



FAIRHAVEN SELECT BOARD AGENDA

April 14, 2025 6:00 p.m.

FAIRHAVEN TOWN CLERK
RCUD 2025 APR 10 PM1:21

Town Hall – 40 Center Street – Fairhaven

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

A. SELECT BOARD REORGANIZATION AND SEATING

1. Reorganization of the Select Board and seating

B. PUBLIC HEARING – 6:00P.M.

1. Transfer of an Annual All Alcohol Liquor License for JPTS Wine & Spirits dba Southcoast Wine & Spirits to Jason O. Silva

C. PUBLIC HEARING – 6:05P.M.

1. Transfer of an Annual All Alcohol Liquor License for Fairhaven Wine & Spirits to Jayshreeben S. Patel

D. APPOINTMENTS AND COMMUNITY ITEMS

1. Special One-Day Liquor License: Annual Full Bloom Festival, June 29, 2025
2. Event Request and Temporary Street Closure Request: Cherry Blossom Festival, Sunday, May 4, 2025
3. Event Request: Tour de Crème, Sunday, June 1, 2025
4. Event Request: Motorcycle Run for ALS, Sunday, June 22, 2025 (rain date, June 29, 2025)
5. Use of Town Hall Request: Fairhaven Improvement Association: Summer Concerts
6. Public Safety Committee Membership

E. EXECUTIVE SESSION

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

G.L. c. 30A, s. 21(a)(3) discuss strategy with respect to anticipated litigation where the chair declares that an open session would have a detrimental effect on the Town's litigating position; 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) (anticipated litigation by Patrick Carr and Ruy daSilva; written attorney-client privileged communications regarding same)

F. MINUTES

1. Accept the Select Board minutes of March 24, 2025 – Open Session
2. Accept the Select Board minutes of March 24, 2025 – Executive Session

G. TOWN ADMINISTRATOR

1. Staffing Update
2. Board Resignations: Amy Goyer-Zoning Board of Appeals, Pam Whynot-Commission on Disability
3. Other

H. ACTION / DISCUSSION

1. Conservation Restriction: Camel Street Property - Sconticut Neck
2. Review Conflict of Interest Disclosure: Patrick Carr
3. Authorize Redemption of Bonds
4. Open, Review and Vote Recommendations for Articles Annual Town Meeting Warrant
5. Close and Sign Annual Town Meeting Warrant
6. Authorize Town Clerk to Request Election Workers from the Democratic and Republican Town Committees
7. Reassignment of Select Board Committee Liaisons
8. SRPEDD Commission Member Appointment
9. Review and Sign Select Board Meeting Protocols

<https://us06web.zoom.us/j/89485993911?pwd=OFd5MzJvVnBxQkIxLzdQcFRlYVM0QT09>

Log on or call 1-929-205-6099, Meeting ID: 894 8599 3911, Passcode: 330130

Subject matter listed in the agenda consists of items reasonably anticipated (by the Chair) to be discussed. Not all items listed may be discussed and other items not listed (i.e. urgent business not available at the time of posting) may also be brought up for discussion in accordance with applicable law.

I. BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

J. PUBLIC COMMENT

K. CORRESPONDENCE

1. Memorial Day Parade invitation

L. NEWS AND ANNOUNCEMENTS

1. The next regularly scheduled Select Board meeting is *Monday, April 28, 2025* at 6:00 p.m.

ADJOURN



Monday, April 14, 2025

Select Board Reorganization and Seating

Reorganization of the Select Board and seating



Fairhaven Select Board Meeting Protocols

Protocol 1 – Meetings

Regular meeting of the Select Board shall be held in the Banquet Hall, Town Hall, at 6:30pm on the SECOND and FOURTH Monday of each month, except when one of said Monday falls on a legal holiday or town hall closure; the Select Board shall meet on the following day in such an event. Calls for special meetings may be made at any time by the Town Administrator or the Select Board Chair. Members ought to be present at the time of the opening of the meeting. The Chair may cancel meetings when appropriate.

Protocol 2 – Organization and Chair selection

The Select Board shall hold its organizational meeting in The Banquet Hall at the first regular meeting after a municipal election. The Town Administrator shall preside over the nomination and election proceedings for Chair, Vice Chair and Clerk. The newly elected Chair will preside over the remainder of the meeting.

Protocol 3 – Acceptance of The Meeting protocols

At the same meeting as the reorganization, the Chair will review and vote to accept the meeting protocols. A majority vote is required to adopt the protocols. The previous year's protocol will remain in affect until a new one is accepted.

The Chair presides over all meetings. In the absence of the chair, the vice chair shall resume the role. All members shall preserve decorum and order and await recognition by the chair to speak. Parliamentary Protocols may be applied when meetings fall out of order.

Protocol 4 – Seating

The Select Board seating shall be arranged with the chair at the center seat. Seats 1 and 2 are to the right of the Chair and seats 3 and 4 are to the left. The vice-chair shall sit to the right of the chair and the clerk shall sit to the left of the chair with the remaining members choosing either end of the dais.

Protocol 5 – Action and Motions

Every action of the Select Board shall require a motion or vote. If a vote is not taken, the action is moot and considered a discussion. After a motion is requested by the Chair, it shall be acted upon by the Select Board unless withdrawn by the mover before an amendment or decision.

Every member present at Select Board meetings shall vote yea or nay when a motion is put unless excused on the grounds of clear and real conflict of interest by which the member can request to abstain from the vote and state the reason for abstaining.

Protocol 6 – Public participation

Member of the public may address the Select Board regarding items on the current agenda, if the Chair so deems it appropriate. Those wishing to do so, shall wait to be acknowledged by the Chair, shall identify themselves by name and address, shall make their remarks brief but the chair may limit and confine the time to no longer than two (2) minutes. The comments shall be void of personalities, libellous remarks and innuendo, and shall limit their remarks to matters of municipal interest.

During any portion of the meeting members of the public shall not verbally, non- verbally, or illustratively, utilize racial, ethnic, religious, age, sexual preference, gender or disabilities, slurs or connotations during their remarks. The Chair shall rule a member of the public, who uses such slurs, connotations, libellous remarks or innuendo out of order and no longer recognize the individual to speak.

Protocol 7 – Public Comment

Near the end of every meeting an open forum will be conducted. During the Public Comment, any member of the public may address the Select Board regarding city business, concerns and events that were not mentioned in agenda. Those wishing to do so, shall wait to be acknowledged by the Chair, shall identify themselves by name and address, shall confine their remarks to a total of two (2) minutes and shall avoid personalities, libellous remarks and innuendo, and shall limit their remarks to matters of municipal interest.

Protocol 8 – Conduct of Members, Officials, and public

Members, officials, and public, when about to speak, shall initially address the Chair using the phrase “through the Chair,” shall confine themselves to the question under debate, and shall avoid all personalities and libel comment. Any individual, who may be mentioned in debate or addressed by another member, shall be so mentioned or addressed by their title and or name (ex. Mr/Ms. Last name); and in an intelligible, respectful, and professional manner. No member or official shall speak out of their turn without leave of the Chair, nor shall any member be interrupted by another while speaking except to make a point of order or request for explanation.

Protocol 9 – Board Member Items:

Time in the Select board meeting agenda allotted to board items/committees updates should be used by only board members and only for the following purposes:

1. board members community announcements
2. requesting future agenda items
3. providing committee reports.

Protocol 10 – Agenda Items, Material and Supporting Documentation

All action and discussion item containing matters for consideration by the Select Board shall be affirmed by the Chair. Meeting material request by the public must be submitted to the Chair or Town Administrator on the second Monday for the third Monday meeting and on the last Monday of the month for the following Monday meeting. Select Board meeting material and request shall be submitted by the Wednesday before the first and third Monday.

*As voted on April 8, 2024
Protocol 13 revised October 15, 2024
Protocol 9 revised November 25, 2024*

Protocol 11 – Committee Liaison and Assignments

Committee liaison of the Select Board shall be appointed annually by consensus of the members at the reorganization meeting. Each committee shall have one liaison. Select Board members may participate in assigned committee but may not be a voting member.

Select Board members may also be assigned to other committees as needed.

Select Board liaisons may make an informational report to the board during Committee Liaison Reports on the Meeting Agenda.

Protocol 12 – Public Hearings

At every Public Hearing meeting of the Select Board, other than executive sessions, citizens of the town, shall have reasonable opportunity to be heard regarding any matter being considered during the public hearing by the Select Board at such meeting. Citizens shall observe the same rules of conduct required in Protocol 6, 7 and 8: i.e. they shall address the Chair, confine themselves to the question under debate, and avoid personalities, libellous statements and innuendo.

Protocol 13 Process of Seeking Legal Opinion

~~If a Select Board member want a legal opinion from Town or Labor Counsel, they must provide a communication to the Town Administrator with an explanation of what they are looking for and what they have done to date to take advantage of freely available information. The Town Administrator will determine if counsel is needed. If the Town Administrator denies the request, the member may request an agenda action item vote of the Select Board membership to request that the Town Administrator seek said legal opinion.~~ Revised October 15, 2024

As attest to and agreed upon on this 8TH day of April, 2024 by

Stasia Powers

Charles K. Murphy, Sr.

Andrew B. Saunders

Keith Silvia

Andrew Romano

*As voted on April 8, 2024
Protocol 13 revised October 15, 2024
Protocol 9 revised November 25, 2024*

**FAIRHAVEN SELECT BOARD
ACCESS TO COUNSEL PROTOCOLS
OCTOBER 15, 2024**

1. With the exception of the Chair as further provided herein, a member of the Select Board who wishes to contact or consult Town Counsel, Labor Counsel, or special counsel (hereinafter referred to collectively or individually as "Counsel") must first be authorized by majority vote of the Select Board or by the Town Administrator.
2. The Chair may contact or consult with Town Counsel directly under the following circumstances:
 - a. Regarding a time-sensitive matter which, in the best interests of the Town, should be addressed with Counsel prior to the next available Select Board meeting during which a request for access to Counsel could be brought to the Board for a vote;
 - b. Any written advice or work product from Counsel regarding the Chair's request shall be distributed to the full Board; and
 - c. An item shall be added to the agenda for the next available meeting for the Chair and/or Counsel to inform the full Board of the matter at issue and to discuss any advice or work product provided. Such topic shall be discussed in executive session to protect the attorney-client privilege if an executive session is allowable under any of the defined purposes set forth in the Open Meeting Law.
3. Following approval of the initial request involving any ongoing legal matter, the Board may designate an individual member to communicate directly with Town Counsel regarding such matter, provided that the full Board is given regular updates on the matter and any written advice or work product is distributed to the full Board.
4. Whenever the Town Administrator obtains legal advice or attorney work product from Counsel regarding a matter within the purview of the Select Board, including but not limited to any matter affecting the interests or welfare of the Town, the Town Administrator shall distribute such advice or work product to the full Select Board upon receipt.
5. Nothing in these protocols shall restrict the right of any individual Board member to contact Town Counsel for purposes of obtaining an ethics opinion pursuant to G.L. c. 268A, §22.

*As voted on April 8, 2024
Protocol 13 revised October 15, 2024
Protocol 9 revised November 25, 2024*



Monday, April 14, 2025

Public Hearings

1. Transfer of an Annual All Alcohol Liquor License for JPTS Wine & Spirits dba Southcoast Wine & Spirits to Jason O. Silva
2. Transfer of an Annual All Alcohol Liquor License for Fairhaven Wine & Spirits to Jayshreeben S. Patel

Fairhaven Neighborhood News

Ad proof

Contact Beth David with approval or changes: 508-979-5593 • Fax: 508-991-5580

Fairhaven Select Board Public Hearings

**Fairhaven Town Hall, 40 Center St.,
Fairhaven, MA 02719**

Notice is hereby given that the Fairhaven Select Board will vote on two action items at the above location.

Monday April 14, 2025 at 6:00 p.m.

The purpose of the hearing is to consider approval for the transfer of an Annual All Alcohol Liquor License for JPTS Wine & Spirits dba Southcoast Wine & Spirits, 355 Huttleston Ave Fairhaven, MA 02719

For: Jason O. Silva, 195 Bonney St., New Bedford, MA 02740

Monday April 14, 2025 at 6:05 p.m.

The purpose of the hearing is to consider approval for the transfer of an Annual All Alcohol License for Fairhaven Wine & Spirits, 105 Sconticut Neck Rd. Fairhaven, MA 02179.

For: Jayshreeben S. Patel, 3 Winter St., Fairhaven, MA 02719

*Fairhaven Select Board
FNN: 4/3/25*

**PLEASE
CHECK
YOUR AD
CAREFULLY**

**The NeighbNews
is not responsible
for any errors
approved
by client.**

One week: 4/3/25
1x2.5", \$50/week

Fairhaven Select Board Public Hearing

**Notice is hereby given that the Fairhaven Select Board
will vote on an action item
Monday April 14, 2025 at 6:00 p.m. in the Town Hall
40 Center Street, Fairhaven, MA**

The purpose of the hearing is to consider approval for the transfer of an Annual All Alcohol Liquor License for JPTS Wine & Spirits dba Southcoast Wine & Spirits, 355 Huttleston Ave Fairhaven, MA 02719

**For:
Jason O. Silva
195 Bonney St
New Bedford, MA 02740**



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM**

APPLICATION FOR A TRANSFER OF LICENSE

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: ABCC PAYMENT WEBSITE

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

For the following transactions (Check all that apply):

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input checked="" type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | | <input type="checkbox"/> Other <input type="text"/> | <input type="checkbox"/> Change of DBA |

THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL

Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3
 Chelsea, MA 02150-2358

Fairhaven Select Board Public Hearing

**Notice is hereby given that the Fairhaven Select Board
will vote on a public hearing on
Monday April 14, 2025 at 6:05 p.m. in the Town Hall
40 Center Street, Fairhaven, MA**

The purpose of the hearing is to consider approval for the transfer of an Annual All Alcohol License for Fairhaven Wine & Spirits, 105 Scoticut Neck Rd Fairhaven, MA 02179.

**For:
Jayshreeben S. Patel
3 Winter St
Fairhaven, MA 02719**



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM

APPLICATION FOR A TRANSFER OF LICENSE

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ECRT CODE: RETA

Please make \$200.00 payment here: ABCC PAYMENT WEBSITE

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN STATE ZIP CODE

For the following transactions (Check all that apply):

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input checked="" type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input checked="" type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | | <input checked="" type="checkbox"/> Other <input type="text" value="Pledge of Inventory"/> | <input type="checkbox"/> Change of DBA |

THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL

Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3
 Chelsea, MA 02150-2358



Monday, April 14, 2025

Appointments and Community Items

1. Special One-Day Liquor License: Annual Full Bloom Festival, June 29, 2025
2. Event Request and Temporary Street Closure Request: Cherry Blossom Festival, Sunday, May 4, 2025
3. Event Request: Tour de Crème, Sunday, June 1, 2025
4. Event Request: Motorcycle Run for ALS, Sunday, June 22, 2025 (rain date, June 29, 2025)
5. Use of Town Hall Request: Fairhaven Improvement Association: Summer Concerts
6. Public Safety Committee Membership



TOWN OF FAIRHAVEN

APPLICATION FOR SPECIAL LICENSE

General Law Chapter 138, Section 14

Date: 12/9/24

To the Licensing Board:

The undersigned hereby applies for a SPECIAL LICENSE under provisions of Chapter 138, Section 14 to sell

All Alcoholic Beverages

(Beer and Wine)

or

(All Alcoholic Beverages)

For a Annual Full Bloom Festival to be held at

Cushman Park

by Samantha Dungca and Alexis Costa of Soulflower, and other community members.

date June 29, 2025 (rain date July 13, 2025)

from 12:00 pm to 8:00 pm

Name of Applicant: Samantha Dungca

Address of Applicant: 203 Clifford St. New Bedford MA

Telephone: 407-222-1382

For a banquet or public dinner, the applicant should be responsible, manager of the banquet or public dinner.

For a picnic, field day or outing, applicant should be a representative of responsible organization or individual.

FEE:

Beer & Wine \$50.00

All Alcoholic \$75.00



Whitfield-Manjiro Friendship Society, Inc.

11 Cherry Street, Fairhaven, MA 02719

Tel. 508-858-5303

www.Whitfield-Manjiro.org

**President & CEO
Gerald P. Rooney**

**Honorary President
*In memoriam***

Dr. Shigeaki Hinohara

March 29, 2025

Selectboard members
Town Hall
Fairhaven, MA 02719

Dear Chairperson Powers,

We wish to make the Selectboard members aware that we are scheduling the annual Cherry Blossom Festival for Sunday, May 4, 2025. As we continue to support the Sister City agreement with Manjiro's home town, Tosashimizu, we wish to ask for the following assistance of the town offices. We would ask for:

- Your presence for the introductions if available.
- Arrangement for the temporary road blocks on Cherry St. between Lafayette and Oxford streets during the festival.
- Notification to the appropriate town departments (fire, highway, police etc.)
- Your enjoyment of the day with your friends and family.

If I can convey any additional information, please let me know.

Sincerely,

Gerald P. Rooney, President @ CEO

Cherry Blossom (O-HANAMI)

Friendship Festival

FREE ADMISSION

Sunday, May 4, 2025

10:00 AM – 3:00 PM

Whitfield-Manjiro Museum

11 Cherry St., Fairhaven-

- 10:00 AM Opening greetings
- 10:30 AM Kamishibai (paper theater)
- 11:00 – 12:00 Live music: Carolyn Wingate, Nick Souza & Gayle Dion
- 12:00 PM - Bento box lunch (no raw items/see below)
- 1:30 PM Shin Daiko (Japanese taiko drumming)
- 2:00 PM Martial Arts (Aikido)
- 2:30 PM Ikebana (Japanese flower arranging) -2nd floor

Ongoing: names in Japanese, origami (paperfolding),

Kimonos and Japanese items for sale

CHERRY BLOSSOM raffle.

BENTO BOX LUNCH (no raw items)

with iced Japanese green tea/water and cherry square.

Tickets (limited number): \$20

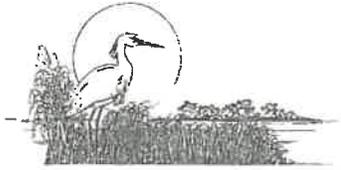
To reserve bento lunch : call Gerry at 508-858-5303

Or e-mail: Gerry@WMFriendshipHouse.org

Sponsored by the: Whitfield-Manjiro Friendship Society

SELECT BOARD

2025APR210:1110:11



Mattapoissett Land Trust, Inc.



Friends of the Mattapoissett Bike Path

February 24, 2025

SELECT BOARD

2025MAR24 12:47:12:47

George Sameo
Fairhaven Town Administrator
40 Center Street
Fairhaven, MA 02719

Dear Mr. Sameo:

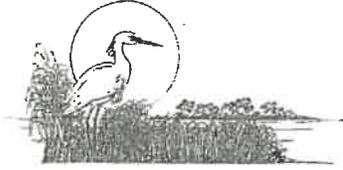
I am writing on behalf of the Mattapoissett Land Trust and the Friends of the Mattapoissett Rail Trail to request permission to hold a charity bike ride event — the Tour de Crème — on Sunday, June 1, 2025.

Starting from Mattapoissett, this annual event features three scenic bike rides through the picturesque towns of Fairhaven, Acushnet, Rochester, and Mattapoissett. It's not a race, but an enjoyable ride with rest stops at local creameries, allowing participants to relax and savor the area's best treats. Launched in 2016, this event has become a beloved tradition, and we're excited to roll into another year of fun, community, and beautiful scenery!

We will orient riders with paper maps, a few notice boards placed at easy-to-miss turns (removed immediately following the event), and discreet on-road markings similar to those used by local cycling clubs. We will have "ambassador" and "sweep" cyclists, dedicated support vehicles, and an event hotline to assist lost or stranded cyclists. We have included route maps for your review.

All participants will be required to wear helmets. They will be directed to call 911 in case of any medical emergency. We will have a mobile bike repair on the course to handle mechanical breakdowns and 911 will NOT be called for mechanical issues. We plan to go forward with the event in the event of showers or light rain but will cancel in the event of heavy rain, dense fog, or other dangerous conditions.

Proceeds from the event will benefit the Mattapoissett Land Trust and Friends of the Mattapoissett Bike Rail Trail, both of which are 501(c)(3) charitable organizations.



Mattapoissett Land Trust, Inc.



Friends of the Mattapoissett Bike Path

Please contact me if you have any concerns, know of any conflicts, or can offer suggestions for improving public safety. I may be reached at 631-312-2560.

To apply for a MassDOT permit to use state-maintained highways, I am also requesting that town officials sign and return the enclosed event notification form. The ride team captain will be reaching out to the town public safety officer to review the routes and address any concerns.

Thank you for considering our request. We look forward to cyclists enjoying the scenic roads and delicious ice cream in Fairhaven and surrounding towns again this year.

Sincerely,

Jane Finnerty
Co-chairperson
Tour de Crème

Enclosures: route maps, event notification form

cc: Police Chief Daniel Dorgan, Fire Chief Todd Correia

EVENT NOTIFICATION FORM

Date: _____

**MASS DOT
District 5
1000 County Street
Taunton, MA 02780**

To Whom It May Concern:

Please be advised that the Mattapoisett Land Trust and Friends of the Mattapoisett Bike Path have notified the Fairhaven MA Selectmen, Police Department and Fire Department of its plans to conduct the "Tour de Crème" on Sunday, June 1, 2025, which will include bicyclists crossing US Route 6 in Fairhaven to get from Gellette Road to New Boston Road. Roads will not be closed to local auto traffic during this time and all course related message boards will be removed at the conclusion of the event.

The signatures below reflect their support of this event, their understanding of the use of the state roads referenced above and are provided as required of issuance of the Permit.

POLICE DEPARTMENT

Signed: _____

Fairhaven Chief of Police

FIRE DEPARTMENT

Signed: _____

Fairhaven Fire Chief

BOARD OF SELECTMEN

Signed: _____

Title: _____

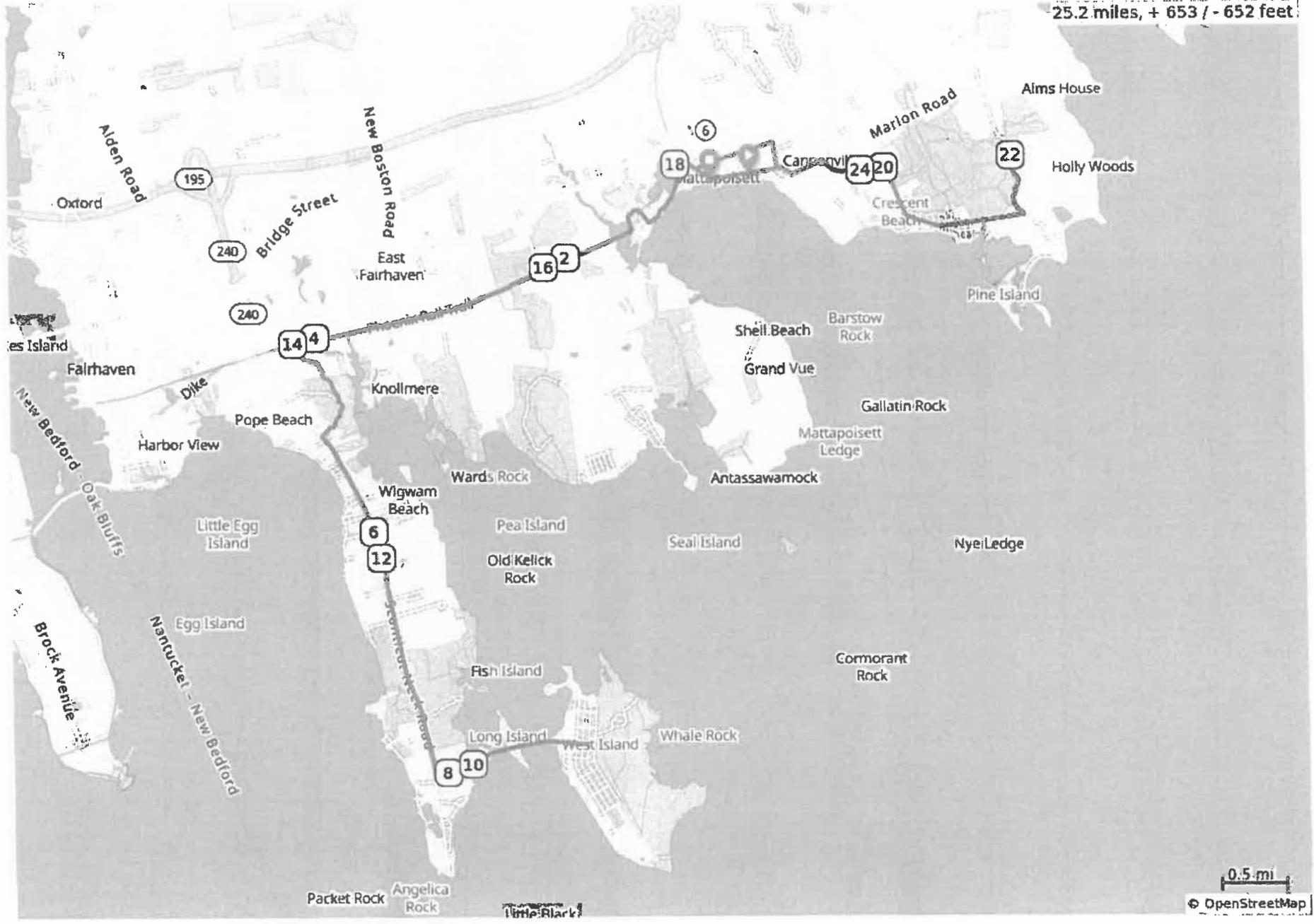
Fairhaven

Please return to:
**Jane Finnerty
Co-chairperson
Tour De Creme
P.O. Box 31, Mattapoisett, MA 02739**

2025 TdC 25 Mile



25.2 miles, + 653 / - 652 feet

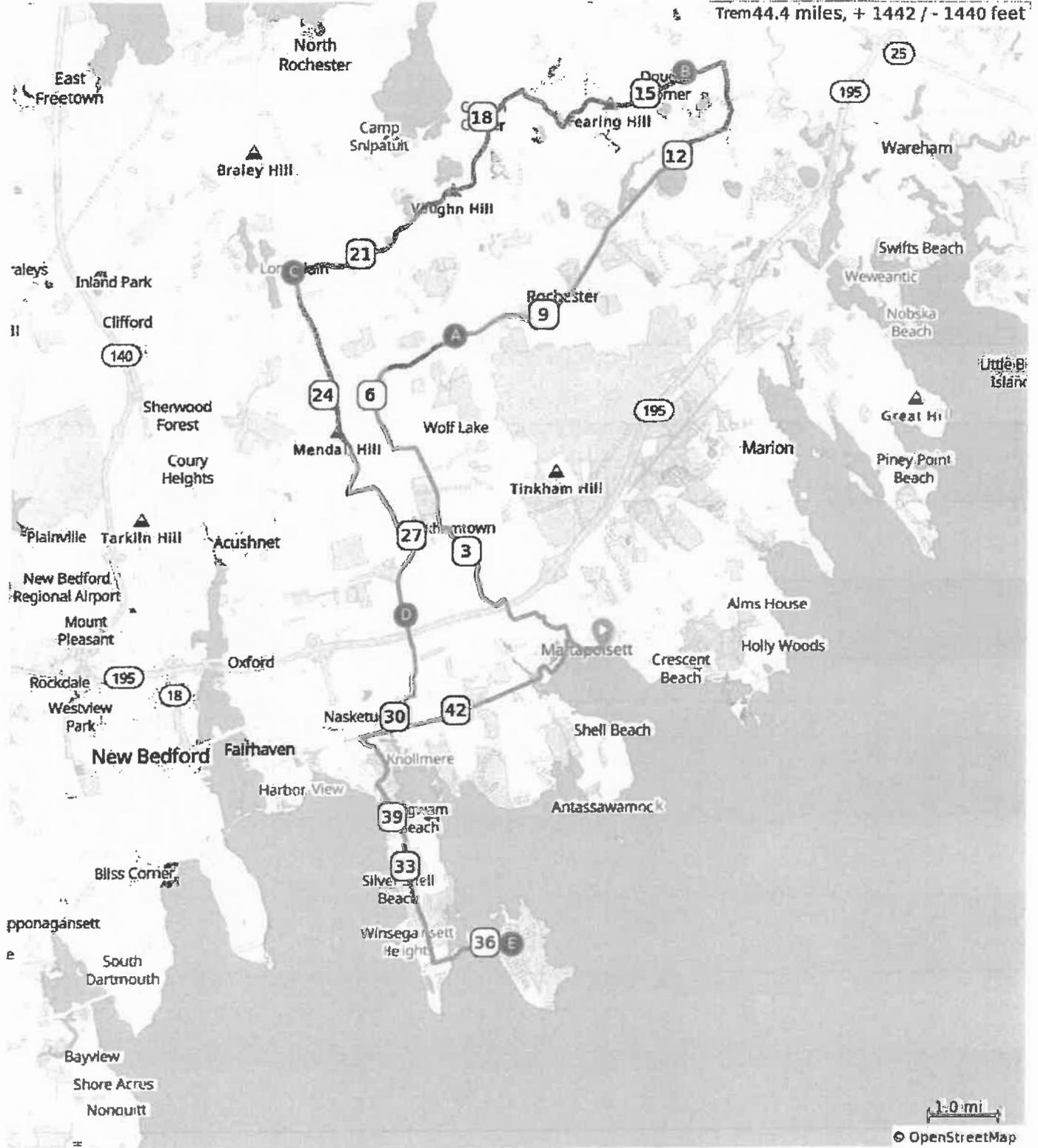


TDC 2025 45-mile route



- A. Captain Bonneys
- B. Robins Nest
- C. Country Whip
- D. Nasketucket Bay Vineyard
- E. West Island Creamery

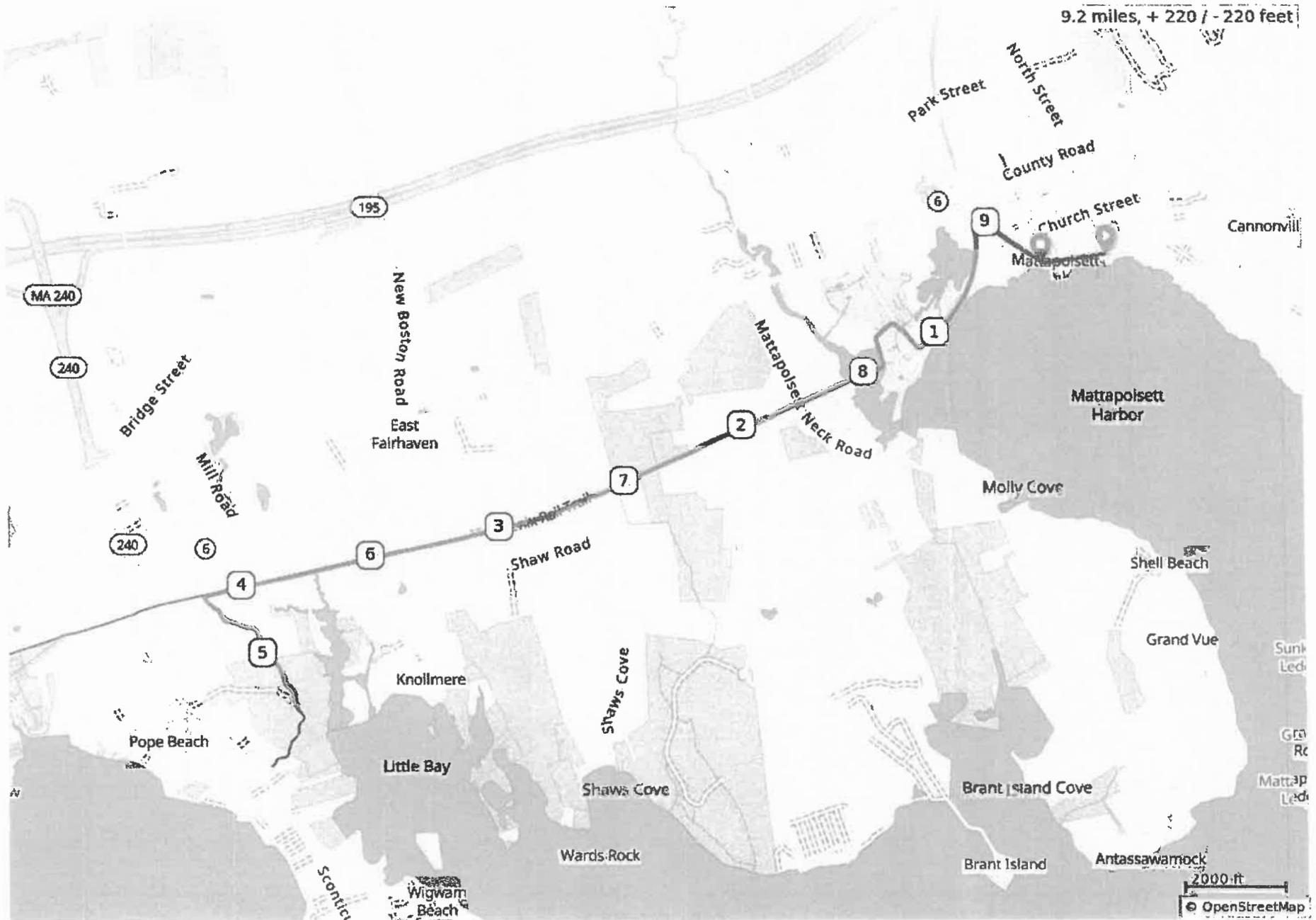
Trem 44.4 miles, + 1442 / - 1440 feet



Tour de Creme 9-mile ride



9.2 miles, + 220 / - 220 feet



EVENT NOTIFICATION FORM

Date: 3-28-25

Mary-Joe Perry, District Five Highway Director
MassDOT, Highway Division
1000 County Street, Taunton, MA 02780

Dear Sir:

Please be advised that the Grantee(s) of this Event 5-2025-0261 has notified the Board of Selectmen/City Council, Local Police Department, Local Fire Department and if applicable the State Police of its intention to conduct **road work/parade/race/ride** or other events impacting State Highways on Route(s) 6 in or through the City/Town(s) of Fairhaven benefiting Motorcycle Run for ALS

The Grantee(s) of this Event understands that it must give the Police and Fire Departments at least 48 hours notice before the commencement of the proposed event.

The Grantee(s) must supply a Traffic Management Plan when the roadway is occupied and for all detours associated with said events to this Department and to all officials listed below. The Grantee(s) must notify the local and/or state police to set up a detour of this area with appropriate signs and barricades. The local Fire Department must be notified of the detour to ensure that measures will be taken to minimize disruption to the Fire Department's emergency service during the event. The Grantee(s) must also notify local media (newspapers, radio) of this proposed event.

The following signatures are required prior to the issuance of the Permit.

LOCAL POLICE DEPARTMENT

Signed: [Signature]
Title: Lieutenant
City/Town: Fairhaven

FIRE DEPARTMENT

Signed: [Signature]
Title: Chief
City/Town: Fairhaven

BOARD OF SELECTMEN/CITY COUNCIL

Signed: _____
Title: _____
City/Town: _____

STATE POLICE DEPARTMENT

Signed: _____
Title: _____
City/Town: _____

180 Washington St, Fairhaven, MA 02719 to Drive 20.6 miles, 36 min
90 Main St, Buzzards Bay, MA 02532



Map data ©2025 Google 2 mi



via US-6 E

32 min without traffic

36 min

20.6 miles

Permit Number	Applicant	Location	Type	Start Date
5-2025-0261	Jacqueline Tome	DISTRICTWIDE	Event - Motor Vehicle Procession	3/24/2025

Status
Action Required by Applicant



i
Application


Manage


Fees


Docs


Notifications


Discuss/Notes


Inspect


Work

i Permit Information

Work Description - Motorcycle Ride for ALS, Sunday June 22nd 2025, 10AM Registration, 11AM departure from 180 Washington St in Fairhaven, continuing through Mattapoiset, Marion, Wareham, to area Buzzards Bay Park, and then returning to Fairhaven. Estimated end time of 4PM. No anticipated street closures for this event. As this is a motorcycle ride, all riders will be following rule and regulations of the road.

Location

Up to 3 Locations Range District Responsible:

Location 1	Location 2	Location 3
<p>Location 1</p> <p>City/Town*: DISTRICTWIDE ▼</p> <p>Route:</p> <p>Street Name:</p> <p>Address*:</p> <p>Closest Intersection / Town Beginning:</p> <p>Mile Marker:</p> <p>Latitude:</p> <p>Longitude:</p>		

Permit Selection

Permit Category*:
Events ▼

Please select a sub-category*:
Motor Vehicle Procession ▼

Please select a final permit description*:
New ▼

Work Order/File #: 

Permit Description: Parades, Road Races, Processions, Bike Events

SAVE

Detailed Work/ Activity Description*: 

Motorcycle Ride for ALS, Sunday June 22nd 2025, 10AM Registration, 11AM departure from 180 Washington St in Fairhaven, continuing through Mattapoiset, Marion, Wareham, to area Buzzards Bay Park, and then returning to Fairhaven. Estimated end time of 4PM. No anticipated street closures for this event. As this is a motorcycle ride, all riders will be following rule and regulations of the road.

Applicant Contact

Contact Name: Jacqueline Tome

Contact Phone:

Contact Email: New Bedford

Company:

Address:

City: **State:** MA **Zip:** 02745

UPDATE CONTACT

Design Consultant / Agent:

Contractor:



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Monica Tibbitts-Nutt, Secretary & CEO
Jonathan L. Gulliver, Highway Administrator



5-2025-0261

PERMIT – DISTRICT 5

Subject to all terms, conditions, and restrictions printed or written below, permission is hereby granted to **JACQUELINE TOME**, 130 Tarklin Hill Road, New Bedford, MA 02745 to enter upon State Highway in the Towns of **FAIRHAVEN, MATTAPOISETT, MARION, WAREHAM, and BOURNE**, for the purpose of conducting a motorcycle Ride for Amyotrophic Lateral Sclerosis (ALS) Research on Sunday, June 22, 2025, from 11:00 a.m. to 4:00 p.m. using the Routes as outlined on the approved sheets.

The ride will begin and end in front of #180 Washington Street in Fairhaven. Approximately 50 to 65 motorcycle riders will take part in this event. The riders will turn right on Route 6 Eastbound and will continue through Mattapoisett, Marion, Wareham, to the Buzzard Bay Park in Bourne, and return. The routes will be on both State and Town owned roadways.

The Grantee(s) is responsible for notifying all local emergency response groups (police, fire, town, etc.) of the event.

This will include any adjacent municipalities that may require emergency response vehicles to travel through the location of this event.

If a rain date is required, the Grantee(s) must submit an alternate date for approval via the State Highway Access Permit System (SHAPS):

<https://shaps.massdot.state.ma.us/>.

All participants in the event and the spectators shall follow the rules of the road and no part of the State roadways will be blocked or detoured by said participants/spectators.

All parties involved with said event should be advised that the pavement markings may be very slippery when the roadway is wet.

Police details shall be located at major intersections to ensure the safe passage of motorists and event participants. The cyclists may be required to dismount and walk in areas that may be a hazard to both the riders and the motoring public and must cooperate with the Police details and all requirements set under the terms of this Permit and at the discretion of the detail officers.

A Police officer and his official vehicle shall lead the front cyclist and another to follow the last cyclist. Additionally, the Grantee(s) shall ensure that all roadways are staffed with the appropriate emergency personnel for the safety and benefit to all participants as well as the motoring public.

District 5, 1000 County Street Taunton, MA 02780
Tel: (857) 368-5000, FAX: (508) 880-6102
www.mass.gov/orgs/highway-division

The Grantee(s) should be aware of any current or proposed roadway work that may affect the flow or safety of the participants and spectators involved with the event. The Police Chief shall be responsible for determining if the proposed route is safe for the procession and spectators. An alternate route will be used if the route is considered unsafe.

It is imperative that the event operations are managed so that motorists travel "delay" on the State Highways and secondary roads are minimized. At any time during the operation when a traffic delay of over twelve (12) minutes occurs or the traffic becomes stopped, and the situation is worsening, the detail officer will begin to adjust and/or suspend said event. Continuously increasing delays or traffic backups are not to be permitted.

The Grantee(s) will supply all required signs and traffic warning devices and shall be in accordance with the Massachusetts Manual on Uniform Traffic Control Devices (MUTCD). The number and location of all signs and devices, as well as uniformed police, shall be as required for the safe and efficient performance of the event and the safety of the pedestrian and motoring public through the detour.

Any areas disturbed within the State Highway Layout shall be graded, loamed, and seeded to the Engineer's satisfaction. All debris and litter remaining from the proposed event shall be removed by the Grantee(s) and the area left clean.

States of Emergencies and Executive Orders

In addition to the conditions and restrictions herein contained, the Grantee is responsible for complying with any relevant Executive Orders or States of Emergencies that may be issued by the Governor's Office while this permit is active. The Governor may declare a State of Emergency in the event or imminent threat of natural or man-made disasters. A State of Emergency can cover a specific municipality, multiple communities, or the entire Commonwealth.

Detailed Information on States of Emergencies and Executive Orders can be found on the Mass.GOV website. <https://www.mass.gov/service-details/state-of-emergency-infomation> and <https://www.mass.gov/massachusetts-executive-orders>.

CLOSING CONDITIONS

ALL OF SAID WORK SHALL COMPLY WITH THE TERMS AND CONDITIONS HEREIN AND MUST BE DONE AS DIRECTED BY AND TO THE SATISFACTION OF THE ENGINEER.

All work done under this contract shall be in conformance with the 2025 Edition of the "Commonwealth of Massachusetts Department of Transportation Standard Specifications for Highway and Bridges" and any subsequent "Supplemental Specifications". All construction shall conform to the January 2025 Massachusetts Department of Transportation, Highway Division "Construction Standard Details" and any subsequent updates; the latest Manual on Uniform Traffic Control Devices with Massachusetts Amendments; the latest edition to the following: the 1996 Construction and Traffic Standard Details (as related to Traffic Standard details only); the 1990 Standard Drawings for Traffic Signs and Supports; the 1968 Standard Drawings for Traffic Signals and Highway Lighting; the latest edition of American Standard for Nursery Stock; the Plans and these Special Provisions. These publications can be accessed from the SHAPS dashboard of from the following link: <https://www.mass.gov/lists/miscellaneous-publications>.

The Grantee(s) shall indemnify and save harmless the Commonwealth and MassDOT, Highway Division, against all suits, claims or liability of every name and nature arising at the time out of or in consequence of the acts of the Grantee(s) in the performance of the work covered by this Permit and/or failure to comply with the terms and conditions of this Permit whether by themselves or their employees or subcontractors.

It is noted that the Grantee(s) will be responsible for future corrective actions resulting from defective work under the subject permit. Any damage to roadway and/or shoulder as a result of the permitted work is the Grantee's responsibility and shall be repaired at his/her expense.

THE GRANTEE(S) SHALL SUBMIT A COMPLETION OF WORK FORM, BY REQUESTING A SIGN-OFF USING THE ACTION LINK IN THE SHAPS DASHBOARD, WHEN THE WORK REQUIRED UNDER THIS PERMIT HAS BEEN COMPLETED IN ORDER FOR A FINAL INSPECTION TO BE PERFORMED BY MASSDOT, HIGHWAY DIVISION. THE LIABILITY ASSUMED UNDER THIS PERMIT WILL CONTINUE UNTIL THE WORK HAS BEEN SIGNED OFF AS COMPLETE.

A COPY OF THIS PERMIT MUST BE ON THE JOB SITE AT ALL TIMES FOR INSPECTION. FAILURE TO HAVE THIS PERMIT AVAILABLE AT THE SITE WILL RESULT IN SUSPENSION OF THE RIGHTS GRANTED BY THE PERMIT.

General and Additional Conditions

Whenever the word "MassDOT" is used herein it shall mean the Massachusetts Department of Transportation – Highway Division, of the Commonwealth of Massachusetts.

Whenever the word "Director" is used herein it shall mean the District Highway Director or other authorized representative of MassDOT.

Whenever the word "Grantee" is used herein it shall mean the person or persons, corporation or municipality to whom this permit is granted, or their legal representatives.

During the progression of the work all above and underground structures shall be properly protected from damage; such protective measures shall be erected and maintained as necessary for the protection of the traveling public; the same shall be properly lit at night; and the Grantee shall be responsible for the damages to persons or property due to or resulting from any work done under this permit.

Except as herein authorized, no excavation shall be made, or obstacle placed within the limits of the State Highways in such a manner as to interfere unnecessarily with the travel over said road.

If any grading of sidewalk work done under this permit interferes with the existing drainage of the State Highway, the Director may require catch basins, outlets installed, or additional regrading or paving, as necessary to resolve the issue.

Wherever the hardened surface of the roadway is disturbed, the Director may consider it necessary to require said surface to be restored by MassDOT resources, the expense thereof shall be borne by the Grantee. All payments to the supplier and to laborers, inspectors, etc., employed by MassDOT for or on account of the work herein contemplated shall be made by said Grantee forthwith on receipt of written orders, pay rolls, or vouchers approved by MassDOT.

IF THE GRANTEE DOES ANY WORK CONTRARY TO THE ORDERS OF THE DIRECTOR, AND, AFTER DUE NOTICE, FAILS TO CORRECT SUCH WORK OR TO REMOVE STRUCTURES OR MATERIALS ORDERED TO BE REMOVED, OR FAILS TO COMPLETE WITHIN THE SPECIFIED TIME THE WORK AUTHORIZED BY THIS PERMIT, MASSDOT MAY, WITH OR WITHOUT NOTICE, CORRECT OR COMPLETE SUCH WORK IN WHOLE OR IN PART, OR REMOVE SUCH STRUCTURES OR MATERIALS, AND THE GRANTEE SHALL REIMBURSE MASSDOT FOR ANY EXPENSE INCURRED IN CORRECTING AND/OR COMPLETING THE WORK OR REMOVING THE STRUCTURES OR MATERIALS.

ALL OF THE WORK HEREIN CONTEMPLATED SHALL BE DONE UNDER THE SUPERVISION AND TO THE SATISFACTION OF THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION, AND THE ENTIRE EXPENSE THEREOF SHALL BE BORNE BY THE GRANTEE.

On the completion of the work herein contemplated all rubbish and debris shall be removed, and the roadway and roadsides shall be left neat and presentable and to the satisfaction of the Director.

MassDOT hereby reserves the right to order the change of location or the removal of any structure or structures authorized by this permit at any time, said change or removal to be made by and at the expense of the Grantee or their successors or assignees.

This permit may be modified or revoked at any time by MassDOT without rendering said MassDOT or the Commonwealth of Massachusetts liable in any way.

All of the above conditions shall be applicable to the work herein authorized, unless the same are inconsistent with the conditions on the face of the permit, in which case the conditions written or printed on the face of the permit shall apply.

The acceptance of this permit or the doing of any work thereunder shall constitute an agreement by the Grantee to comply with all of the conditions and restrictions printed or written herein.



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Monica Tibbits-Nutt, Secretary & CEO
Jonathan L. Gulliver, Highway Administrator



5-2025-0261

Approved Signature

A handwritten signature in black ink, appearing to read "Mary-Joe Perry".

Mary-Joe Perry by D.V.
District Highway Director

Date of Issue: April 8, 2025

Permit Expiration: Wednesday, April 8, 2026



**Town of Fairhaven
Massachusetts
Select Board**

40 CENTER STREET
FAIRHAVEN, MA 02719
TEL: (508) 979-4023
FAX: (508) 979-4079
Selectmen@Fairhaven-MA.gov

**Permit for Third Party use of licensed premise
(For rental or donated use of hall or club by third party)**

PLEASE PRINT

Licensee Name: Waring/Sullivan Fairwan Funeral Home

Date and Hours of Function: June 22, 2025 10am-4pm Raindate June 29, 2025

Name, Address and Telephone Number of Third-Party Group or Individual _____

Kim Perry 180 Washington St, Fairhaven, MA 02719

Kim Perry 180 Washington St, Fairhaven, MA 02719

Name of Responsible Person: Jacqueline Tome

Telephone Number of Responsible Person: _____

Type of Event Detailed Description)

Fundraiser for ALS, 30th Anniversary Danny's Run for ALS

Will There Be Entertainment. If Yes, Describe:

Yes, 1- acoustic

Yes, 1- acoustic

Will Persons Under 21 Be Allowed to be present: Yes No

Estimated Number of Attendees: 100

Will There Be Security for the Event: Yes No

If Yes, Describe:

MUST BE SUBMITTED TO SELECT BOARD AT LEAST 3 BUSINESS DAYS BEFORE EVENT

Fax: 508-979-4079 or Email: LPina@Fairhaven-MA.gov

(Licensing Authority Use Only)

Police Detail Required: YES NO

Number of Officers

Police Chief or Designee Signature

Date



Town of Fairhaven
Massachusetts
Select Board

40 CENTER STREET
FAIRHAVEN, MA 02719
TEL: (508) 979-4023
FAX: (508) 979-4079
Selectboard@Fairhaven-MA.gov

APPLICANT FOR THE USE OF TOWN HALL AUDITORIUM

Name of Organization FAIRHAVEN IMPROVEMENT ASSC.
Responsible Officer FRANK FOSTIN Tel. No. 774 930 1496
Address PO BOX 404 FAIRHAVEN MASS 02719
Purpose of Use SUMMER CONCERTS
Date Requested ATTACHED SHEET Begin Time 6:00 PM End Time 9:00 PM

REQUESTED USE APPROVED TO AVAILABILITY:

Conditions:

REQUEST FOR AUDIO / VISUAL TECHNICIAN: YES _____ NO

Fee will be \$100.00 (up to three hours). Each additional hour will be charged \$25.00. Additional fee will be charged once additional hour begins. Cash or Check made out to The Town of Fairhaven /Town Cable

Select Board

Police Chief/Representative

Date

Fire Department Inspection

Board of Health

Building Department Inspection

FEES (To be completed by the Office of the Select Board)

Office Use only

Rental Fee x _____ hrs. at \$ _____ hr.	=	\$ _____
Plus refundable security deposit in the amount of the rental fee	=	\$ _____
_____ Audio \$100.00 plus x ___ hrs. at \$25.00 /hr.	=	\$ _____
_____ Custodian x _____ hrs. at \$ _____ hr	=	\$ _____
_____ Police x _____ hrs. at \$ _____ hr	=	\$ _____
TOTAL FEES	=	\$ _____

I have received \$ _____ in fees and security deposit for the use of the Town Hall Auditorium on behalf of
Town of Fairhaven from _____
Organization

Date: _____ Signed: _____
Select Board Office

(Security Deposit will be returned after inspection of the premises by the Select Board or its deignee, less any charge for clean up or repair.)



**Town of Fairhaven
Massachusetts
Select Board**

40 Center Street
Fairhaven, MA 02719

Tel: (508) 979-4023
Fax: (508) 979-4079
selectboard@Fairhaven-MA.gov

Release and Indemnification Agreement

In consideration of the rental from the Town of Fairhaven ("Town") of the Town Hall and or Town Hall Auditorium, the undersigned hereby releases and forever discharges the Town and its officers, agents and employees from all suits, claims and demands of any nature whatsoever, including for negligence, which he or she or his or her heirs or assigns may ever have for any personal or bodily injury, death or property damage arising out of, related to or resulting from, in whole or in part, the use of the premises as described above.

The undersigned further agrees, for him or herself and his or her heirs and assigns, to defend and indemnify the Town and its officers, agents and employees against all such suits, claims and demands by any third party, including invitees and others, and to save them forever harmless therefrom.

If any damage to the Town Hall and or Town Hall Auditorium or any equipment or appurtenance therein, results from any act or neglect of the undersigned, its agents, guests, licensees or invitees, The undersigned shall be liable therefore and shall upon demand, reimburse the Town for all costs and expenses of such repairs and damages.

The undersigned hereby acknowledges that he or she has read and understands this release and Indemnification, and that if he or she is signing on behalf of another person or entity, he or she is authorized to do so and that such other person or entity intends to be fully bound hereby.

Signature:

Frank Fostin

Printed Name:

FRANK FOSTIN

Date:

March 28 2025

Before me:

Witness Signature

Concerts

Frank Fostin <ffostin52@gmail.com>

Thu, Mar 27 at 4:15 PM

To: Frank Fostin <ffostin52@gmail.com>

Dates Requested

July 10th

July 17th

July 24th

July 31st

Aug 7th

We request use of the front of Town Hall

We request use of the electricity

We Request use of the Restrooms

We will not be using the auditorium



D 6



Fairhaven Public Safety Division
Fire Department / Emergency Management
Police Department / Animal Control

April 8, 2025

Select Board
Town of Fairhaven
40 Center Street
Fairhaven, MA 02719

Subject: Public Safety Complex Committee

Dear Chairperson,

On behalf of the Police Chief and myself, I would like to propose the following individuals for consideration as members of the Public Safety Complex Committee.

It is proposed that the Committee consist of 13 members, distributed as follows:

1. Fire Chief
1. Police Chief
1. Fire Labor Representative
1. Police Labor Representative
1. Select Board Member
2. Finance Committee Members
4. Citizens at Large
1. Building Department Representative
1. Planning/Conservation Representative

Please note that this proposal is merely a recommendation. We anticipate collaborating effectively to advance this critical project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Todd Correia".

Todd Correia
Fire Chief

Cc: Daniel Dorgan, Police Chief



Monday, April 14, 2025

Executive Sessions

1. Pursuant to G.L. c. 30A, s. 21(a)(3) 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; 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 School Committee v. Fairhaven Zoning Board of Appeals, Land Court 25MISC000064)
2. G.L. c. 30A, s. 21(a)(3) discuss strategy with respect to anticipated litigation where the chair declares that an open session would have a detrimental effect on the Town's litigating position; 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) (anticipated litigation by Patrick Carr and Ruy daSilva; written attorney-client privileged communications regarding same)

AND to return to Open Session



Monday, April 14, 2025

Minutes

1. Accept the Select Board minutes of March 24, 2025 – Open Session
2. Accept the Select Board minutes of March 24, 2025 – Executive Session



FAIRHAVEN SELECT BOARD
Meeting Minutes
March 24, 2025

F 1

Present: Chair Stasia Powers, Vice-Chair Charles Murphy Sr., members Keith Silvia and Andrew Romano, Interim Town Administrator George Samia and Executive Assistant Amy Hart.

Not Present: Clerk Andrew B. Saunders

Ms. Powers opened the meeting at 6:03p.m.

EXECUTIVE SESSION

Motion: Mr. Romano motioned to enter into executive session Pursuant G.L. c. 30A, s. 21(a)(3) discuss strategy with respect to litigation and anticipated litigation where the chair declares that an open session would have a detrimental effect on the Town's litigating position; (*Hickox v. Fairhaven*) AND return to Open Session. Mr. Silvia seconded. Roll Call Vote: Mr. Romano, Mr. Silvia, Mr. Murphy and Ms. Powers all in favor. The motion passed unanimously (4-0-0).

Meeting adjourned to Executive Session from 6:03pm to 6:24pm

APPOINTMENTS AND COMMUNITY ITEMS

Proclamations: M.O. L.I.F.E., INC., Manny Rivera-Ramirez, Melissa Dineen

Ms. Powers read the proclamations. The Board thanked Mr. Murphy and congratulated M.O.L.I.F.E. on its 30th anniversary.

Motion: Mr. Romano motioned to approve the proclamation for M.O.L.I.F.E. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to approve the proclamation for Manny Rivera-Ramirez as read. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to approve the proclamation for Melissa Dineen as read. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Appointment: Historical Commission: Michael J. Silva

Michael J. Silva addressed the Board about his interest and qualifications to be appointed to the Historical Commission. The Board asked about time and training commitments

Motion: Mr. Romano motioned to appoint Michael J. Silva to the Historical Commission for a term through May, 2028. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Event Request: Buzzards Bay Coalition 19th Annual Watershed Ride, October 5, 2025

Kate Reilly of the Buzzards Bay Coalition (BBC) addressed the Board about the event.

Motion: Mr. Romano motioned to approve the Buzzards Bay Coalition 19th Annual Watershed Ride on October 5, 2025. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Special One-Day Liquor License: Annual Full Bloom Festival, June 29, 2025

Organizers of the event were not present and the Board tabled this to invite them to the next meeting to answer questions about the event. The office will reach out to confirm.

Presentation: Electric Vehicle Charging Stations: Resource Lighting & Energy

Jon Scavone of Resource Lighting & Energy addressed the Board and presented information about the potential to install electric vehicle (EV) charging stations at various locations throughout Town (*Attachment A*). Mr. Scavone has been working with Kelly Camara and reviewing potential grant funds available for installing EV charging stations. The Board asked about the type of charger, which schools, cost and liability coverage, financial incentives, whether trees would be removed at any install locations and next steps.

The Board asked Mr. Samia to invite Mr. Scavone to the next Department Head meeting to review the presentation with them and the school for interest.

MINUTES

Motion: Mr. Romano motioned to accept the Open Session minutes of March 10, 2025 and March 17, 2025. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to accept the Executive Session minutes of March 10, 2025 and March 17, 2025. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

TOWN ADMINISTRATOR REPORT

- Fairhaven Eco-Fair: Saturday, April 12, 2025 12:00-3:00p.m. Anne Richard addressed the Board via zoom and reviewed event details. No streets will be closed, events and vendors will be on the lawn of the Unitarian Church.
- Other: Mr. Samia reviewed a sign off as part of the Opioid lawsuits that will not have the Town opt-in on a new addition of pharmacies. This is due to the anticipated workload for records and statistics that would be asked for. Town Counsel recommended this approach.
- FY26 Budget: Monday, March 31, 2025 at 6:00p.m. will be a meeting with the Board to review the budget. As of now, the deficit is at about four hundred sixty-six thousand dollars. State figures are still expected to change.
- Staffing Updates: none at this time. The Board thanked Martha Reed for stepping up in an interim role for the Recreation Center.

ACTION / DISCUSSION

Conservation Restriction: Camel Street Property - Sconticut Neck

Allen Decker of Buzzards Bay Coalition addressed the Board and reviewed the Conservation Restriction (CR) for property off Camel Street on Sconticut Neck; it is just under 11 acres. Mr. Decker said the Conservation Commission supports the CR.

Mr. Silvia asked the Board to hold this item to the next meeting so Mr. Saunders could be present to review and ask questions. He also said this property had come before the Board previously. Mr. Decker said it had not. The Board tabled this to the next regular meeting. Mr. Samia will speak with Mr. Saunders and forward the questions to Mr. Decker to prepare for the next meeting.

Dedication of Council on Aging Courtyard: Jacqueline Kenworthy Memorial Gardens

Council on Aging (COA) Director Martha Reed addressed the Board about the request to dedicate the courtyard area at the COA as the Jacqueline Kenworthy Memorial Gardens. Mrs. Kenworthy's husband, Bob Kenworthy, addressed the Board in support of the dedication. Donations were made in her memory to support the Social Day program and the courtyard garden is a setting that will be used with the Social Day clients. The Lions Club will also work in partnership on this project.

Motion: Mr. Romano motioned to approve renaming the courtyard at the Senior Center to the Jacqueline Kenworthy Memorial Gardens. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Create Gift Account and Accept Donation: Fort Phoenix Flagpole

The Town Accountant submitted a request for the Select Board to authorize the creation of a Fort Phoenix gift account and accept a donation.

Motion: Mr. Romano motioned to create a Fort Phoenix Flagpole gift account and accept the donation of three thousand and sixty-four dollars from Richard and Monica Martin to be deposited into the Fort Phoenix flagpole gift account. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Discuss Appointments for Public Safety Complex Committee

Ms. Hart advised the Board that Chief Correia asked for the item. The Board asked that the Police and Fire Chief submit suggestions as to the makeup of this new committee and place on the next regular agenda.

Discuss Rogers School Request for Proposal (RFP)

This item was tabled

Open, Review and Vote Recommendations for Articles Annual Town Meeting Warrant

Motion: Mr. Romano motioned to open the Town Meeting warrant. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to recommend Adoption for article 4A Bill of Prior Year. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to recommend Adoption for articles 1, 2 and 3. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to recommend Adoption for article 4B General Fund Adjustment. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to recommend Adoption for article 5, Amend Article 9A, 19 from the Annual Town Meeting, May 4, 2024. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to recommend Adoption for article 8, Water Enterprise Fund Capital Budget. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to recommend Adoption for article 9, Sewer Enterprise Fund Capital Budget. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to recommend Adoption for article 10, Other Budget Items. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to recommend Adoption for article 11, State Aid to Highways. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to recommend Adoption for article 12, Community Preservation Committee Appropriations. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to recommend Adoption for article 13A, New Revolving Fund, Roger A. Grimshaw Park. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to recommend Adoption for article 13B, Revolving Funds. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to recommend Adoption for article 14 Rescind Authorized But Unissued

Balance of Borrowing. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to recommend Adoption for article 15, Home Rule Petition: Amend Bylaw Chapter 160 of the Acts of 2003. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to recommend Adoption for article 17, Amend Bylaw, Chapter 164, Solid Waste. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Article 18, Amend Bylaw, Chapter 50, § 3, Meeting to Elect Town Officials. Ms. Powers advised the Board that this article is to move Town Elections to after Town Meeting because Select Board members who have participated in the majority of budget season could change with the election in April versus June. Mr. Romano added that when asked recently, the Town Clerk recommended the second Tuesday in June versus the first based on election deadlines.

Motion: Mr. Romano motioned to recommend Adoption for article 18, Amend Bylaw, Chapter 50, § 3, Meeting to Elect Town Officials with the amendment to language being the second Tuesday. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Article 19, Add Location Under 40-R Zoning District. Cathy Melanson addressed the Board via zoom and advised this is to add an area behind the plaza portion that was not on the original overlay. There is work being done with the Land Use Director Bruce Webb on further details. Ms. Powers recommended the Board review at Town Meeting before making a recommendation.

Motion: Mr. Romano motioned to recommend Adoption for article 20, Public Safety Complex Land Acquisition and Building Design. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Romano motioned to recommend Yield to Petitioner for article 22, Citizen's Petition, Amend Bylaw, Chapter 88, Fairhaven Public Shade Tree Bylaw. Mr. Silvia seconded. The motion passed unanimously (4-0-0).

Motion: Mr. Murphy motioned to recommend Yield to Petitioner for article 23, Citizen's Petition, Amend Bylaw, Chapter 83 Alcohol, Beverages & Drugs §5. Mr. Silvia seconded. The motion failed (2-2-0) Mr. Romano and Ms. Powers opposed.

Motion: Mr. Romano motioned to recommend Indefinite Postponement for article 23, Citizen's Petition, Amend Bylaw, Chapter 83 Alcohol, Beverages & Drugs §5. Ms. Powers seconded. The motion failed (2-2-0) Mr. Murphy and Mr. Silvia opposed.

Brief discussion on the article and potential recommendation vote.

Motion: Mr. Silvia motioned to recommend Yield to Petitioner for article 23, Citizen's Petition, Amend Bylaw, Chapter 83 Alcohol, Beverages & Drugs §5. Mr. Murphy seconded. The motion passed unanimously (4-0-0).

Brief discussion on article 24 that is a Citizen's Petition that has been withdrawn by the petitioner. Information was provided on article 25, Street Acceptance: Alves Way; this was on Special Town Meeting in 2023 and Town Counsel is reviewing as to the format and next steps, added to the warrant if a new vote is needed at Town Meeting.

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

BOARD MEMBER ITEMS / COMMITTEE LIAISON REPORTS

Mr. Silvia reported:

Fort Phoenix Flagpole gift account was created and donation as discussed earlier in the meeting. The Historical Commission had been looking into Battlefield Grants and they are not available at this time.

Mr. Murphy reported:

The Whitfield-Manjiro Friendship Society meeting had technical difficulties and had to be shortened, Lagoa is meeting on Monday, April 7, 2025.

Mr. Romano reported:

As mentioned earlier, Sustainability's Eco-Fair is April 12, 2025. Compost bins are still available. The Belonging Committee is working on events like a story time and voting for a princess to read the next story; they are planning a meet and greet with Fairhaven Police on hate speech versus hate crime; also planning Pride Month and Juneteenth events.

Mr. Romano thanked Ms. Powers for her eighteen years of service and dedication to the Town. Mr. Murphy thanked Ms. Powers for her professionalism through the challenges and commitment to the Town. Mr. Silvia thanked Ms. Powers.

Ms. Powers read a statement to express her gratitude and leave with a few thoughts. She thanked the voters of Fairhaven for the privilege of serving eighteen years, fourteen years on the School Committee and nearly four on the Select Board. She is honored to be the second woman to serve on the Select Board and the first to hold the position of Chair and looks forward to a majority female board as the norm. She reviewed her approach and proudest accomplishments including the Financial Policy and Strategic Goals for the Town. She encouraged collaboration with the new Town Administrator and to prioritize leadership and support of staff.

Ms. Powers thanked Ms. Hart and Mr. Samia. To her Select Board colleagues she called for leadership, to act with the best interests of the Town and noting the School Department is an integral part of the Town. Use legal counsel for advice early. Trust the collective wisdom of the Board. Have a shared responsibility when the Board does not all agree and have unity and respect for the process once a decision is made. She thanked her husband and family for their support.

PUBLIC COMMENT

Doug Brady of Pleasant Street addressed the Board, referred to a previous meeting's Public Comment and referral to the Charter Committee regarding the Town Administrator Act (TA). He said they are a dedicated group, will recommend several positive changes to include in the May Town Meeting. He asked about Mr. Romano's discussion with the TA Search Company about including a legal disclaimer should the job description for the TA change as a result to protect the Town legally. He asked if there had been discussions on the effects on the process and finances. Ms. Powers said there is not a Select Board member on the TA Search Committee and Mr. Romano said his role was to review the firms. Ms. Powers added that until the Charter is passed, the Charter Committee could send a draft to be considered and Mr. Samia said the length of the contract could also be a consideration.

Bob Espindola of John Street addressed the Board via zoom and asked if a location for the Public Safety Complex had been determined. Ms. Powers said not at this time.

Brian Messier of Pleasant Street addressed the Board via zoom and asked in regards to the EV charger sites, who pays the delivery and usage charges. Ms. Powers said it can be looked into for the next presentation.

Pat Carr of Pleasant Street asked for three to three and a half minutes to address the Board. He said his name has been on the agenda several times the last few agendas and read a statement about the delivery of notice to attend the Select Board meeting on February 10, 2025. He said he and Ruy daSilva were not made aware of the charges and were advised by legal counsel not to attend, the hearing was rescheduled to February 26, 2025 and then rescheduled to April 23, 2025. He added that legal fees have been as follows: 2022: \$167,383; 2023: \$276,174; 2024: \$353,129 and year-to-date 2025: \$213,170. He said this does not include School Department. He said he hopes the next Select Board has a greater appreciation for fiscal responsibility and transparency. He left a ledger he received from the Town Accountant's office with Ms. Powers (*Attachment B*).

Brian Monroe addressed the Board via zoom and thanked Ms. Powers for her years of service. It was a pleasure to serve with her on the School Committee and he has watched her serve with grace on the Select Board. He added

that despite what is said, she has acted with great character and honor and in the best interests of the Town.

Ruy daSilva of Bayview Avenue addressed the Board, he said he is on the ZBA and Planning Board and said he and Mr. Carr still have yet to be told what they are accused of and that the Town is spending money and between Ms. Powers and Atty. White, his name is smeared and asked to be told what he has done.

Pam Kuechler of Cedar Street addressed the Board and said she echoed what Mr. Monroe said. It has been a pleasure to work beside Ms. Powers for eighteen years with integrity and kindness. She thanked Ms. Powers for her hard work and keeping the Town at the forefront.

NEWS AND ANNOUNCEMENTS

The next Select Board meetings are as follows: Budget on Monday, March 31, 2025 at 6:00p.m., Election Results on Monday, April 7, 2025 at 8:00p.m. and the next regular meeting on Monday, April 14, 2025, at 6:00 p.m.

Meeting adjourned at 8:32p.m.

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

ATTACHMENTS

- A. Resource Lighting & Energy presentation
- B. Handout: Patrick Carr: Legal account ledger copies

Approved on ____, 2025



Monday, April 14, 2025

Town Administrator Report

1. Staffing Update
2. Board Resignations: Amy Goyer-Zoning Board of Appeals,
Pam Whynot-Commission on Disability
3. Other



Monday, April 14, 2025

Action / Discussion

1. Conservation Restriction: Camel Street Property - Sconticut Neck
2. Review Conflict of Interest Disclosure: Patrick Carr
3. Authorize Redemption of Bonds
4. Open, Review and Vote Recommendations for Articles Annual Town Meeting Warrant
5. Close and Sign Annual Town Meeting Warrant
6. Authorize Town Clerk to Request Election Workers from the Democratic and Republican Town Committees
7. Reassignment of Select Board Committee Liaisons
8. SRPEDD Commission Member Appointment
9. Review and Sign Select Board Meeting Protocols

Camel Street Property CR - Sconticut Neck

1 message

Allen Decker <decker@savebuzzardsbay.org>

Mon, Mar 17, 2025 at 3:05 PM

To: "Amy Hart - Town of Fairhaven ()" <ahart@fairhaven-ma.gov>

Cc: "spowers@fairhaven-ma.gov" <spowers@fairhaven-ma.gov>

Hi Amy, touching base to find out if it's possible to get on the Select Board agenda for March 24 seeking approval of a Conservation Restriction on Sconticut Neck.

I've attached the CR, some airphoto maps and a support letter signed by the Conservation Commission.

BBC is going to acquire this property and we're using a state Conservation Partnership grant to help with the acquisition cost.

The grant program requires a CR be placed on the property and I was with the Con Comm last Fall to explain the project and seek its support for holding the CR to comply with the grant (which led to the signed letter).

As noted from the airphoto maps, the property is forested with some wetlands and a lot of costal adaptation area allowing saltmarsh to move west as a result sea level rise.

You'll see that the eastern end of the property is already part of the expanse of Widemarsh Salt Marsh.

In addition, a large portion is mapped as BioMap Critical Natural Landscape and the project is part of a larger effort by BBC to preserve vulnerable land on Sconticut Neck.

BBC will add the property to our publicly-accessible Nasketucket Bay Reserve.

Please let me know that you received this email and let me know about the meeting.

I appreciate the consideration and thanks in advance!

Cheers, Allen

Allen Decker, Director of Land Protection
BUZZARDS BAY COALITION
Main - 114 Front Street, New Bedford, MA 02740
Tel - 508-999-6363 x.204
www.savebuzzardsbay.org<<http://www.savebuzzardsbay.org/>>

6 attachments

-  **Camel Street CR.pdf**
910K
-  **Nasketucket Bay - Trott_Fairhaven_Aerial Map.pdf**
1373K
-  **Nasketucket Bay - Trott_Fairhaven_BioMap3.pdf**
1294K
-  **Nasketucket Bay - Trott_Fairhaven_Open Space Context.pdf**
1434K
-  **Nasketucket Bay - Trott_Fairhaven_Wetlands & CAA.pdf**
1342K
-  **FCC Letter of Support to BBC Trott Lot - SIGNED.pdf**
854K



TOWN OF FAIRHAVEN, MASSACHUSETTS
CONSERVATION COMMISSION

Town Hall · 40 Center Street · Fairhaven, MA 02719

July 8, 2024

Melissa Cryan
EOEEA
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Nasketucket Bay - Trott Conservation Project
Fairhaven, Massachusetts

Dear Ms. Cryan:

The Town of Fairhaven Conservation Commission (Con Comm) is pleased to support Buzzards Bay Coalition (BBC) in the above referenced project for funds to help complete the protection of approximately 11 acres of land along the Widemarsh saltmarsh on the Nasketucket Bay side of Scoticut Neck in Fairhaven. This application and project protects this undeveloped property and will prevent land use conversion (as the property would support multiple house lots), open the area for public access, protect water quality and fish and wildlife habitat associated with the saltmarsh complex along the shoreline of the Bay.

The property is principally forested uplands with its eastern edge abutting saltmarsh. The topography is such that protection of the property will provide resiliency to the effects of climate change and make it possible for the saltmarsh to migrate westerly over time as sea level rises. My understanding in discussing the project with the BBC is that the BBC has the property under agreement to acquire as part of a building block of conservation land in the immediate area which will add to the overall expanse of conservation land on Scoticut Neck (see enclosed maps). BBC envisions managing the property as a publicly-accessible open space reserve.

The Con Comm commits to holding the conservation restriction (CR) required by the grant program if the application is selected for funding and the Fairhaven Select Board approves. We will work with BBC and the Fairhaven Select Board to create a CR for the property that allows public access for passive recreational activities while protecting important natural resources associated with the coastal habitats.

Thank you for your attention to this letter and working with our partners to protect this important property.

Sincerely,

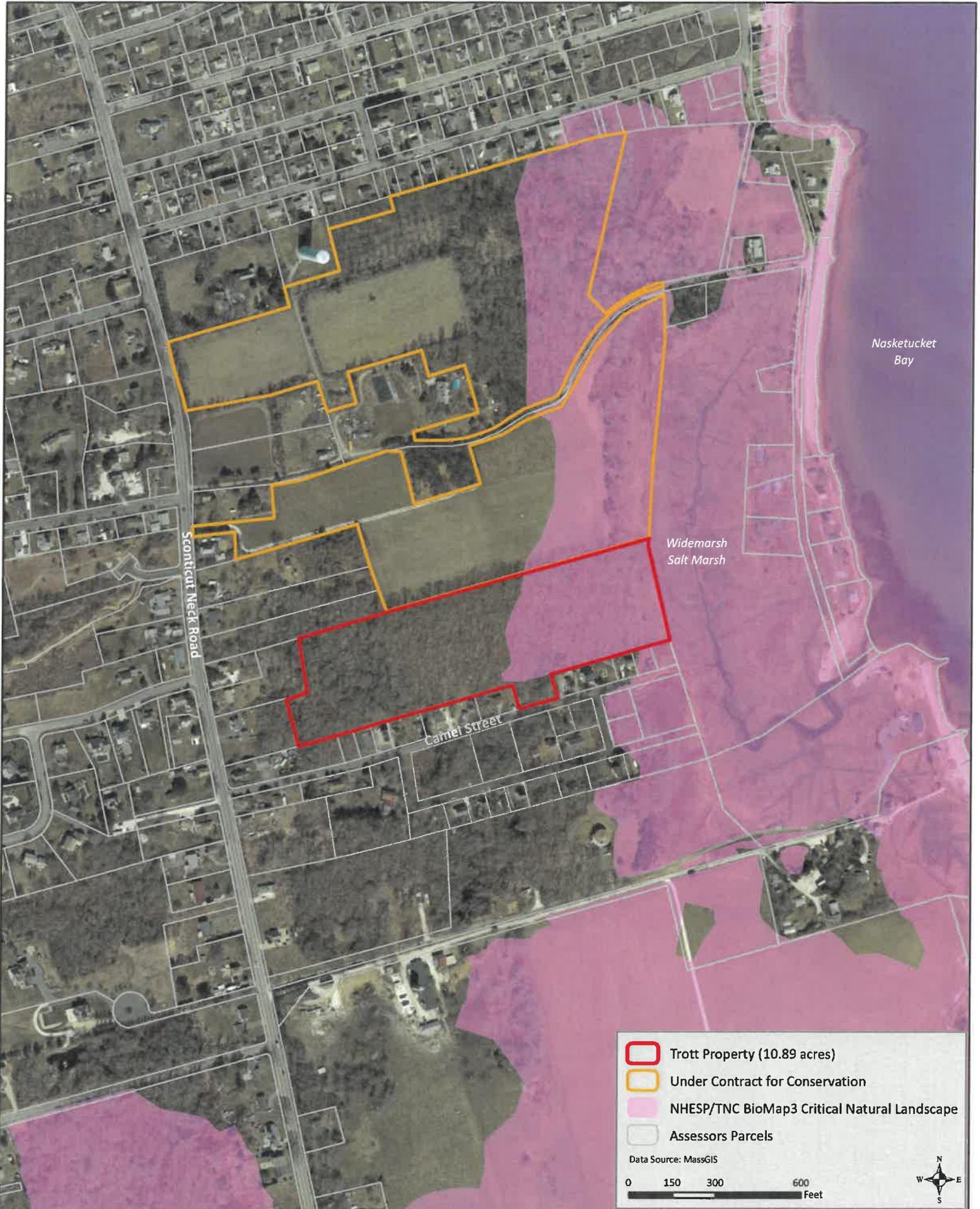


Hugh Bruce Webb
Conservation Agent and Sustainability Coordinator

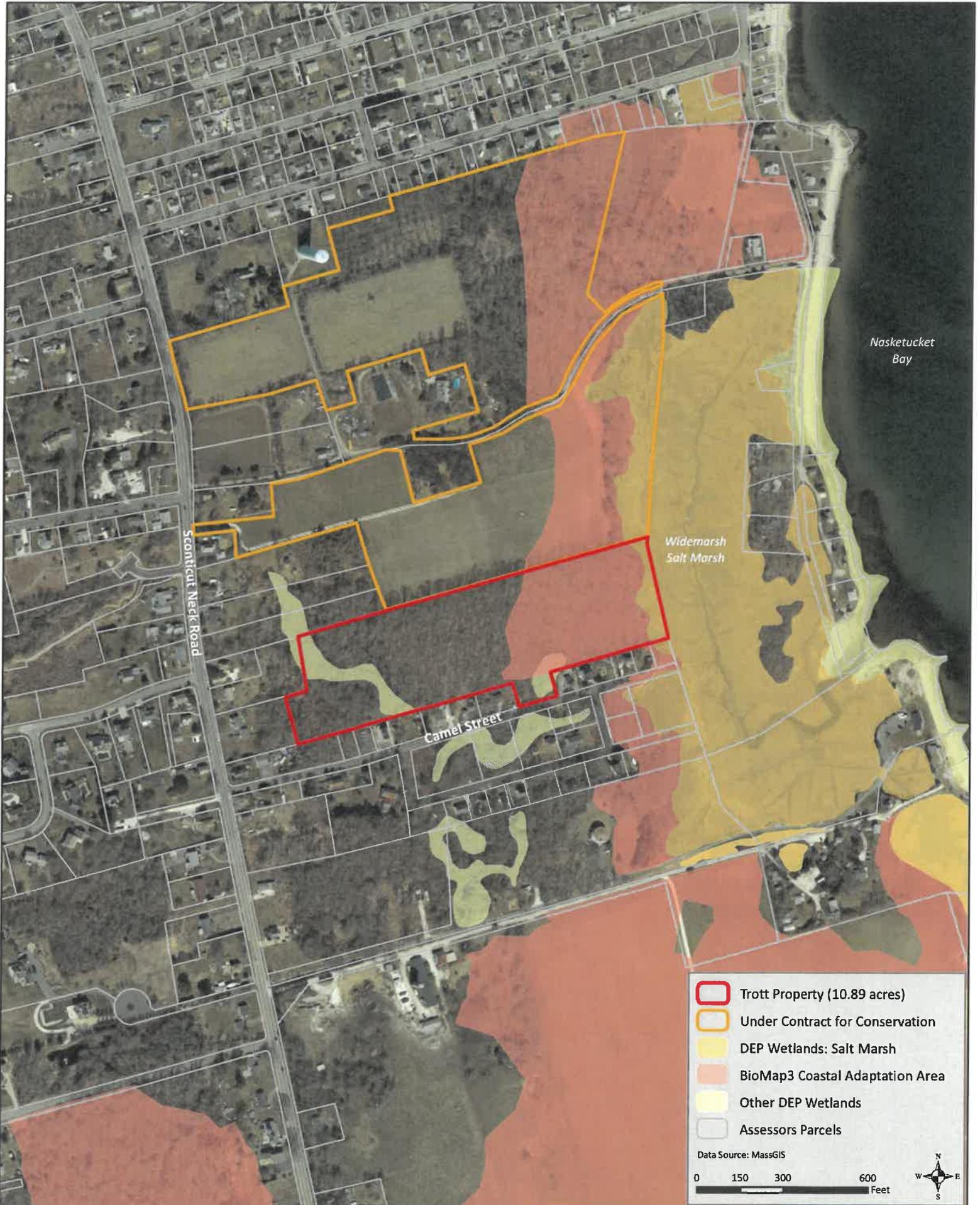
Nasketucket Bay - Trott, Fairhaven - Aerial Map



Nasketucket Bay - Trott, Fairhaven - NHESP/TNC BioMap3



Nasketucket Bay - Trott, Fairhaven - Wetlands and Coastal Adaptation Area



GRANTOR: BUZZARDS BAY COALITION, INC.
GRANTEE: TOWN OF FAIRHAVEN
ADDRESS OF PREMISES: North Side of Camel Street (Vacant Land)
Fairhaven, Massachusetts 02719;
FOR GRANTOR'S TITLE SEE: Bristol County South Registry District
Certificate of Title _____ and
Bristol County (Southern District) Registry of Deeds
Book _____ at Page _____

GRANT OF CONSERVATION RESTRICTION

Camel Street Property, Camel Street, Fairhaven

I. STATEMENT OF GRANT

BUZZARDS BAY COALITION, INC., a Massachusetts non-profit corporation with an address of 114 Front Street, New Bedford, Bristol County, Massachusetts 02740 being the sole owner of the Premises as defined herein, constituting all of the owner(s) of the Premises as defined herein, for its successors and assigns ("Grantor"), acting pursuant to Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws, grants, with QUITCLAIM COVENANTS, to **TOWN OF FAIRHAVEN**, a political subdivision of the Commonwealth of Massachusetts, acting by and through its Conservation Commission, a duly constituted and empowered board of the Town of Fairhaven by the authority of Section 8C of Chapter 40 of the Massachusetts General Laws with an address of 40 Center Street, Fairhaven, Bristol County, Massachusetts 02719, its permitted successors and assigns ("Grantee"), for nominal consideration, IN PERPETUITY AND EXCLUSIVELY FOR CONSERVATION PURPOSES, the following Conservation Restriction on land located in Fairhaven, Bristol County, Massachusetts consisting of three parcels containing 10.89-acres ± ("Premises"), which Premises is more particularly described in Exhibit A and shown in the attached reduced copies of survey plans in Exhibits B-1 and B-2, all of which are incorporated herein and attached hereto.

II. PURPOSES:

This Conservation Restriction is defined in and authorized by Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws and otherwise by law. The purposes of this Conservation Restriction ("Purposes") are to ensure that the Premises will be maintained in perpetuity in its

natural, scenic, or open condition and available for agricultural use, forestry use and passive outdoor recreational use, and to prevent any use or change that would materially impair the Conservation Values (as defined below).

The fee interest in the Premises was acquired utilizing, in part, assistance from the Conservation Partnership program which requires, pursuant to Section 2A of Chapter 286 of the Acts of 2014 and Section 2A of Chapter 102 of the Acts of 2021, the conveyance of this Conservation Restriction.

The Conservation Values protected by this Conservation Restriction include the following:

- **Open Space.** The Premises contributes to the protection of the scenic and natural character of Sconticut Neck in Fairhaven and the protection of the Premises will enhance the open-space value of these and nearby lands. The Premises is part of a larger conservation project involving neighboring properties and is just slightly north of a large assemblage of land already conserved, including lands protected by the Grantor, the Grantee, Fairhaven-Acushnet Land Preservation Trust and the Commonwealth's Department of Agricultural Resources.
- **Water Quality.** Protection of the Premises will prevent the potential development of up to five (5) residential house lots and the associated impacts from impervious surfaces, stormwater runoff, fertilizers and pesticides and will provide buffer to an expansive and critical saltmarsh to the east along the shoreline of Nasketucket Bay. Preventing land use conversion will keep the Premises from further degradation of the water quality in Nasketucket Bay.
- **Public Access.** Public access to the Premises will be allowed for passive outdoor recreation, scenic vista enjoyment, nature study and exploration, environmental education and research and there is the potential to connect hiking/walking trails from the Premises to other surrounding protected open space resulting in an extensive network of trails for exploration and enjoyment.
- **Biodiversity.** The Premises includes areas designated as Critical Natural Landscape as defined by the Massachusetts Natural Heritage and Endangered Species Program. BioMap, last updated in 2022, was designed to guide strategic biodiversity conservation in Massachusetts by focusing land protection and stewardship on the areas that are most critical for ensuring the long-term persistence of rare and other native species and their habitats, exemplary natural communities, and a diversity of ecosystems. BioMap is also designed to include the habitats and species of conservation concern identified in the State Wildlife Action Plan.
- **Climate Change Resiliency.** The Premises is identified as having upland buffer adjacent to coastal habitat per Massachusetts GIS mapping. Such coastal adaptation areas are critical for protection as they provide resiliency to the effects of sea level rise over time due to climate change. In particular, such areas provide an opportunity for salt marsh to migrate inland as saltwater inundation due to sea level rise becomes more prevalent in the

immediate area. The protection of these climate resilient sites is an important step in both reducing human and ecosystem vulnerability to climate change and adapting to changing conditions.

- Consistency with Clearly Delineated Local Governmental Conservation Policy. Protection of the Premises supports the Town of Fairhaven's 2017-2024 Open Space and Recreation Plan ("OSRP") that calls for an increased awareness of open space and protection of habitats and landscapes. Specifically, protection of the Premises supports acquiring critically located parcels of land to prevent development in inappropriate (e.g. coastal) areas (Goal 1, Objective A) and setting aside more land for conservation and open space (Goal 3) as protection of the Premises will prevent land use conversion and its associated impacts and the goal of preserving cultural landscapes important to the Town (Goal 6) such as those that maintain scenic views and the rural character of Sconticut Neck. These OSRP goals are echoed in the Town of Fairhaven's 2018 Master Plan evidencing their importance. The Town of Fairhaven's understanding of the importance of preparation for the effects of climate change are voiced in the Town's Municipal Vulnerability Preparedness Program and protection of the Premises helps achieve high priority actions noted like the importance of land conservation and the effectiveness of natural protective systems.
- Consistency with Clearly Delineated State Governmental Conservation Policy. Conservation of the Premises is in furtherance of the clearly delineated policies of the Commonwealth of Massachusetts to encourage land conservation as exhibited by the designation of areas of the Premises as being NHESP BioMap-designated Critical Natural Landscape which helps protect terrestrial biodiversity within the Commonwealth. Protection of the Premises is consistent with the Buzzards Bay Comprehensive Conservation and Management Plan. This plan, developed in 1991 by the Buzzards Bay National Estuary Program (a cooperative effort sponsored by the Executive Office of Environmental Affairs and the United States Environmental Protection Agency) includes protecting open space in its action plan, with the objectives of improving water quality and protecting biodiversity.
- Consistency with Clearly Delineated Federal Governmental Conservation Policy. Protection of the Premises is for the scenic enjoyment of the general public using Nasketucket Bay and traveling along Sconticut Neck Road and will yield a significant public benefit meeting IRS Code Section 170(h)(4)(A)(iii)(I) and is pursuant to clearly delineated federal, state and local conservation policies meeting IRS Code Section 170(h)(4)(A)(iii)(II).

III. PROHIBITED and PERMITTED ACTS AND USES

A. Prohibited Acts and Uses

The Grantor will not perform or allow others to perform the following acts and uses which are prohibited on, above, and below the Premises:

1. Structures and Improvements. Constructing, placing, or allowing to remain any temporary or permanent structure including without limitation any building, tennis court, landing strip, mobile home, swimming pool, asphalt or concrete pavement, graveled area, roads, sign, fence, gate, billboard or other advertising, antenna, utilities or other structures, utility pole, tower, solar panel, solar array, conduit, line, septic or wastewater disposal system, storage tank, or dam;
2. Extractive Activities/Uses. Mining, excavating, dredging, withdrawing, or removing soil, loam, peat, gravel, sand, rock, surface water, ground water, or other mineral substance or natural deposit, or otherwise altering the topography of the Premises;
3. Disposal/Storage. Placing, filling, storing or dumping of soil, refuse, trash, vehicle bodies or parts, rubbish, debris, junk, tree and other vegetation cuttings, liquid or solid waste or other substance or material whatsoever;
4. Adverse Impacts to Vegetation. Cutting, removing, or destroying trees, shrubs, grasses or other vegetation;
5. Adverse Impacts to Water, Soil, and Other Features. Activities detrimental to drainage, flood control, water conservation, water quality, erosion control, soil conservation, natural habitat, archaeological conservation, or ecosystem function;
6. Introduction of Invasive Species. Planting or introducing any species identified as invasive by the Massachusetts Invasive Plant Advisory Group or identified as invasive in such recognized inventories as the Massachusetts Introduced Pests Outreach Project, the Northeast Aquatic Nuisance Species Panel, or other such inventories, and any successor list as mutually agreed to by Grantor and Grantee;
7. Motor Vehicles. Using, parking, or storing motorized vehicles, including motorcycles, mopeds, all-terrain vehicles, off-highway vehicles, motorboats or other motorized watercraft, snowmobiles, launching or landing aircraft, or any other motorized vehicles, acknowledging that vehicles necessary for public safety (i.e., fire, police, ambulance, other government officials) may have a legal right to enter the Premises;
8. Subdivision. Subdividing or conveying a part or portion of the Premises (as compared to conveyance of the Premises in its entirety which shall be permitted), it being the Grantor's and Grantee's intention to maintain the entire Premises under unified ownership;
9. Use of Premises for Developing Other Land. Using the Premises towards building or development requirements on this or any other parcel;
10. Adverse Impacts to Stone Walls, Boundary Markers. Disrupting, removing, or destroying stone walls, granite fence posts, or any other boundary markers;
11. Residential or Industrial Uses. Using the Premises for residential or industrial purposes;

12. Inconsistent Uses. Using the Premises for commercial purposes that are inconsistent with the Purposes or that would materially impair the Conservation Values, or for any other uses or activities that are inconsistent with the Purposes or that would materially impair the Conservation Values.

B. Permitted Acts and Uses

Notwithstanding the Prohibited Acts and Uses described in Paragraph III.A., the Grantor may conduct or permit the following acts and uses on the Premises, provided they do not materially impair the Purposes and/or Conservation Values. In conducting any Permitted Act and Use, Grantor shall minimize impacts to the Conservation Values to ensure any such impairment thereto is not material.

1. Vegetation Management. Maintaining vegetation, including pruning, trimming, cutting, and mowing, and removing brush, all to prevent, control, and manage hazards, disease, insect or fire damage, and/or in order to maintain the condition of the Premises as documented in the Baseline Report (see Paragraph XV.);
 2. Non-native, Nuisance, or Invasive species. Removing non-native, nuisance, or invasive species, interplanting native species, and controlling species in a manner that minimizes damage to surrounding, non-target species and preserves water quality;
 3. Composting. Stockpiling and composting stumps, brush, limbs, and similar biodegradable materials originating on the Premises;
 4. Natural Habitat and Ecosystem Improvement. Conducting measures designed to restore native biotic communities, or to maintain, enhance or restore wildlife, wildlife habitat, ecosystem function, or rare or endangered species including planting native trees, shrubs, and other vegetation;
 5. Indigenous Cultural Practices. Allowing indigenous peoples to:
 - a. Conduct cultural land ceremonial uses. Cultural practices are defined, for the purposes of this Conservation Restriction, as including traditional spiritual ceremonies, seasonal celebrations, offerings, and cultural, educational, and interpretive programming; and
 - b. Harvest plant-life for traditional cultural practices, using methods which, in the sole judgment of the Grantee, ensure sustainable populations of the harvested species within the Premises, including regrowth and replanting;
 6. Archaeological Investigations. Conducting archaeological activities, including without limitation archaeological research, surveys, excavation and artifact retrieval, but only in accordance with an archaeological field investigation plan, which plan shall also address restoration following completion of the archaeological investigation, prepared by or on behalf of the Grantor and approved in advance of such activity, in writing, by
- Page 5 of 23

the Massachusetts Historical Commission State Archaeologist (or appropriate successor official) and by the Grantee. A copy of the results of any such investigation on the Premises is to be provided to the Grantee;

7. Trails. Maintaining and constructing trails as follows:
 - a. Trail Maintenance. Conducting routine maintenance of trails, which may include widening trail corridors up to twenty (20) feet in width overall, with a treadway up to twelve (12) feet in width.
 - b. New Trails. Constructing new trails or relocating existing trails, provided that any construction or relocation results in trails that conform with the width limitations above.
 - c. Trail Features. Constructing bog bridging, boardwalks, footbridges, railings, steps, culverts, benching, cribbing, contouring, or other such features, together with the use of motorized equipment to construct such features;
8. Signs/Minor Structures. Constructing, installing, maintaining, and replacing gates, barriers, fences, natural resource monitoring equipment, land stewardship/environmental education sheds, signs and informational kiosks with respect to the Permitted Acts and Uses, the Purposes, the Conservation Values, trespass, public access, identity and address of the Grantor, sale of the Premises, the Grantee's interest in the Premises, boundary and trail markings, any gift, grant, or other applicable source of support for the conservation of the Premises;
9. Motorized Vehicles. Using motorized vehicles by persons with mobility impairments or as necessary for engaging in the Permitted Acts and Uses as permitted herein;
10. Parking Area. The construction, maintenance and use of one (1) parking area designed to accommodate safe and adequate motorized vehicle, bicycle and pedestrian access to the Premises (the "Parking Area"). The Parking Area shall be sized to no more than 3,000 square feet and must be constructed using pervious materials, unless site drainage issues or the permit-granting authority requires otherwise, or unless necessary to provide one (1) accessible parking space for those with mobility impairments, in which case measures shall be taken to limit the impacts of stormwater runoff. Prior to any construction permitted in this Paragraph III.B.10., Grantor shall provide written notice to Grantee;
11. Stone Walls. The maintenance and repair of existing stone walls, including the use of field stone and boulders to repair stone walls, and the construction of new stone walls in the style of those existing, and the removal or alteration of existing stone walls to:
 - (a) create openings related to the Parking Area described above in Paragraph III.B.10, and
 - (b) create openings (not to exceed fifteen (15) feet) for New Trails described above in Paragraph III.B.7.b.;
12. Outdoor Passive Recreational and Educational Activities. Hiking, horseback riding, cross-country skiing, snowshoeing, hunting, trapping, nature observation, nature and

educational walks and outings, outdoor educational activities, and other non-motorized outdoor recreational and educational activities;

13. **Forest Management.**

- a. **Harvesting For Personal Use.** The sustainable cutting of trees only for the Grantor's personal use, not to exceed two (2) cords or equivalent volume, shall not require a Forest Stewardship Plan;

C. Site Restoration

Upon completion of any Permitted Acts and Uses, any disturbed areas shall be restored substantially to the conditions that existed prior to said activities, including with respect to soil material, grade, and vegetated ground cover.

D. Compliance with Permits, Regulations, Laws

The exercise of any Permitted Acts and Uses under Paragraph III.B. shall be in compliance with all applicable federal, state and local laws, rules, regulations, zoning, and permits, and with the Constitution of the Commonwealth of Massachusetts. The inclusion of any Permitted Acts and Uses requiring a permit, license or other approval from a public agency does not imply that the Grantee or the Commonwealth takes any position whether such permit, license, or other approval should be issued.

E. Notice and Approval

1. **Notifying Grantee.** Whenever notice to or approval by Grantee is required, Grantor shall notify or request approval from Grantee, by a method requiring proof of receipt, in writing not less than sixty (60) calendar days prior to the date Grantor intends to undertake the activity in question, unless a different time period is specified herein. The notice shall:
 - a. Describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity;
 - b. Describe how the proposed activity complies with the terms and conditions of this Conservation Restriction, and will not materially impair the Purposes and/or Conservation Values;
 - c. Identify all permits, licenses, or approvals required for the proposed activity, and the status of any such permits, licenses, or approvals.
 - d. Describe any other material aspect of the proposed activity in sufficient detail to permit the Grantee to make an informed judgment as to its consistency with the Purposes and Conservation Values.
2. **Grantee Review.** Where Grantee's approval is required, Grantee shall grant or withhold approval in writing within sixty (60) calendar days of receipt of Grantor's request. Grantee's approval shall only be granted upon a showing that the proposed

activity will minimize impacts to the Conservation Values and will not materially impair the Purposes and/or Conservation Values. Grantee may require Grantor to secure expert review and evaluation of a proposed activity by a mutually agreed upon party.

3. **Resubmittal.** Grantee's failure to respond within sixty (60) calendar days of receipt shall not constitute approval of the request. Grantor may subsequently submit the same or a similar request for approval.

IV. INSPECTION AND ENFORCEMENT

A. Entry onto the Premises

The Grantor hereby grants to the Grantee, and its duly authorized agents or representatives, the right to enter the Premises upon reasonable notice and at reasonable times, for the purpose of inspecting the Premises to determine compliance with or to enforce this Conservation Restriction.

B. Legal and Injunctive Relief

1. **Enforcement.** The rights hereby granted shall include the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain compensatory relief, including without limitation, compensation for interim losses (i.e., ecological and public use service losses that occur from the date of the violation until the date of restoration) and equitable relief against any violations, including, without limitation, injunctive relief and relief requiring restoration of the Premises to its condition prior to the time of the injury (it being agreed that the Grantee will have no adequate remedy at law in case of an injunction). The rights hereby granted shall be in addition to, and not in limitation of, any other rights and remedies available to the Grantee for the enforcement of this Conservation Restriction.
2. **Notice and Cure.** In the event the Grantee determines that a violation of this Conservation Restriction has occurred and intends to exercise any of the rights described herein, the Grantee shall, before exercising any such rights, notify the Grantor in writing of the violation. The Grantor shall have thirty (30) calendar days from receipt of the written notice to halt the violation and remedy any damage caused by it, after which time Grantee may take further action, including instituting legal proceedings and entering the Premises to take reasonable measures to remedy, abate or correct such violation, without further notice. Provided, however, that this requirement of deferment of action for thirty (30) calendar days applies only if Grantor immediately ceases the violation and Grantee determines that there is no ongoing violation. In instances where a violation may also constitute a violation of local, state, or federal law, the Grantee may notify the proper authorities of such violation.
3. **Reimbursement of Costs and Expenses of Enforcement.** Grantor covenants and agrees to reimburse to Grantee all reasonable costs and expenses (including counsel fees) incurred by the Grantee in enforcing this Conservation Restriction or in taking

reasonable measures to remedy, abate or correct any violation thereof. In the event of a dispute over the boundaries of the Conservation Restriction, Grantor shall pay for a survey by a Massachusetts licensed professional land surveyor and to have the boundaries permanently marked.

C. Non-Waiver

Enforcement of the terms of this Conservation Restriction shall be at the sole discretion of Grantee. Any election by the Grantee as to the manner and timing of its right to enforce this Conservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.

D. Disclaimer of Liability

By acceptance of this Conservation Restriction, the Grantee does not undertake any liability or obligation relating to the condition of the Premises pertaining to compliance with and including, but not limited to, hazardous materials, zoning, environmental laws and regulations, or acts not caused by the Grantee or its agents.

E. Acts Beyond the Grantor's Control

Nothing contained in this Conservation Restriction shall be construed to entitle the Grantee to bring any actions against the Grantor for any injury to or change in the Premises resulting from natural causes beyond the Grantor's control, including but not limited to fire, flood, weather, climate-related impacts, and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Premises resulting from such causes. In the event of any such occurrence, the Grantor and Grantee will cooperate in the restoration of the Premises, if desirable and feasible.

V. PUBLIC ACCESS

Subject to the provisions of this Conservation Restriction, the Grantor hereby grants access to the Premises to the general public and agrees to take no action to prohibit or discourage access to and use of the Premises by the general public, but only for daytime use and only as described in Paragraph III.B.12. provided that such agreement by Grantor is subject to the Grantor's reserved right to establish reasonable rules, regulations, and restrictions on such permitted recreational use by the general public for the protection of the Purposes and Conservation Values. Grantor has the right to control, limit, or prohibit by posting and other reasonable means activities or uses of the Premises not authorized in Paragraph III.B.12. The Grantee may require the Grantor to post the Premises against any use by the public that results in material impairment of the Conservation Values. This grant of public access to the Premises is solely for the purposes described in Section 17C of Chapter 21 of the Massachusetts General Laws and the Grantor and Grantee hereto express their intent to benefit from exculpation from liability to the extent provided in such section.

VI. TERMINATION/RELEASE/EXTINGUISHMENT

A. Procedure

If circumstances arise in the future that render the Purposes impossible to accomplish, this Conservation Restriction can only be terminated, released, or extinguished, whether in whole or in part, by a court of competent jurisdiction under applicable law after review and approval by the Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts, or successor official ("Secretary") and after other approvals as may be required by Section 32 of Chapter 184 of the Massachusetts General Laws.

B. Grantor's and Grantee's Right to Recover Proceeds

If any change in conditions ever gives rise to termination, release, or extinguishment of this Conservation Restriction under applicable law, then Grantee on a subsequent sale, exchange, or involuntary conversion of the Premises, shall be entitled to a portion of the proceeds in accordance with Paragraph VI.C., subject, however, to any applicable law which expressly provides for a different disposition of the proceeds, and after complying with the terms of any gift, grant, or funding requirements. The Grantee shall use its share of any proceeds in a manner consistent with the Purposes or the protection of the Conservation Values.

C. Grantee's Receipt of Property Right

Grantor and Grantee agree that the conveyance of this Conservation Restriction gives rise to a real property right, immediately vested in the Grantee, with a fair market value that is at least equal to the proportionate value that this Conservation Restriction bears to the value of the unrestricted Premises. The proportionate value of the Grantee's property right will be determined as of the date of termination, release, or extinguishment.

D. Cooperation Regarding Public Action

Whenever all or any part of the Premises or any interest therein is taken by public authority under power of eminent domain or other act of public authority, then the Grantor and the Grantee shall cooperate in recovering the full value of all direct and consequential damages resulting from such action. All related expenses incurred by the Grantor and the Grantee shall first be paid out of any recovered proceeds, and the remaining proceeds shall be distributed between the Grantor and Grantee in accordance with Paragraph VI.B. and Paragraph VI.C. If less than a fee interest is taken, the proceeds shall be equitably allocated according to the nature of the interest taken. The Grantee shall use its share of any proceeds in a manner consistent with the Purposes or the protection of the Conservation Values.

VII. DURATION and ASSIGNABILITY

A. Running of the Burden

The burdens of this Conservation Restriction shall run with the Premises in perpetuity, and shall be enforceable against the Grantor and the successors and assigns of the Grantor holding any interest in the Premises.

B. Execution of Instruments

The Grantee is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Conservation Restriction. The Grantor, on behalf of itself and its successors and assigns, appoints the Grantee its attorney-in-fact to execute, acknowledge and deliver any such instruments on its behalf. Without limiting the foregoing, the Grantor and its successors and assigns agree themselves to execute any such instruments upon request.

C. Running of the Benefit

The benefits of this Conservation Restriction shall run to the Grantee, shall be in gross and shall not be assignable by the Grantee, except when all of the following conditions are met:

1. the Grantee requires that the Purposes continue to be carried out;
2. the assignee is not an owner of the fee in the Premises;
3. the assignee, at the time of the assignment, qualifies under 26 U.S.C. 170(h), and applicable regulations thereunder, if applicable, and is eligible to receive this Conservation Restriction under Section 32 of Chapter 184 of the Massachusetts General Laws; and
4. the assignment complies with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

VIII. SUBSEQUENT TRANSFERS

A. Procedure for Transfer

The Grantor agrees to incorporate by reference the terms of this Conservation Restriction in any deed or other legal instrument which grants any interest in all or a portion of the Premises, including a leasehold interest and to notify the Grantee not less than twenty (20) calendar days prior to the effective date of such transfer. Failure to do any of the above shall not impair the validity or enforceability of this Conservation Restriction. If the Grantor fails to reference the terms of this Conservation Restriction in any deed or other legal instrument which grants any interest in all or a portion of the Premises, then the Grantee may record, in the applicable registry of deeds, or registered in the applicable land court registry district, and at the Grantor's expense, a notice of this Conservation Restriction. Any transfer will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

B. Grantor's Liability

The Grantor shall not be liable for violations occurring after their ownership. Liability for any acts or omissions occurring prior to any transfer and liability for any transfer if in violation of this Conservation Restriction shall survive the transfer. Any new owner shall cooperate in the restoration of the Premises or removal of violations caused by prior owner(s) and may be held responsible for any continuing violations.

IX. ESTOPPEL CERTIFICATES

Upon request by the Grantor, the Grantee shall, within sixty (60) calendar days execute and deliver to the Grantor any document, including an estoppel certificate, which certifies the Grantor's compliance or non-compliance with any obligation of the Grantor contained in this Conservation Restriction.

X. NON MERGER

The parties intend that any future acquisition of the Premises shall not result in a merger of the Conservation Restriction into the fee. The Grantor agrees that it will not grant, and the Grantee agrees that it will not take title, to any part of the Premises without having first assigned this Conservation Restriction following the terms set forth in Paragraph VII.C to ensure that merger does not occur and that this Conservation Restriction continues to be enforceable by a non-fee owner.

XI. AMENDMENT

A. Limitations on Amendment

Grantor and Grantee may amend this Conservation Restriction only to correct an error or oversight, clarify an ambiguity, maintain or enhance the overall protection of the Conservation Values, or add real property to the Premises, provided that no amendment shall:

1. affect this Conservation Restriction's perpetual duration;
2. be inconsistent with or materially impair the Purposes;
3. affect the qualification of this Conservation Restriction as a "qualified conservation contribution" or "interest in land" under any applicable laws, including 26 U.S.C. Section 170(h), and related regulations;
4. affect the status of Grantee as a "qualified organization" or "eligible donee" under any applicable laws, including 26 U.S.C. Section 170(h) and related regulations, and Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws; or
5. create an impermissible private benefit or private inurement in violation of federal tax law, as determined by an appraisal, conducted by an appraiser selected by the Grantee, of the economic impact of the proposed amendment; or
6. alter or remove the provisions described in Paragraph VI (Termination/Release/Extinguishment); or
7. cause the provisions of this Paragraph XI to be less restrictive; or

8. cause the provisions described in Paragraph VII.C (Running of the Benefit) to be less restrictive

B. Amendment Approvals and Recording

No amendment shall be effective unless documented in a notarized writing executed by Grantee and Grantor, approved by the Town of Fairhaven and by the Secretary in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws, and recorded in the applicable registry of deeds or registered in the applicable land court registry district.

XII. EFFECTIVE DATE

This Conservation Restriction shall be effective when the Grantor and the Grantee have executed it, the administrative approvals required by Section 32 of Chapter 184 of the Massachusetts General Laws have been obtained, and it has been recorded in the applicable registry of deeds or registered in the applicable land court registry district.

XIII. NOTICES

Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage pre-paid, addressed as follows:

To Grantor: Buzzards Bay Coalition, Inc.
114 Front Street
New Bedford, Massachusetts 02740
Attn: Watershed Protection

To Grantee: Town of Fairhaven
c/o Conservation Commission
40 Center Street
Fairhaven, Massachusetts 02719

or to such other address as any of the above parties shall designate from time to time by written notice to the other or, if notice is returned to sender, to an address that is reasonably ascertainable by the parties.

XIV. GENERAL PROVISIONS

A. Controlling Law

The interpretation and performance of this Conservation Restriction shall be governed by the laws of the Commonwealth of Massachusetts.

B. Liberal Construction

Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be liberally construed in order to effect the Purposes and the policy and purposes of Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws. If any provision in this instrument is found to be ambiguous, any interpretation consistent with the Purposes that would render the provision valid shall be favored over any interpretation that would render it invalid.

C. Severability

If any provision of this Conservation Restriction or the application thereof to any person or circumstance is found to be invalid, the remainder of the provisions of this Conservation Restriction shall not be affected thereby.

D. Entire Agreement

This instrument sets forth the entire agreement of the Grantor and Grantee with respect to this Conservation Restriction and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Conservation Restriction, all of which are merged herein.

XV. BASELINE DOCUMENTATION REPORT

The Conservation Values, as well as the natural features, current uses of, and existing improvements on the Premises, such as, but not limited to, trails, woods roads, structures, meadows or other cleared areas, agricultural areas, and scenic views, as applicable, are described in a Baseline Documentation Report ("Baseline Report") prepared by Grantee with the cooperation of the Grantor, consisting of maps, photographs, and other documents and on file with the Grantee and included by reference herein. The Baseline Report (i) is acknowledged by Grantor and Grantee to be a complete and accurate representation of the condition and values of the Premises as of the date of this Conservation Restriction, (ii) is intended to fully comply with applicable Treasury Regulations, (iii) is intended to serve as an objective information baseline for subsequent monitoring of compliance with the terms of this Conservation Restriction as described herein, and (iv) may be supplemented as conditions on the Premise change as allowed over time. Notwithstanding the foregoing, the parties may utilize any evidence of the condition of the Premises at the time of this grant in addition to the Baseline Report.

XVI. MISCELLANEOUS

A. Pre-existing Public Rights

Approval of this Conservation Restriction pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws by any municipal officials and by the Secretary, is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

B. Release of Homestead

The Grantor attests that there is no residence on or abutting the Premises (including areas excluded from the Premises) that is occupied or intended to be occupied as a principal residence by a spouse, former spouse, or children of the grantor, or a spouse, former spouse, or children of a beneficiary of the trust, if Premises is owned by a trust.

C. No Surety Interest

The Grantor attests that there is no mortgage, promissory note, loan, lien, equity credit line, refinancing assignment of mortgage, lease, financing statement or any other agreement which gives rise to a surety interest affecting the Premises.

D. Executory Limitation

If Grantee shall cease to exist or to be qualified to hold conservation restrictions pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws, or to be qualified organization under 26 U.S.C. 170(h), and applicable regulations thereunder, if applicable, and a prior assignment is not made pursuant to Paragraph VII, then Grantee's rights and obligations under this Conservation Restriction shall vest in such organization as a court of competent jurisdiction shall direct pursuant to the applicable Massachusetts law and with due regard to the requirements for an assignment pursuant to Paragraph VII.

E. Prior Encumbrances

This Conservation Restriction shall be in addition to and not in substitution of any other restrictions or easements of record affecting the Premises.

F. Maintenance and Upkeep Costs

Grantor shall retain all responsibilities and shall bear all costs and liabilities of any kind related to ownership, operation, upkeep and maintenance of the Premises, including maintenance of adequate comprehensive general liability insurance coverage or such like liability insurance coverage as may be appropriate from time to time. Upon request, Grantor will supply a certificate of such insurance to Grantee. Grantor shall keep the Premises free of any liens arising out of work performed for, materials furnished to, or obligations incurred by Grantor.

G. Taxes

Grantor shall pay before delinquency all taxes, assessments, fees and charges of whatever description levied on, or assessed against, the Premises by competent authority (collectively "Taxes"), including any Taxes imposed upon, or incurred as a result of, this Conservation Restriction and shall furnish Grantee with satisfactory evidence of payment upon request.

H. Title Warranty

Grantor warrants that Grantor has good title to the Premises, that the Grantor has the right to convey this Conservation Restriction and that the Premises is free and clear of any encumbrances. Grantor also warrants that Grantor has no actual knowledge of a release or threatened release of hazardous substances or wastes on the Premises.

I. The following signature pages are included in this Grant:

Grantor
Grantee Acceptance
Approval of Select Board
Approval of the Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts

J. The following exhibits are attached and incorporated herein:

Exhibit A: Legal Description of Premises
Exhibit B-1: Reduced Copy of Filed Plan of Premises (Registered Land)
Exhibit B-2: Reduced Copy of Recorded Plan of Premises (Recorded Land)

WITNESS my hand and seal this ____ day of _____, 2025.

BUZZARDS BAY COALITION, INC.

Mark Rasmussen, President, duly authorized

Michael T. Huguenin, Assistant Treasurer, duly authorized

THE COMMONWEALTH OF MASSACHUSETTS

County, ss:

On this ____ day of _____, 2025, before me, the undersigned notary public, personally appeared Mark Rasmussen and Michael T. Huguenin, and proved to me through satisfactory evidence of identification which was _____ to be the persons whose names are signed on the proceeding or attached document, and acknowledged to me that they were duly authorized and signed it voluntarily for its stated purpose as President and Assistant Treasurer, respectively, of Buzzards Bay Coalition, Inc.

Notary Public
My Commission Expires: _____

ACCEPTANCE OF TOWN OF FAIRHAVEN CONSERVATION COMMISSION

We, the undersigned, being a majority of the Conservation Commission of the Town of Fairhaven, Massachusetts, hereby certify that at a public meeting duly held on _____, 2025, the Conservation Commission voted to approve and accept the foregoing Conservation Restriction from Buzzards Bay Coalition, Inc. pursuant to Section 32 of Chapter 184 and Section 8C of Chapter 40 of the Massachusetts General Laws and authorized the undersigned to execute the foregoing Conservation Restriction on behalf of the Commission, and do hereby accept the foregoing Conservation Restriction.

TOWN OF FAIRHAVEN CONSERVATION COMMISSION:

Brandon Estrella

Anthony Couto

Wendy Drumm

Karyn Ferreira

Jake Galary

Karen Goodhue

Diane Tomassetti

THE COMMONWEALTH OF MASSACHUSETTS

County, ss:

On this ____ day of _____, 2025, before me, the undersigned notary public, personally appeared Brandon Estrella, Wendy Drumm, Jake Galary, Anthony Couto, Karyn Ferreira, Karen Goodhue and Diane Tomassetti, and proved to me through satisfactory evidence of identification which was _____ to be the persons whose names are signed on the proceeding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires: _____

APPROVAL OF TOWN OF FAIRHAVEN SELECT BOARD

We the undersigned, being a majority of the Select Board of the Town of Fairhaven, hereby certify that at a public meeting duly held on _____, 2025, the Select Board voted to approve the foregoing Conservation Restriction from Buzzards Bay Coalition, Inc. to the Town of Fairhaven, acting by and through its Conservation Commission, in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws.

TOWN OF FAIRHAVEN SELECT BOARD

Stasia Powers

Keith Silvia

Charles K. Murphy, Sr.

Andrew Romano

Andrew B. Saunders

THE COMMONWEALTH OF MASSACHUSETTS

_____ County, ss:

On this ____ day of _____, 2025, before me, the undersigned notary public, personally appeared Stasia Powers, Charles K. Murphy, Sr., Andrew B. Saunders, Keith Silvia and Andrew Romano and proved to me through satisfactory evidence of identification which was _____ to be the persons whose names are signed on the proceeding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires: _____

APPROVAL OF SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS OF THE COMMONWEALTH OF MASSACHUSETTS

The undersigned, Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts, hereby approves the foregoing Conservation Restriction from Buzzards Bay Coalition, Inc. to the Town of Fairhaven, acting by and through its Conservation Commission, in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws.

Dated: _____, 2025

Rebecca L. Tepper
Secretary of Energy and Environmental Affairs

THE COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss:

On this ____ day of _____, 2025, before me, the undersigned notary public, personally appeared Rebecca L. Tepper, and proved to me through satisfactory evidence of identification which was _____ to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires: _____

EXHIBIT A

Description of the Premises

The land in Fairhaven, Bristol County, Massachusetts, containing 10.89 acres ± and consisting of three (3) parcels described as follows:

REGISTERED LAND

"Lot 3" and "Lot 4" on a plan of land titled "Plan of Land in Fairhaven", dated March 22, 1957, by William F. Kirby, Surveyor, filed in the Bristol County (South) Registry District as plan of land 27550A.

Said lots being currently identified as Fairhaven Assessors Map 29, Lots 71 and 54, respectively.

Being the same property conveyed to Buzzards Bay Coalition, Inc. by a deed filed _____, 2025 as Document _____ in the Bristol County (South) Registry District.

RECORDED LAND

"Map 29, Lot 22D" on a plan of land titled "Approval Not Required Plan of Land, 463 Sconticut Neck Road, Fairhaven, MA", dated December 8, 2023, by G.A.F. Engineering, Inc., 266 Main Street, Wareham, MA 02571, recorded in Plan Book 187 at Page 2 in the Bristol County (Southern District) Registry of Deeds.

Said Lot being currently identified as Fairhaven Assessors Map 29, Lot 22D.

Being the same property conveyed to Buzzards Bay Coalition, Inc. by a deed recorded _____, 2025 in Deed Book _____ at Page _____ in the Bristol County (Southern District) Registry of Deeds.

EXHIBIT B-1

Reduced Copy of Filed Plan of Premises (Registered Land)

For official full size plan see Bristol County (South) Registry District Plan 27550A

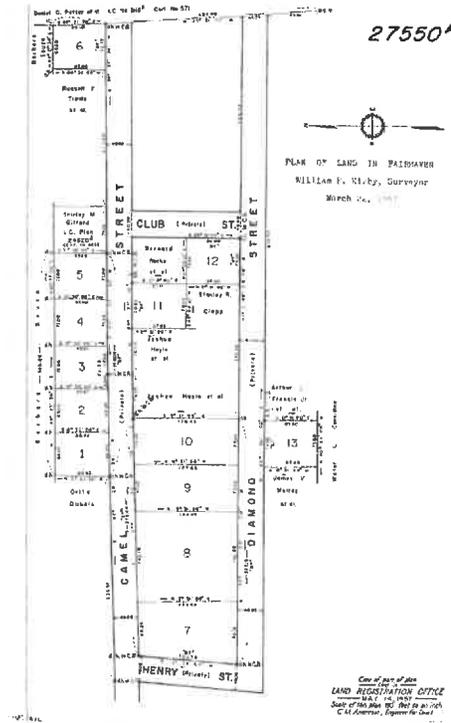
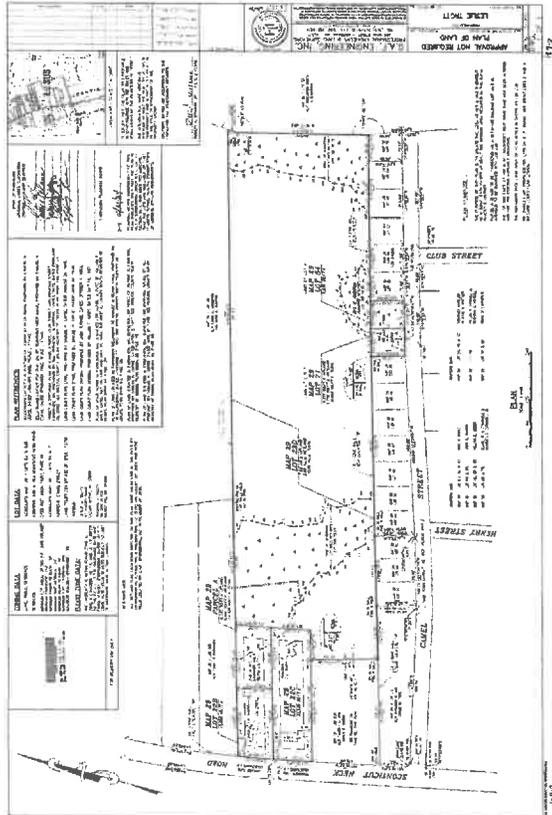


EXHIBIT B-2

Reduced Copy of Recorded Plan of Premises (Recorded Land)

For official full size plan see Bristol County (Southern District) Registry of Deeds
Plan Book 187 at Page 2



**DISCLOSURE BY NON-ELECTED MUNICIPAL EMPLOYEE OF FINANCIAL INTEREST
 AND DETERMINATION BY APPOINTING AUTHORITY
 AS REQUIRED BY G. L. c. 268A, § 19**

MUNICIPAL EMPLOYEE INFORMATION	
Name:	
Title or Position:	Zoning Board of Appeals - Chairperson
Municipal Agency:	Town of Fairhaven
Agency Address:	40 Center Street Fairhaven, MA 02719
Office Phone:	508 (979-4023
Office E-mail:	Elisabeth Horan <ehoran@fairhaven-ma.gov>
	My duties require me to participate in a particular matter, and I may not participate because of a financial interest that I am disclosing here. I request a determination from my appointing authority about how I should proceed.
PARTICULAR MATTER	
Particular matter E.g., a judicial or other proceeding, application, submission, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, decision, determination, or finding.	Please describe the particular matter. My name is Patrick Carr and I serve as the chair on the Zoning Board of Appeals, and I am classified as a special town employee. I am presently a co-owner with my daughter (Erin Carr) of Seaspray Container Company and have a financial interest (contract) with the School Department and the Town of Fairhaven. Presently we have 6 storage containers that are leased to the School Department and 1 storage container lease to the Town of Fairhaven. There are 2 storage containers located at the High School (School Department) , 2 at the Administration building (School Department), 1 at the Wood School (School Department), 1 at East Elementary School (School Department) and 1 at Hastings Middle School (Town of Fairhaven). Since I have a financial interest (contracts) with the School Department, I have a potential conflict of interest, and it is my responsibility to address this issue with the MA State Ethics Commission. I have done so and have been advised by the State Ethics Commission to submit a discloser of financial interest to the appointing authority (Select Board). I am submitting the State Ethics findings and summation and advice along with the dated contracts and the appropriate MA GL exemptions and codes.
Your required participation in the particular matter: E.g., approval, disapproval, decision, recommendation, rendering advice, investigation, other.	Please describe the task you are required to perform with respect to the particular matter. I, (Patrick Carr) acting as a Chair on the Fairhaven Zoning Board of Appeals, will actively participate in upcoming ZBA meetings concerning the School Department. I am required by law to submit a formal discloser prior to any ZBA meetings with the appointing body, the Fairhaven Select Board. I am submitting evidence of compliance in reference to the MA G. L. C. 268A "Conflict of Interest Law" under 19 (B)(1) and 23 (B) (3) to seek

approval from the appointing body (Fairhaven Select Board) as the law mandates. I submit the summation and conclusion that was afforded to me by the MA State Ethics Commission, the dated contracts with Seaspray Container Company, The Town of Fairhaven's list of "Special Employees" and will ask to come before the appointing body at their next available scheduled meeting on 04/14/2025 for determination.

FINANCIAL INTEREST IN THE PARTICULAR MATTER

Write an X by all that apply.

- I have a financial interest in the matter.
- My immediate family member has a financial interest in the matter.
- My business partner has a financial interest in the matter.
- I am an officer, director, trustee, partner or employee of a business organization, and the business organization has a financial interest in the matter.
- I am negotiating or have made an arrangement concerning future employment with a person or organization, and the person or organization has a financial interest in the matter.

Financial interest in the matter

Please explain the financial interest and include a dollar amount if you know it.

The contracts between The School Department and Seaspray Container Company are included in the documents submitted. The monthly rental fees for the 2 containers located at the Fairhaven High School are \$99.00 per container, (2 containers). Total: \$198.00 per month. The storage containers are leased on a month-to-month basis. Additionally, the monetary gain received by Seaspray Container Company from its business with the Fairhaven Town/School Department is less than 2% of its gross annual rental sales. For this reason, it would not have the weight to influence any of my decisions with improper decisions or favoritism.

Employee signature:



Date: 04/09/2025

DETERMINATION BY APPOINTING OFFICIAL

APPOINTING AUTHORITY INFORMATION

Name of Appointing Authority:

Title or Position:

Agency/Department:	
Agency Address:	
Office Phone:	
Office E-mail	
	DETERMINATION
Determination by appointing authority:	As appointing official, as required by G.L. c. 268A, § 19, I have reviewed the particular matter and the financial interest identified above by a municipal employee. I have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.
Appointing Authority signature:	
Date:	
Comment:	

Attach additional pages if necessary.

The appointing authority shall keep this Disclosure and Determination as a public record.

Form revised February, 2012

Motion for Redemption of Bonds

I move that the Board authorize the Town Treasurer to redeem \$345,000 principal amount of general obligation bonds issued by the Town on July 25, 2018 to finance acquisition of a fire ladder truck, such bonds being a part of a larger municipal purpose loan issue issued on that date. The bonds to be redeemed (the "Redeemed Bonds") are to be redeemed on July 1, 2025 and have stated maturities as follows:

\$90,000	January 15, 2026
85,000	January 15, 2027
85,000	January 15, 2028
85,000	January 15, 2029

Such redemption will be contingent on the approval of a transfer from free cash totaling \$351,072.50 by the 2025 Annual Town Meeting. Such amount is to pay the principal of and accrued interest on the Redeemed Bonds to July 1, 2025 and related costs of the transaction.

I further move that the Town Treasurer, the Town Administrator, and other Town officials and representatives be authorized to take any and all actions required in order to effect the redemption of the Redeemed Bonds.

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Please bring this copy to Town Meeting

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Calendar year 2024 Salaries are in the 2024 Annual Report

The Elizabeth I. Hastings Middle School building is accessible and designated parking is available. Requests for ADA accommodations can be reviewed by calling the Town Clerk’s office at least one week before the Town Meeting.

Please bring this copy to Town Meeting

Letter from the Town Moderator

Dear Town Meeting Member:

On Saturday, May 3, 2025 at 9:00 a.m., we will convene the 2025 Annual Town Meeting in person at Hastings Middle School in the Silveira Auditorium.

In advance of Town Meeting, our precinct meetings and the Town Meeting preview will be held on Wednesday, April 30, 2025 beginning at 6:30 p.m. at Hastings Middle School in the Silveira Auditorium. Town Meeting members will meet in classrooms designated for their precinct (see below) beginning at 6:30 p.m. followed immediately by the Town Meeting preview. At your precinct meeting, you will elect the chair, fill vacant town meeting seats and discuss matters important to your precinct, including any vacancies on the Finance Committee. **It is important to note that precinct meetings require a quorum of members to conduct official business.** During the Town Meeting preview, we will run through all of the articles contained in the Annual Town Meeting warrant and elected and appointed officials will be on hand to answer questions you may have.

To ensure that the precinct meetings are easily accessible, we have designated classrooms at Hastings Middle School for these meetings. These same classrooms will be available to the precincts the morning of Town Meeting beginning at 8:30am in the event individual precinct meetings are necessary. Below are the room assignments. Each of the classrooms is in close proximity to Silveira Auditorium.

Precinct	Class Room	Location
1	34	Main Hallway to the right of the 6 th Grade wing
2	35	
3	36	
4	37	6 th Grade wing – closest to Auditorium
5	23	
6	24	

TOWN MEETING INFORMATION

You can also find information about Town Meeting including warrants, minutes, etc. on the Town Moderator or Town Meeting member webpages (links below). The warrant and other information will also be mailed to you in advance of Town Meeting. There will also be an orientation video available on the Town Moderator webpage to learn more about the town meeting process.

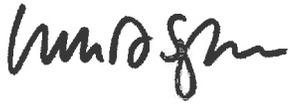
<https://www.fairhaven-ma.gov/town-moderator>
<https://www.fairhaven-ma.gov/town-meeting>

An email distribution list of town meeting members has also been created as an additional way to share information and updates about Town Meeting. To add or update your contact information please use the following link:

<https://docs.google.com/forms/d/e/1FAIpQLSdsYhT2FfRO58ci1PKgSVV06xyfXR1UwZKb5ccVpv5p-AVVAw/viewform>

I look forward to seeing you at Town Meeting on May 3, 2025. As always, please contact me with any questions you may have at (508) 858-7123 or via email at msylvia@fairhaven-ma.gov or msylviall@comcast.net.

Sincerely,



Mark D. Sylvia
TOWN MODERATOR

Letter from the Finance Committee

To Fairhaven Town Meeting Members:

The duty of the Finance Committee is to thoroughly review all articles on the warrant that call for appropriations of money and any articles that may affect the finances of the town. Once complete, the Finance Committee provides written recommendations to Town Meeting.

Entering this year's budget season, we were once again faced with a General fund deficit. Seeing expenditures outpacing revenue, the administration requested all General Fund departments provide a budget that was 2% less than last year.

The response was mixed. Some departments provided budgets that were only slightly less than last year, others more than 2% less, while some provided an increased budget over last year.

Decreases were achieved in large part by budgeting closer to the actuals of the past 3 years. There are also some cuts to training and seminars along with an expected lower fuel price. There is no added staffing and the only staffing cut is a part time Deputy in Marine Resources.

The budget cuts along with an early pay-off of the Fire engine debt facilitated a balanced General Fund budget for FY 26.

The General Fund Capital plan is funded at \$1,753,084 containing the usual replacement of existing vehicles and upgrades for safety. Of note, is the money set aside for road work, which continues to be lower than historical levels.

For many years, now, we have been faced with budget shortfalls. To address these shortfalls, the administrations have used one time money, a failed tax override, and raising trash fees.

In December, the Finance Committee met to discuss the re-occurring financial challenges and solutions to address them. The committee made several recommendations to the administration. These included a hiring freeze, a capital spending freeze, tightened labor contracts, use of outside services, regionalization and controlling legal costs among many other ideas.

If faced with a choice of raising taxes or cutting budgets, the Finance Committee took a straw vote strongly in favor of budget cuts.

Though we have a balanced budget this year, it will only get tougher next year. The time has come for the incoming Town Administrator to take a long-view of financial stability to put the Town of Fairhaven on solid ground for the future.

Respectfully submitted,
The Fairhaven Finance Committee

Finance Committee

The Member at-large is appointed by the Moderator, the Chair of the Select Board and the Chair of the Finance Committee in joint session

<u>PRECINCT 1</u>		
Padraic Elliott, Chair	39 Union Street	Term Expires 2026
Robert Grindrod	48 Center Street	Term Expires 2025
<u>PRECINCT 2</u>		
Claire Millette, Vice-Chair	138 Main Street	Term Expires 2025
Ken Blanchard	126 Adams Street	Term Expires 2026
<u>PRECINCT 3</u>		
Stephen Levesque	42 Daniel Street	Term Expires 2026
David Patterson	271 Alden Road	Term Expires 2025
<u>PRECINCT 4</u>		
Peter Gardner	20 Bellvue Street	Term Expires 2025
James Souza	60 Hacker Street	Term Expires 2026
<u>PRECINCT 5</u>		
Steve Riley	6 Leeward Way	Term Expires 2026
Lisa Plante	5 Harvard Street	Term Expires 2025
<u>PRECINCT 6</u>		
Linda Gallant	361 Bridge Street	Term Expires 2025
Pattie Pacella	11 Forestview Drive	Term Expires 2026
<u>MEMBER AT LARGE</u>		
Chris Fidalgo	47 Union Street	Term Expires 2025

Warrant

The inhabitants qualified as Town Meeting Members shall meet on

Saturday, May 3, 2025 at 9:00 am

in the Walter Silveira Auditorium at the Elizabeth I. Hastings Middle School
to Act on the following Articles in the Warrant:

Majority Vote needed unless stated otherwise

ARTICLE 1: MEASURER OF WOOD AND BARK

To see if the Town will vote to instruct the Select Board to appoint a Measurer of Wood and Bark.

Petitioned by: Select Board

Select Board: Recommend Adoption

ARTICLE 2: TOWN REPORT

To receive the Annual Report of Town Officers.

Petitioned by: Select Board

Select Board: Recommend Adoption

ARTICLE 3: REPORT OF COMMITTEES

To hear and act upon the reports of any committees, or committee appointed in Town Meeting and to choose any committees or committee the Town may think proper and to raise and appropriate a sum of money for the expense of same, or to take any other action with relation to either of said matters, as the Town may deem necessary and proper.

Petitioned by: Select Board

Select Board: Recommend Adoption

ARTICLE 4: FY25 FUND ADJUSTMENTS

ARTICLE 4A: BILLS OF PRIOR YEAR

To see if the Town will vote to pay the unpaid bills of a prior fiscal year from Surplus Revenue (Free Cash). And others that may be brought forward, or take any other action relative thereto.

<u>Vendor</u>	<u>Amount</u> <u>Department</u>
Unum (Blue Cross Blue Shield)	\$636.34 Human Resources

Select Board: Recommend Adoption

Finance Committee: Recommend Adoption

Vote Required: Four-Fifths (4/5) Vote

ARTICLE 4B: FY25 GENERAL FUND ADJUSTMENTS

To see if the Town will vote to amend Article 5 of the May 4, 2024 Town Meeting “General Fund Operating Budget-FY25” as follows, or take any other action relative thereto.

1. Transfer from Surplus Revenue (Free Cash) as follows:
 - A. \$132,500 be transferred from Surplus Revenue (Free Cash) for the separation agreement with Prior Town Administrator (Department: Select Board)
 - B. \$57,000 be transferred from Surplus Revenue (Free Cash) for the Interim Town Administrator salary (Department: Select Board)
 - C. \$70,000 be transferred from Surplus Revenue (Free Cash) for Legal Cost (Department: Select Board)
 - D. \$32,000 be transferred from Surplus Revenue (Free Cash) to fund retroactive payment under an arbitration settlement with the Police Department (Department: Police Department)

Petitioned by: Interim Town Administrator

Select Board: Recommend Adoption
 Finance Committee: Recommend Adoption for B and C
 Yield to Petitioner for A and D

ARTICLE 5: AMEND ARTICLE 9A-19 FROM THE ANNUAL TOWN MEETING, MAY 4, 2024

To see if the town will reallocate the \$25,000 in funds for the zoning bylaw consultant to include funds for additional legal consulting and 3rd party environmental consultant services for:

- i. Contingency funds for the Community Planning Grant project, which these funds were originally requested.
- ii. To provide additional funds to allow for the addition of the property at the corner of Alden Road and David Drown Boulevard (Map 28, Lot 022B) to the 40R Plaza District.
- iii. To provide additional funds to address potential legal issues related to managing the current situation with the property located at Map 28C, Lot 071

Petitioned by: Land Use Director

Select Board: Recommend Adoption
 Finance Committee: Recommend Adoption

ARTICLE 6 TOWN OPERATING BUDGETS -FY26

6A: GENERAL FUND OPERATING BUDGET-FY26

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the amounts listed on the accompanying table to fund the Fiscal Year 2026 General Fund Operating Budget or take any other action relative thereto:

Petitioned by: Interim Town Administrator

*See Appendix A, page 28 for full budget description
 any changes will be distributed at Town Meeting*

Dept. Name/Function Totals	FY2025 Budgeted	FY2026 Budget
GENERAL GOVERNMENT		
General Government Salaries & Wages	\$2,133,179	\$2,034,930.24
General Government Operating Expenses	\$1,027,339	\$1,028,100.50
Subtotal General Government	\$3,160,518	\$3,063,030.74

Select Board: At Town Meeting
 Finance Committee: Recommend Adoption

	FY2025 Budgeted	FY2026 Budget
PUBLIC SAFETY		
Public Safety Salaries & Wages	\$9,049,221	\$9,082,702.83
Public Safety Operating Expenses	\$880,772	\$774,937.78
Subtotal Public Safety	\$9,929,993	\$9,857,640.61

Select Board: At Town Meeting
 Finance Committee: At Town Meeting

	FY2025 Budgeted	FY2026 Budget
EDUCATION		
Subtotal Fairhaven Public Schools	\$24,702,183	\$25,256,166
Subtotal New Bedford Regional Technical HS	\$2,626,000	\$2,631,268
Subtotal Bristol County Agricultural HS	\$310,100	\$332,694

\$28,220,128.00

Select Board: At Town Meeting
 Finance Committee: At Town Meeting

	FY2025 Budgeted	FY2026 Budget
PUBLIC WORKS		
Public Works Salaries & Wages	\$1,612,579	\$1,616,296.95
Public Works Operating Expenses	\$2,766,432	\$2,753,404.00
Subtotal Public Works	\$4,379,011	\$4,369,700.95

Select Board: At Town Meeting
 Finance Committee: Recommend Adoption

	FY2025 Budgeted	FY2026 Budget
HEALTH AND ENVIRONMENT		
Board of Health Salaries & Wages	\$172,797	\$172,559
Board of Health Operating Expenses	\$22,710	\$17,500
Subtotal Board of Health	\$195,507	\$190,059

Select Board: At Town Meeting
 Finance Committee: Recommend Adoption

	FY2025 Budgeted	FY2026 Budget
COMMUNITY SERVICES		
Community Services Salaries & Wages	\$542,295	\$609,716.49
Community Services Operating Expenses	\$1,586,994	\$1,465,605.53
Subtotal Community Services	\$2,129,289	\$2,075,322.02

Select Board: At Town Meeting
 Finance Committee: Recommend Adoption

	FY2025 Budgeted	FY2026 Budget
NON-DEPARTMENTAL		
Non-Departmental Salaries & Wages	\$0	\$500,000
Non-Departmental Operating Expenses	\$11,669,792	\$12,240,672
Subtotal Non-Departmental	\$11,669,792	\$12,740,672

Select Board: At Town Meeting
 Finance Committee: Recommend Adoption

	FY2025 Budgeted	FY2026 Budget
DEBT SERVICE		
General Fund	\$1,094,605	\$945,820

Select Board: At Town Meeting
 Finance Committee: Recommend Adoption

6B: WATER ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the Water Enterprise Fund for Fiscal Year 2026 or take any other action relative thereto:

	FY2025 Budgeted	FY2026 Budget
Amounts Appropriated:		
Salaries and Wages	807,523	806,042
Operating Expenses	2,145,338	2,210,904
Debt Service	295,725	364,251
Subtotal Water Enterprise Appropriations	3,248,586	3,381,197
Transfer for Amounts Appropriated in the General Fund	516,795	570,909
TOTAL WATER ENTERPRISE FUND OPERATING BUDGET	3,765,381	3,952,106

Funding Sources:		
Water Revenue	3,550,000	3,454,106
Water Retained Earnings	215,381	498,000
TOTAL FUNDING SOURCES	3,765,381	3,952,106

Petitioned by: Interim Town Administrator and Board of Public Works

Select Board: At Town Meeting
 Finance Committee: Recommend Adoption

6C: SEWER ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the Sewer Enterprise Fund for Fiscal Year 2026 or take any other action relative thereto:

	FY2025 Budgeted	FY2026 Budget
Amounts Appropriated:		
Salaries and Wages	1,397,067	1,423,640
Operating Expenses	1,591,826	1,674,325
Debt Service	956,904	839,862
Subtotal Sewer Enterprise Appropriations	3,945,797	3,937,827
Transfer for Amounts Appropriated in the General Fund	838,700	822,268
TOTAL SEWER ENTERPRISE FUND OPERATING BUDGET	4,784,497	4,760,095
Funding Sources:		
Sewer Revenue	4,704,497	4,750,000
Sewer Retained Earnings	80,000	10,095
TOTAL FUNDING SOURCES	4,784,497	4,760,095

Petitioned by: Interim Town Administrator and Board of Public Works

Select Board: At Town Meeting
 Finance Committee: Recommend Adoption

6D: TOWN CABLE ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the Town Cable Enterprise Fund for Fiscal Year 2026 or take any other action relative thereto:

	FY2025 Budgeted	FY2026 Budget
Amounts Appropriated:		
Salaries and Wages	184,773	189,130
Operating Expenses	30,700	31,525
Debt Service	0	0
Subtotal Town Cable Enterprise Appropriations	215,473	220,655
Transfer for Amounts Appropriated in the General Fund	24,671	25,565

TOTAL TOWN CABLE ENTERPRISE FUND OPERATING BUDGET	240,144	246,220
Funding Sources:		
Town Cable Revenue	202,665	202,079
Town Cable Retained Earnings	37,479	44,141
TOTAL FUNDING SOURCES	240,144	246,220

Petitioned by: Interim Town Administrator

Select Board: At Town Meeting
Finance Committee: Recommend Adoption

6E: SCHOOL CABLE ENTERPRISE FUND OPERATING BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following amounts to fund the operating budget of the School Cable Enterprise Fund for FY26 or take any other action relative thereto:

	FY 2025 Budgeted	FY2026 Budget
Amounts Appropriated:		
Salaries and Wages	115,214	127,027
Operating Expenses	28,840	21,667
Debt Service	0	0
Subtotal School Cable Enterprise Appropriations	144,054	148,694
Transfer for Amounts Appropriated in the General Fund	12,849	15,865
TOTAL SCHOOL CABLE ENTERPRISE FUND OPERATING BUDGET	156,903	164,559
Funding Sources:		
School Cable Revenue	156,903	156,919
School Cable Retained Earnings	0	7,640
TOTAL FUNDING SOURCES	156,903	164,559

Petitioned by: Interim Town Administrator and School Committee

Select Board: At Town Meeting
Finance Committee: Recommend Adoption

ARTICLE 7: GENERAL FUND CAPITAL PLAN

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following sums of monies to fund the capital equipment and projects listed below, or take any other action relative thereto:

Line	Department/Project	Amount	Funding Source
	Public Works Department		
1	Road Work	\$160,000	Free Cash
2	Vehicle Replacement (6 Wheel Dump)	\$250,000	Free Cash
3	Vehicle Replacement (Replace 2007 Utility Truck)	\$62,000	Free Cash
4	Vehicle Replacement (Replace #8 and #39)	\$28,000	Free Cash

5	Vehicle Replacement (Tractor Mower Deck Mower)	\$60,000	Free Cash
6	Cold Storage Rehab (Building)	\$30,000	Free Cash
7	Tree Maintenance	\$30,000	Free Cash
	Fire		
8	Transfer to Ambulance Stabilization Fund	\$70,000	Ambulance Fund
9	Ambulance	\$465,000	Stretcher Art, Amb. Stabilization Fund
10	Lucas Replacement (Chest Compression Device)	\$32,000	Free Cash
11	Free Fire Fighting Gear	\$116,500	Free Cash
	School		
12	FHS Elevator Replacement	\$175,000	Free Cash
	Police		
13	Cruiser Replacement	\$150,473	Free Cash
14	Body Worn Cameras	\$10,742	Free Cash
15	Firearm Upgrade	\$33,369	Free Cash
	Information Technology (IT)		
16	Replacement of Equipment	\$30,000	Free Cash
17	BPW Camera System	\$50,000	Free Cash
	Total recommended General Fund Capital Budget	\$1,753,084	
<i>\$70,000 Ambulance Receipts Reserved for Appropriation, \$161,179 Ambulance Stabilization, \$303,821 Ambulance Stretcher Article 13C, Annual Town Meeting June 18, 2022, \$1,218,084 Free Cash.</i>			

Petitioned by: Interim Town Administrator

Select Board: Recommend Adoption
Finance Committee: Recommend Adoption for 1-11 and 13-17
Recommend At Town Meeting for 12

ARTICLE 8: WATER ENTERPRISE FUND CAPITAL BUDGET

To see if the Town will appropriate \$800,000, or any other amount, to pay costs of water main replacement on Glenhaven Avenue and for the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by borrowing or otherwise provided, or take any other action relative thereto; and to see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following sums of monies to fund the capital equipment and projects of the Water Enterprise Fund: Wolf Island Road Pump Station Generator, Cold Storage Building and Vehicle Replacement #33, or take any other action relative thereto:

Line	Project	Amount	Funding Source
1	Glenhaven Avenue Water Main	\$800,000	Borrowing Authorization
2	Wolf Island Road Pump Station Generator	\$200,000	Water Retained Earnings
3	Cold Storage Building	\$30,000	Water Retained Earnings
4	Vehicle Replacement #33	\$60,000	Water Retained Earnings

Petitioned by: Board of Public Works

Select Board: Recommend Adoption
 Finance Committee: Recommend Adoption

Glenhaven Ave. Water Main Vote Required: Two-thirds (2/3) Vote

ARTICLE 9: SEWER ENTERPRISE FUND CAPITAL BUDGET

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the following sums of monies to fund the capital equipment and projects of the Sewer Enterprise Fund listed below, or take any other action relative thereto:

Line	Project	Amount	Funding Source
1	Inflow and Infiltration Study	\$250,000	Sewer Retained Earnings
2	Vehicle Replacement #49	\$130,000	Sewer Retained Earnings

Petitioned by: Board of Public Works

Select Board: Recommend Adoption
 Finance Committee: Recommend Adoption

ARTICLE 10: OTHER BUDGET ITEMS – APPROPRIATIONS – FUNDING OF ARTICLES

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum of monies for the following purposes or take any action relative thereto.

Line	Fund	Amount	Source
1	Vessel Repair	\$4,200	Waterway Fund
2	Transfer to Other Post-Employment Benefit (OPEB) Trust Fund	\$250,000	Free Cash
3	Capital Stabilization	\$150,000	Free Cash
4	Compensated Absences (retirement payouts)	\$130,000	Free Cash
5	Clerical Tuition (per Collective Bargaining Agreement)	\$10,000	Free Cash
6	Shellfish Propagation	\$23,000	Free Cash
7	Procurement Consultant	\$9,500	Free Cash
8	Replacement of Equipment (Recreation Center)	\$10,000	Free Cash
9	Debt Payment	\$370,650	Free Cash
10	Public Works Electrical Breaker Replacement	\$10,300	Free Cash
11	Increase Retiree COLA from \$17k to \$18k	\$85,000	Free Cash
12	Increase Life Insurance from \$5k to \$15k for active employees and \$5k to \$10k for retirees	\$24,000	Free Cash
13	FEMA Grant-PPE 5% Match	\$8,022	Free Cash
	Total	\$1,084,672	

\$1,080,472 from Free Cash, \$4,200 Waterway Fund

Petitioned by: Interim Town Administrator

Article Description Line 11:

To increase the COLA base for retirees, beneficiaries and survivors beginning 7/1/25 from \$17,000 to \$18,000 consistent with Chapter 188, Section 19 of the

Acts of 2010. This would result in an annual increase in pension benefits of \$30 per retiree.

Select Board: Recommend Adoption
 Finance Committee: Recommend Adoption

ARTICLE 11: STATE AID TO HIGHWAYS, CHAPTER 90

To see if the Town will vote to authorize the Board of Public Works to accept and enter into contract for the expenditure of any funds allotted or to be allotted by the Commonwealth of Massachusetts for the construction, reconstruction and improvement of Town roads, or to take any other action relative thereto.

Petitioned by: Board of Public Works

Motion: To adopt as written in the warrant.

Select Board: Recommend Adoption
 Finance Committee: Recommend Adoption

ARTICLE 12: FY26 COMMUNITY PRESERVATION COMMITTEE APPROPRIATIONS

To see if the Town will vote to appropriate or to reserve for later appropriation, and to authorize the Community Preservation Committee to expend or reserve, from the Community Preservation Fund available funds and FY26 Estimated Receipts as set forth herein, the following amounts for community preservation purposes, with such expenditures to be subject to conditions to be specified in applications and award letters from the Community Preservation Committee, with each item considered a separate appropriation:

See Appendix B, page 32 for Article Summary and Descriptions

PROPOSED FISCAL YEAR 2026 COMMUNITY PRESERVATION BUDGET	
APPROPRIATIONS	
	Recommended Amounts
Reserve for Appropriation	
A. Acquisition, creation, and preservation of Open Space, and its rehabilitation and restoration. (OS/R or OS or R) Estimated Receipts	\$70,000
B. Acquisition, creation, and preservation of Historic Resources (H) Estimated Receipts	\$70,000
C. Acquisition, creation, and preservation of Community Housing (CH) Estimated Receipts	\$70,000
D. Emergency Reserve Account Estimated Receipts	\$100,000
	Total Reserves for Appropriation \$310,000
Spending Appropriations	
E. FHA – Academy Building Repairs (H) (\$103,137 from existing Hist. Reserve Bal. and \$2,563 from the existing Unreserved Undesignated Bal.)	\$105,700

F.	Millicent Library - HVAC Engineering and Design Project (H) Unreserved Undesignated Bal.	\$115,000
G.	FHS - Window Preservation, Phase 7 (H) Unreserved Undesignated Bal.	\$90,360
H.	WMFS - Cultural Center Phase 4 (H) Unreserved Undesignated Bal.	\$25,660
I.	Tennis/Pickleball - Cushman Park Court Repair (R) (\$70,594 from existing Open Sp. Bal. Reserve and \$29,406 from the existing Unreserved Undesignated Bal.)	\$100,000
J.	BPW – Park Equipment (OS/R) Unreserved Undesignated Bal.	\$30,000
K.	BPW – Park Assessment (OS/R) Unreserved Undesignated Bal.	\$50,000
L.	FHA – Ash Street Windows (CH) Existing Community Housing Reserve Bal.	\$100,000
Administrative Spending Appropriation		
M.	To fund the Community Preservation Committee’s annual expenses for: Personal Service; Purchase of Services; Supplies; Other charges/expenditures (Estimated Receipts)	\$10,000
Total Recommended Spending Appropriations		\$936,720

Petitioned by: Community Preservation Committee

Select Board: Recommend Adoption
Finance Committee: Recommend Adoption

ARTICLE 13: REVOLVING FUNDS

ARTICLE 13A: NEW REVOLVING FUND – ROGER A. GRIMSHAW PARK

To see if the Town will authorize a “Roger A. Grimshaw Park Revolving Account” under the provisions of Massachusetts General Law Chapter 44, Section 53 E ½ by adding the following paragraphs to §2-6 of the Town Bylaws:

Roger A. Grimshaw Park Revolving Fund

- (1) Roger A. Grimshaw Park Revolving Fund. There shall be a separate fund called the “Roger A. Grimshaw Park Revolving Fund” authorized for use by the Council on Aging Director.
- (2) Revenues. The Town Accountant shall establish the Roger A. Grimshaw Park Revolving Fund as a separate account and credit to the fund 15% of all fees received from events located at Roger A. Grimshaw Park received by the Council on Aging in connection with the use of and events held at Roger A. Grimshaw Park.
- (3) Purposes and expenditures. During each fiscal year, the Council on Aging Director may incur liabilities against and spend monies from the Roger A. Grimshaw Park Revolving Fund for the purpose of funding the upkeep, maintenance, and improvement of Roger A. Grimshaw Park, or act in any other manner related thereto.
- (4) Fiscal years. The Roger A. Grimshaw Park Revolving Fund shall operate for fiscal years that begin on or after July 1, 2025

and to see if the Town will vote to authorize a total amount that may be expended from the Roger A. Grimshaw Park Revolving Fund for Fiscal Year 2026.

Petitioned by: Council on Aging Director

Select Board: Recommend Adoption
Finance Committee: Recommend Adoption

ARTICLE 13B: REVOLVING FUNDS

To see if the Town will authorize or re-authorize the following Revolving Accounts under the provisions of Massachusetts General Law Chapter 44, Section 53 E ½ by adding the following and to amend General Bylaws Section 2-6 terms or take any other action relative thereto:

Revolving Fund	Authorized to Spend	Revenue Source	FY26 Limit
Hazardous Materials	Fire Chief	Disposal fees/charges	\$100,000
Sustainability	Sustainability Committee	Fees/charges	\$10,000
Hoppy’s Landing	Marine Resources	Fees/charges from users of Hoppy’s Landing	\$25,000
Town Hall Auditorium	Town Administrator	Town Hall Auditorium rental fees	\$3,000
Park Utilities	Board of Public Works	User fees	\$2,000
Shellfish Mitigation	Marine Resources	Mitigation fees	\$25,000
Mooring Fees	Marine Resources	Mooring fees	\$4,000
Mattress Recycling	Board of Health/ Sanitation	Fees from mattress disposal	\$3,000
Hoarding Remediation	Board of Health	Revenue from textile recovery boxes	\$2,000
Supportive Social Day Program	Council on Aging Director	Receipts from supportive social day program	\$250,000
Roger A. Grimshaw Park (NEW)	Council on Aging Director	Receipts from events at Grimshaw Park	\$5,000

Petitioned by: Interim Town Administrator

Select Board: Recommend Adoption
Finance Committee: Recommend Adoption

ARTICLE 14: RESCIND AUTHORIZED BUT UNISSUED BALANCE OF BORROWING

To see if the Town will vote to rescind the authorized, but unissued, balance of \$18,000,000 from borrowing authorized to pay cost of constructing, equipping and furnishing the Leroy L. Wood Elementary School, approved by vote of the Town under Article 3 of the Warrant at the Special Town Meeting held on October 25, 2011, which authorized and unissued balance is no longer needed in order to complete the project; or to take any other action relative thereto.

Petitioned by: Treasurer

Select Board: Recommend Adoption
Finance Committee: Recommend Adoption

ARTICLE 15: HOME RULE PETITION: AMEND BYLAW CHAPTER 160 OF THE ACTS OF 2003

To see if the town will vote to authorize the Select Board to file a Home Rule petition to amend Chapter 160 of the Acts of 2003 for the appointment of retired police officers as special police officers, to allow retired police officers to work until the age of 70 instead of 65 as is currently allowed and to clarify the appointing authority by striking some of the existing language as indicated in strikethrough, or adding language as indicated in bold/underlined below; or take any other action relative thereto.

Request to amend as follows:

SECTION 1. ~~The Board of Selectmen~~ **The Chief of Police** *of the Town of Fairhaven, with Town Administrator approval, may appoint, as they deem necessary, retired Fairhaven police officers as special police officers for the purpose of performing police details or any other police duties arising therefrom or during the course of police detail work, regardless of whether or not related to the detail work. The retired police officers must have been regular Fairhaven police officers and retired based on superannuation. **No retired police officer shall be appointed as a special police officer pursuant to this act if that officer has been retired for more than five (5) years.** The special police officers shall **NOT** be subject to the same maximum age restrictions as applied to regular Fairhaven police officers under chapter 32 of the General Laws, **but shall not be eligible to serve as special police officers if they have reached the age of 70.** A special police officer must pass a medical examination, by a physician or other certified professional chosen by the town, to determine that he is capable of performing the essential duties of a special police officer, the cost of which shall be borne by the special police officer, prior to performing police details.*

SECTION 2. Special police officers appointed under this act shall not be subject to chapter 31 of the General Laws, ~~or to section 99A of chapter 41 of the General Laws~~ **or chapter 150E of the General laws.**

SECTION 3. Special police officers shall, when performing the duties under section 1, have the same power to make arrests and perform other police functions as do regular police officers of the Town of Fairhaven.

SECTION 4. Special police officers shall be appointed for an indefinite term, subject to removal by the ~~Board of Selectmen~~ **Chief of Police, with Town Administrator approval**, *at any time with 14 days written notice. Upon request, the ~~Board of Selectmen~~ **Chief of Police** shall provide reasons for removal in writing. **A special police officer's appointment shall automatically terminate upon the officer reaching the age of 70.***

SECTION 5. Special police officers shall also be subject to the rules and regulations, policies and procedures and requirements of the Fairhaven police department and Chief of Police of the Town of Fairhaven including restrictions on the type of detail assignment, requirements regarding medical examinations to determine continued capability to perform the duties of a special police officer, requirements for training, requirements for firearm licensing and qualification and requirements regarding uniforms and equipment. Special police officers shall not be subject to section 96B of chapter 41 of the General laws.

SECTION 6. Special police officers shall be sworn before the town clerk of the Town of Fairhaven who shall keep a record of all such appointments.

SECTION 7. Special police officers appointed under this act shall be subject to section 100 and section 111F of chapter 41 of the General Laws. The amount payable under said section 111F of chapter 41 shall be calculated by averaging the amount earned over the prior 52 weeks as a special police officer working police details, or averaged over such lesser period of time for any officer designated as special police officer less than 52 weeks prior to the incapacity. In no event shall payment under said section 111F of chapter 41 exceed, in any calendar year, the limitation on earning contained in paragraph (b) of section 91 of chapter 32 of the General Laws. Payment under said section 111F of chapter 41 shall terminate ~~when a special police officer reaches the age of 65. In the event the age limitation applicable to regular police officers serving the town is increased from the current 65 years of age, the termination of benefits under said section 111F of said chapter 41, as the benefits extend beyond the age of 70 for any special police officer. **in accordance with said section 111F of said chapter 41 or at the conclusion of the employment term, whichever occurs sooner.**~~ Special police officers appointed under this act shall not be subject to section 85H of said chapter 32, nor eligible for any benefits pursuant thereto.

SECTION 8. Appointment as a special police officer shall **NOT** entitle any individual appointed as such to assignment to any detail.

SECTION 9. Retired Fairhaven police officers serving as special police officers under this act shall be subject to the limitations on hours worked and on payments to retired town employees under paragraph (b) of section 91 of

chapter 32 of the General Laws.

SECTION 10. This act shall take effect upon its passage.

Petitioned by: Police Department

Select Board: Recommend Adoption
Finance Committee: Yield to Petitioner

ARTICLE 16: HOME RULE PETITION: TOWN OF FAIRHAVEN CHARTER

To see if the Town will vote to authorize the Select Board to file a Home Rule Petition with the Massachusetts General Court to adopt the Town of Fairhaven Charter submitted by the Charter Committee in accordance with Article 48 of the June 12, 2021 Annual Town Meeting; or to take any other action relative thereto.

**Appendix C containing language will be provided at Town Meeting*

Petitioned by: Charter Committee

Select Board: At Town Meeting
Finance Committee: Yield to Petitioner

ARTICLE 17: AMEND BYLAW, CHAPTER 164, SOLID WASTE

To see if the Town will vote to amend Bylaws, Chapter 164 Solid Waste by adding to the existing language indicated below in bold/underlined; or to take any other action relative thereto.

Request to amend as follows:

B. General Prohibition and Regulation.

No retail establishment, retail food establishment, nonprofit and/or Town facility food provider shall transfer merchandise to end consumers in a thin- film single-use plastic bag, and shall only use check- out bags that are:

a. Reusable checkout bags

i. Reusable checkout bag shall be defined as the following:

“A bag that is not made of plastic film and that is made from any other natural or synthetic fabric, including, but not limited to, woven or nonwoven nylon, polypropylene, polyethylene-terephthalate, or Tyvek, shall satisfy all of the following:

(1) It shall be sewn.

(2) It shall be capable of carrying 22 pounds over a distance of 175 feet for a minimum of 125 uses.

(3) It shall have a minimum fabric weight of at least 80 grams per square meter.

Petitioned by: Board of Health

Select Board: Recommend Adoption
Finance Committee: Yield to Petitioner

ARTICLE 18: AMEND BYLAW, CHAPTER 50, § 3, MEETING TO ELECT TOWN OFFICIALS

To see if the Town will vote to amend Bylaws, Chapter 50 § 3, Meeting to elect Town officials by striking some of the existing language as indicated in strikethrough, or adding language as indicated in bold/underlined below; or to take any other action relative thereto.

Request to amend as follows:

The Annual Town Meeting shall be held on the first ~~Monday in April~~ **Saturday in May, unless otherwise specified by the Select Board, at which time all articles in the warrant will be considered,** at which time the election of all Town officials and Town Meeting members shall take place, and thereafter said meeting will be adjourned to another day for the consideration of all other articles in the warrant. **The Annual town election of officers and town meeting members will be adjourned until the 2nd Tuesday in June.**

Petitioned by: Select Board

Select Board: Recommend Adoption
Finance Committee: Yield to Petitioner

ARTICLE 19: AMEND BYLAWS CHAPTER 198 ZONING

To see if the Town will vote to amend Chapter 198 Zoning of the Fairhaven Town Code, as follows:

(i) by amending Section 198-14, entitled “Establishment of districts,” at the end of Subsection A, to amend the following new overlay district:

Fairhaven Smart Growth Overlay District (FSGOD)

and

(ii) by amending Appendix A, Section 3.1 to read “The Fairhaven Smart Growth Overlay District, herein after referred to as the “FSGOD,” is an overlay district having a land area of approximately 89.32 acres in size that is superimposed over the underlying zoning districts and on the Zoning Map as set forth on maps entitled “2025 Update to the Fairhaven 40R Smart Growth Overlay Smart Growth Zoning Map””, amending the existing map entitled “Fairhaven 40R Smart Growth Overlay 4-2 Smart Growth Zoning Map (Plaza Area SGOD), dated 6/19/2024.

and

- (iii) and, further, to amend the “Town of Fairhaven Zoning Map,” as referenced in Section 198-14(B) of the aforementioned Code, by adding the map entitled “2025 Update to the Fairhaven 40R Smart Growth Overlay Smart Growth Zoning Map,” and prepared by Dodson & Flinker.

Petitioned by: Director of Land Use

Select Board: At Town Meeting
 Finance Committee: Yield to Petitioner

ARTICLE 20: PUBLIC SAFETY COMPLEX STABILIZATION FUND
ARTICLE 20A: CREATE PUBLIC SAFETY COMPLEX STABILIZATION FUND

To see if the Town will vote to create a Public Safety Complex Stabilization Fund under Massachusetts General Laws (MGL), Chapter 40, Section 5B, effective for fiscal year 2026, beginning on July 1, 2025. This fund will be utilized for the acquisition of land and for the preliminary design of a Public Safety Complex; or to take any other action relative thereto.

Petitioned by: Fire Chief and Police Chief

Select Board: Recommend Adoption
 Finance Committee: At Town Meeting

Vote Required: Two-thirds (2/3) Vote

ARTICLE 20B: PUBLIC SAFETY COMPLEX STABILIZATION FUND

To see if the Town will vote to transfer the sum of \$2,500,000 from the Capital Stabilization Fund to be deposited in the Public Safety Complex Stabilization Fund as authorized by MGL Chapter 40, Section 5B, or to take any other action relative thereto.

Petitioned by: Fire Chief and Police Chief

Select Board: Recommend Adoption
 Finance Committee: Recommend Adoption

Vote Required: Two-thirds (2/3) Vote

ARTICLE 21: DONATION OF PARCEL ID 27-334, 0 WASHBURN AVE., FAIRHAVEN, MA

To see if the Town will vote to authorize the Select Board to accept a deed to acquire by gift the real property located at 0 Washburn Avenue, Map 27, Lot 334, from the current private owner, the estate of Sidney Feldman (“The Estate”), or take any other action relative thereto.

Petitioned by: Select Board / Conservation Commission

Select Board: At Town Meeting
 Finance Committee: Yield to Petitioner

ARTICLE 22: CITIZENS PETITION – AMEND BYLAWS, CHAPTER 88, FAIRHAVEN PUBLIC SHADE TREE BYLAW

To have the following language added to Chapter 88, Fairhaven Public Shade Tree Bylaw:

Addition to Chapter 88 Public Shade Tree Bylaw

- 6) **Shade Tree Planting Board**
A Shade Tree Planting Board will be created by the town. It shall consist of three members. Members shall be town residents with demonstrable qualifications in the area of urban forestry management. The board shall be appointed by the select board and the term of a Shade Tree Board Member will be 2 years. At least one member of the board will be a current Massachusetts Qualified Tree Warden. The boards responsibilities shall be thus
 - a. In conjunction with the Tree Warden identify planting sites and species for new shade trees.
 - b. Purchase public shade trees with monies designated by the town for such purposes.
 - c. Raise funds for the purchase of new public shade trees
 - d. Facilitate planting and care for the new public shade trees until reaching a diameter of 6 caliper inches at breast height.
 - e. Approve the removal of public shade trees that are viable and not evaluated to be imminent risk.
- 7) **Damage reporting**
Any damage to public shade trees by vehicles, vandals, town departments or any other entity shall be reported to the police department, whom shall provide a police report to the Tree Warden who in turn shall provide it to the Shade Tree Planting Board. The Tree warden shall be responsible for pursuing compensation for any damage to public shade trees deemed appropriate by the Shade Tree Planting Board.
- 8) **Damages Usage**
Any monies recovered for damage to town infrastructure in the form of public shade trees shall be placed into the shade tree planting fund.
- 9) **Shade Tree Value**
A value of \$500 per caliper inch at breast height will be used as a value for public shade trees.
- 10) **Fines and Fees**
Any fines or fee payments issued by the Tree Warden shall first be reviewed and approved by the Shade Tree Planting Board.

Petitioned by: Don Carlos Collasius

Select Board: Yield to Petitioner
 Finance Committee: Yield to Petitioner

**ARTICLE: 23 CITIZENS PETITION – AMEND BYLAW, CHAPTER 83
ALCOHOL, BEVERAGES & DRUGS SECTION § 5**

To amend the Fairhaven Town Bylaw Chapter 83, Alcohol, Beverages & Drugs Section § 5 to allow the sale of glass 100 milliliter single use containers effective May 12, 2025. All 100 milliliter single use containers made from glass will be permitted to sell.

Petitioned by: Kelly Smith

Select Board: Yield to Petitioner
Finance Committee: Yield to Petitioner

**ARTICLE 24: CITIZENS PETITION – HARD SURFACE-WITHDRAWN BY
PETITIONER**

To see if the Town will vote to reconstruct hard-surface of Chase Road from Crescent to Raymond:

Petitioned by: Richard Spoor

ARTICLE 25: STREET ACCEPTANCE: ALVES WAY

To see if the Town will vote to accept as a public street Alves Way, or take any action relative thereto.

Petitioned by: Antonio Alves

ARTICLE: 26 OTHER BUSINESS

To act upon any other business which may legally come before this meeting.

And you are hereby directed to serve this warrant by posting an attested copy thereof on or near the front or main entrance of the polling place for all Precincts at the Fairhaven Recreation Center, 227 Huttleston Avenue, seven days at least prior to the date of the meeting.

List of Appendices

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Appendix C, Article 16 Home Rule Petition: Town of Fairhaven Charter*	34
<i>*To be provided at Town Meeting</i>	

**NOTE: Calendar Year (CY) 2024 Salaries can be found
in the 2024 Annual Report**

APPENDIX A - Article 6A General Fund Operating Budget FY26

Function/ Dept. #	Department Name/Function Totals	FY 2025 Budgeted	FY 2026 Requested Budget
GENERAL GOVERNMENT (MISC.)			
114	Moderator Salary	\$1,000.00	\$1,000.00
122/195/405	Select Board/Town Adm./Town Report/Engineering		
	Salaries & Wages	\$364,716.00	\$352,693.20
	Operating Expenses	\$40,590.00	\$31,440.00
153	Human Resources		
	Salaries & Wages	\$178,123.00	\$151,065.00
	Operating Expenses	\$64,465.00	\$78,695.00
113/131	Town Meeting/Finance Committee		
	Salaries & Wages	\$1,500.00	\$1,000.00
	Operating Expenses	\$7,830.00	\$6,400.00
	Reserve Fund	\$75,000.00	\$75,000.00
151	Legal	\$285,277.00	\$300,000.00
192	Town Hall		
	Salaries & Wages	\$174,516.00	\$178,426.00
	Operating Expenses	\$81,890.00	\$79,777.00
155	Consolidated Information Technology		
	Salaries & Wages	\$345,271.00	\$371,169.00
	Operating Expenses	\$226,205.00	\$221,760.00
	General Government Salaries & Wages	\$1,065,126.00	\$1,055,353.20
	General Government Operating Expenses	\$781,257.00	\$793,072.00
	Subtotal General Government	\$1,846,383.00	\$1,848,425.20
GENERAL GOVERNMENT (MUNICIPAL FINANCE)			
135	Accounting		
	Salaries & Wages	\$204,997.00	\$205,498.00
	Operating Expenses	\$66,357.00	\$64,480.00
145	Treasurer/Collector		
	Salaries & Wages	\$292,995.00	\$256,307.00
	Operating Expenses	\$66,175.00	\$63,155.00
141	Assessors		
	Salaries & Wages	\$140,022.00	\$144,395.00
	Operating Expenses	\$51,125.00	\$43,121.00
	Municipal Finance Salaries & Wages	\$638,014.00	\$606,200.00
	Municipal Finance Operating Expenses	\$183,657.00	\$170,756.00
	Subtotal Municipal Finance	\$821,671.00	\$776,956.00
GENERAL GOVERNMENT (TOWN CLERK/ELECTIONS)			
161/163	Subtotal Salaries & Wages	\$189,606.00	\$168,127.04
161/163	Subtotal Operating Expenses	\$35,245.00	\$44,651.50
PLANNING & DEVELOPMENT			
175-00	Planning Board		
	Salaries & Wages	\$0.00	\$0.00
	Operating Expenses	\$0.00	\$0.00

175-01	Planning and Economic Development		
	Salaries & Wages	\$128,528.00	\$129,567.00
	Operating Expenses	\$12,530.00	\$8,171.00
175-02	Economic Development Committee		
	Salaries & Wages	\$0.00	\$0.00
	Operating Expenses	\$0.00	\$0.00
176	Board of Appeals		
	Salaries & Wages	\$3,060.00	\$0.00
	Operating Expenses	\$3,500.00	\$3,500.00
171	Conservation Commission		
	Salaries & Wages	\$108,845.00	\$75,683.00
	Operating Expenses	\$9,350.00	\$6,150.00
122	Buzzards Bay Action Committee	\$1,800.00	\$1,800.00
	Planning & Development Salaries & Wages	\$240,433.00	\$205,250.00
	Planning & Development Operating Expenses	\$27,180.00	\$19,621.00
	Subtotal Planning & Development	\$267,613.00	\$224,871.00
TOTAL GENERAL GOVERNMENT			
	General Government Salaries & Wages	\$2,133,179.00	\$2,034,930.24
	General Government Operating Expenses	\$1,027,339.00	\$1,028,100.50
	Subtotal General Government	\$3,160,518.00	\$3,063,030.74
PUBLIC SAFETY			
210/292	Police Department/Animal Control		
	Salaries & Wages	\$5,094,121.00	\$5,046,874.83
	Operating Expenses	\$462,530.00	\$409,679.78
220/225/291	Fire Department/Emergency Management		
	Salaries & Wages	\$3,574,110.00	\$3,613,442.00
	Operating Expenses	\$377,697.00	\$322,460.00
241	Building Department		
	Salaries & Wages	\$195,655.00	\$237,253.00
	Operating Expenses	\$4,030.00	\$4,481.00
298	Marine Resources		
	Salaries & Wages	\$178,195.00	\$177,993.00
	Operating Expenses	\$36,140.00	\$38,017.00
244	Weights & Measures		
	Salaries & Wages	\$7,140.00	\$7,140.00
	Operating Expenses	\$375.00	\$300.00
	Public Safety Salaries & Wages	\$9,049,221.00	\$9,082,702.83
	Public Safety Operating Expenses	\$880,772.00	\$774,937.78
	Subtotal Public Safety	\$9,929,993.00	\$9,857,640.61
EDUCATION			
300	Fairhaven Public Schools	\$24,820,213.00	\$25,256,166.00
301	NB Regional Technical HS	\$2,626,000.00	\$2,631,268.00
302	NB Regional Technical HS	\$310,100.00	\$332,694.00
	Subtotal Education	\$27,756,313.00	\$28,220,128.00

PUBLIC WORKS			
421	Administration Division		
	Salaries & Wages	\$86,615.00	\$88,731.95
	Operating Expenses	\$19,375.00	\$8,375.00
403/420	Highways Division		
	Salaries & Wages	\$1,329,321.00	\$1,364,760.00
	Operating Expenses	\$742,137.00	\$721,252.00
	Snow & Ice	\$60,000.00	\$60,000.00
650	Parks Department		
	Salaries & Wages	\$162,261.00	\$162,805.00
	Operating Expenses	\$53,000.00	\$56,500.00
294/295	Tree Department		
	Salaries & Wages	\$34,382.00	\$0.00
	Operating Expenses	\$38,145.00	\$68,945.00
431	Sanitation - Operating Expenses	\$1,792,775.00	\$1,776,332.00
424	Street Lighting	\$61,000.00	\$62,000.00
	Public Works Salaries & Wages	\$1,612,579.00	\$1,616,296.95
	Public Works Operating Expenses	\$2,766,432.00	\$2,753,404.00
	Subtotal Public Works	\$4,379,011.00	\$4,369,700.95
HEALTH & ENVIRONMENT			
510	Board of Health		
	Salaries & Wages	\$172,797.00	\$172,559.00
	Operating Expenses	\$22,710.00	\$17,500.00
	Subtotal Board of Health	\$195,507.00	\$190,059.00
COMMUNITY SERVICES			
541	Council on Aging		
	Salaries & Wages	\$153,873.00	\$154,338.00
	Operating Expenses	\$35,497.00	\$35,247.00
543	Veterans Services		
	Salaries & Wages	\$91,433.00	\$94,302.18
	Operating Expenses	\$564,350.00	\$545,021.96
611	Millicent Library	\$797,302.00	\$770,528.00
640	Recreation Department		
	Salaries & Wages	\$215,138.00	\$302,971.31
	Operating Expenses	\$146,975.00	\$51,900.00
189	Tourism Department		
	Salaries & Wages	\$81,851.00	\$58,105.00
	Operating Expenses	\$18,570.00	\$41,308.57
691	Fine Arts - expenses	\$1,000.00	\$850.00
670	Historical Commission - expenses	\$15,800.00	\$15,200.00
692	Memorial/Veterans Day - expenses	\$2,000.00	\$2,500.00
690	Cultural Council - expenses	\$1,500.00	\$1,250.00
190	Commission on Disability - expenses	\$1,000.00	\$900.00

191	Belonging Committee	\$1,000.00	\$900.00
122	Rape Crisis Project - expenses	\$2,000.00	\$0.00
	Community Services Salaries & Wages	\$542,295.00	\$609,716.49
	Community Services Operating Expenses	\$1,586,994.00	\$1,465,605.53
	Subtotal Community Services	\$2,129,289.00	\$2,075,322.02
NON-DEPARTMENTAL			
911	Contributory Retirement	\$4,134,792.00	\$4,334,352.00
924	Group Insurance	\$5,250,000.00	\$5,445,000.00
913	MA Employment Security	\$66,000.00	\$100,000.00
925	Town General Insurance	\$1,112,000.00	\$1,234,320.00
918	Medicare Taxes (Employer Share)	\$482,000.00	\$502,000.00
122	Wind Turbine Electric Expense	\$625,000.00	\$625,000.00
122	Salary Reserve	\$0.00	\$500,000.00
	Non-Departmental Salary & Wages	\$0.00	\$500,000.00
	Non-Departmental Operating Expenses	\$11,669,792.00	\$12,240,672.00
	Subtotal Non-Departmental	\$11,669,792.00	\$12,740,672.00
DEBT SERVICE			
710	Debt Service		
	Subtotal Debt Service	\$1,094,605.00	\$945,820.00
	GRAND TOTAL	\$60,315,028.00	\$61,462,373.32
GRAND TOTAL BREAKDOWN			
	Salaries & Wages - Town	\$13,510,071.00	\$14,016,205.51
	Operating Expenses - Town	\$6,284,247.00	\$6,039,547.81
	Educational Services	\$27,756,313.00	\$28,220,128.00
	Non-Departmental Costs	\$11,669,792.00	\$12,240,672.00
	Debt Service	\$1,094,605.00	\$945,820.00
	Grand Totals	\$60,315,028.00	\$61,462,373.32

DESCRIPTIONS
2025 ANNUAL TOWN MEETING
CPC FY26 COMMUNITY PRESERVATION COMMITTEE
APPROPRIATIONS

- A. **Open Space Reserve:** This is to reserve at least the minimum 10% of anticipated revenues to remain in compliance with the Community Preservation Act.
- B. **Historic Preservation Reserve:** This is to reserve at least the minimum 10% of anticipated revenues to remain in compliance with the Community Preservation Act.
- C. **Community Housing Reserve:** This is to reserve at the least the minimum 10% of anticipated revenues to remain in compliance with the Community Preservation Act.
- D. **Emergency Reserve Account:** A reserve account for emergencies that need funds but fall outside of the normal CPC Application and Review process. Projects would still need to be approved by Town Meeting.
- E. **Academy Building Repairs** Project will include the installation of new shingles on the East, North and West faces of the building and the tower. It will also include some repairs to the exterior and interior with painting, repair and install a new bulkhead. The bathroom will be renovated and brought up to ADA compliance, as well as an ADA compliant push- button door opener for the back door.
- F. **Millicent Library - HVAC Engineering and Design Project** The next phase of the overall upgrade, which is to complete the design and engineering of the new heating and air system.
- G. **FHS - Window Preservation, Phase 7** Final Phase of the window renovation and preservation of windows at FHS. This includes windows on the ground floor of the building.
- H. **Whitfield Manjiro Friendship Society - Cultural Center Phase 4** Finish interior work in this final phase of renovation. Including flooring, painting and handicap access ramp.
- I. **Tennis/Pickleball - Cushman Park Court Repair** Resurfacing and repair of courts at Cushman Park. Also includes painting and restriping.
- J. **BPW – Park Equipment** - Replace park equipment at different parks including but not limited to bleachers, benches, and other outdoor replacement furniture.

- K. **BPW – Park Assessment** Complete park assessment of 12 different parks in town, focusing on the 3 larger parks. Assessment will determine the condition and needs for improvements.
- L. **FHA - Ash Street Windows** Fairhaven Housing Authority- Replace all windows at all three buildings on Ash. Street
- M. **Administrative services and operating expenses:** Personal Service; Purchase of Services; Supplies; Other charges/expenditures (Estimated Receipts)

MOTIONS

Move that the Town vote to appropriate or reserve from the Community Preservation Fund annual revenues or available funds the amounts recommended by the Community Preservation Committee for community preservation projects, committee's administrative expenses, and other expenses in Fiscal Year 2026, with each item to be considered a separate appropriation.

- A. Move Adoption and to Reserve for future appropriations \$70,000 from Estimated Receipts for acquisition, creation, and preservation of Open Space, and its rehabilitation and restoration.
- B. Move Adoption and to Reserve for future appropriations \$70,000 from Estimated Receipts for acquisition, creation, and preservation of Historic Resources.
- C. Move Adoption and to Reserve for future appropriations \$70,000 from Estimated Receipts for acquisition, creation, and preservation of Community Housing.
- D. Move Adoption and to Reserve for future appropriations \$100,000 from Estimated Receipts for the Emergency Reserve Account.
- E. Move Adoption and to appropriate \$103,137 from the existing Historic Balance Reserve and \$2,563 from the existing Unreserved Undesignated Balance for the Academy Building Repairs.
- F. Move Adoption and to appropriate \$115,000 from the existing Unreserved Undesignated Balance for The Millicent Library HVAC Engineering and Design Project.
- G. Move Adoption and to appropriate \$90,360 from the existing Unreserved Undesignated Balance FHS - Window Preservation, Phase 7.
- H. Move Adoption and to appropriate \$25,660 from the existing Unreserved Undesignated Balance WMFS - Cultural Center Phase 4.

- I. Move Adoption and to appropriate \$70,594 from the existing Open Space Balance Reserve \$29,406 from the existing Unreserved Undesignated Balance for Tennis/ Pickleball - Cushman Park Courts Repair.
- J. Move Adoption and to appropriate \$30,000 from the existing Unreserved Undesignated Balance for BPW – Park Equipment.
- K. Move Adoption and to appropriate \$50,000 from the existing Unreserved Undesignated Balance for BPW – Park Assessment.
- L. Move Adoption and to appropriate \$100,000 from Community Housing Reserved Balance for FHA – Ash Street Windows.
- M. Move Adoption and to appropriate \$10,000 from Estimated Receipts to CPC Administrative Spending Appropriation.

APPENDIX C - Article 16: Home Rule Petition: Town of Fairhaven Charter
To be provided by the Charter Committee at Town Meeting

GLOSSARY OF TERMS

Appropriation: An authorization to make expenditures and to incur obligations for specific purposes. An appropriation is granted by Town Meeting and is usually limited in time and amount as to when it may be expended. Any part of the general appropriation not spent or encumbered by June 30 automatically reverts to surplus, which may become Free Cash. A specific appropriation is carried forward from year to year until spent for the designated purpose or transferred by Town Meeting vote to another account.

Assessed Valuation: A valuation set upon real or personal property by the Board of Assessors as a basis for levying taxes.

Budget: A plan of financial operation consisting of an estimate of proposed expenditures for a given period and the means of financing them. The budget voted at Town Meeting is for the fiscal year that begins July 1st.

Capital Budget: A multi-year plan of spending for large capital items requested by Town Departments. Most of these items are voted on individually as special or capital warrant articles.

Cherry Sheet: Named for the cherry-colored paper on which they were originally printed, the Cherry Sheet is the official notification to cities, towns, and regional school districts of the next fiscal year's state aid and assessments. The aid is in the form of distributions, which provide funds based on formulas and reimbursements that provide funds for costs incurred during a prior period for certain programs or services.

Community Preservation Act (CPA): The Town adopted the Community Preservation Act (CPA) in 2006. This Act allows the town to collect up to a 3% surcharge (Fairhaven

has voted 2%) on property tax bills (the funds can be matched by the state when funds are available), which creates the Community Preservation Fund, to use for Community Preservation purposes. Each year, the town must appropriate, or reserve (but not necessarily spend), 10% of the funds for each of the three Community Preservation purposes: Open Space, Historic Resources, and Community Housing. The remaining 70% of the funds can be appropriated or reserved used for any of the three purposes and for Recreation and for administration.

Debt Service: Payment of interest and repayment of principal to holders of the Town's debt instruments.

Enterprise Fund: A type of fund used by a municipality to account for activities that provide goods or services to the general public, where the costs are recovered through user fees rather than taxes.

Fiscal Year: A 12-month period, commencing July 1 and ending June 30, to which the annual budget applies. Fiscal years are often denoted FYXX with the last two numbers representing the calendar year in which it ends, for example, FY19 is the fiscal year ending June 30, 2019.

Free Cash: Free cash is the portion of unreserved fund balance available for appropriation. It is not cash but rather is approximately the total of cash and receivables less current liabilities and earmarked reserves also reduced by reserves for uncollected taxes. This is also referred to as "surplus revenue". The amount is certified annually by the Massachusetts Department of Revenue.

General Fund: The major town-owned fund which is created with town receipts and which is charged with expenditures payable from revenues.

Grant: A contribution of assets by a governmental unit or other organization for specific purposes. Typically, these contributions are made to local governments from the state and federal governments.

Overlay: The amount set aside to allow for uncollected property taxes. An amount for the overlay is added to the appropriations and other charges.

Property Tax Levy: The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed "per thousand dollars" of assessed valuation.

Reserve Fund: Money set aside by Town Meeting to be allocated by the Finance Committee for extraordinary or unforeseen expenditures.

Stabilization Fund: A special reserve funded by Town Meeting for future expenditures.

Tax Classification: Before setting the tax rate each year, a classification hearing is held by the Select Board to determine the shares of the tax levy to be paid by each class of property in the community, and whether to allow an open space discount, residential exemption, or small commercial exemption. The Assessors provide information about the impact of these options at the hearing. The decisions of the Select Board are reported to the Bureau of Accounts and are referred to as the "Classification Tax Allocation."



ELISABETH E. HORAN
TOWN CLERK

H 6

TOWN CLERK'S OFFICE FAIRHAVEN, MASSACHUSETTS

TOWN HALL · 40 CENTER STREET · FAIRHAVEN, MA 02719

TELEPHONE: 508-979-4023 x 3 · EMAIL: CLERK@FAIRHAVEN-MA.GOV

MEMO

To: Select Board
From: Elisabeth E. Horan, Town Clerk *E.E.H.*
Date: April 10, 2025
Re: Annual Letter from Select Board to Town Committees

Honorable Select Board:

In accordance with MGL Chapter 54 §12, the Board of Selectmen are required to notify, in writing, the chairman of the Democratic and Republican Town Committees, to acquire a list of candidates who seek to be appointed as Election Officers. These lists must be filed by June 1st of the same year and may be addressed to the Board of Registrars, c/o Town Clerk for action.

As further outlined in MGL Chapter 54 §12, lists supplied by the town parties will be reviewed and provided to the Board of Selectmen by June 30th for further action.

The following are the present chairs of each committee.

Ms. Ann Richard
Democratic Town Committee
46 Hedge Street
Fairhaven, MA 02719

Mr. Robert McConnell
Republican Town Committee
32 Abbey Street
Fairhaven, MA 02719

cc: Board of Registrars

Thank You.

A letter is attached for your signatures.



**Town of Fairhaven
Massachusetts
Office of the Select Board**

40 Center Street
Fairhaven, MA 02719

Tel: (508) 979-4023

Fax: (508) 979-4079

Natalie A. Mello
Charles K. Murphy, Sr.
Andrew Romano
Andrew B. Saunders
Keith Silvia

April 14, 2025

Dear Local Town Committee Party:

In accordance with Massachusetts General Law, Town Committees are entitled each year to submit to the Board of Registrars a list of enrolled party members who are interested in serving as election officers.

If you wish to recommend any additional individuals for inclusion on the current list of election workers, please submit their names to the Board of Registrars, c/o Town Clerk Elisabeth E. Horan, no later than June 1, 2025.

Once the list is received, each nominee will be asked to complete a questionnaire to confirm their availability. Qualified names will then be forwarded to the Select Board for appointment at the next appropriate meeting.

Sincerely,

Natalie A. Mello

Charles K. Murphy, Sr.

Andrew Romano

Andrew B. Saunders

Keith Silvia

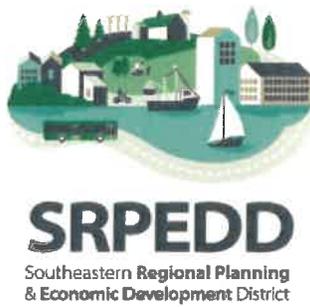
Select Board of Fairhaven

Ms. Ann Richard
Democratic Town Committee
46 Hedge Street
Fairhaven, MA 02719

Mr. Robert McConnell
Republican Town Committee
32 Abbey Street
Fairhaven, MA 02719

cc: Board of Registrars

Board	Liaison	Staff Liaison	NOTES
ADA Coordinator	Martha Reed	---	interim, appointed 12/16/2024
Affirmative Action Officer	TA	open	
Belonging Committee	Andrew Romano	HR	
Board of Assessors	n/a	Joanne Correia	
Board of Health	n/a	Dave Flaherty	
Board of Public Works	n/a	Vinnie Furtado	
Bristol County Advisory Board		---	
Broadband Study Committee	Andrew Romano	Derek Frates	
Cable Advisory Committee	Andrew Romano	Derek Frates	
Commission on Disability	Keith Silvia	Martha Reed	
Community Preservation Commission	n/a	Bruce Webb	
Conservation Commission	n/a	Bruce Webb	
Council on Aging	n/a	Martha Reed	
Cultural Council	n/a	Alyssa Botelho	
Dog Park Study Committee	Keith Silvia		reactivated 4-22-24
Economic Development Committee	Keith Silvia	Alyssa Botelho	
Fair Housing Coordinator	Charlie Murphy	---	
Historical Commission	Keith Silvia	Alyssa Botelho	
Lagoa Friendship Pact Committee	Charlie Murphy	Alyssa Botelho	appointed member
Livable Streets Committee	Andrew Saunders	Alyssa Botelho	(formerly Bikeway)
Local Emergency Planning Committee	TA	various	
Marine Resources Committee	Andrew Saunders	Tim Cox	
Millicent Library Board of Trustees		---	
Procurement Officer	TA	n/a	Contracted until new TA
Public Safety Complex Committee			newly formed for 2025
Rogers Reuse Committee	Keith Silvia	OPEN	
Sister City Committee	Charlie Murphy	OPEN	
South Coast Bikeway Alliance (SBCA)	Andrew Saunders	---	
SRPEDD	Andrew Saunders	---	SRPEDD - they usually send a form to us in April SMM/PG appt 2024
Southeastern Regional Transit Authority Board (SRTA)	Andrew Romano	---	Check around September from SRTA - they usually send a form
Sustainability Committee	Andrew Romano	Bruce Webb	
Zoning Board of Appeals	n/a	Rick Forand	
			list updated post-election 4/7/2025



2025-2026 SRPEDD Commission Member Appointment Form

The **Southeastern Regional Planning and Economic Development District (SRPEDD)** was created by the Massachusetts Legislature, along with 12 other regional planning agencies across the state to undertake regional planning and deliver cost-effective planning-related technical assistance to the municipalities that they serve (in SRPEDD's case: four cities and 23 towns). The key to all such agencies' success and effectiveness in achieving those missions, is the **Regional Commission**, or body of **appointed representatives** from each member municipality. As one would expect, there is call and opportunity for such Commissioners to exercise leadership, share of their expertise, and help to advance their respective regions— be it through land use, transportation, economic development, environmental, or multiple other types of planning. Indeed, it is the Commissioners that define the agency, who through their commitment, dedication, and engagement in the following, help to ensure that the region is most effectively served:

1. ***Policy Setting*** - Through your participation in Committee and at Commission meetings, you will be asked to vote on important policy matters affecting the region:
 - Regional development policies – adoption of plans and goals.
 - Regional priorities –assessment and establishment of priorities that help to determine and apportion federal and state funding for transportation and economic development projects.
 - Work program direction – deliberation on whether to apply for particular funding, and/or pursue identified projects in conjunction with the annual work program.
2. ***Partnering with Member Municipalities*** - As a liaison and key point of contact between your municipality and SRPEDD:
 - Provide timely information and updates to your municipality in regards to ongoing planning initiatives, upcoming funding and other opportunities; also, to fellow Commissioners about key planning issues in your community.
 - Help to represent your city/town's perspective in discussion of regional issues.
 - Help to educate and promote awareness of regional planning in your community.
3. ***Agenda Setting*** – Based on your understanding and familiarity with local and regional needs, help to set the organization's agenda by encouraging focus on prioritized planning issues important and beneficial to the region.

SRPEDD, 88 Broadway, Taunton, MA 02780

TEL: (508)824-1367 – FAX (508)823-1803 – Email: info@srpedd.org

4. **Commission Governance** – Finally, in conjunction with fellow Commissioners and possible service as a SRPEDD officer or committee member, help to provide key oversight on personnel, budget and other areas related to day-to-day operations.

**2025-2026 SRPEDD COMMISSION MEMBER
Appointment Form**

Please be advised that has been appointed to represent the (*check one*) Mayor [], Bd. of Selectmen [] Planning Bd. [] for the

City/Town of

on the SRPEDD Commission for the period:

May 31, 2025 through June 1, 2026

Signature: _____
Mayor or Chair, Board of Selectmen/Planning Board

Date: _____

Please provide SRPEDD Commissioner Appointee contact information

Name: _____

Street: _____

City/Town: _____

Telephone: _____

Email Address: _____

Please return this form by: **MAY 19, 2025**

Via Email: ssousa@srpedd.org, Fax: (508) 823-1803 or U.S. Mail



Monday, April 14, 2025

Correspondence

Memorial Day Parade Invitation



Fairhaven
Massachusetts

Office of Veterans Services
229 Huttleston Avenue
Fairhaven, MA 02719
508-202-4603 (Mike) or 508-658-3719 (Jane)
FAX: 508-979-4116
Mjenney@fairhaven-ma.gov
jbettencourt@fairhaven-ma.gov

March 25, 2025

Fairhaven Select Board
40 Center Street
Fairhaven MA 02719

Dear Select Board Members,

You are cordially invited to participate in Fairhaven's Memorial Day Parade on Monday, May 26, 2025.

Parade participants will assemble at the intersection of Main and Union Streets at 8:30 AM. The parade will commence at 9:00 AM.

The parade route will travel north down Main Street stopping at FHS to allow flag raising and continue on to Riverside Cemetery. Our traditional ceremony will take place there.

Afterwards there will be a gathering at the Fairhaven Senior Center located at 229 Huttleston Avenue, Fairhaven MA.

Please join us to commemorate the day.

If you are interested (and we hope you are!), please reply by Friday, May 9, 2025 by contacting Mike or Jane in the Veterans Office.

Should we experience inclement weather, there will be a Memorial Service at 9:00 AM with a gathering afterwards at the Fairhaven Senior Center.

Sincerely,

Mike Jenney, VSO and Parade Committee Members