



# Fairhaven Board of Selectmen

## February 9, 2015 Meeting Minutes

**Present:** Chairman Robert J. Espindola, Vice-Chairman Geoffrey Haworth, Clerk Charles K. Murphy, Executive Secretary Jeffrey Osuch and Administrative Assistant Anne Kakley.

Chairman Robert J. Espindola called the meeting to order in the Town Hall Banquet Room at 6:35 p.m.

### MINUTES

- Mr. Haworth motioned to approve the minutes of the **January 26, 2015** meeting, **emergency** session. Mr. Murphy seconded. Vote was unanimous. (3-0).
- Mr. Haworth motioned to approve the minutes of the **January 26, 2015** meeting, **open** session. Mr. Murphy seconded. Vote was unanimous. (3-0).
- Mr. Haworth motioned to approve the minutes of the **January 26, 2015** meeting, **executive** session. Mr. Murphy seconded. Vote was unanimous. (3-0).

### EXECUTIVE SECRETARY'S REPORT

In his report, Mr. Osuch updated the Selectmen on the following meetings and events:

- **Tuesday, February 10**
  - 10:00 a.m. – Capital Planning Committee
  - 1:30 p.m. – Economic Summit meeting
  - 3:30 p.m. – Mattapoisett River Valley Advisory
  - 4:30 p.m. – Mattapoisett River Valley Water District
- **Wednesday, February 11**
  - 10:00 a.m. – Retirement Board
  - 11:00 a.m. to 1:00 p.m. – Open House at 124 Alden Road
  - 12:00 p.m. – Manager's meeting in Acushnet
- **Thursday, February 12**
  - 7:00 p.m. – Finance Committee meeting
- **Monday, February 16**
  - Holiday – Town Hall closed
- **Tuesday, February 17**
  - 9:30 a.m. – Council on Aging Board meeting
- **Thursday, February 19**
  - 7:00 p.m. – Finance Committee meeting

- Monday, **February 23**
  - 8:30 a.m. – Retirement Board meeting
  - 6:30 p.m. – Selectmen’s meeting

**POLICE/FIRE STATION ROOF CHANGE ORDER #1**

The Board reviewed Change Order #1 for the Police/Fire Station Roof Project with PO Roofing. Mr. Haworth motioned to approve Change Order #1 in the amount of \$2,680. Mr. Murphy seconded. Vote was unanimous. (3-0).

**ROGERS/OXFORD BUILDING OPEN HOUSES**

Mr. Osuch informed that Board that there were some visitors to the recent open houses at the former Rogers School and Oxford School. One of the interested parties, Greg Winter of TRAdvisors, asked if the deadline for RFP submissions could be postponed from February 25 to March 4 because of recent open house delays associated with bad weather.

Mr. Haworth motioned to postpone the Rogers/Oxford RFP deadline to March 4. Mr. Murphy seconded. Vote was unanimous. (3-0). The Selectmen’s Office will notify the recipients of the RFP and attendees of the Open House that the deadline has been extended.

**RRR AUTO**

Louis Baptiste of RRR Auto was recognized by the Chairman. Mr. Baptiste said that he had still not heard from the Board of Selectmen in regards to a letter he submitted to the Selectmen’s Office on January 20, 2015. In his letter, he expressed concern about the safety of the fuel deliveries at Fairhaven Getty across the street from RRR Auto. Mr. Espindola informed Mr. Baptiste that the Board would make an appointment with him for an upcoming meeting.

**EXECUTIVE SESSION MINUTES**

The Board decided it would meet on Friday, February 27, 2015 at 10:00 a.m. to review a backlog of Executive Session minutes and consider them for release.

**GOLDEN PLOW AWARD**

Mr. Espindola read a letter of appreciation from BPW Superintendent Vinnie Furtado, related to Jeffrey Osuch’s assistance in snow and ice removal during all storms, but particularly the blizzard of January 26, 2015. See Attachment A. Mr. Espindola presented, on behalf of the Board, a “Golden Plow” award to Mr. Osuch for his dedication to the Town in regards to his assistance during snow storms over the years.

**ROGERS-OXFORD RFP REVIEW COMMITTEE**

The Board reviewed letters of interest from Flavio Biscaia, Doug Brady, Nils Isaksen, Susan Loo and John Roderiques to serve on the Rogers-Oxford RFP Review Committee. Further, the Board noted that one of the applicants contacted the State Ethics Commission to make sure that there would be no conflict of interest if any of the appointees were abutters to the properties slated for disposal. The State Ethics Commission indicated that there would be no Conflict of Interest. The Board noted that there had not been a limit set for number of appointees to the RFP review committee, and that the Executive Secretary and one representative from the Board of Selectmen. Mr. Haworth motioned to appoint Flavio Biscaia, Doug Brady, Nils Isaksen, Susan Loo, John Roderiques, Jeffrey Osuch and Robert Espindola to serve on the Committee. Mr. Murphy seconded. Vote was unanimous. (3-0).

### **SHELLFISH DEPUTY APPOINTMENT**

At 7:04 p.m., the Board met with Amanda Blais to interview her for the position of Shellfish Deputy. Ms. Blais will not operate machinery, but will perform computer and clerical duties for the department and will be paid out of the Shellfish Deputy account.

After a brief question and answer period, Mr. Haworth motioned to appoint Ms. Blais. Mr. Murphy seconded. Vote was unanimous. (3-0).

### **TOWN REPORT COVER**

After reviewing several submitted photos for the Town Report, the Board selected a photo from Ryan Feeney of the Advocate, depicting the Charles Morgan in the Harbor in the summer of 2015. The Board requested that the photo be flipped to a mirror image so that the boat will appear on the front cover. Mr. Haworth motioned to select Mr. Feeney's photograph to be manipulated into mirror image. Mr. Murphy seconded. Vote was unanimous. (3-0).

### **ACO INTERVIEW – LISA MCKAY**

At 7:11 p.m., the Board met with Lisa McKay, applicant for the Animal Control Officer vacancy. Ms. McKay is an Assonet resident and certified ACO.

The Board asked a series of questions from the applicant. Ms. McKay said that she has worked with animals for 20 years, walking them, acting as a vet's assistant, and grooming. She is currently the Animal Control Officer for the Town of Bridgewater. Ms. McKay advised that she enjoys her position in Bridgewater but would like a position closer to home with more of a future. She acknowledged that an Animal Control Officer is subject to call-outs round-the-clock, and said that she is accustomed to inter-municipal agreements related to Animal Control. Ms. McKay said that she stays current with knowledge in her field. She is experienced in barn and animal inspections but has not operated an animal shelter or managed adoptions. She answers directly to the Town Manager in her current position and works closely with the Police Department. Advertised pay rate is acceptable and Ms. McKay can start the position in two weeks.

The Board thanked Ms. McKay for coming in to interview.

## **ACO INTERVIEW – KELLY MASSEY**

At 7:22 p.m., the Board met with Kelly Massey, applicant for the Animal Control Officer vacancy and Acting Animal Control Officer for the Town of Fairhaven.

The Board asked a series of questions from the applicant. Ms. Massey said that she was very comfortable in the role of Animal Control Officer and that she was a certified ACO. Ms. Massey said that she is active in her professional development and attends workshops regularly. She said that she was the ideal candidate because of her compassion and advocacy for animals. She noted that being an ACO includes difficult decisions for the benefit of animal welfare, including occasional euthanasia. She cited experience with call-outs, adoptions, and use of social media to get animals adopted.

The Board thanked Ms. Massey for her interview.

The Board deliberated on the two candidates. Mr. Haworth motioned to appoint Ms. Massey to Animal Control Officer. Mr. Murphy seconded. Vote was unanimous. (3-0).

After discussing pay with Ms. Massey, Mr. Haworth motioned to set Ms. Massey's pay at Level 9, Step 2, \$17.81/hour, with a retroactive start date of January 4, 2015 to reflect when she was appointed to Acting Animal Control Officer. Mr. Murphy seconded. Vote was unanimous. (3-0).

## **CDBG 15 APPLICATION**

At 7:38 p.m., the Chairman opened a hearing for the CDBG 15 application opened the Public Hearing and turned the hearing over to Mr. Roth.

William Roth, Planning Director - Reviewed the CDBG Program and how it has benefited the Town. He discussed the meeting and hearings and how they came up with the two proposed projects. He reviewed the North Street Sidewalk Project and the Oxford Terrace Heating System Modernization Project.

Geoffrey Haworth, Selectmen – Complimented Mr. Roth on his hard work. He said he was very familiar with the CDBG program, since he use to be a member of the Board of Public Works (BPW) and over the years the BPW had supported the CDBG applications with providing the Engineering Designs and match monies. He said that these funds were critical in helping the Town maintain their roads, with 105 miles of roadways the money the Town appropriates cannot keep up with the demand. He was supportive of the application.

Charles Murphy, Selectmen – Also Complimented Mr. Roth on his success with the CDBG applications. Mr. Murphy was glad to see that this year's application was going to help the Housing Authority. He has been very supportive of the Town's seniors and this application will go a long way in helping to provide reliable heating to the Oxford Terrace Complex. He commented that 108 apartments will be affected and that is a significant number of seniors and he also was very supportive.

Robert Espindola, Chairman – Complimented Mr. Roth on his hard work getting these grants. He was also supportive of the application. He was also glad to see the application include the Housing Authority. Mr. Espindola then opened up the hearing to the public.

No members of the public commented on the application.

Mr. Espindola closed the hearing.

Mr. Haworth motioned that the Town submit the CDBG 2015 application and authorize the Chairman to sign any and all application forms necessary. Seconded by Mr. Murphy. Vote was unanimous.

### **POLLING LOCATION CHANGE**

At 7:45 p.m., the Board met with Town Clerk Eileen Lowney to discuss changing polling locations. See Attachment B.

In response to safety concerns in having the general public use the schools for polling, Ms. Lowney proposed new voting precincts as follows:

- Precinct 1 – Town Hall
- Precincts 2 and 3 – Hastings Middle School
- Precinct 4 – Fire Station
- Precinct 5 and 6 – Recreation Center

Ms. Lowney said that she had to notify all voters of the change at least 20 days in advance of the Annual Town Election.

Mr. Haworth said that he agreed and noted that the School Superintendent and the Fire Chief had both spoken in favor of the change as well. He said that the Standard-Times had published an article saying that the change had already happened, but this article was erroneous.

Mr. Murphy said that he thought the change would address safety concerns by keeping the general public out of the schools.

Mr. Osuch said that as long as parking was considered, then the move would be feasible.

Mr. Espindola expressed support for the change as well.

Mr. Haworth motioned to support the change and authorize notification of voters regarding the new polling locations. Mr. Murphy seconded. Vote was unanimous. (3-0).

### **HASTINGS MIDDLE SCHOOL – MSBA APPLICATION**

The Board reviewed a Required Form of Vote to Submit a Statement of Interest for MSBA funding for Hastings Middle School roof replacement.

Resolved: Having convened in an open meeting on February 9, 2015, the Board of Selectmen for the Town of Fairhaven, in accordance with its charter, bylaws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated January 30, 2015 for the Hastings Middle School located at 30 School Street, Fairhaven, Massachusetts which describes and explains the following deficiencies and the priority category (s) for which an application may be submitted to the Massachusetts School Building Authority in the future;

*5. Replacement, renovation or modernization of the school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility, as determined in the judgment of the Authority;*

and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority or commits the Town to filing an application for funding with the Massachusetts School Building Authority.

Mr. Haworth motioned to submit the Statement of Interest. Mr. Murphy seconded. Vote was unanimous. (3-0).

### **SNOW AND ICE – DEFICIT SPENDING**

Due to recent snow, Board of Public Works Superintendent Vincent Furtado submitted a memo to the Board of Selectmen asking to deficit spend in snow and ice removal in the amount of \$20,000. Mr. Haworth motioned to approve deficit spending in snow and ice removal up to \$20,000. Mr. Murphy seconded. Vote was unanimous. (3-0).

### **NON-UNION RECLASSIFICATIONS**

The Board again reviewed communication from the Personnel Board regarding reclassifications of Health Agent, Building Commissioner, Veteran's Administrative Assistant; COA Assistant Coordinator, Accounts Payable Clerk, Sewer Superintendent, and Water Superintendent. See Attachment C.

Treasurer/Collector/Finance Director Wendy Graves was also present. Ms. Graves said that she supported an increase for all non-union personnel. She said that a two percent increase for all non-union personnel would total about \$52,000.

Mr. Osuch advised the Board that it would have to face shortfalls in the future and that it should be careful to consider reclassifications at this time.

Mr. Haworth said that he was concerned about reclassifying some non-union personnel without reviewing all non-union personnel in a methodical way.

Mr. Murphy said that the Board of Selectmen had tried to pass an article to appropriate funds to have all non-union personnel job descriptions reviewed. The article was not passed at Town Meeting and as a result, the Personnel Board was charged in overseeing the review of the non-union positions, he said. He said that all Personnel Board meetings were duly posted and all needed notifications were made to unions prior to decisions being made.

Mr. Espindola said that he could not support the reclassification and pay increases for the positions in the way it was presented. He agreed that the positions needed to be analyzed but that it should be done in a more systematic way.

Town Accountant Anne Carreiro was recognized by the Chairman. She said that she had been waiting for seven years for a determination to be made on the request to reclassify the accounts payable clerk in her office. She said that she did not think the classifications would be a priority to the Town Administrator when he/she is appointed.

Mr. Murphy again stated that the Personnel Board had done its research and that he felt confident the Personnel Board's reclassification recommendations were sound. Mr. Murphy motioned to approve the recommended classifications in Attachment C for the Health Agent, Building Commissioner, Veteran's Administrative Assistant; COA Assistant Coordinator, Accounts Payable Clerk, Sewer Superintendent, and Water Superintendent. There was no second and the motion failed.

Mr. Espindola recommended the Board initiate an effort to meet with non-union personnel to assess how their positions have changed. Ms. Kakley will provide Ms. Graves with the job descriptions submitted by non-union personnel. Mr. Murphy requested the Board make the non-union personnel review a priority at a meeting in March.

## **POLICE AND FIRE BUDGET**

At 8:32 pm the Board met with the Fire Chief to discuss the Fire Department's FY16 budget requests. Chief Timothy Francis gave an overview to his department's requests, noting that their \$2,136,670 request reflected a \$139,000 increase over last year. Increases include a payout for the retiring Deputy Chief, contractual increases and an additional firefighter/paramedic to deal with increased ambulance runs.

Mr. Haworth asked how the Fire Department was faring with ambulance collections. Chief Francis said that their collection rate stands at 87 percent and they are looking to employ an aggressive collections agency to increase that collections rate and to close some open accounts. Mr. Haworth asked if the associated costs of an additional firefighter/paramedic could be borne by the Ambulance Fund. Chief Francis said it could, but Mr. Osuch disagreed. Mr. Osuch said that there was a need to use the Ambulance Fund for the purchase of a \$250,000 ambulance in three years.

The Board met with the Police Chief to discuss the Police Department's FY16 budget requests. Chief Michael Myers gave an overview to his department's request, which totals \$3,154,565, including \$260,432 for Overtime. Mr. Haworth asked if there would be a decrease in the use of Overtime once the new officers graduate from Police Academy in fall. Chief Myers said that it was possible but Overtime was generally calculated to be ten percent of the overall salary budget. Mr. Osuch said that in FY15, the Police Department has used, to date, roughly 75 percent of the Overtime appropriation.

Mr. Murphy asked if there were any retirements in the upcoming fiscal year. Chief Myers said not likely.

The Board will be present at the February 12, 2015 meeting of the Finance Committee to discuss the FY16 budget.

### **OPEB FUNDING**

The Board discussed placing Other Post Employment Benefits (OPEB) under the General Budget (Article 4) or maintaining the appropriation as an independent article. Mr. Haworth motioned to place OPEB under Article 4. Mr. Murphy seconded. Vote was unanimous. (3-0).

### **HISTORICAL COMMISSION**

The Board discussed placing Historical Commission appropriations into Article 4 or keeping it an independent article on the warrant. Mr. Haworth motioned to move the Historical Commission budget to Article 4. Mr. Murphy seconded. Vote was unanimous. (3-0).

### **ORDER OF ARTICLES FOR TOWN MEETING**

The Board pulled slips to determine the order of articles for Town Meeting. See draft copy of the warrant, Attachment D.

### **GOOD ENERGY AGREEMENT**

The Board reviewed a final PSA with Good Energy and SRPEDD for municipal aggregation of energy purchasing. Mr. Haworth motioned to approve and sign the PSA. Mr. Murphy seconded. Vote was unanimous. (3-0).

### **FULL THROTTLE CAR DEALER/REPAIR LICENSE**

The Board reviewed a Car Dealer/Repair license renewal for Full Throttle. The Board noted that the paperwork and needed inspections and documents were provided late. The Board will require late submissions of renewals to require an appointment before the Board before a license renewal will be considered in upcoming years. A letter will be distributed to the businesses holding a car dealer/car repair license upon renewal time.



Mr. Haworth motioned to approve the Car Dealer/Car Repair license for Full Throttle. Mr. Murphy seconded. Vote was unanimous. (3-0).

### **TURNER AVE RIGHT OF WAY**

Mr. Roth was present to explain a request to have the Town accept a 20-foot right of way on Turner Ave. Mr. Roth said that there have been ongoing neighborhood disputes over the right of way and that the Town has a drainage line that runs through it. While the Town would not need to pave the right of way, he said that accepting the right of way would allow the Town to maintain some control over it. The right of way has already been surveyed, which is prerequisite to acceptance.

Mr. Haworth motioned to support the street acceptance and approve \$300 out of the engineering budget to be used for preparing a street acceptance plan. Mr. Murphy seconded. Vote was unanimous. (3-0).

### **GOVERNMENT ACCESS CANDIDATE'S DEBATE**

At 10:08 p.m., Mr. Espindola recused himself, citing his status as a candidate up for re-election.

The Board reviewed a recommendation from Administrative Assistant Anne Kakley to authorize her to assume the responsibility of coordinating the Government Access Candidate's Debate Night at the Council on Aging, starting with 2015. The Board was supportive of the measure as it will remove elected officials from coordinating the event. Mr. Haworth motioned to name Ms. Kakley the Government Access Candidate's Debate Night coordinator, to work with the Government Access director. Mr. Murphy seconded. Vote carried. (2-0-1).

At 10:10 p.m., Mr. Espindola returned to the meeting.

### **AUTO STORAGE ON RIGHTS-OF-WAY – AUTO DEALERSHIPS**

The Board reviewed a draft letter, created on request from Mr. Espindola, to address ongoing issues with vehicles from auto dealerships being stored on Town rights of way.

After reviewing the draft and changing some wording, the Board agreed to issue the letter in Attachment E. Mr. Haworth motioned to send the letter to all Auto Dealerships in Fairhaven. Mr. Murphy seconded. Vote was unanimous. (3-0).

### **AUTHORIZATION FOR USE OF TOWN COUNSEL – ZBA**

The Board reviewed a request from the ZBA to have Town Counsel provide clarification on Town bylaw 198-23. Mr. Haworth motioned to approve the request. Mr. Murphy seconded. Vote was unanimous. (3-0).

### **BATES HOUSE LAND SALE**

The Board reviewed a memo from the Historical Commission regarding the Town's option to sell a parcel of land to the Seventh Day Adventists, owner of the Joseph Bates boyhood home on Main Street. See Attachment F.

The board will invite the Historical Commission into an upcoming meeting to discuss the potential sale.

### **OTHER BUSINESS**

Under Other Business:

- The Board congratulated Linda Schick on being named the Operator of the Year by the New England Sewer and Water Association for her work with the Digester.
- Mr. Murphy wished a Happy Birthday to Marian Makin on her 103<sup>rd</sup> birthday.
- Mr. Espindola reminded the public that there would be a New Bedford Bridge Study meeting on February 11.
- Mr. Espindola commended the High School on its Media studies program, which was recently highlighted in the Standard-Times.

At 10:25 p.m., Mr. Haworth motioned to enter Executive Session, pursuant to MGL 30A § 21:

1. Real estate – Union Wharf
2. Personnel – Town Hall

Mr. Murphy seconded the motion to enter Executive Session for the aforementioned reasons, not to reconvene into open session afterward. Vote was unanimous. (3-0). Roll call vote: Mr. Haworth in favor. Mr. Murphy in favor. Mr. Espindola in favor.

Respectfully,

Anne O'Brien-Kakley  
Administrative Assistant  
Minutes approved 03/02/2015

## Attachment A

**From:** [Charlie](#)  
**To:** [Bob Espindola](#)  
**Cc:** [Geoff Haworth](#); [Anne Kakley](#)  
**Subject:** Re: Jeff Osuch assistance during snow event  
**Date:** Thursday, February 05, 2015 9:40:48 PM

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Thank you  
Charlie

Sent from my iPhone

On Feb 5, 2015, at 7:09 PM, Bob Espindola <[selectmanbobespindola@gmail.com](mailto:selectmanbobespindola@gmail.com)> wrote:

Geoff and Charlie,

Just wanted to let you know that we received the letter from Vinnie and we'll have an opportunity to say a few words of thanks to Jeff on Monday night.

Bob

----- Forwarded message -----

**From:** **Bob Espindola** <[selectmanbobespindola@gmail.com](mailto:selectmanbobespindola@gmail.com)>  
**Date:** Thursday, February 5, 2015  
**Subject:** Jeff Osuch assistance during snow event  
**To:** Vincent Furtado <[vfurtado@fairhaven-ma.gov](mailto:vfurtado@fairhaven-ma.gov)>, Anne Kakley <[akakley@fairhaven-ma.gov](mailto:akakley@fairhaven-ma.gov)>

Vinnie,

Nice letter.

Anne ... This is what I mentioned might be coming before our meeting.

Thanks,

Bob

On Thu, Feb 5, 2015 at 4:22 PM, Vincent Furtado <[vfurtado@fairhaven-ma.gov](mailto:vfurtado@fairhaven-ma.gov)> wrote:

Bob Espindola, Select Board Chairman

By means of this correspondence, please allow me to express my sincerest gratitude for the help that Jeff Osuch gave the BPW Department during the most recent heavy snow storm, where the Town received nearly 2 feet of snow.

As you are aware, due to the severity and duration of this referenced storm, we split our snow removal crews into twelve hour shifts for the safety of the employee and the effectiveness of the removal, during the 48 plus hours it took us to open up the Town's roads.

Due to these split shifts, there were times when we had water and sewer employees conducting snow removal, when this effort is usually explicitly tasked to the Highway Department and a few volunteers.

Jeff's BPW experience, coupled with his knowledge of the nuances of the various Town streets was especially helpful assisting employees who are able to, but don't typically plow, as the storm forced us to implement an "all hands on deck" philosophy.

During my tenure here, I've tried my best to adopt and promote a "we're one Town" way of doing things, regardless of what Department you may work for. As a result, I was especially pleased to observe Jeff lend Public Works his talents during this aforementioned storm.

Again, my sincerest thanks to Jeff Osuch.

Respectfully submitted,

Vinnie Furtado,

Public Works Superintendent



TOWN OF FAIRHAVEN  
OFFICE OF TOWN CLERK

40 CENTER STREET

FAIRHAVEN, MA 02719

PHONE: 508-979-4025 FAX: 508-979-4079

DATE: January 26, 2015  
TO: Board of Selectmen  
FROM: Eileen M. Lowney, Town Clerk  
RE: Polling Locations



I would like to request the following polling location changes:

- Precinct 1 - Town Hall – this polling location will remain the same
  - Precinct 2 - Move from the High School to Hastings Middle School
  - Precinct 3 - Hastings Middle School – this polling location will remain the same
  - Precinct 4 - Move from Hastings Middle School to the Fire Station
  - Precinct 5 - Recreation Center – this polling location will remain the same
  - Precinct 6 - Move from the East Fairhaven School to the Recreation Center
- Town Hall – Precinct 1
  - Hastings Middle School – Precincts 2 & 3
  - Fire Station – Precinct 4
  - Rec Center – Precincts 5 & 6

The major benefits from these changes are:

- Eliminate any concerns regarding the security at the East Fairhaven Elementary and Fairhaven High Schools.
- Allow me to assist the poll workers in several precincts at the same time.
- Save time when delivering the absentee ballots

Cost efficient:

- reduce the number of police officers needed
- reduce the cost of set-up and take-down voting equipment

Chapter 54, Section 24 attached.



# Town of Fairhaven Massachusetts

## COUNCIL ON AGING INFORMATION AND REFERRAL CENTER

229 Huttleston Avenue  
Fairhaven, Massachusetts 02719-1956  
Telephone: (508) 979-4029 / (508) 979-4081  
Fax: (508) 979-4116  
ASilvia@Fairhaven-MA.Gov

January 16, 2015

Dear Selectmen,

Town Clerk, Eileen Lowney, and I had a conversation last month regarding the possibility of using the Recreation Center as a voting facility for both precinct 5 and precinct 6. Eileen's expressed concern about there being enough parking to accommodate voter parking as well as members of the Recreation Center and Council on Aging.

I counted the parking spaces and reported to Eileen that there were 96 parking spaces including the handicap parking, parking spaces along the sidewalk directly in front of the senior center/recreation center and parking spaces on the side of the senior center. After looking at the scheduling of activities at the Senior Center on the days voting would take place, I don't anticipate that there would be any issues related to adding precinct 6 to the Recreation Center. Since the Senior Center closes at 3:30pm, there would be plenty of parking during the evening hours.

If I can be of any further assistance in this matter, please do not hesitate to contact me.

Respectfully Submitted,

Anne Silvia, Director  
Fairhaven Council on Aging



# TOWN OF FAIRHAVEN

MASSACHUSETTS

**FIRE DEPARTMENT / EMERGENCY MEDICAL SERVICE**

146 Washington Street, Fairhaven, MA 02719

Emergency # 911



**TIMOTHY P. FRANCIS**  
Chief of Department

Tel: (508) 994-1428  
Fax: (508) 994-1515  
Email: [chief.francis@verizon.net](mailto:chief.francis@verizon.net)

January 20, 2015

Robert Espindola, Chairman  
Fairhaven Board of Selectmen  
40 Center Street  
Fairhaven, MA 02719

Dear Sirs,

This letter is in regards to the fire station headquarters being considered as an official precinct voting location for the Town of Fairhaven.

I am in support of our meeting hall being utilized as I do feel for safety purposes, polling locations should be removed from all our public schools.

Please keep me informed if this concept becomes an official decision and if you need anything further from my department please let me know.

Respectfully,

Timothy Francis  
Chief of Department

TF/ka

MEMO TO: Board of Selectmen

FROM: Robert Baldwin Ed.D. *RB*  
Superintendent of Schools

Michael Myers *MM*  
Chief of Police

RE: Removal of School Buildings as Polling Locations

DATE: December 5, 2014

RECEIVED  
TOWN CLERK

2014 DEC -8 A 9:47

FAIRHAVEN,  
MASS.

We are writing to express our continued concerns over the use of school buildings being utilized as polling locations. We request that the Board of Selectmen remove the school buildings as polling locations in all future elections beginning with the April election in 2015. These concerns are for the safety of our students, school personnel and members of our community. The following are some examples that have occurred:

- We had two cars at an elementary school driving the wrong way up the bus lane.
- Cars of voters were observed to be speeding through the parking lot.
- This past election one school received no less than eight calls from parents questioning why schools are polling places when voter turnout is higher in state and national elections.
- Many parents have expressed concerns for the safety of the students, as there are many voters and their vehicles in transition to and from the schools during the arrival and dismissal times for the students.
- At the Hastings Middle School, we had a vehicle attempt to enter the walkway that connects the school with Route 6 and the CVS parking lot.
- Both in November and in April athletic contests take place both after school and in the evening. The volume of vehicles and individuals on foot from our community and other community increases the risk of an accident.
- This past election, a high school student was hit by a car that was moving in reverse in the parking lot adjacent to the Performing Arts Center. The student was crossing the lot to enter the building in the morning to attend school.

The Fairhaven Public Schools and the Fairhaven Police Department spend a great deal of time and resources in ensuring that our school buildings are secure. On the most emotional and politically charged days of the year, we open our school doors and go against all of our safety protocols.

Over and above the safety and security concerns expressed above, the benefits from the Town Clerk's perspective is the effectiveness of assisting poll workers and



delivering absentee ballots, as well as, reducing the costs for police and custodial services.

School personnel, town safety personnel, and the town clerk have been discussing the concern for elections being held in the schools for some time now. Collectively, we request that the Board of Selectmen remove the school buildings as polling locations in all future elections beginning with the April election in 2015.

## VOTING PLACES

## \* § 24. Polling Places, Designation, Preparation, Notice.

The aldermen in cities, except where city charters provide otherwise, and the selectmen of towns divided into voting precincts, shall, twenty days at least before the biennial state or annual or biennial city election and ten days at least before any special election of a state or city officer therein, designate the polling place for each voting precinct and cause it to be suitably fitted up and prepared therefor. In a city or town which has provided voting booths such booths may be placed in the public ways of such city or town, provided said ways are left reasonably safe and convenient for public travel. It shall be in a public, orderly, and convenient portion of the precinct; provided, however that if the aldermen or selectmen determine that the public convenience would be better served, the aldermen may designate a polling place in an adjacent precinct of a city, and the selectmen may designate a polling place in another precinct of a town or may house all polling places in a single building within the town. In any city or town, if the polling places for two or more precincts are located in the same building and the total number of registered voters in any such two or more precincts does not exceed three thousand, only one set of election officers need be appointed for such precincts, but separate ballot boxes and voting lists for each precinct shall be used. If, in a town of five precincts or less, all of which are located in one building, the selectmen so vote, only one warden need be appointed to supervise all such precincts, and the number of inspectors shall be determined by the selectmen, without disturbing the balance between the political parties. There shall, however, be one clerk appointed for each such precinct. Alcoholic beverages shall not be sold in any portion of a building which is designated as a polling place, during voting hours or while ballots are being counted therein. When the polling places have been designated in the city of Boston, the board of election commissioners of said city may post in such places as it may determine a printed description of the polling places designated and may give further notice thereof, and when the polling places have been designated in any other city or in any town, the aldermen of such city in at least five public places in each precinct thereof, and the selectmen of such town in at least three public places in each precinct thereof, shall forthwith post a printed description of the polling places designated and may give further notice thereof. When a polling place in a voting precinct is changed from one location to another, the board of election commissioners in the city of Boston, the aldermen in any other city or

the selectmen in any town shall cause printed descriptions of such polling place to be posted in such public places in such precinct as they determine and shall give notice by mail to each residence of one or more registered voters therein.

## \* History—

1884, 229, § 3; 1885, 142; 1890, 423, § 74; 1893, 417, § 121; 1898, 548, § 183; Rl. 1902, 11, § 186; 1906, 311; 1907, 560, §§ 215, 456; 1913, 885, §§ 241, 503; 1919, 269, § 13; 1931, 394, § 215; 1943, 209, § 2; 1962, 437, § 34; 1966, 118; 1969, 259; 1972, 735, § 9; 1974, 272, § 2; 1987, 437; 1988, 79, § 25; 1991, 234, § 9; 1992, 281, § 3.

## \* Editorial Note—

The 1962 amendment added a new sentence following the first sentence.

The 1966 amendment affected only the last sentence of the section, amending it so as to provide for both the posting of descriptions of polling places and the mailing of notice to registered voters, instead of one or the other.

The 1969 amendment struck out the former fourth sentence, which prohibited the use of a building in which intoxicating liquor had been sold as a polling place, and inserted a new sentence in its place which prohibits the sale of alcoholic beverages in any portion of a building designated as a polling place during voting hours or while ballots are being counted.

The 1972 amendment struck out the former fourth sentence (as amended by 1969, 259) and inserted in its place a sentence to set forth the respective procedures to be followed in a city and in a town to designate suitable alternative polling places.

The 1974 amendment inserted the former fifth and sixth, now fourth and fifth, sentences regulating the appointment of election officers in a town of five precincts or less located in one building.

The 1987 amendment, effective Jan 27, 1988, substantially rewrote the former fourth, and now third, sentence, eliminating the absence of a suitable polling place within a precinct as a prerequisite for establishing such place in a neighboring precinct and leaving public convenience as the standard under which aldermen or selectmen may effect changes in polling places.

The 1988 amendment, effective Sept 22, 1988, deleted the second sentence, relative to aldermen and selectmen designating as the polling place, where persons qualified under [former] section one A of chapter fifty-one, to vote for electors of president and vice-president shall "cast their ballots the office of the city or town clerk or election commission, or some room or rooms situated as near thereto as practicable, and shall cause such office, room or rooms to be suitably fitted up and prepared therefor."

The 1991 amendment, effective Dec 26, 1991, rewrote the last sentence, substituting "residence of one or more registered voters" for "registered voter".

The 1992 amendment, effective Dec 28, 1992, inserted after the third sentence the following sentence: "In any city or town, if the polling places for two or more precincts are located in the same building and the total number of registered voters in any such two or more precincts does not exceed three-



**Town of Fairhaven Massachusetts  
Town Clerk's Office**

Town Hall  
40 Center Street • Fairhaven, MA 02719  
Tel (508) 979-4025 • Fax (508) 979-4079

PRSRT FCM  
U.S. POSTAGE  
PAID  
PERMIT NO. 16  
SWANSEA, MA 02777

Or Current Resident

---

## Precinct 5

Until further notice, your temporary polling location will be at:

**The Recreation Center  
227 Huttleston Avenue  
Fairhaven, MA 02719**

*If you have any questions, please contact:*

Town Clerk's Office  
(508) 979-4025



657 Quarry Street  
 Fall River, MA 02723  
 TEL 508.675.5733  
 FAX 508.675.0111  
 TOLL FREE 1.888.814.1400  
 www.mallardprinting.com



# INVOICE

Date	Invoice #
7/18/2012	94805

Bill To
Town of Fairhaven Clerks Office 40 Center Street Fairhaven, MA 02719

Ship To

P.O. Number	Terms	Rep	Account #
Carolyn	Net 30	KP	

Quantity	Item Code	Description	Amount
2,000	Printing	Clerk's Office Postcards - Temporary Polling Place	200.00
1,937	Postage Mail Prep	Postage	542.36 58.11

Sales Tax (0.0%)	\$0.00
<b>Total</b>	<b>\$800.47</b>
Payments / Credits	\$0.00
<b>Balance Due</b>	<b>\$800.47</b>

*Thank You*

*258.11 (Printing)  
 542.36 (Postage)  
 -----  
 800.47*

*PAID  
 8/16/12*



TOWN OF  
**FAIRHAVEN**  
MASSACHUSETTS  
*THE FRIENDLY TOWN*

OFFICE OF  
DIRECTOR OF FINANCE/  
TREASURER  
TOWN HALL  
TELEPHONE (508) 979-4026

December 24, 2014

Dear Honorable Selectmen,

The Personnel Board voted (3-0) at the December 5, 2014 meeting to request that the Board of Selectmen accept a proposed change of classification for the following employees.

Health Agent Pat Fowle from the current level 17-5 to a level 18-5(\$32.14-\$34.07) or \$4,014.40 annual increase).

Building Commissioner Wayne Fostln from the current level 17-5 to a level 18-5(\$32.14-\$34.07) or \$4,014.40 annual increase.

Administrative Assistant Jane Bettencourt from the current level 5- 5 to a level 7-3 (\$15.95-\$16.49) or \$533.52 annual increase.

COA Assistant Coordinator Susan Roderiques from the current level 5-5 to a level 7-5(\$15.95-\$17.94)or \$4,139.20 annual increase.

All increases to be effective July 1, 2015. You should also know that there are 3 additional non-union employees looking for level increases for the next Personnel Board meeting on January 6, 2015 at 4:00.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Wendy L. Graves".

Wendy L. Graves, CMMT CMMC  
Director of Finance



**Wayne Fostin**  
Building Commissioner

**Town of Fairhaven**  
Massachusetts  
**OFFICE OF THE**  
**BUILDING DEPARTMENT**

TOWN HALL  
40 Center Street  
Tel. (508) 979-4019  
FAX: 979-4079

July 16, 2014

Mr. Charles Murphy, Sr., Chairman  
Personnel Board  
40 Center Street  
Fairhaven, Ma. 02719

Dear Mr. Murphy

As Building Commissioner for the Town of Fairhaven since 1988, my last review for a level change and raise was in 1999. Since that time there have been numerous changes to the job. The State Building Code has grown in complexity and size and as such, I am required to cover many more details of a building's components. Since I was hired I have seen the Code grow from a simple one book to today where it takes eleven separate books to review plans. Along with the new complexities I am now required to have a lot more education on the different topics that an Inspector faces in today's age. A Building Commissioner must be certified by the State as a Building Commissioner in order to serve in that capacity. Additionally, I have to carry Certificates in ICS 100, 200, and 700 and take on-going courses to be certified in Hurricane preparedness. Monthly educational classes in various building code topics, and an annual three-day seminar on all the new rules and regulations is also required by the State licensure Board. Other responsibilities I am entrusted with are all Zoning Issues for the town, Community Rating Service Coordinator for the Town and Conservation Agent. As the Conservation Agent I must have a vast knowledge of all the flood zone maps and their particular application to each different section of the town. With all of these changes to my position since 1999 I am requesting that the Personnel Board consider that I be placed at level 20, step 5. I would be happy to answer any questions you may have regarding this request at the Personnel Board meeting July 22, 2014.

Thank you in advance for your consideration in this matter.

Sincerely

Wayne Fostin

## Salary Survey July 2014 Building Commissioner

Acushnet	\$62,829.00
Dartmouth	\$86,329.00
Fairhaven	\$67,108.00 (26years)
Freetown	\$66,998.00
Marion	\$70,380.00
Rochester	\$27,000.00 (part time)
Mattapoissett	\$86,532.00 + \$1,000.00 for Certified Building Commissioner
New Bedford	\$88,042.00
Wareham	



# TOWN OF FAIRHAVEN

MASSACHUSETTS

## OFFICE OF THE BOARD OF HEALTH

TOWN HALL

40 Center Street

Tel. (508) 979-4022

Fax (508) 979-4079

July 16, 2014

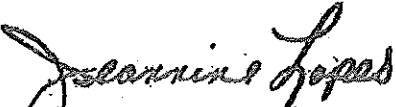
Mr. Charles K. Murphy, Sr., Chairman  
Personnel Board  
40 Center Street  
Fairhaven, MA 02719

Dear Mr. Murphy,

The Board of Health requests to be placed on the agenda of the Personnel Board's meeting of July 22, 2014 to discuss a pay schedule level change for the health agent position from the current level 17, step 5 to level 20, step 5. At the meeting the Board, along with the health agent, will detail the job description changes and demands since last reviewed by the Personnel Board in 1996.

Thank you for your consideration of this request.

Sincerely,  
FAIRHAVEN BOARD OF HEALTH

  
Jeannine L. Lopes, Chairman





## Board of Health

Town Hall • 40 Center Street • Fairhaven, MA 02719

Date: July 21, 2014  
To: Board of Health  
From: Patricia Fowle, Health Agent  
Re: Salary level raise

I am the health agent and have been employed in that capacity since August 1981. Over the course of the years as you are aware, this job description has dramatically changed with increasing responsibilities for the Board of Health and its staff. The last pay level increase that I requested and received was in July 1996 which was from level 15 to level 17.

I am requesting a pay level increase to level 20, step 5 for the following reasons:

1. Licenses now required by Massachusetts for a Health Agent:
  - Certified Health Officer-required for an understanding of all public health laws and the administration of the laws in a practical manner- with 12 continuing education units (CEU's) required per year,
  - Registered Sanitarian-required for septic system design and installation-with 12 CEU's required per year,
  - Septic System Soil Evaluator-required for an understanding of soils for proper septic system siting through percolation and operation-with 10 CEU's required every 3 years,
  - Septic System Inspector-required to observe an operating septic system to determine if it is operating per State code or has failed-with 10 CEU's required every 3 years,
  - Certified Food Manager-required to perform food establishment inspections-re-examine every 5 years,
  - Lead Paint Detector-required in housing inspections where a child under the age of 6 resides,
  - Alternative Septic System Certifications-required to oversee installation of the systems when allowed for use by the Board of Health-Oakson Perc-Rite, GeoFlow Dispersal, Eljin Sand Filter, Presby System-renewable as systems change/upgrade,
  - Emergency Preparedness-NIMS 100, 200, 300 and 700 series.
2. New/Expanded Tasks as required by State DPH, Town, CDC:
  - Housing-temporary use as shelters for transitional populations,
  - Bed-bug infestation-in large housing developments,
  - Air quality-mold, dampness-schools, housing,
  - Hoarding-issues, team events, follow-up,
  - Housing Court-increased procedural requirements by court-no Town attorney involvement,
  - Recycling-new process coming-contract and implementation,
  - MAVEN/ISIS-emerging diseases and reporting process (DPH),
  - Burial Permits-EDRS process (DPH),
  - MHS-flu clinic management and reporting (DPH),

- Septic systems-perc test process expanded, plan review and installation with new details required per code, septic system inspection-onsite required,
- Tobacco Control-no longer part of a collaborative-enforcement and inspections performed by health agent now
- Sharps, Mercury disposal-by health agent
- Emergency Preparedness-obligated monthly meetings with DPH, CDC representative on a regional basis for emergency planning-eg: pandemics, flood, bio-hazard, etc. including quarterly drills, reports and event planning.
- Code changes-on going: Housing, Camps, Title 5, Food Code, Recycling, HazWaste-sharps, mercury.

3. Other:

- Acting Board Secretary at Board of Health meetings-setting agendas, minutes, paperwork for meetings,
- Electronic postings for meetings, minutes, agendas,
- Office record keeping-administrative and technical,
- SEMASS billing and contract appropriations,
- All Board of Health budgeting-creating, managing, rectifying,
- **Complaints:** This particularly has greatly changed the structure of how work is accomplished in the Board of Health. With the increased use of social media, emails, YouTube and the like, the public has an array of mechanisms for making complaints or getting their point across on anything that is troubling to them on any day and at any time. For example the turbines and shipyard complaints come at all times of the day and night and by the use of Town email-the complainants often demand immediate action to observe, react, rectify, etc. I do my utmost to investigate the complaints as they occur and it can be time consuming. Of course these demands have always been part of the Board of Health but never in such great number and with such demanding expectation by the complainant.

In closing, I ask for your support in my request before the Personnel Board on Tuesday, July 22, 2014, acknowledging that any movement forward with this must be at the will of the Board of Health.

Thank you for this opportunity.

## **HEALTH AGENT JOB DESCRIPTION**

(6-14)

### **SUMMARY:**

The Health Agent is responsible for exercising administrative and technical duties in accordance with the policies of the Fairhaven Board of Health, the Massachusetts Department of Public Health, and public health law and codes. The Health Agent works under the general direction of the Board of Health with a minimum of supervision. The Health Agent has authority to issue orders on behalf of the Board of Health as per M.G.L. C. 111.

### **QUALIFICATIONS:**

1. Bachelor of Science Degree, with an area of concentration of public health, environmental health, biology, or other related science field. Experience in lieu of education may be considered.
2. Massachusetts Licensed Certified Health Officer and Registered Sanitarian or shall be eligible to become such.
3. Massachusetts Licensed Soil Evaluator and Licensed Septic System Inspector or shall be eligible to become such.
4. Shall have knowledge of the local and Commonwealth's public health rules and regulations, and have the ability to enforce and interpret regulations firmly, tactfully and impartially. Willing to attend certification and continuing education courses, which include Certified Food Manager, Food Safety, Septic System Inspection, Soil Evaluation, Lead Paint Determination, Housing Inspection and Certified Pool Operator.
5. Valid Massachusetts Driver's License.
6. Be neat in appearance and able to work with contractors, community groups, general public, state agencies, and develop effective working relations with other town personnel, board, and commissions.
7. Hold no felony convictions and may be subject to a criminal background check by the Fairhaven Police Department.

### **GENERAL DUTIES:**

1. Appointed by and works under the general direction of the Board of Health.
2. Ensures that the normal operations and compliance with record keeping procedures of the Board of Health office are performed, including providing administrative & technical assistance to the office staff and providing all necessary administrative work required for the department.
3. Be familiar with all rules, regulations, and laws concerning public and environmental health in Fairhaven and the Commonwealth of Massachusetts.
4. Represents the Board of Health in Massachusetts Housing Court for all preliminary housing court action for non-compliance of rules, regulations, and laws concerning public and environmental health.
5. Be proficient in the design, operation and maintenance of private and commercial septic systems. Witness septic system soil evaluations and percolation tests as needed, and shall perform appropriate inspections of septic systems as required by state and local rules and regulations. Soil Evaluator preferred.
6. Assists the Board of Health by reviewing and recommending approval of septic system plans for alterations and/or construction.
7. Assists the Board of Health by observing the construction of septic systems for compliance with approved plans.
8. Assists the Board of Health by observing all septic system inspections as performed by State licensed inspectors.
9. Be proficient in the operation and maintenance of private and semi-private potable water wells. Approves the construction and testing of all potable water wells.
10. Assists the Board of Health by reviewing applications and recommending approval for construction or alteration of all structures serviced by a septic system.
11. Assists the Board of Health by reviewing applications and recommending approval for alteration and/or construction of all establishments licensed by the Board, including but not limited to rest homes, day care centers, food service establishments, camps, motels, hotels, public, semi-public and private swimming pools, and facilities handling hazardous materials.

12. Performs all Housing inspections based on complaints issued per the State Sanitary Code and take appropriate actions concerning the findings including but not limited to filing in Massachusetts Housing Court.
13. Oversees the Health Inspector's position and reviews all inspection reports for all Food Establishments licensed by the Board, including but not limited to rest homes, day care, schools, food service establishments and tanning facilities.
14. Inspects all temporary fairs and events that require food inspections at the time of the event.
15. Inspects per State Sanitary Code requirements all motels, hotels, public and semi-public swimming pools and facilities handling hazardous materials.
16. Monitors and assists food establishments to comply with local, state, and federal food safety and health standards.
17. Investigates and takes actions relative to complaints of violations of local and state rules and regulations, and conducts general inspections in the interest of protecting public and environmental health and creates documentation, order-to-correct and follow-up of all violations. Including all Tobacco Control Regulation inspections and enforcement.
18. Assists the Animal Control Officer to disseminate information to residents in rabies related events-bites, capture, etc.
19. Participates in regional and local Emergency Management programs including preparing for public health emergencies, potential infectious disease outbreaks due to natural or man-made causes and, by participating in a regional coalition in accordance with CDC and MDPH
20. Must communicate effectively, orally and in writing and maintain complete and accurate inspection records and must prepare reports.
21. Assists in administering all public health programs sponsored by the Town including managing beach water quality annually during the recreational water season.
22. Assists the Board in administering and overseeing the Curbside Recycling program throughout Fairhaven.
23. Assists the Board in oversight and maintenance through engineering contracts of the closed landfill.
24. Works collaboratively with the contracted Public Health Nurse as required including MAVEN and MHS of the MA DPH.
25. Secures and facilitates flu vaccine for Board of Health sponsored public flu clinics.
26. Organizes, advertises, facilitates, reports on Board of Health sponsored public flu clinics.
27. Issues burial permits as the Burial Agent.
28. Issues a variety of Board permits.
29. Attends scheduled evening Board of Health meetings. May be required to post, both paper and electronically the meeting agenda, keep minutes at the meetings and create official records of same.
30. Assists the Board in formulating, drafting, and adopting new local health regulations.
31. Must be able to operate a personal computer and a variety of office equipment.
32. Perform any other duty as needed to protect public and environmental health as needed and required by state and local rules, regulations, laws, and bylaws.
33. Must maintain the confidentiality of information.
34. Performs financial duties including annual budget preparation, turnovers, warrants and maintains budget oversight for Board review and approval.

**WORK ENVIRONMENT:**

Some work is performed in office conditions; other work is performed under varying field conditions, with exposure to the hazards associated with construction sites and potential exposure to communicable diseases. The workload is subject to seasonal fluctuations and administrative deadlines; the employee is required to be on call for health-related emergency situations.

THE ABOVE EXAMPLES OF DUTIES ARE NOT ALL INCLUSIVE BUT A GENERALIZATION OF THE DUTIES AND RESPONSIBILITIES OF THE POSITION.

**From:** Pat Fowle <pat@fairhaven-ma.gov>  
**To:** 'molife@aol.com' <molife@aol.com>  
**Subject:** salary survey-Health Agent  
**Date:** Tue, 5 Aug 2014 3:48 pm

Welcome home Charlie

Here's the survey:

Salary Survey July 2014

Health Director/Agent

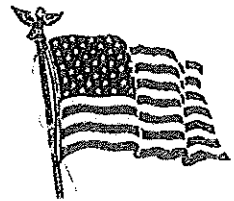
Acushnet	\$59,000 start	
Dartmouth	\$90,068	
Fairhaven	\$67,108 (33 years)	<i>66K</i>
Freetown	\$57,000 start	
Marion/Rochester	\$68,000	
Mattapoisett	\$63,110	
New Bedford	\$75,700 start	
Wareham	\$75,460	

Thanks for your help!

Pat



**Town of Fairhaven**  
**Office of**  
**Veterans' Services**



James A. Cochran  
Director/Agent  
Ext. 114

40 CENTER STREET  
FAIRHAVEN, MA 02719  
TEL: (508) 979-4024  
FAX: (508) 979-4079  
veterans@fairhaven-ma.gov  
jbettencourt@fairhaven-ma.gov

Jane Bettencourt  
Administrative Assistant  
Ext. 115

Charles Murphy, Chairman  
Board of Personnel  
Town of Fairhaven

30 June 2014

Dear Sir,

Mrs. Jane Bettencourt has been the Administrative Assistant in the Veterans' Office since October, 2013. During this period she has exhibited excellent performance in all her duties. She came to the job with excellent computer skills and a comprehensive knowledge of the town VADAR system and has mastered the Veterans' Services Management Information System (VSMIS). Jane is an asset to the Department in all aspects of her position, i.e.: dealing with the public, daily organizing and running of the office, applying Chapter 115 and 108-CMR laws and regulations as well as working with the numerous miscellaneous requests from Veterans and their families.

She is a valuable asset to this office and the Veterans of our community and should receive remuneration commensurate with her abilities and responsibilities. I am requesting her pay level be elevated to that of an Administrative Assistant, Level 10, Step 5.

Respectfully submitted,

James A. Cochran  
Veterans' Agent  
Town of Fairhaven

# **Veterans' Service Office**

## **Town of Fairhaven**

40 Center Street  
Fairhaven MA 02719  
508-979-4024

### **Administrative Assistant -- Job Description**

This is a clerical, part-time non-union position. It is Level 5 on the Schedule B Non-Exempt Level. Regular work week consists of 19 hours.

#### **Summary of Duties:**

The function of the Administrative Assistant to the Veterans' Agent is to handle the daily operations of the office. This includes greeting Fairhaven Veterans and assisting them with their requests and needs promptly and with respect. Many times the Veterans' Agent must leave the office to visit house bound clients. The Administrative Assistant must have the confidence to complete tasks without supervision. It is of utmost importance the employee realize any information regarding the veteran is highly confidential. The Administrative Assistant works closely alongside the Agent with any and all projects the office may incur.

#### **Responsibilities:**

- Open daily correspondence
- Keep track of all veterans' medical bills for payment through the Accountant's office
- Maintain a payables List of all weekly bills in alphabetical order
- Enter all bills with proper codes of either the client or the vendor into the VADAR system using Remote Payables weekly
- Assist the Agent with maintaining the client and vendor list
- Enter all account numbers for proper disbursement of payments whether it be medical services, encumbrances or office supplies
- Photo-copy all bills for accountant, veterans' files
- Prepare all monthly individual client VS-21As (all payments made during the month on behalf of the veteran)
- Enter all payments for the month for percentage of reimbursement to the Town of Fairhaven to Boston via Gateway's VSMIS program
- Assist the Agent with balancing and closing out each month all medical bills and benefits paid to Fairhaven Veterans ensuring proper reimbursement of funds to the Town of Fairhaven
- Prepare various correspondence for clients regarding their benefits for Housing and/or medical services
- Bi-annually assist the Agent with updating all records for clients; collecting Social Security information, bank balance, etc. to update records on VSMIS
- All filing
- Answer the telephone. Assist the Veteran or maintain messages for the Agent



- Enter appointments for the Agent at the Veteran's request
- Complete all Turnover Sheets for monies returned for the Treasurer's Department
- Print all envelopes for mailing the monthly benefit checks to Veterans
- When monthly benefit checks are ready for mailing from the Treasurer's Department, collate and fold all and enter into the prepared envelopes
- Post all envelopes for mailing or put aside checks for Veterans who telephone and request to pick up their check in person
- Mail all weekly checks for payment of medical bills, etc. to clients or vendors when received from Treasurer's Department
- Scan all client records every fiscal year for permanent record storage. Box original copies of all to be stored in Town Hall records room.
- Any and all other duties assigned by the Veterans' Agent

In order to complete all tasks in the Veterans' Services Office, the Administrative Assistant must be proficient with Excel, Word, VADAR and Gateway.

Population 15,873  
Per Capita Inc \$20,986

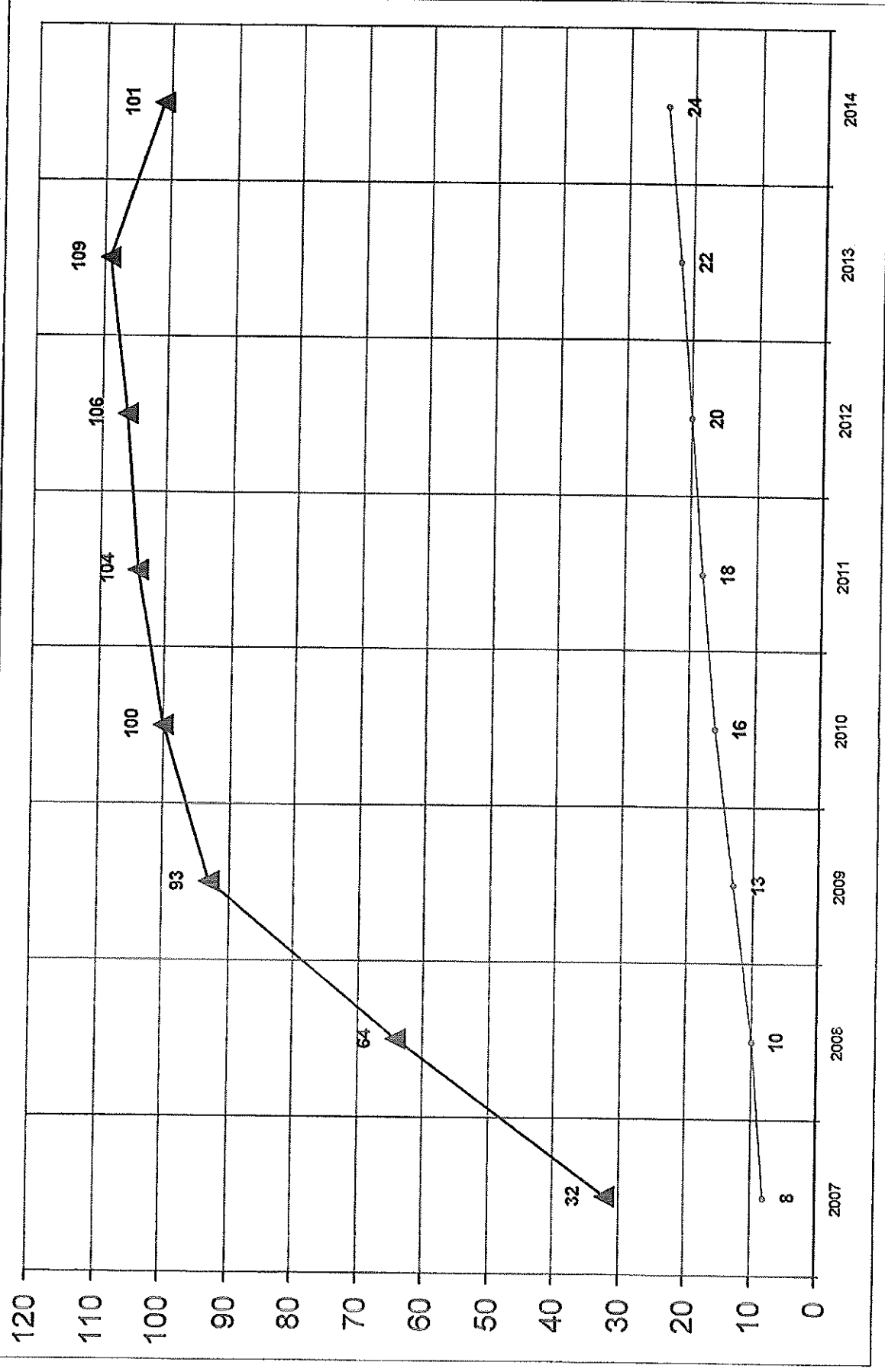
VSO: James Cochran

# FAIRHAVEN

Date Generated: 10/1/2014

veterans@fairhaven-ma.gov

Average Number of Cases -  $\Delta$  = FAIRHAVEN • = Average of communities with a population between 10,873 And 20,873

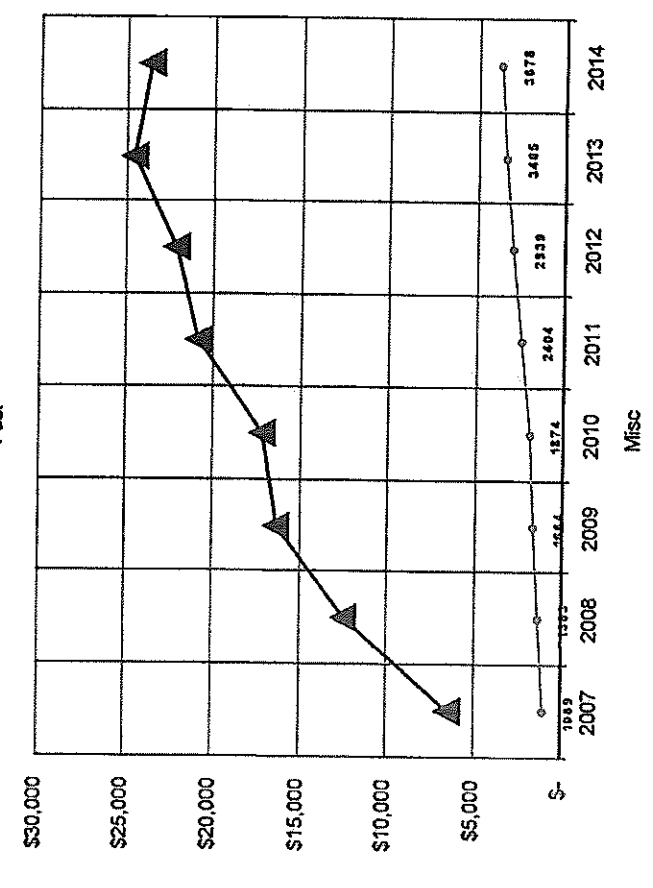
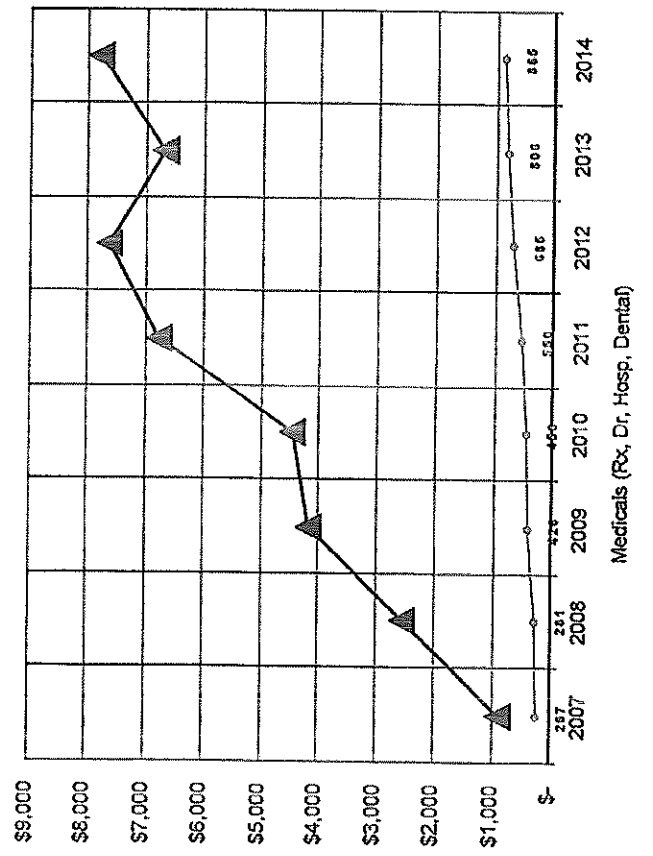
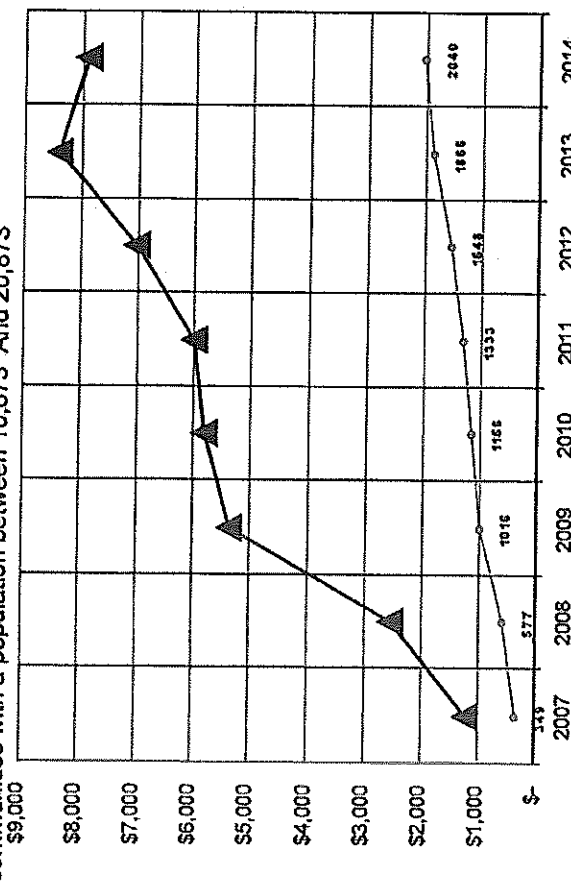
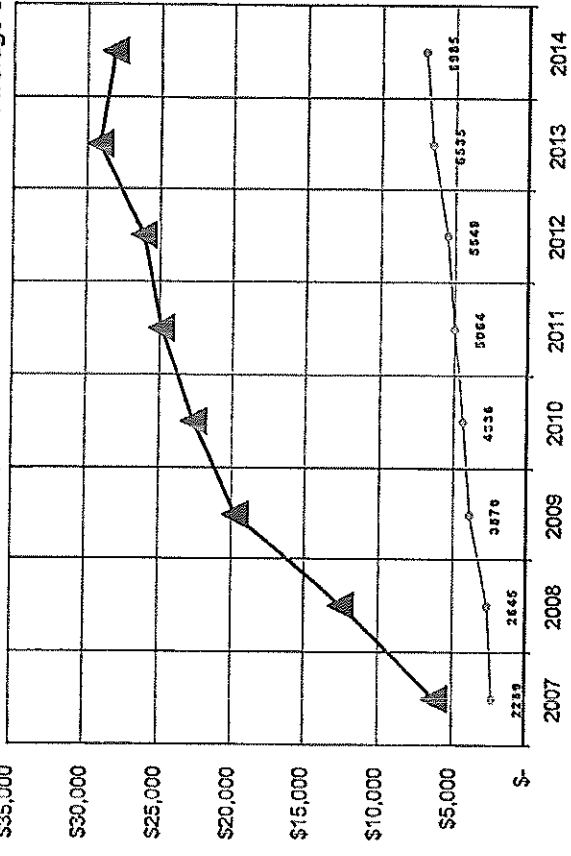


veterans@fairhaven-ma.gov

# FAIRHAVEN

VSO: James Cochran  
 Population 15,873  
 Per Capita Inc. \$20,986

Benefit Comparisons -  $\Delta$  = FAIRHAVEN • = Average of communities with a population between 10,873 and 20,873





**Town of Fairhaven  
Massachusetts**

**RECEIVED**

**COUNCIL ON AGING  
INFORMATION AND REFERRAL CENTER**

2014 SEP 16 P 1:09

229 Huttleston Avenue  
Fairhaven, Massachusetts 02719-1956  
Telephone: (508) 979-4029 / (508) 979-4081  
Fax: (508) 979-4116  
ASilvia@Fairhaven-MA.Gov

BOARD OF SELECTMAN  
FAIRHAVEN MASS

September 16, 2014

Dear Anne,

I am enclosing a letter to the Personnel Board requesting an increase in wage for Susan Roderiques. If possible, could this request be added to the agenda for their next meeting?

Thank You,

Anne Silvia, Director

Fairhaven council on Aging



# Town of Fairhaven Massachusetts

## COUNCIL ON AGING INFORMATION AND REFERRAL CENTER

229 Huttleston Avenue  
Fairhaven, Massachusetts 02719-1956  
Telephone: (508) 979-4029 / (508) 979-4081  
Fax: (508) 979-4116  
ASilvia@Fairhaven-MA.Gov

August 1, 2014

Dear Members of the Personnel Board,

I am writing this letter requesting your consideration for a change in level/step status for Susan Roderiques who is the Assistant Coordinator of the Fairhaven Supportive Social Day Program.

Susan has been in the position of Assistant Coordinator since 2007. Currently she is at a level 5 step 5 and earns \$15.95 per hour. Joyce Cookinham is the Supportive Social Day Coordinator and is currently at Level 9 step 5 earning \$20.18 per hour. Although Joyce is Susan's direct supervisor and their job descriptions are individualized, Susan's duties outnumber Joyce's and Susan often performs duties that are beyond her own. Susan is an exceptional employee, reliable and a team player. In my opinion, the difference in wage between Joyce and Susan should be closer as their duties are so similar.

The increase in wage for Susan would come from the Social Day monies, not the town monies. At the end of FY14, Social Day had \$81,385 in the RRFA (that total is after subtracting \$35,000 to the town, \$15,000 for Social Day employee retirement and \$13,000 for employee benefits). By increasing Susan to Level 7 Step 5, Susan will go from \$15.95 per hour to 17.94 per hour which is \$3,621.80 more per year which definitely can be supported by Social Day.

I thank you for your consideration in this matter. Please call me at 508-979-4029 with any questions or concerns.

Respectfully Submitted,

Anne Silvia, Director  
Fairhaven Council on Aging

**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.

*Request:*           Adoption  
*Recommend:*       Adoption

**ARTICLE 2 – TOWN REPORT**

To receive the Annual Report of Town Officers.

*Request:*           Adoption  
*Recommend:*       Adoption

**ARTICLE 3 – SETTING SALARIES OF TOWN OFFICERS**

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, 2014.

	Request	Recommend
A. Board of Selectmen (3 members)	A.     \$ 15,600.00	A.     \$ 15,600.00
B. Town Clerk	B.     \$52,981.00	B.     \$52,981.00
C. Moderator	C.     \$ 800.00	C.     \$ 800.00
D. Tree Warden	D.     \$6,631.00	D.     \$6,631.00
E. Board of Health	E.     \$ 4,000.00	E.     \$ 4,000.00

Or take any other action relative thereto.

**ARTICLE 4 – TOWN CHARGES**

**ARTICLE 5 – FY16 GENERAL FUND CAPITAL PLAN**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to fund the following Capital Equipment/Projects from the General Fund for FY2016 or take any other action relative thereto:

A. Replacement of Two (2) Police Cruisers	\$70,400.00
B. Highway Equipment	
1. Replace 1991 Ford 350 #13	\$55,000.00
2. Replace 1994 GMC C1500 #35	\$45,000.00
3. EZ Screen XL	\$44,000.00
C. Hastings Middle School 8 <sup>th</sup> Grade Wing Floors Abate and replace VCT Flooring	\$151,440.00
D. Town Hall Refurbish Floors	\$20,000.00
E. Police Pick-up Truck	<u>\$36,928.00</u>
<u>Total:</u>	\$422,768.00

*Petitioned by:* Capital Planning Committee

**ARTICLE 6 – WATER ENTERPRISE CAPITAL PLAN**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money from the Water Enterprise Account to fund the following Capital Equipment/Projects for FY2016 or take any other action relative thereto:

- A. Engineering – Water Main Replacement – West Island Causeway \$40,000.00
- B. Water Main Construction – West Island Causeway \$150,000.00
- C. Tinkham Lane Well Improvements \$60,000.00
- D. Replacement of 1997 Ford Utility Truck #132 \$44,000.00
- \$294,000.00

*Petitioned by:* Capital Planning Committee

**ARTICLE 7 – SEWER ENTERPRISE CAPITAL PLAN**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money from the Sewer Enterprise Account to fund the following Capital Equipment/Projects for FY2016 or take any other action relative thereto:

- A. Wastewater Treatment Plant Nitrogen Pilot Study \$50,000.00
- B. Abbey/Manhattan/Marguerite/Pilgrim/Railroad Pump Station Equipment Evaluation \$140,000.00
- C. Engineering Sewer System Phase 2 \$80,000.00  
*Howland Road south to Pilgrim Ave, Alden Road west to Acushnet River*
- D. Engineering Sewer System Phase 3 \$65,000.00  
*Howland Road south to Pilgrim Ave, Alden Road west to Acushnet River*
- E. Replace Sewer – Francis Street \$50,000.00
- F. Replacement of 2000 Ford Pickup #48 \$44,000.00
- \$429,000.00

*Petitioned by:* Capital Planning Committee

**ARTICLE 8 – CAPITAL STABILIZATION FUND**

- A. To see if the Town will vote to create a Capital Stabilization Fund for the purpose of funding any capital-related project or piece of equipment or debt service payment related thereto, as authorized by Chapter 40, Section 5B of the General Laws or to take any other action relative thereto.

*Petitioned by:* Capital Planning Committee

- B. To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money 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:* Capital Planning Committee

## **ARTICLE 9 – ROADWORK**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to do the following roadwork, or take any other action relative thereto:

- A. Akin Street – Reconstruct, hard-surface and install drainage on Akin Street from Route 6 to Dartmouth Street.  
*Petitioned by:* Board of Public Works
- B. Billy’s Way – Reconstruct and hard-surface Billy’s Way from Sconticut Neck Road west to end.  
*Petitioned by:* Alain LaChat and Others
- C. Bluepoint Road – Reconstruct and hard-surface and install drainage on Bluepoint Road from Fir Street to Almond Street.  
*Petitioned by:* Robert Connaughton and Others
- D. Brown Street – Reconstruct, hard-surface and install drainage on Brown Street from Hopkins Street westerly 246 feet.  
*Petitioned by:* Daniel Corcoran and Others
- E. Elm Ave – Reconstruct, hard-surface and install drainage on Elm Avenue from Green Street to Adams Street  
*Petitioned by:* Board of Public Works
- F. Hopkins Street – Reconstruct, hard-surface and install drainage on Hopkins Street from Howland Road to Brown Street 190 feet.  
*Petitioned by:* Robert Connaughton and Others
- G. Winsegansett/Sippican Street – Reconstruct and hard-surface Winsegansett Ave from Sippican Street to the end, 205 feet, and Sippican Street from the intersection of Winsegansett Ave to the end, 280 feet.  
*Petitioned by:* Alex Kalife and Others

## **ARTICLE 10 – STATE AID TO HIGHWAYS**

- 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 the sum of \$\_\_\_\_\_ for capital improvements on local roads, subject to the conditions detailed by the Massachusetts Highway Department pursuant to Chapter 90, Section 34 of the MGLS



and Transportation Departments Chapter 90 Guidelines, or to take any other action relative thereto.

*Petitioned by:* The Board of Public Works

**ARTICLE 11 – FEMA GRANT FOR LADDER 1 – 5% MATCH**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money for a five (5) percent match for a FEMA grant to replace Ladder 1, or take any other action relative thereto.

*Petitioned by:* Fire Chief

**ARTICLE 12 – HAZARDOUS MATERIALS REVOLVING FUND**

To see if the Town will re-authorize a “Hazardous Materials Revolving Account” under the provisions of Massachusetts General Law Chapter 44 Section 53 E ½ under the following terms:

1. The revolving account may be expended for the establishment of a Hazardous Materials Clean-up Account including, but not limited to, the purchase of equipment and supplies and the hiring of full time and/or part time personnel.
2. All fees charged to users of the Hazardous Materials Clean-up Account shall be credited to the revolving fund.
3. The Fire Chief is authorized to expend from the fund.
4. The total amount which may be expended from the fund in Fiscal Year 2016 shall not exceed one hundred thousand (\$100,000.00) dollars.

Or take any other action relative thereto.

*Petitioned by:* Fire Chief

**ARTICLE 13 – AMBULANCE STABILIZATION**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money 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:* Board of Selectmen

**ARTICLE 14 – SUSTAINABILITY REVOLVING ACCOUNT**

To see if the Town will authorize a “Fairhaven Sustainability Committee Revolving Account” under provisions of Massachusetts General Law Chapter 44 Section 53E1/2 under the following terms:

1. The revolving account may be expended for all Fairhaven Sustainability Committee related costs.

2. All fees charged to users shall be credited to the revolving fund.
3. The Fairhaven Sustainability Committee is authorized to expend from the fund.
4. The total amount which may be expended from the fund in Fiscal Year 2016 shall not exceed ten thousand (\$10,000) dollars.

Or take any other action relative thereto.

*Petitioned by:* Board of Selectmen

**ARTICLE 15 – TOWN HALL REPAIRS**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money for Town Hall repairs, including the auditorium, or take any other action relative thereto.

*Petitioned by:* Board of Selectmen

**ARTICLE 16 - BYLAW AMENDMENT PETITION – WIRELESS COMMUNICATIONS – PARK**

To see if the Town will enact the following amendments to the Zoning Bylaw Chapter 198 Section 16, Use Regulations Schedule, to allow Wireless Communications Facilities as a Special Permit in the Park District t. The additions are indicated in text that is **(bold and underlined)**. The deletions are indicated in strikethroughs (~~aaaa~~), or take any other action relative thereto.

**§ 198-16 – Use Regulation Schedule**

Use Regulation Schedule

	District
Activity or Use	P
Wireless Communications Facilities	<del>N</del> <u>A</u>

*Petitioned by:* Tom Melanson and Others

**ARTICLE 17 – BPW DOOR REPLACEMENTS**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to replace two (2) doors at the Public Works Building or to take any other action relative thereto.

*Petitioned by:* Board of Public Works

**ARTICLE 18 – HOPPY’S LANDING REVOLVING ACCOUNT**

To see if the Town will authorize a “Hoppy’s Landing Revolving Account” under the provisions of Massachusetts General Law Chapter 44 Section 53 E ½ under the following terms:

1. The revolving account may be expended for the maintenance and improvement of “Hoppy’s Landing” including, but not limited to the maintenance of the floating dock, boat ramp, buildings, property, matching funds for grants, and hiring of part time personnel.
2. All fees charged to users to “Hoppy’s Landing” shall be credited to the revolving fund.
3. The Board of Selectmen is authorized to expend from the fund.
4. The total amount which may be expended from the fund in Fiscal Year 2016 shall not exceed twenty five thousand (\$25,000.00) dollars.

Or take any other action relative thereto.

*Petitioned by:* Board of Selectmen

**ARTICLE 19 – SOCIAL DAY CARE CENTER**

To see if the Town will vote to authorize the Fairhaven Council on Aging to expend in the Fiscal Year 2016 a sum of money not to cumulatively exceed \$140,000.00 from the Grant Account known as “Receipts Reserved for Appropriation for Social Day Program” for the purpose of providing a Social Day Program for Senior Citizens or take any other action relative thereto.

*Petitioned by:* The Council on Aging

**ARTICLE 20 – COMMUNITY PRESERVATION PROGRAM APPROPRIATIONS**

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 FY16 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:

<b>PROPOSED FISCAL YEAR 2016 COMMUNITY PRESERVATION BUDGET</b>	
<b>APPROPRIATIONS</b>	
<b>Purpose</b>	<b>Recommended Amounts</b>
<b>Reserve for Future Appropriation –</b>	

<b>A.</b> Acquisition, creation, and preservation of Open Space, and its rehabilitation and restoration.	\$ 50,000
<b>Spending Appropriations –</b>	
<b>B.</b> Fairhaven Housing Authority – Oxford Terrace – Heating System Modernization Project.	\$ 100,000
<b>C.</b> Town Hall Sidewalk Restoration Project – Walnut Street Side and Library Sidewalk Restoration Project – Center Street Side.	\$165,000
<b>D.</b> Fairhaven High School – Cushman Park Track Resurfacing Project.	\$65,000
<b>E.</b> Historical Commission – Ft. Phoenix Revetment Wall & Magazine Earthen Parapet Restoration Project.	\$105,000
<b>F.</b> Bikeway Committee – Bike Path Safety Signage Project.	\$ 3,000
<b>Administrative Spending Appropriation</b>	
<b>G.</b> To fund the Community Preservation Committee’s annual expenses as follows: Personal Service –\$6,700; Purchase of Services – \$3,400; Supplies – \$500; Other charges/expenders – \$2,000.	\$ 12,600
<b>Total Recommended Appropriations</b>	<b>\$500,600</b>

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 2016 Community Preservation Fund Estimated Receipts the minimum necessary amounts to allocate not less than 10% (\$50,000) for open space, not less than 10% (\$50,000) for historic preservation, and not less than 10% (\$50,000) for community housing.

Or take any other action relative thereto.

<i>Petitioned by:</i>	Community Preservation Committee				
<i>Request:</i>	A.	\$ 50,000	<i>Recommend:</i>	A.	\$ 50,000
	B.	\$ 100,000		B.	\$ 100,000
	C.	\$165,000		C.	\$165,000
	D.	\$65,000		D.	\$65,000
	E.	\$105,000		E.	\$105,000
	F.	\$ 3,000		F.	\$ 3,000
	G.	\$ 12,600		G.	\$ 12,600

#### **ARTICLE 21 – PROPAGATION OF SHELLFISH**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money for the propagation of shellfish, or take any other action relative thereto.

*Petitioned by:* Board of Selectmen

#### **ARTICLE 22 – WIND TURBINE ELECTRICITY PURCHASE FY16**

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 NSTAR for the wind turbines power purchase will be deposited to the Town treasury and will offset expenditures made under this appropriation.

Or take any other action relative thereto.

*Petitioned by:* Board of Selectmen

#### **ARTICLE 23 – FEMA – 5% MATCH FOR NEW FIRE EQUIPMENT**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money for a five (5) percent match for a FEMA grant to replace Personal Protective Equipment (PPE) and aging equipment, or to take any other action relative thereto.

*Petitioned by:* Fire Chief

**ARTICLE 24 – CULTURAL COUNCIL FUNDING**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money for the Fairhaven Cultural Council, or to take any other action thereto.

*Petitioned by:* Fairhaven Cultural Council

**ARTICLE 25 – WELLNESS PROGRAM – EMPLOYEES**

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, a sum of money to create a wellness program for town employees, or take any other action relative thereto.

*Petitioned by:* Board of Selectmen

**ARTICLE 26 – BYLAW AMENDMENT PETITION – SOLAR PHOTOVOLTAIC**

To see if the Town will enact the following amendments to the Zoning Bylaw Chapter 198 Section 16, Use Regulations Schedule, to allow Solar Photovoltaic Energy Facilities (SPEF)- Large Scale Ground-Mounted as a Special Permit in the Park District. The additions are indicated in text that is **(bold and underlined)**. The deletions are indicated in strikethroughs (~~aaaa~~), or take any other action relative thereto.

**§ 198-16 – Use Regulation Schedule**

Use Regulation Schedule

District

Activity or Use P

Solar Photovoltaic Energy Facilities (SPEF)

Large Scale Ground-Mounted ~~N~~ A

*Petitioned by:* Tom Melanson and Others

**ARTICLE 27 – FEMA PORT SECURITY 25% GRANT MATCH**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to apply for a FEMA Port Security grant, 25% match for maintenance of boats, or take any other action relative thereto.

*Petitioned by:* Harbormaster

**ARTICLE 28 – UNION WHARF LED LIGHTS**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to install LED lighting on Union Wharf or to take any other action relative thereto.

*Petitioned by:* Harbormaster

**ARTICLE 29 – INFORMATION TECHNOLOGY ASSESSMENT**

To see if the Town will vote to authorize the Board of Selectmen to contract the services of a qualified professional contractor for the purpose of completing an Information Technology Assessment, and to raise and appropriate, borrow or transfer from available funds a sum of money not to exceed \$15,000.00 to fund this assessment. This assessment will audit and review the Information Technology needs, hardware, software, policies and practices and provide the Town with a report outlining the steps the Town may take to maximize the use and value of Information Technology across all its departments. Or take any other action relative thereto.

*Petitioned by:* Town Government Study Committee

**ARTICLE 30 – STREET LIGHTS**

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

- A. One light at Temple Place, pole # 266/2

*Petitioned by:* James Stuart and others

- B. One light on Wayne Street, pole #281/1

*Petitioned by:* Kathy Fitzgerald and others

**ARTICLE 31 – FINANCE COMMITTEE RESTRUCTURING**

To see if the Town will vote to amend the Town Code by striking therefrom § 33-1 through § 33-8 and inserting in their place the following:

**“§ 33 -1. Appointment of members; terms**

There shall be a Finance Committee consisting of seven registered voters of the Town to be appointed by the Town Moderator. On or before June 30, 2015, the Moderator shall appoint three members to serve for a term of three years, two members to serve for a term of two years and two members to serve for a term of one year, each such term to commence on July 1, 2015. Thereafter, on or before June 30 of each year, for each of the then expiring terms, the Moderator shall appoint a member of the Committee to serve for a term of three years. The Moderator shall inform the Town Clerk of the name and term of all appointments made to membership on the Finance Committee.

### **§ 33-2. Organizational Meeting**

The Finance Committee shall as soon as convenient after July 1, and at least within two months after the Annual Town Meeting, meet and perfect an organization by the election of a Chair and a Clerk who shall serve until their successors are elected. The Chair may appoint a paid recording secretary whose compensation shall not exceed an amount appropriated for this purpose by Town Meeting.

### **§ 33-3. Duties**

The duties of the Finance Committee shall be to thoroughly investigate all articles on the warrant for the Annual and Special Town Meetings that call for appropriations of money for town purposes and also all articles that in any way may affect the finances of the town and shall report in writing to the Town Meeting members its recommendations thereupon.

### **§ 33-4 Compensation**

The Finance Committee shall (with the exception of the Recording Secretary) serve without pay but may be reimbursed for all necessary expenses incurred in performance of its duties upon approval of such expenditures by the Board of Selectmen. Such expenses when incurred and approved for payment by the Board of Selectmen shall be charged to the Town Meeting Expense Account.

### **§ 33-5. Filling Of Vacancies**

The Chair of the Finance Committee, or its Clerk, or its recording secretary shall report to the Town Moderator any vacancy among the members of the Finance Committee which may occur by death, resignation or removal from the town. If any member of the Committee is absent from five consecutive meetings of the Finance Committee, the Moderator shall declare his or her position to be vacant. The Moderator shall appoint a registered voter of the Town to fill any vacancy for the remainder of the term of that position. The Moderator shall inform the Town Clerk of the name and term of any appointment made to a vacant position on the Finance Committee.

### **§ 33-6. Hearings**

The Finance Committee shall, upon written request from any petitioner on any article on the warrant, grant such petitioner a hearing upon said article before final action on same is determined.

### **§33-7. Annual report**

The Finance Committee shall, annually, not later than one week prior to the time fixed for the Annual Town Meeting, prepare and publish for the benefit of Town Meeting members and voters and distribute to the same its recommendations as to the several articles on the warrant coming under its jurisdiction, and the amounts required to be appropriated to cover the expenditures of the various departments of the town for the next fiscal year. It shall also report in detail, the



amounts of maturing bonds or notes and the amount required for interest or other outstanding indebtedness of the town. It shall also at the same time prepare and publish a comparative statement, in parallel columns, of each department of funds and the expenditures thereof for the previous two years. It shall at the same time report and publish estimates of revenues from all sources, as far as possible, with the probable amount to be levied and raised by taxation to defray the expenses and liabilities of the town for the next ensuing fiscal year.

### **§ 33-8. Eligibility of members**

No person shall be eligible to serve on the Finance Committee who is an employee of the town or who holds an elective or appointive position in the town government, whether or not the employment or position carries any salary or compensation, except Town Meeting members and except appointed members of any advisory or ad hoc committees.

### **§ 33-9. Effective Date**

This by-law shall become effective on July 1, 2015, provided that §33-1 shall take effect immediately upon the adoption of this by-law by Town Meeting, and further provided that the term of any then current member of the Finance Committee shall terminate on June 30, 2015.”

*Petitioned by:* Town Government Study Committee

## **ARTICLE 32 – TERM LIMIT REFERENDUM**

To see if the Town will vote to petition the legislature to enact special legislation which would provide as follows:

“**SECTION 1.** A person who has held the office of member of the Board of Selectmen for the Town of Fairhaven, Board of Health for the Town of Fairhaven, Planning Board for the Town of Fairhaven, Board of Public Works for the Town of Fairhaven, School Committee for the Town of Fairhaven, Commissioners of Trust Funds for the Town of Fairhaven, or Housing Authority for the Town of Fairhaven for three or more consecutive full terms shall be deemed disqualified from election, reelection, or appointment to that office except as otherwise provided herein.

**SECTION 2.** The name of a person disqualified by the terms of this act shall not appear on the ballot for election to that position, and he shall be disqualified and may not be elected or appointed to that position, before the next regular election following the completion of his third consecutive term in that office.

**SECTION 3.** A person who is disqualified by the terms of this act, and who is elected, or appointed, to a subsequent consecutive term in that office shall be deemed not qualified for that office and shall not be sworn into that office. The person who received the next highest number of votes in that election shall be deemed to have been elected, and shall be sworn into that office. If no qualified person is so elected, the town clerk shall report a vacancy in that office to the board or committee, and the vacancy shall be filled under the provisions of applicable law, provided that a person who is disqualified by the terms of this act shall not be appointed to fill that vacancy.

**SECTION 4.** This act shall apply to those persons holding the office of member of the Board of Selectmen for the Town of Fairhaven, Board of Health for the Town of Fairhaven, Planning Board for the Town of Fairhaven, Board of Public Works for the Town of Fairhaven, School Committee for the Town of Fairhaven, Commissioners of Trust Funds for the Town of Fairhaven, or Housing Authority for the Town of Fairhaven on its effective date, and to those persons holding any such office at any time thereafter, and such persons shall be deemed disqualified pursuant to section one, regardless of whether some part or all of their three or more consecutive full terms in any such office ran before the effective date of this act.

**SECTION 5.** This act shall be submitted to the registered voters of the Town of Fairhaven at any Annual or Special Town Election, and shall take effect upon its acceptance by a majority of the voters voting thereon. The vote shall be taken in precincts by ballot in accordance with the provisions of the General Laws, so far as the same shall be applicable, in answer to the question, which shall be placed, in case of a special election, upon the ballot to be used at said election, or, in case of an annual election, upon the official ballot to be used for the election of Town officers: "Shall an act passed by the General Court in the year \_\_\_\_\_, entitled " \_\_\_\_\_", be accepted by this Town?"

**SECTION 6.** If this act is rejected by the registered voters of the Town of Fairhaven when submitted to said voters under section five, it may again be submitted for acceptance in like manner from time to time to such voters at any Annual Town Election in said Town within three years thereafter, but not more than three times in the aggregate."

or to take any other action thereon.

*Petitioned by:* Town Government Study Committee

### **ARTICLE 33 – TOWN MEETING PROCEDURE CHANGES**

A. To see if the Town will vote to petition the legislature to enact special legislation which would provide as follows:

“Chapter 285 of the Acts of 1930, as subsequently amended by Chapter 168 of the Acts of 1945, Chapter 562 of the Acts of 1955, Chapter 589 of the Acts of 1955, Chapter 587 of the Acts of 1968, Chapter 400 of the Acts of 1969, Chapter 609 of the Acts of 1970, Chapter 39 of the Acts of 1973, Chapter 62 of the Acts of 1983, and Chapter 156 of the Acts of 1987, is hereby amended as follows:

**SECTION 1.** Section 3 of Chapter 285 of the Acts of 1930, as subsequently amended, is hereby amended by striking the second sentence from the second paragraph thereof and inserting in its place:

“One half of the town meeting members shall constitute a quorum for doing business; but a less number may organize temporarily and may adjourn from time to time, provided that at an adjourned meeting one half of the town meeting members shall constitute a quorum.”

**SECTION 2.** Section 3 of Chapter 285 of the Acts of 1930, as subsequently amended, is hereby amended by striking the seventh sentence from the second paragraph thereof and inserting in its place:

“Subject to such conditions as may be determined from time to time by the representative Town meeting, and with the approval of a majority of the town meeting members present, any person who is not a Town meeting member may speak at any representative Town meeting, but shall not vote.”

**SECTION 3.** Section 6 of Chapter 285 of the Acts of 1930, as subsequently amended, is hereby amended by striking the second and third sentences thereof and inserting in their place:

“Nominations for and election of a moderator shall be as in the case of any other elective Town officers. At the conclusion of each Annual Town Meeting and from time to time as necessary to fill any vacancy in the office, the Town Moderator shall appoint for a term of one year an Assistant Town Moderator who shall serve as the Town Moderator in the event that the Town Moderator is unable to serve in his full capacity at any Town Meeting or is unable to fulfill any of the other functions or duties of the office, or in the event the Town Moderator recuses himself from presiding over any part of a Town Meeting. If the Moderator is absent, and a vacancy exists in the office of Assistant Town Moderator, a moderator pro tempore may be elected by the Town meeting members.”

**SECTION 4.** Section 7 of Chapter 285 of the Acts of 1930, as subsequently amended, is hereby amended by adding thereto a second paragraph as follows:

“The Town Clerk shall keep accurate attendance records for all Town Meeting members at all Town Meeting sessions. On January 1 of each year, the Town Clerk shall declare vacant the seat of any member who has missed three consecutive Town Meeting sessions, and by January 31 of each year shall notify those members whose seats have been declared vacated, and shall notify the precinct chairman for the precinct in which the vacancy has been declared. For the purpose of this provision each calendar date on which a town meeting is held, or organized but adjourned due to lack of a quorum, shall be considered a separate session. A special town meeting held within an annual town meeting, or a special town meeting held within a special town meeting, shall not be considered a separate session.”

**SECTION 5.** This act shall take effect upon its passage.

B. And further to see if the Town will vote to amend the Town by-laws as follows:

Section 50-4 of the Town Code is hereby amended by striking that provision in its entirety and inserting in its place the following:

“The procedure and conduct of the business meetings of the Town not herein provided for shall be governed by Robert’s Rules of Parliamentary Practice so far as they are applicable and are not inconsistent with the bylaws of the Town, provided that:

1. At each representative town meeting session, the Town Clerk shall cause the attendance of Town meeting members to be recorded prior to the commencement of the session. The record of those in attendance shall be kept open until the end of each representative town meeting session to enable latecomers to be recorded as present. The attendance record shall be public and be made part of the representative town meeting proceedings.
2. The Moderator shall determine the presence of a quorum. After a quorum has been reached and the session has commenced, the Moderator shall take a count at least once more to confirm that a quorum is still present, and shall also take a count whenever a point of order is raised by any member challenging the presence of a quorum.

3. Unless otherwise voted by a majority vote of the town meeting, the Selectmen are not required to read each warrant article in full, and may refer to articles by name and number only.
4. Unless additional time is voted by a majority vote of the town meeting, the petitioners or presenters of each article shall have a maximum of 15 minutes to complete their presentation, and subsequent speakers shall have 5 minutes.
5. Town Meeting members may speak on an article more than once only after all other Town Meeting members who wish to speak for the first time have spoken.
6. Question can be moved only when requested by a speaker at the microphone, and with a majority vote in favor of moving the question to a vote.”

Or to take any other action thereon.

*Petitioned by:* Town Government Study Committee

#### **ARTICLE 34 – TRANSFER FROM SURPLUS REVENUE**

To see if 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.

#### **ARTICLE 35 – 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.

#### **ARTICLE 36 – OTHER BUSINESS**

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



Robert Espindola, Chairman  
Geoffrey Haworth  
Charles K. Murphy

Town of Fairhaven  
Massachusetts  
Office of the Selectmen

40 Center Street  
Fairhaven, MA 02719

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

MEMO

Date: February 10, 2015

From: Selectmen's Office

To: All Auto Dealerships

Re: Use of Town Property for Auto Storage

Dear License Holder:

The Board of Selectmen reminds all licensed auto dealer and repair shops that they are not permitted to use Town property for storage of automobiles. Further, all unregistered automobiles located in the vicinity of the licensed location and on Town property will be towed at the owner's expense.

Thank you for your cooperation in this regard.

Sincerely,

Robert Espindola  
Chairman

Attachment F

Office of the Selectmen  
40 Center St.  
Fairhaven Ma 02719

February 5, 2015

Dear Sirs,

The Historical Commission discussed, at last nights meeting, the recent decision of your Board to consider selling the "Taber Ruin" wall to the Seventh-Day Adventist Church. The wall is the "stone end" of the home built by Thomas Taber, son in law of John Cooke. John Cooke, who came to Plymouth on the Mayflower as a child, was one of the original European settlers of Fairhaven. The wall is representative of the earliest history of the settlement now known as Fairhaven. The Commission voted unanimously that the Town should retain ownership of the "Taber Ruin" wall. The Commission would be happy to meet with your Board, as well as the owners of the adjacent Bates House to discuss how the wall may be better accessed by the public.

Respectfully,

  
David Despres

Chairman  
Fairhaven Historical Commission

BOARD OF SELECTMEN  
FAIRHAVEN MASS

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