



FAIRHAVEN SELECT BOARD

Meeting Minutes

January 17, 2023

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

Absent: Chair Stasia Powers

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

Mr. Correy opened the meeting at 6:30 pm

Moment of Silence: In honor of Reverend Martin Luther King, Jr. Day on Monday.

TOWN ADMINISTRATOR:

- The Wellness Committee is up and running, looking for positive engagement with employees on the benefits within Town and will be starting an employee volleyball team. Employees interested can see Human Resources or send an email to hr@fairhaven-ma.gov; they are in the process of establishing teams.
- Fairhaven TV is nominated in four categories for Mass Creator Awards. Any win will make a “three-peat” for the team. The event is in Boston on January 25, 2023.
- “Kizuna” Winter 2022 magazine came in and is available in the office for anyone interested. This is part of the shared sister relationship with Japan.
- The dates of the Executive Session minutes reviewed on January 9, 2023 should have been announced to enter into the public record. Ms. Ellison read the list and recommendations made by the Board. The minutes will be reviewed by Town Counsel for final recommendations (*Attachment A*).
- Continuing to fill the current vacancies and looking at alternatives with the use of third-party consultants due to shortages in positions, like the financial fields.
- Southeastern Regional Planning and Economic Development District (SRPEDD) representatives attended the January 10, 2023 Department Head meeting. They were there to gather feedback and information from questions sent to the department heads prior to the meeting. Discussion between Police, Fire and BPW focused on a few known trouble spots (ex. the Alden Road area). No specific actions or next steps were discussed.

SELECTION OF 2022 ANNUAL REPORT COVER:

Twenty-eight photos were submitted and Select Board members selected their top three and submitted them into Ms. Hart last week. The top four photos were displayed and the Board discussed different options for the front and back covers.

Motion: Mr. Murphy motioned to accept picture number 15 as the front cover and use the others as the back cover for the 2022 Annual Report cover photo. Mr. Silvia seconded. The motion passed unanimously. (4-0-0)

ONE-DAY BEER/WINE LICENSE (BEER ONLY): ANNUAL BUZZARDS BAY SWIM:

The Buzzards Bay Swim is a yearly event, being held this year on Saturday, June 24th. All paperwork is

on file in the Select Board office and the fee has been paid.

Motion: Mr. Murphy motioned to approve the special one-day beer and wine license submitted by Jonah Guerin for the Buzzards Bay Swim event on June 24, 2023 from 7 am to 11 am. Mr. Silvia seconded. The motion passed unanimously. (4-0-0)

CALL ANNUAL TOWN MEETING ON SATURDAY, MAY 6, 2023:

The Annual Town Meeting is scheduled for Saturday, May 6, 2023 at 9:00 AM

Motion: Mr. Murphy motioned to set and call the Fairhaven Annual Town Meeting on May 6, 2023 at 9:00 AM. Mr. Silvia seconded. The motion passed unanimously (4-0-0)

PROTOCOL FOR INFORMATION DISSEMINATION:

Mr. Espindola asked if this item could be postponed to a meeting where all Board Members are present because this is a policy item.

Ms. Ellison clarified that this was an item requested by board members and the Board has three options: discuss and not vote, discuss and vote or postpone. No supporting documentation is available for this item. Ms. Ellison added this item for discussion on information disseminated to the Board after material was presented at two recent meetings that was not anticipated. This is intended to establish a protocol for the way information is passed amongst board members to give enough time to prepare and evaluate. Concerns were shared with her regarding the two previous meetings.

The Board discussed their preferences for receiving information, preparing for meetings, and having the material available to the public for transparency sake. Following the Open Meeting Law (OML) is also important and Ms. Ellison can pass information along to the Board if it is informational and does not violate OML. A protocol can be established. There are times when information is not available and is distributed closer to the meeting. Ms. Ellison asked for guidance on when to bring back a protocol and will reach out to the Town of Dartmouth who also has a five-member board.

Mr. Espindola will reach out to State Ethics and will wait for a written response which can take about thirty days.

The Board tabled this item for a month to allow time for a response on the OML violation question.

COLLECTIVE BARGAINING AGREEMENTS: WATER AND DISPATCH

Contracts between the Town of Fairhaven and Unions representing Water Department employees and Police Dispatch employees were approved through Special Town Meeting and the Select Board will vote to ratify the contracts. Both contracts are retroactive to July 1, 2022.

Motion: Mr. Murphy motioned to approve and ratify the collective bargaining agreement between the Town of Fairhaven and the Teamsters Union Local 59 covering the water department employees effective July 1, 2022. Mr. Silvia seconded. The motion passed unanimously (4-0-0)

Motion: Mr. Murphy motioned to approve and ratify the collective bargaining agreement between the Town of Fairhaven and the New England Police Benevolent Association Local 106 representing the dispatch employees effective July 1, 2022. Mr. Silvia seconded. The motion passed unanimously (4-0-0)

BLUE STREAM SHELLFISH, LLC; CONTRACT EXTENSION

The agreement covers an area next to Hoppy's Landing where Blue Stream Shellfish, LLC was connected

to Town electrical outlet and they had a year to add a power source. Their letter explains obstacles faced and the extension would be for six months. Blue Stream Shellfish, LLC pays the electric bill for this, the Town is not funding the electric use.

Ms. Ellison read from the agreement terms, “the terms of this agreement shall be six months from the date set forth above, provided that this agreement may be extended for two additional successive periods of six months by written request of Blue Stream to the Town, not to exceed a cumulative period of eighteen months unless otherwise agreed in writing by the parties.

Motion: Mr. Murphy motioned to modify the agreement between the town of Fairhaven and Blue Stream Shellfish to extend the contract period for 6 months to June 17, 2023. Mr. Silvia seconded. The motion passed unanimously (4-0-0)

TEMPORARY STREET CLOSURE POLICY:

Town Counsel reviewed and made edits to the draft of the policy that the Board had discussed initially in September, 2022. Mr. Espindola asked to see the tracked changes in the draft.

The Board tabled this item until the February 6, 2023 meeting.

COMMITTEE LIAISON REPORTS

Mr. Murphy reported:

The Lagoa Friendship Pact met, a new attendee wants to become a member.

Mr. Espindola reported:

Updates on the Broadband Study Committee, SMMPO and the Bikeway Committee has a new member request which should be on the next agenda. (*Attachment B*)

Mr. Correy reported:

The 40R Working Group meets next week. The Belonging Committee is rescheduled to next week. Digital Equity has scheduled a call with Ms. Ellison and Mr. Correy. The Library meets tonight.

Mr. Espindola asked for clarification on an answer to one of the questions about digital equity efforts in the Town. He stated that the Veteran’s Agent and Council on Aging Director do assist clients with program applications for lower cost internet. Mr. Correy clarified, the question was in reference to maps and zones they defined and none of the pre-defined maps and zones fell in Fairhaven.

Mr. Silvia reported:

No meetings to report on

PUBLIC COMMENT

No public comment

BOARD MEMBER ITEMS

Mr. Espindola commented in regards to MLK Day, “sounds like it was a great event.” He also addressed the Boston Common Monument that just opened on Friday called “The Embrace”. He has received calls about issues with trash pick-up, these calls should go to the Board of Public Works, important to note, there is a new contractor doing the trash collection work. He was glad to see the volleyball coming back through the Wellness Committee and suggested friendly competition.

Mr. Correy: Pleased with volunteer interest and glad to hear two new people are interested and welcomes more. Thanked the City of New Bedford and Our Lady of Assumption Church for holding the MLK Day Community Program with Fairhaven's Jessica Fidalgo as a member. The speaker was Rahsaan Hall, who tied together the meaning behind MLK and the Civil Rights Movement. Many public officials attended. Awards were presented to the kids for art and poetry.

News and Announcements:

The next regularly scheduled meeting of the Select Board is *Monday, February 6, 2023* at 6:30 p.m. in the Town Hall Banquet Room

Adjourned at 7:44 PM

Respectfully submitted on behalf of the Select Board Clerk (ah)

Attachments:

1. **Executive Session Minutes Review, list of dates**
2. **Committee Liaison Report, Robert Espindola**

Executive Session Minutes Review

Monday, January 9, 2023, Executive Session

2020 Date	Recommendation	Notes
1/29/2020	release with redactions	
3/9/2020	release	
5/11/2020	release	
5/28/2020	release	
6/30/2020	release	
7/13/2020	release	
8/17/2020	<i>on hold</i>	
9/8/2020	was released 2/7/22	
9/21/2020	was released 2/7/22, with redactions	
10/5/2020	<i>on hold</i>	
11/2/2020	<i>on hold</i>	
11/19/2020	<i>on hold</i>	
12/7/2020	<i>on hold, released 2/7/22, with redactions</i>	
2021 Date	Recommendation	Notes
1/11/2021	release with redactions	
1/25/2021	release with redactions	
2/8/2021	release with redactions	
2/22/2021	release with redactions	
4/26/2021	release (was previously held)	
5/10/2021	<i>on hold</i>	
6/1/2021	release	
6/7/2021	release	
8/9/2021	<i>on hold</i>	
9/13/2021	<i>on hold</i>	
9/16/2021	release	
10/12/2021	release	
12/6/2021	release	
12/20/2021	release	
2022 Date	Recommendation	Notes
2/7/2022	release	
2/10/2022	release	
2/22/2022	release	
2/28/2022	release with redactions	
3/14/2022	release	
3/28/2022	<i>on hold</i>	
5/23/2022	<i>on hold</i>	
6/6/2022	release with redactions	
7/5/2022	<i>on hold</i>	
7/26/2022	<i>on hold</i>	
8/15/2022	<i>on hold</i>	
9/6/2022	<i>on hold (until CBAs finalized)</i>	
10/17/2022	released 12/19/22 with redactions	

**all SB recommendations pending Town Counsel review*

Committee Liaison Report – Bob Espindola – January 17th, 2023

Broadband Study Committee.

After polling the communities who have expressed interest on their availability, I have set up a meeting with the Broadband Coalition on January 24th at 6:30 P.M. I will let you know how that goes.

SMMPO

The SMMPO met earlier today and reviewed the federally mandated reporting of Congestion, Reliability, and Emissions Performance Measures (PM3) Presentation as well as Safety Performance Measures (PM1).

The goal of SMMPO transportation projects is to target areas where these statistics show poor performance or trends in the wrong direction.

Statistics were skewed during COVID reporting periods and then, this past year, unfortunately, have trended in the wrong direction.