



FAIRHAVEN SELECT BOARD

Meeting Minutes

October 27, 2025

FAIRHAVEN TOWN CLERK
RCUD 2025 NOV 12 AM 10:52

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

School Committee Present: Brian Monroe, Steph Pickup, Kelly Ochoa, Nicole Pacheco and Erik Andersen

Mr. Murphy opened the Select Board meeting at 6:32pm

Mr. Monroe opened the School Committee meeting at 6:35pm and took roll call.

A moment of silence was observed for Geraldine Cox.

SCHOOL COMMITTEE APPOINTMENT INTERVIEWS (Joint with the Fairhaven School Committee)

Interview Candidates for One School Committee Vacancy and Consider appointment.

Candidates: Donna McKenna, Krystal Lunn

Mr. Romano recused himself due to a conflict and said he also did not submit questions; he exited the Banquet Room at 6:36pm.

Mr. Monroe made a statement about an email sent to the Town Administrator and Superintendent of Schools stating that the School Committee had made its decision on who was being appointed. Mr. Monroe said that at no time has the board discussed the vote outside of this meeting, no vote has been taken and nothing decided; the School Committee acts with integrity.

Ms. Mello will represent the Select Board and Mr. Monroe will represent the School Committee in the interview process. Ms. Mello and Mr. Monroe asked each candidate the same questions in rotation. At the end of the interview, both candidates were thanked for stepping forward and they discussed the process for proceeding to a vote.

Motion: Mr. Monroe motioned to appoint Donna McKenna to the Fairhaven School Committee for a term through Town Elections in June, 2026. Ms. Pickup seconded. The motion passed (9-0-1) Mr. Romano abstained.

Motion: Ms. Pickup motioned to adjourn the School Committee meeting. Mr. Andersen seconded. The motion passed unanimously (5-0-0).

The School Committee adjourned at 6:56pm

Mr. Romano returned at 6:57pm

EXECUTIVE SESSION

Motion: Mr. Saunders 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 (NEPD v. Town of Fairhaven) and s. 21(a)(6) to consider the purchase, exchange, lease, or value of real property where the chair declares that an open session may have a detrimental effect on the Town's negotiating position (Rogers School property) and 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 6:58pm to 7:24 pm

Motion: Mr. Saunders motioned to take item D3 out of order. Ms. Mello seconded. The motion passed (5-0-0).

APPOINTMENTS AND COMMUNITY ITEMS

Consider Appointment of David Darmofal to the Marine Resources Committee

David Darmofal addressed the Board and reviewed his background and interest in Marine Resources.

Motion: Mr. Saunders motioned to appoint David Darmofal to the Marine Resources Committee for a term through May, 2026. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Mr. Murphy announced that the School Committee will be returning to do a roll call vote with the Board on the School Committee appointment.

PUBLIC HEARING 7:30PM

Mr. Murphy opened the public hearing at 7:30pm and read the notice.

Mr. Saunders recused himself due to a conflict and exited the Banquet Room at 7:31pm.

This hearing is to consider the approval of three concurrent transactions: An application submitted for the transfer of an All-Alcohol License from Gamache Restaurant dba Courtyard Restaurant previous owner Matthew Gamache to Sail House Tavern, LLC new owner Howard S and Linda L Plaud located at 109 Middle St, Fairhaven; *AND* a change in location from 270 Huttleston Ave. to 109 Middle St Fairhaven, MA; *AND* a pledge of license in the amount of \$100,000 to Matthew Gamache.

Attorney Michael Kehoe addressed the Select Board and reviewed the application details. The location is the former VFW and the club license is being surrendered to the state. The new location will be a full restaurant and all servers will be TIPS certified at opening. The opening date is to be determined.

Public Comment: None received

Mr. Murphy closed the public hearing at 7:35pm

Motion: Ms. Mello motioned to approve with amendment to Linda L. Plaud, not Linda I. Plaud, three concurrent transactions as follows: approve the transfer of an All Alcohol License from Gamache Restaurant dba Courtyard Restaurant previous owner Matthew Gamache to Sail House Tavern, LLC new owner Howard S. and Linda L. Plaud located at 109 Middle St, Fairhaven, AND, approve a change in location from 270 Huttleston Ave. to 109 Middle St Fairhaven, MA, AND, approve a pledge of license in the amount of \$100,000 to Matthew Gamache. Mr. Romano seconded. *Ms. Mello rescinded her motion; Mr. Romano rescinded his second.*

Motion: Ms. Mello motioned to approve three concurrent transactions as follows: approve the transfer of an All Alcohol License from Gamache Restaurant dba Courtyard Restaurant previous owner Matthew Gamache to Sail House Tavern, LLC new owner Howard S. and Linda L. Plaud located at 109 Middle St, Fairhaven, AND, approve a change in location from 270 Huttleston Ave. to 109 Middle St Fairhaven, MA, AND, approve a pledge of license in the amount of \$100,000 to Matthew Gamache. Mr. Romano seconded. The motion passed (4-0-1) Mr. Saunders abstained.

Mr. Saunders returned at 7:37pm.

REVISIT SCHOOL COMMITTEE APPOINTMENT (Joint with the Fairhaven School Committee)

Mr. Romano recused himself and exited the Banquet Room at 7:38pm.

Mr. Monroe opened the School Committee meeting at 7:39pm and took roll call, present via zoom: Steph Pickup, present in person: Brian Monroe, Erik Andersen, Kelly Ochoa and Nicole Pacheco

Mr. Murphy announced that the Select Board and School Committee are revisiting the appointment of Donna

McKenna to the School Committee, rescinding the earlier vote in order to do a roll call vote for the appointment.

Mr. Monroe rescinded his motion and Ms. Pickup rescinded her second.

Motion: Mr. Monroe motioned to appoint Donna McKenna to the Fairhaven School Committee for a term through Town Elections in June, 2026. Mr. Murphy seconded. Roll Call Vote: Mr. Saunders in favor of Donna McKenna, Ms. Mello in favor of Donna McKenna, Mr. Murphy in favor of Donna McKenna, Mr. Silvia in favor of Donna McKenna, Mr. Monroe in favor of Donna McKenna, Ms. Pacheco in favor of Donna McKenna, Ms. Ochoa in favor of Donna McKenna, Mr. Andersen in favor of Donna McKenna, and Steph Pickup in favor of Donna McKenna. Mr. Romano abstained. The motion passed (9-0-1) Mr. Romano abstained.

Motion: Ms. Pacheco motioned to adjourn the School Committee meeting. Ms. Ochoa seconded. Roll Call Vote: Mr. Andersen in favor, Ms. Ochoa in favor, Mr. Monroe in favor, Ms. Pacheco in favor and Ms. Pickup in favor. The motion passed unanimously (5-0-0).

The School Committee adjourned at 7:46pm

Mr. Romano returned at 7:47pm.

APPOINTMENTS AND COMMUNITY ITEMS

Discussion on Traffic Impact due to the Route 18/Interstate 195 Interchange Project

Lt. Kevin Swain, Officer Scott Coelho and Highway Superintendent Josh Crabb addressed the Board regarding concerns on the MassDOT road projects. MassDOT was invited and did not confirm attending tonight. Mr. Saunders explained the context of the discussion request due to the rotating closure of the exits to Route 18 for work in Interstate 195. Livable Streets requested a proactive review and for the Police to observe and report back for potential recommendations to MassDOT.

Lt. Swain advised the Board that there have been no serious issues reported recently and they are monitoring. The work on the Fairhaven/New Bedford Bridge is several years out. The department receives updates on changes to traffic patterns and project requests for mitigation and will ask for delays or alternatives as needed.

The Board asked for periodic updates and continued monitoring.

Request to Establish a Veteran Membership Category at the Fairhaven Recreation Center

Recreation Center Director Bernadette Barreira addressed the Board about establishing a Veteran Membership Category to allow the veteran rates to be same as the fees charged to the senior membership. The Board thanked Ms. Barreira for bringing this request forward and asked clarifying questions about the membership and services.

Motion: Mr. Saunders motioned to establish a Veteran Membership Category at the Recreation Center and have the rates be consistent with those charged to the senior membership as outlined in the request. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Mr. Silvia thanked Ms. Barreira and staff for the Halloween event.

PUBLIC COMMENT

Ken Blanchard of Adams Street addressed the Board about the recent Massachusetts Municipal Association (MMA) report titled A Perfect Storm: Cities and Towns Face Historic Fiscal Pressures (*Attachment A*). He read excerpts on tax rates, state aid percentages, what an increase of two percentage points would mean to Fairhaven, declines in education and decreases in unrestricted aid. Mr. Blanchard said it speaks to the mis-management by state leaders and that it seems that the state leaders are waiting for towns to raise taxes and not them. He said with energy bills increasing, water and sewer rates raising due to unfunded mandates, every Select Board and town should demand raises in state aid.

Carolyn Young of Eddy Street addressed the Select Board to thank the Board of Health (BOH) with the turbine flicker nuisance and said she had questions. Did the Select Board receive the letter from the BOH? Will the BOH

ruling impact negotiations with Fairhaven Wind? She hopes the Board will hold out on any more negotiations or contract talks until all studies the BOH is doing are complete and can she get a copy of the most recent proposal from Fairhaven Wind. Things are happening and they have not seen anything and would like it made public and not done behind closed doors.

ACTION/DISCUSSION

Discussion on Atlas Tack Working Group (ATWG) meetings

Rick Trapilo addressed the Board to revisit the discussion from the last Select Board meeting. He listed the members of the ATWG: Keith Silvia, Rick Trapilo, Doug Brady, Ken Blanchard, Brian Messier, Mike Sherman, Brandon Estrella, Patricia Estrella, Kathy Melanson, David Gerber, Fernando Lemos and Patrick Carr. The meetings had been closed to the public out of an abundance of caution and after reviewing feedback about opening the meetings to the public, the ATWG will open their meetings to the public with some meetings like with EPA or DEP be protected due to their nature.

Mr. Trapilo will forward a schedule to be posted online. Brief discussion ensued about the meeting being live via zoom and in person with the recording rebroadcast versus a live broadcast and the Town Bylaw not applying to a working group. Due to challenges with advanced notice and running a zoom offsite, ad hoc meetings with three to four members are not been scheduled and will be handled similar to site visits. All records have been put on file with the Town Clerk's Office.

Mr. Hickey added that the Building Commissioner is still trying to work with the Trust on safety remediation and the fence. Mr. Hickey will check on the status.

Mr. Trapilo summarized the next steps as a comprehensive report for the Select Board and Town Administrator, develop a detailed inventory of each parcel of the forty-four acres of the site; approximately fourteen for the building and thirty for the land, understanding of the ownership and obligations and an analysis of potential future site usages.

Request by Resident to Change the Atlas Tack Working Group to a Committee

Mr. Hickey advised the Board that based on the discussion and the ATWG's willingness to open the meetings to the public, the concerns have been addressed and recommended allowing the ATWG to continue as a working group.

Brief discussion ensued on the context of the request, allowing public participation, opening the meetings and volunteer opportunities.

Ratify Collective Bargaining Agreements: Highway, Clerical

Mr. Hickey reviewed the request and added that the Memorandums of Agreement are similar to other negotiated terms and the costs fall within the amount approved for Collective Bargaining purposes.

Motion: Mr. Saunders motioned to ratify the Memorandum of Agreement between the Town of Fairhaven and Council 93 of the American Federation of State, County and Municipal Employees AFL-CIO (AFSCME), Clerical. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Motion: Mr. Saunders motioned to ratify the Memorandum of Agreement between the Town of Fairhaven and Council 93 of the American Federation of State, County and Municipal Employees AFL-CIO (AFSCME), Highway.

Ms. Mello asked about a typo on the cover showing "ALF-CIO" instead of AFL-CIO. Mr. Hickey will have the correction made.

On the Motion: Mr. Saunders motioned to ratify the Memorandum of Agreement between the Town of Fairhaven and Council 93 of the American Federation of State, County and Municipal Employees AFL-CIO (AFSCME), Highway with the correction. Ms. Mello seconded. The motion passed unanimously (5-0-0).

Open Meeting Law Complaint Received October 15, 2025: Patrick Higgins

A request under the Open Meeting Law for Executive Session minutes was received from Patrick Higgins on October 4, 2025, the Board placed a review of the requested minutes on their agenda for October 14, 2025 and provided all released minutes within the requested timeframe on October 15, 2025. An Open Meeting Law complaint was received from Mr. Higgins on October 15, 2025. Town Counsel reviewed the complaint, the response and the draft provided to the Board (*Attachment B*).

Motion: Mr. Saunders motioned to accept and send the response to the Open Meeting Law complaint filed by Patrick Higgins on October 15, 2025 prepared by Petrini & Associates. Ms. Mello seconded. The motion passed unanimously (5-0-0).

TOWN ADMINISTRATOR REPORT

Mr. Hickey read his report (*Attachment C*)

- Mr. Romano asked about the duties of the staff in the positions of Land Use and Planning Director, Conservation Agent and Community Development Coordinator. Mr. Hickey said there are different responsibilities under different titles and the Town will advertise for a Planning Director based on the roles and compensation and use the Massachusetts Municipal Association website, the Town website and Assessor Association websites to advertise the openings. Mr. Hickey added that further review of roles and responsibilities would be done to determine other changes as necessary.
- The Eighth Annual Haunted Halloween event will take place on Thursday, October 30, 2025 at Town Hall.

BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

Mr. Saunders had no meetings to report on.

Ms. Mello reported:

- The Library met, no November meeting.
- Historical Commission has a future meeting.

Mr. Hickey added that under the personnel updates, Diane Tomassetti resigned from the Planning Board and then asked to rescind her resignation. Town Counsel reviewed the request and their opinion is that it cannot be rescinded after it has been recorded by the Town Clerk. Discussion occurred referring to Roberts Rules of Order but they do not supersede state law. Another question was whether the Select Board accepted the resignation; the Select Board does not and should not accept the resignation of an elected official.

Mr. Murphy reported

- The Sister-City Committee met and discussed ways to improve and enhance the Manjiro Festival. Jason Sardinha will be putting a timeline book together as a guide for the next Manjiro Festival in 2027.
- Lagoa has a meeting scheduled tonight

Mr. Saunders asked for the process of applying for the open Planning Board seat. Mr. Hickey advised that Ms. Hart has posted the opening, application deadlines and will place it on the November 10th agenda which will be a joint meeting with the Planning Board to appoint. The deadline for applying is October 31st at noon.

Mr. Romano reported:

- He met with Mr. Hickey to review the Use of Town Hall process and will place a draft on the next agenda for review.
- Sustainability and Town Meeting Advisory Committee did not post agendas to meet
- Belonging Committee has openings, if interested in the Belonging Committee or other opportunities, consider applying.
- Mr. Romano asked if Mr. Hickey could follow-up on the solar presentation from June and provide any updates to the Board
- Mr. Romano said he wanted to go on record about the talk lately about “secret meetings” that members of bodies took part in which includes this Board. He said it is his belief that no members of this Board took part in any secret meetings with an attempt to harm the community. If it was Mr. Murphy or Mr. Sylvia in

regards to planning, then they were requested to be there by the Interim Town Administrator and thanked them for their willingness to get involved if any meeting took place.

Mr. Silvia had no meetings to report on.

MINUTES

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

Accept the Select Board Executive Session minutes of October 14, 2025

Tabled to the next agenda

CORRESPONDENCE

Atlas Tack Working Group Email: Karen Vilandry, President, Hands Across the River Coalition, Inc.; Whitfield-Manjiro Friendship Society, Inc. letter: Gerald P. Rooney, Chairman & CEO; Philbrick Talk Email (*Attachment D*)

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, October 27, 2025 at 6:30pm*

Quote:

"Small acts of kindness can make a big impact — especially right here at home." — Anonymous

Meeting adjourned to Executive Session at 8:54pm

ATTACHMENTS

- A. Massachusetts Municipal Association A Perfect Storm: Cities and Towns Face Historic Fiscal Pressures
- B. Open Meeting Law Response
- C. Town Administrator Response
- D. Correspondence: Atlas Tack Working Group Email: Karen Vilandry, President, Hands Across the River Coalition, Inc.; Whitfield-Manjiro Friendship Society, Inc. letter: Gerald P. Rooney, Chairman & CEO; Philbrick Talk Email

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

Accepted on November 10, 2025



Massachusetts
Municipal
Association

A

A Perfect Storm: Cities and Towns Face Historic Fiscal Pressures

An Analysis of Fiscal Pressures on Massachusetts Municipalities

OCTOBER 2025





Cities and towns across Massachusetts provide many of our most essential public services, including everything from clean water and safe streets to high-quality schools and dependable emergency services. These are the quality-of-life services that impact the lives of residents every day.

Offering these vital services requires substantial expertise, consistent leadership, and adequate funding. But funding has become an especially acute challenge for municipalities all across Massachusetts, caught as they are between inflation-driven increases in costs and binding constraints on their ability to raise new revenue.

Fixing what ails Massachusetts municipalities, and creating the conditions for municipalities to thrive, requires an honest assessment of the challenges, along with careful attention to the distinct needs and capacities of different locales.

Virtually all cities and towns in Massachusetts face budgetary challenges, but the challenges confronting rural towns can be quite different from what you find in gateway cities or Boston suburbs.

The Massachusetts Municipal Association partnered with the Center for State Policy Analysis at Tufts University to plumb the key factors shaping municipal budgets and to identify the most effective, targeted solutions.

We found that:



Rising costs and sluggish state aid are putting enormous pressure on local budgets across Massachusetts.



A prohibition against local sales and income taxes, combined with a 2.5 percent cap on property tax increases, prevent municipalities from raising adequate revenue on their own to respond to community needs.



Different municipalities are being affected in very different ways. For example, rural towns have been forced to curtail spending in key areas, like education. By contrast, gateway cities have boosted education spending, thanks to an infusion of targeted state aid, but are falling behind in virtually all other areas of local spending.

What follows is a fuller exploration of these core findings, including background on municipal finance in Massachusetts, and a detailed presentation of the different issues facing rural, urban, and suburban locales.

THE MANY RESTRICTIONS ON MUNICIPAL FINANCE

Massachusetts has a strict set of rules for how cities and towns fund fire departments, public schools, and other core services. Chief among them is that cities and towns don't get to set their own strategies for raising revenue.

Local income taxes are prohibited, and local sales taxes are restricted to very limited levies on hotels and meals. Motor vehicle excise taxes are a core part of local revenues, but they are subject to minimal growth and economic volatility.

This leaves the property tax as the overwhelming source of revenue for all Massachusetts municipalities. And even here there are strict limits put in place by a 1980 ballot question called Proposition 2½.¹ As the name suggests, the cardinal rule is that property tax revenue cannot increase by more than 2.5 percent from year to year (allowing for adjustments to reflect new and upgraded buildings).

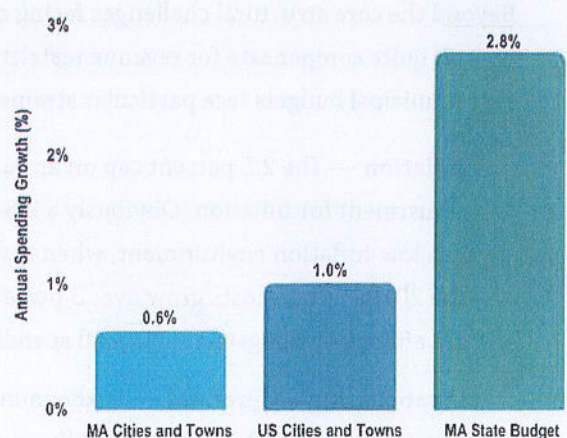
There is a limited exception, where a city or town can raise property taxes by more than 2.5 percent in a given year to fund vital investments in things like new school buildings or to fill short-term budget shortfalls. But the relief is temporary and it requires a costly and uncertain public referendum.

A comparison with cities and towns in other states highlights this constraint. Between 2010 and 2022 (the most recent year available), real, inflation-adjusted spending on current operations in Massachusetts municipalities grew at just 0.6 percent per year, which is slower than the U.S. average for local spending growth. It's also vastly slower than the growth in real spending through the state budget, which has risen at roughly 2.8 percent per year.

Proposition 2½ was intended to limit local spending, but real spending growth of 0.6 percent per year suggests the constraints may be too restrictive. This austere growth in spending has made it extremely difficult for cities and towns to attract staff, repair roads, and generally fund the essential services their residents demand.

Real, inflation-adjusted spending on municipal operations grew at just 0.6 percent per year — far slower than the U.S. average.

FIGURE 1
Massachusetts Municipalities Have Been Frugal
Annual change in total operating spending, 2010-2022



U.S. Census Bureau, MassBudget's Budget Browser, CSPA calculations

1. See Appendix for more on this law.

One way cities and towns have sustained core services is with help from state lawmakers. For decades, the state has proved a vital ally and essential backstop for municipal needs, offering several invaluable streams of support, including for public schools, roads, and other government services.

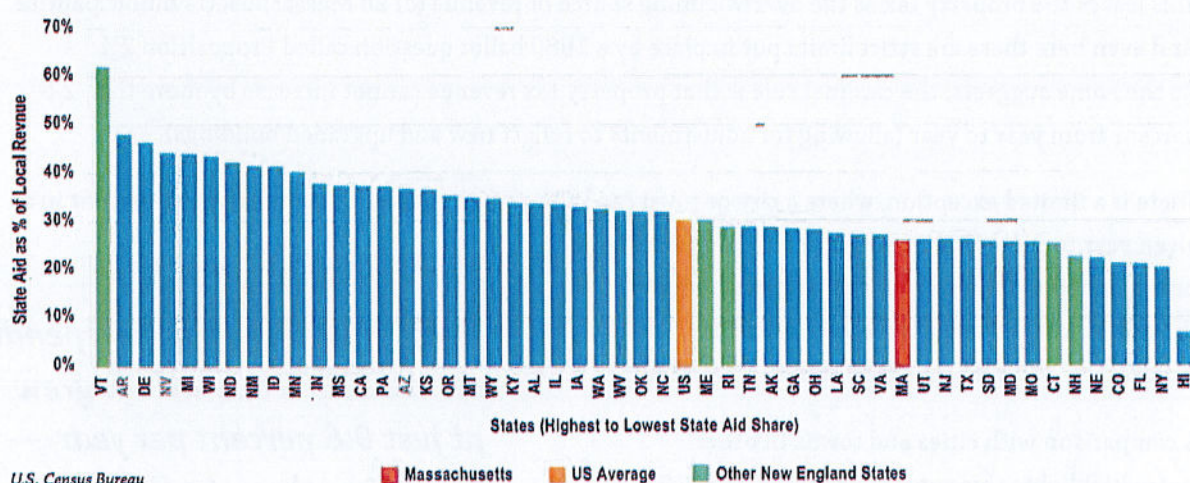
State aid has been a lifeline for cities and towns. But it's also true that, compared to other states, state aid in Massachusetts doesn't stand out as particularly generous.

Nationwide, cities and towns get about 31 percent of their revenue via state aid. Here in Massachusetts, it's 26 percent.

FIGURE 2

State Aid as Share of Local Revenue by State

Percentage of local government revenue from state government



Also, a lot of the state money comes with its own restrictions, making it hard to flexibly deploy. That leaves one substantial but falling source of unrestricted state support, which gets the guttural shorthand UGGA, for Unrestricted General Government Aid.

A Tightening Vice

Beyond the core structural challenges facing cities and towns in Massachusetts — state aid that doesn't quite compensate for revenue restrictions imposed by state law — there are two key reasons that municipal budgets face particular strains right now:

- **Inflation** — The 2.5 percent cap on annual property tax increases doesn't include any kind of adjustment for inflation. Obviously a 2.5 percent increase in tax receipts is a lot more manageable in a low-inflation environment, when costs are growing 1-2 percent per year, as they did through the 2010s. When costs grow over 3 percent per year, as they have since COVID, cities and towns are effectively obligated to cut real spending every year.
- **Disappearing Federal Aid** — In the immediate aftermath of the COVID pandemic, the federal government provided substantial direct assistance to cities and towns, but that support has now ended and was always intended to be temporary.

Technical Note

One important caveat, before we dive more deeply into the distinct issues facing rural, suburban, and urban municipalities. We are focused chiefly on operating budgets, meaning the flow of annual revenue and annual spending in cities and towns.

There are other important pieces of the municipal finance puzzle, including capital investments and long-term pension liabilities. And these are separate in some ways, with their own distinct timeframes, rules, and regulations.

But the operating budget is the hub, as all the other activities ultimately show up on this annual ledger — whether in the form of bonds that need to be repaid or as retirement benefits that come due.

TALE OF THREE CITIES

Every city and town strives to build a sound budget — a plan for funding vital public services while keeping taxes manageable for residents. But the impediments and trade-offs vary mightily from place to place.

The rural towns of western Massachusetts are very different from the Boston suburbs, and none of those could be mistaken for a gateway city on the south coast.

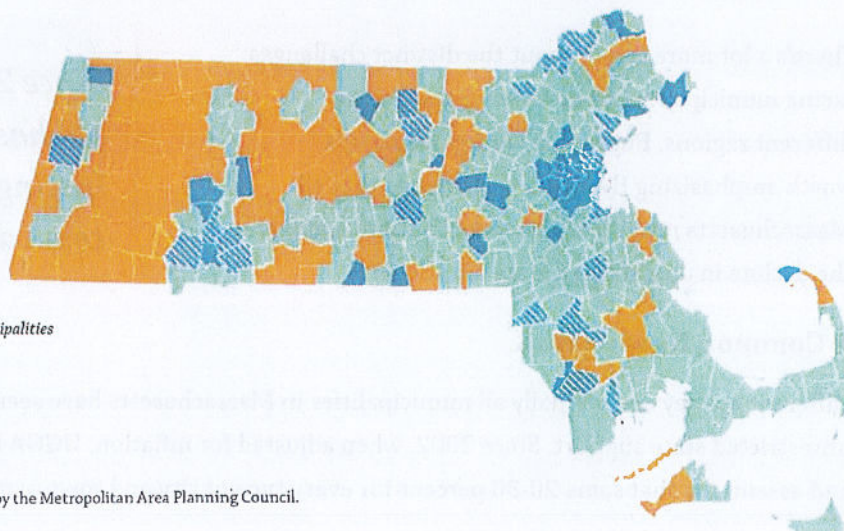
Accounting for these distinctions is essential to understanding the budgetary challenges faced by cities and towns. But having cut the data in dozens of different ways, we found that a huge amount of the underlying variation can be captured with a relatively simple collection of categories.²

- **Rural** towns, which includes a mix of more sparsely developed areas, primarily in western and central Massachusetts but also in other parts of the state.
- **Mature suburbs**, extending from greater Boston to the north shore and out to Cape Cod, as well as some areas in the central and western parts of the state.
- **Inner core and urban** areas, which combines Boston-adjacent communities with various cities around the state.
- **Gateway cities**³, which is actually a subset of the urban areas, but with some distinct characteristics.

FIGURE 3

MA Municipalities: Community Categories

- Rural
- Suburban
- Urban
- Gateway (Urban subset)



Note: Gateway cities are a subset of urban municipalities

2. Adapted from a full taxonomy developed by the Metropolitan Area Planning Council.

3. See Appendix for definition.

To get a preliminary sense of the sometimes dramatic differences among these city and town types, consider Figure 4, which shows annual spending and revenue growth across a few key categories, from 2010 to 2024.

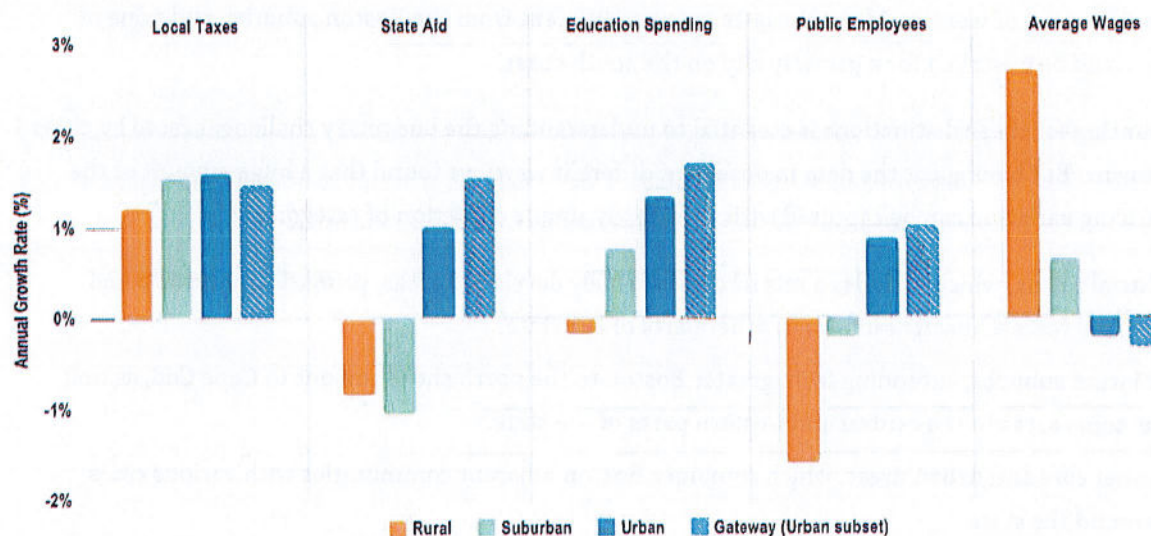
While tax collections have grown at roughly similar rates across all city and town types, huge divergences in state aid, education spending, and public employment highlight the vastly different budgetary pressures affecting rural towns, suburban enclaves, and gateway cities.

The dramatic, downward-pointing columns show rural and suburban towns have seen outright declines in real state aid, which has limited their ability to invest in education. And note how aggressively rural towns have had to raise salaries to keep their starkly shrinking public workforce from being truly hollowed out.

FIGURE 4

Budgetary Pressures Vary Dramatically Among City and Town Types

Annual growth rate, 2010–2024



Division of Local Services, CSPA calculations

There's a lot more to say about the distinct challenges facing municipalities of different sizes, and in different regions. But before we dig deeper, it's worth emphasizing the one key challenge that all Massachusetts municipalities seem to share, namely the decline in unrestricted state aid (UGGA).

Since 2002, unrestricted state aid has fallen 25% overall — hitting every type of city and town across the Commonwealth.

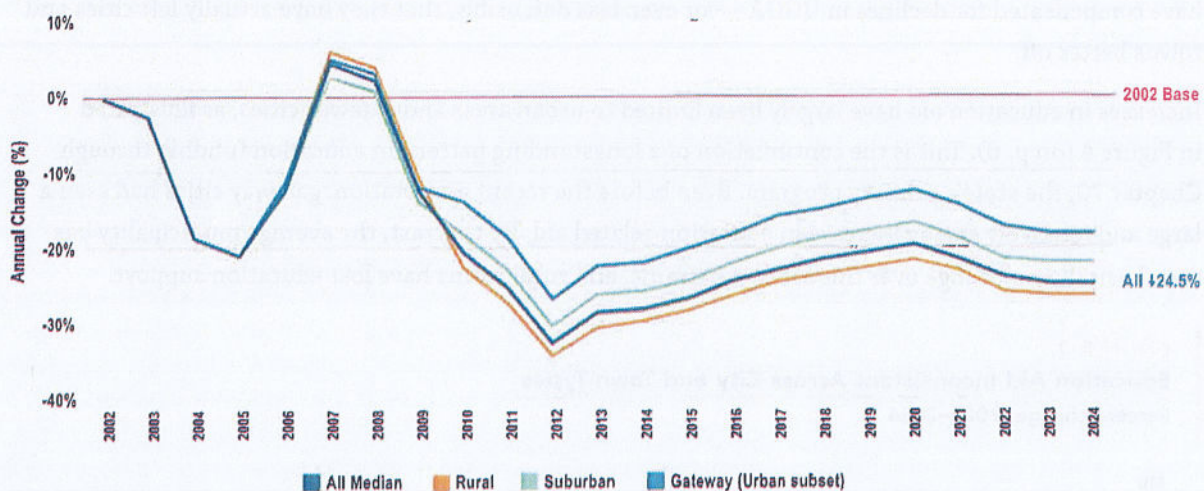
A Common Need: UGGA

Different as they are, virtually all municipalities in Massachusetts have seen similar dropoffs in unrestricted state support. Since 2002, when adjusted for inflation, UGGA has fallen 25 percent overall, and essentially that same 20-30 percent for every type of city and town across the Commonwealth.

FIGURE 5

Unrestricted Aid Has Fallen for 'Virtually All Municipalities

Percent change, 2002–2024



Division of Local Services; CSPA calculations

A decade after the true trough of the great recession, UGGA support has stalled at a relatively low level — despite many years of strong state revenue growth and healthy economic conditions.

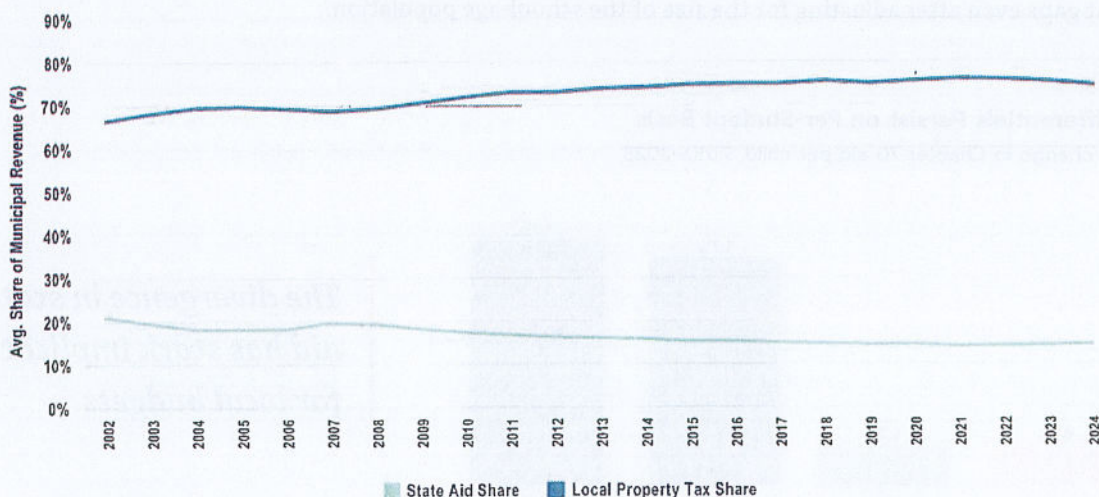
Losing UGGA dollars, in this way, is particularly difficult for stressed municipal budgets, because it's a rare stream of support that can be flexibly redirected to address evolving needs — whether that means extra road repairs after a pothole-cratering spring or additional tutoring for students struggling with pandemic learning loss.

Losing UGGA dollars hits hardest, because it's one of the few funds cities and towns can use flexibly.

FIGURE 6

State Aid vs. Property Taxes as a Portion of Municipal Budgets

Share of municipal revenue, 2002–2024



Division of Local Services

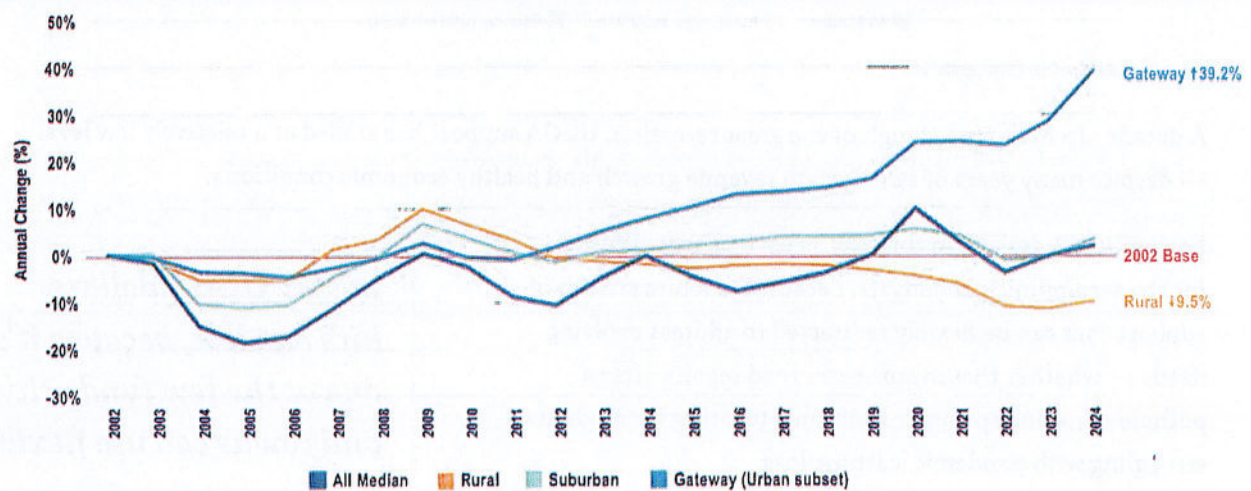
Percentages do not sum to 100% because other revenue sources (federal aid, fees, etc.) are excluded.

Unequal Education Aid

Overall aid for public education has been increasing in recent years, thanks in part to investments through the Student Opportunity Act. But it would be flatly inaccurate to assume that these infusions have compensated for declines in UGGA — or even less defensibly, that they have actually left cities and towns better off.

Increases in education aid have largely been limited to urban areas and gateway cities, as illustrated in Figure 4 (on p. 6). This is the continuation of a longstanding pattern in education funding through Chapter 70, the state's primary program. Even before the recent acceleration, gateway cities had seen a large and relatively steady increase in education-related aid. By contrast, the average municipality has seen basically no change over this same timeframe, and rural towns have lost education support.

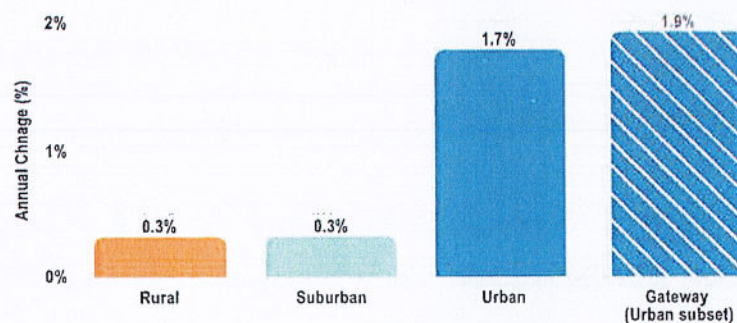
FIGURE 7
Education Aid Inconsistent Across City and Town Types
Percent change, 2002–2024



Division of Local Services; CSPA calculations

And while you might reasonably think that these gaps in education aid reflect population changes, with rural towns losing young people faster than cities, that doesn't seem to be a key driver. Figure 8 shows persistent gaps even after adjusting for the size of the school-age population.

FIGURE 8
Aid Differentials Persist on Per-Student Basis
Annual change in Chapter 70 aid per child, 2010–2023



Division of Local Services, U.S. Census Bureau, CSPA calculations

The divergence in state aid has stark implications for local budgets.

For cities and towns, the implications of this divergence in state aid are stark, because school spending is the single biggest part of most municipal budgets.

Impediments to Raising Local Taxes

Remember that Massachusetts imposes strict limits on the ability of cities and towns to raise property taxes, with a general cap of 2.5 percent per year (plus some additional to account for new construction).

So when state aid declines, and public services are threatened, cities and towns can't simply respond by raising more local revenue.

Overrides are one potential response. They function as a kind of escape hatch from the 2.5 percent growth cap, allowing cities and towns to increase property taxes above otherwise allowed levels to meet clearly specified needs like school funding, park beautification or general operating support.

But while overrides can be powerful tools for municipalities facing hard budget choices, they are expensive, slow, short-lived, and logistically out of reach for the majority of Massachusetts municipalities.

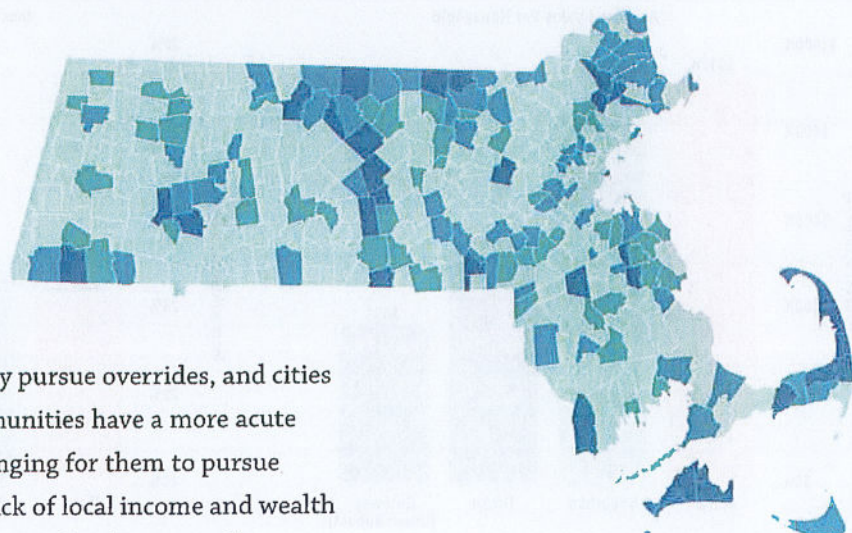
Start with the expensive and slow part. Overrides can't be passed through the normal policy-making channels typically used by city councils or town meetings. They require explicit public approval via referendum, which means a lengthy public outreach campaign with real costs and uncertain results.

And each effort is a one-off — a short-term fix for what is often a deeper mismatch between the services residents desire and the city or town's restricted ability to raise sufficient revenue.

The bulk of cities and towns (nearly 200 out of 351) have pursued exactly zero overrides over the last 15 years, which shows how ill-suited the override process is for most municipalities.

Overwhelmingly, it's the suburban towns that have been able to pass overrides in recent years, helping them to maintain services when local needs exceed the state-imposed tax restrictions. But even among suburbs, overrides remain strangely clustered geographically, suggesting that suburbs need to build up a kind of local culture for overrides before they can be effectively used.

FIGURE 9
MA Municipalities:
Total Override Initiatives
2010–2024



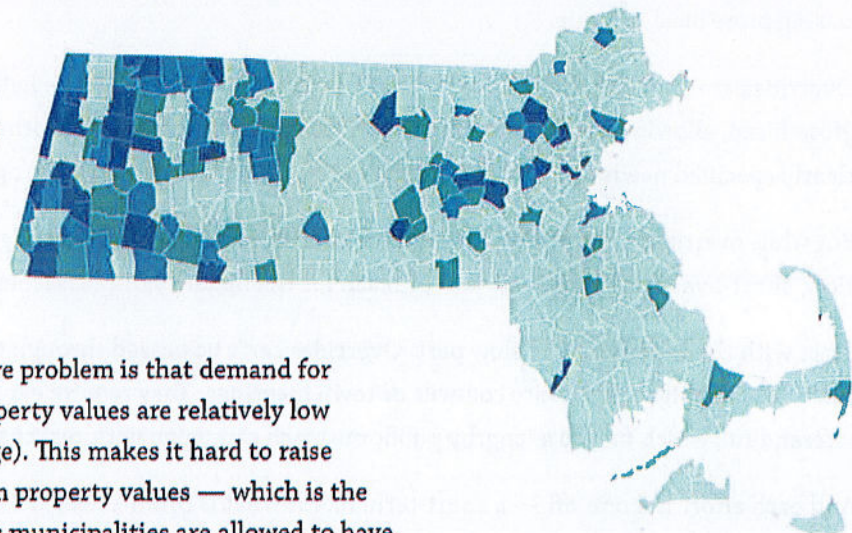
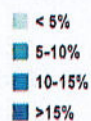
Division of Local Services

Meanwhile, rural towns rarely pursue overrides, and cities almost never do. These communities have a more acute problem: not only is it challenging for them to pursue temporary overrides, but a lack of local income and wealth makes it difficult for them to raise local taxes at all.

The tax cap set by Proposition 2½ is a ceiling, not a mandate. Cities and towns can always raise revenue by less than 2.5 percent if they find that more feasible. And this creates “excess levy capacity” that municipalities can make use of in future years (at least in theory).

Rural towns and gateway cities have far more of this excess levy capacity than their suburban neighbors. What this suggests is that they face local tax constraints even more severe than the already-strict 2.5 percent state rule. Figure 10 shows the nature of this constraint, which is actually quite different between rural towns and gateway cities.

FIGURE 10
MA Municipalities:
Excess Levy Capacity
Percentage of maximum, 2024

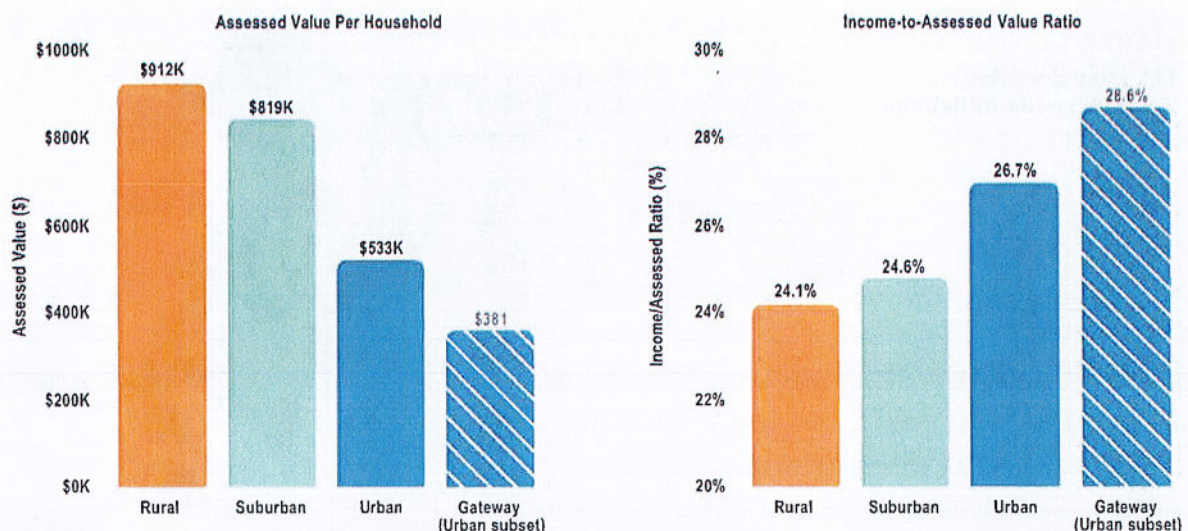


Division of Local Services

Among gateway cities, the core problem is that demand for real estate is limited, and property values are relatively low (compared to the state average). This makes it hard to raise money through a direct tax on property values — which is the only major tax Massachusetts municipalities are allowed to have.

Rural towns face a different issue. Property values in these areas are actually strong enough to make property taxes a reliable source of revenue. But rural towns tend to have older (and fewer) residents and more retirees, who don’t collect enough annual income to cover typical property tax bills. The result, again, is that rural towns struggle to raise enough local revenue to fund the kinds of services their residents want.

FIGURE 11
Rural Towns and Gateway Cities Lack Tax Capacity
Rural towns lack income; gateway cities lack land value



Division of Local Services, Census Bureau, CSPA calculations

SUMMING UP THE ISSUES

Put this all together and the true challenge of municipal finance becomes clear.

1. State aid in Massachusetts is less generous than the U.S. average.
2. Flexible state aid (through UGGA) has fallen for all cities and towns.
3. Given the 2.5 percent cap on local tax increases, the best tool for suburban towns is often an expensive and temporary override.
4. Rural towns and gateway cities lack the local income and wealth to respond at all.
5. While rising education aid has enabled substantial new investments across urban Massachusetts, it hasn't provided the same level of benefits to rural and suburban towns.

METHODOLOGICAL NOTES

Unless otherwise noted, details about municipal spending and revenue are drawn from the Massachusetts Division of Local Services Gateway. This includes information about local spending, taxation, state aid, overrides, assessed property values, Chapter 70 support, and more. Dollar values are adjusted for inflation using the Consumer Price Index, accessed through the St. Louis Federal Reserve's Fred platform and pegged to fiscal 2024. Results reflect unweighted (simple) averages across cities and towns, where each city and town is treated as an equal fiscal unit.

The division of municipalities into rural, suburban, and urban clusters is based on a taxonomy developed by the Metropolitan Area Planning Council, with "country suburbs" shifted into the rural category.

Spending comparisons across U.S. states rely on data from the 2010 and 2022 Census of State and Local Government Finance, issued by the U.S. Census Bureau. During our research window, 2022 was the most recent available release. Growth of state budgetary spending reflects data from the Massachusetts Budget and Policy Center's Budget Browser.

The American Community Survey provided local population numbers for our comparison of per capita education spending across cities and towns. It was also the source of data for total household income used to calculate the ratio of income to assessed value.

APPENDIX

Gateway Cities

Gateway cities are midsize urban centers that anchor regional economies and once served as centers of industry. They have been working to reinvent themselves, often in the face of economic and social challenges.

State law (Ch. 23A, Sec. 3A) defines a gateway city as a municipality with:

- Population greater than 35,000 and less than 250,000
- Median household income below the state average
- Rate of educational attainment of a bachelor's degree or above that is below the state average

There are 26 gateway cities in Massachusetts: Attleboro, Barnstable, Brockton, Chelsea, Chicopee, Everett, Fall River, Fitchburg, Haverhill, Holyoke, Lawrence, Leominster, Lowell, Lynn, Malden, Methuen, New Bedford, Peabody, Pittsfield, Quincy, Revere, Salem, Springfield, Taunton, Westfield, Worcester.

Proposition 2½

Approved by Massachusetts voters in 1980, Proposition 2½ limits the amount of revenue a city or town may raise, or levy, from local property taxes each year to fund municipal operations.

The law (M.G.L. Ch. 59, Sec. 21C) places two constraints on the local levy:

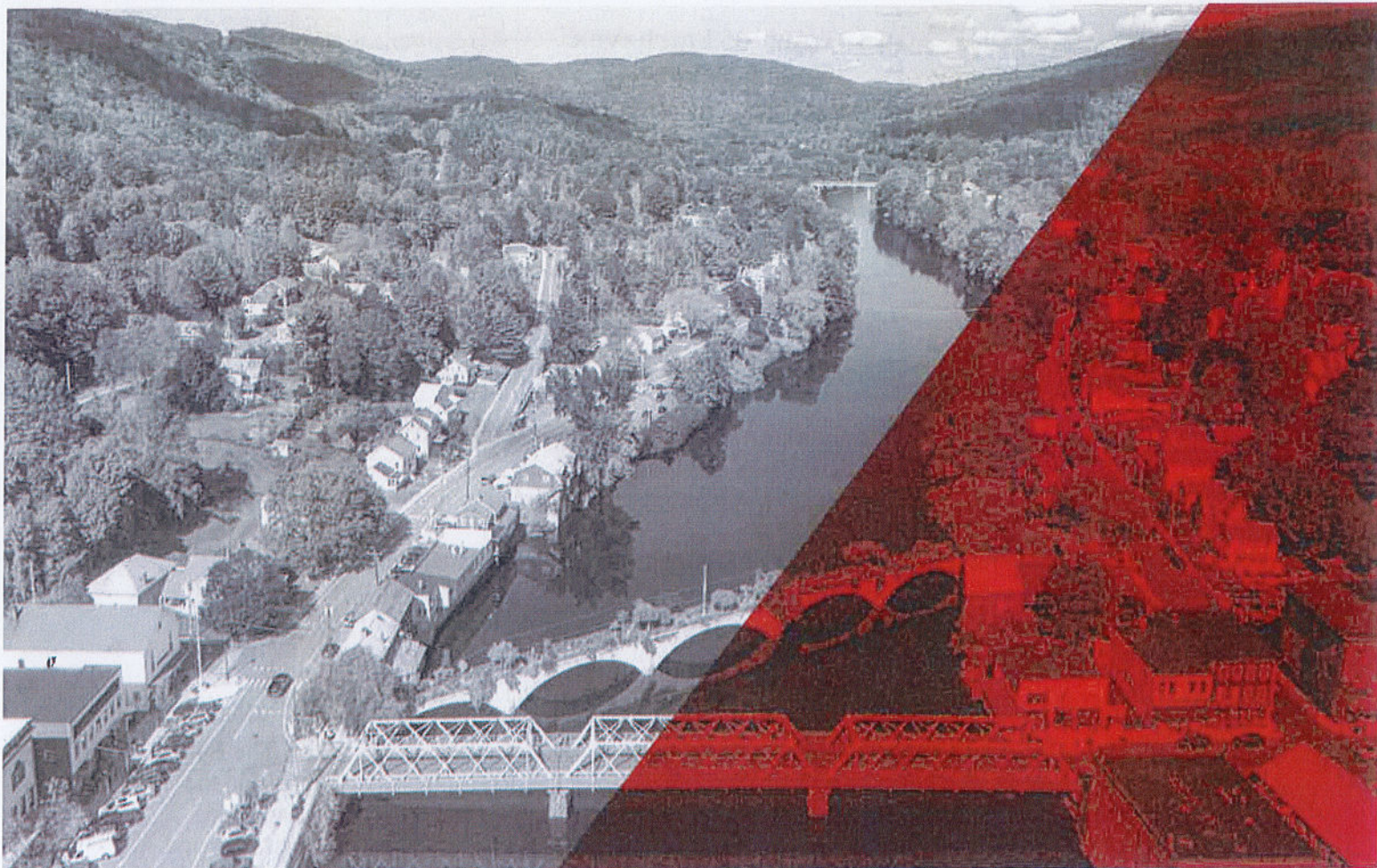
1. A community cannot levy more than 2.5% of the total full cash value of all taxable property in the community (called the levy ceiling).
2. A community's allowable levy for a fiscal year (called the levy limit) cannot increase by more than 2.5% of the maximum allowable limit for the prior year, plus a factor for new growth (property added to the tax rolls). The 2.5% increase limitation applies to the levy limit, and not to individual property tax bills.

Proposition 2½ allows two types of voter-approved increases in taxing authority:

Override: An override increases the amount of property tax revenue a community may raise in the year specified and in future years. An override must be approved as a ballot question by a majority of voters in a municipal election. The override must be for a set dollar amount, and the money must be spent toward the identified purposes. An override is used to provide funding for municipal expenses likely to recur or continue into the future, such as annual operating and fixed costs.

Exclusion: An exclusion increases the amount of property tax revenue a community may raise for a limited or temporary period of time in order to fund specific projects. It does not increase the community's levy limit nor become part of the base for calculating future years' levy limits. The exclusion may be used to raise additional funds only for capital purposes, such as public buildings, public works projects, land and equipment acquisitions.

It's also worth noting that state law requires municipal budgets to be balanced each year.



The Voice of Massachusetts Cities and Towns

Representing 351 municipalities and the local officials who lead them

The MMA is the nonprofit, nonpartisan trade association for the municipal officials of Massachusetts. As policy experts, advocates, and connectors, we are collaborative and responsive — bringing local leaders together to:

- Articulate a clear and united municipal message
- Develop and advance shared policy goals
- Share information and best practices
- Work collectively to increase the efficiency and effectiveness of municipal service delivery

MMA

Massachusetts
Municipal
Association

3 Center Plaza, Suite 610
Boston, Massachusetts 02108
617.426.7272 | www.mma.org



Town of Fairhaven
Massachusetts
Office of the Select Board and
Town Administrator
40 Center Street
Fairhaven, MA 02719
Tel: (508) 979-4023 | Fax: (508) 979-4079

B

October 28, 2025

Patrick Higgins

BY ELECTRONIC TRANSMISSION ONLY: patrick@openmeetinglawenforcer.com

RE: Open Meeting Law Complaint

Dear Mr. Higgins:

This letter is in response to your Open Meeting Law complaint dated October 15, 2025, regarding the Fairhaven Select Board's response to your request dated October 4, 2025, submitted under the Massachusetts Open Meeting Law, specifically concerning the release of Executive Session minutes.

Pursuant to M.G.L. c. 30A, § 22(g)(2), the Select Board is required to review Executive Session minutes periodically to determine whether continued non-disclosure is warranted. The Board had previously reviewed and voted to release certain Executive Session minutes that fell within the scope of your request. These minutes, having already been approved for release, should have been sent to you by the October 14, 2025 deadline. We apologize for the miscalculation of the time period for the Board's initial response to your request which resulted in the initial response being provided one day late.

However, in preparation for a comprehensive and transparent response, the Select Board placed review of minutes of executive sessions held on additional dates—within the requested timeframe—on the agenda for further review and possible release at its meeting held on October 14, 2025, which was the next meeting following receipt of your request and was also within 30 days of your request. Following that meeting, all Executive Session minutes within the requested timeframe determined eligible for release were sent to you on October 15, 2025.

While the Board acknowledges that an initial response including some materials previously voted for release should have been provided by October 14, we took additional steps to ensure full compliance by including further minutes for timely review and acted in good faith to fulfill your request completely and accurately.

The Select Board recognizes the importance of the Open Meeting Law and remains committed to its proper implementation and to the timely and lawful handling of all requests under the law. We will continue to review our internal procedures to ensure future responses adhere strictly to all statutory deadlines.

Sincerely,

Charles K. Murphy, Sr.
Select Board Chair



Town of Fairhaven
Massachusetts
Office of the Select Board and
Town Administrator
40 Center Street
Fairhaven, MA 02719
Tel: (508) 979-4023 | Fax: (508) 979-4079

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Sincerely,

Charles K. Murphy, Sr.
Select Board Chair



C

Town of Fairhaven

Report of the Town Administrator

October 27, 2025

Financial Updates

- The Fall Town Meeting warrant has been returned by the printers and will be mailed to the Town Meeting representatives by Friday, October 31st. The warrant has also been posted on the Moderator's webpage. Precinct meetings will be held on Thursday, November 13, 2025 at 6:30 p.m. and the Special Town Meeting preview will be held immediately following the precinct meeting at approximately 7:00 p.m.

All meetings will be held in the Silveira Auditorium at the Elizabeth Hastings Middle School, 30 School Street.

Project Updates

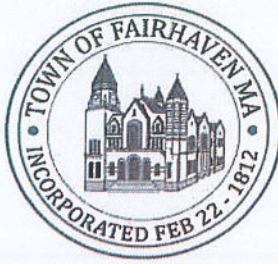
- Public Works along with the School and Police Departments have been working to establish a school zone along Adams Street for the Hastings Middle School. MassDOT state access permit has been obtained and the signage installation by DPW staff will be happening in the next few weeks.
- Public Works will be starting the fourth and final phase of a Community Development Block Grant (CDBG) project on Hedge Street (between #72 Hedge continuing easterly to Adams St). This is phase 4 of the project which will see utility improvements, new sidewalks, curbing and pavement. This effort will be mobilized in the next couple of weeks.

Personnel Update

- Principal Assessor Joanne Correia Director of Land Use and Planning Bruce Webb have resigned. I met with the Board of Assessors to review the job posting. The postings will be advertised on the Town website, Mass. Municipal Association website. I plan to establish interview committees for both positions that will include a department head, a member of the Planning Board/Board of Assessors and a Select Board member. At the November 10th Select Board meeting, I will ask the Chair to include an agenda item for the Board to discuss and nominate a Select Board member for each interview committee.

Miscellaneous Updates

- I met with the Public Works Committee and Board of Assessors during the week of October 20th to introduce myself.



D

Monday, October 27, 2025

CORRESPONDENCE

1. Atlas Tack Working Group Email: Karen Vilandry, President, Hands Across the River Coalition, Inc.
2. Whitfield-Manjiro Friendship Society, Inc. letter: Gerald P. Rooney, Chairman & CEO
3. Philbrick Talk Email

Atlas Tack Working Group

1 message

Hands Across the River Coalition, Inc. <harcgnb@gmail.com>

Thu, Oct 9, 2025 at 12:59 PM

To: selectboard@fairhaven-ma.gov

Cc: "khickey@fairhaven-ma.gov" <khickey@fairhaven-ma.gov>, "Holmes, Marcus (AGO)" <marcus.d.holmes@mass.gov>, Staci Rubin's Cell <srubin@clf.org>, Governor Maura Healey <constituent.services@state.ma.us>, Mark.Sylvia@mahouse.gov, Emily.Field@mass.gov, denise@ace-ej.org, ahart@fairhaven-ma.gov, PBSMac@proton.me, Patti Estrella <patricia.a.estrella@gmail.com>

Dear Fairhaven Select Board Members:

Will you please put this request on the agenda for your next Select Board's meeting?

Will you please make the Atlas Tack Working Group an official Committee to allow the public to attend?

In so doing, Fairhaven residents can attend and for example, may offer information about individuals going into the building, vandalizing the property, etc. It's a heavily contaminated site as you know that is a major threat to our Town and surrounding areas. If on fire, it could spread toxic chemicals for miles jeopardizing the health and welfare of all!

If it were a Committee, nearby residents would be kept abreast of what's going on with the site especially since it's a Superfund Site close to their homes. They will have the opportunity to know what the EPA, DEP, and property owners are planning to do to remediate the property.

The site is approximately 48 acres so is a massive, hazardous site!

Both the police and fire chiefs submitted letters with safety concerns about the building. The police letter says that trespassers have entered the building and police officers have had to respond. With the building in such disrepair, it is dangerous for officers and the public.

We've spoken to the Fairhaven Town Administrator about this Atlas Tack Working Group who agrees that it needs to be an open meeting to the public. In fact, he suggested that we ask you to make this group an official Committee so that it's open to the public.

So will you please make it a Committee? It's crucial to allow Fairhaven residents to know what's going on with that Superfund Site!

Thank you.

Cordially,

Karen A. Vilandry

Karen A. Vilandry, President
Hands Across the River Coalition, Inc. lecr
harcgnb@gmail.com
<https://www.facebook.com/harcgnb>
508-951-1184



Whitfield-Manjiro Friendship Society, Inc.

11 Cherry Street, Fairhaven, MA 02719

Tel. 508-858-5303

www.Whitfield-Manjiro.org

SELECT BOARD

2025OCT1612:2912:29

**President & CEO
Gerald P. Rooney**

**Honorary President
In memorium
Dr. Shigeaki Hinohara**

**Mr. Charles Murphy
Chairman
Selectboard
Town of Fairhaven
Town Hall
Fairhaven, MA 02719**

Dear Chairman Murphy,

Now that the 19th Manjiro Festival has passed, we wish to take a few lines to thank you for all your efforts to make this a memorable event for the local population as well as the delegation from the town's "sister city", Tosashimizu. The crowning touch to our combined efforts was the "perfect weather" ordered from "above".

Two years from now the 20th Manjiro Festival is scheduled to take place here. We would hope that, by that time, the roles of the Town and our Society will be well established so that those involved clearly understand their part and another grand event will be to the credit of both parties.

Again we thank you for your significant role in insuring that this festival was enjoyed by all as was evident by the shower of compliments received from the public as well as our guests from Tosashimizu.

Gerald P. Rooney, Chairman & CEO

A 501(c)3 non-profit agency (donations are tax-deductible)

Philbrick Talk

1 message

mark badwey <mbadwey@yahoo.com>

Tue, Oct 21, 2025 at 11:57 PM

To: "selectboard@fairhaven-ma.gov" <selectboard@fairhaven-ma.gov>

To: The Fairhaven Select Board,

On behalf of The Fairhaven Historical Society and The Fairhaven Department Of Fine Arts we would like to thank the Fairhaven Select Board for the use of town hall for our event, "A Night With Nathaniel Philbrick." It is because of your generosity and the hard work of many others that makes these events possible for it's residents.

The event was a huge success with over 420 guests in attendance. We even had a doorman greeting our guests as they arrived.

Our last couple of events have drawn standing room only crowds which helps show that the arts are "alive and well" in Fairhaven.

Through your continued support we plan on bringing more events like this one in the years to come. This coming April we plan on having Author, Charles Slack, to give a talk on his acclaimed book, Liberty's First Crisis.

We are all so proud that the townspeople of Fairhaven have such a deep-seated passion for art and culture.

So, thank you again for helping to keep this town the special place that it's always been !!

Respectfully,
Enrique Goytizolo
President
Fairhaven Historical Society

and

Mark Badwey
Art Curator
Fairhaven Department Of Fine Arts