



**Fairhaven Select Board
Meeting Minutes
August 23, 2021**

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FAIRHAVEN,
MASS.

Present: Chairman Robert Espindola, Vice-Chairwoman Stasia Powers, Clerk Keith Silvia, Interim Town Administrator Wendy Graves, Cable operator Nick Doyle and Administrative Assistant Vicki Oliveira

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

Chairman Robert Espindola opened the meeting at 6:31 pm in the Town Hall Banquet Room.

The Board observed a moment of silence for Retired Fairhaven High School teacher Charles Foley, who passed away on August 19, 2021

Town Administrator's Report

Ms. Graves told the Board Chief Correia has updated her, the Town will receive \$595,000 from grants for a new fire truck. There will be additional funds needed for the equipment.

Ms. Graves said a grant consultant has been secured for ARPA.

Ms. Graves said she was thankful that Hurricane HENRI went to the west and missed Fairhaven. Ms. Graves said this was a good "practice run" for any future hurricanes and thank you to all the Department Heads and staff for their hard work.

Committee Liaison Reports

Ms. Powers said Lagoa Friendship Committee will be meeting this week and she will be attending the Bristol County Advisory Board this week.

Mr. Silvia had no meeting this week but Thanked the Public Works Department for opening on Saturday for residents to get their hurricane stickers.

Mr. Silvia also thanked the Rogers Reuse Committee for cleaning Rogers School. The committee hired a cleaning company who filled 3 large dumpsters.

Mr. Espindola thanked the Rogers Reuse committee for their hard work.

Mr. Espindola said the Economic Development Committee met and has appointed Kevin McLoughlin as their representative to the Rogers Reuse Committee.

Discuss Mission Statement and Charge of the Economic Development Committee and consider Alternate Positions

Mr. Espindola said he would like to change the charge of the Economic Development Committee to have an odd number of voting members.

Ms. Powers made a motion to change the charge to read six (6) at large members and two (2) alternate members. Mr. Silvia seconded. Vote was unanimous. (3-0)

Joint meeting with School Committee to fill vacancy

This item has been tabled until August 30, 2021.

Aquaculture Public Hearing

Morgan Dawiki, representative for Northeast Maritime Institute (NMI), Darryl Klinka, and Dennis Leahey met with the Board in person.

At 6:42 p.m. Chairman Espindola opened the public hearing (Attachment A). Harbormaster Tim Cox explained to the Board NMI, Mr. Klinka, and Mr. Leahey are looking to for the approval of three 2-acre aquaculture farms. Mr. Cox said for all three sites, once the Select Board makes their determination, all three applicants will then have to have the final approval of the Department of Marine Fisheries (DMF), and the Army Corps of Engineers before the aquaculture farms can be started. The applicants have followed the process by notifying their abutters and posting the notice in three public places as well as the newspaper. All applicants must be bonded and have insurance.

Marine Resources Committee Chairman Michael McNamara told the Board the applicants have gone before the Marine Resources Committee and gotten full approval.

Mr. Dawicki told the Board NMI is looking to add the aquaculture farm to develop an associate's degree program in aquaculture. Mr. Klinka and Mr. Leahey are both interested in adding aquaculture farms in front of their properties as family businesses.

Widemarsh Beach residents, Dale Powess, Mike Powess, Gene Nowak, Edward Ready and Brett Fortin asked several questions to the applicants. Some of the concerns were for the water fowl that are in the area, the natural debris that will wash along the shore and disrupting the kayaking in the areas.

Mr. Cox explained the areas chosen for Mr. Leahey and Mr. Klinka are not productive or navigable areas and will not disrupt anything. If the DMF feel these locations are not suitable they will not give them the approval.

At 7:37 p.m. Mr. Espindola closed the public hearing.

Mr. Silvia and Ms. Powers would like to see this move forward and wait to hear what DMF have to say.

Ms. Powers made a motion to approve the NMI site location for aquaculture as outlined in the packet. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to approve Darryl Klinka's site location for aquaculture as outlined in the packet. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to approve Dennis Leahey's site location for aquaculture as outlined in the packet. Mr. Silvia seconded. Vote was unanimous. (3-0)

Meet and Greet Precinct 6

Precinct 6 residents Linda and Wayne Gallant met with the Board to express concerns over the speeding cars on the east end of Bridge Street. Mr. Gallant said the Police have been helpful but he would like to see more speed signs posted and more patrolling in that area. The Board discussed ideas to help the issue and will pass along the information to the Police Chief.

Discussion on Tree Removals

Ms. Powers made a motion to table this item to a future meeting. Mr. Silvia seconded. Vote was unanimous. (3-0)

COVID/ Consider Mask Mandate

Mr. Espindola read a memo (Attachment B) from Health Agent David Flaherty regarding the most recent COVID cases. The Board feel it is important to protect the safety of employees and visitors to municipal buildings at this time and will reevaluate in a few weeks.

Ms. Powers made a motion to require that all town employees and people entering town buildings wear masks effective Wednesday, August 25, 2021. Mr. Silvia seconded. Vote was unanimous. (3-0)

At 8:03 p.m. Mr. Silvia left the room

Town Administrator position statement

Ms. Powers said she had a few more edits to add to the position statement and would like to something regarding the revenue from the Acushnet Schools listed. Mr. Espindola would like to see something about ARPA. Each Board member will reach out the consultant to make the necessary changes and authorize Ms. Aicardi to release the position statement. The Board discussed the salary range.

Ms. Powers made a motion to approve the draft Town Administrator position statement condition upon the Collins Center outlining the salary as appropriate and to add the edits by Ms. Powers and Mr. Espindola. Mr. Espindola seconded. Vote passed. (2-0-1)

Mr. Silvia returned to the room at 8:13 p.m.

Correspondence

Ms. Powers made a motion to accept the resignation on Cultural Council from William J. Lavasseur and thank him for his service. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to accept the resignation on Historical Commission from Suzan Galpin and thank her for her service. Mr. Silvia seconded. Vote was unanimous. (3-0)

Mr. Espindola announced there would be a special meeting of the Select Board and the School Committee, time to be determined, for the purpose of appointing a candidate in the vacant seat on the School Committee.

At 8:22 pm Ms. Powers made a motion to adjourn. Mr. Silvia seconded. Vote was unanimous. (3-0)

Respectfully submitted,



Vicki L. Oliveira
Administrative Assistant
(Approved 09/13/2021)

- A. Aquaculture public hearing notice and supporting documents
- B. COVID memo from Health Agent David Flaherty

Attachment A

Northeast Maritime Institute
32 Washington Street Fairhaven, MA 02719



Phone: 508.992.4025
Fax: 508.992.9184

March 29, 2021

Marine Resources Department
Town of Fairhaven
40 Center Street
Fairhaven, MA 02719

Dear Mr. Cox,

I am writing today on behalf of the Northeast Maritime Institute College of Maritime Science. As you know, NMI is the only private maritime college in the United States, and we are proud to have delivered the Associate Degree in Applied Science in Nautical Science since 2015 here in Fairhaven. We are currently in the development stages of an Associate Degree in the field of aquaculture and are working with a number of representatives from various government agencies, NGOs, and private companies to develop a degree that will have a positive impact on the aquaculture industry and help make our region and the United States more competitive in this area. We believe there are many jobs to be created and that those jobs will require a skilled workforce. We are eager to deliver this degree and to work with existing growers and the Town of Fairhaven to build upon Fairhaven's successes in the aquaculture industry.

Delivering this degree will require a shellfish aquaculture license from the Town of Fairhaven. Having met with you to answer our questions and an initial discussion with the Massachusetts Division of Marine Fisheries, we would like to pursue a 2-acre lease at the approximate coordinates of:

NW Corner: 41.607038° -070.845723°

NE Corner: 41.606831° -070.844704°

SW Corner: 41.606221° -070.845967°

SE Corner: 41.606025° -070.844963°

Attachment A includes a photo of the described area.

We are writing this letter for initial consideration by the Marine Resources Committee. Upon a public hearing with the Marine Resource Committee and a review of the proposed lease area with you in person, we intend to file the application in its entirety to the Board of Selectman.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Morgan G. Dawicki".

Morgan G. Dawicki, Director of Business Development
Attachment A

tcox@Fairhaven - ma.gov

DEAR MR COX

APRIL 12, 2021

I AM WRITING THIS LETTER IN REGARDS TO TRYING TO OBTAIN A 2 ACRE PARCEL OF WATER RIGHTS TO BEGIN AN AQUA CULTURE PROGRAM IN FRONT (EAST) OF MY HOME.

MY PROPERTY ON ED WAPATMA LANE IN FAIRHAVEN ABUTS SEA SPACE, WIDE MARSH BEACH AND NASKETUCKET BAY

I HAVE BEEN ON THIS PROPERTY WITH MY FAMILY FOR 20 PLUS YEARS. I HAVE BEEN LIVING IN FAIRHAVEN SINCE 1989, HAVING HAD PROPERTY ON BRYANT LANE.

I WORK IN TOWN AT THE WORDS HOWE STEAMSHIP AUTHORITY FOR THE LAST 20 YEARS.

I WOULD LIKE TO RAISE, HARVEST AND SELL HIGH QUALITY FARM RAISED QUOILS.

I HOPE YOU AND THE BOARD WILL SERIOUSLY CONSIDER MY INTENTIONS.

SINCERELY

DARRYL W. KLINKA

Darryl W. Klinka

dlinka@steamshipauthority.com

CELL [REDACTED]



[REDACTED]

Dear Tim Cox

I would like to start a 2 acre shellfish farm off of my property on East side of Sconticut Neck.
The address of the property is 103 Windswept Dr. Fairhaven Ma and it is Plot 41—8A

Thank You

Dennis Leahey [REDACTED]

Fairhaven Marine Resources Committee
Meeting Minutes: April 1, 2021

Present Via Zoom: Harbormaster Tim Cox, Chairman Mike McNamara, Robert Hobson, Andrew Jones, Selectman Robert Espindola, and Dave Hebert & Michelle Potter.

Eric Dawicki was absent.

Chairman McNamara called the meeting order at 6:30 pm.

Approval of Minutes:

Mr. Hobson made a motion to approve the March meeting minutes. Mrs. Potter seconded. Selectman Espindola would like the minutes amended to note he had partial attendance. Minutes then passed unanimously.

Harbormaster Updates:

The ramp at Seaview is being repaired. It will be put back in mid-April. The boats have been pulled out of the shed. Some minor repairs will be done on them. All the boats are getting new radios. All boats will be launched after the installations. He is working with the Fire Department to pick a low tide in mid-April to power wash Hoppy's and possibly Pease Park boat ramps.

Mr. Hobson asked about crack in the cement at Hoppy's. Harbormaster Cox said that he would have to contact the State as they pay a percentage of that. He will contact Doug Cameron.

Chairman McNamara asked for dredging updates. Harbormaster Cox stated he spoke to Foth Engineering they will begin the study of West Island dredging with the next month. Regarding the Phase V dredging, Harbormaster Cox informed the committee that he has been meeting, along with Foth, the residents who are interested in dredging their properties to go over the timeframe and contract details.

a. Pump Out Rules & Regulations

The State requested a copy of the Town's & City's pump out rules & regulations. We don't currently have pump out rules and Harbormaster Cox would like them put into the new draft of the Waterway Rules & Regulations. He presented a drafted a copy using nearing town's current regs.

Mr. Hobson asked about boats power washing and who regulates it. Mr. Jones & Mr. McNamara established that this issue is regulated by the state.

Shellfish Updates:



a. Northeast Maritime Aquaculture Site Application

Morgan Dawicki speaking on behalf of NMI. They have requested a two-acre aquaculture site so they can use as a course of study at the school in the near future. They have submitted their request letter to the Town along with the \$100.00 down payment.

Harbormaster Cox noted that they have met with the State and plotted a preliminary area for the new site. He presented this to the committee. They are looking for Town approval to move forward. Harbormaster Cox also noted this is an 8-12 month process. Mr. Hebert made the motion to support the request form NMI. Mrs. Potter seconded the motion. The motion passed unanimously.

Progress at Union Wharf:

Harbormaster Cox displayed some pictures of the ongoing construction at the Wharf while explaining some of the work that is happening. The Town is now looking into tarring the entire wharf.

Chairman McNamara then read a letter from Town Council regarding the issue of the land swap at Union Wharf. Discussion ensued regarding opinions about the agreement.

Harbormaster Cox updated the committee on the water situation at the Wharf. He has three quotes coming shortly.

Any Other Business:

Mr. Hobson asked if the Waterway Rules & Regulations are approved at Town Meeting in June, when will they begin to be enforced. Selectmen Espindola believes as soon as it is adopted but will validate that with Town Council.

Mr. Hobson asked for an update on the opening of the coves. Harbormaster Cox stated he will be closing North Cove and opening Round & Senior. The date is to be determined by the State.

The next meeting will be May 6, 2021.

Motion to adjourn made by Harbormaster Cox, Mr. Hebert seconded. Passed unanimously.

The meeting adjourned at 7:48 pm.

Respectively submitted,
Sheri Souza
Recording Secretary

Approved 5/6/21

Fairhaven Marine Resources Committee
Meeting Minutes: May 6, 2021

Present Via Zoom: Harbormaster Tim Cox, Chairman Mike McNamara, Robert Hobson, Andrew Jones, Selectman Robert Espindola, and Dave Hebert, Eric Dawicki, & Michelle Potter.

Chairman McNamara called the meeting order at 6:30 pm.

Approval of Minutes:

Mr. Hobson made a motion to approve the April meeting minutes. Mrs. Potter seconded. Minutes passed unanimously.

*** Aquaculture:**

Mr. Steven Doonan is in attendance with Mr. Larry Fowler. He would like to be added to Mr. Fowler's aquaculture permit. Per Harbormaster Cox, DMF as well as DPH have no issue with this taking place. Dave Hebert motioned to accept Mr. Doonan as a partial owner to Mr. Fowler's site, Michelle Potter seconded the motion. The motion passed unanimously.

Mr. Darryl Klinka and Mr. Dennis Leahey, also in attendance, are each requesting a two acre aquaculture site. Harbormaster Cox displayed a map of the proposed area. Dave Hebert motioned to accept Mr. Klinka and Mr. Leahey's proposal. Robert Hobson seconded the motion. The motion passed unanimously.

Shellfish Updates:

Harbormaster Cox shared a map from DMF. He explained that the Department of Public Health has been having issue with shellfishing in mooring areas. A survey was sent to mooring holders in the Round Cove and Seaview areas to evaluate the contamination to shellfish from the boats that have heads on them. For the time being area BB18.1 is closed and BB18.4 is conditionally approved. He also noted that he has closed North Cove as well as opened Senior and Round Cove. He is also getting ready to plant another 500 bushel. He does not have anything for the upweller this year. He is working a deal with New Bedford to help out with a propagation project they are working on in the future. Chairman McNamara asked about the baby quahogs that were grown last year. Harbormaster Cox noted they were planted in Senior Cove. Mr. Dawicki asked about the cost of getting seed for the upweller. Harbormaster Cox will make some phone calls on pricing. Mr. Dawicki believes there is grant money to be had.

Progress at Union Wharf:

Harbormaster Cox displayed some pictures of the ongoing construction at the Wharf while explaining the work. Noted we will have a new parking lot as well. It will shut down for a short amount of time. The boats will be able to return no later than the first of June.

Chairman McNamara asked about the status of the water. Harbormaster Cox is waiting for the final bids to come in then they can start work.

Harbormaster & Ramp Updates:

Harbormaster Cox put in the floats at Seaview Boat ramp. Waiting for a real low tide in order to meet the Fire Department at Hoppy's to hose down the ramp. Harbormaster Cox then displayed pictures of a boat fire at Pease Park boat ramp. There is some damage to the ramp. Waiting on the insurance company for the go ahead to fix it. In the meantime there is no safety issues.

Chairman McNamara asked for any on progress on the land swap from Selectmen Espindola. Selectmen Espindola deferred to Harbormaster Cox for any update. Harbormaster Cox asked Attorney Crotty if this issue has to go back in front of Town Meeting to be voted on and the answer was no it does not. He will work on getting the layout of the land swap. Discussion ensued regarding getting details on the swap. Information has been requested of Ms. Graves.

Committee Appointments:

Chairman McNamara addressed the board on whether or not they would like to remain on the board for the upcoming year.

Any Other Business:

Mr. Jones asked whether we have GIS mapping capabilities in Town or through the Harbormasters Office. Harbormaster Cox believes the planning has access to GIS mapping. He also noted we are trying to get on board with the Building Departments permitting program. This may have the mapping involved that we need. Chairman McNamara spoke of a few different inexpensive programs he uses that may be worth looking into as well.

Mr. Jones then asked the Board to allow him to look into shell recycling. Martha's Vineyard Shellfish Group has a recycling program where they put shells in salt ponds for oyster growth. Harbormaster Cox spoke about the Nature Conservancy receiving Covid-19 grant money and they will be planting oysters but he believes the shell program will be able to help restock Fairhaven.

Mr. Hobson mentioned the building at Hoppy's Landing needs repairing. Harbormaster Cox said he has planned to the maintenance with his crew. Mr. Hobson asked how much money is the Hoppy's Landing Revolver. Harbormaster Cox will have that for the next meeting.

Mr. Hobson asked about the rule for bringing 5 gallons containers to the boat ramp. Harbormaster Cox stated you can bring a sealed jerry jug to the boat.

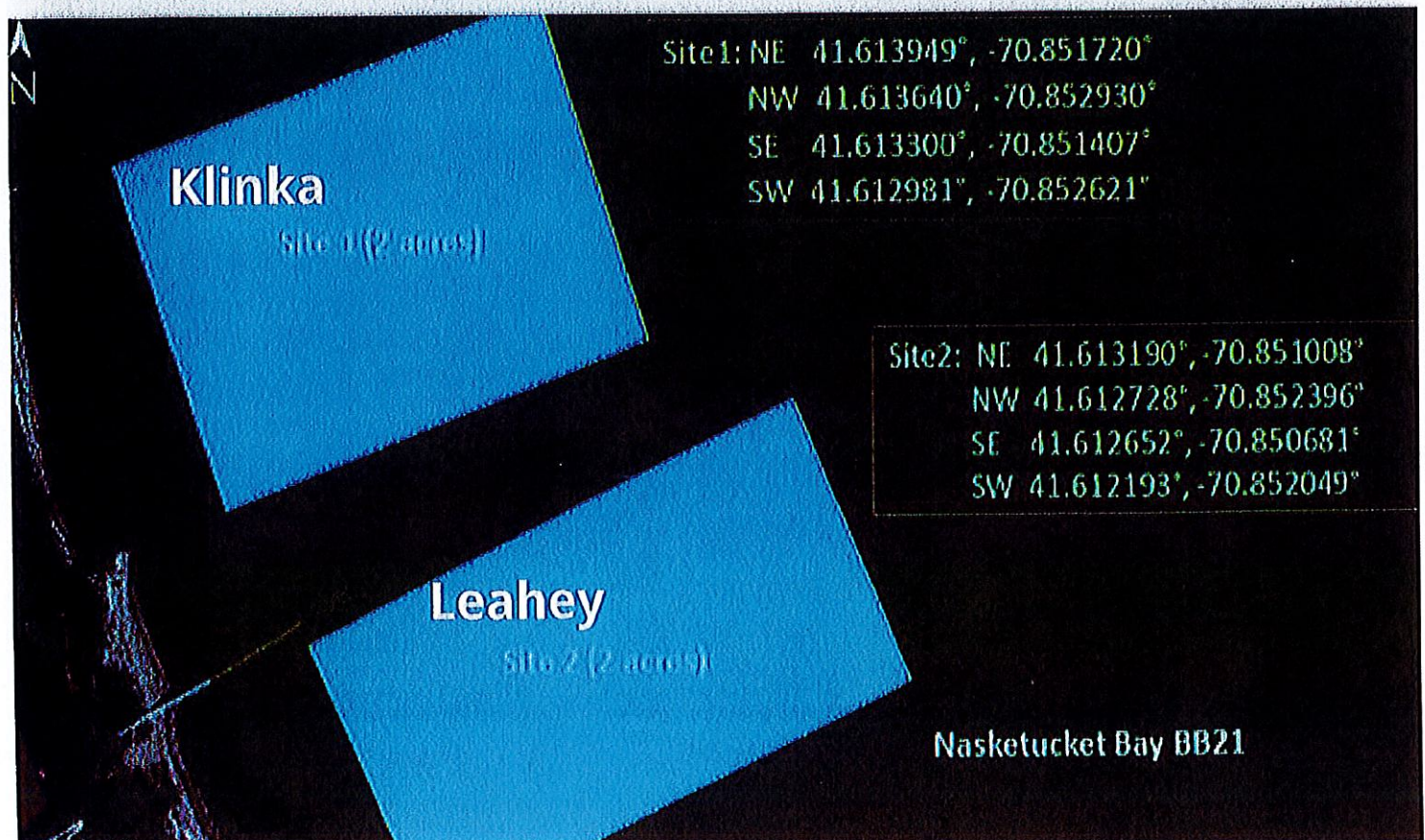
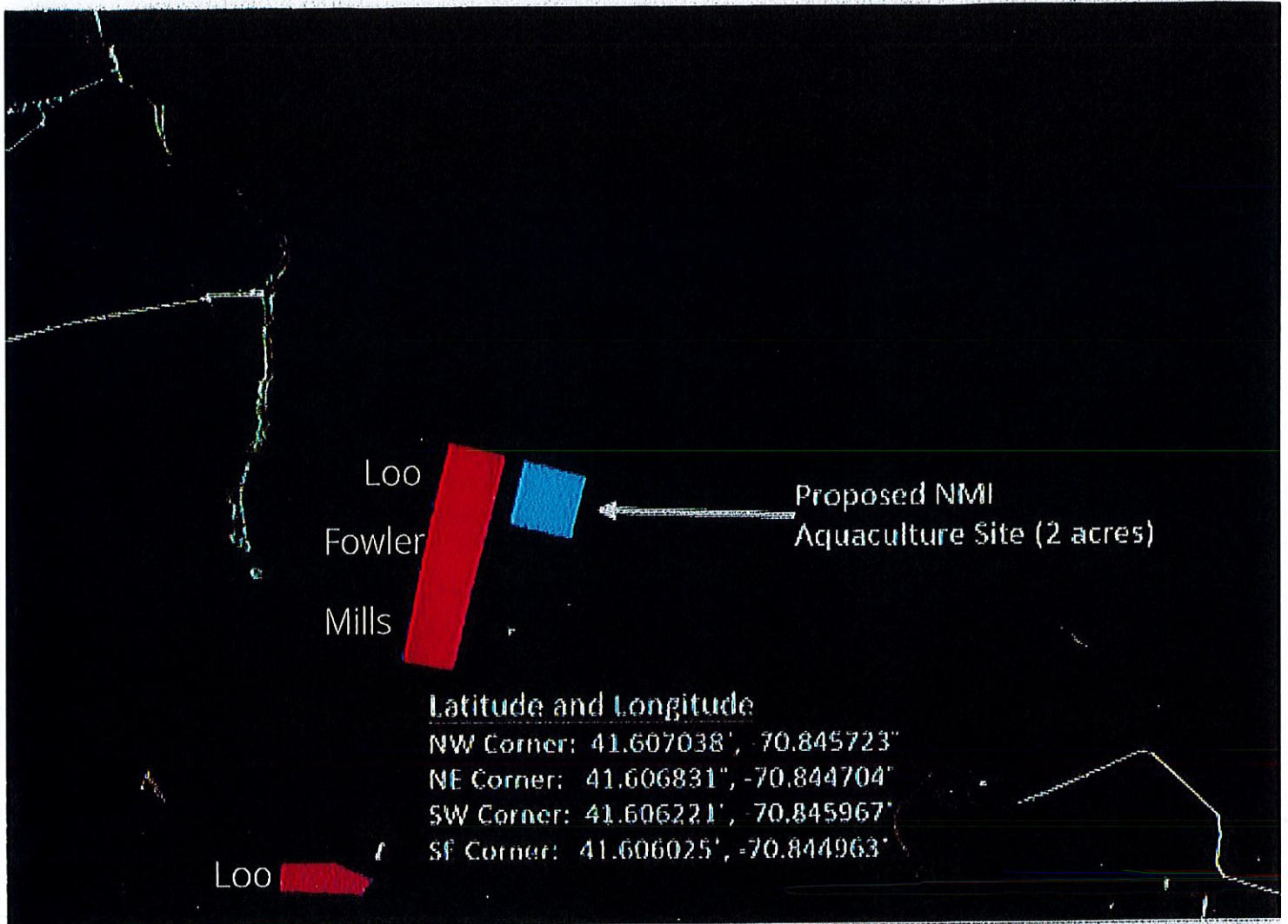
The next meeting will be June 3, 2021.

Motion to adjourn made by Harbormaster Cox, Chairman McNamara seconded. Passed unanimously.

The meeting adjourned at 7:49 pm.

Respectively submitted,
Sheri Souza
Recording Secretary

Approved June 10, 2021





Town of Fairhaven
Marine Resources Department
40 Center St., Fairhaven, MA 02719

Notice is hereby given that a public hearing will be held on 8/23/2021 at the Select Board meeting, in the Banquet Room of Town Hall, 40 Center Street, Fairhaven, MA at 6:30 pm at the request of the Northeast Maritime Academy, Darryl Klinka, & Dennis Leahey. The three named parties are requesting permission from the Town to own and operate three separate, two acre, aquaculture sites. Objections to the sites should be made in person or via zoom at this meeting.

Below are the proposed longitudes and latitudes of each site.

Northeast Maritime Academy

NE Corner: 41.606831, -70.844704
NW Corner: 41.607038, -70.845723
SE Corner: 41.606025, -70.844963
SW Corner: 41.606221, -70.845967

Darryl Klinka

NE Corner: 41.613949, -70.851720
NW Corner: 41.613640, -70.852930
SE Corner: 41.613300, -70.851407
SW Corner: 41.612981, -70.852621

Dennis Leahey

NE Corner: 41.613190, -70.851008
NW Corner: 41.612728, -70.852396
SE Corner: 41.612652, -70.850681
SW Corner: 41.612193, -70.852049

Thank you,

Timothy Cox
Harbormaster / Shellfish Warden



Town of Fairhaven Board of Health

Town Hall • 40 Center Street • Fairhaven, MA 02719
Telephone: (508) 979-4023 ext. 125 • Fax: (508) 979-4079

Michael Ristuccia, Chair
Peter DeTerra, Vice-Chair
Kevin Gallagher, Clerk
David D. Flaherty Jr, RS , Health Agent

MEMO

DATE: August 20, 2021
TO: Fairhaven's Selectboard
FROM: David D. Flaherty Jr., RS
Fairhaven's Health Agent
RE: Possible Masking Mandates for Fairhaven's Municipal Buildings

Dear Chairman Espindola,

The Town of Fairhaven's COVID-19 positivity rate has risen to 5.41% as of last Friday. This means that out of the 1,276 COVID-19 tests administered to Fairhaven residents during the past two weeks, over 5% were positive. This is probably due to a number of factors, the most likely one being mostly symptomatic, i.e. "sick" people, are the main recipients of the tests. Regardless, this is a trend of concern and should be addressed. Because of this I would continue to recommend:

Face coverings should be mandated in municipal buildings beginning next week if the positivity rate has not declined. I will know next Friday morning what the rate is as that is when the data from DEP is released. However, you may wish to implement this mandate sooner instead as that is your prerogative. At this time, my recommendation is to wait until next week to implement any new face covering policies in municipal buildings. Thank you.

Sincerely,

David D. Flaherty Jr., RS
Health Agent

Cc: BOH
file

