



FAIRHAVEN SELECT BOARD

Meeting Minutes

May 12, 2025

FAIRHAVEN TOWN CLERK
RCUD 2025 MAY 28 AM 10:22

Present: Charles Murphy Sr., Andrew Romano, Natalie A. Mello, Keith Silvia, Andrew B. Saunders and Interim Town Administrator George Samia

Mr. Murphy opened the meeting at 6:00pm

PUBLIC HEARING

Transfer of an Annual All Alcohol Retail Package Store License, Pledge of Inventory and Pledge of Collateral submitted by Ramadhuta, Inc., for the license currently held by ICJ Corp d/b/a Fairhaven Wine & Spirits at 105 Sconticut Neck Rd., Fairhaven, MA 02719.

Mr. Murphy opened the public hearing at 6:02pm and read the notice.

Jackson Cushman, attorney for the applicant addressed the Board regarding the application.

No public comments were received.

Mr. Murphy closed the public hearing at 6:04pm.

Motion: Mr. Romano motioned to approve the Transfer of an Annual All Alcohol Retail Package Store License, Pledge of Inventory and Pledge of Collateral submitted by Ramadhuta, Inc., for the license currently held by ICJ Corp d/b/a Fairhaven Wine & Spirits at 105 Sconticut Neck Rd., Fairhaven, MA 02719. Ms. Mello seconded. The motion passed unanimously (5-0-0).

PUBLIC HEARING

No public comment received.

EXECUTIVE SESSION

Motion: Ms. Mello motioned to enter into Executive Session Pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to litigation where the chair declares that an open session would have a detrimental effect on the Town's litigating position (Fairhaven School Committee v. Fairhaven Zoning Board of Appeals, Land Court 25MISC000064); AND Pursuant to G.L. c. 30A, s. 21(a)(6) to consider the purchase, exchange, lease or value of real property where the chair declares that an open session would have a detrimental effect on the negotiating position of the Select Board; and G.L. c. 30A, s. 21(a)(7) to comply with, or act under the authority of, the Public Records Law, G.L. c. 4, s. 7(26) (Fairhaven Wind and privileged written legal opinion regarding same) AND to return to OPEN SESSION. Mr. Silvia seconded. Roll Call Vote: Mr. Saunders abstained, Ms. Mello, Mr. Murphy, Mr. Romano and Mr. Silvia in favor. The motion passed (4-0-1) Mr. Saunders abstained.

Meeting adjourned to Executive Session from 6:07 to 7:08pm

APPOINTMENTS AND COMMUNITY ITEMS

Select Board Statement to Town Board, Committee and Commission Members

Mr. Murphy opened up discussion amongst the Board regarding the draft statement to be sent to all Town Boards, Committees and Commission members both appointed and elected.

Motion: Mr. Saunders motioned to accept the Statement of Fairhaven Select Board to Town Board, Committees and Commissions (boards) and have it sent to all members of appointed and elected boards. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Board and Committee Handbook Policies Discussion Refresher

Mr. Romano advised the Board that he is working on a draft to incorporate changes discussed at an earlier meeting and will have them in to the office for the next meeting.

Mr. Silvia addressed the Board and said he asked for this item due to members of other boards appearing to lash out at other boards on social media. He distributed copies of emails to a board about expectations and screen shots from Facebook posts and comments (*Attachment A*). Mr. Silvia is concerned about legal costs associated if comments lead to legal action.

Mr. Samia reminded the Board that public officials are covered under a liability policy for what is done in the capacity of their official work and that depending on the nature of comments made in social media, they may not be covered.

Appointment Request: Zoning Board of Appeals

Kenneth Kendall, Cathy Melanson and Geoffrey Sullivan addressed the Board about their background, interest in the Zoning Board of Appeals (ZBA) and qualifications. The Board asked questions of each applicant. Discussion ensued regarding previous board tenure, process, variance criteria, training, time commitment for meeting preparation opening on ZBA and upcoming reappointments.

Brian Monroe addressed the Board via zoom, he cautioned the Board on voting tonight to fill the position, especially those previously involved on the ZBA and with an open ethics complaint against the ZBA and an Open Meeting Law (OML) complaint against the ZBA. He said his statements were not against the candidates and that this was a caution due to viable complaints. He recommended the Board wait or appoint someone not involved.

Ms. Melanson asked the Board to vote tonight and have candidates come back if the members up for reappointment do not apply.

Motion: Mr. Silvia motioned to appoint Cathy Melanson to the Zoning Board of Appeals. No second. The motion failed.

Motion: Mr. Silvia motioned to appoint Ken Kendall to the Zoning Board of Appeals. Mr. Saunders seconded. The motion failed (2-2-1) Mr. Romano and Ms. Mello opposed and Mr. Murphy abstained.

Ms. Melanson asked the Board if she withdrew, would Mr. Kendall be appointed. She said she has watched many meetings and Mr. Kendall has not broken the law.

Mr. Monroe addressed the Board via zoom and said he was concerned with the commentary, there are matters with the Attorney General (AG) that they may be concerned about, one of the applicants has shown bias towards projects that has cost the Town funding, appointments should not be in perpetuity and should change like the Select Board, congress, municipal governments, the state and federal government. There are valid complaints with the AG that appear to be dismissed by the ZBA but may not be dismissed by the AG.

Mr. Murphy asked if details of the complaints could be obtained from the AG. Mr. Samia said the AG's Office typically does not share open investigation details.

Motion: Ms. Mello motioned to appoint Geoffrey Sullivan to the Zoning Board of Appeals. Mr. Romano seconded. The motion passed (3-1-1) Mr. Silvia opposed and Mr. Murphy abstained.

The Board welcomed Mr. Sullivan as a full member of the ZBA and advised him to see the Town Clerk to be sworn in.

Patrick Carr of Pleasant Street addressed the Board about the questions on the five criteria and said all are taken on an individual basis because of differences between the bylaws, state bylaws and non-conforming properties. He said each individual applicant is viewed and is concerned with someone with no knowledge as a full-time member.

He asked if the current associate members were notified and given the opportunity to apply. Mr. Carr added that there are other individuals that spoke tonight that have OML complaints with ethics. Discussion ensued about the appointment process tonight.

Mr. Murphy asked Mr. Carr, as ZBA Chair, to meet with and help Mr. Sullivan.

Discussion about rescinding the motion for the appointment of Geoffrey Sullivan ensued. No Board members who voted in the affirmative for Mr. Sullivan rescinded.

Meeting recessed from 8:02 to 8:08pm

Dispatch Discussion

Police Chief Dan Dorgan and Fire Chief Todd Correia addressed the Board.

Mr. Romano reviewed a recent situation and a call to 911 that dispatch responded to and was confused about the reference to "Rogers School" which delayed first responders.

Chief Dorgan asked for any concerns to be brought as soon as possible to the station either to him or Lt. Souza. Lt. Souza is the liaison to Holbrook for quality. The dispatcher should have started entering Rogers and the location would have populated. There have been multiple meetings with stare 911 and Holbrook and they are trying to make the best of the situation due to the financial position of the Town.

Chief Correia addressed the Board and said he has a different opinion. He said complaints should come to the Chiefs first.

Discussion ensued about the contract, financial formula and what is dispatched out of the station.

Doug Brady of Pleasant Street addressed the Board and suggested the Board charge the Finance Committee with a review of the contract and report back on the cost and savings to the Town and how the contract numbers balance out to the actual numbers to verify what the chief said in budget meetings, especially look at section three of the contract.

Mr. Samia said the Board could ask the Finance Committee to review but could not require them.

Brian Messier of Pleasant Street addressed the Board via zoom and commented on how dispatch was set up previously and asked if Holbrook has dispatchers dedicated to Fairhaven or if calls are shared. Chief Correia described the set up and said there are assigned dispatchers but they do also share the calls as needed because of the regionalization.

Chief Dorgan asked anyone with feedback to contact the station as real time as possible so that the situation could be researched.

Motion: Mr. Romano motioned for the Town Administrator contact Holbrook about the dispatch contract details. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Saunders motioned for the Select Board to send a request to the Finance Committee to begin the process of auditing the dispatch center agreement with Holbrook to understand the financial deal. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Wind Turbine Update

Mr. Murphy reviewed that the Board met in Executive Session and consulted with Town Counsel about the wind turbines. The Board does not have the authority to call for a shut down. The Board of Health will conduct public hearings on the concerns and complaints. Mr. Murphy also advised that the Board is looking into who holds interest in the lease and mortgage for Fairhaven Wind, LLC. Discussion ensued as to whether Fairhaven Wind, LLC has contacted the Building Department about a permit for the changes or project they are proposing.

John Methia addressed the Board and advised there is a company that is interested, they did a solar project in Kingston due to failed turbines. He asked if the Board would need a consultant to analyze the data. The Board's consensus was that if there are entities interested in pursuing solar projects, they should reach out to the Town.

Mr. Murphy advised that Eversource would be shutting down the turbines from May 19, 2025 to May 31, 2025 due to work in that area, this planned shut down is not due to the recent discussions.

Use of Town Hall Auditorium: Millicent Library, Level Up! Magic Show, July 12, 2025, 10:30-11:30AM

The application was reviewed. Mr. Silvia asked if the Board could waive the rental fee because it was a library event, they would be assessed the custodian fee.

Motion: Mr. Saunders motioned approve the Use of Town Hall Auditorium for the Millicent Library, Level Up! Magic Show on July 12, 2025 from 10:30-11:30AM with the fee for Town Hall rental waived. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Use of Town Hall Auditorium: Fairhaven Summer Art Gallery: Art Talk, July 18, 2025, 7:00-9:00PM

The application was reviewed.

Motion: Mr. Saunders motioned to approve the Use of Town Hall Auditorium for the Fairhaven Summer Art Gallery: Art Talk, July 18, 2025 from 7-9:00PM. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Special One-Day All Alcohol License: Pride Event, June 22, 2025, 4:00-7:30PM

Mr. Romano recused himself due to being on the working group and left from 8:59-9:00pm

The application was reviewed.

Motion: Mr. Saunders motioned to approve the Special One-Day All Alcohol License for the Pride Event on June 22, 2025 from 4:00-7:30PM. Ms. Mello seconded. The motion passed (4-0-1) Mr. Romano abstained.

Special One-Day All Alcohol Licenses: Huttleston HarborFest, Multiple Dates: June 21, 2025 from 11:00AM-9:30PM; July 19, 2025, August 23, 2025 and September 20, 2025 from 11:00AM-3:30PM

The Board reviewed the applications and had questions about the June 21, 2025 event details. The office will contact Ms. Botelho and it will be placed on the next agenda.

Motion: Mr. Saunders motioned to approve the Special One-Day All Alcohol Licenses for the Huttleston HarborFest, on the following dates: July 19, 2025, August 23, 2025 and September 20, 2025 from 11:00AM-3:30PM. Ms. Mello seconded. The motion passed (4-0-1) Mr. Silvia abstained.

Flag/Banner Request: Disability Pride Flag during the month of July

The application was reviewed and the Board confirmed the request was submitted within the deadline.

Motion: Mr. Saunders motioned to approve the request Flag/Banner Request from the Commission on Disability to hang the Disability Pride Flag during the month of July. Ms. Mello seconded. The motion passed unanimously (5-0-0).

ACTION/DISCUSSION

Conservation Restriction: Camel Street Property - Sconticut Neck

Mark Rasmussen of the Buzzards Bay Coalition (BBC) addressed the Board about the proposed Conservation Restriction (CR) and referred to the summary list provided to the Board (*Attachment B*). He added that the BBC would be back with additional CRs for other parcels within the area project.

Discussion ensued as to opposition by some Board members due to the financial impacts to the Town's tax levy, open space considerations, conservation, previous presentation by BBC and support by some Board members because it of the family's wish.

Motion: Mr. Romano motioned to approve to approve the Conservation Restriction request from Buzzards Bay Coalition for the Camel Street Property - Sconticut Neck as outlined. Ms. Mello seconded. The motion passed (3-2-0) Mr. Saunders and Mr. Silvia opposed.

File Home Rule Petition: Article 15, Annual Town Meeting, May 3, 2025

As a follow up to the Town Meeting vote on Article 15, the Board needs to authorize filing the Home Rule petition.

Motion: Mr. Saunders motioned to file a home rule petition as authorized by Article 15, Annual Town Meeting, May 3, 2025. Ms. Mello seconded. The motion passed unanimously (5-0-0).

File Home Rule Petition: Article 16, Annual Town Meeting, May 3, 2025

As a follow up to the Town Meeting vote on Article 16, the Board needs to authorize filing the Home Rule petition.

Motion: Mr. Saunders motioned to file a home rule petition as authorized by Article 16, Annual Town Meeting, May 3, 2025. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Southeastern Massachusetts Metropolitan Planning Organization (SMMPO) Self-Nominations

Mr. Romano advised the Board of his interest in this position.

Motion: Mr. Saunders motioned to appoint Andrew Romano as the elected representative for the SMMPO. Ms. Mello seconded. The motion passed unanimously (5-0-0).

TOWN ADMINISTRATOR REPORT

Mr. Samia reported:

- The Finance Committee has an open At-Large position, if interested complete the volunteer form.
- An application was submitted for an outdoor seating area by the Ice Cream Cottage. This is a new process the Board approved in 2024 and this is the first application under the process; the applicant will work with other departments as outlined in the application.
- A renewal of the Community Electric Aggregation was signed; there are about twenty-four communities that take part in the process.

BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

Mr. Saunders had no report:

Ms. Mello reported:

- Historical Commission has open positions, please apply if interested. The Fort Phoenix flagpole project is underway.

Mr. Murphy reported:

- The Cherry Blossom Festival was a success. Mr. Rooney could not be present and Mr. Murphy thanked Deb Almeida and Brian Bowcock for helping to run the event.
- He attended the opening day ceremony for the Fairhaven Acushnet Youth Baseball league.
- Lagoa meets next week.

Mr. Romano reported:

- He will miss graduation due to winning a trip at last year's Cherry Blossom Festival.
- Fairhaven's Got Pride event is June 22, 2025 from 4:00 to 7:30pm, they are trying something different for this year's event and having it in the evening.
- Mr. Romano apologized to the Board and audience for speaking out without being recognized earlier and commits to retaking the Open Meeting Law training.

Mr. Silvia reported:

- The Commission on Disability met, the adaptive bike that was donated is being used regularly by a local family.

- The Huttleston HarborFest event on May 10th was well attended, about seven hundred people.

MINUTES

Motion: Mr. Saunders motioned to accept the open session minutes of April 14, 2025. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Saunders motioned to accept the executive session minutes of April 14, 2025. Ms. Mello seconded. The motion passed unanimously (5-0-0).

CORRESPONDENCE

Mr. Murphy read the invitation to the July 4th Parade.

Brief discussion ensued about what the Board could do once the on-hand supply of flags is exhausted and the suggestion of moving to red poppies for Memorial Day.

NEWS AND ANNOUNCEMENTS

Brief discussion on the start time for meetings going forward. The Board decided to move back to a 6:30pm start

- The next regularly scheduled Select Board meeting is ***Tuesday, May 28, 2025*** at 6:30pm

ATTACHMENTS

- A. Handout: Mr. Silvia
- B. Buzzards Bay Coalition

Meeting adjourned at 9:40p.m.

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

Approved on May 27, 2025

Open Meeting Law - Conflict of Interest - Social Media Policy

1 message

Fairhaven Planner <Planner@fairhaven-ma.gov>
To: Planning Chair <planningboard@fairhaven-ma.gov>
Bcc: picarr@a1crane.com

Thu, Mar 13, 2025 at 4:13 PM

Hi All,

I am emailing you via BCC to remind you all to check on the status of your compliance with open meeting law and conflict of interest training. You can confirm this by reaching out to the town clerk's office.

<https://www.mass.gov/how-to/complete-the-conflict-of-interest-law-education-requirements>

<https://www.mass.gov/the-open-meeting-law>

<https://www.mass.gov/info-details/open-meeting-law-trainings>

And last but not least, please be sure that you have fully reviewed and understand the social media policy. Please ensure you are abiding by the policy, especially Section IV, Subsection 12. ***"Personal Comments. Make it clear when you are speaking for yourself as a resident or stakeholder, and not on behalf of the Town of Fairhaven. If you publish content on any website of the Town and it has something to do with the work you do or subjects associated with the Town, use a disclaimer such as this: "The postings on this site are my own and don't necessarily represent the Town's positions or opinions."***

And again, I thank you all for your time and dedication.
Let me know if you have any questions.

Cheers,
Bruce

Hugh Bruce Webb, MSc. (he/him/his)
Land Use & Planning Director
Town of Fairhaven, MA
(508) 979-4023 (ext. 8128)

 fairhaven_social_media_policy.pdf
184K

FAIRHAVEN SOCIAL MEDIA POLICY

I. INTRODUCTION

The Town of Fairhaven permits departments to utilize social media sites and social networking sites (collectively "social media sites") to further enhance communications with its residents and various stakeholders in support of Fairhaven goals and objectives. Town officials and Town departments have the ability to publish articles, facilitate discussions and communicate information through such media to conduct *official* Town business. Social media sites facilitate further discussion of Town *government business*, operations and services by providing members of the public the opportunity to participate in many ways using the Internet.

This policy sets forth general guidelines that must be adhered to with respect to utilization of social media sites for official Town purposes. Questions regarding this Policy should be directed to Town Administrator or the Web Administrator. These guidelines may be supplemented by more specific administrative procedures and rules as may be issued. Furthermore, this Policy may be amended from time to time, and is meant to be read in conjunction with all other applicable policies and procedures of the Town of Fairhaven.

II. DEFINITIONS

1. "Social media sites" and "social networking sites" refer to websites that facilitate user participation, networking, and collaboration through the submission of user generated content. Social media in general includes tools such as: blogs, wikis, microblogging sites, such as Twitter; social networking sites, such as Facebook and LinkedIn; video sharing sites, such as YouTube; and bookmarking sites such as Del.icio.us.
2. A "social media identity" is a specific user identity or account that has been registered on a third party social media site.
3. A "blog" (an abridgement of the term web log) is a Town of Fairhaven website with regular entries of commentary, descriptions of events, or other material such as graphics or video.
4. A "moderator" is an authorized Town of Fairhaven official (appointed or elected) or employee, who reviews, authorizes and allows content submitted by the Town officials, employees and public commentators to be posted to a Town of Fairhaven social media site or sites.

III. POLICY

1. All Town social media sites shall be:
 - a) approved by the Town Administrator; and
 - b) published using social media platform and tools approved by the Information Technology Department ("IT").

2. The official posting for the Town will be done by the Board of Selectmen or their designee.
3. Departments have the option of allowing employees to participate in existing social media sites as part of their job duties, or allowing employees to create social media sites as part of their job duties. Department Heads may allow or disallow employee participation in any social media activities in their departments.
4. All Town social media sites shall adhere to applicable state, federal and local laws, regulations and policies including the Public Records Law, Public Records retention schedules, Open Meeting Law, Copyright Law and other applicable Town policies.
5. Public Records Law and e-discovery laws and policies apply to social media content. Accordingly, such content must be able to be managed, stored and retrieved to comply with these laws. Furthermore, once such content is posted on a social media site, it should stay posted, unless it is removed for one of the reasons set forth below in paragraph Numbers 10 or 11, or it is changed to fix spelling or grammar errors.
6. All social media sites and entries shall clearly indicate that any content posted or submitted is subject to public disclosure.
7. Each Town social media site shall include an introductory statement which clearly specifies the purpose and topical scope of the blog and social media/network site. Where possible, social media sites should link back to the official Town of Fairhaven Internet site for forms, documents and other information.
8. Each Town social media site shall indicate to users that the site is subject to a third party's website Terms of Service. Furthermore, each Town social media site shall indicate that: the social media site provider could collect personal information through user's use of the social media site; and that this personal information may be disseminated by the third party; and that such dissemination may not be governed or limited by any state, federal or local law or policy applicable to the Town.
9. All social media sites shall clearly indicate they are maintained by the Town of Fairhaven and shall have the Town of Fairhaven contact information prominently displayed.
10. The Town reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law.
11. Town social media content and comments containing any of the following forms of content shall not be allowed for posting:
 - a) **Comments or content** not topically related to the particular site or blog article being commented upon;
 - b) Profane, obscene, or vulgar language or content;

- c) *Comments or content* that promotes, fosters or perpetuates discrimination on the basis of race, color, gender, gender identity, national origin, religion, ancestry, age, sexual orientation, disability, maternity leave, genetic information, or active military status;
- d) *Comments or content that is threatening or harassing;*
- e) *Sexual comments, content, or links to sexual content;*
- f) Conduct or encouragement of illegal activity;
- g) Information that may tend to compromise the safety or security of the public or public systems;
- h) Content that violates a legal ownership interest of any other party;
- i) *Protected health information;*
- j) *Personnel information; or*
- k) *Other information that is not public record or is otherwise privileged from public disclosure.*

12. All Town social media moderators may be trained regarding the terms of this policy, including their responsibilities to review content submitted for posting to ensure compliance with the policy.

13. Where appropriate, Town IT security *and/or computer use* policies shall apply to all social media sites and articles.

14. Officials (elected or appointed) and employees representing the Town via social media sites must conduct themselves at all times as a representative of the Town and in accordance with all applicable rules, regulations, and policies (including personnel policies) of the Town of Fairhaven. See Section IV, Employee Guidelines for Use of Social Media Sites.

15. No Town or department social media site can endorse or otherwise cite (either with approval or disapproval) vendors, suppliers, clients, citizens, co-workers or other stakeholders.

16. Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.

17. When appropriate, the Town's Website Administrator, or other appointee of the Board of Selectmen or Town Administrator, shall serve as managing moderator over all Town social media outlets. This managing moderator shall oversee the adherence of Departments to this policy. The managing moderator will report any suspected violations to the Town Administrator/Board of Selectmen for the purposes of disciplinary action.

IV. EMPLOYEE GUIDELINES FOR USE OF SOCIAL MEDIA SITES

1. **Electronic Communications and Computer Usage Policy.** All employees are responsible for understanding and following the Town's Electronic Communications and Computer Usage Policy, in addition to this Policy.

2. **First Amendment Protected Speech.** Although the Town can moderate the social media sites that accept comments from the public (such as blogs and wikis) to restrict speech that is obscene, threatening, discriminatory, harassing, or off topic, employees cannot use the moderation function to restrict speech with which the Town merely disagrees (i.e. subject matter restrictions). Users have some First Amendment rights in posting content to public social media sites hosted by municipalities. Moderators must respect those rights by posting all comments other than those excluded for specific legitimate reasons, as referenced above.

3. **Copyright Law.** Employees must abide by laws governing copyright and fair use of copyrighted material owned by others. Never reprint whole articles or publications without first receiving written permission from the publication owner. Never quote *an* excerpt of someone else's work *without acknowledging the source*, and, if possible, provide a link to the original.

4. **Conflict of Interest.** *Employees are prohibited from using social media to engage in any activity that constitutes a conflict of interest for the Town or any of its employees, as defined by G.L. c. 268A.*

5. **Protect Confidential Information.** Never post legally protected personal information that you have obtained from the Town (e.g., information that is not public record under the Public Records Law, G.L. c.66, §10 and G.L. c. 4, §7(26), or whose dissemination is restricted under applicable Federal or State privacy laws or regulations). Ask permission to publish or report on conversations that occur within the Town. Never post information about policies or plans that have not been finalized by the Town, unless you have received explicit permission from your supervisor to post draft policies or plans on the department's social media sites for public comment.

6. **Consider Your Content.** As informal as social media sites are meant to be, if they are on a government domain or a government identity, they are official government communications. Social media sites will be sought out by mainstream media – so a great deal of thought needs to go into how you will use the social media in a way that benefits both the Town and the public. Employees should not comment about rumors, political disputes, or personnel issues, for example.

7. **Handling Negative Comments.** Because the purpose of many social media sites, particularly department blogs and wikis, is to get feedback from the public, you should expect that some of the feedback you receive will be negative. Some effective ways to respond to negative comments include:

- a) Providing accurate information in the spirit of being helpful;
- b) Respectfully disagreeing; and
- c) Acknowledging that it is possible to hold different points of view.

8. **Respect Your Audience and Your Coworkers.** Do not use ethnic slurs, personal insults, obscenity, or engage in any conduct that would not be acceptable in your department's workplace. Do not be afraid to be yourself, but do so respectfully. This includes not only the obvious (no ethnic slurs, personal insults, obscenity, threats of violence, etc.) but also proper consideration of privacy and of topics that may be considered objectionable or inflammatory—such as party politics and religion. Do not use your department's social media presence to communicate among fellow Town employees. Do not air your differences with your fellow Town employees on your department's social media's sites.

9. **Use the Social Media Site or Identity Only to Contribute to your Department's Mission.** When you contribute to your department's social media site or identity, provide worthwhile information and perspective that contribute to your department's mission of serving the public. What you publish will reflect on the Town. Social media sites and identities should be used in a way that contributes to the Town's mission by:

- a) Helping you and your co-workers perform their jobs better;
- b) Informing citizens about government services and how to access them;
- c) Making the operations of your department transparent and accessible to the public;
- d) Creating a forum for the receipt of candid comments from residents about how government can be improved; and
- e) Encouraging civic engagement.

10. **Mistakes.** The Town policy is that once something is posted, it should stay posted. Only spelling errors or grammar fixes should be made without making the change evident to users. If you choose to modify an earlier post, make it clear that you have done so—do not remove or delete the incorrect content; provide the correct information and apologize for the error. Ways to accomplish this include:

- a) Strike through the error and correct; or
- b) Create a new post with the correct information, and link to it from the post you need to correct or clarify.

Either method is acceptable. In order for the social media identity or site to achieve transparency, the Town cannot change content that has already been published without making the changes clearly evident to users.

11. **Media Inquiries.** Town or department social media identities or sites may lead to increased inquiries from the media. If you are contacted directly by a reporter, you should refer media questions to the Town Administrator.

12. **Personal Comments.** Make it clear when you are speaking for yourself as a resident or stakeholder, and not on behalf of the Town of Fairhaven. If you publish content on any website of the Town and it has something to do with the work you do or subjects associated with the Town, use a disclaimer such as this: "The postings on this site are my own and don't necessarily represent the Town's positions or opinions."

13. **Employee or Official Profile.** If you identify yourself as a Town employee or official, ensure your profile and related content is consistent with how you wish to present yourself to colleagues, residents and other stakeholders.

14. **Defamation.** Be aware that employees acting in their individual capacity (not on behalf of the Town) are not immune from defamation claims. Under Massachusetts law, defamation is established by showing that the defendant published a false, non-privileged statement about the plaintiff to a third party that either caused the plaintiff economic loss or was of the type that is actionable without proof of economic loss. Some statements, like imputation of a crime, are defamatory per se. Avoid statements that may be interpreted as defamatory.

15. **Records Retention.** Social media sites will contain communications sent to or received by Town officials and employees, and are therefore Public Records. Ensure that the Town or department retains a copy of the social media content in accordance with Public Records Retention Schedules. Review the third party social media service provider's terms of service for its record retention practices. Note that while third party social media providers will

most likely save your content for some period of time, they generally will not save it indefinitely. To the extent their policies are inconsistent with Public Records Retention Schedules, the Town or department should retain copies of social media posts such as by printing or otherwise storing periodic “snapshots” of the social media sites.

16. **Open Meeting Law.** Be aware of the Open Meeting Law and possible violations for improper deliberations outside of a posted meeting. A series of individual postings on a social media site cumulatively may convey the position of a quorum of a governmental body regarding a subject within its jurisdiction, and may constitute improper deliberation among the members of a board or committee.

SOCIAL MEDIA POLICY

This acknowledges that I have received and reviewed the Social Media Policy, with attachments, of the Town of Fairhaven ("Policy"). By signing this form, I agree to abide by the Policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications. I recognize that the law and associated Policy regarding use of Social Media are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended, is required.

Print Name: _____

Signature: _____

Date: _____

To be included in employee's personnel file.



TOWN OF FAIRHAVEN, MASSACHUSETTS
PLANNING BOARD
Town Hall · 40 Center Street · Fairhaven, MA 02719

MEETING MINUTES

Tuesday, March 25, 2025 at 6:30 pm

Held both at Town Hall & Remotely via Zoom

1. GENERAL BUSINESS:

- a) **Chair's Welcome and Media Notification:** Chair, Cathy Melanson, opened the meeting at 6:32 PM and welcomed all.
- b) **Quorum/Attendance: Present:** Cathy Melanson, Sharon Simmons, Diane Tomassetti, Patrick Carr, Ruy daSilva, and Rick Trapilo in Town Hall.

Absent: Jessica Fidalgo

Zoom: Kevin Grant

Land Use and Planning Director Bruce Webb and Recording Secretary Barbara Paczosa were present in Town Hall.

- c) **Minutes: January 14th 2025, drafts to be reviewed:**

Motion to approve minutes for January 14, 2025 made by Mr. Trapoli and seconded by Mr. DaSilva. Motion passed unanimously (7-0).

- d) **Correspondence – Letters from Attorney General re. 40R bylaw:**

Mr. Webb spoke regarding two correspondence from the Executive Office of Housing and Livable Communities. Mr. Webb stated the 40R bylaw has been approved by the state and after being publicly posted for 2 weeks in the Neighborhood News the bylaw will become active in our code.

Mr. Webb stated the ADU bylaw is still being reviewed however the ADU bylaw is succeeded by the state so the new bylaw came into effect on February 3rd.

2. Vote on Amending 40R Plaza District:

Vote to support adding the property at Map 28, Lot 22B to the 40R Smart Growth Overlay District, Plaza District. Discussion and tentatively scheduling of Public Hearings for the same.

Mr. Webb discussed there is developer-driven interest to add 1.02 acre at the corner of David Drown Blvd and Alden. Mr. Webb would like a discussion and a vote on adding said lot to the Plaza district so that it too can take advantage of the potential for a mixed use structure.

Ms. Tomassetti stated she believed this was discussed thoroughly at the previous meeting.

Mr. Carr made a motion to vote on amending 40R Plaza District adding the property Map 28 lot 22B to the 40R Smart Growth Overlay District and the Plaza District and taking it to a special town meeting under warrant and allowing the town planner land use director to take that to the select board for approval, seconded by Ms. Simmons. Motion passed unanimously (7-0).

The board also discussed with Mr. Webb the public hearings and when they should take place.

Mr. Webb will arrange two public hearings with proper notice in local papers. The board also plans to hold informational events to educate the public about the proposed change and aim to complete this process before the upcoming town meeting in May working within a tight timeframe.

Ms. Melanson made a motion to allow Mr. Webb to oversee public hearing dates, seconded by Mr. Carr. Motion passed unanimously (7-0).

3. Vote to lift the Cease and Desist applied to Map 028C, Lot 071:

Discussion and vote on lifting the Cease and Desist applied to the property at Map 028C, Lot 071 to address concerns raised by Board of Health.

Mr. Webb stated he met with the current property owner at the proposed Timothy and Hiller subdivision site as well as their engineer, a representative of the Select Board and Planning board. There is nothing in the bylaw that prevents or grants the authority to control or prevent them from removing the stumps from the property that were cut. Mr. Webb explained what would happen if they are not allowed to grade the site following the stump removal. The Board of Health raised concerns about the potential for mosquito breeding sites and the lack of control measure. Mr. Webb feels the cease and desist order should be lifted to allow for stump removal and grading to prevent the situation from developing.

Ms. Tomassetti asked Mr. Webb if it was only to remove the stumps and filling in to meet any concerns of the Board of Health and anyone else. Mr. Webb confirmed that was correct and explained how the process would take place.

Mr. Grant asked Mr. Webb to clarify what happens to the cease and desist order once the work is done. Mr. Webb responded because they do not have a permit if they proceed with any additional work or he has a report of additional work beyond what has been discussed he would return to the site with a cease and desist.

Ms. Melanson made a motion to lift the cease and desist order that applied to Map 028C, Lot 071, seconded by Mr.daSilva. Motion passed unanimously (7-0).

4. **RECEIPT OF PLANS:**

FA2025-02 – 46 Hawthorne St: Form A proposal to reconfigure 46 Hawthorne St., Map 42 Lot 231 by dividing the existing property at 46 Hawthorne St into two (2) separate properties resulting in Lot 1 (8,887 sq. ft.) and Lot 2 (9,574 sq. ft.) with 77 feet and 83 feet of frontage on Hawthorne St. respectively. A zoning determination letter from the building commissioner has been received; this letter verifies the deed language in support of the application.

Mr. Webb stated this is a straight forward ANR Form A application to divide the property at 46 Hawthorne Street into two separate properties. While these properties wouldn't be conforming under the existing zoning because the deed language and the deed still reflects the original plots and they're boundaries and sizes they are able to divide the lots based on that original deed language that was never changed. The Zoning Determination Letter from the Building Commissioner was presented to support the application. Mr. Webb feels this is a good use of the property.

Ashleigh Da-Cruz the property owner spoke on her behalf. She is looking to subdivide her property to give to her sister.

Ms. Melanson made a motion to approve FA2025-02, 46 Hawthorne St. seconded by Mr. Trapilo. Motion passed unanimously (7-0).

5. **OTHER BUSINESS:**

a) Land use and Planning Department – Department Head Update

Mr. Webb gave a brief update to the board. Mr. Webb stated the community planning grant RFP would be going out and he gave the budget update to the finance committee.

b) Social Media Policy

Mr. Webb stated he sent out a copy of the Social Media Policy as well as information on the conflict of interest guidance and the open meeting law requirements to all members of the board. Mr. Webb stated he has been hearing complaints from the public, from members of the board, from other boards on the use of Social Media outside the policy by members of boards. Mr. Webb would like to see the Social Media Policy be reviewed by every member in detail and make sure that they are adhering to that responsibility to comply with the policy. If there are continued issues there will have to be a follow-up

with Town Administration. Town Administration has been made aware of the ongoing situation and some of the statements that have been made.

Rick Forand, Building Commissioner for the Town of Fairhaven, expressed his frustration with negative comments about his work on social media platforms and that it needs to be addressed.

Mr. Webb asked that the members that share their views on social media identify themselves as a member of a board and that their views are not the views of the board but as a private resident of the Town of Fairhaven.

The board discussed concerns about inappropriate use of social media by town officials and board members. The participants expressed concern about the negative impact of this behavior on the town and its officials.

Mr. Carr stated action needs to be taken.

Mr. Webb gave a recommendation to give it two weeks now that the seriousness of matter is made public. He also addressed the public if they have any questions or concerns to reach out to him.

- c) Appointing Planning Board Member to address concerns with SRTA bus route amenities.

Ms. Simmons gave an update about concerns from the last meeting. She presented a bus route map and shared her findings on the locations of bus stops noting the lack of protection and seating for passengers.

Mr. Trapilo inquired if there are plans for the bus to go to the train station in New Bedford. Ms. Simmons stated she did not know she only had the map for the Fairhaven route.

The committee also discussed the potential for using SRTA funds for the project.

Ms. Melanson made a motion for Diane to find out more information to see if there's anything they can do with the Select Board liaison and SRTA to get some covering, seconded by Mr. Trapilo. Motion passed unanimously (7-0).

- d) Charter Committee update from Cathy Melanson

Ms. Melanson spoke to the board about the need to adjust the Charter to reflect a 4-year term for board members, instead of the previously planned 3 year term. The change would require a special legislation which would then need to be approved by the legislature. There was also discussion about the possibility of retroactively applying the

4 year terms to current board members and shorten terms. The board agreed to review the proposed changes and provide feedback. Mr. Webb will send a copy of Heather White's proposal to the Planning Board members.

e) SRPEDD Update from Rick Trapilo

Mr. Trapilo provided an update on his roles in SRPEDD and the Harbor Plan Committee. Mr. Trapilo highlighted the synergies between the two positions and recommending that the board nominate one person to fill both rolls. Mr. Trapilo emphasized the importance of continuing work on issues such as transportation, clean water and regionalization.

f) Update on Town Meeting Committee, Meeting – Planning Board Rep. Sharon Simmons

Ms. Simmons stated she did not have any updates.

g) Selection of Planning Board Representative to SRPEDD and Harbor Master Plan Renewal Committee

Mr. Webb stated a member of the planning board reached out and asked that this be continued until after the election because they felt it would be a better fit for that vote to take place after any new members have been elected so that they could be considered. Mr. Webb feels that decision rests with the board.

The board discussed whether to proceed with nominations until the upcoming election. They decided to move forward with nominating a representative for the Harbor Master Plan Committee due to immediate needs while potentially delaying the SRPEDD nomination.

Mr. Trapilo nominated Mr. Carr to be the interim Commissioner to SRPEDD. Mr. Carr accepted the nomination.

The board discussed Mr. Carr as the interim Commissioner to SRPEDD on the planning board the term will last until May.

Mr. Trapilo made a motion to nominate Mr. Carr as the interim Commissioner on behalf of the Planning Board of the Town of Fairhaven to SRPEDD, seconded by Mr. DaSilva. Motion passed unanimously (7-0).

Mr. Webb gave the board an update on the Harbor Master Plan Renewal Committee stating they are updating the Harbor Master Plan from 2010. Mr. Webb explained it is an update of the existing master plan and not a new master plan.

Mr. Trapilo nominated Mr. Carr because he believes the position should be done in synergy with SRPEDD. Mr. Carr accepted the nomination.

Ms. Melanson made a motion to nominate Mr. Carr for the Harbor Plan Review Committee, seconded by Mr. DaSilva. Motion passed unanimously (7-0).

h) Any other business that may properly come before the Board, not reasonably anticipated when posting 48 hours prior to this meeting.

The board thanked Mr. Trapilo and Ms. Melanson for their service and good luck on the election.

i) **Next Meeting:**

Next Regular Meeting, Tuesday, April 8th, 2025.

Respectfully submitted,
Barbara Paczosa Recording Secretary,
Planning Board



FAIRHAVEN SELECT BOARD AGENDA

February 24, 2025 5:30 p.m.

Town Hall – 40 Center Street – Fairhaven

The meeting can also be viewed on Channel 18 or on FairhavenTV.com

FAIRHAVEN TOWN CLERK
RCUD 2025 FEB 20 PM3:37

FAIRHAVEN TOWN CLERK
RCUD 2025 FEB 24 AM11:14

REVISED

A. APPOINTMENT: 5:30P.M.

1. ~~New England Preservation and Development, LLC~~

EXECUTIVE SESSION

Pursuant to G.L. c. 30A, s. 21(a)(3) discuss litigation: New England Preservation and Development, LLC v. Town of Fairhaven

B. APPOINTMENTS AND COMMUNITY ITEMS

1. Appointment Request: Open Space and Recreation Plan Committee: Kelly Camara
2. Event request and Special One-Day Liquor License: Buzzards Bay Swim, June 28, 2025
3. Event Request: Fairhaven Father's Day Road Race: June 15, 2025 at 9:00a.m.

C. MINUTES

1. Accept the Select Board minutes of February 10, 2025 – Open Session
2. Accept the Select Board minutes of February 10, 2025 – Executive Session

D. EXECUTIVE SESSION

Pursuant to G.L. c. 30A, § 21(a)(2) to conduct strategy sessions in preparation for negotiations with non-union personnel: Fire Chief; Police Chief

Pursuant to G.L. c. 30A, s. 21(a)(3) discuss litigation: Fairhaven School Committee v. Fairhaven Zoning Board of Appeals, Mass. Land Court 25MISC000064

E. TOWN ADMINISTRATOR REPORT

1. Staffing Update
2. Historical Commission Resignation: Wayne Oliveira
3. FY26 Budget
4. Other

F. ACTION / DISCUSSION

1. Discuss Fairhaven Needs and Priorities with Representative Sylvia
2. Marine Resources: Waterways Rates: Residents and Non-Residents
3. Lamppost Project: Millicent Library
4. Building Department Permit Fee Waiver Process: Town Buildings
5. Tree Department Memorandum of Understanding
6. School Union Representative Address Select Board: Budget Concerns
7. Board and Committee Handbook Policies Discussion
8. Accept Donation to Historical Commission Gift Account: Fort Phoenix Flagpole
9. Town Administrator Search Process
10. Discussion of General Provisions, Chapter 50 § 3 Meeting to Elect Town Officials
11. Annual Report Cover Photo Selection
12. Approve Select Board Annual Report
13. Close Annual Town Warrant

G. BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

H. PUBLIC COMMENT

I. CORRESPONDENCE

1. Open Meeting Law Determination: OML 2025 – 16, re OML Complaint received March 11, 2024

<https://us06web.zoom.us/j/89485993911?pwd=OFd5MzJvVnBxQkIzLzdQcFRibVM0QT09>

Log on or call 1-689-278-1000, Meeting ID: 894 8599 3911, Passcode: 330130

Subject matter listed in the agenda consists of items reasonably anticipated (by the Chair) to be discussed. Not all items listed may be discussed and other items not listed (i.e. urgent business not available at the time of posting) may also be brought up for discussion in accordance with applicable law. On March 24, 2023, the bill to extend Open Meeting Law regulations governing remote participation has passed MA legislation and been signed by the Governor. This bill will allow remote and hybrid meeting options for public bodies through March 31, 2025.

J. NEWS AND ANNOUNCEMENTS

The next regularly scheduled Select Board meeting is *Monday, March 10, 2025* at 6:00 p.m.

ADJOURNMENT



FAIRHAVEN SELECT BOARD
Meeting Minutes
February 24, 2025

FAIRHAVEN TOWN CLERK
RCUD 2025 MAR 11 PM2:26

Present: Chair Stasia Powers, Clerk Andrew B. Saunders, members Keith Silvia and Andrew Romano and Acting Town Administrator George Samia

Not Present: Vice-Chair Charles Murphy Sr.

Ms. Powers opened the meeting at 5:30p.m.

A moment of silence was observed for Mason Evich.

Motion: Mr. Romano motioned to table Executive Session to Item D. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

Appointment, Conservation Commission

Appointment Request: Open Space and Recreation Plan Committee: Kelly Camara

The Board reviewed the application submitted by Ms. Camara.

Motion: Mr. Romano motioned to appoint Kelly Camara to the Open Space and Recreation Plan Committee. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

Event request and Special One-Day Liquor License: Buzzards Bay Swim, June 28, 2025

Ms. Powers read the application.

Motion: Mr. Romano motioned to approve the Event Request and Special One-Day Liquor License for the Buzzards Bay Swim on June 28, 2025. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

Event Request: Fairhaven Father's Day Road Race: June 15, 2025 at 9:00a.m.

Ms. Powers read the application.

Motion: Mr. Romano motioned to approve the Event Request for the Fairhaven Father's Day Road Race on June 15, 2025 at 9:00a.m. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

MINUTES

Ms. Powers addressed the Board and proposed adding two additional bullets under the item "Discuss Fairhaven's Needs and Priorities for future meeting with Representative Silvia" on page 3. Mr. Romano proposed an amendment to the Motions on page 1 for the Conservation Commission appointments to reflect that the vote was 4-0-1, Mr. Silvia abstained.

Motion: Mr. Romano motioned to approve the minutes of February 10, 2025, Open Session as amended. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to accept the minutes of February 10, 2025, Executive Session. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

EXECUTIVE SESSION

Motion: Mr. Romano motioned to enter into executive session Pursuant to G.L. c. 30A, s. 21(a)(3) discuss litigation: New England Preservation and Development, LLC v. Town of Fairhaven. And, Pursuant to G.L. c. 30A, § 21(a)(2) to conduct strategy sessions in preparation for negotiations with non-union personnel: Fire Chief; Police Chief; And Pursuant to G.L. c. 30A, s. 21(a)(3) discuss litigation: Fairhaven School Committee v. Fairhaven Zoning Board of Appeals, Mass. Land Court 25MISC000064, and to return to open session. Mr. Saunders seconded. Roll Call Vote: Mr. Romano, Mr. Saunders, Ms. Powers and Mr. Silvia in favor. The motion passed unanimously (4-0-0).

Meeting adjourned to Executive Session from 5:42p.m. to 7:20pm

TOWN ADMINISTRATOR REPORT

- Staffing Update: The Town is in process of hiring an administrative assistant for Planning
- Historical Commission Resignation: Wayne Oliveira, Mr. Samia and the Board thanked Mr. Oliveira for his service.
- FY26 Budget: Draft 2 has been uploaded online (*Attachment A*). Discussion ensued as to the approximate deficit at this time, the need for updated state numbers, percentages of budget increases or decreases by department were included for the Finance Committee, fixed cost impacts and changes to come prior to Town Meeting.

ACTION / DISCUSSION

Discuss Fairhaven Needs and Priorities with Representative Sylvia

Representative Mark Sylvia addressed the Board and introduced his legislative assistant Betty DeBenedictis. Rep. Sylvia gave a summary of activities since being sworn in on January 1, 2025 including priority focus areas within the district like utility bill costs and the active bills and filings relevant to the district and co-sponsorships. Rep. Sylvia presented the Select Board with a state flag and certificate for Town Hall.

Ms. Powers said that Rep. Sylvia will schedule local office hours and anyone can contact him directly to set up time to meet during his office hours.

The Board referred to items from the list of Fairhaven priority areas:

- Increasing Local Aid and tap into the state's "rainy-day" fund;
- How can Fairhaven tap into additional housing funds the Governor is proposing;
- Opportunities for Regionalization including concerns from the Police Chief on the dispatch system
- Home Rule article to come from the Charter Committee to redo/clarify the Town Charter
- The Fairhaven/New Bedford Bridge repair/replacement;
- Impacts of a potential change to the split of funds from the Millionaire's Tax to move from 60% Education and 40% Transportation to place a higher portion into Transportation for the MBTA (Massachusetts Bay Transportation Authority); MBTA is a certain area of the state and Education covers the entire state.

Rep. Sylvia said it is important to hear from the municipalities and get letters to the Department of Public Utilities (DPU) to put on record about the utility rate concerns. He will forward details as to who to write the letters to.

Marine Resources: Non-Resident, Non-Commercial Shellfish Permit Rate

Harbormaster Tim Cox addressed the Board and reviewed the history of waterways fee changes from 2024 and said they had not been changed in nineteen years. The change in 2024 created a poor experience for those billed and for the Collector's Office staff. Abatement requests were received through the Collector's Office due to a misprint on the sticker and the date issue has been corrected going forward. The Marine Resources Committee recommended a rate of two-dollar (\$2.00) per foot for residents and six-dollars per foot (\$6.00) for non-residents; the Marine Resources Committee will review yearly going forward.

Motion: Mr. Romano motioned to change the Waterways Fee to \$2.00 per foot for residents and \$6.00 per foot for non-residents. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

Lamppost Project: Millicent Library

Nils Isaksen addressed the Board and reviewed the project and phase two that will surround the Millicent Library. The Historical Commission gave a letter of support (*Attachment B*). Four have been sponsored so far and the company producing the lampposts is in Pennsylvania and does mention Henry Huttleston Rogers on their website.

Building Department Permit Fee Waiver Process: Town Buildings

This item was tabled to a future meeting.

Tree Department Memorandum of Understanding (MOU)

Highway Superintendent Josh Crabb addressed the Board via zoom and reviewed the MOU entered into with the Town Administrator and the Board of Public Works (BPW) in October, 2024. Mr. Crabb asked the Select Board to ratify the MOU for the record.

Discussion ensued as to the process and role of Bruce Webb. Mr. Crabb explained that the BPW designates an agent and he was designated. Mr. Webb's role is interim until Mr. Crabb has obtained the proper license.

Motion: Mr. Romano motioned to ratify the MOU between the Board of Public Works (BPW) and the Fairhaven Town Administrator and assign the Tree Warden and Tree Department to the BPW. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

School Union Representative Address Select Board: Budget Concerns

Melissa Duarte addressed the Board on behalf of the Fairhaven Educators Association and read a statement to the Board (*Attachment C*). Discussion ensued with the Board regarding the state of the budget. The Board asked what amount they are advocating for and to give context to the discussion; what amount and what would it be used for and about curriculum preferences.

Ms. Powers suggested sending letters to advocate for no changes to the percentages of the use of the millionaire's tax and to watch announcements about recommended changes. Ms. Powers also recommended attending when the School addressed the Board and Finance Committee and presents the overall budget.

Board and Committee Handbook Policies Discussion

Ms. Powers opened discussion on the challenges with the Town's boards, committees and commissions. Excerpts were included in the packet tonight to review what a quorum is, attendance and accountability, reporting absences or consecutive absences, civil discourse and the social media policy. Discussion included caution on creating administrative hurdles or policies and setting expectations in the application process including addressing the Board when seeking appointment.

Mr. Romano was asked to prepare draft suggested language changes and Ms. Hart will send the appointed and elected members of boards, committees and commissions the excerpts on civil discourse and social media.

Motion: Mr. Romano motioned to send all boards, committees and commissions, elected and appointed, a reminder about civil discourse and the social media policy. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

Accept Donation to Historical Commission Gift Account: Fort Phoenix Flagpole

Ms. Powers said that a gift account exists and if Ms. Carreiro needs the Board to vote to accept the donation it can be placed on a future agenda. The Board thanked Mr. and Mrs. Martin for the donation.

Town Administrator Search

Mr. Romano provided an overview of the meetings he and Mr. Samia had with the three firms who had submitted proposals: Collins Center, Municipal Resources, Inc. and Groux-White Consulting, LLC. The Collins Center withdrew and after the interview process, the recommendation was to select Groux-White.

Mr. Samia said using a consultant helps with the challenges of a Town Administrator search and balancing what the Town is looking for. Mr. Silvia expressed concern on cost and suggested the Town handle and use a private investigator for background checks to minimize the cost. Brief discussion ensued on the benefits using a firm.

Motion: Mr. Romano motioned to appoint Groux-White Consulting, LLC as the Town Administrator search firm. Mr. Saunders seconded.

Mr. Romano amended his motion to appoint Groux-White Consulting, LLC as the Town Administrator search firm, for an amount not to exceed what's in their proposal plus advertising costs. Mr. Saunders amended his second. The motion passed (3-1-0) Mr. Silvia opposed.

Discussion of General Provisions, Chapter 50 § 3 Meeting to Elect Town Officials

Ms. Powers addressed the Board on a proposed article for Town Meeting to address the election of Town Officials. Currently local elections are the first Monday in April and Town Meeting is the first Saturday in May; for example, work done on the budget is then passed to new elected Board members post-election with less than a month to prepare. The article proposes to change the local election date to the first Tuesday in June. Mr. Romano proposed adding a change to the start time to 7:00a.m. to match other elections. Mr. Samia said Town Counsel reviews the language of articles.

Motion: Mr. Romano motioned to approve an article on the Town Meeting warrant to change local elections to the first Tuesday in June starting in 2026 to be reviewed by Town Counsel. Mr. Saunders seconded.

Mr. Romano amended his motion to approve an article on the Town Meeting warrant to change local elections to the first Tuesday in June starting in 2026 to be reviewed by Town Counsel and include start time of 7:00a.m. Mr. Saunders amended his second. The motion passed unanimously (4-0-0).

Annual Report Cover Photo Selection

The Board discussed the photos submissions and selected photo number one for the cover and photo number six for the back cover.

Motion: Mr. Romano motioned to use photo number one as the cover photo. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to use photo number six as the back-cover photo. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

Approve Select Board Annual Report

Ms. Powers asked the Board for any updates to the annual report draft provided in the packet.

Motion: Mr. Romano motioned to approve the annual report as written. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

Close Annual Town Warrant

Discussion ensued about the draft of the Special Town Meeting and Annual Town Meeting warrant. Mr. Samia said there will be a Special within the Annual and some language may be adjusted after review and the FY26 budget numbers will be added.

Motion: Mr. Romano motioned to close the Special Town Meeting and Annual Town Meeting warrant. Mr. Saunders seconded. The motion passed unanimously (4-0-0).

BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

Mr. Silvia reported:

The Historical Commission met, he thanked Mr. Oliveira for his years of service. They also reviewed the Fort Phoenix flagpole donation.

Mr. Silvia asked if the Town was pursuing another Green Communities grant for the electric car chargers. Mr. Samia will review with Kelly Camara and check with the grant writers.

Mr. Silvia said the Economic Development Committee met and Alyssa Botelho presented a partnership with Mr. Webb on new business start-up grant opportunities.

Ms. Powers:

No meetings to report on.

Mr. Saunders reported:

Livable Streets met and discussed improvements to the bike path and expanding safety; they also discussed plowing snow during storms. Mr. Saunders said if anyone has ideas to attend the next meeting or share with the Livable Streets Committee.

Mr. Romano reported:

Sustainability Committee announced a collaboration with the Unitarian Church for an Eco-Fair on Saturday, April 12, time to be determined. They are working to bring back the Town partnership with the Great American Rain barrel. There is a compost program through Black Earth and the more sign-ups the better the cost and more areas that can be served. Currently the cost is about ninety-dollars (\$90) for six months; they are looking to partner with the schools on this as well to cut down on food waste.

PUBLIC COMMENT

Rick Trapilo of Leeward Way addressed the Board on two items; first the Buzzards Bay Coalition meeting about the wastewater issue in New Bedford and second, funding for the Town. He described the meeting and attendees. Ms. Powers advised that she had covered this meeting already. Mr. Trapilo continued and said no one should think the water quality in Buzzards Bay is as good as it has been. There is no solution funded by the City of New Bedford or the State of Massachusetts to fully correct the issue. There is a meeting on April 27th with elected officials. Mr. Trapilo said he was glad to hear Rep. Sylvia talk about it and that it is getting momentum. The water quality is going downhill gallon by gallon, 600 million gallons a year.

Mr. Trapilo continued to his second point, he was disappointed for the school department, they stayed for almost two hours and the comment made was "we'll do what we can." That's not good enough, we need to reach out to the governor and to state representatives to secure funding. He asked the Board to write a letter to Rep. Sylvia, Senator Montigny and our governor. The governor is asking for a municipal empowerment act to put more taxes on residents. The Eversource bill may get five percent delayed payment and that will be paid with interest. He asked the Board to take a leadership position and send a clear message to the governor to say we want funds.

Lynne Mason of Spring Street addressed the Board via zoom. She said her concern was having the same person, Josh Crabb, be the Tree Warden and the Highway Superintendent. Do the two roles conflict, will the priority be preserving trees, maintaining trees, replanting trees or vice-versa keeping maintenance of roads and walkways with a strict budget. She said she loves trees and knows they can be a burden.

Ms. Powers advised that the Select Board appointed the BPW tree warden and appointee and suggested Ms. Mason share her concerns with the BPW.

CORRESPONDENCE

Ms. Powers read the Open Meeting Law Determination: OML 2025 – 16, re OML Complaint received March 11, 2024 (*Attachment E*).

NEWS AND ANNOUNCEMENTS

The next regularly scheduled Select Board meeting is *Monday, March 10, 2025*, at 6:00 p.m.

Meeting adjourned at 9:36p.m.

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

ATTACHMENTS

- A. FY26 Budget Documents
- B. Historical Commission letter regarding the Lamppost Project
- C. Melissa Duarte statement from School Union Representative regarding FY26 Budget
- D. Board and Committee Handbook excerpts on Civil Discourse and Social Media
- E. Open Meeting Law Determination: OML 2025-16

Approved on March 10, 2025

Speaking for a Board or Committee

An individual board member has a right to speak publicly as a private citizen but should not purport to represent the board or committee or exercise the authority of the board or committee except when specifically authorized by that body to do so. If members identify themselves as members when speaking as private citizens, it may be perceived that they speak for the board or committee. Such a perception should be avoided. In addition, it is the policy of the Board of Selectmen that a recused board or committee member refrain from using this individual right of free speech to speak on matters on which a member has been recused in front of that member's board or committee.

Civil Discourse

The Board of Selectmen recognizes the importance of civil discourse at all levels of the government including those who volunteer their time and services on behalf of the Town. Boards and committees should conduct themselves so as to maintain public confidence in their local government and in the performance of the public trust. They should strive at every meeting to treat every person fairly and with respect. In turn, it is expected that those members from our community attending Town board or committee meetings will display respect to the public, board and committee members and Town staff. Professional respect does not preclude differences of opinion but requires respect for those differences and the people who express them; swearing, profanity, disparaging remarks, malicious gossip, slander, etc., both during a meeting and in other settings is behavior unbecoming of a Town official and will not be tolerated. It is expected that the Chair of all Boards and Committees will hold his/her membership to this standard. Failure to adhere to this standard is grounds for removal by the Board of Selectmen from appointed boards. Everyone should strive for civil discourse on all matters.

Liaison with Board of Selectmen

Each year, the Board of Selectmen votes to assign each Selectman to be a liaison to several Town boards and committees. The duty of the liaison is to maintain communication with the board or committee, review its minutes, and keep updated on issues of concern. The liaison is not expected to attend the meetings, but may do so; nor is the liaison an *ex officio* member. The Board of Selectmen recommends that the board or committee chairperson report regularly to its liaison about the board or committee's actions and plans so that the liaison can keep the Board of Selectmen updated.

Annual Town Report

All appointed boards and committees are required to file an annual report of activities for the Annual Town Report, due in December/January of each year (deadline to be announced each year by the Selectmen/Town Administrator's office). The chairperson or another designated member should detail board or committee membership, including any changes, and report on major accomplishments and future plans for the year.

or received in the capacity of a board, committee or commission member are public records which must be made available for public inspection in the same manner as hardcopy documents. Use of one's own home computer and personal email accounts may not exempt such communications depending on the context. In addition, the ease by which emails are sent and forwarded may facilitate the improper discussion of public policy issues. The discussion of public policy issues among a quorum of board or committee members via email is a violation of the Open Meeting Law. All electronic mail sent and received at a Town-issued email address should be considered a public record subject to inspection and disclosure and scheduled retention and disposition. Employees and board and committee members acting in their official capacity should have no expectation of privacy in their use of electronic mail as it relates to board/committee business.

It is important for boards and committees to be responsive to emails that are sent to them in their official capacity. It is advised that the chairperson or clerk be assigned this responsibility. Boards and committees need to be careful not to allow replies to citizens become discussions among the members of the board/committee, as this is in violation of the Open Meeting Law.

Social Media

Board and Committee members using social media platforms (including, but not limited to: Facebook, Twitter, Instagram, YouTube, etc.) should remember that their online persona reflects their character. Social media is not exempt from Open Meeting Law or Records Retention law. (For boards and committees using social media pages to share their news, please see the Town's separate Social Media policy. **See Appendix F.** The Town's Media & Communications Specialist will assist you in creating and maintaining your Social Media pages. For the purposes of individual board/committee members using social media, please note:

- All board/committee members ("Officials") are expected and required to conduct themselves online in a manner consistent with the Town's policies and standards of conduct.
- Officials must not reveal any confidential or privileged information about the Town, its constituents, or its contractors.
- Officials must not harass others in contravention of the Town's computer use policy, harassment policy, regardless of the time, place, form, or manner in which the information is posted or transmitted. Comments may be deemed to violate this policy even if the Town's name or name(s) of any individual is not specifically referenced.
- Officials should be honest and accurate when posting information or news. Officials should not use social media to post rumors or conjecture about the Town, its employees, constituents, officials, suppliers, vendors, contractors, or any other entities or individuals.
- Officials may only express their personal opinions and should never represent themselves on social media as a spokesperson for the Town, unless specifically designated to do so.
- Officials must also recognize that posting content regarding Town-related matters may result in a violation of the Open Meeting Law. (For example, if three members of a five member committee exchange comments on a social media post regarding a Town issue, this could be deemed "deliberation" and would be a violation of Open Meeting Law).

Appendix F: Social Media Policy

Acceptable Use Policy – Computer, Technology, Email, Cell Phone, Internet, Social Media

43-1. *Policy.* The Town of Fairhaven may provide email and/or Internet access to employees who are connected to the municipal network server at the Town Offices and, additionally, to various employees in other town buildings. The purpose of providing these services to employees is to improve communication between departments and to provide the means to communicate and obtain information via the Internet. These services shall be used to improve the efficiency and effectiveness of municipal operations. Access and Control of the Town's technology resources, equipment, and information shall be as follows:

The Town has established these policies to set the standards for the proper and allowed uses of the Town's telecommunications systems including telephones, email, facsimile machines (faxes), cell phones, and the Internet, including social media, and to set the standards expected of town personnel in the use of private equipment and media. The use of these capabilities and equipment is subject to the same management oversight as any other employee activity. The Town reserves the right to review and monitor employees' use of Town systems and communication devices. Employees are advised that they have no legitimate expectation of privacy in regard to their use of the Town's system and communication devices.

Violation(s) of this policy may result in disciplinary action being taken against the employee, up to and including termination from employment.

Email: Electronic data in the form of email is considered a public record and as such is subject to the requirements of the Public Records Law (MGL c 66) including the requirement to maintain that data, and as applicable to make that data available to the public upon request. Federal courts have also held that electronic mail is considered a record for purposes of the Federal Freedom of Information Act. Electronic data that is generated or communicate by a town employee in the course of his employment, will be considered a public record regardless of whether the equipment used is town owned or personally owned.

Appropriate Use: Email and related online services are the property of the Town and are to be used for business matters directly related to the operational activities of the Town and as a means to further the Town's objective to provide efficient, complete, accurate, and timely services.

Users shall act professionally, properly identifying themselves, and shall ensure that they do not misrepresent themselves or the Town.

The telecommunications systems (including Town office Wi-Fi access) shall not be used for:

- Personal gain or to conduct personal business, political activity, non-Town-related fundraising activity, or charitable activity;
- The transmission of materials used for commercial promotion, product endorsement, or political lobbying;

- Discriminate, or promote discrimination, on the basis of race, color, national origin, age, marital status, sex, political affiliation, religion, disability, or sexual preference; to promote, cause, or contribute to sexual harassment; or to promote personal, political, or religious business or beliefs;
- To violate any of the Town's personnel policies;
- For any illegal activity, including but not limited to, the transmission of copyrighted or trade secret material, the transmission of obscene, defamatory, or threatening material, or the propagation of any criminal activity.

No user shall violate the computer security systems or procedures implemented by the Town, the IT Director or his/her designee, including proper use of passwords, security systems, and virus detection programs. For security purposes, employees should either log off or revert to a password screensaver when leave their computer for an extended period. When leaving for the day, employees should log off and power down all electronic equipment.

Employees are expected to use careful consideration before opening emails or files from unknown senders. Employees are prohibited from downloading or transferring unauthorized software or files. No user shall pirate, download, or transfer software for which the user does not have the proper licensing. Additional restrictions or regulations on the importing of remote files may from time to time be imposed, and such restrictions or regulations shall be considered part of this policy.

Internet browsing should be limited to Internet sites directly related to the user's job function. Internet browsing for personal use is prohibited. The use of town equipment and access for the purpose of private social networking is prohibited. Users shall not engage in activities that could cause congestion and disruption of networks and systems, including but not limited to consuming excessive system resources.

Open Meeting Law Compliance: All provisions of the Massachusetts Open Meeting Law apply to email communication.

41-2. *Social Networking.* Whether acting within the scope of employment for the Town, or not, employees are encouraged to use professional judgment at all times concerning personal and professional use of social networking sites. In using social networking sites, employees should at all times be respectful to co-workers, residents, or persons seeking assistance from the Town. Employees should not disclose confidential information, engage in any unlawful activity, or convey information that is disparaging or defamatory while using social networking sites, and must refrain from making comments or statements based upon race, color, gender, national origin, religion, ancestry, age, sexual orientation, disability, maternity leave, genetics, active military status, or another basis prohibited under state or federal anti-discrimination statutes, or which may otherwise interfere with the ability of the Town government to function properly. Such statements or comments occurring online and/or through the use of social networking sites will not be tolerated and may be subject to disciplinary action.

Subject to applicable law, online activity outside of work that violates the Town's Personnel Policies may subject an employee to disciplinary action, up to and including termination. Use of social media during work hours, except as related to town business or postings, is prohibited and subject to disciplinary action.

43-3. Mobile Devices Provided by the Town. Employees whose work requires the issuance of a mobile device will be provided such device at the recommendation of the Department Head and the approval of the Town Administrator. Employees who do not accept a Town mobile device, and instead opt to use their own device, shall be eligible to receive a stipend, upon furnished proof of cell phone invoice paid. Such proof shall be provided to the Town Accountant's office, along with any reimbursement/payable cover sheets, and shall be signed by the Town Administrator for reimbursement. Employees who opt to use their own mobile devices for Town business must seek approval from their Department Head and should be advised that their device may be subject to records access laws. The rate of payment for cell phone stipends will be periodically reviewed. Proposed cell phone stipends must be included in the annual departmental budget and are subject to Town Meeting appropriation. Users are responsible for the physical safety of their Town-provided devices and must report lost/stolen/damaged equipment immediately to the technology staff (IT Department).

43-4. Usage Guidelines.

- Detailed records of the use of Town mobile devices are public records and may be requested at any time.
- Mobile devices provided by the Town are to be used predominately for work-related purposes. Personal use that incurs charges must be paid for by the employee.
- In addition to this policy, the use of mobile devices is governed by personnel policies which relate to the use of all Town computing equipment.
- Town employees and elected officials may use social media and social networking services and tools for personal use outside of the workplace. However, these types of tools can sometimes blur the line between professional and personal interactions. Therefore, employees and elected officials are reminded that as representatives of the Town of Fairhaven, the above policies should be taken into consideration when participating in these services at any time, particularly when identifying themselves as employees of the Town or when context might lead to that conclusion, employees and volunteers should use discretion and common sense when employing social media, to help prevent inadvertently compromising professional, legal, or ethical standards, or otherwise violating this policy.



Hometown Fairhaven, MA (uncensored)

...

Gary Lavalette · 1d ·

Update on Robby Rodericks project on the Timothy, Hiller houses in Fairhaven. It is estimated that 8 Acres of trees are coming down to make room for around 14 homes valued at \$600 hundred thousand dollars. Now who in their right mind would spend that kind of money on property that is wet most of the year, really close to the new sewage plant being built and really close to the wind turbines? Talk about smells from the plant and flicker from the turbines! New buyers beware, this might not be the area to invest in!!



Like



Comment



Send



Share



29

All comments ▾



Joelyn Moniz

Are they calling it Hiller houses because it's off of Hiller Ave. Just wondering. We live in the neighborhood

1d

Like

Reply

1



Gary Lavalette Author

Yes

1d Like Reply



Joelyn Moniz

Gary Lavalette Awesome

1d Like Reply



Write a reply...



Write a reply...



Write a comment...



—IMG_2095.PNG—



Hometown Fairhaven, MA (uncensored)

...

Gary Lavalette · 1d ·



Marianne Portelance

The smell is very bad at times I live in the neighborhood too.

1d Like Reply

3



Sandra Seguin-Wilder

The mentality

1d Like Reply



Erin Rosparka Saraiva

I thought this plan was shot down? And yes, the smell in this neighborhood is absolutely horrible thanks to the sewer treatment plant.

1d Like Reply

6



Christine Chandanaïs-cebula

Erin Rosparka Saraiva me too???

1d Like Reply

1



Carrie Chandler Hawthorne

Erin Rosparka Saraiva it was shot down. He doesn't currently have any approved plans to build on the land...

16h Like Reply

2 



Gary Lavalette  Author
Carrie Chandler Hawthorne
correct!!!!!!!!!!

16h Like Reply



Write a reply...



Write a comment...



—IMG_2096.PNG—



Hometown Fairhaven, MA
(uncensored)



Gary Lavalette · 1d ·



Rusty Miller

I guess I don't get what you're saying. They won't be twisting people's arms to buy the houses. People will buy them willingly that don't care.

1d Like Reply

8



Gene Manzone

That's a great location! School in walking distance, stop and shop, Restaurants, activity center, close to the highway!! And a great Neighborhood !

1d Like Reply

12



Suzan Galpin

Where is this

1d Like Reply



Robert Roderiques Jr

Its spelt Roderiques

1d Like Reply

Chris Days

Robert Roderiques Jr can you spell it slower
for us that are learning disabled.

1d Like Reply

4  



Gary Lavalette  Author

Chris Days lol

22h Like Reply



Write a reply...



Write a comment...



—IMG_2097.PNG—



Hometown Fairhaven, MA (uncensored)

...

Gary Lavalette · 1d ·

**Christine Morgan**

Robert Roderiques Jr is spelt a word

1d Like Reply

1

**Michele Frates**Christine Morgan spelt is a type of
flour

21h Like Reply

2



Write a reply...

**Leah Costa**

Robert Roderiques Jr





GIPHY

1d Like Reply

1 



Gary Lavalette  Author

Robert Rodrigues Jr Thank you teacher!!

21h Like Reply



Write a comment...



—IMG_2098.PNG—



Hometown Fairhaven, MA
(uncensored)



Gary Lavalette · 1d ·



Eileen Cadorette

Robert Roderiques Jr. "It's spelled"

20h Like Reply



Write a reply...



Jaqui Barney

I hate to see this happen in our beautiful little town. The turbines were bad enough. This is just greed.

1d Like Reply

2



Jessica Fidalgo

Gary Lavalette Not according to the appeals court....

1d Like Reply

2



Erin Rosparka Saraiva

Jessica Fidalgo this was not approved, isn't that correct?

23h Like Reply



Valerie Anne

Jessica Fidalgo is this a case on appeal?

23h Like Reply



Jessica Fidalgo

Valerie Anne Erin Rosparka Saraiva

Sorry ladies, I was incorrect here. It is still in appeals; I read a document wrong. Leaving the comment up,



Write a comment...



—IMG_2099.PNG—



Hometown Fairhaven, MA
(uncensored)



Gary Lavalette · 1d ·



Jessica Fidalgo

Valerie Anne (in) Kosparka Saralva

Sorry ladies; I was incorrect here. It is still in appeals; I read a document wrong. Leaving the comment up, because it is still options moving forward and I don't mind saying I was wrong. - totally ok to admit I don't have a lot of experience reading court documents and make mistakes.

The Superior Court decision was upheld in favor of the Planning Boards Decision by the Appeals Court. So the old Timothy Hiller project is dead. BUT; he could come back with a different project if he wants a subdivision. Basically anything beyond a single family home he would end up needing to go through permitting again. (Meaning a subdivision, ANRs just splitting the lots, or the ZBA if he

is looking at 40B housing options.)

-***this was also being appealed through the conservation commission. I haven't followed their case to know where it's at. But with the Planning Boards decision upheld the old proposal is dead and a new project would need to go through the process if it requires special permits.

21h Like Reply

2 



Write a comment...



—IMG_2100.PNG—



Hometown Fairhaven, MA
(uncensored)



Gary Lavalette · 1d ·



Valerie Anne

Jessica Fidalgo interesting

16h Like Reply



Write a reply...



Write a reply...



Lily Tabor

How does a piece of land that was deemed wetlands for decades, look like a good place to build?

1d Like Reply

2



Valerie Anne

Lily Tabor that is the million \$\$\$ question!

23h Like Reply



Lily Tabor

Valerie Anne The salamanders and

box turtles habitats being in that area
isnt a concern any longer?

23h Like Reply



Valerie Anne

Lily Tabor should be right?

22h Like Reply



Write a reply...



Matthew J. Tavlör



Write a comment...



—IMG_2101.PNG—



Hometown Fairhaven, MA
(uncensored)

...

Gary Lavalette · 1d ·



Matthew J. Taylor

Lily Taylor does this guy have the
commission in his pocket ??? There is also
the DEP

15h Like Reply



Write a reply...



William Brown

If you don't like it don't buy a house there (Gary
Lavalette pretty simple solution to your
grievance !! He builds beautiful high quality
homes so stop being haters and stop looking for
something to complain about !! IF town approved
APPARENTLY there is absolutely nothing wrong
with where he is building !!!

1d Like Reply

8



Valerie Anne

William Brown I think people are
questioning why the town approved building

on wet lands

23h Like Reply

3 



William Brown

Valerie Anne not really what I gathered from Gary's comments basically just slandering the project and if the town approved it ,it was with guidelines he had to follow for the project, so there's really nothing to bitch about !!

23h Like Reply



Write a comment...



—IMG_2102.PNG—



Hometown Fairhaven, MA (uncensored)



Gary Lavalette · 1d ·



Valerie Anne

William Brown: we'll the location is not ideal. The wetlands is a concern for many people no matter how the town board voted. Nothing to do with the project itself. It's just the location. Some people feel the location is not great for various reasons.

23h Like Reply

2



William Brown

Valerie Anne: that's up to the people buying houses and nobody else really !!

22h Like Reply



Gary Lavalette Author

William Brown: Its not slander. It's basic facts. There have been many complaints in the past with smells and flicker from that area. You want to buy


a house there, do it...

21h Like Reply

1 



William Brown

Gary Lavalette but if you're not buying a house there not your concern at all ,your just coming on here bitch about something that doesn't concern you prove me wrong !! I already have a house on main st in Fairhaven thx 

21h Like Reply

1 



Write a comment...



—IMG_2103.PNG—



Hometown Fairhaven, MA (uncensored)



Gary Lavalette · 1d ·



Ann E Espindola

William Brown cutting down that many trees absolutely negatively affects the people living in that neighborhood who are already dealing with odor, flicker, and noise. The trees provide at least some buffer to all that.

21h Like Reply

5



Gary Lavalette Author

Ann E Espindola Thank you!

20h Like Reply



Gary Lavalette Author

William Brown Hey buddy< I'm just bringing this up. The concern is just to let people know that this is not maybe the place you want to live. I have first amendment rights just like you do.

20h Like Reply

1



Debbie Frias

Gary Lavalette ty your informing us
and I appreciate that

19h Like Reply



William Brown

Valerie Anne he didn't build ON wet
lands he built NEAR wetlands you
can't build on wetlands !!

18h Like Reply

[View 2 more replies...](#)



Write a comment...



—IMG_2104.PNG—



Hometown Fairhaven, MA
(uncensored)

...

Gary Lavalette · 1d ·

20h Like Reply



Debbie Frias

Gary Lavalette ty your informing us
and I appreciate that

19h Like Reply



William Brown

Valerie Anne he didn't build ON wet
lands he built NEAR wetlands you
can't build on wetlands !!

18h Like Reply



William Brown

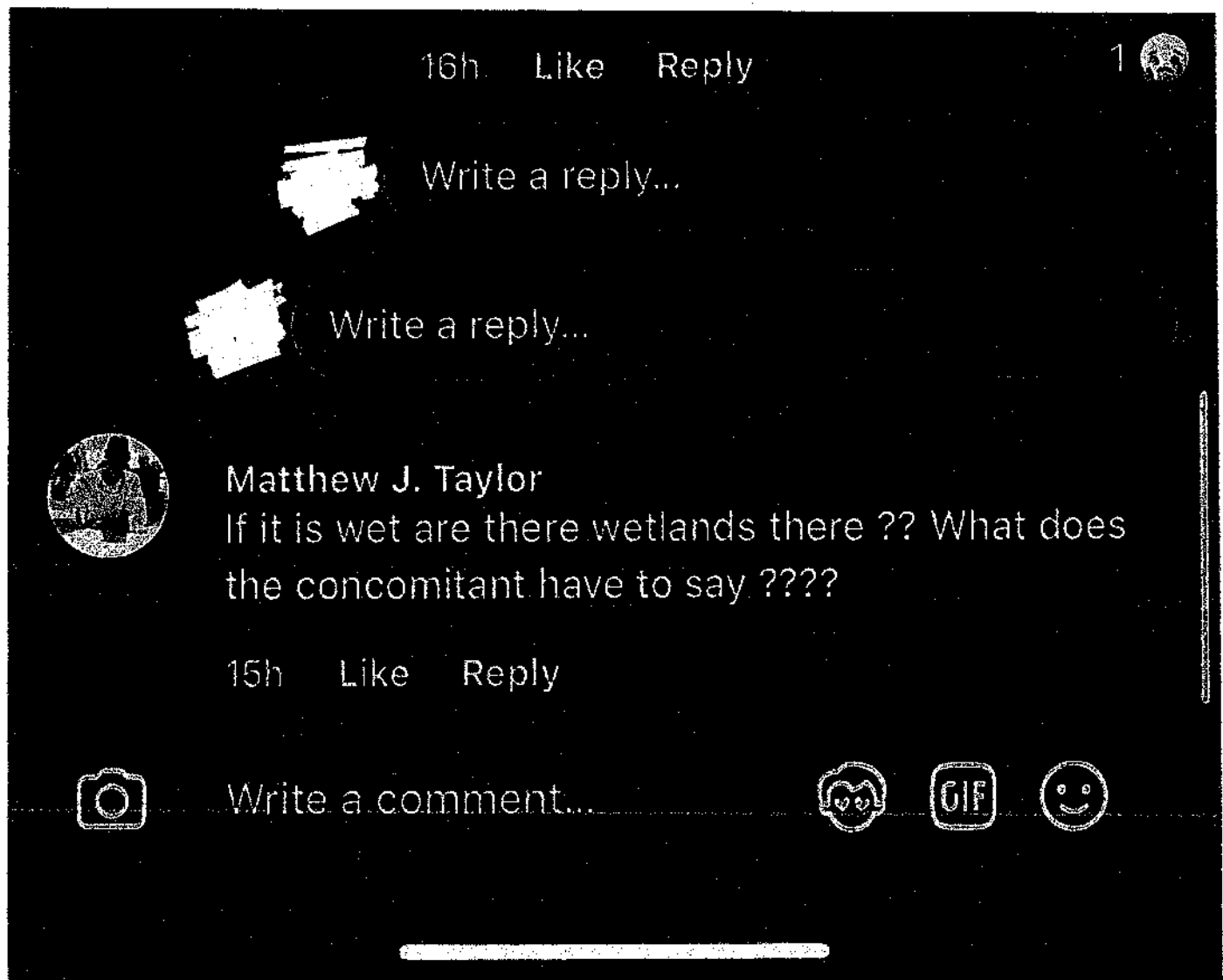
Valerie Anne anyone who has
waterfront property is near wetlands
which is half of fairhaven

18h Like Reply



Nicole Furlan

Ann E Espindola Bingo. And wildlife is
affected too



Sent from my iPhone

—Attachments:

IMG_2094.PNG	379 KB
IMG_2095.PNG	428 KB
IMG_2096.PNG	448 KB
IMG_2097.PNG	699 KB
IMG_2098.PNG	405 KB
IMG_2099.PNG	348 KB
IMG_2100.PNG	392 KB
IMG_2101.PNG	388 KB
IMG_2102.PNG	378 KB

Widemarsh Farm & Coastal Land Protection Project - 53 acres on Fairhaven's Sconticut Neck
Buzzards Bay Coalition (2022-2025)

	Widemarsh Farm (26 acres)		Viveiros Field (16 acres)		Trott Woods (11 acres)		Totals	
	Before	After	Before	After	Before	After	Before	After
Land Use Change								
Number of Residential Units	2	3	0	1	0	0	2	4
Septic v. Sewer	2 Septic Systems	All on Sewer	none	Sewer to new lot	none	none	2 Septic Systems	All 4 lots on Sewer
Well v. Drinking Water	1 Well, 1 Town	All on Town	none	1 on Town	none	none	1 Well, 2 Town	All 4 Lots Town Water
Key Protections/Uses Acquired								
Farmland Protection	No protection	15 acres in 4 fields	No Protection	10 acres	No protection	none	No protection	25 Acres Prime Farmland preserv
Coastal Resilience Protection	No protection	5.6 acres	No Protection	2.3 acres	No protection	4 acres	No protection	12 acres of CAA protected
Public Access	none	YES, new trail	none	possible future	none	YES, new trail	None	2 new coastal trails
Local Property Tax Implications*								
Town Assessed Value	\$ 1,142,000	\$ 1,078,000	\$ 3,536	\$ 305,000	\$ 348,000	\$ -	\$ 1,493,536	\$ 1,383,000
Annual Property Tax Payment*	\$ 10,643	\$ 10,047	\$ 33	\$ 2,843	\$ 3,243	\$ -	\$ 13,920	\$ 12,890
Project Funding								
Purchase Price from landowners	\$ 2,000,000		\$ 900,000		\$ 610,000		\$ 3,510,000	
(, etc)	\$ 265,000		\$ 65,000		\$ 35,000		\$ 365,000	
Total Cost of Land Protection	\$ 2,265,000		\$ 965,000		\$ 645,000		\$ 3,875,000	
Income Sources								
Federal Grants	\$ 697,500		\$ 450,000		\$ -		\$ 1,147,500	
State Grants	\$ -		\$ -		\$ 300,000		\$ 300,000	
Town of Fairhaven	\$ -		\$ -		\$ -		\$ -	
Resale of Lots/Houses	\$ 1,250,000						\$ 1,250,000	
BBC Private Fundraising	\$ 317,500		\$ 515,000		\$ 345,000		\$ 1,177,500	
Land Protection Outcome	Resale of house lots, Resale of Farm to private buyer, CR held by BBC		Farm remains with Viveiros Family, CR held by BBC		Land owned by BBC, CR held by Fairhaven Conservation Comm		summary prepared April 10, 2025	

* Estimates assume average Buildable Lot Value of \$300,000, and average 2024 Fairhaven house value of \$478,000 (per comps)

* FY2025 Residential Tax Rate: \$9.32/thousand

* Note: Future Assessed Values expected to increase due to constrction of 3 new houses, and 1 renovation



Benefits of Widemarsh Farm & Coastal Land Protection Project

Wide Marsh Farm, Viveiros Field, Trott Woods - Fairhaven

1. **Farmland and Coastal Land Protection are consistently listed as THE TOP priorities** in Fairhaven Open Space and Master Plans...for decades. These projects are fulfilling specific Goals set by Fairhaven at NO COST to the town.

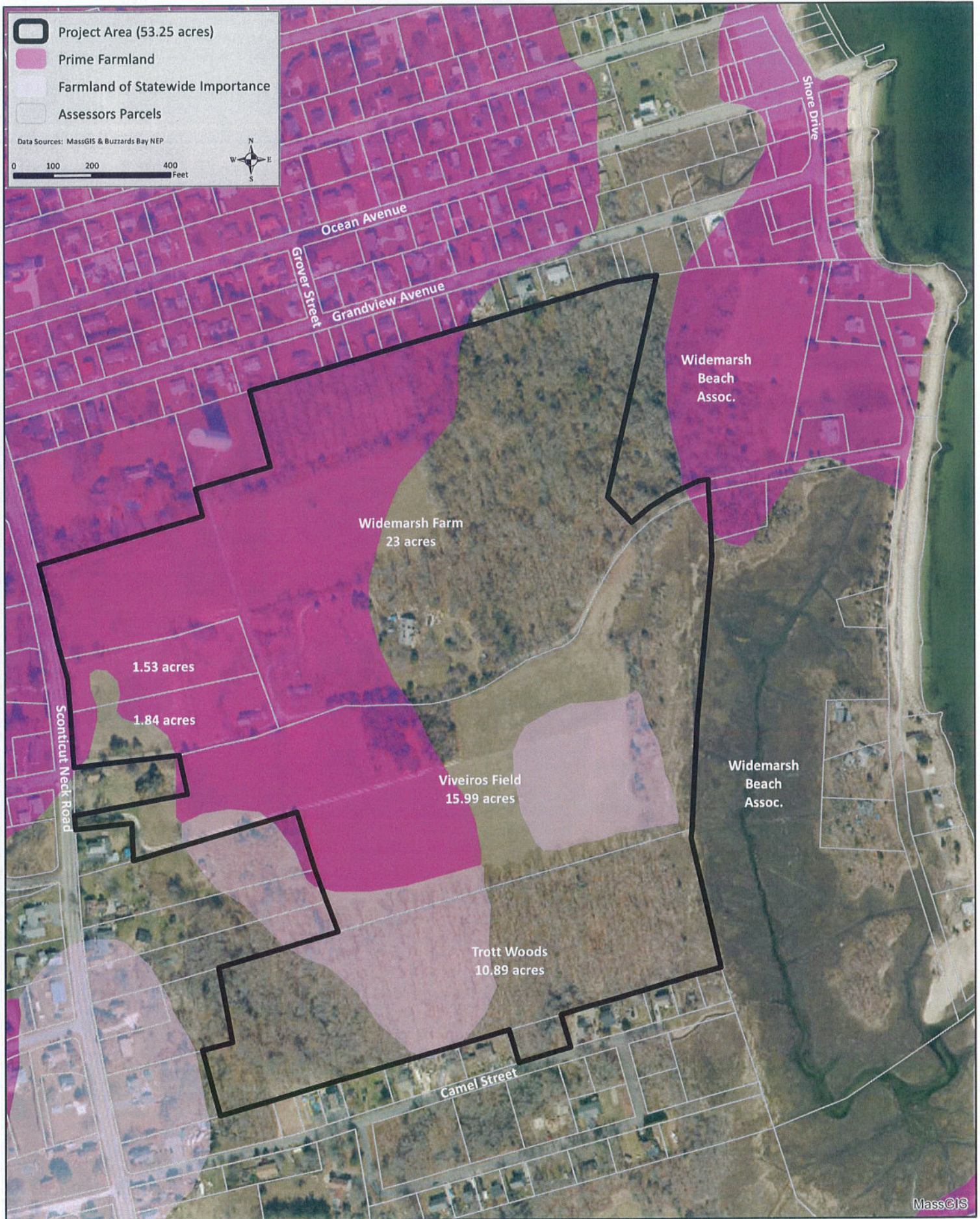
Excerpts from GOALS: Fairhaven Open Space & Recreation Plan (2020-2024)

- *Goal 1: Preserve our farmland and working agricultural landscapes*
 - *Acquire specific critically located parcels of land to prevent development in inappropriate (e.g., coastal) areas in Fairhaven.*
 - *Protect inland and coastal wetlands and wildlife habitat through... restrictions that apply to areas subject to coastal flooding.*
 - *Continue to work with conservation partners to acquire lands that are significant to state recognized Core Habitat, Critical Natural Landscapes, and climate change resilient land.*
2. WideMarsh Project preserves the town's coastal farmland, salt marshes and historic stone walls – the **character of the Neck**.
 3. Opens up new **Walking Trails for use by the General Public**, with no future cost to the town for this public use. BBC will maintain land and trails at its own expense.
 4. **Improves Water Quality:** 2 old septic systems removed, Municipal Sewer Line run to 4 new house sites (2 existing, 2 new): Reduces pollution to Nasketucket Bay AND adds ratepayers to Fairhaven Water and Sewer system.
 5. Project requested **NO funding from the Town of Fairhaven**. BBC raised all funds through Federal and State Grants and private donations.
 6. Project is very **close to Tax Revenue Neutral** to Town of Fairhaven. Adds 2 new houses to existing 2; new construction will assess higher going forward.
 7. Prevents new construction and the cost of protecting people and property in **Flood Prone Areas**; allows for Sea Level Rise Climate Adaptation.
 8. Fairhaven Conservation Commission has approved holding the **Conservation Restriction (CR) which gives the town authority over BBC's ownership** to enforce the terms of the CR.

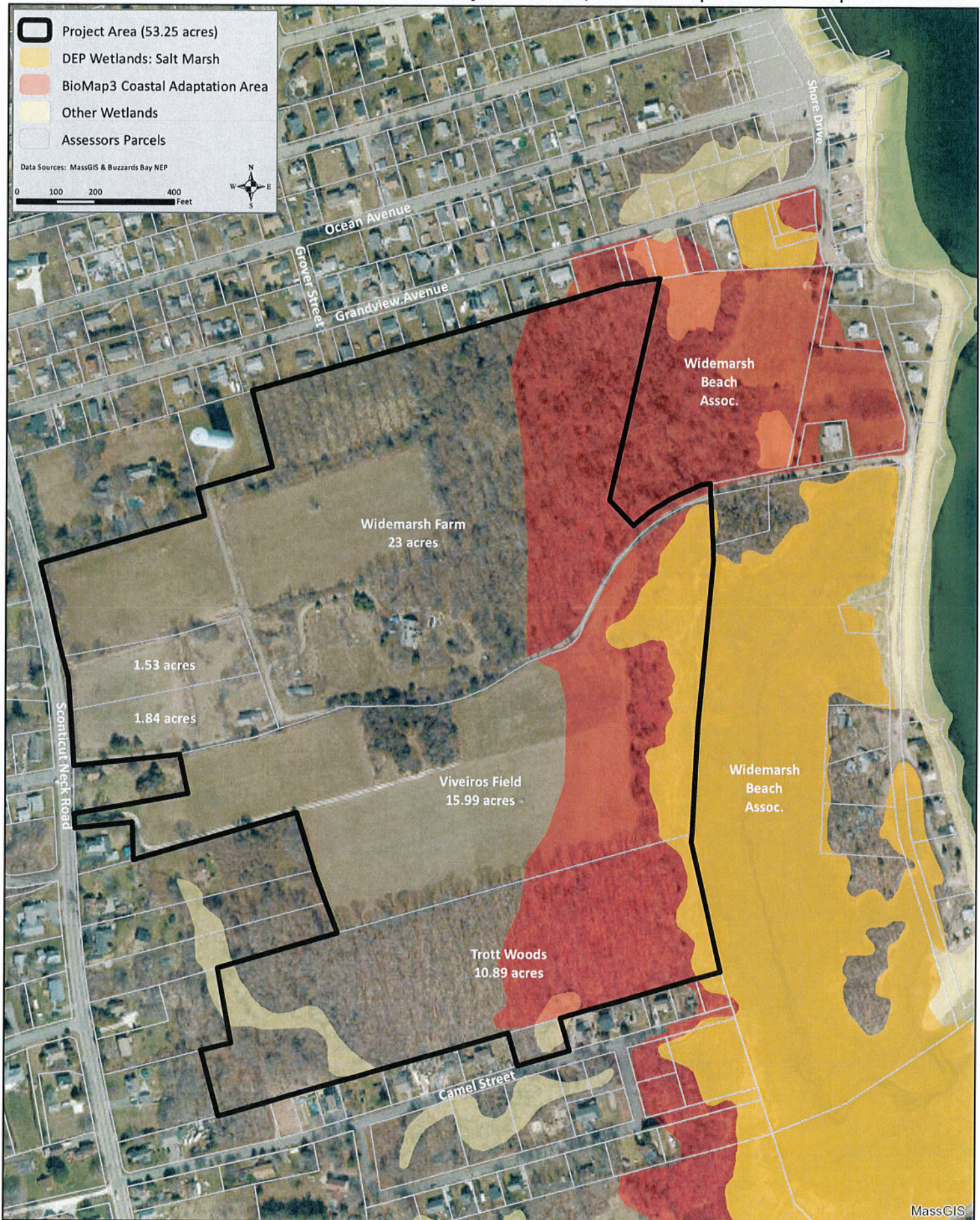
Widemarsh Farm & Coastal Land Protection Project



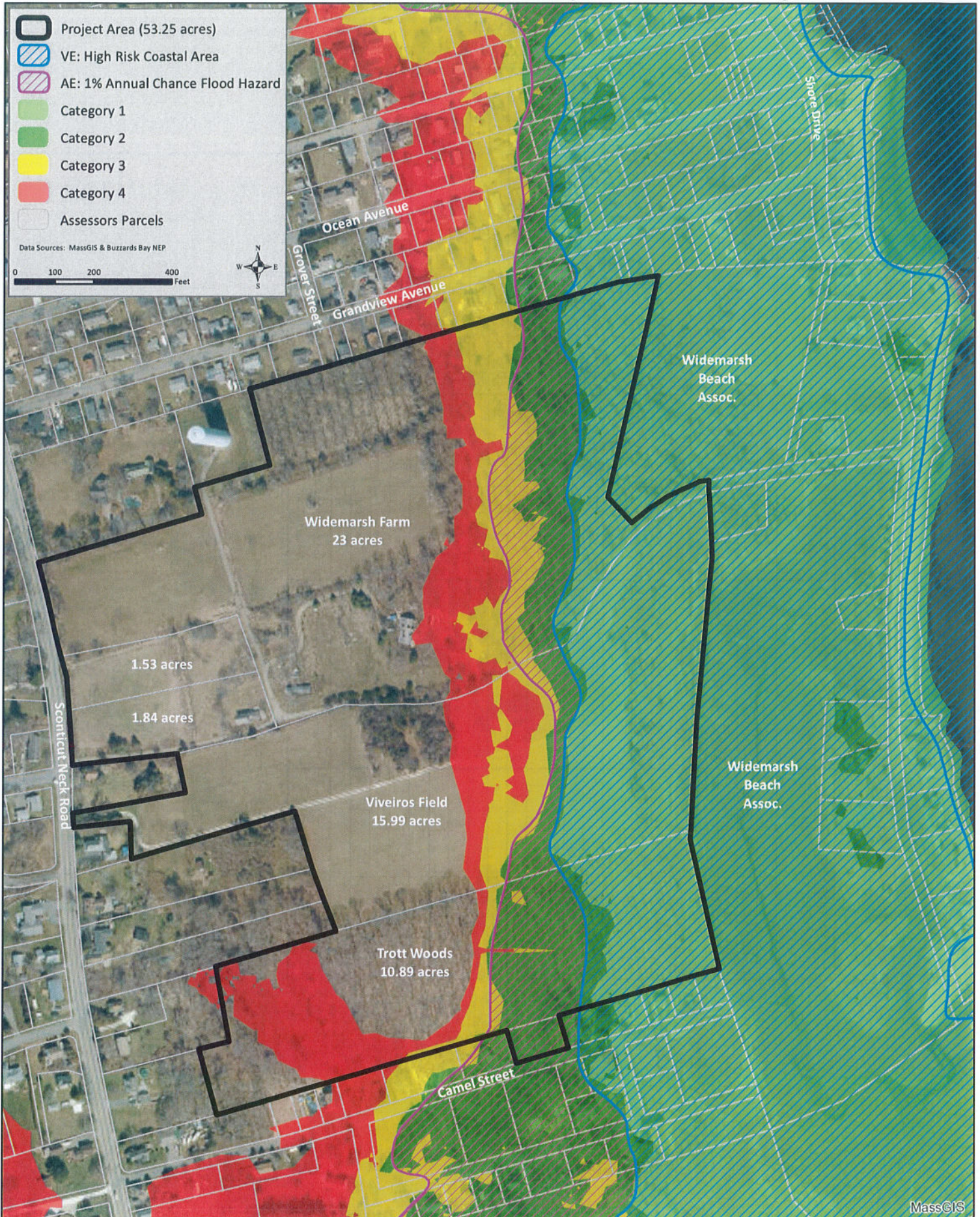
Widemarsh Farm & Coastal Land Protection Project - Agricultural Soils



Widemarsh Farm & Coastal Land Protection Project - NHESP/TNC BioMap3 Coastal Adaptation Areas



Widemarsh Farm & Coastal Land Protection Project - Hurricane Surge & FEMA



Widemarsh Farm & Coastal Land Protection Project - 53 acres on Fairhaven's Sconticut Neck Buzzards Bay Coalition (2022-2025)

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Widemarsh Farm & Coastal Land Protection Project - Outcomes

