

ANNUAL TOWN MEETING – SATURDAY, MAY 5, 2007
WALTER SILVEIRA AUDITORIUM – ELIZ. HASTINGS MIDDLE SCHOOL
TOWN MEETING MEMBERS PRESENT 272– QUORUM REQUIRED 100

Meeting called to order by Moderator at 9:00 A.M.

The National Anthem was played

Invocation by Father Thomas McElroy, St. Joseph's 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, 2007 through June 30, 2008 unless otherwise specified. Seconded.

At 9:15 it was voted to recess the Annual Town Meeting to take up the Special Town Meeting called for May 5, 2007 in this auditorium. Seconded.

The Annual Town Meeting reconvened at 11:20 A.M.

Town Meeting Members Present:	Precinct 1 – 52
	Precinct 2 – 47
	Precinct 3 – 27
	Precinct 4 – 44
	Precinct 5 – 47
	<u>Precinct 6 – 55</u>
	TOTAL 272

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, the following sums of money, to fix the compensation of the Town's elected Officers and that said compensation be effective July 1, 2006

A. Board of Selectmen (3 members)	\$15,600.00
B. Town Clerk	\$45,843.00
C. Moderator	\$ 800.00
D. Tree Warden	\$ 6,000.00
E. Board of Health (3 members)	\$ 4,000.00

ARTICLE 4 – TOWN CHARGES

Voted unanimously the following sums of money to defray the Town Charges for the ensuing year and make appropriations for the same viz:

1. Moderator	
a. Salary	\$ 800.00
2. Selectmen	
a. Salary - Board	\$ 15,600.00
b. Salary - Other	\$216,487.53
c. Purchase of Services	\$ 8,750.00
d. Supplies	\$ 4,450.00
e. Other Charges/Expenses	\$ 4,300.00
f. Capital Outlay	\$ 0.00
3. Town Accountant	
a. Salary	\$ 78,667.00
b. Purchase of Services	\$ 445.00
c. Supplies	\$ 200.00

d. Other Charges/Expenses	\$ 1,200.00	
e. Capital Outlay	\$ 0.00	
4. Audit Expenses	\$ 43,000.00	
5. Data Processing		
a. Purchase of Services	\$ 96,013.00	
b. Supplies	\$ 9,000.00	
c. Capital Outlay	\$ 5,000.00	
6. Treasurer		
a. Salary & Wages	\$ 150,199.00	
b. Purchase of Services	\$ 11,300.00	
c. Supplies	\$ 2,500.00	
d. Other Charges/Expenses	\$ 2,070.00	
e. Capital Outlay	\$ 0.00	
7. Tax Title	\$ 30,000.00	
8. Town Clerk		
a. Salary - Town Clerk	\$ 45,843.00	
b. Salary - Other	\$ 34,059.00	
c. Purchase of Services	\$ 5,242.00	
d. Supplies	\$ 2,668.00	
e. Other charges/Expenses	\$ 500.00	
f. Capital Outlay	\$ 0.00	
9. Election & Registration		
a. Salary & Wages	\$ 19,775.00	
b. Purchase of Services	\$ 8,655.00	
c. Supplies	\$ 2,100.00	
d. Other Charges/Expenses	\$ 0.00	
e. Capital Outlay	\$ 0.00	
10. Tax Collector		
a. Salary & Wages	\$ 171,037.00	
b. Purchase of Services	\$ 27,863.00	
c. Supplies	\$ 7,600.00	
d. Other Charges/Expenses	\$ 3,150.00	
e. Capital Outlay	\$ 0.00	
11. Assessors		
a. Salary & Wages	\$ 182,252.00	
b. Purchase of Services	\$ 17,200.00	
c. Supplies	\$ 5,200.00	
d. Other Charges/Expenses	\$ 2,545.00	
e. Capital Outlay	\$ 0.00	
12. Town Hall		
a. Salary & Wages	\$ 38,336.00	
b. Purchase of Services	\$ 46,912.00	
c. Supplies	\$ 3,300.00	
d. Other Charges/Expenses	\$ 0.00	
e. Capital Outlay	\$ 0.00	
13. Council on Aging		
a. Salary & Wages	\$ 120,739.00 - \$35,000.00 from Social Day Care Center	
		Receipts Reserved for Appro
		\$85,739.00 Tax Levy
b. Purchase of Services	\$ 26,839.00	
c. Supplies	\$ 12,291.00	
d. Other Charges/Expenses	\$ 1,200.00	
e. Capital Outlay	\$ 0.00	
14. Town Meeting		
a. Salary & Wages	\$ 974.50	
b. Purchase of Services	\$ 2,900.00	
c. Supplies	\$ 1,400.00	
d. Other Charges/Expense	\$ 0.00	
e. Capital Outlay	\$ 0.00	

15. Finance Committee	
a. Salary & Wages	\$ 1,295.00
b. Purchase of Services	\$ 200.00
c. Supplies	\$ 2,700.00
d. Other Charges/Expenses	\$ 600.00
e. Capital Outlay	\$ 0.00
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	\$ 0.00
17. Dept of Plan & Eco Dev	
a. Salary & Wages	\$ 81,022.00
b. Purchase of Services	\$ 12,900.00
c. Supplies	\$ 1,025.00
d. Other Charges/Expenses	\$ 1,950.00
e. Capital Outlay	\$ 1,500.00
18. Board of Appeals	
a. Salary & Wages	\$ 2,800.00
b. Purchase of services	\$ 2,000.00
c. Supplies	\$ 170.00
d. Other Charges/Expenses	\$ 160.00
e. Capital Outlay	\$ 0.00
19. Personnel Board	
a. Purchase of Services	\$ 0.00
b. Supplies	\$ 500.00
c. Other charges/Expenses	\$ 250.00
d. Capital Outlay	\$ 0.00
20. Legal Expenses	\$ 125,000.00
21. Engineering	\$ 2,000.00
22. Conservation Commission	
a. Salary & Wages	\$ 10,600.00 - \$10,600.00 from Con Com Wetlands Acct
b. Purchase of Services	\$ 1,400.00
c. Supplies	\$ 1,000.00
d. Other Charges/Expenses	\$ 600.00
e. Capital Outlay	\$ 0.00
23. Office of Tourism	
a. Salary & Wages	\$ 48,150.00
b. Purchase of Services	\$ 33,350.00
c. Supplies	\$ 800.00
d. Other Charges/Expenses	\$ 300.00
e. Capital Outlay	\$ 0.00
24. Commission on Disability	
a. Purchase of Services	\$ 1,700.00
b. Supplies	\$ 400.00
c. Other	\$ 500.00
d. Capital Outlay	\$ 0.00
25. Police Department	
a. Salary & Wages	\$2,314,640.00 - \$62,044.00 Ambulance Fund Receipts \$2,252,596.00 Tax Levy
b. Purchase of Services	\$ 131,754.00
c. Supplies	\$ 117,520.00
d. Other Charges/Expenses	\$ 2,406.00
e. Capital Outlay	\$ 53,500.00
26. Fire Department	
a. Salary & Wages	\$1,530,921.00 - \$370,469.00 Ambulance Fund Receipts \$1,160,452.00 Tax Levy

b. Purchase of Services	\$	74,925.00 - \$26,045.00 Ambulance Fund \$48,880.00 Tax Levy
c. Supplies	\$	59,250.00 - \$37,520.00 Ambulance Fund \$21,730.00 Tax Levy
d. Other charges/Expenses	\$	7,175.00 - \$6,450.00 Ambulance Fund \$725.00 Tax Levy
e. Capital Outlay	\$	0.00
27. Fire Alarm Maintenance		
a. Salary & Wages	\$	9,853.00
b. Purchase of Services	\$	2,782.00
c. Supplies	\$	2,370.00
d. Other Charges/Expenses	\$	0.00
e. Capital Outlay	\$	0.00
28. Building Department		
a. Salary & Wages	\$	162,941.00
b. Purchase of Services	\$	3,000.00
c. Supplies	\$	3,630.00
d. Other Charges/Expenses	\$	2,000.00
e. Capital Outlay	\$	0.00
29. Tree Warden		
a. Salary - Tree Warden	\$	6,000.00
b. Salary - Other	\$	31,110.00
c. Purchase of Services	\$	13,200.00
d. Supplies	\$	3,600.00
e. Other Charges/Expenses	\$	0.00
f. Capital Outlay	\$	0.00
30. Shellfish Inspection		
a. Salary & Wages	\$	74,050.00 - \$20,000.00 Waterways Fund \$54,050.00 Tax Levy
b. Purchase of Services	\$	6,275.00
c. Supplies	\$	13,700.00
d. Other Charges/Expenses	\$	400.00
e. Capital Outlay	\$	0.00
31. Care of Dogs/Other Animals		
a. Salary & Wages	\$	33,119.00 - \$3,000.00 Animal Gift Account \$30,119.00 Tax Levy
b. Purchase of Services	\$	10,830.00
c. Supplies	\$	3,950.00
d. Other Charges/Expenses	\$	50.00
e. Capital Outlay	\$	0.00
32. Emergency Man/Agency		
a. Salary & Wages	\$	1,440.00
b. Purchase of Services	\$	2,500.00
c. Supplies	\$	1,275.00
d. Other Charges/Expenses	\$	0.00
e. Capital Outlay	\$	0.00
33. Sealer of Weights/Measures		
a. Salary & Wages	\$	5,887.00
b. Purchase of Services	\$	534.00
c. Supplies	\$	450.00
d. Other Charges/Expenses	\$	980.00
e. Capital Outlay	\$	0.00
34. Street Lighting	\$	210,000.00
35. Board of Health		
a. Salary - Board	\$	4,000.00
b. Salary - Other	\$	103,032.00
c. Purchase of Services	\$	8,305.00
d. Supplies	\$	8,358.00

e. Intergovernmental	\$	17,000.00
f. Other Charges/Expenses	\$	1,650.00
g. Capital Outlay	\$	0.00
h. SEMASS	\$	174,000.00
i. Recycling	\$	160,850.00
j. Hazardous Waste	\$	1,000.00
k. Landfill Inspection	\$	24,350.00
36. Enforcement Agent		
a. Salary & Wages	\$	18,632.27
37. Board of Public Works		
a. Salary & Wages	\$	134,445.00
b. Purchase of Services	\$	2,676.00
c. Supplies	\$	1,400.00
d. Other Charges/Expenses	\$	0.00
e. Capital Outlay	\$	0.00
38. Highway Division		
a. Salary & Wages	\$	812,187.00
b. Purchase of Services	\$	120,525.00
c. Supplies	\$	109,850.00
d. Other Charges/Expenses	\$	0.00
e. Capital Outlay	\$	0.00
1. Landfill - Transfer Station	\$	20,000.00
2. Rubbish Collection	\$	389,600.00
3. Equipment Purchases	\$	122,233.00
f. Street Resurfacing	\$	135,000.00
g. Sidewalks/Curbing (New)	\$	0.00
h. Sidewalks/Repair	\$	30,000.00
I. Curb/Hard/Surf	\$	50,000.00
j. Drainage	\$	12,000.00
39. Sewer Division		
a. Salary & Wages	\$	710,790.00 - From Sewer Revenue
b. Purchase of Services	\$	521,090.00 - From Sewer Revenue
c. Supplies	\$	101,775.00 - From Sewer Revenue
d. Other Charges/Expenses	\$	0.00
e. Capital Outlay	\$	74,500.00 - From Sewer Revenue
f. Sludge Disposal	\$	275,000.00 - From Sewer Revenue
40. Water Division		
a. Salary & Wages	\$	413,501.00 - From Water Revenue
b. Purchase of Services	\$	307,617.40 - From Water Revenue
c. Supplies	\$	123,250.00 - From Water Revenue
d. Other Charges/Expenses	\$	700.00 - From Water Revenue
e. Capital Outlay	\$	11,000.00 - From Water Revenue
41. Veterans Services		
a. Salary & Wages	\$	18,897.13
b. Purchase of Services	\$	75,585.00
c. Supplies	\$	1,000.00
d. Other Charges/Expenses	\$	134,900.00
e. Capital Outlay	\$	0.00
42. Schools Elementary/H.S.	\$	16,671,226.00
43. NB Voke Tech H.S.	\$	1,900,000.00
44. Bristol County Agri H.S.	\$	18,000.00
45. Millicent Library	\$	572,793.00
46. Recreation Committee		
a. Salary & Wages	\$	2,168.00
b. Purchase of Services	\$	1,295.00
c. Supplies	\$	45.00
d. Other Charges/Expenses	\$	0.00
e. Capital Outlay	\$	0.00

47. Recreation Center		
a. Salary & Wages	\$ 150,344.00	- \$50,000.00 Recreation Ctr Ret Earnings \$100,344.00 Tax Levy
b. Purchase of Services	\$ 45,080.00	
c. Supplies	\$ 5,250.00	
d. Other Charges/Expenses	\$ 1,000.00	
e. Capital Outlay	\$ 4,500.00	
f. Recreation Ctr Program Accts	\$ 100,000.00	- From Recreation Center Revenue
48. Park Division		
a. Salary & Wages	\$ 84,221.00	
b. Purchase of Services	\$ 12,400.00	
c. Supplies	\$ 5,500.00	
d. Other Charges/Expenses	\$ 0.00	
e. Capital Outlay	\$ 2,085.00	
49. Contributory Retirement	\$ 1,785,670.00	
50. Group Insurance	\$ 3,800,000.00	
51. Memorial Day	\$ 2,500.00	
52. Mass Employment Security	\$ 110,000.00	
53. Non-Contributory Retirement	\$ 9,343.00	
54. Reserve Fund	\$ 175,000.00	
55. Town Insurance	\$ 625,000.00	
56. Town Report	\$ 4,300.00	
57. F.I.C.A.	\$ 255,000.00	
58. Buzzards Bay A.C.	\$ 760.00	
59. Rape Crisis Project	\$ 2,000.00	
60. Fine Arts	\$ 2,500.00	
61. Stabilization Fund	\$ 100,000.00	
62. General Fund		
a. Debt	\$ 1,508,364.00	- \$17,597.00 - From Title 5 Recpts for Appro \$1,490,767.00 Tax Levy
b. Interest on Debt	\$ 922,829.00	- \$10,505.00 - From Title 5 Recpts for Appro \$912,324.00 - Tax Levy
c. Interest on Temp Loans	\$ 80,000.00	
63. Water Fund		
a. Debt	\$ 0.00	
b. Interest on Debt	\$ 0.00	
c. Interest on Temp Loans	\$ 0.00	
64. Sewer Fund		
a. Debt	\$ 448,988.00	- \$74,321.00 - From Sewer Fund Balance Reserved for Future Debt \$14,412.00 - From Sewer Fund Balance Reserved for Future Debt \$360,255.00 - From Sewer Revenue
b. Interest on Debt	\$ 300,947.00	- From Sewer Revenue
c. Interest on Temp Loans	\$ 0.00	

NOTE: \$235,725.00 of Water Enterprise costs appropriated in the General Fund for health insurance, pensions, other employee benefits and shared employees will be funded from Water Revenue.

NOTE: \$293,710.00 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: \$56,886.00 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.

NOTE: \$17,271.00 of Recreation Center Enterprise costs appropriated in the General Fund for health insurance. Pensions, other employee benefits and shared employees will be funded on the Tax Levy.

ARTICLE 5 – HISTORICAL COMMISSION

Voted unanimously the following sums of money 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. \$8,000.00 for the continued repairs, maintenance, improvements and utilities of the Academy Building; and
- C. \$3,500.00 for the continued repairs, maintenance, improvements and utilities of the Fire Museum; and
- D. \$1,000.00 for the continued repairs, maintenance, improvements and utilities at Fort Phoenix; and
- E. \$1,500.00 for the continued repairs, maintenance and improvement of the Old Stone School House; and
- F. \$4,500.00 for the installation of a fire alarm system at the Academy Building.

ARTICLE 6 – HOPPY’S LANDING REVOLVING ACCOUNT

Voted unanimously for the Town to authorize a “Hoppy’s Landing Revolving Account” under the provision of Massachusetts General Law Chapter 44, Section 53E ½ 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 2008 shall not exceed twenty-five thousand (\$25,000.00) dollars.

ARTICLE 7 – SCHOOLS ROOF REPAIRS

Voted unanimously the following sums of money be appropriated for the purpose of repair and replacement of the roofs for the following schools:

- A. Wood Elementary School - \$60,000.00
- B. Rogers’s Elementary School – Moved to Pass Over
- C. Hastings Middle School - \$240,000.00

ARTICLE 8 – 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 meeting as deemed necessary by the Board of Selectmen.

ARTICLE 9 – HASTINGS MIDDLE SCHOOL PARKING LOT REPAIRS

Moved to Pass Over.

**ARTICLE 10 – COMMUNITY PRESERVATION PROGRAM, DIRECT
APPROPRIATIONS FROM FUND BALANCE AND ESTIMATED
RECEIPTS**

Voted unanimously to appropriate or reserve from the Community Preservation Fund annual revenues or available funds the amounts recommended by the Community Preservation Committee for committee's administrative expenses, community preservation projects and other expenses in fiscal year 2008, with each item to be considered a separate appropriation.

- A. Reserve for future appropriations \$55,000 from estimated FY08 receipts for acquisition, creation and preservation of open space and its rehabilitation and restoration.
- B. Reserve for future appropriations \$55,000 from estimated Fy08 receipts for acquisition, creation and preservation of community housing and its rehabilitation and restoration.
- C. Appropriate a total of \$455,000 with \$395,000 from estimated Fy08 receipts and \$60,000 from community preservation fund available funds for the Town Hall Restoration Phase I – Construction Project.
- D. Appropriate \$15,000 from community preservation fund available funds for Rogers Playground Phase II.
- E. Appropriate \$5,000 from estimated Fy08 receipts for administrative services and operating expenses provided in support of the Community Preservation Committee.

ARTICLE 11 – CONSTRUCTION OF BOAT STORAGE RACKS

Voted unanimously the sum of \$5,200.00 be appropriated by transferring \$5,200.00 from the Waterways Fund to construct one (1) boat dingy rack at Seaview Boat Ramp and one (1) dingy rack at Pease Park Boat Ramp.

ARTICLE 12 – SOCIAL DAY CARE CENTER

Voted unanimously to authorize the Fairhaven Council of Aging to expend in the Fiscal Year 2008 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 13 – CONNECT CITY NOTIFICATION SYSTEM

Money for a Town-wide emergency, communication notification system "Connect CTY"
Moved to Pass Over.

ARTICLE 14 – 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 ½ 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 fiscal year 2008 Shall not exceed six hundred thousand (\$600,000.00) dollars.

ARTICLE 15 – ACCEPTANCE OF STATUTE

Voted unanimously to accept M.G.L. Chapter 59 Section 5K "Property tax liability reduced in exchange for volunteer services; persons over age 60."

ARTICLE 16 – ACCEPTANCE OF STATUTE

To see if the Town will vote to adopt the provisions of Chapter 79 of the Acts of 2006, an “Act Further Regulating Meeting of Municipal Boards” – *Moved to Pass Over.*

ARTICLE 17 – FACILITY LEASE AND MAINTENANCE REVOLVING ACCOUNT

To see if the Town will authorize a Facility Lease and Maintenance Revolving Account under the provisions of Massachusetts General Law Chapter 40, Section 3 – *Moved to Pass Over.*

ARTICLE 18 – SPECIAL NEEDS EARLY CHILDHOOD PROGRAM REVOLVING ACCOUNT

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 ½ 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 2008 shall not exceed seventy-five thousand (\$75,000.00) dollars.

ARTICLE 19 – BULKY ITEM PICKUP DAY

Voted unanimously the sum of \$84,000.00 be appropriated for the disposal and transportation of bulky items in conjunction with the Bulky Item Pickup Day.

ARTICLE 20 – NEW FIRE TRUCK

Voted unanimously the sum of \$330,000.00 be appropriated for a new fire truck.

ARTICLE 21 – FIRE STATION BUILDING RENOVATIONS

Voted unanimously the sum of \$15,000.00 be appropriated by transferring \$15,000.00 from the Ambulance Fund Receipts Reserved for Appropriation to develop a feasibility study for renovation and addition to the Fire Station.

ARTICLE 22 – NEW AMBULANCE

Voted unanimously the sum of \$160,182.00 be appropriated by transferring \$160,182.00 from Ambulance Fund Receipts Reserved for Appropriation for a new ambulance.

ARTICLE 23 – ROAD WORK

Voted unanimously the following sums of money be appropriated to do the following roadwork:

- A. \$39,205.00 – Akin Street – Reconstruct, hard-surface and install drainage on Akin Street from Babbitt Street to Dartmouth Street.
- B. \$49,565.00 – Baxter Avenue – Reconstruct, hard-surface and install drainage on Baxter Avenue from Sconticut Neck Road westerly 500’ ±
- C. \$200,880.00 – Cottonwood Street – Reconstruct, hard-surface and install drainage on Cottonwood Street from Causeway Road to Gull Island Road.

ARTICLE 24 – STATE AID TO HIGHWAYS

- A. Voted unanimously to authorize the Board of Public Works to accept and enter into contract for the expenditures of any funds allotted or to be allotted by the Commonwealth of Massachusetts for the construction, reconstruction and improvements of town roads.
- B. *Moved to Pass Over.*
- C. Voted unanimously the sum of #390,279.00 be appropriated by transferring \$390,279.00 from Chapter 291 of the Acts of 2004 for capital improvements on local roads, subject to the conditions detailed by the Massachusetts Highway Department pursuant to Chapter 291 of the Acts of 2004.

ARTICLE 25 – REPLACEMENT OF WINDOWS FOR HASTINGS MIDDLE SCHOOL

Voted unanimously the sum of \$25,000.00 be appropriated by transferring \$25,000.00 from Account #001-950-30-5201, Article 41 of the May 6, 2006 Annual Town Meeting for the purpose of design and replacement of windows for the Hastings Middle School.

ARTICLE 26 – AMENDMENT TO TOWN BY-LAWS

Voted unanimously to amend Chapter 169 Streets and Sidewalks of the Town by-law by deleting Chapter 169 Section 18 (A) in its entirety and replacing it with the following:

- A. “Violators will be subject to a fine of \$100.00 for the first offense, a fine of \$250.00 for the second offense and termination for a third offense.”

ARTICLE 27 – AMENDMENT TO TOWN BY-LAWS

To see if the Town will vote to amend Chapter 150 (Peace and Good Order) of the town by-laws by adding the following section: Section 150-13 – Curfew in Cushman and Livesey Park.
Moved to Pass Over.

ARTICLE 28 – AMENDMENT TO TOWN BY-LAWS

Voted unanimously to amend Chapter 83 Alcoholic Beverages of the Town By-Laws by deleting the following language from Chapter 83-1 Public Consumption:

“from one-half hour after sunset to one-half hour before sunrise”

ARTICLE 29 – AMENDMENT TO TOWN BY-LAWS

Voted unanimously to amend Chapter 182 Vehicles and Traffic of the Town By-Laws by deleting Chapter 182-4 Schedule of Fines and adding in its place the following:

Chapter 182-4 Schedule of Fines

The schedule for fines for parking violations shall be as follows:

<u>Code</u>	<u>Nature of Violation</u>	<u>Penalty</u>
01	Expired parking meter	\$ 5.00
02	Not within marked area	\$ 15.00
03	Not within 12” of curb	\$ 20.00
04	Parking on left side or wrong side of street	\$ 15.00
05	Illegal angle parking	\$ 15.00
06	Other (specify)	\$ 10.00
07	Parking within cross walk	\$ 20.00
08	Parking on sidewalk	\$ 20.00
09	Parking within taxi stand	\$ 15.00
10	Parking within bus stop	\$ 20.00
11	Parking within 20” of intersection	\$ 20.00
12	Parking within loading zone	\$ 20.00
13	Parking within no parking zone	\$ 15.00
14	Parking overtime in restricted zone	\$ 20.00
15	Double parking	\$ 30.00
16	Obstructing public transportation by leaving	

	less than 10' for passing traffic	\$ 30.00
17	Parking within 10' of hydrant	\$ 50.00
18	Parking within service zone	\$ 20.00
19	Parking within 5' of driveway	\$ 20.00
20	Impeding snow removal	\$ 30.00
21	Parking adjacent to any center strip or island within a public way	\$ 30.00
22	Parking or leaving unauthorized vehicle within parking spaces designated for use by disabled veteran or handicapped person	\$100.00
23	Parking or leaving vehicle within a fire lane	\$ 20.00
24	Parking in violation of winder parking ban	\$ 20.00

And voted unanimously to further amend Chapter 182 Vehicle and Traffic of the Town By-Laws by adding the following section:

“Chapter 182-4A - Amendment of Fine Schedule/

The Board of Selectmen shall have the authority from time to time and without further Town meeting approval to amend the Schedule of Fines as set forth in Chapter 182-4.”

ARTICLE 30 – TAX INCREMENT FINANCING (TIF) AGREEMENT BRAHMIN LEATHER WORKS, INC.

Voted unanimously to:

- (a.) Approve the form of the Tax Increment Financing (TIF) Agreement between Brahmin Leather Works, Inc. and Martin Family Realty Trust and the Town of Fairhaven for a 20,000 square foot on-site addition located at 77 Alden Road in Fairhaven, Massachusetts (Map 30A, Lot 86C) and TIF Plan including designation of a TIF Zone as described in the TIF Plan, both on file with the Board of Selectmen and Town Clerk;
- (b.) Authorize the Board of Selectmen to execute the TIF Agreement, and any documents relating thereto, and to take such other actions as are necessary or appropriate to implement those documents; and
- (c.) Authorize the Board of Selectmen to approve and certify the proposed project as provided in the TIF Plan and to apply to the Economic Assistance Coordinating Council of the Commonwealth of Massachusetts under the Economic Development Incentive Program for approval and designation of the TIF Zone, TIF Plan and Certified Project with the Rte 249/Alden Road Industrial Opportunity Area, and take such other and further action as may be necessary or appropriate to carry out the purposes of this article.

ARTICLE 31 – HAZARDOUS MATERIALS REVOLVING FUND

Voted unanimously for the Town to re-authorize a “Hazardous Materials Revolving Account” under the provisions of Massachusetts General Law Chapter 44, Section 53E ½ 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 2008 shall not exceed \$100,000.00.

ARTICLE 32 – PROPAGATION OF SHELLFISH

Voted unanimously the sum of \$18,000.00 be appropriated for the propagation of shellfish.

ARTICLE 33 – NON-MANDATED SCHOOL TRANSPORTATION PROGRAM

Voted unanimously for the Town to authorize a “Non-Mandated Student Activities Revolving Account” under provisions of Massachusetts General Laws, Chapter 44 Section 53E ½ 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 fiscal year 2008 Shall not exceed six hundred thousand (\$600,000.00) dollars.

ARTICLE 34 – MASTER PLAN

- A. Voted unanimously the sum of \$6,000.00 be appropriated to fund the preparation, mailing and analysis of a town wide survey so information can be gathered as the first phase of a Master Plan Update.
- B. A sum of \$125,000.00 to fund a comprehensive update of the Town’s 1966 Master Plan - *Moved Indefinite Postponement.*

ARTICLE 35 – FUNDING FOR MATTAPOISETT RIVER VALLEY WATER DISTRICT

Voted unanimously the sum of \$779,662.00 to be appropriated by transferring \$779,662.00 from Water Revenue to fund the Town’s obligation for its share of the Mattapoisett River Valley District.

ARTICLE 36 – STREET ACCEPTANCE – POTTER STREET

Voted unanimously to accept the layout of the following described area as a public way or to take any other action relative thereto.

A certain roadway situated in the Town of Fairhaven, County of Bristol (SD) and the Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point in the westerly line of Sconticut Neck Road and the northeasterly corner of land now or formerly of Helen W. Hassey and Margaret M. Webster, said point being located North 02 degrees 13’04” West 83.74’ from the end of the 1957 Town layout of Sconticut Neck Road; thence

South 72 degrees 02’52” West, a distance of eight hundred twelve and fourteen hundredths feet, (812.14’) in the line of said land of said Hassey and Webster. A land now or formerly of Mary-Lou Sousa and crossing the traveled way known as Saltmarsh Road to a point in the line of land now or formerly of Christine Costa Nounou; thence

North 17 degrees 57’08” West, a distance of forty and no hundredths feet, (40.00’) crossing the existing 40’ wide private right of way known as Potter Street, to a point in the line of land now or formerly of Alan B. and Elvira M. Hopwood; thence

North 72 degrees 02’52” East, a distance of eight hundred thirty-two and forty-one hundredths feet, (832.41’) in the line of land of Robert D. Hobson and land now or formerly of Elizabeth Riley Morse, Trustee, land of the Town of Fairhaven and land of Stanley Palys to a point in the westerly line of Sconticut Neck Road; thence

South 02 degrees 13’04” East, a distance of forty-one and fifty-six hundredths feet, (41.56’) in the westerly line of Sconticut Neck Road to the point of beginning.

The above described roadway contains an area of 33,071 square feet more or less, and is more particularly shown on a plan entitled "Proposed Town Layout of a portion of Potter Street, Fairhaven, MA. Prepared for the Town of Fairhaven" dated March 9, 2007 by G.A.F. Engineering, Inc., 266 Main Street, Wareham, MA 02751

ARTICLE 37 – STREET ACCEPTANCE – FOX RUN LANE

Voted unanimously to accept the layout of the following described area as a public way:

That land in the Town of Fairhaven, Bristol County, Massachusetts bounded and described as follows:

From a point of beginning of the parcel to be described, said point being the northeasterly point of the parcel to be described in the westerly sideline of New Boston Road:

Thence, in the westerly line of New Boston Road, S 04 degrees, 05'23" E, a distance of 83.73' to a point:

Thence, by an arc curving to the left with a radius of 30.00' and a central angle of 82 degrees 00'47", a distance along the arc of 42.94' to a point;

Thence, N 86 degrees 06'10" W, a distance of 43.15' to a point;

Thence, by an arc curving to the left with a radius of 80.00' and a central angle of 18 degrees 28' 32" a distance along the arc of 25.80' to a point;

Thence, S 75 degrees 25'18" W, a distance of 39.51' to a point;

Thence, by an arc curving to the left with a radius of 20.00' and a central angle of 89 degrees 36'35", a distance along the arc of 31.28' to a point;

Thence, S 14 degrees 11'17" E, a distance of 26.60' to a point;

Thence, S 75 degrees 48'43" W, a distance of 40.00' to a point;

Thence, N 14 degrees 11'17" W, a distance of 110.96' to a point;

Thence, N 74 degrees 48'43" E, a distance of 40.00' to a point;

Thence, S 14 degrees 11'17" E, a distance of 4.36' to a point;

Thence, by an arc curving to the left with a radius of 20.00' and a central angle of 90 degrees 23'25", a distance along the arc of 31.55' to a point;

Thence, N 75 degrees 25'18" E, a distance of 38.97' to a point;

Thence, by an arc curving to the right with a radius of 120.00' and a central angle of 18 degrees 28'32", a distance along the arc of 38.70' to a point;

Thence, S 86 degrees 06'10" E, a distance of 34.22' to a point;

Thence, by a non-tangent arc curving to the left with a radius of 30.00', a central angle of 64 degrees 22'09", and a chord bearing of N 61 degrees 34'57" W, 31.96' a distance along the arc of 33.70' to the point of beginning.

Containing 11,217 square feet (0.257 acres), more or less, and being shown as Fox Run Lane on a Plan of the Layout of Fox Run Lane, dated December 26, 2006, prepared by Prime Engineering, Inc., P.O. Box 1088, 350 Bedford Street, Lakeville, MA 02347, Scale: 1" = 20'.

ARTICLE 38 – STREET ACCEPTANCE – RIVARD STREET

Voted unanimously to accept the layout of the following described area as a public way or to take any other action relative thereto.

The land situated easterly side of Alden Road and westerly of Route 240 in the Town of Fairhaven, County of Bristol, Commonwealth of Massachusetts, bounded and described as follows:

Rivard Street:

Beginning at a drill hole in a concrete bound in the easterly sideline of Alden Road at the Southwesterly corner of land now or formerly of Ralph K. Mulford, Trustee of the Shannon Meadows Realty Trust as shown on a plan of land entitled "Roadway Acceptance Plan, Rivard Street in Shannon Meadows, Fairhaven, Massachusetts, Prepared for Long Realty, Inc., Scale: 1" = 40', dated January 19, 2007, Prepared by Boucher & Heureux, Inc., Civil Engineers & Land Surveyors of Westport, MA", to be filed in the Bristol County (S.D.) Registry of Deeds (hereinafter the "Plan");

Thence running N 76 degrees 25'38" E by said last-named land, 144.93 feet to a concrete bound;

Thence running easterly still by said last-named land and by land now or formerly of Christopher MaKuch and Melissa Machado in the arc of a curve to the right having a radius of 1360.00 feet, 159.76 feet to a concrete bound;

Thence continuing to run easterly by said last-named land and other land now or formerly of said Shannon Meadows Realty Trust in the arc of a curve to the left having a radius of 1310.00 feet, 168.88 feet to a concrete bound;

Thence running 76 degrees 05'59" E by said last-named land, 261.50 feet to a concrete bound;

Thence running southeasterly by said Trust land in the arc of a curve to the right having a radius of 175.00 feet, 99.25 feet to a concrete bound;

Thence running easterly still by said Trust land in the arc of a curve to the left having a radius of 125.00 feet, 69.22 feet to a concrete bound;

Thence running N 76 degrees 52'04" E still by said Trust land, 43.55 feet to a concrete bound;

Thence running northeasterly still by said Trust land, in the arc of a curve to the left having a radius of 125.00 feet, 81.06 feet to a concrete bound;

Thence continuing to run northeasterly still by said Trust land in the arc of a curve to the right having a radius of 175.00 feet, 113.14 feet to a concrete bound;

Thence running N 76 degrees 45'19" E still by said Trust land, 493.00 feet to a concrete bound at the southerly corner of land now or formerly of Robert M. and Lucia M. Pimental;

Thence running northeasterly by said last-named land in the arc of a curve to the left having a radius of 125.00 feet, 44.75 feet to a concrete bound;

Thence running N 56 degrees 14'37" E still by said last-named land, 81.09 feet to a concrete bound;

Thence running northerly still by said last-named land in the arc of a curve to the left having a radius of 15.00 feet, 23.27 feet to a concrete bound in the westerly sideline of Oliver Street;

Thence running S 32 degrees 38'30" E by said Oliver Street sideline, 80.02 feet to a concrete bound in the northeasterly corner of land now or formerly of Alfred W. and Susan M. Benoit;

Thence running northwesterly by said last-named land in the arc of a curve to the left having a radius of 15.00 feet, 25.85 feet to a concrete bound;

Thence running S 56 degrees 14'37" W still by said last-named land, 79.53 feet to a concrete bound;

Thence running westerly still by said last-named land and by land now or formerly of the said Shannon Meadows Realty Trust in the arc of a curve to the right having a radius of 175.00 feet, 62.65 feet to a concrete bound and the northeasterly corner of land now or formerly of John III and Susan E. Roderiques;

Thence running S 76 degrees 45'19" W by last-named land, 493.00 feet to a concrete bound and northwesterly corner of land now or formerly of the said Shannon Meadows Realty Trust;

Thence running southwesterly by said last-named land in the arc of a curve to the left having a radius of 125.00 feet, 80.81 feet to a concrete bound;

Thence continuing to run southwesterly still by said last-named land in the arc of a curve to the right having a radius of 175.00 feet, 113.48 feet to a concrete bound;

Thence running S 76 degrees 52'04" W still by said last-named land, 43.55 feet to a concrete bound;

Thence running northwesterly still by said last-named land in the arc of a curve to the right having a radius of 175.00 feet, 96.91 feet to a concrete bound;

Thence continuing to run northwesterly still by said last-named land in the arc of a curve to the left having a radius of 125.00 feet, 70.89 feet to a concrete bound;

Thence running S 76 degrees 05'59" W still by said last-named land, 261.50 feet to a concrete bound;

Thence running westerly still by said last-named land in the arc of a curve to the left having a radius of 1360.00 feet, 175.33 feet to a concrete bound;

Thence continuing to run westerly still by said last-named land in the arc of a curve to the left having a radius of 1310.00 feet, 153.89 feet to a concrete bound at the northwesterly corner of land now or formerly of John and Amelia Medeiros;

Thence running S 76 degrees 45'19" W by said last-named land, 130.07 feet to a concrete bound in the easterly sideline of the said Alden Road; and

Thence running N 30 degrees 03'08" W by said Alden Road sideline, 51.36 feet to a drill hole in a concrete bound, the southwesterly corner of land now or formerly of the said Shannon Meadows Realty Trust, and the point of beginning.

ARTICLE 39 – STREET ACCEPTANCE – COURTLYN WAY

Voted unanimously to accept the layout of the following described area as a public way:

Courtlyn Way

Beginning at a concrete bound in the southerly sideline of Oliver Street at the northeasterly corner of land now or formerly of Daniel P. Sweeney, Jr. and Cheryl L. Cabral as shown on a plan of land entitled "Roadway Acceptance Plan, Oliver Street and Courtlyn Way in Shannon Meadows, Fairhaven, Massachusetts Prepared for Long Realty, Inc., Scale: 1" = 40', date: January 19, 2007, Prepared by Boucher & Heureux, Inc., Civil Engineer & Land Surveyors of Westport, MA to be filed in the Bristol County (S.D.) Registry of Deeds (hereinafter the "Plan");

Thence, running southeasterly by said last-named land in the arc of a curve to the right having a radius of 15.00 feet, 20.38 feet to a concrete bound,

Thence, running S 09 degrees 15'33" W still by said last-named land and by the land now or formerly of Hieu Van Do and Huynh Thi Nguyen and by Stephen J. and Kerry A. Horan, 242.89 feet to a concrete bound;

Thence running southerly, easterly, northerly and westerly by said last-named land and by land now or formerly of Joann M. Tavares, of Ralph K. Mulford, Trustee of the Shannon Meadows Realty and of Richard A. Jr. and Karen J. Ciccone, all as shown on said Plan, in the arc of a curve to the left having a radius of 60.00 feet, 269.30 feet to a concrete bound;

Thence, running northwesterly by said last-named land in the arc of a curve to the right having a radius of 30.00 feet, 40.40 feet to a concrete bound;

Thence, running N 09 degrees 15'33" E still by said last-named land and by land now or formerly of Steven M. Downey and Rosa Coronado-Downey and by Lot 22, all as shown on said Plan, 155.14 feet to a concrete bound;

Thence, running northeasterly by the said Lot 22 in the arc of a curve to the right having a radius of 15.00 feet, 20.38 feet to a concrete bound in the southerly sideline of the said Oliver Street;

Thence, running westerly by said Oliver Street sideline in the arc of a curve to the right having a radius of 175.00 feet, 74.24 feet to a concrete bound the northeasterly corner of land now or formerly of Daniel P. Sweeney, Jr. and Cheryl L. Cabral, and to the point of beginning.

ARTICLE 40 – STREET ACCEPTANCE – OLIVER STREET

Voted unanimously to accept the layout of the following described area as a public way:

Beginning at a concrete bound in the southerly sideline of land now or formerly of Brian and Sherry L. Fournier at the terminus of the northerly sideline of Oliver Street, an existing public way, all as shown on a plan of land entitled “Roadway Acceptance Plan, Oliver Street and Courtlyn Way in Shannon Meadows, Fairhaven, Massachusetts Prepared for Long Realty, Inc., Scape: 1” = 40’ Dated: January 19, 2007, Prepared by Boucher & Heureux, Inc., Civil Engineers & Land Surveyors of Westport, MA” to be filed in the Bristol County (S.D.) Registry of Deeds (hereinafter the “Plan”);

Thence running northeasterly by said last-named land and by land now or formerly of Tome B. and Jennifer Carreiro in the arc of a curve to the left having a radius of 121.00 feet, 182.08 feet to a concrete bound and the southeasterly corner of land now or formerly of Haiping Xu;

Thence running N 09 degrees 20’30” W by said last-named land, 100.41 feet to a concrete bound in the southeasterly corner of land now or formerly of Mark D and Veronique A. Sylvia;

Thence running northeasterly by said last-named land and by land now or formerly of Ralph Mulford, Trustee of Shannon Meadows Realty Trust and Cheryl L. Almeida in the arc of a curve to the right having a radius of 179.00 feet, 160.17 feet to a concrete bound;

Thence running S 48 degrees 04’20” E by said last-named land, 4.00 feet to a concrete bound;

Thence running N 41 degrees 55’40” W still by said last-named land, by the intersection of Oliver Street from the northwest, and by land now or formerly of Gaetan Dupre, all as shown on said Plan, 206.62 feet to a concrete bound;

Thence running northeasterly by said last-named land by land now or formerly of Karl J. III and Amanda A. Pedersen, of Christopher A. and Ana M. Theodore, and of Joseph E. Teebagy and Karen M. Quintin, the arc of a curve to the left having a radius of 475.00 feet, 338.44 feet to a concrete bound;

Thence running N 01 degrees 06’16” E by said last-named land and by land now or formerly of Robert L. and Kristin L. Serpa, of Scott M. and Colleen Cook, and of Eugene J. and Susan Hebert, 329.86 feet to a concrete bound;

Thence running northwesterly by said last-named land and by land now or formerly of George A. Desrosiers and Lisabeth A. Frey in the arc of a curve to the left having a radius of 125.00 feet, 227.44 feet to a concrete bound and the northwesterly corner of land now or formerly of Bachis Y. and Jolie M. Kouta;

Thence running S 76 degrees 51’08” W by said last-named land and by land now or formerly of Darryl C. and Robin A. Melton, of Kevin R. & Debra M. Ribeiro and of Richard A. and Lindsay B. Gordon, all as shown on Plan, 397.27 feet to a concrete bound;

Thence running southwesterly by said last-named land and by land now or formerly of Dau Truong, 238.88 feet to a concrete bound;

Thence running S 32 degrees 38’30” E by said last-named land and by land now or formerly of Frederick J. and Janice Benoit, of Earl S. Mosby and Anne Penha, and of Christopher M. and Keri L. Borba, all as shown on said Plan, 306.74 feet to a concrete bound;

Thence running southeasterly by said last-named land in the arc of a curve to the left having a radius of 175.00 feet, 48.35 feet to a prick punch set in a railroad spike;

Thence running S 48 degrees 28’18” E still by said last-named land and by land now or formerly of Edwin and Marisal Perez, of Keith Allan and Jodi L. Roderick, and of Gaetan Dupre, 328.13 feet to a concrete bound;

Thence running northeasterly by said last-named land in the arc of a curve to the left having a radius of 15.00 feet, 23.46 feet to a concrete bound and the northerly sideline of Oliver Street, being the easterly sideline of the “intersection of Oliver Street from the northwest” hereinabove referenced.

Beginning as before at a concrete bound in the northerly sideline of land now or formerly of Laurie H. Stephenson at the terminus of the southerly sideline of Oliver Street, an existing public way, as shown on said Plan;

Thence running northeasterly by said last-named land and by land now or formerly of Michael D. Holden and Nandini Jayaram and of Daniel F. and Amy A. Jones in the arc of a curve to the left having a radius of 179.00 feet, 269.36 feet to a concrete bound;

Thence running N 09 degrees 20'30" W by said last-named land and by land now or formerly of Brian G. and Elizabeth A. Avila, 100.41 feet to a concrete bound;

Thence running northeasterly by said last-named land and by land now or formerly of Ryan P. and Stacy A. Desmarais in the arc of a curve to the right having a radius of 121.00 feet, 108.27 feet to a concrete bound;

Thence running N 48 degrees 04'20" W by said last-named land, 4.00 feet to a concrete bound;

Thence running N 41 degrees 55'40" E by said last-named land and by land now or formerly of Carmo J. and Carmen L. Viera and of Brian R. and Carolyn A. Fletcher, 206.62 feet to a concrete bound;

Thence running northeasterly by said last-named land and by land now or formerly of Adam J. and Laurie Wilczek, of Kelly S. Botelho, of Michael F. and Kara A. Caron, and of Steven D. and Jamie L. Mello in the arc of a curve to the left having a radius of 525.00 feet, 374.06 feet to a concrete bound;

Thence running N 01 degrees 06'16" E by said last-named land, by land now or formerly of Andy S. Yin and Jen Wen Hsu-Yin, by a 50 foot wide right of way (the former Rivard Street), by land now or formerly of Christopher and Kimberlly A. Mimoso and of Joao A. and Helen E. DosSantos to a concrete bound;

Thence running northwesterly by said last-named land and by land now or formerly of Timothy D. Oxx and Maria E. Martin by Lot 16, by the intersection of Courtlyn Way from the southeast, and by land now or formerly of George and Lucia F. Almeida in the arc of a curve to the left having a radius of 175.00 feet, 318.42 feet to a prick punch in a railroad spike;

Thence running S 76degrees 51'08" W by said last-named land and by land now or formerly of Shannon Meadows Realty Trust, of Armenio and Elizabeth F. Correia, of Yasuko H. Walinski, of Peter R. and Christine Halle, and of Philip C. and Diane E. Ashley, 387.27 feet to a concrete bound;

Thence running southwesterly by said last-named land and by land now or formerly of Matthew J. and Melanie L. Cardoza, of said Shannon Meadows Realty Trust, of Timothy P. and Heather L. Fleming, and of Robert M. and Lucia M. Pimental in the arc of a curve to the left having a radius of 175.00 feet, 334.43 feet to a prick punch in a railroad spike;

Thence running S 32 degrees 38'30" E by said last-named land, by the intersection of Rivard Street from the southwest, and by land now or formerly of Alfred W. and Susan M. Benoit, of Roy M. and Patricia M. Brum and of Mark P. and Michelle C. Morris, 306.74 feet to a concrete bound;

Thence running southeasterly by said last-named land in the arc of a curve to the left having a radius of 225.00 feet, 62.16 feet to a point;

Thence running S 48 degrees 28'18" E by said last-named land and by land now or formerly of the said Shannon Meadows Realty Trust, of George W. and Kaye O. Jabren, of Jason A. and Tanya E. Kaplan, and of Cheryl L. Almeida, 327.57 feet to a concrete bound;

Thence running southerly by said last-named land in the arc of a curve to the right having a radius of 15.00 feet, 23.67 feet to a concrete bound and the northerly sideline of Oliver Street, being the westerly sideline of the "intersection of Oliver Street from the northwest" hereinabove referenced.

ARTICLE 41 – KINDERGARTEN REVOLVING ACCOUNT

Voted unanimously for the Town to authorize a "Kindergarten Revolving Account" under provisions of Massachusetts General Law Chapter 44 Section 53E ½ 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 2008 shall not exceed \$180,000.00

ARTICLE 42 – STREET LIGHTS

Voted unanimously the following sums of money for the maintenance of the following street lights:

- A. \$100.00 – Ebony Street – one light on pole #306/14
- B. \$100.00 – Potter Street – one light on pole #212/2
- C. \$100.00 – Potter Street – one light on pole #212/4
- D. \$100.00 – Summit Drive – one light on pole #258/6
- E. \$100.00 – Summit Drive – one light on pole #258/4

ARTICLE 43 – CULTURAL COUNCIL FUNDING

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

ARTICLE 44 – TOWN HALL REPAIRS

Voted unanimously the sum of \$11,500.00 be appropriated for Town Hall repairs, including the auditorium.

ARTICLE 45 – TRANSFER FROM SURPLUS REVENUE

Voted unanimously to transfer the sum of \$3,400,000.00 from Surplus Revenue for the reduction of the Tax Levy.

ARTICLE 46 – REPORT OF COMMITTEES

None.

ARTICLE 47 – OTHER BUSINESS

None.

Motion to adjourn sine die at 2:20 P.M. on Saturday, May 5, 2007. Seconded

**Eileen M. Lowney
Town Clerk**