



FAIRHAVEN SELECT BOARD

Meeting Minutes

April 11, 2023

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

Also Present: Finance Committee: Patrick Elliott, Terry Szala, Steve Levesque, Robert Grindrod, Linda Gallant. Via zoom, Lisa Plante, Peter Gardner and Claire Millette.

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

Ms. Powers opened the Select Board meeting at 6:00PM

Mr. Elliott opened the Finance Committee meeting at 6:00pm and yielded to Ms. Powers

Motion: Mr. Murphy motioned to enter Executive Session and return to Open Session at 6:30PM Pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements”: Public Records Law, G.L. c. 4, s. 7(26) and Open Meeting Law, G.L. c. 30A, §§ 22(f), (g) (*Casey Boat LLC*). Mr. Silvia seconded. Roll Call Vote, Mr. Murphy in favor, Mr. Silvia in favor, Mr. Correy in favor, Mr. Espindola in favor and Ms. Powers in favor. The motion passed unanimously (5-0-0).

Mr. Elliott recessed the Finance Committee meeting for thirty minutes.

The Select Board returned to Open Session at 6:30PM and the Finance Committee reconvened their meeting at 6:30PM.

A moment of silence was observed for Fairhaven resident Robert Waite who recently passed away.

MINUTES:

Motion: Mr. Murphy motioned to approve the minutes of the joint Select Board and Finance Committee meeting of March 13, 2023. Mr. Silvia seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Murphy motioned to approve the minutes of the joint Select Board and Finance Committee meeting of March 16, 2023. Mr. Silvia seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Murphy motioned to approve the minutes of the joint Select Board and Finance Committee meeting of March 23, 2023. Mr. Silvia seconded. Mr. Espindola requested to amend page three to read, “...*from Mr. Furtado and suggested...*” Mr. Murphy amended his motion to accept the minutes with the amendment. Mr. Silvia seconded. The motion passed unanimously (5-0-0).

Select Board Reorganization:

Ms. Ellison opened the nominations for Chair. Ms. Powers nominated Mr. Correy for Chair, Mr. Correy accepted the nomination. No other nominations, Ms. Ellison closed the nominations.

Motion: Mr. Murphy motioned to appoint Leon Correy as Chair for the year. Mr. Silvia seconded. The motion passed unanimously (5-0-0).

Ms. Ellison opened the nominations for Vice-Chair. Mr. Silvia nominated Mr. Murphy for Vice-Chair, Mr. Murphy accepted the nomination. No other nominations, Ms. Ellison closed the nominations.

Motion: Mr. Correy motioned to appoint Charles Murphy as Vice-Chair for the year. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

Ms. Ellison opened the nominations for Clerk. Mr. Silvia nominated Ms. Powers for Clerk, Ms. Powers accepted the nomination. No other nominations, Ms. Ellison closed the nominations.

Motion: Mr. Correy motioned to appoint Stasia Powers as Clerk for the year. Mr. Silvia seconded. The motion passed unanimously (5-0-0)

Budget Terminology Breakdown:

Ms. Ellison reviewed and discussed a presentation illustrating budget terminology. She showed the FY24 Budget Information Hub and walked through how to navigate the page options and the override calculator. Entering the assessed value of a home will show the additional tax a resident would pay for FY24 if the override passes.

Discussion on using assessed value through the Assessor's Office and not the values from online sites. Mr. Bienvenue also explained how the tax rate of \$9.73 was calculated. He used the figures from the Assessor's Office taking the amount of the levy to be raised and dividing it by the total value of the Town, adding a trend factor of 6%. Mr. Espindola asked if an asterisk could be placed next to the rate in online references to indicate that property values may increase.

Ms. Ellison handed out an updated General Fund Operating Budget sheet and updated draft of the Town Meeting warrant (*Attachment A*). The contingency budget amount is with an override, the Finance Committee recommended budget is shaded in blue, it does not match the yellow shaded column because the blue shaded area reflects \$200,000 removed from the School budget and \$250,000 removed from the salary reserve section.

Discussion ensued regarding educating residents and the importance of the precinct meetings prior to Town Meeting. Alternate budgets can be motioned on the Town Meeting floor. Mr. Bienvenue explained that even if alternate budgets are proposed, the ballot question remains and alternate budgets would need to go back before another Town Meeting.

Mr. Bienvenue explained he will be wrapping up his work and sending his recommendations to Ms. Ellison, which includes addressing budgetary issues on spending challenges, having a complete financial plan with projections of five and ten years out, and keeping it simple by having a process that includes periodic reporting.

Mr. Espindola referred to the Department of Revenue template as a tool to share with the public and asked for an analysis of the budget sheet handed out earlier.

School Superintendent Tara Kohler addressed the Board regarding what a \$200,000 cut to the school budget could entail. The main impacts would be the risk of being below net school spending requirements from the state, the Family Center would no longer be funded once the current Esser Grant ends, various

staff positions, programs and unified sports would be eliminated. She advised that the School Committee would be discussing at an upcoming meeting.

Review and Recommend Budget:

The Finance Committee members were actively engaged in discussions with the Select Board members.

Public Safety, line 35, Fire

Motion: Mr. Espindola motioned to recommend Adoption of \$3,059,527 on line 35 of Article 7A. Ms. Powers seconded. The motion passed unanimously (5-0-0)

Motion: Mr. Espindola motioned to recommend Adoption of \$7,948,141 Public Safety salaries and wages and \$989,137 operating expenses for a total Public Safety \$8,937,278. Ms. Powers seconded. The motion passed unanimously (5-0-0).

School

Motion: Ms. Powers motioned to recommend Adoption of \$23,953,641, School contingent budget. Mr. Murphy seconded. The motion passed (4-1-0, Mr. Espindola opposed).

Non-Departmental Lines 75-81

Salary Reserve

Motion: Mr. Espindola motioned to recommend Adoption of \$600,000 Salary Reserve. Mr. Murphy seconded. The motion fails (2-3-0, Mr. Correy, Mr. Murphy and Ms. Powers opposed).

Discussion about potential for alternate options and consistency with previous voting. Ms. Ellison advised that alternate proposals create a non-contingent Select Board budget.

Motion: Ms. Powers motioned to recommend Adoption of \$850,000 Salary Reserve contingent budget. Mr. Correy seconded. The motion passed (3-2-0, Mr. Silvia and Mr. Espindola opposed).

Motion: Mr. Espindola motioned to recommend Adoption of \$10,911,560 Non-Departmental operating expenses. Ms. Powers seconded. The motion passed unanimously (5-0-0)

Debt Service

Mr. Bienvenue explained that prior Town Meeting approvals are not reflected in the FY24 numbers. The number represents what is scheduled and already issued, other items are not included because the projects cannot start until July and his recommendation is to watch bond rates, do bond anticipation notes with one-year terms and make sure no borrowing is done before July 1, 2023 which would push it into FY25.

Motion: Mr. Espindola motioned to recommend Adoption of \$1,131,020 Debt Service. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Article 4-Bills of Prior Year

Ms. Ellison asked the Board if they were reconsidering and taking a vote on this article. The Board did not reconsider their prior vote to recommend "At Town Meeting"

Article 5B-FY23 Sewer Fund Adjustment

This article is to transfer the Sewer Retained Earnings as of June 30, 2023 to the Sewer Stabilization Fund.

Motion: Mr. Espindola motioned to recommend Adoption of \$301,357 FY23 Sewer Fund Adjustment. Ms. Powers seconded. The motion passed unanimously (5-0-0)

Article 8B-Middle School Roof Replacement

The article is now a transfer of \$1,159,288 from Surplus Revenue (Free Cash) and \$1,238,032 from the Capital Stabilization Fund for a total of \$2,397,320 for replacement of the Middle School roof.

Motion: Mr. Espindola motioned to recommend Adoption of a transfer of \$1,159,288 from Surplus Revenue (Free Cash) and \$1,238,032 from the Capital Stabilization Fund for a total of \$2,397,320 for replacement of the Middle School roof. Ms. Powers seconded. The motion passed unanimously (5-0-0)

Article 9A and 9B-Water Enterprise Fund Capital Budget

These articles fund Water Department projects as outlined.

Motion: Mr. Espindola motioned to recommend Adoption of \$100,000 for the Lead Service Inventory. Ms. Powers seconded. The motion passed unanimously (5-0-0)

Ms. Powers noted both articles 9A and 9B were previously voted as recommend Adoption.

Article 10A, line items 1 and 2-Sewer Enterprise Fund Capital Budget

This article funds two projects, Inflow and Infiltration Study and the Portable Pump.

Motion: Mr. Espindola motioned to recommend Adoption of \$250,000 for the Inflow and Infiltration Study. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Espindola motioned to recommend Adoption of \$50,000 for the Portable Pump. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Article 10B-Borrowing Authorization-Pump Station Improvements

This article is to authorize borrowing of \$3,750,000 for borrowing for the pump station improvements.

Motion: Mr. Espindola motioned to recommend Adoption of \$3,750,000 Borrowing Authorization for Pump Station Improvements. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Article 11-Other Budget Items

The Board previously passed over Article 11A, line item 1-Transfer to Capital Stabilization Fund and line item 2-Transfer to Other Post-Employment Benefits (OPEB). Article 11B-Compensated Absence Reserve Fund, to care for funding employee payouts at retirement alleviating the wage and salary burden and Article 11C-Cost-of-Living Adjustments (COLA) Retirees.

Motion: Mr. Espindola motioned to recommend Adoption of \$120,000 for Funding of Reserve Articles, line item 1, Transfer to Capital Stabilization Fund. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Espindola motioned to recommend Adoption of \$300,000 for Funding of Reserve Articles, line item 2, Transfer to OPEB. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Espindola motioned to recommend Adoption of \$1,080,312 for Funding of Reserve Articles, line items 1-15. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Espindola motioned to recommend Adoption of \$75,000 for a Compensated Absence Reserve Fund. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Espindola motioned to recommend Adoption of \$16,000 for Funding of COLA Retirees. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Article 16-Finance Director language change

Mr. Espindola completed his research, no discussion.

Motion: Mr. Espindola motioned to recommend Adoption of Article 16. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Close the Town Meeting Warrant

The Board completed the review of the Town Meeting Warrant articles and recommendations for each article.

Motion: Mr. Espindola motioned to place the articles as written and close the May 6, 2023 Town Meeting Warrant. Ms. Powers seconded. The motion passed unanimously (5-0-0).

The Finance Committee asked if the warrant can be closed without their report. Ms. Ellison explained that closing the warrant means no additional articles can be added, recommendations can be made or changed, the content stays the same.

Mr. Espindola asked for agenda items for April 18, 2023, Financial Forecasting and DOR queue request.

News and Announcements:

The next regularly scheduled meeting of the Select Board is Tuesday, April 18, 2023 at 6:30 p.m. in the Town Hall Banquet Room

Meeting adjourned at 9:30PM

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

Attachments:

A. General Fund Operating Budget and draft of the Town Meeting Warrant

Article 7A

LINE	Function/ Dept. #	Department Name/Function Totals	FY 2023 Budgeted	FY 2024 Requested / Contingent Budget	FY 2024 Non - Contingent Budget
GENERAL GOVERNMENT					
1	114	Moderator Salary	1,000	1,000	1,000
	122,195,405	Select Board/Town Administrator			-
2		Salaries & Wages	325,016	322,412	322,412
3		Operating Expenses	22,470	27,910	27,910
	153	Human Resources			-
4		Salaries & Wages	131,160	193,943	193,943
5		Operating Expenses	12,370	20,975	20,975
	113 / 131	Town Meeting/Finance Committee			-
6		Salaries & Wages	1,500	1,000	1,000
7		Operating Expenses	7,945	7,945	7,945
8		Reserve Fund	100,000	100,000	100,000
9	151	Legal	180,000	180,000	180,000
	192	Town Hall			-
10		Salaries & Wages	56,252	56,916	56,916
11		Operating Expenses	63,913	76,150	76,150
	155	Consolidated Information Technology			-
12		Salaries & Wages	335,274	339,994	339,994
13		Operating Expenses	154,493	202,415	202,415
General Government Salaries & Wages			850,202	915,265	915,265
General Government Operating Expenses			541,191	615,395	615,395
Subtotal General Government			1,391,393	1,530,660	1,530,660
MUNICIPAL FINANCE					
	135	Accounting			
14		Salaries & Wages	151,321	162,616	162,616
15		Operating Expenses	58,453	60,713	60,713
	145	Treasurer/Collector			
16		Salaries & Wages	400,591	336,072	336,072
17		Operating Expenses	126,160	120,900	120,900
	141	Assessors			
18		Salaries & Wages	210,641	200,876	200,876
19		Operating Expenses	45,643	45,060	45,060
Municipal Finance Salaries & Wages			762,553	699,564	699,564
Municipal Finance Operating Expenses			230,256	226,673	226,673
Subtotal Municipal Finance			992,809	926,237	926,237
TOWN CLERK/ELECTIONS					
20	161,163	Subtotal Salaries & Wages	160,549	143,328	143,328
21		Subtotal Operating Expenses	37,208	29,258	29,258
PLANNING & DEVELOPMENT					
	175-00	Planning Board			
22		Salaries & Wages	3,200	3,000	3,000
23		Operating Expenses	3,990	2,930	2,930
	175-01	Planning and Economic Development			
24		Salaries & Wages	128,463	132,942	132,942

LINE	Function/ Dept. #	Department Name/Function Totals	FY 2023 Budgeted	FY 2024 Requested / Contingent Budget	FY 2024 Non - Contingent Budget
25		Operating Expenses	9,500	15,525	15,525
	175-02	Economic Development Committee			
26		Salaries & Wages	1,500	1,500	1,500
27		Operating Expenses	6,500	6,500	6,500
	176	Board of Appeals			
28		Salaries & Wages	5,304	3,500	3,500
29		Operating Expenses	18,920	3,700	3,700
	171	Conservation Commission			
30		Salaries & Wages	99,797	98,758	98,758
31		Operating Expenses	21,569	11,980	11,980
32	122	Buzzards Bay Action Committee	1,800	1,800	1,800
Planning & Development Salaries & Wages			238,264	239,700	239,700
Planning & Development Operating Expenses			62,279	42,435	42,435
Subtotal Planning & Development			300,543	282,135	282,135
PUBLIC SAFETY					
	210,292	Police Department/Animal Control			
33		Salaries & Wages	4,214,132	4,519,338	4,519,338
34		Operating Expenses	469,477	488,520	488,520
	220,225,291	Fire Department/Emergency Management			
35		Salaries & Wages	2,798,579	3,059,527	2,909,527
36		Operating Expenses	413,561	451,657	451,657
	241	Building Department			
37		Salaries & Wages	182,565	183,696	183,696
38		Operating Expenses	11,350	5,350	5,350
	298	Marine Resources			
39		Salaries & Wages	177,966	178,440	178,440
40		Operating Expenses	75,145	43,110	43,110
	244	Weights & Measures			
41		Salaries & Wages	7,140	7,140	7,140
42		Operating Expenses	200	500	500
Public Safety Salaries & Wages			7,380,382	7,948,141	7,798,141
Public Safety Operating Expenses			969,733	989,137	989,137
Subtotal Public Safety			8,350,115	8,937,278	8,787,278
EDUCATION					
43	300	Subtotal Fairhaven Public Schools	22,910,638	23,953,641	23,753,641
44	301	Subtotal NB Regional Technical HS	2,217,552	2,397,000	2,397,000
45	302	Subtotal Bristol County Agricultural HS	181,000	235,000	235,000
PUBLIC WORKS					
	421	Administration Division			
46		Salaries & Wages	213,644	223,502	223,502
47		Operating Expenses	9,925	13,525	13,525
	403,405,420	Highways Division			
48		Salaries & Wages	1,361,754	1,279,388	1,279,388
49		Operating Expenses	665,222	723,912	723,912
50		Snow & Ice	60,000	60,000	60,000

LINE	Function/ Dept. #	Department Name/Function Totals	FY 2023 Budgeted	FY 2024 Requested / Contingent Budget	FY 2024 Non - Contingent Budget
	650	Parks Department			
51		Salaries & Wages	134,317	139,896	139,896
52		Operating Expenses	47,029	53,500	53,500
	294,295	Tree Department			
53		Salaries & Wages	47,186	27,321	27,321
54		Operating Expenses	23,280	40,345	40,345
55	431	Sanitation - Operating Expenses	1,601,056	1,682,679	1,682,679
56	424	Street Lighting	61,000	61,000	61,000
Public Works Salaries & Wages			1,756,901	1,670,107	1,670,107
Public Works Operating Expenses			2,467,512	2,634,961	2,634,961
Subtotal Public Works			4,224,413	4,305,068	4,305,068
HEALTH & ENVIRONMENT					
	510	Board of Health			
57		Subtotal Salaries & Wages	160,165	164,353	164,353
58		Subtotal Operating Expenses	24,210	24,570	24,570
COMMUNITY SERVICES					
	541	Council on Aging			
59		Salaries & Wages	172,810	189,296	189,296
60		Operating Expenses	44,525	40,064	40,064
	543	Veterans Services			
61		Salaries & Wages	90,316	98,592	98,592
62		Operating Expenses	581,200	695,800	695,800
63	611	Millicent Library	714,291	752,336	752,336
	640	Recreation Department			
64		Salaries & Wages	209,457	218,183	218,183
65		Operating Expenses	138,650	143,800	143,800
	189	Tourism Department			
66		Salaries & Wages	78,958	78,697	78,697
67		Operating Expenses	21,825	21,075	21,075
68	691	Fine Arts - expenses	1,200	1,200	1,200
69	670	Historical Commission - expenses	18,500	18,500	18,500
70	692	Memorial/Veterans Day - expenses	3,000	1,500	1,500
71	690	Cultural Council - expenses	2,750	2,750	2,750
72	190	Commission on Disability - expenses	1,000	1,000	1,000
73	191	Belonging Committee		1,000	1,000
74	122	Rape Crisis Project - expenses	2,000	2,000	2,000
Community Services Salaries & Wages			551,541	584,768	584,768
Community Services Operating Expenses			1,528,941	1,681,025	1,681,025
Subtotal Community Services			2,080,482	2,265,793	2,265,793
NON-DEPARTMENTAL					
75	911	Contributory Retirement	3,790,776	3,906,560	3,906,560
76	924	Group Insurance	4,600,000	4,800,000	4,800,000
77	913	MA Employment Security	63,000	63,000	63,000
78	925	Town General Insurance	905,000	955,000	955,000
79	918	Medicare Taxes (Employer Share)	440,000	462,000	462,000

LINE	Function/ Dept. #	Department Name/Function Totals	FY 2023 Budgeted	FY 2024 Requested / Contingent Budget	FY 2024 Non - Contingent Budget
80	122	Wind Turbine Electric Expense	700,000	725,000	725,000
81		Salary Reserve	500,000	850,000	750,000
Non-Departmental Salary & Wages			500,000	850,000	750,000
Non-Departmental Operating Expenses			10,498,776	10,911,560	10,911,560
Subtotal Non-Departmental			10,998,776	11,761,560	11,661,560
DEBT SERVICE					
82	710	General Fund			
Subtotal Debt Service			1,029,204	1,131,020	1,131,020
GRAND TOTAL			55,059,057	58,086,901	57,636,901
GRAND TOTAL BREAKDOWN					
Salaries & Wages - Town			12,360,557	13,215,226	12,965,226
Operating Expenses - Town			5,861,330	6,243,454	6,243,454
Educational Services			25,309,190	26,585,641	26,385,641
Non-Departmental Costs			10,498,776	10,911,560	10,911,560
Debt Service			1,029,204	1,131,020	1,131,020
Grand Totals			55,059,057	58,086,901	57,636,901

WARRANT-DRAFT

The inhabitants qualified as Town Meeting Members shall meet on
Saturday, May 6, 2023 at 9:00 am
in the Walter Silveira Auditorium at the Elizabeth I. Hastings Middle School
to Act on the following Articles in the Warrant:

DRAFT

ARTICLE 1: MEASURER OF WOOD AND BARK

To see if the Town will vote to instruct the Select Board to appoint a Measurer of Wood and Bark.

Petitioned by: Select Board

Select Board: Recommend Adoption

Motion:

ARTICLE 2: TOWN REPORT

To receive the Annual Report of Town Officers.

Petitioned by: Select Board

Select Board: Recommend Adoption

Motion:

ARTICLE 3: REPORT OF COMMITTEES

To hear and act upon the reports of any committees, or committee appointed in Town Meeting and to choose any committees or committee the Town may think proper and to raise and appropriate a sum of money for the expense of same, or to take any other action with relation to either of said matters, as the Town may deem necessary and proper.

Petitioned by: Select Board

Select Board: Recommend Adoption

Motion:

ARTICLE 4: BILL OF PRIOR YEAR-Paid from FY23 funds

To see if the Town will vote to pay the unpaid bills of a prior fiscal year.

<u>Vendor</u>	<u>Amount</u>	<u>Petitioner</u>
Cabot Risk Strategies, LLC	\$1575.00	Human Resources

And others that may be brought forward, or take any other action relative thereto.

Petitioned by: Human Resource Director

Select Board: Recommend At Town Meeting
Finance Committee: Recommend At Town Meeting



WARRANT-DRAFT

Motion:

ARTICLE 5: FY23 FUND ADJUSTMENTS

5A FY23 GENERAL FUND ADJUSTMENTS

To see if the Town will vote to amend Article 8 of the June 18, 2022 Town Meeting “General Fund Operating Budget-FY23” as follows, or take any action relative thereto:

1. Transfer from Surplus Revenue (Free Cash) as follows:
 - A. \$10,000 be transferred from Surplus Revenue (Free Cash) for costs incurred for equipment for firefighters for the remainder of FY23 (Fire Dept)
 - B. \$40,000 be transferred from Surplus Revenue (Free Cash) for overtime costs for the remainder of FY23 (Fire Dept)
 - C. \$20,000 be transferred from Surplus Revenue (Free Cash) to fund Repair & Maintenance of Vehicles line item for the remainder of FY23 (Fire Dept)
 - D. \$16,737 be transferred from Surplus Revenue (Free Cash) for a retirement payoff (Park Department)
 - E. \$12,500 be transferred from Surplus Revenue (Free Cash) for contracted services Cama Software Vendor, Patriot Properties due to Department of Revenue’s requirement for additional services for the Cyclical Inspections (Assessor’s Office)
 - F. \$59,000 be transferred from Surplus Revenue (Free Cash) to fund the FY23 Wage Reserve deficit.

Petitioned by: Town Administrator

Select Board:	X
Finance Committee:	Recommend Adoption

Motion:

5B FY23 SEWER FUND ADJUSTMENTS

To see if the Town will vote to transfer from the Sewer Retained Earnings of June 30, 2022 Sewer Capital Fee \$301,357 to the Sewer Capital Improvements Stabilization Fund or take any action relative thereto:

Petitioned by: Board of Public Works

Select Board:	X
Finance Committee:	X

Motion:

ARTICLE 6: FUND LABOR CONTRACTS

To see if the Town will vote to fund the labor contracts for Police and Fire or take any other action relative thereto.

Petitioned by: Town Administrator

WARRANT-DRAFT

Select Board: Recommend at Town Meeting
 Finance Committee: X

Motion:

ARTICLE 7 TOWN OPERATING BUDGETS

7A: GENERAL FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the amounts listed on the accompanying table to fund the Fiscal Year 2024 General Fund Operating Budget or take any other action relative thereto:

See page Appendix A for recommendations

<u>Department Name/Function Totals</u>	<u>FY 2023 Budgeted</u>	<u>FY 2024 Requested / Contingent Budget</u>	<u>FY 2024 Non - Contingent Budget</u>
GENERAL GOVERNMENT			
General Government Salaries & Wages	850,202	915,265	915,265
General Government Operating Expenses	<u>541,191</u>	<u>615,395</u>	<u>615,395</u>
Subtotal General Government	1,391,393	1,530,660	1,530,660
MUNICIPAL FINANCE			
Municipal Finance Salaries & Wages	762,553	699,564	699,564
Municipal Finance Operating Expenses	<u>230,256</u>	<u>226,673</u>	<u>226,673</u>
Subtotal Municipal Finance	992,809	926,237	926,237
TOWN CLERK/ELECTIONS			
Subtotal Salaries & Wages	160,549	143,328	143,328
Subtotal Operating Expenses	37,208	29,258	29,258
PLANNING & DEVELOPMENT			
Planning & Development Salaries & Wages	238,264	239,700	239,700
Planning & Development Operating Expenses	<u>62,279</u>	<u>42,435</u>	<u>42,435</u>
Subtotal Planning & Development	300,543	282,135	282,135
PUBLIC SAFETY			
Public Safety Salaries & Wages	7,380,382	7,948,141	7,798,141
Public Safety Operating Expenses	<u>969,733</u>	<u>989,137</u>	<u>989,137</u>
Subtotal Public Safety	8,350,115	8,937,278	8,787,278
EDUCATION			
Subtotal Fairhaven Public Schools	22,910,638	23,953,641	23,753,641
Subtotal NB Regional Technical HS	2,217,552	2,397,000	2,397,000
Subtotal Bristol County Agricultural HS	181,000	235,000	235,000
PUBLIC WORKS			

WARRANT-DRAFT

Public Works Salaries & Wages	1,756,901	1,670,107	1,670,107
Public Works Operating Expenses	<u>2,467,512</u>	<u>2,634,961</u>	<u>2,634,961</u>
Subtotal Public Works	4,224,413	4,305,068	4,305,068

HEALTH & ENVIRONMENT			
Board of Health			
Subtotal Salaries & Wages	160,165	164,353	164,353
Subtotal Operating Expenses	24,210	24,570	24,570

COMMUNITY SERVICES			
Community Services Salaries & Wages	551,541	584,768	584,768
Community Services Operating Expenses	<u>1,528,941</u>	<u>1,681,025</u>	<u>1,681,025</u>
Subtotal Community Services	2,080,482	2,265,793	2,265,793

NON-DEPARTMENTAL			
Non-Departmental Salary & Wages	500,000	850,000	750,000
Non-Departmental Operating Expenses	<u>10,498,776</u>	<u>10,911,560</u>	<u>10,911,560</u>
Subtotal Non-Departmental	10,998,776	11,761,560	11,661,560

DEBT SERVICE			
General Fund			
Subtotal Debt Service	1,029,204	1,131,020	1,131,020

GRAND TOTAL	55,059,057	58,086,901	57,636,901
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GRAND TOTAL BREAKDOWN			
Salaries & Wages - Town	12,360,557	13,215,226	12,965,226
Operating Expenses - Town	5,861,330	6,243,454	6,243,454
Educational Services	25,309,190	26,585,641	26,385,641
Non-Departmental Costs	10,498,776	10,911,560	10,911,560
Debt Service	<u>1,029,204</u>	<u>1,131,020</u>	<u>1,131,020</u>
Grand Totals	55,059,057	58,086,901	57,636,901

Petitioned by: Town Administrator

Select Board: X
 Finance Committee: X

Motion:

7B: WATER ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the Water Enterprise Fund for Fiscal Year 2024 or take any other action relative thereto:

	<u>FY 2023 Budget</u>	<u>FY 2024 Budget</u>
<u>Amounts Appropriated:</u>		
Salaries and Wages	675,282	704,809
Operating Expenses	2,013,002	2,083,300
Debt Service	<u>285,651</u>	<u>434,251</u>

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Subtotal Water Enterprise Appropriations	2,973,935	3,222,360
Transfer for Amounts Appropriated in the General Fund	<u>518,699</u>	<u>536,795</u>
Total Water Enterprise Fund Operating Budget	3,492,634	3,759,155
<u>Funding Sources:</u>		
Water Revenue	3,492,634	3,465,000
Water Retained Earnings	<u>-</u>	<u>294,155</u>
Total Funding Sources	3,492,634	3,759,155

Petitioned by: Board of Public Works

Select Board: Recommend Adoption
 Finance Committee: Recommend Adoption

Motion:

7C: SEWER ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the Sewer Enterprise Fund for Fiscal Year 2024 or take any other action relative thereto:

	<u>FY 2023 Budget</u>	<u>FY 2024 Budget</u>
<u>Amounts Appropriated:</u>		
Salaries and Wages	1,151,989	1,257,009
Operating Expenses	1,295,825	1,284,325
Debt Service	<u>1,170,042</u>	<u>775,465</u>
Subtotal Sewer Enterprise Appropriations	3,617,856	3,316,799
Transfer for Amounts Appropriated in the General Fund	<u>714,378</u>	<u>858,700</u>
Total Sewer Enterprise Fund Operating Budget	4,332,234	4,175,499
<u>Funding Sources:</u>		
Sewer Revenue	4,332,234	4,175,499
Sewer Retained Earnings	<u>-</u>	<u>-</u>
Total Funding Sources	4,332,234	4,175,499

Petitioned by: Board of Public Works

Select Board: Recommend Adoption
 Finance Committee: Recommend Adoption

Motion:

7D: TOWN CABLE ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the Town Cable Enterprise Fund for Fiscal Year 2024 or take any other action relative thereto:

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	FY 2023 Budget	FY 2024 Budget
<u>Amounts Appropriated:</u>		
Salaries and Wages	157,812	183,158
Operating Expenses	34,400	30,800
Debt Service		
Subtotal Town Cable Enterprise Appropriations	192,212	213,958
Transfer for Amounts Appropriated in the General Fund	<u>15,510</u>	<u>16,422</u>
Total Town Cable Enterprise Fund Operating Budget	207,722	230,380
<u>Funding Sources:</u>		
Town Cable Revenue	178,000	190,000
Town Cable Retained Earnings	<u>29,722</u>	<u>40,380</u>
Total Funding Sources	207,722	230,380

Petitioned by: Town Administrator

Select Board: Recommend Adoption
 Finance Committee: Recommend Adoption

Motion:

7E: SCHOOL CABLE ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the School Cable Enterprise Fund for Fiscal Year 2024 or take any other action relative thereto:

	FY 2023 Budget	FY 2024 Budget
<u>Amounts Appropriated:</u>		
Salaries and Wages	129,930	138,860
Operating Expenses	31,779	19,391
Debt Service		
Subtotal School Cable Enterprise Appropriations	161,709	158,251
Transfer for Amounts Appropriated in the General Fund	<u>50</u>	<u>2,064</u>
Total School Cable Enterprise Fund Operating Budget	161,759	160,315
<u>Funding Sources:</u>		
School Cable Revenue	138,000	154,939
School Cable Retained Earnings	<u>23,759</u>	<u>5,376</u>
Total Funding Sources	161,759	160,315

Petitioned by: School Committee

Select Board: Recommend Adoption
 Finance Committee: Recommend Adoption

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Motion:

ARTICLE 8: GENERAL FUND CAPITAL PLAN

8A: GENERAL FUND CAPITAL BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following sums of monies to fund the capital equipment and projects listed below, or take any other action relative thereto:

<u>Line</u>	<u>Department/Project</u>	<u>Amount</u>	<u>Funding Source</u>
	Public Works Department		
1	Overlay of Bike Path from Weeden Rd. To Mattapoisett	134,000	Free Cash
2	Local Roads Roadwork*	425,000	Free Cash
3	BPW Admin Building HVAC	21,000	Free Cash
4	Backhoe Replacement	175,000	Free Cash
5	Replace Emergency Lighting at Cushman Park	30,000	Free Cash
6	Pave Senior Center Parking Lot	80,000	Free Cash
	Police Department		
7	Cruiser replacement program	156,261	Free Cash
8	Street Camera Computer Server	36,500	Free Cash
9	Tactical Ballistics Equipment	19,168	Free Cash
10	Ballistics Shields & Riot Gear	39,483	Free Cash
	Fire Department		
11	Brush Truck (Unit 5) Replacement	250,000	Free Cash
12	Air Conditioners (Split Units)	47,000	Free Cash
	Recreation Department		
13	Gym Divider Curtain Replacement	26,500	Free Cash
14	Outdoor Fitness Court in Park	170,000	Free Cash
	Harbormaster		
15	Replacement of engines on Harbormaster Boat	24,605	Free Cash
	General Government/Town Hall		
16	IT Dept. - Computer Hardware Equipment Replacement	30,000	Free Cash
17	Town Hall - Generator	140,000	Free Cash
18	Town Hall – replacement of protective sheathing on windows	31,000	Free Cash
19	Town Hall – digitize paperwork	220,000	Free Cash
20	Town Clerk – Poll Pads	9,550	Free Cash
21	Town Clerk – Storage Shed	6,200	Free Cash
	Total recommended General Fund Capital Budget	2,071,267	

* Hathaway Street - Sconticut Neck Road west and Alpine Avenue - Main to Sycamore

Petitioned by: Town Administrator

Select Board: Recommend Adoption
Finance Committee: X

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Motion:

8B: BORROWING AUTHORIZATION – MIDDLE SCHOOL ROOF REPLACEMENT

To see if the Town will vote to raise and appropriate or borrow the sum of \$2,397,320, or any other sum, for the purpose of funding the cost of roof replacement of the Fairhaven Middle School, located at 30 School Street, including the payment of all costs incidental and related thereto; and that the Treasurer, with approval of the Select Board, is authorized to borrow such sum pursuant to Massachusetts General Law Chapter 44, section 7, or any other enabling authority, and to issue bonds or notes of the Town therefore, provided however that such vote shall not take effect until the Town votes to exempt from the limitations of total taxes imposed by Massachusetts General Law Chapter 59, Section 21C (Proposition 2 ½ so called) amounts required to pay the principal and interest of the borrowing approved by such vote.

Petitioned by: Town Administrator

Select Board: X
Finance Committee: X

Motion:

Vote Required: Two-Thirds Majority

8C: BORROWING AUTHORIZATION – COA/RECREATION CENTER ROOF REPLACEMENT

To see if the Town will vote to raise and appropriate from Surplus Revenue (Free Cash) the sum of \$530,000, or any other sum, for the purpose of funding the cost of roof replacement of the Fairhaven Recreation and Council on Aging Building, located at 227 Huttleston Avenue, including the payment of all costs incidental and related thereto.

Petitioned by: Town Administrator

Select Board: X
Finance Committee: X

Motion:

ARTICLE 9: WATER ENTERPRISE FUND CAPITAL PLAN

9A: WATER ENTERPRISE FUND CAPITAL BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following sums of monies to fund the capital equipment and projects of the Water Enterprise Fund listed below, or take any other action relative thereto:

<u>Line</u>	<u>Project</u>	<u>Amount</u>	<u>Funding Source</u>
1	Lead Service Inventory	100,000	Water Retained Earnings
2	Day Street Water Main Replacement	264,000	Water Retained Earnings

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Petitioned by: Board of Public Works

Select Board: Recommend Adoption
Finance Committee: X

Motion:

9B: BORROWING AUTHORIZATION – WATER MAIN REPLACEMENT

To see if the Town will vote to raise and appropriate or borrow the sum of \$1,100,000, or any other sum, for the purpose of funding the cost of water main replacement on Spring Street, including the payment of all costs incidental and related thereto; and that the Treasurer, with approval of the Select Board, is authorized to borrow such sum pursuant to Massachusetts General Law Chapter 44, section 8, or any other enabling authority, and to issue bonds or notes of the Town therefore.

Petitioned by: Board of Public Works

Select Board: Recommend Adoption
Finance Committee: X

Motion:

ARTICLE 10 SEWER ENTERPRISE FUND CAPITAL PLAN

10A: SEWER ENTERPRISE FUND CAPITAL BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following sums of monies to fund the capital equipment and projects of the Sewer Enterprise Fund listed below, or take any other action relative thereto:

<u>Line</u>	<u>Project</u>	<u>Amount</u>	<u>Funding Source</u>
1	Inflow & Infiltration Study	250,000	Sewer Retained Earnings
2	Portable Pump	50,000	Sewer Retained Earnings

Petitioned by: Board of Public Works

Select Board: Recommend Adoption
Finance Committee: X

Motion:

10B: BORROWING AUTHORIZATION – PUMP STATION IMPROVEMENTS

To see if the Town will vote to raise and appropriate or borrow the sum of \$3,750,000, or any other sum, for the purpose of funding the cost of sewer system pump station improvement, upgrade, or replacement, including the payment of all costs incidental and related thereto; and that the Treasurer, with approval of the Select Board, is authorized to borrow such sum pursuant to Massachusetts General Law Chapter 44, section 8, or any other enabling authority, and to issue bonds or notes of the Town therefore.

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Petitioned by: Board of Public Works

Select Board: Recommend Adoption
Finance Committee: X

Motion:

ARTICLE 11 OTHER BUDGET ITEMS - APPROPRIATIONS

11A FUNDING OF RESERVE ARTICLES

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum of monies for the following purposes or take any action relative thereto.

<u>Line</u>	<u>Fund</u>	<u>Amount</u>	<u>Source</u>
1	Transfer to Capital Stabilization Fund	270,000	Free Cash
2	Transfer to Other Post-Employment Benefit Trust Fund	300,000	Free Cash
3	Transfer to Ambulance Stabilization Fund	55,000	Ambulance Fund
4	Personal Property Audits – Assessing Dept.	25,000	Free Cash
5	IT Application Development	15,000	Free Cash
6	Shellfish Propagation Program	10,000	Free Cash
7	Animal Shelter Repair	10,000	Free Cash
8	Fire Department Ambulance Repair (Medic 2)	58,000	Free Cash
9	Finance Dept. Transition Support	65,000	Free Cash
10	Grant Matching Funds – Seaport Economic Council, Union Wharf Phase 5B	350,000	Free Cash
11	Grant Matching Funds – Seaport Economic Council, Municipal Harbor Plan	40,000	Free Cash
12	Grant Matching Funds – FEMA, Fire Department Protective equipment	10,812	Free Cash
13	Grant Matching Funds – Planning Dept., misc. grants	7,000	Free Cash
14	Town Hall Roof Repair	7,000	Free Cash
15	Town Hall Handicap/Accessibility Upgrades	7,500	Free Cash
	Total	\$1,230,312	

Article Summary and Description

This article provides for other financial transactions required of the Town's overall budget that are not included in, or supplement, the Town's operating or capital budgets. The vast majority of these requests are funded from Surplus Revenue "Free Cash" which is certified by the Department of Revenue and is available for appropriation. Free Cash is generated from revenues collected in excess of amounts budgeted and from savings realized from unspent departmental appropriations. Generating Free Cash is very important for the Town as these one-time funds are the main source of funding non-recurring costs - such as the Capital Budget; funding reserves; or other projects important to the Town's operations or to the community. A brief description of each line item listed is provided below:

Item 1. Fund Capital Stabilization Fund – Free Cash in excess of a required reserved amount, and not

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needed for other budgetary purposes has been identified and is transferred into our Capital Stabilization Fund in order to defray the costs of future capital budget needs, and to minimize the need for and costs associated with borrowing for our capital plan.

Item 2. Fund Other Post-Employment Benefit Trust Fund – *The Town has a long-term obligation to provide for retired employee health insurance as required under Massachusetts General Law. Similar to most communities, the Town pays for these costs on a pay-as-you-go basis. However, prudent financial planning indicates that we should be accumulating resources to pay for these long-term costs as they are incurred. The Town has an established OPEB Trust Fund to accumulate these assets and has a practice of funding the Trust Fund when resources are available. The amount requested represents an acknowledgement of the need to provide ongoing funding for this liability, with the long-term goal of providing annual funding equal to the actuarial cost of the benefits.*

Item 3. Transfer to Ambulance Stabilization Fund – *This amount is funded from our Ambulance Receipts Reserved Fund and transferred to an Ambulance Stabilization Fund to ensure there are sufficient resources available when needed to fund the replacement of ambulances without the need for borrowing or impacting our tax rate.*

Item 4. Personal Property Audits – *This amount is requested to fund the Assessing Departments personal property audit program from an outside firm specializing in such work. Prior audits identified previously uncaptured personal property which, when identified, is added to our personal property tax values and provides “new growth” to our property tax base.*

Item 5. IT Application Development – *This amount is requested for the one-time costs associated with upgraded and improving the Town’s website.*

Item 6. Shellfish Propagation Program – *The Town’s General Fund collects Shellfish Mitigation Fees from Conservation Commission approved projects that are impactful to shellfish habitats for the purpose of funding shellfish propagation. This appropriation funds the work necessary to mitigate project impacts and results in expanded propagation.*

Item 7. Animal Shelter Repair – *The Town’s animal shelter sustained significant water damage from frozen/burst pipes due to the extreme cold temperatures experienced on February 3, 2023. Insurance does cover the cost of most repairs; however, the unfunded deductible cost is \$10,000.*

Item 8. Fire Department Ambulance Repair – *Ambulance Medic 2 has been placed out of service and is in need of a complete engine re-build. This amount represents the cost to complete this work and will extend the useful life of this otherwise very expensive vehicle to replace.*

Item 9. Finance Department transition support – *This article covers the cost of an interim finance professional to assist us with our FY 2024 budgetary process and to assist us with onboarding of a new Finance Director. We have an agreement with another community where they have allowed us to utilize their experienced Finance Director as needed, on a reimbursement basis. In addition, we have recently had turn-over in our Assessing Department and additional funding is needed to secure professional support and/or training to ensure a smooth succession/transition for that operation.*

Items 10 through 13. Grant Matching Funds – *These appropriations cover the Town’s share of matching funds in order to receive significant grant funding. \$350,000 is the required match of a \$1*

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million Seaport Economic Council grant to complete Phase 5B of the Union Wharf Restoration project re-sheathing part of the north wall. \$40,000 is our match (and \$40,000 from New Bedford) as part of a \$320,000 Seaport Economic Council grant award to complete an update to the joint Municipal Harbor Plan. \$10,812 is our match to receive a \$227,042 grant from FEMA for firefighter personal protective equipment. And, \$7,000 of additional funds is requested in anticipation of needing matching funds for additional grant opportunities.

Item 14. *Town Hall Roof Repair – Funds requested to repair slate roof tiles and clear debris/gutters due to a decorative ornament that fell during a December, 2022 storm causing damage.*

Item 15. *Town Hall Accessibility Upgrades – This article is for the ADA updated report requirements for Town Hall.*

Petitioned by: Town Administrator

Select Board: Recommend Adopt items 3-15, \$660,312 (hold on 1 and 2)
Finance Committee: X

Motion:

11B: ESTABLISH AND FUND A COMPENSATED ABSENCE RESERVE FUND

To see if the Town will vote to adopt the provisions of MGL Chapter 40, Section 13D to establish a Compensated Absence Reserve Fund, so-called, and, to raise and appropriate from Surplus Revenue (Free Cash) the amount of \$75,000 to transfer into said fund or take any action relative thereto.

Article Summary and Description

Historically, the Town pays for accrued vacation and sick leave amounts for retiring employees out of departmental operating budgets assuming that newer employees have a lower cost. However, it is becoming increasingly difficult to expect savings upon transition of employees, and, upon retirement of long-term employees with significant accruals it is difficult to fund within departmental budgets without causing a spike in operating costs in any given year. Establishing this fund will allow the Town to set-aside funds in the event of a significant pay-out and avoid increasing operating budgets for these infrequent but re-occurring events. As operating budgets tighten it is important to have sufficient funds available to cover these costs.

Petitioned by: Town Administrator

Select Board: Recommend Adoption
Finance Committee: X

Motion:

11C: INCREASE AND FUND COLA BASE FOR RETIREES

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to increase the cost of living (COLA) base for retirees, beneficiaries, and survivors beginning July 1, 2023, from \$15,000 to \$16,000 consistent with the provisions of Chapter 188, Section 19 of the Acts of 2010.

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Article Summary and Description

State law allows Massachusetts Municipal Retirement Systems to increase the base pension amount upon which an annual cost of living adjustment (COLA) up to 3% can be applied. These increases in the base are required to be increments of \$1,000 up to a maximum base amount of \$18,000. Currently, the Fairhaven Retirement System’s COLA base is set at \$15,000 and this article, if approved, would increase the base to \$16,000. This would result in an annual increase in pension benefits of \$30 per retiree. The average annual pension benefit for a Fairhaven retiree is \$26,967, so applying the additional COLA would result in an increase of 1.5%, significantly below the current rate of inflation. It should be noted that Town of Fairhaven employees do not participate in the Federal Social Security System which applies annual COLAs to the entire pension amount and not a portion of it as does the Fairhaven Retirement System. The cost to increase the base from \$15,000 to \$16,000 is estimated by the Public Employee Retirement Administration Commission’s (PERAC) actuaries to be \$150,000.

Petitioned by: Town Administrator

Select Board: Recommend Adoption
 Finance Committee: X

Motion:

ARTICLE 12: FY24 COMMUNITY PRESERVATION COMMITTEE APPROPRIATIONS

To see if the Town will vote to appropriate or to reserve for later appropriation, and to authorize the Community Preservation Committee (CPC) to expend or reserve, from the Community Preservation Fund available funds and FY24 Estimated Receipts as set forth herein, the following amounts for community preservation purposes, with such expenditures to be subject to conditions to be specified in applications and award letters from the Community Preservation Committee, with each item considered a separate appropriation:

<u>PROPOSED FISCAL YEAR 2024 COMMUNITY PRESERVATION BUDGET</u>		
<u>APPROPRIATIONS</u>		
		<u>Recommended Amounts</u>
	Reserve for Appropriation	
A.	Acquisition, creation, and preservation of Open Space, and its rehabilitation and restoration.	\$75,000
B.	Acquisition, creation, and preservation of Historic Resources	\$75,000
C.	Acquisition, creation, and preservation of Community Housing	\$75,000
	Total Reserves for Appropriation	\$225,000
	Spending Appropriations	
D.	Town Hall Repairs – Windows (\$75k Est. Hist. & \$125K Und. Bal.)	\$200,000
E.	BPW – Matt. River Water Supply (\$75k Est. O.S. & \$10K Und. Bal.)	\$85,000
F.	BBC - Salt Winds Conservation (\$50K Estimated Receipts)	\$50,000
G.	BPW – Livesey Skate Park (\$150K Estimated Receipts)	\$150,000

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H.	BPW – Bike Path Resurfacing (\$140,775 Undesignated Balance)	\$140,775
I.	FHA – Dana Court Brick & Balcony (\$75K Est. Housing)	\$75,000
J.	Emergency Reserve Account - \$150K to new Emergency Account (from existing Undesignated Balance)	
K.	Lib. Re-allocate \$114,230 FY20 Interior to FY22 Chimney Repairs	
	Administrative Spending Appropriation	
L.	To fund the Community Preservation Committee’s annual expenses for: Personal Service; Purchase of Services; Supplies; Other charges/expenditures (Estimated Receipts)	\$ 15,000
	Total Recommended Spending Appropriations	\$715,775

And, whereas Massachusetts General Law, Chapter 44B requires that the Town appropriate for spending, or set-aside for future spending, from the fund balance at least 10% for open space, 10% for historic preservation, and 10% for community housing.

And, whereas the existing reserves and recommended appropriations for open space, historic preservation, and community housing each exceed 10% of the Community Preservation Fund Estimated Receipts.

And, whereas Town Meeting may vote to delete any of the recommended amounts.

Therefore, in the event that recommended amounts are deleted, vote to appropriate as a reserve for future spending from the FY 2024 Community Preservation Fund Estimated Receipts the minimum necessary amounts to allocate not less than 10% (\$75,000) for open space, not less than 10% (\$75,000) for historic preservation, and not less than 10% (\$75,000) for community housing, or take any other action relative thereto.

Article Summary and Description

A. To see if the Town will vote to appropriate \$75,000 from estimated receipts for acquisition, creation, and preservation of Open Space, and its rehabilitation and restoration.

B. To see if the Town will vote to appropriate \$75,000 from estimated receipts for acquisition, creation, and preservation of Historic Resources.

C. To see if the Town will vote to appropriate \$75,000 from estimated receipts for acquisition, creation, and preservation of Community Housing.

D. To see if the Town will vote to appropriate \$75,000 to fund Reserve Historic Receipts and \$125,000 from the existing Undesignated Balance for the Town Hall Window Repairs project.

E. To see if the Town will vote to appropriate \$75,000 to fund Reserve Open Space Receipts and \$10,000 from the existing Undesignated Balance for the BPW Mattapoisett River Water Supply Resilience project.

F. To see if the Town will vote to appropriate \$50,000 from Estimated Receipts for the BBC Salt Winds Conservation Project.

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G. To see if the Town will vote to appropriate \$150,000 from Estimated Receipts to the BPW Livesey Skate Park resurface and redesign project.

H. To see if the Town will vote to appropriate \$140,775 from the existing Undesignated Fund Balance for the BPW bike path resurfacing project.

I. To see if the Town will vote to appropriate \$75,000 from Housing Reserve Receipts to the FHA Dana Court brick and balcony project.

J. To see if the Town will vote to appropriate \$150,000 to create a new Emergency Fund Reserve Account from the existing Undesignated Balance.

K. To see if the Town will vote to reallocate the remaining \$114,230 of previously appropriated FY20 Millicent Library interior restoration funds (Article 25C ATM May 4, 2019) to be added to the Millicent Library Chimney repair FY22 funds of \$136,360 (Article 23F ATM June 12, 2021).

L. To see if the Town will vote to fund the Community Preservation Committee’s annual expenses of \$15,000 for: Personal Service; Purchase of Services; Supplies; Other charges/expenditures (Estimated Receipts)

Petitioned by: Planning Director

Select Board: Recommend Adoption
Finance Committee: X

Motion:

ARTICLE 13: REVOLVING FUNDS

To see if the Town will authorize, re-authorize or create the following Revolving Accounts under the provisions of Massachusetts General Law Chapter 44, Section 53 E ½ and to amend General Bylaws Section 2-6 to add new revolving funds under the following terms:

Revolving Fund	Authorized to Spend	Revenue Source	FY24 Limit
Hazardous Materials	Fire Chief	Disposal fees/charges	\$100,000.00
Sustainability	Sustainability Committee	Fees/charges	\$10,000.00
Hoppy’s Landing	Select Board and/or Town Administrator	Fees/charges from users of Hoppy’s Landing	\$25,000
Town Hall Auditorium	Town Administrator	Town Hall Auditorium rental fees	\$2,000
Park Utilities	Board of Public Works	User fees	\$2,000
Shellfish Mitigation	Marine Resources	Mitigation fees	\$25,000
Mooring Fees	Marine Resources	Mooring fees	\$2,000
Mattress Recycling	Board of Health	Fees from mattress disposal	\$1,000
Hoarding Remediation	Board of Health	Revenue from textile recovery boxes	\$1,000

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Wellness	Wellness Committee	Fees, BCBS reimbursements, vendors	\$2,500
Supportive Social Day Program	Council on Aging Director	Receipts reserved for appropriation for supportive social day	\$175,000

Or take any other action relative thereto:

Petitioned by: Town Administrator

Select Board Recommendation: Adoption
Finance Committee Recommendation: X

Motion:

ARTICLE 14: CIVIL SERVICE – POLICE DEPARTMENT

To see if the Town will vote to revoke the acceptance of Civil Service Laws for uniformed members of the Police Department in the Town of Rockland, effective July 1, 2023, thereby removing the police force from the provisions of the Civil Service Laws, and the rules and regulations relating to the same, provided that this revocation will not affect the Civil Service status of existing personnel in their current positions; or take any other action relative thereto.

Petitioned by: Town Administrator and Select Board with ratification from Fairhaven Police Patrol Union, NEBPA Local 65, and the Rockland Police Superiors Union, NEBPA Local 64

Select Board: Recommend at Town Meeting
Finance Committee: Yield to Petitioner

Motion:

ARTICLE 15: CIVIL SERVICE – FIRE DEPARTMENT

To see if the Town will vote to revoke the acceptance of Civil Service Laws for uniformed members of the Fire Department in the Town of Fairhaven, effective July 1, 2023, thereby removing the fire from the provisions of the Civil Service Laws, and the rules and regulations relating to the same, provided that this revocation will not affect the Civil Service status of existing personnel in their current positions; or take any other action relative thereto.

Petitioned by: Town Administrator and Select Board with ratification from Fairhaven Fire Union, Local 1555, IAFF

Select Board: Recommend at Town Meeting
Finance Committee: Yield to Petitioner

Motion:

ARTICLE 16: AMEND BYLAW CHAPTER 37 FINANCE, DEPARTMENT OF

To see if the Town will vote to amend Bylaws, Chapter 37 § 37-1.1 by striking the existing language and replacing it with the following:

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Remove:

~~The Director of Finance shall act as treasurer and collector.~~

Add:

The Finance Director shall be a department head under the direct control of the Town Administrator.

And further to amend Bylaws, Chapter 37, § 37-2.A by striking the language shown in strikethrough and adding the language shown in bold below:

The Director of Finance shall be appointed by the **Town Administrator with approval of the** Select Board for a term of one to three years and may be removed at **his or her** its discretion. The Director of Finance shall be sworn to the faithful performance of his/her duties. During the time that he/she holds office, he/she shall hold no elective Town office, but he/she may be appointed by the Select Board or, with its approval, by any other Town officer, board, committee or commission to any other Town office or position consistent with the office. He/she shall receive such aggregate compensation, not exceeding the amount appropriated therefor, as the **Town Administrator** ~~Select Board~~ may determine. He/she shall act by and for the Select Board in any matter which it may assign to him/her relating to the administration of the financial affairs of the Town or any Town office or department under its supervision and control or, with the approval of the Select Board, may perform such other duties as may be requested of him/her by any other Town officer, board, committee or commission.

Petitioned by: Town Administrator

Select Board: Recommend at Town Meeting
Finance Committee: X

Motion:

ARTICLE 17: APPOINTMENT OF TOWN CLERK

To see if the Town will vote, pursuant to G.L. c. 41, s. 1B, to change the position of Town Clerk from elected to appointed, said change being contingent upon acceptance of such change by the voters at the next Annual Town Election, or take any other action relative thereto.

Petitioned by: Town Administrator

Select Board: Recommend Adoption
Finance Committee: X

Motion:

ARTICLE 18: PETITION FOR SPECIAL LEGISLATION ESTABLISHING TOWN ADMINISTRATOR AS APPOINTING AUTHORITY FOR HEALTH AGENT

To see if the Town will vote to file a petition with the Massachusetts General Court to amend the Town Administrator Act to make the Town Administrator the appointing authority for the Health Agent, subject to such further provisions or revisions as may be determined by the Select Board:

AN ACT RELATIVE TO THE HEALTH AGENT OF THE TOWN OF FAIRHAVEN

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Section 2(i) of chapter 381 of the acts of 2014 shall be amended by inserting the words “which shall include the health agent notwithstanding any general or special law to the contrary” after the words “under the direct control of the town administrator”.

Or take any other action relative thereto.

Petitioned by: Town Administrator

Select Board: Recommend Adoption
Finance Committee: Yield to Petitioner

Motion:

ARTICLE 19: AMEND BYLAWS, CHAPTER 192 WETLANDS § 10.A

To see if the Town will vote to amend Bylaws, Chapter 192 § 10.A by adding the following sentence in bold, underlined to the current language:

- A. **With prior approval of the property owner or other legal authority as provided by law,** the Conservation Commission, its agents, officers and employees shall have authority to enter upon privately owned land for the purpose of performing their duties under this chapter and make or cause to be made such examinations, surveys or samplings as the Commission deems necessary.

Or take any other action relative thereto.

Petitioned by: Select Board

Select Board: Recommend Adoption
Finance Committee: Yield to Petitioner

Motion:

ARTICLE 20: AMEND BYLAWS, CHAPTER 1 GENERAL PROVISIONS § 1-6.D (10) (a) AND CHAPTER 192 WETLANDS § 10.B AND CHAPTER 192 WETLANDS § 10.C

To see if the Town will vote to amend Bylaws, Chapter 1 § 1-6.D (10) (a) by striking the existing language and replacing it with the following:

- (a) Enforcing person(s): ~~the Chair of the Conservation Commission or the Commission's agent and/or as designated by the Conservation Commission.~~ Conservation Agent with the approval of the Town Administrator.

And, further to amend Bylaws Chapter 192 § 10.B and § 10.C as follows:

- B. The Commission shall have authority to enforce this chapter, its regulations and permits issued thereunder by violation notices, **and** administrative orders ~~and civil and criminal court actions.~~

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C. Upon request of the Commission, the Select Board and Town Counsel shall take legal action **as the Select Board determines to be necessary** for enforcement under civil law. Upon request of the Commission, the Chief of Police shall take legal action for enforcement under criminal law.

Or take any other action relative thereto.

Petitioned by: Select Board

Select Board: Recommend Adoption
Finance Committee: Yield to Petitioner

Motion:

ARTICLE 21: AMEND BYLAWS, CHAPTER 164 SOLID WASTE

To see if the Town will vote to amend The Town of Fairhaven General By-Laws Chapter 164 Solid Waste by adding a new section, § 11, **Single-Use Plastic Reduction** as follows, or to take any other action relative thereto effective January 1, 2024.

A. Purpose

The Town seeks to reduce and eliminate the use of single-use plastic bags, polystyrene and expanded polystyrene (Styrofoam) disposable food containers, and to promote the use of reusable alternatives. This bylaw is enacted to protect the health, safety and welfare of the inhabitants of the Town by protecting the environment, advancing solid waste reduction, reducing greenhouse gas emissions, and protecting waterways.

B. General Prohibition and Regulation.

No retail establishment, retail food establishment, nonprofit and/or Town facility food provider shall transfer merchandise to end consumers in a thin- film single-use plastic bag, and shall only use check-out bags that are:

- a. Reusable checkout bags
- b. Recyclable paper bags.

1. No retail establishment, or retail food establishment, nonprofit and/or Town facility food provider shall transfer prepared food to consumers in polystyrene or expanded polystyrene disposable food service ware. No retail establishment shall sell cups, coolers, ice chests, or similar containers made in whole or in any part with foam polystyrene that is not wholly encapsulated within a more durable material.

2. No retail establishment, or retail food establishment, nonprofit and/or Town facility food provider shall automatically provide single use plastics straws, stirrers, splash sticks, or cutlery to customers unless requested by the customer for health reasons or other.

C. Penalties and enforcement.

1. Any person, firm or corporation who violates or refuses to comply with any applicable provision of this bylaw shall be fined a sum not to exceed two-hundred dollars (\$200) for

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each such violation.

2. This bylaw may be enforced by the Town Administrator or his/her designee or the Health Agent by the noncriminal disposition method under MGL c. 40, § 21D, in which case the penalties shall be as follows: first violation – written warning, second violation fifty dollar (\$50), third one-hundred dollars (\$100), and subsequent violations two-hundred dollars (\$200) each day that any violation is permitted to exist after written notification thereof by the Town Administrator or his/her designee or Health Agent shall constitute a separate offense. The Town shall be the beneficiary of all fines and penalties paid, including the costs of prosecuting any legal action if allowable by law.

Exemptions. This bylaw shall not apply to the following items:

1. Flexible transparent covering (commonly referred to as "plastic wrap").
2. Thin-film plastic bags used to contain produce, dry cleaning, dog waste or newspapers.
3. Foods or merchandise prepared or packaged outside the Town of Fairhaven for transfer to consumers in the Town of Fairhaven.

Petitioned by: Sustainability Committee and Board of Health

Select Board:	Recommend Yield to Petitioner
Finance Committee:	X

Motion:

ARTICLE 22: AMEND BYLAWS, CHAPTER 83 ALCOHOLIC BEVERAGES AND DRUGS

To see if the town will vote to adopt the following ban on the sale of miniature single use plastic containers for alcoholic beverages as a general by-law and to add into the Fairhaven Town ByLaw Chapter 83 Alcohol Beverages and Drugs a new section, **§ 5, Prohibit Sale of Plastic Alcohol “Nip” Bottles**. The sale of alcoholic beverages in containers less than or equal to 100 milliliters is prohibited within the Town of Fairhaven effective January 1, 2024 or to take any action relative there to.

Petitioned by: Sustainability Committee

Select Board:	Recommend Yield to Petitioner
Finance Committee:	Yield to Petitioner

Motion:

ARTICLE 23: CITIZENS PETITION – HARD SURFACE

To see if the Town will vote to reconstruct hard-surface and install drainage of Chase Road from Crescent to Raymond

Petitioned by: Richard Spoor

Select Board:	Recommend Indefinite postponement
Finance Committee:	X

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Motion:

ARTICLE 24: CITIZENS PETITION – STREET DISCONTINUANCE

To see if the Town will vote to discontinue Shirley Street from Jason Terrace to its terminus, a distance of approximately one hundred and six feet, more or less.

Petitioned by: Rouba Sarkis, Sarkis Enterprises, Inc.

Select Board: Recommend At Town Meeting
Finance Committee: X

Motion:

ARTICLE 25: CITIZENS PETITION – STREET LIGHT

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money for the installation and maintenance of the following street light, or take any action relative thereto:

Install an additional street light on Pilgrim Avenue.

Petitioned by: Cathleen Travassos

Select Board: Recommend Yield to Petitioner
Finance Committee: X

Motion:

ARTICLE 26: OTHER BUSINESS

To act upon any other business which may legally come before this meeting.

And you are hereby directed to serve this warrant by posting an attested copy thereof on or near the front or main entrance of the polling place for all Precincts at the Fairhaven Recreation Center, 227 Huttleston Avenue, seven days at least prior to the date of the meeting.

HEREOF FAIL NOT, and make due return of this warrant to the Town Clerk at the time and place of the meeting aforesaid.

Given under our hands this ___ day of ___ in the year two thousand twenty-three.

Select Board of Fairhaven,

Stasia Powers

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Leon E. Corey III

Robert J. Espindola

Keith Silvia

Charles K. Murphy, Sr.

A true copy, ATTEST:

Constable of Fairhaven