



## FAIRHAVEN SELECT BOARD

### *Meeting Minutes*

*Monday, November 21, 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 6:33 pm. Mr. Correy asked for a moment of silence for the victims of the Colorado shooting.

### **MINUTES**

1. Approve the minutes of November 7, 2022 – Open Session – *pass over to December 5, 2022 meeting*
2. Approve the minutes of November 7, 2022 – Executive Session  
*Motion:* Mr. Murphy motioned to approve the executive session minutes of November 7, 2022. Mr. Silvia seconded. Vote was unanimous. (5-0-0)
3. Approve the minutes of November 14, 2022 – Open Session – *pass over to December 5, 2022 meeting*

### **TOWN ADMINISTRATOR REPORT**

**Ms. Ellison updated the Select Board on:**

#### *Staff Updates*

- Branden Costa, Conservation Agent resigned, his last day will be December 7, 2022; he has accepted a position with Mass DEP. Ms. Ellison thanked Mr. Costa for the work he has done in the short time he was with Fairhaven and his insight with sustainability and moving it forward.

Ms. Ellison said we are looking to fill our vacant positions; statewide there is a shortage of personnel in all areas of employment so we are suffering and feeling the effects of these impacts. Ms. Ellison said we will continue to work with HR and look at innovative and constructive ways to recruit.

#### *Reminder*

- Town Hall will be closed to the public for a Staff Training Day on Thursday, December 8, 2022

#### **PERAC – Public Employee Retirement Administration Commission – Actuarial Evaluation 2022**

- This is informational and the booklet is available for public viewing in the Select Board office.

#### *Financial Summary*

- Wendy Graves, Finance Director, presented the financial indicators in *attachment A*. The presentation Ms. Graves reviewed contained graphs and charts showing the following topics: Certified Free Cash, Stabilization Fund Balance, Unfunded Pension Liability, Average Single Family Tax Bill, New Growth as a % of Prior Year Tax Levy, Revenue by Source, Local Receipts-Estimates vs. Actuals, General Fund Expenditures, General Fund Expenditures by Function and Outstanding Long-Term Debt.

Ms. Graves reviewed each of the graphs and explained the categories as outlined in the attachment.

The Board asked various questions relating to the indicators in the attachment.

Mr. Espindola added that this information can be obtained from the Department of Revenue website.

Mr. Correy and the Board thanked Ms. Graves for her work on the presentation.

Ms. Ellison provided the FY24 budget and Town Meeting calendar, *attachment B*. She stated that the budget will have goals and incorporate a DEI component where possible (Diversity, Equity and Inclusion).

Ms. Powers highlighted two important dates from the calendar: Monday, April 3, 2023, Town Election Day and Saturday, May 6, 2023, Annual Town Meeting.

***Other***

- Ms. Ellison gave an update on the electric vehicles and chargers. The lease agreements for both vehicles have been reviewed with Town Counsel and a policy for the staff to sign out and sign in the vehicles is being developed.

**COMMITTEE LIAISON REPORTS**

**Mr. Espindola reported:**

- He will be meeting with Ms. Ellison to review open broadband issues with the Fairhaven Housing Authority.
- He will be meeting with Ms. Ellison and Mr. Furtado regarding the Municipal Light Board (MLB). This will be a preliminary meeting to discuss the MPB project and engage the BPW.
- Mr. Espindola said he contacted the State Ethics Commission regarding the mention of conflicts due to his work on the Broadband Study Committee and the future MLB. Mr. Espindola reported the Commission had no concern with his involvement with an MLB.
- He will be meeting with Ms. Ellison and Ms. Roderick from the Bikeway Committee regarding bikeway concerns. Mr. Espindola said he had received a call today from someone about an accident they had on the bike path. Mr. Espindola reminded riders on the bike path to make sure to use safety precautions, including a light when riding at night and to also use caution at intersections.
- SRPEDD did not meet
- SMMPO provided an outline of their Transportation Improvement Timeline, see *attachment C*

**Mr. Correy reported:**

- Belonging Committee met, welcomed a new member. Discussion around planning for the year and events to participate in, themed-quarterly events.
- Participated in a webinar from the MMA regarding digital equity.

**Mr. Silvia reported:**

- Historical Commission did not have a quorum to meet

**Mr. Murphy reported:**

- Sister City Committee rescheduled

**Ms. Powers reported:**

- Participated in the 40R meeting, the next 40R meeting is December 16. They had a discussion on ideal locations, for example, the Walmart Plaza and the plaza with Staples and Tractor Supply. The 40R group has questions on the feasibility of the waterfront and where there could be potential to develop. No decisions have been made and the 40R meeting is a great opportunity to be heard and participate.
- No other committees met.

## **ACTION ITEM:**

### **Proclamation Vote: Dorothea Machado**

Veterans Day Parade speaker, Ms. Dorothea Machado was presented with a proclamation at the parade

*Motion:* Mr. Murphy motioned to approve the proclamation given to Dorothea Machado for her accomplishments in serving in the US Navy from 1942-1945 and her service as a veteran in the town of Fairhaven. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Mr. Espindola thanked Ms. Cathy Delano for bringing forth the proclamation

Mr. Correy added that Ms. Machado did an amazing job with her speech at the Veteran Day Parade.

### **Assessors: Tax Rate Classification and Tax Rate presentation:**

- Ms. Pam Davis, Board of Assessors member since 2008, presented on the Tax Rate Classification and the components of setting the tax rate. Ms. Davis gave a brief explanation of why Fairhaven does not have a Residential Exemption. See *attachment D*
- The Board asked various questions about the overall process and calculations.
- The Board thanked Ms. Davis for her presentation and service to the town.
- Ms. Davis explained she has 52 years' experience; she has served in 16 communities and 3 states and currently teaches on the subject as well. The three-member Fairhaven Board of Assessors has a collective 100 years' experience.

*Motion:* Mr. Murphy motioned to adopt the split tax rate of 1.75, an 88.03% residential rate and an 11.97% commercial/personal property rate. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

### **Dedication of Spring Street Fire Station:**

- A ceremony was held on Saturday, November 19, 2022 with family members and various Town Officials present.
- Mr. Espindola and Mr. Murphy thanked Mr. Oliveira for the ceremony recognizing Mr. Rogers.

*Motion:* Mr. Murphy motioned to dedicate and designate the Spring Street Firehouse and Museum as the John Rogers, Jr. Memorial Firehouse whereas Mr. Rogers dedicated his time preserving and maintaining the antique fire trucks for the Town of Fairhaven. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

Ms. Powers pointed out the need for a process and a timeline for naming of buildings, dedications and proclamations to ensure they come before the Board in a timely manner.

### **Town Administrator evaluation process:**

- John Clifford, Clifford & Kenny, LLP Labor Counsel joined via zoom to discuss the Town Administrator performance review process steps and the evaluation document in *attachment E*
- Mr. Clifford pointed out that the Open Meeting Law (OML) precludes Board Members from speaking to each other or sharing any information about their individual assessments until after the process is complete and has ended with a public meeting to discuss the general results as compiled in the consensus document and vote to accept the consensus document.
- Mr. Clifford made suggestions on the overall process and is available to the Board for questions.
- Ms. Ellison will work with Ms. Almeida on a timeline for the review on the December 19, 2022 Select Board Meeting agenda. Ms. Almeida will review Ms. Ellison's calendar and send a list to the Board for scheduling 1:1s.

*Motion:* Mr. Murphy motioned to approve and accept the Town Administrator evaluation process as  
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presented. Mr. Silvia seconded. Vote was unanimous. (5-0-0)

#### **PUBLIC COMMENT**

- Mr. John Medeiros how the public will be part of the Town Administrator review process.

Ms. Powers stated that Ms. Ellison is an employee of the Select Board and this is not a public evaluation, it is the Board's evaluation of the Town Administrator. The public component under OML is that the public will be observers of the process.

- Mr. Medeiros said he wanted to get an update on a street signage concern in North Fairhaven. From September. Ms. Almeida said the item Mr. Medeiros brought forward is on the December 5<sup>th</sup> meeting and Lt. Sobral will be at the meeting to speak about it.

#### **BOARD MEMBER ITEMS**

- Mr. Espindola wished everyone a Happy Thanksgiving and gave a reminder about the Turkey Trott on Thanksgiving morning as well as the Fairhaven Football Game.
- Ms. Powers stated there is a bonfire on Wednesday night with a parade of vehicles through town starting at Fort Phoenix; people will be meeting with their cars and proceed to the bonfire site.
- Ms. Ellison added a reminder that the Council on Aging (COA) is serving turkey dinners on Thursday morning and a great opportunity to volunteer.
- Mr. Correy also wished everyone a Happy Thanksgiving, take time with family, enjoy and be happy. He asked the public to keep the families of Colorado Springs in their thoughts and prayers. He reminded everyone to get involved, find a committee that speaks to you, we are getting more voices involved as the town grows and he thanked those who have recently joined committees.

#### **NOTES AND ANNOUNCEMENTS**

- The next **regularly** scheduled meeting of the Select Board is **Monday, December 5, 2022** at 6:30 p.m. in the Town Hall Banquet Room
- Ms. Ellison added a reminder that when budget meetings are scheduled the intention will be to conduct the meetings as joint meetings with the Finance Committee.

#### **ADJOURNMENT**

**Meeting adjourned at 8:20 p.m.**

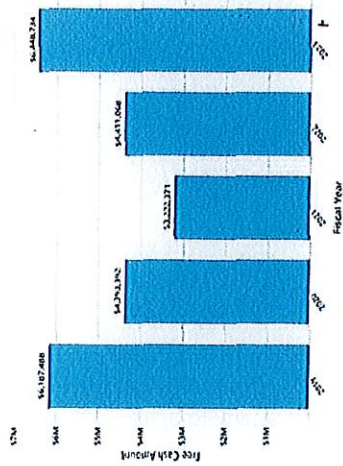
Respectfully submitted,  
On behalf of the Select Board Clerk. (aa)

#### **ATTACHMENTS:**

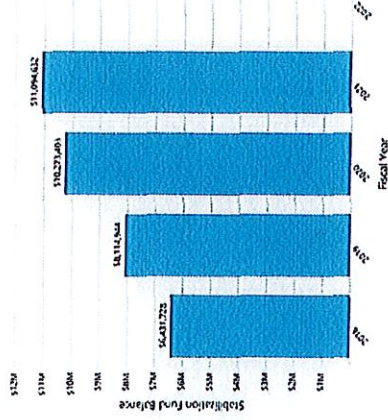
- A. Financial Indicators presentation
- B. FY24 Budget and Town Meeting Calendar
- C. Committee Liaison Report with SMMPO Transportation Improvement Timeline
- D. Tax Rate Classification and Tax Rate presentation
- E. Town Administrator Performance Review Memo and Evaluation Form

ATTACHMENT A

Certified Free Cash



Stabilization Fund Balance



**Certified Free Cash**

- Policy – maintain a balance of 5% of the GF Operating Budget.
- Free cash = remaining balance from prior year, turn backs from budgets, local receipts vs actual, cherry sheet above the recap, RE & PP above the recap, and tax title collected.

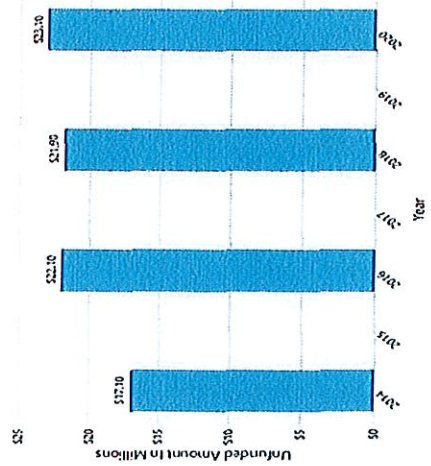
**Stabilization Fund Balance**

- Policy – maintain a balance of at least 7% of the GF Operating budget.
- Includes General Stabilization & Capital Stabilization.
- Increased Capital Stabilization:
  - FY18 \$1.8M
  - FY19 \$1.2M
  - FY20 \$1.9M
  - FY21 \$0

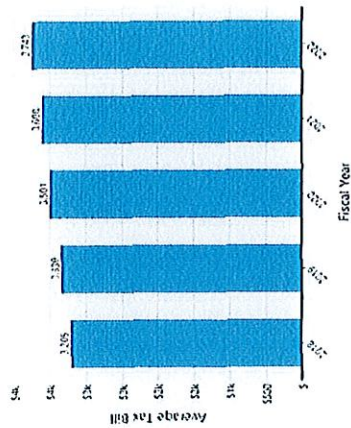
**Unfunded Pension Liability**

- As of January 1, 2022 will be 83.7% funded.
- FY30 will be the last full pension payment.
- FY31 the Town will be funding OPEB, which has a balance of \$50,508,968 as of June 30, 2022.

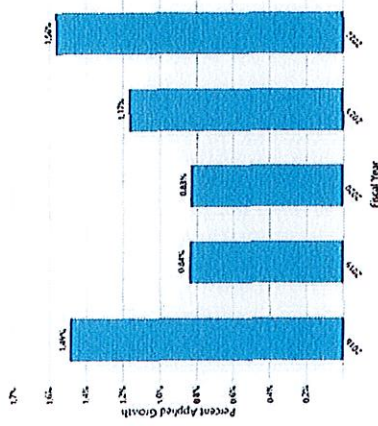
Unfunded Pension Liability



### Average Single Family Tax Bill



### New Growth as a % of Prior Year Tax Levy



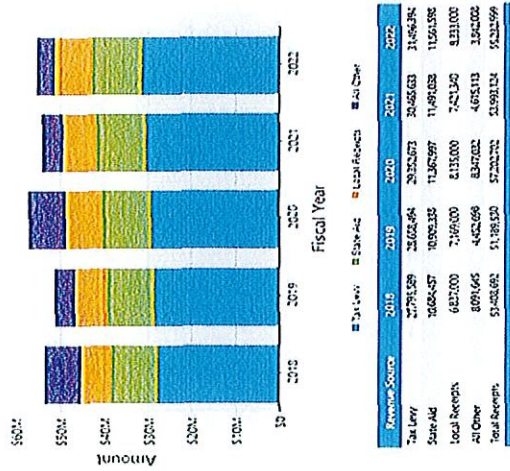
### Average Single Family Tax Bill

- Calculation (total value for residential / total residential parcels X tax rate).
- The average has increased consistently each year.

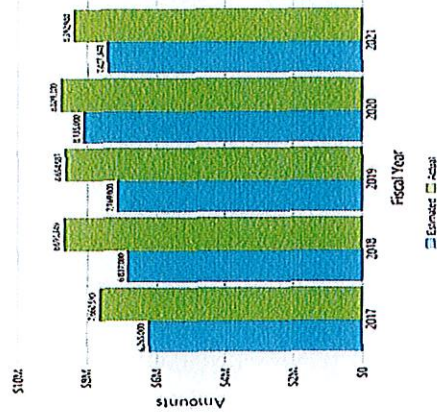
### New Growth as a % of Prior Year Tax Levy

- Based on new buildings and additions.
- FY18 personal property revaluation increase by \$9.9M valuation.
- FY22 valued marina docks, piers, racks and slips this year (\$8M valuation)

### Revenue by Source



### Local Receipts – Estimates vs



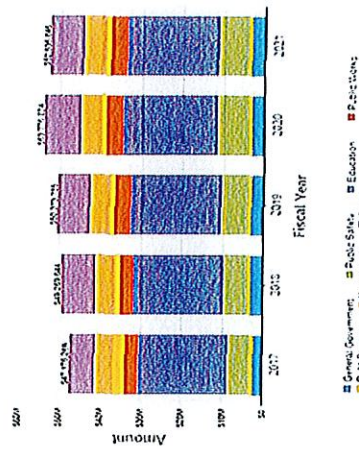
### Revenue by Source without Enterprise & CPA Funds

- All Other dipped in FY19 & FY21

### Local Receipts – Estimates vs Actuals

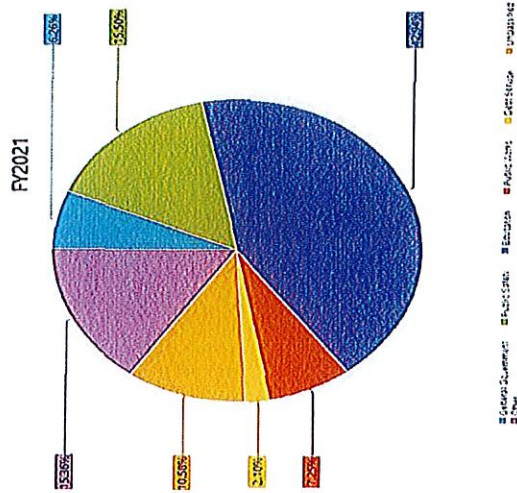
- The Town has been consistently conservative estimating local receipts.
- Local Receipts dipped in FY21 due to COVID.
- Tax Possession Sale netted \$1.4M in FY22

### General Fund Expenditures



	Fiscal Year	2017	2018	2019	2020	2021
<b>General Government</b>		3,483,376	3,148,562	3,223,225	3,269,501	3,269,702
<b>Public Safety</b>		61,825,242	67,968,018	72,916,431	83,186,523	81,422,215
<b>Education</b>		32,133,801	32,133,801	32,724,315	33,362,448	32,878,855
<b>Public Works</b>		3,822,612	3,804,457	3,678,193	3,866,626	3,811,341
<b>Debt Service</b>		25,665,542	1,189,235	1,172,242	1,128,371	1,104,523
<b>Unavailable</b>		4,402,225	4,223,235	4,908,665	5,282,521	5,072,242
<b>Other</b>		6,113,009	8,208,361	7,232,614	5,181,776	8,073,162
<b>Total General Fund</b>		<b>147,406,107</b>	<b>149,775,334</b>	<b>152,877,405</b>	<b>159,776,654</b>	<b>154,532,850</b>

### General Fund Expenditures by Function



### General Fund Expenditures

- See graph

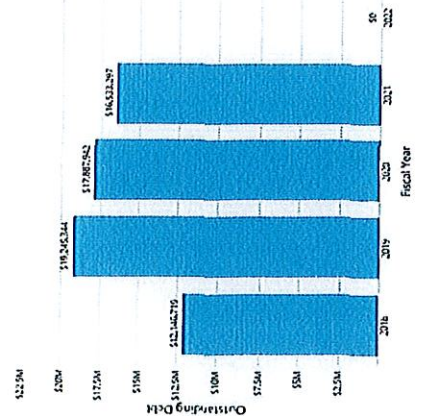
### General Fund Expenditures by Function

- See pie chart

### Outstanding Long-Term Debt

- FY19 Sewer Project & Ladder Truck borrowed \$8.3M.
- FY20 East Fairhaven-MSBA debt paid off.
- FY21 Woods School refinanced.

### Outstanding Long-Term Debt



## ATTACHMENT B

### FY24 Budget/Town Meeting Calendar

Milestone	Date
Town Administrator Presents Budget Calendar to Board of Selectmen	Monday, November 21, 2022
Capital Budget Instructions Distributed	Tuesday, November 22, 2022
Operating Budget Instructions Distributed	Tuesday, November 22, 2022
Capital Budget Project Requests due	Wednesday, November 30, 2022
Town Administrator/Finance Director present revenue forecast	Monday, December 12, 2022
Capital Planning Committee submits prioritized Capital Budget Requests to Town Administrator	Friday, December 16, 2022
Operating Budget Requests due	Friday, December 16, 2022
Departments & School meet with Budget Team to review budget requests	Tuesday January 3, 2023 - Tuesday January 10, 2023
School Superintendent submits her recommended School Budget to School Committee (On or About)	Wednesday, January 11, 2023
Town Administrator Recommended Operating Budget issued to Board of Selectmen and Finance Committee	Friday, January 13, 2023
Citizen Petition Articles submission deadline	Monday, February 6, 2023
Select Board/Finance Committee conducts joint hearings on Operating and Capital Budgets	Monday, January 23, 2023 - Friday, March 3, 2023
Departments/Boards to submit wording of final articles	Friday, March 3, 2023
Town Clerk Posts election Warrant (on or before)	Tuesday, March 28, 2023
Annual Town Election	Monday, April 3, 2023
School Committee votes on School Budget	Wednesday, April 12, 2023
Warrant for Annual Town Meeting Closes	Monday, March 20, 2023
Board of Selectmen Vote on Operating and Capital Budgets	Monday, March 20, 2023
Finance Committee issues its recommendations on operating and capital budgets	Thursday, March 30, 2023
Selectmen Sign Warrant	Monday, April 3, 2023
Warrant and Finance Committee Report sent to the printer	Friday, April 7, 2023
Motions Completed	Friday, April 7, 2023
Warrant Book & Finance Committee report distributed to Town meeting members	Friday, April 21, 2023
Town Meeting Coordination Meeting	Wednesday, April 26, 2023
Town Clerk Posts "legal" Warrant (on or before)	Friday, April 28, 2023
Pre-Town (Precinct) Meeting	Wednesday, May 3, 2023
Annual Town Meeting	Saturday, May 6, 2023



## **Committee Liaison Report – Bob Espindola – November 21st, 2022**

### **Broadband Study Committee.**

Ms. Ellison and I set up a date to meet to review Broadband issues associated with the Fairhaven Housing Authority project and to meet with DPW Superintendent Vinnie Furtado as we talked about during our last Select Board meeting. The meeting date will be on November 29<sup>th</sup>.

As a follow up to Select Board member Corey's suggestion that I would have a conflict of interest if our Board was to choose to appoint ourselves to serve on a Municipal Light Board as part of our Select Board duties. I explained that the suggestion was related to my role on and with the Broadband Study Committee. The Attorney of the Day for the State Ethics Commission said that she was "perplexed" by the suggestion and that there absolutely would not be any conflict of interest if I were to be appointed (along with other Board members) to an MLP Board because in both cases, I have been and would continue to be acting in what I believe to be the best interest of the community.

### **Fairhaven Bikeway Committee**

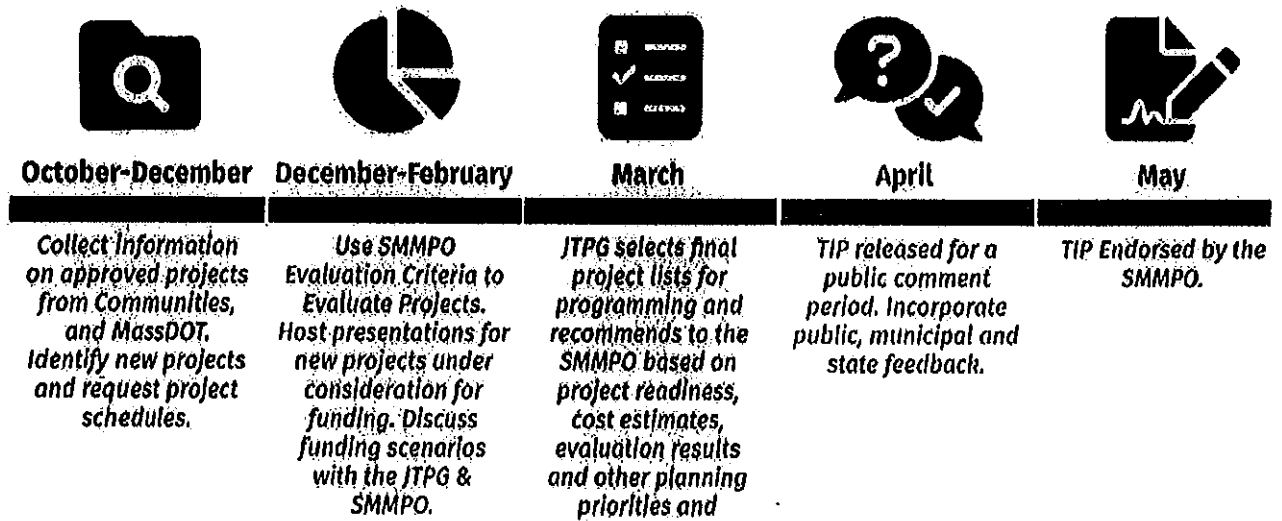
Amy Roderick, Chair of the Fairhaven Bikeway Committee and I will be meeting with Ms. Ellison soon to review some of the concerns raised by the Bikeway Committee and to discuss ways to, potentially, make the types of improvements that the Committee is looking for. We have been waiting for this meeting to take place until after the Special Town Meeting.

**Southeastern Regional Planning and Economic Development District (SRPEDD)** SRPEDD normally meets the last Wednesday of the month and, traditionally, with the Thanksgiving holiday, SRPEDD does not hold a November meeting.

**Southeastern Mass. Metropolitan Planning Organization (SMMPO)**. The SMMPO met on November 15<sup>th</sup>. Two highlights from that meeting were that SMMPO approved the FFY 2023-2027 Transportation Improvement Plan Adjustment for the New Airport Express Bus Service from the Mansfield MBTA Station and members reviewed the schedule for the upcoming years Regional

Transportation Plan Update (see schedule attached).

## Transportation Improvement Program Development Timeline



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ATTACHMENT D

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FAIRHAVEN SELECT BOARD  
CLASSIFICATION HEARING FY 2023



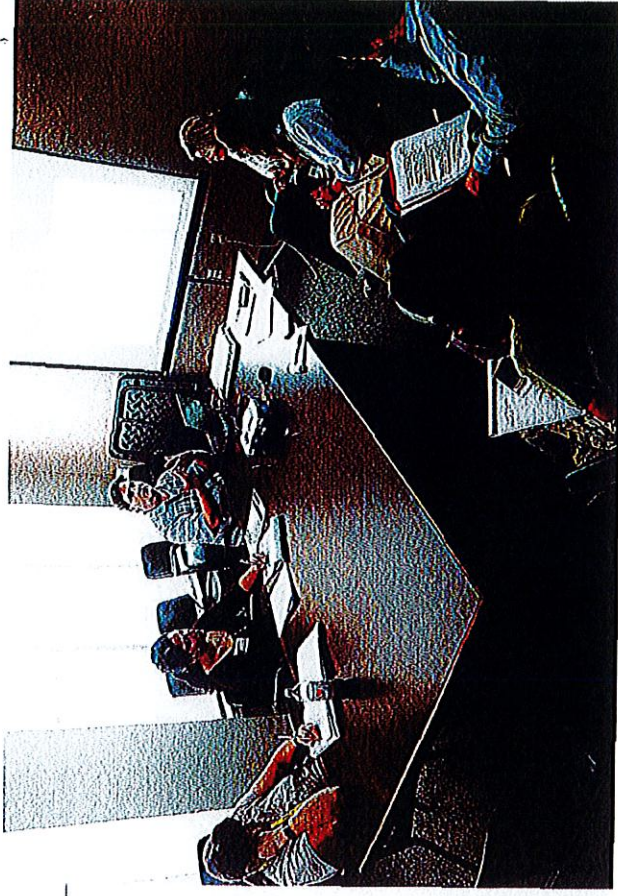
# Four Votes are taken

Tax Rate Shift

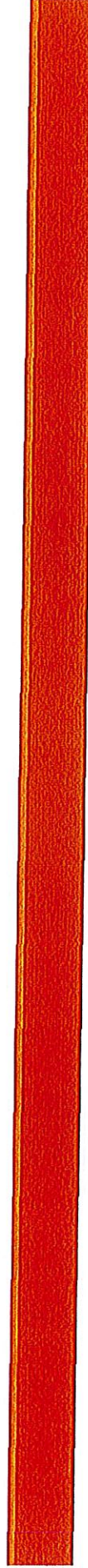
Residential Exemption

Open Space

Small Business Exemption



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## How is a tax rate set?

When the budget to operate the Town is finalized by the Select Board and Town Meeting, all receipts (actual and estimated) except for real estate and personal property taxes are subtracted.

In Fiscal Year 2023, the final budget was \$69,192,357 and the receipts totaled to \$36,407,067 leaving \$32,785,290 to be raised by real and personal property tax.

Taxable valuation for FY23 is \$2,900,600,435

Dividing the taxable value into the monies to be raised by RE & PP tax makes a single rate of \$11.30 per thousand of value.

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# How is the Tax Rate split to give relief to the Residential Class of properties?

The total residential class valuation was 86.24% of the total taxable valuation and the Commercial, Industrial and Personal Property total valuation was 13.76%.

With a single tax rate, each class raises the proportional share of the amount of money to raise (known as the levy)

That means for FY23 the Residential class would raise 86.24% of the levy (\$32,785,290) and the Commercial, Industrial, Personal Property classes would raise the balance.

To "split the rate" giving the residential class some relief, the Town historically has voted to give the maximum allowed shift to the Commercial, Industrial and Personal Property classes.



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## How is the “shift” calculated?

In this example of FY23 tax rates, the Commercial, Industrial and Personal Property classes (CIP), being 13.76% of total taxable value would have raised \$4,511,256.

Voting the max shift of 1.75% changes the amount of levy raised by the CIP classes to \$7,894,698 (\$4,511,256 X 1.75), an increase of \$3,383,442.

That increase to CIP is subtracted from the amount of levy to be raised by the residential class from \$28,274,034 (as a single rate) to \$24,890,592 (28,274,034 – 3,383,442)

Taxable values of each class stay the same so the rate to raise the levy is what changes



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## Result of Tax Shift

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Total Residential Value divided into the total levy portion the Residential Class raises (expressed "per thousand of value")

$\$24,890,592 / \$2,501,382,209 = \$9.95$

Total CIP Value divided into the total levy the CIP raises (again expressed "per thousand of value")

$\$7,894,698 / \$399,218,226 = \$19.78$

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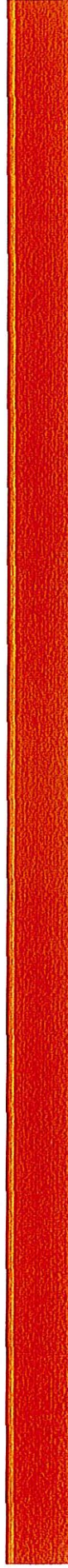
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# Impact of Tax Shift

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Residential Tax examples:

Value	At the single rate	At the adopted Shift	Savings
\$200,000	\$2,260.00	\$1,990.00	\$270.00
\$300,000	\$3,390.00	\$2,958.00	\$432.00
\$400,000	\$4,520.00	\$3,980.00	\$540.00
\$500,000	\$5,650.00	\$4,975.00	\$675.00



# What If ... Scenario Worksheet

CIP Shift	Res Factor	Res rate	Comm rate	Ind rate	Pers prop rate
1.7000	0.8883	10.04	19.21	19.22	19.21
1.7100	0.8867	10.02	19.33	19.33	19.33
1.7200	0.8851	10.00	19.44	19.44	19.44
1.7300	0.8835	9.99	19.55	19.55	19.55
1.7400	0.8819	9.97	19.67	19.67	19.67
1.7500	0.8803	9.95	19.78	19.78	19.78



# Tax Differences on Shift Options

SHIFT %	RESIDENTIAL RATE	CIP RATE	AVE. RES. VALUE	RESIDENTIAL TAX	AVE COMM/IND VALUE	TAX	RESIDENTIAL DIFFERENCE	C/I DIFFERENCE
1.75	\$ 9.95	\$ 19.78	\$ 394,058	\$ 3,920.88	\$ 1,090,044	\$ 21,561.07	0	0
1.74	\$ 9.97	\$ 19.67	\$ 394,058	\$ 3,928.76	\$1,090,044	\$ 21,441.16	\$ 7.88	\$ (119.91)
1.73	\$ 9.99	\$ 19.55	\$ 394,058	\$ 3,936.64	\$1,090,044	\$ 21,310.36	\$ 15.76	\$ (250.71)
1.72	\$ 10.00	\$ 19.44	\$ 394,058	\$ 3,940.58	\$1,090,044	\$ 21,190.45	\$ 19.70	\$ (370.62)
1.71	\$ 10.02	\$ 19.33	\$ 394,058	\$ 3,948.46	\$1,090,044	\$ 21,070.55	\$ 27.58	\$ (490.52)
1.70	\$ 10.04	\$ 19.22	\$ 394,058	\$ 3,956.34	\$1,090,044	\$ 20,950.64	\$ 35.46	\$ (610.43)



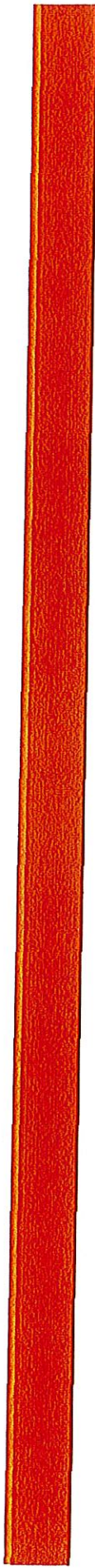
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## Open Space Discount

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There is no property within the Town that is classified as Open Space so the vote should be no.



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# Residential Exemption

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This exemption is given to all owner-occupied properties...the property being used by the owner as his or her domicile.

The calculation is taking the total residential class valuation and dividing by the number of parcels that class reflects and getting an average residential value.

The vote is to take from 1 – 35% of the average residential value and that is subtracted, to all qualified properties, from the taxable value.



In FY23, the Average Residential Value was \$394,058 ( $\$2,501,382,209 / 6,347$ )  
The Selectboard has the ability to choose a value exemption of up to 35% of the average.  
THERE IS A REVERSE IMPACT that should be taken into account and that is the  
Residential tax rate increases "paying for" the residential exemption so not to impact any  
other class of property.

Example:

The impact at a 20% vote and a 30% vote:

Assumption/guesstimate – 4,500 of the residential properties are eligible (owner  
occupied properties)

20% of \$394,058 = \$78,812 (rounded)      30% of \$394,058 = \$118,217 (rounded)  
4,500 X \$78,812 = \$354,654,000          4,500 X \$118,217 = \$531,976,500

Total Residential Value – Total value Residential exemption = new Taxable Residential  
Value

\$2,501,382,209 - \$354,654,000 = \$2,146,728,209  
\$2,501,382,209 – \$531,976,500 = \$1,969,405,709

It was established that the Residential Class is going to raise \$24,890,592 – that does not  
change.

At 20% the new Residential Tax Rate would be  $\$24,890,592 / 2,146,728,209 = \$11.59$   
At 30% the new Residential Tax Rate would be  $\$24,890,592 / 1,969,405,709 = \$12.64$

Example of impact

Original Value	No Exemption	20% Res Exemption	30% Res Exemption
\$200,000 -	\$1,990.00	\$1,404.56	\$1,033.74
\$300,000 -	\$2,985.00	\$2,563.57	\$2,297.74
\$400,000 -	\$3,980.00	\$3,722.57	\$3,561.74
\$500,000 -	\$4,975.00	\$4,881.57	\$4,825.74
\$600,000 -	\$5,970.00	\$6,040.57	\$6,089.74

The higher the assessed value – the higher the tax even with the exemption. This happens around the \$550,000 assessed value and up in this example.




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## Residential Exemption Caution

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In order to adopt this exemption, the Assessors Department will need at least a 10-month lead-time as the administration of this exemption is a complicated process of determining what accounts would be eligible. There is an application process that must be completed prior to the Town adopting any % of exemption. Any residential exemption that is not pre-determined and applied for after the billing will come out of the Overlay Account. Any deficit of the overlay account MUST be raised in the following year which will take from the overall budget limits of that year.






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## Small Business Exemption

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The small business exemption is similar to the residential exemption. The Select Board can vote a percent up to 10 to exempt property value. The qualifying businesses must have property valued \$1 million and under AND have fewer than 10 employees.

The amount of total value exempted from all qualifying properties is then subtracted from the total assessed value of all CIP properties, which in turn will increase the CIP tax rate.





Town of Fairhaven  
Massachusetts  
BOARD OF ASSESSORS  
40 Center Street  
Fairhaven, MA 02719

Ronnie Manzone, Chair  
Pamela K. Davis, MAA, Member  
Ellis B. Withington, Member

Daniel Lane, Principal Assessor  
Phone: (508) 979-4023

Email: dlane@fairhaven-ma.gov

November 21, 2022

TO: Select Board

FROM: Board of Assessors

Subject: Tax Rate Classification

As required by law, the Select Board must vote on the minimum residential factor, residential exemption, Open space (the Town currently does not have Open Space property) and the small business exemption. We have provided examples of the CIP (Commercial, Industrial & Personal Property) shifts for the residential exemption in the attached spreadsheet. Our recommendation is to adopt a shift of 1.75 which would be a vote of 88.03 which is the minimum residential factor.

For Fiscal Year 2023, this will result in a small rate decrease in both rates as illustrated below:

FY2023 Residential Property	\$9.95 / 1000
FY2022 Residential Property	\$10.22 / 1000
FY2023 CIP Property	\$19.78 / 1000
FY2022 CIP Property	\$20.39 / 1000

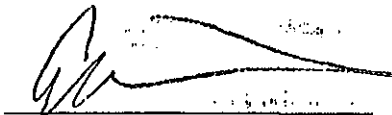
The average single-family home value for FY2023 is  $\$394,058 \times \$9.95 / 1000 = \$3,920.88$

The average single-family home value for FY2022 was  $\$366,206 \times \$10.22 / 1000 = \$3,742.63$

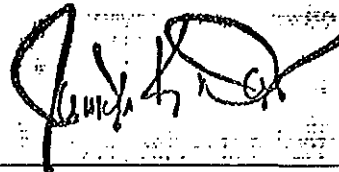
(What would happen if we went to a single tax rate? If we went to a single tax rate, the tax rate would be \$11.30/1,000 for all property. The average residential value of \$394,058 would result in a bill of \$4,452.85 vs the \$3,920.88.

  
Board of Assessors:

Ronnie Manzone, Chair



Ellis Withington



Pamela Davis, MAA

<b>TOWN OF FAIRHAVEN</b>			
<b>RESIDENTIAL</b>	<b>COMMERCIAL</b>	<b>TAX RATES</b>	
<b>YEAR</b>	<b>SINGLE RATE</b>	<b>RESIDENTIAL</b>	<b>COMMERCIAL</b>
1985	24.00		
1986	17.46		
1987	16.97		
1988	18.05		
1989	19.31		
1990		8.64	11.13
1991		9.63	12.26
1992		10.73	12.91
1993		12.01	14.44
1994		12.40	14.90
1995		12.90	15.62
1996		13.35	16.09
1997		13.28	16.01
1998		13.74	16.52
1999		14.52	17.39
2000		15.14	18.13
2001		15.14	18.17
2002		13.96	17.13
2003		11.82	17.65
2004		10.93	17.62
2005		8.35	16.66
2006		8.12	16.09
2007		7.92	15.61
2008		7.86	15.67
2009		8.30	16.51
2010		8.89	17.87
2011		9.56	19.3
2012		10.27	20.63
2013		10.77	21.58
2014		11.50	23.21
2015		12.15	24.50
2016		12.18	24.45
2017		12.04	24.27
2018		11.75	23.76
2019		11.67	23.47
2020		11.06	22.04
2021		11.29	22.53
2022		10.22	20.39
2023		9.95	19.78

# TOWN OF FAIRHAVEN

## TAX RATE SETTING INFORMATION

2003-2023

TAX RATE	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003		
MAO	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%	11.8%		
% INCREC. RAO	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%	-11.8%		
% INCREC. CIP	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%	-12.31%		
RAO	75.91	75.91	75.91	75.91	75.91	75.91	75.91	75.91	75.91	75.91	75.91	75.91	75.91	75.91	75.91	75.91	75.91	75.91	75.91	75.91	75.91		
CIP	24.09	24.09	24.09	24.09	24.09	24.09	24.09	24.09	24.09	24.09	24.09	24.09	24.09	24.09	24.09	24.09	24.09	24.09	24.09	24.09	24.09		
MAX LEVY LIMIT	502,871,000	511,550,152	520,468,882	529,443,431	538,483,234	547,582,214	556,740,274	565,957,421	575,224,164	584,540,501	593,906,531	603,322,254	612,787,671	622,302,681	631,867,284	641,481,481	651,145,271	660,858,654	670,621,541	680,434,921	690,298,801	700,213,181	
INCREC PRIOR YR	1,286,478	1,089,299	1,022,455	959,443,431	896,431,234	833,420,214	770,410,194	707,400,174	644,390,154	581,380,134	518,370,114	455,360,094	392,350,074	329,340,054	266,330,034	203,320,014	140,310,001	77,300,001	14,290,001	14,290,001	14,290,001	14,290,001	
TOTAL VAL - SLO	2,581,263,298	2,382,148,478	2,183,033,658	1,983,918,838	1,784,804,018	1,585,689,198	1,386,574,378	1,187,459,558	988,344,738	789,229,918	590,115,098	391,000,278	191,885,458	191,885,458	191,885,458	191,885,458	191,885,458	191,885,458	191,885,458	191,885,458	191,885,458	191,885,458	
TOTAL VAL - CIP	800,308,229	782,148,478	764,000,000	745,851,521	727,703,042	709,554,563	691,406,084	673,257,605	655,109,126	636,960,647	618,812,168	600,663,689	582,515,210	564,366,731	546,218,252	528,069,773	509,921,294	491,772,815	473,624,336	455,475,857	437,327,378	419,178,899	
TOTAL VALUATION	3,381,571,527	3,164,296,956	2,947,033,658	2,729,769,359	2,512,507,160	2,295,244,963	2,078,000,542	1,860,746,103	1,643,493,764	1,426,241,367	1,208,989,266	991,732,367	774,476,673	557,221,233	339,967,010	122,712,508	122,712,508	122,712,508	122,712,508	122,712,508	122,712,508	122,712,508	
% VAL - RAO	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	80.5%	
% VAL - CIP	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%	
CIP SHWR	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	1.75%	
NRW GROWTH	548,312	568,407	588,502	608,597	628,692	648,787	668,882	688,977	709,072	729,167	749,262	769,357	789,452	809,547	829,642	849,737	869,832	889,927	910,022	930,117	950,212	970,307	
UNRESRVED LEVY CAPACITY	51,311	53,728	56,145	58,562	60,979	63,396	65,813	68,230	70,647	73,064	75,481	77,898	80,315	82,732	85,149	87,566	90,000	92,433	94,867	97,300	99,733	102,167	
NOTE:																							

NOTE:  
 RAO is Residential and Open Space property  
 CIP is Commercial, Industrial and Personal Property

To: Fairhaven Select Board  
From: John Clifford, Labor Counsel  
CC: Angeline Lopes-Ellison, Cameron Durant  
Re: Performance Review Process – Town Administrator  
Date: November 17, 2022

This memo is intended to provide general guidance regarding the process to conduct a performance review of the Town Administrator. The process for a public body to conduct a performance review is governed by the Massachusetts Open Meeting Law (OML), General Laws, c. 30A, §§18-25. Generally, discussions regarding the professional competence or performance of an employee by a public body must be done in open session. The process of discussing the Town Administrator's performance is also governed by the employment agreement between Angie and the Select Board. The specific language is as follows:

**Section 5. Performance Evaluation**

Within ninety (90) days after the commencement of this Agreement the Select Board and the Town Administrator shall define the goals and performance objectives, and the Town Administrator's role in the attainment of such goals and objectives, which they determine necessary for the proper operation of the Town and attainment of the Employer's policy objectives. The Town Administrator shall further establish a relative priority among those various goals and objectives, said goals and objectives to be reduced to writing. The Town Administrator shall prepare and submit for the Select Board's approval a written document summarizing said goals and objectives which shall be signed by both parties.

During each December of the term of this Agreement, the Select Board shall review and provide feedback regarding the performance of the Town Administrator. During said review, the Select Board will also consider the Town Administrator's future goals and objectives.

There are a number of aspects of this process that are confusing and awkward, mainly because of the Open Meeting Law requirements. The OML does not make it easy for a board to have candid conversations with their employees about performance. That notwithstanding, a number of our clients have adopted the review process described below and found it productive.

I recommend that the Select Board formally vote to approve the process below, along with the performance instrument, as a start to this process.

1. The Select Board vote in open session to approve the performance review process for the Town Administrator.
2. A copy of the performance review instrument will be distributed to the individual members of the Select Board and the Town Administrator.

3. The Town Administrator should complete a self-assessment and distribute that to the Board members.
4. Each Board member should fill out the performance review instrument. Board members are advised that the assessment performed by individual Board members are not a public record unless that individual assessment is discussed in open session. Each of your individual performance assessments should be preserved as confidential personnel records.
5. It is highly recommended that each Board member set up a one-on-one meeting with the Town Administrator to discuss her performance and any specific concerns that the Board member may have identified as part of this process. These meetings should take place prior to the public discussion of the performance review.
6. Board members should each send their review document directly to Cameron Durant. Cam will compile the results into one document that represents the consensus of the Board. (Note: You are each permitted to review the individual assessments done by other Board members, but not until after the Board holds a public meeting to discuss the Town Administrator's performance. More on that below.)
7. Cam Durant will compile the results of the individual assessments and distribute a consensus document reflecting the findings. (Some of our clients do not have an HR Director and have had me compile the results and draft the consensus document. I will assist Cam in performing this task if needed.)
8. The Chair should schedule an open meeting discussion of the Town Administrator's review while the consensus document is compiled. The consensus document should be distributed to the Select Board and Town Administrator in advance of the open session discussion of that document. (Please note that the individual forms completed by Board members cannot be distributed to the rest of the Board until after the public discussion. Sharing of Board members' individual assessments prior to public discussion has been deemed by the Massachusetts Supreme Judicial Court as "deliberation" outside of a meeting, in violation of General Laws, c. 30A, §§18, 20. *Boelter v. Select Board of Wayland*, SJC 12353)
9. During the open meeting discussion, Board members may generally state their comments regarding the Town Administrator's performance, however, reference to their individual performance assessment or reliance on that document during discussion renders the individual assessment a public record subject to disclosure.

10. No public comment should be allowed during this discussion. This is an opportunity for the Select Board to evaluate the professional competence of the Town Administrator. Members of the public may have opinions on this subject, but those opinions would not be based on a comprehensive professional assessment of your employee's performance, and would only serve to undermine the legitimacy of this process.
  
11. The Select Board should formally vote to adopt the consensus review after discussion. The consensus compilation review document is a public record subject to disclosure upon request. It is not unheard of for towns to put the consensus document on the town website.

As part of this process you may wish to consider updating the goals and objectives. Those goals and objectives would presumably form the basis for next year's performance review.

As noted, this process is confusing and awkward in many respects. That being said, conducting performance reviews is a key part of maintaining a healthy working relationship with your Town Administrator. It also provides key information when it is time to consider renewing the Town Administrator's contract.

If you have any questions or concerns regarding this process, please feel free to contact me.

Sincerely,

s/s John J. Clifford

John J. Clifford, Esq.  
BBO#630769  
Clifford and Kenny, LLP

## Town Administrator Evaluation December 2022

<p><b>Section 1: Agreed upon Goals and Objectives</b></p>	<p><b><u>Goal 1: Human Resources Improvements</u></b> To strengthen the Town's Human Resources operation in ways that will enhance employee productivity, create an atmosphere of mutual respect and team work, develop an equitable and competitive compensation and benefits plan, and foster employee accountability for job performance.</p> <ul style="list-style-type: none"> <li>• Present Personnel Rules and Regulations for Select Board approval from which an Employee Hand book will be written. All town employees will be provided training on these new personnel documents</li> <li>• Continue to work with Department Directors on developing succession and cross training plans for key employees</li> <li>• Develop a training program for employees and volunteers on conflict of interest, sexual harassment, cyber security, official communications, and other laws, policies and regulations as appropriate and necessary</li> </ul> <p>Ensure that the functions of human resources department are fully put into place consistent with town bylaws</p>	<p><b><u>Goal 2: Financial Sustainability</u></b> Establish long term financial sustainability for the Town by adherence to approved financial policies regarding reserve levels, balanced budgets and capital financing, financial forecasting, controlling fixed costs (pension, OPEB, Health Insurance) and augmenting revenues (tax base expansion, grants, user fees).</p> <ul style="list-style-type: none"> <li>• Develop a monthly Executive Summary Report of Key Financial Indicators available to the Select Board.</li> <li>• Review town's financial policies in consultation with DOR, Auditors and Financial Advisor</li> <li>• As part of the FY23 operating budget process review the adequacy of department staffing levels to ensure department mission is accomplished and to leverage grant opportunities.</li> <li>• Continue to implement best practices for cash management at department level with an emphasis on improving customer service and internal controls.</li> <li>• Develop and implement a comprehensive plan for the use of state and federal covid relief funds consistent with regulations.</li> </ul>	<p><b><u>Goal 3: Inter and Intra Governmental Cooperation</u></b> Identify and advance opportunities for cooperation between Town departments, Fairhaven Public Schools, neighboring municipalities, non-profit organizations and regional governments as ways to improve services and reduce costs.</p> <ul style="list-style-type: none"> <li>• Review possible ways that the town and school building maintenance can be made more efficient and effective, by applying for Community Compact Grant to study feasibility of establishing a consolidated facility management operation.</li> <li>• Determine the feasibility of establishing a regional Police/Fire 911 Public Safety Answering Point</li> <li>• Study the feasibility and necessity of a Revenue Sharing Agreement with Fairhaven Public Schools</li> <li>• Consistent with state regulations, develop and implement a program of electronic scanning of paper records (or eliminate as appropriate) with the intent to create virtual Town Hall, free up office space and reduce fire risks</li> </ul>
<p>Far Exceeds Expectations – 5</p>	<p style="text-align: center;"><input type="text"/></p>	<p style="text-align: center;"><input type="text"/></p>	<p style="text-align: center;"><input type="text"/></p>



**Town Administrator Evaluation  
December 2022**

Exceeds Expectations – 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Meets Expectations / Average – 3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Needs Improvement – 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fails to Meet Expectations – 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**COMMENTS**

## Town Administrator Evaluation December 2022

Section 2: Knowledge, Skills, and Professional Development	1. Maintains knowledge of current developments affecting the practice of local government management	2. Willing to try new ideas to supplement or stretch resources and improve the management of services and programs. Shows originality in approaching problems, creates effective solutions, and is able to visualize the implications of various alternatives	3 Exercises fair and unbiased professional judgment in providing services and arriving at decisions	4. Anticipates and analyzes problems to develop effective approaches for solving them
Far Exceeds Expectations – 5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Exceeds Expectations – 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Meets Expectations / Average – 3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Needs Improvement – 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fails to Meet Expectations – 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**COMMENTS**

## Town Administrator Evaluation December 2022

Section 3: Core Responsibilities: Staffing, personnel, financial, and management relations	1. Is successful at recruiting and retaining competent personnel and appointees for town and ensures the fair and equitable treatment of employees	2. Encourages heads of departments to make decisions within their jurisdictions with minimal manager involvement, yet maintains general control of operations; provides the right amount of communication to the staff. Instills confidence and promotes initiative through to promote their program rather than restrictive controls for their programs while still monitoring operations at the department level	3. Directs the preparation of a balanced budget that provides budget that levels consistent with elected body policy and direction. Makes the best possible use of available funds, conscious of the need to operate the organization in an efficient and effective manner	4. Monitors the budget to ensure that funds are spent correctly. Budget is prepared in a readable and easy-to-understand format. Keeps the elected body apprised of major financial issues affecting the organization	5. Motivates and communicates well with staff. Exhibits a loyal, cooperative attitude towards co-workers and the organization.	6. Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback
Far Exceeds Expectations – 5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Exceeds Expectations – 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Meets Expectations / Average – 3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Needs Improvement – 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fails to Meet Expectations – 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**COMMENTS**

## Town Administrator Evaluation December 2022

Section 4: Leadership, Board Relations, and Personal Qualities	1. Energetic and willing to spend the time necessary to do a good job, has good initiative, and is a self-starter	2. Seeks and accepts constructive criticism of work. Demonstrates appropriate diplomacy and restraint in professional relationships. Demonstrates ability to work well with individuals and groups	3. Maintains high standards of ethics, honesty and integrity in all professional matters.	4. Conducts self in an impartial manner toward the SB. Refrains from criticism of SB members and actions of the Board
Far Exceeds Expectations – 5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Exceeds Expectations – 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Meets Expectations / Average – 3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Needs Improvement – 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fails to Meet Expectations – 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**COMMENTS**

## Town Administrator Evaluation December 2022

Section 5: Community Relations and Communications	1. Provides the boards and committees with information (written and/or verbal) concerning matters of importance to the organization in a timely fashion and provides equal information to all members without prejudice	2. Writes in a clear and concise manner, using terms and styles that are easily understood by the intended reader.	3. Speaks in a clear, distinct and understandable manner.	4. Is approachable, accessible, available and responsive to the community, and displays diplomacy and tact when responding to others	5. Cooperates with neighboring communities and the county. Cooperates with other regional, state, and federal government agencies	6. Meets with and listens to members of the community to discuss their concerns, and strives to understand their interests
Far Exceeds Expectations – 5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Exceeds Expectations – 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Meets Expectations / Average – 3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Needs Improvement – 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fails to Meet Expectations – 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**COMMENTS**