

original

WARRANT

**For Annual Town Meeting Election, Monday, April 2, 2018
and Meeting to Act on Articles in the Warrant
Saturday, May 5, 2018 at 9:00 a.m. in the
Walter Silveira Auditorium at the
Elizabeth I. Hastings Middle School.**

COMMONWEALTH OF MASSACHUSETTS

BRISTOL: SS

To the Constable of the Town of Fairhaven in said county

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Fairhaven qualified to vote in town elections to meet as follows:

For election, Monday April 2, 2018

- Precinct One – Town Hall - William Street entrance
- Precinct Two – Hastings Middle School - Ash Street entrance
- Precinct Three – Hastings Middle School - Ash Street entrance
- Precinct Four – Fire Station Meeting Room - 146 Washington Street
- Precinct Five – Recreation Center - 227 Huttleston Avenue
- Precinct Six – Recreation Center - 227 Huttleston Avenue

In said precincts in said town on Monday, April 2, 2018 at ten o'clock in the forenoon then and there to bring their ballots for question to be voted by ballot, viz:

One Selectman for three years, two School Committee members for three years, one Board of Health member for three years, one Commissioner of Trust Funds for three years, two Board of Public Works members for three years, two Planning Board members for four years, one Housing Authority member for 5 years, one Housing Authority Member for 3 year unexpired term, one Moderator for three years, one Tree Warden for three years and Town Meeting Members in accordance with Section 2 of Chapter 285 of the Acts of 1930 and amendments thereto establishing in the Town of Fairhaven Representative Town Government by limited Town Meeting as follows:

- Precinct One: 24 for 3 years – 1 for 2 years – 2 for 1 year
- Precinct Two: 24 for 3 years – 10 for 2 years – 5 for 1 year
- Precinct Three: 23 for 3 years – 14 for 2 years – 2 for 1 year
- Precinct Four: 25 for 3 years – 8 for 1 year
- Precinct Five: 23 for 3 years – 1 for 1 year
- Precinct Six: 24 for 3 years – 10 for 1 year

The polls shall be open from 10:00 AM to 8:00 PM. and the inhabitants qualified as Town Meeting Members shall meet on Saturday, May 5, 2018 at 9:00 AM in the Walter Silveira Auditorium of the Elizabeth Hastings Middle School to act upon the following articles:

ARTICLE 1: MEASURER OF WOOD AND BARK

To see if the Town will vote to instruct the Selectmen to appoint a Measurer of Wood and Bark.

Petitioned by: Board of Selectmen

ARTICLE 2: TOWN REPORT

To receive the Annual Report of Town Officers.

Petitioned by: Board of Selectmen

ARTICLE 3: REPORT OF COMMITTEES

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

Petitioned by: Board of Selectmen

ARTICLE 4: SEWER CAPITAL FEE – FY18

To see if the Town will vote to transfer from the Sewer Retained Earnings of June 30, 2017 Sewer Capital Fee in the amount of \$286,082.64 to the Sewer Capital Improvement Stabilization Fund or to take any other action relative thereto.

Petitioned by: Board of Public Works

ARTICLE 5: AMENDED FY18 GENERAL FUND OPERATING BUDGET

To see if the Town will vote to amend Article 19 of the May 6, 2017 Annual Town Meeting “General Fund Operating Budget- FY18” or take any other action relative thereto

Petitioned by: Board of Selectmen

ARTICLE 6: AMENDED FY18 WATER ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to amend Article 20 of the May 6, 2017 Annual Town Meeting “Water Enterprise Fund Operating Budget-FY18” or take any other action relative thereto

Petitioned by: Board of Public Works

ARTICLE 7: AMENDED FY18 SEWER ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to amend Article 21 of the May 6, 2017 Annual Town Meeting “ Sewer Enterprise Fund Operating Budget-FY18” or take any other action relative thereto

Petitioned by: Board of Public Works

ARTICLE 8: BILLS OF PRIOR YEAR – Paid from FY18 funds

<u>Vendor</u>	<u>Amount</u>	<u>Petitioner</u>
Southcoast Physicians Group	\$5,795.88	Fire Chief
Dr. Brian Bowcock	125.20	Fire Chief
University Pathologists	43.26	Fire Chief
Associate Physicians at HMFP	\$113.24	Fire Chief
Associate Physicians at BIDMC	96.25	Fire Chief
Wiegandt and Associates	\$175.00	Police Chief

Petitioned by: Town Administrator

ARTICLE 9: SETTING SALARIES OF TOWN OFFICERS-FY19

To see if the Town will vote to fix the compensation of the Town’s Elected Officers and that said compensation be effective July 1, 2018.

- A. Board of Selectmen (3 members)
- B. Town Clerk
- C. Moderator
- D. Tree Warden
- E. Board of Health

Or take any other action relative thereto.

Petitioned by: Board of Selectmen

ARTICLE 10: GENERAL FUND OPERATING BUDGET – FY19

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund the FY19 General Fund Operating Budget or take any other action relative thereto

Petitioned by: Board of Selectmen

ARTICLE 11: WATER ENTERPRISE FUND OPERATING BUDGET – FY19

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund the FY19 Water Enterprise Fund Operating Budget or take any other action relative thereto

Petitioned by: Board of Public Works

ARTICLE 12: SEWER ENTERPRISE FUND OPERATING BUDGET – FY19

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund the FY19 Sewer Enterprise Fund Operating Budget or take any other action relative thereto

Petitioned by: Board of Public Works

**ARTICLE 13
: FEMA GRANT FOR MOBILE RADIOS – 5% MATCH – FY19**

To see if the Town will vote to raise and appropriate, borrow or transfer from available a sum of money not to exceed \$12,585 for a five (5%) percent match for a FEMA grant for mobile radios, or take any other action relative thereto.

Petitioned by: Fire Chief

ARTICLE 14: GENERAL FUND CAPITAL PLAN (FY19)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund, in aggregate without regards to individual line items, the following Capital Equipment/Projects in the General Fund or take any other action relative thereto:

A. BPW- Loader 963 (final payment of Lease/Purchase):	\$143,190.62
B. Fire- Hydraulic Rescue Equipment:	\$32,000.00
C. Information Tech.- Fiber Optic Connectivity Project (GF portion):	\$430,000.00
D. Information Tech.- Hardware Equipment Replacement	\$ 30,000.00
E. Police- Two Patrol Vehicles	\$90,000.00
F. BPW-Vehicle	\$30,000.00
G. Selectmen/Town Adm.-Preserve & Restore Rogers School	\$252,000.00
H. Fire-Radio Communication Repeater	\$ 64,000.00
I. School-High School Gym Dehumidification Project	\$283,000.00
J. BPW-Security Camera System	\$20,000.00
K. COA/Recreation-Replace HVAC system at Senior/Rec. Center	\$200,000.00
L. Police-Live Scan Finger Print Machine	\$25,000.00
M. BPW- Replace 2000 Ford Van-Unit #13	\$55,000.00
N. BPW-Replace 1986 Bobcat-Unit #23	\$72,000.00

O. BPW-Replace Ford Tractor-Unit #1920	\$44,000.00
N. BPW-Parking at Livesey Park	\$70,000.00

TOTAL: \$1,840,190.62

Petitioned by: Board of Selectmen and Capital Planning Committee

ARTICLE 15: ROADWORK – FY19

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money not to cumulatively exceed \$350,000 in the aggregate without regards to individual line items to do the following roadwork, in the order of priority as determined by the Board of Public Works or take any other action relative thereto:

- A. Hope Avenue – Reconstruct, hard-surface and install drainage on Hope Avenue from Adams Street to Francis Street.

Petitioned by: Board of Public Works

- B. Billy’s Way – Reconstruct and hard-surface Billy’s Way from Sconticut Neck Road westerly approximately 600 feet.

Petitioned by: Board of Public Works & Alain M. Lachat and others

- C. Bluepoint Road – Reconstruct, hard-surface and install drainage on Bluepoint Road from Almond Street to Fir Street.

Petitioned by: Board of Public Works

- D. Ebony Street – Reconstruct, hard-surface and install drainage on Ebony Street from Causeway Road southerly approximately 350 feet.

Petitioned by: Board of Public Works

- E. Ebony Street – Reconstruct, hard-surface and install drainage on Ebony Street from Causeway Road to Gull Island Road approximately 2000 feet.

Petitioned by: Bruce Haslehurst and others

- F. Fir Street – Reconstruct, hard-surface and install drainage on Fir Street from Causeway Road to Blue Point Road a distance of approximately 1000 feet, more or less

Petitioned by: Michael Poirier and others

- G. Gifford Street– Reconstruct and hard-surface Gifford Street from Farmfield Street to Gifford Street.

Petitioned by: Kellie Medeiros and others

ARTICLE 16 – STATE AID TO HIGHWAYS – FY19

- A. To see if the Town will vote to authorize the Board of Public Works to accept and enter into contract for the expenditure of any funds allotted or to be allotted by the Commonwealth of Massachusetts for the construction, reconstruction and improvements of Town roads, or take any other action relative thereto.
- B. To see if the Town will vote to appropriate and transfer from available funds a sum of money estimated to be \$519,997 for capital improvements on local roads, subject to the conditions detailed by the Massachusetts Highway Department pursuant to the MGLS and Transportation Department’s Chapter 90 Guidelines, or to take any other action relative thereto.

Petitioned by: The Board of Public Works

ARTICLE 17: FUNDING CAPITAL STABILIZATION FUND – FY19

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, including surplus revenue (Free Cash) and reimbursement from the state for school capital projects, to be deposited in the Capital Stabilization Fund as authorized by Chapter 40, Section 5B of the General Laws, or take any other action relative thereto

Petitioned by: Town Administrator

ARTICLE 8: AMBULANCE STABILIZATION – FY19

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money not to cumulatively exceed \$50,000 to be deposited in an Ambulance Stabilization Fund as authorized by Chapter 40 Section 5B of the General Laws, or take any other action relative thereto.

Petitioned by: Fire Chief

ARTICLE 19: WATER ENTERPRISE CAPITAL PLAN – FY19

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money in aggregate without regards to individual line items from the Water Enterprise account to fund the following Capital Equipment/Projects or take any other action relative thereto:

A. Fiber Optic Connectivity Project (Water Ent. portion):	\$40,000
B. New Dump Truck	\$75,000
C. Water Rate Software	\$20,000
D. Meter Evaluation	\$150,000
TOTAL:	\$285,000

Petitioned by: Board of Public Works

ARTICLE 20 : SEWER ENTERPRISE CAPITAL PLAN – FY19

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money in aggregate without regards to individual line items from the Sewer Enterprise account to fund the following Capital Equipment/Projects or take any other action relative thereto:

A. Fiber Optic Connectivity Project (Sewer Ent. Portion):	\$35,000
B. Treatment Plant Nitrogen Removal Upgrade Planning Studies	\$180,000
C. West Island Treatment Plant Improvements	\$700,000
D. Pump Replacement at Abby Pump Station	\$30,000
E. Replacement of Portable Pump Station	\$36,000
TOTAL:	\$981,000

Petitioned by: Board of Public Works

ARTICLE 21: COMMUNITY PRESERVATION PROGRAM APPROPRIATIONS -FY19

To see if the Town will vote to appropriate or to reserve for later appropriation, and to authorize the Community Preservation Committee to expend or reserve, from the Community Preservation Fund available funds and FY19 Estimated Receipts as set forth herein, the following amounts for community preservation purposes, with such expenditures to be subject to conditions to be specified in applications and award letters from the Community Preservation Committee, with each item considered a separate appropriation:

PROPOSED FISCAL YEAR 2019 COMMUNITY PRESERVATION BUDGET	
APPROPRIATIONS	
Purpose	Recommended Amounts
Reserve for Future Appropriation	

A. Acquisition, creation, and preservation of Open Space, and its rehabilitation and restoration.	\$45,000
Spending Appropriations	
B. Fairhaven Housing Authority – Green Meadows Window Replacement Project	\$ 40,000
C. Stratford Capital Group – Oxford School Residences	\$150,000
D. Board of Selectmen – Town Hall Handicap Door Openers	\$15,000
E. Library – Exterior Window Restoration Project	\$86,000
F. Historical Commission – Fire Museum – Gutter Project	\$2,000
G. Historical Commission – Old Stone School – Roof Project	\$7,000
H. Bell Committee – Revere Bell Restoration & Permanent Display Project	\$18,500
I. Board of Selectmen – Library Sidewalk –Walnut Street Project	\$92,000
J. Recreation Center/Wellness Committee – Bike Path Fitness Stations	\$7,500
Administrative Spending Appropriation	
K. To fund the Community Preservation Committee’s annual expenses as follows: Personal Service –\$7,600; Purchase of	\$ 13,500

Services – \$3,400; Supplies – \$500; Other charges/expenders – \$2,000.	
Total Recommended Appropriations	\$476,500

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

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

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

Therefore, in the event that recommended amounts are deleted, vote to appropriate as a reserve for future spending from the FY 2019 Community Preservation Fund Estimated Receipts the minimum necessary amounts to allocate not less than 10% (\$45,000) for open space, not less than 10% (\$45,000) for historic preservation, and not less than 10% (\$45,000) for community housing, or take any other action relative thereto.

Petitioned by: Community Preservation Committee

ARTICLE 22: REVOLVING FUNDS – FY19

To see if the Town will authorize and / or re-authorize the following Revolving Accounts under the provisions of Massachusetts General Law Chapter 44 Section 53 E ½ under the following terms:

Revolving Fund	Authorized to Spend	Revenue Source	FY18 Limit
Hazardous Materials	Fire Chief	Disposal fees/charges	\$ 100,000
Sustainability	Sustainability/ Green Committee	Fees/charges	\$ 10,000
Hoppy's Landing	Board of Selectmen and/or Town Administrator	Fees/charges from users of Hoppy's Landing	\$ 25,000

Town Hall Auditorium	Town Administrator	Town Hall auditorium rental fees	\$ 2,000
Park Utilities	Board of Public Works	User fees	\$ 2,000
Wellness	Wellness Committee	Fees, BCBS reimbursements , vendors	\$ 2,500

Or take any other action relative thereto:

Petitioned by: Board of Selectmen

ARTICLE 23: SOCIAL DAY CARE CENTER – FY19

To see if the Town will vote to authorize the Fairhaven Council on Aging to expend in the Fiscal Year 2019 a sum of money not to cumulatively exceed \$160,000.00 from the Fairhaven Supportive Social Day Program Special Revenue Fund for the purpose of providing a Social Day Program for Senior Citizens or take any other action relative thereto.

Petitioned by: Council on Aging

ARTICLE 24: PROPAGATION OF SHELLFISH-FY19

To see if the Town will vote to raise and appropriate, borrow or transfer an amount not to exceed \$20,000.00 from available funds for the propagation of shellfish, or take any other action relative thereto.

Petitioned by: Board of Selectmen

ARTICLE 25: MAINTENANCE TO ROGERS AND OXFORD SCHOOL BUILDINGS – FY19

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money not to cumulatively exceed \$8,000 to maintain the vacant Rogers and Oxford Schools , including repairs, electricity, telephone, security, alarms, and any other associated costs or take any other action relative thereto.

Petitioned by: Town Administrator

ARTICLE 26: CULTURAL COUNCIL FUNDING – FY19

To see if the Town will vote to raise and appropriate, borrow or transfer \$2,500.00 from available funds for the Fairhaven Cultural Council, or to take any other action thereto.

Petitioned by: Fairhaven Cultural Council

ARTICLE 27: WATERWAYS RULES AND REGULATIONS FUNDING – FY19

To see if the Town of Fairhaven will vote to raise and appropriate, borrow or transfer from available funds a sum of money to cover the cost of hiring a consultant to review the town's existing by-laws and rules and regulations governing moorings, dockings, landings, revenue sources, aquaculture, policing, environmental protection and other governing documents and to recommend changes and improvements that would provide for a coordinated, consistent and comprehensive regulatory approach to the town's waterways management, or take any other action relative thereto.

Petitioned by: Town Administrator

ARTICLE 28: WIND TURBINE ELECTRICITY PURCHASE – FY19

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to purchase electricity generated by Fairhaven Wind. Revenue generated from Eversource for the wind turbines power purchase will be deposited into the Town Treasury and will offset expenditures made under this appropriation, or take any other action relative thereto.

Petitioned by: Board of Selectmen

ARTICLE 29: SENIOR TAX WORK-OFF PROGRAM – FY19

To see if the Town will vote to continue the provisions of MGL, Chapter 59, Section 5C-Senior Work for a total authorization of \$10,000 or take any other relative thereto

Petitioned by: Council on Aging

ARTICLE 30: TRANSFER FROM SURPLUS REVENUE-FY19

To see is the Town will vote to transfer a sum of money from Surplus Revenue for the reduction of the tax levy, or take any other action relative thereto.

Petitioned by: Board of Selectmen

ARTICLE 31: AMEND TOWN BY-LAW CHAPTER 141. LICENCES AND PERMITS

To see if the Town will vote to amend Chapter 141-1, Denial or revocation of license for failure to pay taxes, Section A, by adding and striking as follows:

A- The Tax Collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges (hereinafter referred to as the "Tax

Collector") shall annually, **and may periodically**, furnish to each department, board, commission or division (hereinafter referred to as the "licensing authority") that issues licenses or permits, including renewals and transfers, a list of the persons, corporations or business enterprises (hereinafter referred to as the "party") that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges ~~for not less than a twelve-month period~~, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the Appellate Tax Board.

or take any other action relative thereto.

Petitioned by: Board of Selectmen

ARTICLE 32: ADOPT TOWN BY-LAW: STRETCH ENERGY CODE

To see if the Town will vote to adopt a the Town of Fairhaven General Bylaws, entitled "Stretch Energy Code" for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of July 1, 2018 as follows:

1. Definitions

International Energy Conservation Code (IECC) - The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

Stretch Energy Code - Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the Massachusetts building code, the Stretch Energy Code is an appendix to the Massachusetts building code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of buildings built to this code.

2. Purpose

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for new buildings.

3. Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 115.AA, as indicated.

4. Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is herein incorporated by reference into the Town of Fairhaven General Bylaws.

The Stretch Code is enforceable by the inspector of buildings or building commissioner and effective as of July 1, 2018

or take any other action relative thereto

Petitioned by: Green Fairhaven Committee

ARTICLE 33: Authorization To Petition The Legislature To Amend The Town Administrator Act To Provide That The Town Clerk Shall Be Appointed By The Town Administrator

To see if the Town will vote to authorize the board of selectmen to petition the general court for special legislation in the form set forth below, placing the office of the town clerk within the jurisdiction of the board of selectmen, providing for the appointment of the town clerk by the town administrator, and further clarifying the authority of the town administrator with regard to vacancies in town offices, and the appointment of assistant town officers; and provided further that the general court may make clerical or editorial changes of form only to the bill, and may make such substantive changes to the bill as have been approved by the board of selectmen, the board of selectmen being authorized by this vote of the Town to approve changes to the bill which are within the scope of the general public objectives of the petition; or take any other action relative thereto.

An Act Authorizing the Town Administrator of the Town of Fairhaven to Appoint the Town Clerk for the Town of Fairhaven

SECTION 1. Notwithstanding the provisions of sections 1, 1B, 13, 14, and 19 of chapter 41 of the general laws, or of any other general or special law to the contrary, there shall be an appointed town clerk in the town of Fairhaven who shall be under the jurisdiction of the board of selectmen for the town of Fairhaven, and shall otherwise have all the powers and duties vested by law in said office. The town clerk shall be appointed and may be removed, and any vacancy in such office shall be filled in like manner, by the Fairhaven town administrator pursuant to this act and to chapter 381 of the acts of 2014, as amended by section __ of chapter ___ of the acts of 2018.

SECTION 2. Notwithstanding the provisions of any general or special law to the contrary, if an officer under the jurisdiction of the board of selectmen of the town of Fairhaven fails to give a bond required by law, the town administrator may declare the office vacant and fill the vacancy by a temporary or permanent appointment pursuant to this act and to chapter 381 of the acts of 2014, as amended by section __ of chapter ___ of the acts of 2018.

SECTION 3. Notwithstanding the provisions of any general or special law to the contrary, the head of each department under the jurisdiction of the board of selectmen of the town of Fairhaven, with the approval of the town administrator, shall appoint and remove such assistants as are provided for by law, as well as department staff within their respective departments, pursuant to this act and to chapter 381 of the acts of 2014, as amended by section ___ of chapter ___ of the acts of 2018.

SECTION 4. Section 2 of chapter 381 of the acts of 2014, as amended by section ___ of chapter ___ of the acts of 2018, is hereby further amended by striking out subsection (e) thereof and inserting in its place the following subsection:-

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

SECTION 5. Said section 2 of chapter 381 of the acts of 2014, as amended by section ___ of chapter ___ of the acts of 2018 is hereby further amended by striking out subsection (i) thereof and inserting in its place the following subsection:-

(i) With the approval of the board of selectmen, appoint and remove all department heads under the direct control of the town administrator. *If an officer so appointed fails to give a bond required by law, the town administrator may declare the office vacant and fill the vacancy by a temporary or permanent appointment.* Each department head, with the approval of the town administrator, shall appoint and remove *such assistants as are provided for by law*, as well as department staff within their respective departments. All appointments shall be based entirely on merit and fitness. All appointments and terminations shall be conducted in accordance with the General Laws, personnel policies, by-laws of the town of Fairhaven and any applicable employment contracts; provided, that fire department appointments shall also be subject to section 42 of chapter 48 of the General Laws.

SECTION 6. Any incumbent elected to the office of town clerk for the town of Fairhaven and serving at the time of the passage of this act shall continue to hold said office and to perform the duties thereof until the expiration of the term for which said individual was elected or until said individual otherwise vacates such office.

SECTION 7. Except as set forth in Section 6 hereof, this act shall take effect upon its passage.

or take any other action relative thereto

Petitioned by: Town Clerk Study Committee

ARTICLE 34: ACCEPT M.G.L., CHAPTER 90, SECTION 17C AND SECTION 18B

To see if the Town will vote to accept M.G.L. Chapter 90, Section 17C that provides for the Board of Selectmen in the interests of public safety to establish a speed limit of 25 miles per hour on any roadway inside a thickly settled or business district and Section 18B that provides for the Board of Selectmen in the interests of public safety establish designated safety zones on, at or near any way in Fairhaven which is not a state highway and with the approval of the Department of Transportation if the same is a state highway and, furthermore, such safety zones shall be posted as having a speed limit of 20 miles per hour, or take any other action relative thereto

Petitioned by: Board of Selectmen

ARTICLE 35: CITIZEN PETITION-STREET ACCEPTANCE-DOANE COURT

To see if the Town will accept as a public street Doane Court from the intersection of James Street to Doane Street, a distance of 400 feet more or less, or take any other action relative thereto.

Petitioned by: Arthur Oliveira and others

ARTICLE 36: CITIZEN PETITION-AMENDMENT TO ZONING MAP-HUTTLESTON AVENUE, ASSESSOR'S MAP 31-LOTS 115A AND LOTS 117C.

To see if Town Meeting will vote to amend the Zoning Map as follows: Rezone the following described lots *from* Single Residence Districts (RA) to Apartment/Multifamily Districts (RC); Assessor's Map 31, Lot 115A, and *from* Business Districts (B) to Apartment/Multifamily Districts (RC): Assessor's Map 31, Lot 117C, as described in the Bristol County Register of Deeds Book 4359, Page 233, or take any other action relative thereto.

Petitioned by: Scott Snow and others

ARTICLE 37: CITIZEN PETITION-AMENDMENT TO ZONING MAP-273 ALDEN ROAD, ASSESSOR'S MAP 37A, LOT 538

To see if Town Meeting will vote to amend the Zoning Map as follows: Rezone the following described lot from Business (B) to Single Residence District (RA): Assessor's Map 37A, Lot 538 and as described in the Bristol County Registry of Deeds Book 4050, Page 149, or take any other action relative thereto.

Petitioned by: Albert Roderiques and others

ARTICLE 38: AMEND TOWN BY-LAW, CHAPTER 206, PART 1: ANIMAL CONTROL FEES

To see if the Town will vote to amend Chapter 206, Part 1, of the Town Bylaws, Animal Control Fees by adding and striking as follows:

Fee structure.

The animal control fee structure is as follows:

Type	Fee
Boarding fee	\$25 per day
Adoption fees	
Adult cat	\$150-200
Kitten	\$180
Dog	\$250-300

Or take any other action relative thereto.

Petitioned by: The Police Chief

ARTICLE 39: ACCEPT M.G.L. CHAPTER 64N, SECTION 3: LOCAL SALES TAX ON RECREATIONAL MARIJUANA.

To see if the Town will vote to accept section 3 of chapter 64N of the General Laws which provides that “A city or town that accepts this section in the manner provided in section 4 of chapter 4 may impose a local sales tax upon sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the city or town to anyone other than a marijuana establishment at a rate not greater than 3 per cent of the total sales price received by the marijuana retailer as a consideration for the sale of marijuana or marijuana products.” and, if so, to establish the rate of that local sales tax, in an amount not greater than three percent;

or to take any other action thereon.

Petitioned by: The Board of Selectmen

ARTICLE 40: OTHER BUSINESS


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

And you are hereby directed to serve this warrant by posting an attested copy thereof on or near the front or main entrance of the polling place in Precinct 1, Town Hall; and on or near the entrance of the polling place in Precinct 2 and 3, Elizabeth I. Hastings Middle School, School Street; and on or near the entrance of the polling place in Precinct 4, Fire Station meeting room, 146 Washington Street; and on or near the front or main entrance of the polling place in Precinct 5 and 6, Recreation Center, 227 Huttleston Ave; seven days at least prior to the date of the meeting.

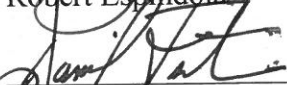
HEREOF FAIL NOT, and make due return of this warrant to the Town Clerk at the time and place of the meeting aforesaid.

Given under our hands this 19th day of March in the year two thousand eighteen.

Selectmen of Fairhaven,



Robert Espindola



Daniel Freitas



Charles K. Murphy, Sr.

A true copy, ATTEST:

Constable of Fairhaven