



FAIRHAVEN SELECT BOARD

Meeting Minutes September 22, 2025

FAIRHAVEN TOWN CLERK
RCUD 2025 OCT 15 AM 10:34

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

Mr. Murphy opened the Select Board meeting at 6:30pm and observed a moment of silence for Richard "Dickie" Claflin, retired Fairhaven Police Officer

EXECUTIVE SESSION

Motion: Mr. Saunders motioned to enter into Executive Session Pursuant to G.L. c. 30A, § 21(a)(3) To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (Civil Service) and Pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to potential litigation where the chair declares that an open session would have a detrimental effect on the Town's litigating position (Atlas Tack) **and 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 from 6:35pm to 7:33pm

PUBLIC COMMENT

Mary Lihota of Green Street addressed the Board and read a statement about ebikes (*Attachment A*).

Jeffrey Lucas of Farmfield Street addressed the Board and said the concern should be broadened from the bike path to the streets; he has encountered ebikes and scooters at intersections and those operating are not conscious of speed or their actions.

Lynne Mason of Spring Street addressed the Board and said she echoes what had been said about the ebikes and the dangerous behaviors around seniors and babies in carriages. Signage, speed limits or patrols are needed.

Dave Simmons of Green Street addressed the Board and said he has been a runner for forty years and uses the bike path with his dog and ebikes are terrifying.

Brian Messier of Pleasant Street addressed the Board via zoom and thanked Mr. Samia for helping the Town in the interim period and wished him well with the seat swap.

Bob Espindola of John Street addressed the Board via zoom and said he echoes the comments on Mr. Samia; he heard a compliment from his wife about Mr. Samia after the last Town Meeting for the easy to understand budget discussion. Mr. Espindola asked the Board for full transparency to provide all non-confidential documents for the online packet to help people follow. Mr. Murphy said he would address this later during a topic on the agenda.

APPOINTMENTS AND COMMUNITY ITEMS

Event Request and Use of Town Hall: Manjiro Festival: October 4, 2025

Gerry Rooney addressed the Select Board. He introduced his wife who was at the meeting in Tosashimizu in 1987 when the Sister City Agreement was signed between Tosashimizu, Fairhaven and New Bedford and also Jason Sardinha who has helped plan the event. Mr. Rooney asked for the use of Town Hall and streets like Homecoming.

Discussion ensued regarding the application for use of the Town Hall Auditorium, 60-day deadline, non-profit rate, custodian fee and what could be waived. Mr. Rooney said the Town has never charged for this and feels the event is a Town mandate under the Sister City Agreement. The Board asked Mr. Rooney to complete the application for the use of the Town Hall Auditorium. Mr. Rooney asked for a formal letter from the Board about the event.

Motion: Mr. Saunders motioned to waive the 60-day application deadline for the Manjiro Festival application.

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

Motion: Mr. Saunders motioned to approve the Event Request and Use of Town Hall for the Manjiro Festival on October 4, 2025 contingent upon coordination with Police, Fire, Public Works at the non-profit rate for the custodian. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Event Request: Turkey Trot 5k: Thursday, November 27, 2025

Greater New Bedford Track Club President Meg Rogers addressed the Board about the application and event.

Motion: Mr. Saunders motioned to approve the Event Request for the Turkey Trot 5k on Thursday, November 27, 2025 contingent upon coordination with Police, Fire, Public Works for any applicable services. Ms. Mello seconded. The motion passed unanimously (5-0-0).

ACTION/DISCUSSION

Fairhaven Wind Upgrade Proposal

Mr. Murphy addressed Mr. Espindola's public comment from earlier about packet materials, he advised that there was no presentation document for this item and the proposal submitted was for confidential negotiations.

Sumul Shad addressed the Board and said the proposal document that was provided was confidential for any negotiation meetings. He summarized the repowering request history going back a year when first presented to the Board. He said the unit would need to be ordered by July 4, 2026 in order to file the request, proceed with contacting Eversource for approval and to qualify for incentives. Mr. Shah said he spoke with the Building Inspector about the structural integrity of the project which requires engineering plans. Mr. Saunders clarified that his previous referral to the Building Inspector was for zoning enforcement review due to the ambiguity with the proposal and zoning bylaws. Mr. Shah confirmed he had not discussed the zoning aspect with the Building Inspector. Mr. Murphy asked Mr. Saunders and Mr. Shah to meet together with the Building Inspector.

Motion: Mr. Silvia motioned to have Mr. Saunders meet with the Building Inspector and Mr. Shah to discuss zoning and bylaw impacts. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Mr. Shah asked if the Board would take any further action tonight. Mr. Murphy said no action tonight and the Board would discuss in Executive Session.

Mutual Aid Agreement: Fairhaven-Rochester Police Ride-A-Long

Chief Dorgan reviewed the request from the Rochester Police Chief; The proposal is for a field training officer ride-along with Fairhaven for two weeks to gain exposure to a variety of call types. The existing mutual aid agreement with surrounding towns is for assistance.

Mr. Samia explained the contract and Labor Counsel's request for a Select Board vote. Discussion ensued as to the benefits to Fairhaven, a suggestion was made to add a value (for example one dollar), insurance review for indemnity coverage and once agreement is signed financial support behind the indemnity.

Motion: Mr. Saunders motioned to approve the Mutual Aid Agreement with Rochester Police as outlined in the agreement with the additions discussed of Town Insurance, authorize Labor Counsel to work on the agreement and Chief Dorgan to sign the agreement. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Bylaw Consultant Discussion

This item was tabled

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

Discuss the Creation of a Select Board Sub-Committee to Review Legal Counsel Proposals

Mr. Samia advised the Board there was no Request for Proposals (RFP) and he called five different firms and received back three quotes. Mr. Romano said he spoke against this previously due to a new Town Administrator

starting and called Mr. Hickey to ask his opinion. Mr. Hickey addressed the Board and said his opinion would be to hold off on a change to give time to get an understanding of the Town's legal issues

Motion: Mr. Romano motioned to table this item indefinitely until Mr. Hickey adds it to an agenda. Ms. Mello seconded. The motion passed (4-1-0) Mr. Silvia opposed.

Select Board Support Letters for Local Aid Increases

Mr. Romano provided copies of revised drafts which includes samples for other Town's to update and use, the Fairhaven letter and a draft to the Massachusetts Municipal Association (MMA) (**Attachment B**). The Board briefly discussed minor changes to the language and which samples to include when forwarding to other municipalities and the MMA.

Motion: motioned to authorize Anne Carriero to submit the Letter of Support for Local Aid Increases to local and state legislators and the Massachusetts Municipal Association as a template for other municipalities with any necessary adjustments. seconded. The motion passed unanimously (5-0-0).

Call Special Town Meeting: Tuesday, November 18, 2025

Discussion ensued about Board Member availability for Special Town Meeting and date selection. Mr. Samia advised the warrant articles at this time consist of collective bargaining agreements and requests for transfer of funds.

Motion: Mr. Saunders motioned to call Special Town Meeting for Wednesday, November 19, 2025. Ms. Mello seconded. The motion passed unanimously (5-0-0).

TOWN ADMINISTRATOR REPORT

Mr. Samia reported:

- Staffing/Board-Committee-Commission Update: Jessica Fidalgo resigned from the Belonging Committee, Mr. Samia thanked her for her time and efforts.
- Volunteer opportunities are posted on the Town's website and if there are any questions, please call the Select Board office.
- Periodically the Social Media Policy is reviewed as a reminder to public officials and employees of the expectation to communicate in a way that is respectful, accurate and consistent with the responsibilities to the community. Doing this helps ensure that the online presence reflects the professionalism and integrity that residents deserve.
- Mr. Samia thanked the Select Board, office staff, Department Heads and the Town for their support over the last several months while he was Interim Town Administrator. The Board thanked Mr. Samia and shared personal stories.

BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

Mr. Saunders reported:

- The Public Safety Complex Committee has met about once per month. He described the challenges the Town will face to design and build a new complex, many mandates to police and fire are unfunded and future Town meetings will include funding requests. Natural Resources met, no updates. Livable Streets is looking into a study by Public Works on speed zones and expressed concerns about the removal of signs on Sconticut Neck Road. Livable Streets also discussed ebikes and whether the Town creates a policy to regulate use. The discussion included issues that should be address, police involvement and starting with education including the different classes of ebikes.

Ms. Mello reported:

- The Library voted officers and trustees, the roof project and their audit are complete. The Library offered two hundred and eighty-six programs and had over five-thousand attendees. Ms. Mello attended the Route six walk with South Coast Places for People (SCPP) and prepared a report. Historical Commission has an upcoming meeting.

Mr. Murphy reported:

- The Sister-City Committee will be at the Manjiro Festival on October 4, 2025.
Mr. Murphy gave a shout-out to Patrick and Steve in the IT Department who helped with his new device setup and email issues. As a reminder, if you need assistance, call the office and Ms. Hart will help connect you with someone or relay a message as needed.
Discover Fairhaven events were well attended, thank you Mr. Silvia for donating time to help with the events and thanks to Ms. Botelho for her work on the events.

Mr. Romano reported:

- The Belonging Committee will have a table at the Halloween event at Town Hall and will participate in the Olde Time Holiday event in December.
Sustainability has a costume swap with boxes at Town Hall and the Library. There will be a “Bring Your Own Pumpkin” event at the Library.
SMMPO met and has an open public comment period for the draft regional evacuation plan. They also have grant program opportunities which can be viewed on their website.
The SRPEDD Annual Meeting is September 24, 2025.
- Mr. Romano thanked Mr. Silvia, Fairhaven TV, Ms. Botelho, staff and many volunteers for the Harborfest event on September 20, 2025. Shout out to Todd’s magic show.

Mr. Silvia reported:

- Commission on Disability met, they are working with the Fire Department on information packets for oxygen dependent people during power outages. They are looking for an adult adaptive bike.
Economic Development met and had an after-hours event at the Nasketucket Vineyard.
Atlas Tack Working Group continues to meet.
- The 175th anniversary of the Riverside Cemetery is Saturday, September 20, 2025 at 10:00am

MINUTES

Brief discussion on amending the open session minutes on page 3 to reflect the motion and second. Mr. Saunders asked for clarification on accepting the executive session minutes does not mean releasing as there are ongoing issues.

Motion: Mr. Saunders motioned to accept the Open Session minutes of September 8, 2025 with amendment discussed. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Saunders motioned to accept the Executive Session minutes of September 8, 2025. Ms. Mello seconded. The motion passed unanimously (5-0-0).

CORRESPONDENCE

H1000-An Act establishing a coastal waters wastewater financing commission: Christopher M. Markey
(Attachment C)

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: *Tuesday, October 14, 2025 at 6:30pm*

Quote:

“We rise by lifting others.” — Robert Ingersoll

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. (Police Chief) 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 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 9:06pm

ATTACHMENTS

- A. Mary Lihota statement on ebikes
- B. Draft sample letters, support for local aid increases
- C. Correspondence: Contact Form: H1000-An Act establishing a coastal waters wastewater financing commission: Christopher M. Markey

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

Accepted on October 14, 2025

GOOD EVENING

my NAME IS MARY LITOTA AND
I live at 79 Green St.

I'm here to ADDRESS what I consider
the worsening problem of E-Bikes
on our STREETS AND Bike path.

AS A DEVOTED cyclist I'm on the
Bike path DAILY along with other
cyclists, joggers, mothers AND BABY
CARRIAGES, Dog walkers, AND WALKERS
Enjoying the day.

the ADVENT of E-Bikes has changed
the overall ^{NATURE} safety of the bike path AND
has added an element of DANGER THAT
may well result in TRAGEDY

I'VE BEEN WITNESS TO AND MYSELF
INVOLVED IN MANY NEAR COLLISIONS WITH
THE E-BIKES NOW INUADING OUR
BIKE PATH. THEY TRAVEL MUCH TOO FAST
WITH NO WARNING WHEN APPROACHING
AND PASSING OTHERS. AND MAKE NO MISTAKE
THE YOUNG ARE OUT THERE, USUALLY IN
PACKS, DOING ~~JUMPING CARS~~ ^{WEAVING} WHEELIES[↑] AND CUTTING IN
AN OUT OF OTHERS BUT I HAVE ^{ALSO} OBSERVED
MANY ADULTS IN DANGEROUS BEHAVIOR
OUT THERE. THEIR BIKES ARE LARGER,
HEAVIER, FAST, AND DANGEROUS TO
THEMSELVES AND OTHERS. ^{IT'S JOLTING TO HAVE} SOMEONE FLY PAST YOU
WITH NO WARNING.
I CONSIDER E-BIKES MOTORIZED
VEHICLES AND I'M HERE TONIGHT
HOPING WE CAN ADDRESS THIS ISSUE BEFORE
A TRAGEDY OCCURS. THANK YOU

September 22, 2025

TOWN Select Board
STREET
TOWN, MA ZIP

Dear TOWN SELECT BOARD / CITY COUNCIL,

We are reaching out to ask for your support on a matter that affects every city and town across the Commonwealth: the urgent need for increased local aid. Municipalities everywhere are struggling to balance budgets in the face of rising costs, while Proposition 2½ continues to constrain revenue growth below the pace of inflation.

To strengthen our collective voice, we are asking that your board or council formally communicate these concerns to your local State Senator(s) and Representative(s). To make this process easier, we have enclosed a template letter that you can adapt with the names of your legislators and submit directly.

The message we hope you will share with your legislators is clear:

Local aid has not kept pace with inflation and the restrictions of Proposition 2½, creating unsustainable financial pressures on communities. Allocating a portion of the **interest earned from the state's Stabilization (Rainy Day) Fund** back to municipalities would provide immediate and meaningful relief without compromising the fund itself. Cities and towns need a stronger partnership with the Commonwealth to maintain fiscal health and deliver essential services to residents.

In addition, please know that we have formally submitted a request to the Massachusetts Municipal Association (MMA), urging them to join us in advocating for this important cause at the state level. By taking action together, we can amplify our voices and help ensure that every community receives the resources it needs to thrive.

We respectfully urge your board or council to adopt and send the enclosed letter to your State Senator(s) and Representative(s) as soon as possible.

Thank you for your leadership and for your continued service to the people of Massachusetts.

Sincerely,

Charles K. Murphy, SR., Chair

Andrew Romano, Vice Chair

Natalie A. Mello, Clerk

Keith Silvia

Andrew B. Saunders

DRAFT TEMPLATE

DATE

The Honorable **YOUR SENATOR**

Massachusetts State Senate
State House Room
Boston, MA 02133

The Honorable **YOUR STATE REP**

Massachusetts House of Representative
State House Room
Boston, MA 02133

Dear **SENATOR** and **STATE REP**,

The Selectboard of **YOUR TOWN** writes to bring up the topic of local aid and express our collective and unified concern about how the amount allocated by the Legislature for this item has fallen as each year passes. This topic has become critical for the Town of **YOUR TOWN** - and for almost every other city and town in the Commonwealth - as **YOUR TOWN** is presently struggling to financially balance our municipal budget. Despite our best efforts to craft a responsible budget which addresses the basic needs of our community, the historical cap on property tax collections as a result of Proposition 2 ½ have left us with very few options to address this revenue shortfall. Local aid is such a revenue source and an increase in these receipts would go a long way to help close our budget deficit.

The mechanisms which cities and towns are permitted to utilize in raising revenues to fund their respective budgets are well known and we do not need to go into that topic in detail except that one aspect must be highlighted as we have seen first-hand how it wreaks havoc on the ability of a municipality to balance its budget. That aspect is that the foundational mechanisms of proposition 2 ½ (which were developed some 40 years ago) are such that the revenues cities and towns are statutorily able to generate do not allow these same cities and towns to keep pace with inflation. This dynamic is a self-perpetuating cycle of revenue constraint which is no longer sustainable. For example, although the reported inflation rate of 1.2% in 2020 was relatively low, 2021 and 2022 we saw a sharp increase of 4.1% and 8% respectively. The years of 2023 and 2024 did show a downward trend (4.1% and 2.9%) but they nonetheless still exceeded the Proposition 2 ½ ceiling on revenue generation through an increase in property tax levy. Plainly put, our expenses are increasing based upon inflationary pressures, yet we are not able to raise revenue proportionally to level fund our expenses. This is unsustainable and we ask for your help in securing a material increase in the amount of local aid.

A solution is to urge your colleagues to allocate a portion of the interest earned from the state's Stabilization Fund (Rainy Day Fund) directly to municipalities, which as the unofficial title of this fund indicates, is designed to help close budget shortfall when it is fiscally raining. According to the Office of the Comptroller, the balance of this fund at the close of Fiscal year 2025 increased by \$111,350,000.00 to **\$8,634 billion** and interest generated during this same fiscal year totaled \$405,930,000.00. See <https://cithru.data.socrata.com/stories/s/cqrd-tdvi>.

We (unfortunately) report that it is fiscally raining in **YOUR TOWN** and the interest earned on this Rainy Day Fund would significantly help close our deficit. As cities and towns struggle to meet basic obligations and deliver critical services, even a modest share of this Rainy Day Fund earnings could provide meaningful relief and a measure of financial stability. This would represent a responsible reinvestment of state-held wealth into the communities that

generate the fund's balance. These earnings represent a potential source of relief that could have a meaningful impact at the local level without compromising the integrity of the stabilization fund itself.

Massachusetts communities take great pride in managing their budgets prudently. However, without increased support, they will continue to face mounting deficits and difficult choices that undermine the quality of life for residents.

Thank you for your attention to this urgent matter. We appreciate your commitment to serving the people of Massachusetts and respectfully ask for your leadership in addressing the long-term fiscal health of our local governments. We would be glad to speak further or help coordinate input from other local leaders who are dealing with these issues also.

Sincerely,

Selectboard Members

Town of **YOUR TOWN**

DRAFT LETTER MMA

September 22, 2025

Massachusetts Municipal Association
3 Center Plaza, Suite 610
Boston, MA 02108

Dear Massachusetts Municipal Association,

On behalf of the Town of Fairhaven Select Board, we respectfully urge the Massachusetts Municipal Association to lend its voice and leadership to an issue of pressing importance to every municipality in the Commonwealth, the adequacy and sustainability of local aid.

As you know, Proposition 2½, enacted more than four decades ago, remains the central constraint on municipal revenue growth. While the levy limit increases by 2.5% annually, the costs borne by cities and towns are subject to inflationary pressures well beyond this threshold. In recent years, inflation rose by 4.1% in 2021, 8% in 2022, 4.1% in 2023, and 2.9% in 2024. This persistent gap leaves municipalities unable to generate revenues sufficient to meet rising obligations, even when practicing sound and responsible fiscal management.

The consequences are clear, local governments are increasingly compelled to make reductions that undermine service delivery and long-term financial stability. This is not an isolated challenge but a systemic one that affects communities of every size and profile across Massachusetts.

A constructive policy response is available. We propose, and respectfully request MMA's support in advocating for, the allocation of a portion of the interest earnings from the state's Stabilization (Rainy Day) Fund directly to municipalities.

This approach has several advantages: Fiscal integrity preserved, Allocating only interest earnings ensures that the core balance of the Stabilization Fund remains intact. Revenue alignment, This policy would provide a counterbalance to the structural limitations of Proposition 2½, aligning municipal revenues more closely with real inflationary pressures. Equitable reinvestment, Earnings generated by state-held reserves would be reinvested in the very communities that contribute to the Commonwealth's fiscal strength.

According to the Office of the Comptroller, the Stabilization Fund closed FY25 with a balance of \$8.634 billion, reflecting an increase of \$111.35 million, while generating \$405.93 million in interest income (source: <https://cthru.data.socrata.com/stories/s/eqrd-tdvi>). Even a modest allocation of these earnings would provide material relief to local governments, helping to stabilize budgets and protect essential services without compromising the fund's core purpose.

We believe this is a responsible, fiscally sound policy option that merits serious consideration. The MMA's advocacy is vital in ensuring that state leaders recognize both the urgency and the practicality of this proposal.

We respectfully request that the MMA adopt this position, incorporate it into its policy platform, and work with member communities to advance this initiative in the Legislature.

Thank you for your ongoing commitment to the fiscal health of Massachusetts municipalities. We look forward to working with you in support of this important effort.

Sincerely,

Charles K Murphy SR., Chair

Andrew Romano, Vice Chair

Natalie A. Mello, Clerk

Keith Silvia

Andrew B Saunders



CHRISTOPHER M. MARKEY
STATE REPRESENTATIVE
NINTH BRISTOL DISTRICT

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

COMMITTEES:
Joint Committee on Election Laws
Joint Committee on Housing
Joint Committee on Healthcare Financing
Joint Committee on Mental Health,
Substance Use and Recovery

STATE HOUSE, ROOM 276
TEL: (617) 722-2676

September 5, 2025

Chair Charles Murphy
Fairhaven Select Board
40 Center Street
Fairhaven, Massachusetts 02719

Dear Chair Murphy,

I am writing today to bring to your attention legislation that would prove beneficial to your community. The bill, which I filed at the beginning of this legislative session, is titled H1000 – An Act establishing a coastal waters wastewater financing commission.

Undoubtedly, Massachusetts's greatest natural resource is its waterways. Our vast coastline and estuaries are deeply woven into our history, economy, and culture. However, as our population continues to grow and our land is further developed, new challenges with wastewater have arisen.

According to the Sewerage Notification Annual Report, Massachusetts experienced 1,3000 Combined Sewer Overflow (CSO) events in 2024. These events resulted in the discharge of 7 billion gallons of untreated wastewater into Commonwealth waters. This untreated water releases numerous pollutants and diseases into local waters, negatively impacting public health, environmental sustainability, and the economic viability of fisheries and other aquaculture sites.

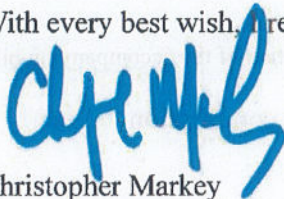
Ultimately, this crisis can only be solved with significant and deliberate investments in sewer infrastructure projects. Currently, the Buzzards Bay Coalition estimates there to be \$2 billion worth of sewer infrastructure projects awaiting funding in the Buzzards Bay area alone.

My legislation is designed to bring together experts from diverse stakeholder backgrounds to propose significant and feasible solutions to address our wastewater infrastructure funding shortfall.

As I advocate for this bill through the legislative process, I need your assistance. If you wrote to the chairpersons of the Joint Committee on Environment and Natural Resources to share your support for the legislation, it would drive home the necessity and urgency of this matter. Our municipalities play an essential role in building a healthy thriving Commonwealth that responds to the needs of its residents.

If there are any questions or concerns, please do not hesitate to reach out to me. I can be reached at 508-542-0533 or by email at Christopher.markey@mahosue.gov.

With every best wish, I remain,



Christopher Markey
State Representative, 9th Bristol District

HOUSE No. 1000

The Commonwealth of Massachusetts

PRESENTED BY:

Christopher M. Markey

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing a coastal waters wastewater financing commission.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christopher M. Markey</i>	<i>9th Bristol</i>	<i>1/17/2025</i>
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>	<i>1/22/2025</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>2/4/2025</i>
<i>Mark D. Sylvia</i>	<i>10th Bristol</i>	<i>2/10/2025</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>2/18/2025</i>
<i>Steven J. Ouellette</i>	<i>8th Bristol</i>	<i>3/11/2025</i>

HOUSE No. 1000

By Representative Markey of Dartmouth, a petition (accompanied by bill, House, No. 1000) of Christopher M. Markey and others for an investigation by a special commission (including members of the General Court) relative to specific revenue sources to fund essential wastewater infrastructure improvements in response to nitrogen pollution on the south coast of Massachusetts. Environment and Natural Resources.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act establishing a coastal waters wastewater financing commission.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Notwithstanding any general or special laws to the contrary, there shall be established a
2 special legislative commission to evaluate and identify specific revenue sources to fund essential
3 wastewater infrastructure improvements in response to nitrogen pollution on the south coast of
4 Massachusetts specifically in the towns of Acushnet, Carver, Dartmouth, Fairhaven, Lakeville,
5 Gosnold, Marion, Mattapoisett, Middleborough, New Bedford, Plymouth, Rochester, Wareham,
6 and Westport.

7 The special legislative commission shall consist of 27 members and include the house
8 and senate chairs of the Joint Committee on Natural Resources and the Environment, who shall
9 serve as co-chairs, the chair of the Senate Ways and Means Committee or a designee, chair of the
10 House Ways and Means Committee or a designee; the secretary of energy and environmental
11 affairs or a designee; the state treasurer or a designee; the secretary of administration and finance

12 or a designee; the Executive Director of the Southeast Regional Planning and Economic
13 Development District or a designee; the Executive Director of the One SouthCoast Chamber or a
14 designee; the President of the Buzzards Bay Coalition or a designee; 2 people to be appointed by
15 the president of the senate; 2 people to be appointed by the speaker of the house of
16 representatives; each of whom shall be from the south coast region; and 1 person to be
17 appointed by the Select Board or Mayor of each of the 14 affected communities.

18 All appointees shall be made no later than 30 days following the effective date of this
19 resolve. The co-chairs shall convene the first meeting of the special commission within 45 days
20 of all appointments being made.

21 In the course of its deliberations, the commission shall make it a priority to examine the
22 financial need of reducing nutrient pollution to the south coast's coastal waters including the
23 costs to (i) expand sewer infrastructure to connect more septic systems to sewerage, (ii)
24 expanding capacity and upgrading the level of treatment at existing wastewater treatment
25 facilities (iii) constructing additional wastewater treatment facilities to address expanded service
26 areas, (iv) reducing Combined Sewer Overflow (CSO) discharges, and (v) upgrading septic
27 systems to nitrogen reducing systems. Further, the commission shall examine (i) potential
28 revenue sources, including but not limited to new fees or taxes for funding needed wastewater
29 infrastructure improvements, (ii) the finances of cities and towns to make recommendations for
30 improvements to financial policies and procedures.

31 The commission shall develop funding and financing recommendations to address
32 wastewater infrastructure needs and to reduce nitrogen pollution on the south coast. The
33 recommendations shall identify fair and equitable means of financing wastewater infrastructure

34 improvements to address nitrogen pollution. The Commission shall have the authority to work
35 with outside experts to conduct necessary reviews; provide guidance on potential action plans;
36 and provide economic analysis of financing sources. The experts shall be specialists in the fields
37 of tax and revenue, nutrient pollution, water quality, wastewater infrastructure, and any other
38 fields that may be useful to implement the Commission's tasks.

39 The commission shall hold public hearings to assist in the collection and evaluation of
40 data and testimony. Experts may attend the public hearings to provide testimony and any other
41 relevant information regarding the fulfilment of the commission's objectives.

42 The commission shall prepare a written report detailing identified funding sources and its
43 recommendations, if any, together with drafts of legislation necessary to carry those
44 recommendations into effect. The commission shall submit its initial report to the governor, the
45 secretary of the executive office of energy and environmental affairs, the clerks of the senate and
46 house of representatives, the chairs of the house and senate committees on ways and means and
47 the joint committee on environment, natural resources and agriculture not later than 1 year after
48 the effective date of this act.

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

CHRISTOPHER M. MARKEY
STATE REPRESENTATIVE
9TH BRISTOL DISTRICT

5072011000

5072011000

PROVIDENCE RI 028

10 SEP 2025 4:43 L



Chair Charles Murphy
Fairhaven Select Board
40 Center Street
Fairhaven, MA 02719

02719-255533

