

ANNUAL TOWN MEETING - SATURDAY, MAY 1, 2010
WALTER SILVEIRA AUDITORIUM - ELIZ. HASTINGS MIDDLE SCHOOL
TOWN MEETING MEMBERS PRESENT 252 - QUORUM REQUIRED 100

Meeting called to order by Moderator at 9:00 A.M.
The National Anthem was played
Invocation by Reverend Ann C. Fox, Unitarian Memorial Church.
A moment of silence was held for the deceased.
The Moderator introduced those seated on stage.
The Moderator stated that the warrant had been properly served and that there was a quorum.
Instructions were given to the Town Meeting Members.
Voted that the reading of the warrant and the return of service be omitted. Seconded.
Voted that the Moderator be allowed to refer to the articles by number and title only. Seconded
Voted that all the appropriations voted at this town meeting be placed on the tax levy for the fiscal year from July 1, 2010 through June 30, 2011 unless otherwise specified. Seconded

Town Meeting Members Present:	Precinct 1 – 46
	Precinct 2 – 38
	Precinct 3 – 38
	Precinct 4 – 41
	Precinct 5 – 49
	<u>Precinct 6 – 40</u>
	TOTAL 252

ARTICLE 1 - MEASURER OF WOOD AND BARK

Voted unanimously to instruct the Selectmen to appoint a Measurer of Wood and Bark.

ARTICLE 2 - TOWN REPORT

Voted unanimously to receive the Annual Report of Town Officers.

ARTICLE 3 - SETTING SALARIES OF TOWN OFFICERS

Voted unanimously to fix the compensation of the Town's elected officers and that said compensation be effective July 1, 2010:

	<u>Appropriations</u>
A. Board of Selectmen (3 members)	\$ 15,600.00
B. Town Clerk	\$ 50,158.00
C. Moderator	\$ 800.00
D. Tree Warden	\$ 6,000.00
E. Board of Health (3 members)	\$ 4,000.00

ARTICLE 4 - TOWN CHARGES

1. Moderator	
a. Salary	\$ 800.00
2. Selectmen	
a. Salary - Board	\$ 15,600.00
b. Salary - Other	\$ 234,175.00
c. Purchase of Services	\$ 8,000.00
d. Supplies	\$ 4,550.00
e. Other Charges/Expenses	\$ 4,300.00
f. Capital Outlay	\$ 11,000.00
3. Town Accountant	
a. Salary	\$ 86,470.00
b. Purchase of Services	\$ 280.00
c. Supplies	\$ 200.00
d. Other Charges/Expenses	\$ 800.00
e. Capital Outlay	\$ -
4. Audit Expenses	\$ 48,000.00
5. Data Processing	
a. Purchase pf Services	\$ 95,613.00
b. Supplies	\$ 8,000.00
c. Capital Outlay	\$ 5,000.00
6. Treasurer	
a. Salary & Wages	\$ 159,175.00

b. Purchase of Services	\$	8,175.00	
c. Supplies	\$	2,350.00	
d. Other Charges/Expenses	\$	2,370.00	
e. Capital Outlay	\$	-	
7. Tax Title	\$	30,000.00	
8. Town Clerk			
a. Salary - Town Clerk	\$	50,158.00	
b. Salary - Other	\$	38,883.00	
c. Purchase of Services	\$	6,237.00	
d. Supplies	\$	2,668.00	
e. Other Charges/Expenses	\$	500.00	
f. Capital Outlay	\$	-	
9. Election & Registration			
a. Salary & Wages	\$	22,798.00	
b. Purchase of Services	\$	15,898.00	
c. Supplies	\$	2,100.00	
d. Other Charges/Expenses	\$	-	
e. Capital Outlay	\$	-	
10. Town Collector			
a. Salary & Wages	\$	159,730.00	
b. Purchase of Services	\$	36,600.00	
c. Supplies	\$	7,850.00	
d. Other Charges/Expenses	\$	3,150.00	
e. Capital Outlay	\$	-	
11. Assessors			
a. Salary & Wages	\$	137,826.00	
b. Purchase of Services	\$	27,200.00	
c. Supplies	\$	4,900.00	
d. Other Charges/Expenses	\$	2,660.00	
e. Capital Outlay	\$	-	
12. Town Hall			
a. Salary & Wages	\$	40,795.00	
b. Purchase of Services	\$	10,450.00	
1. Utilities	\$	38,450.00	
c. Supplies	\$	3,300.00	
d. Other Charges/Expenses	\$	-	
e. Capital Outlay	\$	-	
13. Council on Aging			
a. Salary & Wages	\$	127,298.00	\$35,000.00 from Social Day Care Center Receipts Reserved for appropriation \$92,298.00 to be raised on the Tax Levy
b. Purchase of Services	\$	11,544.00	
1. Utilities	\$	14,900.00	
c. Supplies	\$	2,098.00	
1. Gasoline	\$	4,670.00	
d. Other Charges/Expenses	\$	300.00	
e. Capital Outlay	\$	-	
14. Town Meeting			
a. Salary & Wages	\$	1,025.00	
b. Purchase of Services	\$	3,000.00	
c. Supplies	\$	1,400.00	
d. Other Charges/Expenses	\$	-	
e. Capital Outlay	\$	-	
15. Finance Committee			
a. Salary & Wages	\$	1.00	
b. Purchase of Services	\$	200.00	
c. Supplies	\$	2,700.00	
d. Other Charges/Expenses	\$	450.00	
e. Capital Outlay	\$	-	
16. Planning Board			
a. Salary & Wages	\$	3,300.00	
b. Purchase of Services	\$	1,800.00	
c. Supplies	\$	1,450.00	
d. Other Charges/Expenses	\$	500.00	
e. Capital Outlay	\$	-	

17. Dept of Plan & Eco Dev			
a. Salary & Wages	\$	89,600.00	
b. Purchase of Services	\$	11,500.00	
c. Supplies	\$	1,025.00	
d. Other Charges/Expenses	\$	1,950.00	
e. Capital Outlay	\$	-	
18. Board of Appeals			
a. Salary & Wages	\$	2,900.00	
b. Purchase of Services	\$	2,000.00	
c. Supplies	\$	170.00	
d. Other Charges/Expenses	\$	100.00	
e. Capital Outlay	\$	-	
19. Personnel Board			
a. Purchase of Services	\$	-	
b. Supplies	\$	500.00	
c. Other Charges/Expenses	\$	250.00	
d. Capital Outlay	\$	-	
20. Legal Expenses	\$	130,000.00	
21. Engineering	\$	2,000.00	
22. Conservation Commission			
a. Salary & Wages	\$	11,136.00	\$7,446.00 from ConCom Wetlands Acct Recpts \$3,690.00 to be raised on the Tax Levy
b. Purchase of Services	\$	1,254.00	\$1,254.00 from ConCom Wetlands Acct Recpts
c. Supplies	\$	1,000.00	\$1,000.00 from ConCom Wetlands Acct Recpts
d. Other Charges/Expenses	\$	300.00	\$300.00 from ConCom Wetlands Acct Recpts
e. Capital Outlay	\$	-	
23. Office of Tourism			
a. Salary & Wages	\$	48,951.00	
b. Purchase of Services	\$	27,420.00	
1. Utilities	\$	2,200.00	
c. Supplies	\$	800.00	
d. Other Charges/Expenses	\$	200.00	
e. Capital Outlay	\$	-	
24. Commission on Disability			
a. Purchase of Services	\$	1,050.00	
b. Supplies	\$	400.00	
c. Other Charges/Expenses	\$	500.00	
d. Capital Outlay	\$	-	
25. Police Department			
a. Salary & Wages	\$	2,459,329.00	\$28,500.00 from Ambulance Fund Recpts Reserved for Appropriation \$2,430,829.00 to be raised on the Tax Levy
b. Purchase of Services	\$	93,290.00	
1. Utilities	\$	39,000.00	
c. Supplies	\$	59,720.00	
1. Gasoline	\$	67,145.00	
d. Other Charges/Expenses	\$	2,906.00	
e. Capital Outlay	\$	54,500.00	
26. Fire Department			
a. Salary & Wages	\$	1,644,960.00	\$435,528.00 from Ambulance Fund Receipts \$1,209,432.00 to be raised on the Tax Levy
b. Purchase of Services	\$	71,650.00	\$27,937.00 from Ambulance Fund Receipts \$43,713.00 to be raised on the Tax Levy
1. Utilities	\$	7,300.00	\$500.00 from Ambulance Fund Receipts \$6,800.00 to be raised on the Tax Levy
c. Supplies	\$	47,634.00	\$32,675.00 from Ambulance Fund Receipts \$14,959.00 to be raised on the Tax Levy
1. Gasoline	\$	17,800.00	\$9,420.00 from Ambulance Fund Receipts \$8,380.00 to be raised on the Tax Levy

d. Other Charges/Expenses	\$	6,200.00	\$5,275.00 from Ambulance Fund Receipts \$925.00 to be raised on the Tax Levy
e. Capital Outlay	\$	-	
27. Fire Alarm Maintenance			
a. Salary & Wages	\$	11,882.00	
b. Purchase of Services	\$	3,057.00	
c. Supplies	\$	1,195.00	
1. Gasoline	\$	680.00	
d. Other Charges/Expenses	\$	-	
e. Capital Outlay	\$	-	
28. Building Department			
a. Salary & Wages	\$	131,053.00	
b. Purchase of Services	\$	3,200.00	
c. Supplies	\$	2,000.00	
1. Gasoline	\$	1,205.00	
d. Other Charges/Expenses	\$	2,000.00	
e. Capital Outlay	\$	19,000.00	
29. Tree Warden Department			
a. Salary - Tree Warden	\$	6,000.00	
b. Salary - Other	\$	31,655.00	
c. Purchase of Services	\$	12,000.00	
1. Utilities	\$	200.00	
d. Supplies	\$	350.00	
1. Gasoline	\$	4,110.00	
e. Other Charges/Expenses	\$	-	
f. Capital Outlay	\$	-	
30. Shellfish Inspection			
a. Salary & Wages	\$	76,127.00	\$45,000.00 from Waterways Fund \$31,127.00 to be raised on the Tax Levy
b. Purchase of Services	\$	8,850.00	
c. Supplies	\$	9,400.00	
1. Gasoline	\$	5,235.00	
d. Other Charges/Expenses	\$	400.00	
e. Capital Outlay	\$	23,560.00	
31. Care Dogs & Other Animals			
a. Salary & Wages	\$	34,532.00	
b. Purchase of Services	\$	13,600.00	
1. Utilities	\$	5,300.00	
c. Supplies	\$	2,425.00	
1. Gasoline	\$	905.00	
d. Other Charges/Expenses	\$	50.00	
e. Capital Outlay	\$	-	
32. Emergency Mgt Agency			
a. Salary & Wages	\$	1,577.00	
b. Purchase of Services	\$	2,420.00	
1. Utilities	\$	1,000.00	
c. Supplies	\$	675.00	
1. Gasoline	\$	585.00	
d. Other Charges/Expenses	\$	-	
e. Capital Outlay	\$	-	
33. Sealer of Weights & Meas			
a. Salary & Wages	\$	5,880.00	
b. Purchase of Services	\$	300.00	
c. Supplies	\$	150.00	
d. Other Charges/Expenses	\$	980.00	
e. Capital Outlay	\$	-	
34 Street Lighting	\$	200,000.00	
35. Board of Health			
a. Salary - Board	\$	4,000.00	
b. Salary - Other	\$	86,071.00	
c. Purchase of Services	\$	5,825.00	
d. Supplies	\$	11,580.00	
1. Gasoline	\$	515.00	
e. Intergovernmental	\$	17,000.00	
f. Other Charges/Expenses	\$	1,650.00	

g. Captial Outlay	\$	-	
h. SEMASS	\$	81,700.00	
i. Recycling	\$	161,200.00	
j. Hazardous Waste	\$	11,000.00	
k. Landfill Inspection	\$	23,000.00	
36. Enforcement Agent			
a. Salary & Wages	\$	20,359.00	
37. Board of Public Works			
a. Salary & Wages	\$	147,171.00	
b. Purchase of Services	\$	2,676.00	
c. Supplies	\$	1,500.00	
d. Other Charges/Expenses	\$	300.00	
e. Capital Outlay	\$	-	
38 Highway Division			
a. Salary & Wages	\$	839,355.00	
b. Purchase of Services	\$	93,620.00	
1. Utilities	\$	28,500.00	
c. Supplies	\$	49,200.00	
1. Gasoline	\$	51,690.00	
2. Sand & Salt	\$	21,300.00	
d. Other Charges/Expenses	\$	-	
e. Capital Outlay	\$	-	
1. Landfill -Transfer Station	\$	25,420.00	
2. Rubbish Collection	\$	453,900.00	
3. Equipment Purchase	\$	124,712.00	
f. Street resurfacing	\$	140,000.00	
g. Sidewalk/Curbing (New)	\$	-	
h. Sidewalk Repair	\$	40,000.00	
i. Curb/Hard/Surf	\$	60,000.00	
j. Drainage	\$	12,000.00	
k. Sub Division MGT Fees	\$	8,647.00	\$8,647.00 from Sub-Division Management Fees
39. Sewer Division			
a. Salary & Wages	\$	774,190.00	\$774,190.00 from Sewer Revenue
b. Purchase of Services	\$	147,000.00	\$147,000.00 from Sewer Revenue
1. Utilities	\$	426,000.00	\$426,000.00 from Sewer Revenue
c. Supplies	\$	91,200.00	\$91,200.00 from Sewer Revenue
1. Gasoline	\$	22,185.00	\$22,185.00 from Sewer Revenue
d. Other Charges/Expenses	\$	-	
e. Capital Outlay	\$	47,227.00	\$47,227.00 from Sewer Revenue
f. Sludge Disposal	\$	330,000.00	\$330,000.00 from Sewer Revenue
40. Water Division			
a. Salary & Wages	\$	458,348.00	\$458,348.00 from Water Revenue
b. Purchase of Services	\$	225,701.00	\$225,701.00 from Water Revenue
1. Utilities	\$	50,000.00	\$50,000.00 from Water Revenue
c. Supplies	\$	43,400.00	\$43,400.00 from Water Revenue
1. Gasoline	\$	16,220.00	\$16,220.00 from Water Revenue
d. Other Charges/Expenses	\$	1,500.00	\$1,500.00 from Water Revenue
e. Capital Outlay	\$	4,140.00	\$4,140.00 from Water Revenue
41. Veterans Services			
a. Salary & Wages	\$	34,200.00	
b. Purchase of Services	\$	321,450.00	
c. Supplies	\$	1,800.00	
d. Other Charges/Expenses	\$	380,900.00	
e. Capital Outlay	\$	-	
42. Elementary/High School	\$	16,969,897.00	
43. G.N.B.R.V.T.H.S.	\$	2,237,755.00	
44. Bristol County Agri H.S.	\$	18,000.00	
45. Millicent Library	\$	627,185.00	
46. Recreation Committee			
a. Salary & Wages	\$	-	
b. Purchase of Services	\$	-	
1. Utilities	\$	-	
c. Supplies	\$	-	
d. Other Charges/Expenses	\$	-	
e. Capital Outlay	\$	-	

47. Recreation Center			
a. Salary & Wages	\$	145,000.00	\$75,000.00 from Recreation Ctr Retained Earn \$70,000.00 to be raised on the Tax Levy
b. Purchase of Services	\$	15,300.00	
1. Utilities	\$	29,950.00	
c. Supplies	\$	4,000.00	
d. Other Charges/Expenses	\$	700.00	
e. Capital Outlay	\$	-	
f. Rec Center Program Accts	\$	105,000.00	\$105,000.00 from Recreation Center Revenue
48. Park Division			
a. Salary & Wages	\$	83,328.00	
b. Purchase of Services	\$	10,760.00	
1. Utilities	\$	2,650.00	
c. Supplies	\$	1,700.00	
1. Gasoline	\$	3,990.00	
d. Other Charges/Expenses	\$	-	
e. Capital Outlay	\$	-	
49. Contributory Retirement	\$	1,972,071.00	
50. Group Insurance	\$	3,800,000.00	
51. Memorial Day	\$	2,500.00	
52. MA Employment Security	\$	325,000.00	
53. Non-Contributory Retirement	\$	10,212.00	
54. Reserve Fund			
a. General	\$	175,000.00	
b. Water	\$	25,000.00	\$25,000.00 from Water Revenue
c. Sewer	\$	25,000.00	\$25,000.00 from Sewer Revenue
55. Town Insurance	\$	675,000.00	
56. Town Report	\$	4,300.00	
57. F.I.C.A.	\$	300,000.00	
58 Buzzards Bay Action Comm	\$	760.00	
59. Rape Crisis Project	\$	2,000.00	
60. Fine Arts	\$	1,000.00	
61. Stabilization Fund	\$	100,000.00	
62. General Fund			
a. Debt	\$	1,661,170.00	\$17,450.00 from Title 5 Receipts Res for Appro \$1,643,720.00 to be raised on the Tax Levy
b. Interest of Debt	\$	637,000.00	\$7,960.00 from Title 5 Receipts Res for Appro \$629,040.00 to be raised on the Tax Levy
c. Interest on Temp Loan	\$	80,000.00	
63. Water Fund			
a. Debt	\$	-	
b. Interest of Debt	\$	-	
c. Interest on Temp Loan	\$	-	
64. Sewer Fund			
a. Debt	\$	437,310.00	\$135,490.00 from Fund Balance for Future Debt #029-000-3242-000 Sconticut Neck \$17,604.00 from Fund Balance for Future Debt #029-000-3244-0000 Nancy Street \$8,996.00 from Fund Balance for Future Debt #029-000-32454-0000 West Island \$2,860.00 from Fund Balance for Future Debt #029-000-3212-000 Boulder Park \$272,360.00 from Sewer Revenue
b. Interest of Debt	\$	258,500.00	\$258,500.00 from Sewer Revenue
c. Interest on Temp Loan	\$	-	

NOTE: \$241,359.00 of Water Enterprise costa appropriated in the General Fund for health insurance, pensions, other employee benefits and shared employees will be funded from Water Revenue.

NOTE: \$287,437.00 of Sewer Enterprise costs appropriated in the General Fund for health insurance, pensions, other employee benefits and shared employees will be funded from Sewer Revenue.

NOTE: \$65,233.00 of ambulance costs appropriated in the General Fund for health insurance pensions, other employee benefits and shared employees will be funded from Ambulance Fund Receipts Reserved for Appropriation.

ARTICLE 5 - POLICE DEPARTMENT/FIRE DEPARTMENT LAWN MOWER

Voted unanimously the sum of \$2,300.00 be appropriated to purchase a new commercial grade riding lawn mower for the Police Department/Fire Department.

ARTICLE 6 - VERIZON EASEMENT

No Action taken.

ARTICLE 7 - PARK FIELD MAINTENANCE REVOLVING FUND

Moved to Pass Over.

ARTICLE 8 - HAZARDOUS MATERIALS REVOLVING FUND

Voted unanimously for the Town to re-authorize a "Hazardous Materials Revolving Account" under the provisions of M.G.L. Chapter 44, Section 53E 1/2 under the following terms:

1. The revolving account may be expended for the establishment of a Hazardous Materials Clean-up Account including, but not limited to, the purchase of equipment and supplies and the hiring of full-time and/or part-time personnel.
2. All fees charged to users of the Hazardous Materials Clean-up Account shall be credited to the revolving fund.
3. The Fire Chief is authorized to expend from the fund.
4. The total amount which may be expended from the fund in Fiscal Year 2011 shall not exceed \$100,000.00.

ARTICLE 9 - FIRE DEPARTMENT DEFIBRILLATORS

Voted unanimously the sum of \$24,898.00 be appropriated by transferring \$24,898.00 from Ambulance Fund Receipts Reserved for Appropriation to purchase one (1) Lifepak 15 Defibrillator to replace current Lifepak 12 Defibrillator.

ARTICLE 10 - FAIRHAVEN WHARF AND RAMP REPAID FUND

Moved to Pass Over.

ARTICLE 11 - HASTINGS MIDDLE SCHOOL PARKING LOT REPAIR

Voted unanimously the sum of \$151,250.00 be appropriated to resurface the Hastings Middle School parking lot.

ARTICLE 12 - HISTORICAL COMMISSION

Voted unanimously the following sums be appropriated:

- A) \$500.00 for the Historical Commission to defray expenses incurred pursuant of its duties to promote, protect and preserve the heritage of Fairhaven; and
- B) \$4,000.00 for the continued repairs, maintenance, improvements and utilities of the Academy Building; and
- C) \$750.00 for the continued repairs, maintenance, improvements and utilities of the Fire Museum Buildings; and
- D) \$1,000.00 for the continued repairs, maintenance, improvements and utilities at Fort Phoenix; and
- E) \$500.00 for the continued repairs, maintenance, improvements of the Old Stone School House; and
- F) \$5,500.00 for the installation of insulation in the ceiling and walls of the Academy Building.

ARTICLE 13 - SPECIAL NEEDS EARLY CHILDHOOD PROGRAM REVOLV ACCT

Voted unanimously for the Town to authorize a "Special Needs Early Childhood Program Revolving Account" under provisions of Massachusetts General Law Chapter 44, Section 53E 1/2 under the following terms:

1. The "Special Needs Early Childhood Program Revolving Account" may be used to collect and disburse funds for the nurturing, care and education of young children enrolled in such program.
2. The "Special Needs Early Childhood Program Revolving Account" may be expended for all school related costs for the public school's Special Needs Early Childhood programs including, but not limited to, transportation, the purchase of equipment and supplies and the hiring of full-time and/or part-time personnel
3. All tuition, receipts and enrollment fees charged for participation in the Special Needs Early Childhood Program shall be credited to the "Special Needs Early Childhood Revolving Account".
4. The School Committee is authorized to expend from the fund.
5. The total amount which may be expended from the fund in Fiscal Year 2011 shall not exceed seventy-five thousand (\$75,000.00) dollars.

ARTICLE 14 - COMMUNITY PRESERVATION PROGRAM DIRECT APPROPRIATION FROM FUND BALANCE AND ESTIMATED RECEIPTS

Voted unanimously to:

- A) Appropriate \$70,000.00 from estimated FY 2011 receipts for the Long Road Land Purchase Project, including associated closing cost and surveys, which is approximately 13.64 acres, comprising of Lot 2, on Assessors Map 24, said land to be deeded to the Conservation Commission.
- B) Appropriate \$40,000.00 from estimated FY 2011 receipts for the Fairhaven Housing Authority - Fire Alarm Upgrades Project.
- C) Appropriate \$50,000.00 from estimated FY 2011 receipts for the Fairhaven High School Architectural Design Project Phase I.
- D) Appropriate \$12,000.00 from estimated FY 2011 receipts for the Fairhaven Historical Comm - Academy Building Windows and Painting Project.
- E) Appropriate \$55,000.00 from estimated FY 2011 receipts for Millicent Library - Roof Repairs Project.
- F) Appropriate \$12,000.00 from estimated FY 2011 receipts for administrative services and operating expenses provided in support of the Community Preservation Committee.

ARTICLE 15 - LAND ACQUISITION - MAHONEY NEW BOSTON ROAD

Voted unanimously to appropriate the sum of \$215,000.00 with \$103,000.00 from estimated FY 2011 receipts and \$112,000.00 from Community Preservation Fund Reserve Fund Balance to be used for a grant match and associated closing cost and surveys, for the purchase of the Mahoney New Boston Road property, which is approximately 59 acres, as described on Fairhaven Assessors map 35, lot 8 and Acushnet Assessors map 10, lot 51, to be managed and controlled by the Conservation Commission, provided however, that no portion of said appropriation shall be expended unless the Town is eligible for a grant reimbursement from the Commonwealth of Massachusetts and/or other gifts in an amount of not less than \$200,000.00.

ARTICLE 16 - WITHDRAWN

ARTICLE 17 - PHOENIX TRAIL BIKE PATH

Voted unanimously to appropriate the sum of \$10,000.00 for the maintenance of the bike path

ARTICLE 18 - SENIOR CENTER/RECREATION CENTER EXTERIOR REPAIRS

Voted unanimously to appropriate the sum of \$97,238.00 for the purpose of repairing exterior rotted wood of the Senior and Recreation Centers.

ARTICLE 19 - NON-MANDATED STUDENT ACTIVITIES REVOLVING ACCOUNT

Voted unanimously for the Town to authorize a "Non-Mandated Student Activities Revolving Account" under provisions of Massachusetts General Laws, Chapter 44, Section 53E 1/2 under the following terms:

1. The revolving account may be expended for all school related costs for the non-mandated school activities.
2. All charges to users for "School Activities" shall be credited to the revolving account.
3. The School Committee is authorized to expend from the fund.
4. The total amount which may be expended from the fund in FY 2011 shall not exceed two hundred thousand (\$200,000.00) dollars.

ARTICLE 20 - FIRE ALARM DEPARTMENT PAGERS

Voted unanimously the sum of \$3,790.00 be appropriated to purchase ten pagers for the Fire Alarm Department to replace the old equipment.

ARTICLE 21 - WITHDRAWN

ARTICLE 22 - STREET SIGNS

Voted unanimously the sum of \$25,000.00 be appropriated to begin implementing the mandated street sign replacement program to address (1) ADA size issues, (2) night time reflectivity and (3) breakaway-safety issues.

ARTICLE 23 - REPLACEMENT OF WINDOWS FOR HASTINGS MIDDLE SCHOOL

Voted unanimously the sum of \$340,000.00 by transferring:

\$7,260.00 from Article 40 Wood Elementary School Roof Repair of the May 6, 2007 Annual Town Meeting; and

\$89,481.88 from Article 34 Hastings Middle School Roof Repair of the May 2, 2009 Annual Town Meeting; and

\$193,280.01 from Article 21 High School Gymnasium of the May 7, 2005 Special Town Meeting; and

\$49,977.41 be appropriated from the General Fund.

ARTICLE 24 - SEMASS CONTRACT EXTENSION

Voted unanimously to ratify Amendment No. 7 to the Waste Acquisition Agreement between the Town and SEMASS Partnership, extending the term of that agreement to September 1, 2031; increasing the fees paid by the Town to \$22.52 per ton commencing on September 1, 2011 and increasing annually in ten dollar increments to \$62.52 on September 1, 2015.

ARTICLE 25 - NEW FIRE DEPARTMENT COMMAND VEHICLE

Voted unanimously the sum of \$40,203.00 be appropriated for a new command vehicle.

ARTICLE 26 - INSTALLATION & MAINTENANCE OF BUOYS & WINTER STICKS

Moved to Pass Over.

ARTICLE 27 - TOWN HALLS REPAIRS

Voted unanimously the sum of \$8,000.00 be appropriated for Town Hall repairs, including the auditorium.

ARTICLE 28 - PROPAGATION OF SHELLFISH

Voted unanimously the sum of \$17,500.00 be appropriated for the propagation of shellfish.

ARTICLE 29 - SOCIAL DATE CARE CENTER

Voted unanimously to authorize the Fairhaven Council on Aging to expend in FY 2011 a sum of money not to cumulatively exceed \$110,000.00 from the current account "Receipts Reserved for Appropriation for Social Day Care Center" for the purpose of providing a Day Care Program for senior citizens.

ARTICLE 30 - GOVERNMENT ACCESS PROGRAMMING

Voted unanimously the sum of \$4,000.00 be appropriated to fund additional salary, maintenance and operating expenses to provide Governmental Access Programming for town boards and other public meetings as deemed necessary by the Board of Selectmen.

ARTICLE 31 - AMENDMENT TO ZONING BY-LAWS

Voted unanimously to amend the Zoning ByLaw Chapter 198 Section 19, Fences. The additions are in text that is **(bold and underlined)**. The deletions are indicated in strikethroughs (aaa), and are as follows:

Chapter 198, Section 19 Fences

- B. No boundary fence, wall or hedge shall exceed six (6) feet in height, and no **boundary fence, wall, hedge, or other landscape feature**, which obstructs vision shall exceed forty-two (42) inches in height within any required front yard or within twenty (20) feet of the street, whichever is the lesser requirement.

C. All fences shall be installed so that the finish side faces the abutting properties.

ARTICLE 32 - AMENDMENT TO ZONING MAP and ZONING BYLAWS

- A. Voted unanimously to amend the Zoning Map as follows:
Rezone Lots 21, 22, 23, 24 on Assessor's Map 34A from Business (B) to Single Residential (RA) to Single Residential (RA)
- B. To see if the Town will enact the following amendment to the Zoning Bylaw Chapter 198, Section 14, Establishments of districts. The additions are indicated in text that is **(bold and underlined)**. The deletions are indicated in strikethroughs (aaa) and are as follows:
- B. The boundaries of these districts are defined and bounded on the map accompanying this chapter and on file with the Clerk of the Town of Fairhaven entitled "Town of Fairhaven Zoning Map" as amended through May 3, 2008 **May 1, 2010**. That map, as clarified through measurements identified on plats on file with the Town Clerk's office, all explanatory matter thereon and all subsequent amendments to it are hereby made part of this chapter.

ARTICLE 33 - STATE AID TO HIGHWAYS

- A) Voted unaninlusly to authorize the Board of Public Works to accept and enter into contract for the expenditure of any funds allotted or to be allotted by the Commonwealth of Massachusetts for the construction, reconstruction and improvements of town roads.
- B) Voted unanimously the sum of \$396,135.00 be appropriated by transferring \$396,135.00 from funds received from Mass Highway Department for capital improvements on local roads, subject to the conditions detailed by the Massachusetts Highway Department pursuant to Chapter 90, Section 34 of the MGL and the Transportation Departments Chapter 90 guidelines.

ARTICLE 34 - FUNDING FOR MATTAPOISETT RIVER VALLET WATER DISTRICT

Voted unanimously the sum of \$973,519.00 be appropriated by transferring \$973,519.00 from Water Revenue to fund the Town's obligation for its share of the Mattapoisett River Valley Water District.

ARTICLE 35 - STREET LIGHTS

Voted unanimously the following sums be appropriated:

- A. \$100.00 for one light on Cottonwood Street - pole #303/29
B. \$100.00 for one light on Newbury Avenue - pole #182/2
C. \$100.00 for one light on 59 Orchard Street - pole #43074
D. \$100.00 for one light on Sisilver Shell Beach Road - pole #244/4
E. \$100.00 for one light on Silver Shell Beach Road - pole #244/6
F. \$100.00 for one light on Suvenchy Drive - pole #429/2
G. \$200.00 for two light on Woodside Avenue - poles #411/4 and #411/6

ARTICLE 36 - SENIOR WORK OFF PROGRAM

Voted unanimously the sum of \$7,500.00 be appropriated by transferring \$7,500.00 from the Overlay Account to allow eligible seniors, age 60 and over, to work for the Town to reduce their real estate bill under the provisions of M.G.L. Chapter 59, Section 5K "Prpoerty tax liability reduced in exchange for volunteer service; persons over age 60.

ARTICLE 37 - ROAD WORK

Voted unanimously the following sums of money be appropriated:

- A) Abbey Street - reconstruct, hard surface and install drainage on Abbey Street from Atlas Street easterly to end - \$144,977.00
- B) Dogwood Street - ***Moved Indefinite Postponement.***
- C) Jessica Street - ***Moved Indefinite Postponement.***
- D) Morse Street - reconstruct, hard surface and install drainage on Morse Street from Walnut Street to William Street - \$36,995.00
- E) Oxford Street & West Street - reconstruct, hard surface and install drainage on Oxford Street and West Street from Main Street to West Street - \$78,000.00
- F) Potter Street - reconstruct, Triple Stone Seal and install drainage on Potter Street from Sconticut Neck Road easterly - \$29,595.00
- G) Walnut Street - reconstruct, hard surface and install drainage on Walnut Street from Morse Street to Union Street - \$38,970.00
- H) Wayne Street - ***Moved Indefinite Postponement.***
- I) William Street - ***Moved Indefinite Postponement.***

ARTICLE 38 - CULTURAL COUNCIL FUNDING

Voted unanimously the sum of \$2,500.00 be appropriated for the Fairhaven Cultural Council.

ARTICLE 39 - FIRE DEPARTMENT LADDER TRUCK

Moved to Pass Over.

ARTICLE 40 - KINDERGARTEN REVOLVING ACCOUNT

Voted unanimously for the Town to authorize a "Kindergarten Revolving Account" under the provisions of Massachusetts General Laws Chapter 44, Section 53E 1/2 under the following terms:

1. The "Kindergarten Revolving Account" may be used to collect and disburse funds for the nurturing, care and education of young children enrolled in such program.
2. The "Kindergarten Revolving Account" may be expended for all school related costs for the public school's kindergarten programs including, but not limited to, transportation, the purchase of equipment and supplies and the hiring of full-time and/or part-time personnel.
3. All tuition, receipts and enrollment fees charged for participation in the Kindergarten program shall be credited to the "Kindergarten Revolving Account".
4. The School Committee is authorized to expend from the fund.
5. The total amount which may be expended from the fund in Fiscal Year 2011 shall not exceed \$75,000.00.

ARTICLE 41 - INTERNET CAMERA AT HOPPY'S LANDING

Moved to Pass Over.

ARTICLE 42 - BALSAM STREET DRAINAGE

Voted unanimously the sum of \$16,221.00 be appropriated to install drainage in the vicinity of 45-46 Balsam Street to alleviate a hazardous water issue on Balsam Street.

ARTICLE 43 - HOPPY'S LANDING REVOLVING ACCOUNT

Voted unanimously for the Town to authorize a "Hoppy's Landing Revolving Account" under the provisions of Massachusetts General Laws Chapter 44, Section 53E 1/2 under the following terms:

1. The revolving account may be expended for the maintenance and improvement of "Hoppy's Landing" including, but not limited to, the maintenance of the floating dock, boat ramp, buildings, property, matching funds for grants, and hiring of part-time personnel.

2. All fees charged to users to "Hoppy's Landing" shall be credited to the revolving fund.
3. The Board of Selectmen is authorized to expend from the fund.
4. The total amount which may be expended from the fund in Fiscal Year 2011 shall not exceed twenty-five thousand (\$25,000.00) dollars.

ARTICLE 44 - TRANSFER FROM SURPLUS REVENUE

Voted unanimously to transfer the sum of \$3,297,795.00 from Surplus Revenue for the reduction of the Tax Levy.

ARTICLE 45 - REPORT OF COMMITTEES

None.

ARTICLE 46 - OTHER BUSINESS

None.

Motion to adjourn sine die on Saturday, May 1, 2010 at 2:19 PM - Seconded

Eileen M. Lowney - Town Clerk