



## Fairhaven Board of Selectmen

Meeting Minutes

January 29, 2020

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FAIRHAVEN,  
MASS.

**Present:** Chairman Charles Murphy, Vice- Chairman Robert Espindola, Clerk Daniel Freitas and Town Administrator Mark Rees and Administrative Assistant Vicki Oliveira.

The meeting was videotaped on Cable Access.

Chairman Murphy called the meeting to order in the Town Hall Banquet Room at 6:32 p.m.

Chairman Murphy called a moment of silence for Fairhaven resident and New Bedford Fire Fighter Russ Horn who passed away recently from a job related illness.

### MINUTES

Mr. Espindola made a motion to approve the minutes of December 26, 2019, Open Session. Mr. Freitas seconded. Vote was unanimous. (3-0)

Mr. Espindola made a motion to approve the minutes of December 26, 2019, Executive Session. Mr. Freitas seconded. Vote was unanimous. (3-0)

Mr. Freitas made a motion to approve the minutes of December 26, 2019, Open Session. Mr. Murphy seconded. Mr. Espindola abstained because he was absent from that meeting. Vote passed. (2-0-1)

### TOWN ADMINISTRATORS REPORT

Mr. Rees updated the Board:

The Mattapoissett River Valley Water District was awarded DEP's "Environmental Protection 2019 Beyond Compliance Public System award". This award recognizes the district being in complete compliance with state and federal drinking water regulations since 2018 and for not having any violations within the past 5 years. Mr. Rees, Public Works Superintendent Vinnie Furtado and Water Superintendent Jeff Furtado sit on this Board.

Mr. Rees attended the Massachusetts Municipal Annual Conference this past weekend in Boston where he was informed of state aid and assessments being recommended in the Governor's FY21 proposed budget to Fairhaven. The net state aid, the difference between state aid revenue and state assessments is only going up \$69,000 over FY20 or 6/10 of a percent.

Also at the conference Mr. Rees attended sessions on the FCC new Franchise Fee rules where he was updated on the status of the new rules regarding the calculation of franchise fees which he will share with the cable advisory committee and a session on best practices for facility



maintenance and management which will be helpful for when the Town submits a community compact grant application to study how we can improve our facility management practices.

The town finally signed the lease with American Legion for the use of the property at 54 Main Street which the town took for back taxes. The Legion paid \$1,500 in rent for February and said they will pay the town the back rent of \$7,500 from September 2019 by March 4th. The Legion has continued to state they have a viable plan to pay back the taxes and reacquire the property, but to date there has not been any formal proposal submitted.

Historical Commission Chair, Wayne Oliveira and Mr. Rees met last week with John Montano, the architect for the work at the Academy building, to strategize how this can get restarted. Mr. Rees received a revised proposal from Mr. Montano which will be discussed with the full Historical Commission at their meeting on February 5<sup>th</sup>

### **COMMITTEE LIAISON REPORTS**

Mr. Espindola said Economic Development Committee met last week and Marine Resources will meet next week. The Broadband Study Committee will meet on February 25, 2020 and will have a consultant there.

### **MARINE RESOURCES COMMITTEE VACANCY**

The Board met with the five applicants for the Marine Resources Committee vacancy. Residents Mike Botelho, James Moraux, Andrew Jones, Captain Robert Glover and Robert Grindrod were in attendance to answer questions from the Board as to why they would like to be on the Marine Resources Committee. The Board deliberated over their choices and felt that all the applicants had a lot to offer to the committee and thanked the candidates for taking the time to apply.

Mr. Espindola made a motion to appoint Andrew Jones to the Marine Resources Committee. Mr. Freitas seconded. Vote was unanimous. (3-0)

### **APPOINTMENT OF POLL WORKERS**

Chairman Murphy read the list of poll workers for the Presidential Primary. Mr. Espindola made a motion to approve the list of poll workers for the presidential primary. Mr. Freitas seconded. Vote was unanimous. (3-0)

### **ELECTION WARRANT FOR PRESIDENTIAL PRIMARY**

Chairman Murphy read the presidential primary election warrant for March 3, 2020. Mr. Espindola made a motion to sign the election warrant for the Presidential Primary on March 3, 2020. Mr. Freitas seconded. Vote was unanimous. (3-0)

### **WEST ISLAND STOP SIGNS**

Chairman Murphy read the letter from GCG Associates regarding the placement of stop sign on West Island. The recommendation is to place the stop signs at the approaches to Causeway Road at Almond Street, Cottonwood Street, Dogwood Street, Ebony Street, and Fir Street. Mr. Espindola made a motion to approve the stop signs at the intersections on Causeway Road. Mr. Freitas seconded. Vote was unanimous. (3-0) (Attachment A)

### **TOUR DE CRÈME – MAY 17, 2020**



Chairman Murphy read a letter from the Mattapoisett Land Trust, Inc requesting permission to hold their Fifth Annual Tour de Crème charity bike ride through Fairhaven on May 17, 2020. Mr. Espindola made a motion to approve the Mattapoisett Land Trust, Inc. Tour de Crème on May 17, 2020, to place temporary signs along the bike route and to authorize the Town Administrator to sign on behalf of the Board of Selectmen. Mr. Freitas seconded. Vote was unanimous. (3-0)

### **2020 HOMECOMING DAY FAIR**

Mr. Murphy read a letter from the Fairhaven Improvement Association requesting to hold the annual Homecoming Day Fair on Saturday, June 27, 2020. Mr. Espindola made a motion to approve the Homecoming Day Fair on Saturday, June 27, 2020. Mr. Freitas seconded. Vote was unanimous. (3-0)

### **HEALTH INSURANCE ELIGIBILITY POLICY**

Mr. Rees explained to the Board that this has been on the Board's agenda before at a previous meeting. Mr. Freitas and Mr. Espindola would like to reach out to the Town's Unions before they adopt this policy.

### **TOWN REPORT COVER PHOTO SUBMISSION**

The Board looked at 20 photos that were submitted for the Town Report cover and chose Eric Sa's aerial photo of West Island for the cover and Alyssa Botelho's photo of the firing of the cannons on Fourth of July for the back photo. The Board thanked all that submitted photos this year. (Attachments B & C)

### **PEOPLES LIQUOR STORE d/b/a DOUGLAS WINE AND SPIRITS**

Vice President of People's Liquor store, Craig Power and new manager Erica Savage met with the Board for a change of manager for People's Liquor Store d/b/a Douglas Wine and Spirits. Mr. Power explained to the Board that Ms. Savage is TIPS certified and has experience as a bartender. The store is equipped with an ID scanner and has a no tolerance policy in place. Mr. Espindola made a motion to approve the change of manager for People's Liquor Store d/b/a Douglas Wine and Spirits. Mr. Freitas seconded. Vote was unanimous. (2-0)

### **NO PARKING SIGNS- HACKER STREET**

Selectman Espindola recused himself because he has a relative who lives on Hacker Street. Mr. Rees explained the Police and the Town Planner made their recommendations for placement of the "no Parking" signs on Hacker Street and the Public Works department had already installed them without prior approval from the Board of Selectmen. Mr. Rees told the residents the signs can be moved if need be. Residents Kathy Carter, Nick Gautreau, Jaqueline Duckworth and Carlos Arruda told the board they were disappointed when they got the letter and the signs had already been placed and just feel that taxpayer money is being wasted. Mr. Arruda stated his neighbor is not happy because the sign is too close to his driveway. Mr. Espindola made a motion to approve the recommendation of the Police Department and the Planning Director for the placement of the No Parking signs and to authorize the Town Administrator to make any minor adjustments as necessary. Mr. Freitas seconded. Vote was unanimous. (3-0)

### **COMPOSTING AND PLASTIC BAGS**



Chairman Murphy read the letter from resident John Pond, who has some concerns about the leaves piling up on Bridge Street and banning single use plastic bags. Mr. Freitas stated that Mr. Pond had reached out to him prior to the meeting because he was unable to attend. Mr. Freitas directed him to the Department of Public Works to discuss the leaves and composting them. Sustainability member Ann Richard told Mr. Pond that the idea of single use bags will be discussed with the Sustainability Committee at a future meeting.

### **FY21-25 GENERAL FUND CAPITAL BUDGET RECOMMENDATIONS**

The Town Administrator discussed the FY21-25 General Fund Capital Budget recommendations with the Board and said he will be presenting this to the Finance Committee at their next meeting.

### **ROGERS SCHOOL UPDATE**

Mr. Rees told the Board he has received an email from the developer of Rogers School regarding the financial backer and they are asking for an extension until February 14, 2020 because the backer is in Europe currently. Board of Public Works member Frank Coelho had some concerns because the playground at the school was one of 3 potential sites for the town Dog Park. Rogers Reuse committee member Sue Loo said that Mr. Mayo, the developer was supposed to be upgrading the playground/ballfield as part of the purchase and sale agreement. Mr. Rees reminded them a location for a dog park has not been chosen at this time. Mr. Espindola made a motion to grant an extension until February 15, 2020. Mr. Freitas seconded. Vote was unanimous. (3-0)

### **METRO HARVEST- RECREATIONAL MARIJUANA**

Chief Executive Officer, Steve LaBelle and Chief Operating Officer, Tom Gosselin from Metro Harvest, Inc met with the Board to discuss entering into a Host Community Agreement with the town for the sale of Recreational Marijuana. The licenses granted by the State through the Cannabis Control Commission (CCC) not the town, but one of the conditions of the license is that the applicant submit documentation that the applicant has entered into a host agreement with the town. When Metro Harvest was before the Board previously the Board had concerns regarding the consulting agreement with Northeast Alternatives and Attorney Crotty said it was the CCC who would determine whether that agreement was consistent with State regulations. Mr. Rees said in order for Metro Harvest to open they will also have to get approval of a site plan by the Planning Board. Mr. Espindola made a motion to authorize Mr. Rees and Town Counsel, Tom Crotty to negotiate a Host Community Agreement with Metro Harvest, Inc. for a future Board of Selectmen's meeting. Mr. Freitas seconded. Vote was unanimous. (3-0)

### **ROUTE 6 STUDY - SRPEDD**

Town Planner, Paul Foley presented information to the Board of Selectmen regarding the Route 6 traffic study done by SRPEDD. Mr. Foley said the goal is to improve bicycle and pedestrian routes along route 6 and possibly reconstruct the road from East Fairhaven to Wareham and to create "traffic calming" to help slow down the traffic and make the road safer.

### **ECONOMIC DEVELOPMENT COMMITTEE RESIGNATION**



Chairman Murphy read a letter of resignation from John Seed on the Economic Development Committee. Mr. Espindola made a motion to accept the resignation of John Seed on the Economic Development Committee and thanked him for his time and service. Mr. Freitas seconded. Vote was unanimous. (3-0)

**NAME CHANGE FOR BOARD OF SELECTMEN**

Mr. Murphy read a letter from Ann Richard regarding changing the name of the Board of Selectmen to the Selectboard. The Town Administrator explained that many towns are now adopting this name change. Ms. Richard said she would be putting in a citizen petition article for Town Meeting and would like the support of the Board. (Attachment D)

**NOTES AND ANNOUNCEMENTS**

Mr. Freitas and Mr. Murphy welcomed Mr. Espindola back after his recent surgery.

Mr. Espindola said he was glad to be back.

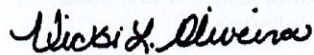
Mr. Murphy said he heard concerns about Selectman Espindola from the community.

Mr. Murphy offered condolences to Al Silva, ZBA Board member, on the passing of his mother Maria Silva

Mr. Murphy said “Happy Birthday” to Henry Huttleston Rogers today.

Mr. Espindola made a motion to adjourn at 8:57 pm. Mr. Freitas seconded. Vote was unanimous. (3-0)

Respectfully submitted,



Vicki L. Oliveira  
(Approved 02/19/2020)

**Attachments:**

- A: GCG report for Causeway Road
- B: Front cover photo
- C: Back cover photo
- D: Ann Richard’s letter re: name change

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January 10, 2020

Mr. Vincent Furtado  
BPW Superintendent  
Town of Fairhaven  
Department of Public Works  
5 Arsene Street  
Fairhaven, MA 02719

RE: Intersection Assessment  
Causeway Street, West Island  
Fairhaven, MA

Dear Mr. Furtado:

As requested, our office conducted a site visit and reviewed the intersections along Causeway Street on West Island for the suitability of the addition of stop signs at these intersections with Causeway Street. The intersections observed without stop signs are at Almond, Cottonwood, Dogwood, Ebony and Fir Street. These streets have intersection ahead signs on the approaches to Causeway Street. Alder and Balsam Streets have stop signs on the approaches to Causeway Street. There are no stop signs located along Causeway Street.

In addition, our office reviewed a traffic study prepared by Bayside Engineering, titled "Stop Sign Warrants Study - Draft" dated June 14, 2017, which the results did not support the need for stop signs at the intersections as permitted by the Manual on Uniform Traffic Control Devices (MUTCD). The main reasons for not placing stop signs in the report are as follows:

- Causeway Road has a straight alignment; all side streets intersect at right angles and have a clear view of the intersection. There appears to be no visibility issues at the study intersections.
- Traffic volumes do not meet the minimum volumes stipulated in the MUTCD guidelines for STOP sign control.
- A review of the crash history for the most recent five years at each of the study intersections found only one crash occurred during the whole study period. There does not appear to be a safety concern.
- Traffic operational analyses at each of the study intersections for the morning and evening peak hour volumes showed time delays of less than 10 seconds for all side street approaches, and very little queueing. Traffic operations are not an issue.

Based upon our site visit and review of the study, GCG recommends that stop signs be placed at the approaches to Causeway Street at all the streets. Although the signs may not be required by the results of the Stop Sign Warrant Study and accepted guidelines, the area would benefit from the installation of stop signs for the following reasons:



- Guidelines rely on all drivers understanding and practicing the normal right of way rules at intersections without stop or yield signs. Confusion and accidents would most likely be reduced.
- Visibility issues from trees, utility pole, walls and fences were noted at some of the intersection which requires drivers to move into the intersections to see clearly. Placing the stop signs on the intersecting streets would most likely improve safety by directing a vehicle to stop before entering Causeway Street.
- The low volume of traffic on the streets, seasonal nature of the area and unfamiliar drivers would benefit from the additional guidance and regulation.
- Alder and Balsam Streets have stop signs presently.

If you have any questions regarding this matter, please contact our office.

Respectfully Submitted,  
GCG Associates

*Michael J. Carter*

Michael J. Carter, P.E.  
Project Manager



AttacAhment B









**ANN RICHARD**

**1/20/20**

Selectmen  
Town of Fairhaven  
40 Center Street  
Fairhaven, MA 02719

**Dear Selectmen-**

Hope the new year finds you all well. In this new decade I am hoping that the town will consider a change that I feel would be a great step forward. I am asking The Board of Selectmen to think about changing their name. Many towns in the past ten years have made the change to Select Board from The Board of Selectmen. The data from Mass Municipal Association states that in the past ten years at least 85 towns in The Commonwealth have made the switch to Select Board. I feel that this new name would be incongruent with our other non-gender specific named boards.

Please let me know what you think and what would be the best way to proceed. I am willing to attend a future meeting if that is necessary. Please include this on a future agenda if that is necessary. I am willing to write an article for Town Meeting if that is what is needed.

I look forward to hearing from you, please feel free to contact me with questions.

Sincerely,

**Ann Richard**