



FAIRHAVEN SELECT BOARD
Meeting Minutes
August 25, 2025

FAIRHAVEN TOWN CLERK
RCUD 2025 SEP 8 AM 8:45

Present: Charles Murphy Sr., Andrew Romano, Natalie A. Mello, Keith Silvia, Andrew B. Saunders and Anne Carreiro. **Not Present:** George Samia

Mr. Murphy opened the Select Board meeting at 6:30pm

APPOINTMENTS AND COMMUNITY ITEMS

Proclamation: Lieutenant Chauncy Burr

Chief Todd Correia addressed the Board, reviewed Lt. Burr's accomplishments and thanked him for his service. Ms. Mello read the proclamation. The Board and Ms. Carreiro thanked Lt. Burr for his service, shared a personal story and congratulated him on his retirement.

Motion: Mr. Saunders motioned to approve the proclamation for Lt. Chauncy Burr. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Use of Town Hall Auditorium: October 17, 2025: Fairhaven Department of Fine Arts and Historical Society

Mark Badwey addressed the Board, explained the event details and author Nathaniel Philbrick. The event is sponsored by the Town's Fine Arts Department and Mr. Badwey asked the Board to waive the fees. Ms. Carreiro confirmed Mr. Badwey's role on Fine Arts.

Motion: Mr. Saunders motioned to approve the application for the Use of Town Hall Auditorium on October 17, 2025 from the Fairhaven Department of Fine Arts and Historical Society waiving the rental fee. Ms. Mello seconded.

Motion: Mr. Saunders amended his motion, to approve the application for the Use of Town Hall Auditorium on October 17, 2025 from the Fairhaven Department of Fine Arts and Historical Society waiving the rental and custodian fees. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Use of Town Hall Auditorium: September 26, 2026: Gath-Bosco Wedding

Rachel Gath and Xavier Bosco addressed the Board about their application for the use of the Town Hall Auditorium for a wedding and reception on September 26, 2026. Mr. Romano asked about tables and chairs. The applicants have worked with staff on their needs and equipment.

Motion: Mr. Saunders motioned to approve the application for the Use of Town Hall Auditorium on September 26, 2026 for the Gath-Bosco Wedding. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Event Request: Podkowa 5K Race Fundraiser, Sunday, October 5, 2025, 7am-1pm

Adriann Corazzini addressed the Board via zoom and reviewed the event details. Lt. Kevin Swain addressed the Board regarding his call with the organizers to address safety issues and the letters to residents on the route. Mr. Romano advised the Board he is abstaining because he is on the race route.

Motion: Mr. Saunders motioned to approve the application for the Podkowa 5K Race Fundraiser on Sunday, October 5, 2025 from 7am-1pm contingent on Police, Fire and Public Works requirements. Ms. Mello seconded. The motion passed (4-0-1) Mr. Romano abstained.

Cultural Council Update: 2026 Grant opportunities

Beth Ann Gallagher addressed the Board, described what the Cultural Council does and the funding for grants that will be available. The applications can be submitted from September 2, 2025 to October 16, 2025. Education sessions by the Massachusetts Cultural Council will be held to review the process and eligibility. Details will be posted on the Cultural Council's page on the Town website and social media.

Ms. Gallagher added that there are two openings for the Cultural Council if residents are interested.

PUBLIC COMMENT

Despina Longinidis of Washington Street addressed the Board. She stated she wanted to ask about an ethics issue and no updates from a couple of years ago. She also stated to the Board that there is an issue with a property that had a status change to a one-family and it is advertised for rental and runs as a two-family with a business. There is an application for an ADU (accessory dwelling unit) and it is six to ten inches from neighbors; it is in litigation and work has started. She continued that all Town employees that knew about it have gone and the building inspector issued a permit and said he could not enter to check the one-family or two-family status. Ms. Longinidis said this needs to be checked.

ACTION/DISCUSSION

Conflict of Interest Disclosure: Brian Messier

Brian Messier addressed the Board via zoom about his disclosure. The Board asked about the amount of work left and Mr. Silvia said the working group has a lot more to gather before submitting a final report to the Board.

Motion: Mr. Saunders motioned to accept the Conflict of Interest Disclosure submitted by Brian Messier, outlining his role as a member of the Atlas Tack Working Group, and disclosing that he is a direct abutter to the Atlas Tack site, with no financial interest, pursuant to Massachusetts General Laws Chapter 268A, Section 19. Ms. Mello seconded. The motion passed (4-1-0) Mr. Romano opposed.

Massachusetts Department of Environmental Protection Access and Consent to Enter Property Agreement: USEPA Site ID: MAD980731335

This item was tabled.

Motion: Mr. Saunders motioned to table item C2. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Declare Surplus Items for Town Auction, September 20, 2025 at Department of Public Works (attached)

Mr. Murphy read the list of items for surplus.

Motion: Mr. Saunders motioned to accept and declare the items submitted as surplus for the Town Auction to be held on September 20, 2025 at Public Works. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Select Board Support Letters for Local Aid Increases

Mr. Saunders reminded the Board that this would be to support tapping into the interest earned on the state's "rainy-day fund" for struggling municipalities. Mr. Samia, Ms. Carreiro, Mr. Romano and Mr. Saunders met to discuss updates needed for some numbers within the letter.

Mr. Romano thanked Ms. Carreiro for her work on the draft letter and added that the Board should consider tailoring for other audiences like the Massachusetts Municipal Association, other legislators and other municipalities. MS. Carreiro added that the letter can be sent out as a template for other towns to use.

Motion: Mr. Saunders motioned to approve the draft letter of support for local aid increases and send to state officials on behalf of the Select Board for the Town of Fairhaven with any necessary adjustments. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Open Meeting Law Complaint Received August 11, 2025: Patrick Higgins and Draft Response

Mr. Murphy asked the Board for any questions or updates on the draft response letter.

Motion: Mr. Saunders motioned to accept the draft and issue the response to the Open Meeting Law Complaint. Ms. Mello seconded. The motion passed unanimously (5-0-0).

TOWN ADMINISTRATOR REPORT

Ms. Carreiro reported:

- The litigation is ongoing, the Superior Court held a hearing July 8th on the Town's motion for summary judgment, which was denied based on the court's finding that there are factual issues that must be resolved

through trial. A jury trial has been scheduled for January 26, 2026. All public documents related to the case can be viewed by searching on mass.gov (search court documents and follow the links, the matter is with The Superior Court, Bristol County).

- Harborfest on Saturday, August 23 was very successful. The next Harborfest is on Saturday, September 20 and has a medieval theme with a special guest and a movie at 7pm.

The Board thanked Ms. Botelho as well as Mr. Silvia and Ms. Carreiro for their hard work at the events. Ms. Mello added that the neighbors have appreciated the flawless organization.

BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

Mr. Saunders reported:

- Livable Streets met and their focus is on the Route 6 Planning and Redesign. There will be a walk-through on September 16 at 5pm starting from Noah's Playground and walking towards Fairhaven High School. SRPEDD and other Town Departments will be present.

Ms. Mello reported:

- Future meetings: Library on September 16; Bristol County Advisory on September 18.
- She attended a SRPEDD Hazard Mitigation review, great learning opportunity.
- She attended the Young Hero Fire Award ceremony recently at the Fire Station; a brother and sister were recognized for saving a two-year old from drowning in a pool.

Mr. Murphy reported

- He attended the Young Hero Fire Award ceremony, great recognition and speakers.
- Lagoa met, they had a table at Harborfest and tiles that could be decorated
- The Our Lady of Angels Feast starts this weekend
- The Friendship Society shared sad news that Deb Almeida's mother passed away.

Mr. Romano reported:

- SRPEDD's Annual Meeting is coming up
- Sustainability met
- He thanked Public Works, Fire, Police and Animal Control for the "Touch-a-Truck" event

Mr. Silvia reported:

- Commission on Disability met, they had a booth at Harborfest with art for everyone to try and accessible set up. They are planning a newsletter of events.
- Economic Development (EDC) met and are planning another after-hours business event at Nasketucket Vineyard
- Josh Crabb updated on the Route 6 to Alden Road project
- Mr. Romano gave a shout-out to John Hinds from EDC who called his real estate office and did not know who he was speaking to and gave a great pitch about Fairhaven.

MINUTES

Motion: Mr. Saunders motioned to accept the Open Session minutes of August 11, 2025. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Saunders motioned to accept the Select Board Executive Session minutes of August 11, 2025. Ms. Mello seconded. The motion passed unanimously (5-0-0).

CORRESPONDENCE

Massachusetts Historical Commission Meeting, September 10, 2025: National Register of Historic Places – Rogers Grammar School, Fairhaven; Contact Forms: Lee Baumgartner, Christina Lopes (***Attachment A***)

Motion: Mr. Saunders motioned to enter the Select Board correspondence as listed into the record. Ms. Mello

seconded. The motion passed unanimously (5-0-0).

NEWS AND ANNOUNCEMENTS

- The next regularly scheduled Select Board meeting: *Monday, September 8, 2025 at 6:30pm*

Quote:

"We build too many walls and not enough bridges." Isaac Newton

EXECUTIVE SESSION

Motion: Mr. Saunders motioned to enter into Executive Session Pursuant to G.L. c. 30A, § 21(a)(2) To conduct strategy sessions in preparation for negotiations with non-union personnel or contract negotiations with nonunion personnel. (Fire Chief) and not to return to Open Session. Ms. Mello seconded. Roll Call Vote, Mr. Saunders, Ms. Mello, Mr. Murphy, Mr. Romano and Mr. Silvia in favor. The motion passed unanimously (5-0-0).

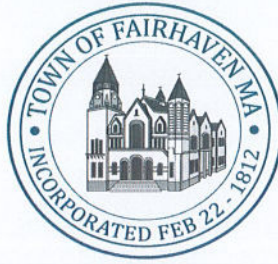
Meeting adjourned to Executive Session at 7:40pm

ATTACHMENTS

- A. Correspondence: Massachusetts Historical Commission Meeting, September 10, 2025: National Register of Historic Places – Rogers Grammar School, Fairhaven; and Contact Forms: Lee Baumgartner, Christina Lopes

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

Accepted on September 8, 2025



Monday, August 25, 2025

Correspondence

1. Massachusetts Historical Commission Meeting, September 10, 2025: National Register of Historic Places – Rogers Grammar School, Fairhaven
2. Contact Forms: Lee Baumgartner, Christina Lopes



SELECT BOARD

2025AUG11 10:43:10:43

The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

August 8, 2025

George Samia
Town Administrator
Town of Fairhaven
40 Center Street
Fairhaven, MA 02719

Re: National Register of Historic Places—Rogers Grammar School, Fairhaven

Dear Mr. Samia:

We are pleased to inform you that the Rogers Grammar School, 0 Chestnut Street and 100 Pleasant Street, Fairhaven, Massachusetts will be considered by the Massachusetts Historical Commission for nomination to the National Register of Historic Places. The National Register of Historic Places is the Federal government's official list of historic properties worthy of preservation. Listing in the National Register provides recognition and assists in preserving our nation's heritage.

Listing of this property provides recognition of the community's important historic resources and assures protective review of Federal projects that might adversely affect the character of the property.

Listing in the National Register does not mean that limitations will be placed on the property by the Federal government. Public visitation rights are not required of property owners. The Federal government will not attach restrictive covenants to the property or seek to acquire it. If a property is listed in the National Register, the owner may do anything with it that he/she wishes, unless state or federal funds, permits, or licensing are used, unless State or Federal historic rehabilitation tax credits, funds, permits, or licensing are used, or unless some other regional and/or local ordinance or policy is in effect.

In Massachusetts, properties nominated to the National Register are automatically listed in the State Register of Historic Places. There are no limitations, public visitation requirements, or restrictive covenants for private properties included in the State Register. State Register properties owned by municipalities and nonprofit organizations may compete for state restoration grants.

You are invited to attend the meeting of the Massachusetts Historical Commission at which this nomination will be considered. The Commission will meet at 1:00 p.m. on September 10, 2025. Details on how to attend will be posted on the MHC's website closer to the meeting date. The

Commission meeting is a public meeting and all interested parties are encouraged to attend.

A draft copy of the National Register nomination, and the criteria under which properties are evaluated, are available from the State Historic Preservation Officer upon request and will be available at the Millicent Library. Attached please find notices that explain, in greater detail, the results of listing in the National Register and that describe the rights and procedures by which an owner may comment on or object to listing in the National Register. Should you have any questions about this nomination prior to the Massachusetts Historical Commission meeting, please contact Ben Haley, National Register Director, at this office.

Sincerely,



Brona Simon
State Historic Preservation Officer
Massachusetts Historical Commission

enclosures: Rights of Private Property Owners, National Register Criteria, Effects and Benefits of Listing

cc: Charles K. Murphy, Sr., Chair, Fairhaven Select Board
Chair, Fairhaven Historical Commission
Diane Tomassetti, Chair, Fairhaven Planning Board
Elizabeth Warburton, The Public Archaeology Laboratory, Inc.

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The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

**THE NATIONAL REGISTER OF HISTORIC PLACES:
EFFECTS AND BENEFITS OF LISTING**

The National Register of Historic Places is the nation's official list of historic places worthy of preservation. Listing in the National Register (NR) recognizes historic properties that are significant to our communities, our state, and our nation. The NR is a federal program of the National Park Service, administered in Massachusetts by the Massachusetts Historical Commission (MHC). The NR recognizes unique and irreplaceable historic resources that give a sense of time and place to our downtowns, neighborhoods, village centers, and rural landscapes, and contribute to our communities' character, making Massachusetts a special place.

NR listing is an important preservation planning tool that encourages preservation, but it does not guarantee that listed properties will be preserved. The NR is not a design review program, but it does provide limited protection from state and federal actions, as well as eligibility for certain matching state restoration grants (when available) and certain tax benefits for certified rehabilitation projects.

STATE REGISTER OF HISTORIC PLACES:

Properties listed in the NR are automatically listed in the State Register of Historic Places as well. The State Register is a compendium of properties with historic designations, listed by municipality, and serves as a reference guide, helping to determine whether a state funded, permitted, or licensed project will affect historic properties. The State Register review process helps ensure that listed properties will not inadvertently be harmed by activities supported by state agencies. The State Register is published annually and is available through the Statehouse Bookstore.

EFFECTS OF NR LISTING FOR PRIVATE PROPERTIES:

NR status in itself places no constraints on what owners may do with their property when using private funding, unless state or federal funds, permits, or licensing are used, or when some other regional or local bylaw, ordinance, or policy is in effect. NR listing does not impose additional restrictions to already existing local regulations or ordinances, nor does listing eliminate regulations currently in effect. Please be aware, however, that certain local ordinances, including demolition delay, may reference NR designation as a condition triggering review. NR-listed buildings may qualify for exemptions from some aspects of the State Building Code. Owners of private property listed in the NR have no obligation to open their properties to the public, to restore them, or even to maintain them. Owners can do anything they wish with their private property provided that no federal or state funding, licensing, permitting, or approval is involved. If owners use state or federal funds to alter their property or need state or federal permits, the proposed alteration will be reviewed by MHC staff. The review is triggered by the funding or permitting source, not by the historic designation. Local funding and permitting do not trigger MHC review. Owners may affix plaques to their listed properties, if they choose, but it is not required. MHC does not provide or review plaques. City or town sign ordinances should be consulted.

EFFECTS OF NR LISTING FOR PROPERTIES OWNED BY MUNICIPALITIES AND NONPROFIT ORGANIZATIONS:

All NR properties that are owned by municipalities and nonprofits are eligible to compete for grants from the Massachusetts Preservation Projects Fund (MPPF), a state-funded competitive matching grant program that supports the preservation and maintenance of properties and sites listed in the State Register. These may include buildings, parks, landscapes, cemeteries, sites, objects, and archaeological locations. Eligible projects may include: pre-development projects, such as pre-construction documents or feasibility studies; development projects, for construction activities including stabilization, protection, rehabilitation, and restoration; and acquisition projects, specifically allocated for endangered listed properties.

Municipalities may erect markers identifying National Register historic districts, but this is not required. MHC does not provide or review markers.

EFFECTS OF NR LISTING FOR INCOME-PRODUCING PROPERTIES:

Certain federal tax provisions may apply for NR-listed income-producing properties. The federal tax code contains a variety of incentives to encourage capital investment in historic buildings and to spur revitalization of historic properties. These incentives encourage the preservation and rehabilitation of historic commercial, industrial, and rental residential buildings listed in the NR. The federal tax incentive program has encouraged private investment and rehabilitation of historic properties since 1976 and has been particularly valuable to Massachusetts. This program allows owners of applicable NR buildings to qualify for a 20% Investment Tax Credit, in effect a 20% rebate, based on rehabilitation costs. These credits help pay for the unique costs associated with rehabilitation of historic properties.

The National Park Service certifies the rehabilitation, and the MHC Technical Services staff advises and assists owners during the application and review process. The rehabilitation must be deemed substantial and must meet the U.S. Secretary of the Interior's Standards for Rehabilitation. Applications should be submitted to MHC before rehabilitation work begins in order to receive the most useful advice and best results.

Under the Massachusetts Historic Rehabilitation Tax Credit Program, a certified rehabilitation project on an income-producing property is eligible to receive up to 20% of the cost of certified rehabilitation expenditures in state tax credits. There is an annual cap, so there are selection criteria that ensure the funds are distributed to the projects that provide the most public benefit. The MHC certifies the projects and allocates available credits. Properties on the NR, or those eligible for listing, may be eligible to receive the credits. As with the federal program, rehabilitation under the Massachusetts tax credit program must meet the Secretary of the Interior's Standards for Rehabilitation. The state rehabilitation tax credit may be used in tandem with the federal investment tax credit.

The Federal tax code also provides for federal income, estate, and gift tax deductions for charitable contributions of partial interest in historic property, principally easements. Whether these provisions are advantageous to a property owner is dependent upon the particular circumstances of the property and the owner. Individuals should consult their legal counsel or the appropriate Internal Revenue Service office for assistance in determining the tax consequences of these provisions.

FURTHER INFORMATION REGARDING ALL THE PROGRAMS MENTIONED ABOVE MAY BE OBTAINED THROUGH MHC'S WEB SITE (WWW.SEC.STATE.MA.US/MHC) OR BY CONTACTING MHC AT 617-727-8470.

EFFECTS OF NR LISTING FOR PROPERTIES OWNED BY MUNICIPALITIES AND NONPROFIT ORGANIZATIONS:

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THE NATIONAL REGISTER CRITERIA

Criteria: The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of persons significant in our past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded, or may be likely to yield, information important in prehistory or history.

Criteria Considerations: Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- A. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- B. A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- C. A birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his or her productive life; or
- D. A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- E. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- F. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
- G. A property achieving significance within the past 50 years if it is of exceptional importance.

RIGHTS OF PRIVATE PROPERTY OWNERS TO COMMENT AND/OR TO OBJECT TO LISTING IN THE NATIONAL REGISTER

Owners of private properties nominated to the National Register of Historic Places have an opportunity to concur with or object to listing in accord with the National Historic Preservation Act and 36 CFR Part 60. These regulations require that owner objections be notarized. However, Section 1746 of Title 28 of the U.S. Code provides a generally applicable alternative to these notarization requirements. Accordingly, the NPS must consider objections made under penalty of perjury consistent with 28 U.S.C. § 1746 to be valid objections, even if they are not notarized, if those objections otherwise comply with the requirements in the NPS's regulations. These objections must be counted as valid objections when determining whether a majority of private property owners have objected to listing a property in the National Register.

Section 1746 provides that

Wherever, under any law of the United States or under any rule, regulation, order, or requirement made pursuant to law, any matter is required or permitted to be supported, evidenced, established, or proved by the sworn declaration, verification, certificate, statement, oath, or affidavit, in writing of the person making the same (other than...an oath required to be taken before a specified official other than a notary public), such matter may, with like force and effect, be supported, evidenced, established, or proved by the unsworn declaration, certificate, verification, or statement, in writing of such person which is subscribed by him, as true under penalty of perjury, and dated, in substantially the following form:

(1) If executed without the United States: "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)".

(2) If executed within the United States, its territories, possessions, or commonwealths: "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)."

If a majority of property owners within a district object to National Register listing, the district will not be listed. If the majority of owners in a district do not object, the properties within the district for which an objection has been received will not be removed from the district nomination.

If the owner of an individually nominated property, or the majority of owners of an individually nominated property, objects to National Register listing, the property will not be listed.

In both cases of district nominations and individually nominated properties for which objections have been received, the State Historic Preservation Officer may submit the nomination to the Keeper of the National Register of Historic Places for a determination of the eligibility of the property for listing in the National Register. If the property or district is then determined eligible for listing, although not formally listed, Federal agencies will be required to allow the Advisory Council on Historic Preservation to have an opportunity to comment before the agency may fund, license, or assist a project that will affect the property or district.

In addition, properties and districts thus determined eligible are automatically listed in the State Register of Historic Places. State bodies shall be responsible for conducting the appropriate studies and for providing the information necessary for an adequate consideration of modifications or alterations to the proposed undertaking that could eliminate, minimize, or mitigate an adverse effect to State Register properties.

If you wish to object to or comment on the nomination of your property to the National Register, please send your comments to this office before the date of the Massachusetts Historical Commission meeting at which your property will be considered. After the date of the meeting, comments or objections may be directed to the National Park Service, National Register office. A copy of the nomination and information on the National Register, the Federal tax provisions, the State Register and the Massachusetts Preservation Projects Fund, are available from the Massachusetts Historical Commission upon request.

RESULTS OF LISTING IN THE NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

Eligibility for Federal tax provisions: If a property is listed in the National Register, certain Federal tax provisions may apply. The Tax Reform Act of 1986 revises the historic preservation tax incentives authorized by Congress in the Tax Reform Act of 1976, the Revenue Act of 1978, the Tax Treatment Extension Act of 1980, the Economic Recovery Tax Act of 1981, and Tax Reform Act of 1984, and as of December 22, 2017, provides for a 20 percent investment tax credit with a full adjustment to basis for rehabilitating historic commercial, industrial, and rental residential buildings, as well as certain other buildings.

The Tax Treatment Extension Act of 1980 provides Federal tax deductions for charitable contributions for conservation purposes of partial interests in historically important land areas or structures. Whether these provisions are advantageous to a property owner is dependent upon the particular circumstances of the property and the owner. Because tax aspects outlined above are complex, individuals should consult legal counsel or the appropriate local Internal Revenue Service office for assistance in determining the tax consequences of the above provisions. For further information on certification requirements, please refer to 36 CFR 67.

Consideration in planning for Federal, Federally licensed, and Federally assisted projects: Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies allow for the Advisory Council on Historic Preservation to have an opportunity to comment on all projects affecting historic properties listed in the National Register. For further information, please refer to 36 CFR 800.

Consideration in issuing a surface coal mining permit: In accordance with the Surface Mining and Control Act of 1977, there must be consideration of historic values in the decision to issue a surface coal mining permit, where coal is located. For further information, please refer to 30 CFR 700 *et seq.*

Qualification for Federal grants for historic preservation when funds are available.

Eligibility for state restoration grants: If a property is listed in the National Register, it is automatically included in the State Register of Historic Places. All municipally and nonprofit-owned properties included in the State Register are eligible to compete for 50% matching grants from the Massachusetts Preservation Projects Fund. The Massachusetts Preservation Projects Fund is a state-funded matching grant program established in 1984 to support the preservation and maintenance of properties and sites listed in the State Register of Historic Places.

Eligible projects include:

PRE-DEVELOPMENT PROJECTS (for studies necessary to enable future development or protection of a State Register property, feasibility studies including plans and specifications and certain archaeological investigations);

DEVELOPMENT PROJECTS (for construction activities including stabilization, protection, rehabilitation, and restoration); and

ACQUISITION PROJECTS (funding for the latter is specifically allocated for endangered State Register properties).

For additional information and preapplication forms, contact the Grants Division, Massachusetts Historical Commission.

Consideration in planning for State funded, permitted, and licensed projects:

Massachusetts General Laws, Chapter 9, Section 26-27C, directs all state bodies and persons subject to the State Register to consult the State Register early in the planning process in order to eliminate, minimize, or mitigate any adverse effect to properties listed in the State Register. For further information, please refer to 950 CMR 71.

Massachusetts Historical Commission, Office of the Secretary of the Commonwealth, William Francis Galvin, Secretary, Massachusetts Archives Building, 220 Morrissey Boulevard, Boston, MA 02125 (617) 727-8470

RESULTS OF LISTING IN THE NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

Eligibility for Federal tax provisions: If a property is listed in the National Register, certain Federal tax provisions may apply. The Tax Reform Act of 1986 revises the historic preservation tax incentives authorized by Congress in the Tax Reform Act of 1976, the Revenue Act of 1978, the Tax Treatment Extension Act of 1980, the Economic Recovery Tax Act of 1981, and Tax Reform Act of 1984, and as of December 22, 2017, provides for a 20 percent investment tax credit with a full adjustment to basis for rehabilitating historic commercial, industrial, and rental residential buildings, as well as certain other buildings.

The Tax Treatment Extension Act of 1980 provides Federal tax deductions for charitable contributions for conservation purposes of partial interests in historically important land areas or structures. Whether these provisions are advantageous to a property owner is dependent upon the particular circumstances of the property and the owner. Because tax aspects outlined above are complex, individuals should consult legal counsel or the appropriate local Internal Revenue Service office for assistance in determining the tax consequences of the above provisions. For further information on certification requirements, please refer to 36 CFR 67.

Consideration in planning for Federal, Federally licensed, and Federally assisted projects: Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies allow for the Advisory Council on Historic Preservation to have an opportunity to comment on all projects affecting historic properties listed in the National Register. For further information, please refer to 36 CFR 800.

Consideration in issuing a surface coal mining permit: In accordance with the Surface Mining and Control Act of 1977, there must be consideration of historic values in the decision to issue a surface coal mining permit, where coal is located. For further information, please refer to 30 CFR 700 *et seq.*

Qualification for Federal grants for historic preservation when funds are available.

Eligibility for state restoration grants: If a property is listed in the National Register, it is automatically included in the State Register of Historic Places. All municipally and nonprofit-owned properties included in the State Register are eligible to compete for 50% matching grants from the Massachusetts Preservation Projects Fund. The Massachusetts Preservation Projects Fund is a state-funded matching grant program established in 1984 to support the preservation and maintenance of properties and sites listed in the State Register of Historic Places.

Eligible projects include:

PRE-DEVELOPMENT PROJECTS (for studies necessary to enable future development or protection of a State Register property, feasibility studies including plans and specifications and certain archaeological investigations);

DEVELOPMENT PROJECTS (for construction activities including stabilization, protection, rehabilitation, and restoration); and

ACQUISITION PROJECTS (funding for the latter is specifically allocated for endangered State Register properties).

For additional information and preapplication forms, contact the Grants Division, Massachusetts Historical Commission.

Consideration in planning for State funded, permitted, and licensed projects:

Massachusetts General Laws, Chapter 9, Section 26-27C, directs all state bodies and persons subject to the State Register to consult the State Register early in the planning process in order to eliminate, minimize, or mitigate any adverse effect to properties listed in the State Register. For further information, please refer to 950 CMR 71.

*Massachusetts Historical Commission, Office of the Secretary of the Commonwealth, William Francis Galvin,
Secretary, Massachusetts Archives Building, 220 Morrissey Boulevard, Boston, MA 02125 (617) 727-8470*

From: Lee Baumgartner <sethrylie@aol.com>
Date: August 12, 2025 at 10:43:57 AM EDT
To: cmurphy@fairhaven-ma.gov
Subject: Lee Baumgartner 8/11 meeting

Hello;

I very rarely reach out to the Select Board because I understand your all volunteers and have jobs and lives. The past couple meetings board members have voiced how the town needs to come together, the fighting and attacks need to stop. I fully agree. Please watch last night's meeting. The passing of notes, lack of attention (demeanor) by a few board members while others were speaking isn't going to bring everyone to the table. Again, I fully want the town to get back on track and will do my part but it's going to take the whole village starting with the Select Board as our leaders.

Thank You For Your Time;

Lee
Sent from my iPhone

From: Cristina Lopes <dclopes5418@gmail.com>
Date: August 12, 2025 at 11:26:12 AM EDT
To: cmurphy@fairhaven-ma.gov
Subject: Phone usage.

Cristina Lopes
[12 Bernese St, Fairhaven, MA 02719](#)

Dear Chairperson Murphy, I am writing to respectfully request that you remind the board members to refrain from using their phones during meetings, as it is both disruptive and impolite. Last night's meeting highlighted this issue, where a member was seen using their phone while a community member was speaking on a significant matter. I firmly believe that all speakers deserve undivided attention, regardless of the agenda item's magnitude. Over the past few months, I have observed board members displaying disdain for others through body language, including eye-rolling, head-shaking, passing notes and phone usage. As the Select Board sets the tone for our town, it is essential that we maintain a respectful demeanor in order for the town to remain productive. I appreciate your efforts in promoting a positive and professional atmosphere during meetings as it has been very noticeable. I am truly impressed by your hard work.

Thank you for your time on this matter,
Cristina Lopes, [12 Bernese St, Fairhaven, MA 02719](#).