



Fairhaven Select Board

Meeting Minutes

September 13, 2021

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2021 SEP 28 P 12:43

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 by Cable Access and Zoom meeting application.

Chairman Robert Espindola opened the meeting at 5:03 pm in the Town Hall Banquet Room.

Minutes

Ms. Powers made a motion to approve the open session minutes of August 16, 2021. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to approve the open session minutes of August 23, 2021. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to approve the open session minutes of August 30, 2021. Mr. Silvia seconded. Vote was unanimous. (3-0)

Town Administrator Report

Ms. Graves said the first introductory meeting with the ARPA consultant was last week.

Ms. Graves reminded the Board the tax possession auction will be on September 28, 2021.

Ms. Graves will discuss the Wood School bond and the Town's S&P Global rating later in the meeting.

Committee Liaison Reports

Ms. Powers had a meeting with the Lagoa Friendship Committee where they discussed the exhibition the Azorean delegation will be sending to Fairhaven.

Mr. Silvia said the Marine Resources Committee will be doing a study for dredging at West Island. Committee member Erik Dawicki has offered the services of the students at Northeast Maritime Institute to paint the building at Hoppy's Landing.

Mr. Silvia expressed his gratitude for all our safety personnel who responded recently to a boat fire at Pope's Island.

Mr. Silvia said the Town Hall Street Lamp project that was voted down at Town meeting will be funded by private donations. Thank you to Nils Isaksen and Wayne Oliveira for their hard work on this project.

Mr. Silvia said the Nimrod Cannon has been soaking in a special solution for twenty years for its preservation and is now ready to come out of the solution that it has been bathing in. The Northeast Maritime Institute has been gracious enough to host the Nimrod Cannon in the lobby of the School all these years until it was ready to be removed and displayed.

Mr. Espindola has been working with the ARPA group and will meet soon with the Economic Development Committee, the Broadband Study Committee and the SMMPO.

Request to Use Town Hall Auditorium: Cable Access TV

Cable Access Derek Frates met via zoom with the Board to request the use of the auditorium for a movie screening of "To Dust All Return" by Alyssa Botelho. Mr. Frates said there will be a limit on the number of attendees and everyone will be required to wear a mask. Ms. Powers made a motion to approve the October 1, 2021 short film screening by Alyssa Botelho. Mr. Silvia seconded. Vote was unanimous. (3-0)

Request to Join Historical Commission

Natalie Mello was in attendance to answer any questions from the Board.

Ms. Powers made a motion to appoint Natalie Mello to the Historical Commission as an associate member. Mr. Silvia seconded. Vote was unanimous. (3-0)

Request to Join Belonging Committee:

Mr. Espindola said this is a new committee and there are openings for seven (7) members. There were two (2) letters that came in after the deadline but he would like to consider those too. Mr. Silvia had a concern for the folks who may winter out of state, if they would still be able to participate. Mr. Espindola reminded the Board, all meetings must have a zoom link, so therefore participation can be done from any place. Leon Correy, Diane Hahn and John Hinds all expressed to the Board their eagerness to join the committee.

Ms. Powers made a motion to appoint Leon Correy, Greg Weider, John Hinds, Diane Hahn, Kylie Bateman, Jessica Fidalgo and Geoff Haworth to the Belonging Committee. Mr. Silvia seconded. Vote was unanimous. (3-0)

Approval of Surplus Property Disposition

Mr. Espindola reminded the Board about the Annual Town Auction that is scheduled for Saturday, September 18, 2021. Ms. Powers made a motion to declare the items on the list surplus and to authorize the Town Administrator to add and delete as necessary. Mr. Silvia seconded. Vote was unanimous. (3-0)

Update the Charge of The Economic Development Committee

Mr. Espindola said there was an error in the motion to update the charge of the Economic Development Committee (EDC) at the last meeting.

Ms. Powers made a motion to reconsider the previous motion for the EDC at the meeting of August 23, 2021. Mr. Silvia seconded. Vote was unanimous.

Ms. Powers made a motion to amend the EDC charge in paragraph 2 to read Five (5) at-large members. Mr. Silvia seconded. Vote was unanimous. (3-0)

Update the Charge of the Lagoa Friendship Pact Committee

Mr. Espindola said the charge of the Lagoa Friendship Pact Committee calls for a member from the Fairhaven Business Association (FBA) but at this time it does not appear that the FBA is still in existence. Ms. Powers made a motion to amend the Lagoa charge to remove the FBA and replace with one member from the Fairhaven Business Community. The Economic Development Committee representative and the Historical representative will be appointed by their committees. Mr. Silvia seconded. Vote was unanimous. (3-0)

Sign Refinance of Wood School Bonds

Ms. Graves told the Board she had an opportunity to refinance the Wood School bond at .999889%, this will be a savings of \$861,207.37. (Attachment A) Ms. Graves said before a refinance can be done, the town has to have a S&P Global rating updated and Fairhaven has been given a AA+ rating. (Attachment B) Ms. Graves thanked the hard work and assistance of Town Accountant Anne Carreiro and Planning Director Paul Foley.

Ms. Powers made a motion to sign the Bond from Piper Sander Company for .999889%. Mr. Silvia seconded. Vote was unanimous. (3-0)

Meet and Greet Precinct 1

Precinct One residents Lee Robinson and Cathy Delano have concerns with the speeding traffic on Washington Street. Chairman Espindola noted their concerns and suggested going to the Police website to file the form regarding speed issues. Ms. Delano also had concerns regarding the condition of the Post Office building. Amy DeSalvatore expressed her pleasure with the work of the Tree Warden.

Salvation Army Serve-A-Thon: September 25, 2021

Mr. Espindola disclosed that Mr. Tapper is his brother in law.

Mr. Chris Tapper met with the Board to discuss the upcoming serve-a that serves the Salvation Army and Mobile Loaves. Mr. Tapper has been involved with this program for 8 years and some of the projects completed include Cooke Park and Veterans Park. Most of the volunteers come from the YMCS in Dartmouth and 100% of the donations go back to the Salvation Army. Mr. Tapper has been in contact with Veterans Agent Brad Fish regarding doing some volunteer work at Veteran's Park. Mr. Tapper told the Board if anyone is looking to volunteer they can go to: www.lift-in-love.org. Ms. Power suggested reaching out to the High School for students who are looking for volunteer opportunities.

Tree Warden: Discuss Tree Removal

Tree Warden Don Collasius met via zoom with the Board to discuss the recent removal of 55 shade trees in town. Town Planner Paul Foley expressed his concerns regarding the number of trees that were removed and the process that was followed. Mr. Foley has asked the Board for

permission to apply to the DCR Urban and Community Forestry Challenge Grant to fund a comprehensive street tree inventory and management plan performed by a professional tree care company (Attachment C). This matching grant opportunity is time sensitive and the Board has to show their support by submitting a letter of intent by October 1, 2021. Ms. Powers made a motion for the Select Board to show support for submitting a grant application for an urban and community forestry challenge grant with a possible \$20,000 match contingent on receiving a match funding from the ARPA program. Mr. Silvia seconded. Vote was unanimous. (3-0)

Mr. Collasius said he had partnered with Eversource to have the dangerous trees removed but going forward he does not see the removal of more trees in the near future. Mr. Collasius stated he will hold public hearings in the future prior to removing any trees but he feels because of the removal of these trees there were no power outages in the recent storm.

Residents James Anderson and Cathy Delano thanked the Tree Warden for removing a tree near each of their homes. Resident Barbara Acksen told the Board the town needs to be proactive in planning and preserving trees. Resident Ann Richard said trees are important and would like to see the tree survey done for the entire town, not just the center.

Mr. Foley expressed the importance of maintaining the town's character as well as following the master plan and will be looking to create some tree by-laws. Mr. Foley is concerned the process of removing trees was not followed when the 55 trees were taken down and there is no written protocol for when there are emergencies. Mr. Foley would like to create a memorandum of understanding (MOU) to protect the town's trees. Mr. Foley will be creating a bylaw to be placed on the next town meeting warrant regarding the tree removal process.

Rogers School National Historic Register Application

Rogers Re-Use Committee members Sue Loo, Doug Brady, Beverly Rassmusen and Barbara Acksen (via zoom) were in attendance. Mr. Brady discussed the process for applying to the State for the National Historic register (Attachment D). Planning Director Paul Foley will be including a letter of recommendation in the packet.

Ms. Powers made a motion to submit the Rogers School packet to the State to apply for the National historic register along with the letter from the Planning Director. Mr. Silvia seconded. Vote was unanimous. (3-0)

Virtual Public Hearing Participation—An Act Relative to The Board of Selectmen of The Town of Fairhaven

Mr. Espindola said Annual Town Meeting Article 47 has advanced forward to the legislature and there will be a public hearing at 11 am on September 14, 2021. The Town Moderator has written a letter to the State on behalf of the Town Meeting members. Ms. Powers said she would like to submit something but will write it from herself and not on behalf of the Select Board. Ms. Powers made a motion to submit a letter in favor of H3948, an act An Act Relative to The Board of Selectmen of The Town of Fairhaven. Mr. Espindola seconded. Vote passed. (3-1)

Town Tax Possession Auction Listing

Auctioneer Paul Zekos joined the meeting via zoom to discuss the up coming tax possession auction. Mr. Zekos explained all properties were obtained through the tax title process. There are 2 buildings on the list that pose a risk to the town and need to be back as part of the community

again. The auction is set for September 28, 2021 and the goal is to generate as much revenue for the town and the properties back on the tax rolls. Conservation Agent Whitney McClees would like to see some of the parcels that have wet lands or have habitats for rare and endangered species transferred to the conservation department. Ms. Powers had some concerns regarding certain properties that possibly should not be on the auction list.

Residents Martin and Janice Lomp of 21 Buist Street presented a power point to the Board (Attachment E) explaining that one of the listed properties abuts theirs and they have been taking care of the property for 27 years and feel they should be entitled to the property through adverse possession. Mr. Lomp stated he may sue the town if the property is sold at the auction. Ms. Graves told the Lomp's that M.G.L. does not allow her to sell a property to an individual and the properties must go to auction. Mr. Zekos explained that the entire auction process has to be fair and transparent. The Board discussed the parcels and would like to discuss more details in an executive session meeting.

Ms. Powers made a motion to hold a Select Board meeting for the purpose of executive session to discuss the auction properties. Mr. Silvia seconded. Vote was unanimous. (3-0)

Consider Date for Fall Town Meeting

The Board discussed holding a special town meeting and reviewed the calendar to find possible dates. Conservation Agent/Sustainability Coordinator Whitney McClees told the Board she does not have a firm deadline for the solar project at the schools but the sooner the better for the Town to save money. Ms. Graves will reach out to the Town Moderator and the ARPA committee for their input. Ms. Powers made a motion to set the target date of December 14, 2021 and December 15, 2021 for a Special Town Meeting. Mr. Silvia seconded. Vote was unanimous. (3-0)

Mask Mandate Update

Ms. Graves said there was nothing new to report at this time.

Resignation on Millicent Library Trustees: Cheryl Moniz

Mr. Espindola read an email from Library Director Kyle DeCicco-Carey stating that longtime trustee member Cheryl Moniz has resigned from the Board after serving since 1996.

Ms. Powers made a motion to accept the resignation of Cheryl Moniz from the Library Board of Trustees and thank her for her service. Mr. Silvia seconded. Vote was unanimous. (3-0)

Fairhaven Police Department: Donation

Mr. Espindola read a letter from Fairhaven Police Chief Myers thanking BASK, Inc. for their generous donation of \$7500 to help launch the new canine program. The Board thanked BASK for the donation.

Fairhaven Village Militia Revolutionary War Encampment

Mr. Espindola read a letter from Commander Wayne Oliveira reminding the Select Board about the upcoming Revolutionary War encampment at Fort Phoenix and the firing of the Fort's large cannons.

Notes and Announcements

Mr. Espindola read a memo from Health Agent Dave Flaherty noting there is no mold in the Rogers School. (Attachment F)

Ms. Powers said the Pickleball Association has offered free Pickleball lessons to town employees.

Mr. Silvia requested a request system for the use of Town Counsel and to monitor what departments are using the services.

At 9:41 pm Ms. Powers made a motion to adjourn to Executive session not to reconvene to open session for Strategy with respect to litigation: MGL chapter 30a, section 21(a) 3: New England Preservation and Development, LLC law suit (Rogers School). Mr. Silvia seconded. Vote was unanimous. (3-0)

Roll Call Vote: Ms. Powers in favor, Mr. Silvia in favor, Mr. Espindola in favor.

Respectfully submitted,



Vicki L. Oliveira
Administrative Assistant
(Approved 09/27/2021)

- A. Bid Results
- B. S&P Global rating
- C. Memo from Planning Director Paul Foley
- D. Rogers School National Historic Register application
- E. 21 Buist Street power point presentation
- F. Memo from Health Agent David Flaherty regarding Rogers School



11:13:55 a.m. EDST

Upcoming Calendar

Overview

Compare

Summary

Bid Results**Fairhaven (Town)
\$5,010,000 General Obligation Refunding Bonds**

The following bids were submitted using **PARITY**[®] and displayed ranked by lowest TIC.
Click on the name of each bidder to see the respective bids.

Bid Award*	Bidder Name	TIC
<input checked="" type="checkbox"/> Reoffering	Piper Sandler & Co	0.999889
<input type="checkbox"/>	The Baker Group	1.047350
<input type="checkbox"/>	Raymond James & Associates, Inc.	1.056520
<input type="checkbox"/>	FHN Financial Capital Markets	1.081821
<input type="checkbox"/>	Robert W. Baird & Co., Inc.	1.128755
<input type="checkbox"/>	SWBC Investment Services, LLC	1.193931
<input type="checkbox"/>	Roosevelt & Cross, Inc.	1.225967
<input type="checkbox"/>	Fidelity Capital Markets	1.327585

*Awarding the Bonds to a specific bidder will provide you with the Reoffering Prices and Yields.

Town of Fairhaven, Massachusetts

\$5,225,000 General Obligation Bonds

September 22, 2021

SINGLE PURPOSE

Debt Service Comparison

Part 1 of 2

Date	Total P+I	Existing D/S	Net New D/S	Old Net D/S	Savings	Fiscal Total
09/22/2021	-	-	-	-	-	-
11/01/2021	15,335.13	477,050.00	492,385.13	570,387.50	78,002.37	-
05/01/2022	70,777.50	-	70,777.50	93,337.50	22,560.00	-
06/30/2022	-	-	-	-	-	100,562.37
11/01/2022	525,777.50	-	525,777.50	563,337.50	37,560.00	-
05/01/2023	61,677.50	-	61,677.50	86,287.50	24,610.00	-
06/30/2023	-	-	-	-	-	62,170.00
11/01/2023	506,677.50	-	506,677.50	541,287.50	34,610.00	-
05/01/2024	52,777.50	-	52,777.50	79,462.50	26,685.00	-
06/30/2024	-	-	-	-	-	61,295.00
11/01/2024	497,777.50	-	497,777.50	534,462.50	36,685.00	-
05/01/2025	43,877.50	-	43,877.50	72,637.50	28,760.00	-
06/30/2025	-	-	-	-	-	65,445.00
11/01/2025	493,877.50	-	493,877.50	527,637.50	33,760.00	-
05/01/2026	34,877.50	-	34,877.50	65,812.50	30,935.00	-
06/30/2026	-	-	-	-	-	64,695.00
11/01/2026	484,877.50	-	484,877.50	515,812.50	30,935.00	-
05/01/2027	25,877.50	-	25,877.50	57,937.50	32,060.00	-
06/30/2027	-	-	-	-	-	62,995.00
11/01/2027	475,877.50	-	475,877.50	507,937.50	32,060.00	-
05/01/2028	19,127.50	-	19,127.50	50,062.50	30,935.00	-
06/30/2028	-	-	-	-	-	62,995.00
11/01/2028	464,127.50	-	464,127.50	500,062.50	35,935.00	-
05/01/2029	12,452.50	-	12,452.50	42,187.50	29,735.00	-
06/30/2029	-	-	-	-	-	65,670.00
11/01/2029	452,452.50	-	452,452.50	492,187.50	39,735.00	-
05/01/2030	10,252.50	-	10,252.50	34,312.50	24,060.00	-
06/30/2030	-	-	-	-	-	63,795.00
11/01/2030	440,252.50	-	440,252.50	484,312.50	44,060.00	-
05/01/2031	7,887.50	-	7,887.50	25,875.00	17,987.50	-
06/30/2031	-	-	-	-	-	62,047.50
11/01/2031	422,887.50	-	422,887.50	475,875.00	52,987.50	-
05/01/2032	5,397.50	-	5,397.50	17,437.50	12,040.00	-
06/30/2032	-	-	-	-	-	65,027.50
11/01/2032	410,397.50	-	410,397.50	467,437.50	57,040.00	-
05/01/2033	2,765.00	-	2,765.00	9,000.00	6,235.00	-
06/30/2033	-	-	-	-	-	63,275.00
11/01/2033	397,765.00	-	397,765.00	459,000.00	61,235.00	-
06/30/2034	-	-	-	-	-	61,235.00
Total	\$5,935,830.13	\$477,050.00	\$6,412,880.13	\$7,274,087.50	\$861,207.37	-

S&P Global
Ratings

RatingsDirect®

Summary:

Fairhaven Town, Massachusetts; General Obligation

Primary Credit Analyst:

Anthony Polanco, Boston + 1 (617) 530 8234; anthony.polanco@spglobal.com

Secondary Contact:

Danielle L. Leonardis, New York + 1 (212) 438 2053; danielle.leonardis@spglobal.com

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Summary:

Fairhaven Town, Massachusetts; General Obligation

Credit Profile

US\$5.01 mil GO rfdg bnds ser 2021 due 11/01/2033

Long Term Rating

AA+/Stable

New

Fairhaven Twn GO mun purp loan bnds

Long Term Rating

AA+/Stable

Affirmed

Rating Action

S&P Global Ratings assigned its 'AA+' rating and stable outlook to Fairhaven, Mass.' roughly \$5.01 million series 2021 general obligation (GO) refunding bonds and affirmed its 'AA+' rating, with a stable outlook, on the town's existing GO debt.

Fairhaven's full-faith-and-credit pledge, subject to Proposition 2 1/2 limitations, secures the series 2021 bonds and GO debt outstanding. Despite limitations imposed by the commonwealth's levy-limit law, we did not make a rating distinction between the limited- and unlimited-tax GO pledges due to the town's operating flexibility under the levy limit. We rate the limited-tax GO debt on par with our view of Fairhaven's general creditworthiness because the ad valorem tax is not derived from a measurably narrower property tax base and there are no resource fungibility limitations, supporting our view of its overall ability and willingness to pay debt service.

Officials plan to use series 2021 bond proceeds to refund series 2013 GO bonds for present value savings.

Credit overview

The rating reflects our view of the town's very strong budgetary flexibility, supported by consistently positive financial operations and good financial-management policies and practices under our Financial Management Assessment (FMA) methodology. In our opinion, Fairhaven's stable local economy, with access to the Providence metropolitan statistical area (MSA), and manageable debt-and-pension liabilities further support the rating; we, however, expect retirement costs will likely continue to increase. Therefore, we think the rating outlook will likely remain stable during the next two years because we expect management will likely maintain conservative budgeting assumptions and make necessary financial adjustments to maintain very strong reserves while managing long-term liabilities.

The rating reflects our view of the town's:

- Adequate economy, with access to a broad and diverse MSA, yet high Bristol County unemployment exceeding 10%;
- Strong financial management, with good financial policies and practices under our FMA methodology;
- Strong budgetary performance, with operating surpluses in the general fund and at the total governmental fund level

in fiscal 2020;

- Very strong budgetary flexibility, with available fund balance in fiscal 2020 at 22% of operating expenditures;
- Very strong liquidity, with total government available cash at 38.6% of total governmental fund expenditures and 19.6x governmental debt service, and access to external liquidity we consider strong;
- Very strong debt-and-contingent-liability profile, with debt service carrying charges at 2% of expenditures and net direct debt that is 21% of total governmental fund revenue, as well as low overall net debt at less than 3% of market value, but a large pension and other postemployment benefits (OPEB) obligation; and
- Strong institutional framework score.

Environmental, social, and governance (ESG) factors

Although rising sea levels pose a long-term risk for Fairhaven that elevates environmental risks, we think management will likely continue to plan and implement resiliency efforts to help reduce potential effects on the town. As part of the commonwealth's municipal vulnerability preparedness program, Fairhaven has received grants following the evaluation of the effect of climate change on its highest at-risk assets; management, however, has implemented action plans to mitigate these risks. Fairhaven is also conducting a feasibility study with neighboring New Bedford to analyze the effect of climate change on the town's Union wharf, which is partially rebuilt. Fairhaven has also allowed for more mixed-use development in parts of the town with higher elevation. We posit governance and social risks relative to Fairhaven's economy, management, financial measures, and debt-and-liability profile are all in-line with our view of the sector standard. The town also maintains various cybersecurity protections and plans.

Stable Outlook

Upside scenario

We could raise the rating if underlying economic indicators were to grow to levels we consider commensurate with higher-rated peers while management maintains very strong reserves and manages long-term liabilities.

Downside scenario

We could lower the rating if reserves were to weaken materially due to negative financial operations or if increasing retirement costs were to pressure the budget.

Credit Opinion

Adequate economy

We consider Fairhaven's economy adequate. The town, with a population estimate of 16,119, is in Bristol County in the Providence-Warwick MSA, which we consider broad and diverse. Projected per capita effective buying income is 106.1% of the national level and per capita market value is \$146,803. Overall, market value has grown by 1.6% during the past year to \$2.4 billion in fiscal 2021. County unemployment was 10.2% in 2020 due primarily to COVID-19 and government-related shutdowns, which we consider high and a negative credit factor. However, we do not expect unemployment to remain a long-term trend as the regional economy recovers.

Fairhaven and its immediate neighbor New Bedford share a harbor, which has historically led to intertwined economies. Fairhaven has generally provided support services in the way of ship repair to the fishing fleet stationed on New Bedford's side of the harbor. While residents of the primarily residential community commute into Providence and throughout the broader MSA, Fairhaven is home to a growing health-care industry and golf-equipment-manufacturer Titleist's world headquarters. There is no taxpayer concentration with the 10 leading taxpayers accounting for 5.7% of assessed value.

We understand COVID-19 has not caused major local economic disruptions for Fairhaven because all major businesses have remained open and tax collections remain strong. We understand that the town's harbor and shipyard have remained active throughout COVID-19 and that its real estate market continues to thrive with houses selling for record prices. In addition, several businesses and employers, such as South Coast Hospital, continue to expand, leading to further commercial-sector growth. We also understand developers have revamped an old Sears location that closed prior to COVID-19.

While we think the town's economy will likely remain stable, especially because we think economic recovery will likely continue to accelerate and the risk of recession will likely lessen, we posit the lingering effects of COVID-19, including elevated commonwealth and regional unemployment, could potentially lead to slower-than-expected economic growth. (For more information on COVID-19's effect on the U.S. public finance sector, see the articles, titled "Economic Outlook U.S. Q3 2021: Sun, Sun, Sun, Here It Comes," published June 24, 2021; and "Credit Conditions North America Q3 2021: Looking Ahead, It's Looking Up," published June 29, 2021, on RatingsDirect.)

Strong management

We view the town's financial management as strong, with good financial policies and practices under our FMA methodology, indicating that financial practices exist in most areas but that governance officials might not formalize or regularly monitor all of them.

Management undertakes a number of long-term planning exercises outside the scope of our FMA methodology that are important because they factor into short-term budgetary decision-making and financial planning. The town's master plan is in its second iteration, guiding planning through 2040. Management also recognizes the town could be susceptible to climate change, particularly through sea-level rise; therefore, it works with an outside consultant to develop a hazard-mitigation plan.

Strengths include management's strong revenue and expenditure assumptions in the budgeting process. Management has worked to reduce annual budgetary variances; consequently, it has eliminated the use of reserve appropriations in the budget. Management formally reports monthly to the board and town manager on budget-to-actual performance. The town's long-term financial plan includes five years of revenue projections but lacks formal five-year expenditure projections, which management conducts periodically.

Fairhaven annually updates the capital investment plan (CIP), which includes projects and revenue sources for five years. The CIP's weighted criteria result in a score management uses to prioritize projects. The CIP development process includes debt service and maturity guidelines, coupled with the town's debt-management policy that outlines debt types it could issue, as well as authorization procedures. The formal investment-management policy outlines caretaking-and-reporting requirements, coupled with formally adopting commonwealth debt limitations; management

makes quarterly investment reports to the town board. A reserve policy requires Fairhaven maintain a balance of 3%-5% in free cash, as defined by commonwealth law, as well as a stabilization reserve at 5%-7% of general fund expenditures.

Strong budgetary performance

Fairhaven's budgetary performance is strong, in our opinion. The town had operating surpluses at 2.3% of expenditures in the general fund and 1.9% across all governmental funds in fiscal 2020.

For analytical consistency, we adjusted budgetary performance to account for recurring transfers into and from the general fund. The town has posted strong budgetary performance in each of the past three fiscal years.

Management attributes fiscal 2020 positive general fund results to higher-than-budgeted revenue, including charges for services and property and excise taxes. The town also realized expenditure savings because it scaled back operations during government shutdowns and budgeted conservatively; this led to savings in various departments, such as recreation, general government, and public safety. For fiscal 2021, officials estimate ending with another general fund surplus. Management indicates revenue was about \$1.3 million ahead of the budget, coupled with lower-than-expected costs, including savings in public works, highway department, schools, and other areas of the budget. In fiscal 2020, property taxes accounted for approximately 60% of general fund revenue, followed by intergovernmental aid at 25%.

The fiscal 2022, \$53.9 million budget is a 2.3% increase over fiscal 2021, including a \$285,000 fund-balance appropriation. We understand there are no major changes in the fiscal 2022 budget with most departments maintaining flat or decreasing expenditures. The town also expects increased revenue from a new marijuana retail facility and a 3% community impact fee. The town also expects a total of \$1.6 million in American Rescue Plan Act of 2021 funds and \$3.1 million from the county's allocation. We understand Fairhaven could use some funds to help pay for sewer-treatment-plant upgrades and water and broadband infrastructure; however, it has not made any final decisions at this time. Therefore, due to the town's estimated fiscal 2021 surplus and history of maintaining balanced operations, we expect budgetary performance will likely remain strong.

Very strong budgetary flexibility

Fairhaven's budgetary flexibility is very strong, in our view, with available fund balance in fiscal 2020 at 22% of operating expenditures, or \$11.2 million.

Fairhaven has maintained available fund balance at more than 20% of expenditures during each of the past three fiscal years. While total reserves have consistently improved during the past few fiscal years, the town moved some assigned, unassigned fund balance into committed funds in fiscal 2020, which it could only use through a town meeting vote, if warranted. Nonetheless, we expect budgetary flexibility will likely remain very strong.

Very strong liquidity

In our opinion, Fairhaven's liquidity is very strong, with total government available cash at 38.6% of total governmental fund expenditures and 19.6x governmental debt service in fiscal 2020. In our view, the town has strong access to external liquidity if necessary.

Fairhaven has maintained very strong cash during the past three fiscal years, and liquidity should remain very strong because there is no expectation of significant cash deterioration. The town also maintains strong access to external

Summary: Fairhaven Town, Massachusetts; General Obligation

liquidity by frequently issuing debt for capital projects. In addition, we note investments are not aggressive. It does not currently have variable-rate or direct-purchase debt, reducing its exposure to contingent-liquidity risks.

Very strong debt-and-contingent-liability profile

In our view, Fairhaven's debt-and-contingent-liability profile is very strong. Total governmental fund debt service is 2% of total governmental fund expenditures, and net direct debt is 21% of total governmental fund revenue. Overall net debt is low at 0.5% of market value, which is, in our view, a positive credit factor.

With this issuance, the town will have about \$18.6 million in total direct debt. Officials currently plan to issue about \$5.7 million in additional debt during the next two years to three years for water-and-sewer projects. We understand the town could undertake a large sewer project and a significant public-safety-building project beyond the three-year period, which would most likely require additional bonding.

Pension and OPEB highlights:

- In our opinion, Fairhaven's large pension and OPEB obligation and increasing retirement costs are a credit weakness; however, they have not had a negative effect on budgetary results or reserves.
- While the pension plan uses actuarially determined contributions, we think some assumptions could result in contribution escalation and volatility.
- Fairhaven prefunds OPEB obligations, which we consider positive; it has a formal funding policy--However, we expect liabilities and costs will likely increase.

As of June 30, 2020, the town participates in:

- Fairhaven Contributory Retirement System, which was 78.2% funded, with a net pension liability of \$19 million; and
- Fairhaven's defined-benefit health-care plan that provides retiree health care until death, which was 2.64% funded, with an OPEB liability of about \$37.9 million.

Fairhaven's combined required pension and actual OPEB contribution totaled 9.4% of total governmental fund expenditures in fiscal 2020: 5.7% represented required contributions to pension obligations and 3.7% represented OPEB payments. The town made its full annual required pension contribution in fiscal 2020.

The retirement system plan maintains a closed-amortization schedule of 14 years and a 7.15% discount. We think this elevated discount could lead to contribution increases and potential liability increases if the plan does not achieve targeted investment returns. In addition, the plan also maintains a payroll-growth assumption of 4.25%, which we think could also lead to faster-than-expected cost increases if Fairhaven does not consistently meet the target.

The town has established an OPEB trust fund with a \$1 million balance as of fiscal 2020. Fairhaven plans to add \$200,000 to the OPEB fund in fiscal 2022 and \$350,000 in fiscal 2023; it plans to increase that contribution by, at least, \$50,000 annually afterward.

Strong institutional framework

The institutional framework score for Massachusetts municipalities is strong.

Related Research

- S&P Public Finance Local GO Criteria: How We Adjust Data For Analytic Consistency, Sept. 12, 2013
- Incorporating GASB 67 And 68: Evaluating Pension/OPEB Obligations Under Standard & Poor's U.S. Local Government GO Criteria, Sept. 2, 2015
- Criteria Guidance: Assessing U.S. Public Finance Pension And Other Postemployment Obligations For GO Debt, Local Government GO Ratings, And State Ratings, Oct. 7, 2019
- 2020 Update Of Institutional Framework For U.S. Local Governments
- Through The ESG Lens 2.0: A Deeper Dive Into U.S. Public Finance Credit Factors, April 28, 2020

Certain terms used in this report, particularly certain adjectives used to express our view on rating relevant factors, have specific meanings ascribed to them in our criteria, and should therefore be read in conjunction with such criteria. Please see Ratings Criteria at www.standardandpoors.com for further information. Complete ratings information is available to subscribers of RatingsDirect at www.capitaliq.com. All ratings affected by this rating action can be found on S&P Global Ratings' public website at www.standardandpoors.com. Use the Ratings search box located in the left column.

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Town of Fairhaven

Department of Planning & Economic Development

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Telephone (508) 979-4082 • FAX (508)-979-4087

pfoley@fairhaven-ma.gov

Memorandum

Date: September 8, 2021

To: Select Board

From: Paul H. Foley, Fairhaven Director of Planning & Economic Development

RE: Tree Removals and Initiatives Information for Select Board Packet

Please find attached documents related to the recent street tree removals and initiatives moving forward to protect and manage our street and park trees. Attached are MGL Chapter 87 on Shade Trees (key sections underlined); the Eversource list of trees removed; a 2-page flyer from DCR on Urban and community Forestry and page 4 of the Urban and Community Forestry Grant Application. I believe that MGL 87 was violated with the tree removals of July.

On a positive note the Planning Board will be putting forth a local Tree Bylaw for the Fall Town Meeting to enhance the rules and regulations of MGL Chapter 87, clarify the role and responsibilities of the Tree Warden, establish rules for notification, public input and review required for certain tree work and establish record keeping rules for Tree management.

With your permission I would like to apply to the DCR Urban and Community Forestry Challenge Grant to fund a comprehensive street tree inventory and management plan performed by a professional tree care company. The Inventory would assess our street trees and trees in parks and public plazas by location, species, size, condition, threats and recommended maintenance. The Inventory will inform the Management Plan and identify what issues we have to deal with and the best ways and costs to do so. The Plan should help guide Street Tree management including tree protection, regular maintenance and pruning, pest management, planting (type, location and method) and removal when necessary. The grant requires a 50-50 Match and I would like to apply for \$20,000 from the program to be matched by the Town ARPA funds in order to produce the comprehensive Tree Inventory and Management Plan.

I believe it is in the best interest of the Town. The importance of our street trees is expressed in the Master Plan, the Open Space Plan and the Streetscape Guidelines. The Master Plan noted through the public engagement process of the Open Space Plan, that town residents identified the following community assets that they believe make the town unique: the retention of our native stock of plants and trees; unique and valuable natural resources; our History, landscape, and architecture; our conservation partnerships; birds, and diversity of habitat. The Historic Resources section states "a planning process that seeks to preserve neighborhood character while facilitating town-wide growth. This holistic view shifts the focus of preservation from individual buildings to entire communities and the people who live there... and mature trees tell the story of the mill workers who lived there, and the streetscapes that keep property values high". For our historic character, the cooling effects of the tree canopy, land values, habitat and other reasons I ask that you support this effort.

Massachusetts General Law Chapter 87 – Public Shade Trees

Section 1: Public shade trees; definition

- Section 1. All trees within a public way or on the boundaries thereof including trees planted in accordance with the provisions of section 7 shall be public shade trees; and when it appears in any proceeding in which the ownership of or rights in a tree are material to the issue, that, from length of time or otherwise, the boundaries of the highway cannot be made certain by records or monuments, and that for that reason it is doubtful whether the tree is within the highway, it shall be taken to be within the highway and to be public property until the contrary is shown.

Section 2: Powers of tree wardens

- Section 2. The tree warden of a town may appoint and remove deputy tree wardens. He and they shall receive such compensation as the town determines or, in default thereof, as the selectmen allow. He shall have the care and control of all public shade trees, shrubs and growths in the town, except those within a state highway, and those in public parks or open places under the jurisdiction of the park commissioners, and shall have care and control of the latter, if so requested in writing by the park commissioners, and shall enforce all the provisions of law for the preservation of such trees, shrubs and growths. He shall expend all money appropriated for the setting out and maintenance of such trees, shrubs and growths, and no tree shall be planted within a public way without the approval of the tree warden, and in towns until a location therefor has been obtained from the selectmen or road commissioners. He may make regulations for the care and preservation of public shade trees and establish fines and forfeitures of not more than twenty dollars in any one case for violation thereof; which, when posted in one or more public places, and, in towns, when approved by the selectmen, shall have the effect of town by-laws.

Section 3: Cutting of public shade trees; public hearing; damages to fee owner

- Section 3. Except as provided by section five, public shade trees shall not be cut, trimmed or removed, in whole or in part, by any person other than the tree warden or his deputy, even if he be the owner of the fee in the land on which such tree is situated, except upon a permit in writing from said tree warden, nor shall they be cut down or removed by the tree warden or his deputy or other person without a public hearing and said tree warden or his deputy shall cause a notice of the time and place of such hearing thereof, which shall identify the size, type and location of the shade tree or trees to be cut down or removed, to be posted in two or more public places in the town and upon the tree at least seven days before such hearing and published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than seven days before the day of the hearing or if no such local newspaper exists then in accordance with the provisions of section six of chapter four; provided, however, that when a public hearing must be held under the provisions of this section and under section fifteen C of chapter forty prior to the cutting or removal of a tree, such hearings shall be consolidated into a single public hearing before the tree warden and the planning board, or if there is no planning board, the selectmen of a town or the city council of a city, and notice of such consolidated public hearing shall be given by the tree warden or his deputy as provided herein. Any person injured in his property by the action of the officers in charge of the public shade trees as to the trimming, cutting, removal or retention of any such tree, or as to the amount awarded to him for the same, may recover the damages, if any, which he has sustained, from the town under chapter seventy-nine.

Massachusetts General Law Chapter 87 – Public Shade Trees

Section 4: Cutting down or removing public shade trees; approval of selectmen or mayor

- Section 4. Tree wardens shall not cut down or remove or grant a permit for the cutting down or removal of a public shade tree if, at or before a public hearing as provided in the preceding section, objection in writing is made by one or more persons, unless such cutting or removal or permit to cut or remove is approved by the selectmen or by the mayor.

Section 5: Cutting down, trimming or removing bushes and small trees

- Section 5. Tree wardens and their deputies, but no other person, may, without a hearing, trim, cut down or remove trees, less than one and one half inches in diameter one foot from the ground, and bushes, standing in public ways; and, if ordered by the mayor, selectmen, road commissioners or highway surveyor, shall trim or cut down trees and bushes, if the same shall be deemed to obstruct, endanger, hinder or incommode persons traveling thereon or to obstruct buildings being moved pursuant to the provisions of section eighteen of chapter eighty-five. Nothing contained in this chapter shall prevent the trimming, cutting or removal of any tree which endangers persons traveling on a highway, or the removal of any tree, if so ordered by the proper officers for the purpose of widening the highway and nothing herein contained shall interfere with the suppression of pests declared to be public nuisances by section eleven of chapter one hundred and thirty-two, including the Dutch elm disease.

Section 6: Penalty for violation of Sec. 3, 4 or 5

- Section 6. Violations of any provision of the three preceding sections shall be punished by forfeiture of not more than five hundred dollars to the use of the city or town.

Section 7: Planting of shade trees

- Section 7. Cities and towns may appropriate money for the purpose of acquiring and planting shade trees in public ways. The tree warden, or a private organization acting with the written consent of the tree warden, may plant shade trees acquired with public or private funds in a public way, or if he deems it expedient, upon adjoining land at a distance not exceeding 20 feet from the layout of such public way for the purpose of improving, protecting, shading or ornamenting the same; provided, however, that the written consent of the owner of such adjoining land shall first be obtained.

Section 8: Trees on state highways

- Section 8. The department of highways, in this chapter called the department, shall have the care and control of all trees, shrubs and growths within state highways, and may trim, cut or remove such trees, shrubs and growths, or license the trimming, cutting or removal thereof. No such tree, shrub or other growth shall be trimmed, cut or removed by any person other than an agent or employee of the department, even if he be the owner of the fee in the land on which such tree, shrub or growth is situated, except upon a permit in writing from the department. Any person injured in his property by the action of the department as to the trimming, cutting, removal or retention of any such tree, shrub or other growth, may recover the damages, if any, which he has sustained, from the commonwealth under chapter seventy-nine.

Massachusetts General Law Chapter 87 – Public Shade Trees

Section 9: Signs or marks on shade trees

- Section 9. Whoever affixes to a tree in a public way or place a notice, sign, advertisement or other thing, whether in writing or otherwise, or cuts, paints or marks such tree, except for the purpose of protecting it or the public and under a written permit from the officer having the charge of such trees in a city or from the tree warden in a town, or from the department in the case of a state highway, shall be punished by a fine of not more than fifty dollars. Tree wardens shall enforce the provisions of this section; but if a tree warden fails to act in the case of a state highway within thirty days after the receipt by him of a complaint in writing from the department, the department may proceed to enforce this section.

Section 10: Injury to trees on state highways

- Section 10. Whoever without authority trims, cuts down or removes a tree, shrub or growth, within a state highway or maliciously injures, defaces or destroys any such tree, shrub or growth shall be punished by imprisonment for not more than six months, or by a fine of not more than five hundred dollars to the use of the commonwealth.

Section 11: Injury to trees of another person

- Section 11. Whoever willfully, maliciously or wantonly cuts, destroys or injures a tree, shrub or growth which is not his own, standing for any useful purpose, shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars.

Section 12: Injury to shrubs, trees or fixtures

- Section 12. Whoever wantonly injures, defaces or destroys a shrub, plant or tree, or fixture of ornament or utility, in a public way or place or in any public enclosure, or negligently or willfully suffers an animal driven by or for him or belonging to him to injure, deface or destroy such shrub, plant, tree or fixture, shall be punished by a fine of not more than five hundred dollars, and shall in addition thereto be liable to the town or any person for all damages to its or his interest in said shrub, plant, tree or fixture caused by such act. Whoever by any other means negligently or willfully injures, defaces or destroys such a shrub, plant, tree or fixture shall likewise be liable to the town or any person for all damages to its or his interest in said shrub, plant, tree or fixture caused by such act.

Section 13: Powers and duties of tree wardens in cities

- Section 13. The powers and duties conferred and imposed upon tree wardens in towns by this chapter shall be exercised and performed in cities by the officers charged with the care of shade trees within the limits of the highway.

Section 14: Performance of maintenance and tree removal work by utility; submission and approval of vegetation management and hazard tree removal plans; submission of utility tree maintenance standards and specifications

- Section 14. (a) For the purposes of this section, "utility" shall mean a company engaging in the distribution of electricity or owning, operating or controlling distribution facilities; provided, however, that a distribution company shall not include any entity which owns or operates plant or equipment used to produce electricity, steam and chilled water, or an affiliate engaged solely in the provision of such electricity, steam and chilled water, where the electricity produced by such entity or its affiliate is

Massachusetts General Law Chapter 87 – Public Shade Trees

primarily for the benefit of hospitals and nonprofit educational institutions, and where such plant or equipment was in operation before January 1, 1986.

- Section 14(b) A utility may, or at the request of the tree warden shall, submit an annual vegetation management plan describing the maintenance work to be performed in a municipality. The plan shall include, but not be limited to, a map of the circuits where the maintenance work will be performed, the tree maintenance standards that will be followed and any foreseeable variance from those standards. The plan shall comply with local ordinances and regulations. The plan shall be submitted not less than 90 days prior to the date the utility proposes to begin its maintenance work. Upon receipt of the plan, the tree warden, or a designee thereof, shall notify the utility within 60 days, in writing, whether or not the plan has been approved. Upon receipt of written notification that the plan has been approved, or approved with modifications agreed to by both parties, a utility shall be exempt from the requirements of sections 3 and 5 for the work described in the approved plan.
- Section 14 (c) A utility may, or at the request of the tree warden shall, submit an annual hazard tree removal plan describing hazard tree removal work to be performed in a municipality. The plan shall include, but not be limited to, the specific trees that the utility has identified as a hazard and proposes to remove. The plan shall comply with local ordinances and regulations. The plan shall be submitted not less than 90 days prior to the date a utility proposes to begin tree removal. Upon receipt of the plan, the tree warden, or a designee thereof, shall notify the utility within 60 days, in writing, whether or not the plan has been approved. Upon receipt of written notification that the plan has been approved, or approved with modifications agreed to by both parties, the utility shall be exempt from the requirements of sections 3 and 5 for the work described in the approved plan.
- Section 14 (d) If a tree warden fails to notify a utility whether a vegetation management plan or hazard tree removal plan has been approved within 60 days of the warden's receipt of the plan, the utility may request a decision by the selectmen, mayor or chief administrative officer of the municipality.
- Section 14 (e) Notwithstanding approval of a vegetation management plan or hazard tree removal plan, a utility shall notify a tree warden, in writing, not less than 14 days prior to beginning maintenance work or tree removal work in a municipality. If a local ordinance or regulation requires more than 14 days notice, the utility shall comply with such ordinance or regulation. The notice provided shall include the date on which the utility will begin work and the phone number of the person or persons supervising the work in the field.
- Section 14 (f) The utility shall provide to the state forester, or such other person or agency as designated by the secretary of energy and environmental affairs, a copy of any annual vegetation management plan or hazard tree removal plan and a copy of the approval or denial letter from the applicable tree warden. The state forester, or such other person or agency as designated by the secretary of energy and environmental affairs, shall provide the utility an acknowledgment of receipt of such plans and determinations in any manner approved by said secretary.

Massachusetts General Law Chapter 87 – Public Shade Trees

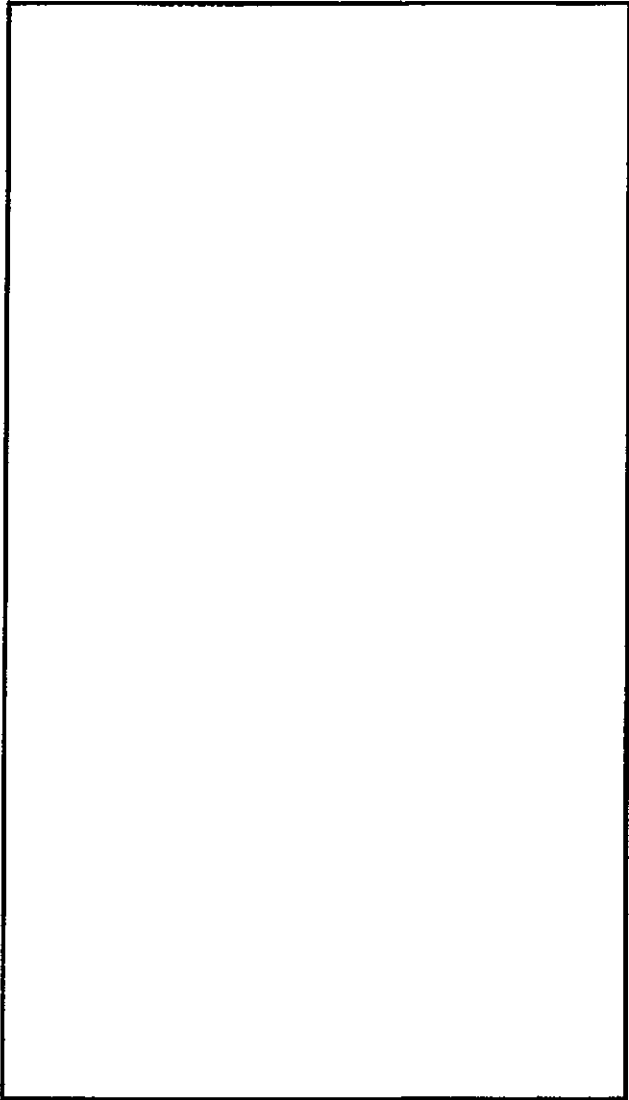
- Section 14 g) The utility shall annually submit to the state forester's office a set of utility tree maintenance standards and specifications and evidence that these standards have been adopted by the utility company. These standards and specifications shall conform with: American National Standard Institute A-300; American National Standard Institute Z-133; and National Electric Safety Code 218 Tree Trimming and OSHA 29 CFR Part 1910 Line Clearance Tree Trimming Operations. The state forester, or such other person or agency as designated by the secretary of energy and environmental affairs, shall make these standards and specifications available to the public on their websites or other accessible locations and shall accept and maintain a publicly accessible record of comments received relative to the standards and specifications and shall transmit the comments to the utilities.

Date Planned: July 2021

Circuit Number:

Pole Numbers	House Number	Permission	1.5" - 6"	6" - 12"	12" - 18"	18" - 24"	24" - 30"	30" - 36"	36" +	Haul Wood	Trees In Layout	Comments
			0	1	11	20	18	9	4		60	
Total Removals:												63

Public Tree Removals Fairhaven updated 7/20/2021



Date Planned: July 2021

Circuit Number:

Pole Numbers	House Number	Permission	1.5" - 6"	6" - 12"	12" - 18"	18" - 24"	24" - 30"	30" - 36"	36" +	Haul Wood	Trees In Layout	Comments
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Walnut St

277/8-9	38	Yes				1 maple	1 maple			Yes	2	
10-11	Across 49	Yes						1 maple		Yes	1	

Laurel St

148/26-27	119	Yes				1 maple				Yes	1	
22-23	102	Yes			1 maple					Yes	1	
148/10-92/25	41	Yes							1 maple	Yes	1	
55/5-148/16	46 Church St	Yes				1 maple				Yes	1	

Center St

148/24-46/14	62	Yes				1 maple	1 maple			Yes	2	
148/23-46/15	71	Yes					1 maple			Yes	1	
46/11-10	48	Yes			1 maple					Yes	1	
11-10	47	Yes			1 maple		1 maple			Yes	2	

Green St

108/33-32	153	Yes		1 dogwood						Yes	1	
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Date Planned: July 2021

Circuit Number:

Pole Numbers	House Number	Permission	1.5" - 6"	6" - 12"	12" - 18"	18" - 24"	24" - 30"	30" - 36"	36" +	Haul Wood	Trees In Layout	Comments
22-21	105	Yes				1 maple				Yes	1	
21-20	99	Yes					1 maple			Yes	1	
14-13	65	Yes				1 maple				Yes	1	
10 1/4-10	41	Yes				1 maple				Yes	1	

Old Fort Rd

194/1-108/11		Yes			1 elm					Yes	1	Next to tennis courts. Entrance to Fort Phoenix.
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William St

290/5-6	37	Yes				1 elm				Yes	1	
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Cottage St

62/2-3	21 Green St	Yes			1 maple					Yes	1	Dead
62/4-148/5	22 Laurel St	Yes						1 maple		Yes	1	

Thompson St

268/1-2	67 Cedar St	Yes				2 oaks				Yes	0	
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Farmfield St

92/10-11	86	Yes				1 maple				Yes	1	
92/11-12	80	Yes				sycamore 1 maple				Yes	1	

Date Planned: July 2021

Circuit Number:

Pole Numbers	House Number	Permission	1.5" - 6"	6" - 12"	12" - 18"	18" - 24"	24" - 30"	30" - 36"	36" +	Haul Wood	Trees In Layout	Comments
92/13-14	76	Yes						sycamore 1 maple		Yes	1	
19/21- 92/22	Across 49	Yes						1 maple		Yes	1	
19/21- 92/22	47	Yes				1 maple				Yes	1	

Church St

55/7-8	55/57	Yes					1 maple			Yes	1	Dying
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Chestnut St

53/14	71 Center St	Yes							1 maple	Yes	1	Dead
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Jefferson St

138/1-2	66 Spring St	Yes			2 maples					Yes	2	Cankers, dying
4-5	33 Christian St	Yes			1 maple					Yes	1	
7-8	30	Yes							1 maple	Yes	1	Dead
7-8	Across 33	Yes			1 maple				1 maple	Yes	2	

Adams St

1/2-1	73	Yes						1 maple		Yes	0	Dying
228/14-13	63	Yes				1 maple				Yes	1	Crown dieback
1/43-42	2 Century Dr	Yes			2 locusts					Yes	2	

Date Planned: July 2021

Circuit Number:

Pole Numbers	House Number	Permission	1.5" - 6"	6" - 12"	12" - 18"	18" - 24"	24" - 30"	30" - 36"	36" +	Haul Wood	Trees In Layout	Comments
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Washington St

279/29-28	115	Yes					2 ash			Yes	2	Codominance
13-12	120 Laurel St	Yes					1 maple			Yes	1	

Jarvis Ave

209/12-135/1	16	Yes					1 maple			Yes	1	Dying
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Mulberry Dr

54/4-5	15	Yes					2 maples			Yes	2	
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Taber St

264/1-2	Across 49	Yes					1 maple			Yes	1	
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North St

41884-41883	10	Yes				1 maple				Yes	1	Dying
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Spring St

251/12-13	48	Yes					1 maple			Yes	1	Crown dieback
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Date Planned: July 2021

Circuit Number:

Pole Numbers	House Number	Permission	1.5" - 6"	6" - 12"	12" - 18"	18" - 24"	24" - 30"	30" - 36"	36" +	Haul Wood	Trees In Layout	Comments
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Linden Ave

151/1-2	Across 19	Yes						1 maple		Yes	1	Corner of Linden Ave and Academy Ave
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Pleasant Street

210/21-20	95	Yes				1 maple				Yes	1	
13-12	75	Yes					1 maple			Yes	1	
210/11-40415	65	Yes				1 maple				Yes	1	
40415-210/9	59	Yes						1 maple		Yes	1	

Friendly Street

273/14-13	6	Yes				1 maple	1 maple			Yes	2	
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Academy Ave

207/10	3	Yes						1 maple		Yes	1	Corner of Academy Ave and Larch Ave
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Castle Ave

189/10	54	Yes					1 maple			Yes	1	
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Date Planned: July 2021

Circuit Number:

Pole Numbers	House Number	Permission	1.5" - 6"	6" - 12"	12" - 18"	18" - 24"	24" - 30"	30" - 36"	36" +	Haul Wood	Trees In Layout	Comments
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Veranda Avenue

275/6-7	39	Yes					1 maple			Yes	1	
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Springhill Street

252/2-1	14	Yes				1 maple				Yes	1	
2-1	16	Yes				1 maple				Yes	1	

Christian Street

54/6-5	33	Yes						1 maple		Yes	1	
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Massachusetts Urban & Community Forestry Program

URBAN AND COMMUNITY FORESTRY

What we Do

The Massachusetts Urban and Community Forestry Program assists communities and nonprofit groups in protecting, growing, and managing community trees and forest ecosystems, with the ultimate aim of improving the environment and enhancing livability of all of Massachusetts' communities.

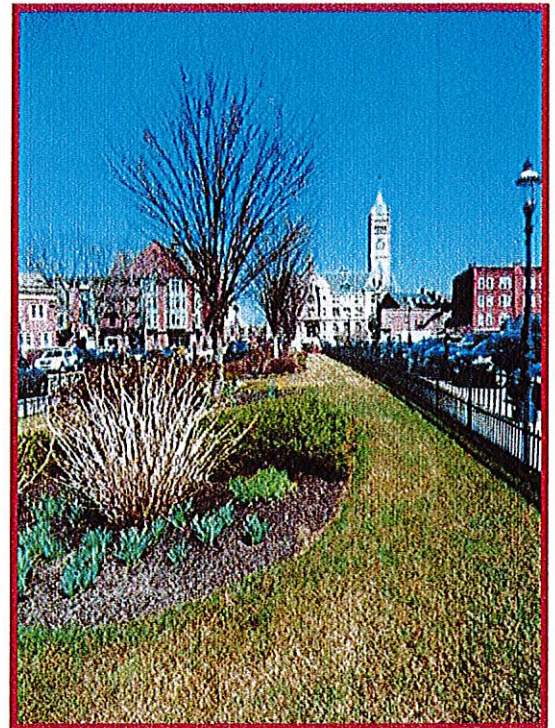
We work with communities of all sizes throughout Massachusetts to provide:

- Grants
- Technical assistance
- Training
- Recognition awards

The program also provides guidance on urban forestry policy issues at the state level.

What is Urban and Community Forestry?

Urban and community forests are the trees, plants, and associated ecosystems anywhere where people are - country roads in rural towns, new developments in the suburbs, or concrete neighborhoods in cities and old mill towns. Our landscape is a continuum from rural forest to city center. We live, work, play, and learn all along this continuum.



Urban and Community Forestry is Not Just about Trees.

Trees and shrubs along streets, in parks, or in cultivated landscapes are the most prominent features of the urban and community forest. But there's more to a forest than just the trees. The other plants, soils, air, and water that are part of the community make up an ecological system that supports wildlife, a clean environment, and a healthy home for humans.

The Health of the Urban Forest Affects the Quality of Our Lives. Would you rather live on a street lined with beautiful trees, or one without green? The health of urban and community forest ecosystems affects the quality of the water we drink, the air we breathe, the stability of our neighborhoods, and our sense of community and individual pride.

Community Forestry Builds Stronger Communities. The most important aspect of Urban and Community Forestry is "community." Planting trees, gardening, teaching young people about nature, creating a land use plan - these activities bring diverse members of our communities together, strengthen our bond to the landscape, and improve the quality of life for the benefit of the whole community. As our urban and community forests grow, so too does our sense of pride, our local economy, and our quality of life.



Massachusetts Urban & Community Forestry Program

URBAN AND COMMUNITY FORESTRY

An excellent urban and community forestry program uses coordinated community resources to efficiently and effectively grow, protect, and manage community trees in a way that maximizes the social, economic, and environmental benefits that the urban and community forest provides to all residents.

The Massachusetts DCR Urban and Community Forestry (UCF) Program and the USDA Forest Service have developed some standards criteria that can help indicate a strong program. In fact, the USDA Forest Service monitors each state's performance based on how many communities are meeting these standards. Massachusetts will receive more federal dollars, as more communities achieve these standards.



What Makes a Strong Urban and Community Forestry program?

- 1. Management Plans:** Based on a resource assessment that guides the development of the urban forest resource
- 2. Professional Staffing:** Degree in natural resource management, International Society of Arboriculture or Massachusetts Certified Arborist, participation in MTWFA Professional Development Series
- 3. Ordinances/ Policies/ Regulations:** UCF program follows and enforces all local or state-wide ordinances that focus on protecting urban forest.
- 4. Advocacy & Advisory Organizations:** Actively work with citizen or non-profit organizations such as tree boards and tree commissions that are chartered to advocate for the community's urban forest
- 5. Inter-Agency Coordination:** Regularly coordinate with multiple agencies such as the planning board, highway department, conservation commission, and utilities
- 6. Tree City USA:** A strong U&CF program will have achieved Tree City USA status.

Contact us to talk about urban and community forestry in your community:

Julie Coop
Urban and Community Forester
Boston
617-626-1468
julie.coop@state.ma.us

Mollie Freilicher
Community Action Forester
Amherst
413-577-2966
mollie.freilicher@state.ma.us

Bureau of Forestry
Urban & Community Forestry Program
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600, Boston, MA 02114
<http://www.mass.gov/dcr/>

In Partnership with:
USDA Forest Service and
the Massachusetts Tree Wardens' &
Foresters' Association



The Massachusetts Department of Conservation and Recreation prohibits discrimination in employment on the basis of race, color, creed, religion, national origin, ethnicity, gender, gender identity or expression, age, sexual orientation, Vietnam Era Veteran status, or disability.

Developing and Implementing Systematic Urban Forestry Management

Priority may be given to communities that have a qualified tree warden currently in place.

- ✱ • **Tree Inventory and Analysis** – We seek to fund systematic inventories of public trees on streets, parks, schools, and other public areas. All tree inventories must include collection of pest and disease information. The inventory must be tied to future routine tree maintenance or future tree planting. The inventory must be conducted by someone experienced in conducting these types of resource assessments, preferably a certified arborist. Volunteers participating in the assessment must be trained and knowledgeable of industry protocols. Priority will be given to inventories that will result in a management plan. The community will provide DCR with a copy of the resulting inventory and analysis.
- **Resource Assessment** - Resource assessments may include a traditional tree inventory, canopy analysis using satellite or aerial photography, an i-Tree Eco analysis, a GIS analysis, or a survey of available planting sites in a community. The assessment must be conducted by someone experienced in conducting these types of resource assessments, preferably a certified arborist. Volunteers participating in the assessment must be trained and knowledgeable of industry protocols. The community will provide DCR with a copy of the resulting assessment and analysis.
- **Management Plans or Street Tree Management / Master Plans** - Management plans or master plans guide the strategic management of urban forest resources at the community level. Plans should be based on a professional resource assessment. Such projects could include the development of a street tree management plan, implementation of a tree inventory system, or the inclusion of an urban forestry component in a master plan or open space plan. This funding can also be used to develop plans for storm or disaster response and invasive insect mitigation (e.g., a response plan for emerald ash borer). We encourage communities to avoid "re-inventing wheels," and we support efforts to make use of existing inventory systems, adapt existing management plans, or add to related management documents. A copy of the inventory and management plan will be provided to DCR. Contact DCR Urban and Community Forestry to discuss other types of plans.

Completing Strategic Community Tree Plantings and "Heritage" Tree Care Projects

- **Strategic Tree Plantings** -

Grant Funding Request	Eligibility
\$1,000 - \$7,000	All communities may apply
\$7,001 - \$20,000	Community must be a Tree City USA
\$20,001 - \$40,000	Must contact DCR Urban and Community Forestry staff to discuss project and eligibility

We will consider projects that include high-visibility community tree plantings that enhance environmental and aesthetic quality, strengthen community involvement, and follow the principles of planting the right trees in the right places. Priority will be given to strategic planting projects that

- originate from a broad base of community support,
- include a well-planned educational component,
- include a public awareness campaign or event, and/or
- utilize volunteers and community partners.

All planting projects must incorporate the principles of planting the **right trees in the right places**. Only approved low-growing species may be planted in proximity to utility infrastructure. Applications must include a list and map of specific locations, species, and sizes of trees to be planted, along with a maintenance plan.

Species notes: Due to emerald ash borer, grant funds cannot be used to plant any species of ash (*Fraxinus*) or fringetree (*Chionanthus*). In the Asian longhorned beetle regulated area in Worcester County, grant funds cannot be used to plant any trees that are host species for Asian longhorned



Town of Fairhaven, Massachusetts
Rogers Re-Use Committee
40 Center Street
Fairhaven, MA 02719

Attachment D

September 8, 2021

Select Board
Town of Fairhaven

Dear Select Board Members:

In your packet you will find a copy of the initial application to the Mass Historical Commission (MHC) for advancing the Rogers School onto the National Registry of Historic Places.

This is the first phase in the process. The MHC will review and decide if to advance and nominate the Rogers School forward in the process.

The criteria for listing in the National Register are:

- a) association with events that have made a significant contribution to the broad patterns of our history
- b) association with the lives of persons significant in our past
- c) embodiment of distinctive characteristics of a type, period, or method of construction, or that represent a significant and distinguishable entity whose components may lack individual distinction
- d) likelihood of yielding information significant in history or prehistory.

A few examples of the benefits of listing on the National Registry:

- Providing opportunities for preservation incentives, such as:
 - Federal preservation grants for planning and rehabilitation
 - Federal investment tax credits
 - Preservation easements to nonprofit organizations
 - International building code fire and life safety code alternatives
- Possible State tax benefit and grant opportunities within the State of Massachusetts

We look forward to the Select Board's approval in proceeding with the process. Should you require any additional information please feel free to contact me.

Thank you,

Sue Loo
Chair
Rogers Re-Use Committee



Town of Fairhaven, Massachusetts
Rogers Re-Use Committee
40 Center Street
Fairhaven, MA 02719

September 8, 2021

The Following Departments & Committees have been emailed the registry packet and asked to review the registry packet to be sent to the Massachusetts Historical Commission and provide any input, additions and any corrections;

- ✓ Rogers – Reuse Committee Members
- ✓ Wendy Graves – Acting Town Admin
- ✓ Paul Foley- Director -Planning & Economic Development
- ✓ Historical Commission Members

Thank you

Sue Loo
Chair
Rogers Re-Use Committee

KnowHow #3

INFORMATION AND ASSISTANCE FROM THE MASSACHUSETTS HISTORICAL COMMISSION

What You Need to Know about Listing on the National Register

The National Register is the nation's official list of buildings, districts, sites, structures, and objects important in American history, culture, architecture, or archaeology. The National Register program is administered through the Massachusetts Historical Commission on behalf of the National Park Service.

Nominations are based on comprehensive local inventories of cultural resources. Inventories are generally compiled on a communitywide basis by local historical commissions and record basic information about the historic, architectural, and archaeological significance of individual properties and districts in a community. The completed inventory allows preservation decisions to be made within a consistent context, and identifies properties that are eligible for listing in the National Register.

1. How do I get my property listed in the National Register?

Contact your local historical commission or the MHC to determine whether an inventory form has been prepared for your property or if any additional information is required; ask your local historical commission to forward their recommendation to the MHC regarding your property's eligibility for the National Register. The MHC staff will then evaluate your property to determine whether it meets the criteria for listing in the National Register either individually or as part of a National Register District.

Criteria for Listing

The criteria for listing in the National Register are:

- a) association with events that have made a significant contribution to the broad patterns of our history;
- b) association with the lives of persons significant in our past;
- c) embodiment of distinctive characteristics of a type, period, or method of construction, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- d) likelihood of yielding information significant in history or prehistory.

Properties must meet at least one of the above criteria to be eligible for listing in the National Register.

The MHC staff evaluation team meets regularly to evaluate properties for the National Register. The object of the evaluation is to determine whether the property meets the criteria for listing. Decisions are based on MHC's knowledge of the resource and its integrity, and an understanding of the significance of the resource within its context. The inventory serves as the basis for all evaluation decisions. When the evaluation team does not have sufficient information to render a decision, additional information may be requested. When National Register districts are being evaluated, MHC staff may make a site visit prior to completing the evaluation.

If your property is eligible, the MHC will send you a nomination form and an instruction manual. You may wish to work with the local historical commission in completing the nomination or seek the assistance of a professional preservation consultant.

MHC staff will review your nomination submission for completeness and may request additional information. When complete, the nomination will be edited and processed by MHC staff, who will present it to the State Review Board of the Massachusetts Historical Commission at one of its quarterly National Register meetings.

The State Review Board will review the nomination and vote whether or not to nominate the property to the National Register of Historic Places. After being voted eligible, the nomination will then be forwarded to the National Park Service in Washington, D.C., for listing in the National Register of Historic Places.

2. What are the benefits of being listed in the National Register?

Recognition: The National Register recognizes the significance of a property to the community, state, and/or nation.

Tax Incentives: National Register listing allows the owners of income-producing properties certain federal tax incentives for substantial rehabilitation according to standards set by the Department of Interior.

Protection: National Register properties are afforded limited protection from adverse effects of federally assisted projects; and, through automatic inclusion in the State Register of Historic Places, limited protection from state actions.

(over)

KnowHow #3

Grants: Inclusion in the State Register of Historic Places, which comes automatically with National Register listing, provides eligibility for matching state grants for restoration of properties owned by private nonprofit organizations and municipalities, when such grants are available.

3. Will National Register listing restrict the use of my property?

Listing in the National Register in no way interferes with a property owner's right to alter, manage, or sell the property when using private funds, unless some other regional and/or local ordinance or policy is in effect. If you use state or federal funds to alter your property, or need state or federal permits, the alteration will be reviewed by the MHC staff. Local funding and permitting do not trigger MHC review.

4. What is a National Register District?

Properties may be nominated to the National Register either individually or, if they are located within areas containing other significant properties, as districts. A National Register District may include any number of properties. The benefits and protections afforded by listing are the same.

5. Can my property be listed in the National Register if my community's inventory is not comprehensive?

Yes, in some cases. There are three exceptions to MHC's policy not to consider properties for the National Register in communities without comprehensive inventory.

If you can demonstrate that:

- 1) you, as the owner of income-producing property, are planning to do certified rehabilitation work and need National Register status in order to use the federal investment tax credits;
- 2) your property is in imminent danger of destruction; or
- 3) your property is of demonstrated state or national significance,

you may then submit a letter to MHC requesting a National Register evaluation for your property, stating why you want to have the property listed. However, you should note that without comprehensive inventory information, the eligibility of properties is difficult to establish. You will probably need to conduct supplemental inventory work to provide a context for evaluating the significance of your property.

6. If my house is listed in the National Register, are grant monies available for rehabilitation work?

Unfortunately, at present, the MHC does not administer federal or state rehabilitation funds for private homeowners. State grant monies, when available, are awarded only to properties owned by municipalities and non-profit organizations. Federal tax credits are available for substantial rehabilitation of income-producing and commercial properties.

7. Can I object to having my property listed in the National Register?

Yes. Once you receive notice that your property is being considered for listing in the National Register by the State Review Board, you may submit a notarized letter of objection to MHC. If your property is within a proposed National Register district, you will be invited to a public meeting in your community, prior to the State Review Board meeting, at which MHC staff will be available to answer questions about the listing. If your property is within a proposed National Register district, a majority of property owners (more than 50%) must submit notarized objections in order to prevent listing. If a majority of property owners do not object, the nomination may move forward and the properties for which there are objections will remain in the nominated district. If a majority of owners do object, the National Park Service may still formally determine the property(ies) eligible for listing, although actual listing will *not* occur.

8. Where do I go for assistance in preparing a National Register application?

Your local historical commission, local historical society, and library can provide useful resource material. Professional preservation consultants can assist you or your local historical commission with completion of the National Register nomination form. Also, when funds are available, matching Survey and Planning grants are awarded annually through MHC to fund professional National Register work. For more information, contact the MHC.

Know How #3 has been financed in part with Federal funds from the National Park Service, U. S. Department of the Interior. However, the contents and opinions do not necessarily reflect the views or policies of the Department of the Interior.

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Office for Equal Opportunity, U. S. Department of the Interior
1849 C Street NW, Room 1324, Washington, D. C. 20240

William Francis Galvin
Secretary of the Commonwealth
Chairman, Massachusetts Historical Commission
Massachusetts Archives Building, 220 Morrissey Boulevard, Boston, MA 02125
Phone: (617) 727-8470 Fax: (617) 727-5128
Website: www.sec.state.ma.us/mhc



Town of Fairhaven, Massachusetts
Rogers Re-Use Committee
40 Center Street
Fairhaven, MA 02719

August 23, 2021

Mr. Ben Haley
Preservation Planner
Massachusetts Historical Commission
2520 Morrissey Blvd
Boston, MA 02125

Attn: Betsy Friedberg-National Registry Director



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Economic Development

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Tab H 1957 Engineering Plans / Site Elevation



Town of Fairhaven, Massachusetts
Rogers Re-Use Committee
40 Center Street
Fairhaven, MA 02719

August 23, 2021

Mr. Ben Haley
Preservation Planner
Massachusetts Historical Commission
2520 Morrissey Blvd
Boston, MA 02125
Attn: Betsy Friedberg-National Registry Director

Dear Mr. Haley / Ms. Friedburg:

Please accept this letter as a formal request from the Rogers Re-Use Committee of Fairhaven, MA requesting evaluation for the National Register the town's historic 1885 Rogers School, located at 100 Pleasant Street, Fairhaven, MA 02719. We wish to submit the 1885 original school building only.

Enclosed in the envelope in electronic form on a USB thumb drive is:

- Required and updated Form B in word format as requested
- Elevation engineering plans from 1957 for the new wing (on thumb drive due to size)
- Original Rogers School deed
- Letter of support from the Town of Fairhaven Select Board
- Letter of support from the Fairhaven Historical Commission
- Contact information for the Rogers Re-Use representatives

The Rogers Re-Use Committee has been authorized by the Select Board to begin with the application review process for the 1885 Rogers School building for the National Registry. We are seeking to put only the original 1885 school building on the registry and not the new wing which was added in 1957.

We look forward to beginning the nomination process and your eligibility letter accepting the 1885 Rogers School original building and to begin the next steps required.

Should you require any additional information please feel free to contact me at the enclosed information.

Thank you,

Sue Loo
Chair
Rogers Re-Use Committee



Rogers Re-Use Committee

Town of Fairhaven, Massachusetts

Contacts

Sue Loo- Chair

E-Mail: Su13Lu@yahoo.com

Cell: 774-510-0246

Doug Brady

E-Mail: Bradydoug@aol.com

Cell: 508-951-1379

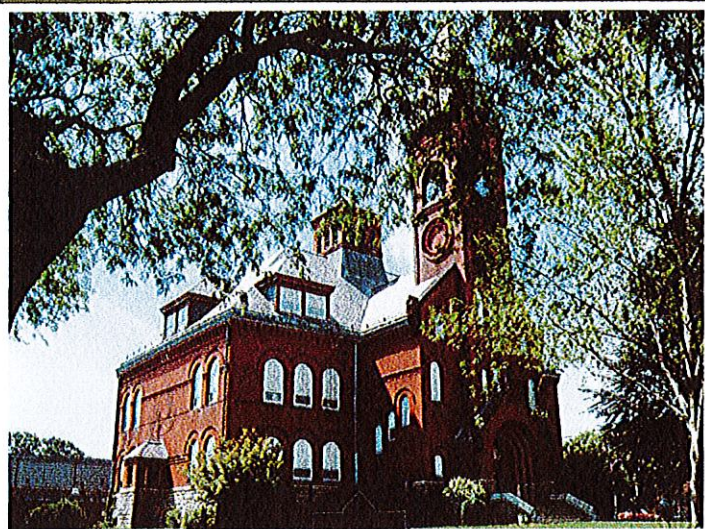
Tab A

Updated /Revised Form B

FORM B – BUILDING

MASSACHUSETTS HISTORICAL COMMISSION
MASSACHUSETTS ARCHIVES BUILDING
220 MORRISSEY BOULEVARD
BOSTON, MASSACHUSETTS 02125

Photograph



Locus Map

See Attached Sheet for Locus

Assessor's Number USGS Quad Area(s) Form Number

08-009

Fairhaven

I.A

B4 -Fai.30

Town/City: Fairhaven

Place: *(neighborhood or village):*

Fairhaven

Address: 100 Pleasant Street (Formerly listed
Centre Street)

Historic Name: Rogers Grammar School

Uses: Present: Public School – closed

Original: Public School

Date of Construction: r 1883

Source: Knipe

Style/Form: Romanesque Revival

Architect/Builder: Briggs, Warren R.; Tallman, LaBrode &
Rounseville

Exterior Material:

Foundation: Stone, Cut

Wall/Trim: Brick; Stone cut

Roof: Slate

Outbuildings/Secondary Structures: Tall, square slate-capped, clock tower & belfry; round-arched windows, foreshadow Romanesque Revival.

Major Alterations *(with dates):*

Addition 1958 (see site elevations plans attached on thumb drive)

Condition: Excellent

Moved: no ☒ yes ☐ **Date:**

Acreage: Over 1 acre

Setting: approx. frontage at a t 250 x 345

Approximate distance of building from street at 50'

Recorded by: Ellen Fletcher Rosebrock

Organization: The Preservation Partnership

Date *(month / year):* August 1978

INVENTORY FORM B CONTINUATION SHEET

TOWN

ADDRESS

MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

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- ☐ Recommended for listing in the National Register of Historic Places.
If checked, you must attach a completed National Register Criteria Statement form.

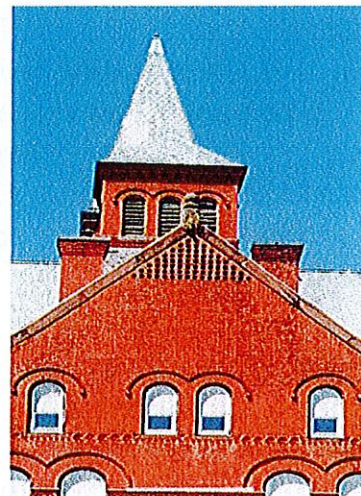
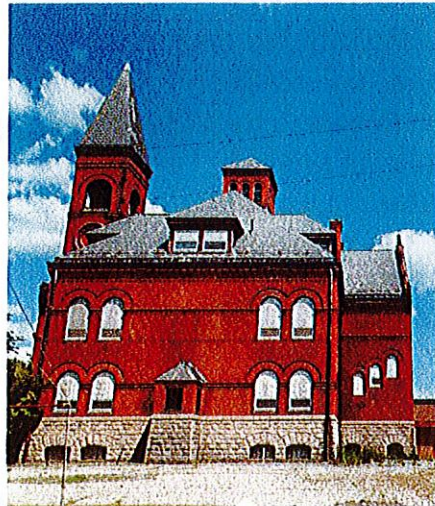
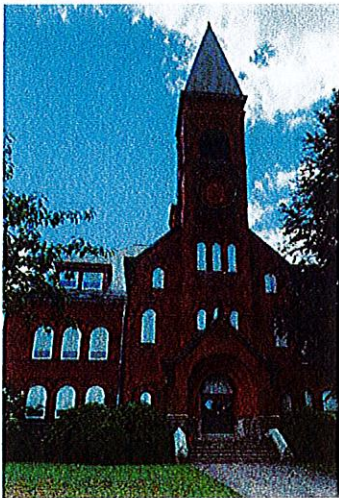
Use as much space as necessary to complete the following entries, allowing text to flow onto additional continuation sheets.

ARCHITECTURAL DESCRIPTION:

Describe architectural features. Evaluate the characteristics of this building in terms of other buildings within the community.

Romanesque Revival - Style: Ruskinian Gothic

2 story & attic tall-hipped roof: brick institutional bldg. w/ sq. corner towers & extended entry pavilion. Tall Square Slate-capped Clock tower & belfry. Round arched shaped windows with decorative brick trim foreshadow Romanesque style



INVENTORY FORM B CONTINUATION SHEET

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MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

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HISTORICAL NARRATIVE

Discuss the history of the building. Explain its associations with local (or state) history. Include uses of the building, and the role(s) the owners/occupants played within the community.

THE FIRST GIFT

The Story of the Rogers Grammar School

Rogers School

Dedicated – 1885

Fairhaven, Massachusetts

Material Researched and Integrated By Mabel Hoyle Knipe

Fairhaven, Massachusetts September – 1977

DEDICATION

This Research Project

THE FIRST GIFT

Is affectionately dedicated To ELIZABETH I. HASTINGS
friend and fellow teacher In Rogers School Many Years Ago

Mabel Hoyle Knipe

37 Oxford Street

Fairhaven, Mass.

Rogers School

ANNOUNCEMENT OF CONSTRUCTION – 1882

On November 11, 1882, the Fairhaven Star, town newspaper of Fairhaven, Massachusetts, carried a succinct yet portentous article. It was shyly tucked away in a column devoted almost exclusively to gossipy speculation and to the personal goings and comings of peripatetic townspeople. The article stated:

"H.H. Rogers Esq. has purchased the tract of land east of the Iron Works and enclosed by (contemplated) Chestnut, Pleasant and Union Streets. It is intimated that some kind of a factory is to be erected on this lot."

Now this bit of news was abrasive to the curiosity of townspersons for they had followed avidly for years – the fortunes of Henry Huttleston Rogers, born in Fairhaven, early to become an enterprising young newspaper carrier, and later, a persuasive store clerk. He had attended the town schools, had

INVENTORY FORM B CONTINUATION SHEET

TOWN

ADDRESS

MASSACHUSETTS HISTORICAL COMMISSION

Area(s) Form No.

220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

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courted and married a town girl, and had taken her off to the oil fields of Pennsylvania. There, through astuteness and hard work, he had made a great fortune, and now lived in New York in opulent surroundings, director of a great company – a comparatively young man of forty-two years, who often returned to his home town to visit his mother, attend school re-unions, and greet old friends. So everybody in town watched Henry Rogers, and as they read the Fairhaven Star of November 11, 1882 – they asked themselves: "What is Henry going to do with that land?"

They had to wait only a week. The Fairhaven Star of November 18, 1882 declaimed:

"Very much curiosity has been manifested during the present week regarding the special object of our former townsman, H.H. Rogers Esq. in purchasing the tract of land, containing two acres east of the Iron Works, comprising an entire square and bounded by Centre, Pleasant, Union, and Chestnut Streets. From the interest he has always manifested for the welfare of the home of his childhood – everyone knew it boded good for the town. But we were not prepared for the gratifying announcement which we are now permitted to make public.

"Mr. Rogers proposes to erect upon this square a building of brick and stone creditable to himself and the town, sufficiently large for the accommodation of all the scholars in the village below the high school grade, making a liberal allowance for the future growth of the town; and equip it with all the modern improvements and present it to the town.

"We would like to unearth the old cannon on the corner and fire a grand salute; and put into type the gratitude and admiration our citizens entertain for the noble gift and still nobler giver, were we not repressed and assured that praise would be distasteful to him."

Then the editor went further in a veritable paeon of triumph:

"Who says Fairhaven is a dead town?" (he wrote) "Will it appear so when the grand army of school children march up Center, Chestnut, Pleasant and Union Streets to that monumental building on Rogers' Park?"

Thus, the people of Fairhaven, Massachusetts were to learn of their great good fortune in this theatrical announcement of H.H. Rogers' "first gift" to his hometown. There was undoubtedly much speculation in the fragrant kitchens of the town, among the habitues of Mr. Snow's drug store and at Beauldry Bros. stable. But whatever may have been the gossip in these havens – the town newspaper, for the three following months, maintained a great reserve and a titillating silence.

At last, on February 17, 1883, the Star vouchsafed almost reluctantly the glad news that Mr. Warren R. Briggs had been employed by Mr. Rogers to prepare plans for the new school. Mr. Briggs was a designer and architect of great distinction and had recently completed the planning of a school

INVENTORY FORM B CONTINUATION SHEET

TOWN

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MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

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building in Bridgeport, Connecticut – which was reputed to be the model schoolhouse in all New England. Mr. Briggs visited the town early in February of 1883 to inspect the ground and surroundings and to make preliminary arrangements for the erection of the school.

In May, 1883, the plans had been completed. Several prominent citizens were invited to examine them, giving them high commendation, and saying that this would indeed be a model school building – and a “handsomer one than the New Bedford High School!” It was moreover stated by the Star that “one of the most celebrated architects of the state has pronounced the plans faultless. However,” continued the editor, “the Donor does not yet consent to publication of the plans – but work on the building will start June 1, 1883.”

THE SCHOOL COMMITTEE – 1882-1885

The personnel of the town School Committee at the time of the Rogers School erection consisted of Job C. Tripp, Charles C. Cundall and Albert Collins. They were men of sound business judgment and considerable acumen in educational matters. Dr. C.C. Cundall, physician and surgeon, seems to have been particularly well informed, and upon several occasions wrote extensive articles to be printed in the Star as work on the new school progressed. On December 9, 1882 he asks:

“What is the object of this gift?” He then proceeds to answer his own question and to write literately upon the deficiency of current town education and upon the advantages which the new school would present. Among many happy prospects, he cites the following:

“The great majority of Fairhaven children never enter high school. The benefactor desires that instruction given below high school grade shall be as complete as possible so that stepping from the grammar school into the real and earnest life struggle, the pupil will find himself possessed of an education sufficient for the ordinary duties of the average citizen.

“Brought under one roof, pupils can be more easily watched and graded.

“Teachers in one room can visit others and profit.

“A spirit of healthy emulation and ambition will be engendered by mutual contact of different grades.

“Present expenses for janitors and repairs will be cut.

“A structure of stone and brick needs few repairs.

“A primary department will be retained at Oxford, so distance to a central school will be excessive for no one.”

INVENTORY FORM B CONTINUATION SHEET

TOWN

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MASSACHUSETTS HISTORICAL COMMISSION

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In ending his comments, Dr. Cundall states:

"Too much respect cannot be entertained for the man who believes that intelligent citizenship is the best foundation for the Fairhaven of the future."

GENERAL SCHOOL CONDITIONS - 1880

In 1880 there were approximately 450 pupils in Fairhaven between 5 and 15 years of age. There was one primary school, one grammar school and seven mixed schools, employing in all, eleven teachers. The mixed schools were ungraded. The school buildings themselves were ill ventilated, nearly all uncomfortably seated, and poorly supplied with blackboards, maps, charts, etc. The teachers, according to Dr. Cundall, were "faithful, conscientious and hard-working, and did the best they could under the circumstances."

To fill teacher vacancies, the town had to rely on graduates of the high school as it was impossible to provide money to remunerate Normal School graduates. Thus, the pupils "suffered while teachers acquired method and experience."

Dr. Cundall further states: "The advent of the Rogers School marks a new era in school history in this town. In addition to its general aesthetic advantages, it makes it possible for the six or seven grades in each of the old buildings to be separated and the scholars of each grade gathered together in a room by themselves to be taught by a teacher who should devote her entire time to work of that grade, instead of dividing it between six or seven grades as formerly."

ERECTION IN PROGRESS - 1883-1885

Thus, amid the rejoicing of the experts and the wonderment of simple, hard-working citizens who could hardly believe in the good fortune of "getting something for nothing," Mr. Woodruff of New York, contractor of the building, arrived in town; and on Friday, August 17, 1883, ground was broken for the new school! Almost simultaneously 60 out-of-town laborers arrived, and the Star lugubriously moaned: "Where they will find accommodations it is hard to tell!"

Mr. Arnold G. Tripp was engaged to supervise the work, and Mr. John Bradford, town citizen, handled the teaming.

It was expected that the building would be completed in eight months, but unfortunate occurrences dogged efforts from the start, and the almost fanatical care exercised in building, extended the months of construction. At the very start of the project, intensely warm weather hindered the first efforts of initial structure. The laborers suffered badly in performing this heavy, exacting work, and many had to quit from exhaustion. As the work progressed, there was great difficulty in securing slaters, and the task of plastering was greatly delayed. There developed trouble about the laying of

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streets bordering the site of the building. Owners of the land protested that they did not want proposed streets crossing their property.

CORNER STONE CEREMONIES - 1884, May 15th

Yet the work continued, and on Thursday, May 15, 1884, the corner stone ceremonies were held. Mr. Rogers had specifically requested that these should be very simple. His daughter, Anne Engle Rogers, and Job C. Tripp - in the presence of a large company, among whom were the Building Committee and members of the School Board - took up positions at the northeast corner of the building. Mr. Tripp enumerated the contents of a box which was to be deposited in the stone. He then passed the box to Miss Rogers, and she placed it in the receptacle, and with trowel and hammer, completed the sealing. On the northern face of the stone the date was chiseled -
-May 15, 1884-

Contents of the box were as follows:

Condensed history of the town, listing of churches, schools, merchant and business industries; copy of the Fairhaven Star; copies of the New Bedford Evening Standard and the Daily Mercury; specimen of the coin of the day; postage stamps in use, and papers of special interest to the Rogers family.

STRENGTH OF BUILDING CONSTRUCTION

The work of construction now went forward with increased impetus. No effort or money was spared to make the building aesthetically attractive, healthful, convenient, and thorough in construction. The brick walls were of great solidity, and numerous brick partitions, arches and iron beams attested to the concern of Mr. Rogers that youngsters attending his school should know the safety of solid and expert construction.

The under-floors were laid diagonally, and the cement work of the cellar was poured nearly a foot in thickness. A layer of heavy paper was inserted between the two floors of each room to absorb moisture and deaden sound. The walls received two coats of plaster and were treated with a very hard finish. The blackboards, maneuvered into place, were of solid chemical state, and a large iron tank in the attic supplied water for the boilers.

A November 22, 1884 issue of the Star signaled near completion of the building with the announcement that a fancy iron railing was being placed across the archway at the level of the bell deck, and the ridge board had been sealed in copper.

By this time, the school had become a transatlantic celebrity! The Star confided on September 20, 1884 that:

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"A distinguished sanitary engineer (name excluded) and editor of New York says that at the international sanitary exposition in London, he saw plans of Rogers School of Fairhaven occupying a conspicuous place in exhibits, and these were unquestionably the finest plans presented at the exposition."

DEED OF CONVEYANCE

At a special town meeting in Fairhaven held on July 7, 1885, Daniel W. Deane, Chairman of the Selectmen, read the following letter from Mr. Rogers:

Gentlemen:

Prompted by a desire to promote the education of the youth of my native town, and to give an enduring token of my interest in the welfare of its inhabitants, I propose to donate to the town of Fairhaven the lot of land on which I have caused to be erected a building suitable in size, arrangements and equipments for the purposes of a school. You will confer upon me a favor by taking such action as may be necessary to inform the town of my purposes, and to enable me to transfer, by proper deed of conveyance, the land, buildings, and improvements, which I ask it to accept.

Yours truly,

H.H. Rogers.

The deed of conveyance was then read. This was signed by Henry H. Rogers and Abbie P. Rogers, and witnessed by Anne E. Rogers and Charles Edgar Mills, Commissioner for the Commonwealth of Massachusetts.

The Hon. Weston Howland offered a motion for grateful acceptance, and the town meeting members accepted "the first gift" with suitable resolutions of thanks - enumerated and adopted. It was then voted that the school be called the "Rogers School."

The deed of conveyance, a typical legal document, had one condition - perhaps a curious one for the 19th century, but a particularly significant one to those who read of it in the late 20th. This condition states:

"- And this conveyance is made upon the condition that said school shall be for the education of the children of Fairhaven, without restriction on account of sectarian creed or religious belief; and shall never be maintained as a school separately for Protestant or Catholic children, but both shall enjoy in common its privileges, as they are now enjoyed in the public schools of Fairhaven."

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THE DEDICATION – 1885, SEPTEMBER 3RD

So it happened, after years of planning on the part of inspired and professional men – after years of conscientious, day-by-day effort by skilled and unskilled, who labored physically, and made the building grow – after years of a sustained generosity on the part of a donor faithful to a dream – after years of rejoicing by town parents in a new opportunity opening for their young ones – after all this human hope and endeavor – the splendid “first gift” was finished and deemed ready for formal dedication.

The exercises took place on September 3, 1885 in the First Congregational Church. The spacious audience room was completely occupied. There were addresses by Daniel W. Deane, Chairman of the Board of Selectmen; Professor Franklin B. Dexter of Yale College; the Rev. Henry J. Fox, Pastor of M.E. Church; and Mr. Herbert Jenney of Cincinnati, Ohio. Then there was a warm articulation of his purposes by Mr. Rogers himself. There was a musical program arranged and trained by the doughty Dr. Cundall, who never once seems to have wavered in enthusiasm for the “great project,” and, of course, there were the school children who sang with much gusto.

A printed booklet describing dedication proceedings is available in town records. Well worth reading, it contains every word spoken on that glad occasion. As one considers these dedication speeches today, one is struck by the sincerity of emotion evoked by the occasion; by the sure grasp of fundamental educational policies and procedures; and by an open-minded suggestiveness of future educational trends. It must be remembered that this was a period of marked change in educational thinking and when developing philosophies in the art of teaching were confounding the thinking of the experts. Yet, much that was said by speakers that day regarding learning was sensitive and far-sighted. Much that was suggested – has come to pass.

OCCUPATION!

That faithful raconteur, Dr. Cundall, wrote in a later issue of the Star:

“On Monday morning, Sept. 7, 1885 – boys and girls of the town bade adieu to their old discarded school buildings on Green, Spring, Privilege and Centre Streets – and went to the brand new Rogers!”

On Saturday, September 5th, the Star printed directives for the first day of school – Monday, September 7th. They follow:

“The Fall Term of the Public Schools will commence, Monday, September 7th, with the following corps of teachers:

High School

Mr. Z.W. Kemp, Principal; Miss Annie E. Fairchild, Assistant

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Rogers School

Grammar Department; Room 8, Miss Amanda Sears; Room 7, Lucy F. Winchester; Room 4, Sadie B. Clark.

Primary Department; Room 3, Ida E. Cundall; Room 2, Ruth E. Sears; Room 1, Lena Chubbuck.

Oxford School

Miss Clara A. Bourne

New Boston School

To be supplied.

Nasketucket

Miss Alice P. Winchester.

Sconticut Neck

Miss Mary J. Leymunion.

At the opening of the Rogers School the High School pupils will report to the Principal in Room 6.

Other classes of last year will report as follows:

First class, Grammar School, to Miss Fairchild in Rm.5

Second and Third Grammar classes to Miss A.F. Sears in Rm.8

Fourth Grammar class to Miss Winchester in Rm.7

First Primary to Miss Clark in Rm.4

Second Primary to Miss Cundall in Rm.3

Third Primary to Miss R.E. Sears in Rm.2

Fourth Primary to Miss Chubbuck in Rm. 1

The First Classes in Pease, Spring, and Green Street Schools will report to Miss Winchester in Rm.7; the Second Classes to Miss Clark, Rm.4; the Third Classes to Miss Cundall, Rm.3; the Fourth Classes to Miss R.E. Sears, Rm.2; the Primer Classes to Miss Chubbuck, Rm.1."

Thus, the far-flung school units were brought together, and the "first gift" was in business!

MISADVENTURE

Gradually, the outmoded and empty old school houses, largely of wooden frame construction, were sold for homes, stores or barns. Some were demolished and used for builders' spare parts or for firewood.

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The town children had settled happily into their grand new quarters, when, on December 19, 1885, three months after its opening, the Rogers School was struck by lightning! Witnesses stated that a ball of fire, six inches in diameter, struck the ornamental projection of the building on the east side of the tower. Little damage was sustained in the chipping off of two small pieces of freestone.

However, the ill fortune that had dogged the school in the early days of construction persisted. On March 29th, 1890, the Star announced sadly that "H.H. Rogers is not satisfied with the appearance of the outer brick walls of Rogers School and proposes to have them removed and replaced!" The faulty brick was gradually becoming discolored and, in some instances, turning white!

On May 10, 1890 the Star announced: "The schooner A.E. Rudolph arrived with 120,000 pressed bricks for wall replacement. Ten men are engaged in discharging the vessel."

Thus, in May, 1890, the slow and tedious task of replacing the faulty brick began. Twelve or fourteen men were engaged as all the old brick had gradually to be removed and new inserted. First class workmen were mandatory since great pains had to be taken to ensure a perfect finish, and breaking or chipping had to be avoided at all costs. To protect the new brick, straw was placed between every course in the pile.

At least fifty thousand fine pressed bricks of a superior quality were to be used at a cost of \$50 a thousand! The new bricks were very even in size and a rich dark red in color.

At first it was expected this would be a five-month job, but the work went slowly because of many problems. It was necessary to make new plans for window trimmings and arches, and in the midst of infinite difficulties, "Six masons employed on the job quit work because of trouble with the boss!"

An anxious Star assured its readers that they need fear no weakening of the building walls because of the brick exchange. Indeed, they were assured, "The removal of the old brick and putting in of new will strengthen the building as the new bricks are harder."

In the middle of this confusion, the Selectmen decided to place upon the building a tablet in terra cotta with the inscription

- Rogers School -

The matter was placed in the hands of the already harassed contractor in charge of repairs, and he was instructed to make a suitable design. At last, in November, the work was completed. The plaque was secured to the wall over the front doors, and a wreath was placed around the clock face. The original splendor of the "first gift" was restored.

INTO A NEW CENTURY

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It might well be claimed that the erection of the Rogers School provided the means and the incentive for adoption of modern educational trends in the town of Fairhaven. Within the walls of the new school, there was space and stimulus for both teacher and pupil to reach and create. Good teaching and good learning resulted. Moreover, completion of this fine building seemed to evoke in the citizenry a new responsibility for the education of their children, for when, in 1896, the town started to grow inordinately, there was ready sentiment for the erection of a new school in Oxford. That area had become particularly populous, and the children there were still being taught in a little stone schoolhouse on North Street. It was a picturesque little place known as School No. 11, and for sixty-six years it had been in constant use. Now it was deemed inappropriate for school purposes. A town meeting on March 7, 1896 voted \$15,000 for a new school, and this new building, the Oxford School, was dedicated on January 8, 1897.

When Mr. Rogers started the Unitarian Memorial Church in 1902, he presented the old Unitarian Church building to the town for school use. This was first designated as the Rogers School Annex, and later as the Washington Street School.

In 1917 the Job C. Tripp School was begun and the Edmund Anthony Jr. School was built in 1921. In 1925 the East Fairhaven School opened its doors, and Nasketucket had its own school again.

It is not inappropriate to suggest, then, that Mr. Rogers' "first gift" served Fairhaven citizens as catalyst in development of a healthy respect for education and a deep interest in the welfare of their children.

EPILOGUE

Under the direction of astute superintendents, principals and teachers - the educational programs of the Rogers School, over the years, have been notable for solid and reasonable aspiration. There has always been emphasis upon sound scholarship and learning through individual approach.

The sturdily constructed building itself - to which an addition was added in 1958 - has served well. Students who have attended have used its facilities with pride and care. Consequently, it is in singularly good condition although it is approaching the end of its first century. The rooms are light and airy. There is a feeling of space, flexibility and freedom as a teacher stands before her class or walks the aisles. Here, the pressing compactness of many of the modern schools does not confine physically or mentally. Teachers still say they "like to teach in the Rogers School."

There have been excellent extra-curricular ventures here. School clubs and athletic teams have been stimulating; school newspapers have augmented the English programs. Colorful fairs have brightened the school grounds, and some particularly effective dramatic offerings and pageants have drawn the citizenry in large numbers to the green lawns. In 1921 an outstanding historical pageant in seven episodes was presented; in 1934, in celebration of the fiftieth anniversary of the corner stone laying, a

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pageant written by the teachers of the school was prepared. The 75th anniversary was celebrated in a pageant that depicted the special town meeting acceptance of the deed of conveyance and the dedication exercises held in the Congregational Church in 1885.

Moreover, parents of Rogers School students have, over the years, been consistently generous in support of the school policies, programs and aims. They have brought wisdom to the efforts of the faculty and understanding to the needs of the students.

The following paragraphs are taken from an address delivered by the Rev. Henry J. Fox at the dedication ceremonies for the Rogers School on September 3rd, 1885.

"He might (Mr. Rogers) have chosen to invest his \$100,000 in pictures, in gems, in bronzes, in choice engravings and rare books, and have packed them away in his own house for the delight of his own household. He might have built a memorial for some college or some theological school. He might have given to some great city an incomparable gallery of art. He might have patronized science and endowed a great national observatory. He might have turned his munificence into the various channels which the needs of higher education are ever keeping so imploringly open. He might, like Yale, Vassar, Johns Hopkins, Swain and Cornell, have built a college or endowed professors' chairs. I say he might have done any of these things, and blessed are the men who do them! But if he had allowed his beneficence to run in these channels, he would only have benefited some special class or classes and have done what men of less foresight will do to the end of time. He chose, and I think with a profound wisdom, to do something deeper, broader. In giving a school to the common people he has gone down to the root of things.

"He who furnishes the first rounds of the ladders by which alone men may attain to usefulness and honor, is to my mind, a much greater benefactor than he who puts in the higher rounds. For the higher rounds, a man standing securely on the lower ones may put in for himself, or find hundreds ready to put them in for him. It is the common school that makes the good citizen, that maintains public order, and gives stability to our institutions."

These words of Dr. Fox are more significant to us today as we read them than they could possibly have been at the time they were delivered on the dedicatory platform. For those who attended the exercises in 1885 could never have dreamed of the future beneficence of Mr. Rogers to his home town. They could not foresee a group of splendid buildings he was to raise which have enriched the life of every citizen in the town. They could not know of the paving of streets; the far-sighted allocation of wells for pure water; the planning of a lovely park; the individual financial grants to relatives and family friends who were native to this town. None of these gifts had been proffered in 1885. They were to come over the next few years in an extraordinary outpouring of love and respect for his town.

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Yet the initial fruits of this great good will had ripened as the Rogers School was dedicated – and his townspeople, with joy, accepted from Henry H. Rogers – his “first great gift.”

From Original FA1.30

In August 1883 ground was broken for this public school, which was a gift to the town from Henry Hutton Rogers. It was dedicated September 3, 1885. Its architect was Warren R. Briggs of Bridgeport Connecticut, whose school in that place was considered “the model school house in all New England.” Aiding Briggs in the construction of the school were a Mr. Woodruff of New York, contractor; Arnold G. Tripp, a Fairhaven man, supervisor of work; and John Bradford of Fairhaven, teamster. The building has brick arches and partition walls, with iron beams. An iron tank in the attic supplied the water boiler. The dedicatory address mentioned a construction cost of \$100,000. In 1890, Rogers had the school re-faced because of spalling brick. The plaque, and the terra cotta wreath around the clockface, were added at the same time.

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Fairhaven Star 29 March 1890

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Figure 1 is a map of the study area, showing the location of the study area (CAI) and the location of the study area (CAI). The map includes a legend with symbols for the study area, the location of the study area, and the location of the study area.

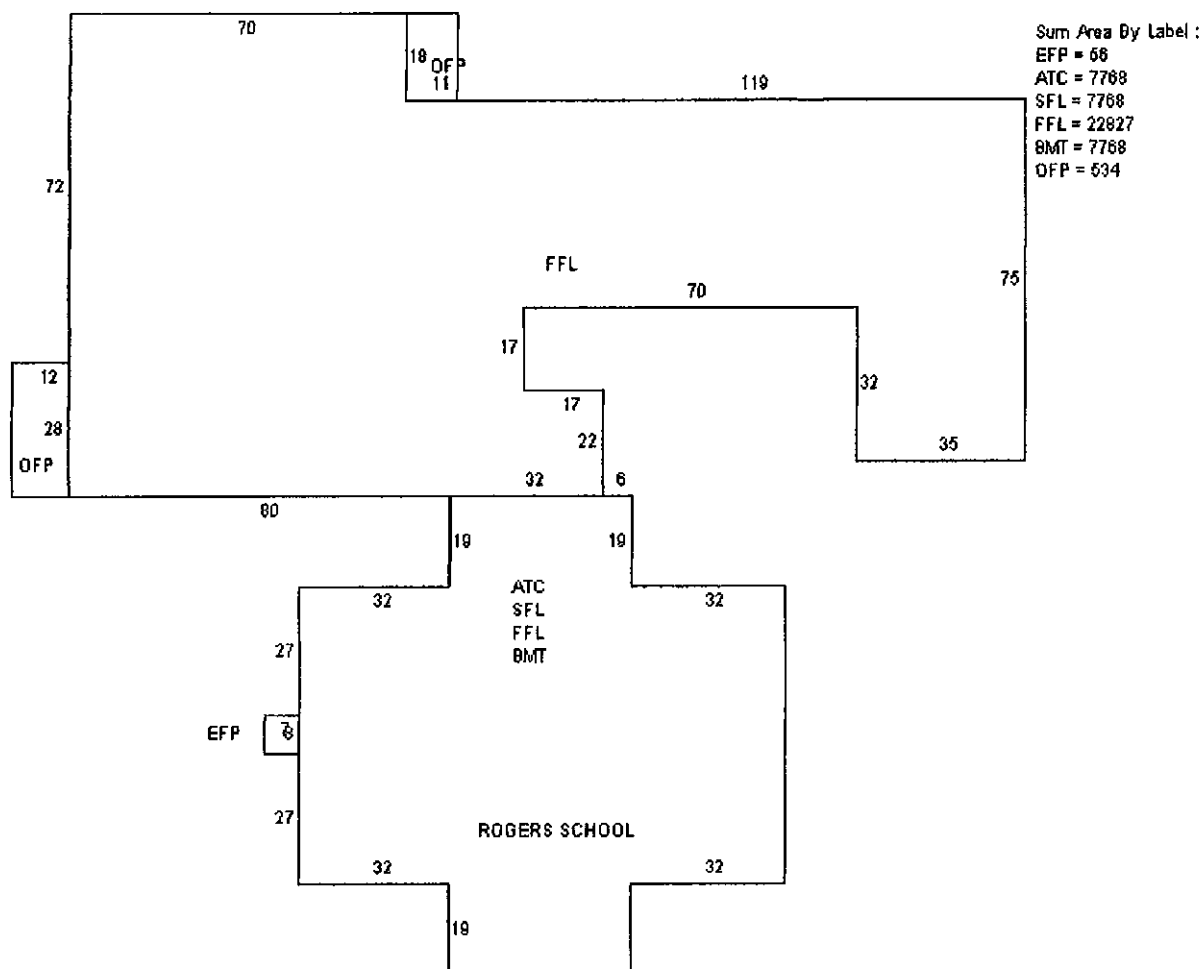
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Overall Layout



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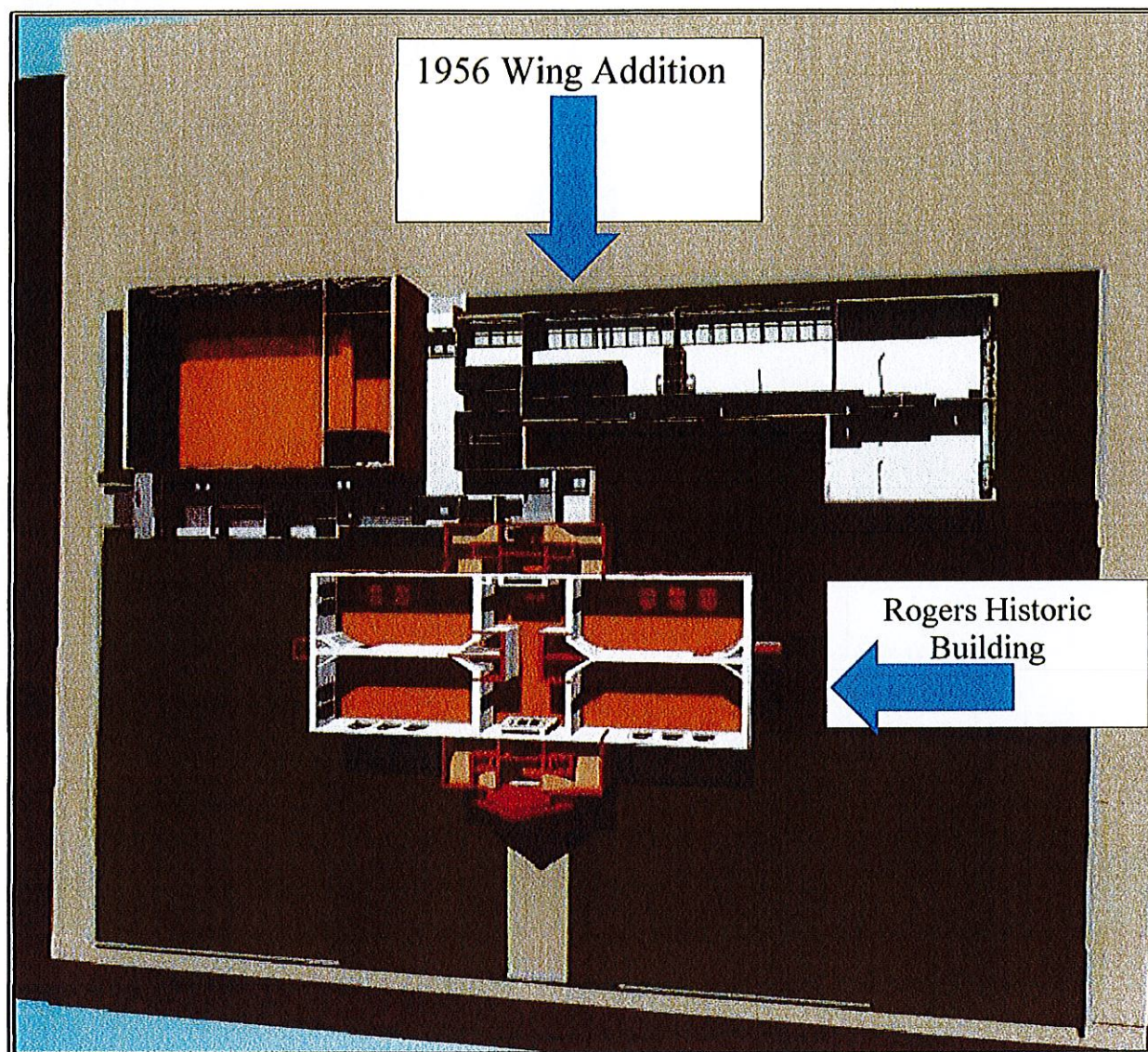
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Rogers Historic Layout & 1956 Addition Layout



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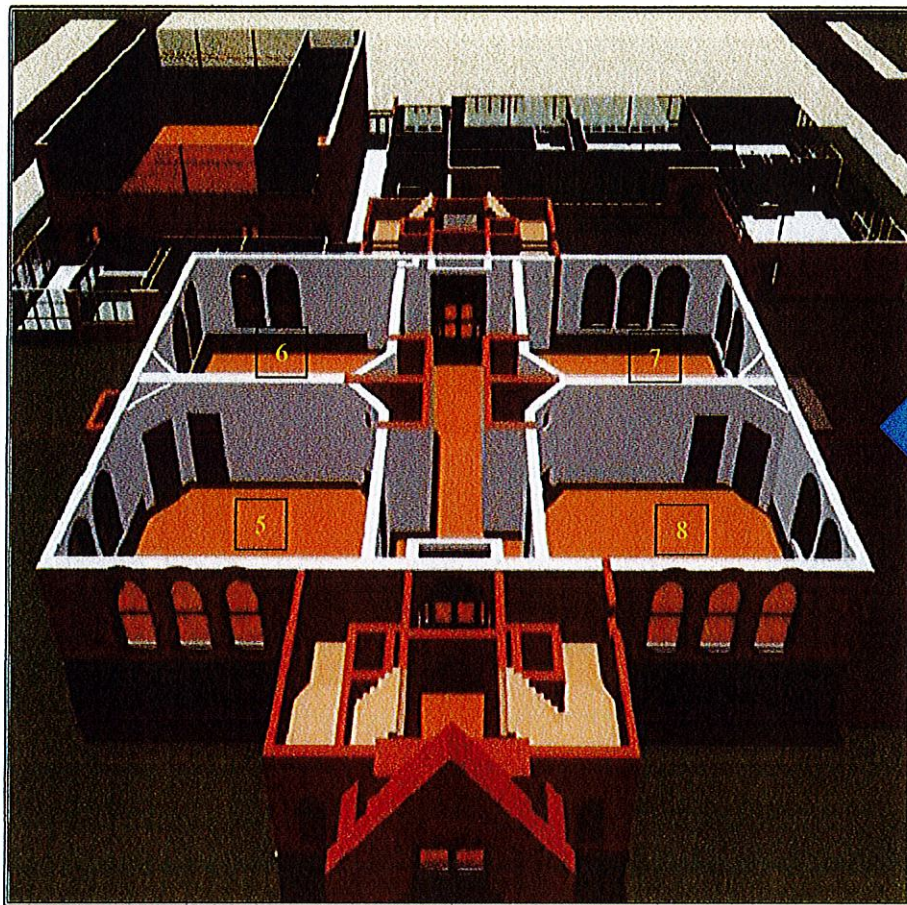
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Historic Rogers Original School Second Floor Layout



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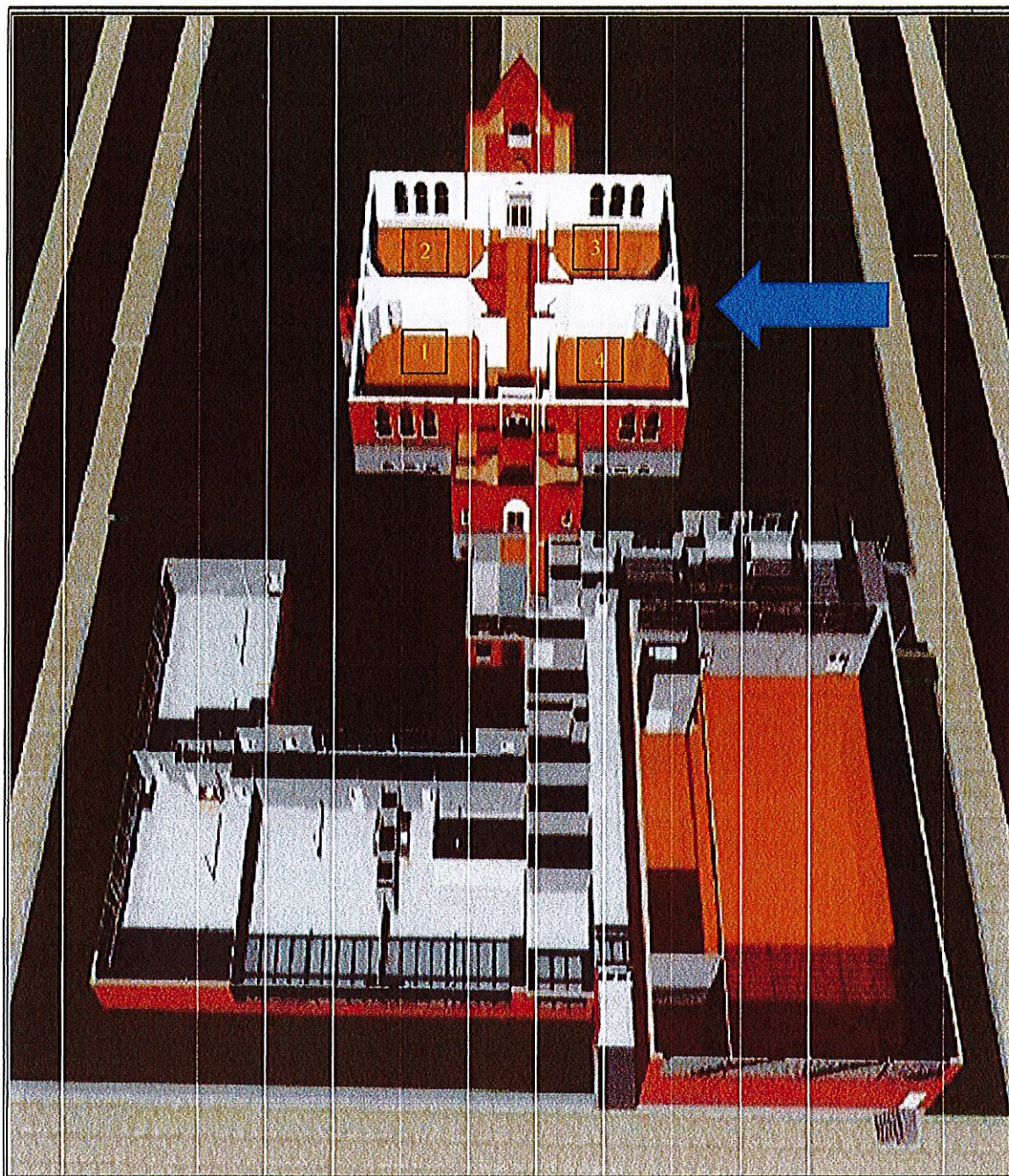
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Historic Rogers Original School First Floor Layout



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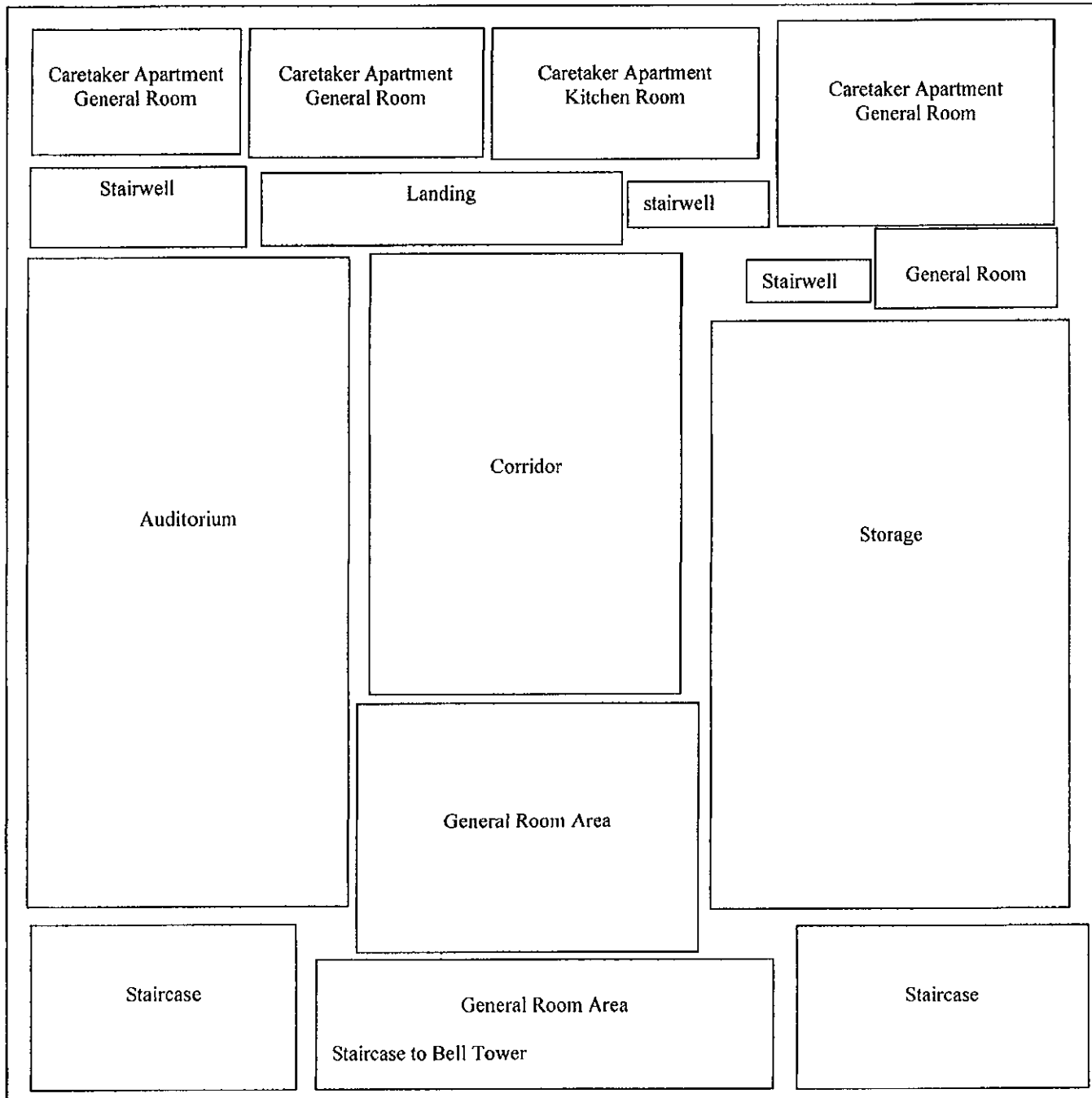
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Historic Rogers Original School Attic Floor Layout



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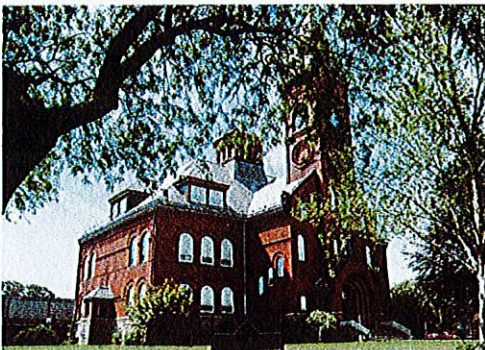
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Historic Rogers Original School Entrance

Centre Street View



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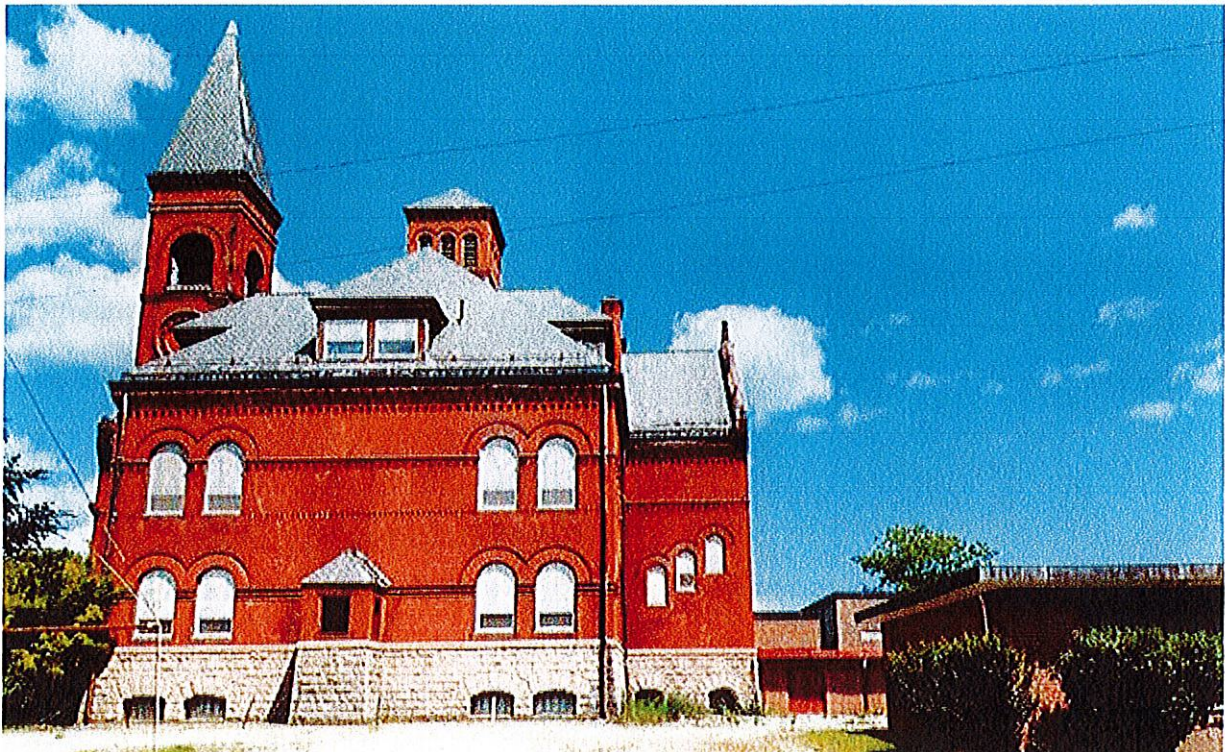
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Historic Rogers Original School
Chestnut Street View



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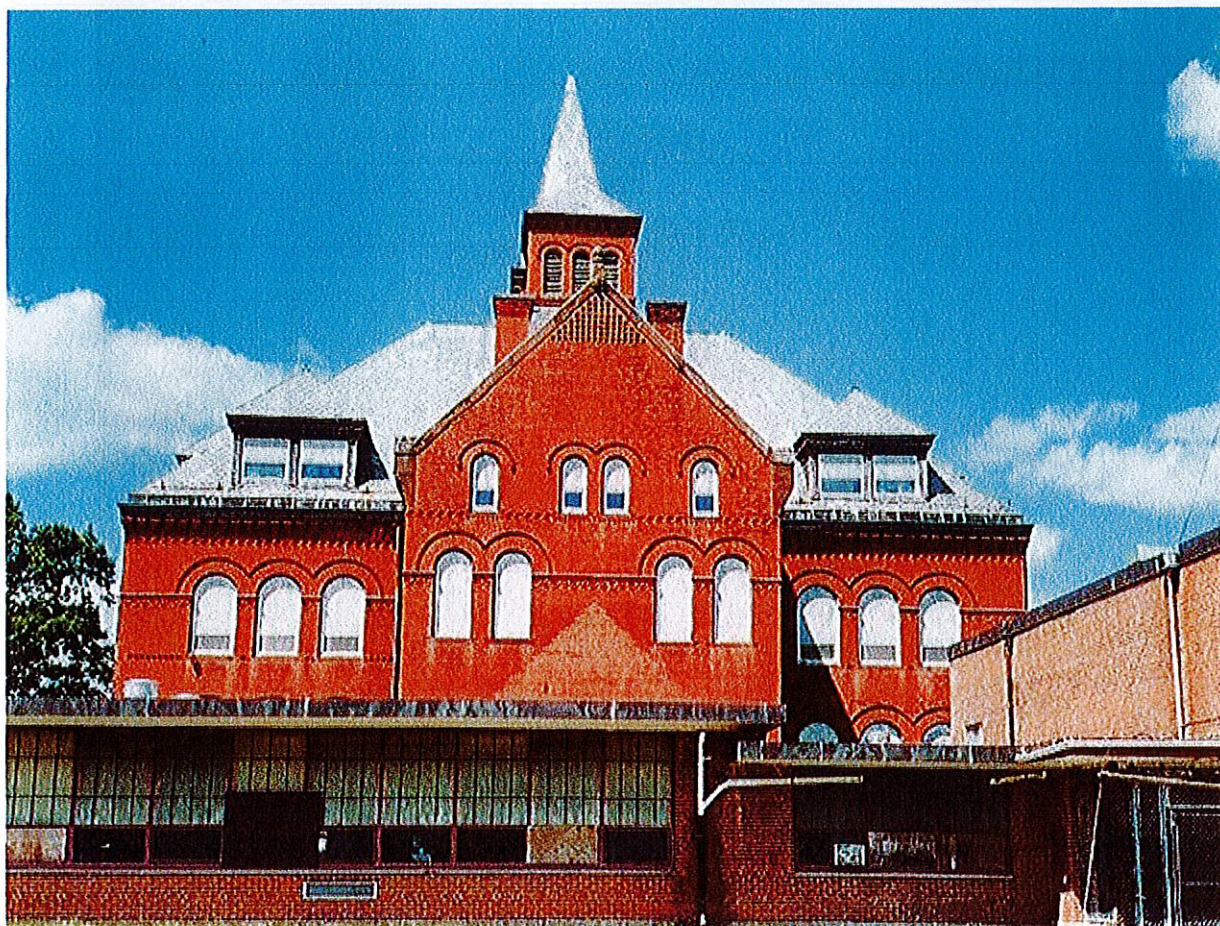
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Historic Rogers Original School South Street View



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Historic Rogers Original School Pleasant Street View



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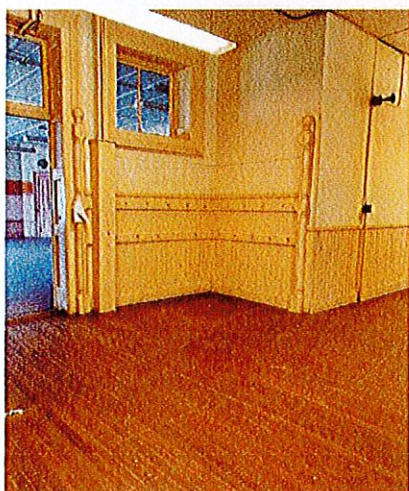
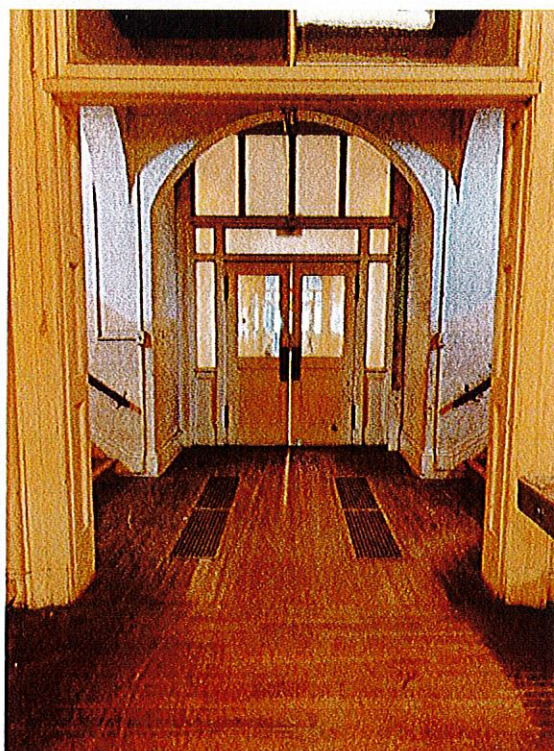
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Historic Rogers Original School First Floor Hallway / Stairway



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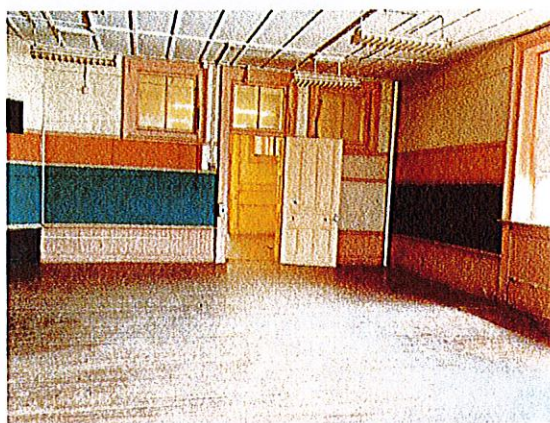
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Historic Rogers Original School Classroom 1



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Historic Rogers Original School Classroom 2



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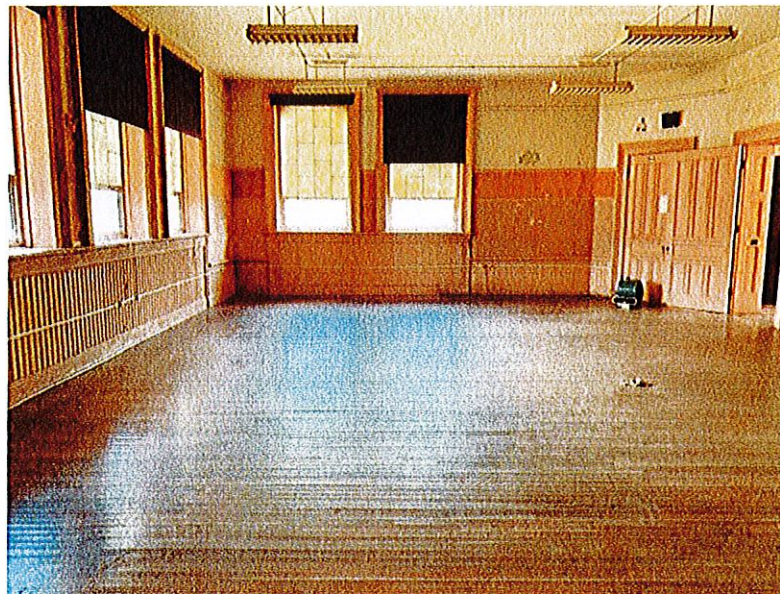
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Historic Rogers Original School Classroom 3



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Historic Rogers Original School Classroom 4



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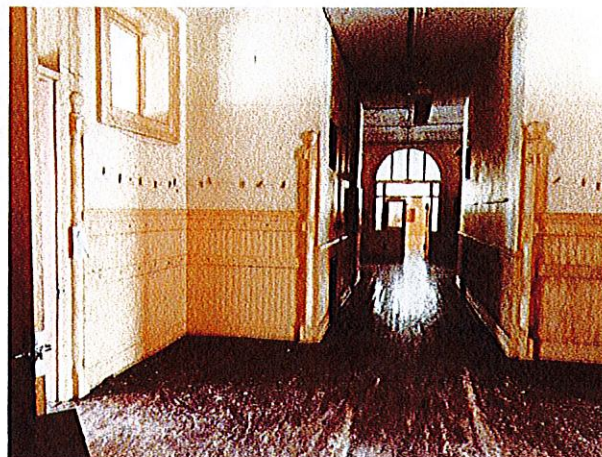
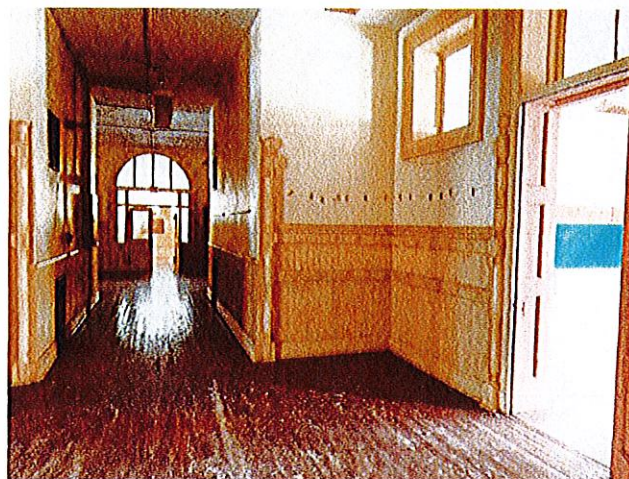
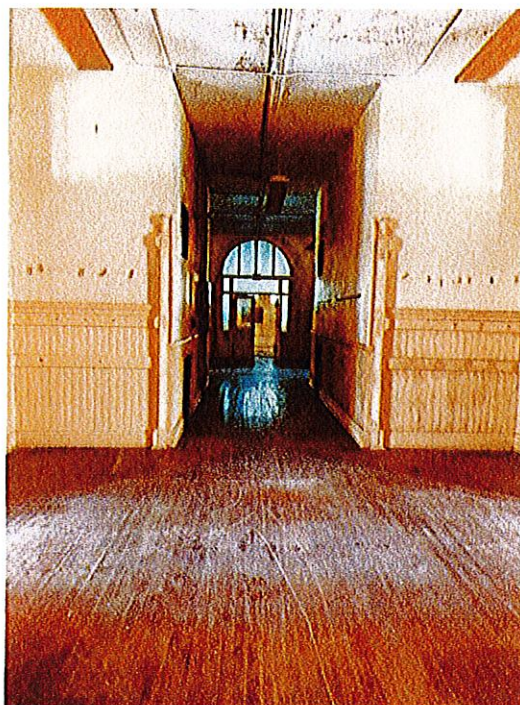
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Historic Rogers Original School Second Floor Hallway



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Historic Rogers Original School Classroom 5



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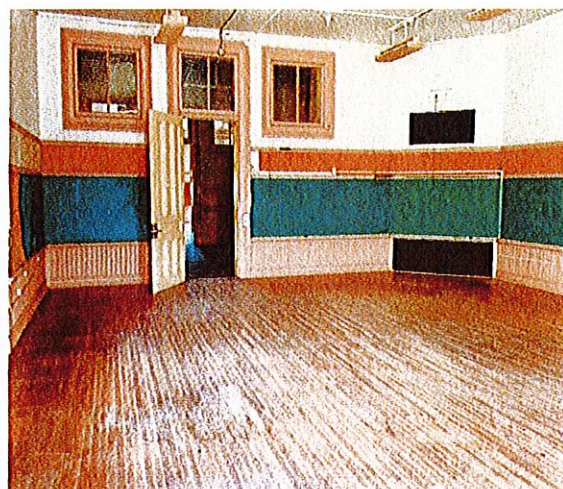
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Historic Rogers Original School Classroom 6



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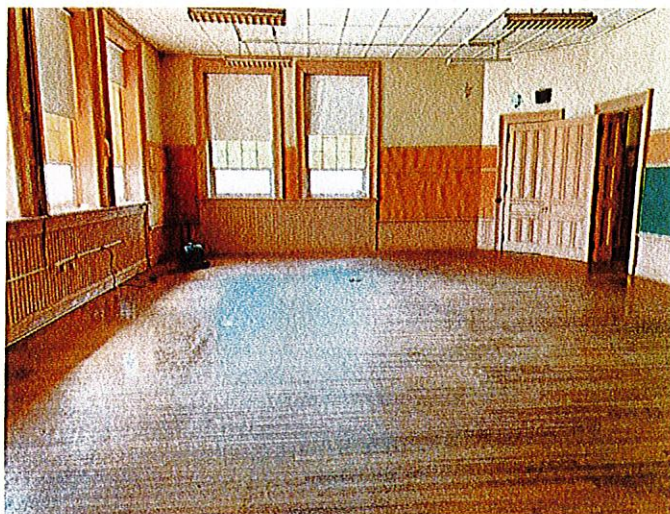
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Historic Rogers Original School

Classroom 7



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Historic Rogers Original School Classroom 8



INVENTORY FORM B CONTINUATION SHEET

TOWN

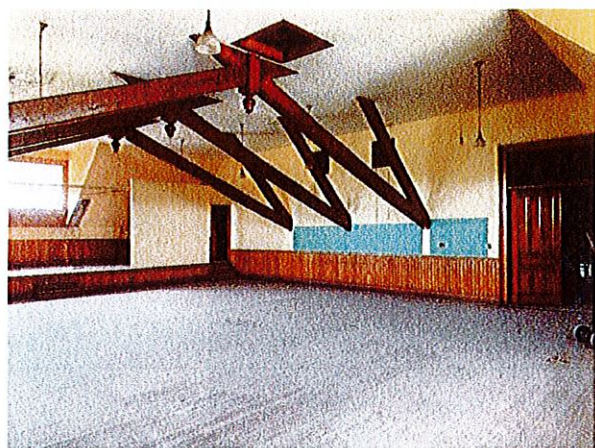
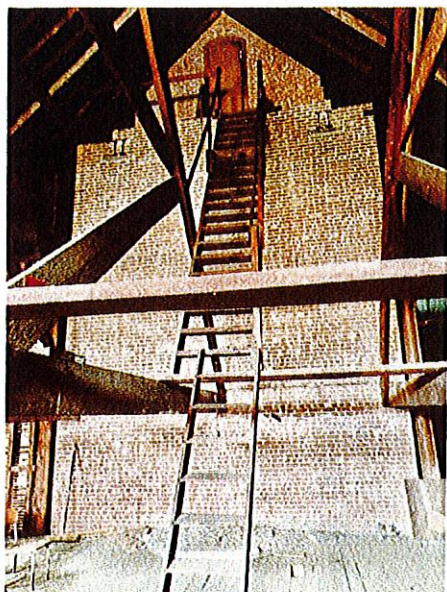
ADDRESS

MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

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Historic Rogers Original School Caretaker Apartment / Attic



INVENTORY FORM B CONTINUATION SHEET

TOWN

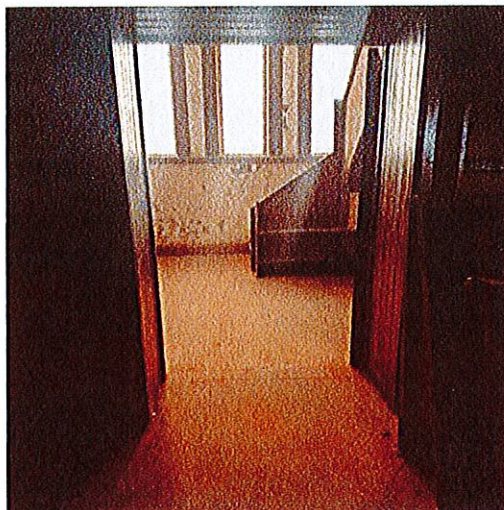
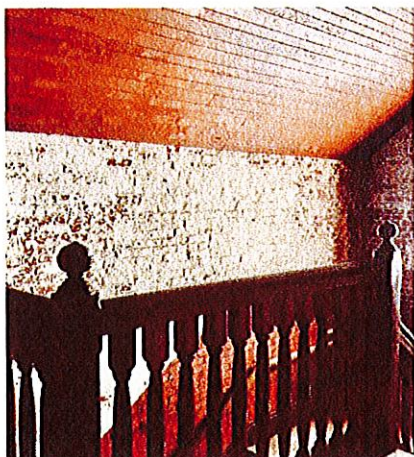
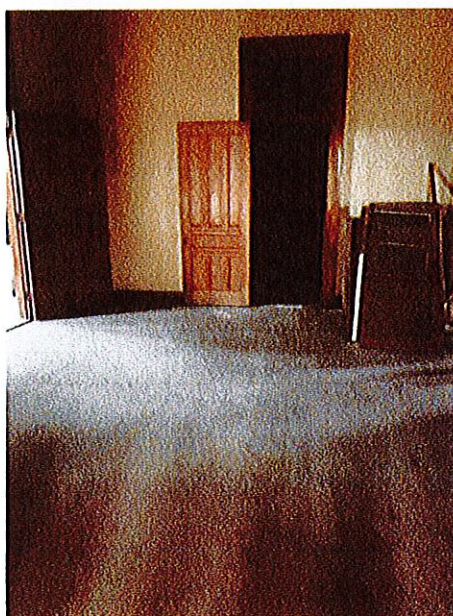
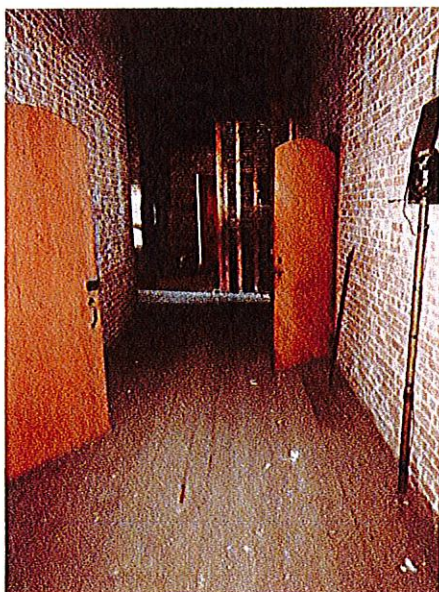
ADDRESS

MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

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Historic Rogers Original School Caretaker Apartment / Attic Continued..



INVENTORY FORM B CONTINUATION SHEET

TOWN

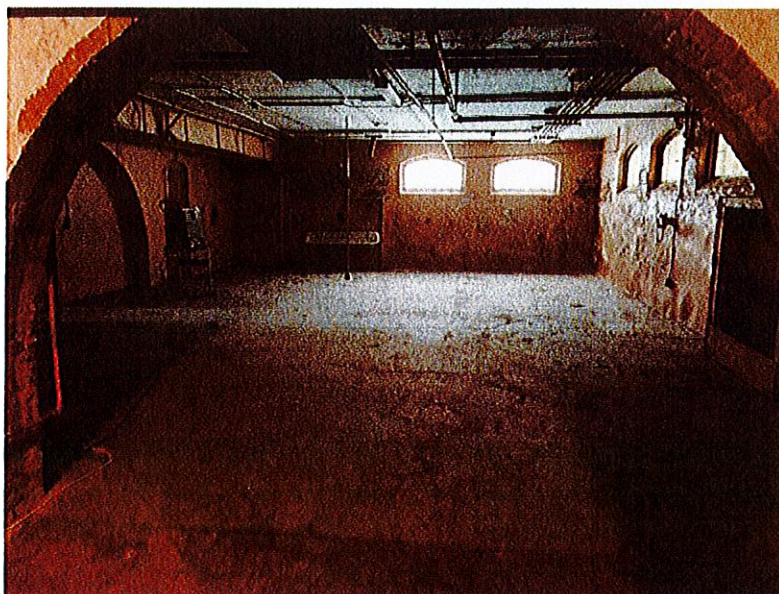
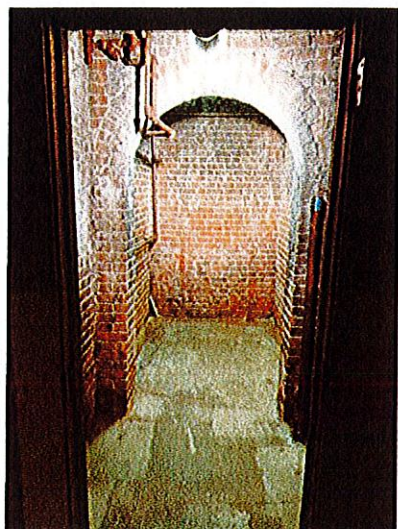
ADDRESS

MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

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Historic Rogers Original School Basement



Tab B

Original FAI.30

MACRIS

6-12-57

Massachusetts Cultural Resource Information System

Scanned Record Cover Page

Inventory No: FAI.30
Historic Name: Rogers Grammar School
Common Name:
Address: Center St

City/Town: Fairhaven
Village/Neighborhood: Fairhaven
Local No:
Year Constructed: r 1883
Architect(s): Briggs, Warren R.; Tallman, LaBrode & Rounseville
Architectural Style(s): Romanesque Revival
Use(s): Public School
Significance: Architecture; Community Planning; Education
Area(s):
Designation(s):

Building Materials(s): Roof: Slate
Wall: Brick; Stone, Cut
Foundation: Stone, Cut



The Massachusetts Historical Commission (MHC) has converted this paper record to digital format as part of ongoing projects to scan records of the Inventory of Historic Assets of the Commonwealth and National Register of Historic Places nominations for Massachusetts. Efforts are ongoing and not all inventory or National Register records related to this resource may be available in digital format at this time.

The MACRIS database and scanned files are highly dynamic; new information is added daily and both database records and related scanned files may be updated as new information is incorporated into MHC files. Users should note that there may be a considerable lag time between the receipt of new or updated records by MHC and the appearance of related information in MACRIS. Users should also note that not all source materials for the MACRIS database are made available as scanned images. Users may consult the records, files and maps available in MHC's public research area at its offices at the State Archives Building, 220 Morrissey Boulevard, Boston, open M-F, 9-5.

Users of this digital material acknowledge that they have read and understood the MACRIS Information and Disclaimer (<http://mhc-macris.net/macrisdisclaimer.htm>)

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Commonwealth of Massachusetts
Massachusetts Historical Commission
220 Morrissey Boulevard, Boston, Massachusetts 02125
www.sec.state.ma.us/mhc

This file was accessed on: Wednesday, June 23, 2021 at 10:23 AM

FORM B - BUILDING

B4

8 - 9

FAI. 50

In Area no.	Form no.

MISSION
Boston



ation
s and

Center St.

Chestnut
St.



Y
N

1. Town Fairhaven
Address Center Street
Name Rogers Grammar School
Present use school

Present owner Town of Fairhaven

3. Description: 2 story & attic tall-hipped roof
brick institutional bldg. w/ sq.
corner tower & extended entry
pavilion.
Date 1883-1885

Source Knipe

Style Ruskinian Gothic

Architect Warren R. Briggs

Exterior wall fabric stone & pressed brick

Outbuildings (describe) _____

Other features Tall, square slate-capped
clock tower & belfry; round-arched win-
dows foreshadow Romanesque Revival.

Altered re-faced; addition Date 1890; 1958

Moved no Date _____

5. Lot size:

One acre or less _____ Over one acre X

Approximate frontage at 250 x 345

Approximate distance of building from street
at 50'

6. Recorded by Ellen Fletcher Rosebrock

Organization The Preservation Partnership

Date August 1978

(over)

7. Original owner (if known) Town of Fairhaven

Original use school

Subsequent uses (if any) and dates same

8. Themes (check as many as applicable)

Aboriginal	<u> </u>	Conservation	<u> </u>	Recreation	<u> </u>
Agricultural	<u> </u>	Education	<u> </u>	Religion	<u> </u>
Architectural	<u> X </u>	Exploration/	<u> </u>	Science/	<u> </u>
The Arts	<u> </u>	settlement	<u> </u>	invention	<u> </u>
Commerce	<u> </u>	Industry	<u> </u>	Social/	<u> </u>
Communication	<u> </u>	Military	<u> </u>	humanitarian	<u> </u>
Community development	<u> X </u>	Political	<u> </u>	Transportation	<u> </u>

9. Historical significance (include explanation of themes checked above)

In August 1883 ground was broken for this public school, which was a gift to the town from Henry Huttleston Rogers. It was dedicated September 3, 1885. Its architect was Warren R. Briggs of Bridgeport, Connecticut, whose school in that place was considered "the model school house in all New England." Aiding Briggs in the construction of the school were a Mr. Woodruff of New York, contractor; Arnold G. Tripp, a Fairhaven man, supervisor of work; and John Bradford of Fairhaven, teamster.

The building has brick arches and partition walls, with iron beams. An iron tank in the attic supplied the water boiler. The dedicatory address mentioned a construction cost of \$100,000.

In 1890, Rogers had the school re-faced because of spalling brick. The plaque, and the terra cotta wreath around the clockrace, were added at the same time.

10. Bibliography and/or references (such as local histories, deeds, assessor's records, early maps, etc.) Mabel H. Knipe, The First Gift - The Story of Rogers Grammar School 1977; Fairhaven Star 29 March 1890.

INVENTORY FORM CONTINUATION SHEET

MASSACHUSETTS HISTORICAL COMMISSION
MASSACHUSETTS ARCHIVES BUILDING
220 MORRISSEY BOULEVARD
BOSTON, MASSACHUSETTS 02125

Town

Property Address

Area(s)

Form No.

112	2
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DEPARTMENT OF PUBLIC SAFETY
DIVISION OF INSPECTION
PLAN RECORD

AREA *B* RACK *9* APART *90* 73574

BUILDING Rogers School

CITY OR TOWN Fairhaven STREET COR. W. 1st St.

TO BE USED FOR Primary Grades

OWNER Town

ARCHITECT Tallman, Hubbard & Hennessey

CERTIFICATE APPROVAL SPECIFICATION REQUIREMENTS REFERRED

DATE 6/12/57

INSPECTOR McNally

FORM BU-1 REV. 1-13-55 BRAC

Tab C

Letter of Support
Select Board



Wendy Graves
Interim Town Administrator

Town of Fairhaven
Massachusetts
Office of the Town Administrator
40 Center Street
Fairhaven, MA 02719

Tel: (508) 979-4023
Fax: (508) 979-4079
selectmen@Fairhaven-MA.gov

June 29, 2021

Brona Simon, Executive Director
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, MA 02125

Dear Ms. Simon,

On behalf of the Fairhaven Select Board, I am writing in support of the Rogers Reuse Committee's plan to add the former Rogers School in Fairhaven to the National Historical Register.

This landmark building is located in the center of town and is a former elementary school building and was the first gift of oil tycoon Henry H. Rogers to the Town of Fairhaven. Built at a time when greater interest in education was sweeping the country, the school, designed by architect Warren Briggs, incorporated the best features in schoolhouse design, including a spacious auditorium on the third floor. Originally the building had living quarters for the custodian, assuring security and the uninterrupted operation of the furnace on cold winter nights. When the building's exterior brick began to discolor just five years after the school's construction, Rogers had all the brick removed and replaced. Fairhaven did not have electric service when the school was built. It was wired for lights in 1890. The building was used as an elementary school for 128 years, until June 2013.

This building is an important part of the neighborhood and the preservation of this historical community asset will ensure that future generations will be able to enjoy its beauty.

By placing the Rogers School on the National Historical Register, it will open up the possibilities for grants to make improvements to the building for a future use.

This is a worthy project that I hope you will support.

Sincerely,

Wendy L. Graves

Wendy Graves
Interim Town Administrator

WLG/vlo

Cc: Fairhaven Select Board

Wayne Oliveira, Historical Commission Chairman

Paul Foley, Planning and Economic Development Director

Sue Loo, Rogers Reuse Committee Chairwoman

Tab D

Letter of Support

Director of Planning
&

Economic Development

Tab D

LETTER
TO BE INSERTED

Tab E

Letter of Support
Historical Commission



Town of Fairhaven
Massachusetts
Historical Commission
40 Center Street
Fairhaven, MA 02719

August 6, 2021

Brona Simon, Executive Director
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, MA 02125

Dear Ms. Simon,

On behalf of the Fairhaven Historical Commission, I am writing in support of the Rogers Reuse Committee's plan to add the former Rogers School in Fairhaven to the National Register of Historic Places.

This landmark building is located in the center of town and is a former elementary school building and was the first gift of oil tycoon Henry H. Rogers to the Town of Fairhaven. Built at a time when greater interest in education was sweeping the country, the school, designed by architect Warren Briggs, incorporated the best features in schoolhouse design, including a spacious auditorium on the third floor. Originally the building had living quarters for the custodian, assuring security and the uninterrupted operation of the furnace on cold winter nights. When the building's exterior brick began to discolor just five years after the school's construction, Rogers had all the brick removed and replaced. Fairhaven did not have electric service when the school was built. It was wired for lights in 1890. The building was used as an elementary school for 128 years, until June 2013.

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By placing the Rogers School on the National Register of Historic Places, it will open up the possibilities for grants to make improvements to the building for a future use.

This is a worthy project that I hope you will support.

Sincerely,

Wayne Oliveira
Chairman - Historical Commission

Cc: Fairhaven Select Board
Paul Foley, Planning and Economic Development Director
Sue Loo, Rogers Reuse Committee Chairwoman

Tab F

Rogers School Deed

Know all Men by these Presents, That I, Henry H. Rogers of New York City, in the State of New York, in consideration of One Dollar to me paid by the Town of Fairhaven, a municipal corporation situate in the County of Bristol and Commonwealth of Massachusetts, do hereby give, grant, bargain, sell and convey unto the Town of Fairhaven aforesaid, a certain lot of land with all the buildings and improvements thereon, situated in said Fairhaven, and bounded on the north by Center Street, on the East by Pleasant Street, on the South by Union Street and on the West by Chestnut Street, containing two hundred sixty two and seventeen one hundredths (262.17) square rods, more or less. To Have and To Hold the same for the uses and purposes of a School to the said Town of Fairhaven, its successors and assigns, with all the privileges and appurtenances thereto belonging, to its and their use and behoof forever, as aforesaid: Provided however, and this conveyance is made upon the condition that said school shall be for the Education of the Children of Fairhaven, without restriction on account of sectarian creed or religious belief: and shall never be maintained as a school separately for Protestant or Catholic children, but both shall enjoy in common its privileges as they are now enjoyed in the public schools of Fairhaven: and in the event of non compliance with or violation of the above condition, the said premises and the buildings and improvements thereon shall revert to the grantor, his heirs, executors administrators and assigns, and he and they may enter and repossess themselves thereof: And provided further, and this conveyance is made upon the express condition, that if at any time in the future it shall become desirable and shall seem expedient to said Town of Fairhaven, or its successors, to change the location of said school said Town of Fairhaven, or its successors, may sell said premises above described at public or private sale, the net proceeds from said sale to be held by said Town, or its successors, in trust for the uses and purposes above mentioned, to be reinvested as soon as practicable in a new and

suitable location and building to be situated within said Town of Fairhaven, together with the necessary and incidental requirements, the same to be devoted to the uses and purposes of a school subject to the limitations and conditions as above stipulated. And in order more fully to secure the permanent use of said property and its proceeds for school purposes, it is my wish that the Town of Fairhaven keep said School House and its contents suitably insured against loss or damage by fire. And I do hereby for myself and my heirs, executors and administrators, covenant with the grantee, its successors and assigns, that I am lawfully seized in fee simple of the granted premises, that they are free from all incumbrances, except as herein contained and above set forth, that I have good right to sell and convey the same, as aforesaid, and that I will, and my heirs, executors and administrators shall Warrant and Defend the same to the said grantee, its successors and assigns, against the lawful claims and demands of all persons, except those arising from the breach of any one or all of the conditions in this conveyance contained. And for the consideration aforesaid I, Abbie P. Rogers, wife of the said Henry H. Rogers, do hereby release unto the said grantee and its successors and assigns, all right of or to both dower and homestead in the granted premises. In Witness Whereof we, the said Henry H. Rogers and Abbie P. Rogers hereunto set our hands and seals this Nineteenth day of June, one thousand eight hundred and eighty five.

Henry H. Rogers L.S.

Abbie P. Rogers L.S.

Witness to signatures. Anne E. Rogers Ohas. Edgar Mills.

State of New York County of New York, City of New York, ss June 19th 1885. Then personally appeared the above named Henry H. Rogers and acknowledged the foregoing instrument to be his free act and deed. In witness thereof, I hereunto set my hand and official seal the day and year last above written

L.S. Charles Edgar Mills

Commissioner for the Commonwealth of
Massachusetts.

Received and recorded July 7th 1885, at 4 hrs. 39 m. . P.M.

Geo. B. Richmond, Register.

A true copy of deed recorded in Bristol County S.D. Registry of
Deeds, in Book 113, Pages 331-333 inc.

Attest:

Anna C. Sullivan,
Asst. Register.

Whereas, Henry H. Rogers of New York City, formerly our fellow townsman, prompted by a desire ^{to} promote the education of the youth of his native town; and to give an enduring token of his interest in the welfare of its inhabitants, has donated to our town the lot of land on which he has caused to be erected a building suitable for the purposes of a school:

Resolved, that we, the Inhabitants of the Town of Fairhaven, in accepting this most useful and beautiful gift, recognize the donor's deep and abiding interest in our welfare; and feel the most profound admiration for the thoughtful and generous spirit in which it was conceived and executed.

Resolved, that we believe the land and building are admirably and perfectly adapted to the purposes for which they are intended; and that the building in its outward simplicity and beauty, as well as

in its interior finish and arrangement, is a model of graceful and substantial architecture and convenience, of which our town will always be justly proud.

Resolved, that we believe the children of our town, from time to time gathered within its walls, will reap inestimable benefit from its spacious accommodations; its well chosen and complete equipment; and its thorough and scientific sanitary regulations.

Resolved, that the Town of Fairbourn, in grateful acknowledgment and appreciation of the character and work of this property so freely and generously intrusted to it, will ever take pleasure and pride in watching over and protecting its interests, and maintaining its present high standard of usefulness.

Resolved, that we tender the Donor, our sincere thanks for this enduring token of his interest in us; and assure him, that all those who come

after us to enjoy its unrivalled advantages, will hold him in grateful remembrance -

Resolved, that a copy of these Resolutions be presented to the Donor; and that the proceedings of this meeting be spread upon the Town Records.

Vote

That the Town of Southboro in
legal Town Meeting Assembled
by its Vote do accept the
property including the land
and Buildings thereon

conveyed by Henry Rogers
of New York

with all of the
Specifications and Conditions
as set forth in the Deed of
~~Property~~ that has been read
in this Meeting

Wherefore the
Seventh Eighteen Nineteen and
Eighty five —

This Tablet placed here
by the Citizens of Fairhaven
commemorates the noble
and enlightened

Generosity
of Henry Hulsestone Rogers

who has here erected ^{this} one
of the most complete Institutions
for educational purposes in
Southern Massachusetts at a cost
of ~~about~~ ^{about} ten thousand dollars and
presented the same this day
Feb. the 7th 1883 to his native
town of Fairhaven

Tab G

Henry H. Rogers
School Proclamation

Tab G

TO BE INSERTED ONCE
COMPLETED

Henry H. Rogers
School Proclamation

Tab H

1957 Engineering Plans / Site
Elevation

Tab H

TO BE INSERTED

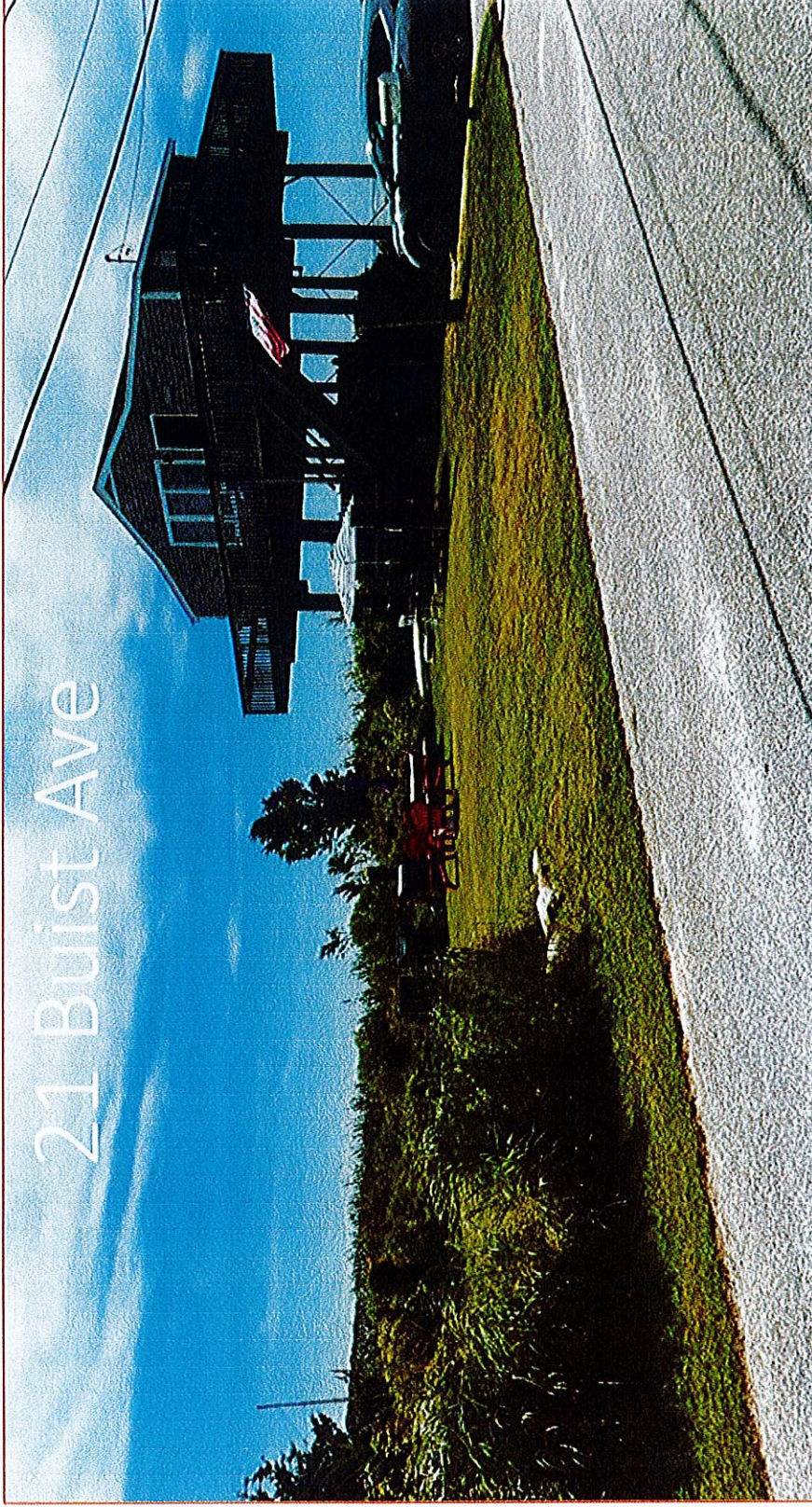
(Too much ink to keep printing)

Buist Ave Lots

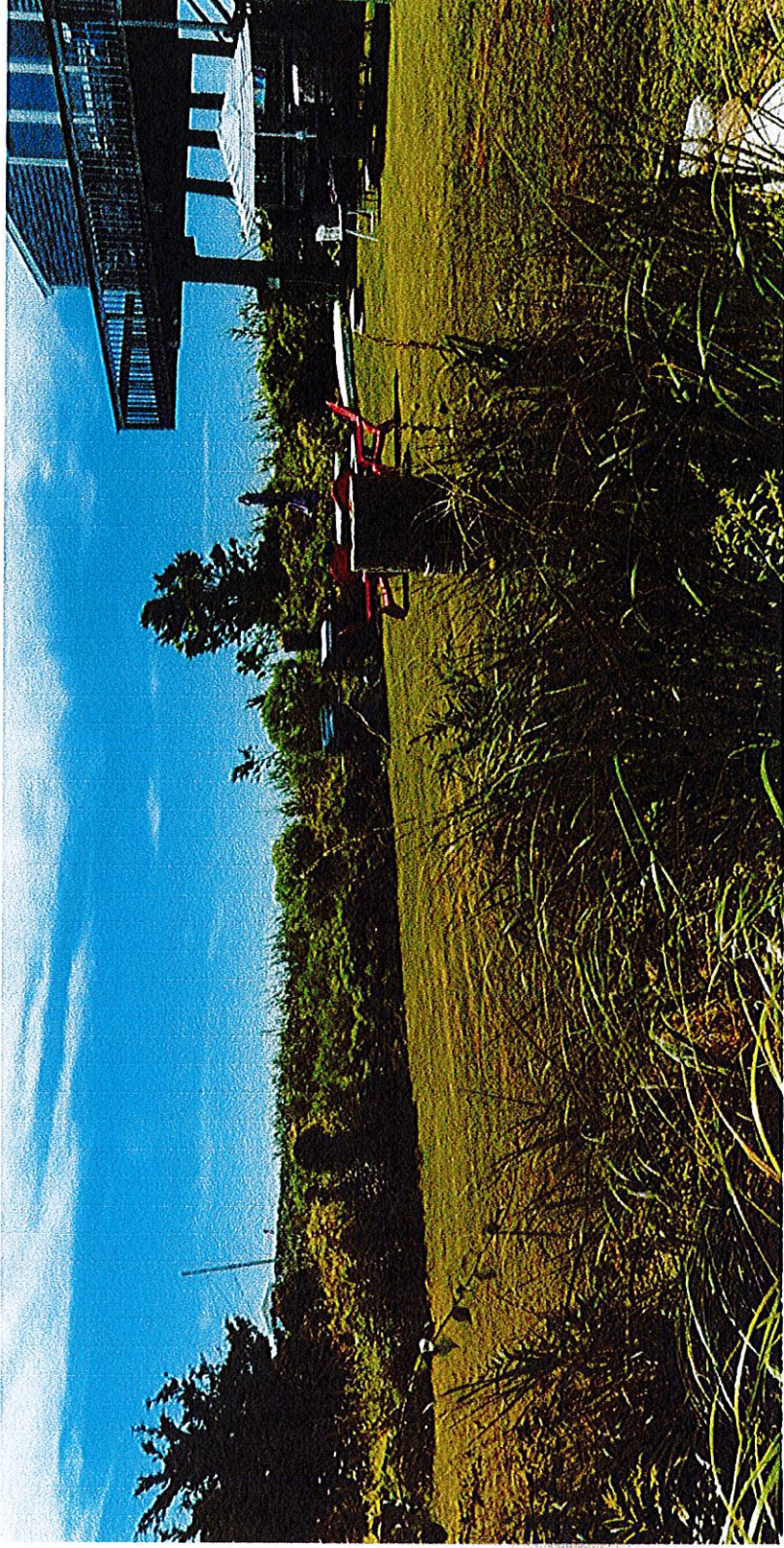
Introduction

- Martin Lomp
- Janice Lomp
- We are the owners of 21 Buist Ave

21 Buist Ave



- Bought in 1998
- Owned for 23 Years
- Abuts the parcel referenced as 29A-24



- Adversely using and maintaining 2 lots (24, 25) approx. 6,000 sq. ft. in parcel 29A-24 for 23 years
- Maintaining the footprint as it was sold to us in 1998
- Pictures illustrate the pylons used to delineate usage
- Pylons were sunk when the house was put up on stilts after Hurricane Bob (1991)
- Original Septic system was on lot 24 as is the newer septic pump installed as part of the Sconticut Neck Sewer Project (2005/2006)



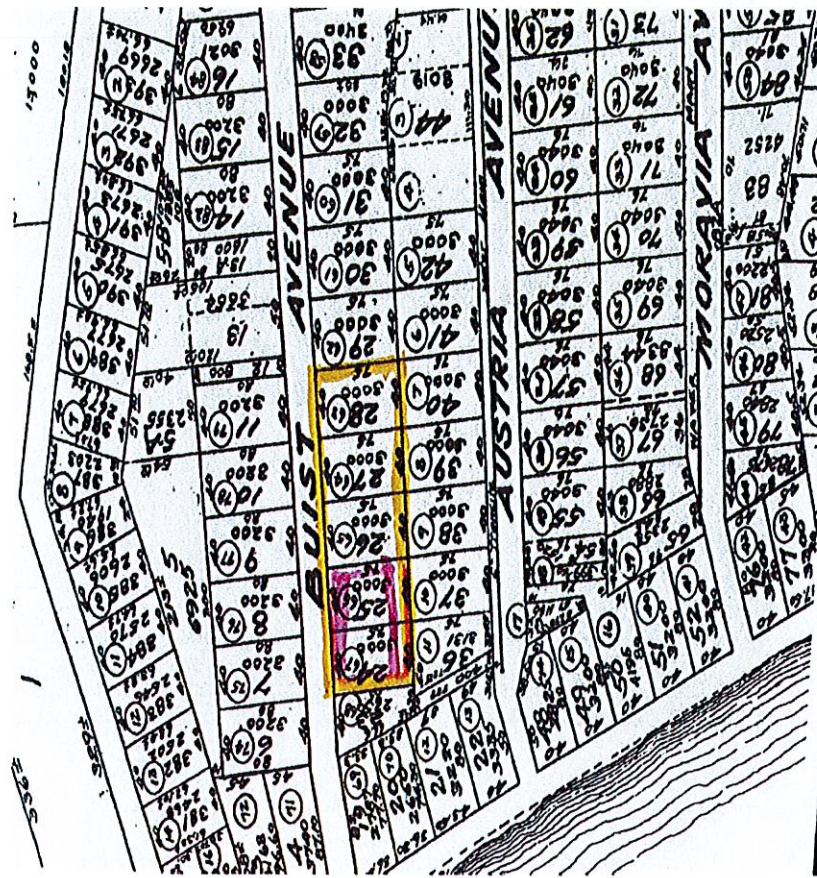
- Shows Lot line and pylons



- Usage Picture
- Also have many years of additional photos demonstrating usage and maintenance of lots 24/25



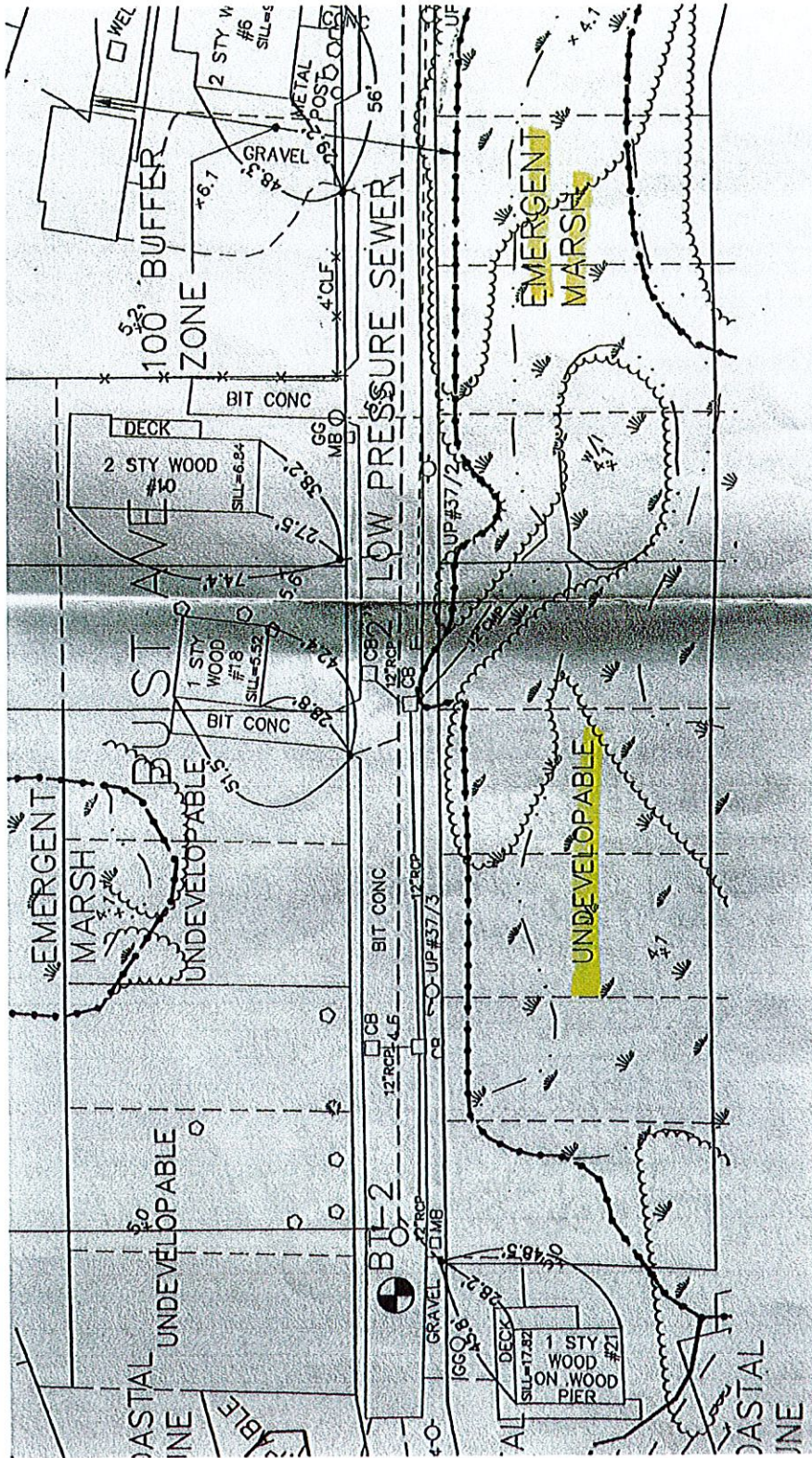
- Comparison photos Aug 2021 vs June 1988 showing adverse usage for over 33 years



- **Adverse Possession Law**

Adverse possession is granted when one person makes open and notorious use of another person's property for a period of 20 or more continuous years. The common law of Massachusetts states that the use of the property must have been open, notorious, adverse, and exclusive for those 20 years.

- Our Attorney advised us that we have a claim under Adverse Possession law of Massachusetts General Law
- Currently working with our attorney to file a claim
- Hoping to resolve land ownership with the town prior to auction (saving legal expenses on both sides)
- **Is it possible to resolve this prior to auction?**
- If not, we feel that the town is obligated to inform bidders at the auction that there is a claim against lots 24, 25.



- Lots in parcel 29A-24 are marked as “emerging marsh” and “unbuildable” on the BPW Sewer Plan
- They are wet 10 months of the year
- What is the Town’s policy on building in wetlands?



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: September 13, 2021
TO: Fairhaven's Selectboard
FROM: David D. Flaherty Jr., RS
Fairhaven's Health Agent
RE: Status Report on Roger's School Ceiling

Dear Chairman Espindola,

I was visually inspected the "new" wing of the Roger's School this morning. It appears that all the ceiling tiles affected by moisture (i.e. "mold") have been removed. This is a great improvement from last time I viewed this area. I feel that visitors may be allowed for short tours as long as they have proper masking. Also, plastic or cardboard should be on the foot-traffic flow areas to prevent dust from getting in the air.

Sincerely,

David D. Flaherty Jr., RS
Health Agent

Cc: BOH
file