



Fairhaven Board of Selectmen

December 21, 2015 Meeting Minutes

Present: Chairman Geoffrey Haworth, Vice Chairman Charles K. Murphy, Sr., Clerk Robert Espindola, Executive Secretary Jeffrey Osuch, and Administrative Assistant Anne O'Brien.

Chairman Geoffrey Haworth called the meeting to order in the Town Hall Banquet Room at 6:34 p.m. The meeting was audio recorded by the Selectmen's Office and video recorded by the Government Access channel.

MINUTES

- Mr. Murphy motioned to approve the minutes of the **December 14, 2015** meeting, **open** session. Mr. Espindola seconded. Vote was unanimous. (3-0).

EXECUTIVE SECRETARY'S REPORT

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

- Wednesday, **December 23**
 - 8:30 a.m. – Retirement Board at Town Hall
- Thursday, **December 24**
 - Christmas Eve – Town Hall closes at noon
- Friday, **December 25**
 - Christmas – Town Hall closed
- Wednesday, **December 30**
 - 9:30 a.m. – Union Wharf Job Meeting
- Thursday, **December 31**
 - New Year's Eve – Town Hall closes at noon
- Friday, **January 1**
 - New Year's Day – Town Hall closed

CHANGE ORDER #2 – TOWN HALL SIDEWALKS

The Board reviewed Change Order #2 for the Town Hall sidewalks in the amount of \$12,876.42. Mr. Murphy motioned to approve the Change Order in that amount. Mr. Espindola seconded. Vote was unanimous. (3-0).

REQUISITION – TOWN HALL SIDEWALKS

The Board reviewed a requisition for the Town Hall sidewalks in the amount of \$25,306.46. Mr. Murphy motioned to approve the requisition in that amount. Mr. Espindola seconded. Vote was unanimous. (3-0). Mr. Haworth said that he wanted to make sure that any issues with the sidewalks were resolved before the submission of the final payment. Mr. Osuch said that the payment would be held until the project was completed to their satisfaction.

ANNUAL LICENSE RENEWALS

Mr. Murphy motioned to renew 2016 Liquor Licenses for the following establishments:

- Riccardi's Restaurant
- Bayside Lounge
- Acushnet River Safe Boating Club
- Mackatan General Store
- Courtyard Restaurant
- Mike's Restaurant
- Premium Liquors
- Connolly's Liquor Mart
- Cardoza's Wine and Spirits
- 99 Restaurant and Pub
- Fairhaven Wine and Spirits
- Way May Restaurant
- The Ebb Tide
- Sweet Ginger Asian Cuisine and Bar
- Ice House Restaurant
- Douglas Wine and Spirits
- Paul's Sports Corner
- A Kitchen Restaurant
- Old Oxford Pub
- Sivalai Thai Cuisine
- EJ Brooklynne Deli and Butcher Shop
- Emma Jean's Cupcake Factory and Ice Cream Shoppe
- Frontera Grill
- Elisabeth's
- Seaport Inn
- Vila Verde Restaurant
- Rasputin's Tavern
- Scuttlebutt's Grocery and Spirits
- Town Crier
- Gene's Famous Seafood
- The Pasta House
- The Bitter End Lounge
- Minerva's Pizza House

- Down the Hatch
- American Legion
- Friendly Farm Convenience
- Moriarty Liquors
- Dorothy Cox's Candies
- VFW

Mr. Espindola seconded. Vote was unanimous. (3-0).

Mr. Murphy motioned to renew 2016 Common Victualer licenses for:

- Flour Girls Baking
- Brady's Ice Box
- Margaret's
- Subway (20 Sconticut Neck Road)
- Scrambler's Breakfast and Bagel
- Subway (42 Fairhaven Commons Way)
- Palace Pizza
- Phoenix Restaurant
- Pumpernickel's
- Dunkin Donuts – 27 Alden Road
- Dunkin Donuts – 32 Howland Road
- Wendy's
- Tropical Smoothie Café
- Mystic Cafe
- Galaxy Pizza

Mr. Espindola seconded. Vote was unanimous. (3-0).

Mr. Murphy motioned to renew 2016 Entertainment licenses for Four Paws Up Bakery and Dream Land Arts and Crafts for Kids (Restricted Music only) and for Carousel Skating Center.

Mr. Espindola seconded. Vote was unanimous. (3-0).

Mr. Murphy motioned to renew the 2016 Lodging House licenses for Delano Homestead Bed and Breakfast and Kopper Kettle Guest House. Mr. Espindola seconded. (3-0).

CAR DEALER/REPAIR LICENSES

The Board reviewed the listing of establishments requesting a 2016 renewal of their Car Dealer/Car Repair licenses. Town Counsel recommends consistency in the phrasing on the licenses, said Mr. Osuch. After discussion, the Board decided to have the license hours for all establishments be uniform in hours of operation: 8:00 a.m. to 7:00 p.m. Monday through Saturday. Any dealership presently open on Sunday will be grandfathered.

Mr. Murphy motioned to approve the following Car Dealer licenses with the aforementioned conditions:

- Fairhaven Gas (134 Huttleston Ave)
- Fairhaven Gas (130 Huttleston Ave)
- Sarkis Enterprises, Inc (A&A Auto)
- Artistic Auto Body and Sales, Inc.
- Guard Enterprises, Inc.
- Fairhaven Getty
- RRR Auto Sales
- Alden Buick GMC
- Alden Mazda
- Howard's Auto Sales

Mr. Espindola seconded. Vote was unanimous. (3-0).

Mr. Murphy motioned to approve the following Car Repair licenses with the aforementioned conditions:

- Ray's Fair Repair
- Manny's Service Station
- Fairhaven Gas Inc. (124 Huttleston Ave)
- Sarkis Enterprises (A&A Auto)
- Jerry's Auto and Cycle Service, Inc.
- Artistic Auto Body
- Jet Wash Car Wash
- Sullivan Tire
- Automotive Diagnostic Service
- Guard Enterprises, Inc.
- JR's Auto Shop
- Roland's Tire
- Nice 'N Clean Car Wash
- Fairhaven Getty
- RRR Auto Sales
- Alden Buick GMC
- Alden Mazda
- Dattco
- Rick's Service

Mr. Espindola seconded. Vote was unanimous. (3-0).

CAPITAL PLANNING COMMITTEE

At 7:03 p.m., the Board met with the members of the Capital Planning Committee – Cathy Melanson, Bill Roth, Bob Baldwin, Drew Tillett (Chairman), and Wendy Graves. Vincent Furtado was unable to attend due to a meeting conflict with the Board of Public Works.

The five-year plan was presented to the Board of Selectmen and the public. See Attachment A.

Mr. Tillett reviewed the plan, the capital improvements scheduled for departments receiving funding from the General Fund, and the capital improvements scheduled from the Sewer and Water Enterprise. The Sewer and Water improvements are contingent upon a rate increase, to be considered and voted upon by the Board of Public Works.

The Board thanked the Capital Planning Committee for their work and their presentation.

The hearing was opened to public comment. There was none.

Mr. Murphy motioned to accept the five-year Capital Plan. Mr. Espindola seconded. Vote was unanimous. (3-0).

UNION WHARF RENTAL CONTRACTS

At 7:43 p.m., the Board met with Harbormaster Tim Cox to review rental contracts for Union Wharf.

Mr. Cox said that all lessees have turn in their payment and leases. He sought approval for none of the boats on the list, and a prorated contract for Robert Hobson (\$787) and Bruce Ingham (\$787). Both Mr. Hobson and Mr. Ingham had pulled their boats from Union Wharf for a period of time during construction to allow others to dock.

Mr. Murphy motioned to approve the prorated lease of \$787 for Mr. Hobson and Mr. Ingham. Mr. Espindola seconded. Vote was unanimous. (3-0).

Mr. Murphy motioned to approve the remainder of the lessees at the full lease rate of \$1,575: John Moniz, Arthur DeCosta, Eric Moniz, Tom Tomkiewicz, George Silva III, and Tim Power. Mr. Espindola seconded. Vote was unanimous. (3-0).

Mr. Cox asked if he could send out a letter to inform the next people on the waiting list for Union Wharf that there are three vacancies. Mr. Murphy motioned to start the process of informing the top three people on the waiting list of the vacancies. Mr. Espindola seconded. Vote was unanimous. (3-0).

AQUACULTURE RULES AND REGULATIONS

Mr. Cox said that he would recommend holding on the review of the submitted Aquaculture Rules and Regulations until some issues related to the draft document could be addressed by Town Counsel.

REMOTE PARTICIPATION

At 7:51 p.m., the Board met with Kathy Sturtevant to discuss Remote Participation. At a previous meeting, Ms. Sturtevant had requested the adoption of Remote Participation by the

Board of Selectmen so that it could be used by the Board of Public Works so she could complete her term while residing for four months in Florida as a result of her husband's unexpected retirement.

Mr. Murphy read a letter from Town Counsel re: Remote Participation into record. See Attachment B.

Mr. Murphy said that he supported Remote Participation based on its use in the Commission on Disability.

Mr. Espindola commended Ms. Sturtevant on her willingness to complete her term, but said that he ultimately did not support Remote Participation. He said that he thought there was value in being present at the meetings.

The Chairman read a letter from Planning Board Chairman Wayne Hayward into record. Mr. Hayward does not support the adoption of Remote Participation. See Attachment C.

The Chairman also read a letter from resident Emma Curtain into record. Ms. Curtain also does not support the adoption of Remote Participation. See Attachment D.

Mr. Haworth said that he has received several concerns related to the adoption of Remote Participation, and for this reason, would not be supporting its adoption at this time.

Ms. Sturtevant said that she does what is best for the Town and regardless of the Board's refusal to accept Remote Participation, she would not step down from the BPW, but would instead follow the meetings remotely without voting.

Dan Freitas was recognized. He said that he was in favor of Remote Participation. He requested that the Board of Selectmen adopt it for one month on a trial basis.

Mr. Murphy motioned to adopt Remote Participation for a trial period of four months. The motion received no second and it failed.

EMPLOYEE HEARING

At 8:06 p.m., the Chairman opened a disciplinary hearing for Finance Director Wendy Graves. Payroll Clerk Suzanne Blais and Town Counsel Thomas Crotty were also present. Mr. Haworth asked Ms. Graves if she wanted the hearing in open session or executive session. Ms. Graves said that she would like to be heard in open session.

The charges against Ms. Graves are that she was overpaid \$38 weekly for about a year until it was caught by auditors in a random search. The overpayment totaled \$1,999.96 when it was caught. The basis of the hearing was to determine how the overpayment occurred, why Ms. Graves did not catch the error earlier, how she would pay the money back, and what discipline she would receive, if any.

Ms. Blais was recognized. Ms. Blais explained that the overpayment occurred as a result of an attempt to correct an underpayment to Ms. Graves as the result of an increase of her pay by one percent. The increase had occurred several months prior and the different of about \$38 was manually entered into payroll for one week. The manual entry was made by the Assistant Treasurer, who oversees payroll for that department, and was not removed from the payroll in the next week. As a result, no one was aware that Ms. Graves was getting an additional \$38/week until the error was caught by the auditors. The overpayment began in August 2014 and was caught in August 2015.

Ms. Graves had responded to the issue by initiating an order to Ms. Blais to have \$25 garnished from her paycheck per week to repay the Town. Ms. Graves said that she selected the figure of \$25 based on past practice of when employees have had to repay an overpayment. The repayment of \$25 per week began in September 2015.

Mr. Murphy asked what Ms. Graves still owed. The amount was not known at the time of the meeting but Ms. Blais said that she would get that total the next day.

Mr. Haworth asked Ms. Blais who was her direct supervisor. Ms. Blais answered that her direct supervisor is Ms. Graves.

Mr. Haworth said that Ms. Graves runs the entire Finance Department and should have noticed that she was, personally, receiving too much pay.

Suzanne said that the blame went three ways: with herself, with Wendy, and with Assistant Treasurer Lisa Rose.

Mr. Haworth said that, at one point, Ms. Graves had requested at her contract wage re-opener that she would like a one percent increase to offset the repayment. Mr. Haworth said that \$25 per week was insufficient for the repayment and that the Board would have to come up with repayment plan that would reimburse the Town quicker than that.

Mr. Murphy said that another employee had been suspended for overpayment and had to pay the amount back immediately. Ms. Blais suggested that the Board sponsor a policy to address repayment in these scenarios for future reference.

After some deliberation, Mr. Murphy motioned to give Ms. Graves three more months to pay back the remainder of the overpayment, with a deadline of March 31, 2016. Mr. Espindola seconded. Vote was unanimous. (3-0).

Mr. Murphy motioned to request Ms. Graves create a policy to prevent overpayment and a policy on the protocol in the event of an overpayment. Mr. Espindola seconded. Vote was unanimous. (3-0).

BELL COMMITTEE

The Board reviewed a letter from the Bell Committee regarding the storage of keys for the Paul Revere bell in the Selectmen's Office. The letter also outlined a protocol by which the members of the Bell Committee may check out keys and gain access to the bell. The list of rules proposed by the Bell Committee is contained in Attachment E. The Board amended the rules to read that the key to the bell can be obtained by one committee member with one Town official. Mr. Murphy motioned to accept the policy in Attachment E with that aforementioned amendment. Mr. Espindola seconded. Vote was unanimous. (3-0).

REGISTRAR OF VOTERS

The Board reviewed a letter from Kim Hyland of the Republican Town Committee, endorsing Nils Isaksen for the Republican vacancy on the Registrar of Voters. The Board supported the appointment. Mr. Murphy motioned to appoint Nils Isaksen to the Republican seat on the Registrar of Voters. Mr. Espindola seconded. Vote was unanimous. (3-0).

HISTORICAL COMMISSION RESIGNATION

The Board acknowledged a letter of resignation from Tourism Director Christopher Richard from the Historical Commission. Mr. Murphy motioned to accept. Mr. Espindola seconded. Vote was unanimous. (3-0).

EVERSOURCE GAS PERMITS

The Board reviewed Eversource gas permits for 3 Jason Terrace and the intersection of Howland Road and Main Street. Mr. Murphy motioned to approve the permits. Mr. Espindola seconded. Vote was unanimous. (3-0).

UNEMPLOYMENT COMPENSATION SERVICE AGREEMENT

The Board reviewed a draft agreement with Unemployment Tax Management (UTM) Corporation out of Wakefield, MA. The agreement would provide the Town with claims services, auditing services, tax rating services, consultation and reporting services, and special training, to reduce the Town's overall unemployment costs. The cost of this service is \$940 per quarter for one year. Mr. Murphy expressed support for the measure, as it could save the Town an estimated \$2,200. Mr. Espindola agreed that it was worth trying for one year. Mr. Haworth said that unemployment costs for the Town had increased and they needed more information on why that is happening, particularly in the School Department. Mr. Murphy motioned to approve the contract with UTM and to authorize the Chairman to sign. Mr. Espindola seconded. Vote was unanimous. (3-0).

WELLNESS COMMITTEE

After reviewing a letter requesting appointment, Mr. Murphy motioned to appoint Recreation Director Warren Rensehausen to the Wellness Committee. Mr. Espindola seconded. Vote was unanimous. (3-0).

CABLE ADVISORY EXPENSES

The Board reviewed a request from the Cable Advisory Committee to purchase a camcorder and assorted equipment for expanding Government Access coverage. The submitted quote was \$5,808. Only one quote was obtained and the Town requires additional quotes for purchases over \$5,000. Mr. Murphy motioned to support the purchase of camcorder equipment for expanded coverage not to exceed \$5,808. Mr. Espindola seconded. Vote was unanimous. (3-0).

COMMITTEES AND RESIDENCY

The Board acknowledged a previously addressed issue where former Fairhaven resident and current New Bedford resident Bob Cormier had been removed from the Bell Committee because of a Standing Rule that committee members had to be current Town residents. Mr. Cormier is the president of the North Fairhaven Improvement Association and expressed frustration that he was not able to participate with the Bell Committee as a voting member, and he said that he did not think it was fair that he was removed from the Bell Committee when other non-residents have been appointed to the Wellness Committee.

Mr. Espindola said that there is some distinction between an ad hoc committee like the Wellness Committee that impacts Town employees who are not always residents. The Board discussed the possibility of having the Selectmen's Office draft a policy for boards and committees related to residency.

Mr. Murphy motioned to appoint Mr. Cormier back to his full voting member position on the Bell Committee. Mr. Espindola seconded. Vote was unanimous. (3-0).

ROCKLAND STREET ENGINEERING

The Board acknowledged a memo from the BPW for use of the Selectmen engineering budget line for a legal description and layout on Rockland Street. Upon Mr. Osuch's recommendation, the issue was tabled to allow time for the street acceptance deadline to pass.

ROGERS SCHOOL INTEREST

The Board discussed parties who had expressed interest in submitting a proposal on the Rogers School. The Board set a deadline of December 31, 2015 at 4 pm for letters of interest for the Rogers School. One of the potentially interested parties, Michael Tavares, does not want to travel from his home in Nova Scotia for a Selectmen's meeting unless the Board is committed to supporting his venture to create condos out of the historic portion of the Rogers School. The Board requested the Selectmen's Office also contact Eric Dawicki to see if he is interested in submitting a proposal for the Rogers School for NMI.

OXFORD SCHOOL PROPOSALS

The Board addressed the two proposals before them for the Oxford School: a proposal from Stratford Group to create 62+ housing and a proposal from Sherwood Construction to create a mixed-use facility for daycares, non-profits, food pantry and a community-use gymnasium.

Mr. Murphy expressed concern with the funding of the Stratford proposal and the changes it could present. He expressed support for the Sherwood proposal, saying that he felt it was the best fit for Fairhaven and he supported its mission and intent.

Mr. Espindola said that he had several concerns related to the Sherwood proposal, including assessor data and tax payments. He said that he favored Stratford's proposal.

Mr. Haworth said that he had weighed the benefits of both proposals and concluded that he would favor the Stratford proposal if they would agree to limit their proposal to residents 62 and older exclusively.

Mr. Murphy motioned to accept the proposal from Sherwood Construction. There was no second and the motion failed.

Doug Brady was recognized. He asked if Town Counsel could be involved to guarantee that the housing complex could be restricted from ever being converted into 40b housing. Atty. Crotty said that they would not be able to prevent that in a deed restriction. The application would have to go to ZBA first and then Town Meeting for approval.

Dan Freitas was recognized. He asked the Board to keep in mind the NFIA building as a part of their negotiations.

Mr. Espindola motioned to accept the proposal from Stratford Group and initiate negotiations with the same. Mr. Haworth seconded. Vote was unanimous. (3-0).

JEFF OSUCH RETIREMENT

A discussion on Mr. Osuch's retirement was tabled, as he will be present at the next meeting on January 4.

TAYLOR AQUACULTURE LICENSE

The Board tabled a request from Rod Taylor to change the name on his aquaculture license.

CULTURAL COUNCIL SUPPORT OF PAINTED BOXES

The Board read a letter from Kristine Daniels for support of an effort to have Town electrical boxes painted in a beautification effort. See Attachment F.

Mr. Osuch said that the Board would have to consider ownership of the electrical boxes, and that the painted boxes in cities like New Bedford are city-owned, whereas boxes in Fairhaven are typically owned by the utility companies, who may not give permission for the painting. The Board took the letter under advisement.

ROGERS SCHOOL SAFETY SIGNS

The Board reviewed a recommendation from the Safety Officer related to an inquiry from Welcome Street for the removal of a crosswalk sign related to the closed Rogers School. The Board had requested that the Safety Officer review the ongoing need for the safety signs. The Safety Officer submitted her recommendation via the Police Chief (see Attachment G) to not remove the signs. The Board took the recommendation under advisement.

OTHER BUSINESS

Under Other Business:

- The Board wished a Merry Christmas and Happy New Year to the public

At 9:58 p.m. Mr. Murphy motioned to enter Executive Session, pursuant to MGL 30A § 21:

1. Town Administrator – negotiations
2. Employee personnel issue

Mr. Espindola seconded the motion to enter Executive Session for the aforementioned reasons, not to reconvene into open session afterward. Vote was unanimous. (3-0)

Respectfully,

Anne O'Brien
Administrative Assistant
Minutes approved 01/19/2016

	FY17	FY18	FY19	FY20	FY21
2 Police Cars	78,345.00	80,000.00 ±	80,000.00 ±	85,000.00 ±	85,000.00 ±
Highway Equipment	150,000.00	165,000.00 ±	120,000.00 ±	160,000.00 ±	160,000.00 ±
Roadwork	300,000.00	300,000.00 ±	300,000.00 ±	320,000.00 ±	320,000.00 ±
S/T	528,345.00	545,000.00 ±	500,000.00 ±	565,000.00 ±	565,000.00 ±
Harbormaster truck	40,000.00				
Police/Fire Feasibility	30,000.00				
Hastings Floors	153,408.00				
Police Safe Boat	30,000.00				
TOTAL (1)	781,753.00				
Police Radio System		100,000.00 ±			
Bike Path		150,000.00 ±			
Fire Dept - Tahoe		42,000.00 ±			
TOTAL (1)		837,000.00 ±			
Borrow Principal/Interest		Police Communication	150,000.00 ±		
		COA/Rec HVAC	179,000.00 ±		
		TOTAL (1)	829,000.00 ±		
			Harbormaster boat	45,000.00 ±	
			Fire Dept air paks	25,000.00 ±	
			BPW Floors	42,000.00 ±	
			TOTAL (1)	677,000.00 ±	
			Harbormaster truck		45,000.00
TOTALS (1)	FY17	FY18	FY19	FY20	FY21
	781,753.00	837,000.00	829,000.00	677,000.00	610,000.00
Capital Stabilization	500,000.00	565,000.00	700,000.00	800,000.00	900,000.00
Sale of Property	277,433.00				
TOTAL (2)	777,433.00	565,000.00 ±	700,000.00	800,000.00	900,000.00
TOTALS (1) and (2)	1,559,186.00	1,402,000.00 ±	1,529,000.00 ±	1,477,000.00 ±	1,510,000.00 ±
Ambulance Fund	100,000.00	100,000.00	55,000.00	55,000.00	55,000.00

WATER/SEWER ENTERPRISE

Rev. 12/07/2015

Sewer Enterprise					
	FY17	FY18	FY19	FY20	FY21
SEWER ENTERPRISE					
Rehab clarifiers	3,081,000.00				
Rehab PT building	1,400,000.00				
Rehab Railrd&Pilgrim pump	3,400,000.00				
(Borrow \$7.61M) I/I	800,000.00				
loan payment	478,428.00				
FY17 TOTAL	9,159,428.00				
WPCF Nitrogen Up Eng		660,000.00			
Replace #45		45,000.00			
loan payment		478,428.00			
FY18 TOTAL		1,183,428.00			
replace 47 with backhoe			200,000.00		
WPCF Impr. Eng			530,000.00		
WPCF Improv. P.2			5,300,000.00		
payment 1			478,428.00		
(Borrow \$6M) payment 2			382,000.00		
FY19 TOTAL			6,890,428.00		
WI TP Engin				70,000.00	
payment 1				478,428.00	
payment 2				382,000.00	
FY20 TOTAL				930,428.00	<i>borrow</i>
WI design plans					140,000.00
payment 1					478,428.00
payment 2					382,000.00
FY21 TOTAL				FY21 TOTAL	1,000,428.00

(Note: All items FY18-21 require rate increases)

CAPITAL NEEDS - 5 YEAR PROJECTION

updated 10/28/2015

DEPT	DETAIL 1	DETAIL 2	TOTAL
HIGHWAY	FY17 New office floor tile	42,000.00	FY17 TOTAL
	Vehicle #26 - replace 1998 Ford 6 dump truck	150,000.00	542,000.00
	Roadwork	300,000.00	
	Bike Path Overlay - Main to Sconticut	50,000.00	
	FY18 Vehicle #19 - clamshell with Vector truck	165,000.00	FY18 TOTAL
	Roadwork	300,000.00	505,000.00
	Bike Path Overlay - Sconticut to Weeden	40,000.00	
	FY19 Vehicle #23 - Skid steer loader	30,000.00	FY19 TOTAL
	Vehicle #16 - Replace 2000 Ford Van	45,000.00	460,000.00
	Traxcavator undercarriage repairs	35,000.00	
	Roadwork	300,000.00	
	Bike Path Overlay - Weeden Rd to Matt.	50,000.00	
	FY20 Vehicle #25 - replace 2000 Ford dump truck	160,000.00	FY20 TOTAL
	Park Dept Tractor - Replace 4000D	65,000.00	525,000.00
	Roadwork	300,000.00	
FY21 25 Ton Dynaweld Trailer	70,000.00	FY21 TOTAL	
Roadwork	300,000.00	370,000.00	
	HIGHWAY TOTAL	2,402,000.00	
WATER		Engineering	TOTAL
<i>(enterprise)</i>		Construction	
FY17 NO PROJECTS			-
FY18 Water Main Replace. - Akin		120,000.00	
Truck	50,000.00		FY18 TOTAL
Tinkham Lane/Wolf Island Roof		60,000.00	230,000.00
FY19 Water Main Replace. - Day		120,000.00	
Borrow \$500K 2% for 20 years		30,348.00	FY19 TOTAL
Tinkham Lane Well		500,000.00	650,348.00
FY20 Water Main Replace. - Swift		55,000.00	
Water Main Replace. - Tripp		45,000.00	FY20 TOTAL
Loan Payment		30,348.00	130,348.00
FY21 Change Meters to Auto		1,200,000.00	
Loan Payment		30,348.00	FY21 TOTAL
borrow 1.5 mill @2% for 20 yrs		91,056.00	1,321,404.00

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CAPITAL NEEDS - 5 YEAR PROJECTION

updated 10/28/2015

DEPT	DETAIL 1	DETAIL 2	WATER TOTAL	TOTAL	
SCHOOLS	HASTINGS				
	Hastings Floors - 6th and 7th grade wing		153,408.00	TOWN FUNDS	
	Hastings Roof - 1980 section over auditorium	9500 sq. ft.	240,000.00	50% +/- MSBA Feb. 2016	
	Hastings Roof - 1999 library section	13200 sq. ft.	330,000.00	50% +/- MSBA Feb. 2016	
	(Architect fees are not included in estimated roof costs)	HASTINGS TOTAL	723,408.00		
	HIGH SCHOOL				
	Window repair and painting	approp.	50,000.00	CPC Funds	
		request	70,000.00	CPC Funds	
	HIGH SCHOOL	<i>Critical</i>	<i>Severe</i>	<i>Deteriorated</i>	<i>Weathered</i>
	South Elevation	1,170,400.00	176,069.28	613,417.73	-
Roof	-	41,533.49	198,316.58	2,069,817.29	
North Elevation	585,200.00	179,666.25	104,729.80	-	
Library Elevation	-	128,314.33	43,403.67	-	
West Elevation	-	70,862.53	103,325.00	600.00	
East Elevation	-	16,434.17	59,725.00	600.00	
	1,755,600.00	612,880.05	1,122,917.78	2,071,017.29	
			SCHOOLS TOTAL		
FIRE DEPARTMENT <i>(in order of importance)</i> <i>(FEMA grants may offset)</i>	Public Safety Building Feasibility Study		30,000.00	FY17	
	Ladder Truck		900,000.00	FY17 or FY18	
	New Public Safety Building *OR*		16,000,000.00	FY18 or FY19	
	Update existing bldg (if no new)		5,000,000.00	FY18 or FY19	
	2005 Chevy Tahoe		42,000.00	FY 17 or FY18	
	Ambulance		250,000.00	FY18	
	Replace Engine 2		500,000.00	FY 20 or FY21	
	Replace air paks		25,000.00	FY 20 or FY21	
		TOTAL with new building	17,222,000.00		
		TOTAL without new building	6,222,000.00		

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CAPITAL NEEDS - 5 YEAR PROJECTION

updated 10/28/2015

DEPT	DETAIL 1	DETAIL 2	TOTAL
HARBORMASTER	Shellfish/Harbormaster truck	FY17	40,000.00
	20-22' work boat	FY18	45,000.00
	Aluminum Barge	FY19	50,000.00
	Truck - F150	FY20	40,000.00
	Union Wharf Phase 2 and 3	\$2.2 mil in FY18 and \$1.5 mil in FY20	
COA/RECREATION	HARBORMASTER TOTAL		3,875,000.00
	Enclose controllers	23,995.00	FY17 - OFF
	HVAC System	179,000.00	FY18
	Addition to Building	-	FY20-FY21
	TOTAL	202,995.00	
POLICE DEPARTMENT	Two new patrol vehicles each year	78,345.00	FY17
	2004 SafeBoat	30,000.00	FY17
	Replacement of Police Station (see fire dept)	5,120,000.00	FY18-FY19
	Improve/replace radio system	100,000.00	FY18
	Police communication equipment	150,000.00	FY18-FY19
		TOTAL	358,345.00
TOWN HALL	FY17 TA vehicle, sidewalks	30,000.00	
	Library sidewalks - Walnut and William	175,000.00	CPC Funds?
	FY18 Replace/repaint brick at Town Hall	80,000.00	CPC Funds?
	FY19 Repaint window frames at Town Hall	20,000.00	CPC Funds?
	FY20 Replace copper gutters and refinish floors		
FY21			
	TOTAL	305,000.00	
SEWER DEPT <i>(enterprise)</i>		Engineering	TOTAL
		Equipment	
		Construction	TOTAL
	FY17 Rehab Clarifiers(eng and cons) - borrow	3,081,000.00	
	Rehab PT bldg - borrow	1,360,000.00	
	Rehab 6 pump stations - borrow	3,400,000.00	
	I/I	800,000.00	FY17 TOTAL
	Borrow \$7,610,000 - Payment	478,428.00	9,119,428.00
	WPCF Nitrogen Red/Upgrade	660,000.00	
	Misc. equipment - Replace #45	45,000.00	FY18 TOTAL
Borrow Payment	478,428.00	1,183,428.00	

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CAPITAL NEEDS - 5 YEAR PROJECTION

updated 10/28/2015

FY19	WPCF Improvements		530,000.00	5,300,000.00	
	Replace #47 with backhoe	200,000.00			
	Borrow Payment 1			478,428.00	FY19 TOTAL
	Borrow \$6,000,000 payment			382,000.00	6,890,428.00
FY20	West Island WPCF		70,000.00		
	Borrow Payment 1			478,428.00	FY20 TOTAL
	Borrow Payment 2			382,000.00	930,428.00
FY21	West Island Design Plans		140,000.00		FY21 TOTAL
	Borrow Payment 1			478,428.00	1,000,428.00
	Borrow Payment 2			382,000.00	
				SEWER TOTAL	19,124,140.00

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Attachment B

From: [Tom Crotty](#)
To: [Bob Espindola](#); "Charlie"
Cc: [Anne O'Brien](#); "Selectman Geoff Haworth"; [Jeff Osuch](#)
Subject: RE: Remote Participation revocation
Date: Tuesday, November 24, 2015 3:25:23 PM

All

I have talked to the AG's office with respect to CMR 29.10 (8) to see how much authority the Board may have to tailor its authorization of remote participation. The response is that the Board's authority is quite broad.

Under that sub-section you can limit the number of people participating remotely per meeting, and you can limit the number of times an individual is allowed to participate remotely. You would also be able to narrowly define the circumstances under which a person could qualify to participate remotely. And you can give each town board the choice to "opt-out" of remote participation. Of course, these rules or limitations would apply to all town boards.

So if you are inclined to try remote participation you can use that section to put limits on its use.

Tom

From: Tom Crotty [mailto:tomcrotty@tcrottylaw.com]
Sent: Tuesday, November 24, 2015 11:50 AM
To: 'Bob Espindola'; 'Charlie'
Cc: 'Anne O'Brien'; 'Selectman Geoff Haworth'; 'Jeff Osuch'
Subject: RE: Remote Participation revocation

All

IN addition to the ability to revoke authorization, note that CMR 29.10 (8) allows the Board to place restrictions on the exercise of remote participation:

(8) Further Restriction by Adopting Authority. These regulations do not prohibit any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) from enacting policies, laws, rules or regulations that prohibit or further restrict the use of remote participation by public bodies within that person or entity's jurisdiction, provided those policies, laws, rules or regulations do not violate state or federal law.

I've put in a call to the AG to see how they interpret that –

- Can the Board limit the number of people participating remotely per meeting (for example - if more than one person requests to participate remotely then none can do so) ?
- Can the Board limit the number of times an individual participates remotely (for example – no more than one meeting within a four week period)?

THE Attorney General does interpret 940 CMR 29.10(8) to allow you to authorize public bodies in the town to "opt out" of the practice of remote participation altogether. See <http://www.mass.gov/ago/government-resources/open-meeting-law/attorney-generals-open-meeting-law-guide.html#Remote>.

Tom

From: Bob Espindola [<mailto:selectmanbobespindola@gmail.com>]
Sent: Tuesday, November 24, 2015 10:27 AM
To: Charlie
Cc: Anne O'Brien; Selectman Geoff Haworth; Jeff Osuch; tomcrotty@tcrottylaw.com
Subject: Re: Remote Participation revocation

Thanks,

Bob

On Tuesday, November 24, 2015, Charlie <molife@aol.com> wrote:
Thank you that was very helpful. Charlie

Sent from my iPhone

On Nov 24, 2015, at 9:24 AM, Anne O'Brien <aobrien@fairhaven-ma.gov> wrote:

Hello,

This link outlines the accepted process for the revocation of Remote Participation:

<http://www.mass.gov/ago/government-resources/open-meeting-law/940-cmr-2900.html>

It's CMR 29.10 (3)

Basically the way you accept it is the way you revoke it.

Anne

Anne O'Brien

Administrative Assistant/Website Administrator
Notary Public
Selectmen's Office
40 Center Street
Fairhaven, MA 02719
Tel: 508-979-4023 Ext. 101
aobrien@Fairhaven-MA.gov

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From: Wayne Hayward <stillsendit@comcast.net>
Sent: Sunday, December 06, 2015 11:33 AM
To: Geoffrey Haworth II; Charles Murphy; Jeff Osuch; Bob Espindola; Anne O'Brien
Subject: Remote participation

As to remote participation for town boards, if you accept it, then we all have to offer it. We have looked at this matter in years past and the permitting boards were not in favor. The problem is we have to refer to blueprints, plans, documents, easements and property lines on every application. An engineer bringing in amended plans to the meeting is unfortunately the norm today. Those devices are referred to continuously during the public and we regularly recommend changes on the fly. It's a very fluid environment that includes the public's input and each and every member. A member sitting offsite cannot properly engage tough decisions with possible print amendments. We also must sign the print mylars and the ten copies at the meetings and I wouldn't want to hold up applicants unnecessarily. I also believe I have a few on the board that are very busy people and I fear they would take advantage of this many times a year. It could become the norm for their attendance.

I feel if you want to take part in town government, then you should give it the respect it deserves by representing the public, face to face. I also can tell you that if I were to vacation four months every year, I would resign my seat and allow proper representation by others.

This matter is not one that sits well with the operation of the Planning Board, Zoning Board of Appeals or Conservation Commission as they have similar duties. Please do not allow one or two committee members to jeopardize the entire town's well being. While the BPW may be in agreement, I doubt they considered all the other board's jeopardy when they discussed this. I strongly object to remote participation by town officials.

Sincerely,
Wayne Hayward
Chairman of the Planning Board



Town of Fairhaven, Massachusetts

Bell Committee of Fairhaven

PAUL REVERE BELL VIEWING & KEY POLICIES

- 1. There shall be two keys (1 red key & 1 green key) required to access the crate containing the bell.
2. The keys shall be contained within the vault of the Selectmen's Office.
3. Only the staff of the Selectmen's Office may release the key(s).
4. Any key taken from the office must be signed out by a sworn in member of the Bell Committee.
5. Keys must be signed in upon return.
6. Keys must be returned within 48 hours from check out time.
7. It is preferred that two different members of the Committee come to check out the two separate keys.
8. Keys are not to be duplicated by anyone for any reason, with the exception of a broken or lost key. Any duplication must be approved by a majority vote of the Bell Committee.
9. Any request to view the bell should be put in writing to the Chairman (Doug Brady). Any request will be addressed at the following meeting.

Contact Information for Requests:

Doug Brady
97 Pleasant Street, Fairhaven, MA 02719.
(P) 508-951-1379 Email: Bradydoug@aol.com

Approved as amended
December 21, 2015
by a vote of the
Board of Selectmen

-AD

***** IMPORTANT NOTICE *****

- > There are two sets of keys 1 original set and 1 back up set, both are being turned into the Selectmen's Office
> When releasing the keys they will require 1 red key and 1 green key. The padlocks are colored coded for each key.

Handwritten signature of Doug Brady

Kristine Daniels
56 Hawthorne Street, Fairhaven, MA 02719
artgirlkris@comcast.net • 774-992-9912

RECEIVED
2015 DEC -7 P 12:34

BOARD OF SELECTMEN
FAIRHAVEN

Fairhaven Office of the Selectmen
40 Center Street
Fairhaven, MA 02719

December 1, 2015

Dear Sirs,

I am writing to encourage you to support the public art project recently presented for approval by Ann Richard. The proposal is to employ local artists to paint art work on several large metal electrical boxes in various locations around Fairhaven.

In the interest of transparency, I am a resident of Fairhaven, I serve as the chair of the Fairhaven Cultural Council, and Ms. Richard is my sister-in-law. Last summer, Ms. Richard approached me with questions about applying for a Local Cultural Council grant for the electrical box art project. It is a project that met the requirements for LCC funding. I was disappointed to hear that the project was not approved by your board and therefore an application was not submitted to the council for the 2016 grant cycle.

It is unfortunately too late for our Cultural Council to consider the electrical box art project for 2016 grant funding, however, the project could still move forward with your support. I hope you would reconsider not only approving but also consider funding this initiative to bring more art into our community.

Public art projects such as this one make art accessible and free to all residents and employ local working artists. It happens in and directly benefits the residents of Fairhaven. We also have very little public art other than historical monuments in our town, so it would fill a cultural gap in our community.

Public art projects can and should be embraced by Fairhaven. Recently I attended an art educators' conference in downtown New Bedford. Every time I visit the city, there are new public art pieces that enliven the cityscape and create a vibrant, welcoming feeling in a traditionally historical area. It in no way detracts from the historical beauty of New Bedford. On the contrary, it helps draw people in to appreciate the history even more.

I also feel very strongly that art work should not be restricted to or from any areas of our town. There should be opportunities for public art in all neighborhoods and representing all facets of our community, reflecting not just our past history, but our future as well.

I would be happy to speak with you further on this topic at your convenience. In addition to serving on the Fairhaven Cultural Council since 2006, I am also a National Board Certified art educator with more than 20 years of experience.

Sincerely,


Kristine Daniels

From: [Myers, Michael](#)
To: [Anne O'Brien](#)
Subject: RE: Rogers School signs
Date: Friday, December 04, 2015 3:52:49 PM

Anne,

I have had our Safety Officer look into this request. Our recommendation is to NOT remove the sign at this time. There still is an existing crosswalk at the top of the street and until it is determine what may go into the Rogers School property it would not make sense to remove and then possible have to put it back up. Secondly Officer Cannon checked the security of the sign and it is firmly attached and does not appear to be of any risk. However, if the Board so deems they could ask the Board of Public Works to check the sign as well. If you or the Board have any questions please feel free to contact me.

Michael J. Myers
Chief of Police
Fairhaven Police Department
1 Bryant Lane
Fairhaven, Ma 02719
508-997-7421 Work
508-997-3147 Fax
chief@fairhavenpolice.org

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From: Anne O'Brien [mailto:aobrien@fairhaven-ma.gov]
Sent: Tuesday, November 10, 2015 11:15 AM
To: Myers, Michael
Subject: Rogers School signs

Hi Chief,

The Board would like to ask the Safety Officer to review all the traffic/parking signs around the Rogers School to determine if they are still relevant. See the attached correspondence that

prompted this request.

Please have Officer Cannon advise the Board at her earliest convenience. Thank you!

Anne

Anne O'Brien

Administrative Assistant/Website Administrator

Notary Public

Selectmen's Office

40 Center Street

Fairhaven, MA 02719

Tel: 508-979-4023 Ext. 101

aobrien@Fairhaven-MA.gov

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