



FAIRHAVEN SELECT BOARD

Meeting Minutes

February 12, 2024

FAIRHAVEN TOWN CLERK
RCUD 2024 FEB 27 AM 10:40

Present: 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

Mr. Correy opened the meeting at 6:32p.m.

Mr. Correy wished Leon Emanuel Correy IV, "LJ," a happy fifth birthday!

Motion: Mr. Espindola motioned to take Action Item B1 out of order. Mr. Silvia seconded. The motion passed unanimously (5-0-0).

MINUTES

Motion: Mr. Espindola motioned to accept the minutes of January 22, 2024. Ms. Powers seconded. The motion passed unanimously (5-0-0).

TOWN ADMINISTRATOR

Ms. Ellison reported on:

- Staff Updates: Departments are staffed.
- Department Head Updates: Cable Access Director Derek Frates provided an update on the department, reviewed highlights from the 2023 annual report, public service announcements (PSAs), social media use, public access stats, partnerships across Town departments and upcoming events.

The Board asked about the meeting recording bylaw, reminded the public how to watch or stream what is broadcast and thanked Mr. Frates and his staff.

Human Resources (HR) Director Cameron Durant addressed the Board with an update on the department and initiatives they have undertaken on payroll automation with Police, Fire and the School, the Personnel Policy, Employee Handbook, organizing personnel files, compliance review and training, contract negotiations coming in 2025, HR Software and automation work with IT. Mr. Durant thanked his team.

The Board asked for clarification on risk management, compliance training, the personnel policy tweaks, recruitment efforts and what is needed to be successful.

Ms. Ellison congratulated Mr. Durant on earning a Senior Society for Human Resource Management (SHRM) Certificate.

Harbor Master Tim Cox presented an update on the Marine Resources Department initiatives, dredging on West Island, Union Wharf, dredging at Pease Park, boat motors, shellfish planting in early summer and the support of administration.

The Board asked about where the sand from dredging would go, how much sand, the schedule of dredging and communications to neighbors, collaborations with surrounding towns and other departments. The Board thanked Mr. Cox for his work ensuring Fairhaven waters were not forgotten and the teamwork of his department.

- Town Hall will be closed to the public on Wednesday, February 28, 2024 for a staff professional development day.
- Board/Committee resignations: Maria Carvalho and Ellis Withington submitted resignations from their

respective boards/committees. The Town thanks them for their work.

- Grant Award: Green Communities \$125,810 that the Conservation Agent will oversee the use of for projects around Town. FY24 Municipal Americans with Disabilities Act (ADA) Improvement Grant Program \$85,000 that the Commission on Disability will use for assessment of Town properties and ADA accessibility.
- Community Compact Cabinet (CCC) Broadband Grant: Response letter received from Sean Cronin at the Department of Revenue regarding the request to change the project focus. The request was denied and the state will expect the funds to be returned. Mr. Espindola asked for a copy of the letter.
- The December 2023 expense report is in the packet for review. Mr. Espindola asked about no legal line item, Ms. Ellison asked him to send Ms. Hart an email to request any specifics, the report has overall categories.
- Weather forecast and Town Hall open/close. At this time any changes to Town Hall hours or other Town offices will be posted on the web on the Town's website and shared on social media.

PUBLIC HEARING

The Public Hearing for the Liquor License Transfers: OEA Restaurant Group d/b/a Olivia's opened at 6:49p.m.
Mr. Correy read the notice.

Jay Lanagan of 116 Chestnut Street addressed the Board. He represents applicant Cullen North Walker Street LLC (Cullen) who purchased 1 Middle Street from Ferry Station. Cullen sold to OEA Restaurant Group. The Alcoholic Beverages Control Commission (ABCC) investigator wanted the transfers to be filed from Ferry Station to Cullen and then Cullen to OEA Restaurant Group because the transfer from Ferry Station to Cullen was not filed with the Town or the ABCC when it occurred.

All paperwork is on file and has been reviewed by the Select Board office (*Attachment A*). The office has been working with applicant Brandon Roderick and the ABCC.

Public Comment: none received

The Public Hearing for the Liquor License Transfers: OEA Restaurant Group d/b/a Olivia's closed at 6:54p.m.

Motion: Mr. Espindola motioned to transfer the Liquor License from Ferry Station LLP to Cullen North Walker Street LLC. Ms. Powers seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Espindola motioned to transfer the Liquor License from Cullen North Walker Street LLC to OEA Restaurant Group doing business as Olivia's Restaurant. Ms. Powers seconded. The motion passed unanimously (5-0-0).

SAFE ROUTES TO SCHOOL: ORDER OF TAKINGS

Mr. Espindola recused himself and exited the banquet room at 7:38p.m. due to the proximity to his home related to this item

Joshua Crabb Highway Superintendent addressed the Board regarding this item (*Attachment B*).

Motion: Ms. Powers motioned to accept, approve and file the tacking of land on Sconticut Neck Road for temporary and permanent easements for roadway project for the Safe Routes to School program as outlined in the order of taking. Mr. Silvia seconded. The motion passed (4-0-1). Mr. Espindola abstained.

Mr. Espindola returned at 7:40p.m.

MARINE RESOURCE FEES

Mr. Cox addressed the Board regarding the fees of the Marine Resources Department and proposal to increase fees for shellfish permits, parking, waterways, Union Wharf Daily Dockage, Lobster Boats and mooring fees. He advised the Board that in seventeen years only the Lobster Basin fee has changed. Michael McNamara Marine Resources

Committee Chair also addressed the Board about the recommendations for fee changes and a balanced approach was taken.

The Board asked to see an analysis of the numbers of permits at the 2023 rate compared to the new rate and what the total impact would be. Mr. Cox will get this from his administrative assistant. The Board asked about impacts to the Town when shellfishing beds are closed due to environmental reasons. Mr. Cox advised the impact is to the commercial shellfishers. The Board asked about costs compared to other towns.

Discussion ensued about waiting to vote on new fees until the analysis could be reviewed, senior shellfishing buttons, veteran shellfishing buttons, clarification on the non-resident shellfishing permit should say \$275. The Board will hold on the Waterways fees and the mooring fees and review the analysis provided.

Motion: Mr. Espindola motioned to accept and raise the fees of the Marine Resource Department at the Town's recommended rates for Shellfish permits for residents at \$50, non-residents at \$275, Parking at Hoppy's Landing and Pease Pake/Seaview at the Town's recommended rate as written, the Union Wharf Daily Dockage fee at the Town's recommended rate as written and the Lobster Boats fee at the Town's recommended rate as written. Ms. Powers seconded. The motion passed unanimously (5-0-0).

BLUE STREAM REQUEST FOR ELECTRICAL PASSAGEWAY THROUGH HOPPY'S LANDING

Dale Leavitt one of three owners addressed the Board about the request and explained that Eversource had reached out to complete the installation and a map showing the proposal was shown (*Attachment C*). Blue Stream has been paying the electric bill at Hoppy's Landing. This electrical passageway would include upgrading the electrical service at Hoppy's Landing and be paid for by Blue Stream.

Motion: Mr. Espindola motioned to allow Blue Stream passageway through Hoppy's Landing as requested. Ms. Powers seconded. The motion passed unanimously (5-0-0).

HISTORICAL COMMISSION APPOINTMENT

Beth Luey addressed the Board and explained her interests and background.

Mr. Silvia asked if a party to a lawsuit can be a member of a commission. Ms. Ellison advised that Ms. Luey is only a party in name and the dispute is a Planning Board decision with the defendant being the applicant and not the Town.

Motion: Mr. Espindola motioned to appoint Beth Luey to the Historical Commission for a term to end May, 2026. Ms. Powers seconded. The motion passed unanimously (5-0-0).

ZONING BOARD OF APPEALS ASSOCIATE MEMBER APPOINTMENT

Kristen Russell addressed the Board and explained her interests and background.

The Board asked if Ms. Russell was ready for the training needed and learning bylaws and procedures. Ms. Russell said she was ready and would complete any necessary training and had already started reviewing bylaws and asking questions.

Motion: Mr. Espindola motioned to appoint Kristen Russell as an Associate Member of the Zoning Board of Appeals for a term to end May, 2026. Ms. Powers seconded. The motion passed unanimously (5-0-0).

CULTURAL COUNCIL APPOINTMENT

Serina Gundersen Thomas addressed the Board and explained her interests and background.

Motion: Mr. Espindola motioned to appoint Serina Gundersen Thomas to the Cultural Council for a term to end May, 2027. Ms. Powers seconded. The motion passed unanimously (5-0-0).

USE OF TOWN HALL AND FLAG REQUEST: FAIRHAVEN HOMECOMING:

SATURDAY, JUNE 29, 2024

The Board reviewed the request for the use of Town Hall for Homecoming on Saturday, June 29, 2024 and to fly the Homecoming banner prior to.

Mr. Silvia asked if the request included the use of parking at Rogers School.

Motion: Mr. Espindola motioned to approve the use of Town Hall and the public outdoor space, close Walnut Street, William Street and Union Street for the Homecoming Day on Saturday June 29, 2024. And to approve hanging the Homecoming Banner on town hall from June 15- June 30, 2024 in accordance to the policy. Mr. Espindola amended the motion to included parking at Rogers School if they request. Ms. Powers seconded. The motion passed unanimously (5-0-0).

USE OF TOWN HALL AUDITORIUM: HISTORICAL SOCIETY LECTURE,

THURSDAY, APRIL 4, 2024

The Board reviewed the request for the use of the Town Hall Auditorium on Thursday, April 4, 2024 for a lecture hosted by the Historical Society waiving the fee for the rental and charging the custodian fee.

Motion: Mr. Espindola motioned to the use of Town Hall Auditorium on April 4, 2024 for the Historical Society Lecture and waive the rental fee and charge for a custodian. Ms. Powers seconded. The motion passed unanimously (5-0-0).

FAIRHAVEN FATHER'S DAY ROAD RACE REQUEST: JUNE 16, 2024

The Board reviewed the request for the Fairhaven Father's Day Road Race on June 16, 2024.

Motion: Mr. Espindola motioned to approve the Father's Day Road Race to be held on June 16, 2024 from 9am as outlined in the proposal, approved by Police, Fire and BPW and to be signed by the chair of the Select Board. Ms. Powers seconded. The motion passed unanimously (5-0-0).

PRESIDENTIAL PRIMARY POLICE OFFICER ASSIGNMENT

The Board reviewed the request from the Town Clerk for police officers at the polling location at 227 Huttleston Avenue on March 5, 2024 for the Presidential Primary.

Motion: Mr. Espindola motioned to approve a sufficient number of police officers but not less than three at the polling locations at 227 Huttleston Avenue for the March 5, 2024 Presidential Primary to preserve order and to protect the election officers and supervisors from any interference with their duties and to aid in enforcing the laws relating to elections as required by Section 72 of MGL chapter 54.

Furthermore, motion to designate the Chief of Police the authority to assign specific police officers according to scheduling and availability with the Town Clerk advising the Chief on the location and time officers are needed. Ms. Powers seconded. The motion passed unanimously (5-0-0).

PRESIDENTIAL PRIMARY ELECTION WARRANT

The Board reviewed the request from the Town Clerk for the Presidential Primary Election Warrant.

Motion: Mr. Espindola motioned to approve the Election Warrant for the Presidential Preference Primaries as presented by the Town Clerk. Ms. Powers seconded. The motion passed unanimously (5-0-0).

2023 SELECT BOARD ANNUAL REPORT SUBMISSION

Pass over

APPOINT SELECT BOARD MEMBER TO TOWN ADMINISTRATOR CONTRACT NEGOTIATIONS

Discussion ensued about this item. Mr. Correy recommended Mr. Murphy. Mr. Espindola asked for clarification and if this was legally required for one representative or can it be the entire Board. Ms. Ellison said this is to appoint one person or the entire Board. Mr. Correy clarified that the Board would be advising the individual if one person were appointed, the whole Board would have input.

Motion: Mr. Espindola motioned to appoint Charlie Murphy to negotiate a contract with the Town Administrator on behalf of the Select Board. Ms. Powers seconded. The motion passed unanimously (5-0-0).

CORRESPONDENCE

Ms. Ellison advised the Board that these are both customary notifications to the Board.

1. Permanent Solution Statement Submitted to MassDEP: 120 Alden Road
2. Fairhaven Contributory Retirement Notice of Public Meeting: Cost of Living Adjustment

COMMITTEE LIAISON REPORTS

Mr. Espindola reported on:

The Broadband Study Committee and The Livable Streets Committee. (*Attachment D*). Discussion ensued about sign sponsorship opportunities for revenue. Ms. Ellison advised the Board they can consider a policy on this at a future meeting if they choose.

Ms. Powers reported:

The Financial Policy Review Committee met, reviewed sample documents from other Towns to draft Fairhaven policies from, they are looking to start with Capital Planning and Unfunded Liabilities: Other Post-Employment Benefits (OPEB). The Library met, Economic Development has an upcoming meeting, PSAs have been done for new businesses, 40R work continues. She attended a meeting from the Department of Environmental Protection where erosion and maps for six and thirty years out were looked at, Fairhaven may need to look to prioritize looking at this as well.

Mr. Murphy reported:

Sister City Committee meets this week and Lagoa needs members and encouraged anyone interested to volunteer and clarified you do not need to be Portuguese to apply. He thanked Ms. Carvalho for her work on the Committee.

Mr. Silvia reported:

As discussed earlier, Marine Resources discussed the proposed fee structure.

Mr. Correy reported:

February is Black History Month; the Belonging Committee has some activities planned. Digital Equity is still collecting feedback and you can still complete the survey.

PUBLIC COMMENT

Andrew Romano, 440 Bridge Street addressed the Board and spoke about an event he attended at the Fairhaven Animal Shelter and complimented all the volunteers as well as Terry Cripps and the staff.

Patrick Carr, 141 Pleasant Street addressed the Board and suggested that a debate is held because there are six candidates for the two open Select Board spots and thinks it will give people more a chance to see more of candidates than an informational candidate's night.

BOARD MEMBER ITEMS

Ms. Powers asked about goal setting and Ms. Ellison advised it is part of the Executive Session.

Mr. Correy thanked Mary Lou from Be the Solution to Pollution for leading the clean-up at Fort Phoenix recently. They have another event planned for Hedge Street and information is on their website. He reminded everyone to get involved and volunteer. He quoted Gwendolyn Brooks, "We don't ask a flower any special reason for its existence.

We just look at it and are able to accept it as being something different for ourselves.”

NEWS AND ANNOUNCEMENTS

The next regularly scheduled Select Board meeting is on Monday, February 26, 2024 at 6:30p.m.

EXECUTIVE SESSION

Motion: Mr. Espindola motioned to enter into Executive Session pursuant to G.L. c. 30A, s. 21(a)(7) To comply with, or act under the authority of, G.L. c. 30A, s. 22, to review the minutes of Executive Session December 18, 2023 and pursuant to G.L. c. 30A, § 21(a)(2) “[t]o conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel”: (Angie Lopes Ellison) and not to return to Open Session. Ms. Powers seconded. Roll Call Vote, Mr. Espindola in favor, Ms. Powers in favor, Mr. Murphy in favor, Mr. Silvia in favor and Mr. Correy in favor. The motion passed unanimously (5-0-0).

Meeting adjourned to Executive Session at 9:09 p.m.

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

ATTACHMENTS:

- A. Public Hearing: Liquor License transfer application
- B. Safe Routes to School: Order of Takings
- C. Blue Stream Shellfish proposed map for electrical passageway at Hoppy’s Landing
- D. Committee Liaison Report: Robert J. Espindola

Approved on February 26, 2024



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
www.mass.gov/abcc

ATTACHMENT A

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM

APPLICATION FOR A TRANSFER OF LICENSE

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL
LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE
PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

00020-RS-0384

ENTITY/ LICENSEE NAME Cullen North Walker Street LLC

ADDRESS 12 Simpson Lane

CITY/TOWN Assonet

STATE MA

ZIP CODE 02702

For the following transactions (Check all that apply):

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input checked="" type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | | <input type="checkbox"/> Other <input type="text"/> | <input type="checkbox"/> Change of DBA |

THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS
APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL

Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150-2358



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
www.mass.gov/abcc

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MONETARY TRANSMITTAL FORM**

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PAYMENT RECEIPT**

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN **STATE** **ZIP CODE**

For the following transactions (Check all that apply):

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input checked="" type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | <input type="checkbox"/> Other <input type="text"/> | | <input type="checkbox"/> Change of DBA |

**THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS
APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL**

Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150-2358

**Commonwealth of Massachusetts
Town of Fairhaven
Bristol County**

**ORDER OF TAKING
MassDOT Project No. 609518
Sconticut Neck Road**

At a meeting of the Select Board of the Town of Fairhaven, Massachusetts, held the 12th day of February, 2024, pursuant to the votes under Article 10 of the Special Town Meeting held on November 10, 2022, and Article 6 of the Special Town Meeting held on November 14, 2023 (the “Town Votes”), and G.L. c. 82, §§ 1, 21-24 and G.L.c. 79, as amended, and any and every other power and authority which is hereunto in any way enabling, the Board so ordered:

WHEREAS, the said Select Board have adjudged that common convenience and necessity require that **Sconticut Neck Road**, being a public way in the Town of Fairhaven, be reconstructed; and

WHEREAS, the said Select Board did give notice according to the requirements of law to all persons known to it to be interested in the reconstruction of said ways of its intention to do so and did give notice of a public hearing to be held thereon and did meet on September 15, 2022 at the time and place appointed for said hearing and did hear all persons who desired to be heard, to reconstruct said town ways in the manner particularly described in the plan titled “Massachusetts Department of Transportation Highway Division Plan and Profile of Sconticut Neck Road in the Town of Fairhaven, Bristol County prepared by Chappell Engineering Associates, LLC, which plan is dated July 27, 2023 (the “Plan”), a copy of which is on file with the Town Clerk of the Town of Fairhaven; and

WHEREAS, it is necessary to acquire **temporary and permanent easements for roadway purposes** in certain parcels of land on **Sconticut Neck Road**, for the purpose of reconstructing said way, said easements being shown on said Plan;

NOW, THEREFORE, IT IS ORDERED that, acting through and under the authority of the Town Votes, and pursuant to the powers set forth in G.L.c. 82, §§, 1, 21-24 and G.L.c. 79 and all other authority thereunto enabling, and of any and every power and authority granted to it, express or implied, the Town of Fairhaven acting through its Select Board, does hereby adjudge that the common convenience and necessity requires and does hereby take for the purpose of public ways, those temporary and permanent easements for roadway purposes in **Sconticut Neck Road**, shown as on said Plan, which land is owned or supposed to be owned by the abutters on said way, as follows.

The Board determines that damages by reason of this taking shall be awarded as shown on the schedule below therefor.

Supposed Owner(s)	Street Address	Title Reference	Interest Taken	Area (sq ft)	Purpose	Allocation of Damages	Sum of Damages Awarded (as rounded)
Riccardi's Fairhaven, LLC	1 David Brown Boulevard	Book 7719, Page 233	PUE-3	957	Reset utility poles, guy braces, overhead wires, loam and seed, tree trimming	\$17,608.80	\$29,600.00
			TE-6	1,433	Temporary construction easement for grading <4:1, loam and seed, HMA driveway, sawcut	\$11,986.40	
Stuart J. Ryan, Jr., Trustee of the Stuart J. Ryan, Jr. 2023 Revocable Inter Vivos Trust	40 Sconticut Neck Road	Book 14784, Page 142	PUE-4	519	Reset utility poles, guy braces, service relocation, overhead wires, loam and seed	\$8,719.20	\$11,400.00
			TE-7	351	Temporary construction easement for grading <4:1, loam and seed, HMA driveway, sawcut	\$2,680.66	
Pillar, LLC	46 Sconticut Neck Road	Book 13735, Page 228	PUE-5	37	Reset utility pole, guy brace, OHW wires	Nominal	\$500.00
			PUE-16	32	Reset utility pole, guy brace, OHW wires	Nominal	
			TE-15	580	Temporary construction easement for	Nominal	

					grading <4:1, loam and seed, HMA driveway, sawcut		
Donald R. Poineau & Jodie L. Poineau	2 Timothy Street	Book 13943, Page 31	TE-8	235	Temporary construction easement for loam and seed, HMA driveway, sawcut	\$1,100.00	\$1,100.00
John Jusseume & Irene Jusseume	29 Sconticut Neck Road	Book 12405, Page 38	TE-9	604	Temporary construction easement for loam and seed, R&S fence, conc walk	\$2,700.00	\$2,700.00
Jill L. Macolini & Matthew M. Macolini	31 Sconticut Neck Road	Book 7068, Page 71	TE-10	647	Temporary construction easement for loam and seed, HMA driveway, sawcut, ADJ structure	\$2,100.00	\$2,100.00
Peter D. Howarth & Sharon L. Howarth	33 Sconticut Neck Road	Book 3308, Page 94	PUE-7	70	Reset utility pole, SW guy, overhead wires, loam and seed	\$884.80	\$2,800.00
			TE-11	334	Temporary construction easement for loam and seed, HMA driveway, sawcut, ADJ hydrant	\$1,919.19	
Monica Letourneau	35 Sconticut Neck Road	Book 13274, Page 151	PUE-8	1,084	Reset utility poles, overhead wires, loam and seed	\$5,480.70	\$6,800.00
			TE-14	558	Temporary construction easement for grading <4:1, loam and seed, HMA driveway, sawcut	\$1,282.53	

Sandra A. Perrone (Life Estate) and Andrew J. Perrone, Joseph P. Perrone, and Daniel J. Perrone	1 Marilaine Place	Book 14491, Page 163	PUE-9	275	Reset utility pole, overhead wires, loam & seed, REM tree	\$2,365.00	\$3,200.00
			TE-12	220	Temporary construction easement for loam and seed, HMA driveway, sawcut, REM tree	\$860.09	
Jules M. Avila & Loretta I. Avila	54 Sconticut Neck Road	Book 1770, Page 589	PUE-6	26	Reset utility pole, guy anchor	\$133.12	\$5,300.00
			TE-13	948	Temporary construction easement for H&M driveway, sawcut, R&S fence, loam and seed, tree protection	\$2,206.50	
Kevin R. Lebreque, Anne M. Guilherme, Douglas C. Labrecque and Life Estates for Ronald R. Labrecque and Margaret M. Labrecque	61 Sconticut Neck Road	Book 7603, Page 210	PUE-10	510	Reset utility pole, overhead wires	\$2,700.00	\$2,700.00
Donald F. Murphy	65 Sconticut Neck Road	Book 9728, Page 03	PUE-11	222	Reset utility pole, overhead wires	\$2,600.00	\$2,600.00
Victor & Margaret Oliveira	67 Sconticut Neck Road	Book 2028, Page 607	PUE-12	232	Reset utility pole, guy wire, overhead wires	\$2,700.00	\$2,700.00

Ian M. & Joelyn L. Moniz	69 Sconticut Neck Road	Book 13279, Page 215	PUE-13	246	Reset utility pole, guy wire, overhead wires, remove bush	\$2,600.00	\$2,600.00
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Said temporary and permanent easements for public way purposes are for all purposes of a public way, together with the attendant customary uses, including but not limited to, rights of public passage, and the right of the Town to enter upon the easement premises for the construction, operation, re-construction, inspection, repair and maintenance and grading of the right-of-way, and for the placement, installation, construction, operation, re-construction, location and relocation, repair, replacement, alteration, inspection and maintenance of walls, traffic signals, pipes, conduits, manholes, swales, culverts and other appurtenances for traffic controls and for the transmission of storm water and drainage, and water, sewer, and other municipal services or utilities as shown on said Plan.

No taking is made of trees, buildings, and other structures standing upon or affixed thereto. The Town may cut, trim, and remove trees, brush, overhanging branches and other vegetation or obstructions to the extent the Town may deem appropriate for said purposes within the public way easement.

No fee takings are made.

Excepting from the rights taken are all rights of way and easements for drainage, wires, pipes, conduits, poles and other appurtenances for conveyance of water, sewage, gas, oil, steam, electricity and telephone and telecommunication and other utilities, now lawfully in or upon the properties.

The duration of temporary easements is five years from the date of the recording of this Order of Taking in the records of the Bristol Registry of Deeds.

No betterments are to be assessed for the improvements for which this taking is made.

The parcels shown as **E-3, TE-2, TE-4, E-2, PUE-14, and TE-16** are hereby dedicated for the Project and for the purposes described on said plan.

AND FURTHER ORDERED that a representative of the Town of Fairhaven shall cause this Order of Taking to be recorded in the Bristol Registry of Deeds and shall notify the Treasurer and Collector of Taxes in the Town of Fairhaven of this taking in accordance with General Laws c.79, §7F.

IN WITNESS WHEREOF, we the Select Board of the Town of Fairhaven have executed this Order of Taking this ___ day of _____, 202__.

SELECT BOARD
OF THE TOWN OF FAIRHAVEN

Leon E. Correy III

Charles K. Murphy, Sr.

Stasia Powers

Keith Silvia

Robert J. Espindola

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss. _____, 202__

On this ___th day of _____, 202__, before me, the undersigned notary public, personally appeared Leon E. Correy III; Charles K. Murphy, Sr.; Stasia Powers; Keith Silvia; and Robert J. Espindola, the members of the Select Board for the Town of Fairhaven, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the persons whose names are signed on the preceding document, and acknowledged to me that it was signed voluntarily for its stated purpose as members of the Fairhaven Select Board.

Notary Public
My commission expires: _____



Bob Espindola

Committee Liaison Report 2-12-2024

The BROADBAND STUDY COMMITTEE On January 24th, Derek Frates and I attended an all day workshop hosted by Mass Broadband Institute (MBI) and NDIA (<https://www.digitalinclusion.org/>). CTC, the consultant that the Town hired for our Digital Equity work was not at the workshop but we had an opportunity to meet representatives of several other consulting firms in the field, representatives from regional planning authorities (similar to SRPEDD) and other communities doing Digital Equity Work.

One big piece of news introduced at the workshop by MBI was that they are planning to introduce a new program shortly that will allow consultants doing work with communities already, to extend their scope to include putting together an action plan and submitting that plan to be eligible for grants that would be in the order of \$100,000.

RFP Effort with SRPEDD. Committee Chair Sean Powers and I have been working with SRPEDD on gathering RFP samples to consider as a starting point to gather information about a Fiber to the Home network in Fairhaven. We are concerned about the timeline between now and Town meeting to get through the full process so we are now turning to gathering high level summary information that would serve to update the information provided by Entry Point several years ago but are not planning to go through the full, detailed, RFP process. We believe this approach will provide sufficient information for Town Meeting consideration.

The BROADBAND COALITION Gigi Sohn, who I mentioned during prior updates, is a national figure in the Broadband Arena She is a major advocate for fast, fair and open Internet. The agenda will include the following;

1. The importance of public broadband
2. Recent "Dark Money" attacks. This refers to money that is flowing in from incumbent Internet Service Providers (like Cox, Verizon, Comcast, Charter,

Spectrum) via a third party and without open disclosure, into campaigns that are in opposition to local Broadband Development projects.

3. The future of the Federal Affordable Connectivity Program (ACP) program (and possible alternatives).

We expect about a dozen or so representatives of local communities to attend in person and more on Zoom. We received an inquiry from a representative of **Senator Edward Markey's office** who is focused on "Telecommunications and Emerging Technology team plans to attend as well.

I am also scheduled to attend a conference specifically on the topic of "Dark Money" hosted by Open Cape tomorrow. This was scheduled to be in person but with the pending snow storm, will now be fully virtual.

LIVABLE STREETS COMMITTEE

The next meeting will be **Thursday, February 15th at 6:30**

Bike and Brew

The committee continues to encourage the Safe Routes to School Bike Bus throughout the winter.



On February 4th, a group organized by the committee road from Fort Phoenix over to New Bedford and stopped at Abolition Row Park before finally ending up at the Play Arcade on Union St (photo below)



BRIDGE/ADAMS ST. PROJECT (notes courtesy of Will Gardner)

Will Gardner is putting together a meeting with a small group to discuss a potential Livable Streets demo project for the oft-maligned intersection of Bridge and Adams St. This group will be meeting 10am-12pm this Thursday (2/15). Members of DPW and Planning will be in attendance, as well as a member of the Commission on Disability. Their plan is to utilize observations to create a proposal for a demonstration project. The project will be able to be implemented this Spring by volunteers with guidance and support from DPW/public safety. You can read more about this type of tactical urbanism [here](#).

The SMART Outdoor Sign proposal explaining the opportunity for sponsored signs has finally been delivered and includes sample agreements and pricing for Fairhaven and Mattapoisett and the next step will be for the Fairhaven and Mattapoisett Committees to hold a joint meeting to discuss the merits, pros and cons, etc.

If representatives of both Town Committees like the proposal, they will advise their recommendations to their respective Select Boards.