

SPECIAL TOWN MEETING – TUESDAY, NOVEMBER 15, 2022
WALTER SILVEIRA AUDITORIUM –HASTINGS MIDDLE SCHOOL
TOWN MEETING MEMBERS PRESENT 117–
QUORUM REQUIRED 100

Meeting called to order by Moderator at 7:00pm

The Moderator stated that the warrant has been properly served and that there was a quorum

Pledge of Allegiance

The National Anthem

The Moderator introduced those seated on stage.

Instructions were given to the Town Meeting Members.

ARTICLE 1: AMEND FY23 GENERAL FUND OPERATING BUDGET

By majority vote, the Town voted to amend Article 8 of the June 18, 2022 Town Meeting
“General Fund Operating Budget – FY23” as follows

1. Transfer from Surplus Revenue as follows:

- A. \$2,000 be transferred from Surplus Revenue (Free Cash) to Animal Control – Gasoline.
- B. \$6,500 be transferred from Surplus Revenue (Free Cash) to Council on Aging – Gasoline.
- C. \$25,000 be transferred from Surplus Revenue (Free Cash) to Fire Department – Gasoline.
- D. \$12,500 be transferred from Surplus Revenue (Free Cash) to Highway Department – Gasoline
- E. \$4,000 be transferred from Surplus Revenue (Free Cash) to Park Department – Gasoline.
- F. \$33,000 be transferred from Surplus Revenue (Free Cash) to Police Department – Gasoline.
- G. \$5,000 be transferred from Surplus Revenue (Free Cash) to Marine Resources – Gasoline.
- H. \$4,000 be transferred from Surplus Revenue (Free Cash) to Tree Department –Gasoline.
- I. \$4,690 be transferred from Surplus Revenue (Free Cash) to Council on Aging – Repairs & Maintenance Building.
- J. \$4,000 be transferred from Surplus Revenue (Free Cash) to Recreation Department – Repairs & Maintenance Building.
- K. \$3,000 be transferred from Surplus Revenue (Free Cash) to Town Clerk – Postage.
- L. \$11,500 be transferred from Surplus Revenue (Free Cash) to Conservation Department – Contracted Services.

2. Transfer from Enterprise Funds as follows:

- A. \$12,000 be transferred from Water Retained Earnings to Water Department– Gasoline.
- B. \$8,000 be transferred from Sewer Retained Earnings to Sewer Department – Gasoline.
- C. \$2,794 be transferred from Water Retained Earnings to Water Department Salaries & Wages.
- D. \$2,111 be transferred from Sewer Retained Earnings to Sewer Department Salaries & Wages.
- E. \$3,157 be transferred from Town Cable Retained Earnings to Town Cable Department Salaries & Wages.

3. Transfer from Wage and Salary Reserve as follows:

- A. \$2,200 be transferred from Wage and Salary Reserve to Select Board/Town Administrator Salaries & Wages.

- B. \$1,640 be transferred from Wage and Salary Reserve to Human Resources Salaries & Wages.
- C. \$2,967 be transferred from Wage and Salary Reserve to Town Accountant Salaries & Wages.
- D. \$2,531 be transferred from Wage and Salary Reserve to Treasurer/Collector Salaries & Wages.
- E. \$1,744 be transferred from Wage and Salary Reserve to Assessors Salaries & Wages.
- F. \$1,137 be transferred from Wage and Salary Reserve to Elections & Registration Salaries & Wages.
- G. \$1,426 be transferred from Wage and Salary Reserve to Town Hall Salaries & Wages.
- H. \$2,519 be transferred from Wage and Salary Reserve to Planning and Economic Development Salaries & Wages.
- I. \$104 be transferred from Wage and Salary Reserve to Board of Appeals Salaries & Wages.
- J. \$1,957 be transferred from Wage and Salary Reserve to Conservation/Sustainability Salaries & Wages.
- K. \$2,689 be transferred from Wage and Salary Reserve to Police Department Salaries & Wages.
- L. \$3,093 be transferred from Wage and Salary Reserve to Fire Department Salaries & Wages.
- M. \$3,568 be transferred from Wage and Salary Reserve to Building Department Salaries & Wages.
- N. \$2,627 be transferred from Wage and Salary Reserve to Marine Resources Salaries & Wages.
- O. \$1,490 be transferred from Wage and Salary Reserve to Highway Department Salaries & Wages.
- P. \$4,189 be transferred from Wage and Salary Reserve to Board of Public Works Administration Salaries & Wages.
- Q. \$1,865 be transferred from Wage and Salary Reserve to Tree Warden Department Salaries & Wages.
- R. \$2,175 be transferred from Wage and Salary Reserve to Board of Health Salaries & Wages.
- S. \$2,596 be transferred from Wage and Salary Reserve to Council on Aging Salaries & Wages
- T. \$1,771 be transferred from Wage and Salary Reserve to Veterans Salaries & Wages.
- U. \$4,107 be transferred from Wage and Salary Reserve to Recreation Department Salaries & Wages.
- V. \$1,548 be transferred from Wage and Salary Reserve to Tourism Salaries & Wages.
- W. \$ 1,363 be transferred from Wage and Salary Reserve to Park Department Salaries & Wages.

ARTICLE 2: AMEND FY23 WATER ENTERPRISE OPERATING BUDGET

By majority vote, the Town voted to amend Article 9 of the June 18, 2022 Annual Town Meeting “Water Enterprise Operating Budget – FY23” by transferring \$15,000 from Water Retained Earnings to Water Department – Salaries for the purpose of a retirement payoff.

ARTICLE 3: SPECIAL EDUCATION RESERVE FUND

By majority vote, the Town voted to transfer \$58,000 from Surplus Revenue (Free Cash) to be deposited in the Special Education Reserve Fund as authorized by Chapter 40, Section 13E of the General Laws.

ARTICLE 4: SOUTH STREET PUMP STATION VALVE REPLACEMENT

By majority vote, the Town voted to transfer \$50,000 from Sewer Enterprise Retained Earnings to replace a valve at the South Street Pumping Station.

ARTICLE 5: HOME RULE PETITION

PASSED OVER

ARTICLE 6: BILLS OF PRIOR YEAR – Paid from FY23 funds

By 9/10ths vote, the Town voted to approve \$535.30 for a Fire Dept bill (Med-Tech) of a prior year, with the funds coming from Surplus Revenue (Free Cash). (**Vote Required:** 9/10 pursuant to G.L. c, 44, s.64)

ARTICLE 7: TOWN HALL ELEVATOR

By majority vote, the Town voted to transfer \$8,250 from Surplus Revenue (Free Cash) to fix the Town Hall elevator.

ARTICLE 8: TOWN ADMINISTRATOR’S OFFICE FURNITURE

By majority vote, the Town voted to transfer \$16,000 to purchase office furniture to make the office function able from Surplus Revenue (Free Cash)

ARTICLE 9: AMBULANCE REQUEST FOR ADDITIONAL FUNDS

By majority vote, the Town voted to appropriate \$75,000 from Ambulance Receipts Reserved for additional funding needed for the Ambulance purchase voted on the General Fund Capital article 13C at the June 18, 2022 Town Meeting.

ARTICLE 10: SAFE ROUTE TO SCHOOLS

By majority vote, the Town voted to authorize the Select Board to acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Select Board shall determine, permanent and temporary easements and other rights or interests in land on certain parcels of land shown on plans titled "Massachusetts Department of Transportation Highway Division Plan and Profile of Sconticut Neck Road in the Town of Fairhaven Bristol County Preliminary Right of Way Plans," prepared by Chappell Engineering Associates, LLC, as said plans may be amended, for construction, public way, utility, and/or other municipal purposes; and, further, to authorize the Select Board to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisitions and other acts authorized herein; and, further, to authorize the Select Board to seek authorization and approval of the General Court, which may include a petition brought pursuant to the provisions of Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts relative to certain permanent and temporary easements to be located upon land owned by the Town of Fairhaven; and further, to accomplish these purposes and acquisitions, to raise and appropriate a sum of money to defray the costs associated with this project and the acquisitions of the rights and interests identified herein; or take any other action relative thereto.

ARTICLE 11: THERMAL CAMERA SYSTEM – HARBORMASTER BOAT

By majority vote, the Town voted to transfer \$9,020 from Surplus Revenue (Free Cash) for the replacement of the Harbormaster Thermal Camera System.

ARTICLE 12: FUND LABOR CONTRACTS FY23

By majority vote, the Town voted to waive § 50-9D of the General Provision in accordance with § 50-9F

By majority vote, the Town voted to fund the labor contract and adopt the following:

- A. Select Board/Town Administrator Salaries and Wages – By majority vote, the Town voted that the sum of \$1,999.55 be transferred from FY23 Wage and Salary Reserve.
- B. Human Resources Salaries and Wages – By majority vote, the Town voted that the sum of \$1,683.36 be transferred from FY23 Wage and Salary Reserve.
- C. Treasurer/Collector Salaries and Wages- By majority vote, the Town voted that the sum of \$12,545.37 be transferred from FY23 Wage and Salary Reserve.
- D. Town Clerk Salaries and Wages- By majority vote, the Town voted that the sum of \$3,237.15 be transferred from FY23 Wage and Salary Reserve.
- E. Assessors Salaries and Wages- By majority vote, the Town voted that the sum of \$4,664.59 be transferred from FY23 Wage and Salary Reserve.
- F. Police Department Salaries and Wages- By majority vote, the Town voted that the sum of \$46,959.12 be transferred from FY23 Wage and Salary Reserve.
- G. Fire Department Salaries and Wages- PASSED OVER
- H. Building Department Salaries and Wages- By majority vote, the Town voted that the sum of \$615.86 be transferred from FY23 Wage and Salary Reserve.
- I. Marine Resources Salaries and Wages- By majority vote, the Town voted that the sum of \$3,781.89 be transferred from FY23 Wage and Salary Reserve.
- J. Highway Department Salaries and Wages– By majority vote, the Town voted that the sum of \$54,659.71 be transferred from FY23 Wage and Salary Reserve.
- K. Board of Health Salaries and Wages- By majority vote, the Town voted that the sum of \$2,779.35 be transferred from FY23 Wage and Salary Reserve.
- L. Council on Aging Salaries and Wages- By majority vote, the Town voted that the sum of \$3,604.51 be transferred from FY23 Wage and Salary Reserve.
- M. Park Department Salaries and Wages- By majority vote, the Town voted that the sum of \$2,062.80 be transferred from FY23 Wage and Salary Reserve.
- N. Water Department Salaries and Wages- By majority vote, the Town voted that the sum of \$28,465.18 be transferred from Water Enterprise Retained Earnings.
- O. Sewer Department Salaries and Wages – PASSED OVER

ARTICLE 13: FIRE ENGINE 4 REPAIR

By majority vote, the Town voted to transfer \$53,100 from Surplus Revenue (Free Cash) for the repair of Fire Engine 4.

ARTICLE 14: EMERGENCY POLICE BOAT REPAIRS

By majority vote, the Town voted to transfer \$18,558 from Surplus Revenue (Free Cash) for the repair of the Police Boat.

ARTICLE 15: APPOINTMENT OF SPECIAL OFFICERS

By majority vote, the Town voted to amend Article 9-Special Legislation for the appointment of retired police officers as special police officers from the special town meeting of Saturday, June 7, 2003, to allow retired police officers town work until the age of 70 instead of 65 as is currently allowed.

ARTICLE 16: PUBLIC SHADE TREE BYLAW

NO MOTION MADE—NO ACTION TAKEN

ARTICLE 17: CITIZENS PETITION – REDUCE SALARY OF TOWN ADMINISTRATOR

NO MOTION MADE—NO ACTION TAKEN

ARTICLE 18: CITIZENS PETITION - STREET ACCEPTANCE ALVES WAY 2-10

NO MOTION MADE—NO ACTION TAKEN

ARTICLE 19: CITIZENS PETITION – HARD SURFACE SANDRA LANE

NO MOTION MADE—NO ACTION TAKEN

Motion to adjourn made and seconded.

Tuesday, November 15, 2022 Special Town Meeting adjourned (in record time!) at 7:53pm

Respectfully Submitted,

A handwritten signature in cursive script that reads "Linda Fredette".

Linda Fredette, Town Clerk