



**Fairhaven Select Board  
Meeting Minutes  
October 25, 2021**

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TOWN CLERK  
2021 NOV -9 P 2:03  
FAIRHAVEN,  
MASS.

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

**Also Present:** Vinnie Furtado, Marcus Ferro, Brian Wotton, Robert Hobson

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

Chairman Robert Espindola opened the meeting at 6:30 pm in the Town Hall Banquet Room.

**Minutes**

Ms. Powers made a motion to approve the Open Session minutes of October 12, 2021 as amended. Mr. Silvia seconded. Vote was unanimous. (3-0)

**Town Administrator Report**

The Six (6) ARPA workgroups have received their reports on possible grant funding for their 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.

Sylvia Group Insurance Agency & Trident Insurance Services sponsored a free training on Employment Practices for department heads and managers. The training was informative and well attended by the staff.

Ms. Graves attended two (2) trainings at the Bristol County Collectors & Treasurers Association quarterly meeting last week on Municipal Succession Planning and Performance Management.

The ongoing boil water order was lifted on Saturday October 23, 2021 and Public Works Director Vinnie Furtado provided an update.

**Committee Liaison Reports**

Ms. Powers said Lagoa Committee will meet Tuesday.

Ms. Powers updated the Board regarding the bill to increase the Select Board from three (3) members to five (5) is now on the Governor's desk waiting for signature.

Mr. Silvia said the Marine Resources committee met and reviewed the draft of the dredging report.

Mr. Silvia said he attended the Kids Fest put on by the Office of Tourism. The event was well attended.

Mr. Silvia thanked Public Works for resurfacing the baseball fields at Rogers School, Livesey Park, Macomber Park, and Anthony Haven.

Mr. Silvia said the Town Hall staff will be having Halloween festivities this week and the public is invited to stop by and see the Halloween costumes and decorations.

Mr. Espindola met with the APRPA working group and will have a meeting with Representative Bill Straus this week.

Mr. Espindola said the Broadband Study Committee is still working with the consultant for the design cost buildout.

Mr. Espindola will meet Wednesday with the SRPEDD group and attended his first SMPPO meeting where he learned that SRTA will be introducing electric busses.

#### **Board of Public Works Vacancy**

Members of the Board of Public Works (BPW) met with the Select Board to interview candidates for the unexpired term on the Board of Public Works after the resignation of Frank Coelho. Candidates Albert Martin, Steve Riley and Louis Dutton all spoke in front of the Board and explained their reasons for wishing to be appointed to the open seat. Mr. Martin and Mr. Dutton both said they plan on running in the April election. Mr. Riley is undecided at this time if he will pull papers for the election. BPW members felt all candidates would be a great asset to the Board but Mr. Riley has previous experience from his 9 years of serving that Board and would be able to step in the role without having to be caught up on most matters. Select Board members echoed the sentiment of the BPW members.

Ms. Powers made a motion to appoint Steve Riley to the vacant seat on the Board of Public Works. Mr. Silvia seconded. Vote was unanimous. (3-0)

#### **Meet and Greet Precinct 4**

There was no one who wished to speak for Precinct 4.

#### **Precinct Map Changes**

Acting Town Clerk Linda Fredette said every ten years the State updates the precinct boundaries. This year there was a slight change to the precinct maps that will affect about 35 households who will go from precinct 1 to precinct 4. Ms. Fredette will contact the residents to inform them of the changes.

Ms. Powers made a motion to sign the approval for the precinct changes. Mr. Silvia seconded. Vote was unanimous. (3-0)

#### **Transfer of Ebb Tide Liquor license**

At 7:10 pm Chairman Espindola opened the public hearing for a transfer of a liquor license from C.F. Delano, Inc d/b/a The Ebb Tide to Bar on Middle, LLC d/b/a The Bar by reading the public hearing notice. Attorney John Markey, via zoom, spoke on behalf of his client Lars Vinjerud

who has purchased the former Ebb Tide bar. Mr. Vinjerud owns other local businesses in Fairhaven and New Bedford and is aware no permit will be issued until the building commissioner and the fire department have signed off. Mr. Pedro Nunes will be operating The Bar and has experience and is TIPS certified.

Ms. Powers made a motion to approve the transfer of liquor license for The Bar on Middle, LLC d/b/a The Bar, 47 Middle Street, Pedro M. Nunes Manager. License to be held until such time that all building, fire and health departments approvals are complete. Mr. Silvia seconded. Vote was unanimous. (3-0)

*Mr. Espindola closed the public hearing at 7:18 pm*

### **2022 Seasonal Population Increase Estimation**

Attorney John Markey who represents Crow Island owner Al Santos, met via zoom, with the Board regarding a seasonal liquor license for Crow Island. Attorney Markey explained in order for Mr. Santos to apply for a seasonal liquor license in the spring of 2022, the Board must complete the 2022 seasonal population increase estimation form to the Alcohol Beverages Control Commission (ABCC); by doing so this will empower the Select Board to issue any seasonal liquor licenses in the spring. Acting Town Clerk Linda Fredette told the Board, she could not verify if there is an increase in population in the summer. Mr. Espindola had concerns regarding the issuance of a liquor license and the impact it may have with formula for the marijuana licenses. The Board also had questions about the number of seasonal licenses the Town would issue and who would be able to apply for them. Attorney Markey will reach out to the ABCC with the Board's questions and return at the next Select Board meeting to discuss further.

### **Blue Stream Shellfish LLC. —temporary electrical service**

Dale Leavitt, owner of Blue Stream Shellfish, LLC told the Board there has been a long lag time associated with requesting the installation of an electrical supply line from Eversource to Blue Stream Shellfish's property at 53 Goulart Memorial Drive. It is anticipated to take up to 6 months for Eversource to finalize the installation of the power to Blue Stream. Mr. Leavitt is requesting to tap off the meter at Hoppy's Landing to gain temporary service. If granted the right to do so, Blue Stream will assume responsibility for the entire electrical bill at Hoppy's Landing. Harbormaster Tim Cox said the Marine Resources Committee has already voted in favor of the temporary use of the electricity at Hoppy's Landing for Blue Stream.

Ms. Powers made a motion to approve the request for temporary electrical service for Blue Stream from Hoppy's Landing and to have Town Counsel draw up a contract. Mr. Silvia seconded. Vote was unanimous. (3-0)

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

Ms. Graves told the Board the Town has received a corrected notice of intent to sell from Mr. Hebert. Robert "Hoppy" Hobson feels the land would be good for the Buzzards Bay Coalition to purchase and is hoping the Select Board will discuss this with them. Suzanne Dwyer, whose property abuts 732 Sconticut Neck Road told the Board she is completely in favor the trying to retain the property as there are many types of animals there and it is a nice piece of land.

Ms. Powers stated that she used to work for the Buzzards Bay Coalition and has put in a disclosure with the Town Clerk.

### **Request to use Town Hall Auditorium**

The Board discussed the use of the auditorium while the Town Hall is still trying to socially distance and be safe from COVID. Mr. Espindola read requests from the Friends of the Library and Northeast Maritime Institute (NMI) for the use of the auditorium.

Ms. Powers made a motion to approve the use of the auditorium for the reading of “Pirate’s Gold” on Monday, November 15, 2021, and to waive the rental fee but keep the custodian’s fee, and the group must follow all COVID protocols of the time. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to approve the use of the auditorium for the Northeast Maritime Institute Graduation on Saturday, December 11, 2021, and to waive the rental fee but keep the custodian’s fee, and the group must follow all COVID protocols of the time. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **FY23 Budget/Town Meeting Calendar**

Ms. Graves presented the FY23 Budget/Town Meeting Calendar. The Board discussed the idea of holding a special town meeting. Ms. Graves will have some possible dates for the next meeting.

Ms. Powers made a motion to approve the FY23 budget calendar. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Setting Select Board Calendar for first half of 2022**

The Board reviewed the first half of 2022 calendar for the regularly scheduled Select Board meetings. Ms. Powers made a motion to approve the first half of 2022 calendar. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Mask Mandate update**

Mr. Espindola read a memo from Health Agent Dave Flaherty regarding the COVID updates. Mr. Flaherty suggested the Board modify its policy from a “Mask Mandate” to a “Strong Mask Advisory” for all municipal buildings. Ms. Graves will reach out to Mr. Flaherty for guidance and wording. The Board will keep reviewing the Mask Mandate at each meeting. Ms. Powers made a motion to move the Town facilities mask mandate to a strong mask advisory and to consult the Health Agent for the wording. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Resignation from Commission on Disability**

Ms. Powers made a motion to accept the resignation Diane Hahn and Zachary Hahn from the Commission on Disability. Mr. Silvia seconded the motion. Vote was unanimous. (3-0)

Mr. Espindola announced there would be no executive session tonight.

Mr. Silvia wished everyone a Happy Halloween.

Respectfully submitted,

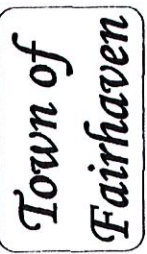


Vicki L. Oliveira  
Administrative Assistant  
(Approved 11/9/2021)

- A. Updated Precinct Map
- B. Letter from Blue Stream Shellfishing
- C. FY23 Budget/Town Meeting Calendar
- D. Select Board 1<sup>st</sup> half calendar
- E. Health Agent memo regarding masks



# Attachment A



Map Prepared for the Town of Fairhaven  
 Courtesy of William F. Galvin, Census Liaison  
 Secretary of the Commonwealth

2020 Population -- 15,924

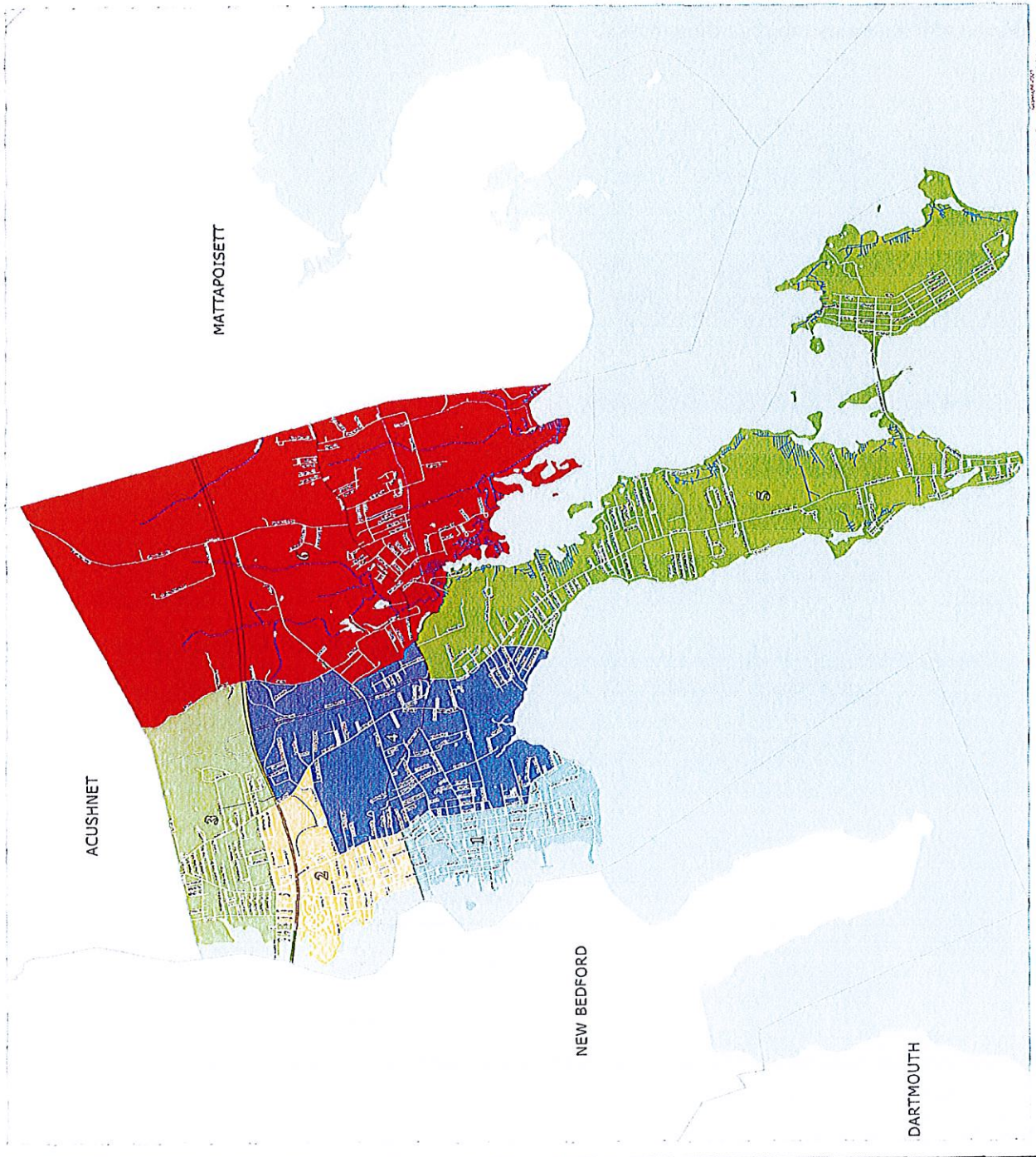
Minimum %	Target Population	Maximum %
23.31	3,694	3,787

### Precinct Boundaries Fairhaven

Precinct	2020 Population	Variance
1	2,741	3.38
2	2,734	3.01
3	2,582	-2.71
4	2,725	3.05
5	2,560	-4.30
6	2,592	-2.34

Population is based on the official U.S. 2020 Census block-level data.  
 Boundaries effective December 31, 2021

- Legend**
- Municipal Boundary
  - Geographic Features
  - Major Roads
  - Local Road
  - Other Municipal Features
  - Streams, Rivers
  - Coastal Water, Lakes, Ponds, Major Rivers



Prepared by the Commonwealth Planning Office, Department of Transportation and Air Traffic Control, Commonwealth of Massachusetts



# Attachment B

4 October 2021

Tim Cox, Harbormaster  
Fairhaven Town Hall  
40 Center Street  
Fairhaven, MA 02719

Dear Tim,

As a follow up to the conversation we had at Hoppy's Landing last week, Blue Stream Shellfish LLC (BSS) submits the following proposal to the Town of Fairhaven. This proposal results from the exceedingly long lag time associated with requesting the installation of an electrical supply line from Eversource to Blue Stream Shellfish's property at 53 Goulart Memorial Drive. By agreeing to the following proposal, BSS will be able to improve upon their business operations and move towards utilizing the property in a more efficient and constructive manner.

It is anticipated that it may take up to 6 months for Eversource to finalize the installation of power to 53 Goulart Memorial Drive. In the meantime, BSS could move more quickly with utilizing that space if we could acquire a temporary electrical service. Therefore, BSS proposes to install a temporary service to our property through tapping off the meter currently installed at the Hoppy's Landing building. We do not anticipate requiring an upgrade in the service for under the current proposal BSS plans to move only their office building, small workshop and walk-in cooler to 53 Goulart Memorial Drive. BSS can provide examples of our monthly electrical utilization based on previous billing from Eversource.

We would have the installation completed by a licensed electrician and BSS would assume all costs for both the installation and removal when power is provided by Eversource. The feed would be trenched into the ground directly to the street and along the property line adjacent to Goulart Memorial Drive to minimize the impact on users of Hoppy's Landing (see diagram below). It is estimated that the linear distance is approximately 320 feet.

During our use of the temporary electrical feed, BSS would cover all electrical costs for the meter, including any electrical use by on-going activities at Hoppy's Landing.

BSS will be available at any time to meet with you, the Marine Resources Committee and/or the Fairhaven Board of Selectmen to discuss this proposal in more depth.



PHYSICAL ADDRESS

56 Goulart Memorial Drive | Fairhaven, MA 02719

OFFICE

508-993-9993

GENERAL INFORMATION

info@westislandoysters.com

WESTISLANDOYSTERS.COM

Thank you for considering this proposal and we look forward to working with the Town of Fairhaven to help BSS continue to provide a quality oyster from Nasketucket Bay and Fairhaven while supporting the continuation of a long history of maritime industry within the town.

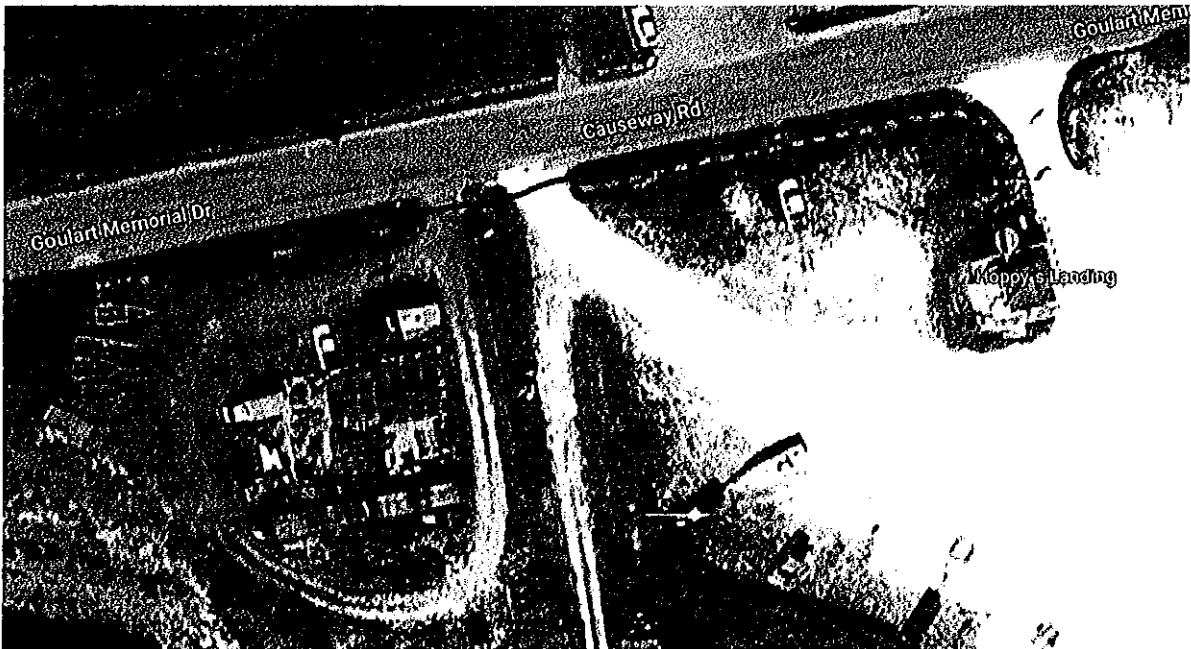


Sincerely,

*Jim Malandrinos*  
James Malandrinos

*Keith Wilda*  
Keith Wilda

*Dale Leavitt*  
Dale Leavitt





# Attachment C

## FY23 Budget/Town Meeting Calendar

Milestone	Date
Town Administrator Presents Budget Calendar to Board of Selectmen	Monday, October 25, 2021
Capital Budget Instructions Distributed	Friday, November 5, 2021
Capital Budget Project Requests due	Friday, November 19, 2021
Operating Budget Instructions Distributed	Friday, November 19, 2021
Town Administrator/Finance Director present revenue forecast	Monday, December 6, 2021
Capital Planning Committee submits prioritized Capital Budget Requests to Town Administrator	Wednesday, December 8, 2021
Operating Budget Requests due	Monday, December 20, 2021
Departments meet with Budget Team to review budget requests	Monday, December 27, 2021 - Monday January 10, 2022
School Superintendent submits her recommended School Budget to School Committee (On or About)	Wednesday, January 5, 2022
Town Administrator Recommended Operating Budget issued to Board of Selectmen and Finance Committee	Monday, January 24, 2022
Board of Selectmen Goal Setting Workshop	TBD
Citizen Petition Articles submission deadline	Monday, February 7, 2022
Finance Committee conducts hearings on Operating and Capital Budgets	February and March 2022
Warrant for Annual Town Meeting Closes	Monday, February 28, 2022
Board of Selectmen Vote on Operating and Capital Budgets	Monday, March 14, 2022
Departments/Boards to submit final articles	Monday, March 14, 2022
Finance Committee issues its recommendations on operating and capital budgets	Friday, March 25, 2022
Selectmen Sign Warrant	Monday, March 28, 2022
Town Clerk Posts "Legal" Warrant (on or before)	Tuesday, March 29, 2022
School Committee votes on School Budget	Late March, 2022
Warrant and Finance Committee Report sent to the printer	Friday, April 1, 2022
Annual Town Election	Monday, April 4, 2022
Warrant Book & Finance Committee report distributed to Town meeting members	Friday, April 15, 2022
Motions Completed	Monday, April 25, 2022
Town Meeting Coordination Meeting*	Wednesday, April 27, 2022
Pre-Town (Precinct) Meeting	Wednesday, May 4, 2022
Annual Town Meeting	Saturday, May 7, 2022

\*Attendees: Town Moderator, Chair of Select Board, Chair Planning Board, BPW Chair & Superintendents,

Town Clerk, Chair of Finance Committee, Town Counsel, School Committee Chair & Superintendent, Town Administrator, Finance Director, Town Accountant, HR Director, IT Director, Cable T.V. Director, others to be determined.

# Attachment D



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

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

**Date:** October 21, 2021

**To:** Fairhaven Selectmen

**From:** Wendy Graves – Interim Town Administrator

**Subject:** Meeting Schedule for the 1st half of calendar year 2022

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**Selectmen's meetings for the second half of calendar year 2022**

- Monday, January 10, 2022
- Monday, January 24, 2022
- Monday, February 7, 2022
- Monday, February 28, 2022
- Monday, March 14, 2022
- Monday, March 28, 2022
- Monday, April 11, 2022
- Monday, April 25, 2022
- Monday, May 9, 2022
- Monday, May 23, 2022
- Monday, June 6, 2022
- Monday, June 27, 2022

All meetings start at 6:30 p.m.

# Attachment E



## 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

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**DATE:** October 15, 2021  
**TO:** Fairhaven's Selectboard  
**FROM:** David D. Flaherty Jr., RS  
Fairhaven's Health Agent  
**RE:** Masking Policy for Municipal Buildings

Dear Chairman Espindola,

The Selectboard has maintained a policy of mandating face shields or masks for visitors and staff at all Fairhaven municipal buildings. This policy has been an integral aspect to reducing cases and positivity for COVID-19 virus occurrence in Fairhaven. For that last three weeks the Town of Fairhaven has been under 5% positivity and our total case count has gone down. In light of this data, I would suggest that your Board modify its policy from a "Mask Mandate" to a "Strong Mask Advisory" for all municipal buildings. As more people get vaccinated and take advantage of the booster shots, we should see COVID numbers go down; this may be a good time to relax some policies.

Sincerely,

David D. Flaherty Jr., RS  
Health Agent

Cc: BOH  
file

