



**Fairhaven Select Board
Meeting Minutes
October 12, 2021**

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2021 OCT 26 P 12:02

FAIRHAVEN,
MASS.

Present: Chairman Robert Espindola, Vice-Chairwoman Stasia Powers, Clerk Keith Silvia, Interim Town Administrator Wendy Graves, Cable Access Director Derek Frates and Administrative Assistant Vicki Oliveira

Also Present: Town Counsel

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

Chairman Robert Espindola opened the meeting at 6:34 pm in the Town Hall Banquet Room.

Minutes

Ms. Powers made a motion to approve the Open Session minutes of September 27, 2021 as amended. Mr. Silvia seconded. Vote was unanimous. (3-0)

Town Administrator Report

Ms. Graves provided an update on the ARPA working group. Ms. Graves said the staff has been broken into six (6) workgroups (Water and Sewer, Broadband Infrastructure, Public Safety/Infrastructure, Public Safety, Economics/Sustainability, Human Services, and Information Technology/School) who each met with the grant office consultants to go over the projects that may qualify for state and/or federal funding. The consultants will review the projects and report on possible grant funding for the projects. The next step is for the workgroup to meet to go over the results on the reports and which grants we will qualify for funding.

The Tax Possession Auction on September 28, 2021 was a huge success and will bring in almost \$1.8 million of one-time revenue. All the properties should close within 30 days and then we will have an exact amount of revenue earned. This money will flow into surplus revenue/free cash.

Sylvia Group Insurance Agency & Trident Insurance Services are sponsoring a free training for department heads and managers on Wednesday October 20, 2021 at 10:00 am in the Town Hall Auditorium. The training will be an Employment Practices Seminar and they will review employment practices such as harassment, discrimination, wrongful termination and hostile work environment.

The ongoing boil water order that remains in effect until further notice for all those who utilize Fairhaven municipal water. In accordance with the requirements of the Massachusetts Department of Environmental Protection (DEP) order and testing schedule, additional water sampling and testing will take place on Tuesday Oct. 12th, Wednesday Oct. 13th, and Thursday Oct. 14th. The earliest day that the boil water order could potentially be lifted is Friday, Oct. 15th. In order for the boil water order to be lifted, the Town will need at least three

consecutive rounds of water samples must be clear of any contaminants. The order will continue if any samples indicate contaminants in the water. Fire Chief Todd Correia spoke about the RAVE system and the different measures the Town is taking to ensure that residents are properly notified in emergency situations.

Committee Liaison Reports

Ms. Powers said the Lagoa Committee will be meeting on October 25, 2021 with the Town Art Curator Mark Badwey to discuss a possible location for the traveling art exhibit in 2022.

Mr. Silvia said the Rogers School open house was a huge success with more than 300 people attending. There has been a request for another day.

Mr. Silvia said the Historical Commission is having difficulty in getting the Nimrod Cannon back from Northeast Maritime Institute.

Mr. Espindola said the Broadband Committee is taking a short break until they get more information for the ARPA group. The Broadband consultants will still continue their work in the meantime.

Mr. Espindola will be meeting with SRPEDD for a meeting of the SMMPO.

Mr. Espindola said the Bikeway Committee and the Economic Development Committee will be meeting soon.

Mr. Espindola said the ARPA group received an outline from the consultant.

Meet and Greet Precinct 3

There was no one who wished to speak for Precinct 3.

61A (agricultural tax land) notice of intent to sell, 732 Sconticut Neck Road

The Board passed over this until a future meeting.

Common Victualer- Jersey Mike's

Ms. Powers made a motion to approve the common victualer license for Jersey Mike's Subs, 215 Huttleston Avenue. Mr. Silvia seconded. Vote was unanimous. (3-0)

Resignation from Board of Public Works / Discuss process for filling vacancy

Mr. Espindola read a letter from Brian Wotton, Chairman of the Board of Public Works (BPW), stating that Frank Coelho has resigned from his position on the BPW.

Ms. Powers made a motion to accept the resignation of Mr. Coelho from the BPW. Mr. Silvia seconded. Vote was unanimous. (3-0)

Mr. Espindola said per town by law, the Select Board has the authority to appoint to fill the vacant position to the Board of Public Works. Attorney Crotty reminded the Board there is a 30-day requirement to fill the position. The Board discussed possible dates to advertise and appoint one resident to fill the vacancy. The BPW would like to be attendance to provide their input. Ms. Powers made a motion to notify the Chair of BPW and invite the BPW to the Select Board

meeting on October 25, 2021 for their input on the vacant seat. Mr. Silvia seconded. Vote was unanimous. (3-0)

Request to join Cultural Council

Mr. Espindola read a letter of interest from Ron Fortier to join the Cultural Council. Mr. Fortier should check with ethics because of he has an application submitted to the Cultural Council for a grant.

Ms. Powers made a motion to appoint Mr. Fortier to the Cultural Council. Mr. Silvia seconded. Vote was unanimous. (3-0)

Request to join Bikeway Committee

Mr. Espindola read a letter from Tim Garcia requesting to join the Bikeway Committee.

Ms. Powers made a motion to appoint Mr. Garcia to the Fairhaven Bikeway Committee. Mr. Silvia seconded. Vote was unanimous. (3-0)

Request to join Sustainability Committee

Mr. Espindola read a letter from Tim Garcia requesting to join the Sustainability Committee.

Ms. Powers made a motion to appoint Mr. Garcia to the Sustainability Committee. Mr. Silvia seconded. Vote was unanimous. (3-0)

Town Hall Street Lights/ Social Media

Mr. Espindola read a letter from Historical Commission Chairman Wayne Oliveira regarding a formal complaint against the Tourism Director for derogatory remarks made on social media about the proposed street lamp project by the Historical Commission. Mr. Crotty reminded the Board the discussion can only involve the street lamps and not at Mr. Richards, as he reports to the Town Administrator and not the Select Board. Mr. Espindola said employees should be reminded of the social media policy the town has in place.

The Board discussed the Street Lamp project and the Historical Commission receiving donations through their gift account for this project. Ms. Graves said the Historical Commission has the authority to spend the gift account how they choose. The Board and the Town Accountant discussed the use of gift accounts for all departments. Town Counsel reminded the Board they have the authority over Town Hall and can chose to stop this project if they chose to do so.

Mr. Nils Isaksen reminded the Board he has brought the Street Lamp project before the Board seven years ago when the brick sidewalks were being restored. At that time Executive Secretary Jeff Osuch provided in the plans for the conduit to be placed down at the time the sidewalks were being done.

Resident Anne Smith asked several questions regarding the street lamps and the donations.

Historical Commission Chairman Wayne Oliveira met with the Board to address his letter and to discuss the Street Lamp project. Mr. Oliveira expressed his concerns with the town employee who has made negative remarks over social media and feels this goes against the social media policy. Ms. Graves will address this issue further.

Mr. Oliveira discussed the steps going forward with this project and community involvement. Mr. Oliveira said it was never the will of the Historical Commission to circumvent town meeting but rather to do a nice project with out using taxpayer money.

Resident Karen Vilandry said this goes against the town charter and the Historical Commission does not oversee Town Hall. Mr. Espindola reminded her; the town does not currently have a town charter.

Web Site Policy

The Board discussed the town web site and whether or not there is a policy for the use of the website. Ms. Graves told the Board she was not aware of any such policy.

Retirement of Town Counsel

The Board discussed the retirement of Mr. Crotty and will not make any decisions until a new Town Administrator is hired. Mr. Crotty said he is available as long as the Town needs him.

Mask Mandate update

Mr. Espindola said there has been a request to use the Town Hall auditorium from the Friends of the Library group.

The Board discussed their concerns for use of auditorium since there are still policies in place due to COVID restrictions. The Board supports the function but would like to make an official decision at their next meeting after a consultation with the Health Agent regarding the mask mandate at Town Hall.

Notes and Announcements

Mr. Silvia thanked the volunteers who did a great job during the Rogers School open house tours.

Mr. Espindola said there is a Drug Enforcement Administration (DEA) sponsored “Drug Take Back Day” this Saturday.

At 8:37 pm Ms. Powers made a motion to adjourn to executive session, not to reconvene to open session to discuss strategy with respect to litigation- MGL Chapter 30A, Section 21(a)3: Atlas Tack and strategy regarding option to purchase land- MGL Chapter 30A, Section 21(a)6: 61A Notice for 732 Sconticut Neck Road. 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 10/25/2021)