



**Fairhaven Select Board
Meeting Minutes
February 7, 2022**

2022 FEB 29 PM 3:20

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 6:32 pm in the Town Hall Banquet Room and announced the Board will be entering into executive session.

Minutes

Ms. Powers made a motion to approve the Open Session Minutes of January 10, 2022 as amended. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to approve the Open Session Minutes of January 22, 2022. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to approve the Open Session Minutes of January 24, 2022 as amended. Mr. Silvia seconded. Vote was unanimous. (3-0)

Town Administrator Report

Ms. Graves said she has been busy working on the budgets for the upcoming fiscal year. Ms. Graves passed out a copy of the Budget calendar but noted some of the dates may change depending on the outcome of the Town Administrator search.

Committee Liaison Reports

Ms. Powers will meet with the Lagoa Friendship Pact Committee on February 8, 2022.

Mr. Silvia met with the Historical Commission, and told the Board; the bridge plaque was discussed and the plaque will be cleaned but not brought back to its original state without the patina.

Mr. Espindola attended the Broadband Study Committee meeting last week, where they discussed getting an article ready for the Annual Town Meeting in May for the second half of the municipal light project. The Committee and the consultant are in the process of setting up a pilot project to test the feasibility of the project but are currently on hold waiting to see if the ARPA funds will be available for this.

Mr. Espindola said at a recent Bikeway Committee meeting, the members discussed the use of E-bikes (electric bikes) on the bike path and had concerns over the speed factor with these bikes.

Mr. Espindola said SRPEDD is allocating over several billion dollars in funds for bridge repair program and several surrounding communities will be receiving funds for repairs

Planning Director Paul Foley and Mr. Espindola will be attending a webinar on economic development.

Mr. Espindola said SRTA is having a staffing shortage and will be cutting down on some bus routes.

As part of the Southcoast bikeway alliance, Mr. Espindola said the next phase of the bike path will be continuing but the larger phase to connect Mattapoissett, Marion, and Wareham will be on hold for now.

Appointment of Council on Aging Director

Ms. Graves introduced the person chosen to replace retiring Council on Aging Director Anne Silvia. Martha Reed brings with her 30 years of experience working with the elderly; she has grant writing experience and was also a former outreach coordinator. Ms. Reed told the Board she is eager to start her position and continue with the programs that are currently at the senior center. She is looking forward to bringing back some programs that have been lost due to Covid and thanked the Board for the opportunity. Board members welcomed Ms. Reed to her position.

Ms. Powers made a motion to approve the appointment of Martha Reed as the Council on Aging Director. Mr. Silvia seconded. Vote was unanimous. (3-0)

Town Administrator Search

Mr. Espindola handed out a memo regarding his thoughts on possible scenarios for the next steps in the Town Administrator search. (Attachment A). Both Ms. Powers and Mr. Silvia feel that there is still one good candidate and would like to interview her. Mr. Espindola has reservations about interviewing only one person and would like to see the search process start over. Collins Center Consultant Mary Aicardi told the Board, the Search Committee did put forth 3 good candidates, as they were tasked to do and by extending the search again; there is a possibility of limiting the number of candidates that will apply because many towns in the commonwealth are looking for a Town Administrator currently.

Ms. Powers made a motion to amend the decision that was agreed with the Select Board with the Collins Center and eliminate the requirement of interviewing of no less than 2 but more than 5 candidates. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to interview Ms. Angie Lopes Ellison for the position of Town Administrator at the next earliest convenience. Mr. Silvia seconded. Vote was unanimous. (3-0)

The Board and Ms. Aicardi discussed possible dates and time for the interview.

Ms. Powers made a motion to set the next meeting for February 2, 2022 at 6:30 pm for the interview of Ms. Ellison. Mr. Silvia seconded. Vote was unanimous. (3-0)

Discuss Power Options contract renewal

Mr. Espindola said this is something the Board should act quickly on as the prices can change at a moment notice and the Town needs to be able to get the best price for electricity.

Ms. Powers made a motion to allow the interim Town Administrator and the Sustainability Coordinator, Ms. McClees to handle all negotiations for the renewal of the Power Options and to provide electricity on behalf of the town. Mr. Silvia seconded. Vote was unanimous. (3-0)

Ms. Powers made a motion to authorize the interim Town Administrator to work with Ms. McClees to get bids and procure electricity according to the advice of Power Options. Mr. Silvia seconded. Vote was unanimous. (3-0)

Hazard Mitigation Plan Grant

Mr. Espindola would like to have the Sustainability Coordinator, Whitney McClees, meet with the Board at their next meeting to explain more about this.

Ms. Powers made a motion to table the Hazzard Mitigation Plan Grant until the next meeting. Mr. Silvia seconded. Vote was unanimous. (3-0)

Select Board Goals and Objectives / Open Space and Recreation Planning Committee

Mr. Espindola read a memo (Attachment B) from Special Project Coordinator Mark Rees stating that the Select Board FY23 Goals and Objectives have been updated and completed. The only response was from Recreation Director Warren Rensehausen to add Conservation, Planning and the Recreation Director to the Open Space and Recreation Committee.

Mr. Espindola said the Open Space plan was originally created as an ad hoc committee but this is an important committee to continue with. Mr. Espindola feels there is ambiguity between the Select Board and the Board of Public Works regarding the parks and open space and recommends there be a discussion with the Select Board, the Board of Public Works and Town Counsel before making any decisions. Ms. Powers feels this is the perfect opportunity for cooperation and to carefully plan what the town wants for open spaces; and since this ties into the Master Plan the town is already headed in the right direction.

Ms. Powers made a motion to set up a joint meeting with the Board of Public Works to discuss the Open Space and Recreation plan at a future Select Board meeting. Mr. Silvia seconded. Vote was unanimous. (3-0)

Mr. Espindola said he received an email regarding the goal concerning attendance on committees and limitations on joining. The Board will look further into this at a future time.

Ms. Powers made a motion to approve the FY23 Goals and Objectives document as presented in the packet. Mr. Silvia seconded. Vote was unanimous. (3-0)

Riverside Cemetery Trusstees

Mr. Espindola said normally this type of request would go through the Town Administrator, but because of Covid concerns, Mr. Espindola asked to place this on the agenda for the Board to decide. Riverside Cemetery Trustees would like to use the Town Hall Auditorium for their annual meeting on Saturday, April 30, 2022 because the space is large enough for the committee to safely socially distance.

Ms. Powers made a motion to allow the Riverside Cemetery Trustees to use the Town Hall Auditorium on Saturday, April 30, 2022 and to waive the rental fee but keep the custodian's fee. Mr. Silvia seconded. Vote was unanimous. (3-0)

Mask Mandate update

Mr. Espindola read a memo (Attachment C) from Health Agent Dave Flaherty recommending not changing the mask mandate at this time. While the numbers seem to be coming down, to err on the side of caution the Town should still remain proactive.

Public Comment

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

Mass DOT: Intersection of Alden Road and Route 6

Mr. Espindola read an email from MassDOT (Attachment D) regarding the intersection of Alden Road and Route 6. MassDOT is in the process of obtaining a design consultant to evaluate this intersection and prepare a design for the addition of pedestrian signals. Installation in late summer is anticipated.

Cable Advisory Committee representative to Broadband Study Committee

Mr. Espindola said the Cable Advisory Committee has appointed Thomas McAfee as their representative on the Broadband Study Committee.

Commission on Disability Resignation

Mr. Espindola read a letter of resignation from Maria Walker from the Commission on Disability.

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

At 8:33 pm Ms. Powers made a motion to enter into executive session pursuant to M.G.L. Chapter 30, Section 21 for the Review of Executive Session minutes from August 17, 2020- June 21, 2021. 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 02/28/2022)

- A. Memo: Town Administrator search
- B. Memo: Open Space
- C. Memo: Mask update
- D. Email: Route 6/Alden Road

D1. Appointment with The Collins Center

Range of possible next step scenarios;

- 1) Vote to amend the Process document that was previously agreed to that required no less than two candidates and no more than four to be brought forward by the screening committee for interviews. Consider the impact of doing so (Town and Candidate).
- 2) Restart the search for again with new salary and/or bonus and/or incentive structure (reference Building Commissioner search that revealed no qualified candidates until the pay rate was adjusted).
 - a. Wendy Graves to provide update on funds remaining in this year's budget.
 - b. Refer to Salary survey conducted by The Collins Center.
 - c. Consider amending position statement to salary range (depending on qualifications) vs. single figure (DOQ)?
 - d. The Collins Center has agreed to proceed with another round of Screening without additional charge other than advertising fees and hiring of third party for background checks.
 - e. Mark Sylvia, Chair of the TA Screening Committee reports that members are generally willing to rejoin the process for another round.
 - f. Mark Rees has confirmed that he would be willing to remain in part time role assisting Interim TA Wendy Graves and is open to additional scope upon request of the Ms. Graves.
- 3) Continue with current arrangement for an extended period of time (defined tonight). Under this scenario, Mark Rees assisting existing Interim TA Wendy Graves) and the TA search would be delayed until a certain time IF, there is good reason to believe a delay will result in more favorable results (at least two candidates remaining on board for interviews).
- 4) Bring in a different Interim TA to allow Ms. Graves to return to her primary focus and relieve the strain of wearing so many hats.
- 5) Anything additional Board members can think of.

Open Space and Recreation Committee

- Consider that;
 - The Board of Public Works are the Parks Commissioners and the TA is responsible for the Recreation Department
 - There remains some ambiguity in the TA Special Act and BPW Special Act regarding roles and responsibilities (see clip below)
 - The State takes into consideration whether a Municipality has an Open Space Plan (which we have) and an Active Open Space and Recreation Committee to oversee that plan (which we do not have) when making decisions on which communities should receive grants in this area.

SECTION 2. The town administrator shall be the chief administrative officer of the town of Fairhaven and shall act as the agent for the board of selectmen. The town administrator shall be responsible to the board of selectmen for coordinating and administering all town affairs under the jurisdiction of the board of selectmen.

The town administrator's powers and duties shall include those outlined in subsections (a) to (aa), inclusive.

- (a) Consult and advise the board of selectmen regarding its policies and implement those policies.
- (b) Attend all meetings of the board of selectmen, except when excused, and consult with and advise the board of selectmen on all matters that come before the board.
- (c) Attend all town meetings and advise the town meeting on all warrant articles within the jurisdiction of the board of selectmen.
- (d) Attend all finance committee meetings, except when excused by the board of selectmen, and keep the finance committee informed on all matters under the jurisdiction of the town administrator that come before the committee.
- (e) Manage and direct the daily reporting and supervision of all town departments under the jurisdiction of the board of selectmen including: assessors, building commission, council on aging, police, civil defense, animal control officer, gas inspector, plumbing inspector, wiring inspector and weights and measures inspector, recreation, highway, water, sewer, tree and park, planning, finance, finance director, collector, treasurer, accounting, veterans, town counsel, other committees appointed by and under the jurisdiction of the board of selectmen and the fire department, subject to section 42 of chapter 48 of the General Laws.

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I have done some research on what other communities list for Mission Statement / Charge for their Open Space and Recreation Committees. Here are several examples from those communities, edited to replace their community name with Fairhaven, for reference only.

Example of Committee composition, for consideration

Nine (9) Voting Members (3-year term)

- One Member from each precinct (6)
- One Planning Board Representative (1)
- One Conservation Commission Representative (1)
- One Member of the Commission on Disabilities (1)
- Possible Advisory Roles (participate in meetings and/or comment, as required, at the request of the Committee chair). One of these could serve as Town Staff;
 - Director of Planning and Economic
 - Police Department representative
 - Public Works representative
 - School Department representative
 - Recreation Department representative
 - Conservation/Sustainability Agent
 - Commission on Disabilities representative
 - Historical Commission representative
 - Director of Tourism
 - Director of COA

Mission Statement (Based on **Beverly, MA**): The Open Space & Recreation Committee (OSRC) advises the Select Board, departments, private organizations and the general public on matters concerning open space and recreation, and works to acquire and preserve land and ecosystems within the Town of Fairhaven. The Committee's functions include preparing and updating a five-year open space and recreation plan for current and future use, preparing a continuing inventory of open space in the Town, researching and recommending financing alternatives for acquisition and preservation of open space and the **development** of recreational facilities, and recommending any changes in state and local laws to facilitate acquisition and preservation of open space.

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Mission Statement (Based on **Gloucester, MA**) **Bullet format**

The Open Space and Recreation Committee was formulated to create and implement an Open Space and Recreation Plan for the City which will:

1. Ensure the existence, smart use, and access to open space in perpetuity
2. Ensure that contiguous areas, functions, and values that depend on them are maintained

3. Propose a process for agreements with abutters with shared use/conservation interests for enhancing open space
4. Recommend planned city growth and business development in a way that fully contemplates and strives to maintain the functions, values, uses, and vision for open space in Gloucester
5. Establish a criteria and process for ceding open space to development or dedicated use
6. Promote awareness and use of open spaces through a descriptive inventory of open spaces

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The Open Space and Recreation Committee's charge (Based on **Mansfield, MA**): **Bullet Format**

- Review the most recent goals and objectives of the Fairhaven Open Space and Recreation Plan and follow implementation recommendations as feasible and appropriate.
- Work to establish a process of ongoing review and updating the Town's Open Space and Recreation Plan (OSRP) as appropriate. The next plan update is due in 20??.
- Maintain and update an inventory of Town-owned open spaces and recreational facilities Town-wide
- Based on the findings of the OSRP, work with the Board of Selectmen and other relevant Town boards, commissions, and committees to maintain a list of target properties considered desirable for protection for various municipal uses.
- Work with private property owners and non-profit agencies to identify opportunities to preserve priority open space properties. Work with the Town staff to research possibilities for outside funding for open space acquisition, management and recreation area improvements.
- Make recommendations to the Recreation Commission, the Conservation Commission, Board of Selectmen and to Town Meeting regarding the acquisition and management of open and recreational spaces for municipal purposes.
- Work with the Conservation Commission regarding oversight and stewardship responsibilities for existing open space parcels, including maintenance of existing at passive recreation parcels (i.e. trail maintenance, updating kiosks and trail head signs, associated parking area maintenance).
- Work with the Fairhaven Recreation Commission regarding oversight and stewardship responsibilities maintaining and updating existing recreation facilities."



Town of Fairhaven Board of Health

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

MEMO

DATE: February 4, 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 down from 18.09% positivity to 14.02%; our total case count in the last two weeks has moved down from 399 to 275. Bristol County's and the Commonwealth's COVID data are trending in a satisfactory manner and is encouraging. In light of this data, I would suggest that your Board consider maintaining the policy of a "Mask Mandate" for all municipal buildings. We are not out of the woods yet but data shows improvement. 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. Good social distancing, masks and vaccinations will be the ways we end this pandemic.

Hopefully I will be sharing improving statistics in the coming weeks.

Sincerely,

David D. Flaherty Jr., RS
Health Agent

Cc: BOH



Dangerous Intersection in Fairhaven (Alden Road and Route 6)

2 messages

Michael Myers <michael.myers@fairhavenpolice.org> Thu, Feb 3, 2022 at 11:31 AM
To: Bob Espindola <selectmanbobespindola@gmail.com>
Cc: Barbara Lachance <barbara.lachance@state.ma.us>, Lisa Estrela <lestrela@srpedd.org>, Jackie Jones <jjones@srpedd.org>, Paul Mission <pmission@srpedd.org>, Wendy Graves <wgraves@fairhaven-ma.gov>, Vicki Paquette <vloliveira@fairhaven-ma.gov>, Paul Foley <pfoley@fairhaven-ma.gov>, Michael Myers <chief@fairhavenpolice.org>, Vincent Furtado <vfurtado@fairhaven-ma.gov>, Gregory Guertin <gguertin@srpedd.org>

Ms. Lachance,

I would like to fully echo Selectman Espindola's concerns. The issue was brought up several years ago when the State was redoing the roadway and we were advised then that this would be addressed. However the project was hastily finished and the controls were never put in. Any assistance would be greatly appreciated. Thank you.

Michael J. Myers
Chief of Police
Fairhaven Police Department
1 Bryant Lane
Fairhaven, Ma 02719
508-997-7421 Work
508-997-3147 Fax

michael.myers@fairhavenpolice.org

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[Quoted text hidden]

Bob Espindola <selectmanbobespindola@gmail.com> Thu, Feb 3, 2022 at 11:25 AM
To: Barbara Lachance <barbara.lachance@state.ma.us>
Cc: Lisa Estrela <lestrela@srpedd.org>, Jackie Jones <jjones@srpedd.org>, Paul Mission <pmission@srpedd.org>, Wendy Graves <wgraves@fairhaven-ma.gov>, Vicki Paquette <vloliveira@fairhaven-ma.gov>, Paul Foley <pfoley@fairhaven-ma.gov>, Michael Myers <chief@fairhavenpolice.org>, Vincent Furtado <vfurtado@fairhaven-ma.gov>, Gregory Guertin <gguertin@srpedd.org>

Good morning Ms. Lachance,

I was referred to you by Lisa Estrela-Pedro at SRPEDD.

She recommended reaching out to you as bicycle and pedestrian coordinator at MassDOT District 5 to explain concerns we have in Fairhaven regarding the intersection of Alden Road and Route 6.

I believe this intersection is the busiest intersection in Fairhaven and it stands as the only major intersection along route 6 in Fairhaven that does not have traffic signal pedestrian push buttons.

The traffic pattern and volume at this intersection create an environment that is very dangerous for crossing.

I can tell you I have witnessed first hand, many times when people attempting to cross the four lane road will choose not to do so at the crosswalk due to the dangerousness of the traffic pattern there. Instead, they walk a distance away from the intersection and cross 50 yards or so down the road, crossing two lanes at a time. They stand in the median at the halfway point and then cross the other two lanes, traffic permitting.

Not long ago, we had a fatality in Fairhaven where a pedestrian was attempting to cross route 6 at a location west of the intersection. We will never know if this tragedy could have been avoided had traffic signal pedestrian push buttons been in place but I am certain that many other near misses could be avoided if improvements are made at this intersection and my hope is to make changes to prevent unnecessary tragedy in the future.

A spotlight is shown on this problem each year during the election season when, for weeks on end, people congregate on Saturday morning at the intersection (because it is the busiest in Town) holding signs to support their candidates. This is a time when this problem is illustrated very clearly, unfortunately. It is, quite honestly, a scary sight to witness people attempting to cross the intersection, carrying signs, sometimes with children in tow while cars and trucks having to pause their pass through the intersection, honking their horns out of frustration, etc.

There is obvious confusion by pedestrians attempting to cross and not knowing the right time to do so because of the traffic pattern and light signal timing and lack of traffic signal pedestrian push buttons.

We would like to understand what the best course of action is for the Town of Fairhaven to initiate a formal request for Mass DOT to conduct a study, engineering, design in hopes to get to a project approval and construction as soon as possible.

If you could reply with a recommended course of action that would be greatly appreciated.

If you think a conference call to discuss would be a good starting point, please let us know when would be a good time for that.

Thank you.

Bob Espindola
Chairman
Select Board
Town of Fairhaven
Cell (774) 263-1046

Barbara Lachance - barbara.lachance@state.ma.us, 1-857-368-5080

Hope this helps.

Happy Holidays!

Lisa

Lisa Estrella, Pedestrian

Lisa Estreia-Reuro

Assistant Director of Transportation Planning

Southeastern Regional Planning & Economic Development District

88 Broadway Taunton, MA 02780

Phone: 508-824-1367 ext. 236 | Dial 711 to use MassRelay | Fax: 508-823-1803

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