



FAIRHAVEN SELECT BOARD

Meeting Minutes November 25, 2024

FAIRHAVEN TOWN CLERK
RCUD 2024 DEC 17 PM 2:50

Present: Chair Stasia Powers, Vice-Chair Charles Murphy Sr., Clerk Andrew B. Saunders, members Keith Silvia and Andrew Romano and Assistant Town Administrator of Finance/Town Accountant Anne Carreiro

Ms. Powers opened the meeting at 6:30p.m.

A moment of silence was observed for Heidi Hacking and Mr. Romano read a statement.

EXECUTIVE SESSION

Motion: Mr. Romano motioned to enter Executive Session pursuant to G.L. c. 30A, § 21(a)(1) To discuss complaints or charges against an employee (Name withheld) and Pursuant to G.L. c. 30A, s. 17(a)(7) “to comply with, or act under the authority of, any general or special law,” review executive session minutes pursuant to G.L. c. 30A, s. 22(f), (g) (February 26, 2024, March 11, 2024, April 8, 2024, April 22, 2024, May 8, 2024, May 13, 2024, June 10, 2024, July 30, 2024, August 19, 2024, September 23, 2024, September 30, 2024, October 15, 2024 and October 28, 2024 in response to request from Bob Espindola) and to return to Open Session. 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 6:34p.m.

Meeting returned to Open Session at 7:55p.m.

ACTION

Determination of Executive Session Minutes Review

Ms. Powers reviewed the determination of the Executive Session minutes review. The Board voted as follows: fully release on December 4, 2024 the dates of May 8, 2024, July 30, 2024, September 30, 2024, October 15, 2024 and October 28, 2024; not to release the dates of February 26, 2024, April 22, 2024, June 10, 2024 and September 23, 2024; release with redactions the dates of April 8, August 19, 2024 and March 11, 2024 and fully release May 13, 2024.

MINUTES

Motion: Mr. Romano motioned to accept the October 28, 2024 Executive Session minutes. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Romano motioned to accept the November 12, 2024 Open Session minutes. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Romano motioned to accept the November 12, 2024 Executive Session minutes. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Romano motioned to accept the November 19, 2024 Open Session minutes. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Romano motioned to accept the November 19, 2024 Executive Session minutes. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

TOWN ADMINISTRATOR REPORT

Ms. Carreiro reported:

- Staffing Update: Grant Writer David DeManche resigned, Ms. Carreiro is working with the interim Human

Resources Director to reach out to other applicants.

There will be a ribbon cutting ceremony for the new playground at the Recreation Center on November 26, 2024 at 4:00p.m., this project was funded through ARPA (American Rescue Plan Act).

Thanksgiving dinner will be served at the Council on Aging on Thursday from 11:00a.m. to 1:00p.m. made possible by donations from community businesses including Fairlawn Mortuary, Dorothy Cox Chocolates and the Fairhaven Firefighters Local 1555.

- Interim Town Administrator Search Committee Update: The Interim Search Committee met briefly to schedule interviews and their meetings, they will meet on November 27, 2024 to determine the questions and review resumes in executive session. The deadline for applying will be 4:00p.m. on Wednesday, December 4, 2024. The Committee will then meet on Monday, December 9, 2024 for interviews in executive session.
- Resignations from Boards/Committees: Resignations were received from Sean Powers, Chair of the Broadband Study Committee and Bob Espindola, member of the Broadband Study Committee; thank you for your time and effort.

ACTION / DISCUSSION

Rogers School Update: Facilities Manager

Facilities Manager Kevin Fournier addressed the Board, reviewed the balance in the Rogers School accounts for maintenance and his projection is that it could last about two years without any issues. There have been issues and there may be a need for a source of income in the future. ARPA funds have been used when possible.

Town Hall Update: Facilities Manager

Mr. Fournier addressed the Board about current and planned projects at Town Hall including the doors, boiler, windows, retaining walls, digitizing project that was done to address fire code issues. Mr. Fournier reviewed other ongoing projects that he oversees: Recreation Center/Council on Aging roof, blinds at Town Hall, Town Hall fire panel and the Police/Fire Station.

Update on Lighting Around the Millicent Library: Nils Isaksen

Nils Isaksen addressed the Board and provided an update on the lighting project for around the Library and requested permission to work with the Fire Chief on the wiring for the alarm and phone line that connects across the front of Town Hall. Ms. Powers advised him to speak with Mr. Fournier first.

Special One-Day All Liquor License: Annual Olde-Tyme Holiday: December 14, 2024

Community Development Coordinator Alyssa Botelho addressed the Board via zoom about the request and events planned for Olde-Tyme Holiday on December 14, 2024.

Motion: Mr. Romano motioned to approve the Special One-Day All Liquor License for Olde-Tyme Holiday on Saturday, December 14, 2024 from 10:00a.m. to 3:00p.m. and waive the seventy-five-dollar fee if it applies. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

Call Local Town Election, Monday, April 7, 2025

Ms. Powers read the request from the interim Town Clerk

Motion: Mr. Romano motioned to set the date and call for the next Annual Town Election to be held on Monday, April 7, 2025 for the following positions and term lengths: One Select Board Member - 3-year term, Two School Committee Members - 3-year term, One Board of Health Member - 3-year term, One Board of Public Works Member- 3-year term, Two Planning Board Members - 3-year term, One Housing Authority Member - 5-year term, One Town Clerk- 3-year term, One Commissioner of Trust Funds Member- 3-year term, Precinct One - Town Meeting Members - Number of open seats to be determined,* Precinct Two - Town Meeting Members - Number of open seats to be determined,* Precinct Three -Town Meeting Members - Number of open seats to be determined,* Precinct Four - Town Meeting Members - Number of open seats to

be determined,* Precinct Five - Town Meeting Members - Number of open seats to be determined* and Precinct Six - Town Meeting Members - Number of open seats to be determined* **In accordance with Section 2 of Chapter 285 of the Acts of 1930 and amendments thereto establishing in the Town of Fairhaven Representative Town Government by Limited Town Meeting.* Mr. Saunders seconded. The motion passed unanimously (5-0-0).

Authorized Signature on Warrants in absence of Town Administrator

Ms. Carreiro requested the Board vote for a second signature on the warrants and recommended Mr. Murphy who was recently acting Town Administrator during her vacation. Ms. Carreiro said she conferred with Town Counsel on this request.

Motion: Mr. Romano motioned for Charles Murphy to act as a signer. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

Select Board Representative for Labor Counsel Search

Ms. Powers explained there is a need to search for new Labor Counsel and assign a Select Board member to work with Ms. Carreiro to bring recommendations forward to the Board.

Motion: Mr. Romano motioned for Andrew B. Saunders to represent the Select Board in a Labor Counsel search with Ms. Carreiro. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

Select Board Meeting Protocols Review

Ms. Powers reviewed that Board Member Items has been used in a way not intended and she worked with Mr. Murphy on an update to protocol number nine and read the proposed update and opened for discussion. No discussion took place.

Motion: Mr. Romano motioned to accept the revision to Select Board protocol nine. Mr. Saunders seconded. The motion passed unanimously (5-0-0).

Select Board Executive Session Minutes Policy Review

In February, 2023, the Board rescinded the policy adopted in 2015 based on conflicts with Open Meeting Law and Public Record request guidelines. Ms. Powers asked the Board what their preference was for periodic reviews, for example, two times per year or quarterly. Brief discussion ensued about reviewing executive session minutes quarterly and asking Town Counsel to draft a protocol for the Board to review and vote on.

Dissolution of Broadband Study Committee

Ms. Powers recapped previous discussion and that, for the record, she would have voted in favor of moving forward with the RFP based on the charge of the Broadband Study Committee to bring competition to Town and the work done over the last four years.

Discussion ensued regarding information Mr. Espindola emailed to the Board regarding potential grant funds and other considerations (*Attachment A*), the resignations of Mr. Powers and Mr. Espindola which contained their recommendation to dissolve the Committee, funds stay in Cable Enterprise and not the General Fund if not used, missing an opportunity for a competitor like Verizon by not moving forward with an RFP and the consultant advising of the possibility for Fairhaven to receive offers from surrounding town's RFPs. Mr. Saunders added that his vote was because he did not feel that spending nineteen thousand dollars was in the best interest of the Town.

Motion: Mr. Saunders motioned to dissolve the Broadband Study Committee. Mr. Silvia seconded. The motion passed (4-1-0) Mr. Romano opposed.

BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

Mr. Silvia reported:

No meetings to report on.

Mr. Murphy reported:

He attended a meeting at the Whitfield Manjiro House and Mr. Rooney gave an update on the Manjiro Festival that was held in Japan this year.

Ms. Powers reported:

Congratulations to the Fairhaven High School Blue Devils who are going to the Super Bowl on December 4, 2024 at Gillette Stadium, the game is 8:00p.m. Ms. Powers met with Gordon Carr and Tim Cox regarding the New Bedford-Fairhaven Harbor Master Plan and the Town's role and input; they will start with the Marine Resources Committee and ask for suggestions. Ms. Powers discussed sea-level rise with Mr. Webb.

Mr. Saunders reported:

Ms. Carreiro covered the interim Town Administrator search update.

Mr. Romano reported:

Shout out to the Lopes family, Olde Town Fairhaven for the upcoming Holiday-themed Trunk-or-Treat community event planning. Town Meeting had a higher attendance than Spring Town Meeting this year; people are coming out and getting involved. On December 2, 2024 papers can be pulled to run for elected positions.

PUBLIC COMMENT

Patrick Carr of Pleasant Street addressed the Board and asked why release some of the executive session minutes and not all, what is the reason; in the minutes released will it include the entire amount of money proposed to settle the buyout of the Town Administrator (TA) including the remaining salary, the severance package and the attorney's fees to settle the TA's contract and the expense to hire an interim TA. He added that he hopes for full transparency and openness by releasing the entire cost related to this termination of the TA's contract since the public bears the burden by way of tax revenue to shoulder this expense. If some minutes are held back, why are they being held back.

Ms. Powers said that she will be in attendance for the next meeting and having a procedure and Mr. Murphy will prepare the agenda for December 16, 2024 and run the meeting if she not able to attend or can attend via zoom.

NEWS AND ANNOUNCEMENTS

The next regularly scheduled Select Board meeting is Monday, December 2, 2024 at 6:30p.m.

Meeting adjourned at 8:45p.m.

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

ATTACHMENTS:

- A. Email correspondence from Bob Espindola

Approved on December 16, 2024

Bob Espindola notes on Broadband for Select Board upon Dissolution, November 25, 2024

These notes are my own – I am not speaking on behalf of the Broadband Study Committee. . They summarize some of what I have learned through my involvement with the Mass. Broadband Coalition.

Fairhaven residents have asked (over the years and in recent weeks) if the Town could bring competition to Fairhaven. Community members have specifically asked about Verizon Fios. With that in mind, I thought it might be helpful to point out the following to you;

- The Commonwealth of Massachusetts awarded \$45M worth of Broadband Grants in July of 2024. Verizon received \$37M of the grant funds and lists Dartmouth and Fall River among the local communities they will invest in.
- New Bedford has received several responses to their RFQ including one from Verizon
- Falmouth has received several responses to their RFP including one from Verizon. The responses they received include a variety of business models ranging from entirely privately funded to a developer offering to split the construction cost on a 50/50 basis and operate the network and allows for the Town to buyout the developer's 50% share once the network proves its return on investment.

If the Select Board decides to make Broadband a priority at any time in the future, you may want to consider following the efforts of Falmouth, New Bedford, Dartmouth and Fall River.

I wish you the best with whatever you decide.

Thank you,

Bob Espindola

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Grants to Help Connect 2,000 Locations in 41 Massachusetts Communities to Broadband by 2026

A full breakdown of the grants and covered municipalities includes:

| Grant Recipient | Communities Covered | Grant Amount |
|--|---|--------------|
| Comcast | Aquinnah, Chilmark, Edgartown, Monson, Nantucket, Oak Bluffs, Palmer, Tisbury, Ware, West Tisbury | \$2,693,365 |
| Greenfield Community Energy and Technology | Greenfield | \$758,734 |
| Spectrum Northeast LLC | Florida, Hawley, Monroe, Savoy | \$4,904,841 |
| Verizon New England Inc. | Agawam, Amesbury, Amherst, Ashburnham, Attleboro, Barre, Bernardston, Brewster, Chicopee, Dartmouth, Deerfield, Fall River, Falmouth, Gloucester, Harwich, Holyoke, Lunenburg, Mashpee, North Brookfield, Sandwich, Sheffield, Townsend, Springfield, Warren, Wellfleet, Yarmouth | \$37,068,263 |

<https://broadband.masstech.org/news/healey-driscoll-administration-awards-more-45-million-grants-extend-high-speed-internet>