

Selectmen's Meeting – January 31, 2005

Dr. Bowcock, Mr. Silvia and Mr. Eckenreiter were present.

Also in attendance was Jeffrey Osuch.

Dr. Bowcock called the meeting to order at 6:30 p.m.

Mr. Eckenreiter motioned to approve the minutes of January 10, 2005. Dr. Bowcock seconded. Vote was unanimous.

BUILDING COMMISSIONER

Wayne Fostin was in attendance to provide background information on his request for legal services for a Housing Court Trial for 25 Briercliff Road. (Violations of Town's Zoning By-Laws) Discussion ensued. Mr. Silvia motioned to approve the request. Dr. Bowcock seconded. It was so voted. Mr. Eckenreiter was opposed.

Letter from Antonio DaCunha regarding Kenny's Garden Center was discussed with the Building Commissioner. Mr. Fostin stated he has visited the site 8 or 9 times and wetlands have not been cleared. Kenny's Garden Center will file an application with the Board of Appeals to operate a business in a residential zone. Mr. Fostin will keep the Board informed on this matter.

MTC WIND TURBINES

Nils Bolgen from the Massachusetts Technology Collaborative gave a brief overview of what MTC is and their goals and objectives. They support wind technology and promote wind power in the State. Wind data has been collected at a site at the Board of Public Works for several years. Discussion followed. A meeting will be scheduled for either February 9th or 16th to receive public input on a proposal to place wind turbines at the BPW.

NSTAR ELECTRIC HEARING

Continuation of a hearing for a pole location on Eaton Road was called to order. Charlie Tavares from NSTAR Electric was in attendance. Mr. Silvia motioned to approve the pole location. Mr. Eckenreiter seconded. Vote was unanimous.

MOORING FEES

Harbormaster Gary Golas was in attendance. A proposed Waterways User Fee and Mooring Fees were discussed. If the Board adopts a Waterways User Fee, non-residents may be charged a higher rate. (See attached.) Discussion ensued. Mr. Eckenreiter motioned to charge residents a Waterways User Fee of \$1.00 per foot and non-residents \$3.00 per foot. Mr. Silvia seconded. Vote was unanimous. Mr. Eckenreiter motioned to

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charge residents and non-residents \$25.00 for a Mooring/Slip Fee. Dr. Bowcock seconded the motion. Brief discussion followed. Mr. Eckenreiter withdrew his motion. Mr. Golas was instructed to contact the Public Access Board to determine if non-residents may be charged more for a Parking Sticker for the public access boat ramps.

EXECUTIVE SECRETARY'S REPORT

Mr. Osuch will meet with representatives from the DSS Group (MTC) on February 2nd at the Board of Public Works.

Mr. Osuch will attend a meeting on February 2nd at New Bedford Vocational School to discuss the Voke assessment.

Meeting with Attorney Crotty and Brian B. Smith is scheduled for February 3rd at 3:00 p.m.

Meeting to discuss the re-location of the Fairhaven/New Bedford Bridge is scheduled for February 4th.

After last week's snowstorm, school is back in session. The School Superintendent asked that residents be reminded to drive with extra care. Many sidewalks are not plowed and children are walking in the street.

The Fire Union signed the "Supplemental Agreement" to allow the continuation of the 24-hour shift rotation.

The Governor announced the FY 06 State budget last week. Mr. Osuch discussed the Governor's budget and the Town's proposed FY 06 budget. (See attached information.)

Mr. Osuch read the list of Recreation Center activities for the February school vacation. (See attached.)

Letter from the Animal Control Officer regarding a proposed increase in adoption fees will be placed on the February 7th agenda.

Appointments will be scheduled on the February 7th agenda with the Police Chief and the Fire Chief to discuss their FY 06 budget requests.

ANIMAL SHELTER GIFT ACCOUNT

\$50.00 donation to the Gift Account was accepted.

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POLICE DEPARTMENT

The Police Chief submitted a request to call for a Civil Service list to hire one permanent, full time officer. Mr. Silvia motioned to call for a Civil Service list. Mr. Eckenreiter seconded. Vote was unanimous.

DIVISION OF MARINE FISHERIES

Notice will be placed on file that West Island North is closed to shellfishing.

Notice will be placed on file that a portion of Little Bay is open to shellfishing.

STREET ACCEPTANCES

Both the Board of Public Works and the Planning Board recommend Town funds be expended to prepare a survey and legal description for Forestview Drive and Akin Street.

Mr. Silvia motioned to place the two street acceptance articles on the Annual Town Meeting Warrant. Mr. Eckenreiter seconded. Vote was unanimous.

SPECIAL TOWN MEETING

Dr. Bowcock read the memo from the School Superintendent stating the School Committee voted to request a Special Town Meeting in February or March. (See attached.) No action was taken. To date, the School Committee has not voted on the Teacher Contracts.

SELECTMEN'S ANNUAL REPORT

The Board approved the Annual Report of the Selectmen as presented.

DRINKING WATER STATE REVOLVING FUND

Mr. Osuch reviewed the information submitted for the Drinking Water State Revolving Fund. The Mattapoissett River Valley Water District Wastewater Treatment Plant received a rating of 79.7. (See attached.)

TOWN HALL AUDITORIUM

Northeast Maritime Institute submitted an application to rent the auditorium on Saturday, March 19th for a Fishing Vessel Safety Forum. Applicant will be asked to submit additional information.

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2005 LICENSE RENEWALS

Mr. Silvia motioned to renew the following Liquor licenses: American Legion, Antil's, V.F.W. and Applebee's Restaurant. Mr. Eckenreiter seconded. Vote was unanimous.

Mr. Silvia motioned to renew the Common Victualer License for the Dog Palace. Mr. Eckenreiter seconded. Vote was unanimous.

Mr. Silvia motioned to renew the Lodging House License for Edgewater Bed & Breakfast. Mr. Eckenreiter seconded. Vote was unanimous.

Mr. Silvia motioned to renew the Entertainment License for Carousel Skating Center. Mr. Eckenreiter seconded. Vote was unanimous.

Seaport Inn, Scrambler's Breakfast & Bagel, JR'S Auto Shop and Harborside Inn have failed to obtain their 2005 Licenses. Hearings will be scheduled for February 28th. Failure to obtain a license could result in the license being suspended, modified, cancelled or revoked.

OTHER MATTERS

The Board offered their condolences to the family and friends of Len Monopoli, who passed away recently.

The Board offered their condolences to the family and friends of Osmond Shunway, who passed away recently.

The Board offered their condolences to the family and friends of Ray Barbero, who passed away recently.

HOSPICE will hold their annual Spaghetti Super next Saturday from 4:30 – 7:30 p.m. at the Hastings Middle School.

Get well wishes were extended to Antone "Hawk" Medeiros, who will be at St. Luke's Hospital for a while longer.

Board of Health will be asked to issue a directive on where to get a flu shot.

Jeffrey Osuch, Highway Superintendent John Charbonneau, Board of Public Works employees, other Town departments and outside contractors were thanked for doing a great job with snow removal.

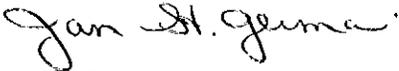
Residents were reminded to remove snow from around the fire hydrants.

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The Board congratulated Raine Oliveira on being name Fairhaven Housing Director.

EXECUTIVE SESSION

At 8:40 p.m., Mr. Silvia motioned to go into executive session to discuss pending litigation (Fred Nordeng case) and not to reconvene in open session. Mr. Eckenreiter seconded. Vote was unanimous. Roll call vote 3-0.



Jan St. Germain
Secretary

There are 981 entries on the spreadsheet; however, there are 64 that have no boats listed. This are numerous reasons such as a person sold their boat and is in the process of buying a new boat; some people have multiple moorings but do not have multiple boats. Please note that this does not include commercial boats.

Recreational

Flat mooring & slip fee:

Mooring and Slip fee of \$10 per boat: 981 x 10 =	\$9,810
Mooring and Slip fee of \$15 per boat: 981 x 15 =	\$14,715
Mooring and Slip fee of \$20 per boat: 981 x 20 =	\$19,620

Waterways user fee:

Resident \$1 per foot and non-resident \$2 per foot:	\$43,180
Resident \$1 per foot and non-resident \$3 per foot:	\$61,338

Commercial

<u>Flat mooring & slip fee:</u>		10% (69)*	20% (75)*
Mooring and Slip fee of \$10 per boat: 63 x 10 =	\$630	\$690	\$750
Mooring and Slip fee of \$15 per boat: 63 x 15 =	\$945	\$1,035	\$1,125
Mooring and Slip fee of \$20 per boat: 63 x 20 =	\$1260	\$1380	\$1,500

* Is an assumption of the number of boats out fishing and were not accounted for.

Waterways user fee:

Resident \$1 per foot and non-resident \$2 per foot: (43 = 3,164' 20=1,456')	\$6,076
Resident \$1 per foot and non-resident \$3 per foot: (43 = 3,164' 20=1,456')	\$7,532



JOHN SLADEWSKI/Standard-Times special

Jordan Sandel of Nazarene Christian Academy reads "I've Been to the Mountain Top" during yesterday's Martin Luther King Jr. Day celebration at St. Paul's United Methodist Church in New Bedford.

the Council and the city's Human Relations Commission.

Jillian, in a clear and unwavering voice, led the students in reciting the speech as an audience of about 60 people sat in amazement at the youngsters' memorization skills.

Jillian explained later that her mother, Jean Silva, helped her.

"It took a long time" to memorize the entire speech, Jillian said.

She said she looked up words she couldn't

See SPEECH A3

"There were U.S. casualties, 1st Lt. Wayne Corbett said, but he declined to give further details, citing security. Later, the U.S. command reported two Marines were killed in action in the province that includes Ramadi but would not say whether they died in the car bombing.

Elsewhere in Ramadi, a predominantly Sunni Muslim city, officials found the bodies of five civilians and one Iraqi soldier. Each had a handwritten note declaring them collaborators, officials said. Four found together had been shot while two discovered later in the day were beheaded, their blood-soaked bodies left where they died. The notes identified the two beheaded victims as Shiite Muslims.

See IRAQ A18

Dartmouth buzz about Christmas e Shops

BROWN

Staff writer

OUTH — Town officials are optimistic the Christmas e Shops will locate a store at the former Hope Plaza, but the retailer and household items isn't away or the other.

d, the town's new director of al services, said last week he's tain the retailer will locate in h and thinks there may be nity this week.

to say it's 98 percent ap- re said of the Christmas Tree sition to locate in town.

See DARTMOUTH A5

Towns skirt law on harbor fees

Residents, non-residents must pay same boat-mooring fees

By JENNETTE BARNES

Standard-Times staff writer

"Waterways usage" fees are allowing several SouthCoast towns to slip under the radar of a new state law that demands residents pay the same mooring fees as non-residents.

The little-known law passed quietly in August as part of a transportation bond bill. It bucks the long-standing practice in some towns of charging higher rates to non-residents.

"It sent shock waves through the whole harbor masters' world," Fairhaven Harbor master Gary Golas said. "Some towns on the Cape are floored by what happened. They're charging double the rates, and they don't know what they're going to do."

But many towns have kept their mooring fees equal, or even eliminated them, while creating waterways usage fees for everyone who puts a boat in the water.

WATER WAYS

A town-by-town breakdown on what fees residents and non-residents pay for boat fees. A5

whether at a mooring or dock, public or private.

That means they can keep charging out-of-towners double or more than what locals pay.

"We're keeping everything we do as-is," Wareham Harbor master Michael Parola said.

Wareham charges nothing for its 1,200 moorings. All boaters pay user fees. For residents, it's \$60 or \$65, depending on the size of the boat. Non-residents pay double.

Mr. Parola said town officials believe they are within the law if they can demonstrate that residents' taxes are used to cover the difference.

But either way, as long as they don't

have different mooring fees, they're in the clear.

Sen. Michael Morrissey, D-Quincy, sponsor of the legislation, told The Standard-Times he isn't concerned about other fees that aren't explicitly for moorings.

"All I was trying to do was, if you have mooring fees, they should be the same for residents and non-residents," he said.

Boating fees are complex because every town handles them differently. Dartmouth has a flat \$20 mooring fee, plus user fees that cost outsiders more.

In Westport, too, the fees are higher for non-residents. They apply to all boaters but are considered "mooring and dock slip registration" fees, Harbor master Richard Earle said.

That's where semantics come into play. Mr. Golas said Fairhaven is disappointed in the law but believes its fees must be

See MOORINGS A5

By THA. SOCIATED PRESS
CAMBRIDGE — The president of Harvard University prompted criticism for suggesting that innate differences between the sexes could help explain why fewer women succeed in science and math careers.

Lawrence H. Summers, speaking Friday at an economic conference, also questioned how great a role discrimination plays in keeping female scientists and engineers from advancing at elite universities.

The remarks prompted Massachusetts Institute of Technology biologist Nancy Hopkins — a Harvard graduate — to walk out on Summers' talk. The Boston Globe reported.

"It is so upsetting that all these brilliant young women (at Harvard) are being led by a man who views them this way," Hopkins said later.

Five other participants in the National Bureau of Economic Research conference, including Denise D. Denton, chancellor

designate of the University of California, Santa Cruz, also said they were offended by the comments. Four other attendees contacted afterward by the Globe said they were not.

Summers told the Globe he was discussing hypotheses based on the scholarly work assembled for the conference, not expressing his own views. He also said more research needs to be done on the issues.

Conference organizers said Summers was asked to be

provocative and that he was invited as a top economist, not as a Harvard official.

The two-day, invitation-only conference of the Cambridge-based National Bureau of Economic Research drew about 50 economists from around the country to discuss women and minorities in science and engineering.

Summers declined to provide a tape or transcript of his remarks, but he did describe comments to the Globe similar to

"It's possible I made some reference to innate differences," he said. He said people would prefer to believe "that the differences in performance between the sexes are due to social factors, but these are things that need to be studied."

He also cited as an example one of his daughters who as a child was given two trucks in an effort at gender-neutral upbringing. Yet he said she named them "daddy truck" and "baby truck," as if they were dolls.

It was during such comments that Hopkins got up and left.

Moorings: Towns skirt new law on harbor fees

CONTINUED FROM A1

equal to comply. The town planned to switch this year from a flat per-boat price of \$10, moored or docked, to a split rate that favored residents.

"I think we all strongly feel that a non-resident boater should be assessed a higher fee," he said.

Now the Fairhaven Board of Selectmen is considering a fee of \$1 or \$2 per foot, regardless of residency, he said. A vote is set for Monday.

Like his fellow harbor masters, he said residents already are paying for harbor upkeep through their taxes.

Sen. Morrissey rejects that argument. Outsiders use town services like roads every day without a fee, and harbors should be no different, he said.

New Bedford has a flat \$100 mooring fee, resident or not.

The Mattapoisett harbor master could not be reached for information, and others at Town Hall would not give out the fees.

In Marion, mooring fees clearly favor residents, who pay \$50

plus \$4 per foot, compared with \$125 plus \$4 per foot for outsiders.

For now, they're staying that way.

"We're not going to make the change this year," Harbor master Charles J. Bradley said. Bills go out April 1, and it's too late to change them all, he said.

Mr. Bradley and most other harbor masters said they have legal precedent on their side. They cited a 1991 case in Dartmouth in which the town prevailed in a lawsuit about its user fees.

Some towns have sought advice from their attorneys as well.

"Our indication from town counsel was that the law is illegal," Wareham Selectman Cynthia Chamberlain said.

Wareham and most other SouthCoast towns use the legal firm of Kopelman & Paige.

The Cape Cod Times reported Sunday that Kopelman & Paige attorney Lauren Goldberg issued an opinion to towns saying split fees are common for beach stickers and the like, and that

BOATING FEES

DARTMOUTH

Number of moorings: 1,115
 Resident mooring fee: \$20
 Non-resident mooring fee: \$20
 Waterways user fee, resident: \$26, 12-17 foot boat
 \$55, 17-30 foot boat
 (Larger boats add \$1.50/foot)
 Waterways user fee, non-resident: \$61, 12-17 foot boat
 \$135, 17-30 foot boat
 (Larger boats add \$2/foot)

FAIRHAVEN

Number of moorings: 300
 Resident and non-resident dock or mooring fees: Either \$1 or \$2 per foot, to be decided Jan. 24.

MARION

Number of moorings: 1,400-plus
 Resident mooring fee: \$50 + \$4 per foot
 Non-resident mooring fee: \$125 + \$4 per foot
 Waterways user fee: none

NEW BEDFORD

Number of moorings: Over 500
 Resident mooring fee: \$100
 Non-resident mooring fee: \$100

WAREHAM

Number of moorings: 1,200
 Mooring fee: none
 Waterways user fee, resident: \$60, boat under 20 feet
 \$65, boat 20 feet or above
 Waterways user fee, non-resident: \$120, boat under 20 feet
 \$130, boat 20 feet or above

WESTPORT

Number of moorings: 650
 Mooring and dock slip registration (all boats over 10 ft.): Resident, \$2.50 per foot
 Non-resident, \$4.00 per foot

they are allowable, provided the town can show the difference in fees pays for services provided to non-residents.

Ms. Goldberg refused to comment.

Thursday at Isaac's in Plymouth, members of the Cape & Islands Harbor Masters' Association and Massachusetts Harbor Masters' Association met to dis-

cuss the mooring issue. SouthCoast harbor masters belong to the Cape and Islands group.

David Fronzuto, president of the Cape and Islands group and vice president of the Massachusetts group, believes one aspect of the new law is positive: It forces towns to place mooring fees in a special account to be used for municipal waterways.

"In most cases it's revenue to a harbor master's department that you didn't have before," he said.

Mr. Parola said he is looking forward to more revenue to offset the cost of seasonal employees who patrol Wareham's waters and perform pump-out services. Harbor masters do not plan to take any unified action to oppose the law, Mr. Fronzuto said.

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GENERAL LAWS OF MASSACHUSETTS

PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE VII. CITIES, TOWNS AND DISTRICTS

CHAPTER 40. POWERS AND DUTIES OF CITIES AND TOWNS

PURPOSES FOR WHICH TOWNS MAY APPROPRIATE MONEY

Chapter 40: Section 5G Municipal waterways improvement and maintenance funds

[First paragraph effective until August 10, 2004. For text effective August 10, 2004, see below.]

Section 5G. A city or town may establish a municipal waterways improvement and maintenance fund to receive revenue under subsection (i) of section two of chapter sixty B and sums received from the commonwealth or the federal government, and may appropriate monies in said fund for (1) maintenance, dredging, cleaning and improvement of harbors, inland waters and great ponds of the commonwealth, (2) the public access thereto, (3) the breakwaters, retaining walls, piers, wharves and moorings thereof, and (4) law enforcement and fire prevention.

[First paragraph as amended by 2004, 291, Sec. 28 effective August 10, 2004. For text effective until August 10, 2004, see above.]

A city or town may establish a municipal waterways improvement and maintenance fund to receive revenue under subsection (i) of section 2 of chapter 60B and under section 10A of chapter 91 and sums received from the commonwealth or the federal government, and may appropriate monies in said fund for (1) maintenance, dredging, cleaning and improvement of harbors, inland waters and great ponds of the commonwealth, (2) the public access thereto, (3) the breakwaters, retaining walls, piers, wharves and moorings thereof, and (4) law enforcement and fire prevention.

[Chapter 43D added by 2004, 149, Sec. 94 effective July 1, 2004. See 2004, 149, Sec. 428.]

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GENERAL LAWS OF MASSACHUSETTS

PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE . TAXATION

CHAPTER 60B. EXCISE ON BOATS, SHIPS AND VESSELS IN LIEU OF LOCAL PROPERTY TAX

Chapter 60B: Section 2 Excise taxes

Section 2. (a) Except as hereinafter provided there shall be assessed and levied by each city and town in each fiscal year on every vessel, and its equipment, for the privilege of using the waterways of the commonwealth, an excise measured by the value thereof, as hereinafter defined and determined, at the rate of ten dollars per thousand of valuation.

(b) Any person who owns such a vessel on July first shall annually, on or before August first, make a return on oath to the assessors of the city or town where such vessel is habitually moored or docked, or in the case of a vessel which has no mooring or docking space, where said vessel is principally situated, setting forth the vessel's registration or documentation number, if any; an adequate description, as well as the owner's estimate of the fair cash value of said vessel and any engine or motor used to propel said vessel, as of the next preceding July first; and the place of habitual mooring or docking or other principal location of said vessel.

(c) For the purpose of computing the excise under this chapter the value of each such vessel, and its equipment, shall be deemed to be the fair cash value as determined by the assessors of each city and town, but not in excess of the following values:

LENGTH OF VESSEL (Overall center line Length excluding bowsprits, boomkins and similar extensions)	VALUATIONS OF VESSELS (based on age of vessel)		
	Under 4 Years of age	4 thru 6 Years of age	7 or More Years of age
Under 16'	\$ 1,000	\$ 700	\$ 400
16' but less than 17.5'	1,500	1,000	800
17.5' but less than 20'	3,000	2,000	1,500
20' but less than 22.5'	5,000	3,300	2,500
22.5' but less than 25'	7,500	5,000	3,800
25' but less than 27.5'	10,500	7,000	5,300
27.5' but less than 30'	14,000	9,300	7,000
30' but less than 35'	18,500	12,300	9,300
35' but less than 40'	24,000	16,000	12,000
40' but less than 50'	31,500	21,000	15,800
50' but less than 60'	41,000	27,300	20,500
60' or over	50,000	33,000	24,800

(d) The payment of such excise shall exempt such owner from any other tax applicable to said vessels and their equipment under chapter fifty-nine.

(e) If an owner fails to make such a return within the time herein provided, the assessors may

abate the tax otherwise imposed by this chapter if such owner provides the assessors with a reasonable excuse for failure to file such return and if the return is filed on or before October thirty-first of the year in which the tax is assessed; but no abatement hereunder shall reduce the tax otherwise imposed to an amount less than the sum of the excise imposed by this section plus fifty per cent thereof.

(f) Said excise shall be assessed in the city or town where the vessel is habitually moored or docked, or in the case of a ship or vessel which has no mooring or docking space, where the ship or vessel is principally situated; provided, however, that if more than one municipality owns property in a harbor, the municipality which maintains such harbor in which the vessel is habitually moored, docked or situated shall assess and collect said excise; and provided, further, that where more than one municipality maintains portions of the harbor, the municipality which maintains that portion of the harbor in which the vessel is habitually moored, docked or situated shall assess and collect said excise.

(g) Nothing in this section shall be construed to prevent the board of assessors from granting an abatement in any case in which the excise aforesaid is, in the opinion of the board, excessive.

(h) If during any fiscal year ownership of a boat subject to an excise under this chapter is transferred by sale or otherwise, or if during any fiscal year the owner of a boat subject to such an excise removes to another state and registers a boat in such other state and surrenders or does not renew his registration in this state, the excise under this chapter shall be reduced, upon application, by an abatement equal to the proportion of an excise under this chapter on such boat for the full fiscal year which the number of months in said year remaining after the month in which such transfer by sale or otherwise or such surrender or expiration of registration occurs bears to twelve.

(i) All sums received from the excise imposed under this chapter shall be paid into the treasury of the city or town and fifty per cent of said excise shall be credited to the municipal waterways improvement and maintenance fund established under the provisions of section five G of chapter forty.

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GENERAL LAWS OF MASSACHUSETTS

PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE XIV. PUBLIC WAYS AND WORKS

CHAPTER 91. WATERWAYS

Chapter 91: Section 10C Docking of commercial vessels; permits; applications; appeal

Section 10C. Notwithstanding any contrary provision of law, the harbormaster of a city or town or whomsoever is so empowered by said city or town may authorize by written permit the stationing of commercial vessels to a public commercial dock, pier, wharf, float, raft or mooring, fixed or otherwise, within the territorial jurisdiction of such city or town upon such terms, conditions and restrictions as he shall deem necessary. He shall act on application for such permits within a period of seven days from his receipt thereof.

Such application may be left at the office of the city or town clerk by the master of such commercial vessel.

If the harbormaster or whomever is so empowered fails to act within such period, such permit shall then be deemed to have been granted. Any refusal to grant such permits within such period shall be in writing by the harbormaster or whomever is so empowered by said city or town and shall include the reasons for such refusal.

Any person aggrieved by the decision of the harbormaster of said city or town or whomever is so empowered by said city or town relative to such stationing may appeal to the division of waterways of the department within thirty days of such decision.

[Fifth paragraph effective until July 1, 2004. For text effective July 1, 2004, see below.]

Said division shall review the circumstances resulting in such appeal and shall render a ruling either confirming the decision, setting such decision aside, or amending such decision and imposing conditions and restrictions deemed necessary by said division.

[Fifth paragraph as amended by 2004, 149, Sec. 145 effective July 1, 2004. See 2004, 149, Sec. 428. For text effective until July 1, 2004, see above.]

Said division shall review the circumstances resulting in such appeal and shall render a ruling either confirming the decision, setting such decision aside, or amending such decision and imposing conditions and restrictions deemed necessary by said office.

Actions by a harbormaster or said division of waterways under the provisions of this section shall be subject to applicable laws administered by the division of motor boats, the division of marine fisheries, the United States Coast Guard and the United States Corps of Engineers.

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GENERAL LAWS OF MASSACHUSETTS

PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE XIV. PUBLIC WAYS AND WORKS

CHAPTER 91. WATERWAYS

Chapter 91: Section 10A Temporary moorings of floats or rafts; permits, issuance or refusal; review; public nuisances

Section 10A. Notwithstanding any contrary provision of law, the harbormaster of a city or town or whomsoever is so empowered by said city or town may authorize by permit the mooring on a temporary basis of floats or rafts held by anchors or bottom moorings within the territorial jurisdiction of such city or town upon such terms, conditions and restrictions as he shall deem necessary. He shall act on applications for such permits within a period of fifteen days from receipt thereof.

[Paragraph inserted following first paragraph by 2004, 291, Sec. 33 effective August 10, 2004 until September 17, 2004. For text effective September 17, 2004, see below.]

A reasonable fee for such mooring, proportionate to the city or town's cost of overseeing mooring permits, may be imposed by the city or town or whoever is so authorized by the city or town, provided, however, that no such mooring fees may discriminate on the basis of residence; and provided further, that any mooring fee collected shall be deposited into and used in accordance with the purposes of the Municipal Waterways Improvement and Maintenance Fund, pursuant section 5G of chapter 40.

[Paragraph inserted following first paragraph as amended by 2004, 352, Sec. 38 effective September 17, 2004. For text effective until September 17, 2004, see above.]

A reasonable fee for such mooring, proportionate to the city or town's cost of overseeing mooring permit, may be imposed by the city or town or whoever is so authorized by the city or town, provided, however, that no such mooring fees may discriminate on the basis of residence; and provided further, that any mooring fee collected shall be deposited into and used in accordance with the purposes of the Municipal Waterways Improvement and Maintenance Fund, pursuant section 5G of chapter 40.

Any person aggrieved by a refusal to permit such temporary mooring, or by any condition or restriction imposed relative to such mooring, may appeal to the division of waterways of the department within thirty days after receiving notice of such refusal or of the imposition of such condition or restriction.

Said division shall review the circumstances resulting in such appeal and shall render a ruling either confirming the action of a harbormaster, setting such action aside, or amending such action and imposing its own conditions and restrictions as deemed necessary.

Nothing in this section shall be construed as authorizing the placement of floats or rafts and appurtenant anchors or bottom moorings on private flats of other than the applicant if objected to by the owner or owners thereof.

Actions by a harbormaster and/or the division under this section shall be subject to applicable laws administered by the division of motor boats, the division of marine fisheries, the United States Coast Guard and the United States Corps of Engineers.

Floats or rafts held by anchors or bottom moorings installed without permission from a harbormaster and/or said division shall be considered a public nuisance and may be removed by the harbormaster at the expense of the owner in the event he fails to remove same after notice in writing from the harbormaster.

For the purpose of this section, temporary shall mean for no longer than to the end of any given calendar year.

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Gov. Route, Budget 1/26/05

Fair Haven

CHAPTER 6	ADDITIONAL ASSISTANCE	LOTTERY MAINTENANCE	20% LOTTERY UNEMPLOY	SUPPLEMENTAL LOCAL AID
FY 06	6,813,371	3,914,434	1,756,257	113,300
FY 05	<u>6,793,464</u>	<u>3,914,434</u>	<u>1,756,757</u>	<u>NEW</u>
INCREASE	19,907	0	0	<u>113,300</u>
				<u>127,764</u> *

(NOTE: REST OF CHARTER SHEET NOT POSTED YET - ALL SMALL ITEMS)

INCREASE TOTAL
 19,907
 113,300
 127,764 *
259,971

* NOTE IN FY 2005 SUPPLEMENTAL "ONE TIME" LOCAL AID INCREASE WAS \$203,000 SO ACTUAL NEW MONEY IS

259,971
-203,000
 56,971

THE TOWN BUDGET IS OUT BALANCE FOR FY 06
 ARTICLE 4 = ALL TOWN BUDGETS BY MORE THAN \$ 1.8 ± MILLION

Outside Sections

Local Aid Distribution

SECTION 3. Notwithstanding the provisions of any general or special law to the contrary, for the fiscal year ending June 30, 2006, the distribution to cities and towns of the balance of the State Lottery Fund, as paid by the treasurer from the General Fund in accordance with the provisions of clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws, shall be \$761,378,162 and shall be apportioned to the cities and towns in accordance with this section.

Notwithstanding the provisions of any general or special law to the contrary, except for section 12B of chapter 76 of the General Laws and section 89 of chapter 71 of the General Laws, the total amounts to be distributed and paid to each city, town, regional school district, independent agricultural school, and county maintaining an agricultural school from items 0611-5500 and 7061-0008 of section 2 of this act shall be as set forth in the following lists; provided, that the amounts to be distributed from item 0611-5500 of said section 2 are hereby deemed to be in full satisfaction of the amounts due under section 37 of chapter 21 of the General Laws. No payments shall be made after November 30, 2004, to a city, town, or to a county maintaining an agricultural school pursuant to this section until the state treasurer receives certification from the commissioner of revenue of said commissioner's acceptance of the prior fiscal year's annual financial reports submitted by the city, town, or county pursuant to the provisions of section 43 of chapter 44 of the General Laws.

Notwithstanding the provisions of section 2 of chapter 70 of the General Laws or any other general or special law to the contrary, for fiscal year 2006, no school district shall have a wage adjustment factor less than one.

Notwithstanding the provisions of any general or special law to the contrary, minimum required local contributions for fiscal year 2006 as calculated by the department of education shall equal preliminary local contribution in fiscal year 2005 increased by the municipal revenue growth factor.

Notwithstanding the provisions of any general or special law to the contrary, for fiscal year 2006, chapter 70 aid shall be the difference between a district's foundation budget and the sum of that district's share of preliminary local contributions of member communities as determined by the department of education; provided, that each district shall receive at least as much aid as the district received in chapter 70 aid in fiscal year 2005; and provided further, that no district shall receive chapter 70 aid in an amount greater than the district's foundation budget. If there is a conflict between the provisions of this section and the distributions listed below, the distribution below shall control.

Municipality	7061-0008	0611-5500	Lottery Maintenance	First Installment of "20% Lottery Uncapping"	Supplemental Local Aid Distributed Via Lottery Formula
	Chapter 70	Additional Assistance			
ABINGTON	6,752,853	0	1,758,051	116,637	131,527
ACTON	2,603,014	29,696	1,195,284	88,725	100,051

ACUSHNET	6,043,605	23,875	1,349,775	88,508	99,806
ADAMS	0	35,042	1,720,579	130,832	147,533
AGAWAM	10,826,098	0	3,138,137	246,178	277,604
ALFORD	0	0	12,923	661	746
AMESBURY	8,322,927	0	1,763,634	112,564	126,933
AMHERST	5,572,787	222,910	6,883,094	509,753	574,827
ANDOVER	4,945,356	0	1,576,354	108,995	122,910
AQUINNAH	0	0	1,887	172	194
ARLINGTON	4,802,777	4,491,775	3,833,185	192,313	216,864
ASHBURNHAM	0	0	595,717	46,528	52,467
ASHBY	0	0	349,366	21,465	24,206
ASHFIELD	66,103	0	143,485	15,092	17,019
ASHLAND	2,588,396	291,598	909,060	82,159	92,648
ATHOL	0	4,377	1,924,937	156,059	175,982
ATTLEBORO	26,567,844	0	4,874,098	381,609	430,326
AUBURN	3,735,310	0	1,465,175	114,646	129,282
AVON	570,215	400,636	347,387	19,886	22,424

Municipality	7061-0008	0611-5500	Lottery Maintenance	First Installment of "20% Lottery Uncapping"	Supplemental Local Aid Distributed Via Lottery Formula
	Chapter 70	Additional Assistance			
AYER	3,588,964	44,218	653,637	41,967	47,325
BARNSTABLE	6,105,388	0	1,799,394	141,932	160,052
BARRE	14,943	0	677,399	57,403	64,730
BECKET	48,982	8,580	65,888	6,515	7,346
BEDFORD	1,935,588	484,271	699,674	41,912	47,262
BELCHERTOWN	9,504,784	0	1,316,398	137,111	154,614
BELLINGHAM	7,540,956	0	1,618,431	83,990	94,713
BELMONT	2,824,519	827,483	1,520,795	79,732	89,911
BERKLEY	4,865,981	0	478,440	47,374	53,421
BERLIN	494,057	0	190,373	10,246	11,554
BERNARDSTON	0	0	223,551	21,961	24,765
BEVERLY	6,107,219	2,452,442	3,485,521	228,116	257,237
BILLERICA	12,688,538	2,349,321	3,617,520	215,878	243,436

BLACKSTONE	38,454	0	1,130,441	61,065	68,860
BLANDFORD	34,629	0	101,161	9,373	10,570
BOLTON	5,342	0	158,122	14,708	16,585
BOSTON	200,498,366	164,211,152	53,968,473	3,091,291	3,485,924
BOURNE	4,398,105	352,555	1,037,581	74,578	84,098
BOXBOROUGH	1,290,263	0	206,884	18,072	20,378
BOXFORD	1,446,557	36,411	400,102	28,759	32,430
BOYLSTON	381,691	0	302,601	21,023	23,707
BRAINTREE	4,655,171	3,378,041	2,790,848	162,024	182,708
BREWSTER	820,927	0	337,981	26,526	29,912
BRIDGEWATER	88,168	0	2,792,709	198,441	223,774
BRIMFIELD	878,098	0	310,111	29,578	33,353
BROCKTON	110,286,014	4,310,392	15,637,164	1,050,006	1,184,049
BROOKFIELD	1,316,184	0	420,657	33,837	38,157
BROOKLINE	4,922,047	3,497,741	3,380,871	176,522	199,056
BUCKLAND	0	0	232,150	19,377	21,851
BURLINGTON	3,547,194	1,386,400	1,360,578	85,148	96,017
CAMBRIDGE	6,791,105	17,956,060	6,820,267	337,808	380,933
CANTON	2,512,730	878,002	1,260,474	90,284	101,810
CARLISLE	586,786	14,729	187,183	12,212	13,772
CARVER	9,165,331	0	1,255,697	97,012	109,396
CHARLEMONT	66,103	0	134,534	14,068	15,864
CHARLTON	6,063	0	1,090,377	88,484	99,779
CHATHAM	448,125	0	147,795	6,776	7,641
CHELMSFORD	6,593,456	2,535,342	2,759,926	175,443	197,839
CHELSEA	41,971,878	3,396,864	4,747,616	367,609	414,537
CHESHIRE	263,874	0	457,909	42,203	47,590
CHESTER	89,260	0	140,028	14,373	16,207
CHESTERFIELD	84,990	0	105,694	11,374	12,825

Municipality	7061-0008	0611-5500	Lottery Maintenance	First Installment of "20% Lottery Uncapping"	Supplemental Local Aid Distributed Via Lottery Formula
	Chapter 70	Additional Assistance			
CHICOPEE	37,630,712	1,195,616	8,535,325	789,193	889,942

CHILMARK	0	0	3,358	216	244
CLARKSBURG	1,474,121	13,114	305,399	23,219	26,183
CLINTON	8,861,402	175,517	1,915,036	142,708	160,926
COHASSET	1,147,273	166,099	365,106	18,717	21,107
COLRAIN	0	0	196,429	20,736	23,384
CONCORD	1,542,930	383,959	817,244	41,333	46,609
CONWAY	556,983	0	140,227	14,019	15,809
CUMMINGTON	32,478	0	61,610	7,252	8,178
DALTON	141,724	0	848,429	70,239	79,206
DANVERS	3,570,012	1,118,972	1,722,964	119,404	134,648
DARTMOUTH	8,320,190	0	2,217,842	157,042	177,090
DEDHAM	3,053,874	1,550,298	1,898,464	105,912	119,432
DEERFIELD	712,360	0	421,939	29,977	33,804
DENNIS	0	0	471,165	35,853	40,429
DEVENS	328,000	0	0	0	0
DIGHTON	0	0	601,950	44,647	50,346
DOUGLAS	6,761,884	0	589,300	53,757	60,620
DOVER	331,900	0	179,149	10,301	11,616
DRACUT	14,033,837	0	3,086,109	219,270	247,262
DUDLEY	0	0	1,306,181	104,762	118,136
DUNSTABLE	0	30,076	166,548	15,505	17,485
DUXBURY	2,655,314	0	823,068	47,782	53,882
EAST BRIDGEWATER	9,410,080	0	1,291,216	97,322	109,747
EAST BROOKFIELD	73,001	0	239,424	16,636	18,760
EAST LONGMEADOW	3,278,506	0	1,163,174	108,378	122,214
EASTHAM	242,054	0	128,941	9,751	10,996
EASTHAMPTON	6,987,911	108,874	2,305,254	190,130	214,401
EASTON	7,481,507	0	1,883,909	143,416	161,724
EDGARTOWN	323,078	28,507	40,872	2,308	2,602
EGREMONT	0	0	55,927	3,847	4,339
ERVING	245,334	13,150	54,375	2,676	3,018
ESSEX	0	33,828	203,853	11,411	12,867
EVERETT	20,863,205	4,084,357	3,050,157	253,585	285,958
FAIRHAVEN	6,813,371	391,434	1,756,757	113,300	127,764
FALL RIVER	88,639,659	2,290,951	19,402,249	1,381,169	1,557,488
FALMOUTH	4,231,106	0	1,216,594	87,561	98,738
FITCHBURG	36,454,467	214,811	7,230,474	545,631	615,285
FLORIDA	415,390	0	44,427	3,022	3,408

FOXBOROUGH	6,200,106	0	1,360,167	84,639	95,445
FRAMINGHAM	8,131,671	4,697,500	5,530,116	371,743	419,199
FRANKLIN	23,358,793	0	2,141,760	159,219	179,545

Municipality	7061-0008	0611-5500	Lottery Maintenance	First	Supplemental
	Chapter 70	Additional Assistance		Installment of	Local Aid
				"20% Lottery Uncapping"	Distributed Via Lottery Formula
FREETOWN	892,240	0	845,301	57,038	64,320
GARDNER	18,123,386	120,747	3,490,701	285,994	322,504
GEORGETOWN	3,415,872	52,998	596,482	40,525	45,698
GILL	0	0	185,131	13,327	15,028
GLOUCESTER	5,243,302	1,923,054	2,264,906	133,434	150,468
GOSHEN	71,297	0	59,634	6,924	7,807
GOSNOLD	8,046	1,962	468	31	36
GRAFTON	5,916,246	0	1,363,188	96,973	109,352
GRANBY	3,485,299	0	724,012	64,646	72,898
GRANVILLE	1,179,511	0	120,132	13,299	14,996
GREAT BARRINGTON	0	0	681,422	45,217	50,990
GREENFIELD	8,625,218	0	2,656,246	225,320	254,084
GROTON	0	0	633,120	54,490	61,447
GROVELAND	0	0	572,919	36,531	41,195
HADLEY	593,711	138,341	280,365	25,428	28,675
HALIFAX	2,352,694	0	799,621	56,647	63,878
HAMILTON	0	42,887	533,202	38,365	43,262
HAMPDEN	0	0	514,302	45,317	51,102
HANCOCK	178,649	17,638	32,868	3,118	3,516
HANOVER	4,695,733	1,326,394	938,920	62,422	70,390
HANSON	28,330	0	1,096,347	61,454	69,300
HARDWICK	0	3,228	336,620	28,419	32,048
HARVARD	1,145,540	55,090	1,648,035	23,970	27,031
HARWICH	1,363,502	0	376,383	27,565	31,083
HATFIELD	619,676	0	268,720	20,813	23,470
HAVERHILL	31,598,621	2,503,145	6,827,711	494,378	557,491
HAWLEY	27,428	12,924	24,447	2,777	3,132

HEATH	0	0	54,725	7,363	8,304
HINGHAM	3,162,330	334,151	1,214,451	67,344	75,941
HINSDALE	75,547	0	179,555	14,662	16,534
HOLBROOK	4,123,504	4,757	1,370,152	79,409	89,547
HOLDEN	0	0	1,454,110	114,918	129,588
HOLLAND	654,814	0	153,540	16,624	18,746
HOLLISTON	5,801,129	412,300	1,088,152	73,218	82,564
HOLYOKE	61,015,564	606,646	8,164,179	661,133	745,533
HOPEDALE	5,004,900	0	567,333	41,440	46,730
HOPKINTON	4,841,117	120,287	558,625	50,852	57,344
HUBBARDSTON	8,448	0	293,378	34,597	39,014
HUDSON	5,242,895	0	1,824,009	109,218	123,161
HULL	3,613,343	1,388,549	966,033	48,268	54,429
HUNTINGTON	89,327	0	266,546	25,159	28,370
IPSWICH	1,968,840	775,432	894,957	55,949	63,091

Municipality	7061-0008	0611-5500	Lottery Maintenance	First	Supplemental
	Chapter 70	Additional Assistance		Installment of "20% Lottery Uncapping"	Local Aid Distributed Via Lottery Formula
KINGSTON	3,233,959	0	807,788	65,487	73,846
LAKEVILLE	2,140,323	0	669,072	59,325	66,899
LANCASTER	0	0	773,606	43,032	48,525
LANESBOROUGH	498,078	0	311,424	20,399	23,003
LAWRENCE	117,333,804	190,699	16,928,453	1,272,231	1,434,644
LEE	1,482,316	0	575,965	33,894	38,220
LEICESTER	8,490,089	0	1,515,032	110,217	124,287
LENOX	1,073,673	72,146	476,164	19,749	22,271
LEOMINSTER	32,690,560	11,693	4,779,809	401,214	452,433
LEVERETT	217,431	0	153,710	11,700	13,194
LEXINGTON	4,895,754	0	1,392,955	88,389	99,673
LEYDEN	0	0	61,869	6,594	7,435
LINCOLN	458,937	292,012	415,099	24,073	27,146
LITTLETON	1,387,507	164,924	500,608	37,455	42,236
LONGMEADOW	3,385,200	0	1,182,253	95,380	107,557

LOWELL	107,640,518	6,340,746	17,476,479	1,301,392	1,467,527
LUDLOW	9,615,500	0	2,401,815	238,423	268,860
LUNENBURG	3,625,757	0	941,409	63,559	71,673
LYNN	100,175,377	9,477,523	12,851,766	949,187	1,070,359
LYNNFIELD	1,659,938	362,288	674,713	44,195	49,836
MALDEN	32,431,970	5,586,730	7,454,621	443,920	500,590
MANCHESTER	0	0	214,734	10,553	11,900
MANSFIELD	11,432,836	725,040	1,292,920	129,892	146,474
MARBLEHEAD	3,626,744	39,403	1,026,392	60,250	67,941
MARION	317,718	0	198,208	14,081	15,878
MARLBOROUGH	5,916,088	2,728,327	2,786,797	216,685	244,347
MARSHFIELD	12,057,258	202,756	1,832,675	112,887	127,299
MASHPEE	3,939,254	0	236,666	37,697	42,510
MATTAPOISETT	449,798	0	371,347	22,937	25,865
MAYNARD	2,145,808	586,886	1,004,037	62,494	70,471
MEDFIELD	4,716,629	744,614	760,033	51,174	57,707
MEDFORD	9,996,450	6,432,448	6,402,709	330,622	372,830
MEDWAY	6,153,863	187,002	897,832	74,236	83,713
MELROSE	5,012,390	2,704,187	2,786,945	154,281	173,977
MENDON	0	0	333,019	29,591	33,368
MERRIMAC	0	0	652,335	43,421	48,965
METHUEN	30,465,961	163,026	4,603,440	342,900	386,674
MIDDLEBOROUGH	14,891,489	0	2,152,990	155,147	174,954
MIDDLEFIELD	0	0	36,878	5,097	5,748
MIDDLETON	1,073,640	126,570	306,150	41,676	46,997
MILFORD	9,314,774	0	2,740,501	181,458	204,623
MILLBURY	5,790,014	0	1,550,680	111,660	125,915

Municipality	7061-0008	0611-5500	Lottery Maintenance	First Installment of "20% Lottery Uncapping"	Supplemental Local Aid Distributed Via Lottery Formula
	Chapter 70	Additional Assistance			
MILLIS	1,834,611	320,940	708,699	46,875	52,860
MILLVILLE	0	0	299,243	24,683	27,834
MILTON	3,219,806	1,245,145	2,082,868	114,483	129,097

MONROE	82,880	13,927	6,377	434	490
MONSON	6,615,987	0	1,078,262	92,727	104,564
MONTAGUE	0	0	1,050,583	89,519	100,948
MONTEREY	0	12,538	31,187	1,966	2,218
MONTGOMERY	15,554	0	71,839	5,119	5,772
MOUNT WASHINGTON	19,108	33,286	2,817	201	226
NAHANT	364,640	125,393	265,399	13,663	15,408
NANTUCKET	775,218	0	66,534	5,894	6,647
NATICK	3,945,346	1,942,474	2,069,792	125,420	141,431
NEEDHAM	3,603,998	205,993	1,418,675	94,167	106,189
NEW ASHFORD	149,556	7,313	8,028	1,712	1,930
NEW BEDFORD	104,076,980	716,255	20,272,783	1,317,501	1,485,693
NEW BRAintree	0	0	96,712	8,546	9,636
NEW MARLBOROUGH	0	0	48,224	4,136	4,664
NEW SALEM	0	0	79,036	8,171	9,214
NEWBURY	0	0	397,117	28,584	32,234
NEWBURYPORT	2,793,820	1,380,057	1,360,628	73,963	83,405
NEWTON	9,115,550	1,377,012	4,428,398	259,081	292,155
NORFOLK	3,236,571	0	842,604	59,677	67,296
NORTH ADAMS	13,731,726	185,853	3,781,341	269,997	304,464
NORTH ANDOVER	3,911,440	120,549	1,635,892	135,529	152,830
NORTH ATTLEBOROUGH	18,421,579	0	2,538,546	178,246	201,001
NORTH BROOKFIELD	4,395,946	0	707,851	48,657	54,868
NORTH READING	3,784,804	945,499	921,054	58,741	66,239
NORTHAMPTON	6,425,910	577,922	3,460,946	249,025	280,815
NORTHBOROUGH	2,491,114	61,111	918,552	69,437	78,301
NORTHBRIDGE	12,964,638	3,071	1,985,075	108,021	121,810
NORTHFIELD	0	0	259,157	22,405	25,266
NORTON	11,983,737	0	1,794,549	134,495	151,664
NORWELL	1,815,262	541,079	584,616	35,119	39,603
NORWOOD	3,359,544	2,665,880	2,280,261	144,962	163,468
OAK BLUFFS	546,635	0	62,930	4,729	5,333
OAKHAM	64,192	0	146,533	15,322	17,279
ORANGE	4,875,842	2,115	1,393,773	105,725	119,221
ORLEANS	214,362	0	159,824	9,276	10,461
OTIS	0	0	25,525	3,344	3,770
OXFORD	8,477,240	0	1,848,802	121,992	137,565
PALMER	10,232,925	0	1,607,734	151,298	170,612

PAXTON 80,630 0 397,604 31,336 35,337

Municipality	7061-0008	0611-5500	Lottery Maintenance	First Installment of "20% Lottery Uncapping"	Supplemental Local Aid Distributed Via Lottery Formula
	Chapter 70	Additional Assistance			
PEABODY	18,734,643	3,140,276	4,273,806	263,375	296,998
PELHAM	112,953	0	129,327	11,976	13,504
PEMBROKE	8,469,224	0	1,463,767	107,155	120,834
PEPPERELL	7,761	0	1,104,533	83,278	93,909
PERU	37,021	0	89,232	8,438	9,516
PETERSHAM	331,752	0	94,046	8,130	9,167
PHILLIPSTON	0	4,386	137,975	13,197	14,882
PITTSFIELD	28,094,320	880,284	6,708,257	547,869	617,810
PLAINFIELD	18,887	0	37,273	4,378	4,937
PLAINVILLE	2,352,589	0	655,201	49,989	56,371
PLYMOUTH	16,321,643	0	3,279,583	270,935	305,522
PLYMPTON	478,208	0	208,033	14,688	16,562
PRINCETON	0	0	259,175	18,571	20,941
PROVINCETOWN	247,301	22,181	124,552	4,408	4,971
QUINCY	12,132,223	11,567,002	9,033,749	534,047	602,224
RANDOLPH	10,240,371	1,825,854	3,311,003	229,630	258,944
RAYNHAM	0	0	964,956	71,640	80,786
READING	6,278,435	1,534,901	1,841,015	113,817	128,347
REHOBOTH	0	0	796,592	62,383	70,346
REVERE	24,103,591	5,334,444	5,316,611	376,919	425,037
RICHMOND	308,895	0	99,313	6,036	6,806
ROCHESTER	1,329,572	0	359,839	27,939	31,506
ROCKLAND	8,823,145	394,336	2,104,059	136,583	154,020
ROCKPORT	1,142,321	0	394,035	25,713	28,996
ROWE	42,445	0	3,692	199	225
ROWLEY	0	114,232	391,966	27,597	31,121
ROYALSTON	0	0	124,147	12,735	14,361
RUSSELL	150,280	0	192,357	18,666	21,048
RUTLAND	8,895	0	660,841	59,014	66,548

SALEM	10,290,730	3,298,731	3,582,967	292,026	329,306
SALISBURY	0	0	537,269	41,793	47,129
SANDISFIELD	0	0	25,694	2,972	3,351
SANDWICH	5,453,106	88,406	813,793	86,633	97,693
SAUGUS	3,382,514	1,784,087	1,999,340	131,627	148,430
SAVOY	461,177	13,801	85,489	7,720	8,705
SCITUATE	3,580,818	875,037	1,231,872	67,926	76,597
SEEKONK	2,931,775	0	1,057,967	81,640	92,063
SHARON	6,226,238	62,495	1,196,755	83,184	93,804
SHEFFIELD	0	11,938	190,069	17,271	19,475
SHELBURNE	0	0	224,115	16,896	19,052
SHERBORN	316,331	20,951	179,491	11,927	13,449
SHIRLEY	3,950,169	185,558	993,217	77,863	87,804

Municipality	7061-0008	0611-5500	Lottery Maintenance	First Installment of "20% Lottery Uncapping"	Supplemental Local Aid Distributed Via Lottery Formula
	Chapter 70	Additional Assistance			
SHREWSBURY	13,800,607	298,861	2,110,492	180,062	203,049
SHUTESBURY	458,403	0	127,296	14,272	16,093
SOMERSET	2,553,323	0	1,240,942	115,102	129,795
SOMERVILLE	19,441,989	16,219,924	10,692,616	554,803	625,628
SOUTH HADLEY	5,531,820	20,214	2,189,688	181,186	204,317
SOUTHAMPTON	2,267,762	0	492,324	51,043	57,559
SOUTHBOROUGH	2,505,027	0	367,543	29,586	33,363
SOUTHBRIDGE	14,736,612	0	3,019,639	234,649	264,604
SOUTHWICK	0	0	937,706	80,705	91,008
SPENCER	209,021	0	1,789,359	109,840	123,862
SPRINGFIELD	225,366,158	1,829,496	28,974,118	2,793,286	3,149,876
STERLING	0	0	595,435	44,187	49,827
STOCKBRIDGE	0	0	93,460	5,209	5,875
STONEHAM	2,627,863	2,028,958	1,915,613	117,889	132,939
STOUGHTON	8,670,666	103,134	2,898,763	170,065	191,776
STOW	0	6,974	367,900	25,497	28,751
STURBRIDGE	1,039,058	0	650,667	52,144	58,800

SUDBURY	3,351,225	641,561	778,236	55,263	62,317
SUNDERLAND	833,349	0	402,993	38,848	43,807
SUTTON	4,670,098	0	661,909	52,916	59,671
SWAMPSCOTT	1,944,830	352,328	892,119	62,753	70,764
SWANSEA	3,973,381	0	1,650,958	118,291	133,393
TAUNTON	40,629,887	0	7,597,724	494,975	558,164
TEMPLETON	0	0	1,052,152	77,270	87,134
TEWKSBURY	11,697,060	0	2,540,701	158,563	178,806
TISBURY	284,186	0	91,244	5,329	6,010
TOLLAND	0	9,864	4,971	1,021	1,152
TOPSFIELD	663,129	253,284	369,587	24,085	27,160
TOWNSEND	7,561	0	1,007,487	76,739	86,535
TRURO	209,577	0	26,236	1,907	2,151
TYNGSBOROUGH	6,567,408	0	793,386	69,356	78,210
TYRINGHAM	29,274	0	11,431	755	852
UPTON	6,830	0	429,828	29,822	33,630
UXBRIDGE	8,869,122	0	1,239,204	79,187	89,296
WAKEFIELD	3,895,320	1,438,080	2,070,499	117,954	133,012
WALES	592,846	0	192,249	17,228	19,427
WALPOLE	4,314,774	883,775	1,661,399	106,949	120,602
WALTHAM	5,727,143	5,458,868	4,764,032	291,658	328,890
WARE	7,030,768	15,257	1,433,470	119,051	134,249
WAREHAM	11,059,830	0	1,824,735	108,848	122,743
WARREN	353,331	0	613,802	61,594	69,457
WARWICK	0	28,890	70,313	7,210	8,130

Municipality	7061-0008	0611-5500	Lottery Maintenance	First	Supplemental
	Chapter 70	Additional Assistance		Installment of "20% Lottery Uncapping"	Local Aid Distributed Via Lottery Formula
WASHINGTON	18,553	23,752	58,939	4,066	4,586
WATERTOWN	2,375,554	4,427,251	2,675,788	145,636	164,227
WAYLAND	2,290,575	280,373	611,716	40,164	45,291
WEBSTER	7,399,344	62,006	2,079,811	161,726	182,372
WELLESLEY	2,949,947	96,838	1,163,702	60,040	67,705

WELLFLEET	116,462	0	54,888	3,076	3,469
WENDELL	0	25,534	109,541	12,463	14,054
WENHAM	0	139,794	285,763	18,263	20,594
WEST BOYLSTON	2,552,355	67,754	595,198	56,546	63,765
WEST BRIDGEWATER	1,570,286	47,212	552,344	36,881	41,590
WEST BROOKFIELD	143,869	0	392,097	34,190	38,555
WEST NEWBURY	0	0	251,169	16,691	18,821
WEST SPRINGFIELD	13,246,420	0	2,851,691	273,787	308,738
WEST STOCKBRIDGE	0	0	91,587	5,039	5,682
WEST TISBURY	0	182,434	30,556	2,446	2,759
WESTBOROUGH	2,592,041	145,058	859,807	74,856	84,413
WESTFIELD	29,604,791	0	5,085,250	470,612	530,691
WESTFORD	11,057,152	895,514	1,196,145	93,569	105,514
WESTHAMPTON	278,415	0	118,799	10,460	11,796
WESTMINSTER	0	0	538,162	44,778	50,494
WESTON	1,367,350	0	346,827	20,290	22,880
WESTPORT	3,945,860	0	1,124,879	66,286	74,748
WESTWOOD	2,108,502	36,263	635,077	40,647	45,836
WEYMOUTH	19,644,236	2,424,084	6,423,581	344,957	388,993
WHATELY	124,453	0	106,535	10,169	11,468
WHITMAN	86,602	0	1,926,372	116,267	131,110
WILBRAHAM	0	0	1,077,658	100,753	113,616
WILLIAMSBURG	350,234	0	271,186	18,283	20,617
WILLIAMSTOWN	880,910	0	835,190	61,055	68,849
WILMINGTON	3,307,933	1,254,452	1,245,458	101,839	114,839
WINCHENDON	9,655,922	25,366	1,367,138	119,501	134,756
WINCHESTER	2,953,621	344,404	1,124,847	63,451	71,552
WINDSOR	18,887	28,020	54,390	7,016	7,912
WINTHROP	4,553,675	2,287,531	2,248,669	126,305	142,430
WOBURN	4,502,553	3,586,952	2,809,553	181,836	205,050
WORCESTER	161,059,359	11,809,090	26,953,316	2,220,254	2,503,690
WORTHINGTON	69,258	0	94,935	10,668	12,029
WRENTHAM	3,386,805	0	846,314	53,340	60,150
YARMOUTH	0	0	1,075,298	86,125	97,120
Total Municipal Aid	2,735,629,458	378,517,988	661,378,162	47,000,000	53,000,000

The amounts listed in this section below for regional school districts shall not be in addition to the municipal aid amounts listed above in this section, but shall be the total amount of state aid owed to a regional school district from cities and towns participating in the regional school district.

7061-0008

Regional School District	Chapter 70
ACTON BOXBOROUGH	3,143,520
ADAMS CHESHIRE	9,545,220
AMHERST PELHAM	9,244,885
ASHBURNHAM WESTMINSTER	8,787,951
ASSABET VALLEY	2,441,550
ATHOL ROYALSTON	16,806,324
BERKSHIRE HILLS	2,614,817
BERLIN BOYLSTON	770,332
BLACKSTONE MILLVILLE	10,270,844
BLACKSTONE VALLEY	4,882,890
BLUE HILLS	3,035,559
BRIDGEWATER RAYNHAM	19,027,611
BRISTOL COUNTY	1,791,686
BRISTOL PLYMOUTH	6,961,382
CAPE COD	1,776,571
CENTRAL BERKSHIRE	7,636,182
CHESTERFIELD GOSHEN	638,591
CONCORD CARLISLE	1,417,979
DENNIS YARMOUTH	6,120,344
DIGHTON REHOBOTH	11,311,613
DOVER SHERBORN	1,138,654
DUDLEY CHARLTON	21,175,112
ESSEX COUNTY	3,664,972
FARMINGTON RIVER	360,806
FRANKLIN COUNTY	2,670,294
FREETOWN LAKEVILLE	6,365,955
FRONTIER	2,613,407
GATEWAY	5,307,852
GILL MONTAGUE	5,837,026
GREATER FALL RIVER	11,246,011
GREATER LAWRENCE	17,353,983
GREATER LOWELL	17,303,655
GREATER NEW BEDFORD	18,124,740

GROTON DUNSTABLE	9,547,245
HAMILTON WENHAM	3,092,519
HAMPDEN WILBRAHAM	9,400,100
HAMPSHIRE	2,383,522
HAWLEMONT	606,785
KING PHILIP	6,239,793

7061-0008

Regional School District	Chapter 70
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LINCOLN SUDBURY	1,711,978
MANCHESTER ESSEX	1,317,284
MARTHAS VINEYARD	2,631,535
MASCONOMET	4,313,567
MENDON UPTON	9,676,006
MINUTEMAN	2,052,550
MOHAWK TRAIL	5,904,434
MONTACHUSETT	8,853,716
MOUNT GREYLOCK	1,635,600
NARRAGANSETT	8,750,095
NASHOBA	5,181,573
NASHOBA VALLEY	1,908,915
NAUSET	3,122,423
NEW SALEM WENDELL	595,315
NORFOLK COUNTY	594,178
NORTH MIDDLESEX	18,837,421
NORTH SHORE	1,417,274
NORTHAMPTON SMITH	732,334
NORTHBORO SOUTHBORO	1,673,670
NORTHEAST METROPOLITAN	5,441,142
NORTHERN BERKSHIRE	3,386,527
OLD COLONY	2,524,441
OLD ROCHESTER	1,469,860
PATHFINDER	3,310,805
PENTUCKET	12,199,790
PIONEER	3,808,395
QUABBIN	15,662,779

QUABOAG	7,544,076
RALPH C MAHAR	4,324,323
SHAWSHEEN VALLEY	3,074,457
SILVER LAKE	5,606,085
SOUTH MIDDLESEX	2,131,644
SOUTH SHORE	2,298,821
SOUTHEASTERN	9,550,862
SOUTHERN BERKSHIRE	1,687,824
SOUTHERN WORCESTER	5,332,141
SOUTHWICK TOLLAND	7,241,643
SPENCER EAST BROOKFIELD	12,578,361
TANTASQUA	6,620,229
TRI COUNTY	3,406,264
TRITON	7,786,526
UPISLAND	767,074

7061-0008

Regional School District	Chapter 70
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UPPER CAPE COD	2,560,503
WACHUSETT	14,504,610
WHITMAN HANSON	21,437,738
WHITTIER	4,779,683
Total Regional Aid	524,604,753

Total Municipal and Regional Aid 3,260,234,211 378,517,988 661,378,162 47,000,000 53,000,000

Operational Services Division Renamed Division of Procurement

SECTION 4. The term "division of procurement" shall be substituted for the term "operational services division" wherever it appears in section 78A of chapter 6 of the General Laws, in sections 4A and 4L of chapter 7 of the General Laws, in section 29G of chapter 29 of the General Laws, in section 51 of chapter 30 of the General Laws, and wherever else it appears in the General Laws.

In section 4A of chapter 7 of the General Laws, the term "procurement" shall be substituted for the term "operational services" in the second sentence thereof, and the term "assistant secretary for procurement and chief procurement officer" shall be substituted for the term "assistant secretary for operational services" in the first sentence of subsection (a) thereof.

Office of the Superintendent
FAIRHAVEN PUBLIC SCHOOLS
ADMINISTRATIVE CENTER

128 Washington Street
Fairhaven, MA 02719
Phone: 508-979-4000, Fax: 508-979-4149
TTY: 508-992-8542



Patricia H. Ansay, Ed.D.
Superintendent of Schools

7B

Ralph W. Tripp, III
Assistant Superintendent
Special Education/Pupil Services

TO: Board of Selectmen, Town of Fairhaven

FROM: Patricia H. Ansay, Ed.D., Superintendent

PHA

DATE: January 14, 2005

SUBJECT: Special Town Meeting Articles

RECEIVED
2005 JAN 18 A 8:53
BOARD OF SELECTMEN
FAIRHAVEN MASS

At its meeting of January 12, 2005, the School Committee voted to request a Special Town Meeting, in February or March 2005, for the purpose of augmenting the School Department's budget to provide for salary increases for the rest of the 2004-05 school year. Article 4 is attached.

Thank you for your consideration. I await your response.

kjg

Attachment

TABLE 1
DRINKING WATER STATE REVOLVING FUND
Calendar 2005 DWSRF Draft Intended Use Plan

NEW PROJECTS

Rating	Applicant	SRF ID	Project	Project Cost	2005 IUP Cost
89.0	BROCKTON	2837	New Well Development Pleasant St.	\$2,880,000	\$2,880,000
79.7	MATTAPOISETT RIVER VALLEY WATER DISTRICT	2873	WTP	\$13,300,000	\$12,000,000
72.2	*AQUARION WATER COMPANY OF MILLBURY	2846	WTF	\$1,464,000	\$1,464,000
69.9	*HADLEY	2841	WTF	\$3,940,100	\$3,940,100
69.8	TRI-TOWN WATER BOARD	2863	New WTF	\$35,420,000	\$12,000,000
69.5	BROCKTON	2829	(2) WWT Upgrades	\$17,648,000	\$12,000,000
63.1	TAUNTON	2835	Various System Improvements	\$7,695,000	\$7,695,000
61.7	*WILLIAMSTOWN	2839	PWS Consolidation	\$3,225,555	\$3,225,555
58.7	HAVERHILL	2859	WTF & Distribution Improvements	\$3,074,000	\$3,074,000
55.8	*STERLING	2855	Well #2 Upgrade	\$830,000	\$830,000
TOTAL OF NEW PROJECTS				\$89,476,655	\$59,108,655

(Count: 10)

(Average Rating: 68.94)

* Indicates Small System

MULTI-YEAR CARRYOVER AND STATUTORY PROJECTS

Applicant	SRF ID	Project	Project Cost	2005 IUP Cost
EMERGENCY SRF SETASIDE				\$2,000,000
COHASSET	1992	System Wide Capital Improvement Program	\$8,485,005	\$2,000,000
LAWRENCE	1664	Water Treatment Plant and System Improvements	\$32,540,000	\$8,540,000
MWRA	677	Walnut Hill Water Treatment Plant	\$128,818,217	\$4,000,000
MWRA	1680	Southern Spine Distribution Mains	\$48,964,234	\$4,000,000
MWRA	1679	Blue Hills Covered Storage	\$30,967,200	\$4,000,000
NORTHAMPTON	1980	Construction of Water Filtration Plant	\$22,000,000	\$10,000,000
TOTAL OF MULTI-YEAR CARRYOVER AND STATUTORY PROJECTS			\$271,774,656	\$34,540,000

(Count: 6)

TOTAL OF DRAFT INTENDED USE PLAN

\$361,251,311 \$93,648,655