



**Fairhaven Board of Selectmen
Meeting Minutes
November 30, 2020**

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FAIRHAVEN,
MASS.

Present: Chairman Daniel Freitas Vice-Chairman Robert Espindola, Selectman Keith Silvia, Town Administrator Mark Rees, Finance Committee member Bernie Roderick and Cable Access Director Derek Frates

Present via Zoom: Town Counsel Tom Crotty, Finance Director Wendy Graves, Town Moderator Mark Sylvia, Finance Members, Pat Elliot, Lisa Plante, Jessica Dwelly, Tracy Diggins, Chris Fidalgo, Kevin Gallagher, Carolyn Roberts, Administrative Assistant Vicki Oliveira, Cable Production Coordinator Eric Sa, and members of the public.

The meeting was videotaped on Cable Access and Zoom meeting application.

Chairman Freitas opened the meeting at 6:34 pm in the Town Hall Banquet Room and read the following statement:

“This Open Meeting of the Fairhaven Board of Selectmen is being conducted remotely consistent with Governor Baker’s Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the “COVID-19 Virus.”

In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor’s Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed and encouraged to participate remotely.

The Order, which you can find posted with agenda materials for this meeting allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting.

Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will allow public comment related to the posted agenda items only. For this meeting, Fairhaven Board of Selectmen is convening by telephone conference/video conference via Zoom App as posted on the Town’s Website identifying how the public may join.

Members of the Finance Committee and the Board of Selectmen met in joint session to discuss the Vote of Article 9 at the Special Town Meeting on October 20, 2020 regarding taking from free cash versus borrowing the money.

Chairman Freitas turned the meeting over to Finance Chairman Elliot.

Town Moderator Mark Sylvia told the Boards that the ultimate authority as to how to spend the money is the Town Meeting members. He said typically the motions are drawn up by Town Counsel but can be amended as long as the vote is a legal vote, Robert's Rules are followed and the motion is debated and then voted by Town Meeting members.

Discussion of Article 9C: Athletic Turf Field town meeting vote process

Finance Chairman Pat Elliot reminded both Boards that the original motion of this Article was to borrow the money and Town Meeting members ended up voting to take the money from free cash. Mr. Elliot stated tonight's meeting was not to try to change the vote but to learn from it. Board Members don't feel the Town Meeting members understood the impact of this vote and would like to see more education in the future to ensure this situation does not happen again.

There was a discussion of the timeline leading up to Town Meeting and how the second motion was made. The Moderator stated he was aware of a second motion prior to the meeting and discussed this with School Superintendent Dr. Robert Baldwin. Mr. Sylvia suggested as a courtesy that Dr. Baldwin reach out to the Chairs of the Selectman and Finance, Town Counsel and the Town Administrator to inform them of the possibility of the second motion. The concern among the members is that no one knew about the alternate vote prior to the vote taking place.

Finance Committee member Bernie Roderick feels the Town has an obligation to ensure that something like this does not happen in the future.

Discussion of capital projects utilizing borrowing vs free cash spending

Mr. Rees reminded the members that the role of the Capital Improvement Planning Committee (CIP) is advisory to the Town Administrator. The CIP is to help prioritize projects and then advise the Town administrator and the financial team to determine the needs and wants of each project. The Town Administrator then brings his recommendations to the Board of Selectmen and the Finance Committee.

Discussion of impact on present and future town financial resources.

Selectman Espindola presented a power point on how the Town stand in terms of the general fund debt vs. general fund budgets. The Board of Selectmen and the Finance Committee agreed they would like to hold more joint meetings in the future to keep the communication between both boards open.

At 8:04 pm Chairman Elliot turned the meeting back over to Chairman Freitas.

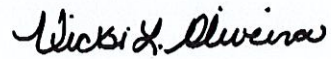
Appointment of interim Town Administrator

Mr. Rees told the Board this item was just for discussion tonight and not to appoint anyone to the position of interim Town Administrator at this meeting.

Mr. Rees is hopeful the new Town Administrator will be starting at the beginning of the year but there may be a need for an interim in the overlap of time. The Board discussed if they would like to hire an interim from the outside or internally. Members all felt that someone from within the Town employees would be a good choice for the interim position. Mr. Rees will contact Town Counsel for advice.

At 8:11 pm Mr. Espindola made a motion to adjourn. Mr. Silvia seconded. Vote was unanimous.
(3-0)

Respectfully submitted,

A handwritten signature in black ink that reads "Vicki L. Oliveira". The signature is written in a cursive style with a large initial 'V'.

Vicki L. Oliveira
Administrative Assistant
(Approved 12/21/2020)

