



FAIRHAVEN SELECT BOARD

Meeting Minutes *September 30, 2024*

Present: Chair Stasia Powers, Vice-Chair Charles Murphy Sr., Clerk Andrew B. Saunders, Members Keith Silvia and Andrew Romano, Town Administrator Angie Lopes Ellison

Also Present: Attorney John Clifford of Clifford and Kenny

Ms. Powers opened the Select Board meeting at 6:31p.m.

Motion: Mr. Romano motioned to take item B2 out of order. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

ACTION / DISCUSSION

Restructure of Planning Department

Ms. Ellison addressed the Board and explained the proposed restructure of the Planning and Conservation Department and create a Director of Land Use which would include Planning, Conservation, Sustainability and Community Preservation. Draft job descriptions were in the packet for Director of Land Use and an Assistant Conservation and Sustainability Agent and a budget breakdown.

Ms. Ellison reviewed the difficulties in staffing planning positions here and in other surrounding communities. The restructuring leaves about twenty-two thousand dollars which can be utilized for training. Similar challenges with hiring were experienced with the Finance Department and reflects the trends and difficulty in municipal hiring. Other municipalities have gone to Land Use Directors similar to using a Director of Inspectional Services. Restructuring presents an opportunity to create a full-time support staff position to support both departments from two current part-time positions.

Discussion ensued regarding a job description for the proposed administrative assistant for Planning/Conservation, if it is a union or non-union position, is the collective bargaining agreement being followed, comparison of the Planning Director and Conservation Agent job descriptions, would it be in the Town's interest to continue to search for a Planning Director, whether this would be a permanent change, workload, input from the Planning Board and Conservation Commission members, budgetary concerns, saving costs, staff ready to move into new roles, smart growth within the community, responsibilities of the Tree Warden, and are there similarly sized communities with similar structures and results.

Ms. Ellison advised the Board that a Memorandum of Understanding was previously negotiated with the union for the position. She also reviewed that there are communities with Planning and Conservation handled by the same staff member. Currently there are eleven communities with open planning positions in Massachusetts and communities have created Land Use departments; there are duties within the planning and conservation that overlap and workload will continue to be monitored by the Town Administrator. Tree Warden, currently Mr. Webb holds the certificate and members of Public Works are pursuing.

Bruce Webb addressed the Board and supports the changes as presented and provided updates as to how the departments are functioning and the opportunity to move forward under the new structure.

Discussion continued about the scope of work, process and time needed to pursue a certificate in planning through the American Institute of Certified Planners (AICP), balance of workload responsibilities within the new structure, can a housing plan be undertaken within the structure. Mr. Webb addressed the concerns and spoke to his experience, education and credentials.

Bob Espindola addressed the Board via zoom, he said the Board should take a step back and delay the decision on this until they have further information. References were made to other communities doing this and the Board should see a list. Also, review the roles, responsibilities and full accomplishments of past Planning Directors which included

work with Community Development Block Grants (CDBG) to secure and manage, Union Wharf grants in collaboration with planning. Consider timelines where the person in the role would be spread too thin. Mr. Webb addressed the concerns and said he is managing grants currently including two CDBG grants; a Grant Writer is being brought in and will oversee the management of the grants and Mr. Webb would work collaboratively with them on identifying opportunities. Mr. Webb said the restructure would help with the workload.

Ann Richard addressed the Board via zoom, she is the current Chair of Sustainability and would like to hear more about sustainability and how the restructure would support the Sustainability Committee. Ms. Richard is also concerned about Community Preservation Committee (CPC) and management of that process. Mr. Webb advised the Board that Kelly Camara has been supporting the Sustainability Committee and if the restructure is approved the additional hours would help to support the current work. CPC work has been managed by Stephanie Fidalgo including when Paul DiGiuseppe was the Planner. Ms. Ellison said the CPC duties would be overseen by the Land Use Director, no one is losing support with the new model. Shifts have also been made with staff liaisons now that Alyssa Botelho is on board.

Ms. Richard continued and said she appreciates the support with sustainability and feels a slight in the way they were referred to as a laissez faire group and the change seems like a thinning out and what would happen if the staff is not there in a few months. She also would have liked to see the job descriptions ahead and hopes the Board waits on a decision.

Cam Durant addressed the Board via zoom, he wanted to add that as a resident, many of these issues and concerns have been addressed already by the Board and through town meeting. Town Meeting appropriated the funds for a grant writer that is in process right now; in June the Board updated the Planning Director title to remove the economic development portion as part of the newly formed Community Development Coordinator. The proposal for a Director of Land Use reflects the key responsibilities in one person who will supervise and manage the functionalities. There are about a third of towns that have combined these roles because of the market. The Town of Wilmington has done this. The Town of Wareham is considering doing this because they have not had a Planner in over a year and they have more coastline and commercial property. Mr. Durant said he thinks this is a good idea and the Board should deliberate and fine tune; the staff the Town currently has will be of good service to the Town.

Discussion continued about the timing of this proposal, acting quickly to maintain staff, upcoming projects that will need oversight, confirming the long-term needs of the Town are met and looking at the positions and not the people in them to fully understand.

Mr. Espindola added in that he was not clear on the plan and if the recently filled Community Development Coordinator position and these positions were laid out and presented together it would be different. He does not recall anything specific about economic development being in the Community Development Coordinator position and is not sure what qualifications Ms. Botelho has in that area. He also is curious about the communities Mr. Durant pointed out were moving in this direction and understanding more of why other communities are able to fill that position and not Fairhaven and what would need to be fixed. He suggested putting the job description out on the street to see if others qualified would step forward for it and has the qualifications with no need to wait two years for certification.

Ms. Ellison reiterated the challenge of finding candidates interested in working for municipalities across the Commonwealth. If the Board has concerns about the restructure, vote against it and things would stay status quo. The restructure builds staff and is a way to promote from within. Ms. Powers asked that roles and responsibilities be clearly articulated to staff with any shift in responsibility to ensure everyone is clear and on the same page about what they are doing.

Patrick Carr, serving on the Planning Board, addressed the Board. Mr. Carr said he has worked with Mr. Webb who has a complete understanding of the Planning Department and how to move the town forward, when a subject comes up he does the research professionally and is calm. Mr. Webb is easy to talk to and a good negotiator. Mr. Carr has also heard good things about Ms. Camara and in the last year with Mr. Webb in Conservation he seems to have gotten things on the right track. If we keep taking a step back we will be stagnant. This is an opportunity to take

somebody who is within and knows the job and can do the job. In working with the Planning Board, Mr. Webb communicates back and forth, he takes the time to find true answers and works well with Steph (Fidalgo); they crunch the numbers on Accessory Dwelling Units (ADUs) and the 40R development and I am impressed. If we do not take this opportunity to put him in that position to allow him the chance to do this, it will be another possible mistake that the Town makes. We have been waiting for this opportunity and from what I have seen, I am behind him.

Motion: Mr. Saunders motioned to approve the restructure Planning and Conservation as proposed. Mr. Silvia seconded. The motion passed (4-1-0) Mr. Romano opposed.

Motion: Mr. Romano motioned to enter Executive Session pursuant to G.L. c. 30A, § 21(a)(2) To conduct strategy session in preparation for negotiations with nonunion personnel; Town Administrator and 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 Sessions on May 8, 2024 and July 30, 2024 in response to a request for release and to return to open session. Mr. Saunders seconded. Roll Call Vote. Mr. Romano in favor, Mr. Saunders in favor, Ms. Powers in favor, Mr. Murphy in favor and Mr. Silvia in favor. The motion passed unanimously (5-0-0).

Meeting adjourned to Executive Session at approximately 7:30p.m.

Meeting returned to Open Session at approximately 8:45p.m.

Determination of Executive Session Minutes of May 8, 2024 and July 30, 2024 Review

Ms. Powers announced that the Board voted not to release the Executive Session minutes of May 8, 2024 and July 30, 2024 at this time as the topic is still the subject of negotiations.

Meeting adjourned at approximately 8:46p.m.

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

Approved on October 15, 2024