



**Fairhaven Select Board
Meeting Minutes
September 6, 2022**

FAIRHAVEN TOWN CLERK
ROUD 2022 SEP 21 AM9:09

Present: Select Board members Chair Stasia Powers, Vice-Chair Leon Correy, Clerk Robert Espindola, Select Board member Keith Silvia, Select Board member Charles Murphy Sr., and Town Administrator Angie Lopes Ellison.

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

Ms. Powers opened the meeting at 6:32 pm. Ms. Powers stated the 7:00 pm, Wayne Oliveira no trespass order appeal hearing has been removed from the agenda. Mr. Oliveira has decided not to appeal.

Minutes

Motion: Mr. Murphy motioned to approve the working retreat minutes of July 30, 2022. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Motion: Mr. Murphy motioned to approve the open session minutes with amendments to the spelling of Mr. Correy's name of August 1, 2022. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Motion: Mr. Murphy motioned to approve the open session minutes with amendments to Mr. Correy's name of August 15, 2022. Mr. Silvia seconded. Ms. Powers' committee liaison report of the Bristol County Advisory Board is to read on page 3, "They have brought in 100 of the 200 new students toward the four year plan. The Advisory Board asked to change the way expenditures are shown for the yearly review." Vote was unanimous. (5-0-0)

Motion: Mr. Murphy motioned to approve the executive session minutes with amendments to the spelling of Mr. Correy's name of August 15, 2022. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Town Administrator Report

Ms. Ellison updated the Select Board on:

Staffing Update

- Daniel Lane was introduced as the new Principal Assessor upon the Select Board approval. Mr. Lane addressed the Board, telling them about himself.

Motion: Mr. Murphy motioned to approve the Town Administrator appointment of Daniel Lane as the Principal Assessor. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

- Ms. Kelley Peterson was introduced as the new Recreation Center Director upon the Select Board approval. Ms. Peterson was not in attendance to address the Board.

Motion: Mr. Murphy motioned to approve the Town Administrator appointment of Kelley Lane as Recreation Center Director. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Costume Trade Drive

- The Sustainability Committee is holding a Costume Trade Drive. There is a box by the main entry of the Town Hall to donate new or gently used costumes. Ms. Ellison commends the Sustainability Committee, under the leadership of Anne Richard, for doing an outstanding job of upcycling and recycling, making sure products are reused in positive ways.

Accessibility Concerns for Town Hall – Booth Study

- Ms. Ellison reviewed the 2019 Joe Booth Study addressing the accessibility issues within the Town Hall. She will get the study updated to reflect changes already made to the Town Hall as well as updated pricing. She will also be working closely with the Commission on Disability. The 2019 study recommended the relocation of the original Tax Collectors Office by switching it with the Select Board Office to make the Tax Collector’s Office more accessible to the public, since it is noted to be the busier office. This validates the recent relocation of offices being necessary. An informal poll taken by the Select Board Office in its new space sited the Collector’s Office had 2-1 ratio of more traffic within a 3 week period than the Select Board Office. Taxes were not due during this time frame.

Mr. Espindola re-iterated there should be a price adjustment to the study. He noted looking at funding through capital plan in order to execute some of these changes.

Contractual Goals: 3 Months:

- Goals & objectives for the Town Administrator were presented to the Select Board. Ms. Ellison has been working toward the goals as a template. These goals will be used for her review by the Select Board in December. See attachment A.

Motion: Mr. Murphy motioned to accept the goals and objectives submitted by the Town Administrator as the goals for her review in December 2022. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Social Media Updates:

- Working toward centralizing all the official Town social media pages. The pages are managed by many individuals, through their personal pages and devices, which makes it difficult for record retention. Will also be creating one page on the Town website where all social media links will be available. Mr. Espindola asked if Boards and Committees will be included in the list. Ms. Ellison confirmed.

Mutual Aid: Mattapoisett Fire:

- Ms. Ellison acknowledged the great work the firefighters, police, and harbormaster crew did in assisting in the management of the fire at the boat yard in Mattapoisett. The Mattapoisett Town Administrator reached out stating they are extremely grateful for the mutual aid. Chief Todd Correia with his team were on hand the entire time and went above and beyond.

Office of Tourism’s Old Time Holiday: December 10, 2022:

- The Office of Tourism’s Old Time Holiday Event is finally back after two years being cancelled due to the Pandemic. The event is held at the town hall, library, and churches. More information to follow.

Derek Frates, Cable Access Director, mentioned his department will be hosting the 5th annual Halloween Event on October 27, 2022. It will be in person. More details to follow.

Municipal Vulnerability Program Grant:

- The Town was awarded \$40,000.00 for the next round of implementation. The funds will be used to look at evaluating our coastal vulnerability as well as risks to our infrastructure from exposure to sea level rise and coastal storms. Mr. Correy asked if this is led by the Conservation or Planning Department. Ms. Ellison stated it is best suited with the Planning Department.

Rogers School – National Register Eligibility:

- The Town received a letter stating Rogers Schools is eligible for the National Register. We will need to hire a consultant to complete the technical aspect of the work. The funding source is being researched. Mr. Doug Brady, of the Rogers School Re-use Committee, via zoom, stated they are putting together a request for proposals and will gather all the information for the Town Administrator to pass along to the Select Board in the near future.

Eversource Vegetation Management:

- We received a public notice of where vegetation management will occur. This is statutorily required. It is within the power line grid. Mr. Murphy noted you can see all the information on the website as well.

Committee Liaison Reports

Mr. Espindola reported:

- The Bikeway Committee met August 30, 2022 for a site visit on the bike path to review signage and existing surface condition. The west end of the path seemed to be the area in the worst condition, but the capital plan is calling for a 3 year phased resurfacing plan starting on the east end. The map at Arsene Street is outdated. There is informal parking at Arsene Street and David Drown Blvd. The committee questioned if the BPW would consider designating the areas for Bike Path Parking, at least during certain hours. The committee also questioned the need for pipe bollards at each intersection, given automobiles can actually drive around them.
- Broadband Study committee discussed a revised mission statement. Mr. Espindola would like this added to the next Select Board agenda. He and Ms. Ellison met with Town Counsel to discuss next steps relative to Articles 34 and 35 from Town Meeting.
- SPREDD (Southeastern Regional Planning and Economic Development District): There has been no meeting since last update, but Mr. Espindola reached out to Jeffrey Walker at SPREDD to see if they can help with administration and planning related to the Community Compact Grant received from the Commonwealth for Broadband.
- SMMPO (Southeastern Mass. Metropolitan Planning Organization): Next meeting September 20, 2022.
- South Coast Bikeway Alliance is in final stages of planning the 5th annual Pedal for the Path fundraiser. There are over 120 riders registered already.

Mr. Correy reported:

- There has been no committee meetings since the last Select Board meeting.

Mr. Silvia reported:

- The Historical Commission will be meeting tomorrow.

Mr. Murphy reported:

- Carriage house windows are in, and there is ongoing work to be done. Hope to get the Greater New Bedford Regional Vocational Technical High School students working out there now that school is back in session.
- The Whitfield-Monjiro House has very successful programs. They are very well attended and ongoing. Lagoa has not met since the last Select Board meeting.

Appeal Hearing:

Wayne Oliveira withdrew the file to appeal.

Appointment to Cultural Counsel: Lisa Breese:

Motion: Mr. Murphey motioned to appoint Ms. Lisa Breese to the Cultural Counsel until 2023. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

Kelley Peterson, the new Director of the Recreation Center, arrived and told the Board a little bit about herself.

Temporary Street Closure Policy:

Mr. Espindola had questions and concerns with the policy as written; particularly to how fee was established, how confirmation of public notification would be monitored, removing the language of alcohol/marijuana prohibitions, and loud music. Mr. Espindola also asked if it was sent to town counsel for review. Ms. Ellison addressed some of the items stating she had the policy vetted by Police, Fire, and the Department of Public Works, who are most impacted by said policy and language. The policy reinforces Mass General Law regulations.

Ms. Powers tabled the vote until noted concerns are addressed. Mr. Correy asked if in doing so, will Laurel Street block party be allowed to occur. It was noted that the block party can be approved as an individual event without the policy in place.

Street Closure: Laurel Street on September 10, 2022:

Motion: Mr. Murphy motioned to approve the Laurel Street closure on September 10, 2022 from 12:00 pm to 5:00 pm and as outlined in the application. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Open Meeting Law Complaints:

The Select Board received two Open Meeting Law complaints from Patrick Higgins regarding improper posting of agenda and items. Ms. Powers discussed the concerns and addressed Mr. Higgins concerns. She asked if the Board would approve the response to the complaints as outlined in the response letter. See attachment B.

Motion: Mr. Murphy motioned to approve and send the Open Meeting Law response letter to Mr. Higgins, regarding the understanding that the complaint was filed incorrectly. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

Special Municipal Employee: Assistant Animal Control Officer:

Ms. Ellison explained that denoting positions as a special municipal employee makes it so that if the need arises the employee can work in another position.

Motion: Mr. Murphy motioned to designate the Assistant Animal Control Officer as a special municipal employee and have it added to the Chapter 220-1 list in the Code. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Surplus Items for Town Auction on September 17, 2022:

Motion: Mr. Murphy motioned to deem the items listed in the 2022 Auction Items List as surplus and to be sold at the Town Auction on September 17, 2022. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Town Clerk: Plymouth County Parking Ticket System:

The Town Clerk and Police Department both agree upgrading to this system will be an improvement to the present in place.

Motion: Mr. Murphy motioned to approve and enter into the agreement with the County of Plymouth, through the Plymouth County Commissioners for the parking ticket system. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Public Comment:

Judith Legendre addressed the Board with her concerns over the no trespass order against Wayne Oliveira.

Tracy Travers addressed the Board with her concerns over the no trespass order against Wayne Oliveira as well as temperament at the Town Hall.

Doug Brady stated the Rogers School Reuse Committee will be holding a clean-up event on October 1, 2022. Rain date to be announced.

Wayne Oliveira addressed the Board with a letter from his attorney regarding the no trespass order.

Board Member Items

Mr. Correy:

- Mr. Correy addresses the public comment. He knows this town is close knit and everyone has relationships. There are certain rules that must be followed. There are not only personnel matters, but legal matters, and not all the information is disclosed to everyone. He asks the public refrain from spreading any more rumors. There is only a handful of people that actually know what is going on. People were elected to do a job, allow these people to do their job. If you don't believe said people can do the job, he is urging people to get involved as he did. The Board will answer any one at any time and he asks for the public to settle down and allow the Board to do their jobs so that Fairhaven is the best that it can be.

Mr. Murphy:

- Our Lady of Angels Feast was a success. A big thank you to the Police Department.

Mr. Silvia:

- The Town Clerk did a great job at the Rec Center for the election.

Mr. Espindola:

- Asked there be more to the packet regarding the new hires so the Board has time to familiarize themselves with the candidate.

Mr. Correy:

- Plea for people to sign up for committees. Hoping for more people to get involved.

Notes and Announcements:

The next regularly scheduled meeting of the Select Board is Monday, September 19, 2022 at 6:30 pm in the Town Hall Banquet Room.

Executive Session:

The Board is going into Executive Session pursuant to MGL CH30A, 21(a)(3) to conduct strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares; and NOT to return to open session.

Motion: Mr. Murphy made the motion to enter into Executive Session pursuant to MGL CH30A, 21(a)(3) to conduct strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares; and NOT to return to open session. Roll call vote: Mr. Murphy in favor, Mr. Silvia in favor, Ms. Powers in favor, Mr. Espindola in favor, and Mr. Correy in favor.

Adjourned 8:01 pm

Respectfully submitted on behalf of the Select Board Clerk. (SS)

Attachments:

- A. Town Administrator Goals & Objectives
- B. Open Meeting Law Response Letter

Approved, September 19, 2022