a success. The ability to use this superb room contributed to that.

This letter is a respectful request to the Select Board to permit Riverside to use the auditorium for its Fall meeting of trustees which is scheduled for Saturday morning, October 29, 2022. Riverside's trustees and its constituency are not young and finding a facility large enough to permit safe socially distanced gatherings during the period of the pandemic has been a major challenge. Riverside had resorted to holding meetings outdoors, which sometimes went well and sometimes did not. The auditorium is not only ideally suited for the distancing desirable for our meetings, but it is itself a place of heritage which serves to remind us all of the extraordinary community that the Riverside Cemetery and its sister Nasketucket Cemetery serve.

It is our hope that the Select Board will approve the use by Riverside Cemetery of the auditorium at Town Hall for its Fall trustees meeting which is scheduled for Saturday morning, October 29, 2022. Your kind consideration is greatly appreciated.

Yours very truly,

  
Frederic Delano Grant, Jr., President

Frederic D. Grant, Jr., as President  
of Riverside Cemetery Corp.  
P.O. Box 1127  
6 Ryder Hollow Road  
Truro, Massachusetts 02666-9800  
(508) 349-2638 (Home)  
(617) 357-6555 (Office)  
(857) 204-3210 (Cellular)  
grant@grantboston.com



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

To: Members of the Select Board

At a Board of Registrars meeting held on Wednesday, September 21, 2022, the pros and cons of the abrupt precinct poll re-locations for the September 6<sup>th</sup> Primary, as well as voter and poll worker feedback from election day, were discussed. It was decided that the move was a huge success, and the Board voted unanimously to permanently house all six voting precincts at the Fairhaven Rec Center for all future State and Local Elections.

To increase the efficiency of the election process, minimal changes will be implemented. (eg: new signage has been ordered, more space will be utilized in the gym, 2 people will be assigned to assist voters to find their precincts, etc.) As we did for the Primary, informational postcards will be mailed to all households in Fairhaven to notify our voters of this change.

The State Elections Division has been notified of the Board of Registrars vote. At this time, we respectfully request the Select Board's vote to approve the permanent polling location change.

Sincerely,  
Linda Fredette (U), Town Clerk, Registrar  
Kim Hyland (R), Registrar  
Nils Isaksen (R), Registrar  
Eileen M. Lowney (D), Registrar

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Stasia Powers, Board Chair

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Robert J Espindola

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Keith Silvia

---

Charles K Murphy, Sr

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Leon Correy III



Postcard template

**NOTICE OF PERMANENT POLLING LOCATION CHANGE**

Due to the huge success of the precinct re-location for the September 6, 2022 State Primary Election, the Board of Registrars and the Select Board have voted to permanently locate **ALL SIX** Precincts at the **FAIRHAVEN RECREATION CENTER** for the November 8, 2022 General Election and all future State and Local Elections.

**Tuesday, November 8, 2022 General Election**

**Polls open 7am-8pm**

**ALL PRECINCTS - FAIRHAVEN RECREATION CENTER  
227 HUTTLESTON AVE (next to Stop and Shop)**

\*\*\*\*\*

**ALSO PLEASE NOTE:** Two weeks prior to the election, **In-Person Early Voting** will take place for ALL Precincts in the **Town Hall Banquet Room (40 Center Street):**

**Dates/Times:**

- Sat Oct 22, 2022 ----- 11:00am-5pm
- Mon Oct 24, 2022-Fri Oct 28, 2022----- 8:30am-4:30pm
- Sat Oct 29, 2022 ----- 11:00am-5pm
- Mon Oct 31, 2022-Fri Nov 4, 2022----- 8:30am-4:30pm

If you have any questions, please feel free to contact the Fairhaven Town Clerk's Office at 508-979-4023 ext 3.



## OPEN MEETING LAW COMPLAINT FORM

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

Please note that all fields are required unless otherwise noted.

### Your Contact Information:

First Name: Patrick Last Name: Higgins

Address: P O Box 290

City: Northport State: AL Zip Code: 35476

Phone Number: 5086743140 Ext. \_\_\_\_\_

Email: patrick@patrickhiggins.co

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

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

(For statistical purposes only)

Individual  Organization  Media

### Public Body that is the subject of this complaint:

City/Town  County  Regional/District  State

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

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

Date of alleged violation: 09/06/2022

**Description of alleged violation:**

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

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

The Fairhaven Select Board violated the open meeting law as follows:  
1. Held an illegal executive session by not listing the name of the bargaining unit to be discussed as required by Section 21(a)(3) of the open meeting law. See agenda and minutes of the Sep 6 2022 meeting attached.  
2. Did not accept the minutes of the July 30, 2022 "working session- retreat" within 3 meetings or 30 days.

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

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

All members of the Select Board must be required to attend an Open Meeting Law training webinar without delay.  
Make the acceptance of minutes a priority.  
Learn and comply with the open meeting law.

**Review, sign, and submit your complaint**

**I. Disclosure of Your Complaint.**

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

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

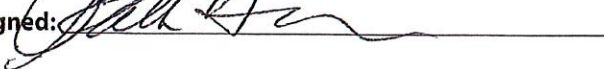
**II. Consulting With a Private Attorney.**

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

**III. Submit Your Complaint to the Public Body.**

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

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

Signed: 

Date: 09/23/2022

For Use By Public Body  
Date Received by Public Body:

For Use By AGO  
Date Received by AGO:

REQUEST FOR TRANSFER FROM THE RESERVE FUND  
(TO BE SUBMITTED IN TRIPLICATE)

Applicant is required to submit this request and to be present at the Finance Committee meeting at which the request is to be acted upon, *unless you are specifically informed that your attendance will not be needed. It is the responsibility of the Applicant to contact the Finance Committee chairperson to schedule an appointment*

TO: The Finance Committee for the Town of Fairhaven MA

Request is hereby made for the following transfer from the following reserve fund in accordance with Chapter 40 section 6 of the Massachusetts General Laws. Please circle ONE of the following reserve funds requesting transfer from.      GENERAL      WATER      SEWER

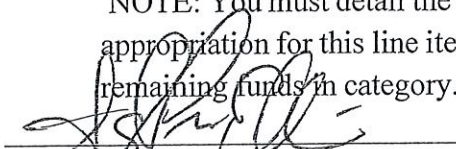
- 1. Amount requested      \$1410.80 5420
- 2. To be transferred to      001-163-00-5400-00-0145  
(List appropriation, include category and line item)
- 3. Present Balance in Appropriation- Balance in Category      \$0.00  
Balance in Line-item      \$0.00
- 4. Amount will be used for Banners to mark each precinct at elections

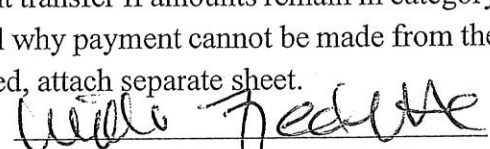
NOTE: You must detail specific reason and documentation for request. Failure to provide sufficient information will result in your request being denied.

5. THE EXPENDITURE IS UNFORSEEN AND EXTRAORDINARY FOR THE FOLLOWING REASON:

We abruptly needed to move all 6 precincts to the Rec Center for the Sept State Primary. It ended up working out so well that the Board of Registrars voted to make the move permanent. The only issue was that the precincts need to be more visibly marked. These banners will be the perfect solution to this issue, but they needed to be ordered quickly due to the next State Election fast approaching on Nov 8, 2022.

NOTE: You must detail the circumstances for the warrant transfer If amounts remain in category appropriation for this line item, you must explain in detail why payment cannot be made from the remaining funds in category. If insufficient space provided, attach separate sheet.

  
(Town Administrator / board chair)

  
(Officer or Department Head)

Town Administrator required for departments under the Select Board

NOTE: For departments not under Select Board. Respective board approval vote and chair signature required.

ACTION OF THE FINANCE COMMITTEE

Date of meeting \_\_\_\_\_ Number of members voting and present \_\_\_\_\_  
Transfer voted the sum of \$ \_\_\_\_\_ /Transfer Disapproved \_\_\_\_\_

\_\_\_\_\_  
Chairperson Finance committee

REQUEST MUST BE MADE AND TRANSFER APPROVED BEFORE ANY EXPENDITURE IN EXCESS OF APPROPRIATION IS INCURRED

Inclusion Solutions, LLC

Evanston, IL 60202  
2000 Greenleaf Street

# Invoice

Date	Invoice #
9/27/2022	143233

<b>Bill To</b>
Fairhaven MA, Town of Linda Fredette 40 Center Street Fairhaven, MA 02719

<b>Ship To</b>
Fairhaven MA, Town of Linda Fredette 40 Center Street Fairhaven, MA 02719

P.O. Number	Terms	Due Date	Rep	Ship	Via	F.O.B.
	Net 30	10/27/2022	HHB	9/27/2022	Ground	
Quantity	Item Code	Description			Price Each	Amount
6	RETBNR Retra... Shipping	Retractable Banner Stand Shipping Charges			219.00 96.80 0.00%	1,314.00T 96.80 0.00
					<b>Total</b>	\$1,410.80

Phone #	Fax #	E-Mail	Web Site
847.869.2500	847.869.2515	shughes@inclusionsolutions.com	www.InclusionSolutions.com

Please remit payment to: 2000 Greenleaf St., Suite 3 Evanston, IL 60202



# 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: Finance Director*

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

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:

## **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:

## **ARTICLE 3: SPECIAL EDUCATION RESERVE FUND**

To see if the Town will 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 Funds.

*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 Funds.***

Finance Committee Recommendation:

Select Board Recommendation:

## 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:

## ARTICLE 5: HOME RULE PETITION

The Fairhaven Housing Authority would like to submit a placeholder for the Special Town Meeting to present to the townspeople that the Housing Authority would like to propose a Home Rule Petition for equitable housing placements to more fairly accommodate local residents or employees of the Town. Applicant placement as dictated by the current centralized State wide waiting list has had a disparate impact upon local applicants. A staggered or rotated order of placement that continually gives each priority or preference a chance to get a unit needs to be instituted. Senator Montigny's office suggested the Home Rule Petition and he would see it through the legislative process on the state level. Rep. Straus supports a Home Rule Petition. The Board of the Authority also supports this action.

*Petitioned by: Housing Authority*

**Motion: Move to adopt as written in the warrant.**

Finance Committee Recommendation:

Select Board Recommendation:

## 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: Town Administrator*

**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:

## 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:

## 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:

## 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:

## 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:

## 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 \$9,498 to replace the Harbormaster Thermal Camera System, or take any other action relative thereto.

*Petitioned by: Marine Resources*

**Motion: Move to transfer \$9,498 from Surplus Revenue (Free Cash) for the replacement of the Harbormaster Thermal Camera System.**

Finance Committee Recommendation:

Select Board Recommendation:

## 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:

### **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:

### **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:

### **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.



**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:

## 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 may be 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:

**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:

**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:

**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:

G & H Heating & Cooling LLC  
 133 COUNTY RD  
 EAST FREETOWN, MA 02717 US  
 (508) 763-8563  
 ghvac@yahoo.com



INVOICE

RECEIVED  
 SEP 04 2022

BILL TO  
 Attn: Martha Reed  
 Fairhaven Council on Aging  
 229 Huttleston Ave.  
 Fairhaven, Ma. 02719

BY: .....

INVOICE #	DATE	TERMS	DUE DATE
2428	09/03/2022	Net 30	10/03/2022

DESCRIPTION	AMOUNT
-------------	--------

Re: Fairhaven Council on Aging Services rendered to insulate supply duct in mechanical room and investigate water leak next to Gas Furnace (GF-3) and make required repairs. We also replaced a faulty condensate pump on ductless unit DCUe-1.3.	
8/3/22- While working on repairs to GF-2 @ the Rec. Ctr. we inspected GF-3 @ the Council on Aging and noticed the supply duct transition was sweating along with the condensate drain. While insulating these items we noticed the condensate drain pan for GF-3 was cracked and needs to be replaced. A replacement was ordered and we will return to replace once we receive.	
8/15/22 - We received a call that a ductless wall unit (DCUe 1.3) was leaking and needs to be looked at.	0.00
	0.00
8/17/22 - We returned to replace condensate pan. Replacing the condensate pan requires disconnecting and reconnecting of the Flue pipes, gas pipe, condensate pipe & refrigerant lines. While at the facility we diagnosed DCUe 1.3, went to pick up parts and repaired faulty condensate pump.	
Labor - 8hrs Jay (mechanic) @\$150hr & 8 hrs Ryan (apprentice) @\$120hr	2,160.00
PVC pipe	24.32
Pipe insulation	91.02
Duct Insulation	200.00
Replacement York condensate pan (Includes shipping)	437.96
	0.00
Condensate Pump	484.02

Fairhaven Recreation Center

BALANCE DUE **\$3,397.32**

\* Additional repairs were performed on 9/11/22 to remove a dead bird from one of the ducts that did not have a cover blocking the exhaust area. The bird was removed and a mesh screen was installed to prevent future issues, we have not received a bill for this work yet.

COA

**G. & H Heating & Cooling LLC**

133 COUNTY RD  
EAST FREETOWN, MA 02717 US  
(508) 763-8563  
ghhvac@yahoo.com

**INVOICE**

BILL TO  
Martha Reed  
Fairhaven Council on Aging  
229 Huttleston Ave.  
Fairhaven, Ma. 02719

INVOICE #	DATE	TERMS	DUE DATE
2431	09/19/2022	Net 30	10/19/2022

DESCRIPTION	AMOUNT
Services rendered on 9/1/22 to perform HVAC preventative Maintenance	
We replaced filters on RTU-6 and all other equipment filters were clean and DID NOT require changing. We also replaced the belt to RTU-6.	
-RTU-6 requires 4 of 20x24x2 pleated filters and 1 A54 belt	
-GF-3 requires 1 throw away replacement filter	
-ALL other ceiling cassette's and wall unit have washable filters.	
While performing maintenance we inspected a ERV unit located in the mechanical closet with GF-3. This ERV consists of 2 motors (1 for exhaust and 1 for fresh air intake) and the intake motor has failed. We are currently researching options for cheapest repair. We also noticed a dead bird in the ductwork of this ERV, which made us inspect the sidewall ventilation caps (up high on exterior sidewall to the right of the main entrance) and noticed they were wide open thus allowing birds, etc. into the ducts. We installed wire mesh screens to prevent critters from getting in.	
*	
Labor- 7-1/2 hrs (Jason 5-1/2 hrs @ \$150hr and Gary 2 hrs @ \$150hr) - Gary was required to foot the ladder while installing the wire mesh screens on the side of the building.	1,125.00
4 of 20x24x2 pleated filters	96.00
1 of A54 belt	36.00
2 of 10x8 wire mesh bird screen	36.00
<hr/>	
BALANCE DUE	<b>\$1,293.00</b>

**G & H Heating & Cooling LLC**

133 COUNTY RD  
EAST FREETOWN, MA 02717 US  
(508) 763-8563  
ghhvac@yahoo.com

**INVOICE**

BILL TO  
Attn: Rachael Martin  
Fairhaven Recreation Center  
229 Huttleston Ave.  
Fairhaven, Ma. 02719

INVOICE #	DATE	TERMS	DUE DATE
2427	09/01/2022	Net 30	10/01/2022

**DESCRIPTION** **AMOUNT**

Re: Fairhaven Recreation Center

Services rendered to investigate water leak next to Gas Furnace (GF-2) and make required repairs

7/20/22- We checked refrigerant levels and adjusted refrigerant charge to proper levels. When A/C systems are low on refrigerant they can freeze and cause condensate issues. Once that was complete the condensate was still leaking. We investigated further by taking apart A/C coil and we found a broken condensate pan. A replacement was ordered and we will return to replace once we receive.

Labor - 5 hrs @ \$150hr 750.00

3lb's of Refrigerant 410A @ \$77.96lb 233.88

8/3/22 - We returned to replace condensate pan. Replacing the condensate pan requires disconnecting and reconnecting of the Flue pipes, gas pipe, condensate pipe & refrigerant lines. We also insulated the duct plenum since it wasn't insulated and was dripping with condensation.

Labor - 8hrs Jay (mechanic) @\$150hr & 8 hrs Ryan (apprentice) @ \$120hr 2,160.00

PVC pipe 24.32

Pipe insulation 91.02

Duct Insulation 300.00

Replacement York condensate pan (includes shipping) 409.66

Fairhaven Recreation Center

**BALANCE DUE**

**\$3,968.88**

*Rec CTR*



Wendy Graves <wgraves@fairhaven-ma.gov>

**deadline 3:00 today - Review FY23 Budget**

Linda Fredette <lfredette@fairhaven-ma.gov>  
To: Wendy Graves <wgraves@fairhaven-ma.gov>

I'm already over budget on postage for E&R (\$3800 expended so far) and there are still 2 more elections in FY23.

STATE  
LOCAL

Regards,

Linda

Linda Fredette  
Town Clerk  
Justice of the Peace  
Notary Public

508-979-4023 x 105  
Fairhaven Town Clerk's Office  
Fairhaven, Massachusetts

*\$2,431.00 printing & postage  
FOR NOTICE TO  
ALL VOTERS  
REGARDING PRECINCTS*

*APPROX \$1500 PER  
REQUIRE MORE  
001-163-00-POSTAGE  
001-163-00-5342-00-0145*

Fri, Sep 9, 2022 at 9:41 AM

**IN-PERSON EARLY VOTING WILL TAKE PLACE IN THE TOWN HALL AUDITORIUM FOR ALL PRECINCTS  
SATURDAY, AUGUST 27TH FROM 11AM-5PM AND  
MONDAY - FRIDAY AUGUST 29TH-SEPTEMBER 2ND FROM 8:30AM-4:30PM**

**SEPTEMBER 6, 2022 PRIMARY ELECTION--POLLS OPEN FROM 7AM-8PM  
ALL PRECINCTS WILL VOTE AT THE REC CENTER-227 HUTTLESTON AVE**

*Please be advised that the Massachusetts Secretary of State considers e-mail to be a public record, and therefore subject to public access under the Massachusetts Public Records Law, M.G.L. c.66.s.10*

**ATTENTION:** *Public Meeting Notices and/or Agendas must be submitted to the Town Clerk's Office at least 1 hour prior to the close of business.*

*Except in an emergency, a public body must post a notice of a meeting at least 48 hours in advance, excluding Saturdays, Sundays, and legal holidays.*

*If you are submitting a meeting posting, please note that the following applies to the meeting: Minutes of all open and executive sessions shall be and approved in a timely manner.*

*A "timely manner" will generally be considered to be within the next three public body meetings or within 30 days, whichever is later, unless the public body can show good cause for further delay. The minutes of an open session, if they exist and whether approved or in draft form, shall be available upon request by any person within "10 days." MGL c30A, s22(c),*

**TOWN OF FAIRHAVEN  
SCHEDULE OF DEPARTMENTAL BILLS PAYABLE**

To the Accounting Officer:

The following named bills of the **CONSERVATION COMMISSION**  
 amount in the Aggregate to Ten Thousand Seven Hundred Ninety-Two and 00/100 Dollars,  
 has been approved by the Department, and you are requested to place them on a warrant for payment.

DATE: 7-Sep-22

Kelly Camara, Administrative Assistant  
Prepared by and Title

VENDOR NUMBER	VENDOR NAME	ACCOUNT NUMBER	INVOICE NUMBER	TOTAL
72933	John Rockwell	001-171-00-5390-00		\$6,929.00
72933	John Rockwell	089-000-2550-0000		\$3,863.00
	Ads	DATE PD:		
	9/7/2022	CK#	TOTAL	\$10,792.00

\_\_\_\_\_  
Geoffrey A. Haworth, Chairman

\_\_\_\_\_  
Michael Kelly

\_\_\_\_\_  
Karen F. Isherwood, Vice Chair

\_\_\_\_\_  
Gary Lavalette

\_\_\_\_\_  
Amy DeSalvatore

\_\_\_\_\_  
Corey Pietraszek

\_\_\_\_\_  
Jacob Galary

\_\_\_\_\_  
Branden Costa, Conservation Agent

John Rockwell, M.S.  
1171 Point Road  
Marion, Massachusetts 02738

Client: Town of Fairhaven  
Job: Conservation Commission Technical Assistance  
Re: August

Date	Item	Hrs.
August 2, 2022,	Site visits for August 8 meeting. [5 & 7 Sippican Street 0.5 hr.] [28 Fort Street 0.5 hr.]	5.4
August 4, 2022,	Staff Report preparation [28 Fort Street, 1.5 hrs.] [5 & 7 Sippican Street , 2 hrs.] [Fairhaven Properties LLC 1 hr.]	4.5
August 5, 2022,	Staff Report preparation, marina question. [5 & 7 Sippican Street, 0.1 hr.] [28 Fort Street, 0.1 hr.] [Fairhaven Properties, LLC, 0.68 hr.]	4.2
August 6, 2022,	Staff Reports preparation [Ebony Street, 0.16 hr.] [Fairhaven Properties, LLC, 4.12 hr.]	5.61
August 7, 2022,	Buffer Zone Regulation analysis, Respond to BOH re: 27 Silver Shell Beach Drive & rework some Staff reports at Commissioner's request.	4.00
August 8, 2022,	Last minute meeting stuff, consult with A. Lopes, G. Haworth. Meeting [5 & 7 Sippican Street, 0.32 hr.] [28 Fort Street, 0.42 hr.] [Fairhaven Properties, LLC, 0.5 hr.]	7.00
August 9, 2022,	Site visit - 128 Alden Road	1.47
August 10, 2022,	General file review	2.00



August 23, 2022, 1 Pavilion Way	3.25
August 24, 2-022, Correspondence with applicants, Reports for Sippican Street, Chamber Street, Silver Shell Beach, Cherry Street, Enforcement email.	8.50
August 25, 2022, Site visits with Conservation Agent.	3.00
August 26, 2022, Inter-departmental Meeting, phone discussions with members and staff regarding future best practices. Whisper Lane, Pavilion Way, Goulart Memorial Drive	4.1
August 27, 2022, Pavilion Way, 56 Goulart Memorial Drive. Confer with Vice Chair [Atlas Tack, 3.58 hrs.]	5.36
August 28, 2022, Pavilion Way, file review [Atlas Tack, 1.87 hr.] [5 & 7 Sippican Street, 0.17 hr.] [Fairhaven Properties, 0.18 hr.]	2.65
August 29, 2022, General filing, Pavilion Way, share files with office Meeting, [5 & 7 Spinnaker Lane, 0.15 hr.] [Atlas Tack, 38 Pleasant Street, 0.3 hr.] [Ebony Street, 0.08 hr.] [28 Fort Street, 0.12 hr.] [Fairhaven Properties, LLC, 2 hrs.]	6.43

General Review.....	69.29 hrs.
5 Spinnaker Street.....	3.68 hrs.
7 Spinnaker Lane.....	3.68 hrs.
38 Pleasant Street (Atlas tack).....	13.73 hrs.
Ebony Street .....	1.84 hrs.
28 Fort Street .....	5.74 hrs.
Fairhaven Properties, LLC.....	9.96 hrs.

Total : 107.92 hours

rate \$100/hr.

Amount due.....\$10,792

John Rockwell, M.S.  
1171 Point Road  
Marion, Massachusetts 02738

Client: Town of Fairhaven  
Job: Conservation Commission Technical Assistance  
Re: August

Date	Item	Hrs.
August 2, 2022,	Site visits for August 8 meeting. [5 & 7 Sippican Street 0.5 hr.] [28 Fort Street 0.5 hr.]	5.4
August 4, 2022,	Staff Report preparation [28 Fort Street, 1.5 hrs.] [5 & 7 Sippican Street , 2 hrs.] [Fairhaven Properties LLC 1 hr.]	4.5
August 5, 2022,	Staff Report preparation, marina question. [5 & 7 Sippican Street, 0.1 hr.] [28 Fort Street, 0.1 hr.] [Fairhaven Properties, LLC, 0.68 hr.]	4.2
August 6, 2022,	Staff Reports preparation [Ebony Street, 0.16 hr.] [Fairhaven Properties, LLC, 4.12 hr.]	5.61
August 7, 2022,	Buffer Zone Regulation analysis, Respond to BOH re: 27 Silver Shell Beach Drive & rework some Staff reports at Commissioner's request.	4.00
August 8, 2022,	Last minute meeting stuff, consult with A. Lopes, G. Haworth. Meeting [5 & 7 Sippican Street, 0.32 hr.] [28 Fort Street, 0.42 hr.] [Fairhaven Properties, LLC, 0.5 hr.]	7.00
August 9, 2022,	Site visit - 128 Alden Road	1.47
August 10, 2022,	General file review	2.00

August 23, 2022, 1 Pavilion Way	3.25
August 24, 2-022, Correspondence with applicants, Reports for Sippican Street, Chamber Street, Silver Shell Beach, Cherry Street, Enforcement email.	8.50
August 25, 2022, Site visits with Conservation Agent.	3.00
August 26, 2022, Inter-departmental Meeting, phone discussions with members and staff regarding future best practices. Whisper Lane, Pavilion Way, Goulart Memorial Drive	4.1
August 27, 2022, Pavilion Way, 56 Goulart Memorial Drive. Confer with Vice Chair [Atlas Tack, 3.58 hrs.]	5.36
August 28, 2022, Pavilion Way, file review [Atlas Tack, 1.87 hr.] [5 & 7 Sippican Street, 0.17 hr.] [Fairhaven Properties, 0.18 hr.]	2.65
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Total : 107.92 hours

rate \$100/hr.

Amount due.....\$10,792

<b>Non-Union Wage &amp; Salary Reserve</b>		
<b>FY23 Salaries</b>		
<b>Dept</b>		<b>2% Non-Union</b>
Selectmen's Office		\$2,199.32
Town Accountant		\$2,967.07
Assessor's		\$1,743.96
Treasurer/Collector		\$2,531.12
Human Resources		\$1,640.00
Town Clerk		\$0.00
Elections & Registration		\$1,137.20
Conservation		\$1,956.80
Planning		\$2,518.88
Tourism		\$1,548.28
Town Hall		\$1,425.98
Police Dept		\$2,688.44
Fire Dept		\$1,323.22
Call Fire Dept		\$1,333.24
Fire Alarm		\$435.86
Building Department		\$3,567.61
Board of Appeals		\$104.00
Tree Dept		\$1,865.38
Marine Resources		\$2,627.06
Highway Department		\$1,489.92
BPW Administration		\$4,189.09
Board of Health		\$2,174.65
Council on Aging		\$2,596.33
Veterans		\$1,770.90
Recreation		\$4,106.99
Park Department		\$1,363.32
		<b>\$51,304.63</b>
Water Department Enterprise		\$2,793.18
Sewer Department Enterprise		\$2,110.18
Cable-Town Enterprise		\$3,156.25
		<b>\$8,059.61</b>

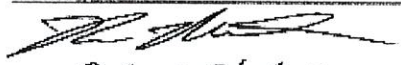
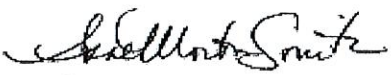

## ARTICLE \_\_\_\_ - WATER DEPARTMENT SALARY &amp; WAGE REQUEST

Special Town Meeting  
NOVEMBER 15, 2022

To see if the Town will vote to supplement the appropriations by adoption of Article 9 of the Annual Town Meeting, June 18, 2022 for the purpose of a retirement payoff, or take any other action relative thereto.

Salaries and Wages  
Request: \$15,000.00

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<u>Name</u>	<u>Address</u>	<u>Precinct</u>
 Robert H. H. H.	7 Shaw Road	6
	3 Bayberry Street	5
	22 Laura Lane	4
 Kathleen Smith	140 Main Street	2
 Francis Murphy	116 Howland Road	2

*Office of the Superintendent*  
**FAIRHAVEN PUBLIC SCHOOL DISTRICT**

ADMINISTRATIVE CENTER  
128 Washington Street  
Fairhaven, MA 02719

Phone: 508-979-4000  
Fax: 508-979-4149  
Website: [www.fairhavenps.org](http://www.fairhavenps.org)



**Tara M. Kohler**  
*Superintendent of Schools*

**Mark L. Balestracci**  
*Assistant Superintendent of Schools*

**Nicole V. Potter**  
*School Business Manager*

**Tanya L. Dawson**  
*Interim Director of Student Services*

To: Ms. Angie Lopes Ellison, Town Administrator  
Town of Fairhaven Select Board

From: Tara M. Kohler, Superintendent of Schools

Date: September 16, 2022

Re: Request for Transfer

On behalf of the Fairhaven Public School District, please consider my request for \$58,000 to be expended from the Special Education Stabilization Fund. Per MGL Section 13 E, this expenditure would require a majority vote of the School Committee and the Select Board. Please be advised the School Committee voted on September 14, 2022, to expend \$58,000 from the Special Education Stabilization Fund.

This request is due to the unexpected increase of \$58,000 that was disclosed to you during last year's budget process.

<https://www.doe.mass.edu/finance/circuitbreaker/stabilization.html>

## Advisory on Special Education Stabilization Fund

Section 24 of Chapter 218 of the Acts of 2016 provides for the establishment of a Special Education Stabilization fund. The law enables municipal and regional districts to establish a reserve fund that can be used in future years for unanticipated or unbudgeted costs of special education, out of district tuition, transportation and recovery high school tuition.

### Establishing, Funding and Making Payments from the Stabilization Fund

In order to establish the fund the law requires a majority vote by both the School Committee and local legislative body. In the case of regional school districts the local legislative body means a majority vote of the legislative bodies in a majority of the member communities of the district. Once the fund is established, the school committee may include a separate line item in their annual budget request to appropriate monies into the stabilization fund. For regions, the amount to be appropriated to the stabilization fund is included in each member municipality's assessment. The balance in the reserve fund cannot exceed two percent of the annual net school spending of the school district.

Funds in the reserve fund can only be expended or transferred out after a majority vote of both the School Committee and Selectmen or City Council or in the case of regional school districts, a majority vote of the boards of selectmen or city councils of a majority of the member communities of the district.

Other areas districts may choose to consider when establishing the fund are:

- Maximum balance in the fund
- A limit on the amount that can be expended in a fiscal year

### Reporting of Activity in the Stabilization Fund

Annual appropriations into a stabilization fund should not be reported as an expenditure on the End of Year Financial Report. There is no reporting requirement for increasing the balance in the fund.

Expenditures from the fund should be reported as an additional appropriation of the school committee in the appropriate function codes on Schedules 1 and 3 of the End of Year Financial Report. Expenditures are made directly from the stabilization fund so a transfer into the general fund is not required.

Questions about this advisory should be directed to Jay Sullivan, associate commissioner, district & school finance, at 781-338-6594 or [John.J.Sullivan@mass.gov](mailto:John.J.Sullivan@mass.gov) 

THE 192ND GENERAL COURT OF THE  
COMMONWEALTH OF MASSACHUSETTS

Bills & Laws   Budget   Legislators   Hearings & Events   Committees & Commissions   State House

General Laws » Part I » Title VII » Chapter 40 »

SECTION 13E

Search the Legislature..

GENERAL LAWS

Chapter  Section  **GO >**

- Part I
  - Title I
  - Title II
  - Title III
  - Title IV
  - Title V
  - Title VI
  - Title VII
    - Chapter 39
    - Chapter 40
      - Section 1

**Section 13E:** School district reserve funds to pay for unanticipated or unbudgeted costs for special education, out-of-district tuition or transportation

[Print Page](#)   [< Prev](#)   [Next >](#)

Section 13E. Any school district which accepts this section, by a majority vote of the school committee and a majority vote of the legislative body or, in the case of a regional school district by a majority vote of the legislative bodies in a majority of the member communities of the district, may establish and appropriate or transfer money to a reserve fund to be utilized in the upcoming fiscal years, to pay, without further appropriation, for unanticipated or unbudgeted costs of special education and recovery high school programs, out-of-district tuition or transportation. The balance in such reserve fund shall not exceed 2 per cent of the annual net school spending of the school district.

Funds shall only be distributed from the reserve funds after a majority vote of the school committee and a majority vote of the board of selectman or city council, or, in the case of a regional school district by a majority vote of the board of selectmen or city council in a majority of the member communities of the district.

The district treasurer may invest the monies in the manner authorized in section 54 of chapter 44 and any interest earned thereon shall be credited to and become part of the fund.




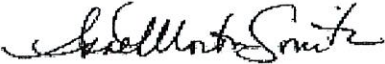

ARTICLE \_\_\_\_ - VALVE REPLACEMENT – SOUTH STREET PUMPING STATION

**SPECIALTOWN MEETING  
NOVEMBER 15, 2022**

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

Request: <sup>\$50,000.00</sup>  
~~\$60,000.00~~

Petitioned by the Board of Public Works

Name	Address	Precinct
	7 Shaw Road	6
Robert Stal	3 Bayberry Street	5
	22 Laura Lane	4
	140 Main Street	2
	116 Howland Road	2



Wendy Graves <wgraves@fairhaven-ma.gov>

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## Fairhaven Sewer Valve South st

1 message

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**Rene Robillard** <rrobillard@fairhaven-ma.gov>  
To: Wendy Graves <wgraves@fairhaven-ma.gov>

Fri, Sep 30, 2022 at 10:15 AM

Hello, Wendy put it for \$50,000.. Ty Rene

SOUTH SHORE PIPELINE SERVICES,  
 INC  
 P.O. BOX 293  
 HANOVER, MA 02339

# QUOTATION

DATE	ESTIMATE #
9/13/2022	2116

NAME / ADDRESS
TOWN OF FAIRHAVEN 5 ARSENE STREET FAIRHAVEN, MA 02719 ATTN: CHARLENE

P.O. NO.	TERMS	PROJECT
	Net 30	1 SOUTH ST.

ITEM	DESCRIPTION	QTY	COST	TOTAL
154	FURNISH AND INSTALL SINGLE 16" X 8" LINSTOP/INSTALLED/RETRACTED AND COMPLETION PLUG SET  PLEASE SEE ATTACHED SHEET FOR FURTHER DETAILS	1	25,221.00	25,221.00

PRICES ARE VALID THROUGH NOVEMBER 30, 2022

<b>TOTAL</b>	\$25,221.00
--------------	-------------

SIGNATURE \_\_\_\_\_

## Single 16" High Pressure Petersen Bag Stop

### Labor:

Provide maximum of three (3) men for one (1) twelve (12) hour day and one 8-hour night shift and two mobilizations for the single 16-inch-high pressure Petersen bag stop.

### Materials

All necessary linestop fittings with completion plug and blind flanges for each of the linestops.

### Equipment by South Shore Pipeline Services

- o All tapping and linestopping equipment including temporary valves necessary to perform the linestop.
- o One Hydraulic crane truck with air compressor and generator
- o Chainfalls and equipment support as required

### Materials, Labor, and Equipment by Others:

- o Provide eye bolt supports in the ceiling of the second level at two locations and access to the station's glory hole with its small gantry crane. Maximum weight is 750 pounds.
- o Existing pipe support will need to be relocated by your staff since it is in the location of the proposed linestop. SSPLS will provide temporary blocking of the sleeve while we perform our work.
- o All environmental protection required.
- o Provide access to the linestop site as well as lighting for any nighttime work.  
Contractor.
- o All permits as required and police details.
- o Fairhaven will be responsible for re-flooding the "dry" side of the linestop so that we can remove it after they finish their work.
- o **SSPLS is a Local 721 Laborers union company. We are also a WBE/DBE company in Massachusetts and Rhode Island.**

### NOTE:

**Linestops on pipe systems under flow can present mechanical problems in the field. For a high-pressure Petersen bag stop, no flow is allowable therefore we have priced this job for the bag insertion to happen at dry weather/low flow periods.**

# PRIDE

ENVIRONMENTAL & CONSTRUCTION, INC.  
P.O. BOX 547 E. TAUNTON, MA 02718  
508-880-6009 FAX-508-880-2611

PAGE 1 OF 1 PAGES

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TO: PHONE: (508) 979-4030 DATE: September 26, 2022

Town of Fairhaven DPW  
5 Arsene Street  
Fairhaven, MA 02719  
Attn: Rene Robillard

JOB NAME: Pump Station Valves

---

We hereby submit specifications and estimates for:  
*In regard to the above mentioned project, please review the below scope of work:*

Pride environmental was on site to replace the 12" valve but due to the 16" valves upstairs not sealing properly PEC was not able to swap the valve as needed. After looking into the problem, we found that both 16" valves won't seal.

We are proposing to replace one of the 16" gate valves on the second floor of the pump station. The town of Fairhaven is having a company install a line block to stop the flow while PEC does the work.

We will remove the 16" 90 and the 16" spool piece to be able to remove the valve then clean up the flanges and replace all the bolts and gaskets. The bolts will be painted with a two-part epoxy paint.

***We are a Woman-Owned Business, certified by SOMWBA***

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We propose hereby to furnish material and labor—complete in accordance with the above specifications  
For the sum of: ***Fourteen thousand seven hundred twenty-seven dollars (\$14,727.00)***  
Payment to be made per above schedule.  
This proposal is good for 15 days  
The standard terms of AIA A201 1987 and AGC 600 (1990) are incorporated herein by reference.

---

All material is guaranteed to be specified. All work to be completed in a professional manner according to standard practices. Replacement of warranty parts does NOT include labor.

Any alterations or deviations from above specifications involving  
extra costs will be executed only upon written orders, and will become  
an extra charge over and above the estimate. All agreements contingent upon strikes,  
accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered  
by Workman's Compensation Insurance.

AUTHORIZED  
SIGNATURE \_\_\_\_\_

---

ACCEPTANCE OF PROPOSAL—The above prices, specifications and conditions, DATE \_\_\_\_\_

Are satisfactory and are hereby accepted. You are authorized to do the work as specified.  
Payment will be outlined above.

SIGNATURE \_\_\_\_\_

---

The Fairhaven Housing Authority would like to submit a placeholder for the Special Town Meeting to present to the townspeople that the Authority would like to propose a Home Rule Petition for equitable housing placements to more fairly accommodate local residents or employees of the Town. Applicant placement as dictated by the current centralized State wide waiting list has had a disparate impact upon local applicants. A staggered or rotated order of placement that continually gives each priority or preference a chance to get a unit needs to be instituted. Senator Montigny's office suggested the Home Rule Petition and he would see it through the legislative process on the state level. Rep. Straus supports a Home Rule Petition. The Board of the Authority also supports this action.

*Temp language: Town Counsel will be  
drafting new language.*



29485 Airport Rd.  
Eugene, OR 97402  
800-693-0032

# Invoice

Date	Invoice #
8/27/2020	121694

Bill To	Ship To
Fairhaven Fire Attn: Accounts Payable 146 Washington St. Fairhaven, MA 02719	Fairhaven Fire Attn: Lt. Rob Lincoln 146 Washington St. Fairhaven, MA 02719

Terms	Rep	Due Date	P.O. Number	Via	S.O. No.	Tax Exempt
Net 30	HOUSE	9/26/2020		UPS Ground	553925	No

Item Code	Description	Quantity	Price	Lot Number	Amount
DYND74083	Medline IV Starter Kit with Alcohol and PVP / 100 Box	5	103.00		515.00
Shipping	Shipping 909108894928	1	20.30		20.30

Thank you for your order. We appreciate your business!

Our return policy is as follows:

All COVID-19 products are NON-RETURNABLE and NON-REFUNDABLE.

Inventory stock items may be returned within 30 days upon receiving. Returns to our stock must be in new condition and within the 30-day time frame. All special order, private label, and opened products can no longer be sold as new and will not be credited, therefore, deemed non-returnable. All costs associated will be charged to the purchaser. Returns are subject to a 25% restocking fee. Items returned for credit will be refunded back through the same method paid.

To prevent delayed credit on return items, please contact our office for an RMA number to include in your return.

Due to the competitive nature of our business, accounts must be kept current by paying within our 30- day terms. Accounts past 30 days will be subject to a 1.75% finance charge per month.

**Total** \$535.30

**Payments/Credits** \$0.00

**Balance Due** \$535.30



DATE: 08/12/2022

TO:  
 FAIRHAVEN SELECTMANS OFFICE  
 40 Center Street  
 Fairhaven, MA 02719

FROM:  
 DELTA BECKWITH ELEVATOR COMPANY  
 115 Shawmut Rd  
 Canton, MA 02021

EQUIPMENT LOCATION:  
 FAIRHAVEN SELECTMANS OFF  
 40 Center Street  
 Fairhaven, MA 02719

Marissa Andersen  
 Phone: (781) 856-1082  
 Fax:

PROPOSAL NUMBER:

MACHINE NUMBER(S): Z24358

CUSTOMER DESIGNATION(S): PASSENGER

*Delta Beckwith Elevator will provide the necessary labor and material to address the FSS90 ( Phase II ) violation on the elevator units specified above as a result of the State of Massachusetts changing requirements based on a new code interpretation. This quote also includes the labor and permit fees for your elevators retest with the state. Below is the state's official response on FS90 (Phase II), so you have further information regarding the violation. Please note that the deadline to complete this work is by December 31st of 2022. Failure to meet this deadline could result in your elevator unit being shut down and placarded by the state of Massachusetts.*

***This quote is valid for 60 days, pricing might increase after 60 days due to demand and material pricing. This is related to the high demand in order to get this work completed prior to the given deadline of December 31<sup>st</sup>. Scheduling for these repairs will be on a first come first basis depending on the customers approval date. They will then be filtered into a scheduling que.***

*"The Board of Elevator Regulations, charged with the safe operation, installation, construction, and alteration of all elevators in the Commonwealth, especially as these may relate to prevent the spread of fire, has identified a safety issue occurring when emergency services utilize Firefighter's Emergency Operation Phase II Emergency In-Car Operation. In certain circumstances, a firefighter performing a door operation with the door open button who releases the button prior to the complete opening of the door experiences the continuation of the door opening, rather than reclosing. As soon as the Board and the Elevator Division became aware of this situation, involving as it does a safety issue, it took steps to incorporate appropriate testing and notification to those who own and control such elevators. These inspections identified several elevators which failed to respond to the commands of emergency personnel during Phase II Operations. As a part of the Board's efforts to remedy this situation fully and fairly, the Board invited representatives of the manufacturers of these controllers to its January 18, 2022 meeting to hear their concerns and remedial plans. This Notice is prompted in response to these manufacturers' presentations. First, with respect to the observations made regarding in-car elevator stop switches, the*

**Delta Beckwith Service and Repair Order**



Board reiterates its position that this safety issue relates to the operation of the elevator doors under Firefighter Phase II operation. Since the operation of the in-car stop switch affects the operation of the car doors under these current and historical sections of the Elevator Code A17.1-2000, 2004, 2013, § 2.27.3.3.1(d) & A17.1 - 1987, 1989, 1996, § 211.3c(1)(c) the elevators have been found to be non-compliant with their current configuration under the applicable code. Given this, the Board restates its determination that the circumstances for which numerous elevators have been identified during inspection are in violation of the Elevator Code, and the violations must be remedied."

**PRICE: \$8,250.00**

**Eight thousand two hundred fifty dollars**

This price is based on a percent (50%) downpayment in the amount of \$ 4,125.00.

**PAYMENT TERMS:**

- The base proposal price is contingent upon receiving a pre-payment of 100% of the base contract amount.
- The pre-payment amount is due in full prior to ordering material and/or mobilizing.
- If you choose the alternative down-payment amount listed below, the corresponding Add shall be applied to the base contract amount.

Down Payment Amount	Price Adjustment Percentage	Authorization (Initial)
50%	+10%	

In the event 100% of the contract price is not paid up front, we must be paid the remaining balance no later than the completion of work. Final invoice will be submitted once work is scheduled.

**INVOICE DELIVERY**

The standard method of invoice delivery is via email. Please provide your email address in the customer signature block below. Exceptions for traditional mail delivery may be accommodated by notifying your account manager

This proposal, including the provisions printed on the last page(s), and the specifications and other provisions attached hereto shall, when accepted by you below and approved by our authorized representative, constitute the entire contract between us, and all prior representations or agreements not incorporated herein are superseded.

Submitted by: Marissa Andersen  
 Title: Account Manager  
 E-mail: Marissa.Andersen@delta-beckwith.com

Accepted in Duplicate

**Customer**

Approved by Authorized Representative

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title \_\_\_\_\_

E-mail: \_\_\_\_\_

**DELTA BECKWITH ELEVATOR COMPANY**

Approved by Authorized Representative

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Print Name: William Wong

Title General Manager

Name of Company \_\_\_\_\_

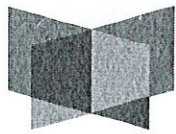
Principal, Owner or Authorized Representative of Principal or Owner

Agent: \_\_\_\_\_  
(Name of Principal or Owner)

### TERMS AND CONDITIONS

1. This quotation is subject to change or withdrawal by us prior to acceptance by you.
  2. The work shall be performed for the agreed price plus any applicable sales, excise or similar taxes as required by law. In addition to the agreed price, you shall pay to us any future applicable tax imposed on us, our suppliers or you in connection with the performance of the work described.
  3. Payments shall be made as follows: A down payment of percent ( %) of the price shall be paid by you upon your signing of this document. Full payment shall be made on completion if the work is completed within a thirty day period. If the work is not completed within a thirty day period, monthly progress payments shall be made based on the value of any equipment ready or delivered, if any, and labor performed through the end of the month less a five percent (5%) retainage and the aggregate of previous payments. The retainage shall be paid when the work is completed. We reserve the right to discontinue our work at any time until payments shall have been made as agreed and we have assurance satisfactory to us that subsequent payments will be made when due. Payments not received within thirty (30) days of the date of invoice shall be subject to interest accrued at the rate of eighteen percent (18%) per annum or at the maximum rate allowed by applicable law, whichever is less. We shall also be entitled to reimbursement from you of the expenses, including attorney's fees, incurred in collecting any overdue payments.
  4. Our performance is conditioned upon your securing any required governmental approvals for the installation of any equipment provided hereunder and your providing our workmen with a safe place in which to work. Additionally, you agree to notify us if you are aware or become aware prior to the completion of the work of the existence of asbestos or other hazardous material in any elevator hoistway, machine room, hallway or other place in the building where DELTA BECKWITH personnel are or may be required to perform their work. In the event it should become necessary to abate, encapsulate or remove asbestos or other hazardous materials from the building, you agree to be responsible for such abatement, encapsulation or removal, and in such event DELTA BECKWITH shall be entitled to delay its work until it is determined to our satisfaction that no hazard exists and compensation for delays encountered if such delay is more than sixty (60) days. In any event, we reserve the right to discontinue our work in the building whenever in our opinion this provision is being violated.
  5. Unless otherwise agreed in writing, it is understood that the work shall be performed during our regular working hours of our regular working days. If overtime work is mutually agreed upon and performed, an additional charge therefore, at our usual rates for such work, shall be added to the contract price. The performance of our work hereunder is conditioned on your performing the preparatory work and supplying the necessary data specified on the front of this proposal or in the attached specification, if any. Should we be required to make an unscheduled return to your site to begin or complete the work due to your request, acts or omissions, then such return visits shall be subject to additional charges at our then current labor rates.
  6. Title to any material to be furnished hereunder shall pass to you when final payment for such material is received. In addition, we shall retain a security interest in all material furnished hereunder and not paid for in full. You agree that a copy of this Agreement may be used as a financing statement for the purpose of placing upon public record our interest in any material furnished hereunder, and you agree to execute a UCC -1 form or any other document reasonably requested by us for that purpose.
  7. Except insofar as your equipment may be covered by an DELTA BECKWITH maintenance or service contract, it is agreed that we will make no examination of your equipment other than that necessary to do the work described in this contract and assume no responsibility for any part of your equipment except that upon which work has been done under this contract.
  8. Neither party shall be liable to the other for any loss, damage or delay due to any cause beyond either parties reasonable control, including but not limited to acts of government, strikes, lockouts, other labor disputes, fire, explosion, theft, weather damage, flood, earthquake, riot, civil commotion, war, mischief or act of God.
  9. We warrant that all services furnished will be performed in a workmanlike manner. We also warrant that any equipment provided hereunder shall be free from defects in workmanship and material. Our sole responsibility under this warranty shall be at our option to correct any defective services and to either repair or replace any component of the equipment found to be defective in workmanship or material provided that written notice of such defects shall have been given to us by you within ninety (90) days after completion of the work or such longer period as may be indicated on the front of this form. All defective parts that are removed and replaced by us shall become our property. We do not agree under this warranty to bear the cost of repairs or replacements due to vandalism, abuse, misuse, neglect, normal wear and tear, modifications not performed by us, improper or insufficient maintenance by others, or any causes beyond our control. We shall conduct, at our own expense, the entire defense of any claim, suit or action alleging that, without further combination, the use by you of any equipment provided hereunder directly infringes any patent, but only on the conditions that (a) we receive prompt written notice of such claim, suit or action and full opportunity and authority to assume the sole defense thereof, including settlement and appeals, and all information available to you for such defense; (b) said equipment is made according to a specification or design furnished by us; and (c) the claim, suit or action is brought against you. Provided all of the foregoing conditions have been met, we shall, at our own expense, either settle said claim, suit or action or shall pay all damages excluding consequential damages and costs awarded by the court therein and, if the use or resale of such equipment is finally enjoined, we shall, at our option, (i) procure for you the right to use the equipment, (ii) replace the equipment with equivalent noninfringing equipment, (iii) modify the equipment so it becomes noninfringing but equivalent, or (iv) remove the equipment and refund the purchase price (if any) less a reasonable allowance for use, damage and obsolescence.
- THE EXPRESS WARRANTIES SET FORTH IN THIS ARTICLE 9 ARE THE EXCLUSIVE WARRANTIES GIVEN; WE MAKE NO OTHER WARRANTIES EXPRESS OR IMPLIED, AND SPECIFICALLY MAKE NO WARRANTY OF MERCHANTABILITY OR OF FITNESS FOR ANY PARTICULAR PURPOSE; AND THE EXPRESS WARRANTIES SET FORTH IN THIS ARTICLE ARE IN LIEU OF ANY SUCH WARRANTIES AND ANY OTHER OBLIGATION OR LIABILITY ON OUR PART.
10. Under no circumstances shall either party be liable for special, indirect, liquidated, or consequential damages in contract, tort, including negligence, warranty or otherwise, notwithstanding any indemnity provision to the contrary. Notwithstanding any provision in any contract document to the contrary, our acceptance is conditioned on being allowed additional time for the performance of the Work due to delays beyond our reasonable control. Your remedies set forth herein are exclusive and our liability with respect to any contract, or anything done in connection therewith such as performance or breach thereof, or from the manufacture, sale, delivery, installation, repair or use of any equipment furnished under this contract, whether in contract, in tort (including negligence), in warranty or otherwise, shall not exceed the price for the equipment or services rendered.
  11. To the fullest extent permitted by law, you agree to hold us harmless, and defend us and indemnify us against any claim or suit for personal injury or property damage arising out of this contract unless such damage or injury arises from our sole negligence.
  12. It is agreed that after completion of our work, you shall be responsible for ensuring that the operation of any equipment being furnished hereunder is periodically inspected. The interval between such inspections shall not be longer than what may be required by the applicable governing safety code. Notwithstanding any other provisions hereof, if any part delivered hereunder incorporates software, the transaction is not a sale of such software; rather, you are hereby granted merely a license to use such software solely for operating the equipment for which such part was ordered. By accepting delivery of such part, you agree not to copy or let others copy such software for any purpose whatsoever, to keep such software in confidence as a trade secret, and not to transfer possession of such part to others except as a part of a transfer of ownership of the equipment in which such part is installed, provided that you inform us in writing about such ownership transfer and the transferee agrees in writing to abide by the above license terms.
  13. In furtherance of OSHA's directive contained in 29 C.F.R. § 1910.147(f)(2)(i), which requires that a service provider (an "outside employer") and its customer (an "on-site employer") must inform each other of their respective lock out/tag out ("LOTO") procedures whenever outside servicing personnel are to be engaged in control of hazardous energy activities on the customer's site, Delta Beckwith incorporates by reference its mechanical LOTO procedures and its electrical LOTO procedures. These procedures can be obtained at [www.delta-beckwith.com](http://www.delta-beckwith.com) by (1) clicking on the "Maintenance" tab on the left side of the website and (2) downloading the "Lockout Tagout Policy Otis 6.0" and "Mechanical Energy Policy Otis 7.0," both of which are in .pdf format on the bottom left of the website page. Customer agrees that it will disseminate these procedures throughout its organization to the appropriate personnel who may interact with Delta Beckwith personnel while Delta Beckwith personnel are working on site at Customer's facility.
  14. This Agreement constitutes the entire understanding between the parties regarding the subject matter hereof and may not be modified by any terms on your order form or any other document, and supersedes any prior written or oral communication relating to the same subject. Any amendment or modifications to this Agreement shall not be binding upon either party unless agreed to in writing by an authorized representative of each party.

Delta Beckwith Service and Repair Order



**ENVIRONMENTS AT WORK - RI**  
 300 A STREET  
 1ST FLOOR  
 BOSTON, MA 02210  
 Phone: 401-435-4141  
 Fax: 401-435-4167  
 Email/Web: www.eaw-ri.com

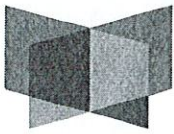
**Date Due:**  
**Project:** R1342  
**Quote:** R1342.001  
**Status:** New  
**Print Date:** 09/29/22

**Sold To:** 1789-00  
 TOWN OF FAIRHAVEN  
 40 CENTER STREET  
 FAIRHAVEN, MA 02719  
 Attention: ANGELINE LOPES ELLISON

**Bill To:** 1789-00  
 TOWN OF FAIRHAVEN  
 40 CENTER STREET  
 FAIRHAVEN, MA 02719  
 Attention: ANGELINE LOPES ELLISON

**Ship To:** 1789-00  
 TOWN OF FAIRHAVEN  
 40 CENTER STREET  
 FAIRHAVEN, MA 02719  
 Attention: JEFFREY OSUCH  
 Phone: (508)979-4023  
 Email: SELECTMEN@FAIRHAVEN-MA.GOV

Date Entered		Salesperson		FOB	Terms	
08/16/2022		LAUREN WEINTRAUB		D	NET 10	
Line	Loc	Item Number	Description	Order Qty	Unit Price	Extended
1	00	10N1828SQBXW	UNIVERSAL,18WX28H,SQUARE BASE,NO WIRE MGMT,WOOD <b>Options:</b> P3-ESCALADE MH-MOCHA	2	818.36	1,636.71 T
2	00	ECN2273CSFW2	ESCALADE,22DX73W,CREDENZA,STORAGE <b>Options:</b> 79SN-FLUID,SATIN NICKEL KS2B-SPECIFY 2 BLACK CORE SEPARATE MH-MOCHA	1	2,578.78	2,578.78 T
3	00	ECN3879VHHW	ESCALADE,38WX79H,DOUBLE STORAGE WARDROBE <b>Options:</b> 79SN-FLUID,SATIN NICKEL KS1B-SPECIFY 1 BLACK CORE SEPARATE MH-MOCHA	2	3,143.04	6,286.07 T
4	00	ECN4896RTW	ESCALADE,48DX96W,CONFERENCE TOP,RECTANGLE,WOOD <b>Options:</b> X-NO GROMMET X-NO MODIFIED DEPTH (STANDARD) X-NO MODIFIED WIDTH (STANDARD) MH-MOCHA	1	2,341.59	2,341.59 T
5	00	ECN7250HBHPW	ESCALADE,72WX50H,HIGHBACK ORGANIZER,WOOD DOORS <b>Options:</b> 79SN-FLUID,SATIN NICKEL KS1B-SPECIFY 1 BLACK CORE SEPARATE MH-MOCHA	1	2,370.52	2,370.52 T
6	00	ECN7973LLFW	ESCALADE,79DX73W,L UNIT,LEFT,WOOD <b>Options:</b> 79SN-FLUID,SATIN NICKEL X-NO GROMMET G1LR-GROMMET,LEFT & RIGHT KRB-RANDOM CORE,INSTALLED,BLACK MH-MOCHA	1	3,962.28	3,962.28 T
7	00	N55AA	ADMIRE,GUEST CHAIR,FULLY UPHOLSTERED BACK,ARMS <b>Options:</b> 2-GRADE 2 11900-DOLCE BLACK MH-MOCHA	4	569.16	2,276.62 T
8	00	N55BB	ADMIRE,GUEST CHAIR,FULLY UPHOLSTERED BACK,ARMLESS <b>Options:</b> 2-GRADE 2 11900-DOLCE BLACK MH-MOCHA	6	512.64	3,075.84 T
9	00	NCCB001	CASEGOODS,LOCK CORE WITH KEY,BLACK,NO 001	7	12.46	87.22 T
10	00	NCCBCK	CASEGOODS,LOCK CORE,STYLE B,CHANGE KEY	1	10.68	10.68 T
11	00	NCCBMK	CASEGOODS,LOCK CORE,STYLE B,MASTER KEY	1	10.68	10.68 T
12	00	NAC1706KK2	ACCESSORIES,KEYBOARD KIT,ERGONOMIC	1	336.87	336.87 T
13	00	SURCHARGE	SURCHARGE	1	2,247.65	2,247.65 T
14	00	DESIGN - KISP	DESIGN - KISP	6	80.00	480.00



**ENVIRONMENTS AT WORK - RI**  
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**Date Due:**  
**Project:** R1342  
**Quote:** R1342.001  
**Status:** New  
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**Ship To:** 1789-00  
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 Attention: JEFFREY OSUCH  
 Phone: (508)979-4023  
 Email: SELECTMEN@FAIRHAVEN-MA.GOV

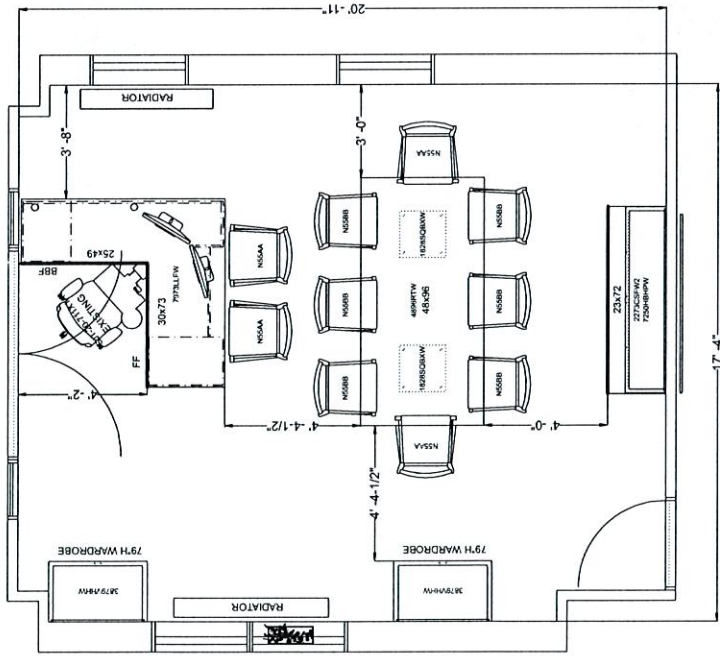
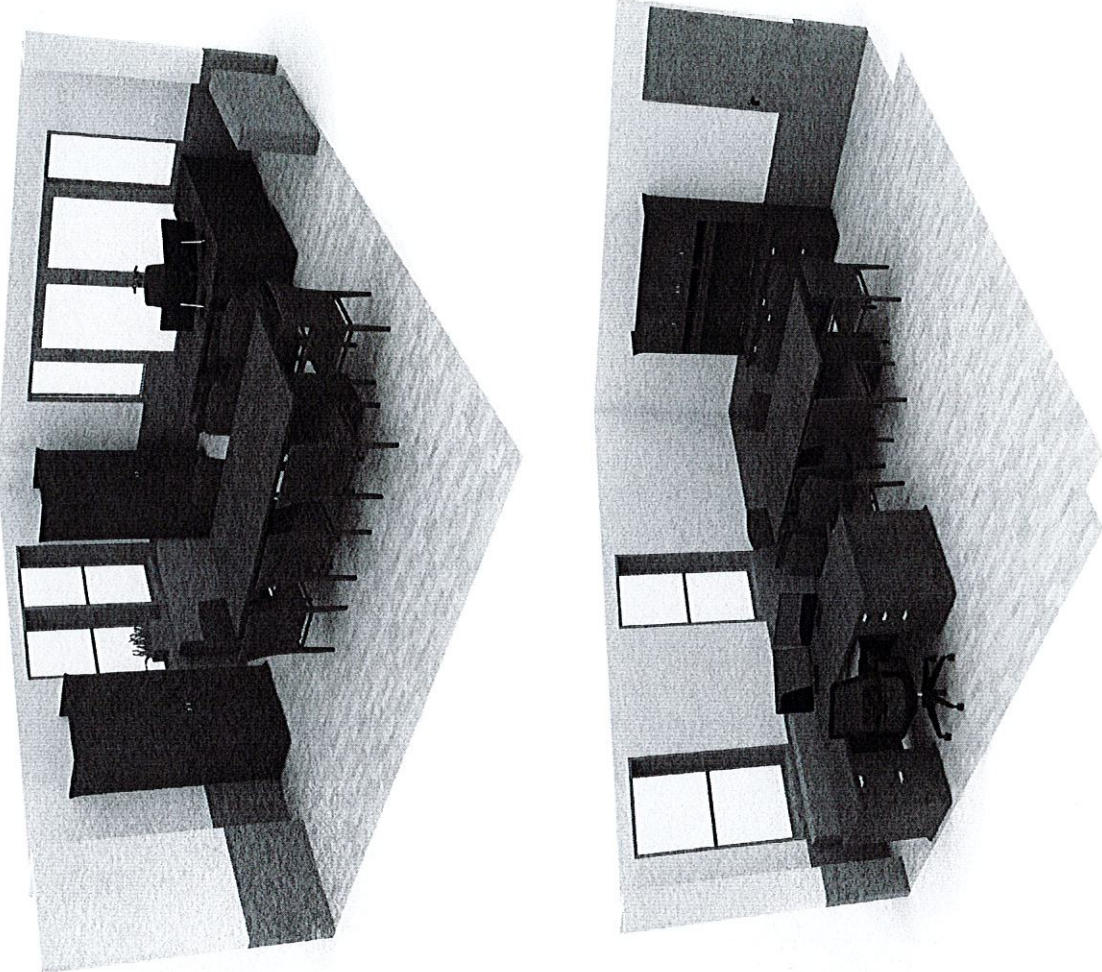
Date Entered	Salesperson	FOB	Terms
08/16/2022	LAUREN WEINTRAUB	D	NET 10

Line	Loc	Item Number	Description	Order Qty	Unit Price	Extended
15	00	LABOR	LABOR TO RECEIVE, DELIVER AND INSTALL NON UNION LABOR, REGULAR BUSINESS HOURS SPACE TO BE FREE AND CLEAR, INSTALL READY	1	2,000.00	2,000.00

This Quote Expires On 10/22/2022

Subtotal 29,701.51  
 Total Tax 1,701.34  
**TOTAL AMOUNT - USD \$31,402.85**

Approved By \_\_\_\_\_ Date \_\_\_\_\_



**NATIONAL ESCALADE**

Town of Fairhaven  
40 Center Street

Town Administrator Office

1/4" = 1'-0"

8/29/2022

**GREENWOOD EMERGENCY VEHICLES, LLC**  
530 John Dietsch Boulevard  
North Attleboro, Massachusetts 02763  
(508) 695-7138

**AMBULANCE PROPOSAL**

DATE: 30 AUGUST 2022

THIS PROPOSAL HAS BEEN PREPARED FOR:

FAIRHAVEN FIRE DEPARTMENT  
146 WASHINGTON STREET  
FAIRHAVEN, MA 02719

WE HEREBY PROPOSE TO FURNISH TO YOU, SUBJECT TO PROPER EXECUTION OF THE ATTACHED AGREEMENT BY YOU AND BY AN OFFICER OF THIS COMPANY, THE FOLLOWING VEHICLE AND EQUIPMENT TO BE BUILT IN ACCORDANCE WITH THE ATTACHED SPECIFICATIONS:

QUANTITY: ONE (1)

MODEL: 2023 FORD F550 4X4, HORTON MODEL 623 EMERGENCY MEDICAL VEHICLE. TOTAL INCLUDES STRYKER POWER-LOAD SYSTEM, STRYKER POWER-PRO2 COT INCLUDING CHARGER AND LITHIUM BATTERY OPTIONS.

PRICE: \$391,810.00

DELIVERY WILL BE F.O.B. FAIRHAVEN FIRE DEPT. AND WILL BE MADE APPROXIMATELY 24-30 MONTHS AFTER RECEIPT AND PROPER EXECUTION OF THE ATTACHED AGREEMENT BY BOTH PARTIES. GREENWOOD EMERGENCY VEHICLES DOES CURRENTLY HAVE AN ORDER IN PLACE FOR A VEHICLE BUILT TO THE ATTACHED SPECIFICATIONS. THIS COULD REDUCE DELIVERY TIME ONCE FORD STARTS PRODUCING THE REQUIRED CHASSIS. PRICE IS BASED ON AVAILABILITY AND ORDER BANK CUT-OFFS FROM CHASSIS MANUFACTURER.

THIS PROPOSAL SHALL EXPIRE UNLESS ACCEPTED WITHIN THIRTY (30) DAYS AND MAY BE EXTENDED, IN WRITING, AT THE DISCRETION OF THE COMPANY.

THE UNDERSIGNED CERTIFIES UNDER PENALTIES OF PERJURY THAT THIS BID OR PROPOSAL HAS BEEN MADE AND SUBMITTED IN GOOD FAITH AND WITHOUT COLLUSION OR FRAUD WITH ANY OTHER PERSON. AS USED IN THIS CERTIFICATION, THE WORD "PERSON" SHALL MEAN ANY NATURAL PERSON, BUSINESS, PARTNERSHIP, CORPORATION, UNION, COMMITTEE, CLUB OR OTHER ORGANIZATION, ENTITY OR GROUP OF INDIVIDUALS.

  
GREENWOOD EMERGENCY VEHICLES, LLC

KEITH H. JACKSON  
DIRECTOR OF AMBULANCE SALES

**ARTICLE 12: SCHOOL CABLE ENTERPRISE FUND OPERATING BUDGET**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a \$161,759.00 to fund the balance of the FY23 School Cable Television Enterprise Fund Operating Budget or take any other action relative thereto:

*Petitioned by:* *Select Board*

See Page 58 for Recommendation

Select Board Recommendation: Adoption

Finance Committee Recommendation: Adoption

**ARTICLE 13: GENERAL FUND CAPITAL PLAN**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of monies; to fund Capital Equipment/Projects in the General Fund or take any other action relative thereto:

A. Fire Engine 2 Tool Project	\$35,000.00
B. Replace Voting Machines	\$38,000.00
C. Ambulance / Stretcher Replacement	\$325,000.00 *
D. Police Cruiser Replacements	\$134,000.00
E. High School-Repair and Replace Southeast & Southwest Gables	\$2,275,000.00
F. Computer Hardware Equipment Replacement	\$30,000.00
G. Life Pak 15 Replacement (3 Units)	\$96,000.00
H. Replace Loader	\$220,000.00
I. Computer Server for offsite electronic storage	\$24,000.00
J. Beach Mat to provide for handicap access to Town Beach	\$25,000.00
K. Replace Boiler at Town Hall	\$125,000.00
L. Council on Aging /Recreation Building Roof Replacement (design & construction)	\$54,000.00
M. Replacement of Engines on Harbormaster Boat	\$51,000.00
N. Hydraulic Rescue Tools	\$41,000.00
O. Upgrade Town/School Phone System	\$223,000.00
P. Replace window blinds/shades at Town Hall	\$21,000.00
Q. Control Desk Radio Upgrade	\$48,000.00

Or other project that may be presented at Town Meeting.

And to meet this appropriation \$1,165,000.00 be transferred from Surplus Revenue (Free Cash), \$300,000.00 transferred from Ambulance RRA to partially fund C. Ambulance/ Stretcher Replacement, and \$25,000.00 transferred from the Waterways Fund to partially fund. M. Replacement of Engines on Harbormaster Boat, and \$100,000.00 transferred from the High School Trust Fund, and borrow \$2,175,000.00 for E. High School-Repair and Replace Southeast & Southwest Gables.

*Petitioned by: Select Board and Capital Planning Committee*

Select Board Recommendation: Adoption

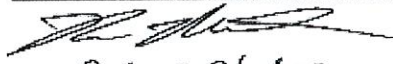
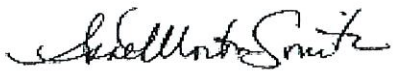
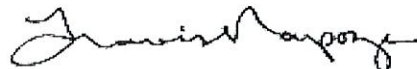
Finance Committee Recommendation: Adoption

## ARTICLE \_\_\_\_ - SAFE ROUTES TO SCHOOLS

**Special Town Meeting  
NOVEMBER 15, 2022**

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 Sconticut 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.

---

<u>Name</u>	<u>Address</u>	<u>Precinct</u>
 Robert Stal	7 Shaw Road	6
	3 Bayberry Street	5
	22 Laura Lane	4
 Shellene Smith	140 Main Street	2
 Francis Dapone	116 Howland Road	2





7 Little Bay Road  
 Fairhaven, MA 02719  
 Phone 5089948257  
 Fax # 508-993-8316

**PLEASE NOTE  
 CHANGE OF ADDRESS**



# Estimate

Account #	Date	Estimate #
	9/7/2022	1412

Name / Address
Fairhaven Harbormaster

Material Description	Qty	Price	Total
M332 Thermal Camera System - 30 Hz	1	6,840.00	6,840.00T
Joystick Control Unit (JCU1) for Maritime Cameras. Requires PoE	1	800.00	800.00T
Labor to remove existing FLIR camera, cables and controller. Install new FLIR camera, cables and controller.	12	115.00	1,380.00

Chris Electronics has the right to enter the vessel and remove any of the above installed or repaired equipment for materials or services not paid in full. This quote does not include shipping or freight costs. This quote may or may not include any applicable taxes. This quote is good for 30 days or until noted \_\_\_\_\_

<b>Subtotal</b>	\$9,020.00
<b>Sales Tax (6.25%)</b>	\$477.50
<b>Total</b>	\$9,497.50

## **ARTICLE 12 – FUND LABOR CONTRACTS FY23**

Still negotiating.

Anticipating completion by Town Meeting

**Bulldog's Performance Plus, LLC**

867 State Road  
 Westport, MA. 02790  
 Phone: 508-672-5436 Fax: 508-672-0912

ESTIMATE #

**014944**

**Estimate for Services**

Estimate Date : 10/5/2022

**Fairhaven Fire Department - Deputy Chief Nichols**  
 146 Washington Street  
 Fairhaven, MA 02719  
 Home: 508-994-1428

2008 Pierce - Saber - ISL  
 Lic # : - MA  
 Unit # : Engine 4  
 VIN # : 4P1CC01A8 **8A008873**  
 Odom. In: 0

Part Description / Number	Qty	Sale	Ext	Labor Description	Hours	Extended
Engine Rebuild Parts	1.00	0.00	0.00	***ESTIMATE***		
PARTS				ENGINE REBUILD	#####	70,000.00
Shop Supplies				PLEASE BE ADVISED, THE REPAIRS FOR THE ENGINE REBUILD CAN RUN BETWEEN \$40,000-\$70,000 INCLUDING ALL PARTS AND LABOR.		
<p>Parts/Supplies: 0.00      Labor: 70,000.00</p>						Total : \$ 70,000.00

TEARDOWN ESTIMATE: I understand that my vehicle will be reassembled within \_\_\_ days of the date shown above if I choose not to authorize the service recommended. All Parts removed will be discarded unless instructed otherwise: Save all Parts \_\_\_\_. NOT RESPONSIBLE FOR LOSS OR DAMAGE TO CARS OR ARTICLES LEFT IN CARS IN CASE OF FIRE, THEFT OR ANY OTHER CAUSE.

Signature \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

**SUMMARY OF THE NEED THE ARTICLE WILL ADDRESS:**

To repair and replace broken items needed for the safe operations and transport of the Police boat.  
Replace the steering controls, trailer and FLIR(Forwarding looking infrared) unit.

STORAGE • SERVICE • BROKERAGE • SUPPLIES



2820 Cranberry Highway, Route 28, Wareham, MA 02571 • (508) 295-8005 • FAX (508) 291-1778 • WEBSITE: [www.atlanticboats.com](http://www.atlanticboats.com)  
Mailing Address: P.O. Box 600, E. Wareham, MA 02538

9-7-2022  
Fairhaven Police Dept.  
1 Bryant Lane  
Fairhaven Ma 02719

Att: Matthew Bothelo

Re: Police boat trailer

INVOICE:

2022 LOAD RITE

MODEL AC26T-8400

\*Disc brakes

\* Torsion axle suspension

\* Bunk style trailer

Dealer provided service:

Re use and install on new trailer winch post from existing trailer

Adjust trailer to Safe Boat 25 series

Total Cost \$ 7520.00



7 Little Bay Road  
 Fairhaven, MA 02719  
 Phone 5089948257  
 Fax # 508-993-8316

**PLEASE NOTE  
 CHANGE OF ADDRESS**

# Estimate

Account #	Date	Estimate #
	8/4/2022	1402

Name / Address
Fairhaven Police 1 Bryant St. Fairhaven, MA 02719

Material Description	Qty	Price	Total
FLIR Thermal Camera System w/out JCU	1	6,840.00	6,840.00
FLIR Joystick Control Unit - JCU-1 for Maritime Cameras.	1	820.00	820.00
12v Power over Ethernet Injector	1	150.00	150.00

Chris Electronics has the right to enter the vessel and remove any of the above installed or repaired equipment for materials or services not paid in full. This quote does not include shipping or freight costs. This quote may or may not include any applicable taxes. This quote is good for 30 days or until noted \_\_\_\_\_

<b>Subtotal</b>	\$7,810.00
<b>Sales Tax (0.0%)</b>	\$0.00
<b>Total</b>	\$7,810.00

PE3008R

West Marine  
Port Supply Price Inquiry

9/08/22

Store . . . . .	<u>1296</u>	WM Fairhaven
Customer . . . . *	<u>437840</u>	FAIRHAVEN POLICE DEPT.
SKU . . . . . *	<u>19535129</u>	CorePk-Re 40 Hyd SPv2 No Cont
Quantity . . . . .	<u>1</u>	
Date . . . . .	<u>90822</u>	(mmddyy)

Best PS price: 3228.00

F3=Exit \*F4=Search

**SUMMARY OF THE NEED THE ARTICLE WILL ADDRESS:**

To amend ARTICLE 9-SPECIAL LEGISLATION FOR THE APPOINTMENT OF RETIRED POLICE OFFICERS AS SPECIAL POLICE OFFICERS from the SPECIAL TOWN MEETING-SATURDAY, JUNE 7, 2003 to allow Retired Police Officer to work until the age of 70 instead of 65 as is currently.



EILEEN M,  
LOWNEY Town  
Clerk

OFFICE OF TOWN  
CLERK

Town Hall (508) 979-4025

**TOWN OF FAIRHAVEN**  
**40 Center Street**  
**Fairhaven, MA**  
**02719**

**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.

## Chapter 88 – Fairhaven Public Tree Bylaw

**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 may be 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

Chapter 88 – Fairhaven Public Tree Bylaw

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.

To the Honorable Select Board:

We the undersigned registered voters of the Town of Fairhaven, hereby petition your Board to insert in the warrant of the next Special Town Meeting an article to see if the town will vote to reduce the current Town Administrator salary to \$2:43 \$1.00 by transferring the balance in excess of \$1.00 to Free Cash.

RESOLVED  
2022 SEP 9 P 2:43  
BOARD OF SELECTMAN  
FAIRHAVEN MASS

	Printed Name of Voter	Address	Signature	Precinct
✓ 1	Catherine Pires	21 Prince St.	Catherine M Pires	6
✓ 2	Donald Pires	21 Prince St	Donald Pires	6
✓ 3	Craig Soares	241 New Boston Rd	Craig Soares	6
✓ 4	Mary Stafford	275 MAIN ST. <sup>APT 215</sup>	Mary Stafford	6
✓ 5	Marianne Portelance	12 Paul St	Marianne Portelance	6
✓ 6	Anna J. Silva	621 BAY ST	Anna J. Silva	2
✓ 7	Pamela Concoran	3 Hopkins St	Pamela Concoran	2
✓ 8	DANIEL E. CONCORAN	3 HOPKINS ST	Daniel E. Concoran	2
✓ 9	JOHNI J. MEDEIROS	538 DANA FARM	John J. Medeiros	2
✓ 10	GRACE M GWOZDZ	7 Eddy St	Grace M Gwozdz	6
✓ 11	Carol A. Fortes	12 Hawthorne St	Carol A. Fortes	3
✓ 12	David Fortes	12 Hawthorne St	David Fortes	3
✓ 13	Ed Rose	6 Sunset Ln	Ed Rose	4
✓ 14	Kyle Leclair	22 Holcomb St	Kyle Leclair	4
✓ 15	Janet Cope Leclair	22 Holcomb St	Janet Cope Leclair	4

Tony ALVES 774-328-4822



RECEIVED  
TOWN OF FAIRHAVEN  
2022 SEP 19 A 10:59  
PETITION FOR STREET ACCEPTANCE

FAIRHAVEN TOWN CLERK  
RCUD 2022 SEP 16 PM 2:41

To the Board of Selectmen:

BOARD OF SELECTMAN  
FAIRHAVEN MASS

We the undersigned registered voters of the Town of Fairhaven, hereby petition your Board to insert in the warrant of the next Annual or Special Town Meeting an article for the acceptance of ALVES WAY from 2 to 10 A distance of approximately 490 feet, more or less.

<u>NAME</u>	<u>ADDRESS</u>	<u>PRECINCT</u>
✓ 1. James Kalife	91 Weeden Rd	
✓ 2. Steve Xavier	64 Boston Hill Rd	
✓ 3. David Frates	41 Oxford St	
✓ 4. Sarah Frates	41 Oxford St	
✓ 5. Donna McLenna	7 Teal Circle	
✓ 6. Ryan McLenna	7 Teal Circle	
N 7. John Pacheco	19 Prince St	
N 8. Deb Pacheco	19 Prince St	
✓ 9. Michael Bettencourt	52 Gillette Rd	
✓ 10. John Felix	6 Holiday Drive	

Note: Engineer's tracing and for copies of the plan must be submitted by the petitioners who will bear the expense. Legal description must accompany plan.

Articles for an annual town meeting require the signatures of at least ten (10) registered voters.

Articles for a special town meeting require the signature of at least one hundred (100) registered voters.

THE COMMONWEALTH OF MASSACHUSETTS  
Town of Fairhaven September 20 20 22  
We Certify That 111 Signatures On This Document  
Of 16 Sheets Checked Thus: Are Names Of  
Qualified Voters In The Town Of Fairhaven.

Quinn Hedette Registrars  
Ellen M. Lounsbury Of Voters  
K. J. O'Neil Of  
Nils Dickson Fairhaven, MA



RECEIVED

2022 AUG 25 P 2:40  
Town of Fairhaven

BOARD OF SELECTMAN  
PETITION FOR HARD SURFACE

Petitioner

Name: Patrick Rosparka  
Address: 9 Sandra Lane  
Phone: 508 904 3154  
Email: \_\_\_\_\_

FAIRHAVEN TOWN CLERK  
RCUD 2022 AUG 25 PM 2:45

To the Honorable Select Board:

We the undersigned registered voters of the Town of Fairhaven, hereby petition your Board to insert in the warrant of the next Annual or Special Town Meeting an article for hard surface of Sandra Lane Street from \_\_\_\_\_ to \_\_\_\_\_ A distance of approximately 673 feet, more or less.

NAME	ADDRESS	PRECINCT
✓ 1. <u>[Signature]</u>	<u>32 Marguerite ST</u>	<u>3</u>
✓ 2. <u>[Signature]</u>	<u>45 Marguerite St</u>	
✓ 3. <u>[Signature]</u>	<u>7 Sandra Lane</u>	
✓ 4. <u>[Signature]</u>	<u>7 Sandra Lane</u>	
✓ 5. <u>CHARLES ALPHONSE</u>	<u>9 SANDRA LN</u>	
✓ 6. <u>Michael Lake</u>	<u>51 Jesse</u>	
✓ 7. <u>Daniela Fidalgo</u>	<u>2 Mina St</u>	
✓ 8. <u>[Signature]</u>	<u>33 Marguerite St</u>	
9. _____	_____	_____
✓ 10. <u>[Signature]</u>	<u>8 Mina St</u>	
✓ 10. <u>[Signature]</u>	<u>8 Mina St</u>	

Articles for an annual town meeting require the signatures and addresses of at least ten (10) registered voters.

Articles for a special town meeting require the signatures and addresses of at least one hundred (100) registered voters.

*[Faint handwritten notes]*