



Fairhaven Select Board & Finance Committee Joint Meeting Minutes September 18, 2024

Select Board Members Present: Chair Stasia Powers, Vice-Chair Charles Murphy Sr., Clerk Andrew Saunders, members Keith Silvia and Andrew Romano, Town Administrator Angie Lopes Ellison, Assistant Town Administrator of Finance Anne Carreiro and Public Works Superintendent Vincent Furtado.

Finance Committee Members Present: Chair Padraic Elliott, Vice-Chair Claire Millette, Stephen Levesque, Robert Grindrod, Peter Gardner, Pattie Pacella, Linda Gallant and Ken Blanchard

Not Present: Members James Souza, Steve Riley, David Patterson, Lisa Plante and Chris Fidalgo

Ms. Powers called to order the Select Board meeting at 6:30p.m.

Mr. Elliott called to order the Finance Committee meeting at 6:30p.m.

Ms. Powers yielded to Mr. Elliott

FINANCE COMMITTEE

Approve Finance Committee Minutes

Mr. Elliott said he had distributed copies of the May 9, 2024 meeting and clarified the reference to the public safety complex discussion, he said this was regarding discussion that took place on spending for an old building with potential for spending for a new building.

Finance Committee Motion: Ms. Millette motioned to approve the minutes of May 9, 2024. Mr. Grindrod seconded. The motion passes unanimously (8-0-0).

SPECIAL TOWN MEETING WARRANT

Ms. Powers reviewed the process and that each article description would be reviewed and then votes if necessary after the discussion. Ms. Ellison added that amendments to article 5 were distributed to avoid reprinting the entire packet. Also, to avoid confusion the motions will be provided at town meeting and not in the warrant.

ARTICLE 1: BYLAW 40R

No information has been received from the state since the application was submitted in June. An informational meeting by the Planning Board will be on October 1, 2024, Attorney Adam Costa and representatives from the consulting firm will be attending to address questions.

ARTICLE 2: SEWER RETAINED EARNINGS TO SEWER NITROGEN PLANT ARTICLE 15A OF THE JUNE 18, 2022 TOWN MEETING

Mr. Furtado addressed the Board and Finance Committee (Committee), explained the article, project details, answered questions about the article and amount within the article. This is a standard article to move funds from retained earnings where needed and typically happens at the spring town meeting. Discussion ensued regarding the Flow Neutral Bylaw and application for zero percent interest loan for the treatment plant.

Discussion continued regarding impact of ADUs (Accessory Dwelling Units) if that goes through, water use average per person, per day and what the anticipated increase in use could be.

Select Board Motion: Mr. Romano motioned to recommend Article 2 as written. Mr. Saunders seconded. The motion passes unanimously (5-0-0).

Finance Committee Motion: Ms. Millette motioned to recommend Article 2 as written. Mr. Grindrod seconded. The motion passes unanimously (8-0-0).

ARTICLE 3: AMEND FY25 WATER ENTERPRISE OPERATING BUDGET

Mr. Furtado addressed the Board and Committee and explained the need for the article due to a retirement notice that was submitted and the funds are needed for the payoff.

Select Board Motion: Mr. Romano motioned to recommend Article 3 as written. Mr. Saunders seconded. The motion passes unanimously (5-0-0).

Finance Committee Motion: Ms. Millette motioned to recommend Adoption. Mr. Grindrod seconded. The motion passes unanimously (8-0-0).

ARTICLE 4: WATER ENTERPRISE FUND DEBT SERVICE

Mr. Furtado explained that the amount of \$45,185.84 was entered into the General Fund Budget and should have been in Water Retained Earnings, this article is needed to correct the accounting error. Discussion ensued about the budget process, how it happened, the process to transfer

Select Board Motion: Mr. Romano motioned to recommend Article 4 as written. Mr. Saunders seconded. The motion passes unanimously (5-0-0).

Finance Committee Motion: Ms. Millette motioned to recommend Article 4 to Town Meeting. Mr. Grindrod seconded. The motion passes unanimously (8-0-0).

ARTICLE 5: SCONTICUT NECK ROAD WATER MAIN REHAB

Bond Counsel wrote revised language for the article and a motion (*Attachment A*). Mr. Furtado said the amount will be reduced, he recommends changing it to one million dollars and said he is working with the engineers to see if it can be further reduced.

Mr. Furtado led a discussion on the Sconticut Neck Road Water Main Rehabilitation project, why it is needed, potential to address at town meeting and make that the recommendation.

No votes were taken on this article.

ARTICLE 6: REQUEST OF TRANSFER OF FUNDS

Mr. Furtado reviewed this article, he said this article is to move money from a prior town meeting article from a project that is completed with eight thousand dollars left to an article for the utility trailer. Discussion ensued regarding funds appropriated under a town meeting article and that they stay available for two years and then are turned back to the general fund. A town meeting vote is needed to use the remainder of funds before the turnback.

Select Board Motion: Mr. Romano motioned to recommend Article 6. Mr. Saunders seconded. The motion passes unanimously (5-0-0).

Finance Committee Motion: Ms. Millette motioned to recommend Article 6. Mr. Grindrod seconded. The motion passes unanimously (8-0-0).

ARTICLE 7: MATCHING FUNDS FOR GRANT WRITER

Ms. Ellison addressed the article and said that in the interviews with the candidates for the Grant Writer position, they asked how much the Town has set aside for matching grant funds and currently the Town does not have funds set aside for matching grants. If no funds set aside, it would need to wait until the next Town Meeting.

Discussion ensued regarding grant processes, how the amount was determined, if there are alternate ways to fund, free cash available, who determines which grants are applied for and future reporting to track grant applications and results.

Select Board Motion: Mr. Romano motioned to recommend Article 7. Mr. Saunders seconded. The motion passes unanimously (5-0-0).

Finance Committee Motion: Ms. Millette motioned to recommend Article 7. Mr. Grindrod seconded. The motion passes unanimously (8-0-0).

ARTICLE 8: REQUEST OF TRANSFER OF FUNDS

Ms. Ellison explained that the FY25 Public Safety budget had \$23,863 for part-time IT work and the IT Department needs the funds in order to hire a part-time tech who will work between the schools and public safety.

Discussion ensued to change the word “Education” to “IT” in the wording of the article. Mr. Grindrod asked to confirm that this money has nothing to do with the contract for dispatching and clarifying questions about enterprise funds.

Select Board Motion: Mr. Romano motioned to recommend Article 8 as amended. Mr. Saunders seconded. The motion passes unanimously (5-0-0).

Finance Committee Motion: Ms. Millette motioned to recommend Article 8 as amended. Mr. Grindrod seconded. The motion passes unanimously (8-0-0).

ARTICLE 9: INCREASE TO FY2025 FAIRHAVEN PUBLIC SCHOOLS GENERAL FUND APPROPRIATION FOR ADDITIONAL CHAPTER 70 STATE AID

Ms. Ellison explained the article. Discussion ensued regarding how the state sends money for Chapter 70.

Select Board Motion: Mr. Romano motioned to recommend Article 9. Mr. Saunders seconded. The motion passes unanimously (5-0-0).

Finance Committee Motion: Ms. Millette motioned to recommend Article 9. Mr. Grindrod seconded. The motion passes unanimously (8-0-0).

ARTICLE 10: SETTING SALARIES OF TOWN OFFICERS

Ms. Ellison reviewed the history of a previous town meeting article to change the Town Clerk to appointed from elected. In preparation for that a review of the salary was done and the FY25 budget reflected the increase in salary to \$84,080. Because the town meeting article failed and the position is elected, raising the salary requires a town meeting vote.

Select Board Motion: Mr. Romano motioned to recommend Article 10. Mr. Saunders seconded. The motion passes unanimously (5-0-0).

Finance Committee Motion: Ms. Millette motioned to recommend Article 10. Mr. Grindrod seconded. The motion passes unanimously (8-0-0).

ARTICLE 11: AMEND FY25 COMMUNITY PRESERVATION COMMITTEE APPROPRIATIONS: PHOENIX RAIL TRAIL HANDICAPPED ACCESSIBLE TABLES

Mr. Furtado reviewed the details of the article. The original article was written for two tables; they were able to get four tables for the same price and because the details of the previously approved article referred to two tables, town meeting needs to vote to update the language to reflect the extra tables and new location to place them at.

Select Board Motion: Mr. Romano motioned to recommend Article 11. Mr. Saunders seconded. The motion passes unanimously (5-0-0).

Finance Committee Motion: Ms. Millette motioned to recommend Article 11. Mr. Grindrod seconded. The motion passes unanimously (8-0-0).

ARTICLE 12: BYLAW AMENDMENTS, CHAPTER 198 ZONING

Ms. Ellison explained the article. Discussion ensued regarding whether Town Counsel reviewed, what the update does and the impacts if the bylaw is not updated based on the changes made by the state, possibility for appeals and increased legal bills. A link to the state's information will be placed online for reference.

Select Board Motion: Mr. Romano motioned to recommend Article 12. Mr. Saunders seconded. The motion passes unanimously (5-0-0).

Finance Committee Motion: Ms. Millette motioned to recommend Yield to Petitioner on Article 12. Mr. Grindrod seconded. The motion passes unanimously (8-0-0).

ARTICLE 13: BYLAW, COMMISSION ON DISABILITY

Ms. Powers asked if this article should be handled by the Charter Committee. Ms. Ellison advised that the Charter is like a constitution or framework for an organization and a bylaw is like laws and regulations and it can be sent to the Charter Committee if that is what the Board wants. Ms. Powers said she would like to hear from the Charter Committee after their next meeting.

Finance Committee Motion: Ms. Millette motioned to recommend Yield to Petitioner. Mr. Grindrod seconded. The motion passes unanimously (8-0-0).

ARTICLE 14: CITIZENS PETITION

Ms. Ellison reviewed the Citizen's Petition. Discussion ensued as to the source of funds, language of the article, previous appropriations, grant funds, Capital Project requests, Town Counsel review of language in this petition, the Fire Chief's commitment during budget hearings if grant money is awarded then the Capital Project appropriation would be turned back, the Fire Chief's position on the second set of gear and the format of potential votes on a recommendation.

Select Board Motion: Mr. Romano motioned to recommend Yield to Petitioner on Article 14. Mr. Saunders seconded. The motion passes unanimously (5-0-0).

Finance Committee Motion: Ms. Millette motioned to recommend Indefinite Postponement on Article 14. Mr. Grindrod seconded. The motion passes (5-3-0).

Finance Committee adjourned at 8:20pm
The Select Board adjourned at 8:20pm

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

ATTACHMENTS

A. Bond Counsel language, Article 5 SCONTICUT NECK ROAD WATER MAIN REHAB

Approved on October 15, 2024

And Town of Fairhaven, Massachusetts
Suggested Forms of Article and Motion

ARTICLE 5: SCONTICUT NECK ROAD WATER MAIN REHABILITATION

To see if the Town will vote to appropriate an amount not to exceed \$1,500,000, to pay costs of rehabilitating the water distribution system/water main located on/in Sconticut Neck Road, including the payment of all costs incidental and related thereto; to determine whether this amount should be raised by borrowing or otherwise, or take any other action relative thereto.

MOTION __: SCONTICUT NECK ROAD WATER MAIN REHABILITATION

That the Town appropriates \$1,500,000 to pay costs of rehabilitating the water distribution system/water main located on/in Sconticut Neck Road, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(1), G.L. c. 44, §8(5), or any other enabling authority, and to issue bonds or notes of the Town therefor.