



**Fairhaven Select Board & Finance Committee  
Joint Meeting Minutes  
October 11, 2023**

**Select Board Members Present:** Chair Leon Correy, Vice-Chair Charles Murphy, Clerk Stasia Powers, member Keith Silvia, member Robert Espindola, Town Administrator Angie Lopes Ellison and Assistant Town Administrator Anne Carreiro

**Finance Committee Members Present:** Chair Padraic Elliot, Claire Millette, Robert Grindrod, Linda Gallant, Peter Gardner, James Souza, Stephen Levesque, David Patterson

**Finance Committee Members Present via zoom:** Christopher Fidalgo Patricia Pacella

**Also Present:** Vinnie Furtado, Cam Durant  
Allan Giles from Solect Energy

**Mr. Correy called to order the Select Board meeting at 6:30p.m.**  
**Mr. Elliot called to order the Finance Committee meeting at 6:30pm**

**MINUTES**

**Select Board Motion:** Mr. Espindola motioned to accept the September 18, 2023 minutes of the Select Board with an edit to the motion and second for the Board of Health appointment. Ms. Powers seconded. The motion passed unanimously (5-0-0).

**Select Board Motion:** Mr. Espindola motioned to accept the September 18, 2023 executive session minutes of the Select Board. Ms. Powers seconded. The motion passed unanimously (5-0-0).

**Select Board Motion:** Mr. Espindola motioned to accept the September 28, 2023 minutes of the joint meeting with the Finance Committee. Ms. Powers seconded. The motion passed unanimously (5-0-0).

**Finance Committee Motion:** Mr. Fidalgo motioned to accept the September 28, 2023 joint Select Board and Finance Committee Minutes of. Mr. Souza seconded. Roll call vote. Mr. Grindrod in favor, Ms. Gallant in favor, Ms. Millette in favor, Mr. Gardner in favor, Mr. Souza in favor, Mr. Levesque in favor, Mr. Elliott in favor, Ms. Pacella in favor and Mr. Fidalgo in favor. The motion passed unanimously (9-0-0).

*Finance Committee member David Patterson arrived at 6:39p.m.*

**TOWN ADMINISTRATOR UPDATE**

Ms. Ellison gave an update on the housing of unsheltered migrant families that the Town was notified of about two weeks ago. The state has contracted with the Seaport Resort and Marina to house these unsheltered families. Initially one family was sent over the first weekend and today we were notified that additional families have arrived and currently we are at seven adults and six children. She thanked the community for the great response and donations that have been received so far. The Town will create a gift account for those who wish to donate monetarily. Ms. Powers thanked Ms. Carreiro, staff and many community groups who have stepped forward to volunteer. Mr. Correy thanked Kelley Ramirez of the Recreation Center and Kevin Gonsalves for donating the school supplies left from the Too Cool for School event.

Mr. Grindrod asked if the Town has any input with the state on where the people come from and suggest that those who come to Fairhaven speak Spanish or French. Ms. Ellison advised that the state tells the Town who comes and we cannot discriminate with specificity in who comes and from where. Ms. Powers added that the School is working closely with the Department of Secondary Education (DESE) for assistance and help to

support the students that will be placed.

### **SPECIAL TOWN MEETING WARRANT**

Mr. Correy reviewed the format for the evening and we have individuals back who were requested to address questions from the last meeting.

Mr. Grindrod asked what was different in what they received tonight. Ms. Hart advised through the Chair the updates were mostly minor language changes or clarifications discussed at the September 28th meeting.

*Mr. Espindola recused himself for Article 10 and left the banquet room at 6:47 p.m.*

### **Article 10 – Solar Canopy Project**

Allan Giles from Solect Energy addressed the Board regarding the solar canopy project article. He reviewed the background of the company and advised that the article is similar to the solar project completed at the school. He has been working for about eighteen months with the Council on Aging (COA) and Recreation Center (Rec Center) Directors on design and logistics and referred to the presentation (*Attachment A*). The project is designed to over-produce electricity which would generate bill credits for the COA and he has reviewed more than a year's worth of bills from the COA and Rec Center for seasonal trends.

Questions were asked and addressed regarding the cost to the Town, lifespan of equipment, parking space impact, general safety concerns, design, ownership, maintenance, maintenance process, adjustment for production, insurance of the asset, liability, Town Meeting supporting materials, how Solect makes money, heating concerns, state changes to building codes, upgrades, technology changes, car charger options, snow removal and how UV light can penetrate snow.

**Select Board Motion:** Ms. Powers motioned to recommend adoption for Article 10. Mr. Silvia seconded. The motion passed (4-0-1), Mr. Espindola abstained.

**Finance Committee Motion:** Mr. Fidalgo motioned to recommend adoption for Article 10. Ms. Millette seconded. The motion passed (7-3-0) Mr. Grindrod, Ms. Gallant and Mr. Souza opposed.

*Mr. Espindola returned to the banquet room at 7:29 p.m.*

### **Article 2 – Fund Sewer Labor Contracts**

Ms. Ellison advised the Board that a copy of the MOU is not available because it is still under negotiations and not public at this time. It will be similar to the other Collective Bargaining Agreements that have been finalized.

**Select Board Motion:** Mr. Espindola motioned to recommend At Town Meeting for Article 2. Ms. Powers seconded. The motion passed unanimously (5-0-0).

**Finance Committee Motion:** Mr. Gardner motioned to recommend At Town Meeting for Article 2. Ms. Millette seconded. The motion passed (8-2-0) Mr. Patterson and Ms. Gallant opposed.

Mr. Elliot explained what a vote to recommend “At Town Meeting” means.

### **Article 11 – Revolving Funds**

Ms. Ellison reviewed that the limit for each fund in this article needs to be increased over what Town Meeting set it for in order to spend from the account due to increased costs. Discussion ensued on what the mooring fees are being used for. Ms. Carreiro read Article 19 from the Town Meeting warrant dated October 20, 2020 which established the revolving fund for mooring fees. A presentation was included in the packet for the meeting and was referred to when explaining GL Chapter 40 Section 53E1/2: Revolving funds (*Attachment B*).

Questions were asked and addressed about the change to the limit, the reason for the expense, the balance in the account and why the Town needs to build the mooring in question.

**Select Board Motion:** Mr. Espindola motioned to recommend adoption for Article 11. Ms. Powers seconded. The motion passed unanimously (5-0-0).

**Finance Committee Motion:** Mr. Gardner motioned to recommend At Town Meeting for Article 11. Mr. Grindrod seconded. The motion passed (9-1-0) Ms. Gallant opposed.

### **Article 3 – Sewer Treatment Plant – Additional Funds**

Vinnie Furtado Public Works Superintendent reviewed the status to date of the project, criteria, and timeline agreed to fulfill the requirements. He discussed the various efforts he is taking to secure the lowest cost funding if a zero percent interest rate is not available.

Questions were asked and addressed regarding the deadline, overall project timing, presentation to Town Meeting members to address the cost, regulations and rate impact estimates.

**Select Board Motion:** Mr. Espindola motioned to recommend adoption for Article 3. Ms. Powers seconded. The motion passed unanimously (5-0-0).

**Finance Committee Motion:** Mr. Grindrod motioned to recommend adoption for Article 3. Ms. Millette seconded. The motion passed unanimously (10-0-0).

### **Article 1 – Bills of Prior Year**

No additional questions were raised by the Select Board or Finance Committee.

**Select Board Motion:** Mr. Espindola motioned to recommend adoption for Article 1. Ms. Powers seconded. The motion passed unanimously (5-0-0).

**Finance Committee Motion:** Mr. Grindrod motioned to recommend adoption for Article 1. Ms. Millette seconded. The motion passed unanimously (10-0-0).

### **Article 4 – Capital Fee Transfer**

No additional questions were raised by the Select Board or Finance Committee.

**Select Board Motion:** Mr. Espindola motioned to recommend adoption for Article 4. Ms. Powers seconded. The motion passed unanimously (5-0-0).

**Finance Committee Motion:** Mr. Grindrod motioned to recommend adoption for Article 4. Ms. Millette seconded. The motion passed unanimously (10-0-0).

### **Article 5 – Water Storage Tank Maintenance Contract**

No additional questions were raised by the Select Board or Finance Committee.

**Select Board Motion:** Mr. Espindola motioned to recommend adoption for Article 5. Ms. Powers seconded. The motion passed unanimously (5-0-0).

**Finance Committee Motion:** Mr. Grindrod motioned to recommend adoption for Article 5. Ms. Millette seconded. The motion passed unanimously (10-0-0).

### **Article 6 – Safe Routes to School Property Easement Compensation**

*Mr. Espindola recused himself for Article 6 and left the banquet room at 8:08 p.m.*

No additional questions were raised by the Select Board or Finance Committee.

**Select Board Motion:** Ms. Powers motioned to recommend adoption for Article 6. Mr. Murphy seconded. The motion passed (4-0-1) Mr. Espindola abstained.

**Finance Committee Motion:** Mr. Grindrod motioned to recommend adoption for Article 6. Ms. Millette seconded. The motion passed (9-0-1) Mr. Gardner abstained.

*Mr. Espindola returned to the banquet room at 8:10 p.m.*

**Article 7 – Town Hall Fire Alarm Panel**

Ms. Ellison explained that the language in this article reflects that this is an emergency cost and the amount changed front initial quotes. The panel is over twenty-five years old and will also be relocated away from direct heat.

**Select Board Motion:** Mr. Espindola motioned to recommend adoption for Article 7. Ms. Powers seconded. The motion passed unanimously (5-0-0).

**Finance Committee Motion:** Mr. Grindrod motioned to recommend At Town Meeting for Article 7. Ms. Millette seconded. The motion passed unanimously (10-0-0).

**Article 8 – Election Poll Pads**

No additional questions were raised by the Select Board or Finance Committee.

**Select Board Motion:** Mr. Espindola motioned to recommend adoption for Article 8. Ms. Powers seconded. The motion passed unanimously (5-0-0).

**Finance Committee Motion:** Mr. Grindrod motioned to recommend At Town Meeting for Article 8. Ms. Millette seconded. The motion passed unanimously (10-0-0).

**Article 9 – Amend FY23 Community Preservation Committee Appropriation**

No additional questions were raised by the Select Board or Finance Committee.

**Select Board Motion:** Mr. Espindola motioned to recommend adoption for Article 9. Ms. Powers seconded. The motion passed unanimously (5-0-0).

**Finance Committee Motion:** Mr. Grindrod motioned to recommend At Town Meeting for Article 9. Ms. Millette seconded. The motion passed unanimously (10-0-0).

**Article 12 – Appointment of Town Clerk**

Ms. Powers voiced her support for this article, the current position as elected is antiquated and very few elected Town Clerk positions left. The specificity of the job requires a hired employee to train and stay current on processes like elections.

**Select Board Motion:** Mr. Espindola motioned to recommend adoption for Article 12. Ms. Powers seconded. The motion passed unanimously (5-0-0).

**Finance Committee Motion:** Mr. Grindrod motioned to recommend Yield to Petitioner for Article 12. Mr. Fidalgo seconded. The motion passed (9-0-1) Mr. Souza opposed.

Mr. Elliot advised the Finance Committee what a recommendation of Yield to Petitioner means. He reminded them that there is an opportunity to speak on the floor of town meeting as a Town Meeting member and not as a Finance Committee member.

**Article 13 – Amend Bylaws Chapter 40 § 2-7**

Ms. Ellison said she understood the questions about the recommended updates from Bond Counsel and Town Counsel were related to specifics of who had requested which update.

**Select Board Motion:** Mr. Espindola motioned to recommend At Town Meeting for Article 13. Ms. Powers seconded. The motion passed (3-2-0) Mr. Correy and Ms. Powers opposed.

**Finance Committee Motion:** Ms. Pacella motioned to recommend At Town Meeting for Article 13. Mr. Gardner seconded. The motion passed (7-1-2) Mr. Souza opposed, Ms. Gallant and Ms. Millette abstained.

Ms. Ellison reviewed the various suggested changes. What would now be Section 40-5 (previously 40-6) was a language change recommendation of Bond Counsel. Ms. Ellison reported that Town Counsel also reviewed and recommended different updates to the language throughout. Some recommendations clean up the wording and some correct the wording because it reflects dual authority between the Town Administrator and The Capital Improvement Planning Committee and would conflict with the Special Acts. The update to the members in section 40-2, A (7) can be a resident appointed by the Select Board or a Select Board member.

Mr. Espindola renewed his request for a marked-up copy showing each change and summary of the changes. He also said the removal of the public hearing (section 40-5) is a problem. The meetings should be in public with public access to comment.

Ms. Ellison reminded everyone that the Capital Improvement Planning Committee (CIP) has public meetings that are open and recorded and have not been done as a public hearing; it is not recommended by the Department of Revenue that CIP have a public hearing as part of their process.

Mr. Elliott said he also was expecting a summary of why for each of the changes. He also said that the member listed in 40-2, A (8) had been an appointment of a member of the Finance Committee who would sit in at the meetings. Mr. Elliot said he disagreed with the removal of deadlines and also removal of section 40-7 which seemed to suggest the Town Administrator was controlling the expenditures.

Ms. Ellison advised that the Ex-Officio, non-voting member was removed because anyone can sit in a public meeting without being in the bylaw and she will ask Town Counsel about this bullet point again. There are checks and balances as part of the overall finances and statutory controls on how funds are spent. Town Counsel pointed out that section 40-7 is covered in MGL and through the checks and balances and not a function of the CIP. Deadlines are covered within the overall budget season and the deadline in this bylaw did not coincide.

Cathy Melanson Chair of the CIP Committee was online and Ms. Ellison asked if CIP had public hearings. Ms. Melanson said not in the last five years that she was aware of and explained that the overall process of CIP was to have department heads present their requests for spending over twenty-five thousand dollars along with a five-year plan. The projects would be ranked according to six criteria and then the list would be submitted to the Town Administrator.

**Article 14 – Citizen’s Petition - Street Acceptance Alves Way**

*Mr. Espindola recused himself for Article 14 and left the banquet room at 8:50 p.m.*

No additional questions were raised by the Select Board or Finance Committee.

**Select Board Motion:** Ms. Powers motioned to recommend Yield to Petitioner for Article 14. Mr. Silvia seconded. The motion passed (4-0-1) Mr. Espindola abstained.

**Finance Committee Motion:** Mr. Grindrod motioned to recommend Yield to Petitioner for Article 14. Ms. Millette seconded. The motion passed unanimously (10-0-0).

*Mr. Espindola returned to the banquet room at 8:52 p.m.*

**Article 15 – Citizen’s Petition - Ask Sustainability Committee to Reconsider Article 22 from Annual Town Meeting May 6, 2023**

Ms. Ellison reminded everyone that Town Counsel had reviewed the submission and advised it was not a valid article as submitted because it asks the Sustainability Committee to reconsider their article from the May 6, 2023 Annual Town Meeting. Select Board had been advised to acknowledge receipt at a previous meeting which they did and it was forwarded to the Sustainability Committee to acknowledge.

**Select Board Motion:** Mr. Espindola motioned to recommend Yield to Petitioner for Article 15. Ms. Powers seconded. The motion passed unanimously (5-0-0).

**Finance Committee Motion:** Mr. Grindrod motioned to recommend Yield to Petitioner for Article 15. Ms. Millette seconded. The motion passed (9-1-0) Mr. Patterson opposed.

**Article 16 – Other Business**

No action is needed

Select Board Motion: Mr. Espindola motioned to close the warrant of the November 14, 2023 Special Town Meeting. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Mr. Correy reminded everyone that the date of the Special Town Meeting is Tuesday, November 14, 2023 at 7:00 p.m. at the Hastings Middle School. Precinct meetings to be determined by the Town Moderator.

Mr. Correy thanked the Town and the delegates from Japan for an excellent Manjiro Festival weekend.

Mr. Elliott asked for a follow-up joint meeting to review article 2 and 13/

**The Finance Committee adjourned at 8:58 p.m.**

**The Select Board adjourned at 8:58 p.m.**

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

**ATTACHMENTS:**

- A. Solect Energy Presentation
- B. Revolving Fund and Town Meeting October 20, 2020 Article 19

Approved on October 23, 2023

## Revolving Funds

Section 53E1/2. Notwithstanding section 53, a city or town may authorize by by-law or ordinance the use of 1 or more revolving funds by 1 or more municipal agencies, boards, departments or offices, which shall be accounted for separately from all other monies in the city or town and **to which shall be credited any fees, charges or other receipts from the departmental programs or activities supported by the revolving fund.** **Expenditures may be made from such revolving fund** without further appropriation, subject to the provisions of this section; provided, however, **that expenditures shall not be made or liabilities incurred from any such revolving fund in excess of the balance of the fund or in excess of the total authorized expenditures from such fund.** and no expenditures shall be made unless approved in accordance with sections 41, 42, 52 and 56 of chapter 41.

# Revolving Funds

## Section 53E1/2: Revolving funds

1. Town Meeting approves the revolver and limit

2. Fees are collected and deposited into the revolver

3. The Department expends from the revolver\*

\*Funds can only be expended out of the revolver for the purpose and expenditure approved at Town Meeting **AND** it is the **lesser** of the balance or limit



ATTACHMENT A

Town of Fairhaven COA/REC Center Canopy  
Solar Implementation Review  
PowerOptions Program

October 11, 2023



# Agenda

Why, What and How

About Solect Energy and PowerOptions Solar Program

Proposed Solar Solutions

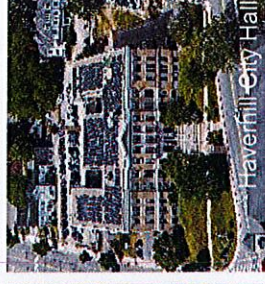
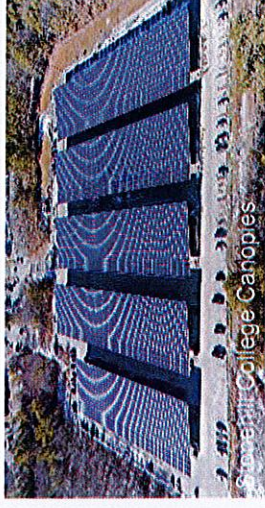
Discussion and Next Steps



**solectenergy**  
Power Your Tomorrow

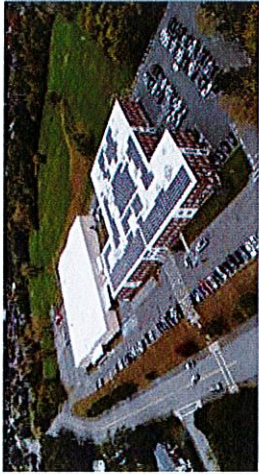
# About Solect Energy

- Leader in Commercial & Industrial solar in the Northeast
- Founded in 2009; headquartered in Hopkinton, MA
- Wholly owned subsidiary of [Pattern Energy Group](#)
- Full service solar and energy storage:
  - Design, Finance, Install, Monitor, Maintain
- 700+ installations | 130+ MW | 95+ employees
- Services team monitors and manages 700+ installations
- DCAMM certified
- PowerOptions Consortium RFP Award winner
  - Solar and storage provider to towns, schools, municipal agencies, and non-profits in MA, CT, RI



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# Projects



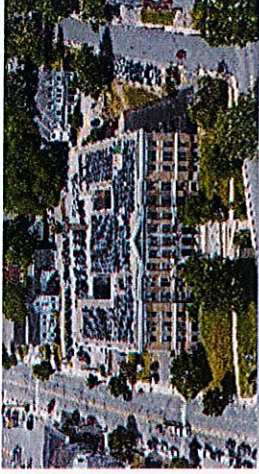
## Schools

Including Public School Districts, Higher Education, Private Schools, and more



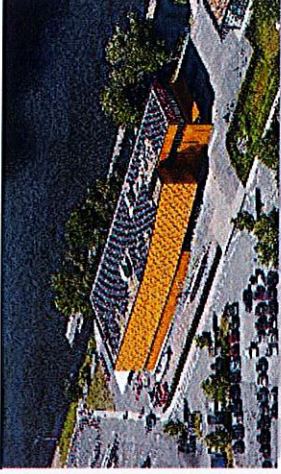
## State Agencies

Including Transit Authorities, State and Community Colleges, and more



## Municipal Buildings

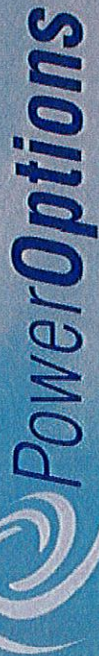
Including City Halls, DPWs, Public Safety, Libraries, and more



## Nonprofits

Including health and human services, religious organizations, and more





We give our members "peace of mind"

**A Trusted Advisor**  
Since 1998

**A Mission-Driven**  
Nonprofit

**Consortium**  
Leverage

**Flexible Programs**

**Your Energy Team**

Originally created by the Commonwealth of Massachusetts to serve state agencies, PowerOptions has been serving nonprofits and public entities for 25 years.

PowerOptions' mission is to empower nonprofits and public entities with solutions to reduce the cost, carbon, and complexity of energy.

PowerOptions members benefit from the collective buying strength of over 490 members including some of the largest nonprofits in Massachusetts, Connecticut, and Rhode Island.

PowerOptions' programs are intentionally and thoughtfully designed to serve members of any size and circumstance

PowerOptions' on-call energy team provides guidance throughout the contracting process, so you feel supported and resourced to make smart and proactive energy decisions.

Electricity & Gas Supply | Solar & Renewables | Vehicle Electrification | Energy Efficiency | Analytics & Sustainability Planning



490+ members

85+ MWs SOLAR

25 years serving nonprofits

1 B kWh ELECTRICITY

\$120m ANNUAL ENERGY SUPPLY SALES

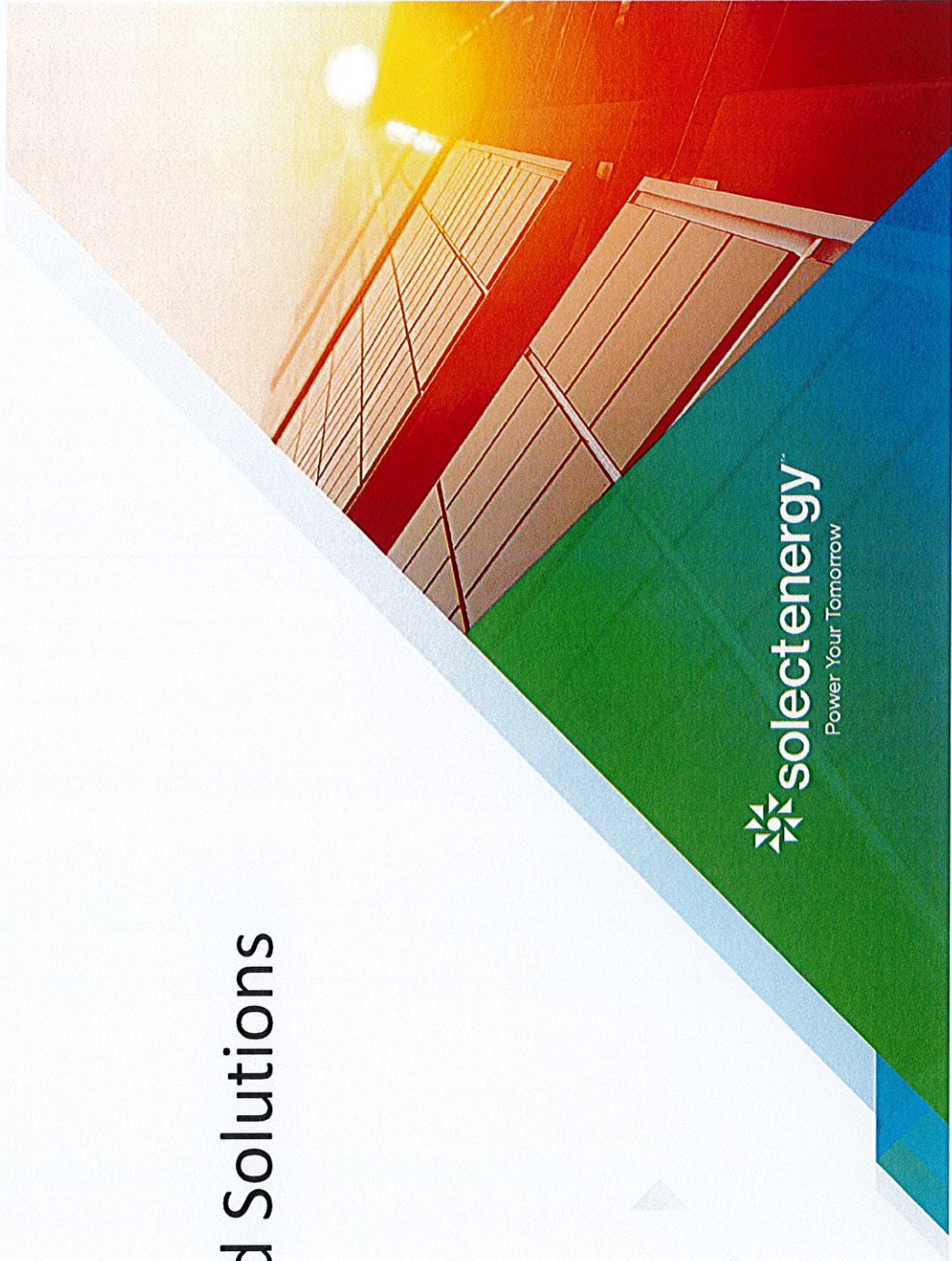
7 M Dth NATURAL GAS

# PowerOptions Solar and Storage Program

- Since 2010, PowerOptions has conducted rigorous competitive RFPs on behalf of its members to the solar and energy storage provider communities with installation pricing, rate of return caps, a standard set of contract templates, and rules of engagement to work with PowerOptions members required by the solicitation.
- Procured pricing reflects the enormous purchasing potential of the nearly 500 members in the consortium; all Massachusetts, Connecticut and Rhode Island nonprofits and public entities are eligible to join.
- Highly efficient and best-in-class alternative to traditional public procurement methods (25A, 30B, 149).
  - Reviewed and verified by the MA Inspector General and Attorney General.
  - Standard contracts for nonprofits, municipal, and state entities (purchase, PPA, bill credit, lease).
  - Reduced time, effort, complexity, and cost for the solar and storage procurement process.
- PO Program Manager reviews EVERY proposal and contract for pricing and compliance to RFP.
- [Hopkinton Marathon Elementary School Solar-Plus-Storage Installation](#) [Case Study with video]



# Proposed Solutions



Fairhaven COA & Rec Center Proposed Solution





## PPA Savings Summary

PV System Capacity (kW DC)	215.04
Year 1 PV Output (kWh)	254,000
Percent of Usage	318%
Avoided kWh Electric Cost	\$0.2089
Solar PPA kWh Rate	\$0.1650
PPA Rate Escalator	0.0%
Term (Yrs)	25
SMART Incentive Amt (\$/kWh)	\$0.1232
Year 1 Forecast Savings	\$3,600
Term Savings	\$375,000
Annual Avoided CO <sub>2</sub> (lbs)	244,000
Term CO <sub>2</sub> Avoided (tons)	2,900

### Assumptions

- Open shop labor (3rd party owned)
- Rates assume PILOT of \$0.00 per kW-DC
- Rates do not include utility network upgrade or study costs
- Bonding not included as system is 3rd party owned
- Assumes SMART block 8
- Utility electric rates escalate at 2.0%
- Avoided emissions calculated based on 2020 EIA MA State Electricity Profile

Year	Solar Production (kWh)	Grid-Delivered Electricity Cost (\$/kWh)	Electric Savings	Solar PPA Rate (\$/kWh)	PPA Payment	Net Savings
1	254,156	\$0.2089	\$45,496	\$0.1650	\$41,936	\$3,561
2	252,758	\$0.2131	\$46,151	\$0.1650	\$41,705	\$4,446
3	251,368	\$0.2173	\$46,815	\$0.1650	\$41,476	\$5,340
4	249,985	\$0.2217	\$47,489	\$0.1650	\$41,248	\$6,241
5	248,610	\$0.2261	\$48,172	\$0.1650	\$41,021	\$7,152
6	247,243	\$0.2306	\$48,866	\$0.1650	\$40,795	\$8,070
7	245,883	\$0.2353	\$49,569	\$0.1650	\$40,571	\$8,998
8	244,531	\$0.2400	\$50,282	\$0.1650	\$40,348	\$9,934
9	243,186	\$0.2448	\$51,006	\$0.1650	\$40,126	\$10,880
10	241,848	\$0.2497	\$51,740	\$0.1650	\$39,905	\$11,835
11	240,518	\$0.2546	\$52,484	\$0.1650	\$39,685	\$12,799
12	239,195	\$0.2597	\$53,239	\$0.1650	\$39,467	\$13,772
13	237,880	\$0.2649	\$54,005	\$0.1650	\$39,250	\$14,755
14	236,571	\$0.2702	\$54,783	\$0.1650	\$39,034	\$15,748
15	235,270	\$0.2756	\$55,571	\$0.1650	\$38,820	\$16,751
16	233,976	\$0.2812	\$56,371	\$0.1650	\$38,606	\$17,764
17	232,689	\$0.2868	\$57,182	\$0.1650	\$38,394	\$18,788
18	231,410	\$0.2925	\$58,005	\$0.1650	\$38,183	\$19,822
19	230,137	\$0.2984	\$58,839	\$0.1650	\$37,973	\$20,867
20	228,871	\$0.3043	\$59,686	\$0.1650	\$37,764	\$21,922
21	227,612	\$0.3104	\$60,545	\$0.1650	\$37,556	\$22,989
22	226,360	\$0.3166	\$61,416	\$0.1650	\$37,349	\$24,067
23	225,115	\$0.3230	\$62,300	\$0.1650	\$37,144	\$25,156
24	223,877	\$0.3294	\$63,196	\$0.1650	\$36,940	\$26,257
25	222,646	\$0.3360	\$64,106	\$0.1650	\$36,737	\$27,369
					Total	\$375,282



Thank you!

Allen Giles, Senior Business Development Manager

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603.216.7120

