



**Fairhaven Select Board  
Meeting Minutes  
January 24, 2022**

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TOWN CLERK  
2022 FEB - 8 AM 10:33  
FAIRHAVEN,  
MASS.

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

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

Chairman Robert Espindola opened the meeting at 6:31 pm in the Town Hall Banquet Room and announced the Board will be entering into executive session.

The Board held a moment of silence for Jean Rousseau who passed away suddenly. Mr. Rousseau was an active member of the Fairhaven Housing Authority and also Chairman Espindola's brother in law.

**Town Administrator Report**

Ms. Graves said she and Council on Aging Director Anne Silvia have completed the interviews for the Council on Aging Director position and will announce the chosen candidate at the next Select Board meeting.

Ms. Graves met with the Board to review the Goals and Objectives for town departments on Saturday.

Ms. Graves is still working on the department budgets.

**Committee Liaison Reports**

Ms. Powers recently attended the Bristol County Advisory Board meeting, where they discussed ARPA funding and worked on the budget.

Ms. Powers will meet with the Cable Advisory Committee soon.

Mr. Silvia has not had any meetings since the last Select Board meeting.

Mr. Espindola will meet soon with SMMPO and SRTA.

Mr. Espindola met with the Economic Development Committee (EDC) where the discussion was regarding the tax rate for the marinas. The EDC has concerns over the costs to the marinas.

Mr. Espindola said the Bikeway Committee is expected to start meeting again in February.

**2021 Select Board/Town Administrator Annual Report**

The Board reviewed the annual report submitted by Ms. Graves and would like to have Ms. Powers name added to the report.

Ms. Powers made a motion to approve the draft of the Select Board annual report and to add Ms. Powers name to the report. Mr. Silvia seconded. Vote was unanimous. (3-0)

#### **Library Trustees Appointment**

Mr. Espindola read a letter from Robert Grindrod requesting to be appointed to the Library Trustees as one of the Select Board appointments.

Ms. Powers made a motion to appoint Robert Grindrod to the Library Trustees as the Select Board appointment. Mr. Silvia seconded. Vote was unanimous. (3-0)

#### **Zoning Board of Appeals- Associate Member**

Mr. Espindola said there were 4 candidates for the one vacancy on the Zoning Board of Appeals. One letter was received on time but was emailed to the wrong address but will be included in the requests. Mr. Espindola read all the requests from each candidate.

Ms. Powers made a motion to appoint Nicholas Sylvia to the Zoning Board of Appeals as an associate member. Mr. Silvia seconded. Vote was unanimous. (3-0)

#### **New Bedford Hurricane Barrier Maintenance**

Ms. Graves said she received a letter from the Army Corps of Engineers this week. There will be some scheduled maintenance on the hurricane barrier. The Army Corps will keep both Fairhaven and New Bedford involved and up to date on the progress of the work. (Attachment A)

#### **Accept Grimshaw Park Donation**

Ms. Powers made a motion to accept a donation of \$20,000 for Grimshaw Park for the previously approved gift account. Mr. Silvia seconded. Vote was unanimous. (3-0)

#### **Goal Setting Session Workshop**

Mr. Espindola said Special Projects Coordinator Mark Rees will be updating the notes from the recent Goal Setting workshop and sending the updated document back to the Board for review and approval. Mr. Espindola thanked all that dedicated their Saturday morning to attend the workshop. Ms. Powers would like to review each committee individually at future Select Board meetings.

#### **Town Administrator Search Update**

Mr. Espindola said Selectman Silvia has received word from the State ethics commission and will be able to participate in the Town Administrator (TA) Search process. Town Moderator and Chairman of the TA Search Committee, Mark Sylvia spoke to the Board on behalf of the TA Search Committee. He thanked the members of the committee Vice-Chairman Leon Correy, Secretary Cameron Durant, David Braga, Robert Grindrod, Pam Kuechler, Gloria Perperas, Anne Smith and Kim Trahan for all their hard work. Mr. Sylvia also thanked town staff, Mary Aicardi and the Collins Center for all their help as well. Mr. Sylvia stated the three candidates for to be interviewed: Jennifer Callahan, Angie Lopes-Ellison and Thomas Guerino.

The Board discussed the next steps and when they would like to hold the meeting for the interviews and would like the candidates to have the opportunity to read the draft of the goal document prior to the interview.

Ms. Powers made a motion to send the draft goals to the Collins Center to send to the candidates. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **DOR Financial Management Review**

Mr. Espindola said the DOR has stated Fairhaven is next in line to start the process for the Financial Management review.

### **Overview of Human Resources Department**

Mr. Espindola said some of his questions were discussed at the Goal Setting workshop. He would like to continue this discussion about Human Resources Department at a future meeting.

### **Mask Mandate Update**

Mr. Espindola read a memo from Health Agent Dave Flaherty (Attachment B) stating the Covid numbers have increased slightly recently. Ms. Powers is disappointed that the Board of Health (BOH) has not taken a stronger action on this. The Board discussed their thoughts on ways to encourage people to wear masks. Mr. Espindola would like to draft a letter to the BOH to take some stronger action on this subject.

Ms. Powers made a motion to draft a letter to the Board of Health that states:

“Our Board recognizes that you are an autonomous board and we are not suggesting that you need to do what we are asking you to do but our board has voted unanimously to send you a letter indicating that we would like to see you take stronger action up to and including a possible mask mandate in the Town of Fairhaven.”

Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Public Comment**

There were no questions, comments or concerns from the public at this time.

### **Correspondence**

Mr. Espindola read a letter of resignation from Nicole Antonio on the Broadband Study Committee.

Ms. Powers made a motion to accept the resignation of Nicole Antonio on the Broadband Study Committee. Mr. Silvia seconded. Vote was unanimous. (3-0)

### **Notes and Announcements**

Mr. Silvia asked about a current harassment case and where it stands. Mr. Espindola said he would place this item on the next agenda to discuss.

Mr. Espindola said he received a phone call from a resident regarding the signs at the former Bijoux Theater. The resident would like to lodge a formal complaint against the owner of the building. Mr. Espindola referred the resident to the Building Commissioner.

At 7:43 pm Ms. Powers made a motion to adjourn the meeting. Mr. Silvia seconded. Vote was unanimous. (3-0)

Respectfully submitted,



Vicki L. Oliveira  
Administrative Assistant  
(Approved 02/7/2022)

- A. Letter form the Army Corps of Engineers
- B. Memo regarding Covid



# Attachment A

DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, NEW ENGLAND DISTRICT  
696 VIRGINIA ROAD  
CONCORD, MA 01742

14 January 2022

Mayor Jonathan F. Mitchell  
133 William Street  
New Bedford MA, 02740

Ms. Wendy Graves, CMMT, CMMC  
Interim Town Administrator  
40 Center Street  
Fairhaven, MA 02719

Dear Mayor Mitchell, and Ms. Graves

I am reaching out to confirm an understanding of the upcoming maintenance work on the New Bedford Hurricane Barrier and coordinate lines of communication before, and throughout, the duration of the work.

The maintenance work is tentatively scheduled to begin on January 24, 2022 and will last for approximately 2-3 months. This is routine work that is typically required every eight to ten years and was last completed in 2012. This work will mean that the hurricane barrier will be offline and not available for routine flood control operations but will be available to provide protection in the event of a large coastal storm event.

Our goal is to ensure open and frequent communication with community officials, harbor stakeholders, businesses, and residents to maintain awareness of the maintenance work and the potential impacts to having the barrier offline for routine operations. My staff has participated in recent coordination meetings hosted by the New Bedford Port Authority and U.S Coast Guard to help notify the maritime stakeholders and police and fire departments of this pending work and impacts that could occur while the barrier is offline.

We plan to monitor all National Weather Service forecasts and coastal flood watches, warnings, and other information statements during the repair period and communicate openly with stakeholders to provide advance notice of potential high-water events and ensure the barrier is operational in the event of a large coastal storm event

Additionally, the Cape Cod Canal Manager, Mr. John MacPherson will be holding frequent progress meetings with the New Bedford Port Authority Executive Director, Mr. Justin Poulson, and associated stakeholders throughout the duration of the project. During these meetings, we will provide Mr. Poulson with status and schedule updates on the maintenance work and addressing any questions/concerns that he or the Port Authority may have. We will proactively communicate with you as well throughout the duration of the project, to ensure you are receiving the same information that is being relayed over to the Port Authority.

Specifically, the maintenance work includes the dewatering of the large sector gates of the hurricane barrier to replace the wheels that the gates roll on. When the gates are dewatered, repairs to other critical components will be completed, to include the repainting of the steel gates to ensure long term protection from corrosion. The sector gate on the west side of the barrier will be dewatered first, followed by the east gate. During this period when the gates are dewatered, the barrier will be offline and not available for routine flood control operations. However, I want to reiterate that in the event a large coastal weather event is forecasted to impact the area, the Corps does have the ability to require the Contractor to have the barrier back to operational status in a defined timeframe.

At this time, our repair contractor is currently mobilizing equipment, materials, and personnel to the barrier, and we expect that the dewatering work will begin either the last week of January or first week in February. We will notify stakeholders when the barrier is officially taken offline for the maintenance work.

Employees from our Operations Division and Construction Division have met with our contractor to confirm awareness of a requirement to perform the maintenance work while also minimizing the duration that the gates are offline. We expect the contractor to have adequate equipment and manpower to expeditiously complete the work.

We have always had a strong relationship with the communities of New Bedford and Fairhaven, and as always, we appreciate the efforts of the city and town staff members that have assisted us in the coordination of this work. Please feel free to reach out to me if you have any questions, comments or concerns. I can be reached at (978) 318-8286, or via email at [Eric.C.Pedersen@usace.army.mil](mailto:Eric.C.Pedersen@usace.army.mil).

Sincerely,



Eric Pedersen  
Chief, Operations Division  
New England District



Wendy Graves &lt;wgraves@fairhaven-ma.gov&gt;

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**Upcoming dewatering and maintenance of New Bedford Hurricane Barrier**

1 message

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**Pedersen, Eric C CIV USARMY CENAE (USA)** <Eric.C.Pedersen@usace.army.mil> Fri, Jan 14, 2022 at 2:25 PM  
To: "Mayor.Mitchell@newbedford-ma.gov" <Mayor.Mitchell@newbedford-ma.gov>, "WGraves@fairhaven-ma.gov" <WGraves@fairhaven-ma.gov>  
Cc: Justin Poulsen <Justin.Poulsen@newbedford-ma.gov>, "VLOliveira@fairhaven-ma.gov" <VLOliveira@fairhaven-ma.gov>, "Acone, Scott E CIV USARMY CENAE (USA)" <Scott.E.Acone@usace.army.mil>, "Gosselin, Elizabeth (Beth) CIV USARMY CENAE (USA)" <Elizabeth.D.Gosselin@usace.army.mil>, "Pedersen, Eric C CIV USARMY CENAE (USA)" <Eric.C.Pedersen@usace.army.mil>

Good afternoon Mayor Mitchell and Ms. Graves,

I hope this email finds you well in the New Year. Every 10 years, the Corps of Engineers is required to conduct a dewatering of the New Bedford Hurricane Barrier. This allows the Corps to inspect the areas behind the sector gates that are normally hidden below the water level, as well as conduct a variety of maintenance repairs. The Corps is currently on track to begin the dewatering efforts on January 24, in which we will also be replacing the wheels along the sector gates, as well as conduct painting to prevent corrosion. Work is expected to take between 2-3 months, and during this time, the barrier will be offline and unavailable for routine operations associated with high tides. Procedures are in place to have the barrier operational prior to any significant coastal storm events.

Attached is a letter outlining what I've described above, the general schedule for the work, as well as our communication strategy that we will be following throughout the duration of the project. In addition to Mr. Poulsen receiving updates from the Cape Cod Canal Manager, I will be sending the two of you updates on the status of the project on a regular basis.

As always, if you have any questions, please feel free to contact me at any time. I have also cc'd Mr. Scott Acone, our Civilian Deputy for the New England District, and Ms. Beth Gosselin, our Chief of Public Affairs to make sure they are completely in the comms loop as well.

Respectfully,

Eric C. Pedersen

Chief, Operations Division

U.S. Army Corps of Engineers, New England District

(978) 318-8286

Eric.C.Pedersen@usace.army.mil

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 **New Bedford Hurricane Barrier Dewatering Letter.pdf**  
169K



## 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:** January 20, 2022  
**TO:** Fairhaven's Select Board  
**FROM:** David D. Flaherty Jr., RS  
Fairhaven's Health Agent  
**RE:** Masking Policy for Municipal Buildings

Dear Chairman Espindola,

Fairhaven's Select Board has maintained a policy of mandating shields or masks for visitors and staff at all Fairhaven municipal buildings. This policy has been an integral aspect to attempting reduction of cases and positivity for COVID-19 virus occurrence in Fairhaven. Since last week the Town of Fairhaven has moved up from 13.65% positivity to 20.17%; our total case count for the past two weeks has moved up from 304 to 547. Bristol County's and the Commonwealth's COVID data are trending in an unsatisfactory manner as well. In light of this data, I would suggest that your Board consider maintaining the policy of a "Mask Mandate" for all municipal buildings. I will be involved with Public Service Announcements to help the citizens of Fairhaven better understand what these numbers mean and how they can better protect themselves. Hopefully I will be offering different advice in the coming weeks.

Sincerely,

David D. Flaherty Jr., RS  
Health Agent

Cc: BOH  
file



# FAIRHAVEN REPORT 1.21.2022

## COVID REPORT

**Total case count: 4,011**

Increase of 344 since 1.14.2022

**Total Tests in the last 2 weeks: 3,044**

**Total case count in the last 2 weeks: 619**

Increase of 72 since 1.14.2022

**21.85% Positivity Rate**

Increase of 1.68% since 1.14.2022

## VACCINATION DATA

**Total vaccinated persons: 10,842**

Increase of 63 since 1.14.2022

**Fully vaccinated females: 5,884**

Increase of 27 since 1.14.2022

71% Per Capita 54% Proportion

**Fully vaccinated males: 4,958**

Increase of 36 since 1.14.2022

64% Per Capita 46% Proportion

Age Group	Population	Proportion of town population	Individuals with at least one dose	Individuals with at least one dose per capita	Proportion of town individuals with at least one dose	Fully vaccinated individuals	Fully vaccinated individuals per capita	Proportion of town fully vaccinated individuals
5-11 Years	978	6%	290	30%	2%	222	23%	2%
12-15 Years	713	4%	439	62%	4%	396	56%	4%
16-19 Years	633	4%	497	79%	4%	462	73%	4%
20-29 Years	1,639	10%	1,142	70%	9%	984	60%	9%
30-49 Years	3,837	24%	2,805	73%	23%	2,492	65%	23%
50-64 Years	3,729	23%	3,246	87%	27%	2,939	79%	27%
65-74 Years	2,034	13%	2,072	>95%	17%	1,832	90%	17%
75+ Years	1,784	11%	1,704	>95%	14%	1,527	86%	14%
Total	16,013	100%	12,195	76%	100%	10,854	68%	100%

