



## Fairhaven Select Board Meeting Minutes October 17, 2022

**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 6:30 pm. Ms. Powers acknowledged the Board is wearing pink in honor of Breast Cancer Awareness Month.

**Motion:** Mr. Murphy motioned to take agenda item D1: Fire Department Promotions, out of order. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Fire Chief Todd Correia announced two promotions, swore in three new hires, and award seven, years of service pins to those who have achieved bench marks in their career with the Fairhaven Fire Department.

Ms. Powers called a five minute recess.

**Motion:** Mr. Murphy motioned to take agenda item B1: Staffing Update out of order. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Fire Chief Todd Correia addressed the Board with a staff update. He is working with Ms. Ellison regarding the staffing needs of the Fire Department. The department has been granted two new hires with the ARPA Funding. An additional two will be added in May, bringing staffing up to seven fire fighters per shift.

### Minutes

**Motion:** Mr. Murphy motioned to approve the open session minutes of September 19, 2022. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

**Motion:** Mr. Murphy motioned to approve the minutes of October 3, 2022, participation meeting with MassDOT. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

**Motion:** Mr. Murphy motioned to approve the minutes of October 6, 2022, joint session meeting with the Finance Committee. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

### Town Administrator Report

Ms. Ellison updated the Select Board on:

#### *Broadband Municipal Light Board Update:*

- Heather White from Petrini and Associates was introduced. Mr. Espindola presented information in the packet for review to be considered at a future meeting. Ms. White gave a brief preview of the different options available. Mr. Espindola asked for this to be an action item on the next agenda for further discussion.

*Intern Opportunities / Vocational Students:*

- Human Resource Director, Cam Durant is working with local colleges and high schools to utilize the students for co-op and internship opportunities within the town.

*Capital Strategic Solutions: ARPA:*

- Capital Strategic Solutions is a third party entity that manages ARPA Funds. Ms. Ellison is requesting \$7,650 to secure the contract that is tailored to the needs of the Town.

**Motion:** Mr. Murphy motioned to approve \$7,650 for Capital Strategic Solutions to administer ARPA funds and processes outlined in the contract. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

*Hazmat Day:*

- Household Hazardous Waste Day is being held Saturday, October 22, 2022 at the Department of Public Works from 8:00 am to 12:00 pm. Residents are allowed to drop of items that cannot be discarded in the trash such as paint, chemicals, etc.

*Senior Social Day:*

- The Senior Social Day Program is returning to the Council on Aging after two years. This program offers seniors a safe, supportive, supervised environment where they can interact with other seniors.

*Council on Aging Newsletter:*

- The Fairhaven Senior Lifestyles newsletter is free. It is also offered online at the Town website.

*Wellness Initiative Human Resource Benefit:*

- Human Resources Director Cam Durant is in the process of resurrecting the Wellness Committee. The Town employees have been surveyed regarding activities and interests regarding wellness. This initiative will bring more employee benefits and positivity.

*Other Updates:*

- Mr. Nils Isakson updated the Board on the Historic Light Project. There will be seven new light poles installed around the Town Hall to coincide with the historic theme of the building. The project has been years in the making and is due to be completed in early 2023.

**Committee Liaison Reports**

*Mr. Espindola reported:*

- Mr. Espindola provided updates on the Broadband Study Committee and the Southeastern Regional Planning and Economic Development District (SPREDD). He also noted he registered for a broadband conference. (Attachment A).

*Mr. Correy reported:*

- The Belonging Committee will be requesting a gift account be set up for donations, expenses, etc. They did an excellent job Kids Fest, the booth was a hit.

*Mr. Murphy reported:*

- The Lagoa Friendship Pact Committee reorganized the Chair, Vice Chair, and Recording Secretary.

*Ms. Powers reported:*

- The Cable Advisory Committee met, Dartmouth spoke on how they have restructured their department. The Haunted Halloween Bash is next week.

- The 40R Working Group will be having a workshop on November 4<sup>th</sup> and 5<sup>th</sup>. The community is invited to join.

**Polar Plunge:**

Ms. Kathy Lopes addressed the Board about the Polar Plunge Event that is to be held at Fort Phoenix, State side, January 1, 2023 at 10:00 am. She is requesting support from the Town and Fairhaven Fire Department for the ambulance service.

*Motion:* Mr. Murphy motioned to approve and support the Fort Phoenix Polar Plunge on Sunday, January 1, 2023 at 10:00, and to provide EMS support. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

**Appointment to Cultural Council: Alexandra Caine**

Ms. Caine addressed the Board and told them about herself and her interest in serving on the committee.

*Motion:* Mr. Murphy motioned to appoint Ms. Alexandra Caine to the Fairhaven Cultural Council for a term to end May 2023. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

**Appointment to Belonging Committee: Eryn Tomascik**

Ms. Tomascik addressed the Board and told them about herself as it relates to her experiences to serve on the committee.

*Motion:* Mr. Murphy motioned to appoint Ms. Tomascik to the Fairhaven Belonging Committee for a term to end May 2023. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

**Appointment to Economic Development Committee: Patrick Carr:**

Mr. Carr addressed the Board and told them about himself.

*Motion:* Mr. Murphy motioned to appoint Mr. Carr to the Fairhaven Economic Development Committee for a term to end May 2023. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

**Military Flags:**

Mr. Brad Fish addressed the Board on behalf of the Fairhaven Lions Club and the Fairhaven Historical Commission with a request to fly the military flags on the birthday of each military branch and the week following at Fort Phoenix.

*Motion:* Mr. Murphy motioned to approve the flying of military flags of each military branch upon the stated birthday and the week following at Fort Phoenix as outlined and managed by the Veteran's Agent beginning in 2023 and recurring yearly. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

**Event Permit: 2022 Turkey Trot 5K Fun Run: Thursday, November 24, 2022, 9:00 AM:**

Ms. Powers noted this happens annually on Thanksgiving and is a fun day. Mr. Espindola noted start time is 9:00 am due to noise.

**Motion:** Mr. Murphy motioned to approve the event permit for the Turkey Trot 5K Fun Run to take place on November 24, 2022 at 9:00 am at Cushman Park and to waive the event fee as they are a non-profit organization. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

**Event Permit: Fairhaven Improvement Association Sing-A-Long:**

Ms. Powers highlighted event items from the submitted request letter from the Fairhaven Improvement Association.

**Motion:** Mr. Murphy motioned to approve the Fairhaven Improvement Association's Sing-A-Long on December 10, 2022 at 6:00 pm at the Town Hall and waive the rental fee. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

**Tree City USA / Arbor Day: Declaration:**

Tree Warden, Don Collasius, requested the Board to make Fairhaven a Tree City USA city and celebrate Arbor Day annually noting it will help raise awareness as well as give the Town access to potential grants.

**Motion:** Mr. Murphy motioned to approve and declare Fairhaven as a Tree City USA city and celebrate Arbor Day annually. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

**Gift Account Request: Belonging Committee:**

Ms. Jessica Fidalgo requested the Board to approve a gift account be established for the Belonging Committee. The committee has been raising its own funds, but as they are growing and doing more in the community, they are being asked to accept donations.

**Motion:** Mr. Murphy motioned to approve establishing a gift account for the Belonging Committee. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

**Amendment of LLC Manager: Ocean State Job Lot:**

Ms. Powers read the request to change managers from Nicholas Brunette to Maggie Francisco at Ocean State Job Lot.

**Motion:** Mr. Murphy motioned to approve the change of the LLC Manager for OSJL Spirits doing business as Ocean State Job Lot and as outlined by Alcoholic Beverages Control Commission (ABCC). Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

**Close Warrant for November 15, 2022 Special Town Meeting:**

Ms. Powers stated that closing the warrant does not mean they cannot discuss the articles within the warrant, nothing can be added once closed.

**Motion:** Mr. Murphy motioned to close the warrant for the November 15, 2022 Special Town Meeting. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

**Review and Recommendations for Warrant Articles for November 15, 2022 Special Town Meeting:**

The Board reviewed and discussed each article and voted on their recommendation to the Town Meeting Members. Ms. Ellison gave her recommendation on each article.

Ms. Ellison's recommendation on Article 1, number 1: Amend FY23 General Fund Operation Budget is to recommend.

**Motion:** Mr. Murphy motioned to recommend Article 1, number 1. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 1, number 2: Amend FY23 General Fund Operation Budget is to recommend.

**Motion:** Mr. Murphy motioned to recommend Article 1, number 2. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 1, number 3: Amend FY23 General Fund Operation Budget is to recommend.

**Motion:** Mr. Murphy motioned to recommend Article 1, number 3. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 2: Water Enterprise Operating Budget, is to recommend.

**Motion:** Mr. Murphy motioned to recommend Article 2. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 3: Special Education Reserve Fund is to recommend.

**Motion:** Mr. Murphy motioned to recommend Article 3. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 4: South Street Pump Station Valve Replacement is to recommend.

**Motion:** Mr. Murphy motioned to recommend Article 4. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 5: Home Rule Petition, is yield to petitioner.

**Motion:** Mr. Murphy motioned at town meeting for Article 5. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 6: Bills of Prior Year – Paid from FY23 Funds is to recommend.

**Motion:** Mr. Murphy motioned to recommend Article 6. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 7: Town Hall Elevator is to recommend.

**Motion:** Mr. Murphy motioned to recommend Article 7. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 8: Town Administrator's Office Furniture is to recommend at the revised dollar amount of \$16,000.

**Motion:** Mr. Murphy motioned to recommend Article 8. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 9: Ambulance Request of Additional Funds is to recommend.

**Motion:** Mr. Murphy motioned to recommend Article 9. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Mr. Espindola recused himself from discussing Article 10, because he is an abutter. Ms. Ellison's recommendation on Article 10: Safe Route to Schools is to recommend.

**Motion:** Mr. Murphy motioned to recommend Article 10. Mr. Silvia seconded. Vote passed unanimously. (4-0-1)

Ms. Ellison's recommendation on Article 11: Thermal Camera System – Harbormaster Boat is to recommend full amount as written.

**Motion:** Mr. Murphy motioned to recommend Article 11. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 12: Fund Labor Contracts FY23 is at town meeting.

**Motion:** Mr. Murphy motioned at town meeting for Article 12. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 13: Move to Transfer \$70,000 from Surplus Revenue (free Cash) for the repair of Fire Engine 4 is to recommend.

**Motion:** Mr. Murphy motioned to recommend Article 13. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 14: Emergency Police Boat Repairs is to recommend.

**Motion:** Mr. Murphy motioned to recommend Article 14. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 15: Appoint Special Officers is to recommend.

**Motion:** Mr. Murphy motioned to recommend Article 1. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 16: Public Shade Tree Law is for indefinite postponement. After some discussion the board felt they did not have enough information to take a position at this time.

**Motion:** Mr. Murphy motioned at town meeting for Article 16. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison recused herself from recommending on Article 17: Citizens Petition – Reduce Salary of Town Administrator. Town Council advised taking the agenda out of order and discussing this article in executive session.

**Motion:** Mr. Murphy motioned to take executive session out of order. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

**Motion:** Mr. Murphy motioned to go into executive session Pursuant to MGL Ch. 30A§ 21(a)(7) to obtain legal advice pursuant to Suffolk Construction v. DCAM, 449 Mass. 444 (2007) (Article 17 of the 11-55-22 STM) and then return to open session when complete. Mr. Silvia seconded the motion. Roll call vote: Charles Murphy in favor, Keith Silvia in favor, Leon Correy in favor, Bob Espindola in favor, Stasia Powers in favor. (5-0-0)

Open session was called back into order at 9:05 pm. Ms. Powers stated the Board will be disseminating some information about the legal advice regarding this vote.

**Motion:** Mr. Murphy motioned for indefinite postponement on Article 17. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 18: Citizens Petition – Street Acceptance Alves Way 2-10 is for indefinite postponement

**Motion:** Mr. Murphy motioned indefinite postponement of Article 18. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

Ms. Ellison's recommendation on Article 19: Citizens Petition – Hard Surface Sandra Lane is for indefinite postponement.

**Motion:** Mr. Murphy motioned indefinite postponement of Article 19. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

**Approve the Warrant for November 15, 2022 Special Town Meeting for Posting:**

Ms. Ellison stated due to timing she is asking to supersede accepting the posting prior to the signing of the warrant so another meeting is not needed.

**Motion:** Mr. Murphy motioned to approve the posting of the Special Town Meeting Warrant upon final review of each member. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

**Proclamation Vote: Masons:**

Mr. Correy delivered a proclamation to the Mason's celebrating the 150<sup>th</sup> anniversary of the George H. Tabor Lodge. Mr. Correy noted it was a wonderful event it was. Ms. Powers noted that the proclamation vote is being done retroactively; the event took place on October 14, 2022

**Motion:** Mr. Murphy motioned to approve the Mason Proclamation in celebration of their 150<sup>th</sup> founding. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

**Approve Number of Police Officers at Polls:**

Town Clerk, Linda Fredette, addressed the Board, via Zoom, requesting the number of Police Officers needed at the new poll location, Recreation Center, per Massachusetts General Law, be approved.

**Motion:** Mr. Murphy motioned to approve a sufficient number of police officers, but not less than four (4), at the polling location (Rec Center, 227 Huttleston Ave) for the November 8, 2022 General Election, to preserve order and to protect the election officers and supervisors from any interference with their duties, and to aid in enforcing the laws relating to elections, as required by Section 72 of MGL Chapter 54. Further, move to designate the Police Chief the authority to assign specific police officers according to scheduling and availability. The Town Clerk will advise the Police Chief on the location and time the officers are needed. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

**Approve Poll Workers List:**

Town Clerk, Linda Fredette, addressed the Board, via Zoom, requesting approval of the listed poll workers for the November 8, 2022 election.

**Motion:** Mr. Murphy motioned to approve the list of poll workers provided by the Town Clerk in Appendix A. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

**Sign Warrant for November 8, 2022 Election:**

Town Clerk, Linda Fredette, addressed the Board, via Zoom, requesting the Board to sign the warrant for the November 8, 2022 election.

**Motion:** Mr. Murphy motioned to approve and authorize the Select Board to sign the warrant for the November 8, 2022 election as outlined by the Town Clerk. Mr. Silvia seconded. Vote passed unanimously. (5-0-0)

**Board Member Items**

*Mr. Correy:*

- Thanked 'Be The Solution To The Pollution'. The host many clean ups. They were recently at Fort Phoenix and on Hedge Street. He is encouraging everyone to go to the Facebook page and participate.

*Mr. Espindola:*

- Asked when there is an item on the agenda that will need a vote by the Select Board it be placed under 'Action Items' so the Board knows to research prior. Ms. Ellison confirmed the request going forward.

*Mr. Powers:*

- Would like to see a committee formed, a short term working group that will evaluate committees, boards and commissions. Looking for what we have, how they are structured, compared to other communities in order to help to make sure we are doing things with the utmost efficiency and fairness so that everyone in the community has a chance to participate. Would like discuss further in the future.

**Correspondence:**

Ms. Powers read an email addressed to the Select Board thanking Harbormaster Cox and his crew providing great service. (Attachment B)

The next meeting of the Select Board is November 7, 2022 at 6:30 pm.

**Motion:** Mr. Murphy motioned to adjourn. Mr. Silvia seconded the motion. Vote passed unanimously. (5-0-0)

Adjourned 9:54 pm

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

Approved November 7, 2022

Appendix:

A. Poll Workers List

Attachments:

A. Committee Liaison Report

B. Letter to Harbormaster Cox